

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

**THURSDAY, JUNE 24, 2010 at 7:00 p.m.**

**CALL TO ORDER**

Chair Negelspach called the Scappoose Planning Commission meeting to order at 7:00 p.m.

**ROLL CALL**

The regular meeting of the Scappoose Planning Commission was held June 24, 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:**

Chris Negelspach	Chair
Don Dackins	Commissioner
Bill Blank	Commissioner
Anne Frenz	Commissioner
Ron Cairns	Commissioner
Mike McGarry	Commissioner

**Staff:**

Brian Varricchione	City Planner
Susan Reeves	City Recorder
Jon Hanken	City Manager

**Excused:** Vice Chair Shuman

**APPROVAL OF MINUTES**

Commissioner McGarry and Commissioner Cairns seconded the motion to approve the April 8, 2010 Planning Commission meeting minutes. Motion passed (6-0). Chair Negelspach, aye; Commissioner Dackins, aye; Commissioner Blank, aye; Commissioner Frenz, aye; Commissioner Cairns, aye and Commissioner McGarry.

**CITIZEN INPUT**

None

**NEW BUSINESS**

**Docket #DCTA2-10**

**The City is proposing amendments to the Downtown Overlay chapter of the Development Code to encourage economic development within the traditional downtown center; encourage higher density residential development in the downtown area to support**

**commerce; and to provide clarification on a number of minor issues affecting development in the city center.**

**Format:** Legislative Land Use (*Verbal and written testimony will be accepted.*)

Chair Negelspach read the opening statement and guidelines for the hearing. No Planning Commissioners had any issues regarding the matter. There were no objections to the Commissioners participating in this matter. He explained the Planning Commission will make a recommendation to City Council on this application.

Chair Negelspach opened the public hearing at 7:03 p.m.

City Planner Brian Varricchione went over the staff report. He explained the application in front of you for your consideration would be amendments to the City's existing code language for development in the Downtown Overlay. He explained there are several areas of the code that would be updated and addressed. He explained the Downtown Overlay was originally adopted in 1999 and that was a follow up to a Transportation and Growth Management Program "Quick Response" project that the City was able to get. He explained in 2002 the Oregon Downtown Development Association came to Scappoose and they had some additional recommendations to alter and update the Downtown Overlay and that was achieved in 2003. He explained originally the overlay applied just to commercially zoned property. He explained there were some provisions that were put in the code that appear to act as a disincentive to development. He explained for instance if a property owner embarked on a project that cost over \$10,000.00 it would trigger full compliance with the Downtown Overlay and he believes some property owners just said no thanks we won't perform that maintenance on the building. He explained there are some other issues that have been raised and one of those is the amount of windows that are required for commercial development in the overlay can actually lead to structural difficulties in building the structure out of wood and essentially push it toward steel frame construction with the associated cost with it. He explained there are some issues with building height requirements and setback requirements with conflicts of overhead power lines in certain locations particularly on Columbia Avenue. He explained these are the types of problems and conflicts that have been identified over the past decade or so and as a result what you have in front of you tonight is a proposal to address and resolve some of those issues. He explained one major change that this amendment would achieve would be to actually expand the area that is affected by the Downtown Overlay. He explained because some of the properties are commercial and some are residential the overlay amendments include different rules for residential or commercial. He explained staff tried to clarify that existing structures and uses can continue in their current form, they are not forced to change anything. He explained what the Overlay is really intended to do would be to kick in if somebody is demolishing a structure and building a new one in its place or performing a major exterior upgrade to a building then they would have to comply with certain architectural requirements. He explained to encourage higher density housing within a close walk of downtown and staff is proposing to add single family town houses as an allowable building type. He explained what this would do is allow the individual units to be sold on their own parcel of land. He explained if it is an existing structure or residence this wouldn't affect that. He explained staff has received some phone calls and mostly the phone calls seem to be concerns about having to

update their current home and staff explained to them if it is an existing structure or residence then it wouldn't affect that. He explained partially as a result of those conversations we refined the language and what you see here is hopefully more a clear representation to what it applies to and what it does not. He explained we do have proposed findings that demonstrate compliance with the State Wide Land Use Goals and with the City's Comprehensive Plan and with the City's Development Code. He explained there are a lot of existing comprehensive goals and policies having to do with preserving and maintaining the City's traditional downtown center and providing a higher density housing in areas that are convenient to shopping, commerce, public services, etc. so these amendments would be consistent with our comprehensive plan. He explained the specific language that is including in the staff report listed as Exhibit 1. He asked the Planning Commission to turn to Exhibit 1 page 3 ~ he explained as he was preparing for the meeting tonight he noticed a discrepancy. He explained at the top of the page 3, #5: It says not to exceed four units or eighty feet from end-wall to end-wall. Then if you go down the page to C. 2. It states where uses are residential; the minimum lot width shall be thirty feet. He stated if you combined those two lots would be sixty feet and three would be ninety feet and if you had four units they would be one hundred twenty feet long. He explained there are two ways this could be approached; one would be to strike the text about eighty feet from end-wall to end-wall but given the actual dimensions of most townhouses which are skinnier than thirty feet perhaps a better solution would be to insert in the lot width a distinction between the thirty feet applying to detached structures and then a different value, perhaps twenty feet applying to the attached townhouses.

Chair Negelspach asked about page 2 Exhibit 1 he had a question about C, item #2, where it takes about demolition or replacement, he stated this is the trigger for all of this. He just wanted to ask if that was intentionally stated to be surface area or if you meant just area?

City Planner Brian Varricchione replied perhaps that could use some clarification because we don't intend for it to have to trigger somebody to have to redo the whole structure. He might even suggest that it mostly germane to the sides of the structure that face the street.

Chair Negelspach replied the other item here it looks like the old statement of item C; limit of required improvement, that has been eliminated and he is wondering if maybe he missed it when he reviewed this. He asked is there a limit to the extent of the improvements or once you hit the 25% it triggers you to do all the improvements.

City Planner Brian Varricchione replied it is not specified. The intent wasn't if someone is replacing more than that fraction that it triggers everything actually. The problem we were having with the other one was the trigger was so low on a cost basis that we were looking for other triggers.

Chair Negelspach asked about the lot area requirements, Exhibit 1 page 3. He stated he was having a hard time following that. He was wondering if City Planner Brian Varricchione might tell him how this kind of works.

City Planner Brian Varricchione replied basically for commercial property there is no minimum lot area. He explained for residential is where it gets a little bit different so if the zoning is residential but the use is commercial, for instance if the use were an office on residential or if it were bed and breakfast then there would be a 6,000 square foot minimum and then if it is residential zoning and straight residential use then the lot size depends on whether, a couple of things, is it a detached unit or an attached unit. He explained the detached units, the current density for that is 6,000 square feet, so that is put in there for ones that are shorter than 16 feet in height. But if they are greater than 16 feet in height there is sort of a density bonus where you could have lots as small as 3,000 square feet and that would be the same for a townhouse.

Chair Negelspach asked about page 4, C. Design of Parking Lots # 3, landscaping around and within surface parking shall equal ten percent of the total parking area. He was wondering how you would interpret landscaping around, could that mean that it has to be immediately adjacent to the parking area or is there some flexibility in that.

City Planner Brian Varricchione replied we have interpreted that to mean on the border.

Chair Negelspach asked about lighting (page 5, 17.80.060 Lighting, C.) and how do we create consistency with our street lighting if the planner at their discretion decides mid way down a block they want to change the lights.

City Planner Brian Varricchione replied you could impose that but the whole intent of this was to allow the planner to pull out the specifications for those lights and say these are the ones that we put in.

Commissioner Blank stated there is not very much about signage. He asked if that complies to the Old Downtown and description of what we expect for signage in that area.

City Planner Brian Varricchione replied you have never actually required a particular signage.

Commissioner Blank replied we had indicated something like blade sign permissible.

City Planner Brian Varricchione replied the Planning Commission can encourage but he would not necessarily recommend mandating it.

Commissioner Blank just wants to make sure people have options.

Lisa Smith, Scappoose, explained she lives in the overlay, at least a corner of it. She explained she came to the Planning Commission a while back and explained some of the issues with the Downtown Overlay. She explained this proposal covers most of those issues. She addressed the issue of not being about to build townhouses that could be sold as individual homes. She stated these changes aren't as big as they look.

Lisa Smith suggested on page 2, under C.; she would suggest where it states "The provisions of this Chapter shall apply to all new construction and major exterior modifications." She would

suggest to the Planning Commission that perhaps they would consider stating in that sentence “The provisions in this Chapter shall apply to all new construction and major exterior modifications except single family residences”. She explained in Scappoose single family residences are very protected.

Lisa Smith explained she would suggest on page 3, 17.80.040, C. Lot Width, 2: Where uses are residential, the minimum lot width shall be thirty feet for all uses, except the lot width for single family attached shall be twenty feet.

Lisa Smith explained she feels it should be up to the planner to determine the lighting style. She explained the main thing is that the lighting be pedestrian scale. She explained she greatly appreciates the Planning Commissions consideration of the ordinance.

Brian Rosenthal, Lake Oswego, explained he has built several commercial projects in the Downtown Overlay. He feels this is a very good step in redevelopment of downtown. He thinks the changes are very positive. He spoke in favor of the planner having their choice in lighting.

Matt Garrett explained he owns property on the corner of Columbia Avenue and West Lane and he is happy to see the flexibility to work with an owner of a piece of property to make things happen. He is very happy with the changes and he is definitely in support of this. He also supports the planner having their choice in lighting.

Constance Busch, Portland, explained she is the daughter of Ernest Gaymen who lives on NW Watts and she just wanted to make sure there were no real changes to the residential areas. She stated it sounds like most of the changes are for empty lots that would be developed.

Stewart Millager, Scappoose, asked if he wanted to add to his property what is the specification or the trigger for what that is that would make it fall under this ordinance.

City Planner Brian Varricchione explained the way it is written right now the trigger would be if your are increasing the height or width by more than 20%. He explained Lisa Smith has a good suggestion to insert an exemption for existing single family residences.

Chair Negelspach explained he feels that Lisa Smith had a valid point to include: except single family residences.

Chair Negelspach closed the public hearing at 8:08 p.m.

Chair Negelspach asked City Planner Brian Varricchione under item number C. on page 2, if the Planning Commission added: except single family residences, would that be adequate.

City Planner Brian Varricchione replied he would exclude “existing” single family residences. He stated one thought to would be to clarify that those items on page 2, C. 1, 2, 3, 4, etc. apply to commercial which is primarily what the intent was.

Chair Negelspach stated if you trigger these requirements because of a building alteration would you then have to upgrade your parking lot or does the parking lot section only apply to new parking lots. He thinks it is meant to be new.

City Planner Brian Varricchione replied he thinks the way it is written if you hit one of these triggers you are all in.

There was discussion on page 2 of 8, item C. 2 regarding the demolition.

Chair Negelspach stated he didn't hear any comments from anybody in the audience saying they had an issue with the limit (25%) so he feels comfortable leaving it as it is.

Chair Negelspach explained he would like to see the Planning Commission add the wording "except single family residences" on page 2.

Chair Negelspach feels on page 3 under C there should be a modification to lot width. He explained there was a suggestions to have that 20 feet on single family attached lots only.

Chair Negelspach would like to propose a change to the driveway width to allow 24 feet.

City Planner Brian Varricchione replied the number that is set is where the driveway width will be. He doesn't see people voluntarily putting in narrower driveways.

Commissioner Cairns stated from what he hears 20 feet seems to be a width.

Chair Negelspach replied if the user has an issue the Planning Commission could grant a variance to that at that time. He stated we will just strike that change.

Commissioner Blank talked about lighting ~ LED and white light.

Chair Negelspach asked City Planner Brian Varricchione if he had any suggestions for some language on that.

City Planner Brian Varricchione replied you could say lamps shall be metal halide light bulbs or similar white light.

Commissioner Blank asked City Planner Brian Varricchione if he has ever had someone come before him wanting to use materials that were not allowed.

City Planner Brian Varricchione replied there hasn't been a whole lot that has come up.

Commissioner Blank moved and Commissioner Frenz seconded the motion to approve the recommended changes to the Downtown Overlay subject to the recommendations of:

Page 2 item C, put in an exemption for single family residences and clarify changes to existing commercial uses shall be subject to the chapter, etc.

Page 3 item C line 2 ~ minimum lot width for residential 30 feet detached and attached townhouse will be 20 feet

Page 5 item C, under the lighting section ~ lamps shall be metal halide bulbs or a similar white light source

Motion passed (6-0).Chair Negelspach, aye; Commissioner Dackins, aye; Commissioner Blank, aye; Commissioner Frenz, aye; Commissioner Cairns, aye and Commissioner McGarry.

## **OLD BUSINESS**

### **Discussion of utility master planning process.**

City Manager Hanken explained the City's Comprehensive Plan is antiquated at best. He explained 1991 was the last time it was really addressed and much has changed in this community since that time frame. He explained the one thing in terms of the Economic Opportunities Analysis we have been talking about this for a while and unfortunately it has moved at a slow speed, but slow is moving forward. He explained we specifically did not focus on housing as part of this Economic Opportunities Analysis and for those of you who may not be familiar our Economic Opportunities Analysis is not how the process for periodic review normally follows. He explained we basically got special consideration in terms of looking at the opportunities we have because we have some very unique opportunities in terms of what we can do for industrial development. He explained there was a lot of work at the State level to allow Scappoose to look at a less stringent model to how we will add land to our Urban Growth Boundary however with that less stringent model it will trip a number of issues we will have to be looking at how are we going to provide infrastructure and transportation. He explained once this Economic Opportunities Analysis is done there is the trigger mechanism for the water, sewer, stormwater and probably most importantly, transportation. He will be the first to say there are significant costs associated with those. He stated most of our master plans for infrastructure are dated as well. He believes our south limit is going to be Johnsons Landing/Bonneville Drive and West Lane and Wikstrom Road to the north. He stated it may take 20-30 years to get there but he believes we need to start laying out the infrastructure in terms of planning now. He stated as we start moving forward with the approving of the Economic Opportunities Analysis the master plans all fit in to place, the other components, the housing, all need to be done as well. He explained this isn't something that should drag out for any length of time. He explained we need to get through this and get our plans done and then we have to get on to the real business of job creation.

Chair Negelspach talked about a grant program to help with these studies and also a program where you would get an intern that comes in to the cities and they assist in putting together these plans.

City Manager Hanken replied we will need additional support. He stated that is a good program that the City will check into.

City Manager Hanken gave an update on the process that is taking place regarding the economic opportunity analysis.

City Manager Hanken talked about the fountain that is being proposed by the Rotary Club for Heritage Park.

## **COMMUNICATIONS**

### **Calendar Check ~ Next meeting July 8 and July 22**

#### **Commission Comments**

Commissioner Blank gave an update on a stormwater workshop that he and Commissioner Dackins attended.

#### **Staff Comments**

City Planner Brian Varricchione talked about Raul Torres moving out of the area. He reminded the Planning Commission that at the next meeting the Planning Commission will need to elect a Chair and Vice Chair.

City Planner Brian Varricchione explained to the Planning Commission what took place at the City Council with the appeal of the home occupation.

#### **Adjournment**

Chair Negelspach adjourned the meeting at 9:35 p.m.

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Chair Negelspach

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Susan M. Reeves, CMC  
City Recorder