



PLANNING COMMISSION

Tuesday, August 12, 2025 at 6:30 PM
HYBRID: Council Chambers & Zoom (details below)

AGENDA

1. **6:30 P.M. CALL TO ORDER & FLAG SALUTE**
 2. **TOPICS FROM THE FLOOR** (Not on Public Hearing Agenda): Limited to five minutes per topic
 3. **CONSENT AGENDA**
 - A. Planning Commission Minutes Dated July 8, 2025
 4. **PUBLIC HEARING AGENDA** (times are earliest start time)
 - B. 6:30pm Annexation of 58506 Kavanagh Street-Mark Comfort
 - C. 6:45pm Conditional Use Permit for 2615 Sykes Road-Presbytery of the Cascade
2400 Gable Road Nationwide Health Properties/City of St. Helens
 5. **PLANNING DIRECTOR DECISIONS** (previously e-mailed to the Commission)
 - D. Sign Permit-1750 Old Portland Road/Dale Clark Signs
 - E. Sensitive Lands Permit- Across from 201 Port Ave/City of St. Helens
 6. **DISCUSSION ITEMS**
 - F. Architectural review- New door for Courthouse Annex 230 Strand
 - G. Planning Commission Attendance Policy Discussion, Continued
 7. **PROACTIVE ITEMS**
 - H. Architectural Standards
 - I. Vacant and Underutilized Storefronts
 8. **PLANNING DEPARTMENT ACTIVITY REPORT**
 9. **FOR YOUR INFORMATION ITEMS**
 10. **ADJOURNMENT**
- NEXT REGULAR MEETING:**
- J. September 9, 2025 6:30pm

VIRTUAL MEETING DETAILS

Zoom:<https://us06web.zoom.us/j/88392758462?pwd=bVSsFI9RT9NbamO7lbnmGXmhbQ0rueD.1>

Meeting ID: 883 9275 8462

Call in: 1 253 215 8782

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to City Hall at 503-397-6272.

Be a part of the vision and get involved...volunteer for a City Board or Commission! For more information or for an application, go to www.sthelensoregon.gov or call 503-366-8217.



PLANNING COMMISSION

Tuesday, July 08, 2025 at 6:30 PM

DRAFT MINUTES

Members Present:	Chair Jennifer Shoemaker Vice Chair Brooke Sisco Commissioner Charles Castner Commissioner David B Rosengard Commissioner Scott Jacobson Commissioner Reid Herman
Members Absent:	Commissioner Trina Kingsbury
Staff Present:	City Planner Jacob Graichen Associate Planner Jennifer Dimsho Community Development Administrative Assistant Angelica Artero
Council Members:	Councilor Russel Hubbard Councilor Mark Gunderson
Others:	Brady Preheim Marci Sanders Erin Salisbury Steven Toschi Robin Toschi

1. 6:30 P.M. CALL TO ORDER & FLAG SALUTE

2. TOPICS FROM THE FLOOR (Not on Public Hearing Agenda): Limited to five minutes per topic

Preheim, Brady. Preheim objected to Commissioner Castner and Commissioner Rosengard being on the Commission. He expressed approval of the attendance policy discussion and hoped it would be enforced. Preheim criticized the recent decision to grant grace to a developer for the 325 Strand project after the fact, arguing it sets a bad precedent.

Toschi, Steve. Toschi raised concerns about the accuracy of the May 13th meeting minutes, particularly regarding testimony about unsafe construction conditions on the 325 Strand project. Toschi argued that the 325 Strand project did not meet the definition of a remodel and should have required a new review. Toschi also mentioned the need for a notice of decision on the grace given by City Planner Graichen and that he did not receive one.

3. CONSENT AGENDA

- A. Draft Minutes dated May 13, 2025

Chair Shoemaker noted two corrections on the May 13, 2025, Minutes.

Motion: Upon Commissioner Rosengard's motion to approve the minutes with the corrections as outlined by Chair Shoemaker, Commissioner Herman seconded the motion. [**AYES:** Vice Chair Sisco, Commissioner Castner, Commissioner Rosengard, Commissioner Herman, Commissioner Jacobson]

NAYS: none.

4. DISCUSSION ITEMS

- B. Planning Commission Attendance Policy Discussion

Chair Shoemaker shared research on the attendance policy for the City of Portland. Shoemaker proposed three unexcused absences, non- consecutive, for the Planning Commission attendance policy. Chair Shoemaker asked Commissioner Rosengard to draft a proposal to send to all the Planning Commission to review.

5. PLANNING DIRECTOR DECISIONS (previously e-mailed to the Commission)

- C. Sign Permit at 161 St. Helens Street-Dale Clark/Parjit Singh
6:50pm
- D. Sign Permit at 50 Plaza Sq-Tom & Haley Borton/Herbert-Pugsley Living Trust
- E. Temporary Use Permit at 735 South Columbia River Highway- Bethel Fellowship/Brandon Smith
- F. Temporary Sign Permit at 2100 Block Columbia Blvd-Heather Epperly Agency
- G. Site Development Review at 495 N. Columbia River Highway- John Odom
- H. Sign Permit at 555 S Columbia River Highway Suite A-A to Z Signs
- I. Site Development Review (Minor) at 1271 Columbia Blvd- David & Mindy Sass
- J. Partition at 234 N 16th St- David Hiebert
- K. Site Development Review (Minor) at 550 Milton Way-Haley Baker
- L. Temporary Use Permit at 2295 Gable Rd-TNT Fireworks
- M. Temporary Sign Permit at 2100 Block Columbia Blvd-Columbia County Fair and Rodeo

There were no comments on Planning Director Decisions.

6. PROACTIVE ITEMS

- O. Architectural Standards

City Planner Jacob Graichen mentioned that architectural standard discussion was brought up during the June Joint City Council/Planning Commission meeting.

- P. Vacant and Underutilized Storefronts - St. Helens Mainstreet Alliance

Erin Salisbury & Marci Sanders spoke on behalf of St. Helens Main Street Alliance to spark ideas and conversation in regards to vacant and underutilized storefronts. Commissioner Castner and Commissioner Jacobson both expressed the method of what the city of Astoria uses for how to handle vacant storefronts. Salisbury said that Main Street has a data collection tool for vacant property listings

in the area. Salisbury and Sanders said they are happy to share and work with the Planning commission to share data.

Commissioner Jacobson will still be lead in efforts on gathering data and will work with Salisbury on obtaining access to the data tool for vacant storefronts. Chair Shoemaker raised concerns about businesses with limited operating hours and asked to incentivize longer hours. They discussed the complexity of the issue and the need for a holistic approach. The Planning Commission and Main Street Alliance both agreed on the importance of building relationships and understanding the unique circumstances of each property. They also discussed the need to be mindful of limited City staff resources when considering new initiatives or enforcement measures.

7. CITY COUNCIL LIAISON REPORT

Councilor Hubbard reported positive progress on the police station project. Hubbard also mentioned a recent presentation by a developer to the City Council, noting the developer's positive impression of St Helens' proactive approach to development compared to other cities.

8. FOR YOUR INFORMATION ITEMS

Farewell, safe travels and thank you Associate Planner Jenny Dimsho!

9. ADJOURNMENT

There being no further business before the Planning Commission, the meeting was adjourned at 7:46pm.

Respectfully submitted,

Angelica Artero

Community Development Administrative Assistant

**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Annexation A.3.24**

DATE: August 5, 2025
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: Mark Comfort
OWNER: Thomas Mahaffey

ZONING: Columbia County's General Commercial, C-3
LOCATION: 58506 Kavanagh Street (Avenue)
PROPOSAL: The property owner filed consent to annex because they desired to connect to City sanitary sewer.

SITE INFORMATION / BACKGROUND

The subject property consist of one whole and one partial lot of the Golf Club Subdivision. It is more-or-less level with little topographic variation. It has been developed with a detached single-family dwelling since 1956, based on County Assessor records. There is a manufactured home placed more recently on the property via Columbia County Temporary Permit TP 25-01 as a "medical hardship." This is the cause for the needed public sewer connection.

PUBLIC HEARING & NOTICE

Public hearing before the Planning Commission for *recommendation to the City Council*: August 12, 2025. Public hearing before the City Council: August 20, 2025.

Notice of this proposal was sent to the Oregon Department of Land Conservation and Development on July 26, 2025 through their PAPA Online Submittal website.

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on July 18, 2025 via first class mail. Notice was sent to agencies by mail or e-mail on the same date.

Notice was published on July 25, 2025 in the Columbia County Spotlight newspaper.

AGENCY REFERRALS & COMMENTS

None.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

SHMC 17.08.040(1) – Quasi-judicial amendment and standards criteria

- (a) A recommendation or a decision to approve, approve with conditions, or to deny an application for a quasi-judicial amendment shall be based on all of the following standards:
 - (i) The applicable comprehensive plan policies and map designation; and that the change will not adversely affect the health, safety, and welfare of the community; and
 - (ii) The applicable Oregon Statewide Planning Goals adopted under ORS Chapter 197, until acknowledgment of the comprehensive plan and ordinances; and
 - (iii) The standards applicable of any provision of this code or other applicable implementing ordinance.
- (b) Consideration may also be given to:
 - (i) Any applicable evidence of change in the neighborhood or community or a mistake or inconsistency in the comprehensive plan or zoning map as it relates to the property which is the subject of the development application.

Discussion: (a)(i) The Comprehensive Plan designation for the subject property is Unincorporated Highway Commercial (UHC). Applicable designation and zoning district for annexation are discussed later.

There is no known conflict with the general Comprehensive Plan policies identified in Chapter 19.08 SHMC.

Note that SHMC 19.08.030 discusses public services and facilities and includes utility provisions (e.g., water and sewer) as well as services such as police and library. In sum, all services are intertwined; the consent to annexation allows connection to city sewer to support existing and future development on the subject property, and, once annexed, all other city services/facilities. Sewer and water capacity to serve this property is addressed in more detail under SHMC 17.28.030(1) below. By this review process, the proposal complies with this aspect of the Comprehensive Plan.

There is no known conflict with the specific Comprehensive Plan policies identified in Chapter 19.12 SHMC.

There is no known conflict with the addendums to the Comprehensive Plan which includes the Waterfront Prioritization Plan (Ord. No. 3148), the Transportation Systems Plan (Ord. No. 3150), the Corridor Master Plan (Ord. No. 3181), the Parks & Trails Master Plan (Ord. No. 3191), the Riverfront Connector Plan (Ord. No. 3241), the Housing Needs Analysis and (Ord. No. 3244), and the Economic Opportunities Analysis, Stormwater Master Plan, Wastewater Master Plan, and Water Master Plan (Ord. No. 3308).

Finally, there is no evidence that this proposal will be contrary to the health, safety, and welfare of the community.

(a)(ii) The City's Comprehensive Plan has been adopted by the State, thus, the applicable Oregon Statewide Planning Goals adopted under ORS Chapter 197 do not need to be analyzed per this section.

(a)(iii) In addition, Section 3 of the City's Charter states that "annexation, delayed or otherwise, to the City of St. Helens, may only be approved by a prior majority vote among the electorate." However, in 2016, the Oregon Legislature passed a bill which resulted in ORS 222.127 which

states that a city shall annex the territory without submitting the proposal to the electors if certain criteria are met:

1. Property is within the UGB
2. Property will be subject to the City's Comprehensive Plan
3. Property is contiguous to the City limits or is separated by only a public right of way or body of water
4. Property conforms to all other City requirements

The property is within the St. Helens UGB, is subject to the St. Helens Comprehensive Plan, is contiguous to city limits on all four sides, and conforms with other city requirements. As this proposal meets these criteria, this property will **not** be subject to a majority vote among the electorate.

Other provisions applicable to this proposal are discussed elsewhere herein.

(b) There is no evidence of a change in neighborhood, or mistake or inconstancy in the Comprehensive Plan or Zoning Map.

Finding: The quasi-judicial amendment and standards criteria are met.

SHMC 17.08.060 – Transportation planning rule compliance

- (1) Review of Applications for Effect on Transportation Facilities. A proposed comprehensive plan amendment, zone change or land use regulation change, whether initiated by the city or by a private interest, shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-012-0060 (the Transportation Planning Rule ("TPR")).
 "Significant" means the proposal would:
 - (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
 - (b) Change standards implementing a functional classification system; or
 - (c) As measured at the end of the planning period identified in the adopted transportation system plan:
 - (i) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - (ii) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP; or
 - (iii) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.
- (2) Amendments That Affect Transportation Facilities. Comprehensive plan amendments, zone changes or land use regulations that significantly affect a transportation facility shall ensure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the TSP. This shall be accomplished by one or a combination of the following:
 - (a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.
 - (b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of OAR 660-012-0060.
 - (c) Altering land use designations, densities, or design requirements to reduce demand for vehicle travel and meet travel needs through other modes of transportation.

- (d) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.
- (3) Traffic Impact Analysis. A traffic impact analysis shall be submitted with a plan amendment or zone change application, as applicable, pursuant to Chapter 17.156 SHMC.

Discussion: This section reflects State law regarding the Transportation Planning Rule (TPR): Transportation Planning Rule (TPR), OAR 660, Division 12. The TPR requires that where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures to assure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility. **Current zoning of the property is Columbia County’s Commercial-General (C-3) and the City’s only zoning option given annexation is Highway Commercial.**

Generally, when comparing potential land use impact on transportation facilities, the *reasonable worst case scenario* for the existing and proposed designation/zone are considered. The potential land uses are very similar for both the City and County. The City’s zoning is comparable to the County with regards to the possible intensity of uses allowed and potential vehicular trips generated. Thus, this proposal will not affect an existing or planned transportation facility.

Finding: No transportation facility will be significantly affected by this proposal. No traffic impact analysis is warranted.

SHMC 17.28.030 (1) – Annexation criteria

- (a) Adequate public facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area; and
- (b) Comply with comprehensive plan amendment standards and zoning ordinance amendment standards and not be in conflict with applicable comprehensive plan policies and implementing ordinances; and
- (c) Complies with state laws; and
- (d) Abutting roads must meet city standards or property owner will be required to sign and record an irrevocable consent to local improvement district; and
- (e) Property exceeding 10 acres in gross size must show a need on the part of the city for such land if it is designated residential (e.g., less than five years’ supply of like designated lands in current city limits).

Discussion: (a) Adequate public facilities.

Water – The site is currently connected to McNulty Water. The nearest City water is approximately 600 feet away within 1st Street including a wetland along this distance. McNulty Water is anticipated to continue to serve the site in the foreseeable future.

Sewer - The site connected to city sewer c. 2024 with associated Building Permit No. 15112.

With regards to *capacity*, the City’s wastewater treatment plant currently has a daily limit (physically and as permitted by DEQ) to handle over 50,000 pounds of Biochemical Oxygen Demand (BOD) and a monthly average limit of 26,862 pounds. This is the “loading” or potency

of the wastewater received by the plant. The average daily BOD is well below this at only 1,500 pounds. Sanitary sewer *capacity* is adequate.

With regards to *conveyance*, the city adopted a new **Wastewater Master Plan (WWMP)** in November 2021 that identifies undersized trunk lines already operating at or above capacity that further development of the subject property (e.g., land division creating new parcels) would depend on. The WWMP can be found here:

<https://www.sthelensoregon.gov/engineering/page/public-infrastructure-master-plans>

The city is actively addressing this issue, which could impact future development of the property regardless of its status of being in or outside of city limits. It is already connected to sanitary sewer and has been since 2024. This annexation does not by itself create additional sanitary sewer impact.

Transportation - As described above, this proposal poses no significant impact on a transportation facility.

Finding: Adequate public facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area.

(b) Comply with comprehensive plan amendment standards, zoning ordinance amendment standards, Comprehensive Plan policies and implementing ordinances.

The property is developed with a detached single-family dwelling. This is not an allowed use in the City's Highway Commercial, HC zoning district or the County's General Commercial, C-3. It is a nonconforming use in either case.

Finding: There is no known conflict with the Comprehensive Plan and implementing ordinances.

(c) Compliance with state laws.

There are several state laws applicable to annexations. **City annexations of territory must be undertaken consistent with ORS 222.111 to 222.183.**

Pursuant to ORS 222.111(1), a city may only annex territory that is not within another city, and the territory must either be contiguous to the annexing city or be separated from the city only by a body of water or public right-of-way. The subject property is not within another city's jurisdiction and City of St. Helens corporate limits lies on all sides.

Although undertaking an annexation is authorized by state law, the manner in which a city proceeds with annexation is also dictated in the city charter. ORS 222.111(1) references a city's charter as well as other ORS. St. Helens' Charter requirements pertaining to annexations are noted above.

Per ORS 222.111(2) an annexation may be initiated by the owner of real property or the city council. This annexation request was initiated by the property owner. Further, ORS 222.125 requires that all property owners of the subject property to be annexed and at least half of the electors residing on the property consent in writing to the annexation. These documents were submitted with the annexation application.

Per ORS 222.173(1) only statements of consent to annexation which are filed within any one-year period shall be effective, unless a separate written agreement waiving the one-year period or prescribing some other period has been entered into between an owner of land or an elector and the city. The consent to annex was recorded September 11, 2024 as instrument no. 2024-4835. The owner also signed an Electors Consent document including the one-year waiver, though this annexation is being processed within the first year.

ORS 197.175(1) suggests that all annexations are subject to the statewide planning goals.

The statewide planning goals that could technically apply or relate to this proposal are Goals 1, 2, 11 and 12.

- ***Statewide Planning Goal 1: Citizen Involvement.***

Goal 1 requires the development of a citizen involvement program that is widespread, allows two-way communication, provides for citizen involvement through all planning phases, and is understandable, responsive, and funded.

Generally, Goal 1 is satisfied when a local government follows the public involvement procedures set out in the statutes and in its acknowledged comprehensive plan and land use regulations.

The City's Development Code is consistent with State law with regard to notification requirements. Pursuant to SHMC 17.20.080 at least one public hearing before the Planning Commission and City Council is required. Legal notice in a newspaper of general circulation is also required. The city has met these requirements and notified DLCD of the proposal.

- ***Statewide Planning Goal 2: Land Use Planning.***

This goal requires that a land use planning process and policy framework be established as a basis for all decisions and actions relating to the use of land. All local governments and state agencies involved in the land use action must coordinate with each other. City, county, state and federal agency and special districts plans and actions related to land use must be consistent with the comprehensive plans of cities and counties and regional plans adopted under Oregon Revised Statutes (ORS) Chapter 268.

Generally, Goal 2 requires that actions related to land use be consistent with acknowledged Comprehensive Plans and coordination with affected governments and agencies and be based on an adequate factual base. The city has an adopted Comprehensive Plan, compliance of this proposal which is addressed herein. Moreover, explanation and proof of coordination with affected agencies and factual base are described herein, as well, including inventory, needs, etc.

- **Statewide Planning Goal 11: Public Facilities and Services.**

Goal 11 requires cities and counties to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. The goal requires that urban and rural development be "guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable and rural areas to be served."

The subject property is served by McNulty water. City sewer capacities are adequate to serve the subject property. This is explained above. The existing development is adequately served.

- **Statewide Planning Goal 12: Transportation.**

Goal 12 requires cities, counties, metropolitan planning organizations, and ODOT to provide and encourage a "safe, convenient and economic transportation system." This is accomplished through development of Transportation System Plans based on inventories of local, regional and state transportation needs. Goal 12 is implemented through OAR 660, Division 12, also known as the Transportation Planning Rule ("TPR"). The TPR contains numerous requirements governing transportation planning and project development.

Traffic impacts and the City's provisions that address the TPR are explained above. This proposal will not significantly affect an existing or planned transportation facility.

(d) Abutting roads must meet city standards or property owner will be required to sign and record an irrevocable consent to local improvement district.

The subject property abuts both Columbia River Highway (US30) and Kavanagh Street/Avenue. US30 is fully developed, and Kavanagh is underdeveloped (i.e., gravel road and no curb or sidewalk).

However, this property not the subject of a current development land use review, which provides the legal nexus and proportionality to require such improvements or right-of-way dedications. As such, no improvements are warranted with this proposal.

(e) Property exceeding 10 acres in gross size must show a need on the part of the city...

The subject property is just under a half-acre in size and well below 10 acres.

Finding: The annexation approval criteria are met for this proposal.

SHMC 17.28.030 (2) – Annexation criteria

The plan designation and the zoning designation placed on the property shall be the city's zoning district which most closely implements the city's comprehensive plan map designation.

Discussion: The Comprehensive Plan designation is currently Unincorporated Highway Commercial (UHC). The City's only zoning option given annexation is Highway Commercial

(HC). The Comprehensive Plan designation would thus be Highway Commercial (Incorporated) (HC).

Finding: Upon annexation, the subject property's Comprehensive Plan designation shall be Highway Commercial (Incorporated) and zoned Highway Commercial (HC).

SHMC 17.112.030 – Established & Developed Area Classification criteria

Per SHMC 17.112.030:

- (1) All land which is annexed to the city shall be classified as an established area or as a developing area on the plan map and on the zoning map.
- (2) The decision shall be based on definition of the areas as set forth in SHMC 17.112.020.

The definitions per SHMC 17.112.020:

- (1) Established Area.
 - (a) An "established area" is an area where the land is not classified as buildable land under OAR 660-08-0005;
 - (b) An established area may include some small tracts of vacant land (tracts less than an acre in size) provided the tracts are surrounded by land which is not classified as buildable land; and
 - (c) An area shown on a zone map or overlay map as an established area.
- (2) Developing Area. A "developing area" is an area which is included in the city's buildable land inventory under the provisions of OAR except as provided by subsection (1)(b) of this section.

Discussion: OAR 660-008-0005 classifies *buildable land* as:

Residentially designated land within the urban growth boundary, including both vacant and developed land likely to be redeveloped, that is suitable, available and necessary for residential uses. Publicly owned land is generally not considered available for residential uses. Land is generally considered "suitable and available" unless it:

- (a) Is severely constrained by natural hazards as determined under Statewide Planning Goal 7;
- (b) Is subject to natural resource protection measures determined under Statewide Planning Goals 5, 6, 15, 16, 17 or 18;
- (c) Has slopes of 25 percent or greater;
- (d) Is within the 100-year flood plain; or
- (e) Cannot be provided with public facilities.

OAR 660-008-0005 generally defines "Buildable Land" as vacant residential property not constrained by natural hazards or resources, and typically not publicly owned.

Finding: The subject property is not zoned residential. This provision does not apply.

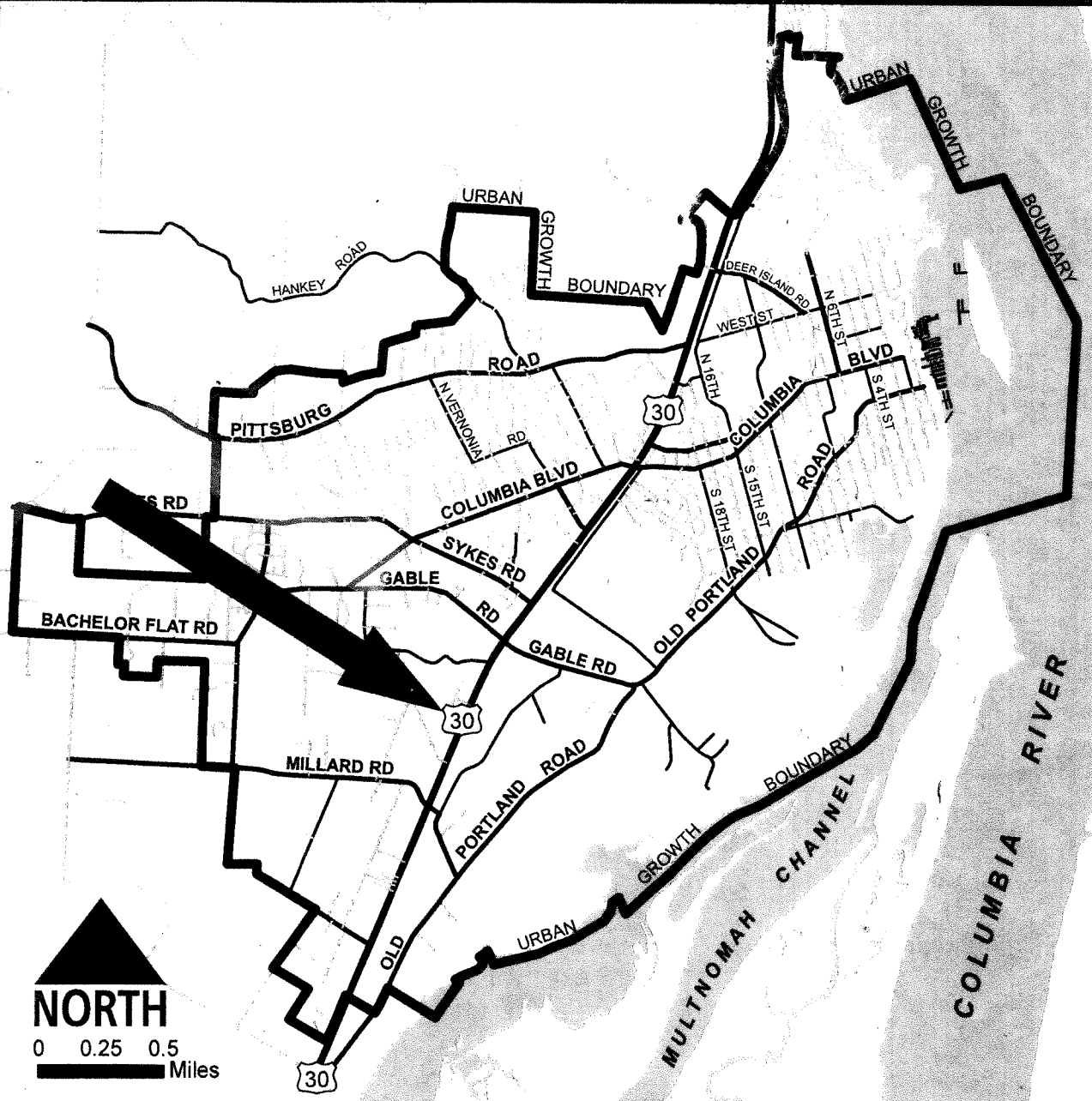
CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, staff recommends approval of this annexation and the upon annexation, the subject property have a Comprehensive Plan designation of Highway Commercial (Incorporated) HC and be zoned Highway Commercial (HC).

Attachment(s): Subject Property Approximate Location Map
A.3.24 Zoning Map
A.3.24 Comprehensive Plan Map

SUBJECT PROPERTY

~ Approximate Location ~



City of St. Helens Urban Growth Boundary Area Vicinity

Jag/Dec. 2013





**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Conditional Use Permit CUP.1.25**

DATE: August 5, 2025
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: City of St. Helens
 Sharon Darroux, Engineering Manager

OWNER: Presbytery of the Cascades
 Nationwide Health Properties, LLC

ZONING: Moderate Residential, R7

LOCATION: 2615 Sykes Road
 2400 Gable Road

PROPOSAL: New public (city) sanitary sewer main through two private properties

SITE INFORMATION / BACKGROUND

There are two adjacent properties involved, with one abutting Sykes Road and the other Gable Road. Both Sykes and Gable Roads have a sanitary sewer main within their rights-of-way. A new sanitary sewer main through the subject properties is proposed a part of a broader project throughout the City of St. Helens to improve capacity and reliability while reducing the possibility of sanitary sewer overflows. The sanitary sewer project is identified in the city's 2021 Wastewater Master Plan as needed improvements to ensure its functionality and to support growth of the city.

2615 Sykes Road is a church, that per County Assessor data was built in 1950. 2400 Gable Road is a elderly assisted living use, more recently developed in 2000.

PUBLIC HEARING & NOTICE

Public hearing before the Planning Commission: August 12, 2025

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on 300 via first class mail. Notice was sent to agencies by mail or e-mail on the same date.

Notice was published on July 25, 2025 in the Columbia County Spotlight newspaper.

AGENCY REFERRALS & COMMENTS

Columbia County Public Works: Any work within the Gable Road right-of-way will require a Construction Permit through the County Public Works Department. The work site for this project will need to be fully restored to equal or better conditions once the project is complete.

Staff note: The impacted portion of Gable Road is a county jurisdiction road, whereas the affected portion of Sykes is a city jurisdiction road.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

Zoning Compliance: The site is zoned R7. The new sanitary sewer main is a “public facility, major” as defined by the Development Code.

Public facility minor and major are defined as:

“Public facility, major” means any public service improvement or structure developed by or for a public agency that is not defined as a minor public facility.

“Public facility, minor” means the following public service improvements or structures developed by or for a public agency:

(a) Minor utility structures, except substations, but including poles, lines, pipes or other such facilities.

(b) Sewer, storm drainage, or water system structures except treatment plants, reservoirs, or trunk lines, but including reconstruction of existing facilities, pump stations, manholes, valves, hydrants or other portions of the collection, treatment and distribution systems located within public property or specified easement.

(c) Street improvements within existing development including sidewalks, curbs, gutters, catch basins, paving, signs and traffic control devices and street lights.

(d) Transit improvements, such as shelters or pedestrian and bicycle safety improvements, located within public right-of-way or on public property.

The proposed sanitary sewer main is a new trunk line, and thus cannot be classified as a “public facility, minor,” which would be a permitted use.

* * *

General Development Code Review:

Impacts to paved drive aisles, landscaping and parking areas are proposed, albeit temporarily. Once completed, the sewer main will be underground with some manholes visible from the surface. The application narrative notes that restoration to surface impacts is proposed upon completion of construction.

* * *

Site Development Review: Conditional Use Permits include Site Development Review considerations.

A key factor in this case pertains to trees. Pursuant to SHMC 17.96.180(2)(b):

Trees having a six-inch DBH (as defined by Chapter 17.132 SHMC) or greater shall be preserved or replaced by new plantings of equal character;

The application narrative notes that no trees are planned to be removed. However sheet C-120 shows a tree being removed and subject to replacement.

Also, many trees are close to the work area. Root impact and ultimate health of affected trees is a consideration.

* * *

Conditional Use: Pursuant to SHMC 17.100.040:

(1) The planning commission shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the following criteria:

- (a) The site size and dimensions provide adequate area for the needs of the proposed use;
- (b) The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and natural features;
- (c) All required public facilities have adequate capacity to serve the proposal;
- (d) The applicable requirements of the zoning district are met except as modified by this chapter;
- (e) The supplementary requirements set forth in Chapter 17.88 SHMC, Signs; and Chapter 17.96 SHMC, Site Development Review, if applicable, are met; and
- (f) The use will comply with the applicable policies of the comprehensive plan.

These are the core CUP criteria for the Commission consideration.

SHMC 17.100.150 has additional requirements for certain conditional use types. The proposal does not include any of these.

SHMC 17.100.040(3) provides “condition of approval guidance” as follows:

(3) The planning commission may impose conditions on its approval of a conditional use, which it finds are necessary to ensure the use is compatible with other use in the vicinity. These conditions may include, but are not limited to, the following:

- (a) Limiting the hours, days, place, and manner of operation;
- (b) Requiring design features which minimize environmental impacts such as noise, vibration, air pollution, glare, odor, and dust;
- (c) Requiring additional setback areas, lot area, or lot depth or width;
- (d) Limiting the building height, size or lot coverage, or location on the site;
- (e) Designating the size, number, location, and design of vehicle access points;
- (f) Requiring street right-of-way to be dedicated and the street to be improved;
- (g) Requiring landscaping, screening, drainage and surfacing of parking and loading areas;
- (h) Limiting the number, size, location, height, and lighting of signs;
- (i) Limiting or setting standards for the location and intensity of outdoor lighting;
- (j) Requiring berming, screening or landscaping and the establishment of standards for their installation and maintenance;
- (k) Requiring and designating the size, height, location, and materials for fences; and
- (l) Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, and drainage areas.

These are for the Commission’s consideration.

The uses impacted are institutional supporting religious and elderly care aspects of the community. As places where people visit and congregate, the existing trees are an important amenity.

Chapter 17.132 (discussed below) address trees with a trunk diameter exceeding 12" dbh. However, as noted above, Site Development Review / Conditional Use Permit tree considerations includes trees at least 6" dbh, though a protection plan by an arborist is not explicitly triggered for these smaller trees.

As such, staff recommends that the arborist's tree protection plan per Chapter 17.132 SHMC include trees as small as 6" dbh, not just those >12" dbh.

* * *

Tree Removal/Preservation: Chapter 17.132 SHMC addresses the preservation of trees with a diameter at breast height (DBH) >12 inches. Protection is preferred over removal per this Chapter and Site Development Review Chapter 17.96 SHMC.

A tree inventory has been provided, which is required when there are more than 10 trees or any trees over 2' dbh. There are more than 10 trees on the subject properties and at least two trees greater the 2' dbh. More specifically, there are over two dozen trees along the proposed sanitary sewer route including over a half dozen larger than 12 inches dbh.

A protection program by a certified arborist defining the standards and methods that will be used to protect the existing trees to be preserved shall be required. This shall be on or with the construction plan set to ensure contractors and others follow the tree protection plan during site development.

Note that there is a tree specifically proposed to be removed because the sanitary sewer line runs right through its location, though it is identified as being 8" dbh, and thus not specifically subject to replacement per this Chapter.



Left: two of the largest trees close to the proposed sanitary sewer line are in a greenspace area along Sykes. This photo taken from the 2615 Sykes Road property looking north towards Sykes.



Upper Left: This photo taken from the 2615 Sykes Road property looking south. Note the trees along the fence line and, in particular the grove towards the ends of the asphalt; this is where at least one tree is proposed to be removed.



Center Left: This photo taken from the 2400 Gable Road property from the north side looking south. Note the trees on the right side of the paved drive aisle, which will be close to the construction effort. Note the already broken curb in the foreground on the right side.



Below Left: This is a bulb-out in the otherwise straight curb along where the new sewer line will be placed on the 2400 Gable Road property. The plans show a tree here though this photo taken on July 31, 2025 shows only a stump. Note the already broken curb and busted PVC pipe.

CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, staff recommends approval of this Conditional Use Permit with the following conditions:

1. This **Conditional Use Permit** approval is valid for a limited time (to establish the use) pursuant to SHMC 17.100.030. This Conditional Use Permit approval is valid for 1 year. A 1-year extension is possible but requires an application and fee. If the approval is not vested within the initial 1 year period or an extension (if approved), this is no longer valid and a new application would be required if the proposal is still desired. See SHMC 17.100.030.
2. Any work within the Gable Road right-of-way will require a Construction Permit through the County Public Works Department.
3. A protection program by a certified arborist defining the standards and methods that will be used to protect the existing trees to be preserved shall be required. This shall be on or with the construction plan set to ensure contractors and others follow the tree protection plan during site development. **This tree protection plan shall include all trees at least 6" dbh with their critical root zone in the area of impact for sanitary sewer construction. The area of impact includes but is not limited to trenching, temporary storage of materials such as dirt and pipe, and areas needed for machinery maneuvering.**

Attachment(s): General Proposal Map (city staff created)
Plan and Profile Sheets (x3) (Consort created)

CONDITIONAL USE PERMIT CUP.1.25 - GENERAL PROPOSAL MAP

