



SCAPPOOSE PLANNING COMMISSION

Council Chambers at City Hall
33568 East Columbia Avenue

Thursday, December 8th, 2016, at 7:00 p.m. (* Revised)

1.0 CALL TO ORDER

2.0 ROLL CALL

3.0 APPROVAL OF MINUTES

3.1 October 27th, meeting

4.0 CITIZEN INPUT

5.0 NEW BUSINESS (*Revised)

5.1 Docket # CPTA2-16—DCTA1-16

The City of Scappoose proposes land use amendments consisting of the following proposed actions:

- Comprehensive Plan Text Amendment CPTA2-16 to update the findings and implementation text for the Airport Employment (AE) Plan Designation.
- Development Code Text Amendment DCTA1-16 to Chapter 17.74 *Airport Employment Overlay Zones* and Chapter 17.162 *Procedures for Decision Making--Quasi-Judicial* to apply the overlay zones to specific properties, to clarify conceptual master plan requirements, and to *specify review procedures*.

Format: Legislative Land Use Decision (verbal and written testimony permitted).

6.0 COMMUNICATIONS

6.1 Calendar Check

6.2 Commission Comments

6.3 Staff Comments

6.0 ADJOURNMENT

This is an open meeting and the public is welcome. The City of Scappoose does not discriminate on the basis of handicap status in its programs and activities. If special accommodations are required, please contact Susan M. Reeves, MMC, City Recorder, in advance, at 543-7146, ext 224. TTY 1-503-378-5938

SCAPPOOSE PLANNING COMMISSION
Council Chambers at City Hall
33568 East Columbia Avenue

Thursday, October 27, 2016, at 7:00 p.m.

1.0 CALL TO ORDER

Chair Kulp called the Scappoose Planning Commission workshop to order at 7:00 p.m.

2.0 ROLL CALL

Planning Commission:

Carmen Kulp	Chair
Bill Blank	Commissioner
Bruce Shoemaker	Commissioner
Scott Jensen	Commissioner
Derrick Vargason	Commissioner
Rita Bernhard	Commissioner

Staff:

Laurie Oliver	City Planner
Liz Happala	Office Administrator III

Excused: Commissioner Jim Dahla

3.0 APPROVAL OF MINUTES

3.1 September 22nd, 2016 meeting

Commissioner Blank & Chair Kulp submitted changes.

Commissioner Blank moved and Commissioner Vargason seconded the motion to approve the September 22, 2016 Planning Commission meeting minutes. Motioned passed (5-0).

AYES: Chair Kulp, Commissioner Blank, Commissioner Shoemaker, Commissioner Jensen, Commissioner Vargason and Commissioner Bernhard.

NAYS: None

4.0 CITIZEN INPUT

None

5.0 NEW BUSINESS

5.1 Appointment of Vice Chair

Commissioner Blank nominated to elect Commissioner Bernhard.

Commissioner Bernhard asked if anyone else wanted to be the vice chair.

Commissioner Shoemaker nominated Commissioner Jensen and asked him if he was open to it.

Commissioner Jensen replied that he was open to it.

Commissioner Bernhard stated that Commissioner Jensen could have the position.

Chair Kulp motioned that Commissioner Jensen would be the new Vice Chair.

AYES: Chair Kulp, Commissioner Blank, Commissioner Shoemaker, Commissioner Vargason and Commissioner Bernhard.

NAYS: None

Commissioners congratulated Commissioner Jensen.

5.2 Work Session to discuss Development Code Amendments

City Planner Oliver asked Chair Kulp to go over her plan to begin the code reviews and changes.

Chair Kulp stated that there are several areas they would like to focus on and have a game plan on which sections but she knows there are several items currently being reviewed by the City's legal counsel.

City Planner Oliver stated there are a couple of items in the works; the sign code is being updated or possibly completely re-written. She has the first revision; once it is done it will be brought to the planning commission for review. Legal counsel also provided an example of another jurisdiction that is going through a similar process. The other one will be coming at the Dec. 8th planning commission meeting is the application for the Airport Overlay zone for west of the airport which is just implementing what the UGB amendment ordinance had already put in place, but it had to wait until the TSP (transportation system plan) was adopted. Plus the Downtown Overlay zone is being looked at but the housing needs analysis could impact that chapter so this chapter review might have to wait until after the housing needs analysis is done. She is expecting that our A-1 ordinance for high density residential could change to allow for more than 8 units in one building as it was written in the early 1990's and is very outdated. There could also be changes to the zoning map and could basically change all our residential ordinances.

Commissioner Blank asked City Planner Oliver if she was working with an ad-hoc group on changes to the architectural review.

City Planner Oliver replied that is a separate component. The process for the upcoming changes that occur from the housing needs analysis would be through joint planning commission and city council work sessions plus a series of open houses.

Chair Kulp asked if that was what they are starting with.

City Planner replied yes that is the kick-off on Nov. 7th. During that joint work session they will come to explain the process and give you all a chance to express your observations, concerns and things you would like to see addressed.

Chair Kulp asked if their main focus was residential which City Planner Oliver agreed was correct.

Commissioner Bernhard asked if since the floods has the city done any changes to its development code in the flood areas.

City Planner Oliver replied that development prior to the late 1990's; allowed you to build an apartment in the 100 year flood plain but that is now gone. Adding that the only development allowed in the 100 year

flood plain is a single family residential on a 20,000 sq. ft. lot or greater. Same with commercial but you'd have to build to the flood plain ordinance with elevated foundations and a certain number of openings in the foundation to allow for flood waters to pass through. Adding that she is expecting significant changes to the flood plain ordinance to come from the federal and state levels in 2017 or 2018.

Commissioner Bernhard stated that it would make sense to look at the flood areas closer since we've had floods in 1996 and 2007.

City Planner Oliver stated that those flood zone areas will be taken out of the available buildable lands. And is hoping that it does not include our sensitive lands if possible.

Commissioner Bernhard asked about the sign ordinance related to the political sign situation since there was some confusion with that code.

City Planner Oliver stated that our code specifies a certain size and how many days it can be out before an election but our sign code should not specify political signs and should not be content based. Adding that the city's legal counsel is reviewing our sign code and will be removing that language.

Commissioner Bernhard stated that the county used to have a political section for political signs.

City Planner Oliver replied that it does take time and cost money to have someone review it and make changes to it.

Commissioner Blank added that with the political elections that there should be special situations.

City Planner Oliver stated that it would specify the size of the sign and the duration so it could be tied to an event but not to political language on the sign; it must be said very carefully.

Commissioner Bernhard asked about the issues with the signs being installed in the right of way.

City Planner Oliver replied that we do not allow for signs in the right of way; unless you have prior written approval by the city manager. Adding that this is all just a rundown of the items going on in the background and apologizes for how long amendments are taking in the review but appreciates the commissions help with the process.

Chair Kulp replied that they understand and they are willing to work together on it. She then asked Commissioner Jensen to start off with any code items he would like to focus on.

Commissioner Jensen stated that he would like to look at the parking regulations especially for multifamily codes since the issue had come up with the recent multi-family that was approved a few months ago; with the idea of parking requirements that are only related to the size of the apartment but does not address any visitor parking. Adding that 2 people typically have two vehicles and with the housing cost many people are sharing smaller spaces now; in the long-term it would be ideal to have less parking but for the short-term additional parking should be addressed.

Commissioner Blank asked if they could look into architectural design requirements.

City Planner Oliver asked if there was an actual model.

Commissioner Blank replied that they did have certain color chips that were required for all changes in the Downtown Overlay. And would also like to discuss open spaces to see how it could be worked into some of the development.

Chair Kulp stated that the email from resident Patrick Russell's touched on the wetlands area that she would like to be reviewed; especially in the industrial zones to make sure there is a barrier protection.

City Planner Oliver stated that it would be an ordinance related to wetlands regardless to the location or zone; as it is more of an overlay of the sensitive lands wetlands.

Chair Kulp also would like to look at how to fit in commercial, industrial and residential mixed use; how to blend those in with easy-to-understand code language as it is hard to understand now.

City Planner Oliver stated that there are grants available called code assistance grants through Transportation Growth Management (TGM); they could do a code review to see if we have any barriers to mixed use.

Chair Kulp asked how they could go about getting it.

City Planner Oliver stated that they just need to request it.

Commissioner Blank asked City Planner Oliver if she knew if there were any grants coming up immediately.

City Planner Oliver replied that it is available all the time; there is no match requirements and it might not be competitive.

Chair Kulp asked if their economic development committee could apply for it.

City Planner Oliver replied yes plus it is easy to find online to show the committee or she could get the information for them. Adding that the State DLCDC is aware of our situation with the new OMIC building, the annexation of all the land and our new TSP with potential traffic. Our regional representative has been very supportive and was the one that actually mentioned that grant opportunity.

Commissioner Blank stated that Scappoose is probably on the radar for other similar communities.

City Planner Oliver agreed.

Commissioner Shoemaker stated that he would also like a review of the parking code like Commissioner Jensen mentioned. Including street parking in neighborhoods; how much on-street parking is actually available for visitors. He sees it in other places where they have additional parking planned out for visitors so it does not restrict the neighborhood since many people don't use their garage for their cars anymore.

City Planner Oliver added that most people don't expect to see a town with a bunch of cars on the street but in Portland, on-street parking is always being utilized.

Commissioners Shoemaker stated he continuously hears from people in our community that we have so many narrow streets that become even narrower when people park on both sides. Adding that on some streets you might have to pull over to let another car go by.

City Planner Oliver stated that this could probably be rolled into the mixed use transportation planning code assistance since it still relates.

Commissioner Shoemaker stated the other issue might fall under the health and safety code since it had to do with waste collection and property maintenance. He seems to get many inquiries about property nuisances.

City Planner Oliver stated that is Title 9; we are only going to be reviewing code language in Title 17. Adding that commissioners could encourage residents to go to a City Council meeting and talk during the Public Comment section; it is very effective for those that do come.

Commissioner Blank asked if the city had any funding for property acquisition for a municipal parking lot.

City Planner Oliver replied no.

Chair Kulp stated the city has property they could turn it into a parking lot.

Commissioner Bernhard added that most municipal parking lots are near a municipal facility like a park.

Commissioner Shoemaker also wanted a total review of our sign code but it sounds like legal counsel is already reviewing it.

City Planner Oliver agreed, and she will forward legal counsel's proposed updates that she has already commented on and the one from the other city that she recommended; it's easy on the eyes and easy to follow plus the font is better. Adding that our code is really hard to read when compared to other cities.

Commissioner Jensen added that he has read other codes in the county and agrees that our font needs to be updated.

Chair Kulp added that she has read ours on-line, but when she reads other city's codes it's easier to understand; possibly ours was written in the 70's.

Commissioner Bernhard stated it's written in legal-ease which City Planner Oliver agreed.

City Planner Oliver stated when she first started with the city she tried to re-write the code book chapter by chapter but didn't get very far. Adding that updating the font would help; possibly an intern's job.

Commissioner Jensen stated that someone has to have a program that could easily change it.

City Planner Oliver replied that there is a third party code program on-line which cities could pay into it; she will look into it further. But it's easier once the ordinances are codified.

Commissioner Jensen replied that Sterling Codifiers can do it which is also used by City of Clatskanie, Columbia City and St. Helens.

City Planner Oliver added that this would make our City Records job easier; and she will look into the cost to see if the city could afford it. Adding that currently it is done manually; the changes are just turned into a PDF then the PDF is put on the website. Sterling would be a third party vendor that would handle it all; it would be a nice upgrade and make searches easier.

Commissioner Bernhard stated she did have a safety issue about the trees and shrubs blocking the signs; making it hard to read. Asking if it was something we could do in our code or if it was just enforcement.

City Planner Oliver explained that the city does have a code compliance officer but she does not work year round due to funding but that might change since she issues a lot of warnings during the spring and summer; adding that public works could trim if it is in our public right of way but the homeowner is actually responsible for the upkeep of their frontage in the public right of way.

Commissioner Blank asked if that was true for commercial as well.

City Planner Oliver replied yes, it is the abutting property owner's responsibility.

Commissioner Shoemaker stated that our code specifies types of approved vegetation and trees that are supposed to be planted but for example; when you are trying to drive out of Laurel St., you have to drive past the stop sign in order to safely see in both directions due to the sidewalk placement and the vegetation.

Commissioner Blank added that most sport utility vehicles are higher but cars that are lower makes it much harder to safely see oncoming traffic in these areas.

Commissioner Bernhard added that the county roads, by the new JP West Bridge, is one section that has gotten really bad with high grass. Adding that we may also need to work with the county in some areas.

City Planner Oliver stated that it comes down to staff time. Adding that they do have an annexation application which would bring in some nice tax revenue in about a year so some of these items will get straightened out. We are having growing pains, every department is at capacity. She reminded the commissioners that many of these items could be given to the police department as nuisances; plus we have a traffic safety committee that our police chief heads up.

Commissioner Blank added that he continually hears about the impending traffic that will be generated; how are we going to create the bi-pass roads.

Commissioner Shoemaker added that he also gets asked about the timing of the lights for the additional 150 vehicles.

Commissioner Bernhard added that the conversations are everywhere; she is on the PUD budget meeting and they were discussing the increase as it will impact them on providing services to all the new developments. Plus the county has various concerns. Adding that there are a lot of companies that are interested in moving out here; lots of people are concerned about it.

City Planner Oliver added that the Transportation System Plan (TSP) with the 20 year horizon did account for full build out around the airport; so when you think about the annexation and the industrial subdivision; all of that traffic has been accounted for in our TSP, although the average person will not know that.

Commissioner Blank added that the city recently changed the construction hours; which was very popular to those that live near those construction sites.

City Planner Oliver added that we always discuss construction routes at our pre-construction meetings; but sometimes that information is not passed onto the sub-contractors or they get lost on our side streets.

Commissioner Blank added that a couple other issues are the railroad maintenance vehicles that use the tracks which trip the crossing stop bars; he had to wait 15 minutes before the stop bar went up which caused a huge back up along Hwy. 30.

City Planner Oliver asked Commissioner Blank to let our City Engineer know next time, as he is working with ODOT on other timing issues. ODOT did change some timing issues related to the school start & end times but it should not have affected the railroad cross bars.

Commissioner Blank added that people using the cross walk were also stopped and traffic was backed up.

Commissioner Jensen asked if the TSP had demand management related to off-set shift traffic; moving it outside of peak hours. For example, if a standard shift is 8am-5pm but the off-set shift could be 10am-7pm; so the employee traffic is outside the peak traffic hours.

City Planner Oliver replied that there is language about changing the shift hours to meet the mobility requirements so the developer has the option of changing their hours of operation to meet the requirement.

Commissioner Bernhard asked if this was for the development at the airport.

Commissioner Jensen replied that it would be for any development that is large enough to trigger a transportation impact study.

Commissioner Bernhard asked if the traffic we have out there now would be lowered.

City Planner Oliver replied that it would only be something new that the commissioners would be reviewing as a part of Site Development Review.

Commissioner Jensen stated that Cascade had to do a traffic study. Then gave the example; if there was development coming in that could require a traffic light at Hwy. 30 to meet the mobility target but ODOT won't allow it, then the developer could change their work hours to meet the mobility target.

Chair Kulp asked if they should also address the salmon recovery concept.

City Planner Oliver replied that there is a lot there plus it will come up when the flood plain ordinance is revised, then suggested they open the floor to resident Patrick Russell who submitted the concept plan.

Resident Patrick Russell came to the speaker desk, who submitted a concept plan for salmon recovery; he thanked the commissioners for giving him time to discuss his concept plan.

He started with the overlay zones;

~ Overlay Zones & Credits

The city has several overlay zones but the only overlay zone the city has for salmon recovery is the Goal 5 Assessment, Safe Harbor which states 50' from edge of water; but that is not salmon habitat mitigation improvements. He would like to introduce the idea of what it would take to create a salmon habitat along an urban creek in the city; he brought studies to share that Metro has done in 2001 and a Title 13 Assessment of properties which surprisingly included the Scappoose Creek. He was unsure why, unless part of the watershed was within the Metro's boundaries. The Portland Metro region was trying to identify high quality vegetation within a certain reach of the creek and to make some sort of determination on whether that part of the creek should be included in some zoning regulations. The Title 13 is a section of the Metro code that requires counties and cities to zone for protection of riparian corridors. Their inventory of riparian corridor

did not include upland forest water so it ended up as a compromise to what they chose. A few meetings he has attended at Metro recommends 400' from streams for appropriate fish recovery. The concepts that are always discussed is flood plain protections and downtown overlay zones for economic development, but we need to bring in the value of fish recovery. The Scappoose Creek is already highly rated at the State and Federal level but the protection of it is not enforced under the Oregon Plan since it's all voluntary and left up to the local jurisdictions to decide if they place a value on it. Adding that every state, city & county have different values; stating that jurisdictions put their regulatory ordinance where their value lies. In his opinion, the easiest measurement that is available is the 500 year flood plain map, if you look carefully you'll notice it exceeds a 50' setback. That flood plain zone does provide where the primary riparian corridor interests are located in our area for salmon habitat. Adding that if a 500 year flood plain can be mapped then so can a salmon habitat. He does agree that we should wait until the Housing Needs Assessment is completed but a part of the inventory should actually specify homes that are within the 100 and 500 year flood plain plus not residential uses that are within those zones as well. So when we have discussions about buildable lands or housing property, that they do not include flood plain properties. Scappoose used to allow housing in a flood plain but now it's only allowed if you have a large lot; most sub-dividers will try to find out what kind of density credit they could get for land that really should not be housing while we are giving out density credits.

~ Permitted Use

The other part of his concept is not only where you place your home but includes how you use your property; how can the city encourage the creation of salmon habitat as part of the development while also looking at your public properties as well. The Scappoose Mayor also pointed out to him that most of the yellow area of the north section of our zoning map is mostly in the 100 year flood plain; we need to figure out these hazard areas so when the housing needs assessment is done, it may imply that we need to push mixed use or higher density in our more desirable building areas. Adding that he has always argued that the Fred Meyer complex is a single story building with a huge parking lot with only one use; to him is a waste of land for us but not for a national corporation. Safeway stores do offer mixed use with residential but not Fred Meyer; so these types of things can start working together. He also stated that a more perplexing issue for the commission; everything on this east side of the highway is basically in the 100 year flood plain but protected by the dike; a question for the city is if we are going to be like Sacramento and build everything we can within a diked property. FEMA has already told the City of Sacramento California that they have to beef-up their dikes if they are going to continue investing billions of dollars in urban improvements in those areas. He wonders how long will all the dams and dikes last; as a planning commission are you thinking 100 years and do you feel comfortable on how you have lead your community.

~ Types of geographic hazards

The last thing he tried doing on the concept outline he submitted, was the types of geographic hazards such as steep slope, existing mature upland forests, and implies a question to the city; do we want to make an effort to look at these hazard areas and define them. Asking if a 1 to 1 hazard; which can be hard to define.

~Open Spaces

We also need to ask how are we going to create open spaces in our city as part of our comprehensive plan; how do we encourage the protection of these areas in our zoning regulations vs. regulated as a negative. Adding that no one likes being told what they can do on their property. He doesn't expect much to happen now but hopefully during the upcoming town hall meeting; he's hoping for wall maps that are 4 times the size as the one on the wall here that shows the 100 & 500 year flood plain so people realize that a lot of work needs to be done. Asking how many times does a property need to flood and get assistance from our tax dollars for flood insurance; as opposed to working with us to buy them out like those reverse mortgages that allow them to live out their years on the property.

Commissioner Bernhard stated that homes in Vernonia flooded 3 times before FEMA told them to lift their homes or evacuate; and that's how they ended up with a new school.

Resident Patrick Russell stated that FEMA is required by the federal courts to talk to NOAA about salmon recovery since those two things have to come together; if you are trying to create salmon habitat but have one agency that is approving the buildings that displace the habitat. Adding that there really isn't a salmon habitat for the Columbia River with the dams; which might be going back to courts again.

Commissioner Bernhard asked if he knows if there have been any studies to prove that salmon are here.

Resident Patrick Russell replied that there has already been a tremendous amount of research done by the watershed council by David Evans and Associates; ODFW have also done many studies and read that a state fishery staff who is now in Salem talked about how many salmon he thinks would come up that creek under better conditions, referenced 300 spawning salmon. Adding that the fisheries group would be identifying what the potential would be under certain conditions then it would up to the cities and counties to decide how to achieve that goal.

Commissioner Blank asked if resident Patrick Russell knew what the actual count was.

Resident Patrick Russell replied that he has asked residents nearby if they have seen any beaver, which they replied no; so if beaver counts are low then the salmon count will be very low.

Chair Kulp asked about the benefits of having them.

Resident Patrick Russell replied that NOAA fisheries have done studies in Washington and the coastal areas where they have found that beaver dams have triple or quadrupled the potential for the juvenile fisheries to occur in the area of the beaver dams plus the diversity of species that begin to populate in these areas. Adding that the benefits for South Scappoose is its deep in size; the beaver dams hold that sediment up that is coming down from Dutch Canyon by creating a bath tub that just lets the water and fish flow over. So the sediment is filling up behind the dam and eventually the creek bed comes back to rise up to the historic flood plain level area. Currently there is a deep bank which is the primary flood plain area, then there is secondary flood plain area. Adding that in some areas the creek bank is 30' but the flood plain bench should be flush with the bank. He encourages commissioners to come down to Creekview Park in his neighborhood where they can see the flood plain area then notice that 30' down the creek bank is the creek. Creating side channels would give juvenile salmon more protection during high water flows; then in the summer time the ground water is released with cooler waters to bring the temperature of the creeks down. Stormwater management agencies shade the creeks so water coming in during the summer is cooler; if not shaded then the creek is warmer.

Chair Kulp asked if the creek is deeper because it can't meander the way it used to.

Resident Patrick Russell agreed and encouraged the planning commissioners to invite water shed council experts to come in with ODFW to talk about South Scappoose Creek.

Commissioner Blank stated he would like to see a mapping of an ideal creek habitat for that creek along with the buildable lands around it; and how would it impact it.

Resident Patrick Russell stated that the 500 year flood is closest and the city already has it mapped.

City Planner Oliver stated that the water shed council does have some of it available for the grant they are going for; which is just one piece of it.

Resident Patrick Russell stated that it is very difficult for our state fisheries to create those ideal creeks as every creek is unique; we could ask ODFW to give us an example of a coastal creek similar to slope and water shed to South Scappoose Creek then tell us what is wrong with it.

Commissioner Blank stated that a map showing buildable areas would be helpful.

City Planner Oliver added that typically with our ordinances it discourages development rather than outright saying they can't do it. The cost to develop in those areas is generally higher so it doesn't pencil out.

Commissioner Blank added that they often ask if they can actually build on that site but then they receive the geotechnical studies stating that it can be done so the commissioners can't argue with that.

Commissioner Bernhard stated that they just need to meet certain criteria.

Resident Patrick Russell added that across the river in Washington there were some serious issues in some of the communities that showed they did the geotechnical study but those geo techs are long gone by the time the issue happens.

City Planner Oliver added that our hands are tied to a certain extent because if they are meeting the provision of the code; and if we don't permit it then we could get sued.

Chair Kulp stated that it is something we need to prepare for in the future.

City Planner Oliver added that if we regulate no development in the 500 year flood plain; how many homeowners would lose their ability to develop on their property.

Chair Kulp added that we are limited to land as well.

Commissioner Blank added that he went to a planning commission training session a few years ago where Safe Harbor was brought up; that it was what they could give the communities to meet the restrictions. There were many lawsuits that came out of those older rules, that it opened the door for a compromise; Safe Harbor wasn't the best solution but it was a solution at the time.

Resident Patrick Russell added that Measure 49 put a damper on cities and counties wanting to protect their sensitive areas; the court would still buy into lower densities in hazard areas. But how low can you go without someone filing a suit over you saying you are being unfair. Adding that it might be better under public ownership; it's not the park & recreation plan but your park's natural areas & recreation plan. If cities are going to be serious about it then it needs to be a part of the capital improvement plan; trying to get those dollars up front then trying to match it with willing sellers that makes sense for them and the city.

Commissioner Bernhard stated that the City's Veteran's Park was a good thing for the city to buy; during the 1996 & 2007 flood the water went over the road into that area. Hopefully in the future the city can purchase the land on the other side of JP West Rd. where the cows are; and carry that park plan over for soccer fields.

Resident Patrick Russell stated that Veteran's Park is a great open space but it's not a fish habitat area; even though two-thirds of the property is within the 100 year flood plain. This is a common problem in a lot of communities; two-thirds of that site really should be in flood plain natural areas not mowed lawns with concrete sidewalks and little league fields. Those are not fish conducive areas.

Commissioner Bernhard stated that the area might not be fish conducive but it was certainly helpful to our flooded community.

Resident Patrick Russell added that he was not trying to emphasize floods as FEMA had done a pretty good job at identifying those; the problem is how we are going to pay for it. Global warming does affect us in the northwest; the areas in Portland are affected by the Cascades with more intensive rains with flash run offs, so the city has to be prepared to buy properties that are willing to sell after these events. Development has to help pay for those impacts.

Chair Kulp asked if the parks should be more natural vegetation instead of always trimming it.

Resident Patrick Russell agreed that the riparian corridor up to JP West Rd. is almost the delineation of the 100 flood plain, adding that it may be a part of the engineering when they did the review at the state level to build it. The whole area is subject to inundation; so the issue to the whole community is how you invest your capital dollars efficiently and wisely. Installing little league fields that could get flooded out every year might be a waste of money, but it's hard to convince people of that as they see it as just a green space. We are now seeing that in one park in Clackamas where it has seen 2 floods that actually occurred in the 100 year flood plain that destroyed the improvements that were installed 30 years ago; so people are now realizing those improvements in the flood plain were not a good idea.

Commissioner Bernhard added that if that area is built to accommodate the over flow then that makes more sense; so the play equipment won't be installed right next to the creek.

Resident Patrick Russell asked it depends on who's looking at that space; is it a fisheries person or is it a park and recreation person looking at it. That whole area is a secondary flood plain area where there should be side channels during high water flows. The little league fields should have large wooded debris where it is today.

Commissioner Blank added that the creek in Tigard floods every year and asked Resident Patrick Russell if he knew anything about it.

Resident Patrick Russell doesn't like to pick on cities but said it is one of the worse at protecting the 100 year flood plain for non-urban use as they allow parking lots in the flood plain. Metro will also allow parking lots and playgrounds in the flood plain as well, however Tigard does have a little advantage over other cities; the Tualatin River is not a fishery as far as NOAA fisheries is concerned. The only area is in Forest Grove; everything else downstream is not in the NOAA salmon recovery system. So the only issue that can be argued is clean water and flood protection. He is just here to ask what it would take to create a fishery if that is a high value to the community. Mowed maintained grass is not a high quality fishery; although some of the agricultural areas in the Willamette Valley have found that when it floods, their drainage canals have salmon spawning in them. Then when it drains the salmon will follow that drainage out into the rivers or the creeks; it was a very surprising find for the Willamette Valley. Adding that the cattle that are grazing south of Veteran's Park on the other side of JP West, are creating an impervious surface and some of the worse creek erosion is happening right on that property. He stated we probably have not seen the worst of it but who has seen a 500 year flood; tell that to statesman. It's a side issue that you want to consider when doing the code updates.

Chair Kulp thanked Resident Patrick Russell then recapped the code reviews; the sign code is being reviewed by legal counsel and Commissioner Jensen could focus on the parking regulations.

Commissioner Blank asked if that was how they were going to do it.

City Planner Oliver replied she was open to ideas.

Chair Kulp stated it might work well if they worked as a group and picked certain areas they want improved; so if Commissioner Jensen feels parking regulations are important then we as a group can look into it more.

Commissioner Jensen stated that they could triage it now so that they have it ready when development comes in. Adding that it might not be the best but at least they can make it a little better now, then at some point it would get a better look a few years down.

Chair Kulp added that maybe staff could take it and run with it in more ways than they realize.

City Planner asked if they rolled it into their concerns when they have the TGM; let them review our parking standards since it completely ties into the mixed use.

Commissioner Jensen agreed, something in writing now would be helpful.

City Planner Oliver stated she sees both sides; the tendency now is to go away from requiring more parking because in 20-30 years, will people be driving cars as much as they do now. Then there are these built environments with massive parking lots, adding what is happening in Portland might not be appropriate for here but what she does see here is that we don't utilize our on-street parking the way that we could. So then there is the balance of what is the cost to the developer to put in that extra parking; there are a lot of components to it. We could just change the number in the code for example; something like studio to 2-bedroom requires 2 spaces whereas right now its 1.5 spaces.

Commissioner Jensen stated that Studio to 1-bedroom are 1 space whereas 2-bedrooms are 1.5 spaces.

City Planner Oliver stated that this number could be changed in the code book; as it would be very easy.

Commissioner Jensen state what he was thinking was also adding 1 additional space per every 10 bedrooms.

City Planner Oliver added that she has discussed this with the City Engineer; so everything could stay as it is but then add something about every 5 spaces would require 1 extra space. Stating that they could add something that would be workable and propose that change. Since it is a guest issue, it might not be appropriate to change it for all of them but you could add that ratio.

Chair Kulp agreed as it will change in the future. We are mostly a flat city; how could we encourage people to ride their bicycle more, to encourage that type of mode of transportation.

City Planner Oliver added that it ties right into our mixed use TGM.

Commissioner Jensen added that they won't find examples of people adding parking requirements at this point as he has tried.

City Planner Oliver added that it's not a trend.

Commissioner Jensen stated that he has tried to look at other rural communities but we will soon see more mixed use and multifamily developments which increases our density; and there won't be enough street parking for everyone.

Chair Kulp added that it is like our open spaces as we've talked about that with the apartment complex (Westlane); it looks like its crammed in there but it fits the code.

Commissioner Bernhard asked where their parking lot was located.

City Planner Oliver replied it is on the Pizza Vender side of the building; the parking met the intention of the code. Adding that the purpose of our Downtown Overlay is to encourage higher density residential in the commercial center. Stating that people are shocked at how it looks since we haven't had anything built like that here; but that is the future.

Commissioner Jensen stated that buildings will be built up now.

Commissioner Blank stated that the existing neighborhoods that we have here, heritage neighborhoods, without the sidewalks and full street improvements; everyone wants to have a sidewalk but once you put it in it changes the parking as people will park where there is a sidewalk.

Commissioner Jensen added that this will take more looking into; but what is the actual city right of way on a lot of these streets vs. where is the private property. Some streets in St. Helens have absolutely huge right of ways; but some areas are a lot narrower which only leaves about 26-28' for a right of way.

City Planner Oliver stated we do have the proper right of ways in most areas but not all areas.

Commissioner Bernhard stated that there is already drainage issues in many of these areas; she lives in an area without drainage or sidewalks where the drainage is already going into people's yards so you can't just put in a sidewalk.

Commissioner Jensen agreed, stating that the water table is so high that there is not a lot of transporting the water; the sidewalk isn't the expensive part.

Commissioner Bernhard stated that people are always walking on 4th Street and most of the time they are in the middle of the road since there is no sidewalk; but it's very concerning that they have to walk in the street.

Commissioner Jensen stated he saw a number while he was at a planning conference today; every point on a walkability score is worth \$3,000 in home value. If there is a study that supports it then an argument can be made for local improvement districts to be formed to build sidewalks since it is increasing the value of your property. The local improvement districts (LID) allows the city to be the bonding authority for the improvement to get it done and then it gets paid with property taxes for the next 20 years. He has seen it done for railroad quiet zones in East Vancouver where the LID passed and it worked out very well and increased their property values as the trains are not honking in those areas anymore.

Commissioner Bernhard added that Columbia City also has a quiet zone.

Chair Kulp asked if that would work for everyone to just start reviewing Title/Chapter 17. Adding that after the joint meeting with City Council for the Housing Needs kick off; they could put together another workshop.

6.0 COMMUNICATIONS

6.1 Calendar Check

City Planner Oliver stated that they would not be meeting in November as she would be out of town the 10th then the 24th is Thanksgiving. Adding that December 8th would be the overlay's for west of the airport and also the annexation application for 350 acres east of the airport; as part of the UGB expansion. The overlay is an airport employment overlay, there are 2 different ones for the west side which is already in the city. Once the east side gets annexed in then that overlay will be done then. The following Thursday would be Dec. 22nd the week of Christmas; if commissioners want to meet that week she would be in town.

Commissioner Bernhard asked if there was something we have to address.

City Planner Oliver stated there is nothing that we have to address now.

Commissioner Bernhard stated it is tough during the holidays since everyone has different schedules.

Commissioner Blank asked about the December 8th meeting; if there are other applications pending.

City Planner Oliver stated there are but they are working to re-submit comments since their application was deemed incomplete. So for the December 8th meeting it would just be the annexation and the overlay zones. In January we will have a subdivision application and a site development review for a multifamily development.

Commissioner Bernhard asked where the subdivision & multifamily development was located.

City Planner Oliver replied the subdivision would connect Keys Crest to JP West by Meacham Lane; its 8 lots but one lot is an existing home so only 7 buildable lots and the multifamily development is across from the new multifamily on East Columbia.

6.2 Commission Comments

There were none.

6.3 Staff Comments

City Planner Oliver thanked everyone for coming tonight, that she has been at a planning conference and got to go out to the new orange Max line in Milwaukie to meet the mayor there and talk to them about their challenges. Today the conference was at the Convention center with several different sessions and she will be there all day tomorrow as well.

Commissioner Blank asked how she liked the construction in Milwaukie and if the community embraced it.

City Planner Oliver stated the construction is done but it depends who you ask; the person doing the tour was the landscape architect that designed all the platforms and found all the artists. He described the process as very engaging and positive because they had a voice in the project and could volunteer their time to do some of the plantings in the riparian areas.

Commissioner Blank stated he really likes to see all that art and would like to see more of it here.

City Planner Oliver agreed that it would great to have an art commission here as there are plenty of artists in Scappoose that would have a great time.

Commissioner Bernhard added that she thought the City of St. Helens had an art commission that encompassed us and set up different grants.

City Planner Oliver replied that it was for the City of St. Helens; and that would be wonderful here. Possibly a City Council goal for next year.

Commissioner Blank stated it was called the Columbia County Cultural Coalition that has grants that could go everywhere; the art and sculptures are just within the City of St. Helens.

Chair Kulp asked who leads it.

City Planner Oliver replied that they probably have a staff member then their commissioners are volunteers.

Commissioner Bernhard added that Teresa Knight has been heavily involved with all the art in St. Helens; but really thought it was county wide grants.

Commissioner Shoemaker added that Al and Kanika (Petersen) are very involved and committed to the St. Helens art commission.

Commissioner Bernhard stated that they are always doing different projects like the dog event.

City Planner Oliver stated she really sees this tying into Economic Development as well; and would like to see one of our future RARE participants take on the communications and branding of the city.

Chair Kulp stated that city staff Alexandra Rains has that art background.

City Planner Oliver added that her dad makes jewelry but she is committed-out and all booked up.

Commissioner Blank stated that one frustration he sees is that some of the greatest places for art is owned by ODOT; the right of way along Hwy. 30.

City Planner Oliver stated that we could get creative and put it throughout town as it would add a lot.

Commissioner Shoemaker stated he likes that the city is working with Michael Curry to make the sculptural fountain art at Heritage Park. It's already kicked off as a first step.

City Planner Oliver stated we could add a lot more art to Heritage Park and make it a show piece.

Commissioner Shoemaker stated that other cities have art councils that they have funding for; but we already have all the architecture in place with the Watts House and the fountain plus the other pieces. Adding that everyone has a different taste as to what is art and what is not; like the issue that City of St. Helens went through. But it would great if we had businesses and community leaders to help with some kind of funding or basic mechanism to fund it as it ties into a museum and art displays so we have the components.

Commissioner Blank added that if you go to McMinnville or Aumsville; its art and its downtown creates that vitality.

Commissioner Shoemaker agreed like in downtown Portland along the water front with the fountain and the park together.

Chair Kulp added that she saw that in Australia as well; there were all kinds of things together and it was filled with families.

(multiple discussions about park art ideas)

Commissioner Jensen stated that this is something we could look at when we review commercial and mixed use code review; how we can build art into it.

City Planner Oliver added that there are some places that have a percentage of the project's budget going towards art; like 1%.

Commissioner Jensen says he has seen that on public developments but not private developments; but it could still be a concept.

City Planner Oliver added that it could be an incentive.

Chair Kulp asked if the city could commit some of the fees to art.

City Planner Oliver agreed, if it was a priority then we could build it into the budget. For example the art committee has 10,000 a year to spend. But city council would have to make it one of their priorities.

Commissioner Blank stated that the 2nd annual bicycle event is supposed to happen, it would be great to create some art along those trails and maybe a bicycle repair station that could be done in an art-like way.

City Planner Oliver stated she saw that in Milwaukie; they have a metal art stand with bicycle related cut outs but there were retractable pulleys with all the different tools you could use to repair your bike.

Commissioner Bernhard asked about the joint planning commission and city council meeting on the 7th.

City Planner Oliver agreed it starts at 6pm and it's the housing needs kick off; they will be serving pizza.

7.0 ADJOURNMENT

Chair Kulp closed the meeting at 8:45pm

Chair Carmen Kulp

Attest:

Elizabeth Happala, Office Administrator III

*Airport Employment Overlay Zone Amendments***CITY OF SCAPPOOSE STAFF REPORT**

This project is funded by Oregon general fund dollars through the Department of Land Conservation and Development. The contents of this document do not necessarily reflect the views or policies of the State of Oregon.

- Request: Approval of two proposed legislative changes to the Comprehensive Plan and Development Code:
1. Comprehensive Plan Text Amendment CPTA2-16 to update the findings and implementation text for the Airport Employment (AE) Plan Designation.
 2. Development Code Text Amendment DCTA1-16 to Chapter 17.74 *Airport Employment Overlay Zones* and Chapter 17.162 *Procedures for Decision Making--Quasi-Judicial* to apply the overlay zones to specific properties, to clarify conceptual master plan requirements, and to specify review procedures.

Applicant: City of Scappoose

EXHIBITS

- A. Current draft of proposed amendments to Chapter 17.74 *Airport Employment Overlay Zones*
- B. Current draft of proposed amendments to Chapter 17.162 *Procedures for Decision Making--Quasi-Judicial*
- C. Current draft of proposed amendments to Comprehensive Plan text - Airport Employment (AE) Findings and Implementation
- D. City of Scappoose Economic Opportunities Analysis, January 10, 2011 (by reference¹)
- E. ODOT comment, dated November 18, 2016

INTRODUCTION

When City Council approved the urban growth boundary (UGB) amendment in 2011, associated changes to the Comprehensive Plan and Development Code created the Airport Employment (AE) Comprehensive Plan designation and three different implementing Airport Employment Overlay Zones. Chapter 17.74 of the Development Code identified the range of uses that would be permitted in each of the three overlay zones (Airport Industrial Park-AIP, Airport Business Park-ABP, and East Airport Employment-EAE) and illustrated conceptual locations of the overlay zones. However, application of the overlay zones was deferred since the transportation impacts of the overlay zones had not been fully analyzed. The City's new Transportation System Plan (TSP) now accounts for airport employment development. The proposed legislative

¹ Available online at <http://www.ci.scappoose.or.us/planning/page/economic-opportunities-analysis-0>

amendments would apply the overlay zones to specific properties and make related text changes to simplify implementation.

ANALYSIS

The proposed amendments to the Comprehensive Plan and Development Code are intended to apply the Airport Employment Overlay Zones to specific sites within the Public Use Airport (PUA) base zone. When Chapter 17.74 was adopted in 2011, it included *Figure 17.74.1: Airport Employment Potential Future Zoning Map*, which illustrated the conceptual locations of Airport Employment Overlay Zones. Now that the TSP has been adopted it is timely to review the map and apply the overlay zones. The proposed map is essentially the same as the current Figure 17.74.1 with the exception that one jog has been removed in the boundary between the ABP and AIP overlays south of Wagner Court (changing approximately half an acre from ABP to AIP) and other minor changes to align the boundaries with property lines. The Code amendments would apply the overlay zones to all areas within City limits identified in the new Figure 17.74.1 and would also specify that land that annexes to the City would automatically be subject to the overlay zones. The overlay zones would not cause any existing developments to become nonconforming uses since the affected property is either undeveloped, has existing uses consistent with the overlay zones or—in the case of the existing houses—is already nonconforming in the PUA base zone.

Based on further evaluation of the existing code language and recent experience processing the land use application for the Cascades manufacturing facility on West Lane (SDR1-16), staff has proposed a number of other refinements to Chapter 17.74, including the following:

- Specifying the submittal requirements for Conceptual Master Plans (CMP's);
- Requiring CMP's for all developments over 4 acres, not just annexation or zone changes;
- Decreasing the site size for industrial/business parks from 10 acres to 5 acres for developments in the AIP and ABP overlays;
- Clarifying that while the EAE has minimum site sizes, larger site sizes are permissible;
- Identifying the review process for CMP's and modifications of approved CMP's (quasi-judicial proceedings per Chapter 17.162); and
- Removing the "Medium Industrial Service" and "Medium Manufacturing and Production" use categories from the AE Overlay Zones since these uses are not defined and the City generally only permits Light Industrial uses.

The proposed changes to the Comprehensive Plan text updates the Airport Employment findings and implementation text to ensure consistency between the phrasing used in the Comprehensive Plan and the Development Code.

Taken all together, the proposed amendments are intended to implement the EOA's vision for employment growth in the City.

AGENCY COMMENTS & PUBLIC NOTICE

The City Manager, Building Official, City Engineer, Port of St. Helens, the Oregon Department of Transportation (ODOT), the Oregon Department of Aviation (ODA), and the Oregon

Department of Land Conservation and Development (DLCD) have been provided the opportunity to review copies of this application. No agencies have submitted objections to the proposal. A comment from ODOT is included as **Exhibit E**.

Notice of the proposed amendments to the Comprehensive Plan and Development Code was published in the local newspaper on November 18, 2016 and November 25, 2016 and mailed to affected property owners on November 18, 2016 as required by Chapter 17.160 of the Development Code. Staff has received no written comments from the public regarding this application as of the date of this report.

RECOMMENDATION

Based on the applicable statutes, rules, comprehensive plan provisions and implementing ordinances, staff recommends that the Planning Commission recommend adoption of the proposed amendments by the City Council.

FINDINGS OF FACT

1. Amending the Comprehensive Plan and the Development Code to apply the Airport Employment Overlay Zones to specific properties is consistent with Ordinance 816, adopted in 2011, which expanded the urban growth boundary, adopted an Economic Opportunities Analysis, and created the Airport Employment plan designation and the framework for Airport Employment Overlay Zones.
2. Application of the Airport Employment Overlay Zones to specific properties was deferred pending traffic impact analysis that demonstrated compliance with the state's Transportation Planning Rule (OAR 660-012-0060).
3. The Scappoose Transportation System Plan (TSP), adopted on September 6, 2016, analyzed the effects of future development throughout the City and urban growth boundary, including the development that would have been allowed near the airport if the Airport Employment Overlay Zones were in effect. The TSP update was funded by and prepared in partnership with the Oregon Department of Transportation (ODOT) to appropriately address the Transportation Planning Rule.
4. The following Statewide Planning Goals have been considered by the City of Scappoose in the formation of the language contained within this request:

Goal 1: Citizen Involvement

Objective: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding:

This application complies with the citizen involvement processes included in the City's acknowledged Comprehensive Plan and Development Code, which is consistent with

Statewide Planning Goal 1. The Planning Commission and City Council hold public hearings on the proposal prior to adopting any amendments to the Scappoose Municipal Code. Notice of the proposal and hearings was published in the local newspaper on November 18, 2016 and November 25, 2016 and mailed to affected property owners on November 18, 2016.

Citizens may submit written or verbal testimony regarding the proposed amendments to communicate their input into the Comprehensive Plan and Development Code amendment review conducted by the City. For this application, the Planning Commission's hearing date is December 8, 2016, while the City Council's hearing date is December 19, 2016. This process complies with Goal 1.

Goal 2: Land Use Planning

Objective: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding:

The proposal to amend the Comprehensive Plan and Development Code is consistent with the City's regulations regarding legislative land use decisions. Legislative decisions require a Planning Commission recommendation to the City Council, which then makes a decision based on stated findings. The Planning Commission and City Council hearings are open to the public.

The procedural requirements for the proposed Comprehensive Plan and Development Code amendments involve assessment of the application's merits, notice to affected parties, and public hearings. The proposal is to apply the Airport Employment Overlay Zones to specific properties and refine the associated regulations. Notice of the proposed amendment has been provided to the Oregon Department of Land Conservation and Development (DLCD) as required. The City's decision is based on findings of fact. This action complies with Goal 2.

Goal 9: Economic Development

Objective: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding:

The 2011 Economic Opportunities Analysis (EOA), UGB amendment, and associated Comprehensive Plan amendments created a framework to accommodate and encourage targeted industrial, office, retail, lodging, and public uses to satisfy the City's anticipated employment growth over a 20-year period. At that time, Chapter 17.74 of the Development Code was enacted to identify the range of uses that would be permitted in each of three Airport Employment Overlay Zones near Scappoose Industrial Airpark: Airport Industrial Park (AIP), Airport Business Park (ABP), and East Airport Employment (EAE). The chapter also included a map illustrating conceptual locations of the overlay zones. The Oregon Court of Appeals has now upheld the City's UGB amendment and associated legislative changes. To ensure that development in the affected area is consistent with the business types

Airport Employment Overlay Zones Amendments

identified in the Comprehensive Plan and the EOA, the overlay zones need to be applied to specific properties. The proposed legislative amendments would apply the overlay zones to land within the City and specify that the overlay zones will apply automatically upon annexation of parcels currently outside City Limits.

By applying the Airport Employment Overlay Zones to parcels in the same general locations as previously identified on a conceptual basis, the City is taking action to fulfill the commitments made with the 2011 UGB amendment. This action complies with Goal 9.

Goal 12: Transportation

Objective: To provide and encourage a safe, convenient and economic transportation system.

Finding:

Statewide Planning Goal 12 is implemented by the state Transportation Planning Rule (TPR). TPR analysis was not required at the time of the creation of the Airport Employment Overlay Zones chapter since the overlays were not applied to specific property.

The proposed legislative amendments allow for the development types and intensities anticipated by the Comprehensive Plan. The transportation impacts associated with these development levels were analyzed as part of the 2016 TSP update. As demonstrated below in the Transportation Planning Rule findings, implementing the Airport Employment Overlay Zones is consistent with the Comprehensive Plan and TSP. This action complies with Goal 12.

Statewide Planning Goals 3-8 and 10-11, and 13-19 are not applicable to this application.

5. The following Goals and Policies from the Scappoose Comprehensive Plan have been considered by the City of Scappoose in the formation of the language contained within this proposal:

GENERAL GOALS OF THE CITY OF SCAPPOOSE FOR LAND USES

19) Citizen participation will continue to be an important element of the City's land use planning process. Besides public hearings held by the Planning Commission and City Council, the City shall utilize the local newspaper and radio station to keep populace informed of land use issues. The City shall also publish quarterly a summary of past and future activities.

Finding:

Notice of the proposed amendments to the Comprehensive Plan and Development Code has been published in the local newspaper to inform citizens of the opportunity to participate in the review and decision-making process. The applicable GENERAL GOAL OF THE CITY OF SCAPPOOSE FOR LAND USES is satisfied.

GOALS FOR ECONOMICS

It is the goal of the City of Scappoose to:

- 1) Maintain conditions favorable for a growing, healthy, stable, and diversified business and industrial climate.*
- 2) Establish greater local control over local economic development policy through the adoption of the Scappoose Economic Opportunities Analysis.*
- 3) Provide the land and public facilities necessary to support economic development while allowing the free market economy to operate with an absolute minimum of restrictions.*
- 4) Take advantage of economic opportunities identified in the Scappoose Economic Opportunities Analysis (EOA) to increase local employment and community prosperity.*
- 5) Capitalize on the comparative advantages identified in the Scappoose EOA to maintain and attract industrial and commercial employment opportunities.*

Finding:

The City created the Airport Employment Comprehensive Plan designation and the Airport Employment Overlay Zones in 2011 to implement the EOA. These actions created a regulatory framework that set aside land near the Scappoose Industrial Airpark to accommodate the range of employment uses identified in the EOA. The proposed legislative amendments take the theoretical framework established in Chapter 17.74 and apply it to specific properties to attract industrial and commercial employers. The applicable GOALS FOR ECONOMICS are satisfied.

GOALS FOR THE AIRPORT EMPLOYMENT (AE) LAND USE DESIGNATION

It is the goal of the City of Scappoose to:

- 1) Support and promote the continued safe operation of the Scappoose Industrial Airpark and the economic vitality of the AE designation by providing suitable sites for targeted employment opportunities identified in the Scappoose EOA.*
- 2) Provide a location for airport-related and -compatible employment activities in a master-planned setting with good highway, arterial road and airport access – in an area where their environmental effects will have a minimal impact upon the community.*
- 3) Utilize the AE as an attractor for employment opportunities identified in the Scappoose EOA that are dependent upon, compatible with, or benefit from aircraft access, air transportation, and the existing cluster of aviation-related businesses located near the airport.*

4) Take advantage of the transportation options provided by the Scappoose Industrial Airpark by allowing airport-related and compatible employment uses called for in the Scappoose EOA, including industrial, office and service commercial, and supportive lodging and restaurant employment.

Finding:

The Airport Employment Comprehensive Plan designation and the Airport Employment Overlay Zones implement the EOA by restricting allowable land uses to the range of industrial, commercial, and public uses targeted in the EOA. The overlay zones accommodate the airport-related uses allowed in the Public Use Airport base zone and allow for a targeted mix of airport-compatible businesses in several areas near the Scappoose Industrial Airpark. The proposed legislative amendments apply the overlay zones to specific properties and refine the master planning requirements to ensure efficient use of land near the airport. The applicable GOALS FOR THE AIRPORT EMPLOYMENT (AE) LAND USE DESIGNATION are satisfied.

6. The following Statutes and Administrative Rules have been considered by the City of Scappoose in the formation of the language contained within this proposal:

TRANSPORTATION PLANNING RULE

OAR 660 Division 12 – Transportation Planning:

660-012-0060

Plan and Land Use Regulation Amendments

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

Airport Employment Overlay Zones Amendments

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

[...]

(9) Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.

(a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the comprehensive plan map;

(b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and

(c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.

Finding:

Transportation Planning Rule (TPR) analysis was not required at the time of the creation of the Airport Employment Overlay Zones since the overlays were not applied to specific property. Prior to or in conjunction with application of the overlay zones to specific property, TPR analysis must be performed to demonstrate that the amendments would not significantly affect a transportation facility. The 2016 Scappoose Transportation System Plan (TSP), adopted on September 6, 2016 and effective on October 6, 2016, accounted for transportation impacts associated with the level of airport employment development that could be expected from the Airport Employment Overlay Zones. Therefore, separate TPR analysis is not required for this application. The proposed legislative amendments are consistent with the City's adopted Comprehensive Plan and do not change the Comprehensive Plan map. The overlay zones are consistent with the City's new TSP, and the TSP properly analyzed development of the entire UGB, including those portions added in 2011.

Based on this set of facts, the City concludes that the application does not significantly affect transportation facilities and is consistent with the TPR. Future TPR analysis would be required at the time of annexation for those parcels currently outside City Limits but within the AE Comprehensive Plan designation. ODOT has provided a comment (**Exhibit E**) stating

that the TPR has been satisfied since the City's TSP accounts for the impacts of the proposed amendment.

7. The following sections of Title 17 of the Scappoose Municipal Code (Scappoose Development Code) have been considered by the City of Scappoose in the formation of the language contained within this proposal:

Chapter 17.74 AIRPORT EMPLOYMENT OVERLAY ZONES

17.74.010 Purpose. *The purpose of the Airport Employment Overlay Zones is to encourage employment opportunities called for in the 2011 Scappoose Economic Opportunities Analysis (EOA) while supporting the continued operation and vitality of the Scappoose Industrial Airpark. Master planning requirements ensure that land is developed efficiently, that large employment sites are retained, and that the provision of transportation and utility facilities occurs consistent with adopted plans.*

Finding:

The AE overlay zones are intended to encourage development of targeted employment types near the Scappoose Industrial Airpark. The proposed code amendments help advance this objective by applying the overlay zones to specific parcels and improving the review process for master planning requirements. Section 17.74.010 is satisfied.

Chapter 17.160 PROCEDURES FOR DECISION MAKING—LEGISLATIVE

17.160.120 The standards for the decision. *A. The recommendation by the planning commission and the decision by the council shall be based on consideration of the following factors:*

- 1. Any applicable statewide planning goals and guidelines adopted under Oregon Revised Statutes Chapter 197;*
- 2. Any federal or state statutes or rules found applicable;*
- 3. The applicable comprehensive plan policies and map; and*
- 4. The applicable provisions of the implementing ordinances.*

B. Consideration may also be given to:

Proof of a substantial change in circumstances, a mistake, or inconsistency in the comprehensive plan or implementing ordinance which is the subject of the application.

Finding:

The Planning Commission's recommendations and the City Council's decisions are based on applicable statewide planning goals and guidelines, state statutes and rules, Comprehensive Plan policies, and provisions of the Scappoose Municipal Code, as detailed in the findings. The City has publicized the proposed amendments and will hold hearings in accordance with applicable laws. The City is amending the Comprehensive Plan and the Development Code to apply the Airport Employment Overlay Zones to specific properties and to update related regulations to make them easier to implement. Section 17.160.120 is satisfied.

In the text below, language to be omitted is ~~struckthrough~~, and proposed language additions are underlined.

Chapter 17.74

AIRPORT EMPLOYMENT OVERLAY ZONES

Sections:

- 17.74.010 Purpose.
- 17.74.020 Definitions.
- 17.74.030 Overlay zones and applicability.
- 17.74.040 Conformance with Public Use Airport Safety and Compatibility Overlay Zone.
- 17.74.050 Permitted uses.
- 17.74.060 Uses permitted subject to the acceptance of the airport sponsor.
- 17.74.070 Conditional uses.
- 17.74.080 Conceptual master plan requirements for large sites.
- 17.74.090 Dimensional requirements and development standards.
- 17.74.100 Environmental performance standards.

17.74.010 Purpose. The purpose of the Airport Employment Overlay Zones is to encourage employment opportunities called for in the 2011 Scappoose Economic Opportunities Analysis (EOA) while supporting the continued operation and vitality of the Scappoose Industrial Airpark. Master planning requirements ensure that land is developed efficiently, that large employment sites are retained, and that the provision of transportation and utility facilities occurs consistent with adopted plans.

17.74.020 Definitions. Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

- A. "Airport Employment Overlay Zones" include the Airport Industrial Park (AIP) overlay zone, the Airport Business Park (ABP) overlay zone, and the East Airport Employment (EAE) overlay zone.
- B. "Airport sponsor" is the owner, manager, person or entity designated to represent the interests of an airport. For the Scappoose Industrial Airpark, the airport sponsor is the Port of St. Helens.

17.74.030 Overlay zones and applicability. The three Airport Employment Overlay Zones shall apply to selected parcels in

city limits in the vicinity of the Scappoose Industrial Airpark generally as illustrated on the Airport Employment Overlay Zones Potential Future Zoning map (Figure 17.74.1). ~~The precise location of overlay district boundaries will be determined through the zoning map amendment process pursuant to Chapters 17.160 or 17.162 as appropriate.~~ Upon annexation, the area annexed shall be automatically subject to the applicable Overlay Zones illustrated in Figure 17.74.1.

- A. The Airport Employment Overlay Zones supplement the Public Use Airport (PUA) base zone that applies to land within the Airport Employment (AE) plan designation. In the event of a conflict between the requirements of the PUA zone and those of the Airport Employment Overlay Zones, the requirements of the overlay shall control.
- B. The Airport Industrial Park (AIP) overlay zone allows industrial uses targeted in the ~~Scappoose~~-EOA.
- C. The Airport Business Park (ABP) overlay zone allows a mix of targeted light industrial, commercial service and office, and supporting lodging and restaurant uses targeted in the ~~Scappoose~~-EOA.
- D. The East Airport Employment (EAE) overlay zone protects large industrial and institutional sites identified in the ~~Scappoose~~-EOA.

17.74.040 Conformance with Public Use Airport Safety and Compatibility Overlay Zone. All uses, activities, facilities and structures allowed in the Airport Employment Overlay Zones shall comply with the requirements of the Public Use Airport Safety and Compatibility Overlay (AO) Zone, Chapter 17.88. In the event of a conflict between the requirements of Airport Employment Overlay Zones and those of the Public Use Airport Safety and Compatibility Overlay (AO) Zone, the requirements of the AO overlay shall control.

17.74.050 Permitted uses. All uses and activities permitted outright in the PUA zone as specified in Section 17.69.040 shall be permitted outright in the Airport Employment Overlay Zones. Table 17.74.1 describes additional use categories that are permitted or subject to specific standards in each of the following overlay zones:

- A. Airport Industrial Park (AIP) overlay zone;
- B. Airport Business Park (ABP) overlay zone;
- C. East Airport Employment (EAE) overlay zone.

17.74.060 Uses permitted subject to the acceptance of the airport sponsor. All uses and activities permitted subject to the acceptance of the Airport Sponsor in the PUA zone as specified in Section 17.69.050 shall be permitted subject to the acceptance of

the Airport Sponsor in the Airport Employment Overlay Zones.

17.74.070 Conditional uses. All uses and activities permitted conditionally in the PUA zone as specified in Section 17.69.060 shall be permitted conditionally in the Airport Employment Overlay Zones. Table 17.74.1 describes additional use categories that are permitted through the conditional use process (Chapter 17.130) in each of the following overlay zones:

- A. Airport Industrial Park (AIP) overlay zone.
- B. Airport Business Park (ABP) overlay zone.
- C. East Airport Employment (EAE) overlay zone.

17.74.080 Conceptual Master Plan requirements for large sites. Sites with a combined area of more than four acres under common ownership shall receive Planning Commission approval of a conceptual master plan (CMP) prior to or in conjunction with a development proposal annexation (Chapter 17.136) or zone change ~~(Chapter 17.22)~~ approval within any of the Airport Employment Overlay Zones. The CMP is not intended to serve as a binding site plan, but rather provides overall guidance regarding future configurations of open space, public facilities, streets, taxiways and lots within the overlay district.

A. Conceptual Master Plan submittal requirements.

- 1. A narrative detailing how the CMP complies with applicable approval criteria.
- 2. Scaled drawings illustrating the following elements for the development site and the surrounding area:
 - a. The location and rights-of-way for existing and planned streets, which shall provide access to all existing and proposed parcels, consistent with the Transportation System Plan;
 - b. The general location and size of existing and planned sanitary sewer, storm water and water facilities, at adequate levels to serve existing and proposed development;
 - c. The location and area of floodplain, riparian, wetlands, and slope hazard areas;
 - d. Pedestrian and bicycle facilities and connections consistent with the TSP;
 - e. Configurations of existing and proposed open space, lots, structures, and taxiways; and
 - f. Zoning designations and overlay zone boundaries.

AB. Conceptual Master Plan approval criteria. The applicant for CMP approval ~~must~~ shall demonstrate that the proposed CMP is consistent with the following criteria:

- 1. The CMP shall address the requirements of Section

~~17.74.080(C) and (D) subsections (B) through (D) and shall demonstrate how the proposed site and other sites within the same Airport Employment Overlay District can be efficiently developed for the intended uses consistent with the Scappoose EOA.~~

2. The CMP shall encourage the safe and efficient operation of the Scappoose Airpark consistent with the Scappoose Industrial Airpark Master Plan and the AO Public Use Airport Safety and Compatibility Overlay Zone, Chapter 17.88.
3. The CMP shall facilitate safe and efficient access to Public Land ~~shown~~ designated on the Scappoose Comprehensive Plan map or on any adopted park and recreational plan.
4. The CMP shall provide for an efficient, multi-modal transportation system consistent with the Scappoose Transportation System Plan, any applicable transportation impact studies, and any applicable circulation plans approved with previous land divisions.
5. The CMP shall ensure provision of Taxi-way taxiway access ~~shall be provided~~ to the majority of sites within each of the Airport Overlay Zones.
6. The CMP shall ~~shown~~ how sanitary sewer, water and storm drainage facilities can be provided efficiently to the area proposed for ~~annexation or zone change~~ development and remaining land within the same Employment Overlay District.

BC. Site size for AIP and ABP overlay zones. The minimum site size for an industrial park development in the AIP overlay zone or for a business park in the ABP overlay zone is 105 acres.

CD. Site size for EAE overlay zone. The conceptual master plan ~~must~~ shall show how two large (approximately 50-acre) and two medium (approximately 20- to 30-acre) developable sites will be retained in conformance with industrial and campus site needs stated in Figure 33 of the ~~Scappoose EOA: Employment Land Demand by Site Size for Scappoose (2030).~~ Development sites may be larger than these minimum areas (smaller lots may be combined into larger lots with no maximum size).

DE. ~~Modifications to An an approved CMP may be modified through any of the following processes shall be processed in accordance with Chapter 17.162. so long as t~~ The criteria in Section 17.74.080(A) through (C) shall continue to apply. ~~be met.~~

~~1. the Land Division process set forth in Chapters 17.150 and~~

- 17.152;
- ~~2. the Zone Change process set forth in Chapter 17.22;~~
 - ~~3. the Annexation process set forth in Chapter 17.136;~~
 - ~~4. the Site Development Review process set forth in Chapter 17.120; or~~
 - ~~5. the Conditional Use process set forth in Chapter 17.130.~~

17.74.090 Dimensional requirements and development standards.
The dimensional requirements and development standards within the Airport Employment Overlay Zones shall be in accordance with the standards for the PUA zone as specified in Section 17.69.070.

17.74.100 Environmental performance standards. The Environmental Performance Standards of Chapter 17.90 shall apply to all development in the Airport Employment Overlay Zones.

Figure 17.74.1: Airport Employment Overlay ZonesPotential Future Zoning Map. Conceptual location of Airport Employment Overlay Zones: Per Section 17.74.030, the precise location of zoning district boundaries will be determined at the time of the zone change request The AE overlay zones only apply within city limits. Those areas illustrated in the map but outside city limits are regulated by Columbia County.

{DELETE THE FOLLOWING MAP AND REPLACE IT WITH THE ONE ON THE FOLLOWING PAGE}



Airport Employment Overlay Zones

Overlay Zones apply within City Limits. Property in Columbia County is not subject to the Overlay Zones.



Scappoose GIS

Streets

Taxlots

Airport Employment Comprehensive Plan designation

Urban Growth Boundary

Airport Employment Overlay Zones

Airport Business Park (ABP)

Airport Industrial Park (AIP)

East Airport Employment (EAE)



0 500 1,000 Feet

Table 17.74.1: Airport Industrial Park (AIP), Airport Business Park (ABP) and East Airport Employment (EAE) Use Categories

P = Permitted (subject to Chapter 17.130~~120~~)

A = Accessory to primary permitted use

L = Limited (special restrictions apply, see footnotes)

C = Conditional Use (subject to Chapter 17.130)

X = *Prohibited*

Use Category	Operating Characteristics	AIP	ABP	EAE
Educational Services - Commercial and Public	Commercial educational service uses are characterized by activities conducted in an office setting and generally focusing on serving students with supplemental education, enrichment, and/or tutoring. Public education service includes colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree. Colleges tend to be in campus-like settings or on multiple blocks, though they may be contained in a single building.	X	P	P
Community Services	Community Services are uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. Generally, they provide the service on the site or have employees at the site on a regular basis, or provide a central location for service delivery. The service is ongoing, not just for special events. The use may also provide special counseling, education, or training of a public, nonprofit or charitable nature.	C	P	C
Office	Office uses are characterized by activities conducted in an office setting and generally focusing on business, government, professional, medical, or financial services.	A	P	A

Use Category	Operating Characteristics	AIP	ABP	EAE
Commercial Retail	Sales-oriented: Stores selling, leasing, or renting the following items, provided that yards shall not be used for the storage or display of used building materials or any scrap or salvage; consumer, home, and business goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationery, and videos; and food sales.	A	L ¹	A
¹ Note: In the ABP overlay zone, commercial retail uses of 5,000 square feet or less of floor area are permitted; commercial retail uses between 5,000 and 20,000 square of floor area may be permitted through the conditional use process; and commercial retail uses of greater than 20,000 square feet of floor area are prohibited.				

Use Category	Operating Characteristics	AIP	ABP	EAE
Commercial Personal Service	Branch banks; laundromats; photographic studios; photocopy and blueprint services; hair, tanning, and personal care services; tax preparers, accountants, real estate, legal, financial services; business, martial arts, and other trade schools; dance or music classes; taxidermists; mortuaries; veterinarians; kennels limited to boarding, with no breeding; and animal grooming.	X	P	X
Medical & Dental Services	Medical offices; dental offices; urgent medical care; and medical centers including facilities providing medical or surgical care to patients and offering overnight care. Medical centers tend to be on multiple blocks or in campus settings.	C	P	C
Commercial Entertainment	Indoor or outdoor continuous entertainment activities such as bowling alleys, ice rinks, and game arcades; pool halls; theaters, health clubs, gyms, membership clubs, and lodges; hotels, and motels.	C	P	C
Commercial Food Services	Restaurants, cafes, cafeterias, delicatessens, taverns, and bars.	C	C	C
Commercial Repair & Service	Repair of TVs, bicycles, clocks, watches, shoes, guns, appliances and office equipment; photo or laundry drop off; quick printing; tailor; locksmith; and upholsterer.	P	P	P
Self Service Storage	Self-Service Storage uses provide separate storage areas for individual or business uses. The storage areas are designed to allow private access by the tenant for storing personal property.	X	C	X

Use Category	Operating Characteristics	AIP	ABP	EAE
Vehicle Repair	Firms servicing passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles.	P	C	P
Automobile Rental	Automobile rental agencies.	C	P	C
Light Industrial Service	Light Industrial Service firms are engaged in the repair or servicing of light industrial, business or consumer machinery, equipment, products or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.	P	P	P
Medium-Industrial Service	Industrial Service firms are engaged in the repair or servicing of medium industrial, business or consumer machinery, equipment, products or by-products. Few customers, especially the general public, come to the site.	P	C	P

Use Category	Operating Characteristics	AIP	ABP	EAE
Light Manufacturing and Production	Manufacturing and Production firms are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.	P	P	P
Medium Manufacturing and Production	Manufacturing and Production firms are involved in the medium manufacturing, processing, or fabrication of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.	P	C	P
Warehouse & Distribution	Warehouse and Distribution involves the storage, or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present.	P	C	P

Use Category	Operating Characteristics	AIP	ABP	EAE
Wholesale Sales	Wholesale Sales firms are involved in the sale, lease, or rent of products primarily intended for industrial, institutional, or commercial businesses. The uses emphasize on-site sales or order taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited as a result of the way in which the firm operates. Products may be picked up on site or delivered to the customer.	P	P	P

In the text below, language to be omitted is ~~strikethrough~~, and proposed language additions are underlined.

Chapter 17.162

PROCEDURES FOR DECISION MAKING--QUASI-JUDICIAL

17.162.090 Approval authority responsibilities.

C. The planning commission shall conduct a public hearing in the manner prescribed by this chapter and shall have the authority to approve, approve with conditions, approve with modifications or deny the following development applications:

1. Recommendations for applicable comprehensive plan and zoning district designations to city council for lands annexed to the city;
2. A quasi-judicial comprehensive plan map amendment except the planning commission's function shall be limited to a recommendation to the council. The commission may transmit its recommendation in any form and a final order need not be formally adopted;
3. A quasi-judicial zoning map amendment shall be decided in the same manner as a quasi-judicial plan amendment and is subject to 17.160.120(C);
4. Conditional use pursuant to Chapter 17.130;
5. Major variance pursuant to Chapter 17.134;
6. Sensitive land permits and variances pursuant to Chapter 17.84, Chapter 17.85, and Chapter 17.86 for applications requiring planning commission action;
7. Type II home occupation pursuant to Chapter 17.142;
8. Historic overlay district exterior alteration and new construction applications pursuant to Chapter 17.82;
9. Public land tree removal associated with timber harvesting and clearing from designated public recreation areas;
10. Authorization of Similar Use pursuant to Chapter 17.43;
11. Fence or fence/berm combination greater than eight feet in height;

12. Conceptual master plan or modification of conceptual master plan pursuant to Chapter 17.74;

~~12~~13. Appeal of a decision made by the planner; and

~~13~~14. Any other matter not specifically assigned to the planner, or the city council under this title.

In the text below, language to be omitted is ~~struck through~~, and proposed language additions are underlined.

AIRPORT EMPLOYMENT (AE) DESIGNATION
FINDINGS, GOALS, POLICIES AND IMPLEMENTATION

Preface

The **Airport Employment (AE)** plan designation encourages airport related and compatible employment near the Scappoose Industrial Airpark. The AE plan designation is implemented by the **Public Use Airport** zone and three overlay zones that implement specific provisions of the **Scappoose Comprehensive Plan and 2011 Economic Opportunities Analysis (EOA)**. Prior to development within any overlay district, a conceptual master land use, street, taxiway and utility concept plan shall be approved by the City to guide future development within the district. The concept plan shall indicate where and how large parcels will be retained for targeted employment uses over time.

The AE plan designation identifies locations for future employment types targeted in the Scappoose EOA that complement or capitalize on airport accessibility or operations. The AE designation protects sites for their intended employment activities while encouraging and supporting the Scappoose Industrial Airpark's continued operation and vitality.

Airport-related and -compatible employment uses are permitted outright by zoning within the AE designation – thus encouraging targeted employment types to locate near the airport where they can be served by planned taxiways where feasible. The AE designation specifically encourages educational facilities, such as Portland Community College, that offer airport-related coursework and training. The AE designation also encourages mixed use employment opportunities in a business park setting in specified locations.

***Significant Findings Regarding the Airport Employment (AE)
Land Use Designation***

- 1) The Scappoose Industrial Airpark is located within the city limits of Scappoose, northeast of downtown. The AE designation is applied to lands within the urban growth boundary located on the east, south, and west sides of the existing airport runway. This chapter addresses only the Airport Employment designation that applies to land adjacent to the airport.

2) As noted in the Scappoose EOA, the Scappoose Industrial Airpark and suitable nearby employment sites provide substantial economic benefits to the City. The City and County support the continued operation and vitality of the airport and adjacent employment lands.

3) Access to the AE designation is provided by Crown Zellerbach Road to the south, West Lane Road to the west, a planned north-south connector to the east, and Moore and Honeyman Roads to the north. The north-south connector road separates land within the urban growth boundary from adjacent rural areas. This ring road provides a critical north-south alternative and is essential to the functionality of development within the AE designation for land east of the runway.

4) The Scappoose Industrial Airpark is owned, operated, and maintained by the Port of St. Helens, the airport sponsor. Although the Port owns some land within the AE, most of the property is privately owned.

5) Per the 2007 State Aviation System Plan, the Scappoose Industrial Airpark is a Category 2-II airport and is the second busiest airport without an air traffic control tower in the State of Oregon. A Category 2-II airport is defined as a business or high activity general aviation airport with over 30,000 operations per year and at least 500 turbine aircraft operations. In 2007, the Scappoose Industrial Airpark had over 80,000 operations. The 2015 Scappoose Industrial Airpark Master Plan Update estimated 60,000 annual operations.

6) The airport is one of three airports with a runway over 5,000 feet in length within a 30 nautical mile radius of the Portland International Airport. The airport currently has one runway, 5,100 feet by 100 feet, and one main parallel taxiway on each side of the runway. Future plans call for extension of the airport runway to the south to accommodate future operations more efficiently.

7) The airport is considered a major airport in the Portland metropolitan area and offers a distinct regional economic development advantage. The AE designation capitalizes on this comparative advantage and provides the opportunity for Scappoose to substantially increase job opportunities and improve the jobs-to-housing balance.

8) The primary fixed base operator (FBO) at the airport is Transwestern Aviation. Other airport businesses located in the AE designation include Sherpa Aircraft Manufacturing, Sport Copter, Inc., Oregon Aero, Composites Universal Group, Evergreen Aviation Services and Restorations, Overall Aviation Services and the Northwest Antique Airplane Club.

9) Utilities serving the airport area include Columbia River PUD (electricity), City of Scappoose (water, west side of the airport), and CenturyLink-Tel (telephone). With the exception of new construction on the west side of the airport, which is served by public sewer, buildings have on-site septic systems.

10) The Scappoose Rural Fire Protection District provides rescue and fire fighting services for the airport.

Goals for the Airport Employment (AE) Land Use Designation

It is the goal of the City of Scappoose to:

- 1) Support and promote the continued safe operation of the Scappoose Industrial Airpark and the economic vitality of the AE designation by providing suitable sites for targeted employment opportunities identified in the Scappoose EOA.
- 2) Provide a location for airport-related and -compatible employment activities in a master-planned setting with good highway, arterial road and airport access – in an area where their environmental effects will have a minimal impact upon the community.
- 3) Utilize the AE as an attractor for employment opportunities identified in the Scappoose EOA that are dependent upon, compatible with, or benefit from aircraft access, air transportation, and the existing cluster of aviation-related businesses located near the airport.
- 4) Take advantage of the transportation options provided by the Scappoose Industrial Airpark by allowing airport-related and compatible employment uses called for in the Scappoose EOA, including industrial, office and service commercial, and supportive lodging and restaurant employment.

Policies for the Airport Employment (AE) Land Use Designation

It is the policy of the City of Scappoose to:

- 1) Locate light industrial, office and service commercial, and airport-related employment areas that have a convenient relationship to the community's vehicular and aircraft transportation systems.
- 2) Screen or set back the boundaries of airport related development areas from abutting existing residential uses.
- 3) Apply the AE designation to areas east, south, and west of the airport runway.
- 4) Protect the stability and functional aspects of airport-related uses by prohibiting incompatible uses that create safety hazards or otherwise interfere with customary and usual aviation-related activities as defined by the Development Code.

- 5) Encourage airport-related educational opportunities.
- 6) Work with the Port of St. Helens and private property owners to maintain the continuing viability of the Scappoose Industrial Airpark and the AE.
- 7) Encourage mixed office and service commercial uses, and supporting lodging and restaurant opportunities in a master planned setting in designated Business Park areas.
- 8) Protect large industrial sites for their intended use as called for in the Scappoose EOA.
- 9) Provide taxiway access to employment sites wherever feasible – especially in designated Industrial Airpark areas.

Implementation of the Airport Employment (AE) Plan Designation

- 1) The AE plan designation within the UGB is implemented by the **Public Use Airport (PUA)** zone, in conjunction with three overlay zones codified in the Development Code. The PUA zone restricts employment uses to ensure operational compatibility with the airport. The PUA zone allows airport-related and industrial uses outright and supporting commercial uses through the conditional use process.
- 2) Uses and activities allowed within the AE designation must comply with the Public Use Airport Safety and Compatibility Overlay (Chapter 17.88 of the Scappoose Development Code).
- 3) Outside City Limits, County rural residential and farm zones will apply on an interim basis to retain land in large parcels until the land is (a) annexed and (b) rezoned in accordance with these policies.
- 4) More specific zones are needed to implement the policy direction resulting from the Scappoose EOA. Rezoning to more intensive employment uses must be preceded by a transportation impact analysis, coordinated and approved by the Oregon Department of Transportation (ODOT), to demonstrate compliance with the Transportation Planning Rule.
- 5) The **East Airport Employment (EAE) overlay** zone will be applied to large parcels east of the airport runway to ensure airport operational compatibility and to retain large industrial and institutional sites identified in the Scappoose EOA. Master planning requirements ensure that that land is developed efficiently and that the provision of transportation and utility facilities occurs consistent with adopted plans.
- 6) The **Airport Business Park (ABP)** overlay zone will be applied to selected parcels west of the runway and served by West Lane Road. The Business Park overlay zone

allows a mix of targeted light industrial, commercial service and office, and supporting lodging and restaurant uses targeted in the Scappoose EOA. Master planning requirements ensure that that land is developed efficiently and that the provision of transportation and utility facilities occurs consistent with adopted plans.

7) The **Airport Industrial Park (AIP)** overlay zone allows industrial uses targeted in the Scappoose EOA. However, taxiway access to individual parcels is required for development in this zone to occur.

8) The **Airport Employment Overlay Zones**~~Potential Future Zoning Map~~ in the Development Code shows the ~~general location of each of these specific zones or~~ overlay zones. ~~However, minor changes in the proposed conceptual boundaries of these overlay zones may occur at the time of rezoning, provided that the minimum number of suitable acres identified in the EOA is retained for each general employment category.~~



Oregon

Kate Brown, Governor

Exhibit E

Department of Transportation

District 1/Area 1

350 West Marine Drive

Astoria, Oregon 97103

Phone: (503) 325-7222

Fax: (503) 325-1314

November 18, 2016

TO: Laurie Oliver, City Planner Scappoose
FROM: Ken Shonkwiler, ODOT Transportation Planner
SUBJECT: Land Use Action Referral (CPTA2-16/DCTA1-16)

Thank you for the opportunity to comment on this Comprehensive Plan Amendment for the City of Scappoose.

The Oregon Department of Transportation (ODOT) routinely comments on planning proposals that may have an impact on state highways. If a plan amendment is involved, ODOT makes itself available to assist local governments in complying with the requirements of OAR 660-012-0060 (known as the Transportation Planning Rule). This requires that local governments amending adopted plans and regulations demonstrate that the amendment will not significantly affect existing or planned transportation facilities (both state and local), that such amendments are concurrent with local and state plans, or that amendments have met and satisfied the Transportation Planning Rule.

Scappoose recently adopted a Transportation Systems Plan (TSP) that accounted for this future comprehensive plan amendment. After further review of the amendment analysis, the amendment remains consistent with the TSP; although the proposed Airport Employment Overlay Zone is geographically smaller in acreage (by ½ acre), the analysis within the City's TSP ultimately accounts for the impacts of this proposed amendment. ODOT is in agreement with the proposed comprehensive plan amendment as the Transportation Planning Rule OAR 660-012-0060 (9) has been satisfied through this concurrence.

The amendment referral document received by ODOT specifies that *land that annexes to the City would automatically be subject to the overlay zones* (on page two under "Analysis"). Future annexations and comprehensive plan amendments involving this overlay that had not been accounted for within Scappoose's TSP would likely have an impact on roadway systems. Because of this, future annexations and Airport Employment Overlay Zone additions outside of the TSP's analysis would not satisfy the Transportation Planning Rule OAR 660-012-0060 and would require additional roadway analysis.

For any questions, please contact Ken Shonkwiler, Senior Transportation Planner at ODOT Area 1.

CITY OF SCAPPOOSE

December 2016

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5 City Council 7pm	6	7	8 Planning Commission 7pm	9 Chapman Landing Ad Hoc Committee 11am	10 Scappoose Police Doughnut Day 7am- 1pm @ Middle School to benefit the Scappoose food bank
11	12	13 Parks & Rec Committee 6pm	14	15 Park & Rec. 6pm	16 Economic Development Committee noon	17
18	19 City Council 7pm	20	21	22	23 <i>City Offices closed</i>	24 <i>Christmas Eve</i>
25 	26 <i>City Offices closed</i>	27	28	29	30	31

CITY OF SCAPPOOSE

January 2017

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Happy New Year!! 	2 <i>City offices closed</i>	3 City Council 7pm	4	5	6	7
8	9	10 City Committee Appreciation event ~ Ixtapa 6-8 pm	11	12 Planning Commission 7pm	13 Chapman Landing Ad Hoc Committee 11am	14
15	16 <i>City offices closed for Martin Luther King Jr. Day</i>	17 City Council 7pm	18	19 Economic Development Committee ~ Noon Park & Rec. 6pm	20	21
22	23	24	25	26 Planning Commission 7pm	27	28
29	30	31				