

**REGULAR CITY COUNCIL MEETING
JANUARY 3, 2011 AT 7:00 P.M.
SCAPPOOSE HIGH SCHOOL AUDITORIUM
SCAPPOOSE, OREGON**

Mayor Burge called the City Council Meeting to order at 7:00 p.m.

Flag Salute

Oath of Office

Oath of Office Mayor Scott Burge ~ administered by Municipal Court Judge Diana M. Shera Taylor

Oath of Office Councilors Ingham, Meres and Reed ~ administered by Municipal Court Judge Diana M. Shera Taylor

Attendance:

City Council Members:

Scott Burge	Mayor
Jeff Bernhard	Council President
Donna Gedlich	Councilor
Judie Ingham	Councilor
Larry P. Meres	Councilor
Jeff Erickson	Councilor
Mark Reed	Councilor

Jeff Bennett	Legal Counsel
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Staff:

Brian Varricchione	City Planner
Doug Greisen	Police Chief
Susan Reeves	City Recorder

Press:

Josey Bartlett	The Chronicle
Stover Harger	The Spotlight

Excused: City Manager Jon Hanken

Election of Council President

Councilor Ingham moved and Councilor Erickson seconded the motion that Councilor Jeff Bernhard be elected as Council President.

Councilor Meres stated he believes this Council should give everybody an opportunity to serve as Council President and Jeff has been there for 2 years. I would like to see somebody else.

Mayor Burge replied his response is that I appreciate Jeff's service and I work very well with him and would like to see him continue as Council President. He asked if there was any other discussion. Seeing none, all those in favor state by saying aye.

Motion passed (5-2). Mayor Burge, aye; Council President Bernhard, aye; Councilor Ingham, aye; Councilor Erickson, aye and Councilor Reed, aye. Councilor Gedlich, nay and Councilor Meres, nay.

Approval of the Agenda

Councilor Ingham moved and Council President Bernhard seconded the motion to approve the agenda. Motion passed (7-0). Mayor Burge, aye; Council President Bernhard, aye; Councilor Gedlich, aye; Councilor Ingham, aye; Councilor Meres, aye; Councilor Erickson, aye and Councilor Reed, aye.

Public Comments

There were no public comments on items that were not on the agenda.

Consent Agenda

December 6, 2010 City Council Meeting Minutes and December 20, 2010 City Council Meeting Minutes

Councilor Ingham moved and Council President Bernhard seconded the motion to approve the December 6, 2010 City Council Meeting Minutes and December 20, 2010 City Council Meeting Minutes. Motion passed (7-0). Mayor Burge, aye; Council President Bernhard, aye; Councilor Gedlich, aye; Councilor Ingham, aye; Councilor Meres, aye; Councilor Erickson, aye and Councilor Reed, aye.

Old Business ~ continuation from December 6, 2010 on 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

Mayor Burge read the opening statement: I am calling this public hearing to order to consider an application for a 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. There shall be no audience demonstration or other conduct which would disrupt the hearing. The order of the hearing is the staff report and Planning Commission report, then proponents, then opponents, then neutral participants, then a staff response, then any questions the City Council may have. Thereafter, the hearing is closed for consideration of the matter by the

Council. The staff and Planning Commission reports and proponents' testimony was provided at a prior meeting so tonight's hearing will begin with testimony from those opposed to the application.

Mayor Burge stated there are many people that have requested to speak in opposition tonight so I am going to try to keep it at 5 minutes, if that is okay with everyone. A 5 minute time limit on testimony, just because of the numbers so we can get through them and try to get through everyone tonight. So without anything further lets go ahead and start with Mia Nelson, if you could please step forward. Good evening, please state your name and address for the record.

Good evening, I am Mia Nelson and I'm representing 1000 Friends of Oregon. My address is 220 East 11th Avenue # 5, Eugene, 97401. She explained she wasn't aware that there was going to be a 5 minute limit imposed. She hopes she hits all her points, she probably would have written it out if she had known. She first just wants to touch on their letter which was 18 pages long and it might have been a bit overwhelming and based on some feedback that she has gotten she wants to correct if there is a perception among you that it was not supportive of your overall vision for Scappoose. It wasn't about that. She wants to be clear about what their letter is and what it isn't. She did a focused review of your EOA, that is pretty much all she did and her letter was not directed at anything beyond the EOA and she wants to talk about why she focused on the EOA and why you should too. When she read the EOA it became pretty clear to her that there was a lack of foundational support for the conclusions that it drew and the reason why you should care about that is because it makes it an inadequate plan for you to base the future of your city on and she thinks that it is important when you are doing planning to realize that it is not just papers on the shelf, it's what's going to guide a lot of the decisions and a lot of the money that the City spends over the next 20 years and more than that it is also the document that you are asking the citizens who are going to be affected by this change to rely upon and put their trust in and she thinks that instead of being something that is seen as an attack when someone criticizes a draft plan, she hopes you could embrace her comments as an effort to make the final product better. We are just at the stage that this is a plan on paper and these comments are to try to help the plan, the final plan that you wind up taking forward be a better plan and when she read your EOA the first thing that jumped out at her is that what was actually proposed in the Comprehensive Plan Amendments was a 2028 job forecast of 10,492 jobs and the very odd thing is that the EOA itself, which the amendments are suppose to be based on, forecast far fewer jobs than that in 2030 it was 8,927. So the weird thing is, is that while the table that was the end conclusion of the EOA was changed, the data in the EOA, none of the numbers in your EOA were changed. This is discrepancy is described on pages 2 and 3 of her letter. So right away in the first two minutes of her looking at this she saw there was a pretty big problem with your plan because for you to make big changes in the conclusion of a document without the document changing it indicates something that she calls reverse engineering and that is a very bad thing. That is when you start with the conclusion and you put the justification in at the end and there's not a clear linkage between what is in the plan and what comes out at the other end. She found numerous examples of that all through this proposal where the plan said one thing and the conclusion said something totally different. She sees a lot of reverse engineering in communities and one of the ways it can really come back to bite you is a lot of times it is based on what the community hopes will happen and she got the sense that you hope that there are a lot of jobs here. There's nothing wrong with that but when there isn't a plan that actually backs that up and make that a reality you are actually planning for something that isn't real and you can start spending money on ideas that aren't sound. A lot of times an idea is put forward that the reason there aren't jobs in a community is that the problem is that there needs to be more land in the UGB and that is common. She can tell you all over the State, cities who don't have enough jobs think that it is because there isn't enough

land in the UGB and that is a real tempting thing to think because you can control that and we so want it to be that but so often when you put the land in the UGB and you don't actually get the jobs and the reason is because that wasn't the actual problem and so when you focus your efforts on just getting land in the UGB and not on figuring why is the land you already have in the UGB why do you not have businesses and jobs there already because you do have quite a bit of land. You're not actually going to get your hands on what's holding your community back, all you are going to get is a bunch of land in the UGB. She could speak a lot more about how much she hopes that you do just stop now and take the time and go back and fix these foundational errors in your document. So when you are finished you have a plan that is realistic because if you wanted really to have 10,000 jobs in your City in 20 years, you are going to have to do a lot more than just put land in the UGB. It is going to take a very serious hard hitting effort from this City to make that happen and you are going to have to start spending money tomorrow to make that happen. She doesn't have an opinion on whether that is a valid goal for you or not but she can tell you based on what is written here in this plan is this isn't enough to make that happen. All this is good enough to do is get land in the UGB and that is a real, real different thing.

Councilor Gedlich asked Ms. Nelson if she could stay there for just a moment to see if there is anyone in the audience that had any questions or if she had a few more highlights that she wanted to inform them. She wouldn't mind listening for another minute or if she has answers to peoples questions.

Mayor Burge called on Lisa Smith.

Lisa Smith, from the audience, made a request that Ms. Nelson continue if people wanted to hear what she said. She said it was important to hear from everyone, not just the proponents.

Mayor Burge stated he would be willing to give Mia Nelson five more minutes because she came a long way.

Mia Nelson explained one of the things about this EOA is how different it is, the future that you have mapped out for Scappoose is from historical and the more that you deviate from what has happened before, the more rigorous you have to be about laying out why your future is going to be different. She stated she is sure your consultants told you it is permitted to make plans that are aspirational and that do contain departure from historical trend but they need to be backed up with some very solid reasons about why things will be different and some of the things that are listed in the EOA as reasons are incorrect. Like for example, it states that there's a shortage of large lots in the Metro area and she has submitted evidence that that isn't actually the case and it makes a lot of assumptions just that things are going to grow better. It assumes the doubling of the amount that you have captured from the Portland employment job base but it doesn't say how you are going to do that. There are a lot of examples in here about, for example too, the retail sales, there's an assumption in there that you are going to go from capturing almost, very small percentage of the large item, the big ticket retail, like cars and boats and electronics. Most people that live here don't buy those things here. The EOA assumes that everybody, every person in your community is going to buy everything here but it doesn't say how, it just predicts that you're going to need all this land to accommodate, you know all this retail sales area but there's no link up between how you are actually going to make that happen. That is true with the industrial too that you are going to have way, way more jobs, like four times more jobs than would be reasonable projection based on the

historical which doesn't say how you are going to make that happen other than putting land in and this is what she calls a hide and watch strategy and a lot of communities try this where they put land in a UGB and they zone it for a use that they would like to see and then they step back and say well now we are just going to wait, we are going to wait to see what happens and if that is your idea that you are going to put this big chunk of land in and then sit back and wait and not do anything else and then all of this stuff is going to happen, you are relying on the hide and watch strategy. In her experience it doesn't tend to work that well unless you are just lucky, because what you are trying to do here is change your future but you have to do more than just put land in. So there's sort of two risks here; one is that we're going to take land and put it in the UGB and it will just sit and not do anything but there is an even worse problem than that, once you do that you can't put other land in. Okay, so if you put all this land in thinking all these things are going to happen but then they don't but you've just put in a huge supply of land into your UGB you don't get to put land in somewhere else later when you realize that big airport development that you thought was going to be viable isn't. You're not going to be able to say oh now we realized it's somewhere else that we want to do, something else, because you are going to have a very large supply of land that may not be doing anything for you, just sitting. Then there is another way this could go is if you decided that you really do want to have 10,000 jobs here in 20 years and you're committed to actually make that happen and you start doing things like building infrastructure in anticipation of all this, which you are going to need to do, and then it doesn't happen. You know you've now put your community into kind of the speculative real estate business. You have rolled the dice, you decided you were going to roll the dice and spend money. So you're now going to be faced with the decision, do we now roll the dice and spend money because that is the only way we are going to get this to happen or do we hide and watch, do nothing and just sit back, put the land in and see what happens. She suggests to Council that both of those are poor ideas. The best way to do this, really the only rational way is to craft a plan that is based on reality and the people who are dissenters here are helpful to you in figuring out what that is. They are trying to clean your windshield and show you where the problems are in the plan and that is a good thing so you can tune this thing to be something that is based on reality and that is going to work, that you can rely on and start spending money on and execute. She stated she hopes that makes sense.

Mayor Burge replied to Mia Nelson, yes it does and thank you very much.

Mia Nelson replied thank you for the extra time, it is much appreciated.

Mayor Burge replied you are welcome. He stated okay, our next person is Carolynn Collie. He asked her to please state her name and address for the record.

Carolynn Collie, 52660 North Road, read the letter that she submitted.

Ladies and Gentlemen of the Scappoose City Council. Having been born and raised here in Scappoose, I have lived in several different locations, but for the last 38 years I have lived next to the now, Crown Zellerbach Trail. My husband, Gary, and I have raised our five children here, and are now enjoying watching our grandchildren come and play in the safety of this location. Prior to the logging road, as our family has called it, becoming the Crown Zellerbach Trail, we spent many days using the road, and what it offered---as a playground for riding our bikes, walking, running for exercise, and walking our dogs. As an educational tool, the kids learned about the many different birds in our area and their habitats, along with the different animals, and many other creatures that live here along the Crown Zellerbach Trail. They learned about water ways, as well as the history of

the road, and the Cascade Mountain range, and all her peaks. We also watched Mt St. Helens blow from here. The children also learned the joys of picking blackberries every year. As the children grew, I took up the hobby of photography, and again the "trail" gave of her beauty for me in all the seasons. In the winter when it snowed it became a safe place to play. Now today, with all the hard work that went into making this the Crown Zellerbach Trail many more families are able to enjoy the same things as we have, and with the safety it offers.

It wasn't always a pleasant place to live---there was a time when our children were young, and the road was owned by Crown Zellerbach. It was during this time that during the day, between around 6:00 am to around 5:30 pm the log trucks traveled up and down this road. The sound was so loud at times it would wake up sleeping kids from their naps, and if we were outside we had to wait for the trucks to pass by before we could finish our conversations. The dust during that period of time was greatly intensified as well as the toxic fumes from the vehicles. We also had to be more mindful of the kids when they were outside playing because of the danger of them wandering too close to the road.

Once, in 1996, during the big flood, the road had been closed and locked up for quite some time, but that night at 3:00 am in the morning we were awakened to the sounds of diesel trucks using the road, we found out later, they were hauling heavy rock to sure-up the dike so it wouldn't break. I would hate to think what the sounds would be like with traffic all through the night, and there can be no guarantee that there wouldn't be traffic during that time. Also during that flooding period, when the Scappoose creek broke through to Scappoose Sand and Gravel, the close-to--360' long, and 15' to 20' present storm water ditch, that runs parallel to our property filled with water to the top of the ditch (Good thing the ditch was there). I don't see how the ditch, that is so needed, could be filled in to make the space for the proposed road.

Finally I would remind you to what has been witnessed by the Harmony Park Homeowners, that sound barriers do not work (refer to letter submitted by Barbara Hayden to the City of Scappoose Planning Commission).

Another issue is the migratory flight path of the geese. How will they be affected by more pollution and noise? We have waited for their familiar sounds twice a year as they fly directly over our home. And these aren't just a few hundred, I'm talking about thousands. And how would the lengthening of the air strip affect the geese as well as other birds, and the residents who live here. I already have to deal with the noise of the planes and sport copters that fly over our heads just think if the run-way was extended.

I mentioned above how we would be, as a community, affected livability wise. Now I would like to mention that this would greatly impact the property values in a devastating way. Our personal property along this proposed route would be hit hard, since we own 832.7 feet of property along the south side of the "CZ Trail", and there are many, many, more residential homes along this proposed route.

So this brings me to a question. At our last meeting a gentleman mentioned that they, I believe, Sierra Pacific, was trying to impact the least amount of residents as possible with their proposed plan. This route impacts hundreds of residents, and neighborhoods. So why are they not looking to access to the proposed UGB further north, say to Wikstrom Road and Highway 30, cutting over to Moore Road to access the property proposed in the UGB area. Mr. Greg Winterbrook did say when

we met last month that the city would not have to be footing any of the bills for this project. If that is so, then the city has no strings attached, so wouldn't the road be better suited to go where there is less residents and neighborhoods, not mentioning all the above issues.

I would like to ask Mr. Bennett, at this time, if what Mr. Winterbrook said about the city not having to put out any money for this project is legally binding?

Legal Counsel Jeff Bennett replied what do you mean if the City doesn't have to put out any money?

Carolynn Collie replied this is what Mr. Winterbrook stated when he spoke last.

Legal Counsel Jeff Bennett asked her if she could give him the context of the statement.

Carolynn Collie replied she can not, she does not know.

Mayor Burge replied to be honest I don't believe it would be legally binding as far as a statement.

Carolynn Collie replied she is talking about the money issue, that the City would not be.....

Mayor Burge replied yea, I don't think it would be legally binding. He thinks what he is saying is generally as the development occurs, if development occurs out there the developers will pay for the roads and infrastructure to be placed in just like when a developer builds a residential neighborhood.

Carolynn Collie continued to read what she submitted.

Mr. Keith Suttle, with Northwest Structural Moving, spoke as a proponent last council meeting. I think he would still be a proponent for this project even if the road went in at a different location, as well as other business owners. Since the developers are footing the bill.

In the Conceptual Trail Plan of September 17, 2010, it shows the new CZ Trail moved just slightly to the north of the existing trail, and the new improved Crown Zellerbach Road would go where the existing CZ Trail is. The question here is if only a two lane road was put in here they would have to have 36 feet, according to my conversation with Brian Varricchione, for the road, and a total of 60 feet for right of way (that's for only a two lane road). Where would the extra footage come from, since there already isn't enough footage, to accommodate this amount needed, between the existing storm water ditch to the south and our property to the north?

As property owners along the CZ Trail greatly ask you to look at other access routes to the proposed UGB.

Carolynn Collie thanked Council.

Mayor Burge stated next will be Mike Sheehan. He asked Mr. Sheehan to please step forward and state his name and address for the record.

Mike Sheehan, 33126 Callahan Road, Scappoose. He explained Council should have a copy in front of them what he passed out earlier. He explained he will quickly go through and then he will see if there are any question. He explained you have heard from Mia and the first section deals with the same things that Mia was talking about. That there are serious problems in the EOA that supposedly justifies why this much acreage needs to be brought in. He would point out to Council on this stuff that you have got one major developer here and as you bring the land in the land goes up in value. In addition to that, so the developer makes, has all of the sudden once it's brought into the UGB, the developer has made a killing right there. Secondly when you are also in this process or in a related process thinking about bringing an Enterprise Zone in on that land. The consultants have told you that this growth is inevitable. There's a splash over from Multnomah County and this growth and all these jobs and all these businesses are going to come, it is inevitable. If it is inevitable why are you thinking of putting an Enterprise Zone on there which will mean then that is used to attract businesses? If the businesses are going to come because it is inevitable if you believe the developers then you don't need to Enterprise Zone. All the Enterprise Zone does is it makes the land more valuable. So when a business comes in to buy the land from the developer the price of the land will be higher. The developer will get the benefit of the capitalized value of the Enterprise Zone, not the businesses. The businesses will come anyway but they will pay more money for land that has an Enterprise Zone. The developer gets the benefits, not the businesses.

Mike Sheehan stated as you see in one of his appendixes, number 4, you have an aerial photograph. The aerial photograph show the current situation out there where most of the land on the westside of the airport along West Lane is vacant. He asked what's the big push to have to do all this. Nobody has been buying that land to begin with and yet here we have a situation where there's this great demand from a single major developer who has bought up a bunch of land around the airport and now he wants, together with his partner Mr. Freeman, he wants to have all this land. Those two and especially Weston are dominant out there, to the degree that you approve this at the expense of not being able to approve other things later. You are giving Weston a monopoly over development in the Scappoose area. Why would you want to do that? Why wouldn't you, if you want to expand the Urban Growth Boundary bring in more land for jobs, more commerce and so on, why wouldn't you spread it out more in different areas of the City so that different developers, different businesses can come in there and develop the land. Why give it all to a single developer who becomes a monopolist. He asked why would you want to do that?

Mike Sheehan explained we have the problems with the Crown Zellerbach trail, that's been talked about already. That's unfortunate that that would happen, it is a major asset to our community. Making it into a heavy truck path just so the land on the east side of the airport is more valuable. He would think twice about that.

Mike Sheehan explained we don't have here, the developers have said they don't have to do a transportation study even though if we're talking about now bringing 8,000 more jobs to Scappoose in the next 18 years and that's new jobs in our area. There is no transportation study that sits down and says what is going to be the impact of that, especially in the context that there hasn't been anything said or anything done about what happens with the extra population that is going to come. If we keep the ratio the same of jobs to population as we have now if you add 8,000 more jobs you'll have a City with the population of 27,000. if you keep the ratio the same they're saying that there is going to be 10,000 jobs by 2018 or 2028 there's going to be 10,000 jobs. There's no analysis here at all in terms of how much housing that's going to need, how many more schools that's going to need, how much change to the transportation system, there is nothing there. If you

really think that is going to happen, that there's going to be 8,000 more jobs you have got to reflect that and increase the population and they haven't.

Mike Sheehan explained one of the things if we look at the bottom of page 5 of his handout, one of the things we were inquiring about you have got in the Comprehensive Plan proposal you are saying there that the Port wants to extend the runway south by 20 to 30 percent and he has given Council things in appendix 7A and everything where you have got it listed here, showing an expansion and then if you go over a couple of pages you've got another on this page. Here you'll see on the bottom it says runway extension. So if you talk to the Port and you see that they say they are now at 5,100 feet and that's all you need for a Class II airport. The airport is Class II. All you need is 5,100 feet, they have 5,100 feet. Why would they want to extend it by 20 to 30 percent. He hasn't been able to get a straight answer until you go on a little bit farther and you look and see, which he has included here, if you look and see out of the ODA stuff the reason why you might want to do that Scappoose is a Class II airport, a category II, if you see on this page appendix 7A and the runway length for that is 5,100 feet. He stated to Council look and see what you have to have to be Class I airport like PDX. It just happens to be a minimum of 6,000 feet. They are asking for a 20 percent to 30 percent extension of the runway and that just happens to give them a 6,100 foot runway. So it looks like there's a reason why they're asking to extend the runway and it looks that may well be to make it into a Category I airport like PDX. PDX is Class I, this would make Scappoose a Class I and that would explain why they are pushing to extend the runway. He stated he suggests to Council that extension is down, it will put the runway in the airport overlay zone right up against the road, the overlay zone will go over the top lay on people's houses and you are liable to have this vast increase of air traffic if the 8,000 jobs come and that will increase the number of accidents, increase the noise and all that and you really might want to look at this because the Court of Appeals has just held that the imposition of those zones, the airport protection zones, is a taking and so in the Hillsboro Case it has been decided now at the Court of Appeals that is a taking. You might want to look into this and see whether you think it is a good idea to encourage the Port to do this especially since there is liable to be a lot of upset people if you are doing that and you have the airport expanded to PDX scale. He explained in his handout he gave a bunch of conclusions. His suggestion to Council is the thing to do might be One: Do not mess with the trail. Two: Do something to prevent the extension of the runway. For instances, acquire some of that land that would otherwise be used for that and there's a lot of people that are upset with the proposal if you decide to go ahead and approve it, might he suggest to Council in a democratic sense, if you want to approve it fine, but refer is so that the people of Scappoose would have a chance to vote and you could actually leave the final decision to them. So approve it if you think it is good but refer it onto the vote of the people and let them decide.

He thanked Council very much and stated he appreciates the time.

Mayor Burge thanked Mr. Sheehan.

Mayor Burge explained next he has Diane Leslie Richmond. Mayor Burge stated good evening, please state your name and address for the record.

Diane Leslie Richmond 52890 NW 7th Street, here in Scappoose. She wants to really let the Council know that living in Scappoose is just wonderful. She came from North Portland for a while, she worked in a heavy industrial area and she lived in a heavy industrial area. She stated please don't do that to any of the residents. When we get our industry, please allow a wonderful buffering zone so we are not breathing bad air, makes you sick, makes you sick to a point that you have to leave town

for several days to get well so you can come back and work. So she really wants to stress that what we have here is so much better than a lot of our small towns. They looked in St. Helens the smell there, the industrial smell reminded her of Everett, Washington or Camas, she couldn't deal with it. The air here is beautiful and it's real healthy air and she just thinks we are going to grow and she thinks the industries are going to come maybe not in great forces but the residents that live along the trail and the closest deserve the best consideration that can be given. She loves the trail, she doesn't want to see it turn into a road. If her dog gets loose she has the opportunity to catch her dog before it gets ran over. She doesn't want to walk along a road with truck traffic because she doesn't like the spray and she doesn't like the fumes. She wants to preserve what we have. So please consider that we are in paradise right now. So let's keep a little bit of paradise for the residents and enjoy it. She thanked Council.

Mayor Burge thanked her. He stated next we have Linda di Pietro. He asked her to please state her name and address for the record.

Linda di Pietro, 52626 North Road. She read the letter she submitted.

I'd like to thank you all for your time on the matters before you. It appears to me that the four points for potential action on tonight's docket (CPA-10/CPTA1-10DCTA3-10) do not represent the typical items a city council encounters during a term of service to a community. A twenty year plan is quite an undertaking and requires a great deal of vision and scrutiny. I do hope that this council can and will invest the time and resources necessary to fully grasp the ramifications of the decisions to be made in the near future and not vote on these items tonight. I also hope that part of this work will include surveying the community at large, not just the citizens within the city limits, to determine how they would like their community to grow. Naturally, it appears that people only come out to speak when they are concerned. It has been published that many of us who have voiced concerns so far do not want to see any growth or development in this area. This is far from true. While the objectives of the four items on tonight's docket are probably good, those of us who have voiced concern before tonight have legitimate concerns about how we will grow, not if we will grow. As an individual I'm very concerned that accepting the proposal as it is before you primes the community for four specific problems. First, it would allow a "truck route" to be built in my neighborhood. I live within 100 feet of the Crown Zellerbach Trail. The term "truck route" may not ever be used in these proceedings, but on the conceptual plan map dated May 7, 2010, it shows a new route that would continue from the intersection of Crown Zellerbach Road and West Lane Road, over the existing Crown Zellerbach Trail and on around the airport. Because of the proposed purposes of the land around the airport, one can only conclude that the purpose of this new route would be truck and business traffic. This is roughly 100 feet from my property and within about 25 feet of the residences that line the Crown Zellerbach Trail. The section from Highway 30 to West Lane Road that was developed recently included an enormous concrete wall. Residents on the other side of that wall have indicated that this wall did not mitigate noise or pollution. Please do not allow a "truck route" to be built here. One reason I chose to purchase a house in this particular neighborhood 16 years ago was because of its quiet and unique setting. It is my hope that in 20 more years I'll still reside there. But if a truck route is built, not only will it destroy the tranquility of the area, it will also destroy the return on the investment my neighbors and I should be able to realize upon any sale of these homes. What exactly is the plan to insure that no one is negatively impacted by any of the actual or conceptual plans the city, county and/or Port of St. Helens has for this area? Please seek an alternative such as utilizing West Lane Road as it has already undergone tremendous and costly improvements. A second problem I see is the detrimental impact

upon wildlife in this area. What is the plan to protect the wildlife? I'm certain that you will probably hear and read testimony tonight with regard to this. The Crown Zellerbach Trail is very unique and utilized by people from beyond our area. The concept design does not keep up with the nature of this unique piece of the trail. It makes it just like so many other paved trails found within larger cities and along highways and freeways throughout Oregon. My third concern has to do with the possibility of expanding the airstrip. This would not only allow for an increase in the volume of air traffic, but also the kind of air traffic that would utilize the space directly above an existing residential neighborhood. The airport currently handles very small jets. I really take notice every time they use the airport. What recourse would these residents have for the potential problems with larger airplanes? How will you insure that these residents' property values won't decline simply because of this expansion? And finally I'm concerned about the economic demands of an enterprise zone upon the existing infrastructure. Here we should add safety and schools to what make up our "infrastructure." In waging deals to bring in business it is incumbent upon those involved to ask if this community can truly afford to do without the taxes, at both state and local levels, that many of these incentive deals give away in an effort to lure in new industries. Will you truly crunch numbers to see whether or not it will truly be a gain for our community? Again, this council has a tremendous task before you. Please ask the hard questions and do the research necessary to make a well informed decision that will benefit our community.

Linda di Pietro thanked the Council.

Mayor Burge thanked her. He stated next he has Pat Zimmerman. He asked her to please step forward and state her name and address for the record.

Pat Zimmerman, 52057 Rabinsky Road, Scappoose. She stated a couple of quick comments about testimony that was heard at the last meeting. Mr. Winterowd claimed that DLCD voted to support the UGB expansion proposal, it's not true. In fact DLCD has no vote on the matter at all. One of their reps who is no longer in his job sat on the committee as a technical consultant. DLCD will consider the proposal when it is submitted and not before. So that is simply not true. Also another comment Mr. Johnson made some comments about the 1000 Friends testimony, they were fairly unproductive and rather unprofessional. He could have dealt with the substance of the issue the testimony raised and he chose instead to call the serious credentialed professional author of those comments a good proof reader. She stated that should give you some sense of the quality of his work. She is going to talk very briefly about some of the other problems with the technical aspects of this. First the need for additional, and this is mostly based in the EOA, first the need for additional land. As you've heard there are many problems with both the employment numbers and the retail numbers. There's a third set of problems which are based around the proponents' statements that there's a lack of commercial and industrial land already within the UGB. To succeed in getting their required number of acres outside the UGB into the UGB they played some really strange games. Briefly one of them was they took about 89 acres and identified a commercial land need of about 89 additional acres. They then re-designated 50 acre west of the airport already in the City, already in the UGB, already served with all the utilities and it's industrial and re-designated it to commercial land use, just because. Then they can take that amount of land out of the available industrial land base and therefore justify more land on the east side. Then they propose at the end to change the plan designation and the overlay zone back to industrial on that same piece of land, putting it back exactly where it was to start with. It's all in there, it is buried, but it's there. She stated there's no reason this has to be this way. The other thing is that the existing zoning on that land is public use airport and it would allow the business parks as a conditional use which is what

they say they want to put there. So that's just one example, there are bunches of them. Another area that is problematical is the alternative lands analysis. State rules dictate priorities for lands brought into the UGB. You can specify characteristics that are necessary for that land. The consultants have listed a whole bunch of them like must be free of floodplains, must be large enough and appropriately shaped to accommodate large site users, sites must not abut urban residential areas on more than one side. You've seen these are fairly arbitrary and apparently just pulled out of the air. There isn't one shred of justification for any of them. For example the industrial sites must not abut urban residential areas on more than one side; well the developers chosen land abuts residential land on two sides, but one of them is not technically urban, it is not in the city, it's residential, a little technical detail. Another one is they eliminated all floodplain land from consideration which is a large part of being able to justify the number of acreages of industrial land needed east of the airport. The problem with this is the proposed Enterprise Zone includes almost all of the land that they excluded for floodplains. You can build in a floodplain; it is done all the time. So if it is going to be in the Enterprise Zone for industry to build on why isn't it included in the industrial land base? She is not sure, well she has a theory. Also they have said there is a need for 17 acres of retail shopping area. In developing that need they did not do anything as far as looking at all of the vacant existing retail areas, they just ignored it. Finally there's been a lot of people saying that some of us are anti growth, she is certainly not. She is strongly in favor of organic gradual growth that comes out of the actual needs of the community, not the need of some developer to get his 300 and some acres inside the UGB so the value of the land is up by as much as ten times. She thanked the Council.

Mayor Burge thanked her. He explained next is Megan McCarthy. He explained she must have signed up during the last meeting and did not return. He asked Barb Hayden to please step forward and state your name and address for the record.

Barb Hayden, 33784 NE Kern Court, Scappoose. She stated throughout this whole testimony we have heard over and over again about Rule 9. She explained City Recorder Susan Reeves is handing out something to the Council so they can follow along with her when she is talking about this. She actually read through Rule 9 and have discovered that it is mandatory that the City of Scappoose, as well as any other City in the State of Oregon has to adhere to the Oregon Planning guidelines. There is one sentence in there that you will see at the bottom of the first page that says "This plan should also take into account the social, environmental, energy, and economic impacts upon the resident population". We ask the Council members to realize that turning the Crown Zellerbach Trail into a 2 or 3 lane road is definitely going to have an economic impact on those homes along the trail. As you've heard tonight this trail is extremely important to us and this community. We do not want our property values to be negatively impacted and the resale of our homes to be an impossible venture for us. Who is going to want to buy a house with a large connector road in its back yard? We will lose any possibility as been mentioned of gaining our homes' equity or any profit out of our homes. In the Winterbook summary that you have, which is the second set of information she has given you under #6 "Proximity" their own report says "In addition to proximity requirements listed in Section 1, employment sites must have direct access to an existing or planned connector street without driving through established or planned residential areas". I would certainly call the housing developments and homes along the Crown Zellerbach trail and Crown Zellerbach Road to be established residents.

She explained we aren't naive enough to think this Urban Growth Boundary isn't going to happen in some way but when you throw hundreds of thousands of dollars to a community and promise them the sky and moon and all these jobs the only people that benefit from this are the people with the money.

She stated she agrees with Lisa Smith that the property values out there will skyrocket once they're developed.

She explained we keep hearing about jobs and jobs but think about it, where are we going to put all these people that come out here for these thousands of jobs? Nowhere in any of these documents has she heard anyone speak about where we are going to house these people, what we are going to have to do with the infrastructure of this City in order to accommodate all these people. Where is this coming from? Don't you think maybe we should be thinking of that as well at this time instead of just looking at the job highlight that is promised by this?

She stated look some people don't want this Urban Growth Boundary at all and some of us actually welcome some parts of it. We are not against growth but what we all want is for this to be done right, this to be done fairly and be done with the least impact on our neighborhood and livability and for your decisions to be made on valid information.

It has been mentioned tonight already if you approve this connector road where are you going to get the extra 40 or 60 feet? She explained there is a document in Council's packet that shows a map with the proposed route for the road and the new trail. You will see as you look through this there are two concept drawings, one with a gully still there and one with the gully gone and the traffic on the south side of the gully. She asked are you really going to let them fill in that gully? That gully is a haven for wildlife and it is absolutely critical for the ecosystem of those wetlands that are further down the trail. She explained in your packet that you received on December 9, 2010 there is a report in there about the Crown Zellerbach Trail study. In this preliminary report this promises that the trail will have a concept plan done. The trail does have a concept plan done. This concept plan for the trail highlights the history, the heritage and the past uses of the trail and this thing in this concept plan it promises this will be preserved for the City of Scappoose and on April 25, 2007 the Board of County Commissioners approved and adopted this plan for the trail but nowhere in these documents did she see anything about when we applied for all of these grants and were awarded these grants for the purchase and the concept plan to be developed, nowhere in any of these documents did she see it say thank you for all the money but we are going to destroy part of the trail in 6 years. That is not why we applied for these grants to preserve this trail.

She stated another thing in your packet that you will see is a letter from ODOT. ODOT while they admit that a traffic impact study is not necessary at this point, they encourage and recommend to the City of Scappoose that we get this done and she would submit that we get this done before we go any further. Now there has been traffic counters out of the road on West Lane and Crown Zellerbach Road for the last couple of weeks but nobody that she has talked to knows what those are for. She would be curious to know exactly what those are for along there and to see if those are part of a traffic impact study that they are doing.

She stated the last thing she wants to mention is something that has come up many, many times is the list of industries that are suppose to be able to go out into the Urban Growth Boundary. She

stated we don't want to see a salvage yard or any type of rendering plant. She stated we don't want to smell it, see it, taste it or breathe it. And we certainly do not want another Bergsøe Metals anywhere in this county especially in Scappoose. That land that's left from that type of an industry is useless. It is in the Superfund now and will for ever be in the Superfund. The only thing that could be done was them to evacuate as much dirt as they could and then to pave over the top of it.

She is sure our planning commission will be involved in the industries that are coming in but she would really like to ask this Council to relook at those lists of industries and give more guidance to what can go in out there. She explained she hopes that they are getting across to you that they are not opposed to growth, what they are opposed to is it being done all at once and it being done without the proper consideration. She thanked Council and said please together lets keep Scappoose a livable community that we have and that we all enjoy and love.

Mayor Burge thanked her. He explained next is Marie Gadotti.

Jeff Kleinman stated he is Marie's attorney and asked if he could testify before she does.

Mayor Burge asked Jeff Kleinman to state his name and address for the record.

Jeff Kleinman, 1207 SW 6th Avenue, Portland, Oregon 97204. He explained he represents Marie and Joe Gadotti. He explained he will be quite brief. He does have a letter for the Council to submit into the record. He explained because he had heard a rumor that 1000 Friends lengthy letter that Ms. Nelson had submitted was being withdrawn which he doesn't think ever was true, he is resubmitting it basically as his oath to make sure it is in the record because he thinks everything that is stated in that letter is accurate.

He explained the Gadotti's live and own property at 33717 Johnson's Landing Road, Scappoose, which is across from the Fred Meyer. He stated they are not here to oppose expansion of the Urban Growth Boundary. The Urban Growth Boundary should expand. The problem is with the proposal before you. The Gadotti's specifically own 71 acres there and farm a good part of it. Also as Marie will testify they farm a substantial portion of the area around the airport that is proposed for the UGB expansion. So they are very knowledgeable in the soils and uses of the land in the area and they feel that their property or at least 40 acres of it should be included in the UGB.

He explained he has spent some time in Scappoose on various matters and he is familiar with the Gadotti property, he has driven up and down Highway 30 and stopped at various businesses a number of times and he also not long ago he had the occasion to try to find a business address on the airport property. Which was not easy to do and he ended up driving all around the airport and looking at the area that is proposed for this expansion and when you look at areas like the Gadotti property, which is right near the new railroad crossing of Highway 30 and you look around the airport the proposal before you simply doesn't make sense. This is in fact what you get when it comes to you on behalf of a single or a couple of development interests and they hire consultants and the consultants, not surprisingly say this is the only way to do it. He has helped Marie through this process. He has not attended the prior hearings or testified but he can tell you that he has some sense of the ebb and flow of what's been going on at the various levels in this case and there have been times when public testimony, detailed testimony has seemed to shift the momentum of the relentless progress of this particular proposal and the last word always belongs to the consultants who are kind of sitting in the place of your staff which by the way they're not and they say that is all very interesting but this is the only way you can do it, this is the only

justifiable expansion and he is here to tell Council that is just not true. There are sustainable findings that can be written on behalf on all sorts of alternatives that would work and he expects that the same thing will happen here that the consultants will say well Mr. Kleinman spoke, other people said nice words but this is the only way we can do it and DLCD won't approve anything else, it is just not true.

He explained that he fully agrees with Ms. Nelson's comment about reverse engineering of the UGB expansion to reach a particular conclusion and it really makes no sense to do it that way. He agrees with her also that for the sake of rational economic development in the City, which everybody supports, it won't get you there, it just doesn't make sense. Don't you want to have some diversity of options, create some areas in different parts of the City or around different parts of the City, so that depending upon what business interests, developer interested are interested in they may choose to go somewhere else and not force them down by the airport basically out of sight. He just doesn't understand it except for the nature of the process that this is a property owner/developer funded proposal. Otherwise this is not what you would be seeing.

There are a couple of points that he doesn't think have been made. There's been quite bit of discussion about the Crown Zellerbach Trail and he has looked at as many of the underlying documents as he can lay his hands on and again some things haven't been covered. He doesn't think that the area running roughly eastward toward the river from West Lane Road on the Crown Zellerbach Trail or Crown Zellerbach Road is permitted to be used as a public road and there are two reasons for that and the reason this is important in this case is that the entire UGB expansion that is proposed hinges on the use on this particular road but again it can't be used. First of all if you look at the City's own colored zoning map which is not terribly easy to read, especially because there are two categories that have very similar shades of green. One is in the area within the Urban Growth Boundary area and then the other is the area in the Public Lands-Recreational Zone and there's almost no land in the latter category, in the PL-R Zone but the portion of the Crown Zellerbach Trail running eastward from West Lane Road is a dark green stripe running along it and if that is not where the PL-R lands are in the City then where are they because he couldn't find any others. The Community Development Code contains provisions that govern what can occur in that zone. They appear in Chapter 17.79, he refers to it in his letter, of the code and those provision specially 17.79.010 and 030 do not allow the development of an actual road for vehicles. These are not permitted use in the PL-R Zone, you can't do it. Secondly this has been allu to by witnesses but he wanted to be very clear on this point: there is an unreconciled conflict with the Crown Zellerbach trail concept plan that has been duly adopted by Columbia County. That plan is already in your record, he believes it was introduced last time. He confirmed with County Planning today that it is duly adopted, it is in effect, it is a controlling document as far as the County is concerned. This was initially put forth in March 2007, it has taken effect. The County in 2008 put out a specific funding proposal for improvements which he has attached to his letter and that includes improvements at the Chapman Landing on the Multnomah Channel. So here you have the County raising money to use this trail for the purposes set out in the plan and this proposal directly contravenes that. People have not talked about the specific mandates of the County's Crown Zellerbach concept plan and he wants to hit them very briefly. It requires that the trail will be a scenic greenway corridor for walkers, bicyclists and equestrian users. It is a regional destination for those purposes and the County considers it to be a central defining feature for the future of the County and that use is considered an economic asset according to the plan. It is a regional recreation amenity and destination and its environmental and aesthetic benefits are to be protected and one other thing that the plans said is that vehicular use is to be limited to emergency and service vehicles for trail-related purposes ONLY, for the entire Crown

Zellerbach Trail. Failure to recognize this and reconcile this proposal with the County's adopted plan is a violation of three Statewide planning goals at least and those are 2, 5 and 8. He thanked Mayor Burge.

Mayor Burge thanked him.

Legal Counsel Jeff Bennett asked Jeff Kleinman if he is taking a position that the Crown Zellerbach concept plan that has been referred to tonight is an adopted land use regulation by the County.

Jeff Kleinman replied yes. He checked with them today to make sure.

Legal Counsel Jeff Bennett asked Jeff Kleinman if he has any documentation to that effect that they have actually adopted that through some kind of land use process.

Jeff Kleinman replied he just checked with one of the planners and he asked if this has been adopted and taken effect and he was told that it had and of course the funding proposal of 08 is pursuant to the plan.

Legal Counsel Jeff Bennett thanked Jeff Kleinman.

Mayor Burge called Marie Gadotti forward.

Marie Gadotti, 33717 Johnsons Landing Road, Scappoose. She submitted a packet for the Council. She had someone hold up a map. She stated what this map is showing you, which there is a copy in the packet she submitted, is showing you (in the yellow) the amount of agricultural land out by the airport and in the pink it is showing you the amount of agricultural land over by Johnsons Landing Road, Fred Meyer and all the development along that route. She explained then there is a second map that is a blown up map that really gives you much more detail about how much is around the land between Havlik Crossing and Johnsons Landing Road and down Johnsons Landing Road to the Multnomah Channel and across Highway 30. What she is trying to show Council there is how much they are already impacted by development from commercial, industrial and residential.

She explained her husband and she grew up in this community; they have raised their children here. They started their farm operation in 1969 and at that time grew alfalfa, grains and clovers on what is now the development south of the high school. Over the years they have farmed the Havlik property, the Fred Meyer property and others in the area including what they now own. Their property borders Highway 30 to the west, the Havlik property to the north which includes the new Havlik Crossing, industrial development to the east and Johnsons Landing Road to the south. They have seen this area grow from a rural agriculture base to residential, commercial and industrial uses and the conflicts that go with them. The expanded uses have increased traffic flows on Johnsons Landing Road, Highway 30 and Old Portland Road making moving their machinery, which is as wide as 22 ft. almost impossible. They have already had their equipment damaged while on the road by other traffic. The continued risk of moving equipment increases every year and someday they may pay for it with their lives. Their ability to farm this land has also become difficult at best. The dust they create drifts across the highway creating hazardous driving conditions for the increasing flow of traffic. They continually have to deal with complaints about using pesticides to things as simple as applying fertilizer. You should also know that the farmland around the airport was farmed as a dairy for several decades and grew crops such as corn, alfalfa, wheat, clover seed, silage, hay and pasture. Today they farm part of that land where they continue to grow most of the same crops. They have equivalent crop yields there as their property to the south of the city. There is misconception that Class III soils are poorer than Class II by some significant amount, when in fact they produce the same crops. Many times the Class III

soils have advantages over the Class II. They can plant earlier in the spring and harvest later in the fall because the soils dry faster. The location at the airport also has a significant advantage as it is not surrounded by other uses that conflict with farming such as applying pesticides, dust, noise, moving machinery to name a few. She has several concerns about the EOA and the currently proposed UGB Expansion.

There has been a significant effort by the consultants to keep the UGB from expanding to the SE portion from Havlik Crossing to Johnsons Landing Road. This area has been a long term goal for Scappoose and something the EOA committee pursued throughout their process as well as the participants in the open house in May 2010. They have also recognized the need for the city to grow in this direction. She has also enclosed a copy of a letter dated January 4, 2004 that they submitted to the City Council and was supported by city staff at that time addressing expanding the UGB to the South. In the EOA they address there is a "thriving nursery business" in light of the downturn in traditional agriculture. Her assumption is that this was included as another ploy to keep from expanding on the land in the SE quadrant because a local nursery rents a portion of land there. As the EOA states, traditional agriculture in our area has been in a decline for over the last couple of decades, however, this decline has hit the nursery industry as well. Most of these growers are seeing a 60% to 70% drop in sales with no growth insight. In the good times they had peak sales of 2 to 2.2 million dollars and currently those sales have dropped to \$500,000. There has been a huge amount of these operations going into bankruptcy in the surrounding counties in the last couple of years. She has also included an article in your packet that talks about a local nursery and the economy. She stated the reason she brought this up is because it was a key point in the EOA analysis, talking about how that land down there is supporting that nursery.

As you should all know, to be able to bring in any farmland there has to be a proven need, which the EOA has been specifically designed to only take in lands near the Scappoose Airport. The needs have been maneuvered through Overlay Zones which in lay terms is "rezoning". The uses in the Proposed Overlay Zones are actually uses that need to be along Highway 30. The EOA even states that highway commercial etc. need to be no more than a quarter of a mile away and be seen from the highway and it goes on to say there is need for more of this type of land. The Analysis also addresses the draw of consumers to Fred Meyer which is a positive attraction for future business; again, to thrive they need to be close proximity to the area.

As reported in the Spotlight December 22, 2010 businesses such as Les Schwab and Fultano's Pizza have already closed on property in the Havlik Crossing region strengthening the argument to expand the UGB to the SE. Scappoose needs a bypass, frontage connector road from the newly constructed 4 million dollar Havlik Crossing to Johnsons Landing Road which will provide land for new business opportunities, address safety issues, traffic congestion and a long needed light at the intersection of Johnsons Landing Road, Highway 30 and Old Portland Road. There is also some misconception about what class of soils can be included in a UGB expansion. Under ORS 197.298 priority lands to come into a UGB are urban reserves. She explained it talks about going to second priority lands may include resource lands if they area not high priority farmlands ~ there comes in the argument between class II and III. There's an exception to all of this if:

1. Specific types of identified lands cannot be reasonably accommodated on higher priority lands.
2. Future urban services could not reasonably be provided to the higher priority lands due to topographical or other physical constraints.

3. Maximum efficiency of land uses within a proposed UGB requires inclusion of lower priority lands in order to provide services to higher priority lands.

A service road from the Havlik Crossing to Johnsons Landing Road through our property falls into this category.

Goal 14: Urbanization:

2. Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets or roads. In determining the need, local government may specify characteristics, such as parcel size, topography or proximity, necessary for land to be suitable for the identified need.

Boundary Location:

1. Efficient accommodation of identified land needs.
2. Orderly and economic provision of public facilities and services.
3. Comparative environmental, energy, economic and social consequences.
4. Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest lands outside the UGB. There are also provisions in state law that allows lower priority lands (class II versus class III) to be included in order to protect larger blocks of farmland. As the maps included in your packet show, these large blocks are around the airport. Do we protect lands already impacted by development as in the SE portion or large blocks of lands that are only one soil class different and already protected by the airport? Expanding the development at the airport will significantly impact the SE portion with even more traffic further impacting commuters as well as farming operations along Highway 30.

She explained for the reasons stated by their attorney and those discussed above and in the materials they have filed, they are opposed to the proposed expansion and they believe that an expansion that would include most or all of their property is far more useful and appropriate.

She thanked Council.

Mayor Burge thanked her. He stated next will be Shirley Sabo. He stated please state your name and address for the record.

Shirley Sabo, 58460 S. Division Road, St. Helens. She explained even though she currently reside in St. Helens she was raised in the Scappoose community and care about the future growth of Scappoose and Columbia County. She has concerns with the proposed UGB expansion. Unfortunately, it does not resolve some current issues such as road infrastructure and the locational needs for certain types of businesses. Like most citizens of Columbia County her family uses Highway 30 to travel into Portland for work. Unfortunately, there is not an optimum avenue to maneuver around the highway to get into or through Scappoose when traffic is very heavy due to morning and evening rush hour, school release, accidents, and/or special events in the community. A frontage road that can divert traffic traveling north into Scappoose sooner than later would help solve this issue. With the new Havlik crossing and expanding the UGB to the SE area there would be an opportunity to create this new connector road through to Johnsons Landing Road. This road would also give additional justification for a light to be installed at the intersection of

Johnsons Landing Road, Old Portland Road and Highway 30. For any of you that use this intersection you are very familiar with the current issues. Between the speed of the vehicles traveling both directions on the highway, the cars entering and exiting the gas station, boaters, and the number of trucks and employee vehicles supporting the existing businesses such as Taylormade, Michael Curry Design, Means Nursery, Dikeside RV Storage and the five moorages it is shocking to see the people gambling to enter or exit at this intersection. This proposal will significantly increase traffic which will require it to travel through the entire length of the city to the new proposed Airpark development. Therefore, creating more issues without any resolutions to our existing problems.

Secondly, there is a need for highway frontage land for uses such as a business park or retail enterprises that can provide consumers more options so residents do not have to travel into Portland or Beaverton to purchase additional products. Expanding to the SE area, from Havlik crossing to Johnsons Landing Road, provides highway business opportunities to allure consumers already shopping at Fred Meyer and Sears. If the UGB is only expanded at the North what will the city do when large businesses want to develop on highway frontage land? Will these businesses be turned away?

There is already 150 acres available for development at the airport. So, why is there a need for another 300 plus acres in this same area? These numbers seem a bit extreme. This proposal is supposed to reflect a 20 year timeframe however, if we are realistic the timeframe could be approximately 30 to 40 years before all the proposed land at the airport will potentially be developed. Approving the current expansion proposal just because "*something is better than nothing*" is a big mistake!

She stated please expand the UGB to the SE portion, from Havlik Crossing to Johnsons Landing Road so development can occur at the North and SE areas. This will avoid having all of our eggs in one basket and provide benefits to both city and county residents.

She thanked Council for listening to a concerned citizen.

Mayor Burge thanked her. He explained next will be Diane Tucker. He stated please state your name and address for the record.

Diane Tucker, 33875 E. Columbia Ave, Scappoose. She explained her main concern is the Crown Zellerbach Trail and some of what she is going to say has already been said because she didn't know what everyone else was going to say.

She read the letter she submitted for the record.

She stated she feels very strongly, as do many citizens in our community, that the CZ trail should not be used for motorized vehicles. First of all, with today's emphasis on health and fitness, this is one of the only places people can get out and walk, run, or bicycle safely, young or old. Families with strollers and small children with tricycles or walking can go together as many do. Also seniors, like us, use it daily. There are also handicapped citizens who rely on this path for needed exercise as they cannot maneuver the streets and lack of sidewalks. One man has a walker, one a wheelchair, and one a big tricycle. There may be more. They can access the trail by one of the side streets

adjacent to it. Secondly, this a beautiful, quiet place to walk and enjoy nature. Changing the trail would endanger the wildlife and their habitat. There are many ducks, geese and some otter that we have seen and probably more. Wildlife habitat is being taken over everywhere on our planet and I don't believe we should be adding to this disaster. Thirdly, the citizens whose backyards are adjacent and those close to the trail would certainly suffer with noise and pollution. Also, the children and pets are used to a safe place to go in the summer to ride and also have family time picking berries. I can't imagine not having the trail as so many people depend on using it for health and recreation.

She thanked the Council.

Mayor Burge explained next will be Tom McInnis.

Tom McInnis, 51005 SW Old Portland Road, Scappoose.

He read the letter he submitted for the record.

He explained he attended all of the public meetings held by the City of Scappoose Planning Commission and heard testimony in both favor and opposition to the proposed UGB expansion. Of those who testified some held the past and future personality of the community in mind, while others apparently did not. Many issues were raised; among them the Crown Zellerbach trail, the need for a residential and transportation study, expansion of the airport runway, inclusion of farmlands and which class soils are deemed acceptable for taking and a multitude of other concerns. It seems more questions were raised than answered with regard to the land requirements needed to match the aspirational growth as outlined in the EOA. With these issues notwithstanding, please know we are opposed to the expansion of the existing UGB and subsequent commercial zoning of the 26 acre residential neighborhood referred to as the SW Expansion Area. But we are even more opposed to the inclusion of just a very small fraction of the proposed SW area on the east side of Old Portland Road next to the cemetery being brought into the UGB as an alternative suggested by the planning commission. If this is done it would serve to break continuity of the neighborhood, set a poor precedent for future development, increase traffic and decrease safety on Old Portland Road. This would further reduce livability and residential value of the area while disrupting the basic quality of life without offering any of the possible options that inclusion in the UGB might present. We would simply ask, if you find it necessary to include any of the proposed SW Expansion Area to meet EOA's aspirational goals, please include it all.

Mayor Burge thanked him. He explained next will be Todd Mains. He wasn't in attendance. Next will be Kristie Flanagan.

Kristie Flanagan, 32600 Dutch Canyon Road, Scappoose. She explained she is mainly here because she has been hearing people talk, the newspaper talking about how local business owners support this proposal. She is a local business owner and she does not support this proposal. She explained she owns River City and Rentals NW right here in Scappoose. She appreciates that Linda brought up that just because she lives in the County, not in the City, it still affects us all. She has seven children that she has had for 16 years in the Scappoose School District. She explained her company manages rentals and commercial properties and for the last 8 years anyone coming in for commercial property, especially retail, they do not want to be out of sight. This exchange of retail

out of the airport will not work and that is just her from her professional opinion that she is telling Council that. That if people come, they will not go there. Also she just really wishes that Council would just listen to what everyone has to say here, she knows this is a really big job for you all but she personally felt like in the very beginning when the consultants first had their first meeting that was open to the public for public opinion she was insulted. It was there was for our public opinion. Everything was all up, the maps were there, everything was basically done and decided and she felt like they were just going through a hoop. She really hopes that everybody will listen to actually what all the public would like to see happen for Scappoose.

She thanked Council.

Mayor Burge thanked her. He explained next would be Jessica Harrah.

Jessica Harrah, 33790 NE Kern Court, Scappoose. She explained she is here tonight and will be very brief but to put a face on what she thinks is a changing and emerging in Scappoose. She explained she and her husband moved out from Portland 3 years ago to Scappoose. When they chose Scappoose they looked at several bedroom communities in the greater Portland area and when they came to Scappoose they felt like moving here they could really be a part of something, a community that was emerging as a community that was very livable with an easy commute into Portland and she is concerned that as we talked about this Urban Growth Boundary expansion that the livability piece isn't being looked at. She explained when they moved out here they definitely had their concerns moving into a small rural environment but as they were out here they were pleasantly surprised the school bond passed, JP West Park was created, there's talk of a fountain, there's talk of a pool going in. They as a family have feel in love with walking to the library, going to the farmers market, their Thursday nights at Pizza Vendor and going to Old Town Café. She explained her concern with the UGB is that the very things that makes their family want to put down their roots here and continue to commute into Portland has the potential to be threatened. Adding traffic on East Columbia Avenue, on West Lane, on the areas that are identified as potential growth opportunity will affect a lot of families and a lot of children that play in those areas. Adding airport traffic is another real issue. While she understands that would add a lot of jobs it would also add a lot of airplane noise. Finally the industrial growth near new housing developments suggests that to her that there has been several brand new housing developments in on over the last couple of years and when we think long term planning she guesses she questions why new somewhat high end housing developments would go up right next to areas where there's going to be potentially significant industrial growth. There's been a lot of talk about statistics, aggressive job growth numbers and the goal of creating jobs in Columbia County and she is not opposed to that but for their families and she thinks the increasing number of families like them are choosing to move to Scappoose because of its status as a bedroom community it has a potential to really impact us. She thinks we need to talk about capitalizing the growing opportunity Scappoose has to attract high wage earners who spend their money locally. She truly sees this as a defining moment for Scappoose and allowing industries so close to what is the heart of little community could shut the door on this opportunity. She is concerned about how few local community members were involved in the planning stages. This is an important component to making sure that public and private partnership critical in a plan like this and other community opportunity seems fair and transparent and she doesn't know that that happened here. She and she thinks a lot of people speaking tonight are happy to be involved with discussions surrounding livability. She wants her boys to grow up here. She wants them to be Scappoose Indians but she wants a community to be livable and attractive and continue to make her want to make that 20 to 25 minute commute into Portland. She

thanked Council for their service; she knows it can be a thankless job especially in a small communities. She thanked them for their time.

Mayor Burge thanked her. He asked if there is anyone else who has opposition? He called up Barry Hess.

Barry Hess, 51967 SW EM Watts Road, Scappoose. He explained he has been in business in Scappoose since 1978 and he also has eight other businesses in small communities like Scappoose and when he first heard about this proposal he really didn't think it would ever get this far, he didn't really need to be involved in it, he has plenty to do on his own but to see this thing get this far boggles his imagination. It should be movie, they did one the "Field of Dreams", build it and they will come. He stated this won't work, you are not going to get anybody like myself to spend a million dollars on a building and buy a piece of dirt in a county this size with the draw it has. Retail is not going to work, manufacturing might work, light industrial might work, but you are not going to get retail down here, it is not going to work. He explained he is looking for property all over the State and he can tell you that nobody is going to look at that piece of dirt. It is a bad use of UGB expansion. If you want to promote commerce, if you want to do what is right for this City just do what is right, move the UGB out but do it in spots where it makes sense for everybody to be involved in it. This is not going to work down there, you are wasting tons of UGB space that lots of communities would love to have. He can tell you there are a whole bunch of little communities out there that would love to be able to expand their UGB in the right areas. You're dumping it down in a spot that is not going to get any retail environment at all and not for a good many years. Most of you have been in this town for quiet a while and you know the last 20 years there has been some expansion but this kind of expansion and that far it is not going to work. He thanked the Council.

Mayor Burge asked Barry Hess if he is talking about around the airport.

Barry Hess replied yes, the airport expansion is what he is talking about. He explained he happens to have 7 acres bordering the Hillsboro Airport and if you ever want a can of worms have an airport expansion because the neighbors are angry and they are angry with jet traffic, they are angry with helicopter traffic and if you want to have a flood of citizens in your office talking to you let this thing happen down around the airport. He stated even putting a sign up outside his building created 18 complaints on a subdivision; it was a legal sign in a commercial area. He stated you are opening a can of worms trying to put that much traffic in that part of town. It needs to be up on the highway were people can get to it and not impact the expenses for the City. He thanked Council.

Mayor Burge asked if there was anybody else who has not spoken. He asked if there was anyone else who would like to speak, he has David Stocker. He asked him to please step forward and state his name and address for the record.

David Stocker, Columbia County Economic Team, 230 Stand Street, St. Helens, Oregon. He explained he is not here to speak in favor or against any specific land use proposal but he did want to make a few comments with regards to the context for economic development and it's importance's. Also what he views at the unique asset that is the Scappoose Airport (**stimulate. I think that is what he said**) economic development in Scappoose and Columbia County. He does agree on one point with what was said with by the representative from 1000 Friends of Oregon. He doesn't think that you can hide and watch your way into economic development and business growth. He does think that if you are to pursue an expansion of the industrial areas around the

airport it has to be accompanied by a comprehensive economic development strategy and he thinks that is part of what the City of Scappoose has decided to do by joining as a member of the Columbia County Economic Team to take a proactive stance towards economic development. Now all that being said he thinks the airport is one of Columbia County key economic development assets. Not all industrial land is created equal. As you know there is industrial land throughout Columbia County but much of it is encumbered by floodplain, by wetlands issues, it is perhaps in the wrong location or isn't necessarily ready for the market to embrace for a period of many, many years. He thinks that the airport has already demonstrated itself as a driver for economic development as demonstrated by the handful of businesses that are there, whose growth during the period of 2005 – 2009 outpaced the general rate of employment in the rest of Columbia County and also in the State of Oregon. The companies that are around the airport now he thinks are the sorts of companies that are very good for Columbia County and he thinks that we should all think about ways to embrace those sorts of firms and encourage other firms like them to locate here. He stated it is a business cluster that focuses on general aviation, they are good employers and they have good jobs. Right now together they employ 206 people with a payroll of 8.5 million dollars combined. The wages on median is 27% higher than the County average so we are talking about very good jobs. He thinks that alternative to finding ways to stimulate additional job in Scappoose and the rest of Columbia County for that matter is less vital communities. Economic Development, Business Growth is the underpinning of having a vital and livable community. He thinks without job growth here the future might be very much more bleak than it is today. When you take into account the Energy Information Administration is a Federal Agency that tracks energy they are predicting that a barrel of oil is going to go north of \$100.00 this year and will continue to rise due to a rise in global demand. In the long term he thinks that if this County and Scappoose has an imbalance of jobs to the population that live here the rising cost of oil will put continued pressure on household budgets and make this a less viable place for many households to locate because of household budget reasons and he thinks it is going to put pressure on this community. He also wanted to make a few comments about the opportunity to look at the airport as a driver for economic development growth. The firms that are located there are innovators and again all industrial land is not created equal and the firms that coming to the airport are firms that have generated over half of all the patents registered to Columbia County businesses since 1978 and that's no small fact because innovation is what drives economies forward. Innovation's what give you the edge in marketplaces, a business and innovation is what helps you hire more employees and support your local community. He explained he has reviewed the Economic Opportunity Analysis; it is outside of his domain perhaps to say whether or not it is well based, that is for Council to decide because ultimately you are the body that will own that study but he does think that economic growth that high rated job growth is possible in a community like this. He looked no further than the community of Canby as a really good example. He spoke with his counterpart at the City of Canby this afternoon and in 1999 the City of Canby decided to form an Urban Renewal District. He stated he knows that is different from what is being discussed here but just to set the stage the City decided to create an industrial business park and fund the infrastructure improvements, which is a little different from having a private developer propose to take on that role, perhaps more ambitious on the part of the City and has put the City of Canby at a higher risk of position than you the City of Scappoose would be looking at in this case. 1999 the Urban Renewal District was formed, 2001 improvements were constructed, infrastructure improvements. This is a 300 hundred acre site and by 2006 the City had lined up 12 firms, over a period of 5 year, which now employ 400 people and their economic development director has indicated that they are poised to land a couple other major business locations. All that being said, although he is not here to encouraged a specific land use decision either way, he is here to encourage Council to think about the context of economic development and how important it is

for community livability, prosperity of your citizens to shore up your tax base and so forth. He thanked Council.

Mayor Burge stated he does have a letter to enter into the record by Linda Holsheimer. He read the letter, which said appearances seem to be important to public officials. It has come to my attention Mr. Rosenbaum owns the building and rents it out to the City of Scappoose Planning Commission. Mr. Rosenbaum also seems to own the restaurant directly across from City Hall. Even though the residents on the southwest side of Portland are adamantly against commercial property in their neighborhood, Mr. Rosenbaum seems to have received special consideration. His property has been singled out for UGB inclusion. Mr. Rosenbaum does not live on the property and rents out two houses on it. He will not be inconvenienced by rezoning his property. The neighborhood as it stands is strictly residential. Access to Mr. Rosenbaum's property will inconvenience the neighborhood with increased traffic and parking problems. But of course, Mr. Rosenbaum won't be inconvenienced in the slightest. Mr. Rosenbaum even stated he would run a water line to his property. The residents adjacent to this water line are concerned they will have to connect to city water. To summarize, Mr. Rosenbaum appears to be receiving special treatment regarding his property. The neighborhood is aware of this and think it is unfair and resent the City Planners' decision to include his property in the UGB. Thank you for your consideration in this matter. Linda J. Holsheimer

Lisa Smith, 33567 SE Maple Street, Scappoose explained we have had a lot of conversation here about the need for economic development. She is glad that David spoke up on the need for economic development because she has to explain to Council about protecting property for industrial development. She took a look at the trended values from the County Assessors Office, property outside the Urban Growth Boundary that is in Farm Use Zoning was valued at \$22,356.00 an acre. Property inside the City limits with Public Use Airport Zoning was \$96,064 an acre. When you start adding commercial uses to that those numbers start to become insanely disordered. Inside the City limits on the corner of West Lane & Columbia, Commercial Zoning \$383,289 an acre. What happens when you add those commercial uses, she gave Council a handout at the last meeting talking about adding commercial uses to industrial land, you start to change that value, you start to make that industry had to compete with your commercial and it is not a level playing field. If you are serious about protecting it for industrial do not adopt any of the overlays. If you want to bring it in and zone it Public Use Airport you are protecting it for airport and you saw on that list all the things that can be allowed and you will muddy the waters with all this commercial which is playing at a different level. She thanked Council. She would also request because so much additional information has been put in the record tonight that Council would at least leave your record open for 7 days. You might want to continue your hearing but if you feel that you have received enough information.

Mayor Burge replied the record is going to stay open because we are going to continue the hearing to the next meeting for the staff response.

Legal Counsel Jeff Bennett explained if Council is going to allow folks to submit information into the record it would be helpful because part of the reason we want this additional time is for staff members to be able to respond to what is received. If you are going to continue this hearing, staff would ask that Council set a deadline for non staff person to submit additional information.

Mayor Burge replied how about January 10, 2011 at 5:00 p.m.

City Planner Brian Varricchione replied he can state that one week to respond to the volume of comments is not really realistic. Certainly keeping the record open another week is not something they would object to at the staff level but it is unlikely that they will have the opportunity to fully respond to all the comments by the next hearing. Now having said that it is not necessarily a bad thing in that they would like direction from Council about which comments, which issues that were raised you would really want more information on that staff could then go back and gather a response for Council.

Legal Counsel Jeff Bennett replied whatever time limit Council sets for additional information to be submitted would apply to everyone except the City's staff, which means that the consultant team would need to get their responses in at the same time everybody else gets their responses in, that would be his view.

Mayor Burge explained we will extend the record to January 10. He asked City Planner Brian Varricchione that they might need to push the next hearing off to the beginning of February. He asked City Planner Brian Varricchione if that would be helpful for him

City Planner Brian Varricchione replied yes.

Mayor Burge replied the next meeting on the UGB proposal will be February 7, 2011. He stated for Council if they want more information, if they have questions and he will send them to City Planner Brian Varricchione. He explained he will be going over his notes.

Councilor Gedlich would like staff to get as much information as they can about the overlay zones that should have been brought up during the whole committee process that wasn't and she looked in the minutes and she didn't find where the overlay zones were proposed, who proposed them and how they were permitted to get by without having any kind of documentation or recommendations as to why none of this is documented and that is what she wants the information on. She stated this is such an important issues that has been kind of put back on the back burner because of all the environmental issues and animal protection issues and traffic studies. This is so important for our community for the next 50 years.

Mayor Burge stated if you have specifics please get them to him so he can get them to City Planner Brian Varricchione so he can work on them.

Announcements

Mayor Burge explained the next City Council meeting will be at City Hall on January 18, 2011 at 7:00 p.m.

Councilors

Council Gedlich thanked all of those who stepped forward and gave Council their opinion. She stated they will do their best to do for our community. She welcomed aboard Councilor Mark Reed.

Council President Bernhard also wanted to take the opportunity for all of you who came forward tonight and speaking on the particular issue, he too takes it extremely seriously. He was writing notes and will be going over them and hopefully coming to a decision that will continue to move us forward. He does hope this is an opportunity for each and every one of them to start thinking about

how they can be involved in the community a little bit more. He hopes they take this opportunity to seriously think about that.

Councilor Ingham stated it is truly very welcoming and a very good thing that you are all here tonight. Please be assured that every word you have all spoken this evening will be taken to heart. We take this matter just as seriously as every single one of you and we will do their do diligence to make the right decision. She thanked them for coming.

Councilor Reed thanked Councilor Gedlich for the welcoming. He stated as the new kid on the block he has to admit to being somewhat overwhelmed by both the pro and the con that he has heard over the last month. One thing he will say is that it is quite apparent that a lot of time and effort and maybe some expense has gone into the research and impressive documentation that he has seen here tonight and he will echo the Mayor's comments that he will be going over the notes. He is glad to be here.

Mayor

Mayor Burge thanked everyone for coming. He explained so often we have the Council meetings and it is an empty room so it is nice to get feedback on an issue that is before us. He is going to take everything to heart and make the best decision he can.

Adjournment

Mayor Burge adjourned the meeting at 9:17 p.m.

Scott Burge, Mayor

Attest: _____
Susan M Reeves, CMC, City Recorder