

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of the Application by Brian Rosenthal)
for a Zone Change/Minor Map Amendment to)
Change the Zoning on a 2.3-Acre Parcel at 50861) FINAL ORDER NO. 46-2016
Columbia River Highway from RR-5 to C-5 (ZC)
16-02))

WHEREAS, on January 14, 2016, Brian Rosenthal (hereinafter "applicant") submitted an application for a Zone Change/Minor Map Amendment (ZC 16-02) to change the zoning on a 2.3-acre parcel from Rural Residential – 5 Acres (RR-5) to Highway Commercial (C-5); and

WHEREAS, the subject property (Tax Map ID No. 3224-000-01404) is located at 50861 Columbia River Highway, which is within the Urban Growth Boundary of the City of Scappoose and subject to an Urban Growth Management Agreement between Columbia County and the City of Scappoose. The Urban Growth Management Agreement requires, among other things, that final approval of an application come from the Board of County Commissioners; and

WHEREAS, County planning staff deemed the application complete on April 19, 2016, and shortly thereafter, notified the Oregon Department of Land Conservation and Development, surrounding property owners and other affected parties of the proposed zone change; and

WHEREAS, following proper notice, the Planning Commission held a hearing on the application on June 6, 2016. They deliberated and voted to recommend to the Board of County Commissioners approval of the application with conditions; and

WHEREAS, following proper notice, the Board of County Commissioners held a hearing on the application on August 3, 2016, and accepted evidence and testimony into the record; and

WHEREAS, the Board then deliberated and voted to tentatively approve the application (ZC 16-02) with conditions as recommended by the Planning Commission and Staff;

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS HEREBY ORDERS as follows:

- A. The Board adopts the above recitals in support of its decision as well as the findings and conclusions in the Staff Report dated July 27, 2016, which is attached hereto as Attachment A and incorporated herein by this reference; and
- B. Based on the foregoing and the whole record on this matter, the Board **APPROVES ZC 16-02** to change the Zoning Map designation from Rural Residential – 5 (RR-5) to Highway Commercial (C-5) for the approximately 2.3-acre subject property identified as tax map # 3224-000-01404 located within the City of Scappoose's UGB, subject to the following conditions:

1. Prior to an application for development of a new use, the applicant/developer shall submit a Site Design Review as required by the Columbia County Zoning Ordinance.
2. To ensure adequate transportation operation, future developments proposed for the subject property shall not produce more than an accumulative Maximum Average Daily Trip Cap of 1,010 without conducting a new Traffic Impact Analysis with recommendations for operational or safety mitigation consistent with the Transportation Planning Rule, OAR 660-012-0060.
3. All future uses and divisions of the 2.3-acre Highway Commercial site shall be consistent with the applicable provisions of the Columbia County Zoning Code and Subdivision and Partitioning Ordinance prior to its annexation.

DATED this 17th day of August, 2016.

BOARD OF COUNTY COMMISSIONERS FOR
COLUMBIA COUNTY, OREGON

By: _____

Anthony Hyde, Chair

By: _____

Henry Helmuller, Commissioner

By: _____

Earl Fisher, Commissioner

Approved as to form

By: _____
Office of County Counsel

ATTACHMENT A

COLUMBIA COUNTY BOARD OF COMMISSIONERS

STAFF REPORT

July 27, 2016

Zone Change

HEARING DATE: August 3, 2016

FILE NUMBER: ZC 16-02

**APPLICANT/
OWNER:** Brian Rosenthal
P.O. Box 963
Scappoose, OR 97056

SITE LOCATION: The site is addressed at 50861 Columbia River Highway, is directly south of the Scappoose Fairview Cemetery, and is within the City of Scappoose Urban Growth Boundary (UGB).

TAX MAP NO: 3224-000-01404

PRESENT ZONING: Rural Residential - 5 (RR-5)

PROPOSED ZONING: Highway Commercial (C-5)

COMPREHENSIVE

PLAN DESIGNATION: Scappoose UGB

SITE SIZE: ± 2.3 Acres

REQUEST: To amend the County's Zoning Map of the 2.3 acres from RR-5 to C-5. This rezone is consistent with County Ordinance No. 2011-3, approving the inclusion of this property to the City of Scappoose's Urban Growth Boundary which is designated Commercial in the City of Scappoose Comprehensive Plan

APPLICABLE REVIEW CRITERIA:

<u>Columbia County Zoning Ordinance</u>	<u>Page</u>
Section 800 Highway Commercial	4 - 10
Section 1502 Zone Changes (Major Map Amendments)	10
Section 1603 Quasi-Judicial Public Hearings	11
Section 1604 Appeals	12
Section 1608 Quasijudicial Hearing - Contents of Notice	12
Section 1610 Personal Notice to Adjoining Property Owners	13
<u>State of Oregon's Statewide Planning Goal 12- Transportation</u>	13
OAR 660-012-0060 Plan and Land Use Regulation Amendments	13 - 18

<u>Columbia County Comprehensive Plan</u>	
Part II - Citizen Involvement	18
Part III - Planning Coordination	19
Part IX - Urbanization	20
Part X - Economy	20
Part XI - Commercial	20
Part XIII - Transportation	21
Part XIV - Public Facilities & Services	21
 <u>Columbia County Zoning Ordinance</u>	
Section 1502.1(A)(3) Adequacy of Public Facilities	22
 <u>Comments Received</u>	 23

APPLICATION COMPLETE: 4/19/16

120-DAY DEADLINE: 8/17/16

BACKGROUND:

The applicant, Brian Rosenthal, proposes a Zone Change (ZC) for an approximate 2.3 acre property that is located within the City of Scappoose’s recently expanded UGB along the City’s southern boundary. There is no site specific development requested with the proposed ZC 16-02. Prior to the issuance of future building permits on the subject site, the County and/or City must ensure that adequate facilities and services are onsite for the intended Highway Commercial use.

In 2011, the County adopted Ordinance No. 2011-3, approving the City of Scappoose’s Comprehensive Plan Map Amendment PA 11-01 which added the subject property and adjacent ~14 acres of RR-5 zoned properties to the City of Scappoose’s expanded Urban Growth Boundary. This City UGB expansion was appealed and not finalized until after a Court of Appeals affirmed the earlier decisions, and Department of Land Conservation and Development acknowledged the UGB amendment on January 11, 2016. The City’s 2011 UGB expansion did not include any rezoning of these newly designated “urbanizable” properties because the properties currently remain in the county jurisdiction. The applicant’s request to rezone the subject 2.3 acre Rural Residential site to Highway Commercial is consistent with the 2011 UGB Expansion and Ordinance No 2011-3, and will allow the property to be commercially developed before its annexation, provided all facilities and services are available.

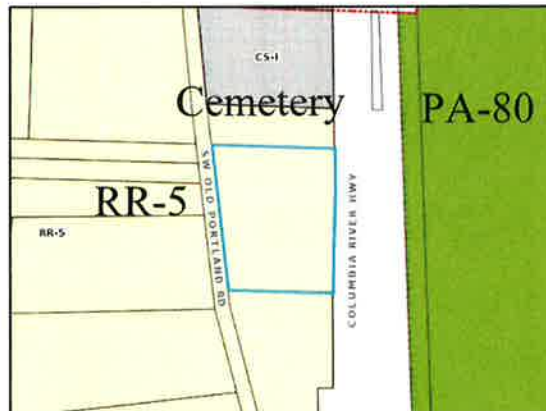
The subject property has over 350 feet of usable frontage along both Old Portland Road and Columbia River Highway with existing access to both public rights-of-way. Existing development of the site is clustered along the western portion of the property and consists of one existing manufactured home and various accessory structures that are served by a private well and septic system. Fire services are provided to the site by the Scappoose Rural Fire Protection District. There are no identified wetlands, seasonal or year round waterways, flood hazard areas, steep slopes, or historical or natural areas or features that could potentially limit its intended commercial development.

According to the attached Map C of the City of Scappoose’s UGB Amendment, the site is within the City’s SW Expansion Area that consists of a total ~16 acres that are also designated for future commercial uses. The site is directly south of the Fairview Cemetery which was designated by the City as future Public Land.

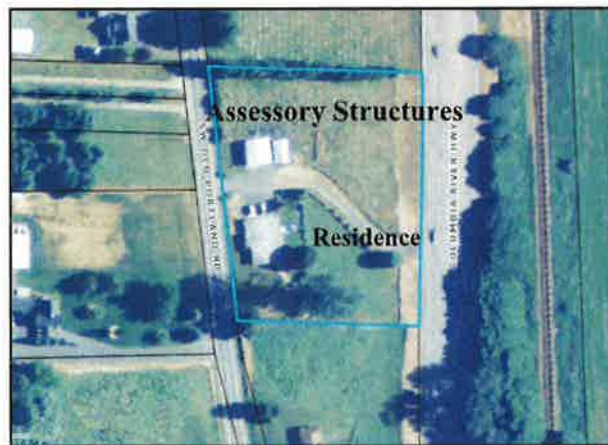
Section II(A) of the Urban Growth Area Management Agreement between Columbia County and the City of Scappoose states “the Columbia County Board of Commissioners shall retain the decision making responsibility on all zoning amendments for all land in the Urban Growth Area outside the corporate limits of the City of Scappoose.” In addition Zoning Ordinance Section 1607 requires that all map amendments be reviewed by the Planning Commission with recommendation to the Board for final decision. Consequently, this proposal will be reviewed under the provisions for Major Map Amendments of the County Zoning Ordinance, which incorporates Board hearing and final decision.

The remainder of this report will analyze and evaluate the extent to which the proposed zone change complies with the applicable provisions of the Columbia County Zoning Ordinance and Comprehensive Plan as well as any applicable statewide planning rules. including the State of Oregon’s Transportation Planning Rule.

Existing Zoning Map

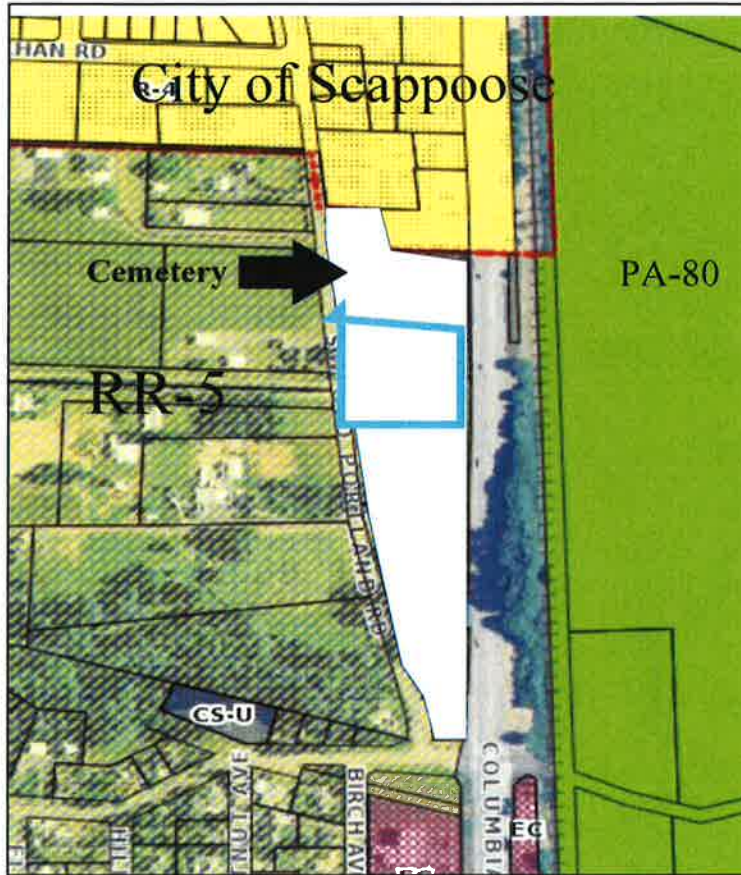


Aerial View of



Subject Site

Aerial View of Scappoose's SW UGB ~16 acre Expansion Area, Subject site and Scappoose's city limits



REVIEW CRITERIA, FACTS, ANALYSIS & FINDINGS:

Zoning Ordinance Section 800 Highway Commercial

Section 800 HIGHWAY COMMERCIAL

C - 5

- 801 **Purpose:** The purpose of this district is to provide for the orderly development of retail and personal service establishments along major arterials and thoroughfares in suburban areas. In general, such districts shall be planned to maintain high standards of traffic safety for the continued protection and welfare of the general public. Highway Commercial Districts shall be permitted for such properties abutting only those sections of major arterials or thoroughfares which have an existing dedicated right-of-way of not less than 60 feet.

802 Permitted Uses:

- .1 Any permitted or conditional use in a C-4 District.
- .2 Commercial recreation.
- .3 Motel, hotel, including an eating and drinking establishment in conjunction therewith.
- .4 Group cottages.
- .5 Church.
- .6 Community meeting building.
- .7 Utility facilities necessary for public service.
- .8 Governmental structure such as a fire station or library but excluding a storage or repair type facility.
- .9 Radio or television transmitter tower.
- .10 Retail trade establishment such as a food store, drug store, or gift shop.
- .11 Eating and drinking establishment.
- .12 Personal and business services such as barber shops, tailoring, printing, funeral home, upholstery shop, or laundry and dry cleaning establishments.
- .13 Automobile service station and other drive-in business.
- .14 Accessory buildings when located on the same lot or parcel

Section 810 NEIGHBORHOOD COMMERCIAL C - 4

811 Purpose: The commercial uses permitted in this District are intended to serve those residential uses within the suburban areas.

812 Permitted Uses:

- .1 Bakery.
- .2 Barber Shop or Beauty Parlor.
- .3 Book or Stationary Store.
- .4 Candy Store.
- .5 Tailor Shop.
- .6 Drug Store.
- .7 Film Exchange.
- .8 Grocery, Fruit, or Vegetable Store.

- .9 Meat Market or Delicatessen.
- .10 Photographer.
- .11 Self-Service Laundry.
- .12 Shoe Store or Shoe Repair Shop.

Finding 1: The applicant requests approval of a zone change that will allow commercial development of this 2.3 acre property. Conceivably, any of the above uses could be developed on this property. The applicant has no current development plans for this property; this zone change to Highway Commercial would allow its future commercial development before its annexation to the City of Scappoose. The submitted application states’ *“The site is located on the highway with almost 400 feet of frontage. There is almost no land in south Scappoose zoned commercial that has highway frontage at or above grade that is not developed.”*

The City of Scappoose’s request and UGB Expansion five years ago did not include any rezoning of the subject and adjoining properties while it was still within county jurisdiction. Nevertheless, the City designated, and the County approved, this entire ~16 acres for future commercial development to fulfill their long term (20 year) Employment Land Need. Consequently the approval of the applicant’s rezone from RR-5 to C-5 is consistent with the City’s comprehensive plan for this newly designated urbanizable property. The City’s attached Memorandum dated 12/9/15 confirmed compliance with the City’s Comprehensive Plan: *“..it will be zoned Commercial on the (City’s) Comprehensive Map and the requested Minor Map Amendment from RR-5 to Highway Commercial does not conflict with the City’s Comprehensive Map Zoning.”*

In addition, the city’s Memorandum identified various criteria that would need to be in place before the subject site could be annexed, which the applicant does not propose at this time. These criteria include the availability of city water and sewer, street improvements to Old Portland Road, the annexation of the Fairview Cemetery to the north, and the site’s ability to utilize the city’s storm water drainage facilities south of Callahan Road. This rezoning alone does not authorize any site development; all future development will need a Site Design Review to assure the necessary facilities and infrastructure are in place to support the proposed new commercial development. For these reasons and with conditions requiring adequate facilities and services onsite prior to the issuance of any future building permits, staff finds the proposed Zone change from RR-5 to C-5 will be consistent with Ordinance No. 2011-3 and the City’s Comprehensive Plan with conditions.

Continuing with Columbia County Zoning Ordinance Section 805 (Highway Commercial)

805 Standards:

- .1 The minimum lot or parcel size shall be seven thousand 7,500 square feet.
- .2 Outdoor storage abutting or facing a lot in a residential district shall be screened with a sight obscuring fence.
- .3 Water supply and sewage disposal facilities shall be approved by the County Subsurface Sewage Department.
- .4 The minimum lot or parcel width at the building line shall be 70 feet, except on a corner lot or parcel it shall be 85 feet.
- .5 The minimum lot or parcel width at the street shall be 60 feet.
- .6 The minimum lot or parcel depth shall be 70 feet.
- .7 The minimum front yard shall be 50 feet.
- .8 The minimum side yard shall be 6 feet, except on the street side of a corner lot or parcel it shall be 30 feet.
- .9 The minimum front and side yards or other setbacks, as state herein, shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The Commission and the County Road Engineer shall determine the necessary right-of-way widths and the additional yard or setback requirements in such cases.
- .10 The minimum rear yard shall be 10 feet.
- .11 The maximum building height shall be 35 feet.

Finding 2: No site development or subdivision of land is proposed for the 2.3 acre site with the applicant's requested rezoning to C-5. All future development and land division will be required to comply with all minimum applicable provisions in the County's Zoning as well as Subdivision and Partitioning Ordinances prior to the issuance of any land use or building permits. As demonstrated in the pictures on Pages 8 and 9, the 2.3 acre site appears to have ample acreage for its further subdivision, as well for site development for allowed uses for C-5 zoning. Until future annexation, staff finds that all future land division and site development will be required to comply with the applicable zoning and/or subdivision criteria, as well as those in the Oregon Structural Speciality Code. Staff finds with these conditions, the Zone change requested for ZC 16-02 will comply with the minimum provisions in Section 805 of the Zoning Ordinance.

**Views of 2.3 acre site existing development and structures
Single family residence and various accessory structures**



Undeveloped eastern portion bordering Columbia River Hwy



Existing private well near Old Portland Road Deeded access to Columbia River Hwy



Continuing with Columbia County Zoning Ordinance Section 806 (Highway Commercial)

806 Portions of arterials or thoroughfares that have been designated as Highway Commercial Districts by the Commission shall be subject to the following requirements:

- .1 Approach roads and driveways giving access onto the designated arterial or thoroughfare shall not be less than 15 feet in width nor more than 25 feet in width and shall be so constructed as to conform to the specifications for road construction of the Columbia County Road Department.

- .2 Access shall not be permitted along the designated arterial or thoroughfare within a distance of 60 feet from the right-of-way line of an intersecting street.

Finding 3: The subject property borders two public roads, Columbia River Highway to the east and Old Portland Road to the west. Columbia River Highway is owned and maintained by the Oregon Department of Transportation (ODOT) while Old Portland Road is a county road that is classified by the County Road Department as an Urban Major Arterial. The property has existing legal accesses to both roads including a Deeded Access to Columbia River Highway. If future site development requires modification to existing accesses or the establishment of new accesses to either of these public rights of way, staff finds these provisions will be assured by requiring road access permits at Site Design Review prior to future building permit issuance. These criteria will be satisfied with conditions.

Columbia County Zoning Ordinance Section 1502 Zone Changes

- .1 **Major Map Amendments** are defined as Zone Changes which require 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 2 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 substantiating the following:
 1. The proposed Zone Change is consistent with the policies of the Comprehensive Plan;
 2. The proposed Zone Change is consistent with the Statewide Planning Goals (ORS 197); and
 3. The property and affected area are presently provided with adequate facilities, services, and 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.
 - B. Final approval of a Major Map Amendment may be given by the Board of Commissioners. The Commissioners shall hold a hearing on the proposed Zone Change either concurrently or following a hearing on the proposed Comprehensive Plan Amendment which is necessary to allow the proposed zoning to conform with the Comprehensive Plan. The Board may approve a Major Map Amendment provided they find adequate evidence has been presented substantiating the following:
 1. The proposed Zone Change is consistent with the policies of the Comprehensive Plan;

2. The proposed Zone Change is consistent with the Statewide Planning Goals (ORS 197); and
3. The property and affected area are presently provided with adequate facilities, services, and 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 4: This rezone request is being processed as a Major Map Amendment since the subject property is within the City of Scappoose's UGB, and the UGB Management Agreement between the City and the County requires Planning Commission recommendation and Board of Commissioner final approval for all zone changes. The City of Scappoose has commented that the proposed zone change is compatible with the City Comprehensive Plan for this area. After conducting the required public hearing, the Planning Commission's recommendation of the applicant's request will be forwarded to the Board of County Commissioners who will then make the final decision after they have also conducted a public hearing .

Consistency with the applicable policies of the County's Comprehensive Plan will be addressed and evaluated during Findings 14 - 20 of this report. Likewise, consistency with the applicable Statewide Planning Goals will be evaluated during Findings 9 -13. Finally, the availability and adequacy of public facilities and services necessary to support its future C-5 development will be evaluated in Finding 19.

Continuing with Columbia County Zoning Ordinance Section 1603

Section 1603 Quasi-judicial Hearing As provided elsewhere in this ordinance, the Hearings Officer, Planning Commission, or Board of Commissioners may approve certain actions which are in conformance with the provisions of this ordinance. Zone Changes, Conditional Use Permits, Major Variances, and Temporary Use Permits shall be reviewed by the appropriate body and may be approved using the following procedures:

- .1 The applicant shall submit an application and any necessary supplemental information as required by this ordinance to the Planning Department. The application shall be reviewed for completeness and the applicant notified in writing of any deficiencies. The application shall be deemed complete upon receipt of all pertinent information. If an application for a permit or zone change is incomplete, the Planning Department shall notify the applicant of exactly what information is missing within 5 days of receipt of the application and allow the applicant to submit the missing information. The application shall be deemed complete for the purpose of this section upon receipt by the Planning Department of the missing information. *[effective 7-15-97]*
- .2 Once an application is deemed complete, it shall be scheduled for the earliest possible hearing before the Planning Commission or Hearings Officer. The Director will publish a notice of the request in a paper of general circulation not less than 10 calendar days prior to the scheduled public hearing. Notices will also be mailed to adjacent individual property owners in accordance with ORS 197.763. *[effective 7-15-97]*

[**Note:** ORS 197.763 requires 20 days notice (or 10 days before the first hearing if there will be 2 or more hearings), and that notice be provided to property owners within 100' (inside UGBs), 250' (outside UGBs), or 500' (in farm or forest zones).]

- .3 At the public hearing, the staff, applicant, and interested parties may present information

relevant to the criteria and standards pertinent to the proposal, giving reasons why the application should or should not be approved, or what modifications are necessary for approval. [effective 7-15-97]

- .4 Approval of any action by the Planning Commission at the public hearing shall be by procedure outlined in Ordinance 91-2. [effective 7-15-97]

Finding 5: Brian Rosenthal submitted an application for a Minor Map Amendment on January 14, 2016. The application was deemed complete on May 4, 2016 and scheduled to be heard at the Planning Commission's March 7, 2016 public hearing.

Upon further review of the submitted application document, the County rescinded this determination of completeness until the applicant could have a licensed Professional Engineer prepare a traffic study with a Significant Effect Analysis provided for in OAR 660-012-0060(1). This analysis would first need to determine if the proposed zone change and future commercial development would have a significant effect on the existing transportation system. If the analysis determined the zone change would result in any significant effect, the applicant would then need to submit a Traffic Impact Analysis identifying appropriate mitigation measures to address these traffic-related impacts that the zone change and future development would have on the county and state transportation system plans.

On April 19, 2016 the County received the attached 4/14/16 Traffic Study Significant Effect Analysis prepared by Lancaster Engineering. This analysis includes a Trip Generation Analysis that compares the surrounding transportation impacts of the site's existing RR-5 single family uses to those uses generated if the site were developed with a combination of 25,000 square feet of retail/commercial development and 25,000 square feet (or 30 separate) apartment units. The engineered Traffic Study, Trip Generation Analysis, and subsequent Mitigation Measures will be evaluated in Findings 9 - 13. This traffic study was necessary to determine the application complete and addresses the Oregon Transportation Planning Rule. The application was scheduled for Planning Commission hearing on June 6, 2016. The Planning Commission held the hearing according to the Quasi-judicial hearing procedures and made recommendation to the Board. The Board of County Commissioners has scheduled a quasi-judicial hearing on this matter for August 3, 2016.

Continuing with Columbia County Zoning Ordinance Section 1604

Section 1604 **Appeal:** The decision to approve or deny an application in a quasijudicial hearing may be appealed as provided in Section 1700.

Finding 6: The Board of Commissioners final decision may be appealed as provided for in Section 1700 of the Zoning Ordinance.

Continuing with Columbia County Zoning Ordinance Section 1608

1608 **Contents of Notice:** Notice of a quasijudicial hearing shall contain the following information:

- .1 The date, time, and place of the hearing;

- .2 A description of the subject property, reasonably calculated to give notice as to the actual location, including but not limited to the tax account number assigned to the lot or parcel by the Columbia County Tax Assessor;
- .3 Nature of the proposed action;
- .4 Interested parties may appear and be heard;
- .5 Hearing to be held according to the procedures established in the Zoning Ordinance

Finding 7: A Notice of this application hearing date, containing the above information, was mailed to surrounding property owners within 100 feet of the subject site on May 4, 2016. Notices of the application and public hearing were published in the *South County Spotlight* on May 27, 2016 and in the *St. Helens Chronicle* on May 25, 2016, at least 10 calendar days prior to the June 6, 2016 initial public hearing date. Public notification procedures as outlined by Section 1608 for Quasi-judicial hearings were followed for this proposal. Public hearing procedures will be followed in accordance with this Section and Ordinance 91-2. Notice of the Board hearing was published in the South County Spotlight on July 8, 2016. For these reasons, staff finds the provisions in this Section have been met.

The hearing for this application is a Major Map Amendment and was initiated by the applicant. This public hearing will follow the procedures established in Sections 1603 (Finding 5) and notification was provided in accordance with this Section for quasi-judicial hearings. The Planning Commission will hold a public hearing to review, evaluate, and recommend the Board of Commissioners approve, allow with conditions, or deny the proposed Zone Change.

Continuing with Columbia County Zoning Ordinance Section 1610:

1610 **Personal Notice to Adjoining Property Owners:** For the purpose of personal notification, the records of the Columbia County Assessor shall be used and persons whose names and addresses are not on file at the time of the filing of the application need not be notified of the action. The failure of the property owner to receive notice shall not invalidate the action if a good faith attempt was made to comply with Section 1600.

Finding 8: The Columbia County Assessor’s records were used to identify adjoining property owners within 100 feet of the subject property. These affected property owners were notified of the applicant’s proposal on May 4, 2016 and again on July 8, 2016 for the second hearing as required per these provisions.

Switching to Statewide Planning Rules

State of Oregon’s Statewide Planning Goal No 12 - Transportation and the related Transportation Planning Rule:

The purpose of the State of Oregon’s Statewide Planning Goal 12 - Transportation Goal is to provide and encourage a safe, convenient and economic transportation system. The provisions in

Oregon Administrative Rules (OAR) 660-012-00000 implement this Goal and provide mechanisms that local jurisdictions can use to plan and develop transportation facilities and services in close coordination/conjunction with urban and rural development

OAR 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

© Result in any of the effects listed in paragraphs (A) through © 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

© 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.

Discussion: The provisions in OAR 660-012-0060 are also known as the *Oregon Transportation Planning Rule* which requires local governments to demonstrate that proposed Zoning and/or Comprehensive Map Amendments will not significantly effect existing or planned transportation facilities including state highways and local roadways. What constitutes a ‘Significant Effect’ to the transportation system is defined in OAR 660-012-0060(1)(a-c). The Transportation Planning Rule further, requires a licensed Professional Engineer to conduct either a Traffic Impact Analysis or a Significant Effect Analysis that will identify the map amendment’s significant effect on the transportation system as well as any necessary mitigation measures provided for in OAR 660-012-0060(2) (a-e).

Pursuant to the provisions in the Oregon Transportation Planning Rule, the applicant submitted Lancaster Engineering’s Traffic Study dated April 14, 2016 (attached) on April 19, 2016. This Analysis details the potential traffic impacts of the proposed rezone and is based on a comparison

of the “reasonable worst case development scenario” consisting of a combination of 25,000 square feet of retail/commercial and 25,000 square feet of residential development with 30 apartment units. Three sources of traffic impact assessments are utilized by staff in this report: Approach (APP) 1 is Lancaster Engineering, Approach (APP) 2 is City of Scappoose and APP 3 is the Columbia County Road Dept.

APP I: In order to assess the traffic impacts of full development under the existing and proposed zoning, Lancaster Engineering calculated a Trip Generation Analysis using data from the Institute of Transportation Engineer’s Trip Generation Manual, 9th Edition. This analysis compared the Weekday Trip Generations between the subject property’s existing RR-5 single family residential development and the new C-5 zoning’s “worst case development scenario” consisting of a 25,000 square-foot shopping center (including retail space and fast-food restaurants) and 25,000 square-foot (30 units) of apartments.

The Charts on Page 2 of this Analysis titled “Weekday Trip Generation Summary” contrasts these two uses indicating the proposed mixed use C-5 development could result in a net increase of 120 site trips during the weekday morning peak hour and 135 more site trips during the weekday evening peak hour for a total of 1,774 additional weekday trips. With these additional daily trips, the Lancaster Engineering’s analysis confirms that the proposed zone change would have a significant effect on and degrade the surrounding transportation system as defined in OAR 660-0120-0060(1)©. Consequently, this analysis states that consistent with the provisions in OAR 660-012-0060(2) *“Appropriate site mitigation and/or mechanisms to ensure that the transportation system is not negatively impacted by future development within the property must be identified in conjunction with the proposed zone change from RR-5 to C-5.”*

APP II: Further the City of Scappoose submitted the documentation of DKS Associates’s Table 4 of “Scappoose UGB Transportation Impacts” dated March 23, 2010 (attached) which appears to be consistent with the provisions in OAR 660-012-0060. Specifically Table 4 titled “Potential Employment Generated Impacts and Solutions in the SW Quadrant” identifies potential Impacts, Solutions and Potential Improvements to Highway 30 and adjacent roadways that future commercial development of the ~16 acres considered to be the SW Quadrant. This transportation analysis was conducted in conjunction with Scappoose’s 2011 UGB Expansion that was approved by the County through Ordinance 2011-3. The Summary of the potential transportation improvements to the SW Quadrant were identified as follows:

1. The SW Quadrant was determined in prior analysis to not be suitable for large-scale employment growth and were analyzed for smaller-scale commercial development growth from a transportation perspective, and
2. The SW Quadrant already has Old Portland Road to provide the primary means of access to US 30 adjacent properties, and could potentially connect the SW Quadrant to several signalized intersections.

The City of Scappoose’s 12/9/15 Memorandum also specifically states that “the requested Map Amendment from RR-5 to Highway Commercial does not conflict with the City’s Comprehensive

Map designation.” The city states that should the applicant wish to annex the property at a future date, various items related to water, sewer, stormwater, and street improvement should be taken into consideration. Finally, the city references the Oregon Transportation Planning Rule’s requirement that zone changes need to be accompanied with a Traffic Impact Analysis on the transportation system as well as proposed mitigation measures. Staff notes that Lancaster Engineering’s 4/14/16 Traffic Study satisfies this requirement by submitting a Traffic Study required by the Oregon Transportation Planning Rule. However, in a recent letter received May 23, 2016 the City expressed concerns about existing traffic volumes used in the Lancaster Engineering 4/14/2016 Traffic Study. That letter was subsequently rescinded by the City engineer.

APP III: In addition, the 5/9/16 comments from the County Transportation Planner states that future street improvements will be required to comply with the minimum City of Scappoose Road Standards since this site is within a designated urbanizable area intended for commercial development. The County Transportation Planner also agrees with the city’s 12/9/15 recommendations for future development of the subject site and the applicable provisions of the Oregon Transportation Planning Rule.

Finding 9: With the submitted Lancaster Engineering’s 4/14/16 Traffic Significant Effect Analysis as well as the DKS Associates’ 2010 Scappoose UGB Transportation Impacts, staff finds the applicant has submitted necessary traffic study to be in compliance with the Oregon Transportation Planning Rule identified in the OAR 660-012-0060(1) that were referenced by both the City of Scappoose and the County Transportation Planner. The recommended mitigation measures will be evaluated in the next section of this report (Findings 9 - 13).

Continuing with the Oregon Transportation Planning Rule OAR 660-012-0060(2):

(2) If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e) below, unless the amendment meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) of this rule. A local government using subsection (2)(e), section (3), section (10) or section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to this congestion.

(a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.

(b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.

(c) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.

(d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.

(e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if the provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards.

*Emphasis added

Discussion: Since Lancaster Engineering's Traffic Significant Effect Analysis determined the proposed zone change would significantly effect this area's transportation systems, they included proposed mitigation in conjunction with this zone change as required in the provisions of OAR 660-012-0060(2). Specifically, the applicant's requested zone change can utilize one or a combination of five measures identified in OAR 660-012-0060(a - e) to ensure this zone change will not compromise the existing transportation system's functional capacity. Lancaster Engineering's proposed mitigation is to include a condition of development (provided for in OAR 660-012-0060(2)(d), that will limit subject site's future development to a trip cap of 1,010 maximum average daily trips.

Finding 10: Staff finds the proposal requested for ZC 16-02 has submitted a traffic study to address the provisions in OAR 660-012-0060(2) that allow Lancaster Engineering's Traffic Analysis's requested Trip Cap as one condition of the site's future C-5 development. This is an acceptable method of the Oregon Transportation Planning Rule for avoiding further degradation of the site's existing transportation system. In confirmation - Land Development Services received a memo from ODOT Region 2 Traffic on May 18, 2016 which states: "we have reviewed the Traffic Impact Study (dated April 14, 2016) for the proposed zone change... The study finds an appropriate trip cap for the property is 1,010 ADT in order to avoid a significant effect and require any mitigation measures. This conclusion is reasonable." This criterion, OAR 660-012-0060(2), can be satisfied with conditions.

Finding 11: Given all of the traffic documentation received from the City of Scappoose, County Transportation Planner, or ODOT other than the 2010 Traffic Analysis conducted for the city's UGB Expansion and the 4/14/16 Lancaster Engineering Traffic Study, staff finds that it is appropriate to use a trip cap as the mitigation measure identified in OAR 660-012-0060(2)(a-e).

Evaluation of the Trip Cap Mitigation for future C-5 development on the subject 2.3 acre property:

Lancaster Engineering explains their methodology for determining the Proposed Trip Cap of 1,010 maximum average daily trips on Page 5 of the 4/14/16 Traffic Analysis was based on the requirements and policies of the Oregon Highway Plan. Specifically Policy 1F.5 allows proposed map amendments to avoid further state highway facilities degradation by defining thresholds that exceed the site's and surrounding area's existing transportation system.

Highway 30 at this location is classified as a five-lane highway since it has a dedicated center lane. According to this ODOT Transportation Policy 1F.5, the threshold for a small increase in traffic between the existing plan and the proposed amendment is defined in terms of the increase in total average daily trip volume as follows:

1. Any proposed amendment that does not increase the average daily trips by more than 400;
2. Any proposed amendments that increases the average daily trips by more than 400 but less than 1,001 for state facilities where:
 - The annual average daily traffic is less than 25,000 for a five-lane highway

Lancaster Engineering Traffic Analysis states that according to the most recent (2014) data from ODOT's Transportation Volume Tables, Highway 30 at the subject property's location (0.30 miles north of Johnson's Landing Road) carried an annual daily average traffic volume of 23,200 vehicles. Data from ODOT's Future Volumes Table indicates that traffic volumes in this vicinity are projected to increase by 1.63 percent per year. Accordingly, Highway 30's 2016 year average annual daily traffic volume in the site vicinity is 23,950 vehicles. (1.63% of 23,200 or 378 vehicles average annual daily increase per year). With 378 additional vehicles per year over the last 2 years, there are 756 more vehicles on Highway 30 in 2016 for a total daily volume increase of 23,956. Staff notes that the 6-daily vehicles difference between Lancaster's calculation of 23,950 versus staff's calculation of 23,956 is statistically insignificant. Staff also notes that the City in letter received May 23, 2016 has questioned the 1.63 percent per year increase.

Finally, Lancaster Engineering analysis concludes with *"Since current traffic volumes on Highway 30 in the site vicinity are approximately 1,050 vehicles less than 25,000 vehicles per day, in conformance with the requirements of the Transportation Planning Rule and the Oregon Highway Plan, a trip cap of 1,010 maximum average daily trips is proposed for the subject property. This Trip Cap is intended to ensure that any potential increase in future traffic attributable to the proposed zone change will be small enough that the increase will not significantly effect the surrounding transportation facilities."*

Finding 12: Staff finds the Lancaster Engineering methodology for calculating the subject property's proposed Trip Cap of 1,010 maximum average daily trips in consistent with the applicable provisions in the Oregon Transportation Planning Rule as well as the Oregon Highway Plan Policy 1F.5. The State ODOT Region 2 agrees that the trip cap is reasonable as stated in a May 18, 2016 memo to Bill Johnston, Region 2 Senior Planner .

Staff finds that the 23,950 estimated 2016 average daily trips for Highway 30 at this location, and

the current capacity of Highway 30 is 1,050 trips less than ODOT's Future Volume Table's capacity of 25,000 maximum average daily trips. Staff further finds that limiting the subject 2.3 acre site's future commercial development to a maximum of 1,010 daily trips is an appropriate Mitigation Measure for the site's future development because it is 40 daily vehicle trips less than the 1,050 vehicle trips currently approvable at this location by ODOT. If at such time the proposed commercial accumulative use will result in greater than 1,010 average daily trips, pursuant to the provision of the Oregon Transportation Planning Rule then other improvements (mitigation measures) will need to be made to the transportation system in compliance with the Oregon Transportation Planning Rule.

Finding 13: Without any further documentation received from the applicant, City of Scappoose, County Transportation Planner or ODOT, staff finds that with the requested Trip Cap of 1,010 maximum average daily trips for the site's future C-5 commercial development is an appropriate Mitigation Measure that can be used a condition of future land use and/or building permit issuance on the subject site. With this condition of zone change approval, staff finds the applicant has satisfied the requirements in OAR 660-012-0060(2)(e) in the Oregon Transportation Planning Rule.

Switching back to Columbia County Zoning Ordinance

Section 1502.1(A)(1) Consistency with the Comprehensive Plan

THE FOLLOWING POLICIES OF THE COUNTY'S COMPREHENSIVE PLAN APPLY TO THIS PROPOSAL (THOSE NOT LISTED ARE NOT APPLICABLE):

Finding 14:

Part II (Citizen Involvement): requires opportunity for citizens to be involved in all phases of the planning process. Generally, Part II is satisfied when a local government follows the public involvement procedures set out in State statutes, the acknowledged Comprehensive Plan and land use regulations, which has been completed for this application. This is explained further in Findings 5 and 7 above. Additionally, the Scappoose-Spitzenberg CPAC Planning Advisory Committee was notified of the proposed Comprehensive Plan Map Amendment and Zone Change. County Planning Staff, CPAC members and representatives of the Fairview Cemetery Association attended a CPAC meeting on February 9, 2016. The CPAC's comments regarding this application are included under the "Comments Received" section of this report and are related to minimizing any detrimental impacts that the site's commercial development will have on the adjacent Fairview Cemetery. These off site impacts can be addressed during the future Site Design Review process that will authorize the site's specific commercial development. The applicant states the following with regards to this policy:

"The public has already participated in a process by which this parcel was added to the Scappoose UGB and designated for future commercial use. This process lasted for several years, involved numerous public hearings for input,

and required votes by public officials on the Scappoose Planning Commission, Scappoose City Council, and Columbia County Planning Commission and Board of Commissioners. Ultimately the Scappoose UGB Expansion was voted on and approved by the people of Scappoose. Furthermore, all adjacent property owners will receive notice of my proposal and be invited to submit comments and to attend the public hearing on the matter.”“ (See attached application)

Based on County government notifications, the opportunity for the public to attend the Planning Commission’s public hearings, the Citizen Planning Advisory Committee involvement, and the applicant’s personal efforts to communicate with surrounding property owners during the CPAC meeting, Staff finds that Part II (Citizen Involvement) of the Comprehensive Plan has been satisfied.

Continuing with Columbia County Comprehensive Plan (Planning Coordination)

Finding 15:

Part III (Planning Coordination): requires coordination with affected governments and agencies. In accordance with Section 1603 of Columbia County’s Zoning Ordinance the County provided notice of the hearing with the opportunity for the Scappoose-Spitzenberg CPAC members, adjoining property owners, the City of Scappoose, and other relevant governmental entities. Any and all comments, received as of the date of this report, are discussed under COMMENTS RECEIVED below.

The applicant’s response to this criterion supports the successful planning coordination between and involvement with the City of Scappoose and its residents, Columbia County, members of the Scappoose-Spitzenberg CPAC, adjoining property owners, and concerned residents.

Additionally, this Zoning Map Amendment is subject to the Quasi-judicial public hearing process and is heard by the Planning Commission and the Board of Commissioners as provided for in Section 1502 and 1603 of the Zoning Ordinance. The Planning Commission’s public hearing is scheduled for June 6, 2016 and will be advertised and open to the public and provide additional opportunity for public comment.

The applicant submitted the following response to this issue:

“Although my proposal will not result in the annexation of this property, it will put the use of this property in line with Scappoose’s Comprehensive Plan and the County Comprehensive Plan. If the subject site is rezoned Highway commercial this land will be one step closer to being used for commercial purposes, and being incorporated into Scappoose city limits. Scappoose has already submitted a letter to the county not

opposing the rezoning of this land to commercial use. The County, City of Scappoose and State of Oregon were involved in the UGB Expansion that included this property and coordinated their varying interests. In order to generate interest in this property site for commercial development, I must have it zoned for commercial purposes. Otherwise, interested parties will not be willing to deal with the extended time line and/or uncertainty of rezoning.”

For these reasons, Staff finds the proposal requested for ZC 16-02 has satisfied this integral component of the Comprehensive Plan.

Continuing with Columbia County Comprehensive Plan (Urbanization)

Finding 16: The 2011 UGB Expansion that amended the County and City’s Comprehensive Plans and designated this 2.3 acre site for urban levels of commercial development was processed according to the regulatory provisions of the State of Oregon’s Administrative Rules, Revised Statutes, and Statewide Planning Goals (related to Urbanization and Economic Development) as well as with these similar provisions of the County Comprehensive Plan and Zoning Ordinance. Staff finds the proposed rezone from RR-5 to C-5 will allow the subject property’s commercial development to occur prior to its annexation provided all necessary infrastructure and facilities are available. For these reasons, staff finds the proposal complies with the County’s Urbanization Policies and Goals.

Continuing with Columbia County Comprehensive Plan (Economy)

Finding 17:

Part X (Economy) & Part XI (Commercial): One of Columbia County’s Economic Goal is to strengthen and diversify the economy and insure stable economic growth Policies 1, 2 and 10 of the Economy section of the Comprehensive Plan are particularly relevant to the proposed amendment. Policy 1 “Encourages the creation of new and continuous employment opportunities” while Policy 10 “supports improvements in local conditions in order to make the area attractive to private capital investment” giving consideration to such factors as...land use controls and ordinances.”

The applicant a local resident and commercial developer, addressed how his proposed rezone is consistent with these policies as follows:

“Scappoose has had a very rapid rate of new commercial construction. There are many new businesses and there is almost no commercial land available that are one acre or larger especially on the southern side of Scappoose.. Recent development has brought jobs with the new Les Schwab, Goodwill, Fultanos, O’Rielly’s and BiMart. In order for Scappoose to continue to be a job creation engine for the county there is a need for more highway commercial lands to become available to take advantage of the high car count and associated visibility Highway 30 provides. With many thousands of cars passing each day, the availability of highway visible commercial land is crucial for economic growth, associated

job creation, and property tax revenues. The subject site is in the Scappoose UGB and is designated for commercial zoning when it is brought into the city limits because of its location and comparative advantages. Its high visibility and easy access make the subject site very desirable for economic growth.”

The applicant also states that *“There are eleven available parcels in the south Scappoose area with a total of 9.39 acres of land available for commercial development. The rezoning of the subject 2.3 acre site would add around 25% more land and help the county to develop commercially.”*

Staff concurs with the applicant’s reasons and observations and finds that they are consistent with the referenced Comprehensive Plan’s Policies and Goals in Part X (Economy) that will help to increase commercial development throughout the county and incorporated cities.

Continuing with Columbia County Comprehensive Plan (Transportation):

Finding 18:

Part XIII (Transportation): The goal of part XIII is the creation of an efficient, safe, and diverse transportation system to serve the needs of Columbia County residents. To avoid redundancy, staff finds the issues related to the proposed zone change’s impact on the existing transportation systems have been covered and addressed for Findings 9 - 13. Nevertheless, the subject property has over 300 feet of frontage on and a Deeded Access to Columbia River Highway as well as an existing access on Old Portland Road which is designated as a Urban Major Arterial by the County Road Department. The second Transportation Objective is to encourage and promote an efficient and economical transportation system to serve the commercial and industrial establishments of the County.

With the requirement that all future land uses and subdivision of the subject site be required to comply with the proposed Trip Cap Mitigation as well as with the City of Scappoose’s minimum regulatory requirements for urbanizable properties, staff finds that the safety and efficiency of the transportation network in this urbanizable area will not be compromised as a result of this rezone proposal. Staff finds that Part XIII of the Comprehensive Plan has been satisfied.

Continuing with Columbia County Comprehensive Plan (Public Facilities and Services)

Finding 19:

Part XIV (Public Facilities & Services): The goal of Part XIV is to plan and develop a timely, orderly, and efficient arrangement of public services as a framework for urban and rural development. Policies 1,4 and 5 apply to the applicant’s rezone request. Policy 1 requires that adequate types and levels of public facilities be provided in advance or concurrent with development, Similarly Policy 4 encourages new development on lands within urban growth boundaries while Policy 5 requires coordination of public facilities and

planning with affected service districts and/or agencies.

Similar to the issues already covered for Findings 1 - 13 the requested rezone of the 2.3 acre site to Highway Commercial will not automatically authorize any site specific commercial development. All future land uses and subdivision of the site will be required to comply with the City of Scappoose's minimum applicable requirements for urbanizable commercial areas referenced in the City's Memorandum dated 12/9/2015 as well as the applicable provisions of the Oregon Transportation Planning Rule. Although the subject site does not currently have access to city water, sewer and storm (water) system utilities, all future site development will not be permitted to occur unless the necessary public or private facilities and infrastructure are present onsite. The attached City Memorandum identifies conditions under which these city services could be extended to this site at the developer's expense; no expenses to the adjacent property owners are anticipated.

As covered for Finding 1, there are numerous authorized Highway and Neighborhood Commercial uses that do not necessarily require urban levels of services including, but not limited to the following:

1. Retail trade establishment such as a food store, drug store, gift shop, bakeries, book or stationary store, candy store and shoe store;
2. Eating and drinking establishments; and,
3. Personal and business services such as barber shops, tailoring, printing, funeral home, upholstery shop.

Any of these uses can be potentially supported by approved onsite methods of sewage disposal systems and private well(s) provided the necessary building permits are obtained. Any off site traffic impacts will need to be identified, including the average trip generation analysis per the Institute of Transportation Engineer's Trip Generation Manual, 9th Edition as required by the Oregon Transportation Planning Rule. The adequacy of public facilities and services will also be addressed during the Site Design Review process and prior to any site specific commercial development of this property. The subject property is also located within the service district of the Scappoose Rural Fire Protection District which is consistent with Policy 13 of the Public Services section of the Comprehensive Plan that will minimize the risk of fire damage to the authorized commercial development.

Finally the City of Scappoose has already designated this site for future urban commercial uses and has identified the necessary off and on site improvements that need to be in place prior to the site's annexation. Staff finds the proposal requested for ZC 16-02 is consistent with the Goal of the Comprehensive Plan that allows for the timely, orderly and efficient management of development of urbanizable areas of the county. For these reasons and with these conditions of future development until the site is annexed, Staff finds that Part XIV of the Comprehensive Plan has been satisfied.

Continuing with the Columbia County Zoning Ordinance
Section 1502.1(A)(3) Adequate Facilities, Services and Transportation Networks

3. The property and affected area are presently provided with adequate facilities, services, and 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 20: To avoid redundancy, staff finds these criteria have already been covered for Findings 9,10, 12, 13 and 19.

COMMENTS RECEIVED

City of Scappoose: No Objection; The City does not object to the Zone Change. The items related to future development of the subject 2.3 acre site are outlined in the City's Memorandum dated 12/9/2015 and have been incorporated into this Staff Report. The City Engineer submitted a letter dated 5/23/2016 expresses concern over the methodology used in calculating the proposed trip cap.

Scappoose-Spitzenberg CPAC: The CPAC expressed concerns related to future street improvements to Old Portland Road and Columbia River Highway and potential impacts to the existing Fairview Cemetery property to the north. The CPAC recommended approval of ZC 16-02 provided all measures be taken to protect the cemetery's existing grave sites and all future commercial development be visually buffered from this cemetery.

Scappoose Rural Fire Protection District: Has reviewed the proposal requested for ZC 16-02 and has no objections to its approval as submitted provided all future site development complies with the applicable requirements of the Uniform Fire Code for commercial uses.

Oregon Department of Transportation: Bill Johnston's attached comments and concerns dated 2/23/16 & 2/24/16, and a memo dated May 18, 2016 from Keith Blair, Senior Transportation Analyst, to Bill Johnston, Senior Planner (attached) have been incorporated into the discussion for Findings 10 through 13 of this Staff Report.

County Roadmaster: Will require all future street improvements to be consistent with the City of Scappoose's requirements.

Columbia River PUD: No Comment

County Sanitarian: No Objection

County Building Official: No Objection

No further comments from agencies, citizens or otherwise have been received regarding this proposal as of the date of this staff report, May 26, 2016.

CONCLUSION, & RECOMMENDED DECISION & CONDITIONS:

Based on the facts, findings and comments herein, the Planning Commission and the Planning Director recommends to the Board of Commissioners **Recommend for APPROVAL** the Zoning Map Amendment presented for ZC 16-02 to change the Zoning Map designation from Rural Residential-5 (RR-5) to Highway Commercial (C-5) for the ± 2.3 acre subject property, identified by tax map # 3224-000-01404 located within the City of Scappoose's UGB, subject to the following conditions:

1. Prior to an application for development of a new use, the applicant/developer shall submit a Site Design Review as required by the Columbia County Zoning Ordinance.
2. To ensure adequate transportation operation, future developments proposed for the subject property shall not produce more than an accumulative Maximum Average Daily Trip Cap of 1,010 without conducting a new Traffic Impact Analysis with recommendations for operational of safety mitigation.
3. All future uses and divisions of the 2.3 acre Highway Commercial site shall be consistent with the applicable provisions of the County Zoning Code and/or Subdivision and Partitioning Ordinance prior to its annexation.

ATTACHMENTS:

Application and maps submitted for ZC 16-02

Lancaster Engineer's Traffic Impact Analysis dated 4/14/16

City of Scappoose's Memorandum dated 12/9/15

City of Scappoose Memorandum received 5/23/16

County's Transportation Planner's comments dated 5/9/16

Scappoose-Spitzenberg CPAC comments dated 2/9/16

Scappoose Rural Fire Protection District Comments dated 5/10/16

Bill Johnston ODOT Transportation Planner comments dated 2/23/16, 2/24/16 & 5/18/16

cc: City of Scappoose
County Counsel