

REVISION

Attachment 1

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APR 06 2021
Land Development Services

COLUMBIA COUNTY
LAND DEVELOPMENT SERVICES
COURTHOUSE
230 STRAND
ST. HELENS, OREGON 97051
(503) 397-1501

General Application

File No. PA 20-01
ZC 20-01

GENERAL LAND USE PERMIT APPLICATION

Application Purpose: Plan Map Amendment & Zone Change

APPLICANT: Name: City of Scappoose

Mailing address: 33568 E. Columbia Ave., Scappoose OR

Phone No.: Office 503 543 7184 Home 97056

Are you the property owner? owner's agent?

PROPERTY OWNER: same as above, OR:

Name: _____

Mailing Address: _____

PROPERTY ADDRESS (if assigned): N/A

TAX MAP NO.: 3117-00-00303 Acres: 4.96 Zoning: RIPD

(To be rezoned) 3117-00-00400 Acres: ~8.28 Zoning: RIPD

(Not part of rezone) 3117-00-00400 Acres: ~2.04 Zoning: PA-80

PRESENT USES: (farm, forest, bush, residential, etc.)

Use:	Approx. Acres
<u>TL 303 - undeveloped park</u>	<u>4.96</u>
<u>TL 400 - undeveloped park & linear trail</u>	<u>10.32</u>

Total acres (must agree with above): 15.28

Total acres to be rezoned: 13.24

PROPOSED USES:

Future proposed use (but not part of this application),
Public park

WATER SUPPLY: NA Private well. Is the well installed? ___ Yes ___ No
NA Community system. Name _____

METHOD OF SEWAGE DISPOSAL: NA Community Sewer. Name _____
____ Not applicable.
____ Septic System.


If Septic, does the subject property already have a system? ___ Yes ___ No
If no, is the property approved for a Septic System? ___ Yes ___ No

CONTIGUOUS PROPERTY: List all other properties you own which have boundary lines touching this property:

<u>Tax Map No.</u>	<u>Acres</u>	<u>Co-owners (if any)</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

CERTIFICATION:

I hereby certify that all of the above statements, and all other documents submitted, are accurate and true to the best of my knowledge and belief.

Date: 4/5/2021 Signature: 

NOTE: Please attach an accurate and detailed plot plan, including property lines, existing and proposed structures, location of septic tank and drainfield, farm - forest areas, large natural features (cliffs, streams, etc.). No development proposed at this time.

+++++
Planning Department Use Only

Date Rec'd. 4/6/21 Hearing Date: _____

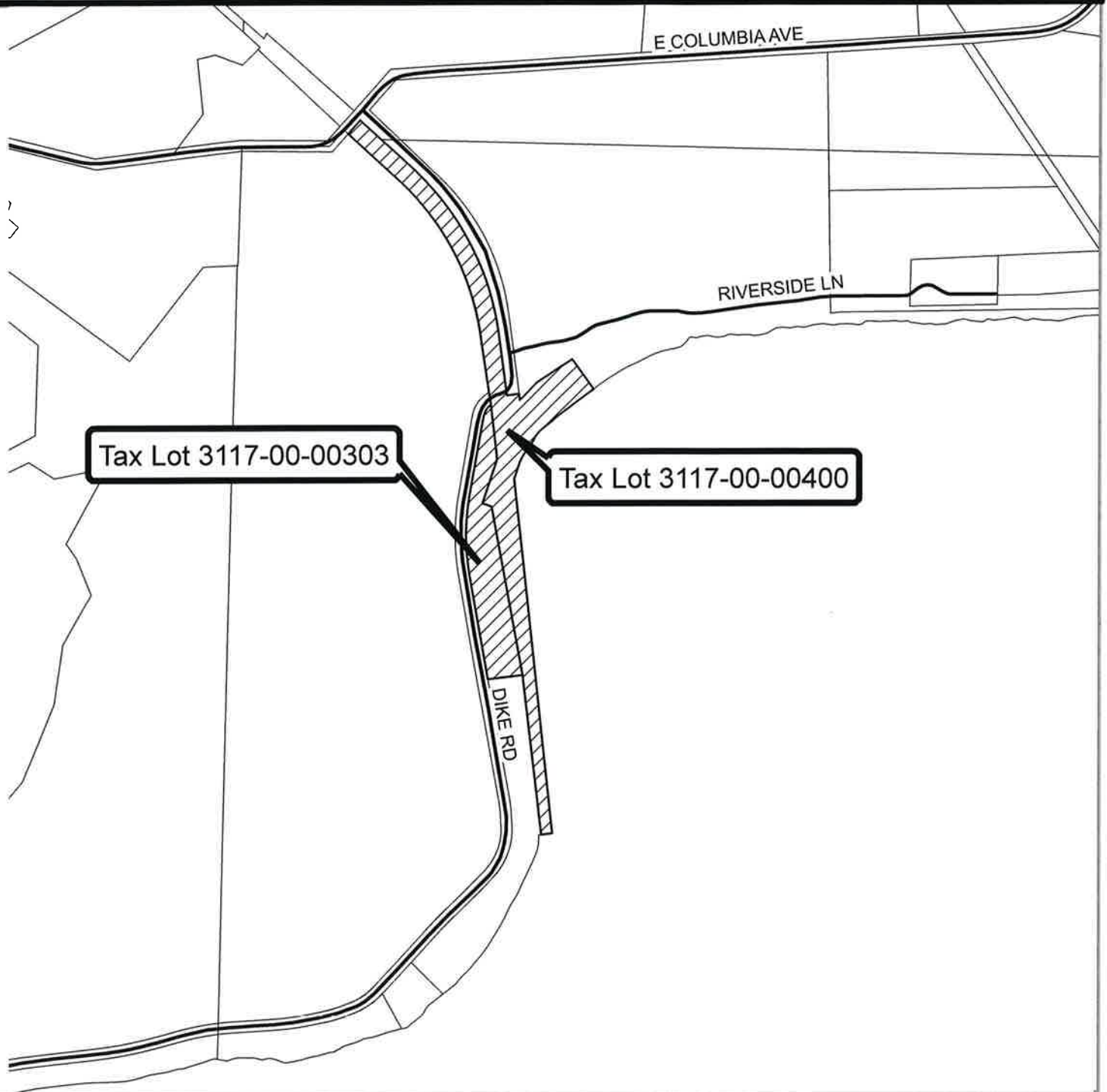
Receipt No. 391622 Or: Administrative _____

Zoning: R1B D, PA-80 Staff Member: DU pub

Chapman Landing Rezone Vicinity Map

Attachment 2

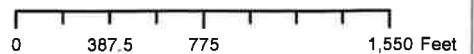
Columbia County Assessor's Map Number 3117-00-00303
and 3117-00-00400



Scappoose GIS

Legend

- Streets
- Taxlots Boundary



KEY TO COI

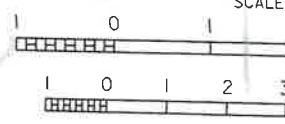


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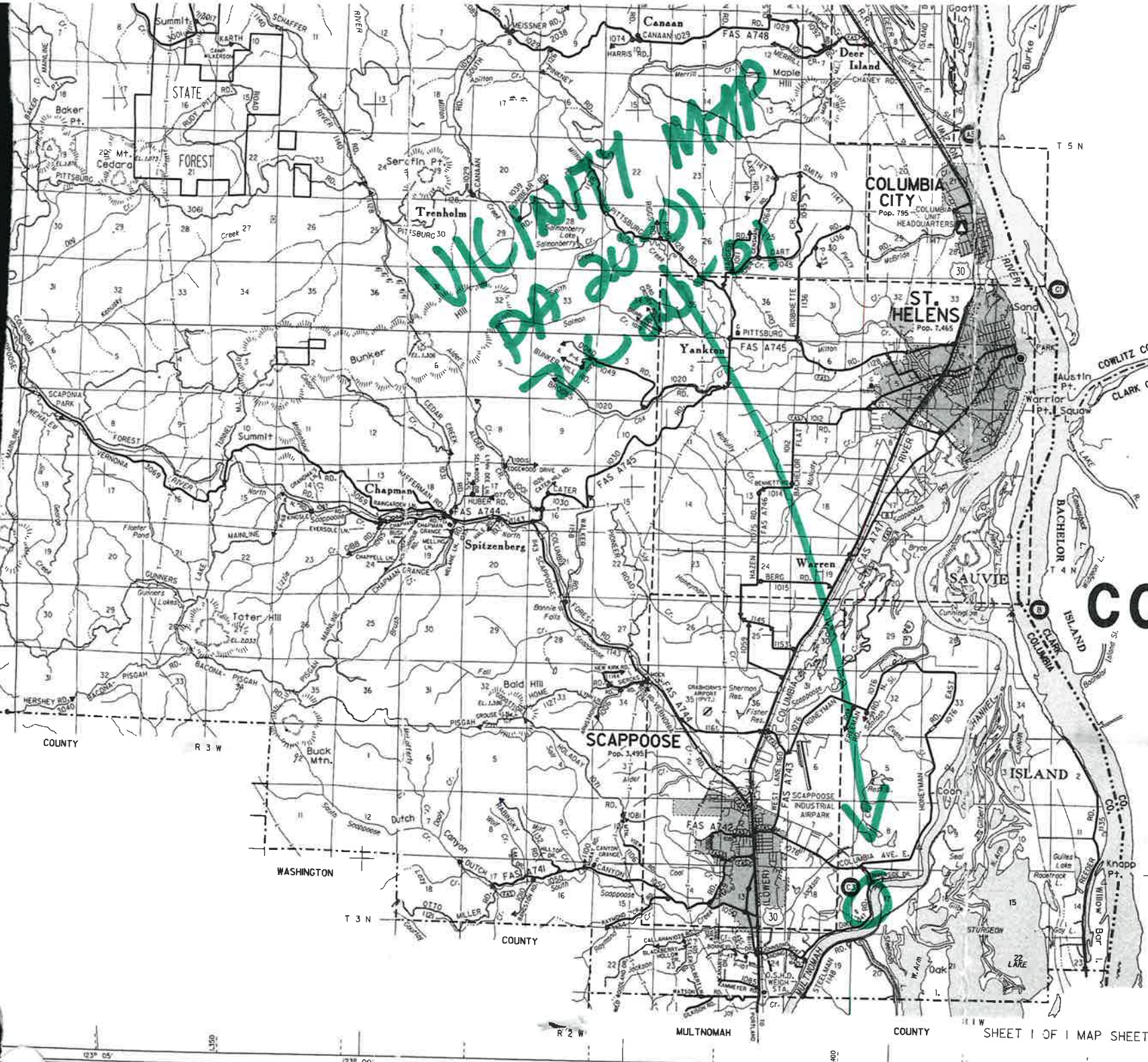
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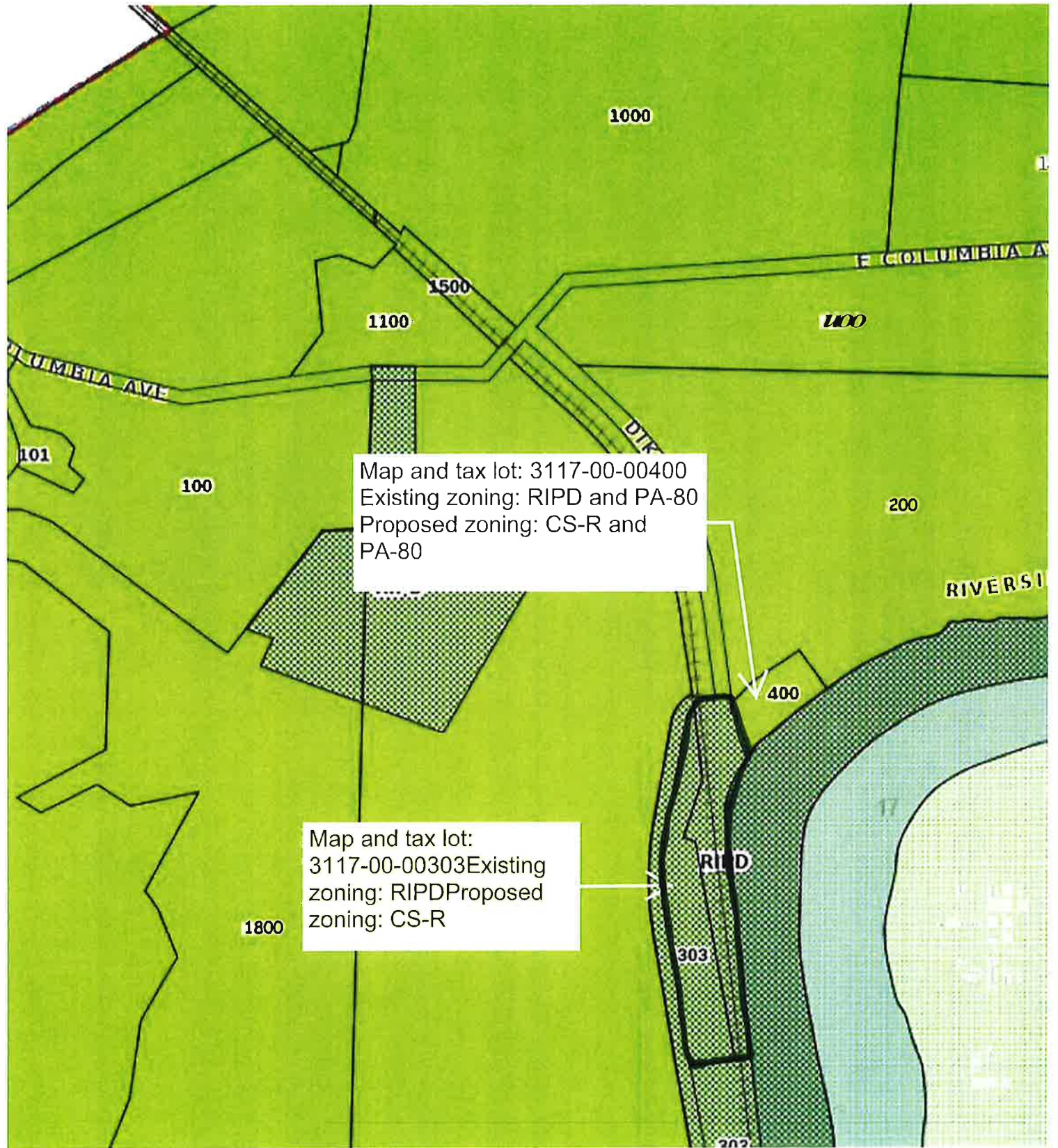
State Plane Coordinate or
Oregon North Zone in 1



VICTORY MAP
PA 2025

10-05-82
10-05-82
10-05-82

02



Map and tax lot: 3117-00-00400
Existing zoning: RIPD and PA-80
Proposed zoning: CS-R and PA-80

Map and tax lot:
3117-00-00303
Existing zoning: RIPD
Proposed zoning: CS-R

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Land Development Services

ZONE CHANGE FACT SHEET

1. What is the present zoning?

TL 303 (Chapman Landing): Resource Industrial Planned Development (RIPD).

TL 400 (Chapman Landing and a portion of Crown Zellerbach linear trail): Resource Industrial Planned Development (RIPD) and Primary Agriculture (PA-80).

Attachment 3

2. What zone is proposed?

TL 303: Community Service – Recreation (CS-R).

TL 400: Community Service – Recreation (CS-R) and Primary Agriculture (PA-80).

3. Zoning Map Amendment?

Yes. The applicant also requests a Comprehensive Plan Map amendment from Rural Industrial to Community Service for TL 303 and for the portion of TL 400 that will be rezoned to CS-R.

4. State the specific purpose of the zone change request:

Chapman Landing offers a unique and promising opportunity for the City of Scappoose to create a public recreational facility on the Multnomah Channel with access to the Crown Zellerbach Trail. The site is not currently being utilized in any manner which would present significant impediments to this type of development. However, due to Chapman Landing's current zoning (RIPD) and Comprehensive Plan designation (Rural Industrial), recreational development is not permitted. In order to make installment of a public park possible, the zoning of this site will need to be changed from RIPD (Resource Industrial Planned Development) to CS-R (Community Service – Recreation). While a portion TL 400 would remain zoned PA-80, recreational uses are listed as a conditional use in the PA-80 zoning district. At the time of a future park development proposal, the City will apply for a conditional use permit to allow use of the PA-80 portion of TL 400 for public park purposes.

5. Why is the subject property better suited for the proposed use than the use presently permitted?

The site's current Resource Industrial Planned Development zoning designation is reflective of the site's previous use as a log landing; logs would be brought to the site via railroad, and later by truck, offloaded into the channel, bound together to make log rafts, and sent downriver. This use has been abandoned for decades and the site now functions as an unofficial recreational facility that serves as the terminus for the Crown Zellerbach Trail and provides access to the Multnomah Channel. In order for the City to fully develop the site as a recreational facility, the zoning must be changed to Community Service – Recreation.

Additionally, upon transferring the property to City ownership, Columbia County added a deed restriction stating that the City must apply to rezone the property to CS-R within two years of the transfer date or else property ownership would revert back to the County. The City is in compliance with this stipulation since the initial rezone application was applied for within that two-year window.

6. What public need or convenience will be met by this zone change that is not already being met by available property in the general area:

This site is unique in that it offers an opportunity to create a public recreational facility with views of, and access to, the Multnomah Channel and to serve as the terminus to the Crown Zellerbach Trail. There is no other similarly situated property that is publicly owned nearby. Therefore, development of this site will fulfill a public need for a high quality recreational opportunity, and the development can only take place if the site is appropriately zoned.

7. Describe how the proposal is in general conformance with the comprehensive plan and the planning objectives for the specific area:

The proposed zoning amendments to CS-R for Chapman Landing is in conformance with the applicable sections of the County's Comprehensive Plan and planning objectives, including; Part II - Citizen Involvement, Part III - Planning Coordination, Part XIII – Transportation, Part XIV – Public Facilities and Services, Part XVI – Goal 5: Recreational Needs, Open Space, Historic Areas and Natural Areas, Part XVII – Recreational Needs, and Part XX - Willamette River Greenway, please reference the findings under Zone Change Criteria below for details.

The site's ownership history and deed restrictions are also important to note when assessing the proposal's conformance with the County's planning objectives. A portion of Chapman Landing (TL 400), was originally purchased from the Willamette Columbia Timber Co. in 1997 by the Port of Columbia County (formerly the Port of St. Helens). The Port's intended use for the property was the eventual development of a waterfront recreational facility¹. The property was later conveyed to Columbia County with a deed restriction requiring that it be developed as a public recreational facility. Several years later in April of 2019, Columbia County then conveyed Chapman Landing to the City of Scappoose. The *Agreement for Transfer of Chapman Landing* that was executed by the County and City included four deed restrictions, two of which apply directly to the rezoning of Chapman Landing and are as follows:

1. If the property is used in a manner that is inconsistent with public park or public recreational use, the County or its successors and assigns may re-enter, and upon re-entry, the rights of the City and its successors and assigns shall terminate;² and

2. The City shall be responsible for changing the zoning of the property from industrial to a zone that is consistent with public park and recreational uses. If the City fails to submit an application for the zone change within two years of the date the property is transferred to the City, the County or its successors and assigns shall terminate.³

¹ Columbia County, Memorandum of Understanding, (1997), p. 2

² City of Scappoose, Agreement for Transfer of Chapman Landing, (2019) p. 2

³ City of Scappoose, Agreement for Transfer of Chapman Landing, (2019) p. 2

The other portion of Chapman Landing (TL 303), was donated to the City by the Mary Ellen Bernet Revocable Trust and Frederick R. Bernet Revocable Trust in 2018.

8. Describe any changes that have occurred in the land use, street arrangements, or other physical conditions which have altered the subject property since the present zoning was adopted:

As noted above, the property's current zoning is reflective of the site's historical use as a log landing. That use has long since been abandoned and the site now operates as an unofficial recreational facility. Remnants of the previous use still remain on the site and no street arrangements or other significant physical conditions have been altered.

9. Does the subject property presently have adequate public facilities, services and transportation to support the proposed use? No. If not, describe the development plan being proposed to provide these services:

As the subject site is located outside of Scappoose City limits and the Urban Growth Boundary, the City will not be extending public utilities to the site. However, in order to serve the public who utilize the site for recreational purposes, a vault toilet will be proposed as part of a future development proposal. Additionally, the City plans to improve and, if possible, add parking facilities to the site. An application for Site Development Review/Conditional Use will be submitted prior to any development on site which will allow County Planning staff to provide input on the infrastructure needed to support the development of recreational facilities.

ZONE CHANGE CRITERIA

The following sections are from the Columbia County Zoning Ordinance:

1502 Zone Changes (Map Amendments): There are two types of Zone Changes which will be considered by the Commission: Major Map Amendments and Minor Map Amendments.

1. Major Map Amendments are defined as a Zone Change which requires the Comprehensive Plan Map to be amended in order to allow the proposed Zone Change to conform with the Comprehensive Plan. The approval of this type of Zone Change is a two-step process:

A. The Commission shall hold a hearing on the proposed Zone Change, either concurrently or following a hearing, on the proposed amendment to the Comprehensive Plan which is necessary to allow the proposed zoning to conform with the Comprehensive Plan. The Commission may recommend approval of a Major Map Amendment to the Board of Commissioners provided they find adequate evidence has been presented at the hearing sustaining the following:

1. The proposed zone change is consistent with the policies of the Comprehensive Plan;

Below is a list of the policies from the Comprehensive Plan that are applicable to this request, including findings of how the zone change is consistent with those policies:

Part II - Citizen Involvement

Finding: See findings related to this section of the Comp Plan in findings of fact #2, Statewide Planning Goal #1, Citizen Involvement below.

Part III – Planning Coordination, City and County

Finding: Columbia County is home to seven incorporated cities, each of which are responsible for the preparation of their own Comprehensive Plans. The County, under ORS Chapter 197, is given the responsibility of coordinating the plans of cities and special districts within the boundaries of the county. In this way, the County can more effectively plan for the long-term desired patterns of development. The current application to rezone the lands associated with Chapman Landing are in conformance with the planning coordination comprehensive plan objectives since the City is working in coordination with the County to achieve the goal of development of a public park, as required by the deed restriction on TL 400, and as planned for in the Parks Master Plan for the City of Scappoose and Columbia County.

Part XII - Transportation Policies:

#2 The dedication of adequate rights-of-way to meet the standards set in the Transportation Plan shall be required of any person seeking a Zone Change, Conditional Use Permit, Subdivision, or Partition. The developer of a subdivision in an urban growth area will be required to make the appropriate improvements to any related street to meet the roadway, access spacing, and mobility standards set in a Transportation Plan.

Finding: The Columbia County's TSP (Transportation System Plan) states that for a major or minor collector outside of a UGB, the optimal right of way width is 60-feet. The subject site is outside of the Scappoose UGB and the existing right of way adjacent to tax lot 303, which has frontage on Dike Road, is 60-feet; therefore, the zone change is consistent with this policy and no additional right of way will be required.

#3 All expanding or new development shall contribute a fair and proportionate share toward appropriate off-site improvements to county roads whenever a development results in a major increase in traffic on an existing county road.

Finding: No development is proposed at this time; however, a park use is not anticipated to contribute a major increase in traffic since typically park uses have much lower daily trip counts than industrial developments, which was the previous use and zoning on tax lot 303. The proposed zone change is in agreement with Transportation Policy #3.

#10 The County will develop and implement plans to address safe and convenient pedestrian and bicycle circulation, including providing access to key activity centers, such as transit facilities, commercial centers, and community facilities, and improving connections and the ability to transfer between transportation modes.

Finding: The County adopted an update to its Transportation System Plan in 2017 in order to address Policy #10 above. Rezoning the lands associated with Chapman Landing will assist the County in implementing its plans to provide a safe and convenient pedestrian and bicycle route

to key activity centers since the Crown Zellerbach linear trail is used by the public on a daily basis for walking and bicycling and leads to the lands proposed for rezone. Chapman Landing, being on the Multnomah Channel, is a significant and unique recreational destination point in the Scappoose area.

#13 The County will promote walking, bicycling, and sharing the road through public information and organized events.

Finding: Rezoning the lands associated with Chapman Landing will allow for further promotion by the County of future organized events and ensures that the land will remain in recreational use in the future, thereby protecting any branding centered around “recreational opportunities” that the City or County may utilize in the future.

#14 The County will improve bicycle access along all major corridors to provide intercity bicycle connectivity, including high quality bicycle access along Hwy 30 and support the development of the CZ Trail and connection to the Banks-Vernonia Trail.

Finding: As stated, Policy #14 ensures that the County will support the development of the Crown Zellerbach Trail and connection to the Banks-Vernonia Trail. While the parcels under City ownership that contain the linear trail (TL 1500 and TL 200) are not part of the rezone application and will remain zoned PA-80, they are already being used recreationally so this can be considered an existing legal non-conforming use. Further, if the City wished to expand any development on these parcels for recreational uses, it could do so through a conditional use approval or the expansion of a non-conforming use through a variance. The City will partner with the County in promoting and furthering the enhancement of the linear trail for the enjoyment of citizens in and out of the region.

Part XIV - Public Facilities and Services Policies:

#1 Require that adequate types and levels of public facilities be provided in advance of or concurrent with development.

Finding: No development is proposed at this time; however, the applicant is aware that adequate facilities must be provided at the time of development to serve the proposal. Since the subject site is located outside of the UGB, City of Scappoose public water or sewer facilities are not expected to be extended to the site. At the time of a development proposal, the City will comply with the County’s requirement for adequate public facilities and has plans to install a vault toilet to serve park users. The proposed zone change is in agreement with policy #1 of Public Facilities.

#18 Designate parcels supporting public and private facilities and as Community Service in the Comprehensive Plan and implement this plan designation through the use of three (3) zoning designations:

- A. Community Service Utility – CSU*
- B. Community Service Institutional – CSI*
- C. Community Service Recreation – CSR*

#21 Designate as Community Service Recreational (CSR) those lands that:

- A. Support various types of public and private recreational facilities existing as of the date of this ordinance; or,*
- B. Are needed to support public and private recreational facilities which can be shown to satisfy the minimum conversion standards set out in the implementing ordinances.*

Finding: As noted previously in this application, TL 303 and the portion of TL 400 that is currently zoned RIPD, are already being used in a recreational capacity. These parcels are also mentioned in the Columbia County Parks Master Plan as “undeveloped parks” and TL 400 has a deed restriction that requires that it be developed as a park, therefore, the request to amend the zoning to CS-R is in agreement with policy #18 and #21 related to Public Facilities and Services.

Part XVI, Goal 5 - Open Space, Scenic and Historic Areas, and Natural Areas Policies:

Open Space Policies:

#1 Recognize the economic and aesthetic value of open space as it relates to planning for agriculture, forestry, wetlands, and other open space resources.

Finding: Development of the Chapman Landing site as a park protects a natural resource from development, provides open space, and its development would take place along a scenic waterway, the Multnomah Channel. This proposal will allow for a future park to be developed at the subject site which provides opportunities for additional tourism to the region which will have a positive impact on the economic and aesthetic benefits to the area. The proposed zone change is in agreement with Open Space Policy #1.

#3 Recognize the need for public access to the Columbia River and other scenic and recreational features. The County will work with commercial, industrial, and residential developers to promote public use and provide public access to these features whenever possible.

Finding: The County, through its deed restriction on TL 400, recognized the need for public access to the Multnomah Channel by requiring that the property be developed into a public park. The City will promote public use of the parcel once it is developed as a public park. The proposed zone change is in agreement with Open Space Policy #3.

Fish and Wildlife Habitat Policies:

#1 Encourage the provision and acquisition of public access both to and along rivers, streams, and lakes for the release of fish and recreational enjoyment of County residents.

Finding: As previously discussed, in the future (under a separate Site Development Review/Conditional Use application) the applicant intends to develop the subject site into a

public park with access to the Multnomah Channel for the recreational enjoyment of nearby residents and visitors. The proposed zone change is in agreement with Fish and Wildlife Habitat Policy #1.

Natural Areas Policies:

#1 Protect ecologically significant natural features and areas by restricting land use activities which may degrade their unique characteristics and direct incompatible land uses away from such areas.

Finding: The requested zone change to CS-R will ensure that the ecologically significant natural features of Chapman Landing are maintained since this zoning designation does not allow for intensive land use activities that may disrupt natural features, but does permit recreational and park uses which is compatible with Natural Area policy #1.

Water Resources Policies:

#11 Require that all development be planned, designed, constructed, and maintained so as to avoid the probability of accelerated erosion; pollution, contamination, or siltation of lakes, rivers, and streams; damage to vegetation; or injury to fish and wildlife habitats.

Finding: This application does not propose any development at this time; however, future park development on the subject site will be designed in accordance with the provisions of this policy.

Historic and Cultural Areas Policies:

#4 Support efforts to preserve, protect, and enhance the historic and cultural resources of the County.

Finding: Chapman Landing has rich historical significance to the County as a site of early logging operations, remnants of which can still be seen on site today. Future development of the site as a park would serve to protect and preserve the historic and cultural resources of the County. The proposed zone change is in agreement with Historic and Cultural Areas Policy #4.

Oregon Recreational Trails Policies (Article XII):

#2 Support efforts to extend the Banks-Vernonia Linear Trail, primarily along the Crown Zellerbach Logging Road right-of-way, from Vernonia to Scappoose and the Multnomah Channel.

Finding: The City of Scappoose is requesting this zone change to CS-R in order to develop Chapman Landing as a park, which would be the terminus of the trail, ending at Multnomah Channel, which is in conformance with the Oregon Recreational Trails policy #2. Furthermore, without the rezone application being approved, this policy could not be achieved.

Part XVII – Recreational Needs Policies:

#5 Explore the possibility of developing regional parks in conjunction with the cities and local civic groups.

#6 Designate County parks as Community Service in the Comprehensive Plan and implement this designation through the use of the Community Service-Recreational zoning designation.

Finding: The request to amend the Comprehensive Plan map to Community Service and the zoning map to CS-R to allow for the development of a park is in conformance with Recreational Needs policy # 6. Furthermore, by rezoning the parcels to CS-R, the County and City could jointly apply for grant funds to develop a regional park connecting the Multnomah Channel and Chapman Landing to Vernonia, and beyond, in conformance with policy # 5 above.

Part XIX – Natural Disasters and Hazards

Floodplain Policies:

#3 Open space uses such as recreation or agriculture shall be encouraged within identified flood plain areas.

Finding: The portion of the subject site that is on the top and east side of the levee (most of TL 303 and TL 400) is within the floodplain. The proposed rezoning of the parcels to allow for open space and recreational uses is in conformance with Floodplain policy #3.

Part XX - Willamette River Greenway Policies:

#1 Agricultural lands within the greenway shall be protected consistent with the Statewide Planning Goals & Guidelines.

#2 Identified significant fish and wildlife habitats shall be protected consistent with the Statewide Planning Goals & Guidelines.

#3 Identified areas of ecological, scientific, historical, or archeological significance shall be protected, preserved, restored, and enhanced to the maximum extent practicable.

#4 The natural vegetative fringe along the river shall be enhanced and protected to the maximum extent practicable.

#5 Developments shall be directed away from the river to the greatest possible degree and consistent with the Statewide Planning Goals & Guidelines.

#6 Any proposed development, intensification, or change in use must be consistent with the Statewide Planning Goals & Guidelines.

#7 Public safety and protection of public and private property shall be provided to the maximum extent practicable and shall be considered when reviewing any proposal for development, intensification, or change in use.

#8 Public access points shall be encouraged when reviewing any proposal for development, intensification, or change in use.

#9 Identified scenic qualities and viewpoints shall be preserved.

#10 Local, regional, and state recreational needs shall be provided for when it can be shown that adequate measures have been provided for which will protect adjacent property to the greatest extent practicable.

Finding: The current application is for a zoning amendment and no development is proposed at this time. The future development of Chapman Landing for recreational use falls directly in line with the policies of the Willamette River Greenway. The park will be located on the Multnomah Channel, will be entirely open to the public, and would not obstruct views up and down the channel. The ecological and historical resources on the site will be preserved to the maximum extent possible and would be reviewed as part of a future Site Development Review/Conditional Use application. Findings related to the Statewide Planning Goals and Policies have been provided later in this application.

2. The proposed Zone Change is consistent with the Statewide Planning Goals (ORS 197); and

Goal 1 Citizen Involvement

Objective: To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

Finding: The County's Comprehensive Plan and Development Code includes citizen involvement procedures with which the review of this application will comply. This process allows for citizens to communicate their input into the application review conducted by the County at public hearings or by submitting written comments. The County Planning Commission will review the proposed Comprehensive Plan Map Amendment and Zone Change application to make a recommendation to the County Commission. The County Commissioners will hold a public hearing. The County will post and mail applicable notices. This process complies with the goal.

Goal 2 Land Use Planning

Objective: To establish a land use planning process and policy framework as a basis for all decisions and actions related to use.

Finding: The procedural requirements for Comprehensive Plan Map Amendments and Zone Changes are contained in the County's Code, which involve assessment of the application's merits, notice to affected parties and public hearings. The proposal is to a complete a

Comprehensive Plan Map Amendment and Zone Change on unincorporated County land in compliance with Goal 2. Notice of the application will be sent to DLCD as required and the County's decision will be based on findings of fact.

Goal 3 Agricultural Lands

Objective: To preserve and maintain agricultural lands.

Finding: The City is not requesting to rezone any agriculturally zoned lands. Portions of TL 400 are zoned PA-80, including a small section of the existing Crown Zellerbach Trail. Additionally, there is a small portion of TL 400 that will remain zoned PA-80 which is adjacent to the Multnomah Channel and is currently vacant. No additional development is expected to occur on the portion of TL 400 that contains the trail and the other portion of TL 400, adjacent to the Multnomah Channel, may be incorporated into future park plans; however, the City would apply for conditional use approval at the time of development.

The Chapman Landing site, including TL 303 and the portion of TL 400 currently zone RIPD, is identified in the Columbia County Comprehensive Plan as an exception site and qualifies as such since it was previously physically developed for uses other than agriculture/farm use and is identified in the Comprehensive Plan as the, "Crown Zellerbach log dump site"⁴. Since the City is requesting to change the zoning from RIPD to CS-R and since the site has previously been identified as an exception site, another exception need not be requested; however, findings related to OAR 660-004-0018(2)(b) must be provided.

660-004-0018 – Planning and Zoning for Exception Areas

(2) For "physically developed" and "irrevocably committed" exceptions to goals, residential plan and zone designations shall authorize a single numeric minimum lot size and all plan and zone designations shall limit uses, density, and public facilities and services to those that satisfy (a) or (b) or (c) and, if applicable, (d):

(b) That meet the following requirements:

(A) The rural uses, density, and public facilities and services will maintain the land as "Rural Land" as defined by the goals, and are consistent with all other applicable goal requirements;

Finding: As defined by the goals, rural lands are those lands that are outside of urban growth boundaries and unincorporated community boundaries. The application to rezone TL 303 and 400 from RIPD to CS-R will only allow for the parcels to be developed with recreational uses, or uses which support recreational uses, such as a non-residential accessory building. Additionally, the land would be maintained as rural since no residential uses (other than a single-family dwelling or mobile home for a caretaker in conjunction with a permitted recreational use) would be allowed on the site, so increases in density would not occur as a result of the rezone.

⁴ Columbia County Comprehensive Plan, Part XII, Industrial Siting, Type I Exceptions

TL 303 and TL 400 are outside of the UGB and public facilities such as public water and sewer would not be available to serve the site since the nearest public water and sewer lines are nearly a mile away, which will further ensure that the land is maintained as rural land. At the time of a development proposal, the City would propose an on-site vault toilet to serve visitors of the future park. Current public services, such as police and fire services, already serve the site and would continue to serve the site after rezoning the land and these services would not affect the rural character of the land. All other applicable Goal 3 requirements are met.

(B) The rural uses, density, and public facilities and services will not commit adjacent or nearby resource land to uses not allowed by the applicable goal as described in OAR 660-004-0028; and

Finding: As previously stated, the rezone to CS-R would only permit recreational uses or uses which support recreational uses; therefore, density would not increase as a result of the zone change. Furthermore, no public facilities are available to serve the site (such as public water or sewer) since the site is located nearly a mile from the urban growth boundary and the same distance from the nearest public water and sewer lines. Lastly, no additional services would be available to the site that aren't already serving the site (such as fire and police protection); therefore, the County can find that zone change to CS-R will not commit adjacent or nearby resource land to uses not allowed by Goal 3.

(C) The rural uses, density, and public facilities and services are compatible with adjacent or nearby resource uses;

Finding: Adjacent and nearby resource land is zoned PA-80 and is in agricultural use. As previously stated, the proposed rezone to CS-R is not expected to change the rural uses, density or public facilities and services in a way that would be incompatible with nearby resource uses since the rezone will not allow for increased density, will not bring additional facilities or services to the area which would change the rural nature of the site, and would only allow for recreational uses to be developed on the subject site. Furthermore, PA-80 zoning already permits recreational uses on a conditional use basis so rezoning the subject site to recreational uses would be compatible with the adjacent and nearby resource uses.

Goal 4 Forest Lands

Objective: To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leasing use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Finding: This goal is not applicable because there are no identified forest resources located within the parcels to be rezoned.

Goal 5 Open Spaces, Scenic and Historic Areas and Natural Resources

Objective: To protect natural resources and conserve scenic and historic areas and open spaces.

Finding: Rezoning Chapman Landing to CS-R to allow park uses meets this goal of the state as it protects a natural resource from intensive development, provides open space, the remnants of its previous use can be preserved for historical value, and its development would take place along a scenic waterway, the Multnomah Channel. This proposal is consistent with this goal.

Goal 6 Air, Water and Land Resources Quality

Objective: To maintain and improve the quality of the air, water and land resources of the state.

Finding: The Comprehensive Plan Map Amendment and Zone Change proposal would allow the development of a recreational facility at the Chapman Landing site. This use would not negatively impact the area's air, water and land resource quality and would protect the site from intensified, industrial related uses that may have a negative impact. Therefore, this proposal does not conflict with this goal.

Goal 7 Areas Subject to Natural Disasters and Hazards

Objective: To protect people and property from natural hazards.

Finding: The subject site has a levee running through a significant portion of the property. The levee protects the City of Scappoose and unincorporated Columbia County during flood events. The proposal to complete a Comprehensive Plan Map Amendment and Zone change to allow development of a recreational facility would not negatively impact the levee since any design proposal would have to be consistent with all applicable local, state and federal policies. Therefore, this proposal does not conflict with this goal.

Goal 8 Recreational Needs

Objective: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Finding: Chapman Landing is an optimal parcel of land for establishment of a park; it is not being utilized for any other purpose, and is located adjacent to the Multnomah Channel and at the terminus of the Crown Zellerbach trail, which adds to its recreational value. Development of this site will be beneficial both for local residents of the County and for tourists seeking an outdoor recreational opportunity close to Portland. This proposal supports this goal.

Goal 9 Economic Development

Objective: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding: The development of Chapman Landing as a park would provide an attractive recreational opportunity to tourists given its location at the terminus of the Crown Zellerbach Trail and its access to the Multnomah Channel. Additionally, a park at Chapman Landing would support development of industrially zoned property located in the NE area of Scappoose, as it

would provide an attractive amenity for employees of the area to enjoy. The proposed rezone is compatible with this goal.

Goal 10 Housing

Objective: To provide for the housing of citizens of the state.

Finding: This goal is not applicable since the parcels involved in this application are not proposed to be rezoned for housing.

Goal 11 Public Facilities and Services

Objective: To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: The subject property lies outside of the City of Scappoose’s City limits and Urban Growth Boundary. Therefore, City utilities will not be extended to the site but, as an alternative, the City will propose to install a vault toilet to provide a restroom facility for users of the future park (which would be reviewed by County Planning staff as part of a Site Development Review/Conditional Use application). The subject property is within the Scappoose Rural Fire District, the Columbia County Sheriff’s District and, by intergovernmental agreement, the Scappoose Police Department has the authority to provide the same enforcement services that they provide within the City.

Goal 12 Transportation

Objective: To provide and encourage a safe, convenient and economic transportation system.

Statewide Planning Goal 12 is implemented by the state Transportation Planning Rule (TPR). The County adopted an updated Transportation System Plan (TSP) in 2017. As required by Columbia County’s zone change approval criteria, proposals to amend the zoning map must be reviewed to determine whether they significantly affect a transportation facility pursuant to Oregon Administrative Rule (OAR) 660-012-0060 – Transportation Planning Rule (TPR).

TRANSPORTATION PLANNING RULE

OAR 660 Division 12 – Transportation Planning:

660-012-0060 Plan and Land Use Regulation Amendments

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

*(b) Change standards implementing a functional classification system; or
(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

Finding: The County adopted an updated Transportation System Plan (TSP) in 2017. The Columbia County TSP assumed that these sites would be developed under their current County comp plan map designation of Rural Industrial. Daily site trips associated with park uses (according to the ITE – Institute of Transportation Engineer’s manual) are typically lower than industrial and agricultural uses so the trips associated with these parcels over the 20-year planning horizon have already been accounted for. The rezoning of the parcels will not change the functional classification of an existing or planned transportation facility nor would it change any standards implementing a functional classification system; therefore, the County can find that the zone change to CS-R will not significantly affect the surrounding transportation network.

Additionally, OAR 600-012-0065 – Transportation Improvements on Rural Lands, identifies transportation facilities, services and improvements which may be permitted on rural lands consistent with Goal 3 (Agricultural Lands) without a goal exception. OAR 600-012-0065(3) (h) and (i) state that bikeways, footpaths and recreation trails (not otherwise allowed as a modification or part of an existing road), as well as park and ride lots are allowed on agricultural lands without a goal exception. While the City is not proposing any development at this time, the County can find that no conflict exists as presently zoned.

The 2017 Columbia County TSP states that for a major or minor collector outside of a UGB, the optimal right of way width is 60-feet. The existing right of way adjacent to TL 303, which has frontage on Dike Road, is 60-feet, which meets the requirements for right of way width according to the adopted standards in the TSP. The Comprehensive Plan Map Amendment and Zone Change proposal is in conformance with Statewide Planning Goal 12.

Goal 15 Willamette River Greenway

Objective: To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

Finding: Findings related to Statewide Planning Goal 15 can be found above within the findings for the Columbia County Comprehensive Plans policies for the Willamette River Greenway, which implement Statewide Planning Goal 15.

Statewide Goals 13, 14, and 16 – 19 are not applicable to this application.

3. The property and affected area is presently provided with adequate facilities, services, and the transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.

Finding: Public utilities will not be extended due to the site's location in unincorporated Columbia County; however, the City does plan to propose a vault toilet for users of the park at the time of development. Additionally, the City plans to improve upon the available parking and will address improvements to applicable frontage located on public roads, as required by future development. The subject property is within the Scappoose Rural Fire District, the Columbia County Sheriff's District and, by intergovernmental agreement, the Scappoose Police Department has the authority to provide the same enforcement services that they provide within the City.



Oregon Department of Land Conservation and Development

Attachment 4

PAPA Online Submittal

[Home \(/PAPA_Online/\)](#)

Reports
(https://db.lcd.state.or.us/papa_online_reports)

Report A Problem
(mailto:plan.amendments@state.or.us?subject=PAPA_PR Report a Problem)

Columbia County (/PAPA_Online/Jurisdictions/Jurisdiction/Get/44) -> Amendment 001-21 (Read Only)

DLCD File #: 001-21

Status: Proposed Change Submitted by Jurisdiction

Revision Type: Jurisdiction Submission

Revise

Local File #:

ZC 20-01 & PA 20-01

Date of 1st Hearing:

06/07/2021

?

52 Days difference

Date of Final Hearing

?

Days difference

Type:

- Comprehensive Plan Map Change
- Zoning Map Change
- Comprehensive Plan Map & Zoning Map Change
- Comprehensive Plan Text Change
- Land Use Regulation Change
- UGB using Simplified Method (div 38)
- UGB amendment by city with population less than 2,500 within UGB (div24)
- UGB amendment of 50 acres or less by a city with population 2,500 or more within UGB (div 24)
- UGB amendment adding more than 50 acres by city with population 2,500 or more within UGB (div 24)
- UGB amendment that adds more than 100 acres by Metro (div 24)
- Urban Reserve designation by Metro or a city with population 2,500 or more within UGB
- Urban Reserve amendment to add over 50 acres by a city with population 2,500 or more within UGB
- Urban Reserve designation or amendment by a city with population less than 2,500 within UGB
- Urban Reserve amendment by Metro

- Urban Reserve Other
- Other
- Periodic Review Task

Summary

The City of Scappoose has submitted applications for a Zone Change and a Comprehensive Plan Map Amendment to rezone the Rural Industrial Planned Development (RIPD) zoned portions of two properties to Community Service- Recreational (CS-R). The respective Comprehensive Plan Map will be amended to designate this portion of both properties from Rural Industrial to Community Service. The properties are identified by Tax Map Numbers 3117-00-00303 and 3117-00-00400. The ~5-acres associated with Tax Map 303 is entirely zoned for RIPD uses. Of the ~10.32 acres associated with Tax Map 400, only ~8-acres is zoned RIPD and will be amended to CS-R: the remaining ~2.32 acres zoned for Primary Agriculture (PA-80) uses will not be rezoned. These Map Amendments will allow the City of Scappoose to develop a public recreational/park facility on the Multnomah Channel with access to the existing Crown-Zellerbach Recreational Trail.

An exception to a statewide planning goal is proposed:

Total Acres:

Locations (If there's a large number of tax lots associated with this amendment, please contact DLCD for assistance, plan.amendments@state.or.us (<mailto:plan.amendments@state.or.us?subject=PAPA%20on-line%20location%20entry%20assistance>))

Type	Tax Lot	From	To	Acres
Comprehensive Plan Map & Zoning Map Change	00303	Plan Map: Rural Industrial Zone: Rural Industrial	Plan Map: Rural Park/Recreation Zone: Public & Institutional	4.96
Comprehensive Plan Map & Zoning Map Change	00400	Plan Map: Rural Industrial Zone: Rural Industrial	Plan Map: Rural Park/Recreation Zone: Public & Institutional	10.32

Additions and changes to tax lots won't be permanently saved until you click the "Save" button at the bottom of this page.

Contacts

Contacts

Documents

- Upload supporting documentation. Administrative rule requires that you include all of the following materials that may apply:
- The text of the amendment (e.g., plan or code text changes, exception findings, justification for change)
 - Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained
 - A map of the affected area showing existing and proposed plan and zone designations
 - A copy of the notice or a draft of the notice regarding a quasi-judicial land use hearing, if applicable
 - Any other information necessary to advise DLCD of the effect of the proposal

Uploaded

Name

User

4/16/2021

Proposal_ZC & PA 20-01 CITY OF SC_20210416084519_2021-04-16_09-52-56.pdf (/PAPA_Online/Document/Get?documentID=251322)

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Designating the Crown-Zellerbach)
 Logging Road and the Area Known as Chapman)
 Landing as a County Recreational Facility and) ORDER NO. 41 – 2013
 Naming it the Crown-Zellerbach Trail)
 _____)

WHEREAS, pursuant to ORS 275.320, the Board of County Commissioners may, by order, designate any real property acquired by the County as a County forest, public park or recreational area; and

WHEREAS, the Columbia County Forest, Parks and Recreation Ordinance (Ordinance No. 94-9) provides for the designation of County forests, forest-parks, parks, beaches, boat dock facilities and recreational facilities; and

WHEREAS, the Columbia County Transportation System Plan (Ordinance No. 98-03, adopted June 24, 1998) is incorporated into the Columbia County Comprehensive Plan (Ordinance No. 84-4, as amended) and identifies the road paralleling the Scappoose-Vernonia Highway, *i.e.*, the Crown-Zellerbach Logging Road, as a potential bicycle route to complete the link between Highway 30 and the Banks-Vernonia Linear Park; and

WHEREAS, the Crown-Zellerbach Trail Development Concept Plan, approved by the County on April 25, 2007, further describes a vision for the Crown-Zellerbach Logging Road as a multipurpose recreational trail; and

WHEREAS, the County has acquired the following properties commonly known as the Crown-Zellerbach Logging Road and Chapman Landing for the purposes of developing a multipurpose recreational trail:

John Hancock Life Insurance Company, Grantor:

- Special Warranty Deed and Temporary Easement Reservations, recorded in the County Deed Records on December 15, 2004, as Instrument No. 2004-15483
- Easement Agreement (with County as Grantor), recorded in the County Deed Records on December 15, 2004, as Instrument No. 2004-015484
- Special Warranty Deed, recorded in the County Deed Records on April 9, 2008, as Instrument No. 2008-3487

- Special Warranty Deed, recorded in the County Deed Records on May 27, 2009, as Instrument No. 2009-5160

Forestree 96 Limited Partnership, Grantor:

- Special Warranty Deed and Permanent Easement Reservations, recorded in the County Deed Records on December 15, 2004, as Instrument No. 2004-15482
- Special Warranty Deed, recorded in the County Deed Records on April 9, 2008, as Instrument No. 2008-3488

Port of St. Helens, Grantor:

- Statutory Bargain and Sale Deed, recorded in the County Deed Records on April 25, 2006, as Instrument No. 2006-5424

Weyerhaeuser Company, Grantor:

- Special Warranty Deed, including a Permanent Easement Reservation, recorded in the County Deed Records on October 4, 2011, as Instrument No. 2011-7306

The above instruments are attached hereto as Exhibits A-1 through A-8 and incorporated herein by this reference; and

WHEREAS, John Hancock Life Insurance Company, Forestree 96 Limited Partnership and Weyerhaeuser Company each retain easements over portions of the Crown-Zellerbach Logging Road for ingress and egress for certain timber management operations, as described in the instruments referenced above; and

WHEREAS, maps of the Crown-Zellerbach Logging Road and Chapman Landing are attached hereto as Exhibits B-1 and B-2, respectively, and incorporated herein by this reference; and

WHEREAS, designating the Crown-Zellerbach Logging Road and Chapman Landing as a Recreational Facility best serves the public by setting apart such lands for recreational use; and

WHEREAS, such designation is consistent with Memorandum of Understanding between the Port of St. Helens, the City of Scappoose, and the County, dated December 18, 1996, and recorded on January 22, 1997; and

WHEREAS, such designation is also consistent with the Statutory Bargain and Sale Deed from the Port of St. Helens, referenced above, which contains a condition that the property be used for public parks or public recreational purposes; and

WHEREAS, such designation for that portion of the Crown-Zellerbach Logging Road lying within the city limits of Scappoose, Oregon, is consistent with the recently adopted Urban Growth Boundary expansion for Scappoose; and

WHEREAS, as required by ORS 275.320, the City of Scappoose has consented to the designation of that portion of the Crown-Zellerbach Logging Road owned by the County but within city boundaries as a County Recreational Facility; and

WHEREAS, a copy of the City of Scappoose's Resolution No. 13-10 consenting to the designation is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1) The properties described on the attached Exhibits A-1 through A-8, and as shown on Exhibits B-1 and B-2, shall henceforth be known as the "Crown-Zellerbach Trail."

2) The Crown-Zellerbach Trail is hereby designated and declared to be a Recreational Facility of Columbia County, Oregon, subject to the "Columbia County Forest, Parks and Recreation Ordinance."

3) The Crown-Zellerbach Trail shall remain a transportation facility consistent with the Columbia County Transportation System Plan, as amended, and the attached easement agreements with John Hancock Life Insurance Company, Forestree 96 Limited Partnership and Weyerhaeuser Company.

4) A certified copy of this Order shall be recorded in the Columbia County Deed Records without cost.


DATED this 28th day of August, 2013.

Approved as to form:

By: 
Office of County Counsel

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Henry Heimuller, Commissioner

By: 
Anthony Hyde, Commissioner

By: 
Earl Fisher, Commissioner

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON**

In the Matter of Conveying Certain Real Property
known as Chapman Landing, near Scappoose, Oregon,
to the City of Scappoose, and removing its designation
as a County Recreational Facility

ORDER NO. 21-2019

[Tax Map ID No. 3117-000-00400; Tax Account No.
5318]

WHEREAS, Columbia County (hereinafter, the "County") is the owner of certain real property in Columbia County, which is more particularly described in Exhibit A to Exhibit 1, attached, and is commonly known as Chapman Landing (hereinafter, the "Property" or "Chapman Landing"); and

WHEREAS, the County acquired the Property from the Port of St. Helens in 2005 through a bargain and sale deed that contains a reversionary clause requiring the property to be used for public park or public recreational purposes; and

WHEREAS, in accordance with that deed, the County adopted Order No. 41-2013, which designated Chapman Landing as a County Recreational Facility under Ordinance No. 94-9, *as amended*, and identified it as part of the Crown-Zellerbach Trail; and

WHEREAS, the City of Scappoose (hereinafter, the "City") has acquired property adjacent to Chapman Landing and wishes to acquire Chapman Landing to develop it as a public park; and

WHEREAS, the City intends to prioritize the development of Chapman Landing as a park, consistent with the general development concept of the Crown-Zellerbach Trail; and

WHEREAS, the County is willing to transfer its interest in the Property to the City, subject to the terms and conditions of the Agreement for Transfer of Chapman Landing (hereinafter, "Agreement"), attached hereto as Exhibit 1, which was fully executed on March 27, 2019; and

WHEREAS, ORS 275.330 authorizes the County to transfer Chapman Landing to the City without approval at an election, if after holding a hearing on the conveyance, the County finds that the conveyance is in the best interest of the public;

WHEREAS, in accordance with ORS 275.330, the Board scheduled a public hearing on the transfer for April 10, 2019, and published notice of the hearing in the *Spotlight* on March 29 and April 5, 2019; and

WHEREAS, due to the cancellation of the Board's April 10th meeting, the hearing was rescheduled to April 17th, with written notice provided at the time and place set for the April 10th meeting;

WHEREAS, on April 17, 2019, the Board held a public hearing and received testimony on the transfer of Chapman Landing to the City; and

WHEREAS, the Board then closed the hearing, deliberated towards a decision, and voted to approve the transfer of Chapman Landing to the City, finding that it is in the public interest because the City intends to expeditiously develop Chapman Landing as a public park or recreational area consistent

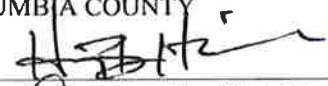
with the terms of the 2005 bargain and sale deed and the general development concept of the Crown-Zellerbach Trail;

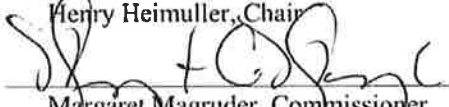
NOW, THEREFORE, IT IS HEREBY ORDERED as follows:


1. The above recitals are adopted as findings in support of the Board's decision; and
2. The Board of County Commissioners authorizes the conveyance of the Property to the City of Scappoose subject to the terms and conditions of the Agreement for Transfer of Chapman Landing, attached hereto as Exhibit 1 and incorporated herein by this reference; and
3. The Board of County Commissioners will convey the Property by Quitclaim Deed in a form substantially the same as Exhibit B to the Agreement; and
4. The fully executed Quitclaim Deed shall be recorded in the County Clerk deed records by Columbia County without costs.
5. Upon transfer of the Property to the City, the Property's designation as a County Recreational Facility under Ordinance No. 94-9 shall cease.

DATED this 17 day of April, 2019.

BOARD OF COUNTY COMMISSIONERS FOR
COLUMBIA COUNTY

By: 
Henry Heimuller, Chair

By: 
Margaret Magruder, Commissioner

By: 
Alex Tardif, Commissioner

Approved as to form

By: 
Office of County Counsel

AGREEMENT FOR TRANSFER OF CHAPMAN LANDING

This Agreement (hereinafter, the "Agreement") is by and between COLUMBIA COUNTY, a political subdivision of the State of Oregon, and the CITY OF SCAPPOOSE, an Oregon municipal corporation, for the transfer of Chapman Landing.

RECITALS

WHEREAS, Columbia County (hereinafter, the "County") is the owner of certain real property in Columbia County, which is more particularly described in Exhibit A, attached hereto and incorporated herein by this reference, and is commonly known as Chapman Landing (hereinafter, the "Property" or "Chapman Landing"); and

WHEREAS, the County acquired the Property from the Port of St. Helens in 2005 through a bargain and sale deed that contains a reversionary clause requiring the property to be used for public park or public recreational purposes; and

WHEREAS, in accordance with that deed, the County has designated Chapman Landing as a County Park; and

WHEREAS, the City of Scappoose (hereinafter, the "City") wishes to acquire Chapman Landing in order to further develop it as a public park; and

WHEREAS, the City is also willing to accept jurisdiction over portions of the following County roads: JP West Road, EM Watts Road, and Columbia Avenue; and

WHEREAS, the County is willing to transfer its interest in the Property to the City, subject to the terms and conditions herein.

AGREEMENT

In consideration of the terms and conditions hereinafter stated, County agrees to transfer the Property to City and City agrees to accept the Property on the following terms:

1. **Consideration.** In consideration of the County's transfer of Chapman Landing and payment in the sum of \$60,000 to the City for the pavement overlay of JP West Road, the City agrees to accept jurisdiction over the following roads "AS-IS":
 - A. JP West Road, from Highway 30 to 50 feet past the entrance to Veterans Park (end of sidewalk on the northwest corner), including the bridge (NBI# 22037). As a condition of the City's acceptance;
 - B. EM Watts Road, from Highway 30 to 400 feet west of Keys Road (end of the sidewalk on

the southern side of the roadway), including the bridge (NBI# 13344A); and

C. All of Columbia Avenue that is within the Scappoose Urban Growth Boundary.

2. Deed Restrictions. City agrees to accept the following restrictions, which shall be incorporated into the deed:

A. If the property is used in a manner that is inconsistent with public park or public recreational use, the County or its successors and assigns may re-enter, and upon re-entry, the rights of the City and its successors and assigns shall terminate.

B. The City shall be responsible for changing the zoning of the Property from industrial to a zone that is consistent with public park and recreational use. If the City fails to submit an application for the zone change within two years of the date the Property is transferred to the City, the County or its successors and assigns may re-enter, and upon re-entry, the rights of the City and its successors and assigns shall terminate.

C. In the event that a public road, such as a Scappoose bypass is proposed to be located adjacent to the Property, the City and its successors and assigns waive any right to remonstrate against the location of the road, as long as the road does not encroach on the Property.

D. The City shall allow and accommodate equestrian use on the Property to the extent such use complies with the rules and regulations of the United States Army Corps of Engineers.

3. Condition of Property and Title.

A. The City shall acquire the Property "AS IS" with all faults, without covenants or warranties.

B. The County shall convey the Property without warranty through a Quitclaim Deed substantially in the same form as Exhibit B;

C. The transfer of the Property is subject to any municipal liens, easements and encumbrances of record.

D. The Quitclaim Deed will reserve to the County:

i. The mineral and associated rights specifically provided for in Exhibit B; and

ii. If applicable, all rights to any County, public, forest or Civilian Conservation Corps roads; and

E. The City shall rely on the results of inspections and investigations completed by the City,

and not upon any representation made by the County.

4. Conditions of Closing/Additional Terms and Conditions.

A. Conditions of Closing. The County's obligation to transfer the Property is conditioned upon the following occurring no later than the Closing Date, unless otherwise specified or waived by the County:

- i. Prior to transferring the Property to the City, the County shall rescind the Property's designation as a County Park in accordance with ORS 275.330.
- ii. The County Board of Commissioners will adopt an Order authorizing the transfer of the Property to the City in accordance with terms and conditions substantially the same as those provided for in this Agreement.
- iii. The City will accept the Quitclaim Deed substantially in form of Exhibit B, hereto.
- iv. In accordance with ORS 373.270, the County will surrender jurisdiction and the City shall acquire jurisdiction over the following roads "AS-IS":
 1. JP West Road, from Highway 30 to 50 feet past the entrance to Veterans Park (end of sidewalk on the northwest corner), including the bridge (NBI# 22037);
 2. EM Watts Road, from Highway 30 to 400 feet west of Keys Road (end of the sidewalk on the southern side of the roadway), including the bridge (NBI# 13344A); and
 3. All of Columbia Avenue that is within the Scappoose Urban Growth Boundary.
- v. The County will remit to the City a sum in the amount of sixty-thousand dollars (\$60,000) for the pavement overlay of JP West Road.

B. Failure of Conditions at Closing. In the event that any of the conditions set forth in Section 4 above are not timely satisfied or waived by the Closing Date, the rights and obligations of Parties shall terminate. In the event of said termination, City's agreement provided for in Section 4.B.vii, below, shall survive termination.

C. Additional Terms and Conditions. The Parties agree to the following additional terms and conditions, which shall survive closing:

- i. Prior to commencing park development, the City shall obtain the approval of the County Board of Commissioners for park development plans. The County shall review the plans for consistency with the Crown-Zellerbach Trail concept and

development.

- ii. The City shall establish a kiosk for the Crown-Zellerbach Trail at the intersection of West Lane and the Crown-Zellerbach Trail.
- iii. The City shall include the County as an equal partner in park branding, signage, brochures, and other promotional materials, and shall where appropriate, note the connection with the Crown-Zellerbach Trail and other Columbia County parks and recreational facilities.
- iv. The City shall maintain the park site.
- v. In the event of future boat moorage development at the park, the City shall provide slip space, including related storage space, for the County at no charge.
- vi. CITY AGREES TO RELEASE, DEFEND, INDEMNIFY AND HOLD HARMLESS COUNTY, ITS OFFICERS, AGENTS AND EMPLOYEES, SUCCESSORS AND ASSIGNS FROM ALL CLAIMS, SUITS, ACTIONS, LIABILITY, DAMAGE, LOSS, COST OR EXPENSE, INCLUDING ATTORNEY FEES, ARISING OUT OF OR RELATING TO THIS AGREEMENT AND THE PROPERTY, INCLUDING ENVIRONMENTAL LIABILITY ARISING FROM THE PROPERTY. THIS CONDITION SHALL SURVIVE CLOSING AND SHALL NOT MERGE WITH THE DEED

5. General Provisions.

- A. Notices. Unless otherwise specified, any notice required or permitted in, or related to this Agreement, must be in writing and signed by the party to be bound, and shall be delivered to the following:

FOR COUNTY:
Board of County Commissioners
c/o Board Office Administrator
230 Strand, Room 330
St. Helens, OR 97051
Phone No: 503-397-3839

FOR CITY:
Michael Sykes, City Manager
City of Scappoose
33568 E. Columbia Avenue
Scappoose, OR 97056
Phone No: 503-543-7146 ext. 226

- B. Assignment. This Agreement is not assignable by the parties.
- C. Closing. The Parties intend to close the transfer on or before April 15, 2019, with the actual time and date of closing (the "Closing") to be set by County at its sole discretion. The sale shall be "Closed" when the Quitclaim Deed is recorded by the County.
- D. Possession. Buyer shall be entitled to exclusive possession of the Property at the time the sale is Closed in accordance with Section 5.C, above.

- E. Attorneys' Fees. In the event a suit, action, arbitration or other proceeding of any nature whatsoever to enforce or interpret this Agreement, the parties shall be responsible for their respective costs and expenses, including attorneys' fees. This paragraph shall survive Closing and shall not merge with the deed.
- F. Exhibits. The following Exhibits are attached to this Agreement and incorporated within this Agreement: Exhibit A, Statutory Bargain and Sale Deed; and Exhibit B, Quitclaim Deed.
- G. Governing Law. This Agreement is made and executed under and in all respects shall be governed and construed by the laws of the State of Oregon.
- H. Venue. Venue related to this Agreement shall be in the Circuit Court of the State of Oregon for Columbia County, in St. Helens, Oregon.
- I. No Third Party Rights. This Agreement is solely for the benefit of the parties to this Agreement. Rights and obligations established under this Agreement are not intended to benefit any person or entity not a signatory hereto.
- J. Time of the Essence. Time is of the essence of this Agreement.
- K. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall constitute an original and all of which together shall constitute one and the same Agreement. This Agreement shall be binding upon and shall inure to the benefit of the parties and their respective successor and assigns. The parties represent, covenant and warrant that the person signing this Agreement on their behalf has full right and authority to bind the party for whom such person signs to the terms and provisions of this Agreement. Furthermore, the parties represent and warrant that they have taken all steps necessary to bind themselves to this Agreement.
- L. INTEGRATION, MODIFICATIONS, OR AMENDMENTS. THIS AGREEMENT, INCLUDING ITS EXHIBITS, CONTAINS THE ENTIRE AGREEMENT OF THE PARTIES WITH RESPECT TO THE PROPERTY AND SUPERSEDES ALL PRIOR WRITTEN AND ORAL NEGOTIATIONS AND AGREEMENTS WITH RESPECT TO THE PROPERTY. THE PARTIES TO THE AGREEMENT MUST APPROVE ANY MODIFICATIONS, CHANGES, ADDITIONS, OR DELETIONS TO THE AGREEMENT IN WRITING.
- M. No Merger. The terms and conditions set forth in this Agreement, including, but not limited to those set forth in Sections 2-4, shall survive Closing and shall not merge with the deed.
- N. Closing Date. The Closing Date shall be April 15, 2019.
- O. STATUTORY DISCLAIMERS.

"THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS THAT, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND THAT LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO VERIFY THE EXISTENCE OF FIRE PROTECTION FOR STRUCTURES AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010."

"BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010."

"IF THE PROPERTY IS SUBJECT TO ORS 358.505 THE PROPERTY DESCRIBED IN THIS INSTRUMENT IS SUBJECT TO SPECIAL ASSESSMENT UNDER ORS 358.505."

IN WITNESS WHEREOF the parties have caused this agreement to be executed and do each hereby warrant and represent that their respective officers, whose signatures appear below,

///

have been and are on the date of this agreement authorized by all necessary and appropriate legal action to execute this agreement.

CITY OF SCAPPOOSE

By: Michael Sykes
Michael Sykes, City Manager

Date: 3-18-19

Attested

Susan M. Reeves
City Recorder

Approved as to form

By: Peter O. Wake
City Attorney

BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY

By: Henry Heimuller
Henry Heimuller, Chair

By: Margaret Magruder
Margaret Magruder, Commissioner

By: Alex Tardif
Alex Tardif, Commissioner

Date: 3-27-19

Approved as to form

By: [Signature]
Office of County Counsel

EXHIBIT A

Legal Description for Map ID No 3117-000-00400 and Tax Account No. 5318

PARCEL 1: Portions of Section 17, Township 3 North, Range 1 West, Willamette Meridian, Columbia County, Oregon described as:

That portion of Section 17 as described in Parcels 1 through 8 of deed from PORTLAND AND SOUTHWESTERN RAILROAD COMPANY to CROWN ZELLERBACH CORPORATION dated December 30, 1947 recorded in Book 97, Page 473, Deed Records of Columbia County, Oregon; **ALSO**, that portion of Section 17 as described by metes and bounds in Parcels A and B of deed dated January 16, 1947 recorded in Book 91, Page 515, Deed Records of Columbia County, Oregon; **ALSO** that portion of Section 17 as described by metes and bounds in deed dated February 6, 1964 recorded in Book 154, Page 251, Deed Records of Columbia County, Oregon.

Excepting therefrom any portion lying below the high water line of the Willamette Slough and Multnomah Channel.

Also excepting a tract of land in Section 17, Township 3 North, Range 1 West, Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

All that portion of the Port of St. Helens tract as described in Parcel 1, Instrument No. 97-00606, Clerk's Records, Columbia County, Oregon being Northerly, Easterly and Downstream of the following described line: beginning at a 3/8" iron rod as shown on County Survey No. L-317 as per plat on file and of record in the Surveyor's Office, Columbia County, Oregon said iron rod being called South 1721.95 feet and East 1448.92 feet and North 08°48'00" West 97.91 feet from the Northwest corner of said Section 17; thence North 81°12'00" East a distance of 99.78 feet; thence

North 08°48'00" West a distance of 147.52 feet to a 5/8" iron rod as shown on said County Survey No. L-317; thence North 81°05'02" East a distance of 60.07 to a 5/8" iron rod as shown on said County Survey No. L-317 at the Southeast corner of the County Road and the true point of beginning of the following described line; thence South 08°57'59" East a distance of 33.05 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence North 41°14'31" East a distance of 132.09 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence North 52°43'43" East a distance of 223.70 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence South 36°41'34" East a distance of 120.84 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence continuing South 36°41'34" East to the center of the Willamette Slough/Multnomah Channel and the end of the line described herein.

Together with a tract of land in Section 17, Township 3 North, Range 1 West, Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

All that portion of the Anthony P. Loos, Trustee (or any successor Trustee) of the C. H. Loos Revocable Trust - Credit Shelter By-Pass Fund, under Agreement dated November 7, 1991 tract as described in, Instrument No. 93-11296, Clerk's Records, Columbia County, Oregon lying Southerly, Westerly and Upstream of the following described line: beginning at a 3/8" iron rod as shown on County Survey No. L-317 as per plat on file and of record in the Surveyor's Office, Columbia County, Oregon said iron rod being called South 1721.95 feet and East 1448.92 feet and North 08°48'00" West 97.91 feet from the Northwest corner of said Section 17; thence North 81°12'00" East a distance of 99.78 feet; thence North 08°48'00" West a distance of 147.52 feet to a 5/8" iron rod as shown on said County Survey No. L-317; thence North 81°05'02" East a distance of 60.07 to a 5/8" iron rod as shown on said County Survey No. L-317 at the Southeast corner of the County Road and the true point of beginning of the following described line; thence South 08°57'59" East a distance of 33.05 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence North 41°14'31" East a distance of 132.09 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence North 52°43'43" East a distance of 223.70 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence South 36°41'34" East a distance of 120.84 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence continuing South 36°41'34" East to the center of the Willamette Slough/Multnomah Channel and the end of the line described herein.

PARCEL 2: Those portion of Sections 7 and 8, Township 3 North, Range 1 West, Willamette Meridian, Columbia County, Oregon as described in Parcels 1 through 8 of deed from PORTLAND AND SOUTHWESTERN RAILROAD COMPANY to CROWN ZELLERBACH CORPORATION dated December 30, 1947 recorded in Book 97, Page 473, Deed Records of Columbia County, Oregon.

EXCEPTING THEREFROM: That portion of the above described tract which falls within the boundaries of the City of Scappoose tract as described in Parcel 1 of Instrument No. 02-08446, Clerk's Records, Columbia County, Oregon

Tax Account No: 3117-000-00400 and 3100-000-00200.

EXHIBIT B

AFTER RECORDING, RETURN TO GRANTEE:

City of Scappoose
c/o City Manager
33568 E. Columbia Avenue
Scappoose, OR 97056

Until a change is requested, all tax statements shall be sent to Grantee at the above address.

QUITCLAIM DEED

The **COUNTY OF COLUMBIA**, a political subdivision of the State of Oregon, hereinafter called Grantor, for the consideration hereinafter stated, does hereby release and quitclaim unto the City of Scappoose hereinafter called Grantee, all right, title and interest in and to that certain parcel of real property identified in Columbia County records as Map ID No. **3117-000-00400** and Tax Account No. **5318** and more particularly described on Exhibit A, attached hereto and incorporated herein by this reference.

The true and actual consideration for this conveyance is other consideration received.

This conveyance is subject to the following exceptions, reservations and conditions:

- 1) This property is conveyed AS-IS without covenants or warranties, subject to any municipal liens, easements and encumbrances of record.
- 2) All rights to any County, public, forest or Civilian Conservation Corps roads are hereby reserved for the benefit of Columbia County, Oregon.
- 3) All rights to any minerals, mineral rights, ore, metals, metallic clay, aggregate, oil, gas or hydrocarbon substances in, on or under said property, if any, including underground storage rights, surface mining, and also including the use of such water from springs, creeks, lakes or wells to be drilled or dug upon the premises as may be necessary or convenient for such exploration or mining operations, as well as the conducting of operations related to underground storage and production of gaseous substances on the property, are specifically excepted, reserved and retained for the benefit of Columbia County, Oregon, together with the right of ingress and egress thereto for the purpose of exercising the rights hereby excepted, reserved and retained.
- 4) If the property is used in a manner that is inconsistent with public park or public recreational use, the County or its successors and assigns may re-enter, and upon re-entry, the rights of the City and its successors and assigns shall terminate.
- 5) The City shall be responsible for changing the zoning of the Property from industrial to a zone

NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, Grantor has executed this instrument this ___ day of _____, 20__.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: _____

Henry Heimuller, Chair

By: [Signature]
Office of County Counsel

STATE OF OREGON)
) ss.
County of Columbia)

ACKNOWLEDGMENT

This instrument was acknowledged before me on the ___ day of _____, 20__, by Henry Heimuller, Chair, Board of County Commissioners of Columbia County, Oregon, on behalf of which the instrument was executed.

Notary Public for Oregon

Accepted by:
City of Scappoose

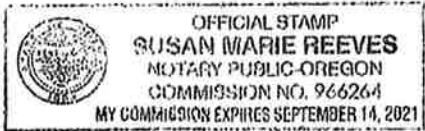
By: [Signature]
Michael Sykes, City Manager

STATE OF OREGON)
) ss.
County of Columbia)

ACKNOWLEDGMENT

This instrument was acknowledged before me on the 18th day of March, 2019 by Michael Sykes, City Manager, City of Scappoose, on behalf of which the instrument was executed.

[Signature]
Notary Public for Oregon



COLUMBIA COUNTY
LAND DEVELOPMENT SERVICES
Planning Division
COURTHOUSE
ST. HELENS, OREGON 97051
Phone: (503) 397-1501 Fax: (503) 366-3902

Attachment 7

April 15, 2021

REFERRAL AND ACKNOWLEDGMENT



To: Transportation Planner

NOTICE IS HEREBY GIVEN that the the City of Scappoose, has submitted applications for a Zone Change and Comprehensive Plan Map Amendment. The site is approximately 13.24 acres and currently zoned Rural Industrial Planned Development (RIPD) and Primary Agriculture (PA-80. This proposal will rezone the RIPD zone to Community Service-Recreation (CS-R) with no change to the Primary Agricultural (PA-80) zone. The property is identified by Tax Map Nos. 3117-00-00303 & 3117-00-00400.

SAID PUBLIC HEARING will be held before the on **Monday, June 7, 2021, 6:30P.M.**

During the COVID-19 global pandemic, the Columbia County Planning Commission will be hosting their public hearing via online webinar. Please use the links below if you wish to participate in the public meeting.

Mon, June 7, 2021 6:00 PM - 9:00 PM (PDT)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/759744693>

You can also dial in using your phone.

United States (Toll Free): 1 877 568 4106

United States: +1 (571) 317-3129

Access Code: 759-744-693

THIS APPLICATION IS FOR: Administrative Review; Planning Commission, Hearing Date: **June 7, 2021**

PLEASE RETURN BY: 04/26/2021

Planner: Deborah Jacob

The enclosed application is being referred to you for your information and comment. Your recommendation and suggestions will be used by the County Planning Department and/or the Columbia County Planning Commission in arriving at a decision. Your prompt reply will help us to process this application and will ensure the inclusion of your recommendations in the staff report. Please comment below.

1. We have reviewed the enclosed application and have no objection to its approval as submitted.
2. Please see attached letter or notes below for our comments.
3. We are considering the proposal further, and will have comments to you by _____.

4. _____ Our board must meet to consider this; we will return their comments to you by _____

5. _____ Please contact our office so we may discuss this.

6. _____ We recommend denial of the application, for the reasons below:

COMMENTS: No issues or concerns with zone change. We will look at access, parking and storm water conveyance once they submit a site plan

Signed: Scott Toenjes

Printed Name: Scott Toenjes

Title: Engineering Technician I

Date: 4/22/2021



April 15, 2021

REFERRAL AND ACKNOWLEDGMENT

To: Building Official

NOTICE IS HEREBY GIVEN that the the City of Scappoose, has submitted applications for a Zone Change and Comprehensive Plan Map Amendment. The site is approximately 13.24 acres and currently zoned Rural Industrial Planned Development (RIPD) and Primary Agriculture (PA-80. This proposal will rezone the RIPD zone to Community Service-Recreation (CS-R) with no change to the Primary Agricultural (PA-80) zone. The property is identified by Tax Map Nos. 3117-00-00303 & 3117-00-00400.

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United States (Toll Free): [1 877 568 4106](tel:18775684106)

United States: [+1 \(571\) 317-3129](tel:+15713173129)

Access Code: 759-744-693

THIS APPLICATION IS FOR: Administrative Review; Planning Commission, Hearing Date: **June 7, 2021**

PLEASE RETURN BY: 04/26/2021

Planner: **Deborah Jacob**

The enclosed application is being referred to you for your information and comment. Your recommendation and suggestions will be used by the County Planning Department and/or the Columbia County Planning Commission in arriving at a decision. Your prompt reply will help us to process this application and will ensure the inclusion of your recommendations in the staff report. Please comment below.

1. We have reviewed the enclosed application and have no objection to its approval as submitted.
2. Please see attached letter or notes below for our comments.
3. We are considering the proposal further, and will have comments to you by _____.

- 4. _____ Our board must meet to consider this; we will return their comments to you by _____.
- 5. _____ Please contact our office so we may discuss this.
- 6. _____ We recommend denial of the application, for the reasons below:

COMMENTS: I recommend either a Public Vault toilet
(in lieu of until development)
or serviced portable toilet be added prior to future
development since it appears people are already
parking & using trail.

Signed: SDahl Printed Name: Suzie Dahl

Title: Building Official Date: 4/26/21

COLUMBIA COUNTY
LAND DEVELOPMENT SERVICES
Planning Division
COURTHOUSE
ST. HELENS, OREGON 97051
Phone: (503) 397-1501 Fax: (503) 366-3902

April 15, 2021

REFERRAL AND ACKNOWLEDGMENT

To: Sanitarian

NOTICE IS HEREBY GIVEN that the the City of Scappoose, has submitted applications for a Zone Change and Comprehensive Plan Map Amendment. The site is approximately 13.24 acres and currently zoned Rural Industrial Planned Development (RIPD) and Primary Agriculture (PA-80. This proposal will rezone the RIPD zone to Community Service-Recreation (CS-R) with no change to the Primary Agricultural (PA-80) zone. The property is identified by Tax Map Nos. 3117-00-00303 & 3117-00-00400.

SAID PUBLIC HEARING will be held before the on **Monday, June 7, 2021**, 6:30P.M.

During the COVID-19 global pandemic, the Columbia County Planning Commission will be hosting their public hearing via online webinar. Please use the links below if you wish to participate in the public meeting.

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Access Code: 759-744-693

THIS APPLICATION IS FOR: Administrative Review; Planning Commission, Hearing Date: **June 7, 2021**

PLEASE RETURN BY: 04/26/2021

Planner: **Deborah Jacob**

The enclosed application is being referred to you for your information and comment. Your recommendation and suggestions will be used by the County Planning Department and/or the Columbia County Planning Commission in arriving at a decision. Your prompt reply will help us to process this application and will ensure the inclusion of your recommendations in the staff report. Please comment below.

1. _____ We have reviewed the enclosed application and have no objection to its approval as submitted.
2. Please see attached letter or notes below for our comments.
3. _____ We are considering the proposal further, and will have comments to you by _____.

4. _____ Our board must meet to consider this; we will return their comments to you by _____
5. _____ Please contact our office so we may discuss this.
6. _____ We recommend denial of the application, for the reasons below:

COMMENTS: Proposed vault toilets for public recreational use do require Sanitarian approval per DAR 340-071-0330 and following requirements in

Signed: EO' Connel Printed Name: Erin O'Connell
Title: RCHS Date: 5/6/21
DAR340-073-0075.

Deborah Jacob

From: SHONKWILER Kenneth D <Kenneth.D.SHONKWILER@odot.state.or.us>
Sent: Tuesday, April 20, 2021 1:19 PM
To: Deborah Jacob
Cc: STRAUSS Karen A
Subject: Rezone information
Attachments: Scanned from a Xerox Multifunction Printer.pdf



CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you are expecting this email and/or know the content is safe.

Hello Deborah,

Thank you for sending this notice to the District 1 Office. I reviewed the documents and will not be commenting as this rezone does not affect the Transportation Planning Rule – the rezone is changing the land use to a less-intensive use that matches the existing activities. We have no objection to its approval.

Please involve us when the County furthers planning efforts on the Crown Zellerbach trail, especially for planning efforts that involve ODOT highways.

Also – can the county please email development review notices? Sometimes we are not alerted in a timely manner when these are mailed to various ODOT offices. Please send emails to ODOTR2PLANMGR@odot.state.or.us

Thanks

Ken Shonkwiler, Senior Region Planner
(503) 325 – 5281
Cell – 503-313-6812
Oregon Department of Transportation | Northwest Area | 350 W Marine Dr. , Astoria, OR 97103
Kenneth.d.Shonkwiler@odot.state.or.us

RECEIVED
APR 20 2021
Land Development Services

COLUMBIA COUNTY
LAND DEVELOPMENT SERVICES
Planning Division
COURTHOUSE
ST. HELENS, OREGON 97051
Phone: (503) 397-1501 Fax: (503) 366-3900

April 15, 2021

REFERRAL AND ACKNOWLEDGMENT



To: Scappoose Bay Water Shed Council

NOTICE IS HEREBY GIVEN that the the City of Scappoose, has submitted applications for a Zone Change and Comprehensive Plan Map Amendment. The site is approximately 13.24 acres and currently zoned Rural Industrial Planned Development (RIPD) and Primary Agriculture (PA-80). This proposal will rezone the RIPD zone to Community Service-Recreation (CS-R) with no change to the Primary Agricultural (PA-80) zone. The property is identified by Tax Map Nos. 3117-00-00303 & 3117-00-00400.

SAID PUBLIC HEARING will be held before the on Monday, June 7, 2021, 6:30P.M.

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You can also dial in using your phone.

United States (Toll Free): 1 877 568 4106

United States: +1 (571) 317-3129

Access Code: 759-744-693

THIS APPLICATION IS FOR: Administrative Review; Planning Commission, Hearing Date: **June 7, 2021**

PLEASE RETURN BY: **04/26/2021**

Planner: **Deborah Jacob**

The enclosed application is being referred to you for your information and comment. Your recommendation and suggestions will be used by the County Planning Department and/or the Columbia County Planning Commission in arriving at a decision. Your prompt reply will help us to process this application and will ensure the inclusion of your recommendations in the staff report. Please comment below.

1. X We have reviewed the enclosed application and have no objection to its approval as submitted.
2. _____ Please see attached letter or notes below for our comments.
3. _____ We are considering the proposal further, and will have comments to you by _____.

4. _____ Our board must meet to consider this; we will return their comments to you by _____.
5. _____ Please contact our office so we may discuss this.
6. _____ We recommend denial of the application, for the reasons below:

COMMENTS: _____

Signed: Dana Piche Printed Name: Dana Piche
Title: Coordinator, SBWC Date: 4/21/2021