



SCAPPOOSE *Oregon*

SCAPPOOSE PLANNING COMMISSION

Council Chambers at City Hall

33568 East Columbia Avenue

Thursday, June 8th, 2017 at 7:00 p.m.

1.0 CALL TO ORDER

Chair Kulp called the meeting to order at 7:08pm.

2.0 ROLL CALL

Carmen Kulp	Chair	Laurie Oliver	City Planner
Bill Blank	Commissioner	Elizabeth Happala	Office Administrator III
Bruce Shoemaker	Commissioner	Ben Tolles	AmeriCorps RARE Participant
Rita Bernhard	Commissioner		
Tim Connell	Commissioner		

Excused: Vice Chair Jensen

3.0 APPROVAL OF MINUTES

3.1 May 11th, 2017 meeting

Commissioner Shoemaker moved and Commissioner Connell seconded the motion to approve the May 11th, 2017 Planning Commission meeting minutes. Motion passed 6-0.

AYES: Chair Kulp, Commissioner Blank, Commissioner Shoemaker, Commission Dahla, Commissioner Bernhard and Commissioner Connell.

NAYS: None.

4.0 CITIZEN INPUT

None

5.0 NEW BUSINESS

5.1 Docket # PTR2-17

The City of Scappoose is requesting approval of a permit to remove trees on public lands located on Columbia County Assessor Map No. 3211-00-00100. The site is located between NW Bella Vista Drive and Luma Vista Drive, on a City owned 76.61 acre parcel of land. The tree removal permit would allow for the removal of downed trees, and would selectively thin trees surrounding the City's water tanks for protection, and to improve safety and access.

Chair Kulp stated that there were several speaker request forms turned in and asked the large audience not to repeat their comments if it was already brought up unless they had something to add. Also that she appreciates everyone that is here tonight and that they do want to hear everyone's concerns. She then read the full agenda item, followed by the format of the quasi-judicial hearing then asked the commissioners for any ex-parte contact or conflicts of interest in this matter.

Commissioner Blank stated he knows several people in the audience tonight.

Chair Kulp stated she has had business relations in the past with the logger hired to do the job.

Commissioner Dahla stated he lives in close proximity to the site.

Commissioner Shoemaker also stated he lives nearby and has witnessed the storm water that runs off that hillside.

Chair Kulp asked if anyone wanted to challenge any commissioners impartiality or legal capacity; as there were none she read the order of the hearing and the full 5.1 agenda item; Docket #PTR2-17.

AmeriCorps R.A.R.E Participant Ben Tolles read the staff report and the approval process. He then addressed the written comments submitted prior to the meeting from Holly Beaulac and Anthony Oehlert then stated the letter received from Georgia David did not get to their desk until today but after reading that letter many of the issues were the same as the other letters submitted. He then read the city's comments to the Beaulac letter & the Oehlert letter but did not have time to fully respond to Georgia David's letter as they received it right before the meeting.

Commissioner Bernhard asked if the city's response to the other letters already addressed all of Georgia David's letter.

AmeriCorps R.A.R.E. Participant Ben Tolles stated that he did read her letter but did not get to pick out every question.

Chair Kulp stated that when she comes up to speak then staff can address her questions at that time.

Commissioner Bernhard agreed that she should be able to ask the questions when she comes up to speak.

City Planner Oliver stated she received Georgia David's letter today.

From the audience, Georgia David stated she dropped it off yesterday but pointed toward the library when asked which office she dropped it off at.

City Planner Oliver stated she can ask her questions when she comes up to speak.

Commissioner Blank asked if they should address the questions later or as they go along.

City Planner Oliver replied that it was up to the Commissioners if they wished to ask the questions of staff now or if you wish to hear all the comments first.

Commissioner Blank stated that he knows which road Georgia David lives on and stated that there will not be access to the site off Bella Vista Drive which seems to be one of her concerns.

City Planner Oliver agreed and stated there will not be any access off Bella Vista Drive.

Chair Kulp asked if there were any more questions from the Commissioners.

Commissioner Dahla asked everyone to go back to Exhibit 2, page 19; regarding the areas on the map to be cleaned and areas to be thinned. Adding that he walked the site today as far as he could but there was a lot of brush pushed onto the city property from the property to the south of the site, so the access to the western edge was blocked by the excess brush. He asked if there would be trees removed during the cleaning process of the downed trees.

AmeriCorps R.A.R.E. Participant Ben Tolles stated that there is not good access to the downed trees so logger Jeff Heller would cable log them up and might have to remove some upright trees for that process.

Commissioner Dahla asked if they were just cleaning downed trees or clear cutting the area in the blue on the map.

AmeriCorps R.A.R.E. Participant Ben Tolles replied no, that the blue area is where all the downed trees are located, adding that if you viewed the site on Google Maps you can see where all the trees are laying down.

Commissioner Dahla asked about the low hanging power lines.

AmeriCorps R.A.R.E. Participant Ben Tolles asked those questions to the logger Jeff Heller but he did not have any issues with those lines as he also requested approval from Bonneville Power for the logging operation.

Commissioner Dahla asked about the security around the water tank as he noticed quite a bit of graffiti on the tank.

AmeriCorps R.A.R.E. Participant Ben Tolles stated that they have had discussions about security around the tank but no conclusions have been made yet but it would be more of a water department issue.

City Planner Oliver added that there has been discussions about replacing the fencing and adding a higher fence; having the trees removed would also remove the cover making it potentially harder to get away with it.

Commissioner Dahla asked if they were going to remove trees 30' or 50' around the water tank.

AmeriCorps R.A.R.E. Participant Ben Tolles stated it might be more as they want to remove any tree that could potentially hit the tank and do harm. Adding that it is currently very easy to hop over the fences to access the water tank but once the trees are removed and the new fence is installed it will become harder to access.

Chair Kulp asked if there is any lighting around the water tank

AmeriCorps R.A.R.E. Participant Ben Tolles replied no.

Commissioner Dahla asked who would be monitoring the erosion control.

AmeriCorps R.A.R.E. Participant Ben Tolles replied that it would be a combination of Public Works and Department of Forestry. Adding that we must also follow the City's Public Works Design Standards.

Commissioner Blank asked about the need for the thinning area on the map (Exhibit 2, page 19), if it were due to a fire danger.

City Planner Oliver replied the the Water Department has been wanting to remove the trees for quite some time for the safety of the water tower and while they were up there they could get the blown down trees as well.

Chair Kulp asked when the trees went down.

AmeriCorps R.A.R.E. Participant Ben Tolles stated that you could tell they all came down at the same time, possibly some type of weather event like a microburst; Darryl Sykes from the Water Department thought it was about a year or two ago.

Commissioner Shoemaker asked if it was the Parks Department applying for the permit.

City Planner Oliver replied no it's the city applying for the tree removal permit.

AmeriCorps R.A.R.E. Participant Ben Tolles stated that Item 2 on the Agenda is the Parks Master Plan; which is a separate item.

Commissioner Dahla asked if they tagged the trees that would be cut down as he noticed many shrubs tagged in red.

AmeriCorps R.A.R.E. Participant Ben Tolles stated they needed the permit first before they proceed.

City Planner Oliver added that Division Chief Jeff Pricher did some training up there and tagged a line for his guys to

follow for their activity up there.

Commissioner Blank asked if the forester had any concerns or issues that need to be addressed or is the plan in place.

AmeriCorps R.A.R.E Participant Ben Tolles replied that the plan in front of you does not look very detailed but we have walked the site multiple times and have a very good idea of what needs to be removed.

Commissioner Dahla asked if we know how many trees will be cut down that are currently standing.

AmeriCorps R.A.R.E Participant replied that he does not know that specific number but possibly could show geographically how far from the tank the trees would be removed. Adding that there will not be many live trees taken out, defining it as not over a few 100 but mid to low 100s.

Chair Kulp asked if the Commissioners had any further questions for staff; as there were none she asked for the speakers, calling up Georgia David first.

Speaker Georgia David handed Chair Kulp a list of signatures she gathered which was then handed to City Planner Oliver. She read her letter opposed to 5.1 public tree removal then asked specific questions to staff:

1: What measure are you going to take to prevent erosion and landslides for the residents that live near the projected proposal?

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that they would follow all the Public Works Design Standards on erosion control and that Public Works along with the Oregon Department of Forestry will inspect the work to ensure it is done correctly.

2: What measure are you going to take to prevent more water run off that is already effecting Bella Vista Dr., Smith Rd., NW Peak Rd. and neighborhoods at Five Peaks and below?

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that the logging trucks will not be on those roads but the same erosion control measures fall under Public Works and the Oregon Department of Forestry.

3: All 3 clearing sites on the map are above neighborhoods that already have huge Stormwater issues.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that when you look at the topography maps they show the work sites as the opposite side of the hill where the ridge line is.

4: Will they get a survey?

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that he could print out topographic maps that show the ridgeline and where the work will be done.

Chair Kulp asked staff if the logger, Water Department and Forestry walked the site already.

~ AmeriCorps R.A.R.E. Participant Ben Tolles stated that they have not gotten the permit to do this yet so they have not walked the site with the Oregon Department of Forestry.

Chair Kulp asked what would happen if they did find the erosion issues, would they mitigate those issues.

~ AmeriCorps R.A.R.E. Participant Ben Tolles agreed stating that the city would be responsible for mitigating those issues.

5. Will there be a viewing area at the water tower area and also by Luma Vista?

~ AmeriCorps R.A.R.E Participant Ben Tolles replied that is a part of the park which they do plan on doing one day and this plan will clear some trees near that area; stating this is the only part of the logging work that may affect water control on those roads but the Public Works Department will be involved with the project to make sure that any type of erosion and water control will be addressed.

6. These potential clearing sites are on steep hill sides that connect to resident's back yards; how do you plan to

protect them? Are you planning to build a retaining wall for these folks?

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied they would not be taking out that many trees and will not be clear cutting this forest.

7. She feels for all these hillside residents as removing trees on a hillside creates more water runoff and erosion. How will you protect the house values?

~ City Planner Oliver replied that we would not create a danger to the neighbors; adding that they will also have the city engineer involved with this project so if anyone is concerned about a particular area they can call us.

8. This projected park and permit to remove trees on this public land would be disrupting several neighborhoods that all end on dead end streets. This would be creating danger for our children with traffic on otherwise quiet streets.

~ AmeriCorps R.A.R.E Participant Ben Tolles asked which streets she was referring to as the only road they will be using is Luma Vista Drive and none of the other streets will be used for this Public Land Tree Removal application.

9. Has a geologist done a survey of the area and what were their findings?

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that they did not find that necessary for this situation otherwise the City Engineer would be involved in that process but it was not required in our city code.

10. There are a pair of eagles that fly around the water tower and forest.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied to this earlier; the Oregon Department of Forestry will be involved with these projects and if they see a potential habitat destruction or any type of endangered species then they will let us know.

11. Where you aware there are eagles that live or fly through there.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that if they fly through there it does not mean they live up there; he has never seen eagles up there.

Commissioner Dahla stated that it sounds like there might be some confusion, referring to Exhibit 2 map page 18, the blue shaded areas will be cleaned and about 30 yards south of the water tower there are 3 down trees right there that will be removed.

AmeriCorps R.A.R.E. Participant Ben Tolles agreed.

Commissioner Dahla added when you walk next to the water tower there are about 30 trees that are right at the perimeter of the fence and then about 50' from the fencing in either direction there are maybe a dozen or a half dozen trees that would be removed.

AmeriCorps R.A.R.E. Participant Ben Tolles agreed adding that they don't anticipate anyone being able to tell the work has been done when looking at the property.

Commissioner Blank stated that this is a several step process; as everything they do must be approved by another level before it can go forward to ensure the safety of all the conditions including erosion.

AmeriCorps R.A.R.E. Participant Ben Tolles added that they intend to maintain the integrity of the forest and its habitat and don't believe this project will negatively affect it.

(Speaker Georgia David continued)

12. She is concerned about vandalism, safety, dumping and unlawful and unethical activities that have already happened on this land as there is already an issue with vandalism up at the water towers. Living on Bella Vista she has witnessed car loads of teenagers being dropped off at the top of the hill and disappearing in the woods. She has disassembled fire rings that others have made and picked up bag loads of trash. Will there be increased police

presence on Bella Vista Dr., Ridge Rd., Five Peaks Terrace and Luma Vista Dr. as it is a very huge issue. And asked if our AmeriCorps R.A.R.E. Participant Ben Tolles grew up here.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied he did not.

~ City Planner Oliver stated that there would be not be any street parking allowed on the site until they have Planning Commission approval for a future park and parking lot access. Adding that our police department does know that there is an issue up there, as well and our Water Department supervisor; they are trying to figure out the best way to address the vandalism up there. Stating that it might seem counter intuitive but if a park is developed up there then the added people would provide a natural surveillance so in the long term it would help.

14: She stated that the general public or more specifically the high schoolers do not know about the area and this will only welcome them.

~ Commissioner Bernhard questioned her statement about high schoolers not knowing about it.

Speaker Georgia David agreed that they don't know about it except for the one car load that comes up there often and 6 kids get dropped off while 2 of them drive down to the bottom of the hill to park then walk back up and disappear into the woods with the others.

~ Commissioner Bernhard stated that her kids grew up here and Chad (in the audience) also grew up here with her kids; and she knows for a fact that kids have always gone up there and this goes back to the 1980s.

Speaker Georgia David replied that she has only seen this one car go up there but once everyone knows about the park then it will get worse.

~ Chair Kulp asked if this car load goes up there on a regular basis and if she has called the police about it.

Speaker Georgia David replied yes but most of the time they disappear before she can call.

~ AmeriCorps R.A.R.E. Participant Ben Tolles stated that if a park comes before Planning Commission then this is a topic that will definitely be addressed now that they know it's an issue and a concern.

Commissioner Bernhard asked about what vandalism she is referring to.

Speaker Georgia David replied that there is trash and vandalism on the water tower adding that she has talked to the water department about it and they told her it's an ongoing issue.

Chair Kulp stated that removing the trees around the water tower would prevent them from climbing the fence.

City Planner Oliver stated that it would help and they would replace the fence once the trees are out.

Commissioner Blank asked if it would have barbed wire over the top.

City Planner Oliver replied that she was not sure what they are choosing; stating that there is barbed wire there now but it has been pushed down.

Commissioner Dahla asked if there was federal guidelines about how a water tower should be protected.

City Planner Oliver stated that she is unsure about a federal guideline on this but it would be a Darryl Sykes/Water Department question.

AmeriCorps R.A.R.E. Participant Ben Tolles did not know.

Chair Kulp stated that the water needs to be protected.

Speaker Georgia David added that the clearing of these areas would open it up more for teenagers to disappear from the police.

~ City Planner Oliver stated that this property has always been zoned Public Lands Recreation and was always intended

to be developed at some point into a recreational use so it is what it was intended to be. Adding that it is a beautiful place obviously, as you/the speaker use it all the time, so we just want the rest of Scappoose to enjoy it as well in a safe setting. Stating that the reason why the access is off Luma Vista Dr. is for fire truck access as it is fairly flat in that location and for ADA access.

Commissioner Bernhard added that it is also meant more for nature trails than a fully developed area.

Speaker Georgia David stated she has disassembled several fire rings in the woods and so have her other neighbors.

Commissioner Dahla stated he noticed evidence of a homeless camp up there with tarps, ropes and a pack bag that is located 115 paces down from Luma Vista access point heading down towards the water tower.

The audience replied that it was the kids.

AmeriCorps R.A.R.E. Participant Ben Tolles stated that they probably won't want to be around the loggers so hopefully they'll leave the area.

Speaker Georgia David stated her biggest concern is the water run-off and if they are clearing the area then it will add to the water run-off that is already a problem on their streets. Then thanked everyone for their time.

Chair Kulp called up the next speaker: Dana Pricher.

Speaker Dana Pricher stated she lives on Bella Vista Dr. and is in favor of clearing the downed trees from the area as she also uses that trail a lot and trying to scramble around them is not fun and makes it difficult to access the whole trail. Adding that her main concern tonight is the storm water coming down from the paved water tower road especially when snow melt occurs from the water tower pad; the paved road brings down more water than a natural trail would so she hopes they try to address the water run-off from the site. She then thanked everyone for their time.
~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that he would let the logger know about the issues of water run off on Bella Vista Dr.

Chair Kulp called up the next speaker; Martha Stokes.

Speaker Martha Stokes stated she has lived on Bella Vista for 30 years and stated that Smith Road is not able to handle a logging truck and asked if anyone has contacted the county about this.
~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that they are not using Smith Road.

Speaker Martha Stokes added that she has called the police department many times due to the parties that are held up there. And her main concern is the fire risks on the site as the wind gets very strong during the evening time beginning in the late spring, through summer and early fall. Adding that the wind is so strong it would remove the photos off her walls if her front door and back doors were opened; the fire department would have a hard time putting out the fire due to the wind. In past years, the kids that come up there have built a tree house with a davenport but luckily at the time there was a very good city manager that made sure the tree house came down and was also responsible for putting a gate up to the water tower. She is concerned about all the traffic that will go up there for parties. Adding that she does not think all the areas that need to be cleared is necessary, she does believe that the downed trees next to the reservoir need to be removed. Then she stated that the letter does not say anything about a park but that is what you are all planning for, a park, which is what this whole thing is about. Adding that she did not like the approach that was taken. Reiterating that the traffic is her main concern as Bella Vista Drive gets very narrow past NW 14th St. and does not think it should be the road to access that area.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied they are removing the downed trees to help mitigate any fire hazard as down dry timber is a fire hazard, and installing logging roads through the forest and around the perimeters makes it easier for the fire & police to access the site for a fire or any type of vandalism. Adding that we can't stop teenagers from using the property but it will be up to the residents to call the police if needed. The city would like to

see a park up there and if that happens the police would know that they would need to patrol that area.

Speaker Martha Stokes added that the fire danger isn't just the downed trees but also due to the trees and brush.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that giving access to the property will help the fire department respond quicker to any kind of fire.

Speaker Martha Stokes asked if they were going to access of Bella Vista Dr.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied no but the Water Dept. will access the water tower from Bella Vista but the public will access the site from Luma Vista. Adding that he cannot answer as to where the emergency crews will access the site as it will depend on where the issue will be but they could access the site from either end.

Speaker Martha Stokes stated that the letter did not say that so there are many questions; adding that she has lived there for 30 years and can tell everyone about all the issues they have had up there.

~ AmeriCorps R.A.R.E. Participant Ben Tolles stated that in regards to the park planning; they have had 4 public Parks & Rec. Committee Meetings, 1 City Council work session and the annual town hall meeting in February which all have had this park on the agenda. So this park has been discussed by plenty of people in this community throughout the past 7-8 months.

Speaker Martha Stokes stated that she thinks the city could spend their money more wisely than on a park since we have holes in the roads and all kinds of other things that should be done. And the letter was vague about a lot of these things as most people that read it couldn't understand what was actually going on so that is why we are all here tonight. Then she thanked everyone for their time and answering all her questions.

Chair Kulp called up the next speaker: Holly Beaulac. (She also submitted a written comment prior)

Speaker Holly Beaulac stated that she lives on Luma Vista Drive. She stated that it appears that the access site will be just slightly past her driveway and read the following statement: "Other than tree removal of downed trees and thinning/clearing around the water towers, the action of thinning/cleaning seems premature. The proposed "Vista Park" has not been approved by the City Council. Many questions surround the access and use of this park, and the final decision may be to preserve the natural state of the park. With that possible outcome, the removal or thinning of trees is not warranted at this time, and neither is the disruption to a quiet, secluded, and safe community."

Adding that the specific area is to the right of the gravel lot (in black on the Exhibit 2 map, page 18); she understands financially that is a better approach but you are going to actually take trees down for a possibility that a park may happen in the future. Stating that is a good amount of trees to be removed directly across from her residence, as it stands right now they have a beautiful linear width of Douglas Firs and is concerned about the thinning of the tree line and the natural state of its beauty including blocking the view of a possible roadway. She understands they are not talking about the potential of Luma Vista Park at this time but the access road does open up the entrance area off Luma Vista turning it into a public access way which is a steep & winding road similar to Cornelius Pass without any guard rails. And must stand against that at this time but does understand that will have come up later when they discuss the park approval. Adding that if they are creating an access from Luma Vista, either paved or gravel, that is where people will go and wishes they could find another access point to do the logging work that is needed.

Chair Kulp asked if there were any other comments or questions.

Commission Blank stated that the companies that clear the trees around the power lines for Bonneville Power don't clean up after themselves which then creates more of a fire hazard especially with the wind; adding that he understands that clearing up the downed trees will help but would like to see more action from the feds for helping to clear out their areas as well to help reduce the fire hazard.

Commissioner Dahla asked about the switch back on Luma Vista shown on exhibit 2 map (page 18), if that portion of the road would be reinforced or widened since a log truck would be on gravel and pavement going through that area.

AmeriCorps R.A.R.E. Participant Ben Tolles replied that he talked to the logger and he did not see an issue with that area as it does feel scary on that section, adding that Columbia County Road Dept. has not raised any concerns either.

Previous speaker Georgia David asked to come back to speak which Chair Kulp agreed;

Speaker Georgia David, Scappoose, stated that JP West Road is also a winding road that is crumbling.

~ AmeriCorps R.A.R.E. Participant Ben Tolles stated that the Columbia County Road Dept. did not make any comment about the roads as they are aware of the project.

Speaker Georgia David added that JP West Road has a lot of pot holes and the roadway is crumbling.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that he has the same response; the logger did not have any problems with the roadways and Columbia County Road Dept. did not have any comments.

Speaker Georgia David stated that this is tax payer's money and it seems it should do towards the road first.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that those are Columbia County Roads and referred her to them for those questions.

~ City Planner Oliver stated that the city did write a grant for the park so the funds would not be coming out of our general funds.

Speaker Georgia David asked about the water run-off down the roadway.

~ City Planner Oliver stated it is a county roadway.

Chair Kulp stated she would allow one more speaker then they will need to move on.

Speaker Ken Peterson, lives on Luma Vista Dr., stated that the residents of Luma Vista Estates is currently in charge of the maintenance of Luma Vista Drive, even though it is a county road; asked if they set aside a budget for any damages to the roadway.

~ AmeriCorps R.A.R.E. Participant Ben Tolles stated he did extensive research to try to find the maintenance agreement that exists for this road and so far the Columbia County Road Dept. and Land Development have not been able to find that agreement; asking the speaker if he has the agreement he would like to see it and talk to him about it.

Speaker Ken Peterson replied that he has the agreement but no one has contacted him about it or any of the other residents as the all have a copy of it. Adding that Lonny Welter at the County Road Dept. knows about it since they are the ones that told him that the residents are responsible for the maintenance of the road.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that he would love to see that document and talk to him about it.

Speaker Ken Peterson asked where the effort was to find the document as it is public record and each of the residents have copy of it.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that he asked Lonny Welter at the County Road Dept. for it but he did not know where it was and he tried multiple times to find that document.

Commissioner Bernhard asked if the document was recorded at the County Clerk's office.

Speaker Ken Peterson replied yes and everyone that lives up there has a copy of it.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that he called the County Road Dept. and Glen Higgins at the County Land Development office multiple times for any agreement and was told they were not able to find it so then he assumed that maybe there wasn't one adding that he would love to see the agreement and discuss about how they could be a partner with them in the future.

Commissioner Blank asked about the possibility of the logging trucks doing damage to the road.

Commissioner Dahla asked who would be responsible for the damages.

AmeriCorps R.A.R.E. Participant Ben Tolles replied that technically the residents would be responsible for the road.

City Planner Oliver stated that the residents are only responsible for the maintenance of the road but not the damages.

AmeriCorps R.A.R.E. Participant Ben Tolles added that possibly the logging company insurance might cover any damages since they do have insurance for that project.

Commissioner Dahla stated he has more questions as people come up to talk; asking about the snow melt that increased the water coming down off the hill of Bella Vista adding that he lives on that hillside and a majority of the snow melt came into his back yard. He asked if staff knew the amount of flow coming off the hill right now.

AmeriCorps R.A.R.E. Participant Ben Tolles stated that the city is in the process of updating their Stormwater Master Plan so they might get more data from that; adding that the current Stormwater Master Plan is very old and won't have reliable data.

Commissioner Dahla asked staff in the event of more water coming down the hill, how would it be addressed.

City Planner Oliver replied that is a question they could not address but it may be something in our Public Works Design Standard as far as an erosion control issue. Adding that with any new development they would need to ensure they are not increasing runoff which includes any type of subdivision that goes in or any other type of development.

Commissioner Shoemaker asked if the Oregon Department of Forestry would be on this project to review erosion issues.

AmeriCorps R.A.R.E. Participant Ben Tolles replied that the Oregon Department of Forestry also permits this project so after this project is approved or not approved tonight, the logger Jeff Heller will be in contact with the Oregon Department of Forestry and will be on site along with our Public Works Department. Adding that there will be other people on the site, not just the logger, inspecting the project. Stating that he anticipates Public Works being on site more and stricter with the requirements as any issues that arise will be on their plates later in terms of water and erosion control.

Commissioner Shoemaker stated it was an incredible year for storm water and sent video to the city and county showing the amount of water coming down off the hill with all the storm drains clogged; adding the water issue is huge. Then asked if they were in discussion mode yet.

Chair Kulp stated she has not closed the hearing yet then asked staff if they have to wait for the permit first before anything could occur on site.

City Planner Oliver replied that the commissioners first need to make the decision tonight before they apply for the permits and then there will be an appeal period.

Commissioner Blank asked staff if there was any road damage; he does not want the current residents responsible for the damages and would like to add an addendum or condition of approval that there is some equity involved in that case.

Commissioner Shoemaker stated that if this is a water department project or city parks project, the city should fix the damage incurred during the project. Stating that he added a water hook up to his house and they cut the street for the connection but Public Works came out and patched the road so he would like to see a condition that addresses damages. Then asked staff if they talked to the Fire Chief to discuss the access lines.

AmeriCorps R.A.R.E. Participant Ben Tolles replied that they did notify the fire department but they did not receive any comment back but they do know about the project as they have discussed the project in the past with them.

Commissioner Shoemaker would like to know more about the fire department access to the site.

AmeriCorps R.A.R.E. Participant Ben Tolles replied that he has discussed the project with him but doesn't know what his opinion is.

Commissioner Dahla asked if they do approve the application tonight does the BPA need a permit also for the powerline issues.

AmeriCorps R.A.R.E. Participant Ben Tolles replied that he did contact the BPA and they are sending us a permit and are aware of the project; which we are only asking to cross their Right of Way with the trucks.

Commissioner Bernhard asked about asking them to clean up the brush that they have cut down in the past.

AmeriCorps R.A.R.E. Participant Ben Tolles replied that he would look into it.

Speaker Kayla Strang, Scappoose, asked to come up to speak; then asked staff about the blue area on exhibit 2 map (page 18) would be the cleaning area, however there might be an extension of that to prepare the way for the potential park which might be best for everyone involved to take care of this area as well on one trip. She is concerned that we are going to approve this agenda item with the idea that there will be a second step added in for the convenience of the community but it is not specifically outlined in your map.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that is the yellow area on map just right of the access area.

Speaker Kayla Strang asked if that is the extra parcel that could be for the park and she does agree with Speaker Holly Beaulac.

~ City Planner Oliver replied that is the path to a view point adding that the blue area is not the cleared area but just where they are pulling out the downed trees.

Speaker Kayla Strang added that they did just pull up Google Maps and could see all the downed trees on the current map; and does appreciate that they will be removing those trees for fire prevention. But the area in yellow for the potential park area seems like two different issues that maybe we should or should not be voting on at the exact same time.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied it is to remove the trees which is what this is about.

~ City Planner Oliver replied that she does understand what she is saying.

Speaker Kayla Strang added there is cleaning of the trees and trimming of the trees.

~ AmeriCorps R.A.R.E. Participant Ben Tolles & City Planner Oliver agreed.

Audience member asked if he could come up to speak as he wrote down on the speaker request form that he wanted to speak on the second agenda but really wanted to speak about the first item; asking if it was too late to change it.

Chair Kulp replied that he could come up.

Speaker Chuck Rood, Scappoose, stated he lives on the hill too but not as close as some of his friends here tonight; he appreciates the job the Planning Commissioners are doing but especially appreciates the hard job staff has at answering all the questions and trying to figure this all out. Adding that the sense he is getting is that the city is building a park which seems to be done. But the sense he is getting from staff is they are trying to figure out how to make it happen. Adding that it does make sense to get all the logging done at one time; but in terms of the logging bid it seems very vague as he grew up in a logging community and would like to see a copy of the bid or to see the details of the bid and how much it's going to cost.

~ Chair Kulp replied that it probably went through City Council.

~ City Planner Oliver asked AmeriCorps R.A.R.E. Participant Ben Tolles if it was approved by City Council.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that they only received one bid from logger Jeff Heller adding that the bid they sent out was more of a qualifications based bid for the work they've done rather than a specific plan or revenue generation as they wanted someone to do a good job on the property vs. someone just looking for revenue.

Speaker Chuck Rood added that it is all still so vague since normally when you bid a project, especially if you get more than one bid, you would have to tell them how many loads, board feet or how many acres or some type of quantity; asking if there was some type of quantity or just a general area to log.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that could be a part of an RFP (request for proposal), but they did not go out for an RFP specifically since they wanted it based on their qualifications and the work they have done elsewhere.

~ City Planner Oliver asked AmeriCorps R.A.R.E. Participant Ben Tolles if his bid contained any quantities.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied no.

Speaker Chuck Rood asked if it was more of a time and materials thing as they have to at least know that it is not going to cost a \$100k.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that they don't anticipate any revenue.

Speaker Chuck Rood asked if the logger gets the trees for doing the work so he gets no pay, adding the more he cuts the more he gets.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that they will be strict on what he cuts down.

Speaker Chuck Rood asked who would be up there monitoring him on which trees to keep or cut.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied it would be City staff as well as the Parks & Rec. Committee and he would be up there but is only here for another month or month and a half to two months so hopefully the project is done by then.

~ City Planner Oliver replied that more than likely it will be Darryl Sykes the head of the Water Dept., Public Works Director Dave Sukau, and ultimately the City Manager Michael Sykes.

Speaker Chuck Rood stated that he read that it wouldn't take more than 60 days, working on the weekdays with only a load or two a day; that is a lot of loads of timber. Stating that until today he thought the residents of Luma Vista owned that road as there is a sign that says "Private Road" not a county road; asking staff if they have seen any documentation from the county that it is a county road.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that the sign is illegal.

Commissioner Bernhard asked which road he was talking about.

Speaker Chuck Rood replied Luma Vista Road as he knows JP West is a public road.

Commissioner Bernhard added that JP West Road is a county road.

AmeriCorps R.A.R.E. Participant Ben Tolles added the Luma Vista is recorded as a county road on the 2007 plat which states the road is dedicated as a 50' right of way as Luma Vista Drive. Adding that it is on Columbia County Webmaps and can be downloaded.

Speaker Chuck Rood stated that is confusing to him as he had to sign off on a road maintenance agreement when he purchased his property; that they were responsible for all the maintenance, re-paving, and gravel on the shoulders of this really narrow and winding road which is more of a one lane road when you meet a neighbor going the opposite direction plus it does not have any curbs like the roads on the other side. Stating this road isn't much of a road but he does not know what the standards are for a road.

~ Commissioner Bernhard replied that there are different kind of road standards for different types like city, county or private.

~ City Planner Oliver read note number 4 on the Re-Plat of Parcel 1 Partition Plat 2003-27; "Location is described as the existing roadway to be dedicated to the public as Luma Vista Drive". So her understanding of it, as it was still very confusing, from a city perspective; why they would have private maintenance on a public road. But according to the Columbia County Transportation Planner, Lonny Welter, the county does not have funds to maintain all the county roads the abutting property owners are responsible for maintenance even though it's a public road.

Speaker Chuck Rood stated when he purchased his house up there, he now knows the sign is illegal but it says private road and the realtor and everyone explained to him that it is a big deal that he was aware that he was responsible for the cost of maintenance of the road. So he justified it by the fact there are only 3 houses on that road and it's only a couple of cars a day but now they are talking about a completely undetermined amount of log truck loads and the main thoroughfare to a park which changes everything; he would like to know how much thought went into the roadway.
~ City Planner Oliver replied that it was the only access and they thought a lot about it.

Speaker Chuck Rood stated that there are a couple of other options, that may have already been considered, but there is a road on the other side (Bella Vista) which many other people here don't want you to use either even though it is a lot wider. Then pointing out the map on Exhibit 2 (page 18), the large blue area to the left; asked if they considered accessing it from the property to the left which might be private property but it looks like it was already logged and it looks like a logging landing directly on the boarder of the where the majority of the downed trees are located.

Commissioner Shoemaker stated that staff brings us their proposals and we listen to them to make our decisions.

Commissioner Bernhard & Commissioner Blank asked which road the speaker was referring to as they couldn't tell which road on the map.

Speaker Chuck Rood stated it might be Apple Valley Road that could access the lot that was already logged.

Commissioner Shoemaker stated that he can't ask them that question as they did not write this, and those questions need to be directed to the city staff that wrote it.

Speaker Chuck Rood asked city staff if they considered the access for logging, not for the park even though we're really taking about the park, from the west side where logging has already occurred.

~ City Planner Oliver stated that is private property whereas Luma Vista is a public road.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that they did talk about it and they discussed Bella Vista Drive as well but it was more difficult and affects more people. Adding that for the park ADA access is also a concern.

~ City Planner Oliver stated that for procedural purposes the conversation tonight needs to stick with the tree removal, adding that when it comes to the park conversation then she assumes everyone will come back since that is when they will be talking about the maintenance issue, the police issue, fire issue, parking lot issue and all the other issues.

Speaker Chuck Rood added that he would like to echo what Holly Beaulac stated, that the Planning Commission is tasked with making a decision tonight about this logging project and spending tax payer money but finds it premature to spend any money for clearing for a potential park project even though it's likely to be approved there are still a lot of steps.

~ Commissioner Blank stated that they are looking at other issues too not just the park area but also the water tower area and the other issues they brought to us.

(Multiple inaudible comments from the audience)

City Planner Oliver stated that their issue is that there should be distinction between the approval for just the water tower and the downed trees vs. the yellow section on the map Exhibit 2 page 18 which is clearly a future park project.

Speaker Chuck Rood would like to know what the protocol is where we are clearly spending public money for a project that hasn't been approved yet.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that there is no cost to the city right now.

Speaker Chuck Rood understands that there is no cost for the logging.

~ Chair Kulp stated that he is getting the trees and not charging the city so he will get reimbursed for the work when he sells the logs as mentioned in the staff report.

Speaker Chuck Rood asked for confirmation that he would sell the timber and not bill the city of the work.

~ AmeriCorps R.A.R.E. Participant Ben Tolles agreed and stated the project is quite technically difficult so that is the agreement they worked out.

Speaker Chuck Rood stated the he did not mean to pick on Ben and appreciates that he has a tough job; but it was specifically stated to Georgia David that the logging around the water tower was not on the slope that is the same side as the streets she mentioned earlier. Adding that he pulled up a topo map on his phone and it shows that it is on the same side.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that there is a ridge and it is on the east west slope and the trees are on the left side of the ridge which is the western side.

Speaker Chuck Rood added that if he read the map right on his phone, it seems directly contradictory to what the facts are; he understands this is being done on the fly but it might be better to say he doesn't know than to say something to the group that appears to him to be clearly false.

~ AmeriCorps R.A.R.E. Participant Ben Tolles stated that from what he remembers that is what he believes to be true but does not have a topo map in front of him. Adding that he mentioned to Speaker Mrs. Pricher that we would address the issues when water goes down Bella Vista Road.

Speaker Chuck Rood thanked everyone for their time.

Chair Kulp has closed the hearing for commissioner discussions; adding that there are a lot of questions out there that should be addressed or add conditions to it.

Commissioner Bernhard stated it does not seem fair for the residents of Luma Vista having to pay to repair and maintain that road especially with all the logging trucks. Adding that we need that agreement to clear up these issues or some type of condition of approval.

City Planner Oliver replied that we could put it as a condition or continue the hearing to get more information and more time to draft something.

Commissioner Blank would like to continue the hearing.

Chair Kulp stated that in hind sight it would have been more helpful if the logger were here to answer these questions.

AmeriCorps R.A.R.E. Participant Ben Tolles replied that the logger had a conflict in his schedule but he too would have rather had him here tonight to answer all of these questions.

Commissioner Dahla would like to see a copy of the approved bid or contract as he does not want to see it as carte blanche to remove anything he wants and who will say which trees stay or go.

AmeriCorps R.A.R.E. Participant Ben Tolles replied that city staff will be on site.

Commissioner Shoemaker asked if other parts were added to the plan in order to make it a feasible project for the logger so he didn't have to bill the city. Asking if it would still be a feasible project for him if it were only to remove the trees around the water tank and the downed trees or if it was based on the the total amount of trees coming out. Then added that he does understand that the city had good intentions by trying to save the residents from additional logging runs but would like to know more about the agreement and the number of logs and loads. For the fire hazard he does agree that it does need to be done and everything cleared up, but the residents are questioning why there are two separate issues here for approval on the same day.

Commissioner Connell asked staff if they did approve it tonight would there be additional approval required by the forestry department and would they determine which trees would be cut.

AmeriCorps R.A.R.E. Participant Ben Tolles replied that the city is the client as it is a city project so we are deciding what trees are to be cut and working with the logger about which are best to be cut. Adding that the Oregon Department of Forestry will be there to ensure he is adhering to the rules and the laws but they won't be telling him specifically which trees to cut unless there is a conflict of law.

Commissioner Blank asked if staff will be tagging trees or tying something around the ones they want removed.

AmeriCorps R.A.R.E. Participant Ben Tolles replied yes they intend to do that.

Commissioner Dahla asked if they would inventory the area to make sure they don't remove unmarked trees.

AmeriCorps R.A.R.E. Participant Ben Tolles replied that the logger would not remove an unmarked tree as it would be a violation of his contract but we could not be up there all hours of the day.

Commissioner Blank would like to focus on the statement on agenda for 5.1; "The tree removal permit would allow for the removal of downed trees, and would selectively thin trees surrounding the City's water tanks for protection and to improve safety and access". Adding that it does not say anything about a park even though he knows that is somewhere down the road but he would just like to focus on that part as it is stated.

City Planner Oliver reconfirmed Commissioner Blank's statement to separate out and remove the yellow section to the right of the map (Exhibit 2 page 18).

Commissioner Blank would like a continuation of the hearing to get more information and would feel more comfortable if this came back for review before he says yes.

City Planner Oliver stated that he is a part of the approval body and can initiate a continuation of the hearing which would allow them to gather additional evidence, but would not re-open for new testimony thus giving them more time to address the items which they want additional evidence on and there would not need to be additional noticing sent out if they chose a certain time and date; if all the commissioners are in agreement with the continuation.

Commissioner Blank asked if it would be posted.

City Planner Oliver replied that the agenda would be posted on our city website for that date and we would send out revised information with additional evidence one week before the hearing just like we normally do.

Chair Kulp asked Commissioner Blank if he was asking for a continuation so the yellow portion is removed.

Commissioner Blank agreed.

City Planner Oliver replied it was just the yellow area just right of the access area (Exhibit 2 map).

Chair Kulp asked City Planner Oliver to make a clear understanding about how many trees would be thinned out.

City Planner Oliver replied that there is a difference between downed trees and the thinning of trees but thinks that once we remove the yellow area near the access lot, it would be reasonable to tag and count the trees around the tower as everything else would already be downed trees unless they have to take down extra trees to make an access to get the downed trees.

Chair Kulp asked for the clarification of the Luma Vista Road agreement.

City Planner Oliver stated they would get a copy of the agreement and it would be wise to have a condition of approval for this portion of the logging operation to obligate the city for any repairs to the road. Stating that being a party to the

maintenance agreement would have to come later as they did know there was a maintenance agreement out there but weren't able to get their hands on it. Adding that in the future, should there be a park developed on the property, the city then would also be an abutting property owner and somehow share in the maintenance. Stating she does not know how it all works but it is something to consider in the future when this comes back for park approval.

Chair Kulp asked if they would obligate the city and the logger.

City Planner Oliver replied that they would need to look into how it should be written in case it's already covered under his contract or his insurance then it won't be an issue to ensure the residents are not on the hook for any street damages.

Chair Kulp stated they are looking into tabling this agenda item and remove the lower area in yellow for thinning and looking into the street obligations.

Commissioner Shoemaker asked if they would open that up for discussions.

City Planner Oliver replied that Chair Kulp is suggesting that area is removed but you could deliberate on that.

Commissioner Bernhard asked staff to remind them why that area was in there.

City Planner Oliver stated that area was identified in the Parks Master Plan for a potential park as a look out point.

Commissioner Bernhard asked if it was added in there so the city/logger didn't have to go back in there for a second time.

City Planner Oliver agreed.

Commissioner Blank stated they are going to table that part of it.

Chair Kulp asked if the residents could contact the Police & Fire Dept. about their issues up there.

City Planner Oliver replied they are welcome to contact the Police and Fire Dept. about any of their concerns.

Chair Kulp stated that they are looking into tabling this so staff can get more information in regards to the road agreement and any damages to the road including the water run-off and the thinning of the tree area.

Commissioner Shoemaker asked if it would be opened back up for discussion since we are eliminating a piece of this that would change the project and the bid; asking if this site made it more of an affordable project for the city. Adding that if we start eliminating pieces of the project will that change his acceptance of doing this project.

Chair Kulp stated she did ask for an exact number of trees to be taken out.

Commissioner Shoemaker replied that was only for the portion around the water tank.

AmeriCorps R.A.R.E. Participant Ben Tolles replied to Commissioner Shoemaker that he did understand his question.

Commissioner Shoemaker stated he would like to schedule the next meeting when the logger could attend.

Commissioner Blank added that he could just submit all this information if he can't make it.

City Planner Oliver looked at the calendar and suggested the 22nd but then we would have to have all our materials submitted one week from today; then asked AmeriCorps R.A.R.E. Participant Ben Tolles if that gave him enough time since we submit all our information to commissioners 7 days before the hearing.

Commissioner Bernhard replied that she will be gone that day.

Commissioner Shoemaker asked if one more week out would work.

City Planner Oliver replied that would be June 29th which is not a regularly scheduled meeting date but would work for her if everyone else agreed; adding that we still have a meeting on the 22nd to discuss the sign code.

All agreed that the 29th would work, which is one week after the regularly scheduled meeting on the 22nd.

Commissioner Shoemaker asked about the 2nd item on this agenda.

AmeriCorps R.A.R.E. Participant Ben Tolles stated that if we don't get through this tonight then he will not be able to be at City Council to present it for final approval as there will be two sessions to approve it; his last day is the 28th of July. Adding that he respects their time so if they have to leave he understands.

Chair Kulp stated that they did have people in the audience signed up to speak and asked if they would mind being patient to wait for them to get through the agenda items.

Commissioner Shoemaker requested a 2 minute break between agenda items.

Commissioner Dahla asked if the 29th was confirmed.

AmeriCorps R.A.R.E. Participant Ben Tolles replied that it worked for him but he is unsure about the logger's schedule; but can move it there and change it later if needed.

Commissioner Bernhard asked AmeriCorps R.A.R.E. Participant Ben Tolles to look into the cleaning of the trimming under the BPA power lines.

AmeriCorps R.A.R.E. Participant Ben Tolles agreed.

Commissioner Kulp stated they are continuing the hearing and asking staff to do additional research on the following items;

- Luma Vista Road maintenance agreement
- Who would be responsible for any damages occurring on the roadway during the logging process
- Information from the logger on how many trees would be trimmed and an estimate on how many are down
- BPA Lines to be cleared of past trimmings
- Water runoff from water tower area

Commissioner Shoemaker asked for a statement from the Fire Dept. about the access.

AmeriCorps R.A.R.E. Participant Ben Tolles replied that he would ask the fire department.

Chair Kulp called for the motion;

Commissioner Blank made the motion to continue agenda item 5.1 Docket # PTR2-17 to the 29th of June and Commissioner Bernhard seconded. (Motion Passes 6-0)

AYES: Chair Kulp, Commissioner Blank, Commissioner Shoemaker, Commissioner Dahla, Commissioner Bernhard and Commissioner Connell.

NAYS: None

(Commissioners & staff took a short break)

5.2 Docket # CPTA2-17

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

- Adoption of the Scappoose Parks, Trails and Open Space Plan
- Amends the Comprehensive Plan Text by:
 - Replacing all parks and recreation text within the inventories section with updated information
 - Editing the "Forest Lands in the Area" to reflect the current situation
 - Removing the "Open Space" section within inventories
 - Updating the "Natural Factors and Local Resources Goals and Policies" and "Open Space Goals and Policies"
 - Adopting the Scappoose Parks, Trails and Open Space Master Plan as Appendix K

Chair Kulp read the agenda item 5.2 Docket # CPTA2-17 and the format of the Legislative Land Use Public Hearing with verbal and written testimony accepted. Adding that the Commissioners role tonight is to review the changes and make a recommendation to City Council for the approval; stating they are only reviewing the changes.

AmeriCorps R.A.R.E. Participant Ben Tolles stated that the commissioners are recommending approval for both the Park Plan and the changes for clarification to the commissioners; then he read the staff report. City Council will have two public hearings for the approval of both documents which will be June 19 and July 17; they are the approval authority for both documents.

Chair Kulp asked the Commissioners if they have any questions for staff.

Commissioner Blank stated that he wanted the public to know that the parks plan is a vision for the next 20 years and what the city would like to see for our parks and it is not a representation of what we have now.

AmeriCorps R.A.R.E. Participant Ben Tolles agreed; adding that each plan could change significantly as they begin the development since each park plan would have to go through Planning Commission for approval.

Chair Kulp asked staff about the different surveys over the years, which seems pretty consistent with the citizens in favor of more parks and a community center.

AmeriCorps R.A.R.E. Participant Ben Tolles agreed, stating that most citizens felt underserved.

City Planner Oliver replied that she has seen some of the copies and they were mailed out.

Chair Kulp stated that the percentage of people polled seems very low; and asked if the 1991 polls were mailings or meetings.

AmeriCorps R.A.R.E. Participant Ben Tolles stated he was 8 years old when that survey was done.

City Planner Oliver replied that our last AmeriCorps R.A.R.E. Participant Nick Sund did an online survey as well, adding that our office has copies of old paper surveys.

Commissioner Blank stated at the last two annual town meetings they lined up all the charts with parks and people could choose which one they liked best for the final selections and that is how we got this park list.

City Planner Oliver stated that our last AmeriCorps R.A.R.E. Participant, Nick Sund, did a couple online surveys and a mailed survey with the water bills.

Chair Kulp asked staff about sports facilities at the airpark and why it's there instead of a natural habitat with trails and open spaces.

AmeriCorps R.A.R.E. Participant Ben Tolles replied that was identified during the public outreach since it is out of sight from dense residential areas especially for light & noise pollution plus it would have to adhere to the wetland ordinance and the airport safety and compatibility overlay.

Chair Kulp was just wondering why you would want soccer fields out there with the wetlands.

City Planner Oliver replied that there is room and quite a bit of space that is not impacted by the wetlands on that site.

AmeriCorps R.A.R.E. Participant Ben Tolles added that there are 12 acres in the proposed airport park and it is not within the wetlands.

Commissioner Bernhard added that parks are a great use for an area that has water issues.

Chair Kulp stated not in a wetland area.

City Planner Oliver stated there is quite a distinction between wetland and floodplain areas.

Commissioner Blank added that we can't touch wetlands and need to be careful.

Chair Kulp stated there is a lot of wildlife out there so it would be a great use for tourists to view the wildlife there.

Commissioner Blank added a platform or viewing area or stations.

Commissioner Shoemaker asked if Exhibit 1 is the parks plan that was developed by the Parks Committee so it is a Parks Committee document.

City Planner Oliver replied yes; Parks Commission and public input.

Commissioner Shoemaker asked how many meetings.

City Planner Oliver replied a lot.

AmeriCorps R.A.R.E. Participant Ben Tolles stated he was a facilitator in the Parks Committee.

Chair Kulp asked for the speakers that would like to comment, provide input or ask questions;

Speaker Chad Beaulac, Scappoose, stated he attended the last two town hall meetings and that is how he found out about Vista Park (page 78 Exhibit 1); they all discussed the pros & cons of each park and he recalls how no one liked the fact that there was no access to Vista park except through Luma Vista Drive especially for those of us that live on that road. Adding that they tried to look for other access points for that park but there is no city property abutting the park. Adding that they definitely didn't like the overlook which would be looking directly into his house; referring to the "Project Considerations" paragraph of the plan it states; Property Owners on Luma Vista Drive would be consulted because the park would increase trip counts." Stating that there are a number of us from the neighborhood that attended those town hall meetings and no one that lives on Luma Vista Drive likes the idea of increased trip counts onto the roadway including a parking lot right across from his garage. He is here tonight to voice his concerns of putting this in our 20 year plan for \$145k; none of the residents want it and definitely don't want the increased trip counts on the narrow winding road. Adding that there are already trails in there and they could just use a brush-hog to make the trails wider; if they wanted they could put a sign at Veteran's Park to walk up JP West to Luma Vista then through the trails and out Bella Vista down to Smith Rd. He attended the Town Hall meetings and they were great but the small amount of people in attendance is not a full representation of what this town wants. Adding that Luma Vista is a narrow roadway with sheer cliffs and no guard rails; the residents of Luma Vista Drive don't want the park up

there with the added trip counts.

City Planner Oliver stated that there was a letter submitted with a list of signatures submitted tonight by Georgia David.

AmeriCorps R.A.R.E. Participant Ben Tolles went over the questions that Holly Beaulac submitted which he addressed each of her specific questions (insert below);

Questions regarding CPTA2-17 Adoption of the 2017 Scappoose Parks, Trails and Open Space Plan

1. Has a traffic study been completed for the future park at the Vista Property?

No, this application is not for a site development review of a potential park. This application is for approval of the 2017 Scappoose Parks, Trails and Open Space Plan. Any plans for a park would need to come before the Planning Commission before construction begins, which would involve another round of public notification to request public comments.

2. Will the current road and repairs accommodate future traffic to Vista Park?

This is not an application for a park construction project. However, the county has told the City the roads meet their standards.

3. Is this really the best use of the land?

Yes, this is exactly what this land is zoned for. (Public Lands – Recreation)

4. Are there other developments (parks) that should have a higher priority?

Again, this is not a development application for a park. However, to answer the question, development of Vista Park is on City Council's list of 2017-2018 council goals.

5. With this project impacting taxpayers that normally do not receive city services, what is the city willing to dedicate as a result of this new impact (i.e. snow plowing in the winter etc.)?

The city will determine this when development of this park is planned, and brought to Planning Commission for approval.

6. Is Luma Vista Drive wide enough to accommodate public access and residential traffic?

Yes

Commissioner Dahla asked AmeriCorps R.A.R.E. Participant Ben Tolles if they were just recommending the Park Plan for City Council's final approval; not approving Vista Park.

AmeriCorps R.A.R.E. Participant Ben Tolles agreed.

Speaker Chad Beaulac stated from the audience that if you approve the Park Plan then you are approving the parks in the plan.

Commissioner Dahla replied that it is a Master Plan so that park wouldn't be approved until that specific plan comes back to Planning Commission for approval. Adding that he does understand that everyone has an opinion on the park but what they are doing tonight is just looking at the whole plan and approved the whole plan not the specific parks so he asks that they stay focused on the whole plan not just a specific park in the plan that they are not specifically discussing tonight. Stating they are not looking at a specific park tonight, just the whole park plan.

Commissioner Bernhard stated that this is really just a wish list.

Commissioner Blank asked staff if they approve this park plan tonight; does it automatically mean that this proposed park is going to be a park.

City Planner Oliver replied that your recommendation to City Council could specify what you want or that you don't want some sections included and your recommendation should specify that; adding that the commissioner's recommendation of approving this plan is not approving anything specifically, it is just approving a document that lays out potential park sites.

Chair Kulp stated that is what we need to clarify as to what we are doing tonight; we are not saying that each of these potential parks should or will be included, this is a document that the Parks & Rec Committee looked at during their meetings and with citizen input they came up with this park plan. Adding that each of these parks will have to come

back to Planning Commission for recommendation to City Council for approval, and within 5 years other parks could be eliminated or another park site added it, this is a moving target as this is just an idea of a 20 year plan of parks. Stating that they should voice their opinion on it as that is why they are all here tonight; but what they want to do is make a decision which could include conditions on it and to ensure our citizens have a voice as these parks come up.

Commissioner Blank added that whenever a park is proposed there is always someone in opposition but in the end people always want parks.

Chair Kulp stated that tonight they are just here to recommend this plan to City Council; and can do so with conditions or as presented by staff. Then this plan goes to City Council where you are welcome to voice your concerns again.

Chair Kulp asked for additional speakers;

Speaker Patrick Russell read his prepared statement/letter to commissioners; (inserted below)

Pat Russell
33271 Linden Street
Scappoose, OR 97056
503.656.9681
ppeartrussell@gmail.com

June 8, 2017
Planning Commission
City of Scappoose
33568 East Columbia Avenue
Scappoose, OR 97056

RE: June 8, 2017 PUBLIC HEARING TESTIMONY
City of Scappoose Comprehensive Plan Update
Docket # CPTA2-17, Natural Areas and Open Space, SALMON and BEAVER Recovery
South Scappoose Creek Corridor

Dear Commissioners,

Over the next 50 year horizon, the City will grow and urban pressures will continue to impact the South Scappoose Creek corridor. It is recognized by the State of Oregon and National Marine Fisheries Service (NOAA-NMFS) as historically significant salmon habitat. Extensive beaver trapping occurred in the early 19th Century. This corridor has been adversely degraded since the mid-1800s due to said trapping, logging, agriculture, water withdrawal, invasive species and now urban development to the extent that salmon runs may be limited to hundreds rather the thousands of the past. Juvenile salmon refugia opportunities in the lower reaches, once extensive, are literally non-existent today. Where do we go?

First, we must recognize the past and present challenge: a degraded corridor within the 500 year floodplain. Secondly, we must decide whether the city shares state and federal values. Thirdly, if the city does, then the city needs to establish priority policies at the same level as, say, transportation needs. Then the city needs to identify the area that scientists identify as salmon habitat and apply CPR principles, policies, regulation and investment (CPR = Conservation, Protection, Restoration/Recovery). Right now, the city is fortunate to have a delineated 500 year floodplain through FEMA and US Corps of Engineers; the mapping identifies properties affected. City staff has recently calculated the number of residences, for example, within the floodplain. From recent studies, we can now imagine what this geographic area might have looked like pre-settlement of the 1800s.

If we consider a 50 year Capital Improvement Plan, as we do for Transportation, we then begin to determine the cost of improvement and method of financing and maintenance. Restoration isn't cheap and grants are hard to come by. The city must overcome preconceived strategies that salmon only thrive in rural areas. There are, though, opportunities of attracting eco-engineers to do much of the work for us—beavers. Yes, beavers.

NOAA through its continuous research has already learned the value of beavers. For one creek restoration effort NOAA described its success in a modest experiment:

"We predicted that stable beaver colonies would gradually aggrade the incised reaches of Bridge Creek enough to raise the alluvial water table and reconnect the stream to its former floodplain," the report said. "Therefore, encouraging long-lived beaver dams would be a cost-effective method to produce measurable improvement in riparian and stream habitats, and subsequently in abundance of native steelhead." [<http://www.cbbulletin.com/429471.aspx>]
Reference: Working with Beaver to Restore Salmon Habitat
(<http://www.nwfsc.noaa.gov/research/divisions/fe/wpg/beaver-assist-stld.cfm>).

The Scappoose Bay Watershed Council completed an assessment of the greater Scappoose Bay Watershed in January 2000 and characterized the creek conditions. In 2009 it completed an implementation plan for South Scappoose Creek.

[https://nrimp.dfw.state.or.us/web%20stores/data%20libraries/files/Watershed%20Councils/Watershed%20Councils_221_DOC_ScappooseBayAssessment.pdf]
and
[<http://www.scappoosebay-wc.org/wp-content/uploads/2014/12/South-Scappoose-Creek-Report.pdf>]

"Historically, the channel likely consisted of a primary channel that was more closely at grade with the adjacent valley floor. The primary channel occupied a more sinuous channel pattern with remnant channels, backwaters and other wetlands occurring across the valley floor. The vegetation on the valley floor likely consisted of a mix of hardwood and coniferous species that formed a dense understory and canopy. The dense understory was thick with downed logs that created a rough channel and floodplain surface that obstructed flow, encouraged formation of new flow paths, and resulted in deposition of sediment delivered from large landslides and debris flows in the upper watershed and adjacent tributaries. .." Page 14

In its Limiting Factors Analysis, the Scappoose Bay Watershed Council's website noted:

"...The historic contribution of beaver to the processes that support a vibrant salmonid population in the Scappoose watershed has been nearly eliminated... The positive effects of beaver dam construction on aquatic habitats include storage of winter runoff, nutrient rich sediments that support a complex food web, and mobile spawning gravels. Beaver impoundments provide vast surface areas of high quality summer and winter salmonid rearing habitat. They store winter flows as ground water across a saturated floodplain and later deliver stratified cold water through their porous dams, thus maintaining cool summer temperatures favorable to juvenile salmonids..."

[<http://www.scappoosebay-wc.org/watershed/resource-studies/> as of June 8, 2017]

Beaver habitat generally is most productive in the areas delineated by the 500 year floodplain, and it would be the area considered for zoning designations, such as natural resource overlays—or more specifically a Fish and Wildlife Corridor.

I encourage the Planning Commission to request further elaborations and prioritization in the Comprehensive Plan to enable capital improvement plans and funding prioritization.

Beaver taught Salmon how to jump (old Indian proverb). Thank you.

Pat Russell

Chair Kulp called for the next speaker;

Speaker Georgia David asked staff what kind of park Vista would be.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied it would be a nature park trail but first it would need to be approved.

Speaker Georgia David asked what kind of trail park as it says a mix use of biking and hiking which will include a parking lot and paths to the lookout on the SE corner.

~ AmeriCorps R.A.R.E. Participant Ben Tolles stated that this plan is a wish list and this is a project scope that was developed through public involvement but City Council will have the ultimate authority on those decisions.

City Planner Oliver stated that Planning Commission would approve the site development review of the park but the Master Plan does go to City Council last.

Speaker Georgia David asked AmeriCorps R.A.R.E. Participant Ben Tolles if he has been on a mixed use trail.

~ AmeriCorps R.A.R.E. Participant Ben Tolles stated that he has done extensive research on this and has talked to people that manage these types of parks & trails and they all say how many people perceive an issue with hiking and biking on trails but in reality they rarely get any complaints; and due to the research we added that in there since we don't see any conflicts even though there appears to be one.

Speaker Georgia David stated that Forest Park has trails for bikes and separate ones for hikers.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that he talked to the Oregon Parks and Rec. and that is actually ingrained into their city codes which are very difficult to change, but found that many in the department would like to see that mixed use.

Speaker Georgia David stated that if you look at that hill it is a mile straight up which she uses every day and can't imagine bikers on that steep hill, sure they bike up but then they scream down the hill.

~ AmeriCorps R.A.R.E. Participant Ben Tolles stated clearly we don't have site specific things to look at and there are definite mitigation measures to avoid that; he would just like to add that this is just preliminary planning but we could put up obstacles to stop that specific thing.

Chair Kulp stated that at this time we are just looking at this basic plan, they are just giving concepts of what the park plan might look at in the future but the specific parks will come back to Planning Commission to be decided on. Adding that she can step into their meetings when they start putting the actual park development together; that is when you'll want to step in with your concerns and come up with other ideas for them to consider, the Parks Committee is

very opened minded and they would appreciate your ideas. Adding that they have to put together a 20 year concept plan in order to look at grants or private funding; it's just how the system is set up. Stating this plan is not verbatim it's just a 20 year concept plan that can change, like the swimming pool; so the actual Vista Park is not approved.

Commissioner Shoemaker stated that when they tried to get approval for the Crown Zellerbach trail they still had to look at all the other trails out there and concept of other trails.

Chair Kulp stated the individual parks have to come back; it is not approved.

Commissioner Blank stated that there are all types of ways to design the trails.

Speaker Georgia David asked about widening the trails even more so than they are now.

~ Commissioner Dahla replied that would be a discussion during the approval of that specific park; this is just a concept plan for the entire community.

Speaker Georgia David asked if there would be signs along the property telling people where to go as there is private property all along this parcel of land; adding that there is a trail that goes down towards Apple Valley Road which is not a part of the city's land.

~ AmeriCorps R.A.R.E. Participant Ben Tolles replied that they don't have a plan for any of it yet so he can't answer that; but it will come back to Planning Commission when they do have a plan.

Commissioner Bernhard asked the speaker if she has considered being on the parks and rec. committee as she would be very helpful and they are always looking for members of the community to participate.

Speaker Georgia David thanked her for the comment.

Chair Kulp asked if the commissioners had any comment for staff;

Commissioner Connell asked how long the city has owned the property.

City Planner Oliver asked Office Administrator Elizabeth Happala if she knew.

Office Administrator Elizabeth Happala replied that it's been a long time as that water tower has been there a long time.

Commissioner Shoemaker stated it is very old and it's been zoned a Public Use.

AmeriCorps R.A.R.E. Participant Ben Tolles stated they think of all the 6,785 Scappoose Residents when they plan these parks; some of the ideas are spaced out on the parks geographically and what is available.

Commissioner Shoemaker stated that the research into this plan seems old and limited as he owns a research company; he applauds the effort of all the meetings and the annual town hall meeting where they polled all the people that showed up, but the meetings were highly biased and weighted towards parks so he feels very insecure about the research part of the plan. Stating that all of the concerns of the neighbors will be reviewed again before anything gets done, but he would like to see more in this plan; asking if there is still time to add more research into this plan.

City Planner Oliver asked if he wanted more research in the Park Plan or a specific Vista park plan.

Commissioner Shoemaker replied to the public park plan; adding more information from the citizens. But he does know that this has been on the agenda for a long long time. Asking if this plan is approved will it prohibit more research.

AmeriCorps R.A.R.E. Participant Ben Tolles replied that the plan calls for it to be re-addressed every few years.

Commissioner Bernhard stated that they used to review and update all the plans periodically every few years and it used to be called periodic review.

Chair Kulp asked Commissioner Shoemaker if he was really asking for more citizen response or feedback.

Commissioner Shoemaker replied that he realizes there is a limited budget for this but he's just asking the question for more research.

Chair Kulp agrees; when you look at the percentage of people that voted its 80 which isn't a full representation of our community and some meetings are held during other tournaments.

AmeriCorps R.A.R.E. Participant Ben Tolles stated that he does not know what would be garnered from expanding this plan because we have an extensive list of projects beyond the 75 listed in the back of the plan so he is unsure what other projects they could find as they are not a big city and we don't have that many possible park projects. Adding that they thought it was a done plan as they have identified a lot of what they could do and their hands are tied as far as how much the community is willing to be engaged. Stating that they have had 19 Parks and Rec. Committee meetings, 2 public open houses, 2 city hall work sessions and because it's reviewed periodically and every park that is planned will still need a whole other period of review; we started with this plan which we can build on as we actually do develop.

Commissioner Shoemaker stated that was a fair response and he has just voiced his concern and appreciates that explanation.

Commissioner Dahla asked staff how accurate their project cost estimates are on some of these parks, looking at page 101 of the packet, the Seely Lane Park project estimate is \$ 644,845.31

AmeriCorps R.A.R.E. Participant Ben Tolles stated that he took estimates from Heritage Park and had a park estimated last year for a grant for Seely Lane plus he used Google plus sent his numbers to a landscape architect to check so they may not be totally exact but they are in the ball park. Adding that the city could not afford these parks out-of-pocket so they have to rely on grant dollars and public donations so it's good to start with these numbers to have them, but they will clearly change as construction costs change but the numbers are done for now so someone else doesn't have to estimate the park costs later. Stating that having the parks and the estimates looks good in a 20 year plan when applying for grants since the person reviewing the grant will review our park plan. Adding that he does have two grant applications in right now.

Commissioner Blank agreed that they do have to have someplace to start and he does understand Commissioner Shoemaker's request for more public input but this is only a recommendation to City Council so there is still time for the public to comment at the City Council meeting also.

Commissioner Bernhard stated she looks at this plan as a starting point.

Chair Kulp stated that what they are looking at is the Parks Plan and Exhibit 2 for changes to the comprehensive plan.

AmeriCorps R.A.R.E. Participant Ben Tolles stated that the changes are to the Comprehensive Plan which is the governing document for land use in this city which does relate to the code in some fashion.

Commissioner Dahla stated that Pat Russell had his concerns and asked if those have been addressed.

Chair Kulp stated we have Goals for Natural Factors and Local Resources, Exhibit 2 page 146; if that is where beavers should be.

AmeriCorps R.A.R.E. Participant Ben Tolles agreed that is where the beavers should be, stated they do have things that protect habitat, reading; "(#4) Ensure the conservation of fish and wildlife areas and habitats, including wetlands,

floodplain and riparian areas" is a goal.

City Planner Oliver added that there is an overlay for fish and wildlife that follows the South Scappoose Creek; adding that we do follow the state guidelines in our Fish & Riparian Corridor overlay which prohibits development in the area of 50' from the creek bank adding that Mr. Russell will agree that is not enough protection. But we do expect changes in the next year from FEMA and the state, which we would then review our codes.

Chair Kulp asked if they would have an opportunity to expand that 50' at that time.

City Planner Oliver agreed.

AmeriCorps R.A.R.E. Participant Ben Tolles asked everyone to look at page 148 of the packet; "#21) Establish protected riparian buffer zones along riparian corridors on parcels the City owns that exceed the standards private developers must adhere too." So that shows the city is trying to build those buffers speaker Patrick Russell mentioned.

Commissioner Bernhard also stated (on page 147; "#9) working with Department of Fish and Wildlife to conserve substantial fish and wildlife habitats."

AmeriCorps R.A.R.E. Participant Ben Tolles stated that those exact numbers should be in the municipal code as this is more of a higher level document, as he understands it.

Chair Kulp asked about page 137; clarification of the 3rd paragraph down from the Crown Zellerbach Trail, the last sentence reads; "Portions of this trail are grass, but large much of the unpaved areas..." Asking what is the large much.

AmeriCorps R.A.R.E. Participant Ben Tolles stated that is planner speech but would adjust it and thanked her for the catch.

Office Administrator Elizabeth Happala stated that the Vista property was purchased in 1956, referring to a previous inquiry about when the land was purchased.

AmeriCorps R.A.R.E. Participant Ben Tolles stated that the city has owned it for 60 years and nothing has been done on it.

Chair Kulp asked if commissioners had any questions for staff.

Commissioner Bernhard asked if they could put something in about updating the plan every couple years.

AmeriCorps R.A.R.E. Participant Ben Tolles stated that there is something in there about re-review; it is on page 90 that it should be revised every 5 years to reflect the changes in priorities, opportunities and circumstances.

Commissioner Blank stated on page 143 Forest Lands in the Area, with an annual growth potential of 140 cubic feet/acre.

Chair Kulp asked if there were any additional questions for staff. As there were none, they began Commissioner Discussions. She stated that we do appreciate staff's time on this project and welcome the audience to attend and become more involved in the committees.

Chair Kulp asked if there were any more questions for staff, there were none so they went into deliberations.

Chair Kulp stated that the committee did a great job and it's a moving target; she wishes there were more citizen involvement like tonight. Adding that in order to move forward they need this plan; the city is focused on smaller parks like Miller Park and Heritage Park. She understands that there are items in this plan that she will always bring up like

wetlands and appreciates everyone's comments tonight.

Commissioner Shoemaker stated that he does appreciate how much effort AmeriCorps R.A.R.E. Participant Ben Tolles put into creating this plan and all the time and effort; he travels a lot and every city and state is different and our state is blessed with all the things we can do in nature and notices that we are behind; he agrees this plan needs to be moved forward to City Council.

Commissioner Blank stated that each of these parks will come back to us for approval; so there is still time to make changes to these park plans. We really don't have any choice but to forward this onto City Council so we can get those grants.

Commissioner Dahla stated it's a great plan.

Commissioner Bernhard stated that is a starting point and as our community changes over time then there will be different age groups and demographics with varied interests.

Commissioner Blank found its survey facts interesting in that the majority of the people who responded were ages 58-65.

Commissioner Bernhard stated that they are the folks that have the time to look at all the information as many people raising young families don't have the time.

Chair Kulp asked if there were any discussions on Exhibit 2 or if any commissioners had anything to add.

Commissioner Shoemaker stated nothing would happen without coming to them first.

Chair Kulp called for the motion to recommending approval of 5.2 Docket # CPTA2-17;

Commissioner Shoemaker made the motion to approve 5.2 Docket # CPTA2-17 and Commissioner Bernhard seconded the motion. (Motion passed 6-0).

AYES: Chair Kulp, Commissioner Blank, Commissioner Shoemaker, Commissioner Dahla, Commissioner Bernhard and Commissioner Connell.

NAYS: None

Chair Kulp closed the session at 10:12pm

6.0 COMMUNICATIONS

6.1 Calendar Check

City Planner Oliver stated June 22nd is our sign code and June 29th will be the continuation of PTR2-17.

6.2 Commissioner Comments

Commissioner Dahla thanked everyone for coming out tonight as it is very rare we have a packed house and it's good to see people come out to have their concerns heard; he hopes to see everyone back on the 29th.

Chair Kulp also stated that they need to express their concerns at the City Council meeting as well; they do appreciate it.

Commissioner Blank stated that this is the process of government and we are all citizens here, just like you.

6.3 Staff Comments

City Planner Oliver thanked everyone for showing up and giving public comment we do appreciate it and thanked the commissioners for staying so long tonight to get through this agenda so Ben can see this through before he is done and

thanked Ben, he did a great job and it is a great experience for him.

Commissioner Shoemaker asked if we are having a retirement party for Ben in July.

City Planner Oliver stated we would have to put that together.

7.0 ADJOURNMENT

Chair Kulp adjourned the meeting at 10:16 PM.



Chair Carmen Kulp

Attest:



Elizabeth Happala, Office Administrator III