

Columbia County Assessors Record of District Boundaries

Tuesday, December 16, 2008

Inlt Date: 12/03/08 Also See No.: No.: 2009 . 04

How Initially Received: Letter from Scappoose

Affected District Name: Scappoose City

Remarks:

District Ord No: 802

Effective Date: 11/04/08

Name of Approving Jurisdiction:

Jurisdiction Ord No:

Effective Date:

Legal Description Received: Y

Map Received: Y

If A School Dist, Has OAR 150-335.123 Been Filed:

If Non-School Dist, List LB-50 Valuation:

Type Of Action: A

With Whom

Correction Remarks:

DOR Approved: Y

No: 6-298-2008

Date: 12/08/08

Recording Information:

1) Col. Co. Deed Records:

Comm Journal:

2) Other :

Name:

:

Number:

Date:

Corte Areas Affected or Changed:

Affected Area:

From Code Area: 01-08

Townships

Ranges

Sections

To Code Area: 01-01

3

2

12-AD 6100

Date Completed 12/16/08

Remarks: Annexation received voter approval on 11/04/08.

Columbia County Assessors Record of District Boundaries

Tuesday, December 16, 2008

Init Date: 12/03/08

Also See No.:

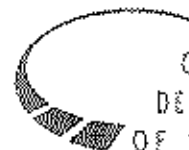
No.: 2009, 04

Legal Description

Beginning at an iron pipe set 173.78 feet North and 63.55 feet East of the quarter section corner on the East side of Section 12, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon, and running thence North 20 degrees 6' East 92.54 feet to an iron pipe; thence North 64 degrees 13'30" West, 473 feet to an iron pipe; thence South 20 degrees 6' West, 92.54 feet to an iron pipe; thence South 64 degrees 13'30" East, 473 feet to the place of beginning.

Notice to Taxing Districts

ORS 308.225

Rec'd 12/10/08OREGON
DEPARTMENT
OF REVENUECadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
(503) 945-8297, fax 945-8737City of Scappoose
City Recorder
33568 E Columbia Ave
Scappoose, OR 97056Description and Map Approved
December 8, 2008
As Per ORS 308.225☒ Description ☒ Map received from: CITY RECORDER
On: 12/4/2008

This is to notify you that your boundary change in Columbia County for

ANNEX TO CITY OF SCAPPOOSE

ORD. #802/ RES. #08-18

has been: ☒ Approved 12/8/2008
 ☐ Disapproved

Notes:

Department of Revenue File Number: 5-298-2008

Prepared by: Elise Bruch, 503-945-8344

Boundary: ☒ Change ☐ Proposed Change
The change is for:

- ☐ Formation of a new district
☒ Annexation of a territory to a district
☐ Withdrawal of a territory from a district
☐ Dissolution of a district
☐ Transfer
☐ Merge
☐ Establishment of Tax Zone

CITY OF SCAPPOOSE

33560 EAST COLUMBIA AVENUE
SCAPPOOSE, OREGON 97056
(503) 543-7146
FAX: (503) 543-7182

December 3, 2008

Columbia County Assessors
230 Strand Street/Courthouse
St Helens, Oregon 97051

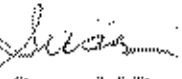
Re: Annexation into the City of Scappoose

On the November 4, 2008 ballot there was an application for annexation that was passed by the citizens of Scappoose. As per Oregon Revised Statutes I am sending you the following:

- 1) Resolution proclaiming the annexation.
- 2) The Legal Description
- 3) The Voting Abstract
- 4) Copy of the application to annex, from the landowners (also included staff reports)
- 5) A copy of the Ordinance approving the annexation, which the Council adopted before the election, which also includes re-zoning information.

If you have any questions, please do not hesitate to contact me at 503-543-7146, ext 224.

Sincerely,



Susan M Pentecost, CMC
City Recorder

COUNTER

Aug 21 8 57 AM '08

Ballot Title

NOTICE OF CITY MEASURE ELECTION

COLUMBIA CO. CLERK
BY _____ DE?City of Scappoose
(Name of City)

Notice is hereby given on August 11, 2008, that a measure election will be
held in Columbia County, Oregon on November 4, 2008.
(Name of county) (Date of election)

The following shall be the ballot title of the measure to be submitted to the county's voters
on this date: November 4, 2008.

CAPTION (10 Words)

ANNEXATION OF NORTH ROAD PROPERTY TO THE CITY OF SCAPPOOSE

QUESTION (20 Words)

Shall the described property be annexed to the City of Scappoose?

SUMMARY (175 Words)

Dennis and Linda Crane have requested that the City annex approximately 1 acre of property to the City of Scappoose. The property is located at 52533 North Road, and is described as Columbia County Assessor Map No. 3212-AD-06190. The property is located in the Scappoose Urban Growth Boundary and is contiguous to Scappoose City limits. Upon annexation, the property would be zoned Manufactured Housing (MH). The Scappoose Planning Commission and City Council have approved this annexation proposal. Annexation would cause the property to be placed on the City's tax roll and would result in additional revenues to the City.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes completion of the ballot title challenge process.

[Signature]
Signature of authorized city official (not required to be notarized)

Don G. Hanker
Printed name of authorized city official

8/14/08
Date signed

City Manager
Title

5-193



ELIZABETH E. HUSER
County Clerk of Columbia County
Courthouse, 230 Strand St., St. Helens, Oregon 97051-2041
Telephone: (503) 397-3796
(503) 397-7214 - Elections

Recording, Dog Control, Elections, Board of Equalization

I certify that the votes recorded on the following abstract correctly
summarize the tally of votes cast at the General Election held on
Tuesday, November 4, 2008.

Dated this 19th day of November, 2008.

A handwritten signature in cursive script, reading "Elizabeth E. Huser", is written over a horizontal line.

Elizabeth E. Huser
Columbia County Clerk

WITH 4 OF 4 PRECINCTS REPORTING

5-193 CITY OF SCAMPOUSE

VOTES PERCENT

VOTES PERCENT

Vote for 1

01 = Yes

02 = No

2,118 71.10
881 28.90

03 = OVER VOTES
04 = UNDER VOTES

2
236

	01	02	03	04
0031 31	403	159	0	34
0032 32	427	191	1	38
0033 33	725	289	0	64
0034 34	563	222	1	64

Exhibit A

Legal description of property to be annexed and zoned Manufactured Housing

Columbia County Assessor Map No. 3212-AD-06100

Beginning at an iron pipe set 173.78 feet North and 63.59 feet East of the quarter section corner on the East side of section 12, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon, and running thence North 20°6' East 92.54 feet to an iron pipe; thence North 64°13'30" West, 473 feet to an iron pipe; thence South 20°6' West, 92.54 feet to an iron pipe; thence South 64°13'30" East, 473 feet to the place of beginning.

RESOLUTION NO. 08-18

A RESOLUTION PROCLAIMING CERTAIN PROPERTY ANNEXED TO THE CITY.

WHEREAS, Ordinance 802 adopted and referred the annexation of one property to the November 4, 2008 ballot; and

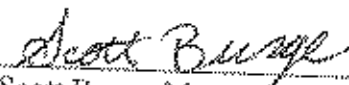
WHEREAS, according to the abstract provided by the Columbia County Elections Officer and attached hereto as Exhibit A, one measure proposing to annex one property to the City of Scappoose was approved by a majority of votes cast within the City at the November 4, 2008 election; and

WHEREAS, as required by ORS 222.170(3), a legal description of the annexed property is attached hereto as Exhibit B;

NOW, THEREFORE, the City Council of the City of Scappoose proclaims as follows:

The property approved for annexation by the City's voters on November 4, 2008, and described in Exhibit B to this Resolution, are hereby annexed to the City.

Passed and adopted by the Council and signed by me, and the City Recorder in authentication of its passage this 2nd day of December, 2008.



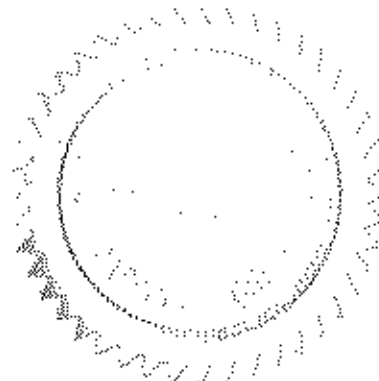
Scott Burge, Mayor

ATTEST:



Susan M. Pentecost, CMC

City Recorder





OREGON

Exhibit A

ELIZABETH E. HUSER

County Clerk of Columbia County

Courthouse, 230 Strand St., St. Helens, Oregon 97051-2041

Telephone: (503) 397-3796

(503) 397-7214 - Elections

Recording, Dog Control, Elections, Board of Equalization

I certify that the votes recorded on the following abstract correctly summarize the tally of votes cast at the General Election held on Tuesday, November 4, 2008.

Dated this 19th day of November, 2008.

A handwritten signature in cursive script, reading 'Elizabeth E. Huser', is written over a horizontal line.

Elizabeth E. Huser
Columbia County Clerk

Official Results

Columbia County, Oregon

General Election

November 4, 2008

RUN DATE: 11/18/08 03:12 PM

REPORT-EL52

PAGE 0077

WITH 4 OF 4 PRECINCTS REPORTING

VOTES PERCENT

VOTES PERCENT

5-193 CITY OF SCAPPOOSE

Vote for 1

01 = Yes

02 = No

2,318 71.10

861 28.90

03 = OVER VOTES

04 = UNDER VOTES

2

200

	01	02	03	04
0001 01	403	159	0	34
0002 02	427	191	1	38
0003 03	725	289	0	64
0004 04	553	222	1	64

Page 2 of 2

Legal description of property to be annexed and zoned Manufactured Housing

Columbia County Assessor Map No. 3212-AD-66100

Beginning at an iron pipe set 173.78 feet North and 83.59 feet East of the quarter section corner on the East side of section 12, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon, and running thence North 20°6' East 92.54 feet to an iron pipe; thence North 64°13'30" West, 473 feet to an iron pipe; thence South 20°6' West, 92.54 feet to an iron pipe; thence South 64°13'30" East, 473 feet to the place of beginning.

108 3-2-12 AD 6100

ORDINANCE NO. 802

**AN ORDINANCE APPROVING ANNEXATION OF PROPERTY TO THE CITY OF
SCAPPOOSE, AMENDING THE ZONING MAP, AND CALLING AN ELECTION**

WHEREAS, an application was filed by Dennis and Linda Crane to annex property described in Exhibit A, attached hereto and incorporated herein, to the City of Scappoose; and

WHEREAS, pursuant to Section 17.136.070 of the Scappoose Municipal Code, the property described in Exhibit A would automatically be zoned Manufactured Housing (MH) upon annexation due to the property's "Manufactured Housing" Comprehensive Plan designation; and

WHEREAS, hearings were held pursuant to Scappoose Municipal Code Chapters 17.22 and 17.136; and

WHEREAS, pursuant to Section 17.136.030 of the Scappoose Municipal Code, annexations must be referred to the voters of the City for approval; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. The application to annex the property described in Exhibit A is hereby approved, subject to approval by the voters of the City. Pursuant to ORS 222.160, the Exhibit A property will be declared by Resolution to be annexed to the City of Scappoose if the Columbia County Elections Officer certifies that the majority of voters in the City approve the measure.

Section 2. Pursuant to Scappoose Municipal Code Chapter 17.136, annexation of the Exhibit A property will be submitted to Columbia County to be placed on the November 4, 2008 ballot. The ballot title for such measure is herein adopted, and attached hereto as Exhibit B.


Section 3. In support of the above annexation, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated July 11, 2008, attached as Exhibit C.

Section 4. The annexation approved by this Ordinance shall take effect upon the date of certification of the election approving the annexation measure.

Section 5. Upon certification of the election on annexation, the City Manager is directed to conform the City Zoning Map to the provisions of this ordinance.

PASSED AND ADOPTED by the City Council this 11th day of August, 2008, and signed by the Mayor and City Recorder in authentication of its passage.

CITY OF SCAFFPOOSE, OREGON



Scott Burge, Mayor

First Reading: July 21, 2008
Second Reading: August 11, 2008

Attest:



Susan Pentecost, City Recorder

Exhibit A
Legal description of property to be annexed and zoned Manufactured Housing

Columbia County Assessor Map No. 3212-AD-06100

Beginning at an iron pipe set 173.78 feet North and 63.59 feet East of the quarter section corner on the East side of section 12, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon, and running thence North 20°6' East 92.54 feet to an iron pipe; thence North 64°13'30" West, 473 feet to an iron pipe; thence South 20°6' West, 92.54 feet to an iron pipe; thence South 64°13'30" East, 473 feet to the place of beginning.

**Exhibit B
Ballot Title**

NOTICE OF CITY MEASURE ELECTION

City of Scappoose
(Name of City)

Notice is hereby given on August 11, 2008, that a measure election will be
held in Columbia County, Oregon on November 4, 2008,
(Name of county) (Date of election)

The following shall be the ballot title of the measure to be submitted to the county's voters
on this date: November 4, 2008.

CAPTION (10 Words)

ANNEXATION OF NORTH ROAD PROPERTY TO THE CITY OF SCAPPOOSE

QUESTION (20 Words)

Shall the described property be annexed to the City of Scappoose?

SUMMARY (125 Words)

Dennis and Linda Crane have requested that the City annex approximately 1 acre of property to the City of Scappoose. The property is located at 52533 North Road, and is described as Columbia County Assessor Map No. 3212-AD-06100. The property is located in the Scappoose Urban Growth Boundary and is contiguous to Scappoose City limits. Upon annexation, the property would be zoned Manufactured Housing (MH). The Scappoose Planning Commission and City Council have approved this annexation proposal. Annexation would cause the property to be placed on the City's tax roll and would result in additional revenues to the City.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes completion of the ballot title challenge process.

Signature of authorized city official (not required to be notarized)

Date signed

Printed name of authorized city official

Title

EXHIBIT C

CITY OF SCAPPOOSE

23555 EAST COLUMBIA AVENUE
SCAPPOOSE, OREGON 97056
(503) 543-7148
FAX: (503) 543-7182

ANX1-08/ZC1-08

July 11, 2008

Crane Property: North Road Annexation and Zone Change

CITY OF SCAPPOOSE STAFF REPORT

Request: Approval of an application for annexation and a corresponding zone change to Manufactured Housing (MH) for approximately 1 acre.

Location: The subject parcel is located at 52533 North Road. The site consists of property described as Columbia County Assessor Map No. 3212-AD-06100. See attached Vicinity Map (Exhibit 1).

Applicant: Dennis & Linda Crane

Owner(s): Dennis & Linda Crane

EXHIBITS

1. Vicinity Map
2. Applicant's Narrative
3. Diagram of annexation parcel and adjacent roadways
4. Diagram of Unger subdivision, annotated with location of Crane residence

SUBJECT SITE

- The subject site consists of one parcel with an area of approximately 1 acre. The parcel is located on the west side of North Road. The site is immediately north of the Unger subdivision (SB4-07) approved by the Planning Commission. See Exhibit 1, Vicinity Map.
- The subject site is designated as Manufactured Housing (MH) on the Comprehensive Plan map. The site is adjacent to City Limits on the south and west sides. Adjoining properties within the City are zoned MH to the south and west. Adjoining properties outside City Limits are zoned Mobile Home Residential (MHR) to the north and Single Family Residential, 10,000 square foot minimum lot size (R-10) to the east.
- The site is within the boundaries of the Scappoose Rural Fire Protection District and the Scappoose Public School District. The site is currently under the police protection of the Columbia County Sheriff's Department.
- According to Flood Insurance Rate Map (FIRM) 41089C0463C the property is located outside the 100-year floodplain and outside the Scappoose Drainage District. The Scappoose Local Wetlands Inventory Map does not illustrate wetlands within the property.

Crane Property: North Road Annexation and Zone Change

- The site is nearly level and has an existing residence, accessory structures and a number of mature evergreen trees.

OBSERVATIONSCONCURRENT ANNEXATION AND ZONE CHANGE APPLICATIONS

- The site is currently zoned Mobile Home Residential (MHR) by Columbia County. According to Section 17.136.070 of the Scappoose Development Code, because the parcel has a Manufactured Housing (MH) Comprehensive Plan designation, upon annexation the land shall automatically be zoned Manufactured Housing (MH). The applicant has not requested an amendment to the Comprehensive Plan map.

PROPOSED RESIDENTIAL USE

- The applicant has stated that the site could be developed in the future with up to four duplexes if the voters approve the annexation (**Exhibit 2**). A diagram of the existing lot dimensions and the location of the future Kale Street right-of-way (approved as part of Subdivision SB4-07) is included as **Exhibit 3**. A diagram of the Unger subdivision is included as **Exhibit 4**.
- The MH zone also permits duplexes, tri-plexes, four-plexes, and manufactured home parks. This property is too small to be a manufactured home park (the Development Code specifies a minimum area of two acres). This application has been analyzed based on the most intense development that could occur, which would be two four-plexes and one duplex. The site could therefore support a total of 10 housing units.
- Future development proposals will be required to apply for Planning approval (either Tentative Subdivision Plan Review or Partition) to ensure compliance with the Scappoose Development Code and Public Works Design Standards.

STREET SYSTEM AND TRANSPORTATION IMPACTS

- The site has frontage on North Road, which has a paved width of approximately 18 feet and a 40-foot right-of-way adjacent to the site. The City's amended Transportation System Plan (TSP) designates North Road as a Local Residential street, for which the standard right-of-way (ROW) is 54 feet. Additional ROW dedication and street improvements would be required as a part of a development proposal following annexation. The City's standard practice is to require half-street improvements as minimum conditions of development proposals, to be installed and funded by developers.
- The site will also front on Kale Street, a Local Residential street that will be extended from its current terminus eastward to North Road (with the construction of the Unger subdivision), resulting in a continuous street between West Lane and North Road.
- The site is accessed by North Road, connecting to Highway 30 via East Columbia Avenue. Traffic could also travel to West Lane Road on Kale Street through the Heritage Farm

Crane Property: North Road Annexation and Zone Change

subdivision and then connect to the highway via Columbia Avenue or Crown Zellerbach Road.

- Staff has used standard trip generation ratios published by the Institute of Transportation Engineers to estimate traffic levels from future development. If the site were developed with two four-plexes and one duplex (the most intense development under the MH zone), the site could be expected to generate approximately 66 average daily trips, 6 of them during the evening peak hour.
- Development proposals may need to be accompanied by analysis of traffic impacts to ensure that the affected streets and intersections have adequate capacity to accommodate increased traffic.
- The City's Transportation System Development Charges (SDC's) are directly related to the volume of traffic generated by specific types of use. The SDC's collected from development can be used to pay for improvements to projects included in the City's Transportation System Plan.
- Full discussion of the traffic impacts associated with the annexation and zone change is found in Findings of Fact #2, Transportation Planning Rule.

UTILITIES & STORM DRAINAGE

- Electricity, telephone, and gas are provided to adjacent residential properties and could be made available through the extension of nearby lines and public service infrastructure. Water will be installed in Kale Street as part of the Unger subdivision or can be extended from Columbia Avenue. Sewer will be installed in Kale Street as part of the Unger subdivision or can be extended from the existing sewer manhole in North Road located approximately 200 feet from the property.
- The applicant would be responsible for managing stormwater at the time of development. On-site infiltration is the most likely method. The site is outside the Scappoose Drainage Improvement District but naturally drains in that direction. Any development proposals will have to ensure that development of the site does not degrade water quality or increase water quantity draining to the Scappoose Drainage Improvement Company. This evaluation would be made at the time of a review of a specific development proposal.

PUBLIC & PRIVATE AGENCIES AND PUBLIC NOTICE

- The City of Scappoose City Manager, Engineering, Building, and Police Departments; Columbia County Road Department, Planning Department, and Board of Commissioners; the Scappoose Rural Fire Protection District; the Scappoose School District; the Oregon Department of Transportation (Region 1); and the Oregon Department of Land Conservation and Development have been provided an opportunity to review the proposal. Comments from these organizations have been incorporated into this staff report. No agencies objected to the proposed annexation.

Crane Property: North Road Annexation and Zone Change

- Notice of this request was mailed to property owners located within 200 feet of the subject site on June 17, 2008. Notice was also posted on the property on June 23 and published in the local newspaper on June 25 and July 2, 2008. Staff has received no written comments from the public regarding the application.

APPLICABILITY OF STATEWIDE PLANNING GOALS

A number of Oregon's 19 Statewide Planning Goals and Guidelines apply to this application, as discussed in the *Findings of Fact*.

FINDINGS OF FACT

1. The following Statewide Planning Goals have been considered by the City of Scappoose as they pertain to this request:

A. Citizen Involvement (Goal 1)

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

Finding:

The City's acknowledged Comprehensive Plan & Development Code includes citizen involvement procedures with which the review of this application will comply. This process allows for citizens to communicate their input into the application review conducted by the City at public hearings or by submitting written comments. The City of Scappoose Planning Commission reviewed the proposed annexation and zoning map amendment on July 10, 2008 and recommended that the City Council approve the request. The City Council will hold a hearing on July 21, 2008. The Applicant posted site notices on June 23, the City mailed notices to nearby property owners on June 17, and notice was published in the newspaper on June 25 and July 2. This process complies with the Goal.

B. Land Use Planning (Goal 2)

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 procedural requirements for annexation and zone changes are contained in the Scappoose Municipal Code, which involve assessment of the application's merits, notice to affected parties, and public hearings. The proposal is to change the zoning designation of urban land within the Urban Growth Boundary, in compliance with Goal 2. Notice of the annexation and zoning map amendment has been provided by the City of Scappoose to the Oregon Department of Land Conservation and Development (DLCD) as required. The City's decision is based on findings of fact.

C. *Agricultural Lands (Goal 3)*

Objective: To preserve and maintain agricultural lands.

Finding:

This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified agricultural resources are located on site. The site is designated for residential development in the Comprehensive Plan and is currently zoned for residential use by Columbia County.

D. *Forest Lands (Goal 4)*

Objective: To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Finding:

This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified forest resources are located on site. The site is designated for residential development in the Comprehensive Plan and is currently zoned for residential use by Columbia County.

E. *Open Spaces, Scenic and Historic Areas and Natural Resources (Goal 5)*

Objective: To protect natural resources and conserve scenic and historic areas and open spaces.

Finding:

There are no identified Goal 5 resources on or near the site. The subject site is not designated as open space, a scenic or historic area, or a natural resource area by the City of Scappoose and does not contain any known significant open space, scenic, historic, or natural resources. The proposed annexation and zone change do not conflict with this Goal.

F. *Air, Water and Land Resources Quality (Goal 6)*

Objective: To maintain and improve the quality of the air, water and land resources of the state.

*Crane Property: North Road Annexation and Zone Change***Finding:**

The site is currently planned for residential use. If the annexation were approved, the site would be subject to City regulations that do not allow off-site impacts from noise, vibration, odors, glare, or other "nuisance" effects. The potential harmful effects on air, water and land resource quality is limited. The annexation and zone change proposal will therefore have no significant impact with respect to this Goal.

G. Areas Subject to Natural Disasters and Hazards (Goal 7)

Objective: To protect people and property from natural hazards.

Finding:

The subject site is not located within a mapped flood plain, potential flood hazard, potential landslide hazard, or earthquake hazard area. The proposal to zone the subject property for residential development is consistent with avoidance of natural disasters and hazards under Goal 7.

H. Recreational Needs (Goal 8)

Objective: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Finding:

The site is presently designated for residential development on the Comprehensive Plan and has not been planned for recreational opportunities. The requested annexation and zone change to Manufactured Housing (MH) will not result in a reduction in land planned or reserved for recreational use. Consequently, the proposed Annexation and Zone Change will have no significant impact on the City's planning for recreational needs.

I. Economic Development (Goal 9)

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 site is presently designated for residential development on the Comprehensive Plan and has not been planned for economic development.

J. Housing (Goal 10)

Objective: To provide for the housing needs of citizens of the state.

*Crane Property: North Road Annexation and Zone Change***Finding:**

The property proposed for annexation is designated Manufactured Housing on the Comprehensive Plan map. The proposed annexation and zone change to Manufactured Housing (MH) would increase the residential land supply within City Limits and would allow more intense development than currently permitted under County regulations. Furthermore, the site could only connect to City water or sewer if it were inside City Limits. If the site is developed as intensely as City regulations would allow, up to 10 housing units could be constructed.

K. Public Facilities and Services (Goal 11)

Objective: *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

Finding:

The subject property lies within the Urban Growth Boundary (UGB) and therefore requires the extension of public facilities and services at the developer's expense. Water will be available in Kale Street from the Unger subdivision, sanitary sewer will be available in Kale Street or can be extended from the existing sewer manhole in North Road, and storm drainage facilities would be constructed as conditions of approval for future subdivision or partition applications.

L. Transportation (Goal 12)

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

Finding:

This Goal requires the City to prepare and implement a Transportation System Plan (TSP). The Scappoose TSP assumed that this site would be developed under the City's Manufactured Housing Comprehensive Plan and Zoning designations. The site falls into Traffic Analysis Zone #12, which is an area bounded by West Lane, Columbia Avenue, Bird Road, and the Crown Zellerbach logging road. In 1995, this area had a population of 196 people, and the TSP projected a population of 817 in the year 2015 based on the Comprehensive Plan designations. Street classifications were chosen accordingly.

The TSP classifies North Road as a Local Residential street, which requires a 54-foot right-of-way width and a 32-foot pavement width. North Road does not currently meet this standard; it generally has a paved width of 18 feet and a right-of-way width of 40 feet. At the time of development, the applicant would need to perform half-street improvements on North Road to meet the City standard. Traffic analysis may be required at the time of development to determine the improvements required to protect health and safety and ensure efficient traffic circulation.

Crane Property: North Road Annexation and Zone Change

Traffic projections from future development have been computed using standard trip generation ratios published by the Institute of Transportation Engineers. If the site were developed with two four-plexes and one duplex (the most intense development under the MH zone), the site could be expected to generate approximately 66 average daily trips, 6 of them during the evening peak hour. The City does not anticipate that this level of development would cause failure of the local street network, provided that the applicant installs appropriate street improvements at the time of development. The applicant may need to submit a traffic study with future development proposals to analyze individual intersections and street segments.

Additional findings are found in Findings of Fact #2, Transportation Planning Rule.

M. Energy Conservation (Goal 13)

Objective: To conserve energy.

1. Land use plans should be based on utilization of the following techniques and implementation devices which can have a material impact on energy efficiency:

- a. Lot size, dimension, and siting controls;*
- b. Building height, bulk and surface area;*
- c. Density of uses, particularly those which relate to housing densities;*
- d. Availability of light, wind and air;*
- e. Compatibility of and competition between competing land use activities; and*
- f. Systems and incentives for the collection, reuse and recycling of metallic and nonmetallic waste.*

Finding:

The site is located immediately adjacent to existing residential areas. The proposed MH zoning would permit development in accordance with the Comprehensive Plan with the potential to create an energy-efficient land use pattern within the City's Urban Growth Boundary.

N. Urbanization (Goal 14)

Objective: To provide for an orderly and efficient transition from rural to urban land use.

Finding:

The subject property is within the Urban Growth Boundary and no expansion of the UGB is proposed. The proposed annexation and zone change is the first step in the transition from rural to urbanized land as foreseen in the Comprehensive Plan. Development of the site will trigger requirements for the developer to provide infrastructure, including necessary sewer lines, storm drainage lines, water line extensions, and street improvements.

*O. Other Goals***Finding:**

The following goals are not applicable to this application:

- Willamette River Greenway (Goal 15)
- Estuarine Resources (Goal 16)
- Coastal Shorelands (Goal 17)
- Beaches and Dunes (Goal 18)
- Ocean Resources (Goal 19)

2. The following Administrative Rule has been considered by the City of Scappoose as it pertains to this request:

TRANSPORTATION PLANNING RULE

OAR 660 Division 12 – Transportation Planning:

660-012-0060 Plan and Land Use Regulation Amendments

(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. 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) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Finding:

Analysis of the transportation impacts from the proposed annexation and zone change can be divided into four subtopics:

1. Traffic likely to be generated from development;
2. Impact of development-generated traffic on local street segments;
3. Impact of development-generated traffic on affected intersections; and
4. Transportation impact conclusions.

1. Traffic likely to be generated from development

The most intense development of the site would consist of two four-plexes and one duplex, for a total of 10 dwelling units. Based on standard trip generation ratios published by the Institute of Transportation Engineers, this level of development can be expected to generate approximately 66 average daily trips, 6 of them during the evening peak hour.¹

The Transportation System Plan (TSP) analyzed traffic throughout the City. The Traffic Analysis Zone (TAZ) bounded by West Lane, Columbia Avenue, Bird Road, and the Crown Zellerbach Road encompasses the site. Based on the projected development densities envisioned in the Comprehensive Plan, the TSP anticipated that population would grow from 196 in 1995 to 817 in 2015. The annexation of this site and the application of the MH zoning are consistent with the Comprehensive Plan and the level of development analyzed in the TSP.

2. Impact of development-generated traffic on local street segments

Traffic to and from the site will utilize North Road and Kale Street. Connections to Highway 30 may be made either via Columbia Avenue or via West Lane and Crown Zellerbach Road. Columbia Avenue, West Lane Road, and Crown Zellerbach Road are classified as Major Collectors, while North Road and Kale Street are designated as Local Residential streets.

This proposal does not "significantly affect" the impacted street segments (as defined by the Transportation Planning Rule) because the annexation and zoning are consistent with the TSP traffic assumptions. However, future development of the site will require additional improvements to North Road to maintain safety. Full determination of the required improvements would be deferred until the time of development of the site, and would consist of half-street improvements at a minimum.

The affected street segments appear to have adequate capacity to accommodate large volumes of traffic. North Road would require improvements at the time of development to accommodate increased traffic, but the capacity-controlling facility will be the individual intersections, particularly the traffic signal at the Columbia Avenue/Highway 30 intersection and/or Crown Zellerbach Road/Highway 30 intersection (discussed below).

¹ The following trip generation ratios were used:

Duplex: 5.86 average daily trips and 0.52 PM peak hour trips per unit

Fourplex: 6.72 average daily trips and 0.62 PM peak hour trips per unit

3. Impact of development-generated traffic on affected intersections

Traffic from development is likely to primarily impact seven intersections discussed below.

a. North Road/Kale Street intersection

Following construction of the Unger subdivision, this will be a 3-leg intersection with a stop sign on the Kale Street leg. The City does not have daily, morning peak hour, or evening peak hour traffic data for this location. However, it is not anticipated that additional traffic from development of the site would cause this intersection to fall below the City's standards requiring a Level of Service "E" or better for the minor approach at unsignalized intersections. The proposed annexation and zone change does not "significantly affect" this intersection as defined by the Transportation Planning Rule.

b. North Road/East Columbia Avenue intersection

This is a 3-leg intersection with a stop sign on the North Road leg. The Transportation Impact Study (dated 2/8/08) submitted for the Unger subdivision (SB4-07) indicated that this intersection currently operates at a Level of Service "A." It is not anticipated that additional traffic from development of the site would cause this intersection to fall below the City's standards requiring a Level of Service "E" or better for the minor approach at unsignalized intersections. The proposed annexation and zone change does not "significantly affect" this intersection as defined by the Transportation Planning Rule.

c. East Columbia Avenue/West Lane intersection

This is a 4-leg intersection with stop signs on the north and south legs. The City does not have daily, morning peak hour, or evening peak hour traffic data for this location. However, it is not anticipated that additional traffic from development of the site would cause this intersection to fall below the City's standards requiring a Level of Service "E" or better for the minor approach at unsignalized intersections. Geometric improvements were made at this location as part of the construction of the Harmony Park subdivision. The proposed annexation and zone change does not "significantly affect" this intersection.

d. West Lane Road/Kale Street intersection

This is a 3-leg stop-controlled intersection. The Transportation Impact Study (dated 2/8/08) submitted for the Unger subdivision (SB4-07) indicated that this intersection currently operates at a Level of Service "A." It is not anticipated that additional traffic from development of the site would cause this intersection to fall below the City's standards requiring a Level of Service "E" or better for the minor approach at unsignalized intersections. The proposed annexation and zone change does not "significantly affect" this intersection.

*Crane Property: North Road Annexation and Zone Change***e. West Lane Road/Crown Zellerbach Road intersection**

This is a 3-leg stop-controlled intersection. The City does not have daily, morning peak hour, or evening peak hour traffic data for this location. However, it is not anticipated that additional traffic from development of the site would cause this intersection to fall below the City's standards requiring a Level of Service "E" or better for the minor approach at unsignalized intersections. Crown Zellerbach Road was designed with turn lanes at its intersection with West Lane Road. Signal conduit was previously installed at the intersection of West Lane Road and Crown Zellerbach Road in anticipation of the possibility that at some point in the future, traffic signals may be required at that location. It is unlikely that traffic would meet warrants for signalized intersections at these locations due to the annexation and zone change. The proposed annexation and zone change does not "significantly affect" this intersection.

f. Highway 30/Columbia Avenue intersection

This is a 4-leg signal-controlled intersection. The Scappoose Rail Corridor Study (Kittelson & Associates, October 2002) indicates that the Highway 30/Columbia Avenue intersection will operate at a Level of Service "B" in the morning peak hour under the "base growth" and "full growth" scenarios, with a Level of Service "C" in the morning and evening peak hours under the "full growth" scenario (Figures 3-3, 3-4, 3-5, and 3-6). The Rail Corridor Study stated that the intersection currently operates with a volume-to-capacity (V/C) ratio of 0.74, which meets ODOT's mobility standard of 0.75. The same study indicates that even with no additional development of this site, this intersection will operate at a V/C ratio of 0.89 in the future in the "base growth" scenario and a V/C ratio of 0.94 in the "full growth" scenario. ODOT Region 1 has jurisdiction over this intersection and has not stated that this proposal would have a significant effect on Highway 30. The proposed annexation and zone change does not "significantly affect" this intersection.

g. Crown Zellerbach Road/Highway 30 intersection

This is a 4-leg signal-controlled intersection. The Scappoose Rail Corridor Study (Kittelson & Associates, October 2002) indicates that the Highway 30/Crown Zellerbach Road intersection will operate at a Level of Service "B" in the morning and evening peak hours under the "base growth" scenario, with a Level of Service "C" in the morning and evening peak hours under the "full growth" scenario (Figures 3-3, 3-4, 3-5, and 3-6). As discussed for previous annexation applications, airport-area development may generate more traffic than the Rail Corridor Study anticipated (on the order of 525 peak hour trips rather than 225 peak hour trips). The additional trips would not materially degrade the operation of this intersection. This intersection is under the jurisdiction of ODOT, and ODOT previously determined that the planned improvements to West Lane and the prior improvements to Crown Zellerbach Road "are sufficient to avoid degradation of the ODOT mobility standards for the Hwy 30 intersection at Crown Zellerbach Road." ODOT Region 1 has jurisdiction over this intersection.

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and has not stated that this proposal would have a significant effect on Highway 30. The proposed annexation and zone change does not "significantly affect" this intersection.

4. Transportation impact conclusions

Based on trip generation levels applicable to the MH zone, the City finds that the proposed annexation and zone change are consistent with the land uses envisioned by the Comprehensive Plan and the Transportation System Plan. Development of the site will generate on the order of 6 evening peak hour trips, which will have a minor impact on affected street segments and intersections.

Therefore, the proposed annexation and zone change are consistent with the Comprehensive Plan and TSP and would not require a change in the functional classification or street standards.

As spelled out by Section 5.0013 of the Scappoose Public Works Design Standards, specific development proposals may trigger the requirement for traffic analysis reports identifying projected trip generation levels, recommendations for public improvements, and access management. Any mitigation strategies prompted by the results of the traffic analysis reports would be installed as conditions of development.

3. **The following Goals and Policies from the Scappoose Comprehensive Plan are applicable to this request:**

GOAL FOR PUBLIC FACILITIES AND SERVICES

- 1) *Provide the public facilities and services which are necessary for the well being of the community and which help guide development into conformance with the Comprehensive Plan.*
- 2) *Direct public facilities and services, particularly water and sewer systems, into the urban growth area.*
- 3) *Ensure that the capacities and patterns of utilities and other facilities are adequate to support the residential densities and intensive land use patterns of the Comprehensive Plan.*
- 4) *Avoid the provision or expansion of public utilities and facilities in sparsely settled non-urban areas, when this would tend to encourage development or intensification of uses, or to create the need for additional urban services.*

Goals 5-11 are not applicable to this application.

POLICIES FOR PUBLIC FACILITIES AND SERVICES

- 1) *Design urban facilities and services, particularly water and sewer systems, to eventually serve the designated urban growth area; also, ensure that services are provided to sufficient vacant property to meet anticipated growth needs; also, develop a design review process to insure that public services and facilities do not unreasonably degrade significant fish and wildlife habitats.*
- 9) *Control local flooding and groundwater problems through the use of existing storm drainage systems and construction of new facilities in accordance with the Scappoose Storm Drain System Master Plan.*
- 19) *Approve annexations of new residential lands, except in the case of a health hazard, only when:*
 1. *There is sufficient capacity in the sewer, water, street, school, fire, and police systems to service the potential additional populace.*
 2. *Sufficient in-filling of vacant land has occurred to warrant an expansion.*

Policies 2-8, 10-18 and 20-27 are not applicable to this application.

Finding:

The City Engineer, City Manager, Chief of Police, Fire Chief, and school Superintendent were provided with the opportunity to determine whether sufficient capacity exists for needed facilities and services. No objection to this annexation has been expressed by City Departments or public service agencies. The public facility requirements must be met at the time that the applicant proposes a development plan. All plans and improvements are subject to review by the City Engineer and must conform to the requirements of the Scappoose Municipal Code and the Public Works Design Standards and Standard Specifications.

Fire & Police Protection

- The Scappoose Rural Fire District provides fire protection for this site. Development of the site will have to comply with all applicable fire and building codes and would provide hydrants in sufficient numbers and at locations deemed appropriate by the Scappoose Rural Fire District.
- If this site were annexed it would come under the protection of the Scappoose Police Department. Increased assessment valuation would generate some tax revenue to contribute toward the cost of providing service.

Streets

- The North Road right-of-way generally has a 40-foot width and an 18-foot paved cross-section. The paved width would be required to be widened to accommodate the

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traffic from future development proposals. The City would require half-street improvements along the site's frontage as a condition of future development.

Schools

- Annexation and subsequent development of the site would increase school district enrollment. The local school district should receive additional revenues due to increased valuation as a result of future development to partially offset any increase in school district enrollment. The school district did not object to this application, and prior discussions have indicated that the overall student population for the district is relatively stable.

Water Service

- Depending on the timing of development, the site could connect to the water line to be installed in Kale Street as part of the Unger subdivision. Alternately, there is an existing City water line in Columbia Avenue to which the property would have access upon annexation, with extensions to be installed by the developer.

Sewer and Storm Drainage

- The nearest sanitary sewer main is in North Road, approximately 200 feet south of the site. The applicant would need to install additional sewer up North Road to tie into the existing sewer manhole in the street or connect to the new sewer to be built in Kale Street.
- There is no public storm drain system in the immediate vicinity of the site so the applicant would need to manage stormwater on site. The storm drainage system would need be designed to ensure that development of the site does not degrade water quality or increase water quantity draining to the Scappoose Drainage District or cause other flooding or groundwater problems.

The applicable goals and policies of the GOAL FOR PUBLIC FACILITIES AND SERVICES, and the POLICIES FOR PUBLIC FACILITIES AND SERVICES, are satisfied.

GENERAL GOALS FOR LAND USES

- 1) *The growth of the City should be orderly and in accordance with the public health, safety and welfare, while preserving individual choice and recognizing existing patterns of development.*
- 6) *Residential living areas should be safe, attractive, and convenient, and should make a positive contribution to the quality of life and personal satisfaction of the residents; additionally, there should be sufficient areas for a wide range of housing choices.*

Finding:

The subject property is located in the UGB immediately adjacent to land zoned MH by the City. Annexation would permit development in an orderly outward expansion. Development of the subject site is required to provide the infrastructure associated with new residential development, including public streets with curbs and sidewalks. The MH zoning permits single-family residences, duplexes, tri-plexes, four-plexes, and manufactured home parks, which provide a range of housing choices.

The applicable GENERAL GOALS FOR LAND USES are satisfied.

GOAL FOR HOUSING

- 1) *Increase the quantity and quality of housing for all citizens*
- 2) *Locate housing so that it is fully integrated with land use, transportation and public facilities*
- 3) *Not applicable*
- 4) *Protect residential areas from conflicting land uses, unnecessary through traffic, or other undesirable influences.*

POLICIES FOR HOUSING

- 1) *Maintain adequate zoning, subdivision and building codes to help achieve the City's housing goals.*
- 7) *Ensure that subdivisions provide a full array of public services at the expense of the developer.*

(Policies 2 through 6 and 8-10 are not applicable to this application.)

Finding:

The proposed annexation and zoning of the site for residential uses is consistent with Goals 1, 2, and 4 because the inclusion of a 1-acre lot with the potential for additional housing will increase the quantity of residential land in the City. The proposed use does not conflict with existing land uses because the site is adjacent to existing residential uses. In addition, the new residences will not generate unnecessary through traffic or undesirable influences.

The zoning of the site for residential use is consistent with the policies of the Comprehensive Plan. The site will assist in maintaining adequate land to meet the City's housing needs and future subdivision improvements will be made at the expense of the

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developer. The applicable goals and policies of the GOAL FOR HOUSING and the POLICIES FOR HOUSING are satisfied.

4. The following sections of Title 17 of the Scappoose Municipal Code (Scappoose Development Code) are applicable to this request:

Chapter 17.22 AMENDMENTS TO THE TITLE, COMPREHENSIVE PLAN, AND MAPS

17.22.010 Purpose The purpose of this chapter is to set forth the standards and purposes governing legislative and quasi-judicial amendments to this title, the acknowledged comprehensive plan, and the related maps.

17.22.030 Quasi-judicial amendments Quasi-judicial amendments shall be in accordance with the procedures set forth in Chapter 17.162 and the following:

A. The commission shall make a recommendation to the Council to approve, approve with conditions or deny an application for a quasi-judicial comprehensive plan map amendment or zone changes based on the following:

- 1. The applicable comprehensive plan policies and map designation;*
- 2. The change will not adversely affect the health, safety and welfare of the community;*
- 3. The applicable standards of this title or other applicable implementing ordinances; and*
- 4. Evidence of change in the neighborhood or community or a mistake or inconsistency with the comprehensive plan or zoning map as it relates to the subject property.*

B. The council shall decide the applications on the record.

C. A quasi-judicial application may be approved, approved with conditions or denied.

Finding:

1. THE APPLICABLE COMPREHENSIVE PLAN POLICIES AND MAP DESIGNATION

As specified by Section 17.136.070 of the Scappoose Municipal Code, if this property is annexed it would automatically receive the Manufactured Housing (MH) zoning designation since the site had a "Manufactured Housing" Comprehensive Plan Map designation. The applicable comprehensive plan policies are outlined above.

2. THE CHANGE WILL NOT ADVERSELY AFFECT THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY;

The zone change to MH implements the Manufactured Housing Comprehensive Plan designation. The proposed annexation would permit new development consistent with the existing residential character, which would reinforce and enhance a residential neighborhood. The annexation and zone change could allow up to 10 dwellings, which would not adversely affect health, safety, and welfare.

3. THE APPLICABLE STANDARDS OF THIS TITLE OR OTHER APPLICABLE IMPLEMENTING ORDINANCES;

The proposed annexation and zone change are policy decisions subject to guidance by the full policy framework established by the Oregon Statewide Land Use Planning Goals and associated Oregon Administrative Rules (OAR), and by the Scappoose Comprehensive Plan and Development Code. Full discussion of the applicable standards is found in this report. The analysis demonstrates consistency and compliance with all applicable approval standards.

4. EVIDENCE OF CHANGE IN THE NEIGHBORHOOD OR COMMUNITY OR A MISTAKE OR INCONSISTENCY WITH THE COMPREHENSIVE PLAN OR ZONING MAP AS IT RELATES TO THE SUBJECT PROPERTY.

The subject site is designated Manufactured Housing in the Comprehensive Plan Map. Applying Section 17.136.070 by automatically zoning the property Manufactured Housing (MH) is consistent with the Comprehensive Plan.

Chapter 17.54 MH MANUFACTURED HOUSING

17.54.030 Permitted uses. A. In the MH zone outside of the Scappoose Creek Flood Plain, only the following uses and their accessory uses are permitted outright:

[...]

2. Duplex;

[...]

4. Manufactured homes on individual lots subject to Section 17.94.030;

[...]

6. Multifamily up to four units per lot;

[...]

9. Single-family detached residential dwelling units.

[...]

13. A single-family dwelling having a common wall with one other single-family dwelling...

Finding:

A variety of residential uses is permitted within the MH zoning district. Future development proposals would be reviewed for consistency with the permitted uses in the proposed zone. Section 17.54.030 is satisfied.

Chapter 17.88 AO PUBLIC USE AIRPORT SAFETY AND COMPATIBILITY OVERLAY ZONE

17.88.030 Imaginary surface and noise impact boundary delineation. The airport elevation, the airport noise impact boundary, the airport direct impact boundary, the airport secondary impact boundary, and the location and dimensions of the runway,

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primary surface, runway protection zone, approach surface, horizontal surface, conical surface and transitional surface shall be delineated for the Scappoose Industrial Airpark and shall be made part of the Official Zoning Map. All lands, waters and airspace, or portions thereof, that are located within these boundaries or surfaces, and are located within the city limits, shall be subject to the requirements of this overlay zone.

Finding:

As defined by Chapter 17.88, the site falls within the airport direct impact boundary. According to Table 17.88.1 in the Scappoose Development Code, no limitations are placed on residential development within the direct impact boundary. Section 17.88.030 is satisfied.

Chapter 17.136 ANNEXATIONS17.136.020 Policy.

Annexations shall be considered on a case-by-case basis, taking into account the goals and policies in the Scappoose Comprehensive Plan, long range costs and benefits of annexation, statewide planning goals, this title and other ordinances of the City and the policies and regulations of affected agencies' jurisdictions and special districts.

A. It is the City's policy to encourage and support annexation where:

- 1. The annexation complies with the provisions of the Scappoose Comprehensive Plan*
- 2. The annexation would provide a logical service area, straighten boundaries, eliminate or preclude islands of unincorporated property, and contribute to a clear identification of the City.*
- 3. The annexation would benefit the City by addition to its revenues of an amount that would be at least equal to the cost of providing service to the area.*
- 4. The annexation would be clearly to the City's advantage in controlling the growth and development plans for the area.*

Finding:

The proposed annexation complies with the goals and policies of the Comprehensive Plan as previously discussed in Finding of Fact #3. The annexation is contiguous to land zoned MH within the City, expanding the City's logical service area. Pursuant to Scappoose Municipal Code Chapter 13.12.100, sewer services are not provided outside the City limits, so annexation would allow this site to be served by the municipal sewer system. Annexation will allow the City to manage growth by providing for City inspection and approval of all development. Section 17.136.020(A) is satisfied.

B. It is the City's policy to discourage and deny annexation where:

Crane Property: North Road Annexation and Zone Change

1. *The annexation is inconsistent with the provisions of the Scappoose Comprehensive Plan*
2. *The annexation would cause an unreasonable disruption or distortion of the current City boundary or service area.*
3. *The annexation would severely decrease the ability of the City to provide services to an area either inside or outside of the City.*
4. *Full urban services could not be made available within a reasonable time.*

Finding:

The proposal is consistent with the provisions of the Scappoose Comprehensive Plan as previously discussed. The annexation does not decrease the ability of the City to provide services and does not cause an unreasonable disruption of the current City boundary. The proposed annexation site can be served by urban services within a reasonable time and does not decrease the ability of the City to provide services. Section 17.136.020(B) is satisfied.

17.136.040 Approval standards.

A. *The decision to approve, approve with modifications or deny, shall be based on the following criteria:*

1. *All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;*

Finding:

Existing municipal police services can be made available to the site immediately. The site fronts onto an existing road within the City. The property is already located within the Scappoose Rural Fire District, the Scappoose School District, the Scappoose Library District, and the Scappoose Parks and Recreation District. Telephone and electric services are already provided to neighboring properties.

Water and sewer service can be made available to the site with extensions installed by the developer. The water treatment plants and wastewater treatment plant have excess capacity to accommodate development of this and other sites.

The facility planning for the City's water and wastewater treatment facilities assumed that this site would be zoned MH. The site could be developed with approximately 10 housing units if a manufactured home park were constructed.

The wastewater flow associated with 10 residences is 1,250 gallons per day (0.001 MGD), using an average of 125 gallons per day per household.

The North Interceptor into the Wastewater Treatment Plant has a capacity of 2.3 MGD; therefore the 10 additional households would use approximately 0.05% of that capacity. The treatment plant has the capacity to accommodate the residences that could be constructed on this site.

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The City's existing surface and subsurface drinking water sources can produce in excess of 1,600 gallons per minute. The Water Treatment Plant and Water Wells have the capacity to serve the additional residences from this site.

North Road currently does not meet the City's standards for local residential streets; it has a paved width of 18 feet within a 40-foot right-of-way. However, improvements would be required as conditions imposed on future development identified as part of traffic impact analysis performed in conjunction with future development proposals. The City can conclude that North Road can be made adequate with appropriate improvements.

Section 17.136.040(A)(1) is satisfied.

2. *The impact upon public services which include but are not limited to police and fire protection, schools and public transportation to the extent that they shall not be unduly compromised;*

Finding:

As discussed previously, the proposed annexation will have a minimal impact on the capacity of public service providers, especially since the site is already within the service areas of the Fire District and other service providers. Section 17.136.040(A)(2) is satisfied.

3. *The need for housing, employment opportunities and livability in the City and surrounding areas;*

Finding:

This annexation would provide an additional 1 acre for residential development and would also create temporary employment opportunities for the construction of streets, utilities, and structures. Section 17.136.040(A)(3) is satisfied.

4. *The location of the site in relation to efficient provision of public facilities, services, transportation, energy conservation, urbanization and social impacts.*

Finding:

This site is contiguous to the existing City limits. Public services are already available to neighboring properties and use of these will improve efficiency by utilizing existing trunk lines and service lines. Water service is available to the site from Columbia Avenue and Kale Street, and police and fire protection can be supplied by the Scappoose Police Department and Scappoose Rural Fire Protection District, respectively. The site has convenient transportation access to downtown Scappoose. Increasing the supply of land for housing will benefit the City by providing additional land to meet the demand for residential development. Urbanization of the site is consistent with the City's Comprehensive Plan, and site development is not anticipated to impose adverse social impacts. Section 17.136.040(A)(4) is satisfied.

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17.136.070 Zoning upon annexation. Upon annexation, the area annexed shall be automatically zoned to the corresponding land use zoning classification as shown in the table below. The zoning designation shown on the table below is the city's zoning district which most closely implements the city's comprehensive plan map designation.

<i>Comprehensive Plan</i>	<i>Zoning Classification</i>
<i>SR</i>	<i>R-1, Low Density Residential</i>
<i>GR</i>	<i>R-4, Moderate Density Residential</i>
<i>MH</i>	<i>MH, Manufactured Home Residential</i>
<i>C</i>	<i>Expanded Commercial</i>
<i>I</i>	<i>Light Industrial</i>

Finding:

The site has a Comprehensive Plan designation of MH, Manufactured Housing. Upon annexation, the site would automatically be zoned MH, Manufactured Housing. The findings demonstrate that the City's infrastructure has the capacity to absorb development of this site. Section 17.136.070 is satisfied.

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 their 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; [...]*

Finding:

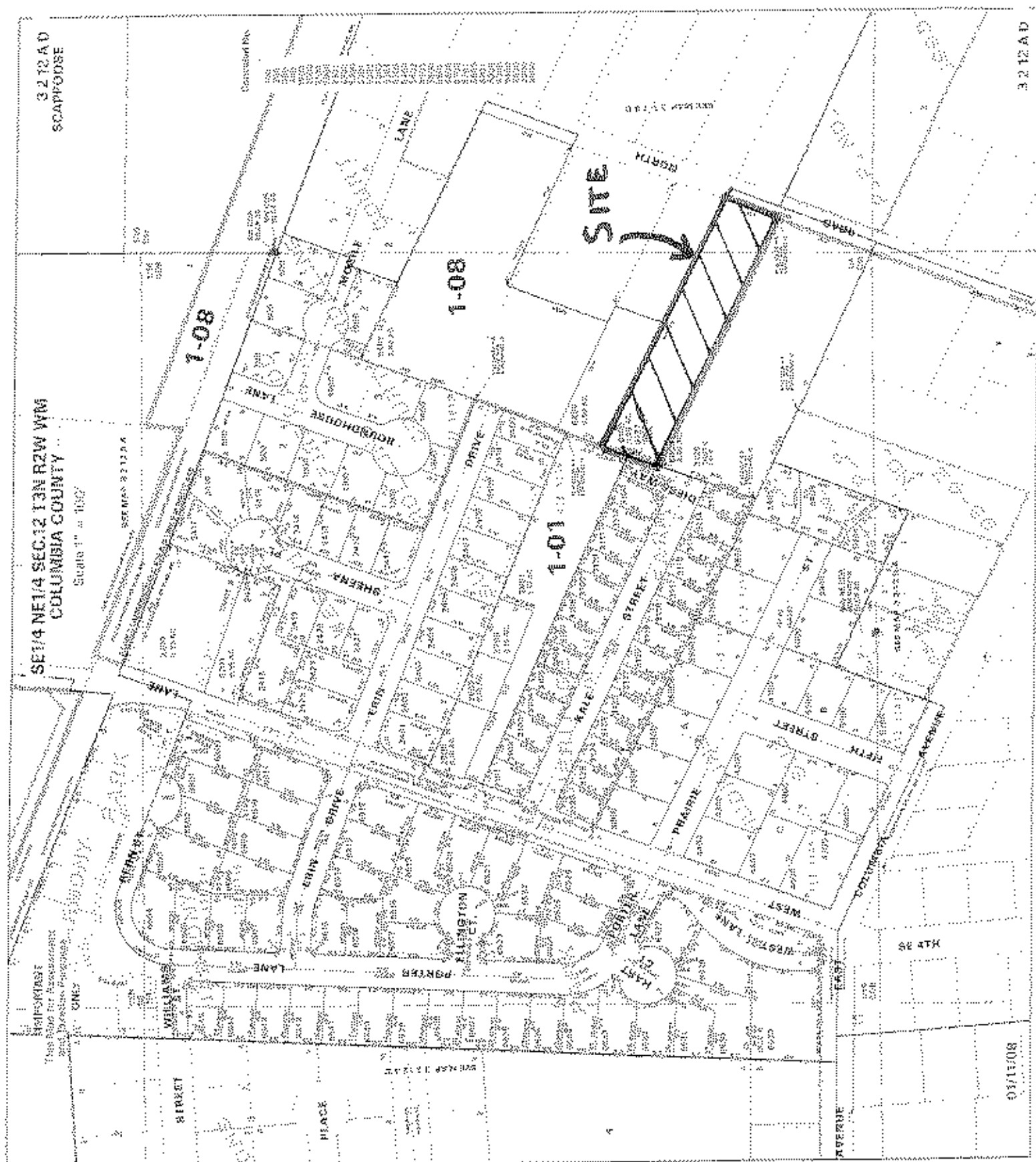
The applicant has requested the concurrent review of Annexation and a Zone Change. The Planning Commission recommends that the City Council approve the applicant's request. Based on the submitted materials and the staff report, the applicant's proposal complies with the City's Comprehensive Plan and with the requirements of Title 17 of the Scappoose Municipal Code. Section 17.162.090(C) is satisfied.

RECOMMENDATION

Based on the findings of fact and the material submitted by the applicant, staff and the Planning Commission recommend **APPROVAL** of the application ANX1-08/ZC1-08 by the City Council for placement on the November 4, 2008 ballot.

DOI: 10.1002/anie

11x434



Annexation Application

Applicant & Owner:
Dennis and Linda Crane
52533 North Road
Scappoose, Oregon
T: 503.543.2339

Project Summary

Location: 52533 North Road
Tax Number: 3N2W12-AD-06100
Current County Zoning: MHR
Comprehensive Plan Zoning: MH
Site Size: 1 acre

The subject site lies west of North Road (North of Columbia Ave; south of Mobile Lane). The site contains an existing single-family residence. Vegetation consists primarily of grass and gravel with a scattering of mature trees. Access is taken from North Road along the east boundary; all other property lines abut residential properties.

The sites Western and Southern property lines abut the current City limits. Adjacent properties within the City limits have been developed with subdivisions consistent with the City's standards. Properties to the north and east are large lots subject to Columbia County zoning requirements.

Proposal:

The applicant requests that the City of Scappoose annex Tax Lot 6100 and designate the site "MH" consistent with the City's Comprehensive Plan.

Introduction:

The site is currently zoned MHR (Columbia County Section 730 MOBILE HOME Residential MHR) by Columbia County. According to Section 17.136.070 of the Scappoose Development Code, because the parcel has a Manufactured Housing (MH) Comprehensive Plan designation, upon annexation the land shall be automatically zoned Manufactured Housing (MH). The applicant requested that the zoning remain consistent with the Scappoose Comprehensive plan. The applicant is not requesting an amendment to the Comprehensive Plan map.

APPROVAL CRITERIA:

The criteria and standards that apply to this application are as follows:

City of Scappoose Development Code

- Chapter 17.22 Amendments to the Title, Comprehensive Plan, and Maps
 - 17.22.030 Quasi-Judicial Amendments
- Chapter 17.136 Annexations
- Chapter 17.162 Procedures for Decision Making – Quasi-Judicial

City of Scappoose Comprehensive Plan

- Goals and Policies for Public Facilities and Services, Transportation, Housing, General Goals for the city of Scappoose for Land Uses, Urban Growth Boundary, General Residential and Manufactured Housing (MH).

The following Goals and Policies do not apply to this request: Economic and Natural Factors and Local Resources, and under Land Use Goals and Policies, Mobile Home, Commercial, Industrial, Public and Semi-Public, Hazard Area, and Open Space.

In the following discussion of criteria and standards, code requirements are indicated by italics, response and discussion in plain text.

Chapter 17.22 Amendments to the Title, Comprehensive Plan, and Maps

17.22.030 Quasi-judicial amendments. Quasi-judicial amendments shall be in accordance with the procedures set forth in Chapter 17.162 and the follows:

A. The commission shall make a recommendation to the Council to approve, approve with conditions or deny an application for quasi-judicial comprehensive plan map amendment or zone changes based on the following:

- 1. The applicable comprehensive plan policies and map designation;*
- 2. The change will not adversely affect the health, safety and welfare of the community;*
- 3. The applicable standards of this title or other applicable implementing ordinances; and*
- 4. Evidence of change in the neighborhood or community or a mistake or inconsistency with the comprehensive plan or zoning map as it relates to the subject property.*

B. The council shall decide the applications on the record.

C. A quasi-judicial application may be approved, approved with conditions or denied.

APPLICANT RESPONSE

The application involves both an annexation, as provided in Chapter 17.135, and application of the appropriate zoning designation. Both actions are to be considered by the Planning Commission, which makes a recommendation to the City Council.

Response to Criterion I: No change to the Comprehensive Plan is proposed, as the site is within the Urban Growth Boundary and designated for residential use as part of the City's future needed land supply.

Goals and policies in the Comprehensive Plan are intended to apply to the City generally and not necessarily to a specific property or project. Goals and policies form the basis for developing implementation strategies and ordinances, and any proposal should at minimum be generally consistent with the City's overall intentions for growth and development.

The following goals and policies apply to this request:

Goals and Policies for Public Facilities and Services: In summary, goals and policies for public facilities and services require that an adequate level of services be available for new development and be directed to newly developing areas within the UGB.

Streets:

The site has approximately 90-ft of frontage on North Road. The approved Unger Subdivision to the South of the site preliminary plat identifies a new public street extending from West Lane Road to the Eastern property line of the site already named Kale Street. The new street gives better access for local residence in the surrounding neighborhoods. Currently the only vehicle access to North Road is via Columbia Ave.

Sanitary Sewer:

A public sanitary sewer main currently exists in North Road to the southwest corner of the neighboring North Road Subdivision, which will be extended northward to the southern boundary of the subject property with the construction of the neighboring North Road Subdivision. A lateral to this main will be extended to serve the south property line proposed subdivision, North Road Subdivision. The line can also be extended to serve future development of the site at the time of development. Additionally, Columbia Ave, south of the site, contains a public sanitary sewer main. If necessary, this line can be extended up North Road to serve the site. The proposed sewer use will come from the extension of Kale street which abuts the property to be annexed.

Domestic Water:

A public water line will be built in Kale Road for neighboring development. A lateral to this line will be extended to the south property line of the subject site, within the public right-of-way, as a part of the required public improvements associated with the North Road subdivision. The applicant will use water from the extension of Kale street which abuts the property to be annexed.

Stormwater:

The applicant will use the proposed Stormwater used in the extension of Kale street which abuts the property from the south.

Schools:

The site is served by the City of Scappoose School District 1J. According to the City of Scappoose Comprehensive Plan, the Scappoose School district encompasses 118 square miles including areas outside of the city limits. The site is well served by all grades. Additional impact to the system because of the proposed development is not expected. The overall student population for the district continues to be stable.

Police Protection:

Police Protection -- The current population of the City of Scappoose is just over 6,000 with 32,000 vehicles driving along Hwy 30 through Scappoose everyday. The Scappoose Police Department is comprised of a Chief of Police, a Lieutenant, a Sergeant, seven sworn police officers, two police administrators, and a police chaplain. They also support an active C.E.R.T. (Community Emergency Response Team) team made up of dedicated community members who are trained to respond in the event of a disaster. According to the City of Scappoose Comprehensive Plan (1991), factors to consider when assessing adequate police protection include: rate of growth, increase in traffic problems and types of families moving into the area. To be able to assess the impact the proposed development would have on the existing police department these factors will be discussed.

Rate of Growth: The proposed development requests approval for annexation in the City of Scappoose with a proposed zoning of Manufactured Housing (MH). The annexation of the site into the City could potentially allow for the development of up to 4 duplex residences served by existing North Road. The rate of growth examined from 1960 to 1991

showed that the population to have tripled in this time-period. The consensus in 1991 was to curb growth. However, growth in the area was attributed to the City's proximity to Portland and the attractiveness of the area. It was suggested that the negative impact to the area was not so much the rate of growth but the reaction of the growth to build multi-family dwellings rather than single-family dwellings which significantly changes the characteristic of the City. The annexation proposed in this case supports the housing and population goals outlined in the City's Comprehensive Plan to allow growth and re-establish home ownership in the area. The goal for the area would support single-family housing.

Traffic: The site is located north of Columbia Ave and east of West lane Road. Currently only vehicle access to North from is via Columbia Ave. Extension of the right-of-way as depicted on North Road Subdivision plan, will improve the traffic pattern, and emergency vehicle access, by creating a second route to North Road.

Types of Families: The City's comprehensive plan outlines the MH zone as Moderate density and high density manufactured homes in manufactured home parks. This density will encourage families with one or two adults employed in the household and encourage "suburban-type" living. There is no detailed demographic information available for the city, but a likely conclusion to make is that a family-oriented moderate-density area is less likely to generate crimes that impact police services.

Fire Protection:

Fire protection is provided by Scappoose Rural Fire District. According to the Scappoose Fire Department, the district currently has five engines, two tankers, 3 ambulances, two brush units, one rescue boat, one fire boat, and 4 utility vehicles that are in good condition. The combined fire and ambulance service area is 100 square miles with a population of 11,000. The current I.S.O. rating is 4 in the City and 8 in rural areas. The station is located at 52751 Columbia River Hwy approximately .8 of a mile from the site. The impact to the fire protection services is low given the expectation of growth in the area and access to the site.

The proposed annexation supports these goals and policies and utilizes the logical extension of Kale Street and public facilities from temporary termination. The site is within the City's UGB and is, therefore, part of the land designated for future residential development. Because public facilities and services are available, the applicant believes that the timing is appropriate for the City to annex the site so that development in compliance with the City's requirements can occur. Implementing MH zoning will allow for affordable houses. The street services will handle that density.

Therefore, these goals and policies are supported by the proposal.

Goals and Policies for Transportation: In summary, goals and policies of the City call for connectivity and provision of alternative means for traveling between destinations. The proposed annexation fits within the overall framework of the City's Transportation System Plan, and will utilize the proposed extension of Kale Street.

Therefore, these goals and policies are supported by the proposal.

Goals and Policies for Housing: The City's goal is to provide adequate housing for all residents. Policies carry out this goal by maintaining an adequate supply of buildable land and requiring new development concurrent with provision of public facilities and services.

This site is within the city's UGB and is, therefore, part of the land designated for future residential development. Because public facilities and services are available, the applicant believes the timing is appropriate for the city to annex the site so that development in compliance with the city's requirements can occur.

General Goals for the City of Seapooose for Land Uses: The City has established general goals that, succinctly state, call for the orderly development of land uses, compatible relationship with adjoining uses, and a balancing of uses, including housing that meets the needs of residents.

Goals and Policies for the Urban Growth Boundary: the City's goals and policies call for maintaining an adequate supply of buildable land and designating locations of uses to maintain harmonious and balanced relationship. These goals and policies are largely beyond the reach of any single property owner, and the applicant notes only that the site is designated for future residential use. Annexation would enable the land to be used as planned.

Goals and Policies for General Residential: The City's goals and policies are aimed at providing higher density development in the areas of the community where supporting facilities such as shopping and transportation routes are established. In addition, the City aims to protect residential uses from intrusive uses that would harm livability.

The site is designated for development at the Manufactured Housing (MH) Residential density and, upon annexation, will have available the range of public services and facilities necessary to support the goals and policies outlined in this and the preceding section.

Goals and Policies for General Residential: New moderate density residential or high density manufactured home development within the city limits will be required to make provisions for street, public sewer and public water, along with other necessary facilities. New development within the Manufactured Housing (MH) Residential area will provide opportunities for a range of housing choices while maintaining a suburban character.

The discussion of applicable goals and policies demonstrates that the proposed annexation complies with the City's Comprehensive Plan.

Response to Criterion 2: No adverse impact on the community's health, safety or welfare is anticipated, as the request is consistent with the Comprehensive Plan and necessary public facilities are readily available, with capacity, to serve the site.

Response to Criterion 3: The applicable standards of the Development Code are discussed in this development, and are shown to be satisfied.

Response to Criterion 4: The change in the community that justifies the proposed annexation and zoning designation has to do with growth. Scappoose, like many communities within commuting range of the Portland metropolitan area, has experienced an increase in population as available, affordable land there has been developed. This growth in Scappoose was anticipated when the site was included within the UGB.

The applicable criteria of this section are shown to be satisfied.

Chapter 17.136 Annexations

This chapter provides both policies and process for consideration and approval of annexations.

17.136.020 Policy. Annexations shall be considered on a case-by-case basis, taking into account the goals and policies in the Scappoose Comprehensive Plan, long range costs and benefits of annexation, statewide planning goals, this title and other ordinances of the City and the policies and regulations of affected agencies' jurisdictions and special districts.

A. It is the City's policy to encourage and support annexation where:

- 1. The annexation complies with the provisions of the Scappoose Comprehensive Plan;*
- 2. The annexation would provide a logical service area, straighten boundaries, eliminate or preclude islands of unincorporated property, and contribute to a clear identification of the City;*
- 3. The annexation would benefit the city by addition to its revenues of an amount that would be at least equal to the cost of providing services to the area;*
- 4. The annexation would be clearly to the city's advantage in controlling the growth and development plans for the area.*

B. It is the City's policy to discourage and deny annexation where:

- 1. The annexation is inconsistent with the provisions of the Scappoose Comprehensive Plan;*
- 2. The annexation would cause an unreasonable disruption or distortion of the current city boundary or service area;*

3. *The annexation would severely decrease the ability of the City to provide services to an area either inside or outside of the city;*
4. *Full urban services could not be made available within a reasonable time.*

APPLICANT RESPONSE

The proposed annexation is consistent with the City's comprehensive plan. As previously discussed, the proposal complies with plan policies and is within the City's UGB. It is part of the supply of land intended to provide for the City's growth.

As discussed, the site is located on North Road and directly north of future Kale Road. Utilities are available at these points and can be extended from these points to serve the existing residence and any allowable additions. Therefore, it would not be logical to skip over this site, and would leave a gap, where public facilities and services are not extended to and through this site.

The site would be zoned MH upon annexation, and at most according to MH zoning, 4 duplex residences could be developed on this 1 Acre site. Which amounts to a minor increment of the City's services costs. Furthermore, as the site is within the UGB and its development is anticipated through capital facilities planning and construction of capacities, annexing the site would allow its development with uses that would produce revenue to pay for previous expenditures.

The proposed annexation supports the City's adopted plan and policies, as represented by the Comprehensive Plan and the established UGB. Therefore, it would be to the City's advantage to annex the area.

The proposed annexation is consistent with the City's Comprehensive Plan, and provides for a logical and orderly extension of the City's boundary and public services, and urban services can be made available.

The "disadvantages" listed in Section B are opposite to the criteria in Section A, discussed in the previous paragraphs. The proposed annexation is consistent with the city's comprehensive plan, provides for a logical and orderly extension of the city's boundary and public service, and urban services can be made available to new development by extending existing public services.

Therefore, the proposed annexation is consistent with the City's policies.

17.136.030 Administration and approval process.

This section outlines the approval process for an annexation. The City requires an application, and hearings before the Planning Commission and City Council before a decision by the Council. If approved, the annexation is referred to voters at the next election.

By and large, the City manages the process. The applicant's responsibility is to provide an application that satisfies submission requirements of Sec. 17.136.050 and to demonstrate that the proposal complies with Approval standards of Sec. 17.135.040.

17.136.040 Approval standards.

A. The decision to approve with modification or deny, shall be based on the following criteria:

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;

2. The impact upon public services which include but are not limited to police and fire protection, schools and public transportation to the extent that they shall not be unduly compromised;

3. The need for housing, employment opportunities and livability in the City and surrounding areas;

4. The location of the site in relation to efficient provision of public facilities, services, transportation, energy conservation, urbanization and social impacts.

APPLICANT RESPONSE

As noted above all necessary services and facilities are available to the site.

As noted, the area proposed for annexation could add up to 4 duplex residences. This minor increase in population would not have a major impact on provision of public services.

Connections to the City's road network have been provided at the site's east and south boundaries, anticipating future extension of Kale street and connections for new and existing residents.

The annexation and subsequent development of this site is needed to provide housing opportunities for the City's anticipated population. It is reasonable to expand the City's boundaries within the established UGB, when services are available and can be reasonably extended.

As previously noted, the site already has links to existing and proposed public utilities and facilities.

For these reasons, and the reasons listed in response to Sec. 17.22.030, this proposal satisfies the approval criteria.

17.136.050 Application submission requirements

APPLICANT RESPONSE

An application has been submitted that satisfies requirements of this section .

17.136.060 Annexation initiated by City.

APPLICANT RESPONSE

This annexation is initiated by the property owner.

17.136.070 Zoning upon annexation.

APPLICANT RESPONSE

The Comprehensive Plan designation for the area is MH – Manufactured Housing, which requires the zoning designation of Manufactured Housing (Chapter 17.54) be applied to the site upon annexation.

17.136.080 Annexation of non-conforming uses.

APPLICANT RESPONSE

No non-conforming use is involved. This section does not apply.

Chapter 17.162 Procedures for Decision Making – Quasi-Judicial

APPLICANT RESPONSE

This Chapter sets forth the procedures for decision-making, including requirements for notice and public hearings. These requirements will be applied through the review process.

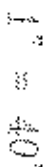
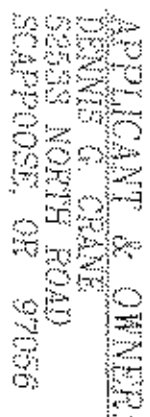
CONCLUSION

The foregoing narrative describes the proposed annexation and designation of MH zoning, and discusses the City's applicable criteria and standards. The proposal has been shown to satisfy applicable requirements identified in the City's Development Code, including pertinent policies in the Comprehensive Plan. Therefore, the proposed annexation should be approved.

Reasonable conditions of approval could be applied to the decision to approve an annexation. However, a more appropriate time for consideration of conditions would be once the annexation has been approved, through the review of a development proposal when the actual impacts of a project can be determined.

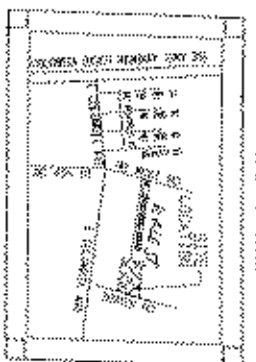
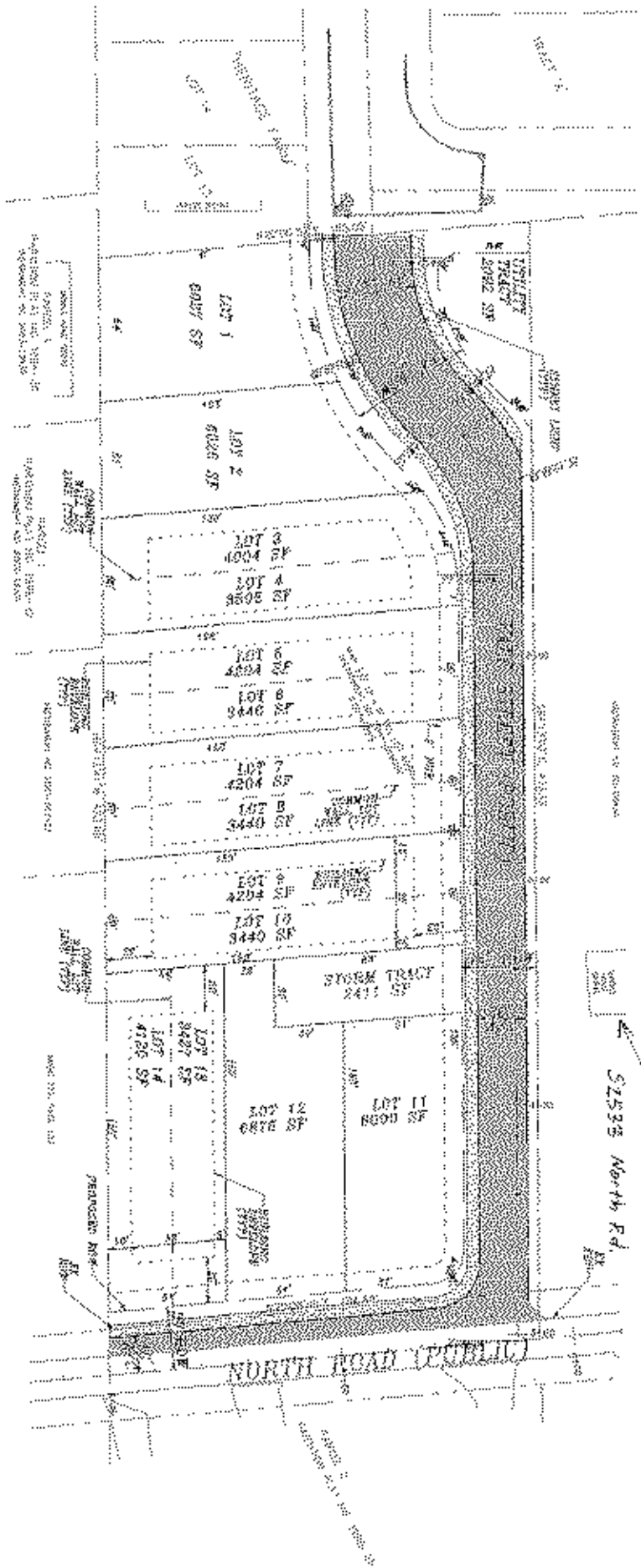
Exhibit 1

A hand-drawn map titled "LOCATION" showing the area around Atlanta, Georgia. The map includes labels for "FBI ATLANTA" and "LOCATION". It also shows major roads like "N. HIGHWAY 80" and "S. HIGHWAY 80". A scale bar at the bottom indicates distances from 0 to 10 miles.


$$\frac{d}{dt} \left(\frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$$


UNGER SUBDIVISION

A 14-LOT SUBDIVISION IN THE CITY OF SEASIDE, OREGON -
IN THE NW 1/4 OF SECTION 12, TOW. 4N. R. 1E. & NW 1/4 OF SECTION 3, TOW. 4N. R. 1E.



SHEET INDEX	
PRELIMINARY PLAN	1
SEALING & SIGNING CERTAIN PLAN	2
COMPOSITE STREET PLAN	3

- NOTES:
- (1) EXISTING AND PROPOSED LOT LINES, EASEMENTS, AND OTHER FEATURES SHOWN ON THIS MAP ARE BASED ON FIELD SURVEYS AND RECORDS OF THE CITY OF SEASIDE, OREGON.
 - (2) ALL LOT LINES AND EASEMENTS ARE SHOWN ON THIS MAP AS THEY EXIST OR AS THEY WILL BE AFTER THE SUBDIVISION IS COMPLETED.
 - (3) A 10' EASEMENT HAS BEEN SET ASIDE FOR THE CITY OF SEASIDE, OREGON, FOR THE PURPOSE OF FUTURE DEVELOPMENT.
 - (4) THE CRANE RESIDENCE IS SHOWN ON THIS MAP AS IT EXISTED AT THE TIME OF THE SURVEY.

PREPARED BY: J. L. HARRIS
DATE: 10/1/54
CHECKED BY: J. L. HARRIS
DATE: 10/1/54
APPROVED BY: J. L. HARRIS
DATE: 10/1/54

