

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

**THURSDAY, SEPTEMBER 9, 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 September 9, 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
Bill Blank	Commissioner
Anne Frenz	Commissioner
Don Dackins	Commissioner
Ron Cairns	Commissioner
Mike McGarry	Commissioner
Jill Schull	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

**ELECTION OF PLANNING COMMISSION CHAIR AND VICE CHAIR**

Commissioner Cairns moved and Commissioner Frenz seconded the motion to nominate Chris Negelspach as Chair. Motion passed (7-0). Chair Negelspach, aye; Commissioner Blank, aye; Commissioner Frenz; aye, Commissioner Dackins, aye; Commissioner Cairns, aye; Commissioner McGarry, aye and Commissioner Schull, aye.

Commissioner Blank moved and Commissioner Dackins seconded the motion to nominate Paul Shuman as Vice Chair. Motion passed (7-0). Chair Negelspach, aye; Commissioner Blank, aye; Commissioner Frenz; aye, Commissioner Dackins, aye; Commissioner Cairns, aye; Commissioner McGarry, aye and Commissioner Schull, aye.

**APPROVAL OF MINUTES ~ June 24, 2010, July 8, 2010 & July 22, 2010**

Chair Negelspach has some changes on all of the minutes. He gave those corrections/additions to City Recorder Susan Reeves. Commissioner Dackins explained there is a missing word on page 5 of

July 22, 2010. City Recorder Susan Reeves will make the corrections/additions and all the minutes will be presented to the Planning Commission at the next meeting.

## **CITIZEN INPUT**

None

## **NEW BUSINESS**

### **Docket # CPA1-10/CPTA1-10/DCTA3-10**

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- Remove outdated information from the Comprehensive Plan and add key findings and policies from the EOA;
- Add new airport employment Plan designation and overlay zones to implement the EOA;
- Amend Scappoose Urban Growth Boundary to meet industrial and commercial needs identified in the EOA and to include a regional park area.

**Format:** Legislative Land Use

Chair Negelspach open the public hearing at 7:08 p.m.

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.

Chair Negelspach explained in the interest of time he would like to keep the comments brief and to the point. He explained there are a lot of people here tonight and he would like to get through as many of their comments as we can. He stated if we have redundant comments he may cut them off, if we already heard the same thing.

City Planner Brian Varricchione introduced some of the members of the consultant team that are here this evening; Jesse Winterowd from Winterbrook Planning, Jerry Johnson from Johnson Reid and Scott Shumaker from Otak and they are here to answer any questions that the Planning Commission may have about the technical data that is included in the packet that you received. He explained he wants to talk about what the reasons for tonight's hearing. He explained as the Planning Commission and City Council have discussed multiple times in the past, the City's Comprehensive Plan and Utility Master Plans are outdated and they need some updating. He explained the Comprehensive Plan last had a thorough review in the early 1990's and the Utility Master Plans date from the mid to the late 90's. He explained one of the elements of the Comprehensive Plan is guided by Statewide Planning Goal 9. He explained Goal 9 pertains to economic development and it requires comprehensive plans to provide an adequate supply of sites of suitable sizes, types, locations and service levels for industrial and commercial use and this is designed for a 20 year development period. He explained the City Council is supportive of economic development and they had the opportunity to partner with a private developer to perform what is called an Economic Opportunity Analysis, which is a 20 year forecast for commercial and industrial development. He explained you will hear this Economic Opportunity Analysis referred to as the "EOA". He explained there was an advisory committee that was appointed by the City Council. They met over the course of a year and a half and had an open house this past May and made recommendations which you can find in the staff report, in the binder. He explained following those recommendations, staff and the consultant team prepared the application which is in front of you this evening which built on the recommendations and materials from the advisory committee. He went over what is in the binder. He explained there are a number of actions that are proposed and they are on the agenda. He went over the list. He explained first and foremost the City proposes to adopt a population forecast for Columbia County and the City's unincorporated areas. This was a coordinated population forecast that was developed by Portland State University and Columbia County and this is a forecast that needs to be adopted by the City into the Comprehensive Plan. He explained it is kind of independent of the EOA process but it was just a process that needed to be done when the City adopts it. He explained also in this packet is the Economic Opportunity Analysis itself that was prepared by Johnson Reid. He explained there are proposed amendments to the Comprehensive Plan. He stated a lot of the information in the Comprehensive Plan is outdated with regards to descriptions of existing businesses and by existing we are talking ones that are 20 or 30 years old and may not be there anymore, as well as looking forward to the future. He explained information from the Economic Opportunity Analysis has been used to propose amendments and updates to the portions of the Comprehensive Plan that pertain to economic development. He explained there is a proposed expansion for the Urban Growth Boundary in two different areas. He explained one is the northeast area by the airport and this proposed for industrial and institutional uses and a new park and then there is another area off Old Portland Road in the southwest part of the City and that is proposed for commercial development. He explained together with that they are also proposing to include the existing cemetery in the Urban Growth Boundary and the use of that would not change. He explained a map of the proposed changes is on the board and is also in the packet that the Planning Commission has. He stated on the far side of the room is a map of proposed plan designations for these areas. He explained there is a text amendment proposed for the Comprehensive Plan to create plans and policies and goals for airport related industrial development. He explained there is a proposed new chapter in our Development Code for airport employment overlay zones, which would

allow a variety of airport and other related uses near the airport and then there are the maps for potential future zoning which could be applied if lands were to annex into the City. He mentioned some of this also goes through the Columbia County Public hearing process, the only component of that is the amendment that is proposed for the Urban Growth Boundary. He explained before any UGB amendment can be finalized it first must go through the County for their concurrence and then it is sent to the State for their review. He explained all these actions are an outgrowth of the Economic Opportunities Analysis, they focus on commercial and industrial development and there was no analysis done for residential development. He explained that was a decision by the City Council to focus first and foremost on economic development. He explained staff did send out public notice to interested parties and property owners. He explained there are a few letters that are included in the packet. He explained today we have received an additional 4 documents: a letter from ODOT essentially saying they need additional information to analyze the effects on the transportation system, there is a letter from the Bradley Family off Old Portland Road objecting to being included in the Urban Growth Boundary, there is a letter from the Stapes Family on Ring-a-Ring Road objecting to being included in the Urban Growth Boundary and then there is a letter from Lisa Smith. He explained he also received a lot of phone calls with questions and people that came in. He gave a sample of some of the topics that were brought up:

- ~ If they are in the Urban Growth Boundary would that impact their property tax rates
- ~ Would the City try to annex them
- ~ Would the City force them to hook up to water or sewer
- ~ What would be the timing of any development
- ~ Who pays for infrastructure extension
- ~ What if the owners don't want to be in the UGB

City Planner Brian Varricchione explained he does want to reiterate the Planning Commission's charge is to make recommendation to the City Council. He stated if the Planning Commission sees a need for changes, either based on your own assessment or based on public input, please provide direction to staff and the consultant team and if you see any areas that you see refinement or clarification it is the same story.

Chair Negelsbach asked the Planning Commission if they have any questions for City Planner Brian Varricchione at this time. They did not.

Public comments started at 7:21 p.m.

Chair Negelsbach stated at this time we are going to take comments from proponents.

Brian Rosenthal, PO Box 963, Scappoose explained he would like to speak specifically about the southern portion of the UGB expansion. He explained he owns 50861 Columbia River Highway, which is in the proposed UGB expansion area on the south side. He explained he strongly supports the UGB expansion on the east side of Old Portland Road, which is the portion that has highway frontage. He explained he doesn't have an issue if the people on the west side of Old Portland Road don't want to be included but the stuff on the east side is highway frontage, in fact at one time it was zoned commercial in the past, it was downzoned due to highway expansion some years ago. He

explained it is basically just getting it back to where it was at one time, in fact it is just UGB expansion it is still not in the City, it is not zoned commercial it is just making it possible to get into the City as commercial. He explained because of the location next to the highway it is not a real desirable location for residential and so long term looking out 10 or 20 years like this plan is supposed to you have to ask yourself where is that going to take this land. He explained he has an older manufactured home on it, it is not in bad condition now but he can't imagine building a stick built house there because it is too close to the highway and so it puts him in a bad position. He explained that land is considered exception land meaning it is not currently zoned farm or forest it is zoned RR5 and as he understands the Oregon land use laws exception land is to be considered before farm and forest resource lands are so unless there is a reason such a slope, drainage, infrastructure, access, it is suppose to be considered before other lands and since this land meets all the criteria, so it is very developable. He stated if you ask any business in Scappoose, well most, would either like to be on or near the highway so if the purpose of this is to create lands that are developable and that will help create jobs and infrastructure and new things for Scappoose. It would seem to him that this area is the only area in this proposal that actually meets those goals of being near the highway and if you ask most businesses owners in town that is where they want to be, if not on the highway they want to be within a couple of blocks. He stated he doesn't have an issue at all with the west side of Old Portland Road if they don't want to come in. He thinks it would be to their advantage because again they don't have to be annexed they can choose to be annexed at a later date but he does think that for the east side of Old Portland Road it is really the only sensible thing because it is not really desirable for residential and there is a need for more highway frontage in town.

Chair Negelspach asked Brian Rosenthal to identify where his property is on a map.

Brian Rosenthal pointed out on the map where his property is. He explained he has a highway address, a highway driveway and the highway lot. He stated as far as the cemetery goes, his property abuts the cemetery, at some future point if he was to develop he wouldn't have a problem donating a small strip of land to the cemetery to give then additional property. He stated the tree line is on his property line he wouldn't have an issue if they want to some point in the future have that given to them through a lot line adjustment so they could own the trees so they wouldn't have any fears, not him personally because he wouldn't do that, but somebody down the road trying to remove the tree line.

Chair Negelspach thanked Brian Rosenthal for his comments.

Chair Negelspach asked if there are any other proponents that would like to speak in favor of the applications.

Chair Negelspach replied the next comments we will take will be from opponents and he will start from the list here that he has.

**(All written testimony submitted is at the back of these minutes)**

Pat Zimmerman, 52057 Rabinsky Road, Scappoose, stated to Chair and members of the Planning Commission she appreciates the opportunity to speak. She explained she has written testimony which she will turn in and she is not going to read it to the Planning Commission. She explained she just has

some off the cuff comments at this point. She stated something that is not in her written testimony she would mention that Scappoose already is a massive strip mall. She stated we don't need to expand that strip mall south. She stated smart growth, walkable neighborhoods, compact growth, ecological and carbon savings, all those things are antithetical to an extended highway strip of commercial. She strongly urges the Planning Commission not to extend the UGB down there. She stated if you look at successful Cities they don't do that and more and more the Cities in Oregon are planning for compact, dense growth, not a strip mall. She explained one of the things she does other than be a land use pest is she is a member of the State appointed Citizens Involvement Advisory Committee, they are appointed by the Land Conservation and Development Commission to advise them on Goal 1, which is citizen involvement. She explained she has been on it for almost 8 years now. She explained as part of that she has seen many, many different UGB expansions, periodic review, etc. programs in citizens involvement. She stated that she would say that Scappoose has done absolutely only the exact legal minimum that they had to do. She stated she would suggest that since we do have a lot of people interested in this, a really decent well funded citizen involvement program to find out what people in Scappoose really think about growth would be a really good idea. She stated if the developers can spend half a million bucks paying consultants to tell you and the Council how good this is, could they spend maybe \$100,000.00 getting a decent citizen involvement, citizen participation, workshops, there are lots of ways to do this and there are plenty of experts around to do it. She stated just this one example the committee that considered the Economic Opportunity Analysis had a general citizen seat and they never filled it. She stated every single person on that committee was either a Government employee or someone with a financial interest in this project succeeding. She stated there was absolutely no citizen participation in that process and legally they don't have to, she is not saying they do. She stated if it weren't for a couple of activists, or loudmouths as many of them have been called, these people wouldn't be here today. She explained most of them only found out about this like a week and a half or two weeks ago and was almost by accident. She stated the notice in the paper is absolutely unintelligible, you could not begin to understand what these hearings are about from that notice and that is the only public notice there has been. She stated now apparently in one of the annexation areas, UGB expansion areas did receive some other notice but that is a tiny percentage of the people who would be affected by this. She stated she doesn't live in the City but she would be affected by it, she goes through Scappoose pretty much every day. She stated so you take the entire zip code, hire a good consulting firm that specializes in public involvement and find out what the people think. She stated the employment projections are ludicrous. She stated she is sure you will hear more about this from someone more qualified than she to talk about it. She stated it is saying that Scappoose City is going to have a 7.6% employment increase every single year for 20 years. She asked if anyone here knows what it was last year. She stated it wasn't 7.6%, if it was negative 7.6 she wouldn't be surprised. She stated this is nuts and apparently there's something called aspirational projections which is the justification for this particular number. She stated she hasn't gotten into the Land Use Law on this one, but she will, believe her. She stated the Crown Z Trail west of West Lane is the only quiet non-traffic place in South County to walk and you are going to destroy it. She stated it has wetlands on both sides of it, it has wonderful birding, it is heavily used by many people and it is the only place in South County like it. She stated the Crown Z Trail from the Highway west is right next to the highway, it is noisy, it is obnoxious and don't give me this stuff about how they are going to put in a trail next to it. She stated it will just be like the sidewalk between the highway and West Lane along the trail, the former trail. She stated it is really unique and this proposal destroys it and don't believe anybody who says it

doesn't. She stated consultants have used outdated floodplain maps in delineating alternative lands analysis. She stated there are 2009 Floodplain maps, they are widely available, they have not been formally adopted, she doesn't believe, by the City Council yet, but she is sure they will be because if you don't adopt them you don't get FEMA money. She stated this whole analysis should be completely redone using current maps and she does have a copy of the one for the Scappoose area and there are significant differences and it would change the available lands analysis significantly. She stated contentions in the documentation that the Scappoose Airport has to expand because PDX and Hillsboro are at maximum is completely untrue. She explained she talked to the Port of Portland Airport Manager and he said there is lots of capacity left at PDX and Hillsboro, that is not a justification for this expansion. She stated shovel ready industrial land already existing at the Scappoose Airport, it has been vacant for many years. She stated again only this aspirational 7.6% a year employment growth is the only way they could possibly justify this expansion. She stated the existing land is vacant, much of it and one of the maps shows an area up to the north that is Portland Community College (PCC), future college. She stated Portland Community College has absolutely no intention, no plans, no thought of building anything out here, so that is just flat out a lie. She stated just to finish it off Metro is recommending that 310 acres of large acreage industrial land in Hillsboro be added to the UGB, it is completely flat, it is next the high tech area is essential in the high tech area in Hillsboro, it is large acreages, so this argument that there is none of that left in the Portland area is just not true and the employment basis out there, people who work in those industries live there and they are not going to come out here. She stated that land is available and will be used, so why are we adding this. She stated she asks the Planning Commission to delay any decisions on this for at least 6 months and until each of the following issues have been taken care of:

Comprehensive professional developed and implemented citizen outreach, which will engage at least 40% of the people in this zip code, which would take place over several months. Any professional firm would explain to you how that needs to be done.

New employment projections using data from 2009 & 2010, which were oddly enough not included.

Completely new land availability analysis using new FEMA maps and if you really want to pretend or believe that the airport expansion is necessary get a statement from the Port of Portland that says that the existing airports are at capacity and Scappoose will be the overflow airport.

A complete 10 year history and occupancy data for all vacant industrial and commercial lands and all vacant industrial and commercial buildings of which there are many in the City.

A statement from PCC if they really do intend to build a college out here.

Look at Metro situation in terms of large lot availability.

She stated since there are a lot of people here, she asked would everyone who thinks this is not a really good idea please stand up. (Majority of the audience stood up) She stated she may have saved the Planning Commission an hour or two of testimony.

Chair Negelspach thanked Pat Zimmerman for her comments.

Tom McInnis, 51005 SW Old Portland Road Scappoose, thanked the Planning Commission for their time. He explained where he lives would be the neighborhood that the Planning Commission calls the southwest consideration area he guesses. He explained they have lived there for approximately 8 years. He stated he and his family are strictly opposed to the extension of the Urban Growth Boundary and the rezoning that would bring this to commercial property. He explained he made a written statement but because he knows there are a lot of other people here he won't read this into the record but he will submit it for the Planning Commission's review at another time. He explained the one thing that he wants to emphasize is they moved to Scappoose because it is a small community, it has a real flavor. He thinks by doing this and actually perpetuating a strip mall type of mentality is just really not the way to go. He thinks we could revitalize the downtown community here, make it more of a community that we all would want to live around, cut down the traffic, and maybe even look on the other side of Havlik Drive for a commercial business park instead of continuing this sprawl. He stated please be advised that they are very much opposed to it and have a really strong issue with it. He thanked the Planning Commission for their time.

Chair Negelspach thanked Mr. McInnis for his time.

Mike Sheehan, 33126 Callahan Road Scappoose, gave a handout to the Planning Commission and staff. He explained he is on the CPAC and as you know the CPAC has jurisdiction the County CPAC. He stated a couple of things; he has been working through the study submitted by the consultant especially on population. He addressed the handout he presented on population and said what they are suggesting is between now and 2028 that the number of jobs will go from 2,425 up to over 10,000. He stated if you keep the same population-to-a-job ratio that we have now that would mean that we would have a town of over 27,000 people. He stated if you go down there on his handout and you see the now in 2008 & 2009 data that the in town jobs that we have here about 2,400 according to the consultant. He stated the in town jobs as a percent of population is 37% but that is a problem, you shouldn't do that because that is comparing jobs to the total population including all the 5 year olds. He stated we probably have very few of those 5 year olds in the work force. He stated if you take the in town jobs as a percent of the working age population, not counting all the older folks and kids, it is 67% of the number of jobs to the working age populations. He stated now that is not to say that all of them have jobs in Scappoose there are plenty of them have jobs maybe in St. Helens or Portland or something like that. He stated the idea that we have this big problem of unemployment because the ratio of jobs to the total population is low, it is not really low it is 67%. He stated another thing that was in the study talked about the number of people that go to Portland, but if you look at the next one, what we have on that this is with the number of covered workers, these are people that employers pay FICA. He is self employed, he wouldn't be counted there but this is the data that your consultant used so you have got the number of workers out of the County commuting to jobs in Scappoose 35% of the jobs in Scappoose are held by people commuting in from out of County and you have a fair number of people that commute out, that is true but you have 62% if you look at B16 on his handout, the ratio of jobs in Scappoose to covered workers in Scappoose 62%. He stated that is probably similar to people in Portland and other places there, he doesn't see a big problem but he does see if you are going to push hard to have more jobs



especially airport related. He is getting stuck with a lot of airport related cases now because there is a lot of problems with increasing in air traffic producing a lot of noise and if you are following what is going on in Hillsboro, as soon as you expand a runway or if you, we have got that map that appears to show or at least is labeled at the bottom Airport Expansion ~ 54 acres. He stated that might be a mistake but at least it looks like it is talking about expanding the airport down there. He stated if you were to have something like that that would have a significant impact on the zoning and the ability of people to the south of that point to be able to develop their property. He stated that is the big fight they just had at Hillsboro and LUBA held that that constituted a taking. He stated the case is now as we speak in the Court of Appeals. He stated we have a problem now if you are going to have that increase of another 8,000 jobs and most of that is going to be airport related or a large percentage of it then it seems to him that you could probably also expect a proportional increase in airport traffic, in and out flights. He stated we have had over the course that he has lived here, some people that have gotten killed out there and accidents and everything and there is often people complaining about the noise, so if you are going to increase the traffic and it will be proportional to the number of job increase and you are talking about increasing the traffic by something like 400% and the south end of the runway is over residential areas of Scappoose. He stated that is something to think about as to whether or not the town, the people that live here is going to be happy with 400% increase in the air traffic over residential parts of Scappoose. He stated the report itself says that one of the reasons we need all this extra land is because Metro expanding out, there is not enough room there and Metro is talking about having another million and some odd people in the next 20 years or something like that and where are they going to put them. He stated they are talking about Hillsboro, Pat talked about it, that it is right in your report, that Scappoose airport is the next Hillsboro PDX because they are getting too much traffic and they want to shift it regional to neighboring airports. He stated he is not quite certain if we are talking about the amount of traffic, why we want to be another Hillsboro Airport or something or another PDX, why would we want to do that. He stated it is nice to have some new jobs out there, he doesn't object to that. He stated incremental development in the jobs is fine but as we look at the map it looks like lots of land around the airport is vacant so do we need another 300 acres when there is nobody on most of the acreage that is already there. He stated now let me ask you if there is the demand for all this land, new land coming into the UGB, if there is all this demand because all these industrial folks want to be there because they are all just waiting to come because we don't have enough land zoned correctly and they are just lined up someplace then why do we need to give them property tax breaks in order to attract them? He asked why do we need to make it into an Enterprise Zone if the reason we are doing this big change in the UGB is because there is all this demand that wants to come here because they need to be by a runway. He asked why then do we need to incent them with the property taxes, in the Enterprise Zone, those property tax breaks. He stated something is not logical there. He stated if we have 27,000 people at the end of this process that it means 4 times as many schools, probably 4 times as much expansion to the sewer system and the water system and everything, who is going to pay for that. He stated that is going to be all of us paying for it, why are we giving property tax breaks to the industry you want to attract to the airport so they won't be paying their fair share. He stated what's going on. He would ask the Planning Commission if they would please keep the record open because we are getting more information as we are going along and we would appreciate that. He thanked the Planning Commission for their time.

Commissioner Schull stated just a clarification Mr. Sheehan said there was some currently airport

land that is vacant, who is that owned by, is that owned by the airport, do we know?

Mike Sheehan replied he is not sure about the ownership. He stated if you look on the aerial photography map and he understands it is current as of right now and it is vacant.

Commissioner Schull thanked Mr. Sheehan.

Chair Negelspach also thanked Mr. Sheehan.

Tony Zeigler, 50893 SW Old Portland Road Scappoose, explained first off that is the southwest area there is all residential down there, there is no commercial anything in that area. He stated everybody lives there, people want to build more houses out there and he moved from Illinois recently, he lived out there 30 years and Scappoose is a great place to live and if you are going to turn that into commercial and you are going to turn all the other into commercial you are ruining your nice living small town atmosphere. He stated you are going to turn it into another Portland, Las Vegas, Seattle, what have you, LA, and he doesn't think we want that, not here in Oregon we don't. He stated it is a nice quiet community here, it is great, but you are not going to get it if you try to turn houses that are already houses into commercial zone. He stated like the person before him that just spoke if we have so many people wanting to come into this area how come we have empty business buildings then. He asked how come we have empty buildings already in Scappoose. He thanked the Planning Commission for their time.

Chair Negelspach thanked Mr. Zeigler.

L. Jean Zeigler, 50893 SW Old Portland Road Scappoose, explained she is not so much opposed to the Urban Growth Boundary as she is to the designation as commercial property. She stated her family owns about 5.5 acres, when they asked if they could build another house on there for her granddaughter and her husband they were told no they couldn't because it wasn't in the Urban Growth Boundary. She stated if it is in the Urban Growth Boundary under commercial the answer will still be no. She stated if we are going to have an Urban Growth Boundary consider all the properties like the old Oregon Meat Company, that is commercial that is sitting there vacant, the Cinnamon Tree that has acreage around it, Dan's Automotive that also has acreage around it, that is already commercial property and leave us home owners to be able to build homes for their children and grandchildren on their property. She thanked the Planning Commission.

Chair Negelspach thanked Ms. Zeigler.

Paul Dinu, 52057 Rabinsky Road Scappoose, stated in view of the good testimony that has come before him, for the sake of not repeating a lot of stuff, he has nothing particular to add, however he would urge the Planning Commission to consider a delay before decision. He stated it appears as though the plan that is under consideration is somewhat one sided. He stated there has been insufficient input, insufficient detailed input from concerned citizens. He thanked the Planning Commission.

Chair Negelspach thanked Mr. Dinu.

Carl Moore, 34546 Moore Road Scappoose, explained he has gone through this before and he doesn't remember any of the Planning Commissioners up there years back when it out here with Sierra Pacific by himself. He stated all these things that you want could have been accomplished and all the jobs could be at the airport now but, he doesn't know how much the City was involved in it, but the Port of St. Helens was involved in it a lot. He stated if it hadn't of been for the Port of St. Helens getting their nose into it and all the places you people are looking for would have been accomplished a long time ago. He stated as far as you are looking for who owns the land out there, the Port of St. Helens owns 3.2 acres that they just bought from the Roth family and the other family out there that owns 14 acres is the Havlik's. He explained the other 7 people out there he called City Planner Brian Varricchione to find out who is going to pay for all the services that have to be brought out there and he informed him that the 7 people that have property out there and live out there will be paying for it. He would like to know how in the heck he figured that, is that halfway fair or anything else for them to have to pay for stuff to come that he is sure the Port will move in their nose in and take whatever they feel like they want. He stated so he hopes the heck that the Planning Commission stops and thinks and goes back and talk to somebody years back that has been through this and find out what he is talking about. He thanked the Planning Commission.

Chair Negelspach thanked Mr. Moore.

Georgie Holsheimer, 50925 SW Old Portland Road Scappoose, read over the letter she gave to the Planning Commission and staff. She wanted to add to her letter to look down on the east side of the railroad tracks. She thanked the Planning Commission.

Chair Negelspach thanked Ms. Holsheimer.

Jan Holsheimer, 50995 SW Old Portland Road Scappoose, explained he has a couple of petitions of the residents affected in the south Scappoose proposal. He gave a couple of handouts to the Planning Commission and staff. He explained he will try to sum this up quickly. He explained the City just allowed a huge housing development to be built on Old Portland Road and Callahan Hill and now you want to turn it into a commercial zone 100 feet from it. He stated you have a cemetery, who is going to build a business next to a cemetery. He explained the Urban Growth Boundary line they are proposing splits his piece of ground in two; one part residential, one part commercial. He asked how are you going to tax that. He stated the land is in farm deferral, you will cost him a lot of money to take it out of farm deferral. He stated Jackson Creek is a fishing bearing creek. He stated it doesn't make a lot of sense to him, but what does he know. He stated regarding the airport, he doesn't think we have to worry about Scappoose becoming a main commuter airline airport. He stated he has worked at Portland Airport 26 years. He stated the Port of Portland has a third runway already proposed, it will parallel the other two main runways, possible option of an additional crosswind runway. He stated Hillsboro already has an airport that can take commuter airlines. He stated they have light rail already set up, he hasn't seen much light rail headed to Scappoose. He stated Aurora Airport can take heavy airplanes, meaning all sizes. He stated there is a little company called Evergreen Airlines down there. He stated light rail is rapidly headed down there and he doesn't think Scappoose is on the list in the next 20 years for a major airport. He entered into record two separate petitions of the major land owners of vast majority of land owners in Southwest Scappoose to be

entered into record opposing this. He thanked the Planning Commission.

Chair Negelspach thanked Mr. Holsheimer.

Debi Green, PO Box 59 Scappoose, explained she has been a resident in Scappoose for 40 years. She explained she lives 100 feet away from the Crown Zellerbach Trail for 40 years. She explained her daughter and granddaughter learned how to ride their bikes on the Trail. She stated there are probably at least 100 people a day walking their dogs, or getting their exercise or teaching their kids to ride their bikes on the trail. She stated the trail already cuts through the wetland that leads from Jackson Creek into Evans Slough and Santosh Slough and she wonders if anyone has done a study on what the slough does. She explained it is a water filtration system and we are having enough water problems around the world already without basically ruining the sloughs. She explained there used to be a really big Coho Salmon run up Jackson Creek but that was taken care of by the Corps of Engineers when they built the dike. She stated but there still are a few salmon that do make it up Jackson Creek and not many make it back out. She explained the Santosh slough has already had a lot of problems; it is already on the superfund and what this is going to do to that area and the watershed, who knows. She explained she doesn't know if anyone has done a study about that. She also has a concern about why we have even allowed the Economic Opportunity Analysis to be paid for by the people that it benefits. She stated no one else paid into it, no one else had a say in it except for the people that it will directly benefit.

Chair Negelspach thanked Ms. Green.

Lona Pierce, 56498 Crest Drive Warren, explained the reason she is here, even though she doesn't live in Scappoose is because quite frequently they do come down and use Crown Zellerbach Trail out on the dike lands if they want to go for a walk. One of their favorite places is to the use that trail and so she was a little bit shocked to read in the Spotlight and she wanted to thank Pat Zimmerman and Mike Sheehan for their letters to the editor because without those she would not have even known about this. She stated it is just amazing how such a big plan can kind of sneak up on you like this and so she really appreciates the Spotlight giving them a heads up like they did. She stated because she hasn't read all the details in the report she doesn't know a lot of the plan, she stated you mentioned you are going to have a park, but how big is the regional park going to be, is it going to be 10 acres, it is vague, is it going to be 50 acres, is it going to be a nature park, is it going to be baseball fields, it is going to be just a trail maybe, buffer along the trail if you decide to keep it. She stated should like to know more about that, it makes a big difference just saying vaguely well we are going to have a park and maybe it is an acreage, a useless acres somewhere. She stated well that doesn't even count, so really if you are going to do that then make it worthwhile and personally she would like to see a nature park because there is so little of that available to residents in Columbia County, it really is important. She stated the Spotlight also said that apparently that because Crown Zellerbach Road was a trail that is designated to be a road, a service road to this new development years and years ago, therefore we have to do it. Well obviously that is not true, maybe it was a bad idea years and years ago and now we have an opportunity to correct a bad idea and obviously this trail is just heavily used, not only do they come here, she knows people from Portland who come out here to use the Scappoose dike lands. She stated it is just a nice natural area. She stated she understands that they want to add some industry around the Scappoose Airpark. She stated she thinks they are

overreaching with the amount of land for all the reasons already said and she stated she doesn't know what kind of design plans are already in stock for the industrial area. She stated oftentimes by the time a design gets in front of a Planning Commission it is all set and done and if somebody protests well that's too bad because they have already spent thousands of dollars on their design and they are unwilling to make too many changes. She stated so often they are biological dead zones when you have an industrial area. She stated there is not reason that they have to be that way and she would like to see, she is talking about this now, but when it is designed she would like to see a little bit thought put into nature instead of just lawns because we need a little bit more areas where wildlife can live, where bumble bees can go, they are being endangered species because we don't bother saving just a few acres of nature area for these kind of animals, it is ridiculous, just a little bit of thought. She stated we always get these urban designers who don't know a darn thing about nature designing industrial parks and they could be really sustainable and good stewardship and they are usually not so she hopes the developer goes to the Audobon Society or someone who can give them some good ideas assuming some of this expansion goes through. She stated just doing it in an ecologically sound way. She stated it would really be a tragedy to mess up the Crown Z Trail, she hopes it stays open all the way to the Multnomah Channel like it is now and it is something important for the people here. She stated jobs are important but so is a livable community important and you have a lot of people here who really love small towns and she thinks that should be honored as well as providing jobs. She thanked the Planning Commission.

Chair Negelspach thanked Ms. Pierce.

Lisa Smith, 33567 SE Maple Street Scappoose, read over her letter that she submitted to the Planning Commission and staff. She stated the Planning Commission in their packets got some tables that are not legible; she thinks they are in about 4 point type but on those are the new proposed uses and she has some questions about them. She actually called them pandora planning because no one can tell you what's going to come out of the box once you open it. She stated under the uses, it really makes her nervous when she sees etc. in a list of permitted uses for planning. She stated on the industrial side we don't need anything. She stated she just had asked City Recorder Susan Reeves to make copies for the Planning Commission and staff that she wasn't going to give them this evening but the question came up about how much land is available. She explained she took the tax maps and looked at the land that is zoned Public Use Airport today it is in our Urban Growth Boundary and it is zoned Public Use Airport and she looked at all the stuff that was vacant, not built on and she doesn't consider property to be developed simply because it has been subdivided. She stated if there is not a building on it she counted it as vacant. She explained we have 315 acres of Public Use Airport Land and of that 154 acres are vacant today. She would ask that the Planning Commission continue the public hearing at least to September 23. She likes the idea of the lengthy citizen involvement process as well. She thought that would be really nice for this community considering, she can honestly say, that this is in fact the largest application this City has ever received. She thanked the Planning Commission for volunteering to be Planning Commissioners and for listening to our concerns.

Chair Negelspach thanked Ms. Smith.

Chair Negelspach explained he wanted to let people know there is still an opportunity if they didn't

provide a request to speak. He asked if anyone else would like to come and speak tonight.

Marie Gadotti, 33717 Johnsons Landing Road Scappoose, stated she would like to thank the Planning Commission for giving her an opportunity to speak before them tonight. She explained she too hopes that the Planning Commission will keep the record open for written testimony and possibly another public hearing on the 23<sup>rd</sup>. She explained her family grew up out here and they raised their kids out here and this community is more than the citizens that live in Scappoose, this is about all of us. She stated to change and move your UGB and target just the airport property she is certainly for jobs and she is certainly not opposed to some of that growth going on but what she is opposed to is that we have a City that has growth that just basically goes to the airport. She stated we have a 5 million dollar crossing at Havlik Drive and we have some problems with roads and getting out onto the highway and we need some connector roads. She stated there are some other needs that this City needs and to get those we have to be moving the UGB. She stated she thinks there needs to be more time and thought put into to what is best for all of us and again she is certainly not opposed to new jobs coming in, it is just what do we want the City to look like as a whole and how do we help all the other parts of Scappoose be able to grow and prosper without more congestion that we are seeing every day but we do have a 5 million dollar crossing there that really could add some benefits to those of us in Agriculture and those that are out there as City residential, as commercial enterprises, so she would urge the Planning Commission to look at the bigger picture. She thanked the Planning Commission.

Chair Negelsbach thanked Ms. Gadotti.

Brian Rosenthal stated there were some comments made and this is specifically referenced to commercial, nothing to do with airport, that there are lots of vacancies in Scappoose and there is not need for any more commercial land, it is actually not true. He explained for quality space that is affordable, for small to medium size businesses, meaning not a space of 6,000 square feet, but 500 or 1,000 square feet, there is not much available. He stated he has the most small units of commercial landlords in town and he is currently renting at 97% occupancy. He explained he has one 500 square foot space available. He stated when they talk about, the key here is affordable and quality. He stated if it is expensive businesses out here can't afford it, so then the businesses don't set up. He stated if it is too large then they can't use the square footage so again they don't set up. He stated in order for him to provide that for people he has to have affordable land and there is no affordable land in good locations in Scappoose right now. He stated when people say there is no need, there is a need. He stated he has about 17 or 18 commercial units in Scappoose and he has one vacancy. He stated there is no desirable commercial land from his perspective currently for sale in Scappoose at an affordable price to be able to provide tenants with an affordable place where they can set up their business and make a living for themselves and their families. He stated people talk about why isn't there more done in "Old Town". He stated actually he has built three buildings in "Old Town". He is very committed to "Old Town" but there is no available land here right now that is desirable at an affordable price. He stated his goal is to build more in "Old Town" but other land other opportunities for other small business, and there are some small businesses that don't want to locate in "Old Town" because they need that visibility from the highway. He stated one of the main economic assets of Scappoose, it is also a detriment in some ways, is the highway, it brings a lot of people through the community and that visibility from the highway is very important for certain types

of business and he would like to be able to provide them with an opportunity for that visibility hopefully helping all of Scappoose have more jobs and more economic activity. He stated there was talk about the south versus the north for commercial location. He explained he particularly likes the south for a few reasons; first of all it is where businesses want to locate. He stated if you talk to businesses who want highway frontage, not "Old Town", generally they want in it the south end because you get more traffic that way. He stated there are a lot of people that live in the south end of Scappoose and when they head south they either head south to Portland metro for work so more of the town would see your business if you are in the south end. He stated it is also closer, hopefully we can draw some businesses out from Portland to locate out here and if some of their people are commuting in Scappoose doesn't really want them driving through their City clogging up the road so if you put it at the south end of town it is going to reduce the traffic impact. He stated several people mention strip malls, they don't want strip malls. He stated he doesn't feel he builds strip malls and he doesn't think you have to have strip malls. He thinks you can provide people attractive commercial space and it doesn't have to be strip malls. He explained strip mall has the connotations of cinderblock buildings and big parking lots and yuckiness. He explained the buildings across the street are his, they are not ugly and they blend in very well with residential that is only a block or less away from here. He thanked Planning Commission for listening.

Chair Negelspach thanked Mr. Rosenthal.

Sandy Kraft, PO Box 854 St. Helens explained she is a property owner in Scappoose. She stated she hasn't heard anything about the noise levels and the livability and she is not sure how the traffic is going to change. She stated she understand the Crown Zellerbach Road will become a major highway and ODOT, it looks like, are doing some studies but she is not sure that they are aware that the homes, at least the Buena Vista Homes along there are all two story homes. She explained there is a cement wall that only goes up about one story and there are already a huge number of trucks, she thinks it is the gravel and the sand trucks and all those that are coming from Beaver Bark and Sand and Gravel and they are very noisy and the increased traffic will create an unlivable situation, she thinks, as far as the noise is concerned.

Chair Negelspach thanked Ms. Kraft.

Julie Vance, 53821 Ring A Ring Road Scappoose, explained she can only speak on a personal level. She explained their property line and the fence line of the airport abuts each other. She explained they moved to Scappoose in early 90 to raise their kids and a family. She explained they moved out rural and she is not opposed to growth but what she is really curious and wanting to know is with all this expansion and everything that is going on they can't afford to pay to hook up to City water, they can't afford to hook up to sewer. She stated her husband, Bill, as you know worked for Boise. He is one of the men that Lisa was talking about that lost his job and they fight every day to make their house payment, to own their little tiny piece of land that they have and she just doesn't know what they would do, they are just like strapped and their mortgage company, like all the other ones, is not going to give them any more money to hook up to water and to do all that kind of stuff. She stated just as a homeowner trying to own their little piece of the pie to live quietly most of the time she would vote no and she hasn't been a registered voter for very long, she is not proud of that, but there are a few things when she turned a certain age said she needs to vote for more schools for our kids,

her kids are almost out and she is all for that. She stated she just wants to live out there, be left alone, do what they do and barely make ends meet. She thanked the Planning Commission.

Chair Negelspach thanked Ms. Vance.

Tom McInnis stated with the projections we that we are putting forward with the population and also with the job growth projections they are putting forth as far as population he believes Brian mentioned earlier there had been no residential land needs study done. He stated we might be putting the cart a little bit before the horse if we are not looking at a residential land study also. He stated if we have all these proposed jobs, where are these people going to live. He stated if you take away the residential land and make commercial out of it you have reduced the footprint for the availability of the residential land. He stated without a study he doesn't even know how you can ascertain how much residential land is going to be needed. He stated he would request that you might want to look at another portion of this section just to see how much residential is going to be needed in the next 20 years, which he doesn't think has been addressed. He thanked the Planning Commission for the additional time.

Chair Negelspach thanked Mr. McInnis.

Linda Di Pietro, 52626 North Road Scappoose, stated she is very proud that she is among some very well schooled people, they have brought up some incredible points and she lives probably within 100 feet of one of those lines. She explained last night one of our community members called her to ask if she knew about this meeting, she received no information. She stated maybe the law says she doesn't need to receive any but she is a little surprised by that. She stated in hearing many of the points that people have brought up questioning this analysis, she really encourages the Planning Commission to look carefully at what has been proposed, listen to what these people have questioned, she has a feeling they have done a lot of research, she commends them for that. She stated we do need to take more time. She stated these numbers just do not make sense and she would like to hear what is going to happen within 100 feet of where she is, that would be nice. She stated she sees the airport in the winter when there are no leaves on the trees, that is pretty close to her and she is all for all kinds of growth, economic development with the question answered what will it cost, can we afford some of the things that it takes to get some of our goals. She stated sometimes it is way too expensive and our quality of life is very valuable here. She thanked the Planning Commission.

Chair Negelspach thanked Ms. Di Pietro.

Renee Dirks, 52746 NE West Lane Road Scappoose explained her house is on the corner of West Lane and Crown Zellerbach. She stated what she would like to ask every one of you is how do you propose to take an old one lane logging road and turn it into a two lane road with sidewalks on both side and supposedly a walking trail when the logging road is 30 feet from her house. She stated it doesn't make any sense and it doesn't add up. She stated you have all this land that you want to put with this much land to use and it doesn't add up. She asked why are you going to change a perfectly usable walking road where 100 of people use it, she should know, every single day and you are going to screw it up when you have right down the road from here a brand new road that they have put in and the only people that use is are the fire station. She asked why, what is the fire station doing. She



explained they go past her house at least once a week, they go down there and they park, what are they doing, she would really like to know because they go down with their lights and sirens and everything else.

Commissioner Cairns explained the Fire District is doing training on that road.

Renee Dirks stated she is not sure how much it cost them to make that road and it sits there empty and the only people obviously are using it is the fire department, doesn't make a lot of sense does it.

Chair Negelspach replied good questions. He thanked Ms. Dirks for her comments.

Chair Negelspach asked if we have anyone else who would like to speak. He stated if not he thinks we will get to a discussion about some of these comments, questions and begin to hopefully flush out some answers.

Lisa Smith asked if the Planning Commission is closing the public hearing or are you going to continue the public hearing.

Chair Negelspach replied no, we are not going to close the public hearing.

Lisa Smith asked how long will it be extended, how long before the decision is made.

Chair Negelspach replied they won't take action to close the hearing until they have addressed these comments and that probably won't happen tonight.

Lisa Smith asked if the Planning Commission is continuing it to a date certain for instance Sept 23.

Chair Negelspach replied the Planning Commission will continue the hearing.

Chair Negelspach recessed at 8:40 p.m. and reconvened at 8:55 p.m.

Chair Negelspach stated he would like to thank everybody for making their comments tonight and all the written responses. He stated we had some great comments and it is obvious that everyone has read through, or a lot of you have read through the material and we have got some great history here on some of the issues. He stated he is going to lay out some steps here. He explained tonight we won't close the hearing to public testimony. He explained he would like our consultant team to address some specific issues that were brought up tonight and come back at a date, he believes we have September 23 scheduled for our next hearing at 7:00 p.m. He stated we will have the consultant team come back and address those comments and then we will follow that up with further public testimony or questions for the consultant team at that time. He stated that will give everyone some time to think and the consultant team time to address your questions. He stated that will give us all a little more time to consider the comments. He stated he thinks before we wrap up tonight the consultant team wanted to make some brief comments. He explained he will go ahead and give them an opportunity to summarize their thoughts.

Pat Zimmerman asked if there is additional information that just shows up at the September 23<sup>rd</sup>

meeting that doesn't give the public any time at all to understand which may be very complex technical work and respond to it. She thinks it is appropriate to give them the chance to respond but give us a chance to respond next month.

Chair Negelspach replied he doesn't think we are going to commit to closing the hearing on September 23<sup>rd</sup>. He explained we want to make sure that we are going to vet all of the comments and if we don't have consensus and we have some issues we will choose to allow some more time.

Pat Zimmerman replied okay, thank you.

Chair Negelspach explained at this time he would like to invite the consultant team in no particular order, if they would like to make any comments or respond in any way to start that process.

Jerry Johnson, Johnson-Reid, stated as the author of the "ludicrous", "absurd" study he will start. He stated first off he thinks there is a basic misunderstanding of what an EOA is and how the forecasts differ from the population forecast. He explained the projections in the analysis are what are termed aspirational, which is actually part of it and what that is basically a community's expression of what they would like to see happen and maybe we do need more public outreach for community expression but that is what they got out of the technical advisory committee, which was our community outreach piece, which was an aspiration to grow and to grow relatively aggressively. He stated they take a look at numbers that seem very aggressive and they are very aggressive if you take a look particularly in Region 1. He stated keep in mind Region 1 Columbia County is grouped in with Clatsop and Tillamook Counties as an economic region. He stated if you take a look at the Federal statistics on a consolidated metropolitan statistical areas Columbia County is included with the Portland Vancouver CSMA and reflects the fact that we would believe to be the case as well particularly that the City of Scappoose functions more as in out, activity in Scappoose is more related to what occurs in the broader Portland Vancouver metropolitan area than what occurs in Tillamook and Clatsop Counties. He explained because of that we took a look at that particular area as being somewhat more relevant to this. He stated the State basically breaks down the regions for the labor market statistical areas more or less by driving time and so they sort of clumped in Columbia County with Clatsop and Tillamook. He stated if we take a look at the forecast, the forecast 7.6% per year; first of all that is an average annual rate, it clearly doesn't mean it is happening this year. He stated it clearly hasn't happened. He explained the forecast for Metro or any other community, it was very much a down year. He explained there was no intent that we would leave those years off, it was just a data set that lags because of covered employment data availability so it dates back a couple of years. He stated we do take a look at things in going forward. He explained you need to understand while that is a very large number the 8,000 jobs we are talking about is over a 20 year forecast period is actually represents about 2% of the growth that the Portland Metropolitan area as a whole would be expecting during the same time period and if you take a look at their own internal models that Metro produces they are anticipating that 20% won't be accommodated locally, so that means about 10% of the growth that the Metropolitan area is expecting that they will not be able to accommodate would be plausible to be located in Scappoose County. He stated he sees these as aggressive forecast but we don't see them implausible. He stated we could plausibly go for the forecast that you would decline unemployment for the next 20 years as well, basically there is a range of plausible arguments that you could make and the reason it is

aspirational is because the community gets to make a decision as to what it would like to see and the expressed decision that we got through the TAC was that the City has interest in growth and it would like to aggressively pursue growth and the economy and those numbers reflect that. He stated so we don't see them as absurd as they are made out to be. He stated there was also a comment that he wanted to address quickly on Ms. Smith's document that basically zoning land increases its value. He stated zoning land doesn't increase its value or bringing in the Urban Growth Boundary doesn't increase the value. It increases the property tax bill potential. He stated if there is not a buyer, if there is not actually a real plausible tangible expectation that there is a buyer for that land there is no increase in value, you have got to have a transaction, you have got to have the other side of the transaction to make that increase in value. He stated so just saying changing the zone if there is no need for it, that doesn't do anything as far as changing the value. He stated he just threw that out because it is sort of an odd thing and it just sort of bothered him when he first read it because it didn't make a lot of sense to him but we will try to get in writing a much more detailed response to the issues that are brought up, read all the materials, some of them are fairly lengthy and get a response to the Planning Commission on different issues.

Chair Negelspach replied certainly he wanted to explore that 7.6% year over year increase. He stated that was a good comment, get some background on that.

Commissioner Cairns stated he would like to address the comments on Crown Zellerbach Road issue. He would like to see some comments on that.

Chair Negelspach asked any more comments on the EOA.

Commissioner Blank stated it might be helpful and educational if they couple explain why and how the EOA committee arrived at suggesting the locations in the expansions of the growth boundary. He explained there seems to be a group here from basically the Crown Zellerbach area and Old Portland Road that oppose and some around the airport but is there a reason their neighborhood areas are being selected for this expansion that they might be aware of.

Jesse Winterowd, Winterbrook Planning, explained we had identified needs in the EOA commercial and industrial being the major categories. He stated in the northeast we are looking at primarily an industrial expansion. He explained the reason why we are proposing the expansion in the northeast is because it is the only place with both large lots and the lower soil quality and the State priority for expansion directs growth toward lower quality soils prior to higher quality soils. He explained the options for the larger sites were northeast or southeast and southeast had higher quality soils, so northeast is where we went with that, so that is why it is out that way. He explained the southwest area as expressed by a number of people tonight is rural residential and that is actually the highest priority for expansion in the Scappoose area under State Law. He explained the reason why we can't go there for the large lots is because it is cut, it is smaller lots and that is why it received a rural residential designation in the first place because it is non-resource, non-forest land but due to the different needs for commercial than for industrial in terms of consolidating land and land value that area was viable for potential commercial growth and it was either there or to the north as suggested tonight. He explained the committee asked them to go south instead of north. He stated there is need for another 12 or so acres of commercial land that we didn't include in this proposal that we could

add in the north. He explained the other option if the City isn't interested in going for additional commercial land is to predict less growth in commercial to capture less of the commercial leakage, as they say, and you would have less of a need for commercial land growth but in terms of directions of growth, there are only a couple of directions that you could go for commercial and that is close to the highway and the rural residential was higher priority for expansion then again the southeast area is the higher class soils farmland. He stated so that is why we went to the southeast there.

Chair Negelspach stated there was also a comment made about developing east of Highway 30 at the new Havlik connection or the new light there, can you talk about that.

Jesse Winterowd explained this area (showing the Planning Commission on a map) in the packet they have soil class maps that show this is primarily Class II soils right next to the highway which is next to the highest soil classes as possible. He stated with commercial when you can go to rural residential to meet that need going to the highest soil class available in the Scappoose area would be against the State Planning priorities and we had DLCD at the meeting and they were very strongly against any expansion within the high class soils for any use commercial and industrial.

Commissioner Cairns replied that is east quite a ways, just not right along the highway, the whole area down to like Means Nursery, all the way across that area is the same right?

Jesse Winterowd replied no it is a mix. He explained Class II is near the highway and there are some wetland areas and there is a mix of Class II and Class III as you go further back.

Chair Negelspach asked if there are exceptions to that way of prioritizing properties to consider other than soil classifications. He stated obviously a lot of money was spent at the intersection there to provide a future connection that he thinks folks hope would become developed much like the other side of the road. He asked is there a way to have that be considered since a considerable amount of money was spent on that intersection.

Jesse Winterowd replied the amount of investment is not one of the exceptions allowed under State Law. He stated you can have an exception to the priorities if you need to go some place to reach higher priority land. So if you need to pass through or you need to extend services but in this case you wouldn't really qualify for the Statutory exceptions to bring the farm land in. He stated while there are exceptions they are pretty hard to meet.

Chair Negelspach stated there is no mitigation where you would take land out potentially and bring farm land in but do a zone change on land that is zoned perhaps in another way to kind of do a mitigation.

Jesse Winterowd replied no.

Jesse Winterowd stated the commercial property that we are talking about expanding the other option for commercial was along Highway 30 on the north end and it is along the highway.

Tom McInnis asked about going to the southwest and whether they were swayed by perhaps one individual on the advisory committee.

Jesse Winterowd replied what he does know is that we got a recommendation to not go to the north but to go southwest so they are the same priority for them.

Tom McInnis replied it is just a matter of how we arrived at it.

Marie Gadotti asked for clarification on Jesse's comment that you can go through Agricultural land if it is for a purpose.

Jesse Winterowd replied yes.

Marie Gadotti replied like a connector road.

Jesse Winterowd replied well you would have to make an exception to get that. He stated you could propose it and it would be opposed and you would lose.

Marie Gadotti replied in your opinion we would lose but not the opinion of other planners.

Jeff Bennett, Legal Counsel, stated he thinks part of the challenge that maybe Jesse's not saying from what he understands factually if you were to go through the Agricultural land on the south end of town to get to the Class II and Class III land to the east of the Class II land you would then be considering land that is Class II and Class III Agricultural land, whereas the land that you are looking at up north is by far predominately Class III Agricultural land so if you were to compare the alternative to the north to the alternative to the south the State Statutory priority list would require you to chose the lands to the north because it is predominately Class III soil whereas the land to the south is not.

Lisa Smith asked is that a result of the criteria perhaps that the committees site needs not being locational specific. She stated for instance if you say it doesn't have to be on the highway then you can pretty much say you are going to have to address that stuff but it is mandatory that the use be along the highway then perhaps that is locational specific and the Class III soils on the north end of the runway aren't going to address that need.

Scott Shumaker, Otak explained he heard a couple questions on the Crown Z; one was what is going to happen to the trail that is currently in that right-of-way. He stated the trail would need to be relocated to the side of a new roadway that would be developed there. He stated another comment he heard, a couple of comments about environmental existing wetlands and Jackson Creek; those are all issues that would come up during the design process during for a roadway and there are laws and codes and requirements when you encounter wetlands and that is when mitigation type options happen. He explained that hasn't been studied at this point. He stated we are not proposing a road with this proposal, that is a detail that would happen later in the process essentially. He stated the third comment he heard was a spacing issue and he thinks that was at the intersection with West Lane and there would need to be some right-of-way dedication but he doesn't believe it is from the property owner that was speaking, but yes there would need to be a right-of-way dedication right at the intersection there. He stated the last comment was that that roadway is part of the TSP, it is

looked at as a future need. He stated if there is a restudy of the area and the road is removed for some reason, that would be removed from the TSP, but as it stands today that is part of the future road network that has been planned for the City.

Chair Negelspace thanked Scott.

Jeff Bennett, Legal Counsel asked Chair Negelspace if he could make one recommendation he talked about a process before that he would like the staff and the consultant team to come back to the Planning Commission with formal answers to a lot of the issues that were raised tonight. He would highly recommend that he puts that on a schedule, in other words he thinks you want to make sure that you get that information to you well in advance of the hearing that would be available to the public well in advance to the hearing. He stated if you are looking to having the hearing on September 23 which is two weeks from tonight, he would recommend that the deadline for getting that information into the public domain so that is available for people to look at maybe be a week from today or a week from tomorrow.

Chair Negelspace stated he would like to get comments back, written response a week from tomorrow if that is possible.

Jeff Bennett replied so due by September 17.

Chair Negelspace thanked everybody for coming out tonight and providing comments. He stated they have a lot of information to consider.

Chair Negelspace asked how would they get that information distributed out to those interested in picking up items.

City Planner Brian Varricchione replied copies will be made available at City Hall or the Community Development Center a week from tomorrow.

Commissioner Blank moved and Commissioner Cairns seconded the motion to continue the motion to September 23, 2010 at 7:00 p.m. to address public comments. Motion passed (7-0). Chair Negelspace, aye; Commissioner Blank, aye; Commissioner Frenz, aye, Commissioner Dackins, aye; Commissioner Cairns, aye; Commissioner McGarry, aye and Commissioner Schull, aye.

## **COMMUNICATIONS**

### **Calendar Check ~ Next meeting September 23, 2010**

#### **Commission Comments**

Commissioner Frenz would like some of the materials to be more readable.

#### **Staff Comments**

City Planner Brian Varricchione stated he thinks there was some very good testimony tonight and he

appreciates that the Planning Commission is willing to extend the time period for consideration and give the consultant team time to respond, he thinks that was a good move for lots of reasons.

Welcome Jill Schull as the newest member of the Planning Commission.

Welcome back Don Dackins.

## **ADJOURNMENT**

Chair Negelspach adjourned the meeting at 9:53 p.m.

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Chair Negelspach

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Susan M. Reeves, CMC  
City Recorder