June 14, 2012

Scott Burge, Mayor  
City of Scappoose  
33568 E Columbia Avenue  
Scappoose, Oregon 97056

Tony Hyde, Chair  
Columbia County Board of Commissioners  
230 Strand Street 331  
St. Helens, Oregon 97051

Re: Approval of Scappoose Urban Growth Boundary Amendment (Order 001816)

On February 8, 2012 the city of Scappoose, on behalf of itself and Columbia County, submitted a decision to amend the urban growth boundary and related sections of the Scappoose comprehensive plan and implementing ordinances. I am pleased to inform you that the director of the Department of Land Conservation and Development has approved the submittal. This letter constitutes the order approving the submittal pursuant to OAR 660-025-0150(1)(a).

The department received three letters containing 12 objections to the submittal in response to the local government’s notice of decision. Based on the department’s analysis of Scappoose’s submittal and substantial evidence in the record, the department finds that the city’s submittal complies with relevant goal and rule requirements and is therefore approved.

Because the department received valid objections to the submittal, this order is subject to appeal to the Land Conservation and Development Commission as provided for in OAR 660-025-0150(6) and (7). Appeals of the director’s decision must be filed in the department’s Salem office within 21 days of this order. The appeal deadline is July 5, 2012. If no appeals are filed, this approval is final and the urban growth boundary amendment is deemed acknowledged.

Please contact Anne Debbaut, your regional representative, at (503) 804-0902 or anne.debbaut@state.or.us, if you have any questions or need further assistance.

Yours truly,

Rob Hallyburton  
Community Services Division Manager

cc: John Hanken, Scappoose City Manager (e-mail)  
Brian Varricchione, Scappoose Planning Services Manager (e-mail)  
Todd Dugdale, Columbia County Land Development Services Director (e-mail)  
Jeff Bennett, Jordan Ramis, PC (e-mail)  
Objectors  
DLCD staff (AD; TH; GH; LF (e-mail))
I. SUMMARY OF DECISION

The Department of Land Conservation and Development (department) finds actions of the city of Scappoose (hereafter, “the city”) and Columbia County to amend the Scappoose urban growth boundary (UGB) to include an additional 380 acres for commercial, industrial and institutional uses, and related amendments, complies with the statewide planning goals, related statutes and implementing administrative rules, based on the findings and conclusions contained in this report. The submittal is approved. See also section VI of this report.

II. REVIEW PROCEDURES AND CRITERIA

As set forth in Oregon Administrative Rule (OAR) 660-025-0175, a city with a population of 2,500 or more within its UGB that is amending the boundary to include more than 50 acres must submit its final decision to the department according to the requirements for a periodic review task submittal in OAR 660-025-0130 and 660-025-0140. Review and decision-making on the submittal must follow the procedures and requirements for review and decision of a work task submittal in OAR 660-025-0085, and 660-025-0140 to 660-025-0160.

A. Director Review

OAR 660-025-0150(1) provides that, in response to a submittal, the director may take action as follows:

(a) Issue an order approving the completed work task;
(b) Issue an order remanding the work task to the local government including a date for resubmittal;
(c) Refer the work task to the commission for review and action; or
(d) The director may issue an order approving portions of the completed work task provided these portions are not affected by an order remanding or referring the completed work task.

OAR 660-025-0150(9) states that the director’s standard of review is the same that for the commission as provided in OAR 660-025-0160(2), as follows:

(a) For evidentiary issues, whether there is substantial evidence in the record as a whole to support the local government’s decision.
(b) For procedural issues, whether the local government failed to follow the procedures applicable to the matter before the local government in a manner that prejudiced the substantial rights of a party to the proceeding.

(c) For issues concerning compliance with applicable laws, whether the local government’s decision on the whole complies with applicable statutes, statewide land use planning goals, administrative rules, the comprehensive plan, the regional framework plan, the functional plan and land use regulations. The commission shall defer to a local government’s interpretation of its comprehensive plan or land use regulation in the manner provided in ORS 197.829 or to Metro’s interpretation of its regional framework plan or functional plans. For purposes of this subsection, “complies” has the meaning given the term “compliance” in the phrase “compliance with the goals” in ORS 197.747.

A director’s decision approving or partially approving the submittal may be appealed to the commission only by a person who filed a valid objection (OAR 660-025-0150). Appeals of a director’s decision must be filed with the department’s Salem office within 21 days of the date the director’s action was mailed.

B. Review Criteria

The substantive criteria for this UGB amendment include Goal 14; OAR chapter 660, division 24; and Oregon Revised Statutes (ORS) 197.298. Some of these provisions include other goals and rules by reference.

Goal 14 provides, among other things:

Establishment and change of urban growth boundaries shall be based on the following: (1) Demonstrated need to accommodate long range urban population, consistent with a 20-year population forecast coordinated with affected local governments; and (2) Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space, or any combination of the need categories in this subsection (2).

In determining need, local government may specify characteristics, such as parcel size, topography or proximity, necessary for land to be suitable for an identified need.

OAR chapter 660, division 24 provides guidance and requirements for completing the land need determination under Goal 14. OAR 660-024-0040(5) states that, for employment land, a city demonstrates compliance with Goal 14 need factors by showing compliance with Goal 9 and OAR chapter 660, division 9. Goal 9 requires that comprehensive plans provide opportunities for a variety of economic activities, based on inventories of areas suitable for increased economic growth taking into consideration current economic factors. The goal requires that comprehensive plans provide for at least an adequate supply of suitable sites for a variety of industrial and commercial uses, and limit incompatible uses to protect those sites for their intended function.
OAR chapter 660, division 9 implements Goal 9 and directs local governments to “link planning for an adequate land supply to infrastructure planning, community involvement and coordination among local governments and the state,” and “to assure that comprehensive plans are based on information about state and national economic trends.” OAR 660-009-0000. OAR 660-024-0040(5) states that employment land need may be based on an estimate of job growth over the planning period. Local government must provide a reasonable justification for the job growth estimate, but Goal 14 does not require that job growth estimates necessarily be proportional to population growth.

OAR chapter 660, division 24 provides direction about how to incorporate analysis and findings addressing Goal 9 during a UGB review. OAR 660-024-0040(1), in addition to reiterating the two criteria from Goal 14 quoted in the previous paragraph, states that the 20-year need determinations “are estimates which, although based on the best available information and methodologies, should not be held to an unreasonably high level of precision.”

III. BACKGROUND AND DESCRIPTION OF SUBMITTAL

The city made the final decision regarding adoption of an amendment to its UGB on April 18, 2011. This amendment expanded the UGB by approximately 380 acres to accommodate planned commercial and industrial growth. In reaching this decision, the city updated its coordinated population forecast in the comprehensive plan, performed an EOA, revised portions of the comprehensive plan regarding future commercial and industrial development, amended the comprehensive plan map, and updated its development code. Columbia County affirmed the decision on October 26, 2011. The city submitted the jointly approved decision to the department on February 8, 2012.

The city explored its options to fulfill employment needs and began preparation of an EOA in 2009. The employment land need identified in the EOA exceeded the employment land supply available within the city’s existing UGB.

Following a series of public hearings with the Scappoose Planning Commission and city council, the city council approved a UGB expansion of 380 acres to accommodate employment land. The city then submitted an application for the city’s adopted UGB expansion to Columbia County for approval and the county initiated public hearings.

A local initiative to require voter approval of the UGB expansion decision by the city council was successful. The city council’s decision to approve the UGB expansion was placed on a ballot for voter approval and held in September 2011. The county’s public hearing process was continued, pending the outcome of the vote. The city’s electorate voted to approve the UGB expansion, at which point Columbia County resumed public hearings. After holding several public hearings with the Columbia County Planning Commission and the board of county commissioners, Columbia County approved the UGB expansion of about 380 acres.
IV. OBJECTIONS AND DLCD RESPONSE

A. Objections Received

The department received objections from three parties during the objection phase of the review, which ended on February 29, 2012. Objections were received from the following parties:

1. 1000 Friends of Oregon
2. Michael F. Sheehan
3. Ad hoc group of 35 individuals

B. Validity of Objections

OAR 660-025-0140(2) provides that in order for an objection to be valid, it must:

(a) Be in writing and filed no later than 21 days from the date the city mailed the notice;
(b) Clearly identify an alleged deficiency in the submittal sufficiently to identify the relevant section of the final decision and the statute, goal, or administrative rule the task submittal is alleged to have violated;
(c) Suggest specific revisions that would resolve the objection; and
(d) Demonstrate that the objecting party participated at the local level orally or in writing during the local process.

The department received three letters of objection to the UGB amendment submittal. The department has analyzed the validity of each objection and all were determined to be valid. Therefore, all of the objections are addressed in subsection C, below.

C. Individual Objections and DLCD Responses

1. 1000 Friends of Oregon

1000 Friends submitted a letter containing 11 objections. Objections 1 through 5 allege deficiencies in the employment forecast generated by the city and used in the decision-making process on the UGB amendment. Objections 6 and 7 address how employment was allocated to zones within the UGB. Objection 8 alleges deficiencies with the findings and conclusions in the EOA regarding needed site characteristics for employment uses, specifically site size. Objections 9 and 10 challenge the findings and conclusions regarding the need for an airport expansion. Objection 11 alleges deficiencies in the industrial lands inventory used to support the EOA.

a. Objections 1–11, Goal 2, Substantial Evidence. All 11 objections wholly or in part rest on a contention that the decision violates the Goal 2 requirement that decisions amending a comprehensive plan be supported by an adequate factual base. The department shall address the Goal 2 allegations for all the objections together, and follow with a response to individual objections related to rule violations.

Employment land planning is guided by Goal 9 and OAR chapter 660, division 9. The intent is to ensure that communities have employment sites to provide adequate
opportunities for a variety of economic activities. One of the products of comprehensive planning under Goal 9 is the total land supply, generally expressed in suitable sites, but it could be an acreage figure. The estimation of total land supply is the result of a series of policy choices and cannot be derived by applying a formula. A city must explore options and assemble the facts needed to sufficiently inform its policy choices.

Cities use an economic opportunities analysis (EOA) to explore and document the information, analyses and policy choices that determine the total land supply. A city uses an EOA to define community objectives, likely opportunities, suitable sites and adequate supply for its circumstances.

Although OAR 660-009-0015(1) requires that the review of trends be the principal basis for estimating future employment land uses, the rule does not specify or limit acceptable methods to determine employment land need. Trends are any variety of significant influences a city judges will affect its future; they are not limited to historical activity extrapolated into the future. It is up to local governments to assemble an adequate factual basis and select methods of analysis appropriate to its circumstances and community objectives. A city’s planning efforts are sufficient to achieve compliance when it reviews a variety of trends that may influence its estimate of future employment land uses, defined the site types and site characteristics it will use, estimated the likely employment uses and number of sites it will need, assembled an inventory of existing employment land available for development, and adopted policies to implement its findings.

The record submitted with the UGB amendment shows that the city considered a variety of evidence and testimony to reach its conclusion. The department requested, and the city provided, an organized illustration of its evidentiary record. Refer to the Record Location Table in Attachment A. The first column shows the various documents and sources. The next five columns show the documents relied on in the decision-making process from the conclusion backward through the necessary components supporting that conclusion all the way to the community objectives that are the basis for the planning. The intervening columns point to record locations for the land need analysis, relevant and important evidence the city relied upon and consideration of other evidence.

In response to 1000 Friends’ substantial evidence objections, the department’s review considered the city’s decision in light of the whole record. Where the evidence in the record is conflicting, if a reasonable person could reach the decision the city made in view of all the evidence in the record, the choice between the conflicting evidence belongs to the city. Because the administrative rule grants cities significant latitude to establish the employment land need with policy determinations that have very few specific requirements, it is correspondingly difficult to demonstrate that a rule has been

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1 OAR 660-009-0005(13) defines “total land supply” as: “the supply of land estimated to be adequate to accommodate industrial and other employment uses for a 20-year planning period. Total land supply includes the short-term supply of land as well as the remaining supply of lands considered suitable and serviceable for the industrial or other employment uses identified in a comprehensive plan. Total land supply includes both vacant and developed land.” OAR 660-009-0005(1) defines that “developed land” as “non-vacant land that is likely to be redeveloped during the planning period.”
violated or that the decision should be remanded. The city’s decision must be one that a reasonable person could reach when the record is viewed in the whole.

The department finds that the UGB decision is based on an adequate factual base, and that the city and county properly considered the evidence in the whole record in making its decision. In each objection, 1000 Friends disagrees with the conclusion made by the local jurisdictions because it interprets the evidence differently. That does not establish a violation of Goal 2.

**b. Objection 1, Employment Data.** This objection is based on the fact that new employment data became available as the city’s planning proceeded and states the city needed to use it. The objector contends the decision violates OAR 660-009-0010(5)\(^2\) and Goal 2 because failure to use the latest data is inconsistent with the rule’s requirement to use the “best available or readily collectable information” and does not provide an adequate factual base. A city is not required to restart its analysis each time new information becomes available. The department disagrees that the cited rule requires what the objector contends; the rule does not require or imply that studies must be amended to address data that becomes available in the middle of a study. See subsection IV.C.1.a regarding Goal 2. The city made reasonable conclusions based on data that was available at the time the study took place. This objection is denied.

**c. Objections 2–4, Adequacy of Employment Forecast.** These three objections contend that the EOA violates OAR 660-009-0010(5) (footnote 2), OAR 660-009-0015(1),\(^3\) and Goal 2 for various reasons. Objection 2 alleges that the EOA’s employment forecast overestimates likely future employment because it assumes continuation of high growth rates experienced during a relatively short period. Objection 3 contends the EOA makes an unreasonable determination regarding the amount of regional employment growth Scappoose will capture. Objection 4 alleges deficiencies in the EOA’s assumption that a UGB expansion will lead to employment growth beyond the historical trend.

OAR 660-009-0010(5) does not contain any requirements, so the EOA cannot fail to comply. This rule provides guidelines regarding “effort” in order to recognize variation

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\(^2\) OAR 660-009-0010(5) states: “The effort necessary to comply with OAR 660-009-0015 through 660-009-0030 will vary depending upon the size of the jurisdiction, the detail of previous economic development planning efforts, and the extent of new information on national, state, regional, county, and local economic trends. A jurisdiction’s planning effort is adequate if it uses the best available or readily collectable information to respond to the requirements of this division.”

\(^3\) OAR 660-009-0015(1) states: “The economic opportunities analysis must identify the major categories of industrial or other employment uses that could reasonably be expected to locate or expand in the planning area based on information about national, state, regional, county or local trends. This review of trends is the principal basis for estimating future industrial and other employment uses as described in section (4) of this rule. A use or category of use could reasonably be expected to expand or locate in the planning area if the area possesses the appropriate locational factors for the use or category of use. Cities and counties are strongly encouraged to analyze trends and establish employment projections in a geographic area larger than the planning area and to determine the percentage of employment growth reasonably expected to be captured for the planning area based on the assessment of community economic development potential pursuant to section (4) of this rule.”
among jurisdictions and establish a threshold level. The objector has not contended that Scappoose’s planning efforts were inadequate. The department finds the EOA contains the “best available or readily collectable information” on employment trends and capture rate, and the objector has not cited a better source.

OAR 660-009-015(1) requires identification of employment uses expected to locate or expand in the area (in this case, the Scappoose UGB), based on an analysis of trends. The objections do not allege that the EOA fails to contain this information or that the information is deficient.

The objections do not explain why the alleged deficiencies in the employment forecast undermine the employment land needs analysis. Regarding objection 2, the EOA does not base the employment projection solely on the historic period the objection alleges. The 2003-2007 employment trends are reported, but there is no indication that the adopted forecast is a mere projection of this trend as the objector contends. The EOA states: “The projections are based on the current estimated total employment in Figure 24. From this starting point, the forecast utilizes the City of Scappoose historical growth rates by industry (Figure 25), interviews with State and local officials as well as the State of Oregon Region 1 projected growth rates by sector (Figure 25) to project employment through 2030.” Record at 94.

Regarding objection 3, the EOA does not use the employment forecast alone to calculate employment land need. It is only as part of the information leading up to a site needs based conclusion. Record at 21.

Regarding objection 4, the purpose of employment land planning is to identify opportunities, determine the types and characteristics of sites needed to attract employers, estimate at least an adequate number of sites, and to accommodate the needed number of suitable sites for the 20-year planning period. The city’s intention is to deviate from the historic trend by providing more employment for its citizens. See economics policy 4. Record at 142.

See subsection IV.C.1.a of this report regarding Goal 2.

Objections 2, 3, and 4 are denied.

d. Objection 5, Employment-Population Forecast Agreement. This objection contends the employment forecast in the EOA is inconsistent with the city’s adopted population forecast because the rates of increase are considerably different and the resulting jobs-per-resident ratio is uncommonly high. The objector contends this violates OAR 660-024-0040(1) and Goal 2. As previously indicated, the city does not use the employment forecast alone to calculate employment land need.

OAR 660-024-0040(1) states: “The UGB must be based on the adopted 20-year population forecast for the urban area described in OAR 660-024-0030, and must provide for needed housing, employment and other urban uses such as public facilities, streets and roads, schools, parks and open space over the 20-year planning period consistent with the land need requirements of Goal 14 and this rule. The 20-year need determinations are estimates which, although based on the best available information and methodologies, should not be held to an unreasonably high level of precision.”
forecast as a sole determinate of land need. Record at 21. As is made clear in OAR 660-024-0040(5), proportionality is not required.\(^5\) The record includes an explanation of why the two forecasts are not parallel. Record at 359–362. The department finds this analysis adequate in light of not holding the city to an unreasonably high expectation regarding precision when the employment forecast wasn’t the sole basis for determining land need. See subsection IV.C.1.a of this report regarding Goal 2. This objection is denied.

**e. Objections 6 and 7, Allocation of Employment Forecast.** These two objections are based solely on an alleged violation of Goal 2/substantial evidence. See subsection IV.C.1.a of this report regarding Goal 2. The department finds that the quantity of land affected by home-based businesses and “other services” to be inconsequential. These objections are denied.

**f. Objection 8, Site Characteristics.** This objection alleges that the EOA’s findings regarding site characteristics and the need for large lots for employment violate OAR 660-009-0015(2),\(^6\) OAR 660-009-0005(11),\(^7\) and Goal 2. The specific allegation is that the record does not contain evidence or findings for the EOA’s conclusions regarding demand for employment sites by parcel size. Site types and characteristics do not exist independent of the EOA. OAR 660-009-0015(2) grants latitude to the city to create site categories to suit its needs. Site characteristics may then be attached to the site categories provided they are typical and reasonably related to the use.

The objection states, “The record contains no explanation for how these figures were derived, and no substantial evidence demonstrating an actual need for large lots in any category.” 1000 Friends, February 23, 2012 at 22. To the contrary, Section VI of the EOA explains the assumptions regarding required site types and this analysis is supported by information in the technical appendix. Record at 103–131.

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\(^5\) OAR 660-024-0040(5) states: “. . .the determination of 20-year employment land need for an urban area must comply with applicable requirements of Goal 9 and OAR chapter 660, division 9, and must include a determination of the need for a short-term supply of land for employment uses consistent with OAR 660-009-0025. Employment land need may be based on an estimate of job growth over the planning period; local government must provide a reasonable justification for the job growth estimate but **Goal 14 does not require that job growth estimates necessarily be proportional to population growth.** (emphasis added)

\(^6\) OAR 660-009-0015(2) states: “The economic opportunities analysis must identify the number of sites by type reasonably expected to be needed to accommodate the expected employment growth based on the site characteristics typical of expected uses. Cities and counties are encouraged to examine existing firms in the planning area to identify the types of sites that may be needed for expansion. Industrial or other employment uses with compatible site characteristics may be grouped together into common site categories.

\(^7\) OAR 660-009-0005(11) states: “‘Site Characteristics’ means the attributes of a site necessary for a particular industrial or other employment use to operate. Site characteristics include, but are not limited to, a minimum acreage or site configuration including shape and topography, visibility, specific types or levels of public facilities, services or energy infrastructure, or proximity to a particular transportation or freight facility such as rail, marine ports and airports, multimodal freight or transshipment facilities, and major transportation routes.”
OAR 660-009-0005(11) is a definition and contains no substantive criteria, so the EOA cannot be out of compliance with this rule section.

See subsection IV.C.1.a of this report regarding Goal 2.

This objection is denied.

**g. Objection 9, Runway Extension.** This objection asserts that Scappoose has failed to provide an adequate factual base to justify including 50 acres in the UGB for a future runway expansion area, and contends that this violates OAR 660-024-0040(1), Goal 14, and Goal 2. The objection refers to and includes the full text of the “2004 Airpark Master Plan Update for Scappoose Industrial Airport Plan” (Airpark plan).

The objection does not state how the UGB amendment violates the cited goals and rules, but the letter does address “need.” Goal 14 contains two “need factors” and OAR 660-024-0040(1) (footnote 4) provides additional detail on what must be addressed to establish need for a UGB expansion.

The objector notes that the Airpark plan does not include planned expansion of the runway. 1000 Friends, February 23, 2012 at 25. The planning period for the Airpark plan (2022) is not the same as the city’s economic development planning (2030), so the absence of a need demonstrated in the Airpark plan is not determinative.

The city concluded that there is a need for 110 acres for institutional sites, including 50 acres for a future runway extension. This need is established in the city’s EOA. Record at 104, 136-138, 262-263, 335, 1305, and 1316. See also Attachment A. The record contains a letter from the Port of St. Helens supporting the city plan to address the airpark’s future needs. Record at 335.

A city may plan for institutional uses under Goal 9 and OAR chapter 660, division 9. The department concludes that there is an adequate factual base in the record to establish a need for airport operations-related sites under Goal 9. Although the Airpark plan does not currently call for a runway extension, there is evidence in the record for the need. Because the EOA and Airpark plan have different planning periods, they do not create conflicting provisions within the city’s comprehensive plan.

This objection is denied.

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8 “Establishment and change of urban growth boundaries shall be based on the following: (1) Demonstrated need to accommodate long range urban population, consistent with a 20-year population forecast coordinated with affected local governments; and (2) Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space, or any combination of the need categories in this subsection (2).

“In determining need, local government may specify characteristics, such as parcel size, topography or proximity, necessary for land to be suitable for an identified need . . . .”
h. Objection 10, Hangar Facilities. This objection asserts that Scappoose has failed to provide an adequate factual base to justify including 40 acres inside the UGB for a future hangar facilities, and that this violates Goal 14, OAR 660-024-0040(1), and Goal 2.

The city concluded that there is a need for 110 acres for institutional sites, including 40 acres for hangars. This need is established in the city’s EOA under Goal 9. See Record at 104, 136-138, 262-263, 335, 1305, and 1316, and Attachment A. The runway and hangar analysis are co-located in the record. The objector cites the Airpark plan and notes that it does not include planned additional hangar facilities. 1000 Friends, February 23, 2012 at 25. As noted in the previous section, the Airpark plan was completed for a different time period than the UGB amendment, so it cannot be solely relied upon for airport and related land need analyses.

A hangar is not solely an air transportation facility operated only by an airport, but can be, and in this case is proposed as a through-the-fence employment site related to the institutional airpark operated by the Port of St. Helens. The additional capacity is, therefore, a component of the city’s economic development strategy, not simply a function of airport needs.

The department concludes the city established a need for the land for additional hangar facilities based on adequate evidence. This objection is denied.

i. Objection 11, Employment Land Inventory. This objection relates to the included inventory of vacant and developed employment land in the EOA. The objector asserts that the employment land inventory does not provide an adequate factual basis to exclude five lots from the inventory of vacant employment land and four lots from the inventory of developed lands likely to redevelop during the planning period. The objector contends this violates OAR 660-009-0015(3), OAR 660-024-0050(1) and (4), Goal 14, and Goal 2.

OAR 660-009-0015(3) requires an inventory of vacant and developed lands within the planning area designated for industrial or other employment use. For the purpose of inventories, OAR 660-009-0005(1) defines “developed land” as non-vacant land that is likely to be redeveloped during the planning period. No other definition or criteria are provided, so a city may use reasonable criteria of its choosing to identify these lands. The objection notes that the city’s inventory assumed that sites larger than five acres with only farm or residential improvement would be available for redevelopment. 1000 Friends, February 23, 2012 at 30. The department notes that this analysis determined that small sites with improvements, and larger sites with more significant improvements than a house or a farm, would not be considered as likely to redevelop during the planning period. The department concludes that this analysis is reasonable and complies with the rule.

OAR 660-009-0005(14) defines vacant land.9 As noted immediately above, OAR 660-009-0015(3) requires an inventory of land designated for employment uses. However, the

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9 OAR 660-009-0005(14) states: “‘Vacant Land’ means a lot or parcel: (a) Equal to or larger than one half-acre not currently containing permanent buildings or improvements; or (b) Equal to or larger than five acres where less than one half-acre is occupied by permanent buildings or improvements.”
existing land supply determination is different for employment land than it is for residential land. For residential lands, the buildable lands inventory concept defines the existing land supply. For employment, the inventory of land currently designated for employment is only the first step toward determining whether the land supply is adequate. The second step is to eliminate existing sites that do not meet the site criteria attached to the needed site types. OAR 660-009-0025. This second step, screening, prevents cities from being limited to an inventory of sites that are not viable for expected employment opportunities. This is a deliberate feature of land need analysis procedures.

The objection points to sites on Map 4 of appendix 1. Record at 265. The department notes that this map is the map of suitable land after both step 1 (the inventory) and step 2 (site suitability) have been applied. It is not merely the inventory of land currently designated for employment. The objection does not explain the analysis after the application of site suitability criteria. Nevertheless, the department requested and the city provided a table of record locations to explain the analysis of existing lands. See Attachment A.

The department concludes that the city conducted extensive analysis leading up to its findings, and that substantial evidence exists in the record to support its decision. This objection is denied.

2. Michael F. Sheehan
Mr. Sheehan submitted a letter that reiterated all of 1000 Friends of Oregon’s objections plus one additional objection related to a 20-acre site for a community college. See subsection IV.C.1 of this report for the department’s response to 1000 Friends’ objections. The objector asserts that Scappoose failed to provide an adequate factual base to justify including 20 acres inside the UGB for a future community college facility.

The city concludes that there is a need for 110 acres for institutional sites, including 20 acres for a community college facility. This need is established in the city’s EOA under Goal 9. The department requested and the city provided a table of record locations to explain its analysis. The record contains testimony to the need and required site characteristics. Record at 1465, 2020, 2027, and 2097-2101. See also Attachment A. The department concludes that it is reasonable to find an opportunity and need exists for a community college-type workforce training facility at an industrial airpark provided the city relied on substantial evidence in the record. The department concludes that the city relied on testimony of economic development and other public officials for that evidence. Record at 963, 1465, 1520, 2020, 2027, 2098, and 2100.

The department concludes that there is an adequate factual base in the record to establish a site need for a community college-type training institution under Goal 9. This objection is denied.

3. Ad hoc group.
A letter signed by 35 people reiterated all of 1000 Friends of Oregon’s objections. See subsection IV.C.1 of this report for the department’s response to 1000 Friends’ objections.
V. DLCD Review

All of the objections addressed in Section IV of this report relate to the need for additional land in the UGB. The department’s review found no compliance issues related to land need not addressed above. The decision on the location of the amended boundary is also subject to review for compliance with requirements found in Goal 14 and ORS 197.298. The department reviewed the submittal and found the decision complies with the relevant criteria.

VI. OVERALL CONCLUSIONS AND DECISION

The city of Scappoose and Columbia County jointly adopted amendments to the Scappoose Comprehensive Plan and submitted them to the department for review in the manner provided for periodic review. The submittal consists of the following:

1. Amendments to the Scappoose urban area comprehensive plan
   a. Economy chapter, including a new Economic Opportunities Analysis (EOA) and Airport Employment plan map designation and updated goals and policies;
   b. Public Facilities and Services policies;
   c. Urban Growth Boundary chapter, including goals and policies;
   d. The UGB location;
   e. Plan map designations;
2. A new Airport Employment Overlay Zone; and
3. Findings of fact and conclusions.

The department finds actions of the city of Scappoose and Columbia County to amend the Scappoose UGB to include an additional 380 acres for commercial, industrial and institutional uses, and related amendments, complies with the statewide planning goals, related statutes and implementing administrative rules, based on the findings and conclusions contained in this report. The local decisions rely on an adequate factual and are reasonable based on the evidence in the whole record.

All objections to the submittal are denied. The submittal is approved.

ATTACHMENT

A. Record locations chart
City of Scappoose UGB Amendment: Record locations for items identified in 3/5/12 letter from DLCD

ATTACHMENT A

<table>
<thead>
<tr>
<th>Applicable documents</th>
<th>Substantial evidence - land need</th>
<th>Inventory</th>
<th>Coordination</th>
<th>Runway extension area</th>
<th>Community college area</th>
</tr>
</thead>
<tbody>
<tr>
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<td>92-104</td>
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