

SCAPPOOSE PLANNING COMMISSION
Council Chambers at City Hall
33568 E. Columbia Avenue

THURSDAY, JULY 8, 2010 at 7:00 p.m.

CALL TO ORDER

Commissioner Blank called the Scappoose Planning Commission meeting to order at 7:10 p.m.

ROLL CALL

The regular meeting of the Scappoose Planning Commission was held July 8, 2010 at 7:00 p.m. in the Council Chambers located at City Hall at 33568 East Columbia Avenue in Scappoose, Oregon with the following present:

Planning Commission:

Bill Blank	Commissioner
Don Dackins	Commissioner
Ron Cairns	Commissioner
Mike McGarry	Commissioner

Staff:

Brian Varricchione	City Planner
Susan Reeves	City Recorder

Excused: Chair Negelspach, Vice Chair Shuman and Commissioner Frenz

CITIZEN INPUT

None

NEW BUSINESS

DOCKET # PTR1-10

Eldine Anderson has applied for Public Land Tree Removal (PTR1-10) for the removal of one Shore Pine tree in the public right-of-way at the intersection of NW 7th Street and NW Wheeler Street. The site is located at 52960 NW 7th Street, on property described as Columbia County Assessor Map # 3212-BB-02200.

Format: Quasi-Judicial Land Use Decision

Commissioner Blank read the opening statement and guidelines for the hearing. No Commissioners had any issues regarding this matter. There were no objections to the Commission hearing this matter. He explained the process. The decision of the planning commission can be appealed to city council.

Commissioner Blank opened the hearing at 7:13 p.m.

City Planner Brian Varricchione read over the staff report. He explained the tree is within the public right-of-way. He explained included in the staff report there was a memo from Forester Jay Worley. He explained Jay Worley investigated the tree and found that it was in declining health and his recommendation was to remove the tree. There was also a letter received from Joe and Sandi Curelo who are in support of the tree being removed. He explained the approval criteria for public land tree removal is governed by Chapter 17.140 of the Scappoose Municipal Code and basically if the tree is diseased or in danger of falling or causing danger that supports the removal of the tree and if the tree isn't needed to maintain soils stability or to prohibit erosion or serve as a wind break and there is also discuss on replanting the trees. So based on the letter from the Forester and the applicant's request, staff is recommending that the Planning Commission approve the request. He explained there is one proposed condition of approval and that is to plant one replacement tree.

Commissioner Cairns asked if the City pays for planting the new tree.

City Planner Brian Varricchione replied the City does not pay for the removal or planting of a new tree.

Eldine Anderson, Scappoose, explained she asked to have the tree taken down. She is concerned with branches falling down. She explained it is dying and a nuisance.

Commissioner Blank closed the hearing for deliberations at 7:19 p.m.

Commissioner McGarry moved and Commissioner Cairns seconded the motion to approve Docket # PTR1-10, Eldine Anderson has applied for Public Land Tree Removal (PTR1-10) for the removal of one Shore Pine tree in the public right-of-way at the intersection of NW 7th Street and NW Wheeler Street. The site is located at 52960 NW 7th Street, on property described as Columbia County Assessor Map # 3212-BB-02200. Motion approved (4-0). Commissioner Cairns, aye; Commissioner Blank, aye; Commissioner McGarry, aye and Commissioner Dackins, aye.

DOCKET # PTR2-10

Angela Bisner has applied for Public Land Tree Removal (PTR2-10) for the removal of two Douglas fir trees in the public right-of-way at the intersection of NE 2nd Street and NE Laurel Street. The site is located at 52667 NE 2nd Street, on property described as Columbia County Assessor Map # 3212-AC-02800.

Format: Quasi-Judicial Land Use Decision

Commissioner Blank read the opening statement and guidelines for the hearing. No Commissioners had any issues regarding this matter. There were no objections to the Commission hearing this matter. He explained the process. The decision of the planning commission can be appealed to city council.

Commissioner Blank opened the hearing at 7:23 p.m.

City Planner Brian Varricchione read over the staff report. He explained this application is for removal of two Douglas fir trees. There is a letter in the packet that was submitted from Arborist David M. Greenleaf and he inspected the trees and stated they have been improperly pruned and have been topped and there is some decay in the upper portion that will spread downward and eventually limbs will start to fall and pose a hazard. He explained based on that, staff recommends approval to remove the trees. He explained there is a proposed condition of approval to replant two street trees.

Angela Bisner, Scappoose, explained she has photos of the trees if the Planning Commissioners would like to see them. She explained the two trees are very old so the sidewalk is starting to come up.

Commissioner Blank closed the hearing for deliberations at 7:25 p.m.

Commissioner Dackins moved and Commissioner Cairns seconded the motion to approve Docket # PTR2-10 Angela Bisner has applied for Public Land Tree Removal (PTR2-10) for the removal of two Douglas fir trees in the public right-of-way at the intersection of NE 2nd Street and NE Laurel Street. The site is located at 52667 NE 2nd Street, on property described as Columbia County Assessor Map # 3212-AC-02800. Motion approved (4-0). Commissioner Cairns, aye; Commissioner Blank, aye; Commissioner McGarry, aye and Commissioner Dackins, aye.

Discussion on Public Notice requirements

City Planner Brian Varricchione explained due to a couple of lengthy discussions on a Type II Home Occupation this question came up several times. He went over his memorandum (see below) that he presented to the Planning Commission.

CITY OF SCAPPOOSE

33568 E. COLUMBIA AVE.
SCAPPOOSE, OREGON 97056
(503) 543-7184

FAX: (503) 543-5679

Memorandum

To: Planning Commission
From: Brian Varricchione, PE, City Planner & Assistant City Engineer
Date: July 1, 2010
Re: Public notice requirements

Based on comments submitted by members of the public at prior Planning Commission and City Council hearings, staff has researched the notice requirements of this and several other cities.

State law (ORS 227.175) specifies that notice is required to be sent to owners within 100 feet of a site if the property is within the Urban Growth Boundary (UGB); within 250 feet of a site outside the UGB and not within a farm or forest zone; or within 750 feet of a site outside the UGB and within a

farm or forest zone. The State of Oregon's Transportation and Growth Management program's *Model Development Code and User's Guide for Small Cities* specifies a 100-foot radius for all application types.

Cities have discretion to select notice procedures stricter than state law. For the City of Scappoose, all applications fall under the 100-foot requirement (with the exception of UGB expansion) but the Development Code uses a larger radius for some applications.

Scappoose has three types of land use applications, each with its own notice requirements. Legislative decisions such as amendments to the Development Code require notice to affected property owners. Quasi-judicial decisions such as zone changes or conditional use permits require notice to property owners within 200 feet of the site. Limited land use decisions such as subdivisions and site development review require notice to property owners within 100 feet of the site.

Other cities use different notice standards. For instance, while St. Helens specifies 100 feet for site design review, the majority of their other applications use a 300-foot radius. McMinnville uses 100 feet for administrative decisions and 200 feet for conditional use permits. Eugene uses 300 feet for subdivisions and administrative decisions and 500 feet for conditional use permits.

Staff suggests that the Planning Commission make a recommendation to City Council on whether to modify the notice rules or keep them in their current form.

End of memo ~

Commissioner Blank thanked City Planner Brian Varricchione for his work. He would like to hold off until the full Commission including Chair Negelsbach and Vice Chair Shuman are present to discuss this further.

Commissioner McGarry concurs.

COMMUNICATIONS

Calendar Check ~ Next meeting July 22

City Planner Brian Varricchione explained the next meeting will be a joint meeting with the Columbia County Planning Commissioners for a technical briefing to talk about the economic opportunities analysis and potential expansion of the Urban Growth Boundary. He explained the Advisory Committee for the economic opportunity analysis worked a year and a half, maybe a little more and made some recommendations and the consultant team and City staff have been taking those to the next step and figuring out what they might mean for UGB amendments. He explained the goal would be in 2 weeks to have a work session for the Planning Commissioners so there could be lots of questions and back and forward and then in a month or two hold public hearings. He explained there is going to be a lot of information so we are trying to introduce it to the Planning Commissions early. He explained the hope is to move this forward in the fall. After the final decisions are made by City Council and the County Board of Commissioners, assuming that it is approved at both places, then

we send it to the State and they have the opportunity to approve it or challenge certain portions if they think there is some hole in the logic. He explained we do send notice to them in advance of everything so hopefully if they have comments we can respond to them and incorporate it into the final version before it is adopted.

Commission Comments

Commissioner Dackins went over information that he received from a storm water workshop he and Commissioner Blank attended.

Commissioner Blank talked about the proposed fountain in Heritage Park. He explained the goal is to have the fountain done by the Sauerkraut Festival.

Staff Comments

City Planner Brian Varricchione explained Mike McGarry has accepted the full time Planning Commission position.

City Planner Brian Varricchione explained sometime soon the City will be building a new sidewalk on High School Way where the crossing arms are.

Commissioner Blank asked about Havlik/Highway 30 crossing.

City Planner Brian Varricchione gave an update on Havlik/Highway 30 crossing.

ADJOURNMENT

Commissioner Blank adjourned the meeting at 7:54 p.m.

Commissioner Bill Blank

Susan M. Reeves, CMC
City Recorder