



NOTICE OF PUBLIC HEARING (Remote Access Available)

Date: December 4, 2022
File # PA 24-01
Applicant: City of Vernonia
Map/Taxlots: See attached tax lot list
Site Address: N/A
Zone: Rural Residential (RR-5), Single-Family Residential (R-10)
and Primary Forest (PF-80)
Size: The proposal will add approximately 49 acres to the city's
UGB and reduce it by approximately 37 acres

NOTICE IS HEREBY GIVEN that the Columbia County Planning Commission will conduct a public hearing on a request from **the City of Vernonia who has submitted an application for a Comprehensive Plan amendment. This proposal involves swapping out approximately 37 acres of Rural Residential and Primary Forest zoned property that is currently located within the city's Urban Growth Boundary for approximately 49 acres of Rural Residential zoned property. This proposal will affect approximately 22 tax lots which are attached to this notice.**

SAID PUBLIC HEARING will be held before the Columbia County Planning Commission on **Monday, December 4, 2023**, starting at **6:30 p.m.** This meeting will be hybrid in nature, allowing participants to log into a digital Go-To-Meeting (link provided below) or attend in person at Healy Hall within the Columbia County Public Works Department, addressed at 1054 Oregon Street in St. Helens.

Columbia County Planning Commission Meeting

<https://meet.goto.com/880602597>

You can also dial in using your phone.

Access Code: 880-602-597

United States (Toll Free): [1 866 899 4679](tel:18668994679)

United States: [+1 \(571\) 317-3116](tel:+15713173116)

If you have any questions or concerns regarding access to the meeting or need accommodation, please call the Land Development Services office at (503) 397-1501.

The criteria to be used in deciding the request will be found in the following, but not limited to these documents and laws as revised from time to time: ORS 197.175, ORS 197.610, ORS 197.763 and ORS 203.035; Columbia County Zoning Ordinance Sections 1606 and 1607. The specific criteria applicable to this request are listed and evaluated in the staff report.

The hearing is to afford interested parties an opportunity to be heard on the following matter. Any comments you wish to provide will be appreciated; however, Oregon law requires that testimony and evidence must be directed toward the applicable decision criteria. You may present testimony at the public hearing or provide written comments to the Land Development Services (LDS) Department prior to 5:00 p.m. on the hearing date. The Commission will make a recommendation on this application to the Columbia County Board of Commissioners, which is the decision-maker for all County Plan and zone amendments.

A copy of the application, all documents and evidence provided by the applicant, and the staff report are available for inspection at no cost and will be provided at reasonable cost at least seven days prior to the Planning Commission hearing from Land Development Services, County Courthouse Annex, St. Helens, OR 97051.

You received this notice because you own property located near the property that is the subject of this notice. Columbia County is required to notify you of the appeal of the above-cited decision so that you have the opportunity to comment and/or participate in the De Novo public hearing for the appeal.

Notice to mortgagee, lien holder, vendor or seller: ORS Chapter 215 requires that if you receive this notice, it must be promptly forwarded to the purchaser.

Failure to raise an issue in a hearing, in person or by writing, or failure to provide statements or evidence sufficient to afford the Approval Authority an opportunity to respond to the issue precludes raising the issue in an appeal to the Land Use Board of Appeals.

The application, all documents and evidence relied upon by the applicant, and the applicable criteria are available for inspection at no cost at the Land Development Service Department. A copy of the staff report will be available for inspection at no cost at least one week prior to the public hearing. Copies of these materials will be provided at a reasonable cost upon request.

The representative of the Columbia County Land Development Services Planning Division to contact regarding this application and hearing is **Hayden Richardson** and the telephone number where more information can be obtained is **(503) 397- 7216**.

Written materials may be submitted prior to, or during the public hearing. Please submit written materials by email at planning@columbiacountyor.gov

You can also send written materials via US Mail to:

Columbia County
Land Development Services
Attn: Hayden Richardson
230 Strand Street
St. Helens, OR 97051

Vernonia Urban Growth Boundary Adjustment- Tax Lots

TRS	Acres	StreetAddress	PlanFromType	PlanToUseType
Area to be removed				
4.00N4.00W500--00100	20		UGB	FOR-CON
4.00N4.00W5DA--06600	0.71		UGB	FOR-CON
4.00N4.00W5DD--01100	9.05		UGB	RUR RES
4.00N4.00W5DD--01200	1.63	59143 Nehalem Hwy S	UGB	RUR RES
4.00N4.00W5DD--01300	1.43	59065 Nehalem Hwy S	UGB	RUR RES
4.00N4.00W4CB--06900	4.14		UGB	FOR-CON
Area to be added.				
4.00N4.00W04--000102	8.74	1100 TEXAS AVE	RUR RES	UGB
4.00N4.00W04--000200	3.4		RUR RES	UGB
4.00N4.00W04AB--000100	8.67		RUR RES	UGB
4.00N4.00W04AB--000200	2.36	18674 MELLINGER RD	RUR RES	UGB
4.00N4.00W04AB--001000	2.5		RUR RES	UGB
4.00N4.00W04AB--001700	5.66	1250 TEXAS AVE	RUR RES	UGB
4.00N4.00W04AB--001701	2.4	1256 TEXAS AVE	RUR RES	UGB
4.00N4.00W04AC--000100	2.37	1708 OREGON AVE	RUR RES	UGB
4.00N4.00W04AC--000101	3.21	1200 TEXAS AVE	RUR RES	UGB
4.00N4.00W04AC--000102	3.06	1642 OREGON AVE	RUR RES	UGB
4.00N4.00W04AC--000103	2.4		RUR RES	UGB
4.00N4.00W05AC--000104	1	955 TEXAS AVE	RUR RES	UGB
4.00N4.00W04--0401	0.04		RUR RES	UGB
ADDED OREGON AVE ROW(Adjacent to the following tax lots:)				
	1.2		RUR RES	UGB
4.00N4.00W04AC--000100				
4.00N4.00W04AC--000102				
ADDED TEXAS AVE ROW (adjacent to the following tax lot:)				
	2.05		RUR RES	UGB
4.00N4.00W04--000102				

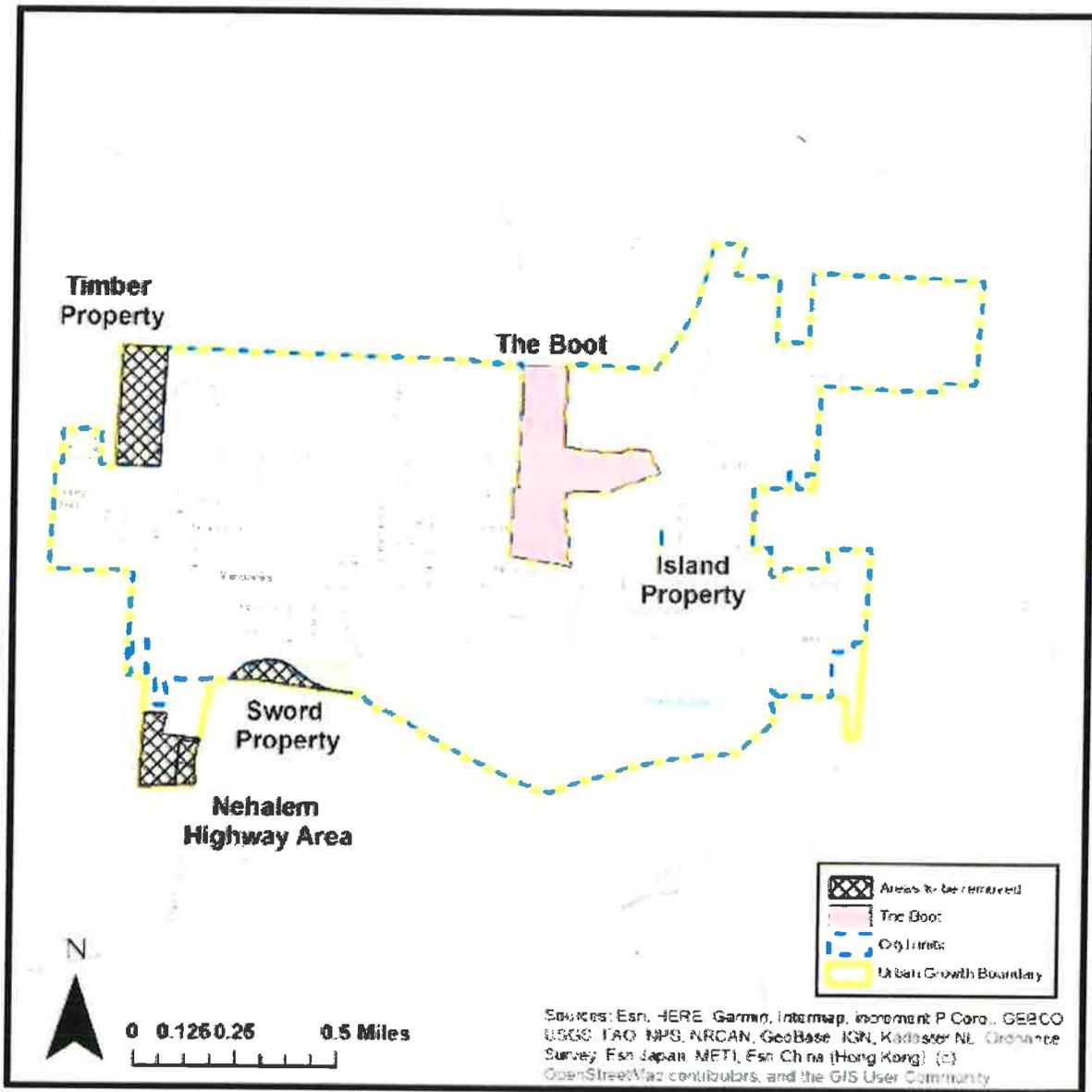


Figure 1: Proposed UGB Adjustment

Hayden Richardson

From: Amy Herzog
Sent: Monday, November 13, 2023 8:23 AM
To: Kelli Nicholson; mcaplan@pamplinmedia.com
Cc: Hayden Richardson
Subject: RE: Legal Notice to be Published 11/15 & 11/17

Can you please post the below and notice for 11/22 & 11/24?

Thank you

December 4, 2023 PC Meeting

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

Please publish the following legal notice in the November 22nd & 24th edition

NOTICE OF PUBLIC HEARING Monday December 4, 2023

NOTICE IS HEREBY GIVEN that Matt Alexander, representing the property owner Adam Ofstad, is requesting approval to establish a new 26,000 square foot automotive repair facility that will supplement the existing 16,000 sq. ft. facility immediately south and addressed at 50088 Columbia River Highway as shown in the submitted Site Plan on Page 3. The 1.31 acre subject property is associated with Tax Map ID Number 3224-C0-04501 and is zoned for Existing Commercial (EC) uses and development.

NOTICE IS HEREBY GIVEN that the City of Vernonia proposes to amend the Columbia County Comprehensive Plan and Map by trading approximately 37 acres of urban residential land (zoned for forest and rural residential uses) at the edge of the Vernonia Urban Growth Boundary (UGB) for approximately 49 acres of Rural Residential exception area land surrounded on three sides by the Vernonia City Limits. PA 24-01. Copies of the proposed changes are available in the Planning Department. These proposed changes may be amended at the public hearing.

SAID PUBLIC HEARING will be held before the Columbia County Planning Commission on **Monday December 4, 2023**, starting at **6:30 p.m.** This meeting will be hybrid in nature, allowing participants to log into a digital Go-To-Meeting (link provided below) or attend in person at Healy Hall within the Columbia County Public Works Department, addressed at 1054 Oregon Street in St. Helens.

Columbia County Planning Commission Meeting Link

<https://meet.goto.com/880602597>

You can also dial in using your phone.

Access Code: 880-602-597

United States (Toll Free): [1 866 899 4679](tel:18668994679)

United States: [+1 \(571\) 317-3116](tel:+15713173116)

The criteria to be used in deciding these requests will be found in some or all of the following documents and laws, as revised from time to time: Oregon Revised Statutes ORS 197.763; Oregon Administrative Rules; Columbia County Comprehensive Plan; Columbia County Zoning Ordinance. The specific criteria applicable to this request is listed and evaluated in the staff report.

A copy of the application, all documents and evidence relied upon by the applicants, and the staff reports are available for inspection at no cost and will be provided at reasonable cost, at the Land Development Services office, at least 7 days prior to the Planning Commission hearing. Written comments on the issue can be submitted via email to Planning@columbiacountyor.gov or you can send comments via U.S. Mail to Columbia County, Department of Land Development Services, 230 Strand Street, St. Helens, OR 97051.

If additional documents or evidence are provided in support of the applications, prior to or during the hearing, any party shall be entitled to a continuance of the hearing to allow review of the new evidence. If a participant requests a continuance before the conclusion of the evidentiary hearing, the record shall remain open for at least seven days after the hearing.

The hearing will be held in accordance with the provision of the Zoning Ordinance. At each hearing, the applicant has the burden of presenting substantial evidence showing that the application meets all of the applicable criteria. Following presentation of the staff report, the applicant and other persons in favor of the application will be allowed to address the commission, explaining how the evidence submitted meets the applicable criteria. Following the applicant's presentation, any person in opposition to the application may present evidence and argument against the application. The applicant will then have the opportunity to rebut any evidence or arguments presented in opposition. After the presentation of evidence and arguments, the public hearing record will be either left open or closed by the Planning Commission.

The Commission will then make a tentative decision to be followed by approval of a written order and a statement of findings and conclusions supporting the decision, which will be mailed to all parties at a later date. The Commission may, at its discretion, continue the hearing from time to time at the request of the parties or on its own motion as necessary to afford substantial justice and comply with the law.

Additional information about this application may be obtained from the Planning Division of the Land Development Services Department, at (503) 397-1501. If you have any questions or concerns regarding access to the meeting or need accommodation, please call the Land Development Services office at (503) 397-1501.

THE PLANNING COMMISSION
Dan Magnia, Chairman

Amy Herzog

Permit Technician

Columbia County Land Development

230 Strand St.

St Helens OR 97051

503-397-1501 ext 8483

Amy.Herzog@columbiacountyor.gov

www.columbiacountyor.gov

Please note:

Land Development Services has moved to a temporary location at 445 Port Avenue, St. Helens.

We're available to assist you in person, by phone 503-397-1501 and email:

building@columbiacountyor.gov or planning@columbiacountyor.gov.

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

General Application

File No. _____

GENERAL LAND USE PERMIT APPLICATION

Application Purpose: Plan Map Amendment

APPLICANT: Name: City of Vernonia

Mailing address: 1001 Bridge Street, Vernonia OR 97064

Phone No.: Office 504-429-5291 Home _____

Are you the _____ property owner? owner's agent?

PROPERTY OWNER: _____ same as above, OR:

Name: _____

Mailing Address: _____

PROPERTY ADDRESS (if assigned): _____

TAX MAP NO.: See attached Acres: _____ Zoning: _____

_____ Acres: _____ Zoning: _____

_____ Acres: _____ Zoning: _____

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

Use: _____ Approx. Acres

See Attached _____

Total acres (must agree with above): _____

PROPOSED USES:

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

METHOD OF SEWAGE DISPOSAL: _____ 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: 9.26.2023 Signature: Grace Coffey

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.).

+++++

Planning Department Use Only

Date Rec'd. _____ Hearing Date: _____

Or: Administrative _____

Receipt No. _____

Zoning: _____ Staff Member: _____

+++++

Appendix A. Criteria and Findings

Urban Growth Boundary Adjustment

Comprehensive Plan Map Amendment and Text Amendment

Overview

This document provides the criteria and findings for the following proposed amendments to the Vernonia Comprehensive Plan:

1. Adjust the Vernonia Urban Growth Boundary (UGB) to include the “Boot” area with a Residential Plan designation, and remove the Nehalem Highway Area, the Sword Property, and the Timber Property from the Urban Growth Boundary.
2. Include a policy for areas within the Boot to be zoned Residential upon annexation to the City, and a policy for the extension of the existing street grid system.

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Acronyms

The Boot- Area B2 proposed for inclusion within the Vernonia UGB

OAR- Oregon Administrative Rule

TSP-Transportation System Plan

TIS-Transportation Impact Study

UGA- Urban Growth Area

UGB-Urban Growth Boundary

UGMA-Urban Growth Management Agreement

VZC- Vernonia Zoning Code

Section 1. Introduction

1.1 Summary

The City of Vernonia proposes to amend the Vernonia Comprehensive Plan and Map by trading approximately 37 gross (24 buildable) acres of urban residential land (zoned for forest and rural residential uses) at the edge of the Vernonia Urban Growth Boundary (UGB) for approximately 49 gross (29 buildable) acres of Rural Residential exception area land surrounded on three sides by the Vernonia City Limits. This UGB adjustment will:

1. Restore some forested land currently within the UGB to forest resource use;
2. Remove outlying extensions of rural residential lands that are difficult to serve with urban facilities; and
3. Create a compact and efficient urban form by including rural residential land closer to the school, shopping, employment and services.

The UGB adjustment will swap out three less developable areas within the current UGB, for the more developable “Boot” (Area B2) located adjacent west of the school complex and surrounded on three sides by the UGB. The Boot can be efficiently served extending the City’s existing grid street system. The UGB adjustment will not substantially change the amount or type of buildable residential land within the UGB.

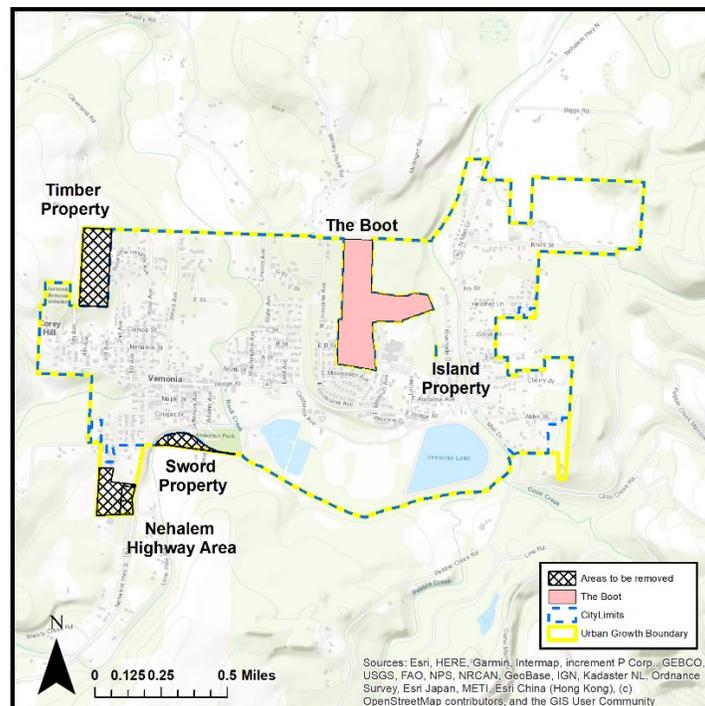
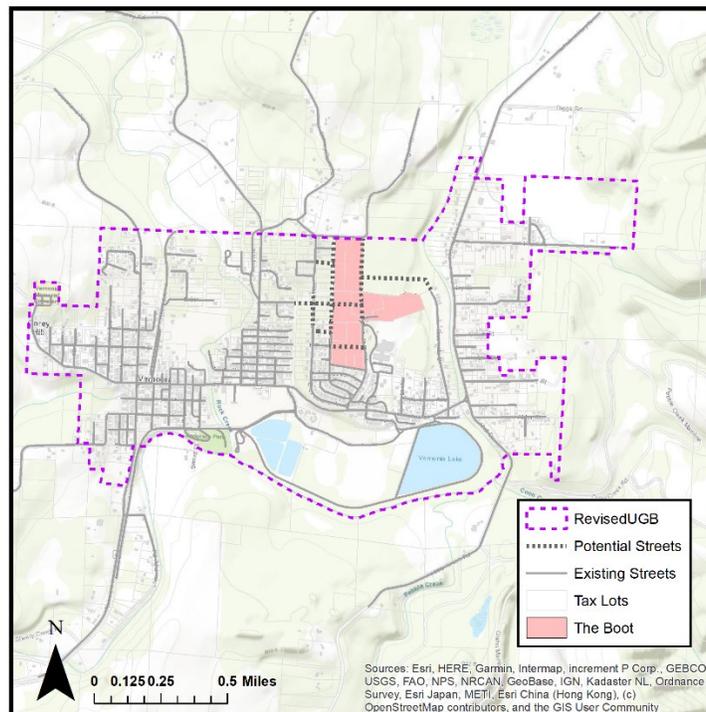


Figure 1: Proposed UGB Adjustment

To achieve the UGB adjustment and to ensure there will be zoning designations that accommodate the needed residential development once annexed, the proposal includes:

- Comprehensive Plan map amendments to:
 - Include the Boot area within the Vernonia UGB;
 - Assign the Boot area a “Residential” plan designation; and
 - Remove three areas from the UGB.
- The following text amendment to the Urban Growth Area Policies section of the Comprehensive Plan:
 1. *In 2023, Vernonia adopted an Urban Growth Boundary adjustment to remove three unsuitable residentially designated areas from the UGB and add “the Boot” to the UGB. The UGB adjustment is shown in Figure 5.1 “The Boot” was given a Residential Comprehensive Plan Designation.*
 - a. *Upon annexation to the City, areas within “the Boot” shall be zoned Residential per 9-01.03-10 of the Vernonia Zoning Code.*
 - b. *To ensure a multimodal transportation system and direct connections between schools and the Boot area, the existing grid street system should be extended to serve the Boot. The following illustrative map shows how streets can be extended to meet Policy 5.*

Figure 5.1. Map showing potential street extensions and “the Boot”



The Boot would retain County zoning prior to annexation. When land is annexed to the City, Policy 5 will be applied to ensure appropriate zoning and street connectivity.

The areas proposed for removal from the UGB will retain their current County zoning. The Timber and Sword properties are currently zoned Primary Forest, 80-acre minimum (PF-80). Removing these properties from the UGB will ensure they remain resource lands.

This amendment package was drafted in consultation with Columbia County, the City Engineer and ODOT and is consistent with the City-County Urban Growth Management Agreement. The proposed comprehensive plan amendment package will need to be reviewed and adopted by both Vernonia and Columbia County. Both jurisdictions must provide timely notice of its initial public hearing to DLCD.

1.2 Goal 14 Requirements

The State of Oregon has a prescribed process for swapping land within the Urban Growth Boundary for land outside the UGB, called a UGB Adjustment. The purpose of a UGB is to allow cities to separate urban from rural land, and to ensure that urban land develops efficiently. UGBs also ensure that farm and forest land is not encroached upon by urban development. Oregon cities are required to maintain a 20-year supply of land for residential and employment needs within the UGB. Doing so is important to ensure cities can accommodate future growth while protecting farmland and natural resources in compliance with Statewide Planning Goals 3, 4, and 9 through 14.

Needed land supply is analyzed through periodic updates to the housing and land use elements of the comprehensive plan. The identified 20-year land supply in Vernonia is sufficient for to meet housing needs; the City is not proposing to expand the UGB, but instead, to pursue a UGB adjustment.

OAR Chapter 660 Division 24 Urban Growth Boundaries allows cities to exchange or “swap” urban land within its UGB for rural land outside its UGB if (in addition to meeting Goal 14 and related requirements) alternatives are considered properly and the amount and type of traded land are “substantially equivalent.” This narrative demonstrates compliance with:

1. OAR 660-024-0065 Establishment of Study Area to Evaluate Land for Inclusion in the UGB
2. OAR 660-024-0067 Evaluation of Land in the Study Area for Inclusion within the UGB; Priorities
3. OAR 660-024-0070 UGB Adjustments – Section 3 related to substantial equivalency of buildable residential land¹

¹ (3) ***Notwithstanding sections (1) and (2) of this rule, a local government considering an exchange of land may rely on the land needs analysis that provided a basis for its current acknowledged plan, rather than adopting a new need analysis, provided:***
(a) The amount of buildable land added to the UGB to meet: (A) A specific type of residential need is substantially equivalent to the amount of buildable residential land removed, or (B) The amount of employment land added to the UGB to meet an employment need is substantially equivalent to the amount of employment land removed, and (b) The local government must apply comprehensive plan designations and, if applicable, urban zoning to the land added to the UGB, such that the land added is designated: (A) For the same residential uses and at the same housing density as the land removed from the UGB [emphasis added]

1.3 How this document is organized.

This document follows the City of Vernonia criteria for Comprehensive Plan map and text amendments and is organized as follows:

- **Section 2.1** demonstrates compliance with applicable statewide planning goals. These findings focus on Goal 14: *Urbanization*, which details the UGB adjustment analysis including the establishment of a study area, alternatives analysis, and comparison of buildable land to be added and removed. Findings related to other applicable statewide planning goals follow.
- **Section 2.2** demonstrates compliance with applicable Vernonia Comprehensive Plan policies and the Vernonia-Columbia County Urban Growth Management Agreement (UGMA).
- **Section 2.3-2.7** responds to further review criteria and includes findings regarding of the locational and land needs, the impact on the land use pattern, public facilities, the transportation system, all criteria for comprehensive plan map amendments in Vernonia.
- **Section 3** responds to comprehensive plan text amendment criteria.

Section 2. Comprehensive Plan Map Amendment Criteria

A UGB adjustment requires a comprehensive plan map amendment. Decision criteria for a Comprehensive Plan map amendment are found in the Title 9 of the Vernonia Zoning Code Section 9-01.09-50 *Comprehensive Plan Amendment*. Decision criteria findings, including the findings for UGB adjustments are discussed in the following code sections.

9-01.09-50.E Decision Criteria. Plan map amendment proposals shall be approved if the applicant provides evidence substantiating the following:

VZC 9-01.09-50.E.1 Compliance is demonstrated with the Statewide Land Use Goals that apply to the subject properties or to the proposed land use designation. If the proposed designation requires an exception to the Goals, the applicable criteria in the LCDC Administrative Rules for the type of exception needed shall also apply.

2.1 Statewide Goal Consistency Analysis

GOAL 14. Urbanization: UGB Adjustment

Findings: In most cases, UGB's are expanded to accommodate a 20-year population and employment projection. However, our review of local planning documents indicates that the City has enough land within the UGB to meet 20-year growth needs.

In this situation, a UGB 'swap' as outlined in OAR 660-024-070 *UGB Adjustments* is proposed. Using this state rule, the City may trade land within the UGB for property outside the UGB, if (a) the amount of land to be traded is essentially the same, and (b) the designations of land to be traded are comparable.

This approach does not need justification for a UGB change based on population growth and related land need and supply.

The addition of land into the UGB requires the establishment of a study area and an alternatives analysis based on Goal 14 location factors, which follow.

Location and Description of Land Proposed to Be Removed

Figure 2 shows the location and zoning of each area proposed to be removed from the UGB.

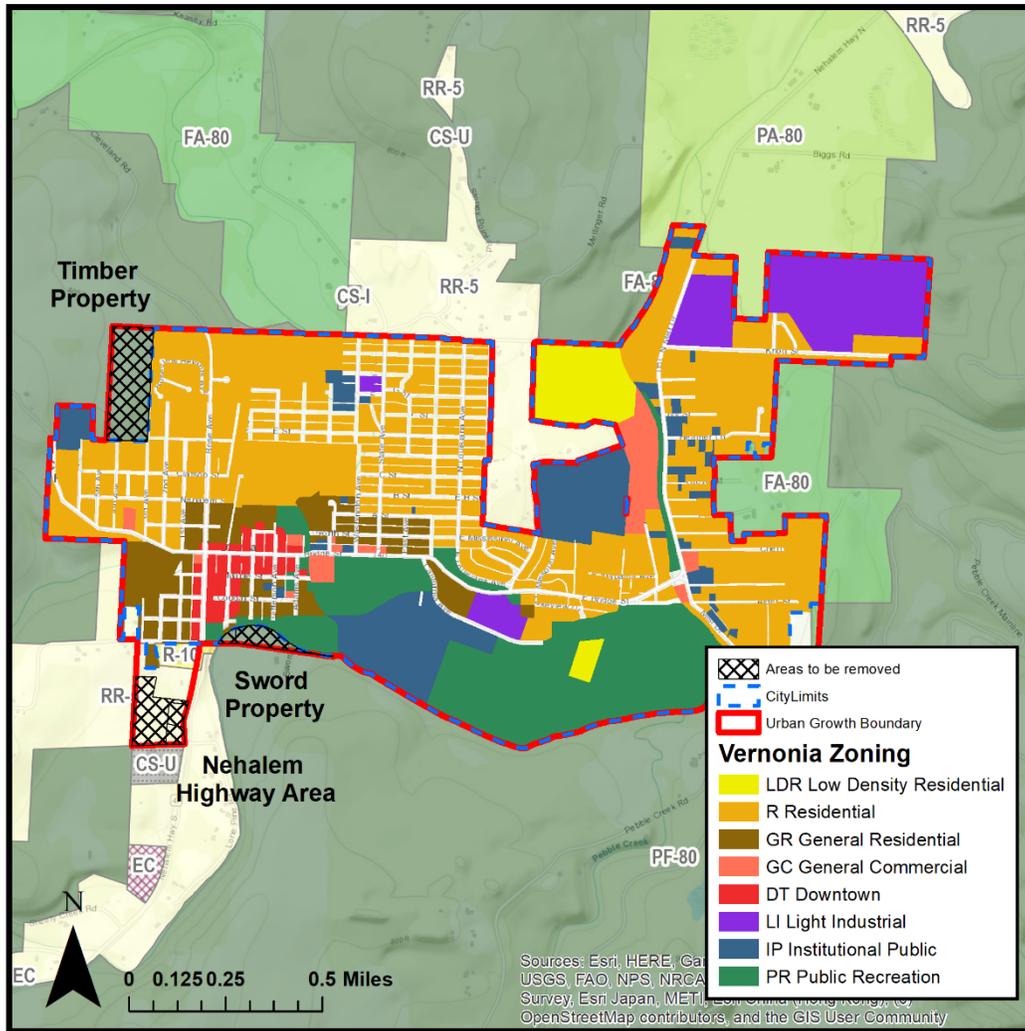


Figure 2: Areas to be removed.

The Sword Property

The 5.1-acre Sword Property (Tax Lots 4N4W04CB06900 and 4N4W05DA06600) is located south the City Limits and south of the Nehalem River and an RV park. The Sword Property has a “Residential” comprehensive plan designation and is zoned Primary Forest-80 (PF-80) by Clatsop County. This

property is located entirely within the floodplain and almost entirely in the floodway where development is generally prohibited. Thus, the Sword Property has no buildable land and is suitable for long-term forest use.

The Timber Property

The 20-acre Timber Property (4N4W050000100) is in the northwest corner of the UGB, is owned by the City and is used for timber resources. The Timber Property has a “Residential” comprehensive plan designation and is zoned Columbia County PF-80. The property is relatively far from schools, shopping and services.

The Nehalem Highway Area

The 12-acre Nehalem Highway Area has three tax lots² located in the southwest corner of the UGB. The area has a “Residential” Comprehensive plan designation and Columbia County RR-5 zoning. The area has some steep slope (25% or greater) parts and 3 existing homesites. This area is relatively far from schools, shopping and services. Most of this area is on a downslope from the wastewater treatment plant and would require pumps or force mains to function. Prior to its inclusion in the UGB, this area had its current RR-5 zoning and was therefore considered exception land.

Study Area Determination

As applied to Vernonia, State rules³ require that the UGB adjustment study area be identified. The study area must:

- Include all lands within ½ mile of the UGB.
- Include all exception lands contiguous to an exception area within the ½ mile of the UGB.
- Not be within another UGB: Vernonia has no nearby City UGBs.
- Include all lands within an urban reserve: Vernonia has no urban reserve.

Figure 3 shows the required Study Area:

² Tax Lots: 4.00N4.00W5DD—01100, 4.00N4.00W5DD—01200, 4.00N4.00W5DD—01300

³ OAR 660-024-0065 *Establishment of Study area to Evaluate Land for Inclusion in the UGB (1) When considering a UGB amendment to accommodate a need deficit identified in OAR 660-024-0050 (Land Inventory and Response to Deficiency) (4), a city outside of Metro must determine which land to add to the UGB by evaluating alternative locations within a “study area” established pursuant to this rule. To establish the study area, the city must first identify a “preliminary study area” which shall not include land within a different UGB or the corporate limits of a city within a different UGB. The preliminary study area shall include: (a) All lands in the city’s acknowledged urban reserve, if any; (b) All lands that are within the following distance from the acknowledged UGB: (A) For cities with a UGB population less than 10,000: one-half mile;*

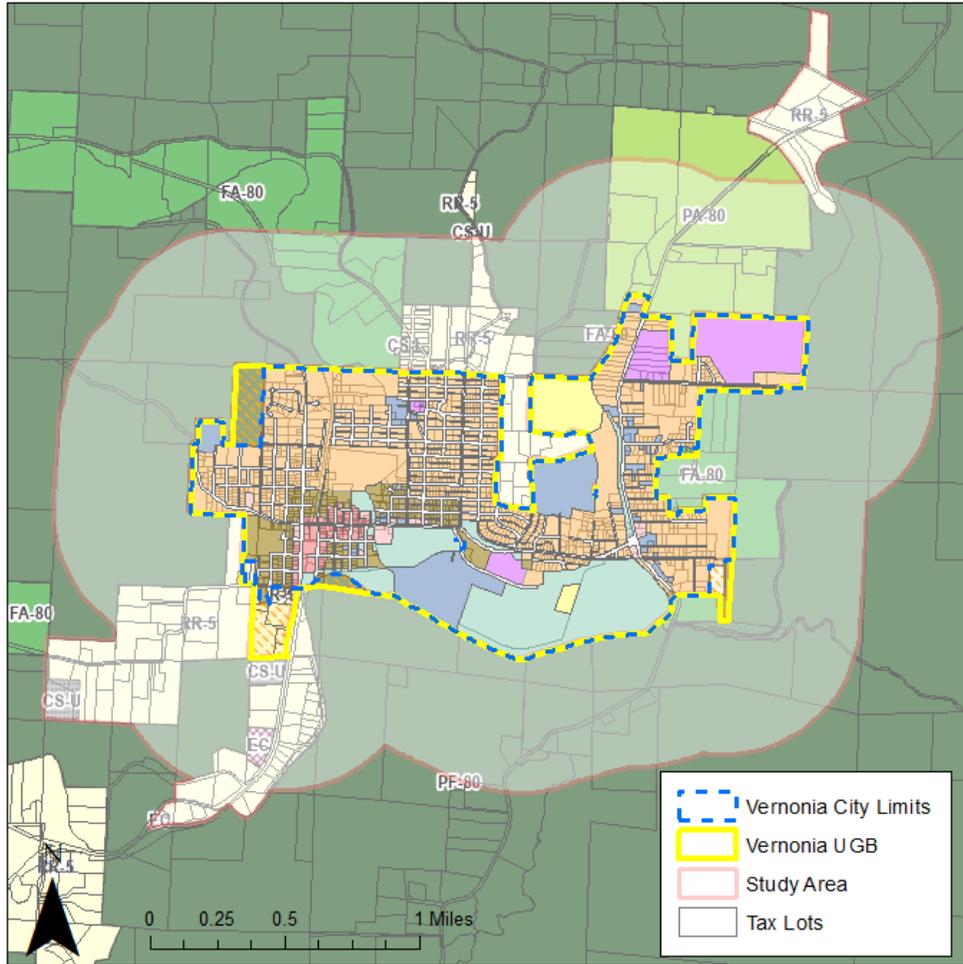


Figure 3: UGB Study Area

Table 1 summarizes County zoning for unincorporated land within the study area and outside the Vernonia UGB:

Table 1: Study Area County Zoning Summary (acres)

Total Acres	Forest and Agriculture (PF-80, PA-80, FA-80)	Rural Residential – 5 Acre Minimum (RR-5)	Community Service - Utility and Institutional (CS-U, CS-I)	Existing Commercial (EC)
2,970	2,450	490	21.1	8.9

Most of the study area is comprised of 80-acre minimum agriculture or forest land. There are several exception areas with Columbia County Rural Residential zoning, small exception areas with Community Service Utility and Institutional zoning, and two parcels with Existing Commercial zoning.

Priority of Land to be Included in the UGB

OAR 660-0024-0067⁴ establishes the following priority of land for inclusion within a UGB. As applied to Vernonia's proposed UGB swap:

- The highest priority is rural exception land (land that is not zoned for farm or forest use).
- Second priority is lower quality forest or farm land.
- Third priority is relatively high-quality farm or forest land.

Since there is an abundant supply of highest priority rural exception land within the study area, the City did not consider lower-priority farm or forest land for inclusion within the UGB.

Description of Rural Exception Areas

As shown on Figure 4 and Table 2, there are approximately 520 acres of exception land within the study area. To analyze the alternative areas, we have categorized the exception land into five analysis areas, shown in Figure 4 and analyzed in Table 2.

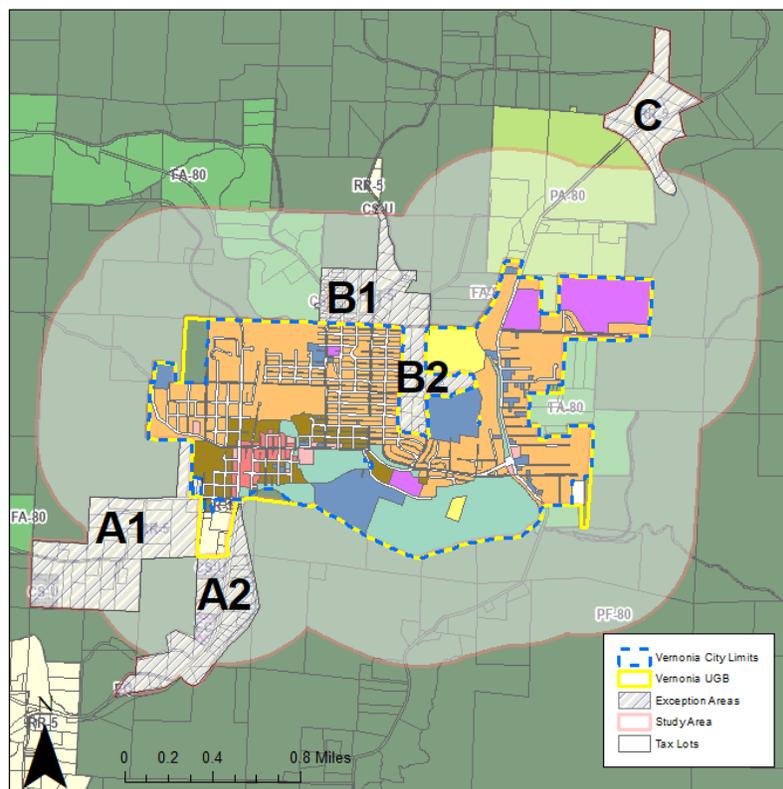


Figure 4: Alternatives Analysis Areas

⁴ OAR 660-024-067(2)Priority of Land for inclusion in a UGB: (a)First Priority is urban reserve, exception land, and nonresource land. Lands in the study area that meet the description in paragraphs (A) through (C) of this subsection are of equal (first) priority: (A)Land designated as an urban reserve under OAR chapter 660, division 21, in an acknowledged comprehensive plan; (B)Land that is subject to an acknowledged exception under ORS 197.732 (Goal exceptions); and (C)Land that is nonresource land

Table 2: Rural Exception Land – Area Descriptions

Analysis Areas	County Zoning	Area Description
A1	RR-5 and CS-U	This 188-acre area is served by Noakes Road, is zoned RR-5, and abuts a southwestern portion of the UGB. Most of Area A1 is bounded by resource land (zoned PF-80) land to the north, west and south.
A2	RR-5, CS-u and EC	This 120-acre area is served by the Nehalem Highway, is zoned RR-5 (with two small CS-U parcels) and abuts the southern portion of the UGB. Most of Area 2 is bounded by forest resource land (PF-80). Much of the area is within the floodplain.
B1	RR-5 and CS-U	This 86-acre area is served by Stony Point, Keasey and Mellinger roads, is zoned RR-5, abuts a northern portion of the UGB and Area B2. Area B1 borders forest land (PF-80) to the north and east, and farm land (FA-80) to the west.
B2 “the Boot”	RR-5	This 49-acre area is served by Mellinger Road, Oregon and Texas avenues, and abut several local city streets. Area B2 is zoned RR-5 and abuts the UGB and City Limits to the west, south, and east, and Area B1 to the north. Area B2 is not adjacent to farm or forest resource land but is close to Vernonia Elementary and High School (southeast) and commercial and employment areas (south). Most of the land adjacent to Area B2 has a residential plan designation.
C	RR-5	This 75-acres area is served by the Nehalem Highway N., is zoned RR-5, is completely separated from the UGB by resource land (PA-80). Area C borders forest land (PF-80) to the northwest, north, and southwest. Roughly half of this area is in the floodplain.

The Island Property

In 2009 the City expanded the UGB and the City Limits to reconstruct existing schools on to land outside the floodplain. At that time, Tax Lot 4N4W040000401 – a small 0.04-acre property about 200 feet long and 8 feet wide – was left outside the UGB wedged between the UGB expansion area and the rest of the City. The overlooked property is now an unincorporated island outside of the Vernonia UGB and City limits and has an R-10 zoning designation. The County has requested that the City clean this up as part of the UGB adjustment.

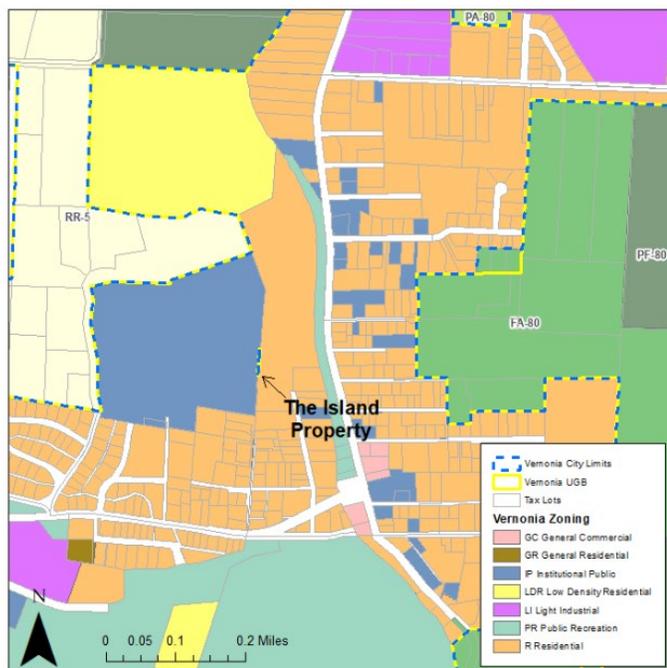


Figure 5: Island Property

Alternatives Analysis to Determine Which Area(s) to Add to the UGB

As required by Goal 14, Winterbrook has analyzed each analysis area based on the four boundary location factors of Goal 14⁵ (listed below):

1. *Efficient accommodation of identified land needs.*
2. *Orderly and economic provision of public facilities and services.*
3. *Comparative environmental, energy, economic and social consequences.*
4. *Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.*

1. *Efficient accommodation of identified land needs.*

The need for the land swap is driven by the efficient provision of residentially developable lands in Vernonia. The City has areas of residentially designated land that is not suited for residential development for reasons discussed previously. The swap will allow the acreage totals to stay essentially the same but allow residential development by applying residential designation to property that can be efficiently served by public facilities and provide residential area near the school. The swap will not alter the amount of buildable residential land, it will simply shift the land available for residential land out of unbuildable areas and move it to a place where development can occur. A comparison of buildable land is found later in this subsection.

Pursuant to OAR 660-024-0070, need does not factor into a UGB swap. This factor does not limit or clarify which land should be added to the UGB. Other factors are compared in the table below.

2. *Orderly and economic provision of public facilities and services.*

As demonstrated in Table 3, area B2, or the Boot, would have the most orderly and economic provision of public facilities and services. Further findings comparing the subarea is found in Appendix C: Alternatives Analysis- Public Facilities Report.

Table 3: Orderly and economic provision of public facilities and services.

Analysis Area	Efficient Accommodation of Public Facilities and Services
A1	This area is almost surrounded by county resource land and has few opportunities connection to existing public facilities. Public facilities would be extended via the Noakes Rd ROW. Existing development patterns would make it difficult to extend streets and related public utilizes to the area. The area is far away from the city, so extending facilities and services would be costly. The rolling hillside would necessitate the installation of a sanitary pump station. Noakes Road is the only ROW serving the area, and because it is surrounded by resource land, creating better connectivity to the City is challenging. While it may be feasible to extend public facilities, there are some challenges.

⁵ OAR 660-024-0067(7) Pursuant to subsection (1)(c), if the amount of suitable land in a particular priority category under section (2) exceeds the amount necessary to satisfy the need deficiency, the city must choose which land in that priority to include in the UGB by first applying the boundary location factors of Goal 14 and then applying applicable criteria in the acknowledged comprehensive plan and land use regulations acknowledged prior to initiation of the UGB evaluation or amendment.

A2	This area is barely connected to the UGB and to city services. There are some residences and businesses along the highway without connection to existing public facilities. The ravines in the topography would be impediments to the installation of public facilities, a pump station would be required. Extending services to this area would be costly and inefficient. Additionally, the floodplain constraint would mean little development could happen even with extension of infrastructure. The feasibility of extending public facilities is bad.
B1	B1 abuts the UGB to the south and could connect to existing facilities along the southern edge. This area is served by existing access from Mellinger, Keasey, and Stoney Point roads, and water lines to the area could be easily accommodated. The eastern half of the area has no adjacent sewer infrastructure to tie into. The street grid could continue to be extended north but is somewhat inhibited by Rock Creek. The topography to the western half would make public facilities difficult to install. The feasibility of providing public facilities to this area is poor.
B2 "the Boot"	This area is contiguous to the existing UGB, has existing access from Mellinger Road, Oregon Avenue, and Texas Avenue, and has the potential to be serviced by the extension of existing utilities via the existing grid street system that could be readily extended without impacting the existing residences. Its location surrounded on three sides by the existing UGB allows public facilities to be connected to the area and across the area more efficiently. The Vernonia TSP shows plans to extend Texas Avenue to Mellinger Road. There is a ridgeline that splits the area's topography into a northern half and a southern half, gravity fed utilities could be split along this ridgeline. Sewer and storm infrastructure could be extended from Texas Ave, and Riverside Dr would provide a connection to the northern half. The feasibility of providing public facilities to the area is good.
C	To extend public facilities to this area, the City would need to cross agriculture land because area C is not connected to the City. It would be extremely inefficient and costly to serve this area, which shares no borders with the Vernonia UGB. The feasibility of providing public facilities to this area is bad.

3. Comparative Economic, Social, Environmental and Energy consequences.

As demonstrated in Table 4, area B2, or the Boot, would have the most positive economic, social, environmental, and energy consequences in comparison to the other areas.

Table 4: Comparative ESEE consequences

Analysis Area	Economic Consequences	Social Consequences	Environmental Consequences	Energy Consequences
A1	This area is far away from the existing UGB, extending public facilities would be inefficient and costly. Cost effective development would be unlikely to occur.	The area is far from schools or downtown commercial. Services would be difficult to reach from A1. The difficulty of extending public facilities makes it unlikely this area would develop to urban densities.	A1 does not contain wetlands nor is within the floodplain. There are parts in the north and SW edges of A1 with 25%+slopes.	Extending public facilities to this area would be inefficient. There is only one road that currently connects A1 to the school and downtown, the road is not easily bikeable or walkable. The difficulty of extending public facilities makes it unlikely this area would result in sustainable development
A2	The floodplain restrictions on this area would not allow for	There is little connectivity between A2 and downtown Vernonia or	Much of the area is within the flood plain and would be undevelopable,	Extending public facilities to this area would be inefficient. There is only

	compact or efficient residential development, extending public facilities would be inefficient and costly. Adding A2 to the UGB would likely not result in sustainable or efficient residential development.	the school. Bike and pedestrian connections would be difficult to establish. Services would be difficult to reach from A2. The difficulty of extending public facilities makes it unlikely this area would develop to urban densities.	additionally, this area has wetlands.	one road that currently connects area A1 to the school and downtown, and the road is not easily bikeable or walkable. Adding A2 to the UGB would likely not result in sustainable residential development.
B1	Extending public facilities to B1 would be less costly than extending them to A1, A2, and C, but more costly than extending facilities to B2. There is some road infrastructure in place, and the street grid could be extended to the area.	B1 is further away from the school and downtown than B2. This area abuts resource land and would create potential conflicts between residential development and farming and forestry activities.	This area has one small part with wetlands and has a very small portion of its southwest corner in the floodplain.	This area is about ½ mile away from the Vernonia school, and far from downtown. Extending public facilities to this area may not be as inefficient as some of the other areas but would be less efficient than B2.
B2 “the Boot”	The Boot area has greater potential road connectivity to existing road infrastructure. The Vernonia TSP shows plans to extend Texas Avenue to Mellinger Rd, which would connect large areas of B2 to the school and to the rest of the city.	Area B2 offers more walkable and bikeable access to the school, parks and commercial areas of Vernonia should it develop in contrast to area B1, where there is less efficient proximity to school and parks.	There are no inventoried wetlands in this area, though there is likely a large portion of the northern area of the boot that contains wetlands, documented further in Exhibit E. There is one small portion (0.02 acres) on the very eastern edge within the floodplain. A similarly small area on the very eastern edge also has 25%+ slopes.	The Boot area is surrounded on three sides by the UGB, the extension of services will consume less energy to accommodate new development more efficiently to City facilities. Adding B2 to the UGB would allow development in proximity to the school, increasing multimodal access.
C	Given this area’s complete isolation from the existing UGB, extending the UGB to this area would not result in efficient provision of services and would not be likely to result in residential development. Extending public facilities would be prohibitively costly.	There would likely be negative impacts on surrounding farm and forest lands. There would be little social benefits to adding a area far away from the existing UGB.	Roughly half of the area is within the floodplain and would be undevelopable. Small portions of area C have 25%+ slopes.	This area is not adjacent to the UGB and walking or biking to school or downtown would be impractical. Extending public facilities to this area would be energy inefficient, as they would have to traverse large areas.

4. Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.

As demonstrated in Table 5, the Boot (area B2) would have the most compatibility with agricultural or forest activities in comparison to the other areas.

Table 5: Resource Land Compatibility

Analysis Area	Compatibility of Proposed Urban Residential Uses with Nearby Agricultural and Forest Activities
A1	Area A1 is bordered three sides by PF-80 zoned land. 74% of its 3.2-mile boundary is adjacent to farm or forest land. Urban residential development of this area would result in increased interaction and potential conflict between this area and agriculture and forestry activities.
A2	Area A2 is bordered on three sides by PF-80 zoned land. 85% of its 2.7-mile border is adjacent to farm or forest land. Urban residential development of this area would result in increased interaction and potential conflict between this area and agriculture and forestry activities.
B1	Area B1 is bordered on three sides by the forest lands. 76% of its 2.1-mile border is adjacent to farm or forest land. Urban development of the area would result in increased interaction and potential conflict between this area and agriculture and forestry activities.
B2 “the Boot”	Area B2 is surrounded on three sides by the existing UGB and an RR-5 exception areas to the north. None of the borders interact with farm or forest land and the area is buffered from forest land by the RR-5 zoning to the north. Urban residential development of Area B2 would be buffered from farm and forest land by (a) other urban land within the UGB, or (b) the Area B1 rural residential exception area. Therefore, urban residential development of Area B2 would not increase interaction or conflict with nearby farm and forest activities.
C	Area C is surrounded by the farm and forest lands. 100% of its 2.1-mile perimeter interacts with farm or forest land. Urban residential development of the area would result in increased interaction and potential conflict between this area and forestry activities. Additionally, extending public facilities to this area would involve crossing county agriculture land which could conflict with nearby agricultural and forest activities.

Alternatives Analysis Conclusion:

Analysis area B2 (the Boot) would be the area most easily and efficiently served by public facilities and services. Inclusion of the Boot within the UGB would have the most positive ESEE consequences in comparison to the other areas. The Boot is the only rural exception area within the study area that does not border large expanses of farm or forest resource land and would not create significant conflicts with agriculture or forestry practices. Analysis area B2, the Boot is most suitable for inclusion within the Vernonia UGB based on Goal 14 locational factors.

Substantial Equivalency – Comparison of Land to be Removed with Land to be Added to the Urban Growth Boundary

UGB Adjustment criteria (660-024-0070(3)) related to UGB swaps require that the amount and type of buildable added to the UGB be “substantially equivalent” to amount and type of buildable land removed from the UGB.

Analysis of Residential Buildable Land to be Removed

Utilizing the Columbia County Assessor’s “Stat Class” code and the total acreage of each property, Winterbrook evaluated the area to be removed from the UGB to determine the development capacity in accordance with Statewide Planning Goal 10 and Oregon Administrative Rule 660-008-0005(2) as follows:

Table 6: Buildable Land to be Removed (acres)

Area to be removed	City Comprehensive Plan Designation/ County Zone	Tax Lot Acres	“Partially Vacant” or developed land	Public Facilities Reduction ⁶ (25%)	Constrained (Hazard and Resource) Land ⁷	Net Buildable Acres	Proposed County Plan Designations/ County Zone
Timber Property	R/PF-80	20	0	5	.02	15	County Primary Forest/PF-80
Sword Property	GR/PF-80	5.1	0	NA	4.8	0	County Primary Forest / PF-80
Nehalem Highway Area	R/ RR-5	12.11	.5	2.85	0.2	8.56	County Rural Residential/ RR-5
TOTAL		37.21	0.5	7.85	5.02	23.84	

Based in coordination efforts with Columbia County, it is anticipated that the Timber Property and the Sword Property will be redesignated from City Residential to County Primary Forest, and that the Nehalem Highway Area will be redesignated from City Residential to County Rural Residential.

[Substantial Equivalency – Residential Buildable Land Comparison](#)

Using the same assumptions detailed in Section 2.1, we analyzed the Boot⁸ to determine if the residential capacity is substantially equivalent to the amount of buildable residential land removed. The areas proposed to be removed from the UGB are subject to the Vernonia Local Wetland Inventory. In Vernonia, wetlands are protected by Title 9-06 *Development in Wetlands*. This wetlands ordinance prohibits almost all new development in wetlands. New structures are prohibited, therefore, wetlands within Vernonia are not considered “buildable land” and not included in buildable land calculations. Winterbrook conducted a preliminary off-site wetland determination within the Boot to determine if there were areas that were characteristic of wetlands and therefore likely to be protected by Vernonia’s wetland ordinance if the Boot was brought into the UGB. A detailed methodology and findings are found in Appendix E. Winterbrook found that there are likely 8.1 acres of wetlands within the Boot, for the purposes of this analysis, this area is not considered “buildable land”.

Table 7: Buildable Lands Comparison (acres)

Area	City Comprehensive Plan	Tax Lot Acres	“Partially Vacant” or Developed land.	Public Facilities Reduction (25%)	Constrained (Hazard and Resource) Land	Net Buildable Acres	Proposed Plan Designations/ Zone
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⁶ 25% of land is taken out of the Buildable Land category, since it is assumed to be used for public right of way and public facilities and therefore not considered available for development or “buildable”.

⁷ Constrained land in this case is land in the floodplain, slopes exceeding 25%, protected wetlands, potential wetlands, and riparian corridors. Columbia County is in the process of amending its Water Resource Protection Plan.

⁸ Tax Lots 44W04AV00200, 44W04AB01000, 44W04AB00100, 44W04AB01700, 44W04AB01701, 44W040000200, 44W040000102, 44W04AC00100, 44W04AC00102, 44W04AC00101, 44W04AC00103, 44W04AC00104.

	Designation/ County Zone						
Areas Proposed for Removal (The Timber Property, Sword Property, and Nehalem Highway Area)	City Residential, GR/ County PF-80, RR-5, R-10	37.21	0.5	7.85	5.02	23.84	County Primary Forest, Rural Residential/PF-80, RR-5
The Boot (Area B2)	NA/ RR-5	49	2	9.5	8.83	28.63	City Residential/R

The City anticipates that Columbia County will maintain zoning on the proposed land to be included within the UGB as RR-5 until annexation to the City; this Columbia County zone is intended to maintain land in large parcels until annexation is requested.

The Boot will be designated “Residential” on the comprehensive plan map. Draft Urban Growth Area Policy 5 requires the assignment of the Residential zone to the Boot upon annexation. As shown on Table 7, the proposed UGB amendment will result in substantially the same amount of buildable land and residential capacity as the existing UGB configuration. Because the residential capacity is substantially the same, the City does not need to reassess its housing needs per OAR 660-024-0070(3).

Goal 14 Conclusion

The entirety of the Boot consists of land identified as highest priority for inclusion in the UGB per OAR 660-024-0067(2)(a). Winterbrook’s analysis of alternatives based on the Goal 14 location factors has determined the Boot Area is the most suitable for inclusion in the UGB. The adjustment of the UGB will result in substantially the same amount of buildable land residential capacity as the existing UGB configuration. Winterbrook recommends approval of a comprehensive plan map amendment and text amendments to exchange the three areas identified (the Timber Property, the Sword Property, the Nehalem Highway Area) which comprise 23.8 buildable acres for the Boot and the Island Property which comprise 28.6 buildable acres.

Goal 1 Citizen Involvement

Findings: Goal 1 calls for the opportunity for citizens to be involved in all phases of the planning process.

This land use application is subject to a Type IV land use review, which includes a significant citizen involvement component. Public hearings will be duly noticed and held before the City and County Planning Commissions and elected officials prior to adoption of the proposed plan amendment package. The mandatory public notice of the action and decision, and the hearing on this case before the Vernonia Planning Commission and City Council are all avenues of citizen participation satisfying this Goal.

Goal 2 Land Use Planning

Findings: Goal 2 requires an adequate factual base and consideration of alternatives prior to making land use decisions. Land use decisions must also be made in accordance with adopted comprehensive plans and land use regulations.

As required by the UGB amendment rule, this City considered five alternative areas for possible inclusion within the UGB. The Vernonia Comprehensive Plan and the Land Use Development Code that implements the comprehensive plan provides a policy framework as the basis for the analysis contained in this report. The comprehensive plan and development code also provide the criteria by which the swap request and map amendment will be reviewed.

The proposed comprehensive plan map and text amendments are consistent with the Vernonia-Columbia County Urban Growth Management Agreement, discussed in more detail later in this document. In 1996 the City and Columbia County jointly adopted an Urban Growth Management Agreement (UGMA) to facilitate the orderly and efficient transition from urbanizable to urban land uses within Vernonia's UGB. The UGMA is discussed in Section 2.2 of this document. The UGB change would amend the comprehensive plans of both Columbia County and the City. Because the Vernonia Comprehensive Plan Map is the controlling plan for land use designations within the UGA, it would need to be amended to show a residential plan designation for the Boot.

The City has coordinated with Columbia County regarding the proposed UGB amendment package. Winterbrook met Columbia County and DLCD in December 2022, followed by meetings involving city staff in January 2023 through August 2023 to discuss the potential UGB amendment and ensure Goal 14 compliance and coordination between the City and the County.

If the Boot is brought into the City UGB, it will retain County zoning until annexation into the City. As prescribed in the UGMA, the County would continue to administer land use applications in this area until it is annexed to the City. Thus, the swap meets UGMA requirements.

Thus, Goal 2 is met.

Goals 3 Agricultural Lands and 4 Forest Lands

Findings: As stated in 660-024-0020(b), Goals 3 and 4 are not applicable when establishing or amending an urban growth boundary. No further analysis is required. The UGB adjustment will remove two areas of Columbia County PF-80 zoned land from the Vernonia UGB (the Timber Property and the Sword Property); the expected County comprehensive plan designation for this property is Forest. Removing these properties from the UGB will ensure they remain in resource use. Goals 3 and 4 are met.

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

Findings: Goal 5 requires local governments to inventory and protect natural resources. The Sword Property has 0.8 acres of Goal 5 inventoried wetlands that would be removed from the UGB, all within

the flood plain. There are currently no County-inventoried Goal 5 resources in the Boot that will be added to the UGB. Appendix E: *The Boot- Preliminary Off-Site Wetland Determination* documents how there are likely 8.1 acres of wetlands in the Boot. Wetland scientists found significant evidence indicating wetlands in the Boot using the same methodology as the off-site wetland determination used the Vernonia LWI. Ordinance 9-06 *Development in Wetlands* protects inventoried wetlands within Vernonia. If the Boot is brought into the UGB, there should be an update to the LWI to formally inventory the Boot area. Goal 5 will be met.

Goal 6 Air, Water and Land Resources Quality

Findings: Goal 6 requires local comprehensive plans and implementing measures to be consistent with state and federal environmental quality regulations. The Vernonia Comprehensive Plan includes policies to comply with such regulations (reference) and meet applicable DEQ standards. By complying with applicable air, water and land resource quality policies, Goal 6 will be met.

Goal 7 Areas Subject to Natural Disasters and Hazards

Findings: Goal 7 requires that jurisdictions apply appropriate safeguards when planning development in areas that are subject to natural hazards such as floods or landslides. The area proposed for removal has 5.1 floodplain acres and .2 steeply sloped (25% or greater) acres. The area proposed to be swapped into the UGB has only 0.07 floodplain acres and 0.64 acres with steep slopes. This proposal will reduce natural hazard risks by reducing the hazardous land within the UGB.

The small area within the flood plain will be regulated by the Vernonia Flood Plain Ordinance and the small area with steep slopes will be subject to Slope Hazard regulations in the Zoning Code. Thus, Goal 7 has been met.

Goal 8 Recreation Needs

Findings: Goal 8 requires each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. Vernonia's recreation needs have been addressed in the Vernonia Comprehensive Plan and the Vernonia Parks and Trails Master Plan. The site proposed for inclusion within the UGB has not been identified as a potential park or recreation area, none of the three areas proposed to be removed from the UGB are park or recreation areas nor have been identified as potential park and recreation areas. However, the Boot is close to the Vernonia school and the Ora Bolmeier City Park, Archie Dass Dog Park and Vernonia Lake City Park, resulting in improved residential access to park and recreational facilities.

Moreover, because the residential capacity of the UGB is not changing substantially, there will be no significant impact on the population and therefore the need for additional parkland.

Therefore, Goal 8 has been met.

Goal 9 Economy of the State

Findings: Goal 9 calls for diversification and improvement of the economy. It asks communities to inventory commercial and industrial lands, project future needs for such lands and plan and zone accordingly. The proposed amendments do not alter the amount of suitable employment land within the Vernonia UGB. Therefore, Goal 9 is not applicable.

Goal 10 Housing

Findings: Goal 10 requires cities to inventory their buildable residential lands, project future needs for such lands, and to plan and zone enough buildable land to meet those needs. As identified in Section 2.1 of this report, the proposed UGB amendment will result in substantially the same residential buildable land and capacity as the existing UGB configuration. Because the residential capacity is substantially the same, the City does not need to reassess its housing needs per OAR 660-024-0070(3)⁹.

All the buildable land to be removed from the UGB has a Residential plan designation in the Vernonia Comprehensive Plan. We are proposing a Residential comprehensive plan designation for the Boot. This designation will maintain sufficient land designated for residential need identified in the 2012 housing needs analysis.

The following text amendment to the comprehensive plan will ensure that the Boot area is zoned Residential upon annexation.

5 (a) Upon annexation to the City, areas within "The Boot" shall be zoned Residential per 9-01.03-10 of the Vernonia Zoning Code.

The UGB adjustment will exclude relatively unsuitable residentially designated land (that generally better suited for resource use or for rural level residential development) for a rural residential exception area that is surrounded on three sides by the existing UGB and on the north side by more rural residential exception land. Because city streets and urban services abut the Boot, it is more likely to be developed to urban densities than the areas to be removed and provides more housing opportunities close to the school and downtown. Because the City has met Goal 10 requirements with the 2012 Housing Needs Analysis, Goal 10 is satisfied.

⁹OAR 660-024-0070 (3) *Notwithstanding sections (1) and (2) of this rule, a local government considering an exchange of land may rely on the land needs analysis that provided a basis for its current acknowledged plan, rather than adopting a new need analysis, provided: (a) The amount of buildable land added to the UGB to meet: (A) A specific type of residential need is substantially equivalent to the amount of buildable residential land removed, or (B) The amount of employment land added to the UGB to meet an employment need is substantially equivalent to the amount of employment land removed, and (b) The local government must apply comprehensive plan designations and, if applicable, urban zoning to the land added to the UGB, such that the land added is designated: (A) For the same residential uses and at the same housing density as the land removed from the UGB...*

Goal 11 Public Facilities and Services

Findings: Goal 11 requires Vernonia to provide public facilities efficiently to buildable land within its UGB. The Vernonia Comprehensive Plan allows for the phased extension of public facilities to efficiently provide public facilities necessary to support planned development:

“extensions of facilities should insure that growth does not “leap frog” or sprawl into previously undeveloped areas. The Plan is intended to allow for a phased extension of facilities so that the costs of these services are kept to a minimum.”

The City Engineer has prepared a Public Facilities report in Appendix B, which details the feasibility and benefits of extending water, sewer, stormwater, and roadway access to the Boot.

The City adopted a Transportation System Plan in 2012, analysis of the transportation system implications is discussed in the subsequent Goal 12 Transportation findings.

The following water and wastewater maps show that existing public facilities have been provided to developed urban areas abutting the Boot and that these facilities can readily be extended to serve this area. Draft Urbanization Policy 5 encourages the extension of the existing grid street system to serve the Boot. Since sewer and water facilities typically are constructed beneath streets, extending the grid street system also facilitates that timely and efficient provision of public facilities and services to the Boot.

Water

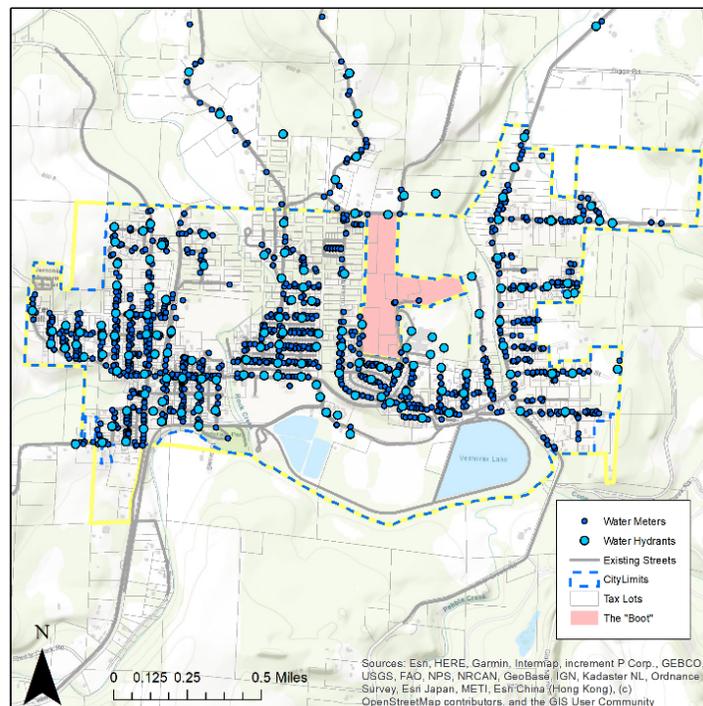


Figure 6: Existing Water Infrastructure

The following excerpt from the Public Facilities report by the City Engineer details how water infrastructure could be extended to serve the Boot.

“the City’s water system is established on all sides of the “Boot”. It is anticipated that direct access would be established from the Mellinger Rd and Texas Ave mainlines with additional connection possibilities from Louisiana Ave and Riverside Dr. The eastern portion of the town is supplied with water by the Mellinger Rd and Bridge St mainlines, respectively North and South of the “Boot”. Were a watermain connection to be established through the “Boot” it would provide another means for equalizing water system pressures within the two delivery mains. Similarly, connections to the Louisiana Ave and/or Riverside Dr systems would also provide beneficial pressure equalization in the water system. The large demand of the school and the surrounding residences would be positively affected by these possible improvements.”

Sanitary Sewer

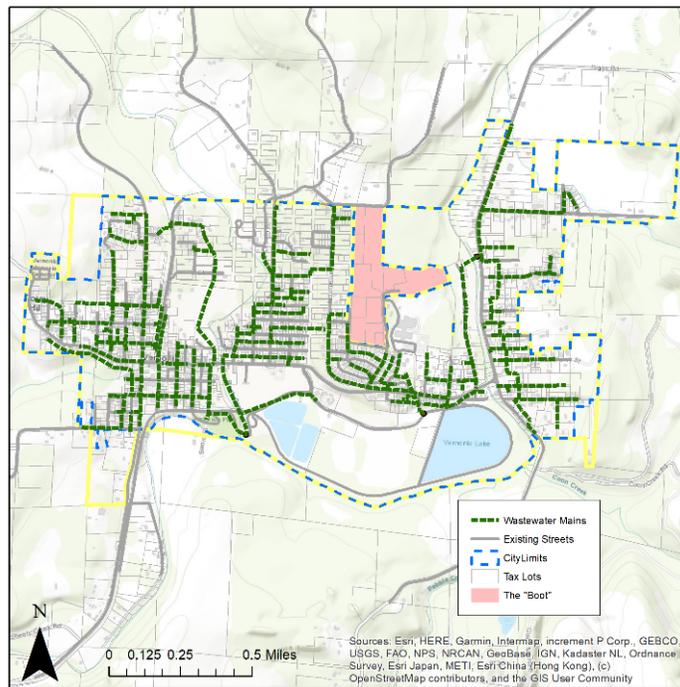


Figure 7: Existing Wastewater Infrastructure

The following excerpt from the Public Facilities report by the City Engineer details how sanitary sewer infrastructure could be extended to serve the Boot.

“Given existing topography and sewer infrastructure, the northern portion of the “Boot” is expected to be serviced by the Riverside Dr sewer main and the southern portion of the “Boot”

would be serviced by the Texas Ave sewer main. Additional planning and engineering will be necessary to determine sewer demands and infrastructure improvements to service the additional developments in the “Boot”. However, existing sewer infrastructure is already in place and will likely require minimal renovation to accompany the “Boot” as compared to the possibility of developing completely new infrastructure. Additionally, preliminary review indicates that sewer connections could be accomplished without any additional force main construction.”

Stormwater

The following excerpt from the Public Facilities report by the City Engineer details how stormwater infrastructure could be extended to serve the Boot.

“Similar to the sewer system, any stormwater system associated with the “Boot” would be accommodated by an extension of the existing gravity system from the south and incorporating storm system improvements to the east, feeding to the Nehalem River. Currently, the Louisiana Ave area does not have an established stormwater system. Were improvements developed in the “Boot” it would provide a feasible and expedited manner for dealing with the Louisiana Ave stormwater runoff.”

As documented in Appendix B, the City Engineer has reviewed the and found the extension of public facilities is both feasible and beneficial to public infrastructure.

The City will develop more detailed plans for extension of urban services after the proposed UGB adjustment is completed and prior to annexation. Urban development cannot occur until annexation is requested and zoning changed to the proposed residential zones. For the above reasons, Goal 11 has been met.

Goal 12 Transportation

Findings: Goal 12 encourages the provision of a safe, convenient, and economic transportation system. This goal is implemented by the Transportation Planning Rule (TPR). However, as stated in 660-024-0020(d):

“the transportation planning rule requirements under OAR 660-012-0060 need not be applied to an urban growth boundary amendment if the land added to the urban growth area is zoned as urbanizable land, either by retaining the zoning that was assigned prior to inclusion in the area or by assigning interim zoning that does not allow development that would generate more vehicle trips than development allowed by the zoning assigned prior to inclusion in the boundary.”

The proposed adjustment retains the RR-5 zoning assigned prior to the inclusion in the area, therefore, the transportation planning rule requirements under OAR 660-012-0060 need not be applied at this point. Prior to annexation and zone change applications; a transportation impact analysis will be

required. Winterbrook reviewed the proposed adjustment with ODOT, and they confirmed for this UGB adjustment proposal, no traffic study would be required.

The Boot has existing access via Mellinger Road, Texas Avenue, and Oregon Avenue. The Vernonia Transportation System Plan (TSP) was last updated in 2011. The TSP shows a future road running north-south through the Boot area, extending from Texas Avenue to Mellinger Road to allow additional access to the new school site. The TSP notes that the roadway would need be added to the City's TSP in the event of a UGB expansion and the project should be implemented in conjunction with development of the area.

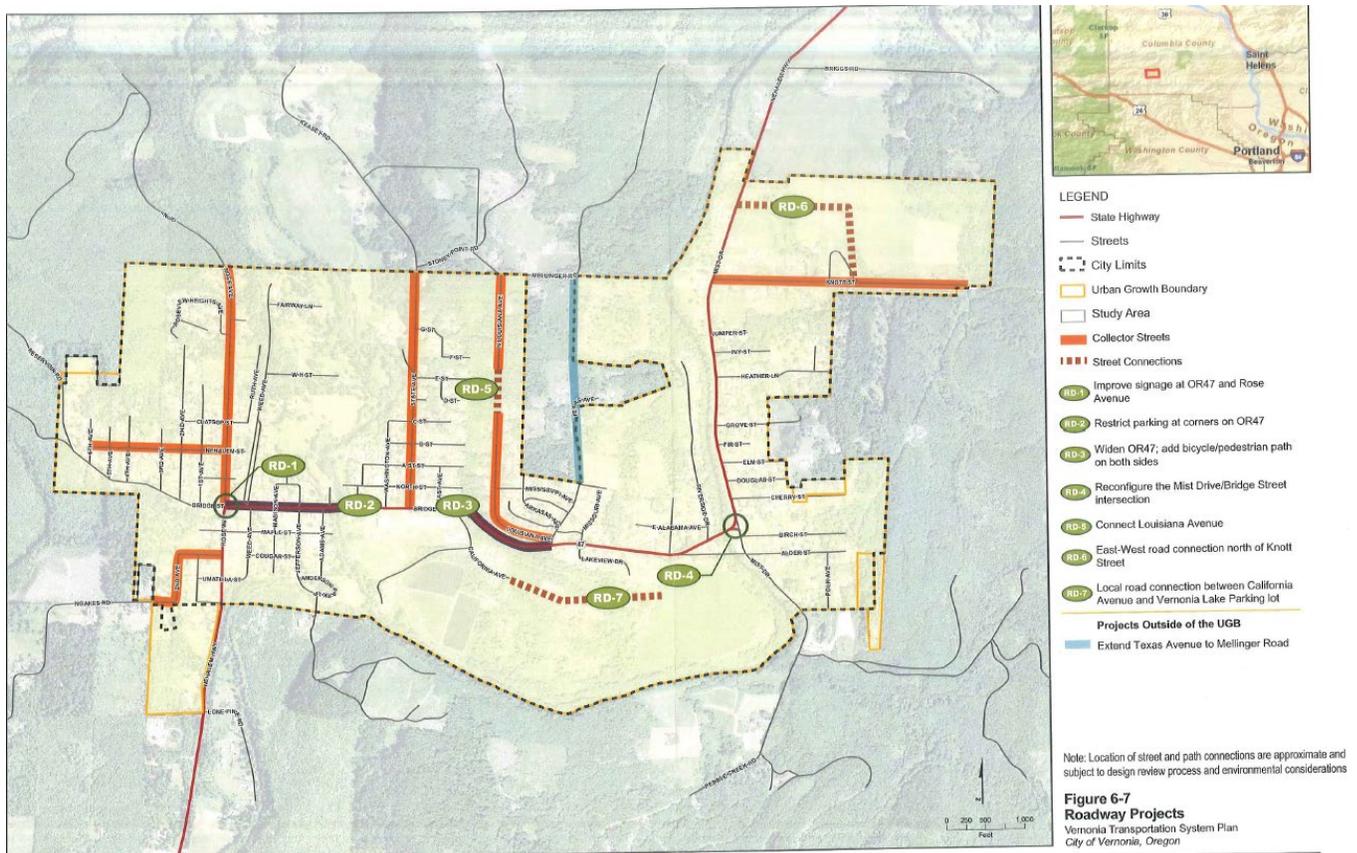


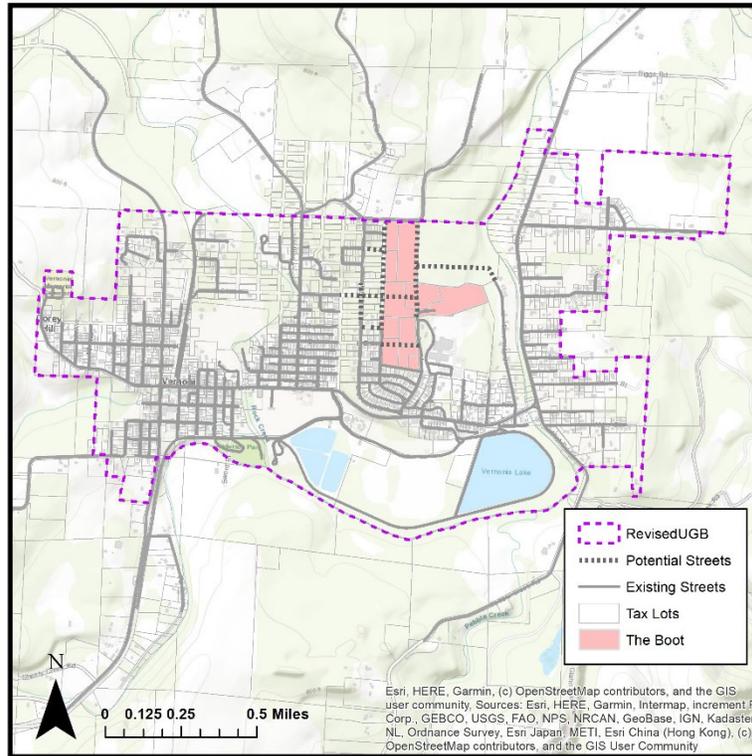
Figure 8: TSP Roadway Projects Clip

Additionally, the TSP shows a bicycle and pedestrian connection planned across the eastern side of the Boot, between the school and the Nehalem View Estates Development. It is anticipated that future developers will dedicate land for street and bicycle improvements identified in the TSP. New streets will need to be constructed to service new development.

The following text amendment is proposed to the Urban Growth Area Policies section of the comprehensive plan to ensure efficient extension of the existing grid street system to the Boot area:

“5 (b) To ensure a multimodal transportation system and direct connections between schools and the Boot area, the existing grid street system should be extended to serve the Boot. The following illustrative map shows how streets can be extended to meet Policy 5.

Figure 5.1. Map showing potential street extensions and “the Boot”



Regarding roadway access, the City Engineer has reviewed the potential for developing the boot and gave the following analysis:

“The Mellinger Rd, Texas Ave, Riverside Dr, and Louisiana Ave ROW’s all provide feasible routes for roadway access to future developments in the “Boot” given their existing improved roads. A mix of main avenues and side streets would likely be developed in the “Boot” connecting to existing ROW’s that currently have no reasonable route for extension. It is expected that the additional access connections will reduce some roadway bottlenecking by alleviating traffic demand on current road mains or side streets which have no alternative connection point. Similarly, the additional roadways that would be created with the development of the “Boot” would provide alternative means for emergency access or evacuation of the areas that currently have limited means for emergency traffic.”

Policy 5 will promote connectivity between the Boot, the school, and the rest of Vernonia. Additionally, public facilities can be extended along streets to efficiently serve the area. The grid street extension policy will ensure interim development does not occur within planned street rights-of-way and will not preclude efficient urbanization of the area.

Thus, Goal 12 is met.

Goal 13 Energy

Findings: Goal 13 requires cities to consider energy conservation during the planning process. Generally speaking, because the Boot area is near schools, parks, and commercial and industrial employment areas, and can readily be served by extending the existing grid street system, vehicle miles will be substantially reduced when compared with the areas to be removed from the UGB. Energy consequences of the proposed urban growth area adjustment have been considered in the Goal 14 alternatives analysis ESEE process previously in this narrative. Therefore, Goal 13 has been met.

Goal 14 Urbanization

Findings: Goal 14 findings are found at the beginning of this section.

Goal 15 through 19

Findings: Goals 15 through 19 are related to the Willamette Greenway and coastal resources. As such, these goals do not apply to the subject site and no further analysis is required.

2.2 Comprehensive Plan Consistency Analysis

VZC 9-01.09-50.E.2 Consistency with the applicable goals and policies in the Comprehensive Plan is demonstrated, including compliance with the City Transportation Master Plan, Parks and Open Space Plan, Water Master Plan and Storm Water Master Plans.

Vernonia Comprehensive Plan

Findings: The proposed plan amendment package is consistent with applicable *Vernonia Comprehensive Plan* goals and policies for reasons stated below.

Urban Growth Area Policies

“The Urban Growth area is shown on the Comprehensive Plan map. The City shall consider the state wide goals, presently available vacant land within reach of City services and cost of extension when considering any changes in the Urban Growth Boundary.”

Findings: Findings regarding the statewide planning goals are found in Section 2.1: Goal 11 of this document, including public facilities and city services.

“Land use designations of surrounding lands within Columbia County shall be coordinated with city designations. The agreement to adopt the Urban Growth Boundary and to manage the unincorporated area within it is included as Appendix A of this plan.”

Findings: The Urban Growth Management Agreement is discussed in the following section and has shown the proposal is consistent with the UGMA. This policy is met.

“In order for City services to be further extended or expanded outside the City’s limits, annexation of that land must follow”.

Findings: Findings in Section 2.1 of this document evaluate the feasibility of extending City services to the proposed UGB adjustment area, specific findings for public utilities are discussed in Statewide Goal 11 findings. The City intends to annex the proposed inclusion area prior to extending services, compliant with this policy.

Urban Growth Management Agreement

The City of Vernonia Comprehensive Plan and Implementing Ordinances was revised in 1996. During the revision process, the City and Columbia County passed an Urban Growth Management Agreement to facilitate the orderly and efficient transition from urbanizable to urban land uses within Vernonia’s UGB.

Urban Growth Management Agreement-Comprehensive Plan Provisions

“A. In order to promote an orderly and efficient transition from urbanizable to urban land within the Urban Growth Boundary and retention of land for non-urban uses outside of the Urban Growth Boundary, the comprehensive plans of the City of Vernonia and Columbia County shall not conflict.

B. Columbia County and the City of Vernonia recognize the need to coordinate their plans and ordinances.

C. Furthermore, it is a policy of the City of Vernonia and Columbia County to maintain ongoing planning processes that will facilitate the development of mutually compatible plans and implementing ordinances.

D. Columbia County and the City of Vernonia will share the responsibility of land use planning and regulation for the land within the Urban Growth Area. County responsibility for enforcement of any land use ordinance or prosecution thereof will be relinquished over any land within this area upon its annexation to the City.

E. The City of Vernonia Comprehensive Plan Map shall be the controlling plan for land use designations within the UGA. Columbia County shall have the lead role for zoning of land within the UGA, but such zoning shall be consistent with the land use designations of the City of Vernonia Comprehensive Plan Map”

Findings: This plan amendment will be adopted jointly by the City of Vernonia and Columbia County. Winterbrook and City staff have coordinated with the County, both bodies agree that in the future, the Boot will be zoned Residential. The County shall retain the decision-making responsibility for all zoning amendments for the Boot until it is annexed, however, decisions will be made after a receipt of a recommendation from Vernonia. This application does not propose changes to the zoning of the Boot. Columbia County and the City of Vernonia have jointly agreed to retain the current Rural Residential-5-acre minimum zoning in the Boot as a holding zone until annexation. Findings regarding consistency with the Columbia County Comprehensive Plan are found below.

Columbia County Comprehensive Plan

Citizen Involvement

1. To stimulate citizen involvement in the County by providing broad exposure to all phases of the planning process through radio and newspaper notices, general mailings and public meetings.

Findings:

- The Department of Land Conservation and Development (DLCD) was given notice on March 27, 2023.
- The City of Vernonia sent mailed notice to all property owners within 250 feet of the subject property at least 14 days prior to the Vernonia City Council public hearing, on September 6th, 2023.
- Notice was posted in the on the City of Vernonia website and Facebook page on September 6th, 2023.
- Notice was posted at four public places in the City of Vernonia for two consecutive weeks, starting September 6th, 2023.
- The City of Vernonia conducted a public hearing on the proposed amendments on September 19, 2023, at which time citizens had an opportunity to speak on the proposed amendments.
- Columbia County published a notice of a Legislative Hearing twice, one week apart in a newspaper of general circulation in Columbia County. The last of these notices was published no less than 10 calendar days prior to the Legislative Hearing. The mailing of notice to individual property owners is not required but shall be done if ordered by the Board of Commissioners.

Forest Lands

2. Designate Forest Lands as Forest-Conservation in the Comprehensive Plan and implement this plan designation through the use of two (2) forest zones which will maintain or enhance the existing commercial forest products enterprise of the County.

They are:

A. Primary Forest - PF-80

B. Forest-Agriculture - FA-80

Findings: The Timber Property and Nehalem Highway Area are currently within the UGB but outside of City Limits and zoned PF-80. The Timber property is already used for forestry activities, and the Sword property is unsuitable for residential development. Upon removal from the UGB, we anticipate these properties will retain their resource zoning and will be given Forest-Conservation comprehensive plan designation. This designation will maintain and enhance the existing commercial forest products enterprise of the County and ensure these properties are protected from residential development. Oregon Statewide Planning Goal 4 would apply to these lands, and they would be considered “resource land”.

Housing Policies

3. Provide adequate land inside the urban growth boundaries to meet housing needs and to provide for a wide range of urban housing choices.

Findings: The UGB adjustment better meets the objectives of these policies by removing areas from the UGB that are designated residential, but less likely to develop the desired residential uses, and adding the Boot, which will allow more efficient residential development within the UGB. Because the proposal is for a UGB Adjustment, the Urban Growth Boundary is not expanding due to a housing “need” within Vernonia, but will better provide for a range of housing choices. Further discussion of housing need and suitability are found in Goal 10 *Housing*, and Goal 14 *Urbanization* findings.

12. Encourage the in-filling of urban growth boundary areas.

Findings: The UGB adjustment better meets the objectives of these policies by removing areas from the UGB that are designated residential, but less likely to develop the desired residential uses, and adding the Boot, which will allow more efficient residential development within the UGB. The UGB adjustment will bring in RR-5 “exception” land and will therefore not be removing any resource land from the County, rather, the adjustment will result in a net gain of resource land in the County and will better concentrate housing development within the Vernonia UGB. The Boot will retain Columbia County Zoning until annexation, and the City of Vernonia will not allow water or sewer hookups to areas within the Boot prior to annexation. By providing more suitable residential land within Vernonia, infilling within the UGB will be more feasible. Further discussion of land suitability for residential development are found in Goal 10 *Housing*, and Goal 14 *Urbanization* findings.

Rural Residential Policies

1. Designate as Rural Residential in the Plan those lands for which a valid exception has been, or can be shown to be, justified, and implement this plan designation through the use of Rural Residential zones. [Amended by Ordinance No. 98-4 eff. November 1998].

Findings: The Nehalem Highway Area is currently zoned Rural Residential-5, the County has indicated the area is intended to be given a Columbia County Rural Residential comprehensive plan designation. Some of this area is already built out with residential dwellings.

5. Encourage the in-filling of existing built and committed lands for new residential development.

Findings: The Nehalem Highway Area is currently zoned Rural Residential-5, the County has indicated the area is intended to be given a Columbia County Rural Residential comprehensive plan designation.

Some of this area is already built out with residential dwellings, some would be suitable for new residential development consistent with the zoning code.

7. Require a buffer between Rural Residential development and adjacent resource lands.

Findings: The Nehalem Highway Area, zoned RR-5 is surrounded by resource lands, future development should include a buffer between development and adjacent resource lands, consistent with the Columbia County zoning code.

Urbanization Policies

1. Provide an orderly and efficient transition from rural to urban land use.

Findings: The Vernonia-Columbia County Urban Growth Management Agreement (UGMA) facilitates an orderly and efficient transition from rural to urban land use. Findings regarding the UGMA are found in Section 2.2 of this document. The City and County have met and have agreed to the land designations for the areas removed from the UGB and the Boot area to be included in the UGB. Vernonia will not extend water or sewer to properties prior to annexation, ensuring an efficient transition from rural to urban land use. The UGB adjustment will need to be adopted by both Vernonia and Columbia County to come into effect.

2. Accommodate urban population and urban employment inside urban growth boundaries, ensure efficient use of land, and provide for livable communities.

Findings: The RR-5 zoning in the Nehalem Highway area will continue to limit development to a density that does not require an urban level of public facilities or services, consistent with Goal 14. The UGB adjustment will exclude relatively unsuitable residentially designated land (that generally better suited for resource use or for rural level residential development) for a rural residential exception area that is surrounded on three sides by the existing UGB and on the north side by more rural residential exception land. Because city streets and urban services abut the Boot, it is more likely to be developed to urban densities than the areas to be removed and provides more housing opportunities close to the Vernonia school and downtown. Further discussion of efficient use of land and livability are found in Goal 10 *Housing*, and Goal 14 *Urbanization* findings.

3. Minimize the conflicts between urban and rural land uses.

Findings: The UGB adjustment will provide a better transition from rural to urban use and reduce conflicts between resource land and residential development by including the Boot because (1), the Boot area abuts no resource land whereas the areas to be removed abut large tracts of resource land, and (2) removing two resource areas (PF-80) from the UGB will ensure their long-term protection from urban development. The City and County have met and have agreed to the land designations for the areas removed from the UGB and the Boot area to be included in the UGB. Vernonia will not extend water or sewer to properties prior to annexation, ensuring an efficient transition from rural to urban land use. The RR-5 zoning in the Nehalem highway area will continue to limit development to a density that does not require an urban level of public facilities or services, consistent with Goal 14.

5. *Develop managing techniques with the incorporated cities.*

Findings: The Vernonia-Columbia County Urban Growth Management Agreement (UGMA) facilitates an orderly and efficient transition from rural to urban land use. Findings regarding the UGMA are found in Section 2.2 of this document. The UGB adjustment will need to be adopted by both Vernonia and Columbia County to come into effect.

12. *Have mutually agreed upon land use designations with each city.*

Findings: The Vernonia-Columbia County Urban Growth Management Agreement (UGMA) facilitates an orderly and efficient transition from rural to urban land use. The City and County have met and have agreed to the land designations for the areas removed from the UGB and the Boot area to be included in the UGB. Findings regarding the UGMA are found in Section 2.2 of this document.

17. *Adopt the urban growth boundaries, and those portions of the adopted s relating to the unincorporated urban growth areas, for the municipalities of Clatskanie, Columbia City, Rainier, Scappoose, St. Helens, and Vernonia.*

Findings: The Vernonia-Columbia County Urban Growth Management Agreement (UGMA) facilitates an orderly and efficient transition from rural to urban land use. Findings regarding the UGMA are found in Section 2.2 of this document. The UGB adjustment will need to be adopted by both Vernonia and Columbia County to come into effect.

20. *Limit development outside of urban growth boundaries to densities which do not require an urban level of public facilities or services and are consistent with Goal 14 and OAR 660, Division 4.*

Findings: The City and County have met and have agreed to the land designations for the areas removed from the UGB and the Boot area to be included in the UGB. Vernonia will not extend water or sewer to properties prior to annexation, ensuring an efficient transition from rural to urban land use. The RR-5 zoning in the Nehalem highway area will continue to limit development to a density that does not require an urban level of public facilities or services, consistent with Goal 14.

2.3 Location Analysis

VZC 9-01.09-50. E.3 The Plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation and the addition of this property to the inventory of lands so designated is consistent with projected needs for such lands in the Comprehensive Plan.

Findings: Findings for Goal 14 and Goal 7 in Section 2.1 of this document discuss why although Timber Property, Nehalem Highway Area, and Sword Property areas designated Residential in the existing UGB, they are not appropriate areas for residential development. Further findings in the Goal 14 analysis discuss consistency with residential land need. The analysis shows the adjustment is consistent with

projected needs for residential land in Vernonia, and the existing locations for that residential lands are inappropriate. This criterion is met.

2.4 Land Need

VZC 9-01.09-50. E.4 The Plan provides more than the projected need for lands in the existing land use designation.

Findings: Findings for Goal 14 and Goal 10 in Section 2.1 of this document discuss how the proposed amendment will not significantly alter the residential land designations. The City has adopted the 2012 Housing Needs Analysis that shows the plan provides for more than the projected needs for residential land.

2.5 Land Use Pattern

VZC 9-01.09-50. E.5 The proposed land use designation will not allow zones or uses that will destabilize the land use pattern in the vicinity or significantly adversely affect existing or planned uses on adjacent lands.

Findings: The proposed residential land use designation for the Boot will promote a more sensible land use pattern in the vicinity. Residential development in the Boot will allow better multimodal access to the Vernonia School for both residences of the Boot and those to the west of the Boot. The Boot is surrounded on three sides by the UGB, the adjustment will create a sensible UGB border along Mellinger Road, the adjustment is more compatible with the residential uses on adjacent land. The Timber and Sword properties are zoned PF-80 and already border County resource land. Removing these properties and the Nehalem Highway Area from the UGB will reduce conflict with farm and forestry activities. For these reasons, the proposed land use designation will not adversely affect existing or planned uses on adjacent land.

2.6 Public Facilities

VZC 9-01.09-50. E.6 Public facilities and services necessary to support uses allowed in the proposed designation are available or will be available in the near future.

Findings: As documented under the Statewide Planning Goal 11 discussion, and in Appendix B Public Facilities Report, public facilities necessary to support residential development in the Boot area are available or can be made available in the near future. This criterion is met.

2.7 Transportation System

VZC 9-01.09-50. E.7. Amendments Affecting the Transportation System:

a. When a development application includes a proposed comprehensive plan amendment, zone change or land use regulation change, the proposal shall be reviewed to determine whether it significantly affects a transportation facility. An amendment significantly affects a transportation facility if it would:

- i. Change the functional classification of an existing or planned transportation facility. This would occur, for example, when a proposal causes future traffic to exceed the capacity of “collector” street classification, requiring a change in the classification to an “arterial” street, as identified by the Vernonia Transportation Master Plan; or*
- ii. Changes standards implementing a functional classification system; or*
- iii. Allows types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or*
- iv. Reduce the performance standards of the facility below the minimum acceptable level identified in the Transportation Master Plan.*

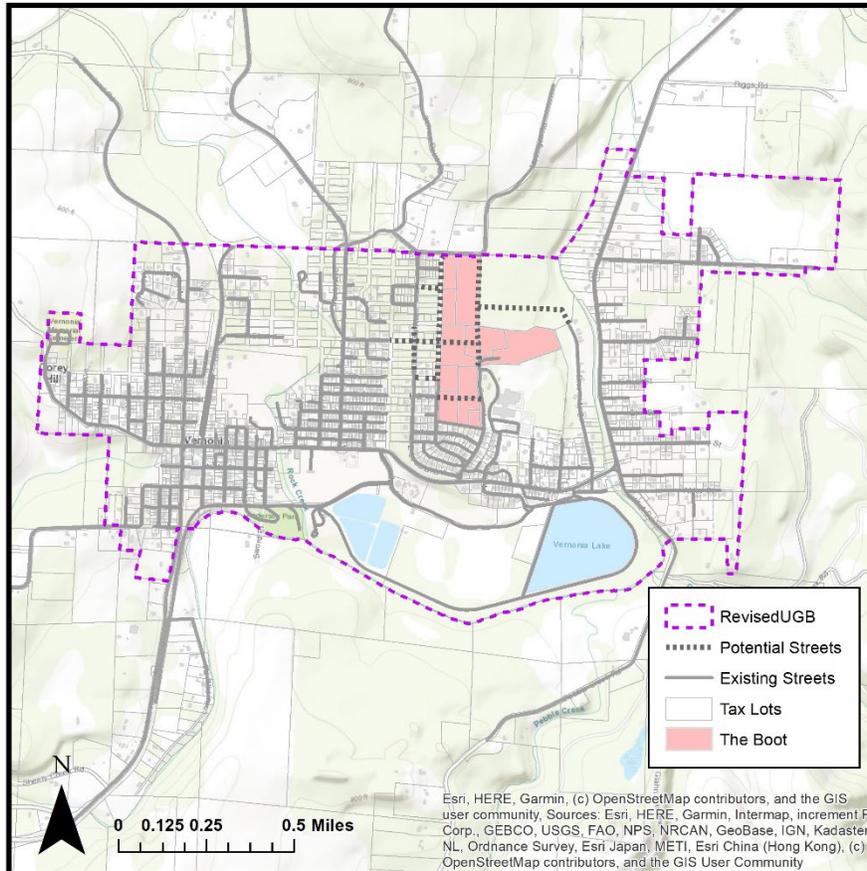
Findings: Findings for Goal 11 and Goal 12 in Section 2.1 of this document discuss how streets may be extended to serve the Boot area in conjunction with annexation and development. Findings for Goal 14 and 11 discuss how a Transportation Impact Statement is not required for this proposal. Requests for annexation will have to consider transportation impacts. This criterion is met.

Section 3: Vernonia Comprehensive Plan Text Amendment Criteria

We are proposing the following text amendment to the Urban Growth Area Policies section of the Vernonia Comprehensive Plan:

- 5. In 2023, Vernonia adopted an Urban Growth Boundary adjustment to remove three unsuitable residentially designated areas from the UGB and add “the Boot” to the UGB. The UGB adjustment is shown in Figure 5.1 “The Boot” was given a Residential Comprehensive Plan Designation.
 - a. Upon annexation to the City, areas within “the Boot” shall be zoned Residential per 9-01.03-10 of the Vernonia Zoning Code.*
 - b. To ensure a multimodal transportation system and direct connections between schools and the Boot area, the existing grid street system should be extended to serve the Boot. The following illustrative map shows how streets can be extended to meet Policy 5.**

Figure 5.1. Map showing potential street extensions and “ the Boot”



Decision criteria for comprehensive plan text amendments are found in the Title 9 of the Vernonia Zoning Code Section 9-01.09-70 *Text Amendments*. Text amendment findings have been considered in the previous findings regarding comprehensive plan map amendment findings. Decision criteria and findings are detailed below.

3.1 Impact on Land Use

VZC 9-01.09-70(C) Decision Criteria. Amendments to the Comprehensive Plan or Development Code text shall be approved if the evidence can substantiate the following:

1. Impact of the proposed amendment on land use and development patterns within the city, as measured by:

a. Traffic generation and circulation patterns in compliance with the Transportation Master Plan;

b. Demand for public facilities and services, in compliance with the City Utility master plans;

c. Level of park and recreation facilities;

d. Economic activities;

e. Protection and use of natural resources;

f. Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvements.

Findings: See findings demonstrating compliance with Statewide Planning Goals 5 (Natural Resources), 7 (Natural Hazards), 8 (Parks and Recreation), 9 (Economic Development), 10 (Housing), 11 (Public Facilities and Services), 12 (Transportation), and 14 (Urbanization).

3.2 Demonstrated Need

VZC 9-01.09-70(C)(2) A demonstrated need exists for the product of the proposed amendment.

Findings: As documented in the Goal 10 discussion, the need for buildable residential land was demonstrated in 2012 comprehensive plan text amendments. Since the amount and type of buildable land within the UGB will not change as a result of UGB swap, the City will continue to meet Goal 10 requirements for at least a 20-year supply of buildable land following adoption of the UGB amendment.

3.3 Statewide Planning Goals

VZC 9-01.09-70(C)(3) The proposed amendment complies with all applicable Statewide Planning Goals and administrative rule requirements.

Findings: See findings demonstrating compliance with applicable statewide planning goals in Section 2.1 of this report.

3.4 Appropriateness

VZC 9-01.09-70(C)(4) The amendment is appropriate as measured by at least one of the following criteria:

a. It corrects identified error(s) in the provisions of the plan.

b. It represents a logical implementation of the plan.

c. It is mandated by changes in federal, state, or local law.

d. It is otherwise deemed by the City Council to be desirable, appropriate, and proper.

Findings: The proposed UGB amendment was authorized by the City Council and represents a logical implementation of the plan by meeting the City's housing goals more efficiently. When compared with the land to be removed from the UGB, the Boot area can be served more efficiently by extending the grid street system to connect with nearby schools, services, shopping, and employment areas. The Boot area also has relatively few hazardous areas, meaning that it will be safer and less costly to develop.

Conclusion

The above findings show the criteria pertinent to the applications are met. Staff recommends the approval of the proposal for an urban growth boundary adjustment, comprehensive plan map amendment and comprehensive plan text amendment.



Technical Memorandum

To: City of Vernonia Staff & Grace Coffey, AICP
From: Lower Columbia Engineering, Vernonia City Engineer
Date: February 15th, 2023
Subject: City of Vernonia Public Improvements to the “Boot”
Project: Urban Growth Boundary Extension

This memo has been written to summarize the anticipated ability to connect roadway access and public utilities (water, sanitary sewer, and stormwater) to an area outside of city limits known as the “Boot”. Further analysis is underway to determine the legitimacy of incorporating the “Boot” into the City’s Urban Growth Boundary (UGB). Public access and utilities are a key matter in this determination.

The “Boot” is an area that currently is surrounded to the East, South, and West by areas already within city limits and either already developed or currently under development. Southeast of the “Boot” is the location of the recently developed school; the remaining areas are developed and under developed for varying levels of residences. Existing access and utilities are already established within these surrounding areas given the existing and new developments. Commonly these improvements are established within the Right-of-Ways (ROW’s) with mainlines being established in Riverside Dr, Texas Ave, and Louisiana Ave. One of the City’s water mainlines feeding the eastern portion of town is located north of the “Boot” in Mellinger Rd.

The following review elements are specific expectations for developing the “Boot”:

Water System

As described above, the City’s water system is established on all sides of the “Boot”. It is anticipated that direct access would be established from the Mellinger Rd and Texas Ave mainlines with additional connection possibilities from Louisiana Ave and Riverside Dr. The eastern portion of the town is supplied with water by the Mellinger Rd and Bridge St mainlines, respectively North and South of the “Boot”. Were a watermain connection to be established through the “Boot” it would provide another means for equalizing water system pressures within the two delivery mains. Similarly, connections to the Louisiana Ave and/or Riverside Dr systems would also provide beneficial pressure equalization in the water system. The large demand of the school and the surrounding residences would be positively affected by these possible improvements.

Sanitary Sewer

Given existing topography and sewer infrastructure, the northern portion of the “Boot” is expected to be serviced by the Riverside Dr sewer main and the southern portion of the “Boot” would be serviced by the Texas Ave sewer main. Additional planning and engineering will be necessary to determine sewer demands and infrastructure improvements to service the additional developments in the “Boot”. However, existing sewer infrastructure is already in place and will likely require minimal renovation to accompany the “Boot” as compared to the possibility of developing completely new infrastructure. Additionally, preliminary review indicates that sewer connections could be accomplished without any additional force main construction.

Stormwater



Similar to the sewer system, any stormwater system associated with the “Boot” would be accommodated by an extension of the existing gravity system from the south and incorporating storm system improvements to the east, feeding to the Nehalem River. Currently, the Louisiana Ave area does not have an established stormwater system. Were improvements developed in the “Boot” it would provide a feasible and expedited manner for dealing with the Louisiana Ave stormwater runoff.

Roadway Access

The Mellinger Rd, Texas Ave, Riverside Dr, and Louisiana Ave ROW’s all provide feasible routes for roadway access to future developments in the “Boot” given their existing improved roads. A mix of main avenues and side streets would likely be developed in the “Boot” connecting to existing ROW’s that currently have no reasonable route for extension. It is expected that the additional access connections will reduce some roadway bottlenecks by alleviating traffic demand on current road mains or side streets which have no alternative connection point. Similarly, the additional roadways that would be created with the development of the “Boot” would provide alternative means for emergency access or evacuation of the areas that currently have limited means for emergency traffic.

Given the criteria analyzed above, it is expected that developing utility connections and public access to the “Boot” will be feasible and in some ways beneficial to the public infrastructure. Let us know if additional information or help is necessary with the assessment of including the “Boot” in the City’s Urban Growth Boundary.

Andrew Niemi, PE
City Engineer
2/15/2023



Alternatives Analysis

To: City of Vernonia Staff & Grace Coffey, AICP
From: Lower Columbia Engineering, Vernonia City Engineer
Date: February 15th, 2023
Subject: City of Vernonia Public Improvements to the “Boot”- Alternatives Analysis
Project: Urban Growth Boundary Extension

Introduction

The following alternatives analysis has been prepared in correlation with the summary of the anticipated ability to connect roadway access and public utilities to an area outside of city limits known as the “Boot”. Please reference Figure 1 on page 3 for further information on areas analyzed in this report. For this assessment, only the feasibility and anticipated cost of extending public facilities to the specific areas identified have been considered.

Area A1

This area is aligned with the existing Noakes Rd ROW and protrudes southwest of city limits. Many large lots with single residences in this area have existing access through the established roadway. Several residences within 500’ of the city’s UGB are currently connected to the city’s water system, however the remaining majority of the area is not served by any public utilities. Though the topography in this area is not extreme, there is a rolling hillside that would inhibit typical sewer connection to the city system and would likely require the installation of a sanitary pump station. Though there is no existing stormwater infrastructure in the area, Bear Creek would act as a decent channel for receiving stormwater runoff. There is however the concern that additional runoff added to this creek will inundate the city with more flow and cause potential damage- particularly in the downtown area where Bear Creek currently impacts residences and roads during high flow events.

Given this information, the feasibility of providing public facilities to this area is reasonable and the cost would be average.

Area A2

This area is aligned with HWY 47 as it exits the city to the southwest. A few residences and businesses are located along the highway however no public utilities are in place to provide service. Existing topography is not extreme however the area is essentially split in two with a higher and lower side straddling the highway. Several ravines are noticeable in the area’s topography and would be impediments to the installation of public facilities. This area’s lower elevated half is in the Nehalem River’s floodplain which poses further danger and limitations to installing infrastructure. The area’s main grade (along the highway) slopes away from the city and would thus require the installation of a new pump station. This sewer station would likely need to service the majority of the area and so sewer infrastructure would be doubled up on for sewer collection and then conveyance back to the city.

Given this information, the feasibility of providing public facilities to this area is challenging and the cost would be high.

Area B1

This area connects to the city through the Stony Point Rd and Keasey Rd ROW’s. The City’s major waterline feeding Stony Point Reservoir runs along Stony Point Rd and a mainline connecting to the eastern portion of the town runs



through Mellinger Rd. Thus, water lines to this area would be easily accommodated. State Ave and Louisiana Ave are both downhill of the area's western half and could provide sewer connections. However, the eastern half of the area has no adjacent sewer infrastructure to tie to and would need to develop a long connection to the existing sewer mains to the south in Texas Ave or southwest in Riverside Dr. Topography in the western half is more rugged with a couple of major ravines and continuing rolling hills that would make public facilities difficult to install. Topography in the eastern half slopes continuously toward the Nehalem River. Stormwater drainage would also be split between the two halves.

Given this information, the feasibility of providing public facilities to this area is poor and the cost would be high.

Area B2

This area is surrounded to the East, South, and West by areas already within city limits and already developed or currently being developed. Major utilities and roadway access are available through all of these directions as well as the possibility of connecting to the watermain and roadway in Mellinger Rd to the North. There is a ridgeline that splits the area's topography into a northern and southern half. Gravity fed utilities would similarly need to be split into these two halves which would aid in not inundating any one existing system too much. Sewer and storm infrastructure in Texas Ave would provide a connection point for the southern half whereas Riverside Dr would provide a sanitary connection for the northern half. The northern half's topography contains a couple of seasonal drainage paths which would accommodate storm drainage for this area as well as the development underway in the Louisiana Ave area. There is currently no developed roadway within the area however Mellinger Rd, Riverside Dr, Texas Ave, and E St/Louisiana Ave provide several avenues to which roadway access could be developed.

Given this information, the feasibility of providing public facilities to this area is good and the cost would be minimal.

Area C

This area is northeast of town and straddles HWY 47. This area begins a long distance away from town and would require an extreme sanitary sewer extension along with a sanitary pump station and a long watermain extension. Topography in the area is not extreme however the western half of the area is within the Nehalem River's floodplain posing further danger and limitations on developing public infrastructure.

Given this information, the feasibility of providing public facilities to this area is very challenging and the cost would be very high.

Summary

Areas A1, A2, B1, B2, and C have been assessed separately for the feasibility and anticipated cost of having public facilities provided. Areas B2 and A1 prove to be the most reasonable and lowest costing areas for public facility connections. It would cost more and pose greater difficulty to provide resources to areas A2, B1, and C. Area B2 stands out as the most effective area to which public facilities could be connected and from which the greatest benefits could be gained. Please let us know if further information or assessment is necessary.

Andrew Niemi, PE
City Engineer
2/15/2023

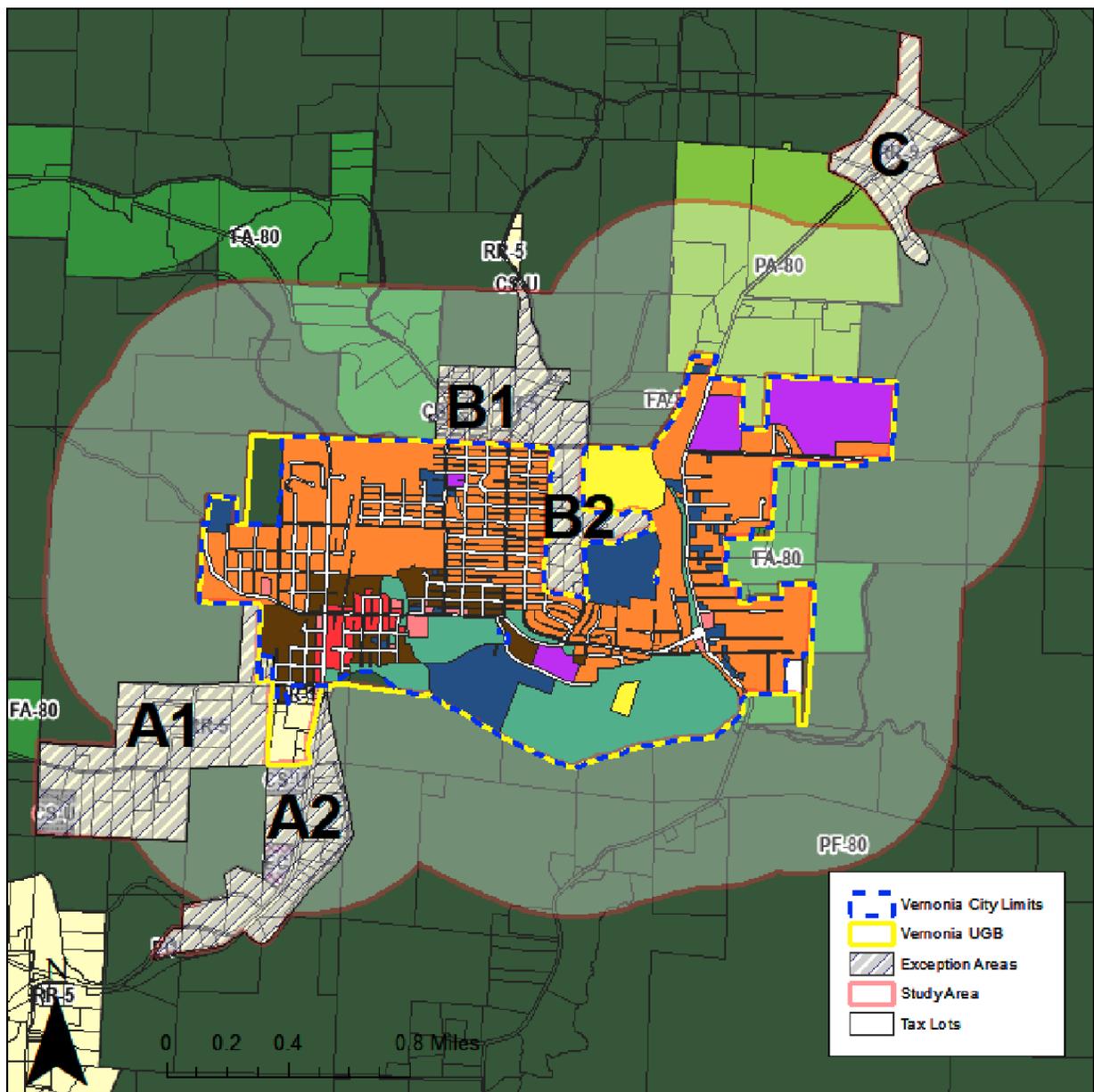


Figure 1. Map of Alternative Area (from Winterbrook Planning)

**UGB Adjustment/Comprehensive Plan Map Amendment/
Comprehensive Plan Text Amendment
UGB 23-01/CPMA 23-01 /CPTA 23-01**

Exhibit D

Assessor's Maps

N.W.1/4 N.E.1/4 SEC.4 T.4N. R.4W. W.M.

COLUMBIA COUNTY 33DC

1" = 100'

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VERNONIA

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

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SEE MAP 40404200

SEE MAP 4040400

SEE MAP 4040400

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P.P. NO.

SEE MAP 4040400

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Last Revised:
11-11-2022

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THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

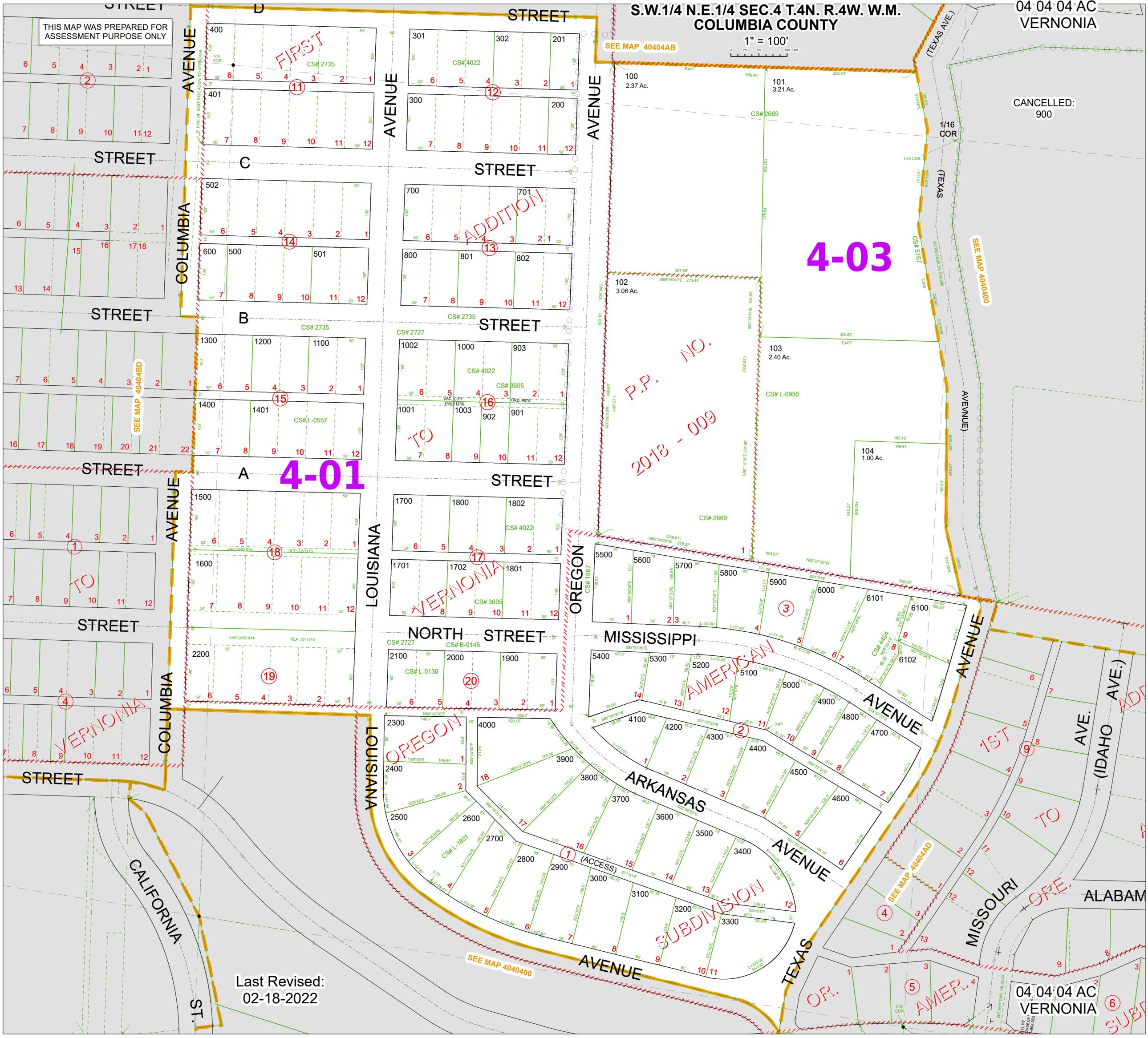
S.W.1/4 N.E.1/4 SEC.4 T.4N. R.4W. W.M. COLUMBIA COUNTY

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SEE MAP 40404AB

CANCELLED: 900



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P.P. NO. 2018-009

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Last Revised: 02-18-2022

SEE MAP 4040400

SEE MAP 40404AD

SEE MAP 4040400

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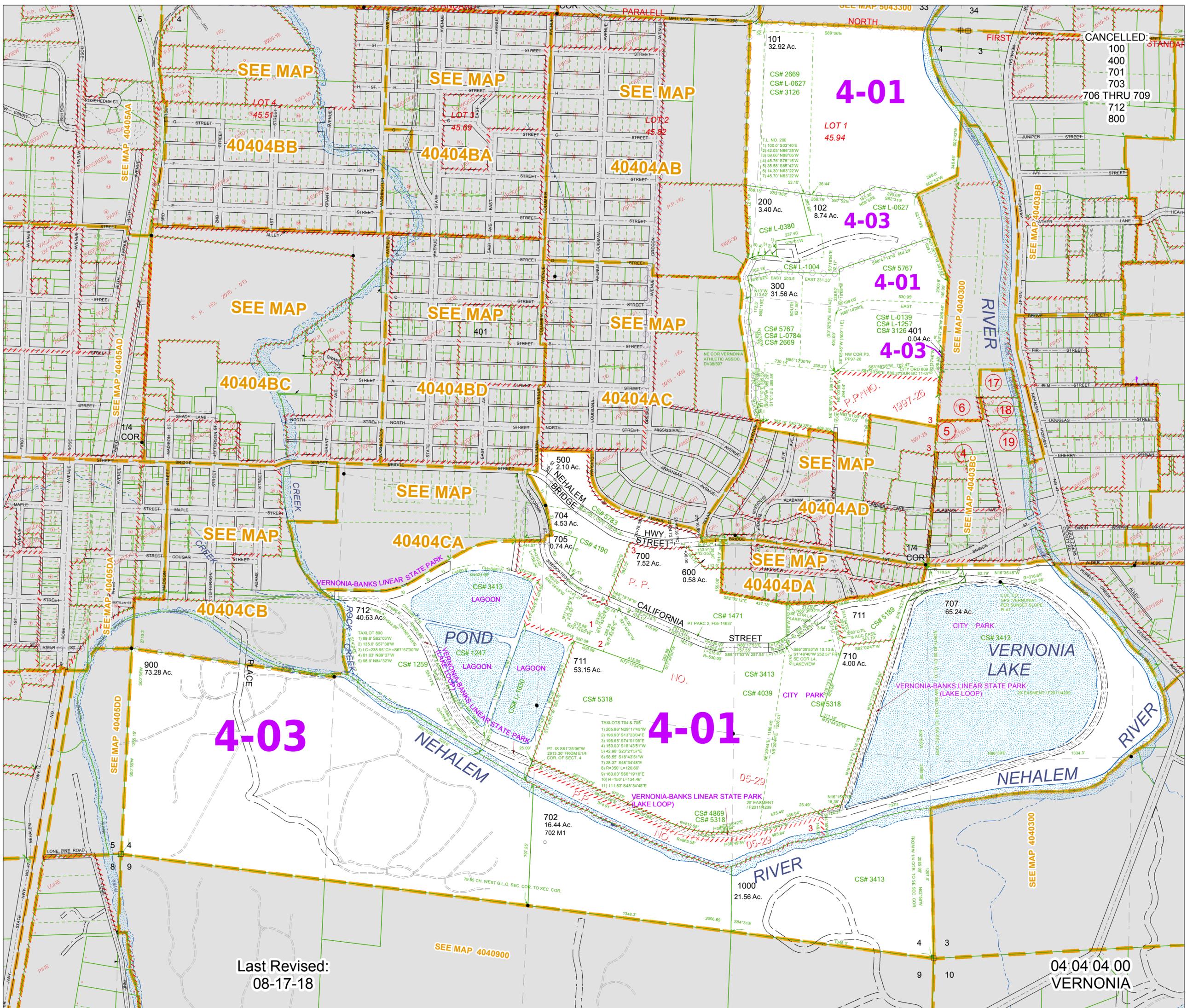
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COLUMBIA COUNTY

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1" = 400'



CANCELLED:

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Last Revised:
08-17-18

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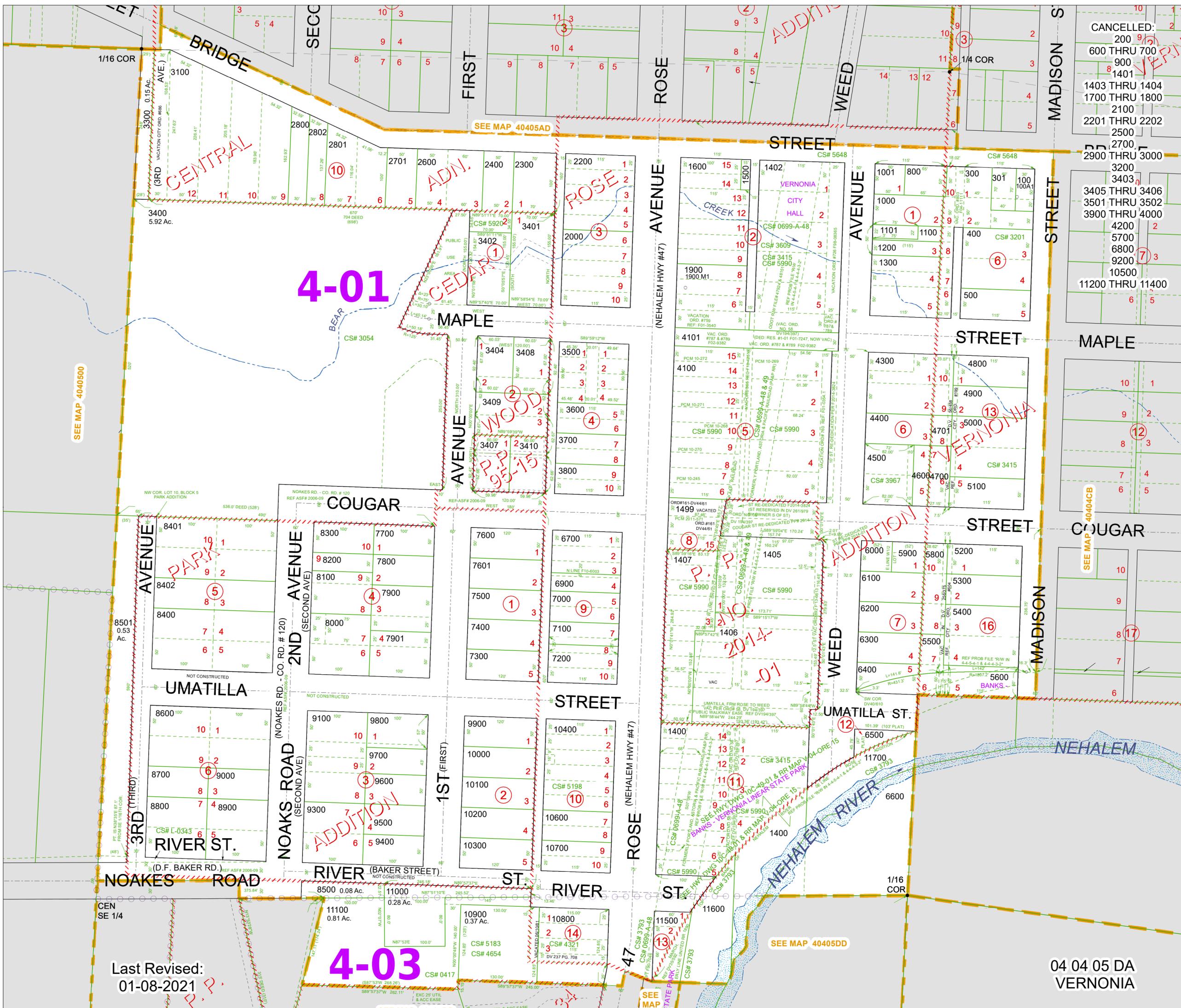
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COLUMBIA COUNTY

1" = 100'



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SEE MAP 4040500

SEE MAP 40404CB

SEE MAP 40405DD

Last Revised:
01-08-2021

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THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

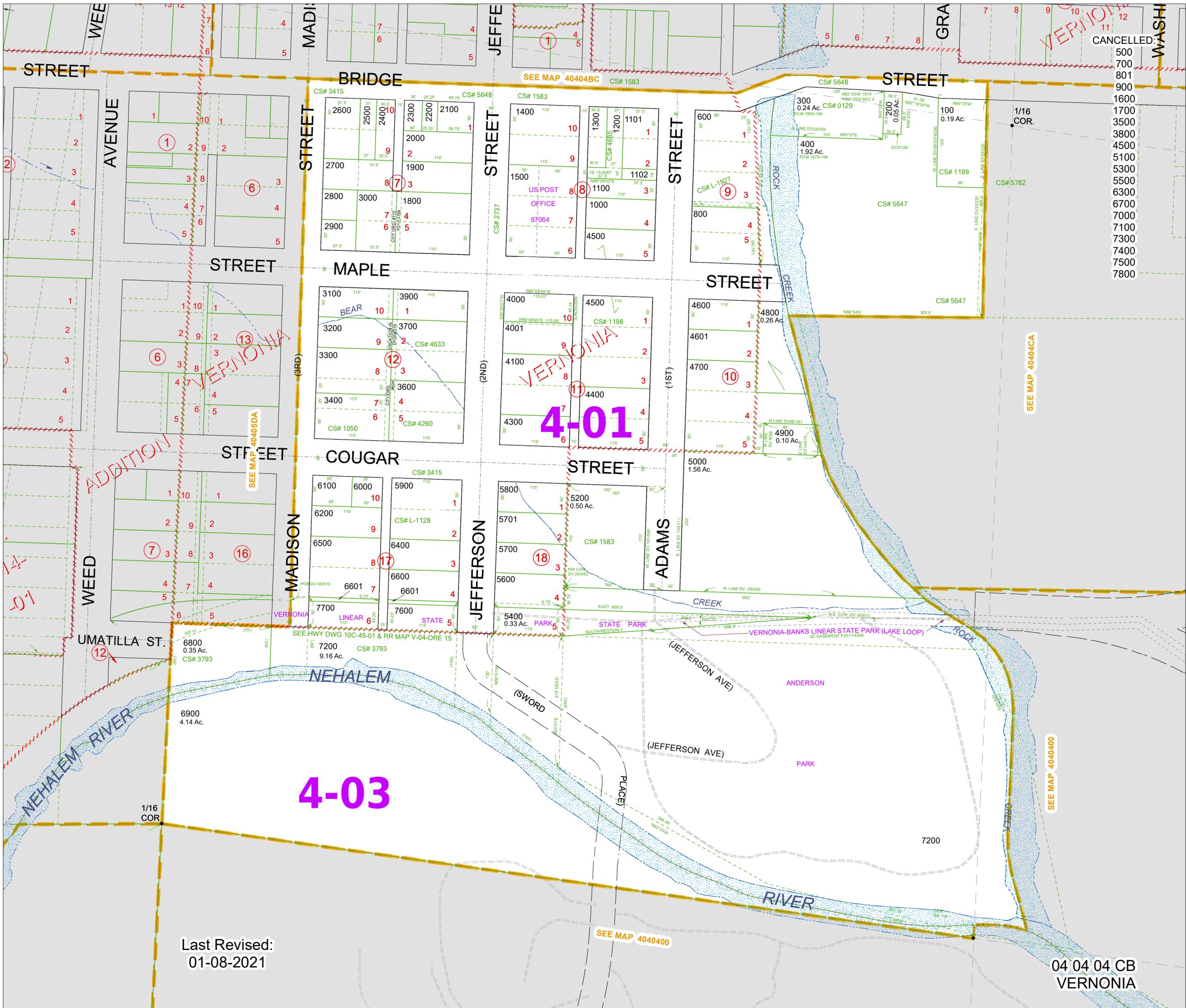
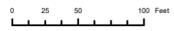
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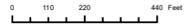


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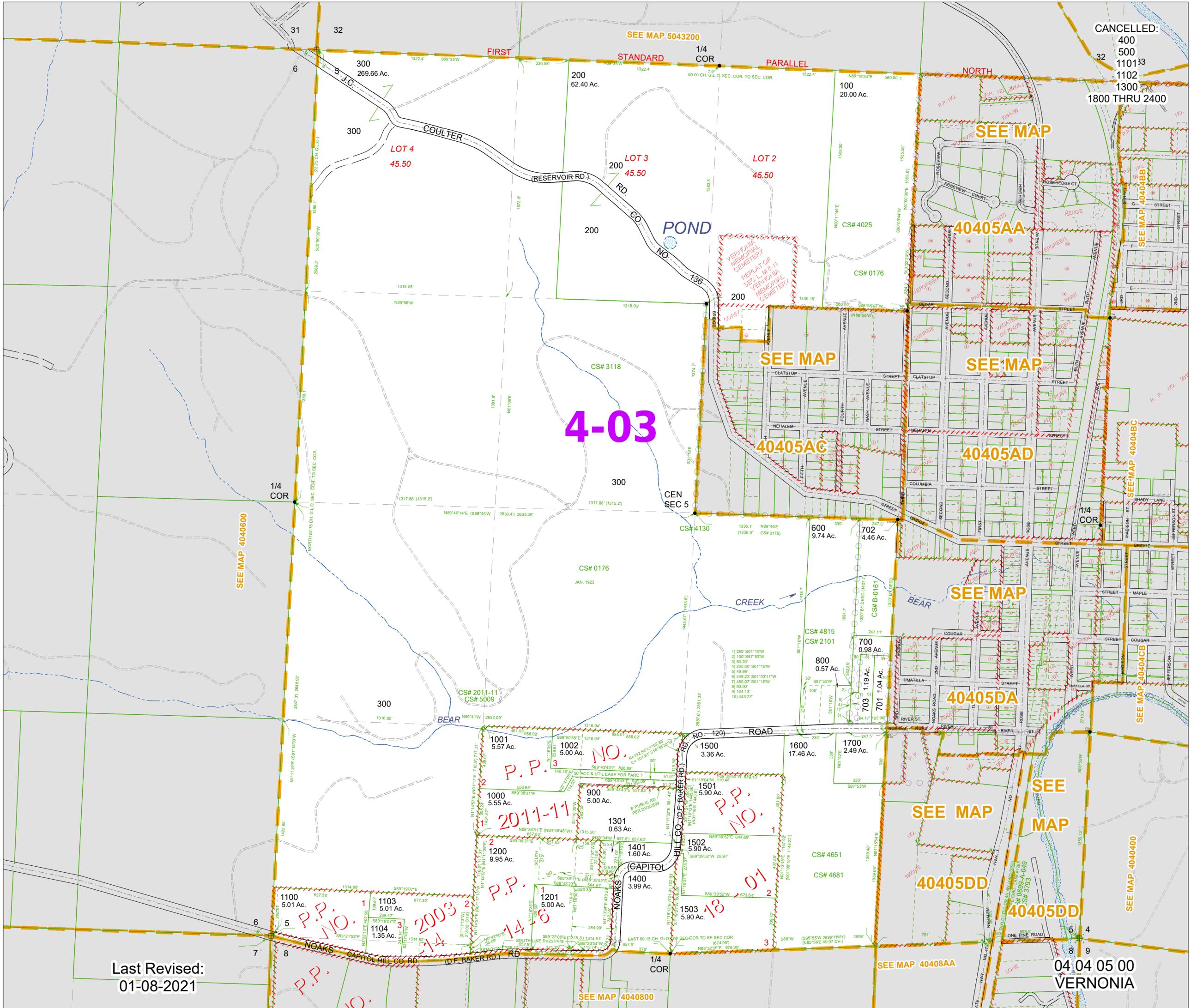
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Last Revised:
01-08-2021

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VERNONIA



1" = 400'



4-03

CANCELLED:
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Last Revised:
01-08-2021

04 04 05 00
VERNONIA

Memorandum



To: Josette Mitchell, City of Vernonia, City Administrator

From: Grace Coffey, AICP

Date: 6.20.23

Re: **Vernonia UGB Adjustment – Preliminary Wetland Determination Methodology**

Summary

Vernonia is in the process of bringing the “Boot” area into the Vernonia Urban Growth Boundary (UGB) using an Urban Growth Boundary Adjustment. Buildable lands are a key factor in determining development capacity for lands brought out of the UGB and into the UGB. All land within the Vernonia UGB was inventoried in the 2000 Local Wetlands Inventory by Shapiro and Associates, Inc. The Boot was not inventoried because it is outside of the current UGB, so no wetland areas were identified in initial “constrained land” analysis of the Boot area. However, t residents in the Boot area testified during the public hearings process that the Boot contains large wetland areas. Therefore, Winterbrook evaluated the Boot for probable wetlands in order to inform the UGB adjustment and plan more effectively for the Boot area.

The following analysis is not a formal wetlands determination or delineation but provides preliminary off-site mapping of probable wetlands in the Boot. This analysis provides the basis for wetland contributions to “constrained lands” in the buildable land calculations. Preliminary wetland analysis was provided by Anita Smyth, SPWS¹ and Tim Brooks ASLA².

¹ Anita is a Senior Professional Wetland Scientist with 25 years of experience in natural resource inventories, with emphasis on wetland delineation and permitting. She holds a Professional Master’s Degree in Environmental Sciences from Oregon State University. Anita has served as the senior wetland scientist on LWIs for the Cities of Damascus, Junction City and Pendleton. During her nine years at a multidisciplinary civil engineering firm, she expanded that technical and project management expertise through execution of numerous wetland mitigation site design projects, natural resource inventories, and riparian and wetland functional assessments as stand-alone projects and as part of Joint Permit Applications for specific actions. She spent two years at Clackamas County’s Department of Transportation and Development, Engineering Section as a program manager and a resource for wetland and other environmental expertise.

² Tim has more than 30 years of experience managing State Goal 5 natural resource inventory and planning projects for local communities in Oregon. Tim managed wetland inventories for the cities of Albany, Corvallis, Damascus, Gresham, Junction City, Newberg, Pendleton, Portland, Prineville, West Linn and Woodburn. In addition to project management, Tim has completed field investigations, wetland delineations and assessments, sensitive species surveys, and wildlife habitat assessments for both public and private clients throughout Oregon and Washington. Tim completed the DSL/Corps/USFWS Interagency Wetland Delineation Course in 1993. Beginning in 1995, Tim worked under the guidance of Andy Castelle and other professional wetland scientists and has completed specialty courses in wetland science.

Vernonia 9-06 Development in Wetlands

Vernonia protects locally significant wetlands identified in the Vernonia Local Wetlands Inventory in Ordinance 9-06 Development in Wetlands. New development is prohibited in protected wetland areas, inventoried wetlands are not considered “buildable land”.

Methodology

Winterbook’s wetland experts reviewed publicly available existing literature, maps, and data sources to identify site characteristics indicative of wetlands within the Boot study area³. Wetland assessment was performed entirely off site.

The Department of State Lands defines wetlands in Administrative Rule 141-085-0510 (110):

“Wetlands” means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

The basis of determining whether a site is a wetland subject to federal, state, and/or local jurisdiction rests on meeting three parameters which are 1) wetland hydrology 2) hydric soils and 3) hydrophytic (water-tolerant) vegetation. In other words, it must have sufficient prolonged saturation to cause chemical and morphological changes in the soil and to support a hydrophytic vegetation community. An offsite determination is performed by evaluating these characteristics from a distance using a variety of information sources.

Information sources included the following:

- National Wetlands Inventory (NWI) data (U.S. Fish and Wildlife Service, 2015);
- Vernonia Local Wetlands Inventory (LWI) data. (DSL, 2000)
- Soils, Columbia County, Oregon (U.S.D.A. Natural Resource Conservation Service, 2019);
- Hydric Soils List, Columbia County, Oregon (NRCS, 2023).
- Floodplains (Federal Emergency Management Agency, 2010).
- Rivers (Oregon Rivers Database System, 2009)
- Topography, LiDAR, 3’ contour intervals, OLC North Coast (DOGAMI, 2009)
- Historic Aerials (Google Earth)

The Geographic Information System (GIS) data layers served as the base for the preliminary wetland mapping. The preliminary mapping included the following data:

- Vernonia LWI wetlands
- NWI wetlands
- Hydric soils
- Topography-3’ contours
- FEMA floodplain
- 2022 aerial photos
- DOGAMI 2009 3’ Bare Earth Lidar Data

³ Tax Lots: 44W04AV00200, 44W04AB01000, 44W04AB00100, 44W04AB01700, 44W04AB01701, 44W040000200, 44W040000102, 44W04AC00100, 44W04AC00102, 44W04AC00101, 44W04AC00103, 44W04AC00104, 44040000401

Using the data sources provided above, Winterbrook used the following site characteristics to map areas of high wetland probability:

- Areas bordering mapped LWI wetlands within UGB
- Areas within or bordering mapped NWI wetlands
- Areas with hydric soils
- Aerial photos and Google/Bing street views showing indicative wetland species
- Species signatures using nearby inventoried wetlands as a reference.
- Areas of low or depressional topography, consistent with LWI wetlands outside of study area, and topography patterns
- Floodplains

Analysis

Much of the Boot area has hydric soils, as listed by the NRCS. Soils in the area include:

- 60971-Mayger silt loam, Kenusky (Hydric)
- 60958-Glohmsilt loam, Kenusky (Hydric)
- 61013-OR009

Hydric soils are classified as those that developed under anaerobic soil conditions resulting from the presence of water. The NRCS maps hydric soils in the northern half of the Boot.

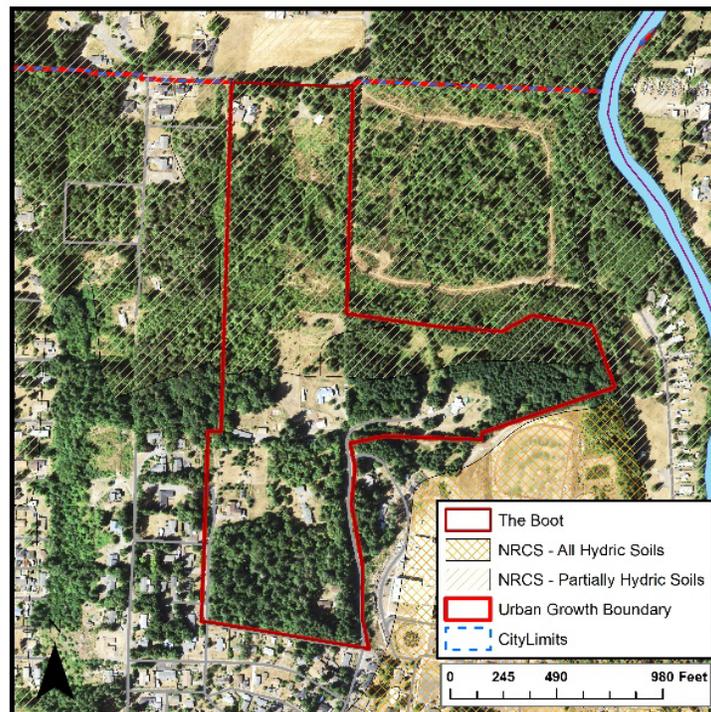


Figure 1: Hydric Soils

Additionally, there is an LWI-inventoried wetland that artificially ends at the study area border, and that likely extends into the Boot area based on topographic and vegetation signatures. When the Vernonia Local Wetlands Inventory was performed, the inventory did not extend past the Urban Growth

Boundary. The 0.8-acre wetland to the west of the Boot⁴ is likely to extend further into the Boot. The 1.1-acre wetland to the east of the Boot⁵ is an excavated pond. The pond “may receive surface water from intermittent drainages”.⁶

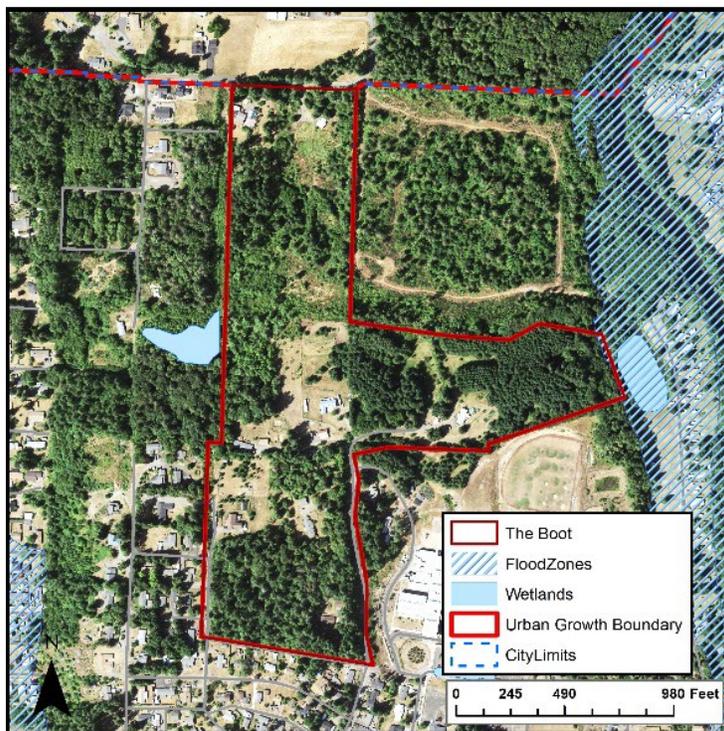


Figure 2: Wetlands and Floodplains

The data sheet for the westerly wetland identified in the LWI lists tree cover as the dominant vegetation cover in the wetland west of the boot. Species listed include Oregon ash (*Fraxinus latifolia*), red alder (*Alnus rubra*) and willow (*Salix spp.*). Aerial maps show vegetation signatures in parts the Boot that are suggestive of wetlands, including a transition from coniferous to deciduous woody vegetation, clear areas without tree growth, and emergent wetland grasses. A large open area in the north of the Boot has a vegetation signature typical for reed canarygrass (*Phalaris arundinacea*) when it has died back in the dormant season, with evidence of Himalayan blackberry (*Rubus armeniacus*) near the tree line. Winterbrook utilized current and historical aerial photography to consider reference sites with known vegetation to compare the vegetation community signatures of both locations. Areas with predominately Douglas fir (*Pseudotsuga menziesii*) and other conifer trees were generally considered outside of wetland areas, as they are intolerant of saturated soils and thus unlikely to occur within the wetland boundary.

⁴ LWI Wetland Mapping Code: VR-11

⁵ LWI Wetland Mapping Code: VR-6

⁶ Vernonia LWI Report 2000, Data sheet for Wetland VR-6.

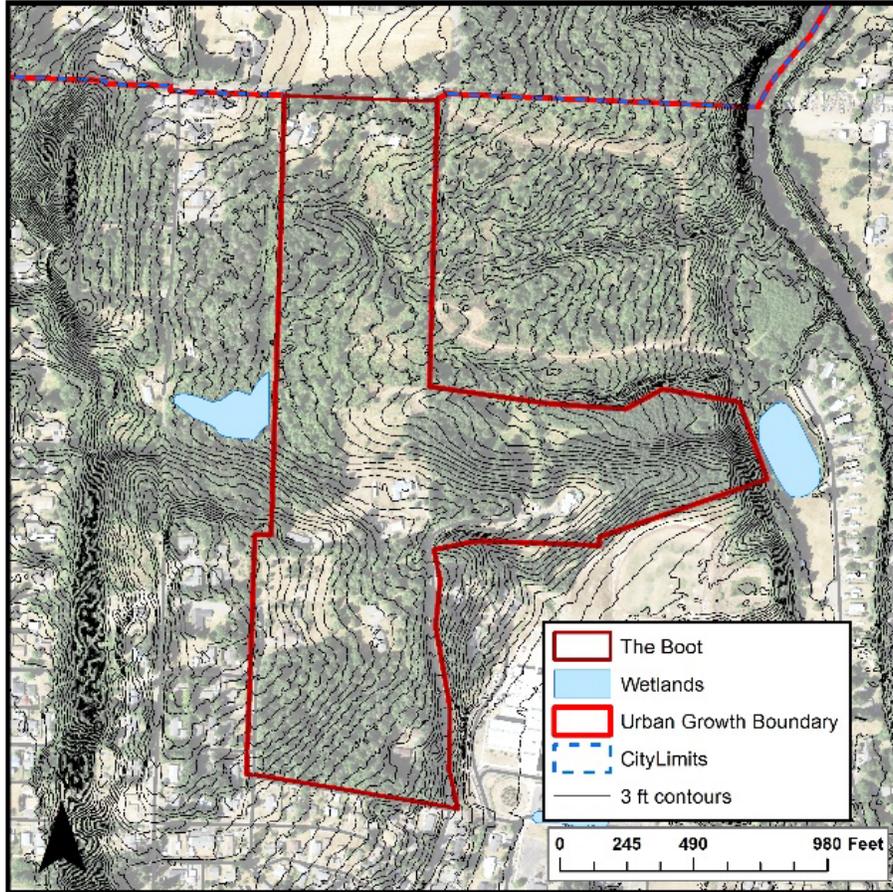


Figure 3: 3 ft Contours

Potential Wetlands

By analyzing vegetation signatures, historical aeriels, topography, and soils, Winterbrook identified an area that exhibits characteristics suggestive of wetland conditions in the northern half of the Boot, shown in Figure 4. The western border likely extends from the border of the LWI- wetland and follows the flat topography to the north. Topographic information is reinforced by a mapped hydric soil, a wetland indicator, as well as a vegetation community transition from water-intolerant conifers to a more deciduous plant community believed to be dominated by Oregon ash, which is classified as a hydrophyte. Moving downslope, the deciduous trees give way to what appears to be a reed canarygrass-dominated area, which would be consistent with wet conditions. The 8.1-acre wetland likely ends at the developed portion of the properties to the south and north. The wetland as shown extends into a drainageway that runs along the north of the toe of the Boot, which is believed to drain into the pond to the east of the Boot and from there to the Nehalem River. There are indications of an intermittent drainage feature along this drainageway, but these would likely not be mapped as riparian features because they would not be fish-bearing.

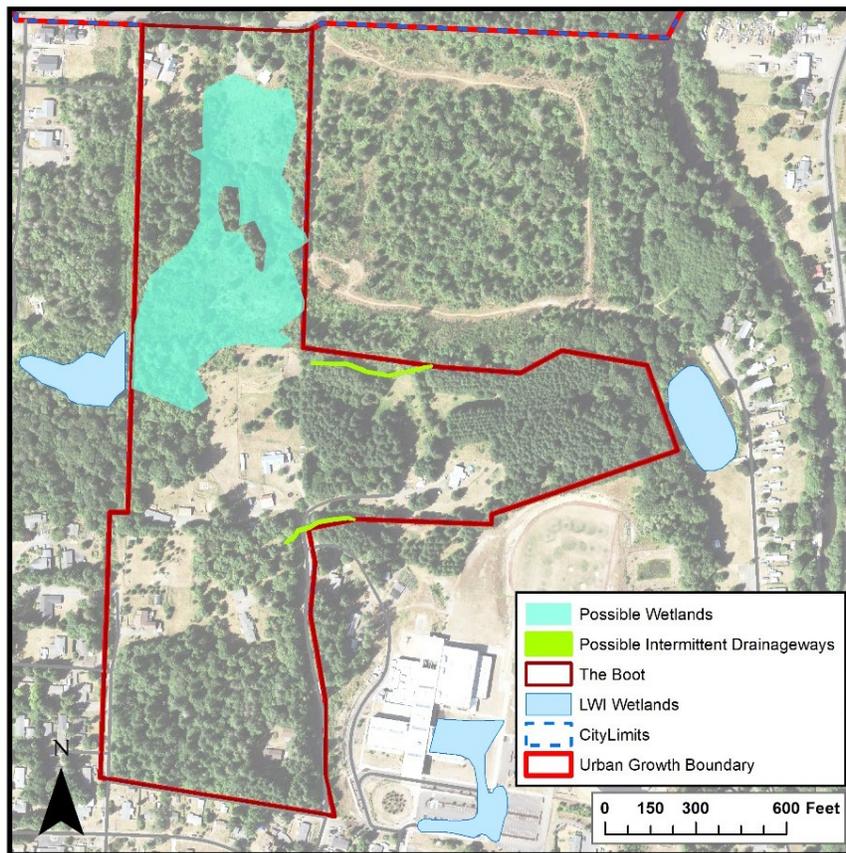


Figure 4: Possible Wetlands

A second area identified as a possible intermittent drainage feature was found near the center of the site where the Boot extends east. Topographic contours suggest an area of convergent drainage at the head of what is likely a headwater stream. Based on landscape positioning, this is consistent with a Slope Valley wetland configuration, which is driven by groundwater discharge from a hillslope. In the Willamette Valley, a common scenario is an intermittent stream fed by a small wetland or seep area from which the groundwater discharges, which then gradually creates a channel. Any wetland conditions would most likely be at the top of the drainage; the steepness of the channel as it extends offsite likely precludes the development of other wetlands adjacent to the channel. These wetlands are typically fairly small unless the seep or spring is perennial.⁷

⁷ This off-site wetland determination would not obviate the need for an on-site wetland delineation to identify wetland boundaries more definitively, particularly if land-disturbing work in these areas is proposed. Wetland boundaries are not final for permit purposes until the Oregon Department of State Lands concurs with a wetland delineation.

Conclusions

Gathering evidence from vegetation that appeared in aerial photographs, looking at the topography and physiography of the area using DEM and topography maps, analyzing soils, and comparing these features with existing inventoried wetlands, Winterbrook identified what is likely an 8.1-acre wetland that encompasses much of the northern portion of the Boot. This evidence is consistent with property owner testimony of the wetlands in the area. For the purposes of this analysis, this probable wetland can be considered “constrained land” due to Vernonia’s local wetland protections.

CITY OF VERNONIA

1001 Bridge Street

Vernonia, OR 97064

503.429.5291

STAFF REPORT

UGB Adjustment /Comprehensive Plan Map Amendment/Comprehensive Plan Text Amendment

UGB 23-01/ CPMA 23-01/ CPTA 23-01

Planning Commission and City Council Hearing – September 19th, 2023

PROPOSAL: This staff report recommends approval for the following amendments to the Vernonia Comprehensive Plan:

1. Adjust the Vernonia Urban Growth Boundary (UGB) to include the “Boot” area with a Residential Plan designation, and remove the Nehalem Highway Area, the Sword Property, and the Timber Property from the Urban Growth Boundary.
2. Include a policy for areas within the Boot to be zoned Residential upon annexation to the City, and a policy for the extension of the existing street grid system.

Applicant: The applicant is the City of Vernonia. Contact Josette Mitchell. Phone (503) 429-5291 x106. The City is represented in this matter by Winterbrook Planning / 610 SW Alder St., Suite 810 / Portland, Oregon 97205 / Contact Grace Coffey, AICP. Phone (503) 827-4422 x106

Site Description:

Area to be removed	Current City Comprehensive Plan Designation/ County Zone	Acres
Timber Property	R/PF-80	20
Sword Property	GR/PF-80	5.1
Nehalem Highway Area	R/ RR-5	12.1
Total		37
Area to be Added	County Zone	Acres
“The Boot”	RR-5	49
The Island Property	R-10	0.04

- Appendices:**
- Appendix A: Findings
 - Appendix B: Public Facilities Report
 - Appendix C: Alternatives Analysis: Public Facilities Report
 - Appendix D: Assessor Maps
 - Appendix E: The Boot: Preliminary Off-Site Wetland Determination

Contents

Proposal	2
Review Criteria	5
Review Procedure	5
Joint Public Hearing Procedure	6
Planning Commission Deliberations and Recommendation.....	6
City Council Decision.....	7

Proposal

The City of Vernonia proposes to amend the Vernonia Comprehensive Plan and Map by trading approximately 37 acres of urban residential land (zoned for forest and rural residential uses) at the edge of the Vernonia Urban Growth Boundary (UGB) for approximately 49 acres of Rural Residential exception area land surrounded on three sides by the Vernonia City Limits¹. This UGB adjustment will:

1. Restore some forested land currently within the UGB to forest resource use;
2. Remove outlying extensions of rural residential lands that are difficult to serve with urban facilities; and
3. Create a compact and efficient urban form by including rural residential land closer to the school complex, shopping, employment and services.

The UGB adjustment will swap out three less developable areas within the current UGB, for the more developable “Boot” located adjacent west of the school complex and surrounded on three sides by the UGB. The Boot can be efficiently served extending the City’s existing grid street system. The UGB adjustment will not substantially change the amount or type of buildable residential land within the UGB.

¹ Removed: 400N400W5D00100, 400N400W5DA06600, 400N400W5DD01100, 400N400W5DD01200, 400N400W5DD01300, 400N400W5CB06900.

Added: 44W04AV00200, 44W04AB01000, 44W04AB00100, 44W04AB01700, 44W04AB01701, 44W040000200, 44W040000102, 44W04AC00100, 44W04AC00102, 44W04AC00101, 44W04AC00103, 44W04AC00104, 44040000401

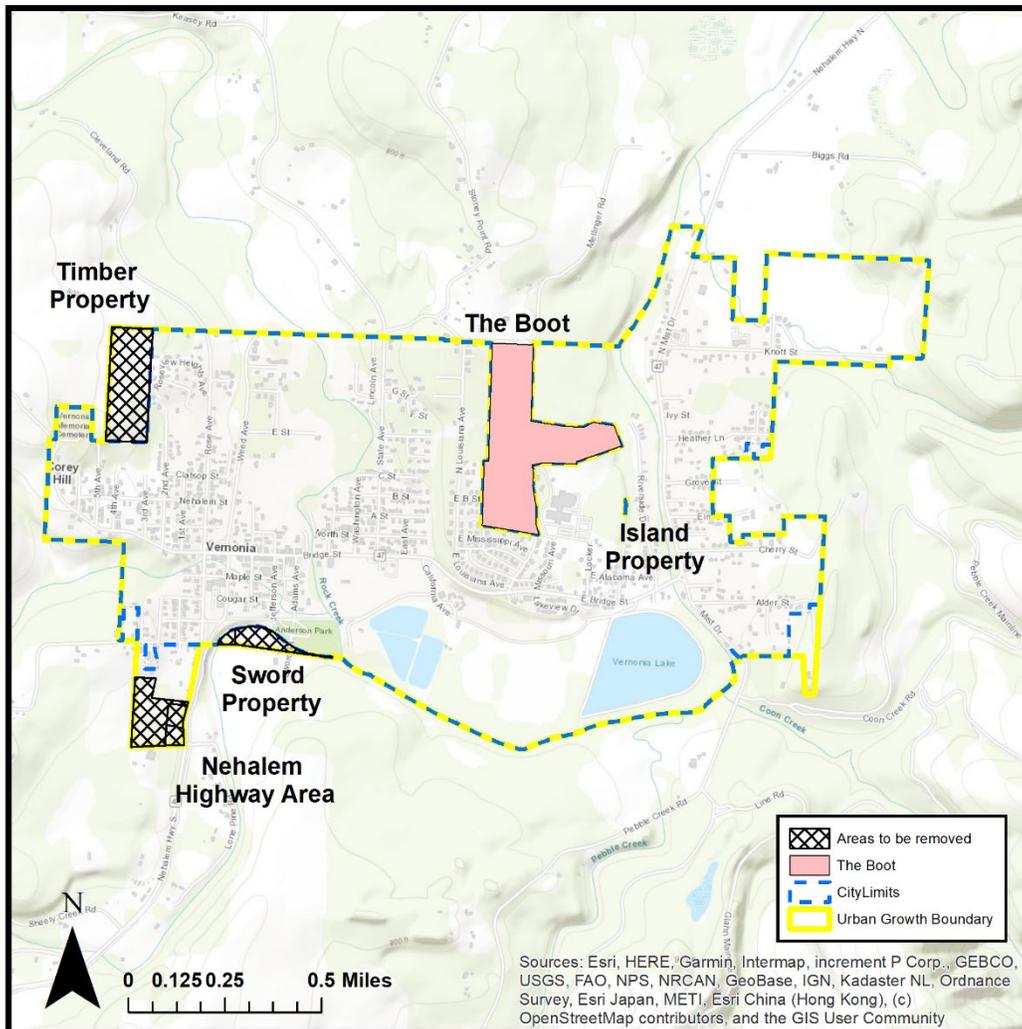


Figure 1: Proposed UGB Adjustment

To achieve the UGB adjustment and to ensure zoning designations will allow needed residential development once annexed, the proposal includes:

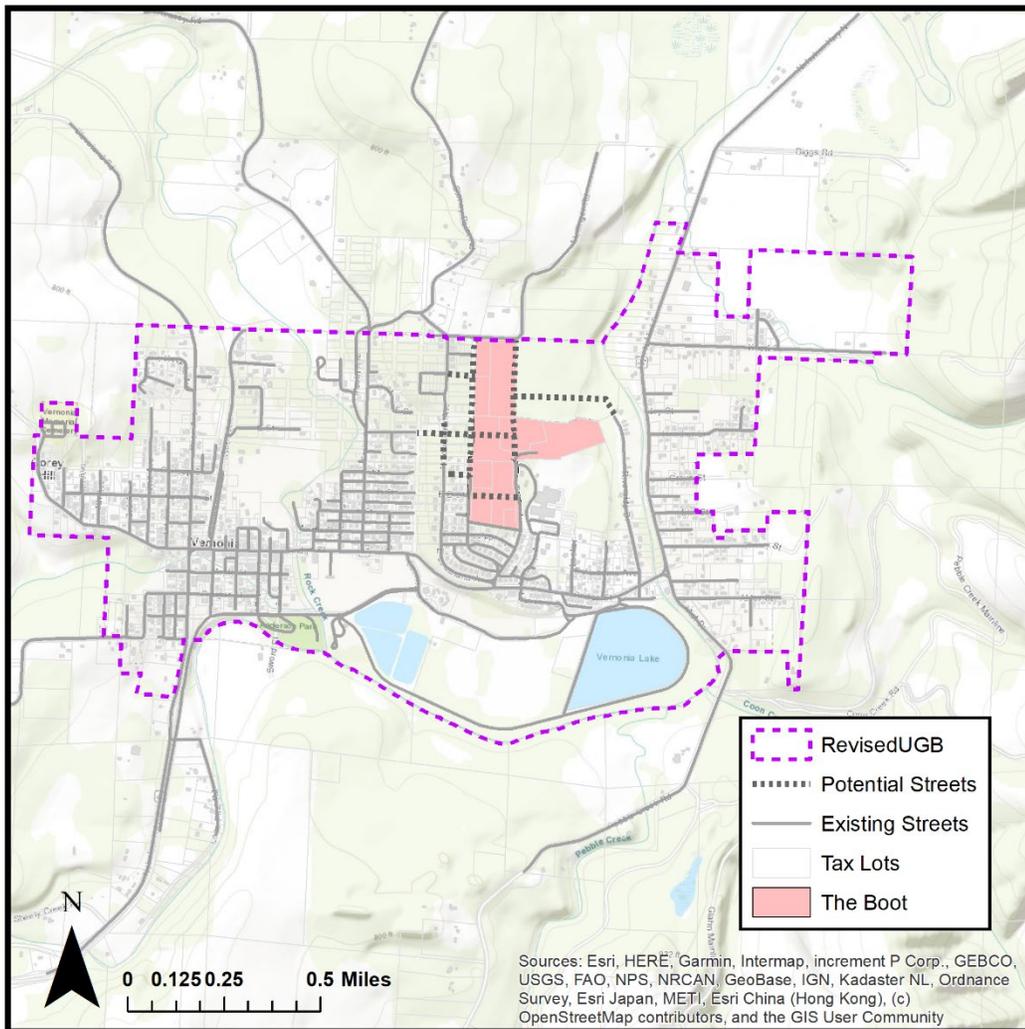
- Comprehensive plan map amendments to:
 - Include the Boot area and Island Property within the Vernonia UGB;
 - Assign the Boot area a “Residential” plan designation; and
 - Remove three areas from the UGB.

- The following text amendment to the Urban Growth Area Policies section of the comprehensive plan:
 5. *In 2023, Vernonia adopted an Urban Growth Boundary adjustment to remove three unsuitable residentially designated areas from the UGB and add “the Boot” to the UGB. The*

UGB adjustment is shown in Figure 5.1 “The Boot” was given a Residential Comprehensive Plan Designation.

- a. Upon annexation to the City, areas within “the Boot” shall be zoned Residential per 9-01.03-10 of the Vernonia Zoning Code.
- b. To ensure a multimodal transportation system and direct connections between schools and the Boot area, the existing grid street system should be extended to serve the Boot. The following illustrative map shows how streets can be extended to meet Policy 5.

Figure 5.1. Map showing potential street extensions and “the Boot”



The Boot would retain County zoning prior to annexation. When land is annexed to the City, Policy 5 will be applied to ensure appropriate zoning and street connectivity.

The areas proposed for removal from the UGB will retain their current County zoning. The Timber and Sword Properties are currently zoned Primary Forest, 80-acre minimum (PF-80). Removing these properties from the UGB will ensure they remain in resource use. The Nehalem Highway Area was zoned

RR-5 prior to its inclusion into the UGB, has RR-5 zoning now, and is anticipated to retain this zoning once removed from the UGB.

This amendment package was drafted in consultation with Columbia County, the City Engineer and ODOT, and is consistent with the City-County Urban Growth Management Agreement (UGMA). The proposed comprehensive plan amendment package must be reviewed and adopted by both Vernonia and Columbia County. Both jurisdictions must provide timely notice of their initial public hearing to DLCD.

Review Criteria

This Comprehensive Plan amendment package must comply with applicable Vernonia and Oregon review criteria.

- City review criteria for plan amendments are found in Vernonia Zoning Ordinance Sections 9-01.09-50 through 70. This section requires compliance with applicable statewide planning goals, the comprehensive plan and demonstration of public need or benefit. City criteria are met primarily because the Boot area can be more efficiently developed and provided with urban services and has more direct access to schools, shopping, employment and services than the areas proposed for removal.
- Oregon statewide planning goals and rules are also applicable to this application. OAR 660 Division 024 (Urban Growth Boundary Amendments) controls whether and how UGB adjustments (trades) may occur. This rule essentially requires that the amount and type of buildable land traded be roughly comparable. Findings in Appendix A find that the Boot is the best alternative for land to be included in the UGB, and the proposed UGB adjustment will result in substantially similar amount of buildable land capacity as the existing UGB.

Appendix A includes detailed findings demonstrating compliance with both City and State plan amendment review criteria.

Review Procedure

Comprehensive Plan Map Amendment and Text Amendment.

The proposal includes comprehensive plan map and text amendments that support the proposed UGB adjustment. The City Council initiated the plan amendment process at its November 7, 2022, meeting. Winterbrook Planning was selected to prepare the proposed plan amendments and supporting findings found in Appendix A. Winterbrook coordinated with City, County, and DLCD staff through emails and meetings between November 2022 and September 2023.

The proposed comprehensive plan amendments (including UGB adjustments) are subject to a Type IV legislative review process, where the proposal is considered initially by the Planning Commission with final decisions made by the City Council. (VZO 9.01.10-50) Notice must be provided to the Oregon Department of Land Conservation and Development (DLCD).

Appendix A includes findings demonstrating compliance with applicable local and state review criteria.

This application will be presented at a joint Planning Commission – City Council public hearing. The Planning Commission’s role in this proceeding is to make a recommendation to the City Council based

on evidence presented at the public hearing, including the staff report, Appendix A and public testimony. The City Council’s role is to make a final decision regarding the proposed amendment package.

Notice

- The Department of Land Conservation and Development (DLCD) was given notice on March 27, 2023.
- The City of Vernonia Land Use and Development Code 9-01.09-50 lists the notice requirements for legislative plan amendments (At least 14 days before City Council hearing/100 feet). Mailed notice was sent to all property owners within 250 feet of the subject property at least 14 days prior to the City Council public hearing on September 6th, 2023.
- Notice was posted in the on the City website and Facebook page starting at least 14 days prior to the City Council public hearing, on September 6th, 2023.
- Notice was posted at four public places for two consecutive weeks, starting at least 14 days prior to the City Council public hearing, on September 6th, 2023.

Joint Public Hearing Procedure

Public hearings procedure is controlled by VZO 9.01.10-50E. However, because a joint City Council – Planning Commission is proposed, staff recommends that the following joint hearing procedure, pursuant to VZO 9.01.10-50E.1.a.

- A. The Planning Commission chair and mayor shall open the joint public hearing.
 1. Following the staff report, the hearing will be open to the public. The Planning Commission and City Council should pay close attention to public comments because they could provide new information not considered in the staff report.
 2. If the Planning Commission or City Council needs additional information to make its recommendation or decision, either body may continue the joint public hearing to a date and time certain and state why additional information is needed to allow for a future decision.
- B. If the public hearing is not continued, the Planning Commission chair and the mayor should each close the joint public hearing and begin their separate deliberations.

Planning Commission Deliberations and Recommendation

A. The Planning Commission should deliberate first before making its recommendation to the City Council. The Planning Commission has three options: it may recommend approval the proposed amendment package, denial, or approval with conditions. *In all cases, the Planning Commission should explain why it is making its recommendation.*

1. If the motion is to approve the proposal, it should be based on the findings presented in the staff report and Appendix A.
2. If the motion is to modify or approve the proposal with conditions, it is important that the Planning Commission explain why the change or conditions are necessary.

3. If the motion is to recommend denial of the proposal, the Planning Commission should base its decision on testimony provided at the public hearing that it finds more persuasive than the staff report.

City Council Decision

- A. After considering the Planning Commission’s recommendation, the staff report and Appendix A, and public testimony received, the City Council should deliberate and make its decision. *In all cases, the City Council should explain why it is making its decision.*
1. The City Council has three decision options: it may approve the proposed amendment package, deny the proposed amendment package, or approve the package with conditions. In all cases, the City Council should explain why it is making its decision.
 2. If the motion is to approve the proposal, it should be based on the findings presented in the staff report and Appendix A, the Planning Commission recommendation, and any supporting public testimony.
 3. If the motion is to modify or approve the proposal with conditions, it is important that the City Council explain why the change or conditions are necessary.
 4. If the motion is to deny the proposal, it is important that the City Council base its decision on testimony provided at the public hearing.

Memorandum



To: Josette Mitchell, City of Vernonia, City Administrator

From: Grace Coffey, AICP

Date: 6.20.23

Re: **Vernonia UGB Adjustment – Preliminary Wetland Determination Methodology**

Summary

Vernonia is in the process of bringing the “Boot” area into the Vernonia Urban Growth Boundary (UGB) using an Urban Growth Boundary Adjustment. Buildable lands are a key factor in determining development capacity for lands brought out of the UGB and into the UGB. All land within the Vernonia UGB was inventoried in the 2000 Local Wetlands Inventory by Shapiro and Associates, Inc. The Boot was not inventoried because it is outside of the current UGB, so no wetland areas were identified in initial “constrained land” analysis of the Boot area. However, residents in the Boot area testified during the public hearings process that the Boot contains large wetland areas. Therefore, Winterbrook evaluated the Boot for probable wetlands in order to inform the UGB adjustment and plan more effectively for the Boot area.

The following analysis is not a formal wetlands determination or delineation but provides preliminary off-site mapping of probable wetlands in the Boot. This analysis provides the basis for wetland contributions to “constrained lands” in the buildable land calculations. Preliminary wetland analysis was provided by Anita Smyth, SPWS¹ and Tim Brooks ASLA².

¹ Anita is a Senior Professional Wetland Scientist with 25 years of experience in natural resource inventories, with emphasis on wetland delineation and permitting. She holds a Professional Master’s Degree in Environmental Sciences from Oregon State University. Anita has served as the senior wetland scientist on LWIs for the Cities of Damascus, Junction City and Pendleton. During her nine years at a multidisciplinary civil engineering firm, she expanded that technical and project management expertise through execution of numerous wetland mitigation site design projects, natural resource inventories, and riparian and wetland functional assessments as stand-alone projects and as part of Joint Permit Applications for specific actions. She spent two years at Clackamas County’s Department of Transportation and Development, Engineering Section as a program manager and a resource for wetland and other environmental expertise.

² Tim has more than 30 years of experience managing State Goal 5 natural resource inventory and planning projects for local communities in Oregon. Tim managed wetland inventories for the cities of Albany, Corvallis, Damascus, Gresham, Junction City, Newberg, Pendleton, Portland, Prineville, West Linn and Woodburn. In addition to project management, Tim has completed field investigations, wetland delineations and assessments, sensitive species surveys, and wildlife habitat assessments for both public and private clients throughout Oregon and Washington. Tim completed the DSL/Corps/USFWS Interagency Wetland Delineation Course in 1993. Beginning in 1995, Tim worked under the guidance of Andy Castelle and other professional wetland scientists and has completed specialty courses in wetland science.

Vernonia 9-06 Development in Wetlands

Vernonia protects locally significant wetlands identified in the Vernonia Local Wetlands Inventory in Ordinance 9-06 Development in Wetlands. New development is prohibited in protected wetland areas, inventoried wetlands are not considered “buildable land”.

Methodology

Winterbook’s wetland experts reviewed publicly available existing literature, maps, and data sources to identify site characteristics indicative of wetlands within the Boot study area³. Wetland assessment was performed entirely off site.

The Department of State Lands defines wetlands in Administrative Rule 141-085-0510 (110):

“Wetlands” means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

The basis of determining whether a site is a wetland subject to federal, state, and/or local jurisdiction rests on meeting three parameters which are 1) wetland hydrology 2) hydric soils and 3) hydrophytic (water-tolerant) vegetation. In other words, it must have sufficient prolonged saturation to cause chemical and morphological changes in the soil and to support a hydrophytic vegetation community. An offsite determination is performed by evaluating these characteristics from a distance using a variety of information sources.

Information sources included the following:

- National Wetlands Inventory (NWI) data (U.S. Fish and Wildlife Service, 2015);
- Vernonia Local Wetlands Inventory (LWI) data. (DSL, 2000)
- Soils, Columbia County, Oregon (U.S.D.A. Natural Resource Conservation Service, 2019);
- Hydric Soils List, Columbia County, Oregon (NRCS, 2023).
- Floodplains (Federal Emergency Management Agency, 2010).
- Rivers (Oregon Rivers Database System, 2009)
- Topography, LiDAR, 3’ contour intervals, OLC North Coast (DOGAMI, 2009)
- Historic Aerials (Google Earth)

The Geographic Information System (GIS) data layers served as the base for the preliminary wetland mapping. The preliminary mapping included the following data:

- Vernonia LWI wetlands
- NWI wetlands
- Hydric soils
- Topography-3’ contours
- FEMA floodplain
- 2022 aerial photos
- DOGAMI 2009 3’ Bare Earth Lidar Data

³ Tax Lots: 44W04AV00200, 44W04AB01000, 44W04AB00100, 44W04AB01700, 44W04AB01701, 44W040000200, 44W040000102, 44W04AC00100, 44W04AC00102, 44W04AC00101, 44W04AC00103, 44W04AC00104, 44040000401

Using the data sources provided above, Winterbrook used the following site characteristics to map areas of high wetland probability:

- Areas bordering mapped LWI wetlands within UGB
- Areas within or bordering mapped NWI wetlands
- Areas with hydric soils
- Aerial photos and Google/Bing street views showing indicative wetland species
- Species signatures using nearby inventoried wetlands as a reference.
- Areas of low or depressional topography, consistent with LWI wetlands outside of study area, and topography patterns
- Floodplains

Analysis

Much of the Boot area has hydric soils, as listed by the NRCS. Soils in the area include:

- 60971-Mayger silt loam, Kenusky (Hydric)
- 60958-Glohm silt loam, Kenusky (Hydric)
- 61013-OR009

Hydric soils are classified as those that developed under anaerobic soil conditions resulting from the presence of water. The NRCS maps hydric soils in the northern half of the Boot.

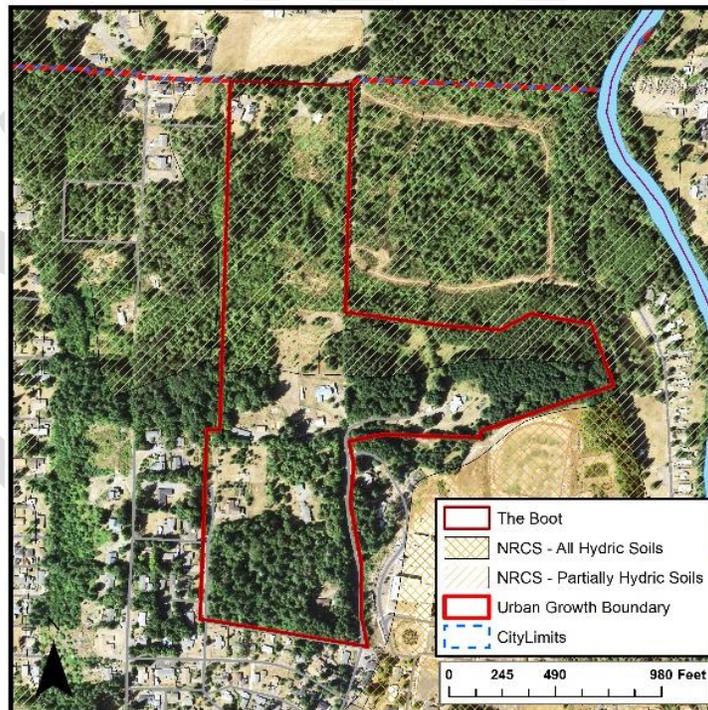


Figure 1: Hydric Soils

Additionally, there is an LWI-inventoried wetland that artificially ends at the study area border, and that likely extends into the Boot area based on topographic and vegetation signatures. When the Vernonia Local Wetlands Inventory was performed, the inventory did not extend past the Urban Growth

Boundary. The 0.8-acre wetland to the west of the Boot⁴ is likely to extend further into the Boot. The 1.1-acre wetland to the east of the Boot⁵ is an excavated pond. The pond “may receive surface water from intermittent drainages”.⁶

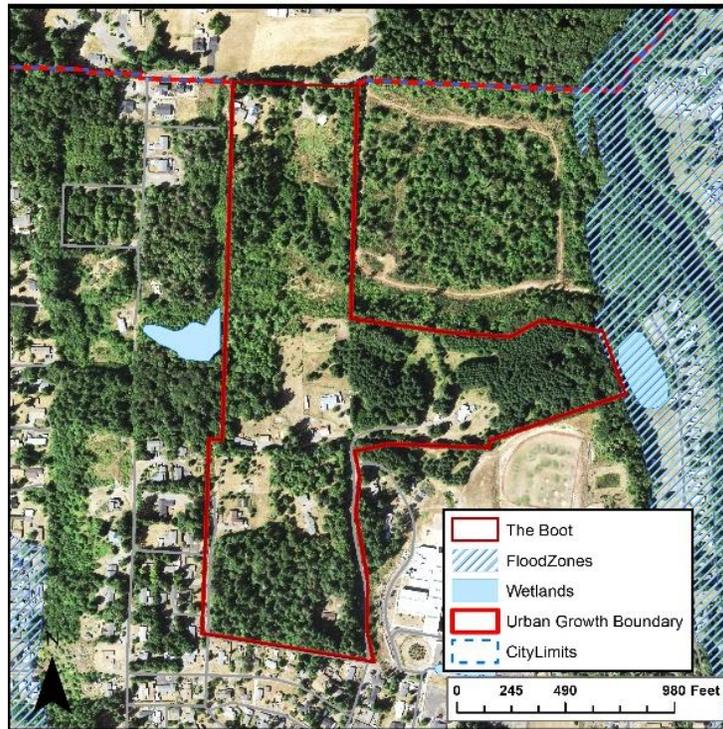


Figure 2: Wetlands and Floodplains

The data sheet for the westerly wetland identified in the LWI lists tree cover as the dominant vegetation cover in the wetland west of the boot. Species listed include Oregon ash (*Fraxinus latifolia*), red alder (*Alnus rubra*) and willow (*Salix spp.*). Aerial maps show vegetation signatures in parts the Boot that are suggestive of wetlands, including a transition from coniferous to deciduous woody vegetation, clear areas without tree growth, and emergent wetland grasses. A large open area in the north of the Boot has a vegetation signature typical for reed canarygrass (*Phalaris arundinacea*) when it has died back in the dormant season, with evidence of Himalayan blackberry (*Rubus armeniacus*) near the tree line. Winterbrook utilized current and historical aerial photography to consider reference sites with known vegetation to compare the vegetation community signatures of both locations. Areas with predominately Douglas fir (*Pseudotsuga menziesii*) and other conifer trees were generally considered outside of wetland areas, as they are intolerant of saturated soils and thus unlikely to occur within the wetland boundary.

⁴ LWI Wetland Mapping Code: VR-11

⁵ LWI Wetland Mapping Code: VR-6

⁶ Vernonia LWI Report 2000, Data sheet for Wetland VR-6.

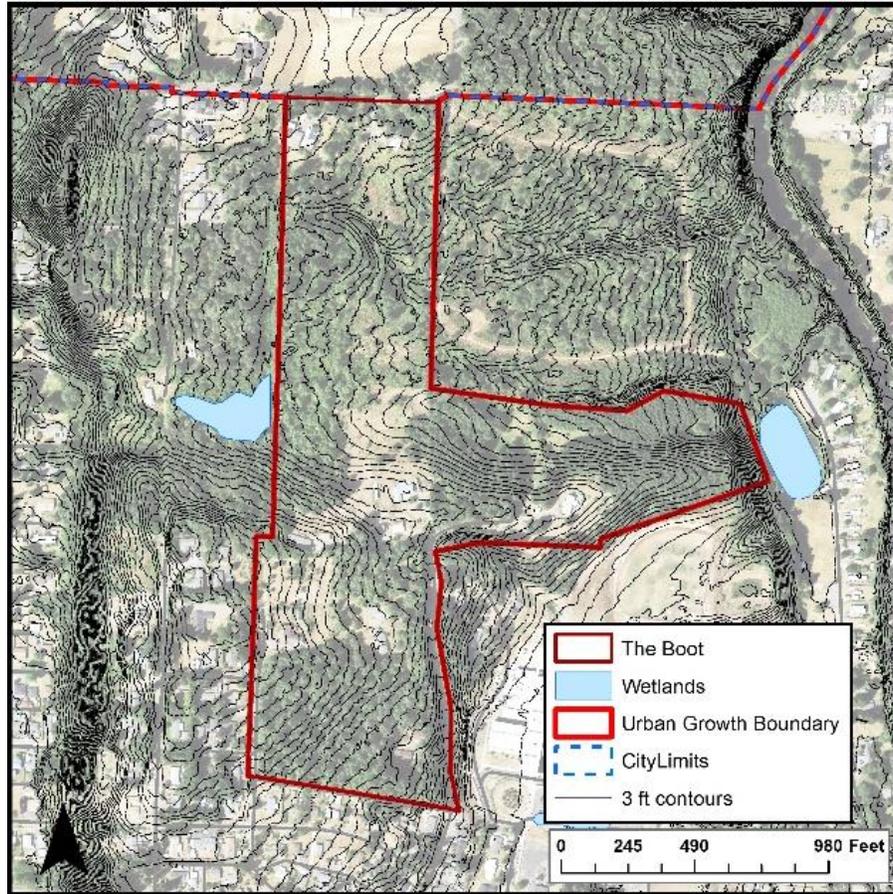


Figure 3: 3 ft Contours

Potential Wetlands

By analyzing vegetation signatures, historical aeriels, topography, and soils, Winterbrook identified an area that exhibits characteristics suggestive of wetland conditions in the northern half of the Boot, shown in Figure 4. The western border likely extends from the border of the LWI- wetland and follows the flat topography to the north. Topographic information is reinforced by a mapped hydric soil, a wetland indicator, as well as a vegetation community transition from water-intolerant conifers to a more deciduous plant community believed to be dominated by Oregon ash, which is classified as a hydrophyte. Moving downslope, the deciduous trees give way to what appears to be a reed canarygrass-dominated area, which would be consistent with wet conditions. The 8.1-acre wetland likely ends at the developed portion of the properties to the south and north. The wetland as shown extends into a drainageway that runs along the north of the toe of the Boot, which is believed to drain into the pond to the east of the Boot and from there to the Nehalem River. There are indications of an intermittent drainage feature along this drainageway, but these would likely not be mapped as riparian features because they would not be fish-bearing.

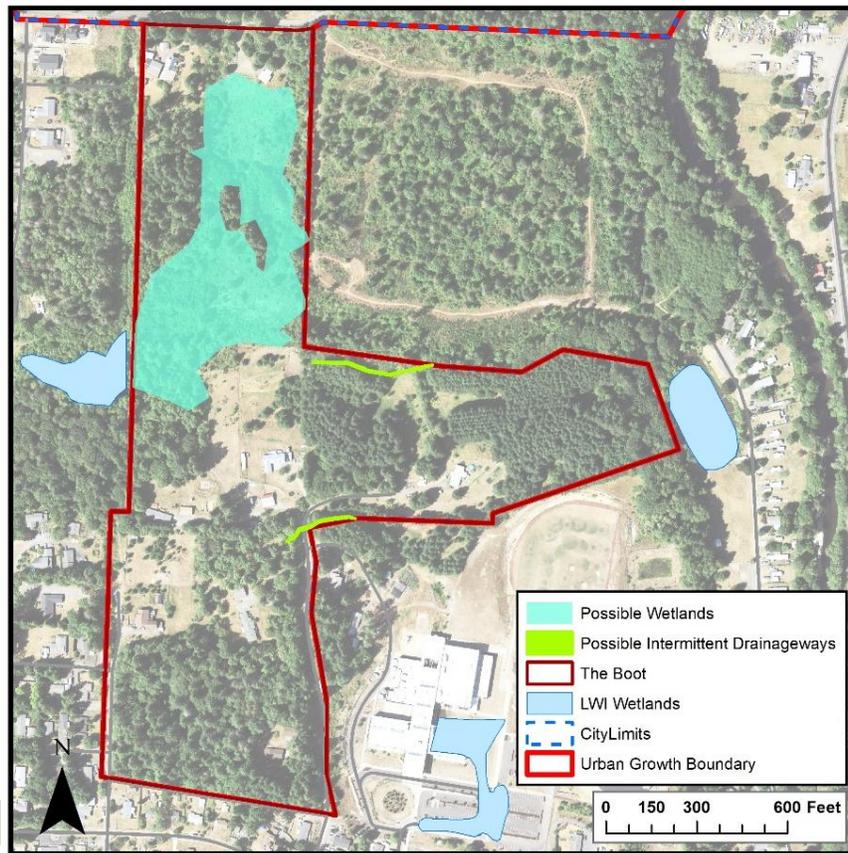


Figure 4: Possible Wetlands

A second area identified as a possible intermittent drainage feature was found near the center of the site where the Boot extends east. Topographic contours suggest an area of convergent drainage at the head of what is likely a headwater stream. Based on landscape positioning, this is consistent with a Slope Valley wetland configuration, which is driven by groundwater discharge from a hillslope. In the Willamette Valley, a common scenario is an intermittent stream fed by a small wetland or seep area from which the groundwater discharges, which then gradually creates a channel. Any wetland conditions would most likely be at the top of the drainage; the steepness of the channel as it extends offsite likely precludes the development of other wetlands adjacent to the channel. These wetlands are typically fairly small unless the seep or spring is perennial.⁷

⁷ This off-site wetland determination would not obviate the need for an on-site wetland delineation to identify wetland boundaries more definitively, particularly if land-disturbing work in these areas is proposed. Wetland boundaries are not final for permit purposes until the Oregon Department of State Lands concurs with a wetland delineation.

Conclusions

Gathering evidence from vegetation that appeared in aerial photographs, looking at the topography and physiography of the area using DEM and topography maps, analyzing soils, and comparing these features with existing inventoried wetlands, Winterbrook identified what is likely an 8.1-acre wetland that encompasses much of the northern portion of the Boot. This evidence is consistent with property owner testimony of the wetlands in the area. For the purposes of this analysis, this probable wetland can be considered “constrained land” due to Vernonia’s local wetland protections.

DRAFT

ORDINANCE No. 942

**AN ORDINANCE OF THE CITY OF VERNONIA AMENDING
THE URBAN GROWTH BOUNDARY AND REPEALING ORDINANCE 939**

WHEREAS, the Vernonia City Council desires to adjust the Vernonia Urban Growth Boundary (UGB) to remove land unlikely to be developed to urban densities from the UGB and to include buildable residential land within the UGB in proximity to the Vernonia School;

WHEREAS, the properties subject to this amendment are shown in Exhibit A, attached hereto and thereby incorporated herein;

WHEREAS, the areas proposed for removal from the UGB are unlikely to efficiently develop to urban densities and some properties proposed for removal are better suited as forest resource land;

WHEREAS, land within the UGB can be more efficiently urbanized and developed through the extension of the street grid and public facilities along the street grid in conformance with the comprehensive plan map and text amendments as shown in Exhibit Be, attached hereto and thereby incorporated herein;

WHEREAS, the City of Vernonia has coordinated with Columbia County regarding the proposed UGB adjustment and related plan map and text amendments and the Columbia County Board of Commissioners is scheduled to hold a public hearing to review and co-adopt these comprehensive plan amendments;

WHEREAS, the City of Vernonia has provided notice to the Department of Land Conservation and Development of the proposed UGB adjustment at least 35 days prior to the first evidentiary hearing before the City as required by ORS 197.610;

WHEREAS, on April 17th, 2023, after considering the recommendation of the Planning Commission and evidence and argument in the record, the City Council held a duly noticed public hearing on the application and voted to adopt Ordinance 939, An Ordinance of the City of Vernonia Amending the Urban Growth Boundary, which would only become effective following the Columbia County Board of Commissioners' Order co-adopting the UGB adjustment;

WHEREAS, following the Vernonia City Council adoption of Ordinance 939, when it was discovered that several properties proposed for removal from the UGB were served by City water and sewer, and therefore could not legally be removed from the UGB, the proposed UGB amendment was revised to keep those properties served by City water and sewer within the UGB.

WHEREAS, following the Vernonia City Council adoption of Ordinance 939, and considering public testimony regarding possible wetlands received on the April 17th, 2023 public hearing, the UGB adjustment was revised to include a study of potential wetlands in the area to be added to the Urban Growth Boundary and revised the demonstration street grid and buildable land calculations to reflect potential wetlands in the area proposed to be added to the UGB.

WHEREAS, on September 19th, 2023, after considering the recommendation of the Planning Commission and evidence and argument in the record, the City Council held a duly noticed public hearing on the application; and

WHEREAS, the Vernonia City Council upon consideration of all testimony, comments, the staff reports and findings found in Exhibit C attached hereto and thereby incorporated herein, and determined that the UGB adjustment and accompanying comprehensive plan map and text amendments are appropriate and necessary to better achieve the goals and policies of the City's comprehensive plan and statewide planning goal requirements;

NOW THEREFORE, the City Council of Vernonia does ordain as follows:

Section 1. Ordinance No. 939 is hereby repealed.

Section 2. The City Council hereby amends the UGB by removing 6 properties and adding 13 properties identified in Exhibit A. Such properties added are hereby made a part of the City of Vernonia Urban Growth Boundary and such properties removed are no longer part of the City of Vernonia Urban Growth Boundary.

Section 3. The City Council hereby adopts comprehensive plan map and text amendments that assign a Residential plan designation to the properties added to the UGB and encourages the extension of the existing street grid to these properties upon annexation to the City. The full comprehensive plan map and text amendment package is attached as Exhibit B.

Section 4. The territories involved in the UGB adjustment are real property in the County of Columbia, State of Oregon, listed as follows:

Properties withdrawn from the Urban Growth Boundary:

Tax Lots: 4N4W0500001000, 4N4W04CB06900, 4N4W05DA06600
4N4W05DD01300, 4N4W05DD01200, 4N4W05DD01100.

Properties added to the Urban Growth Boundary:

Tax Lots: 4N4W04AV00200, 4N4W04AB01000, 4N4W04AB00100, 4N4W04AB01700, 4N4W04AB01701,
4N4W040000200, 4N4W040000102, 4N4W04AC00100, 4N4W04AC00102, 4N4W04AC00101,
4N4W04AC00103, 4N4W04AC00104, 4N4040000401

The areas removed and added to the UGB are further illustrated on the map attached as Exhibit A.

Section 5: This Ordinance becomes effective 30 days after signing by the Mayor and following the Columbia County Board of Commissioners' Order co-adopting the UGB adjustment and comprehensive plan amendment package as described in Section 1 of this document.
(Must read in full if requested)

First reading as read by title only this 16 th day of October 2023, by the following vote:

Ayes: 3 Nays: 0 Abstain: 0 Absent: 2

Second reading adopted as read by title only for a second time and passed this 16 th day of October, 2023 by the following vote:

Ayes: 3 Nays: 0 Abstain: 0 Absent: 2


Rick Hobart, Mayor

Attest: 
Stephanie Borst, City Recorder