



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

**THURSDAY, OCTOBER 14, 2010 at 7:00 p.m.**

**CALL TO ORDER**

Chair Negelspach called the Scappoose Planning Commission meeting to order at 7:01 p.m.

**ROLL CALL**

The regular meeting of the Scappoose Planning Commission was held October 14, 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
Anne Frenz	Commissioner
Don Dackins	Commissioner
Ron Cairns	Commissioner
Mike McGarry	Commissioner

**Staff:**

Brian Varricchione	City Planner
Susan Reeves	City Recorder

**Press:**

Josey Bartlett	The Chronicle
Stover Harger	The Spotlight

**Legal Counsel:** Jeff Bennett

**Excused:** Vice Chair Paul Shuman and Commissioner Bill Blank

**APPROVAL OF MINUTES ~ September 9, 2010 and September 23, 2010**

Commissioner Dackins moved and Commissioner Cairns seconded the motion to approve the Planning Commission meeting minutes from September 9, 2010 and September 23, 2010 as corrected. Motion passed (5-0). Chair Negelspach, aye; Commissioner Frenz, aye; Commissioner Dackins, aye; Commissioner Cairns, aye and Commissioner McGarry, aye.

**CITIZEN INPUT**

None

**OLD BUSINESS**

**Continuation from September 23 hearing on DOCKET # CPA1-10/CPTA1-10/DCTA3-10**

Chair Negelspach explained the Planning Commission is going over some old business agenda item number 5, continuation from September 23, 2010 on Docket CPA1-10/CPTA1-10/DCTA3-10. He read the following information:

Public Hearing to solicit comments on the following proposed actions:

- Amend the Comprehensive Plan to incorporate 2010 Scappoose Economic Opportunities Analysis (EOA) and 2010-2030 Columbia County population forecast;
- Remove outdated information from the Comprehensive Plan and add key findings and policies from the Economic Opportunities Analysis;
- Add new airport employment Plan designation and overlay zones to implement the Economic Opportunities Analysis;
- Amend Scappoose Urban Growth Boundary to meet industrial and commercial needs identified in the Economic Opportunities Analysis and to include a regional park area.

**Format: Legislative Land Use**

Chair Negelspach explained the format for tonight's hearing will be a Legislative Land Use. He read the opening statement: He is calling this public hearing to order to consider an application for Legislative Land Use decision. Testimony and evidence must address the criteria that apply to the decision as described in the staff report or to the criteria the person testifying believes to apply to the decision. Persons may speak only after being recognized by the chair and must come forward to the microphone and state their name and address for the record. Only testimony that is relevant to the application will be considered. Immaterial or repetitious testimony will not be allowed and time limits will be imposed if testimony is irrelevant or repetitious. The failure to raise and clarify an issue to afford all parties an opportunity to respond to the issue precludes appeal to the land use board of appeals based on the issue. There shall be no audience demonstration or other conduct which would disrupt the hearing. The order of the hearing will be the staff report, then the applicant's presentation, then other proponents, then opponents, then rebuttal by the applicant, then a staff response. Thereafter, the hearing will be closed for consideration of the matter by the commission. The Planning Commission will then make a recommendation to the City Council on this application.

Jeff Bennett stated one thing he would add is there was an issue raised at the last meeting regarding the statement, the correctness of the statement and appeals to LUBA on specific issues and Mr. Sheehan is correct that appeals of this kind of decision actually go to LCDC assuming the appeal was made in the context that it has been presented to you. There are other context in which appeals could be made to LUBA.

Chair Negelspach thanked Jeff Bennett for that clarification. He stated since we have closed the hearing to public comment the Planning Commission will be deliberating and asking questions of staff and the consultant team tonight. To begin we would like to go ahead and ask for staff to present the application.

City Planner Brian Varricchione explained on September 23 the Planning Commission closed the verbal testimony. The Planning Commission did allow an additional week for written comments so in the packet the Planning Commission received for this meeting there is two sets of letters; the first set which is Exhibit 1, those were the letters that were turned in at the last hearing on September 23 and the second set Exhibit 2 are all the letters that were turned in by September 30, which was the deadline set by the Planning Commission for additional written testimony. He

explained there are two additional items that were in the packet for this meeting. First was a memo from Johnson Reid and that was in response to some of the testimony about the southwest area and the policy choice that the City can make specifically regarding how much additional retail commercial land to include in the UGB. He explained Johnson Reid is not making a specific recommendation because ultimately that is for the Planning Commission to figure out which way they want to go. Also on September 23 there were additional questions posed about floodplain mapping, as you remember at the end of that meeting you had a hearing on adoption of new flood maps, City Council has also had their first hearing and they propose to have the second reading of the ordinance on Monday night. He explained the new floodplain boundaries are virtually identical to the old flood map boundaries. There are exhibits included in here, exhibit 4, so except for a couple of minor variations everything is exactly the same and the boundary differences really would not affect the overall analysis of site suitability in the context of commercial and industrial development. He did have a few remarks he would like to make, there have been two public hearings so far and there has been a lot of testimony, you have received copies of all the letters that were submitted and the minutes were quite extensive in an attempt to make sure that all the verbal testimony was captured. Given the amount of information that you are being asked to work through his recommendation would be to go back and look at the agenda which spells out what are the specific actions that are being asked, what are the specific applications that are being reviewed. He stated all the materials, if you have your three-ring binder, everything proposed for adoption is in the section that is labeled attachments and maps and those are the items that Chairman Negelsbach read off the agenda. Within this application there are some areas that are prescribed by State Law, for instance the priority for inclusion of land in the UGB and then there are some areas that are more discretionary such as how much highway commercial to include. So the Planning Commission can review those materials and in the discretionary areas figure out what kind of recommendation do you want to make. Additionally he wanted to talk about what is this application and what it is not. This is kind of a recap of his initial comments at the first meeting. All of the materials in here are an outgrowth of the process of Economic Opportunity Analysis so this means no residential analysis has been done. That was a decision made by the City Council not to do that at this time. There are no specific developments proposed, there are concept plans but nothing specific and that does include the Crown Zellerbach Road. In conclusion the Planning Commission is asked to make a recommendation to Council that may happen tonight, that may happen at the next meeting, basically you can work at your own pace through all the options. Your choices are to recommend approval as presented, recommend denial, or recommend approval with modification. His only request would be if there are specific items that you would like to see amended, either based on your own discussion or responding to specific comments from the public, just for his sake please be as specific as possible, if there is a page number or an item number that you want changes just make sure he gets it down so that he can be sure that whatever the Planning Commission wants updated actually gets reflected when this gets transmitted to City Council. He thanked the Planning Commission.

Chair Negelsbach thanked City Planner Brian Varricchione. He stated he would like to go ahead at this time and begin a discussion about the agenda items and first what he would like to do is focus on the comprehensive plan, walk through that and then take these step by step through the binder. We are going to be able to ask questions of the consultant team and Brian and work through any of the plan documents and then we can talk about some of the public comments, how those relate and then any questions for staff and the consultant team and see how far we get. He doesn't want to have the hearing run late tonight so it is very likely that we will not get through all the questions, comments, discussion. So with that he would like to go ahead and get started

with any comments that we have.

Commissioner Frenz stated she is sorry that she missed last meeting but she had a very bad cold. She explained one of the things that she thinks we should remember is this is a proposal, this is a plan, it isn't hard and fast because what we recommend matters but the City Council is the final judge and they are going to go through everything and do what they want to do and not what we want to do. She stated we may have some influence but she is not sure that sometimes it works that way. She explained she lives in the City of Scappoose and represents the Planning Commission and the Planning Commission is for the City of Scappoose and so the residents of Scappoose do have her attention more than the people who do not live in Scappoose. She thinks the plan is a starting point, it is a place where we start from, we work from this, and we look at this. This is not going to happen tomorrow or the next day, it is not going this year. This is going to happen gradually and this is a starting point and gives us a place to work from.

Chair Negelspach thanked Commissioner Frenz.

Commissioner Dackins explained he thinks Commissioner Frenz made a good summation and he doesn't think he can add anything to it.

Chair Negelspach thanked Commissioner Dackins.

Commissioner Cairns stated he read and reread and he looked over everything and he is glad we are going to take our time and go through this and try to make the very best decision they can.

Chair Negelspach stated he has a quick question on some of the draft language in the Comprehensive Plan amendments on page 13 of 21. Specifically there is some language that is in the draft that is pulled over perhaps from the prior document that says there are four considerations however to take precedence, items one ~ the potential for a health hazard in the area know as Dutch Canyon. He stated that seems like it is in reference to the prior expansion.

City Planner Brian Varricchione replied right, that is precisely the case. In this item the new proposed text is double underlined and then anything proposed for removal has a single strike through and if the text doesn't have either of those then yes it is what is in the current language in the Comprehensive Plan. If there are items to update we can certainly do that based on your advice and request.

Chair Negelspach replied it seems somewhat confusing, we have language that kind of mixes some of the intent of what we are doing today and what happened in the previous amendments to the UGB in terms of goals and process and priorities and so he doesn't know if it makes sense to keep that in there. There is other similar language regarding the residential expansion that occurred but he believes there are some statements to the effect that this was a prior expansion pre 2010 Urban Growth Boundary.

Jeff Bennett asked Chair Negelspach if he could be as precise as possible in letting us know what section you are talking about.

Chair Negelspach replied page 13 of 21, item number one; this is in regards to commercial and industrial development. Specifically we are talking about health hazards in Dutch Canyon and Raymond Creek. Local DEQ office has noted that tests in the creek pointed a failing septic tanks

and the ultimate need for sewer as a reason to expand the UGB to the west which is the prior UGB expansion is what it is referring to, is that not the case?

City Planner Brian Varricchione replied no you are correct that is existing language, we weren't proposing to change that since there really hasn't been a residential component of this study.

Chair Negelspach replied he guesses what he is saying is we are saying that there are four considerations to the residential and commercial and industrial development and he doesn't really see that any of these four considerations really relate to what we are doing. It just seems like if we are going to have a statement that is as bold as these were the consideration that were made that they would be more specific to the commercial and the industrial growth rather than relating to the residential expansions that have occurred in the past.

City Planner Brian Varricchione replied right.

Jeff Bennett replied but it doesn't do that. He explained this is existing plan language.

Chair Negelspach replied right. The paragraph just above that says it is best suited for future residential, commercial and industrial development and then there are four considerations for that and these were the four considerations.

City Planner Brian Varricchione replied right, I could see your point because these considerations are from 20 years ago.

Chair Negelspach is just wondering if we should update those considerations. It just seems like we have very specific considerations for that but we are not stating what they are.

City Planner Brian Varricchione replied it is partially the case but then if you look on page 15 about half way down there is discussion with findings on Urban Growth Boundary for the employment lands expansion. Maybe you would be more comfortable with a clearer break between what's old and what's new.

Chair Negelspach replied it does make this document somewhat confusing because we have language that talks about the UGB expansion that occurred 20 years ago and we are mixing that with the UGB expansion that we are doing today and so it is hard to read and understand what is current and what happened 20 years ago.

City Planner Brian Varricchione explained one of the things that we struggled with is how far do you take the updates since this application is limited to commercial and industrial and some of the language in there refers to residential, where do you draw that line. He thinks what he is hearing is you don't like where we drew the line and that is fine, we are not particularly attached to the specifics.

Chair Negelspach replied he thinks this section, this growth policy relates to, it seems to relate very well to residential, a bit of a mix.

Jeff Bennett stated I guess I can understand your concern because if you look at the paragraph that you first referred to, where it says that conflicts between the various considerations come to surface during deliberations of the City's establishment of the boundary.

Chair Negelspach replied correct.

Jeff Bennett replied by adding commercial and industrial development that might be a little bit misleading in terms of what follows it because if you go to page 15 in the third full paragraph that is where we start to talk about what is happening now.

Chair Negelspach replied that is correct.

Jeff Bennett explained he can see why he might be confused about saying why are we amending what we talked about when the boundary was first established when those are historical facts, they are not new and if we are going to talk about what we are doing in 2010 shouldn't all of that discussion be starting on page 15 and instead of back on page 13.

Chair Negelspach replied that is a good suggestion so we can completely separate that language. He thinks the old language is good as it relates to how we got what we got but to not mix the new discussion with that would probably be his preference.

Commissioner Frenz stated anytime you can make something more readable or understandable to her and to other people she is all for it because a lot of this you look at it you are just defeated before you begin to read it because you don't know exactly what is going on.

Chair Negelspach stated he is not sure if they want to recommend specific language to add to the Comprehensive Plan but perhaps City Planner Brian Varricchione could provide some draft language for the Planning Commission to review.

City Planner Brian Varricchione replied we could certainly discuss different ways to present the information so it is more clear what's the historical evidence and what is the current evidence.

Chair Negelspach replied okay. He stated there was another change to the code, site should be developable and not have slopes exceeding 25%. The previous version had 20%. He asked the Planning Commission if they saw that in there on page 18 of 21 about half way down it is number 5A. What was the reason to increase the slope there? He didn't read anything that might have pointed him to think that there might be a changed warranted there.

City Planner Brian Varricchione replied he is going to ask Jesse Winterowd to comment there but he believes that the 25% was the threshold that was used in the site suitability analysis.

Jesse Winterowd, Winterbrook Planning, explained the employment site analysis used a 10% threshold for site suitability. The 25% may refer to residential sites.

Chair Negelspach asked City Planner Brian Varricchione if he has any comments on that.

City Planner Brian Varricchione replied frankly he is not sure the provenance of that change. He is not sure where the threshold the original 20% came from or the change to 25%.

Chair Negelspach replied he is guessing that we might have some difficulty getting subdivisions to work at 25% grade or commercial development perhaps.

Don Hanson replied he thinks commercial development would be extremely difficult at 25%. He stated what he would say on residential is though is 25% is okay if it is a portion of the site, if it is all of the site it is a major problem. Typically you would want to keep your road grade for example under 15% but if a portion of a site, a linear portion in the back or something exceeded 25% it is very workable. He thinks if it references residential 25% is okay, but commercial no. He stated Jesse Winterowd is right, 10% is a more likely threshold.

Chair Negelspach stated there is actually no distinction made in the comp plan whether or not that refers to residential or commercial or industrial really. Maybe we should suggest some specific slope language for each of those uses.

Don Hanson stated a lot of times in jurisdictions that they work in average slope is used. He just mentioned that a portion of the site might exceed 20%, sometimes jurisdictions have you use slope average calculations that are site side that account for that. That gives you some ability to vary where you build on a site essentially.

Chair Negelspach replied right, that is a good suggestion. He explained we will move on to the Airport Employment Plan Designation, it is the next section in your binder.

City Planner Brian Varricchione stated if he could make one observation, included in the Comprehensive Plan proposal of these 21 pages there are a couple of sections where it was much simpler to simply discard the prior language and start over, specifically those are the economy section as well as the economic goals and policies section and those begin within page 1 and page 9 of that 21 page section. So in those instances because the information was so outdated and because it was specifically related to commercial and industrial they just proposed replacing the full section.

Chair Negelspach replied do you mean that it doesn't relate to residential at all?

City Planner Brian Varricchione replied correct, so in the Comprehensive Plan there is a question solely about the economy, so we are proposing to delete that existing language and insert the language that is proposed in here which is primarily based on facts contained within the EOA.

Chair Negelspach asked if we have any questions or comments about the Airport Employment Land Use Designation.

Commissioner Frenz explained she feels if it is a feasible plan to have more employment in Scappoose is a good idea.

Chair Negelspach replied perhaps for the benefit because we haven't really had an opportunity to discuss these documents we have just been taking public comments for the last two hearings, Brian if you could give us just a brief description of what this does and Commissioner Frenz wasn't here as well and it might be helpful if you could just explain what this does for us.

City Planner Brian Varricchione explained this section, the proposed Airport Employment Designation would create a new category on the Comprehensive Plan map for a specific type of uses. The current categories are broader, there is one category for commercial, there is one for industrial, there is one for public lands and there are a variety residential categories. There is nothing specifically related to the airport itself in spite of the fact that some of our zoning is

related to the airport itself so what you have here is a proposal to basically carve out the area near the airport, give it its own designation and all the uses in there would be tied to the airport and would have this set of rules associated with it. Within this proposed chapter there are findings related to the use of the airport and then there are goals and policies that would be specific to land that might receive this designation on the Comprehensive Plan map. What we have put forward specifically would be new chapter to be included in our Comprehensive Plan document and ultimately that would get included on the Comprehensive Plan map.

Chair Negelspach asked the Planning Commission if they had any questions on the Airport Employment Overlay Zones. He stated he knows we have had a lot of discussion about specific uses at the airport.

Commissioner Cairns replied the first meeting he could have gone over this real easy and we got sidetracked by all the comments and then last meeting got 5 hours of comments and he didn't get back to this area not like he was prepared at the first meeting.

Chair Negelspach stated he thinks one of the major concerns with the uses that were outlined were that we were allowing retail uses out at the airport and he wanted to ask City Planner Brian Varricchione if we could go through some of that language and discuss it and just find out, just point out to the rest of the Planning Commission perhaps what we are allowing in terms of retail that would detract from retail growth in the core area, the downtown area perhaps that there seems to be a concern, one of the concerns.

City Planner Brian Varricchione replied the comments related to the uses were specific to the proposed zone overlay which is not in this chapter. The Comprehensive Plan is kind of one step above that in that it sets out broad goals for the type of use. The Airport Employment Designation would apply to some lands that is currently zoned Public Use Airport and then it would also be applied to land that was brought into the Urban Growth Boundary that may receive the Airport Overlay Zones. So he might suggest deferring the conversation about specific uses to when you get to the discussion of the proposed overlay zones. He will point out that within this on page 3 the policies of the Airport Employment Land Use Designation, it does specifically say in policy number 1 if you choose to recommend that is to locate light industrial office and service commercial and airport employment related employment areas that have a convenient relationship to the communities vehicular and aircraft transportation system. The basic idea being if there is a use that is related to the airport lets allow it regardless of what the name on the letterhead might be, that was the idea.

Chair Negelspach asked what page was that one.

City Planner Brian Varricchione replied that is on page 3 of attachment C.

Chair Negelspach asked if anybody had any questions on the Airport Designations Planning Goals and Policies.

Chair Negelspach asked City Planner Brian Varricchione regarding the Goals and Policies implementation should there be any language related to the Port's document growth projections or growth plan, that we are consistent with their plan as well.



City Planner Brian Varricchione replied that wouldn't be a bad thing to add in the section on significant findings. He does know that some of the figures in there are from the Port's Master Plan.

Chair Negelspach replied we don't actually refer to their document.

Jeff Bennett stated to Chair Negelspach one thing you might want to do is, he knows this issue will probably come up later so we may as well deal with it right now, there's some questions about consistency issues between the Airpark Master Plan and the City of Scappoose Comprehensive Plan and where they need to be consistent and where they don't. The Airpark Master Plan is a master plan that is prepared pursuant to a completely different set of regulations that DLCD has adopted and there will be sometimes, or there can be sometimes inconsistencies between what you find in that document and what you find in the City's document. There was an issue raised about population projections in the Airpark Master Plan being different than the population projections that are before you and we have had some discussion with DLCD staff about that issue and we have taken a look at regulations that apply both to the adoption of the UGB amendments and the adoption of Airpark Master Plan and DLCD staff has informed us at least from their perspective the population projections in the two different plans can be different fundamentally because they will be adopted at different times, so we have inherent inconsistencies because of the time plan are adopted and there is no requirement in the State Law that requires all plans that have population projections in them to be absolutely consistent at all times. He stated the other thing about the airport or the Airpark Master Plan is the population projections there serve a different purpose than the population projections for determining how big our boundary ought to be. The population projections that are used in airport master plans are really used to determine what kind of airport are we going to have, what kind of aircraft are expected to be attracted to that airport. So population projections that are used in an airport plan are going to be different, the purpose for those projections is going to be different than the projects that we are using right now to determine how big the boundary ought to be. He is saying all of that as a preface to maybe a warning about how general the language ought to be in this plan about consistency with the Airpark Master Plan because you don't want to create a rule for yourself where you require absolute consistency when the law doesn't require that.

Chair Negelspach replied he guesses what he was getting at was does the Airport Master Plan govern in some way the land that we would annex in potentially does their plan in any way provide additional requirements that should be referenced by this document.

Jeff Bennett replied there may be provisions of the Airpark Master Plan that when we decide to make zoning decisions where we need to consider policies in that Airpark Master Plan and make sure there are consistency between them. He explained one thing you could say in terms of policy then we could put a provision in there that says the City will coordinate with the Port.

Chair Negelspach replied he agrees with that. He stated lets move on to the next section which is the Airport Overlay Employment Zones which we spoke about earlier. He stated he believes it is in the section where we define specific uses which has been where we have had questions about this and some public comment on these issues.

Jeff Bennett stated to Chair Negelspach if he could add one thing to his comments, he just looked at his notes from the discussion with DLCD and one of the things that we could look at in terms of policy is basically to say at the time the City goes through periodic review, we don't have to go

through it, but when we go through and revise our plan we could put a provision in there that the City will coordinate with the Port to make sure that our plan is as consistent as possible with the Port's Master Plan at that time so at that time the Port and the City could basically cooperate to make sure their plans are consistent as much as possible. So we could use some coordination language as opposed to "shall comply" or "be consistent."

Chair Negelspach replied he agrees with that and that was really what he was kind of getting at, shouldn't there be some coordinated concept between the two documents.

Chair Negelspach stated related to the Airport Overlay Zones is there any specific language that anybody wanted to talk about, had questions on for City Planner Brian Varricchione or the consultant team, any confusion. He asked Commissioner Frenz if she would like City Planner Brian Varricchione to give a quick synopsis on this.

Commissioner Frenz replied that might be a good idea.

City Planner Brian Varricchione explained what is proposed here would be a new chapter to the development code entitled Airport Employment Overlay Zones. There are three different types of overlay zones that are proposed; there is one that is called the Airport Business Park Overlay, there is one called the Airport Industrial Park Overlay and there is one called the East Airport Employment Overlay and each of those overlay zones is proposed to have a different mix of allowed uses. There are also requirements in here for master plans if there are sites under common ownership with the combined area of 4 acres or more they would need to submit a conceptual master plan to the City before development occurs and the reasoning behind that would be to ensure that the development would be consistent with the range of site sizes that is sought after in the Economic Opportunity Analysis. The EOA proposed a range of small, medium and large users so in order to assure that development occurred with the appropriate mix that was the proposal behind requiring the master plan. There are tables on pages 4-8. These tables include a variety of uses that would be allowed. So the Airport Industrial Park is proposed to include the first three tables. The Airport Business Park is proposed to include the uses in all five tables and the East Airport Employment Overlay is proposed to include the first four tables. In addition there is a whole range of uses that is currently spelled out in City's Public Use Airport Zone, all those uses would continue to apply and there is another Airport Safety and Capability Overlay Zone which could in fact limit the capability of some of these uses in specific locations. To be more specific, for instance, the existing Safety and Capability Overlay Zone has certain height limitations within certain distances off to the side of the runway and those would continue to apply.

Chair Negelspach asked City Planner Brian Varricchione where is that language.

City Planner Brian Varricchione replied that is currently in our development code and it is not proposed to receive any changes. The existing Safety and Capability Overlay Zone was drafted in conjunction with quite a host of stockholders and there is a model code published by the State of Oregon then it was modified based on local input. So it was in this case where there were some specific comments submitted from the public requesting changes to the list of uses. He will point out that the tables that were included here are essentially lifted from the Economic Opportunity Analysis but it would be certainly within the Planning Commission's authority to adjust the list of uses or to change the display format. For instance he believes one of the comments was to get rid of the tables and present the information more in a list format. Either way is fine the rest of the code is more in list formats, so changing the display would be consistent with other sections of the

code.

Chair Negelspach stated it looks like it is broken down in a table to accommodate the site size parameter that relates each of these developments.

City Planner Brian Varricchione replied right and those site sizes frankly are more informational rather than requirements, zoning code requirements.

Chair Negelspach stated one of the questions he has is there is language on page 2 of 8 for master plan requirements for large sites, that they will submit a Master Plan, conceptual master plan for combined areas of more than four acres. So the other medium and small sites industrial patterns would not require that if they were less than four acres.

City Planner Brian Varricchione replied correct.

Chair Negelspach replied he guesses he meant to say if they were larger than four acres. It seems like even under the, well under the medium size you might have some fairly large developments or up to say 25 acres then you wouldn't require a master plan for that if it was under the medium site industrial development.

City Planner Brian Varricchione replied no, basically what we are trying to say is if there is a property owner who owns more than four acres and wants to develop they need to submit a master plan.

Chair Negelspach replied which ever table they are on is what he is saying.

City Planner Brian Varricchione replied this is kind of before you get to the tables. They need to present a master plan that show specifically how many acres do they have to start with, what is the menu of options that they want to do for site sizes and then show you on a plan, on a map, how do they want to divide up their land and develop it to include those various site sizes.

Chair Negelspach asked what is the purpose of having the master plan. Is it to just kind of lay out what the future development goals are for that particular project?

City Planner Brian Varricchione replied that is partially it and partially a bookkeeping task so within the EOA there's a list of target site sizes, the master plan would tally the acres, we need two (2) fifty acre sites and we need one (1) thirty area sites and then a variety of smaller sites. We want to ensure that we actually end up with those and that they don't get subdivided away into small parcels but then you could never get a large employer who needs fifty acres. It is meant to be a way to protect and preserve the need for those large sites.

Chair Negelspach replied okay but it just seems, it says in this language that it shall be required to receive City approval of the conceptual master plan. He is just wondering what the criteria for the approval is and what City approval are we referring to, is that Planning Commission or City Council.

City Planner Brian Varricchione replied his recommendation would be Planning Commission.

Chair Negelspach replied staff.

City Planner Brian Varricchione replied no, he wouldn't recommend that.

Chair Negelspach asked if we would see one of these come to us what would be our criteria then for approval of a master plan.

City Planner Brian Varricchione replied if you looked under item D on page 2, which is under the master plan requirements for large site, item D says a concept plan must show how two (2) large approximately fifty acre and one (1) medium approximately thirty acre developable sites will retain conformance with the industrial site needs stated in figure 33 of the EOA. So if they demonstrate how they meet those two large sites and one medium sites then beyond that you would consider that they have met the requirement of the EOA.

Chair Negelspach replied but we will require this master plan for four areas or greater. So if you have a five area parcel you would submit a master plan and we would check it against the concept that we would retain the five acres and it wouldn't be subdivided into smaller parcels.

City Planner Brian Varricchione replied he can see where Chair Negelspach is driving it which we will have to figure out a way to capture that. The intent mainly was that if somebody owned parcels kind of scattered in a little bit of patchwork, even if they are not contiguous, you want to see how they are going to develop it. The other thing it is supposed to demonstrate is how are you going to fit the taxiways and the streets and everything so you can actually see what the plan is before you actually get to the development stage but you do raise a good point about if you have one site and put one thing on it.

Chair Negelspach replied you would need a master plan in order to come to the Planning Commission.

City Planner Brian Varricchione replied right, can that be done simultaneously with the development proposal.

Chair Negelspach replied he just wants to be fair to whoever potentially that would come to us with this and understand what it would be he is approving.

Don Hanson replied it is common that the kind of 4 & 5 acre threshold that puts you into a master plan and the primary reason he has experienced that it is done in a number of jurisdictions is so you can coordinate utilities and coordinate access and circulation between parcels. So in other words when somebody comes in, it is real common in these kinds of zones to have one and two acre smaller parcels for smaller businesses which is where most Oregonians work, so if somebody comes in and does the one and two acre parcel they don't block the rest of the land and that is kind of why four acres starts to make a difference. He thinks the key is if you are going to do a subdivision on that four or five acres that might be what kicks it into a higher level of scrutiny in terms of process. If you are going to come in and build one facility on four or five acres it's not as big of a deal. Staff can review the site development plan because it doesn't affect any remnant parcels within that four to five acres.

Chair Negelspach replied that makes good sense and he appreciates his comments. He asked if anyone had questions on some of the uses outlined in the tables. He knows we had some comments on that over the course of the last two hearings.

Commissioner McGarry stated he thinks there were some comments by the public about salvage yards and he doesn't remember just what the comments were but salvage yards are legitimate business as long as the business is handled properly so he doesn't see any reason that shouldn't be included here.

Chair Negelspach replied there is one listed use that is gas and sanitation. He asked City Planner Brian Varricchione if he knows what that is.

City Planner Brian Varricchione replied could you refer me to a table please.

Chair Negelspach replied he thinks it is in a couple of the tables. It is in several of the tables, he thinks it is in the first three tables it is listed as a target industry. So these target industries are really the allowed uses.

City Planner Brian Varricchione replied his understanding is that the target industries are from the various industry codes from the industrial classification system but he would ask Jesse or Greg to clarify that.

Greg Winterowd replied it came directly out of the EOA and it was put in by Jerry Johnson as a general category and he has got to tell you though when he says gas and sanitation it seems very broad and he thinks it is something that they need to get back to you on. Figure out exactly what Jerry had in mind and put that in there.

Chair Negelspach replied we had a lot of questions about what would be allowed, the majority of what we are talking about in terms of the Urban Growth Boundary expansion is at the airport and so he thinks it might be helpful to get clarification on what those allowed uses would be.

Greg Winterowd replied he thinks the concept is one of the reasons for the master plan is so you can look at the relationships among the uses. If you have standards for developments and uses indoors it often doesn't make a lot of difference, the use list and so the whole point of this was to get toward use categories that are broad enough so focus on design and impacts rather than saying this is not exactly it the specific use but broader. So we tried to list industrial uses in that situation that are broad enough so you are not having to bring to the Planning Commission every time you have a change of use in a business park for example where the buildings are already there and the impacts are not discernable but what he thinks we should do is get some clarification from Jerry Johnson about how broad these are. He is sure we are not talking about refinement plants for gasoline, that would be a pretty intensive use, but he wants to make sure that is the case.

Chair Negelspach replied broad enough that it allows some variation but not so broad that we don't even know what we are talking about.

Greg Winterowd replied right and he thinks the other part of this is that we would want to make sure that we have performance standards that limit the impacts of the uses and he thinks that could put some of the issues to rest. You think of salvage yard if you have a hundred acre salvage yard bringing things from all over the place, it is spread all over, that could be very different from a recycle operation that is well done.

Don Hanson stated there is a great salvage yard that he visits on Mississippi Avenue and it is reused building materials. He thinks a lot of people go there, it is a great place. So it could be a lot of different things. He stated your comment about how do we put controls on that make sense.

Chair Negelspach replied he thinks one of the comments he heard was potentially you would have perhaps some kind of a recycling center and it would attract birds and so birds would become a hazard and that would obviously conflict he is sure with the Port's codes and so we don't want to put ourselves in position to allow those and be in direct conflict with other people.

City Planner Brian Varricchione replied for that specific example he will say the Safety and Capability Overlay would prohibit that because there is specific language in there about emissions and bird attractants and all that.

Chair Negelspach replied that is already in place that is outside.

City Planner Brian Varricchione replied right, it is current in our code and applies to lands that are annexed and near the airport.

Commissioner Cairns replied so that would take care of smell so we don't have another Boise Cascade.

City Planner Brian Varricchione replied no, it would not take care of smells, because the airport doesn't really care about that, they care about debris in the way and birds and glare and radio interference and if you want smell this is a good time to put it in.

Don Hanson replied good luck regulating that one.

Commissioner Cairns stated so there would be no way of stopping a company like Boise Cascade coming in where you could smell it for miles in all directions.

City Planner Brian Varricchione replied well the clear way to stop it would be to remove it from the list of allowed uses.

Commissioner Cairns stated that is definitely one industry he doesn't want.

Don Hanson stated you can't just think locally about environmental controls. When you get into something that puts out odor, or smoke or pollution there is also the State, there is DEQ that has very specific requirements about what emissions can be as well as EPA. So he thinks some of those regulations come into play also.

Greg Winterowd replied he thinks if you looked at the existing Airport Overlay that it has a fairly broad range of industrial uses that don't talk about impacts now either so it could be an issue with the existing code as well.

Chair Negelspach replied he will take another look at that he didn't follow up on the old code before the hearing. He asked if there were any other questions by the Planning Commission on allowed uses.

Commissioner Cairns asked if they are going to get some more clarification right.

Chair Negelspach replied right.

Greg Winterowd stated he thinks what they need to work with City Planner Brian Varricchione on is coming up on performance standards that address impacts. If they do that recognizing they have both the aviation overlay and DEQ standards that perhaps the specific uses are less important than the impacts themselves. Otherwise they are back to is it 1A or 16C.

Chair Negelspach replied right.

Chair Negelspach asked City Planner Brian Varricchione about the commercial office development pattern types table, it is the last table in the set. There is one category that is medium office users. Do you remember which zone this table would be used in?

City Planner Brian Varricchione replied that specific table would apply to the proposed Airport Business Park Overlay.

Chair Negelspach stated which would be primarily west of the airport.

City Planner Brian Varricchione replied yes, primarily for the area fronting on West Lane.

Chair Negelspach replied right. So we would be amending areas that are already in the UGB.

City Planner Brian Varricchione replied the proposal at hand is to create this chapter that allows the various uses but it would not actually apply the overlay zones anywhere at this point. That would be the subject of a future application and the primary reasoning behind that is one of the provisions of the Transportation Planning Rule is that when you amend zones you have to do the full transportation analysis as was discussed at prior meetings. That really is not required under State law at the time of expanding the Urban Growth Boundary so the thought would be to package that together when there is a zone applied to do the transportation computations then.

Chair Negelspach stated to City Planner Brian Varricchione you are referring to ODOT's email to you on September 22<sup>nd</sup> he believes, with clarification on the zone language.

City Planner Brian Varricchione replied right, specifically the language is in Goal 14, which states when you are amending Urban Growth Boundary you don't have to do the TPR analysis at that time. So the map that is included in this chapter on page 3 is really a conceptual map at this point. It wouldn't actually be applied anywhere and before it could be applied, notice would need to be sent to the property owners and the full hearing process.

Chair Negelspach stated and you are saying that would happen after you had a transportation impact analysis completed.

City Planner Brian Varricchione replied that is correct.

Chair Negelspach stated there is a category in the middle of that chart called "Downtown" but that is as it relates to the area just to the west of the airport in the hatched area.

City Planner Brian Varricchione replied yes, this table would apply just to the hatched area along

West Lane.

Chair Negelspach asked would it make sense to not to use the word “Downtown” in it?

City Planner Brian Varricchione replied yes it would make sense not to use the word “Downtown” in it.

Chair Negelspach replied he sees it in another place there, in the next section down actually. Those sections are not applicable. He doesn’t know if it makes sense to exclude them all together or is it just saying the site sizes.

City Planner Brian Varricchione replied yes, the site sizes. Here is where you can see the difference between the EOA which is a broad look at anything related to commercial and industrial development and how do you actually apply it to a specific site since this site is proposed by the airport, then yeah the word “Downtown” may be a bit misleading. We could look at some other language instead of that word.

Chair Negelspach replied okay.

Chair Negelspach explained we are just following the order that is in the binder, unless you have another suggestion.

City Planner Brian Varricchione replied no he would just say when you get through it feel free to double back because there are things came up that might remind you of something else. He will observe that they skipped the first one which was the EOA itself.

Chair Negelspach replied we did skip that one, but we can go back.

City Planner Brian Varricchione replied exactly, you can go back.

Chair Negelspach replied why don’t we do that. He asked if everyone had a copy they can look at. He asked do we have any immediate questions or would you like some clarification on what this is from City Planner Brian Varricchione. He asked City Planner Brian Varricchione if he would like to step in and give them a brief reason for this document. Just kind of remind them once again what they are looking at here.

City Planner Brian Varricchione replied sure. He explained the Economic Opportunity Analysis or the EOA is the document that responds to the State Wide Planning Goal 9, which is Economic Development. This document looks at National, State and Local economic trends. It looks at what does the City want to attract, what type of industries does the City want to attract over the 20 year planning period and it spells out target industries, it spells out what has been going on in the economy over the past, what are the different types of jobs that are already in the County, what industries the City wants to attract. A lot of this is frankly economic forecasting that is much more technical and specific than he is qualified to comment on at full length. It was prepared by Johnson-Reid, they are one of the firms that does a lot of these in the State of Oregon. Once the document identifies the target industries and forecasts the number of employees and number of firms likely to locate near Scappoose over the 20 year period it translate that into a number of acres and so there is approximately 500 acres projected over the 20 year period. Now some of those acres are already available within the current UGB so they are not proposed to be expanded



and some of the acres are not met within the UGB and that is where the proposal UGB expansion comes from. There was a fair amount of discussion from public testimony about some of the figures in here. The questions were raised about the average annual growth rate and that would be something that the Planning Commission might wish to discuss amongst themselves. The report has been reviewed by some of the staff at the Department Land Conservation and Development and they did not object to the figures that were contained in there. Given that it is looking 20 years into the future, all of this is somewhat speculative.

Chair Negelspach replied he thinks City Planner Brian Varricchione eluded to one of the most repeated comments was how did we get at these growth numbers and he thinks it is hard perhaps some of the historical data to support how we got to these growth numbers but he thinks one of the most significant things that he remembers hearing is that we would have some spillover effect occurring from the Portland Metro area and that would account perhaps that difference that might be perceived.

City Planner Brian Varricchione replied that was his understanding as well. If you just drew a straight line and said the growth that has happened in the past is all that you are going to get in the future, you would have a very different forecast. Instead what has been done here is they looked at the fact that the Portland Metro area will be growing and over the span of this 20 years they likely would not be able to accommodate every single industrial user and where might those go. Some of them might end up in Scappoose and so that is why the growth rate is informed not just by local conditions but regional and State conditions.

Chair Negelspach asked if anybody had a question on that, those numbers. It is a lot of material to absorb and understand.

Jeff Bennett stated to Chair Negelspach one thing he might suggest is that you indicated that you are not go beyond 9:00 p.m. tonight his guess is that the Planning Commission is not going to get through everything tonight and it might be best to make sure Jerry Johnson is at the next meeting because he is the guy that can answer the questions the Planning Commission might have about the EOA because he prepared it.

Chair Negelspach stated at this time he doesn't know that we have any questions about the EOA. He stated we did flush that out during the other hearings, there were a lot of comments that he thinks the consultant team did respond to, like where the numbers came from and there was direction given by the Economic Opportunity Analysis Committee that was formed to guide this document and also the direction to some extent where some of the growth might occur.

Jeff Bennett stated you do have, after your first hearing Mr. Johnson did submit a letter to you that responded to some of the issues that were raised about the EOA, it was dated September 14th. He suspects whatever answers he might give you if he comes to the next meeting likely are contained in that three page letter.

Chair Negelspach replied okay, thank you for pointing that out. He thinks one of the keys points in this document that he would like to make sure that he has a clear understanding about is typically in thinking of the bigger picture here is we are forecasting for 20 years of growth and it is a guess at best at what they might be so the committee that was formed tried to provide some guidance for that and there's some other effects that needed to be considered. In addition he thinks there was discussion about where that growth might happen and what land areas you

would need to accommodate the growth. He asked were there any questions on particular areas that were recommended for expansion as it relates to these numbers.

Commissioner Frenz stated the comments and after reading the minutes people are saying why are we ignoring the southeast part of town by Highway 30, well that happens to be prime agricultural land you don't dare touch it. She stated that is prime agricultural land, is not touchable, that is what the whole land use development of rules and regulations that all the planning need to preserve our agricultural land and that is some of the primary goals. Sometimes you think they are managing to get around it but that is one of the reasons why that area has not been touched.

Chair Negelspach stated he noticed as he read through the meeting minutes from the committee, he thinks the committee tried to get feedback from the DLCD on whether or not this would be acceptable and so that this would fall flat on its face once it left our review of it.

Commissioner Frenz stated we are just going to recommend whatever we recommend to the City Council. The City Council will make a decision and then it goes to County, the State and everybody else. This is not a done deal by any means.

Commissioner McGarry stated he thinks we are using soil analysis that is about 50 years old and he wonders if those soils were analyzed today if they would come up with the same figures.

Commissioner Frenz replied she doesn't know either. She is just going by the fact that they did say that that was the way and they analyzed the soil, she doesn't know if they haven't done it or not, it did say that that was the way and they analyzed the soil.

Commissioner Dackins stated it seems they are doing very successful with their agriculture.

Commissioner Frenz stated the things are growing very well down there and this is an industry in Oregon, a nursery businesses, that is what it is all about, it is also an industry.

Chair Negelspach replied but the proposal that is provided the EOA, the job growth numbers presented aren't out of line with what the DLCD representative thought would be approvable.

City Planner Brian Varricchione replied right, he knows at least two individuals have reviewed it, one was Gary Fish, who at that time was the regional representative from DLCD to Columbia County and the other person was Tom Hogue and he is the State's Economic Development point person. So he feels more comfortable knowing that he read it and didn't raise red flags. It is his understanding also that the consultant team had meetings with the State specifically to address any concerns that they may have had.

Chair Negelspach asked if any of the numbers in this document were modified, any of the growth projections that would cause the Urban Growth Boundary areas to be modified is that true.

City Planner Brian Varricchione replied yes, the areas proposed to expand the UGB are direct, you can follow the line, the EOA is the beginning of the line, then there is an assessment of what is already in the UGB and then is the proposal for what should be added. So for instance if the growth rate, if the City said this is not aggressive enough we want to attract more industry by increasing the growth rate, well then there would be a corresponding increase in land demand that would have to be met through UGB expansion. Conversely if you said we don't want to grow this

aggressively we want to limit the number of acres that the EOA projects over the next 20 years then the UGB proposal would have to be shrunk down to correspond, the number of acres need to go together and agree with each other.

Chair Negelspach stated he had a question about one of the things that we need to consider in terms of land area that will be brought in or the exception areas have to be considered first, in terms of the inclusion into the UGB expansion. So if we were to for instance in the southwest talk about excluding any of that exception area that is being proposed essentially it would be the first land that would have to be considered in the next UGB update, is that true.

City Planner Brian Varricchione replied it is partially correct. The reason that the southwest area was targeted at this time was because the committee identified the desire to attract more highway commercial type development. So when you combine what are the range of options that are exception lands with what is near the highway you have very few choices, you have the southwest area, which you saw mapped, and then there was some additional land to the northwest of the City further up Highway 30 and the committee really didn't see a need or the point of going in that direction primarily due to the fact there are no utilities nearby. So that states why it was that area that was proposed at this time. Now to answer a different question, if you was doing a residential analysis would it be included, it would certainly be in the set of property that was being considered but in residential you would look at all the exception lands around the City and once you remove that requirement for the highway relation you could end up with some other parcels included as well, or instead of the southwest area currently being considered.

Commissioner McGarry stated east and west of Old Portland Road, there was a lot of question. He stated there were a lot of questions about the southwest 1 & 2, which is east and west of Old Portland Road. He thinks the first meeting we had there was quite a group that didn't want to be included that were west of Old Portland Road and some of the documentation he thinks either from the last meeting or it came in afterwards didn't want any of it included in the expansion. He is not quite sure he understands that, that is highway frontage and he thinks that should be in there, the portion east of Old Portland Road.

Chair Negelspach replied right, between the highway and Old Portland Road.

Commissioner Cairns feels it is a good idea if Johnson-Reid comes out and talks to the Planning Commission because he would like to get some more information.

Chair Negelspach stated he guesses we do have some questions for Jerry Johnson.

Greg Winterowd asked might it be possible to identify those questions so they can give them to Jerry right away and get back to the Planning Commission. If you have the questions now it would be helpful to know what they are.

Chair Negelspach replied well he thinks Commissioner Cairns had questions on the background of the demographic study just where that comes from.

Commissioner Cairns replied yes.

Chair Negelspach replied he thinks there is some reference that the data comes from Portland State University.

Commissioner Cairns stated he remembers when he first read this he was really amazed by everything that was in here.

Chair Negelspach replied a lot of this information is available.

Commissioner Cairns stated he would like to reread it, go over it one more time before he comments. He can't seem to find the chart that shows the increase in population what it is going to look like in 2028.

City Planner Brian Varricchione replied the population forecast is actually included as Attached E and that was created by Portland State University. That is a coordinated projection that includes all of Columbia County plus the various cities within the County.

Commissioner Cairns replied they are the ones that also came up with the growth rate for the employment.

City Planner Brian Varricchione no, the employment growth rates are in the EOA which was prepared by Johnson-Reid.

Chair Negelspach stated they might have to follow up on those questions perhaps. They will provide a list tomorrow so City Planner Brian Varricchione can email those out. One of the questions he has and he can follow up in an email or something is that regional growth rate to have some background on that would be helpful and maybe there are some examples of that that would be good to have on the record about where growth has occurred to that extent or examples of that.

Jeff Bennett asked are you talking population or job growth.

Chair Negelspach replied he guesses he is talking job growth. He thinks the population growth numbers are pretty much in line with what most people had expected. There were a lot of questions about job growth and he thinks if we can have something on the record that might provide some reality check on that, examples of maybe where that has occurred or you took the Portland Metro areas job growth and had it come to one area. He thinks some clarity in the record might be helpful just for all the questions that were asked about that, all the comments. Otherwise he really doesn't have any questions on this. It looks like it is consistent with what, if you want to have 7.6% growth then the rest of the numbers can all fall out of this.

City Planner Brian Varricchione replied by his way of looking at it the factors in this report that are really where you have a little discretion are the growth rate itself and then the target industries. If you as the Planning Commission want to recommend to the Council not to include airport related employment then the maps would begin to look very different. That was an industry sector that was identified during the advisory committee stage and their recommendation was to include it. So the factors in this report do have very real and immediate impacts to how you end up drawing the maps.

Chair Negelspach replied right. He thinks the advisory committee's discussion with the help of the consultant team there are some realistic, once you accept the growth numbers he thinks the rest of it is somewhat in line with that. The type of growth, as it is airport related, he thinks it is

reasonable to assume that you would have those types of businesses. He doesn't have any comments on those target industries. He is no expert at airport growth but they seems like reasonable expectations that if you are going to have that much job growth you would have that kind of diversity in businesses that would go along with it.

Chair Negelspach asked if there were any other questions on the EOA. He stated before we move on, he thinks the next topic would be fine points on the UGB document.

City Planner Brian Varricchione replied yes, he thinks the next key element would be looking at the maps and the decision process that went into creating the maps and why particular areas are proposed for inclusion.

Chair Negelspach stated he thinks before we launch into our discussion about the maps perhaps we will adjourn the hearing and continue with our discussion of the maps. That will give us an opportunity to kind of review some of the questions back, answers or questions from the consultant team. We can start a discussion about the maps and make some decisions at that time. He asked if the Planning Commission agrees with that approach.

Commissioner McGarry moved and Commissioner Dackins seconded the motion to continue this until October 28, 2010. Motion passed (5-0). Chair Negelspach, aye; Commissioner Frenz, aye; Commissioner Dackins, aye; Commissioner Cairns, aye and Commissioner McGarry, aye.

Chair Negelspach recessed at 8:49 p.m. and reconvened at 9:02 p.m.

### **Calendar Check – Fall meetings October 28, November 18, & December 9**

Commissioner Cairns will be gone on November 18.

### **Commission Comments**

Chair Negelspach stated we will just walk through these documents.

The Commissioners had a discussion on if they have any questions if they can contact City Planner Brian Varricchione.

City Planner Brian Varricchione replied they can email him or call him and he will respond back to them or he can met one on one.

### **Staff Comments**

City Planner Brian Varricchione explained due to conflicts in her schedule Jill Schull resigned.

### **ADJOURNMENT**

Chair Negelspach adjourned the meeting at 9:23 p.m.

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Chair Chris Negelspach

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Susan M Reeves, CMC  
City Recorder