



# PLANNING COMMISSION

Tuesday, April 09, 2024 at 6:00 PM  
HYBRID: Council Chambers & Zoom (details below)

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## AGENDA

### 6:00 P.M. CALL TO ORDER & FLAG SALUTE

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

### CONSENT AGENDA

- [A.](#) Planning Commission Minutes Dated March 12, 2024
- [B.](#) Joint Planning Commission / City Council Minutes Dated March 13, 2024

### PUBLIC HEARING AGENDA (times are earliest start time)

- [C.](#) 6:05 p.m. Variance at 240 N Vernonia Rd - Wheeler

### DISCUSSION ITEMS

- D. Planning Commission Representation on Economic Opportunities Analysis Technical Advisory Committee
- [E.](#) 2024 Development Code Amendments Draft Review

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

- F. Sign Permit (x2) at 465 N Columbia River Hwy - Than Tussing
- G. Site Design Review (Minor) at 134 N River Street - Steve Toschi
- H. Temporary Use Permit at 555 S Columbia River Hwy - Hacienda Las Juanitas, LLC
- I. Temporary Use Permit at 2225 Gable Road - Paintner
- J. Partition (x2) at 475 N 12th - Weigandt

### PLANNING DEPARTMENT ACTIVITY REPORT

- [K.](#) Planning Department Activity Report - March

### PROACTIVE ITEMS

- L. Architectural Standards
- M. Vacant Storefronts

### FOR YOUR INFORMATION ITEMS

### ADJOURNMENT

**NEXT REGULAR MEETING: May 14, 2024**

### VIRTUAL MEETING DETAILS

**Join:****<https://us06web.zoom.us/j/84260546768?pwd=uxXIBznUIjZboewmDqtj3uQhuAdKm5.1>****Meeting ID: 842 6054 6768****Passcode: 001207****Dial by your location: +1 253 215 8782 US (Tacoma)**

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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](http://www.sthelensoregon.gov) or call 503-366-8217.



## PLANNING COMMISSION

Tuesday, March 12, 2024, at 6:00 PM

### DRAFT MINUTES

- Members Present:** Vice Chair Jennifer Shoemaker  
 Commissioner Charles Castner  
 Commissioner Ginny Carlson  
 Commissioner Brooke Sisco  
 Commissioner Scott Jacobson
- Members Absent:** Chair Dan Cary  
 Commissioner David Rosengard
- Staff Present:** City Planner Jacob Graichen  
 Associate Planner Jenny Dimsho  
 Community Development Admin Assistant Christina Sullivan  
 City Councilor Mark Gunderson
- Others:** Steve Toschi  
 Brady Preheim  
 Holcombe Waller  
 Andrew Niemi  
 Wayne Weigandt  
 Brad Hendrickson  
 Daryl Tinney  
 Huck Wilken

#### CALL TO ORDER & FLAG SALUTE

Chair Dan Cary was absent, so Vice Chair Jennifer Shoemaker was the acting Chair.

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

**Toschi, Steve.** Toschi was called to speak. He said he wanted to reiterate that he thought it would be a mistake to change the decision that the Planning Commission had made in the past to deny the Conditional Use Permit for the Police Station location. He hoped they would work together with the City Council to find a new location that meets the development code for a critical facility. He said there is a plan to redevelop the Houlton Business District and thought it would be the perfect opportunity for the Police Station to be located there. He said they should look for ways to cut costs..

**Preheim, Brady.** Preheim was called to speak. He said he wanted to express his protest against Commissioners Charles Castner and David Rosengard. He did not think they should be on the Planning Commission. He said he did not think there needed to be a new police station built. He said they needed storage and wanted to suggest revisiting the project and determining if a full rebuild was necessary. He also said the meeting with the City Council and the vacant storefronts should not involve Mainstreet as one of the buildings that is considered a vacant storefront belongs to a Mainstreet board member. He also said he would like to see the Planning Commission take on the redesign of the Plaza.

#### CONSENT AGENDA

**A. Planning Commission Minutes Dated February 13, 2024**

There was a discussion of a possible correction to a motion made about mirrored glass versus opaque. The Planning Commission agreed both items were discussed and there should not be a correction.

**Motion:** Upon Commissioner Carlson's motion and Commissioner Sisco's second, the Planning Commission unanimously approved the Draft Minutes dated February 13, 2024 as written. [AYES: Commissioner Carlson, Commissioner Sisco, Commissioner Castner, Commissioner Jacobson; NAYS: None]

**PUBLIC HEARING AGENDA** (times are earliest start time)**B. 6:05 p.m. Historic Resource Review at 175 S 1<sup>st</sup> Street - Wilken**

Vice Chair Jennifer Shoemaker opened the Public Hearing at 6:14 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

Associate Planner Jenny Dimsho presented the staff report dated March 5, 2024. She shared with the Commission the location of the building. She said it was very visible from three different streets. She also said this building was a locally designated landmark and so any alterations made to the outside of the building require a review from the Historic Landmarks Commission. She shared the applicant submitted alterations to third story windows, a fire escape repair, and a new mechanical unit on the outside.

She mentioned the historic district nomination from 1984 noted that two dormer windows added to the building.

She said the proposal mostly applied to the third story of the building. She said the applicant is remodeling the third floor from two dwelling units to one unit to provide more space and livability to a future tenant. She said the east elevation showed the two non-original dormer windows and he proposed to change them from vinyl split pane windows to fiberglass simple double hung windows. They would remain the same size. She said on the south side there were single hung aluminum windows, and the applicant proposed to change them to similar size fiberglass casement double hung windows. She also said on the west side there would be a change in size. Currently the window has a piece of white plywood in it and the applicant proposed to change it back to the original size window.. There was a smaller window that would be removed, and the matching siding would be added. The applicant noted in the report there were issues with the mechanisms and mechanical workings of the windows which is why they needed replaced versus restored. There was also a window that the applicant proposed to replace with a slider window and restore the trim to the original style as the rest of the house. She also noted the casement windows were to provide more airflow in the space as well.

She shared the fire escape repairs. The applicant proposed to change the size of the window to the fire escape window to make it more functional. The applicant would also be extending the ladder to go all the way to the ground and make repairs to the railing to make it safer. She mentioned this fire escape was not visible from any of the streets.

She said the ductless heat pump was originally going to be placed with an attachment to the third story. She said she spoke with the applicant about placing it in a less visible location. She said the applicant found a location on the ground and run the coolant and wiring through the interior, as opposed to the exterior, which would make it less visible to the outside of the house.

**Wilken, Huck. Applicant.** Wilken is the owner of the property. He shared that the window from the fire escape is currently two windows and he wanted to put a single window in that would meet the minimum width for egress. He said the heat pump would be installed on the ground in the back as proposed or by the fire escape which is also not in a visible location. He said he planned to do a slider

on the small window as currently it opens with an interior awning, and he wanted something that did not take up all the space in the room. He did say he was willing to change the style though if it needed to be. He said wanted to do fiberglass so that the windows would last longer. The maintenance would be easier, and they were paintable.. He also mentioned they were more energy efficient and cost effective.

There was a discussion about photographs that will document the changes and how they will be archived.

### **In Favor**

No one spoke in favor of the application.

### **In Neutral**

No one spoke as neutral of the application.

### **In Opposition**

No one spoke in opposition to the application.

### **Rebuttal**

There was no rebuttal.

### **End of Oral Testimony**

There were no requests to continue the hearing or leave the record open.

### **Close of Public Hearing & Record**

### **Deliberations**

Dimsho mentioned there needed to be a determination about the deterioration of the windows and whether this required replacement versus restoration. The Commission did agree these windows required replacement to be functional.

Commissioner Scott Jacobson asked if there was a condition about color matching. This led to a discussion where Vice Chair Shoemaker said she did not agree with the condition that the windows be painted white. She mentioned in the historic photograph shows they were darker in color. She felt they should remove the condition of keeping them white so that if in the future, the applicant wanted to revert back to the dark color for all of the windows, they could. The Commission agreed.

There was a discussion about the use of fiberglass. The Commission agreed that these were more sustainable.. There was also a discussion about the windows being changed to double hung. The Commission agreed they should be this way, as it would match the windows on the lower levels.

Vice Chair Shoemaker said she did not like the sliding window.. The window was currently operable, but it opened into the space which was awkward which is why the proposal was to change to a slider. The Commission agreed they should just condition it to not be a slider and then allow the applicant to determine what kind of window to place there instead.

There was a discussion about adding a condition to make sure the blacked-out window would have matching siding.

**Motion:** Upon Commissioner Carlson's motion and Commissioner Castner's second, the Planning Commission unanimously approved the Historic Resource Review with the added conditions as discussed with staff. [AYES: Commissioner Carlson, Commissioner Sisco, Commissioner Castner, Commissioner Jacobson; NAYS: None]

**Motion:** Upon Commissioner Carlson’s motion and Commissioner Sisco’s second, the Planning Commission unanimously approved the Chair to sign the Findings. [AYES: Commissioner Carlson, Commissioner Sisco, Commissioner Castner, Commissioner Jacobson; NAYS: None]

**C. 6:30 p.m. Variance (x2) at 475 N 12<sup>th</sup>; Lots 22 and 23, block 5 Railroad Addition to St. Helens, which abut N 13<sup>th</sup> Street – 1771 Columbia Blvd, LLC**

Vice Chair Shoemaker opened the Public Hearing at 7:01 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

City Planner Jacob Graichen presented the staff report dated March 4, 2024. He shared where the property was located, and that the property was neighboring Light Industrial and residential zones. When the applicant purchased the property, he demolished the single-family dwelling that was on the site. The applicant decided to move forward with the site as residential,, since there were strong opinions from neighbors about not adding any industrial development there. This is why the applicant rezoned the property to be residential.

Graichen said a duplex would normally be an outright permitted use on this property with the zone change, but the applicant proposes to put a duplex on each lot with a zero-foot yard on the shared property line making the two duplexes attached. This is why this proposal is before the Commission.

Graichen mentioned if this Variance was granted it would only apply to the specific plan the applicant had proposed (recommended condition of approval). He said the sum of their minimum side yards together (5’ x 4 side yards or 20 feet total)\_under normal standards versus the proposal (7’ x 2 side yards or 14 feet total) would be a difference of only about six-feet. He said this would allow for a specific type of housing option as well, as the applicant would be able to move forward with single level living. This is generally better for the aging population.

Commissioner Ginny Carlson asked why this proposal was not considered a four-plex and a multi-family complex. Graichen said the code considers multi-family to be three or more units on a lot and in this proposal, it was only two units on each lot. He also said if this was considered a four-plex there would be a much greater array of standards that would apply to it. Allowing the duplex keeps the standards simple.

**Weigandt, Wayne. Applicant.** Weigandt is the owner of the property. He mentioned this property used to be zoned Light Industrial and he tried to work on development that would maximize the value of the space. He said after speaking with neighbors, he decided it was best to rezone the lots to residential. He also shared some of the nice architectural features of his proposal and how it would allow all ages of life to move into the space. He felt this proposal offers something different than the allowed row-homes. He said he had met with the City Building Official on how to make sure this design would meet all fire code and building design as well. He said each unit would be about 750-square feet and would not have any steps which allows for age in place living.

There was a small discussion on the access areas and exterior walkways.

**In Favor**

No one spoke in favor of the application.

**In Neutral**

No one spoke as neutral of the application.

**In Opposition**

No one spoke in opposition to the application.

**Rebuttal**

No rebuttal was given.

**End of Oral Testimony**

There were no requests to continue the hearing or leave the record open.

**Close of Public Hearing & Record****Deliberations**

Commissioner Carlson said she thought this was a four-plex and said the design and application for a Variance was just a way to get around the rules for multi-family. She said they needed to follow the rules for a Variance and make sure the Commission was enforcing the rules they already had to prevent these types of developments. Graichen said if this was considered a four-plex different code would apply and a Conditional Use Permit would need to be applied for to allow that type of housing type in the zone.

Vice Chair Shoemaker said if this was considered a four-plex it also changes who can own that property. She said with a duplex there could be someone who purchased the property and could live on one side of the home and rent out the space on the other side. She said it also put in density where density belongs and that there was not enough single-level living in the city. Commissioner Sisco mentioned she thought the design fit the area. She liked the idea, but wanted to be sure once the Variance was granted this is the way it would be built. Dimsho mentioned this was specific to this type of build (a recommended condition of approval). She also said there was a time limit to the Variance as well, so the applicant would be required to act, or the Variance would expire. Graichen also mentioned there were conditions in the report that would also make clear it was specifically for this proposal and developed as the presented design.

Commissioner Charles Castner said he said he thought the Variance request met most of the criteria for approval except he did not think it met the criteria of a unique circumstance. He said the lots were purchased knowing there would be these difficulties. He said this is a self-imposed issue.

There was a discussion about adding two-hour separation in each unit. Dimsho said this was not a condition that could be mandated. They would have to change the type of development being added here.

There was a discussion about changing the design to attached single family dwellings versus two duplexes.

**Motion:** Upon Commissioner Sisco's motion and Commissioner Jacobson's second, the Planning Commission approved the two Variances with conditions as recommended by staff. [AYES: Commissioner Sisco, Commissioner Carlson, Commissioner Jacobson; NAYS: Commissioner Castner]

**Motion:** Upon Commissioner Carlson's motion and Commissioner Sisco's second, the Planning Commission unanimously approved the Chair to sign the Findings. [AYES: Commissioner Carlson, Commissioner Sisco, Commissioner Castner, Commissioner Jacobson; NAYS: None]

**D. 7:00 p.m. Appeal of PT.1.24 & LLA.1.24 at 80 S 21<sup>st</sup> Street – Tinney**

Vice Chair Shoemaker opened the Public Hearing at 7:38 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

City Planner Graichen shared some feedback from an arborist that was given by the Applicant. He said this property has a house on it, and it was proposed to be divided into four lots. One of those lots will retain the house on it and the other three lots would be developable. He said there would be a shared

paving access. He said staff originally approved the proposal and it was appealed for a tree issue. He said when it was appealed, Columbia River Fire and Rescue and City Engineering had already provided comments that could have warranted the decision be amended, but given the appeal, those comments are now incorporated into the new appeal decision .

Graichen said the development code requires a minimum pavement for access of ten feet. He said the Fire Department, after looking at the proposal, said they would require a twelve-foot wide to mitigate the limited access. Graichen said this was added as an additional condition.

He also said the City Engineering Manager also added conditions for storm requirements.

He shared a photo to show the property and where the tree that was in question was located. He said there was a tree plan required and, in this case, they would be removing only the trees wholly on the property, but the tree subject to this appeal was predominantly on the neighbor's property. However, the root system crosses over to the subject property, as do overhead limbs. So it is on the subject property, only partially.

He mentioned an easement as a potential conditional of approval and that this would be a way of alerting future property owners of the issue (i.e., future tree root protection).

He said the applicant did obtain an Arborist to assess the tree and that was added to the record.

**Niemi, Andrew. Applicant.** Niemi is the architect for the owner of the subject property. He shared they were not against changing the paved access area to the recommended size by the Fire Department. He also said they work with licensed storm water engineers and would work to meet the criteria asked of them from the City Engineering Department. He said as far as the tree is on the neighbor's property, he felt they were working to try and appease the neighbor and not harm the tree in place. He said they hired an arborist to assess the safety of the tree during development and the will have an arborist present during excavation to make sure the tree was not harmed. He mentioned the applicant wanted to work with the neighbor to meet whatever needs he wanted. He said they were willing to compensate the neighbor for the tree or pay to remove it. He also said they were willing to hire the arborist to make sure the tree was protected during development. He said they were not in favor of an easement. He did not think it was appropriate to have a tree on a neighbor's property to determine how the property could be developed.

**Tinney, Daryl. Appellant.** Tinney is the owner of the neighboring property that the tree is on. He said he was concerned about the safety of his tree. He said he had roots on his side that were very large in diameter. He said if the roots are cut the stability of the tree will be altered. He said if the roots were cut there could be safety concerns for his house and neighboring houses that it could fall on. He said he did not want the tree removed. He wanted to say he was not against someone building a house, he just did not want to have to worry about the tree falling over because it was compromised.

### **In Favor**

No one spoke in favor of the application.

### **In Neutral**

No one spoke as neutral of the application.

### **In Opposition**

No one spoke in opposition to the application.

### **Rebuttal**



**Niemi, Andrew. Applicant.** Niemi was called to speak. He said the only reason for the proposal to remove the tree was because the neighbor was concerned about the safety of his property. He said the only way to make sure there was full safety was to completely remove the tree. He said they offered to pay to remove it and compensate him for the tree to see if that was even an option. He said they would like to see the tree stay and they are willing to continue to use the arborist and allow the tree to be safely developed around. They were willing to work with the neighbor to make sure the tree was cleaned up before development as well.

Commissioner Sisco wanted to be sure the arborist helped with the limbing of the tree as well to make sure that did not cause any rot or harm to the tree. Niemi said yes, they would involve the arborist during limbing.

### **End of Oral Testimony**

There were no requests to continue the hearing or leave the record open.

### **Close of Public Hearing & Record**

#### **Deliberations**

Commissioner Carlson said she liked that the arborist would be on site to assess the tree during development. She wanted to be sure this was a condition added.

There was a small discussion about the tree and the best way to preserve the tree. The Commission agreed there should be an arborist involved.

**Motion:** Upon Commissioner Castner's motion and Commissioner Castner's second, the Planning Commission unanimously upheld the original decision with the added conditions to have an arborist present during development for the protection of the tree (root impact and limb removal) and conditions addressing the concerns by the CRFR and City Engineering. [AYES: Commissioner Carlson, Commissioner Castner, Commissioner Sisco, Commissioner Jacobson; NAYS: None]

**Motion:** Upon Commissioner Carlson's motion and Commissioner Sisco's second, the Planning Commission unanimously approved the Chair to sign the Findings. [AYES: Commissioner Carlson, Commissioner Castner, Commissioner Sisco, Commissioner Jacobson; NAYS: None]

### **DISCUSSION ITEMS**

#### **E. Architectural Review at 71 Cowlitz Street (The Klondike Tavern)**

Dimsho shared an additional update to the Klondike Tavern building plan. She said the property is subject to Riverfront District guidelines. She said there had been two reviews previously for an addition of the porch patio and a new basement entry. She said this proposal was to change from an ADA lift to an elevator to serve all levels of the hotel and restaurant. She said there would be a huge visual impact on the elevations of the building. She said the new elevator requires bridges to each level to connect the shaft of the elevator to the different levels of the building. She said there would be new windows on each of those bridges.

Holcombe Waller, the owner of the property, came forward to share some of the design changes. He said they received a grant to install the elevator which is why they had changed the design. He said the elevator tower would have to be tall and he wanted to be sure that the tower matched the architectural guidelines of the district. They said they went off the Historic Courthouse and designed the tower to be like the clock tower on the courthouse. Since this building is part of the Special Assessment Program and receiving Mainstreet grant money, the State Historic Preservation Office (SHPO) asked him to remove the clock from the elevator shaft tower and they would approve the elevator as part of their preservation plan for the building. He said they wanted to be similar to the

building, but also have it stand out to bring attention to the whole structure itself. He said the windows would be wood, but not double hung. He also said the roof would be a metal split seam matte black to match the covered patio. He said the top level would have more of a solarium feel. He said there was a shallow slope of the roof and made it too low for code. To meet this requirement, they did a solarium window instead and would be tucked away into the building. He also mentioned they added a fiber cement panel towards the top of the tower to add some architectural interest and detail.

There was a small discussion about the lighting and how the tower will be lit.

**Motion:** Upon Commissioner Castner's motion and Commissioner Jacobson's second, the Planning Commission unanimously recommended to staff that this proposal meets the Riverfront District Architectural Guidelines. [AYES: Commissioner Carlson, Commissioner Castner, Commissioner Sisco, Commissioner Jacobson; NAYS: None]

#### F. **Joint Planning Commission / City Council Meeting Discussion Items**

Graichen shared the discussion items on the agenda for the meeting and reminded the Commission to attend.

#### **PLANNING DIRECTOR DECISIONS** (previously e-mailed to the Commission)

- G. Sign Permit at 2250 Gable Road – Broadleaf Arbor
- H. Temporary Use Permit at 175 Bowling Alley Lane – CCPOD, LLC
- I. Site Design Review (Minor) at 373 S Columbia River Hwy – Weigandt
- J. Sensitive Lands Permit at 373 S Columbia River Hwy – Weigandt
- K. Temporary Sign Permit (Banner) at 2100 Block of Columbia Blvd – Columbia Economic Team – Columbia County SBDC
- L. Sign Permit at 1911 Columbia Blvd – Clark Signs

There was no discussion on the Planning Director Decisions.

#### **PLANNING DEPARTMENT ACTIVITY REPORT**

- M. Planning Department Activity Report – February

Graichen shared that they had sent a letter to the O'Reilly's corporate office and the torn-up sign in front of their location. He said he hoped this would encourage them to fix or remove it.

He also discussed some lots in the Ridgecrest subdivision that were finally able to move forward.

Dimsho mentioned there were four bids that came in for the Riverwalk and they are moving forward with the lowest bidder. She said construction should start in May.

#### **PROACTIVE ITEMS**

- N. Architectural Standards

There was no discussion on Architectural Standards.

- O. Vacant Storefronts

Vice Chair Shoemaker said the reason they were coordinating with Mainstreet was at the request of the Mayor. She said it had already been a positive experience and there was a lot of research done and seems to be a good relationship that will help this move forward.

#### **FOR YOUR INFORMATION ITEMS**

There were no For Your Information Items.

#### **ADJOURNMENT**

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*There being no further business before the Planning Commission, the meeting was adjourned at 9:16 p.m.*

*Respectfully submitted,*

*Christina Sullivan  
Community Development Administrative Assistant*



# PLANNING COMMISSION & CITY COUNCIL JOINT MEETING DRAFT MINUTES

Wednesday, March 13, 2024, at 4:00 PM

<b>Members Present:</b>	<p>Mayor Rick Scholl          Councilor Russ Hubbard          Councilor Brandon Sundeen          Councilor Mark Gundersen</p> <p>Vice Chair Jennifer Shoemaker          Commissioner Ginny Carlson          Commissioner Charles Castner          Commissioner Scott Jacobson          Commissioner Brooke Sisco</p>
<b>Members Absent:</b>	<p>Council President Jessica Chilton          Chair Dan Cary          Commissioner David Rosengard</p>
<b>Staff Present:</b>	<p>City Administrator John Walsh          City Planner Jacob Graichen          Associate Planner Jenny Dimsho          Community Development Admin Assistant Christina Sullivan</p>

This meeting was held in the Council Chambers.

At 4:00 p.m., Mayor Rick Scholl opened the Joint Planning Commission and City Council Meeting. The purpose, rules, and goals of this meeting were explained. The mayor is the presiding officer, the group must have respect for others' time, and no decisions are to be made at these meetings.

## DISCUSSION OF VACANT STOREFRONTS

Mayor Scholl did a small recap on the previous discussion and how the two entities agreed they would like to see a thriving Main Street. He said in the discussion they had invited St. Helens Mainstreet to be a part of the discussion.

Erin Salisbury, the President of St. Helens Mainstreet, started the conversation about different ideas that they had to support the infrastructure in the downtown and Main Street corridor. She asked why they thought it was important to fill these vacant storefronts.

Mayor Scholl said he thought it was important for connectivity.

Vice Chair Jennifer Shoemaker said it was important because the Planning Commission had resolved to become a Proactive Commission and one of the items was to address Vacant Storefronts. She said even though the Commission may have their own agendas, she felt this item was important to the Community. She said she received feedback from the community that this should be addressed and that is what started the discussion.

Councilor Brandon Sundeen said he thought it was important because it gives the vision and appearance of a vibrant and active City.

Commissioner Ginny Carlson said this might help get incentives started to help property owners fill those spaces. She said it might open some partnerships and open affordability to small business owners.

Councilor Russ Hubbard said he would like to see more builders have incentives to restore these buildings. He said there was already a lot of hoops for developers to jump through for building code, so offering an incentive would help offset those expenses.

Commissioner Scott Jacobson said he would like to see an overall business plan for downtown so that there was more fluidity of businesses in the area.

Commissioner Charles Castner said more vibrance and vitality in the business district and a connection between the property owners and the business owners.

Councilor Mark Gunderson said it was important to him to see the unique shops and small businesses in the storefronts.

Commissioner Brooke Sisco said she would like to see them open to show livability and make this an even better place to live.

Salisbury said Mainstreet is a national entity and mentioned there is a need for a vibrant downtown, because it was like the heart of a community. She said it circulates financial and social health throughout the community. She mentioned the Houlton District used to be so lively and she would love to see it restored.

Marci Sanders, Chair of the Economic Vitality Committee, shared some of the first steps to fix the vacant storefronts. She said to have economic vitality in the district, they would need to focus on a comprehensive inventory of the businesses and property owners in the Main Street corridor. She said they had already taken steps to get a list of the businesses and now they are working on the buildings and property owners. She said they would use this database to narrow down the vacant storefronts. She mentioned out of the 158 storefronts there were about 18 that were dormant or vacant in some shape or form. She also shared a study which tried to estimate the lost revenues that vacant storefronts have on a downtown. The impact of vacant storefronts is magnified the more of them a downtown has.

There was a discussion about Mainstreet partnering with the Planning Commission and City Council to either change codes, enforce codes it already has, or finding other tools to educate the public on how to move forward.

There was a discussion on how to form a task force to discuss how to create and provide education and incentives to move forward with assessing the issue of vacant storefronts.

## **DISCUSSION OF POLICE STATION LOCATION**

City Planner Jacob Graichen introduced the architects with Mackenzie Architects that were involved with the design of the Police Station and locations.

City Administrator shared the back story on why these new sites were being considered instead of the Kaster Road location. The City had originally had ten sites, narrowed down by an Adhoc Committee. The City staff and City Council narrowed it down to four new locations as possible places.

Thomas Beckham with Mackenzie Architects was there to share four different sites for the new police station. Beckham said there was a list of criteria they used to narrow down the sites and were prepared to use those again if needed.

Beckham went through each site and shared the different pros and cons as to why they may or may not work for the new police station.

The consensus among all City Council and Planning Commission members was that the location at 18<sup>th</sup> Street and Columbia Boulevard or the location off Old Portland Road and Port Avenue next to the

Columbia County Sheriff's Office would be better selections than the other two. There was a discussion about retrieving more information on financials that would be involved in helping to narrow down the decision on which one is best.

There was a discussion about the importance of building a new station. All agreed it was an immediate need.

There was a discussion about a meeting with other City Departments, including Engineering and the Police, to determine changes that need to be made to accommodate a new site.

**DISCUSSION OF 2024 DEVELOPMENT CODE AMENDMENTS OVERVIEW**

Graichen shared some of the Development Code Amendments that were being discussed with the Planning Commission as potential codes that need modernization and how they had cleaned them up.

He went into detail about the Housing Analysis and some of the changes that will be made. He shared about attached housing, three or more units, units above businesses, single room occupancies, and rules for having residential and non-residential on the same level. He said there would be a special notice about clarification on the amendments to make the citizens aware.

**DISCUSSION OF ARCHITECTURAL STANDARDS**

Vice Chair Shoemaker shared that now there was a full Planning Commission, they could move forward in the direction of focusing on Vacant Storefronts.

There was a discussion on how to form a Mainstreet Revitalization Task Force without having a quorum, to do the background research and come back and share with the full groups. Two Councilors, Councilor Gunderson and Councilor Sundeen, were selected to be on the Task Force. Vice Chair Shoemaker said since there are two Commissioners absent, she would discuss with the Planning Commission which three members would be involved and get back to the group with the members.

**OTHER BUSINESS**

There was no other business.

*There being no further business the meeting was adjourned at 6:31 p.m.  
Respectfully submitted,  
Christina Sullivan  
Community Development Administrative Assistant*

/s/  
Rick Scholl, Mayor

/s/  
Dan Cary, Chair

**CITY OF ST. HELENS PLANNING DEPARTMENT  
STAFF REPORT  
Variance V.4.24**

**DATE:** April 2, 2024  
**TO:** Planning Commission  
**FROM:** Jennifer Dimsho, AICP, Associate Planner

**APPLICANT:** Julie & Roy Wheeler  
**OWNER:** Same as applicant

**ZONING:** Moderate Residential (R7)  
**LOCATION:** 4N1W-5AC-4500  
**PROPOSAL:** Variance for a reduced exterior side yard (setback) for a corner lot

**SITE INFORMATION / BACKGROUND**

The subject property is an L-shaped corner lot at 14,375 square feet (0.33 acres). It fronts both Mayfair Drive to the west and N. Vernonia Road to the south. It is developed with a detached single-family dwelling with a driveway off N. Vernonia Road.

**PUBLIC HEARING & NOTICE**

**Public hearing** before the Planning Commission: **April 9, 2024**

**Notice** of this proposal was sent to surrounding property owners within 100 feet of the subject properties on March 20, 2024, via first class mail. Notice was sent to agencies by mail or e-mail on the same date.

**Notice** was published on March 27, 2024, in The Chronicle newspaper.

**AGENCY REFERRALS & COMMENTS**

As of the date of this staff report, there are no relevant agency comments.

**APPLICABLE CRITERIA, ANALYSIS & FINDINGS**

**DISCUSSION:**

The applicant applied for a building permit (BP No. 749-24-000059-STR) to remodel the detached single-family dwelling. The request is to extend the footprint of the home north while retaining the existing home's roofline. As a corner lot in the R7 zone, this property is subject to a 14' exterior side yard (setback) along the flanking street side. This requires a variance because the existing detached single-family dwelling has an exterior side setback of 8'. The rear and interior side setback requirements are met with the remodel.

**CRITERIA:****SHMC 17.108.050 (1) – Criteria for granting a Variance**

- (a) The proposed variance will not be significantly detrimental in its consequence to the overall purposes of this code, be in conflict with the applicable policies of the comprehensive plan, to any other applicable policies and standards of this code, and be significantly detrimental in its consequence to other properties in the same zoning district or vicinity;
- (b) There are special circumstances that exist which are peculiar to the lot size or shape, topography or other circumstances over which the applicant has no control, and which are not applicable to other properties in the same zoning district;
- (c) The use proposed will be the same as permitted under this code and city standards will be maintained to the greatest extent that is reasonably possible while permitting some economic use of the land;
- (d) Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic landforms, or parks, will not be adversely affected any more than would occur if the development were located as specified in the code; and
- (e) The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship.

The Commission needs to find all these criteria **(a)** – **(e)** are met in order to approve the variance

**FINDINGS:****(a) This criterion requires a finding that the variance will not be detrimental.**

- See applicant's narrative.
- Staff comments: The proposal will have the most visual impact along Mayfair Drive. There are some mature arbor vitae which will screen a portion of the addition. However, most of the addition and setback encroachment will be visible as there is no fencing or landscaping along the rear side yard. There is a 4-5' high fence between the subject property and the property to the rear.
- **If retaining the existing landscaping screening is important to the Commission to help screen the setback encroachment area, the Commission could consider a condition which:**
  - **Retains the existing landscaping where possible.**
  - **Replaces the landscaping where it is required to be removed for the remodel.**
  - **Extends the landscaping at least to the extent of the remodel.**





Top: Google Street view May 2023 taken from Mayfair Drive looking at proposed remodel. Note mature arbor vitae and mature tree.  
Middle: Taken March 2024 looking towards Mayfair Drive standing in subject property's yard. Proposed remodel will extend the uppermost roofline.  
Bottom: Taken in rear yard looking towards remodel area. Uncovered deck and structure to left to be removed/remodeled.

**(b) The criterion requires a finding that there are special and unique circumstances.**

- See applicant's narrative.
- Staff comments: The applicant did not build the home in its current location. Corner lots are not rare in the City, but they are less common than traditional interior lots.

**(c) This criterion prohibits a use variance and requires a finding that the applicable standards are maintained to the greatest extent that is reasonably possible.**

- See applicant's narrative.
- Staff comments: SHMC 17.108.050 (4) allows a reduction in yard requirements by 20% without a variance provided that the reduction of the yard is for the enlargement of remodeling of an existing principal building. 20% of 14' is 2.8', which means the applicant is required to provide only an 11.2' exterior side yard. With a proposed 8' setback, the variance request is for 3.2'.
- The applicant is proposing to remove a single-car garage as part of the remodel. Detached single-family dwellings are required to have two non-tandem off-street parking spaces. Removal of the garage does not reduce the property below this requirement.
- The proposal is also under the maximum lot coverage standards with the proposed addition.

**(d) This criterion requires a finding that existing physical and natural systems will not be adversely affected as a result of the requested Variance.**

- See applicant's narrative.
- Staff comment: The Engineering Department will have the opportunity to review and require any related stormwater conditions as part of the Building Permitting process.
- There is no evidence that the physical or natural systems will be adversely affected.

**(e) This criterion requires a finding that the variance issue is not self-imposed and that the variance is the minimum necessary to alleviate the hardship.**

- See applicant's narrative.
- Staff comment: The applicant is not requesting to extend the remodel beyond the setback line that has already been established by the existing principal building.
- According to the County Assessor's website and the applicant's narrative, the house was built in 1930. The applicant did not build the house with the 8' exterior side setback.

The Commission needs to find all these criteria **(a)** – **(e)** are met in order to approve the variance. If you think one of these is not met, we'll need to address why.

The Commission can find all criteria are met based on the above and/or any other findings, or specify which criteria are not met and why as a basis for Variance denial.

## CONCLUSION & RECOMMENDATION

**Based upon the facts and findings herein, if the Commission can approve the variance, staff recommends with the following conditions of approval:**

1. This Variance approval is valid for a limited time pursuant to SHMC 17.108.040.
2. This Variance shall apply to the proposed plan as submitted only or one with equal or less yard encroachment.
3. << Optional landscaping condition >> Mature landscaping shall be retained where possible with the remodel. Any landscaping which is removed as part of the project shall be replanted with plants which will have a similar height at maturity. In addition, new landscaping of similar height at maturity shall extend the extent of the northern-most building addition.
4. Owner/applicant and their successors are still responsible to comply with the City Development Code (SHMC Title 17), except for the Variance(s) granted herein.

**Attachments:** Applicant's narrative (3 pages), Plan set (5 pages)

**General Land Use Application  
Request for a variance  
Project Narrative**

**PROJECT LOCATION:**

240 N Vernonia Road St Helens, OR 97051.

Account Number: 11668

Map and Taxlot: 4105-AC-04500

Acreage: 0.33 ac (14,375 square feet)

**OWNERS:**

WHEELER, ROY B & JULIE L

**PROPERTY DETAILS:**

The original home was constructed in 1930. The original design included a covered back porch that was eventually enclosed and incorporated into the living space. Subsequently, a garage was added to the structure. Also added is an uncovered deck on the rear of the house.

**PROJECT DESCRIPTION:**

The enclosed rear porch, the garage and the existing deck will be removed. The existing exterior design of the home will be restored and extended towards the rear of the site as shown on the submitted plans.

The existing footprint, including the uncovered deck, is 1,935 square feet.

The new footprint, including the covered patio, is 1,982 square feet.

Lot coverage is not an issue for this request.

1) The commission shall approve, approve with conditions, or deny an application for a variance based on finding that the following criteria are satisfied:

(a) The proposed variance will not be significantly detrimental in its consequence to the overall purposes of this code, be in conflict with the applicable policies of the comprehensive plan, to any other applicable policies and standards of this code, and be significantly detrimental in its consequence to other properties in the same zoning district or vicinity.

*The requested variance will have minimum impact on policies and code standards. The existing structure's setback has existed for going on a hundred years. The location of the project on the lot will make the addition hardly noticeable as a significant change.*

(b) There are special circumstances that exist which are peculiar to the lot size or shape, topography or other circumstances over which the applicant has no control, and which are not applicable to other properties in the same zoning district.

*The existing location of the residence is the factor beyond the applicant's control.*

(c) The use proposed will be the same as permitted under this code and city standards will be maintained to the greatest extent that is reasonably possible while permitting some economic use of the land.

*This is an R7 residential zone. Neither lot size nor lot coverage are at issue.*

(d) Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic landforms, or parks, will not be adversely affected any more than would occur if the development were located as specified in the code.

*The project will have no adverse impacts as listed above.*

(e) The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship.

*The hardship is the result of the location of the home falling within the setback for the R7 zone, which was not in place in 1930 when the original home was built. This request is the minimum necessary to extend the existing home consistent with the existing setback of the original home.*

PROJECT CONSULTANT:

David Bonn

[bonndesign@yahoo.com](mailto:bonndesign@yahoo.com)

971.203.3633



**PROPERTY:**  
 240 N Vernonia Rd  
 Existing setback 8 feet.  
 Existing landscaping along  
 Mayfair Drive to be kept.



**NOTE:** The structure on the right  
 is a sewer pump station to Vernonia Rd.  
 This will be removed and the sewer  
 connected to the Mayfair sewer line.

### Architectural Design Services

David Bonn, Principal  
 bonndesign@yahoo.com  
 971.203.3633

**CLIENT:**

Julie & Roy Wheeler  
 240 N Vernonia Rd  
 Saint Helens, OR 97051

**PROJECT:**

design an addition to the existing residence

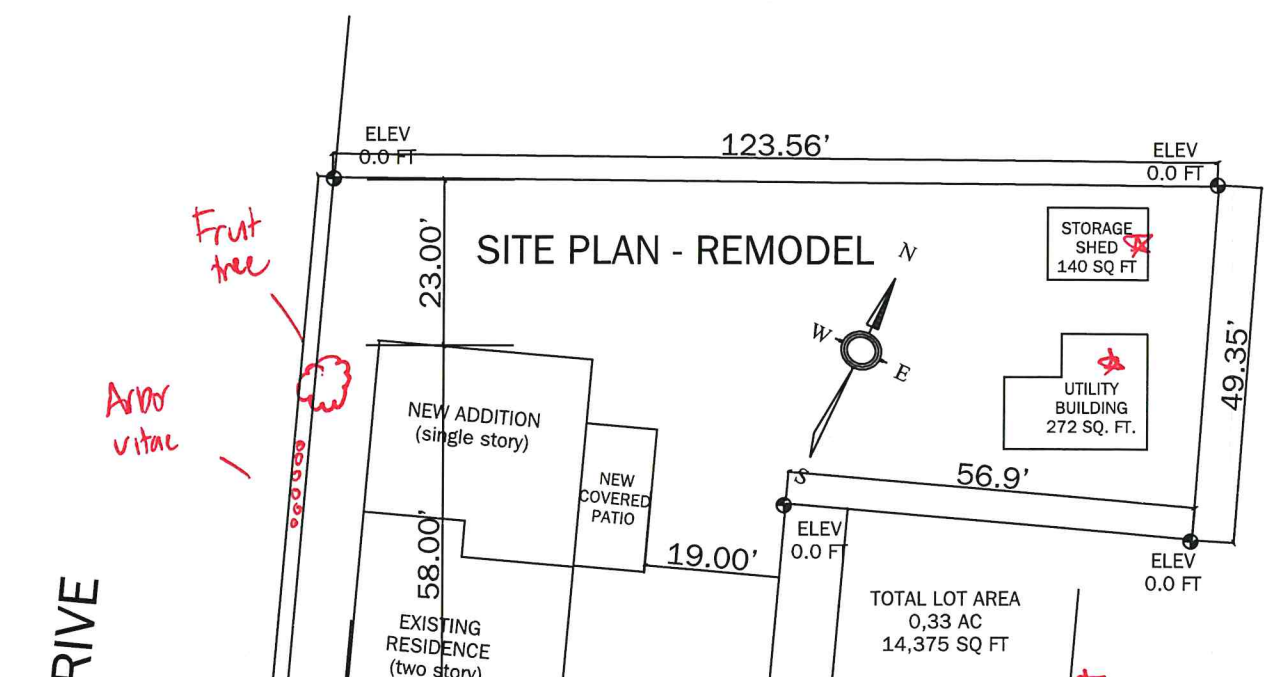
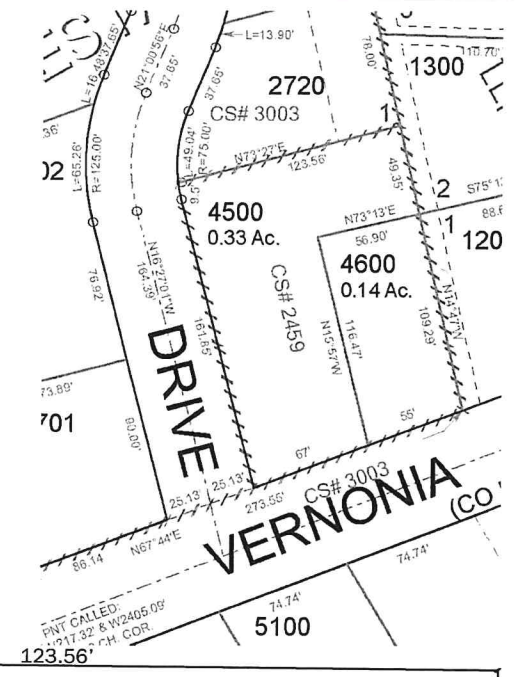
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DATE	REVISION
3 JAN 24	REMODEL

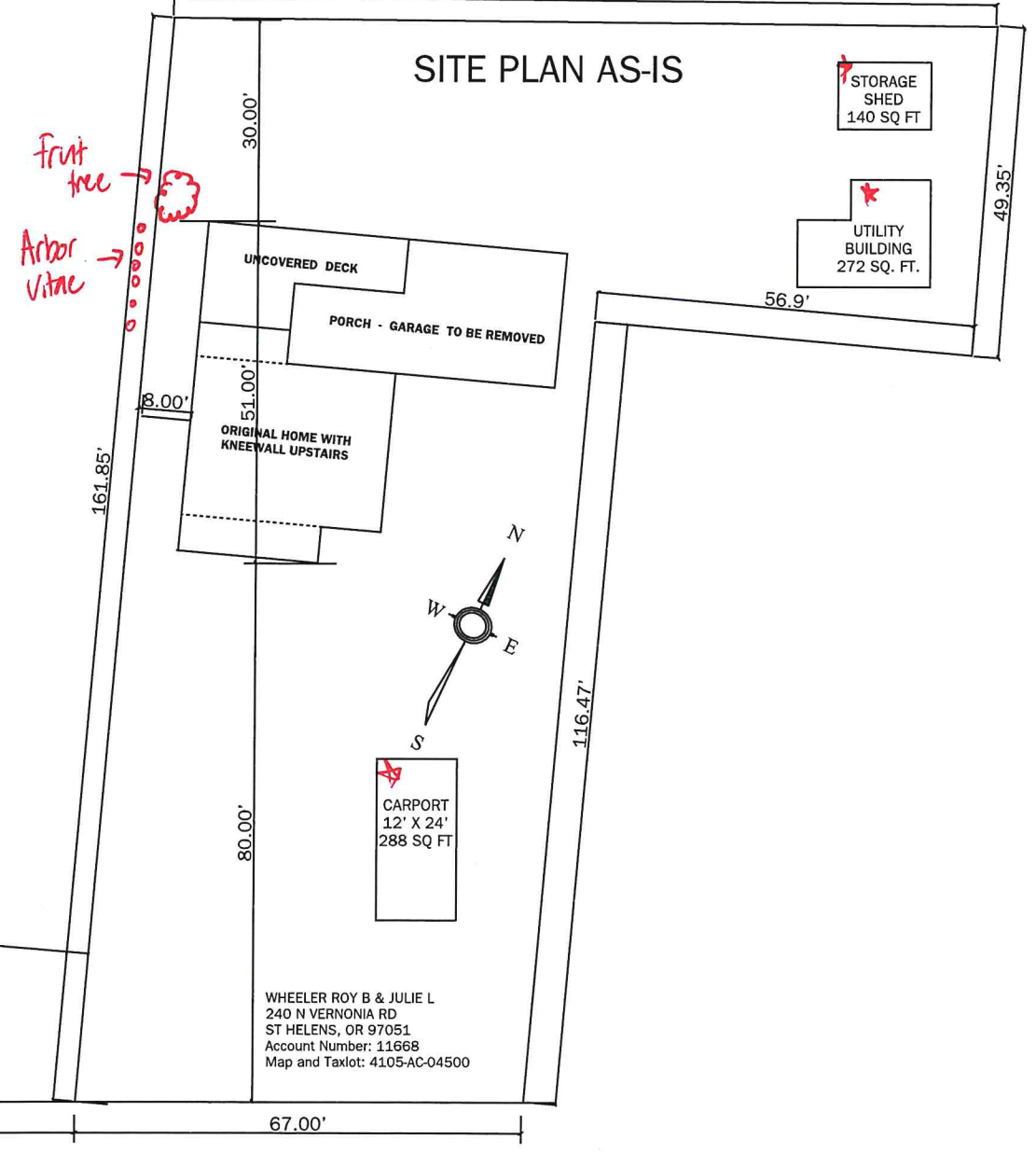
DATE	MAR 24
SCALE	

**SITE PLAN**

A 1.0



*(Out buildings not accurate locations)*



MAYFAIR DRIVE

MAYFIELD DRIVE

NORTH VERNONIA ROAD

NORTH VERNONIA ROAD

*Fruit tree*  
*Arbor vitae*

*Fruit tree*  
*Arbor vitae*

Architectural  
Design  
Services

David Bonn, Principal  
bonndesign@yahoo.com  
971.203.3633

**CLIENT:**  
  
Julie & Roy Wheeler  
240 N Vernonia Rd  
Saint Helens, OR 97051

**PROJECT:**  
  
design an addition  
to the existing  
residence

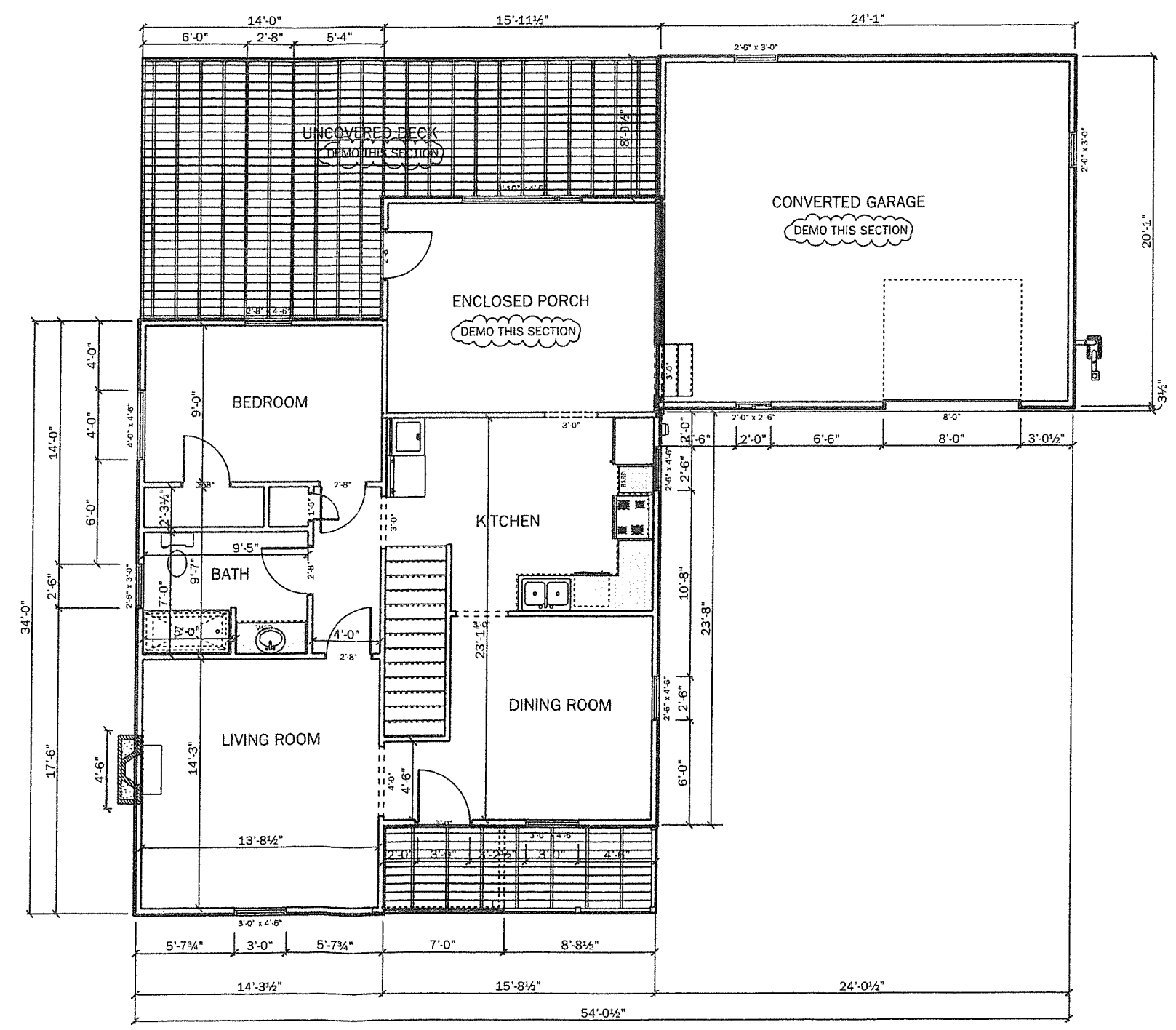
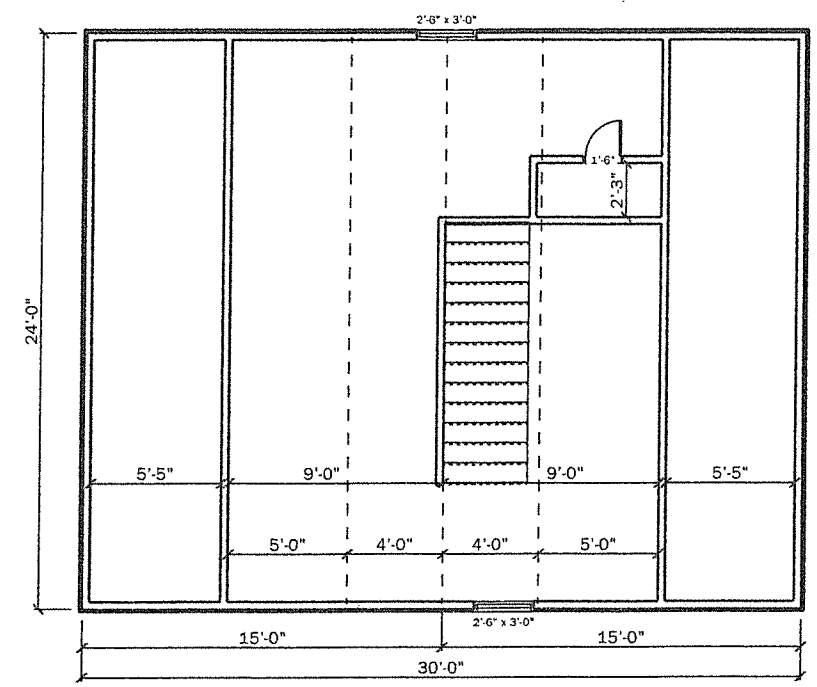
**REVISIONS**

DATE	REVISION
29 JUN 2023	DRAFT

DATE	JAN 24
SCALE	1/8" = 1'-0"

**FLOOR PLAN  
AS-IS**

A 1.2





Architectural  
Design  
Services

David Bonn, Principal  
bonndesign@yahoo.com  
971.203.3633

**CLIENT:**

Julie & Roy Wheeler  
240 N Vernonia Rd  
Saint Helens, OR 97051

**PROJECT:**

design an addition  
to the existing  
residence

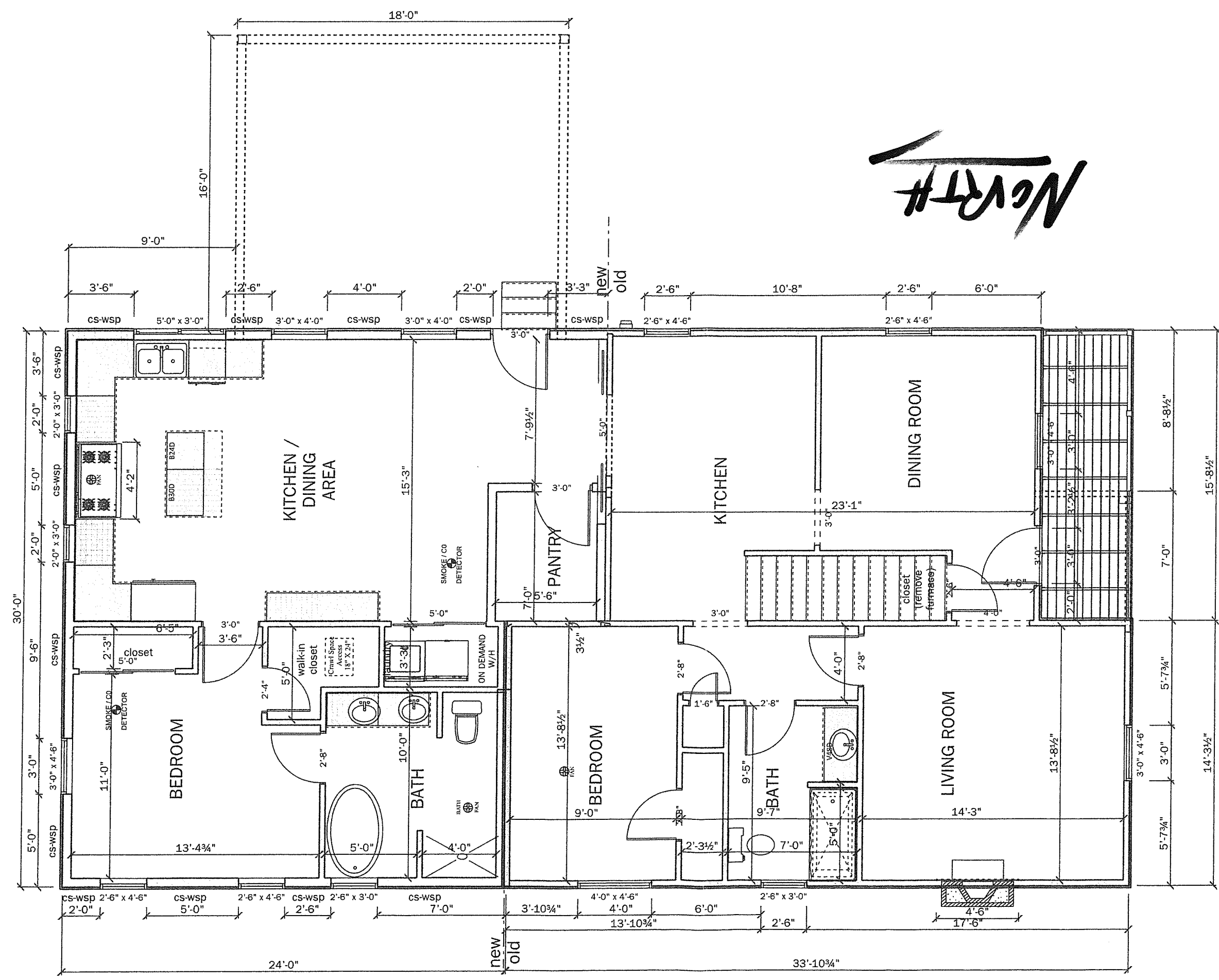
**REVISIONS**

DATE	REVISION
3 JAN 24	REMODEL

DATE	3 JAN 24
SCALE	3/16" = 1'-0"

**FLOOR PLANS  
REMODEL**

A 1.4



*NORTH*

Architectural  
Design  
Services

David Bonn, Principal  
bonndesign@yahoo.com  
971.203.3633

CLIENT:

Julie & Roy Wheeler  
240 N Vernonia Rd  
Saint Helens, OR 97051

PROJECT:

design an addition  
to the existing  
residence

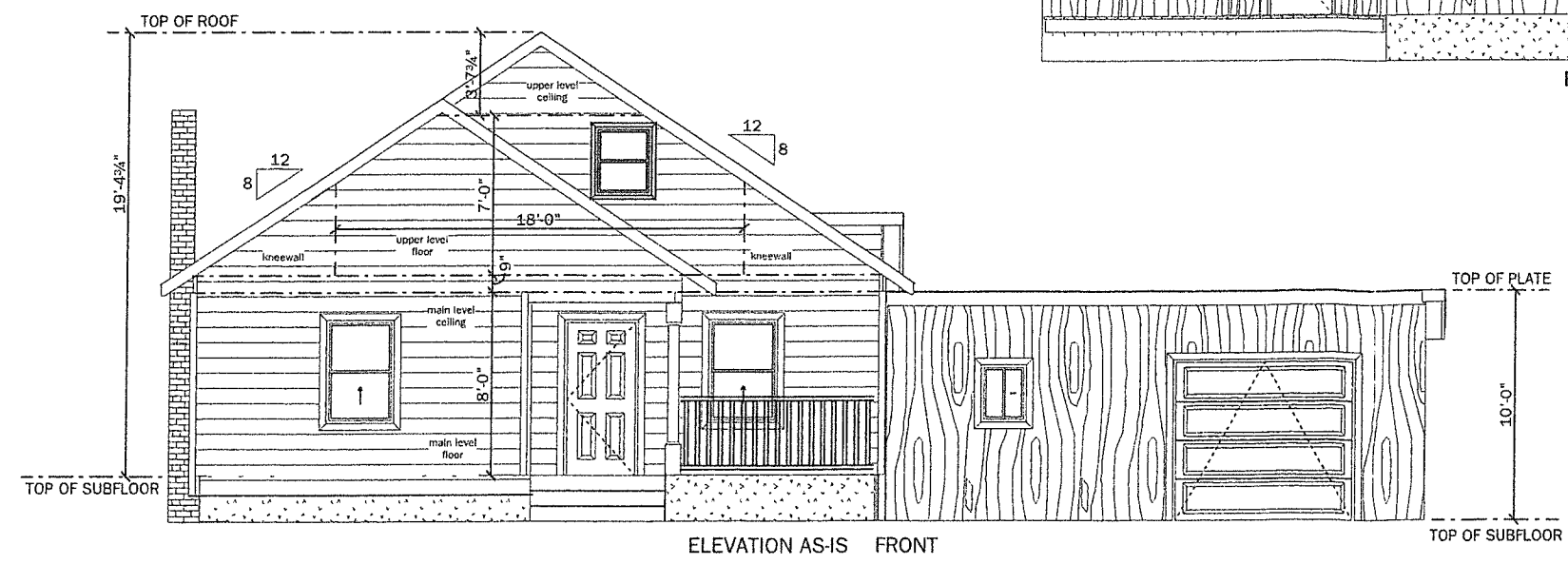
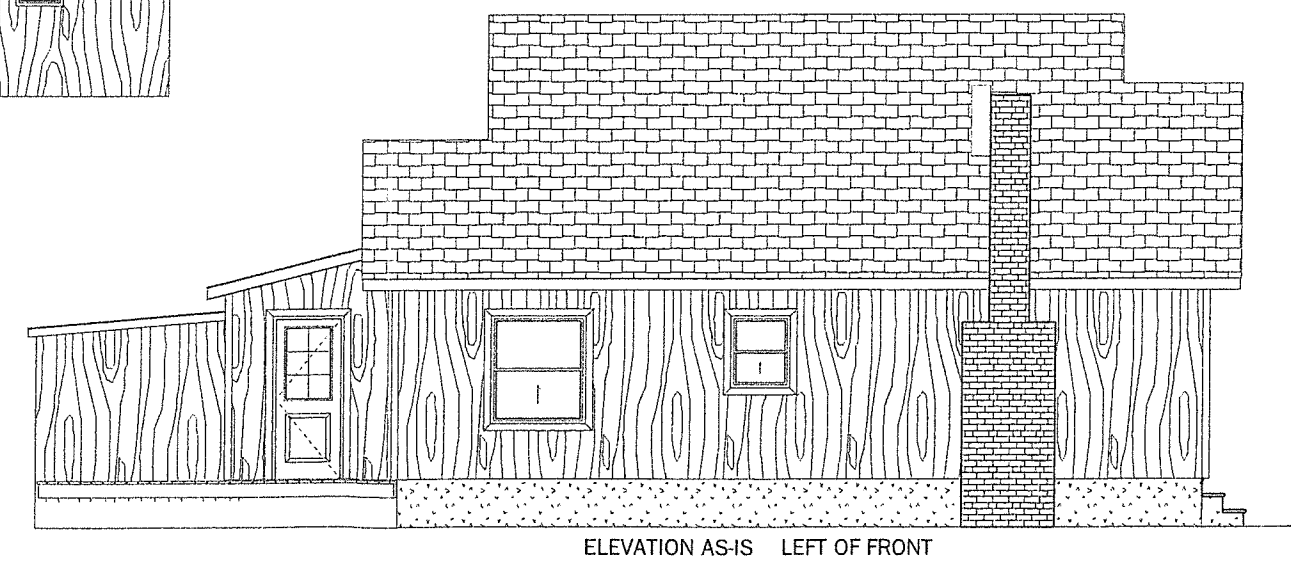
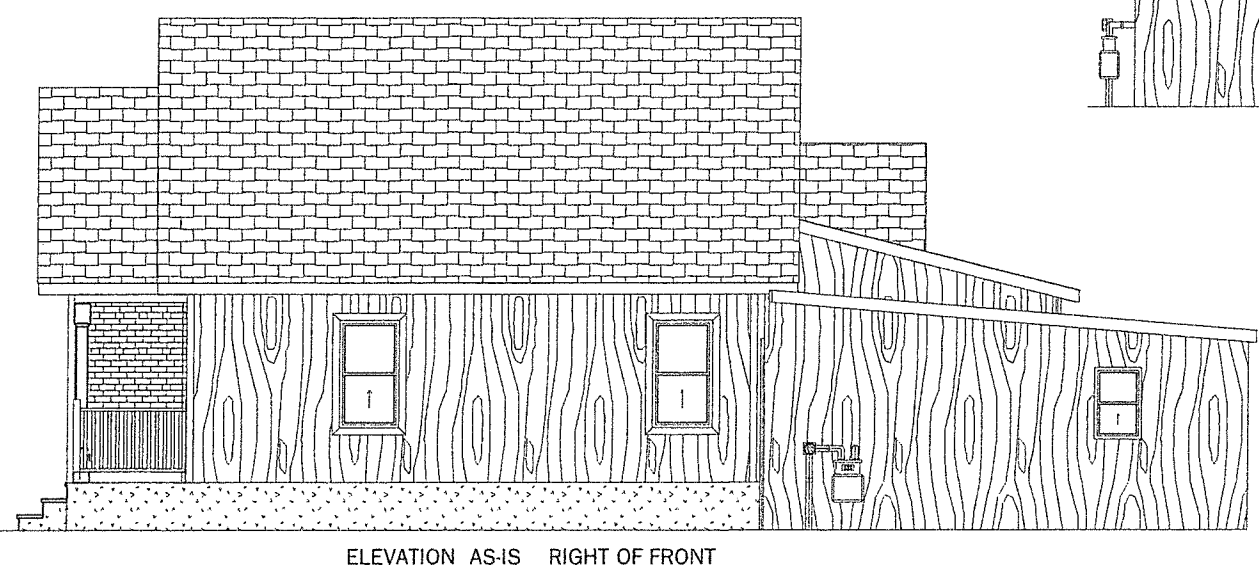
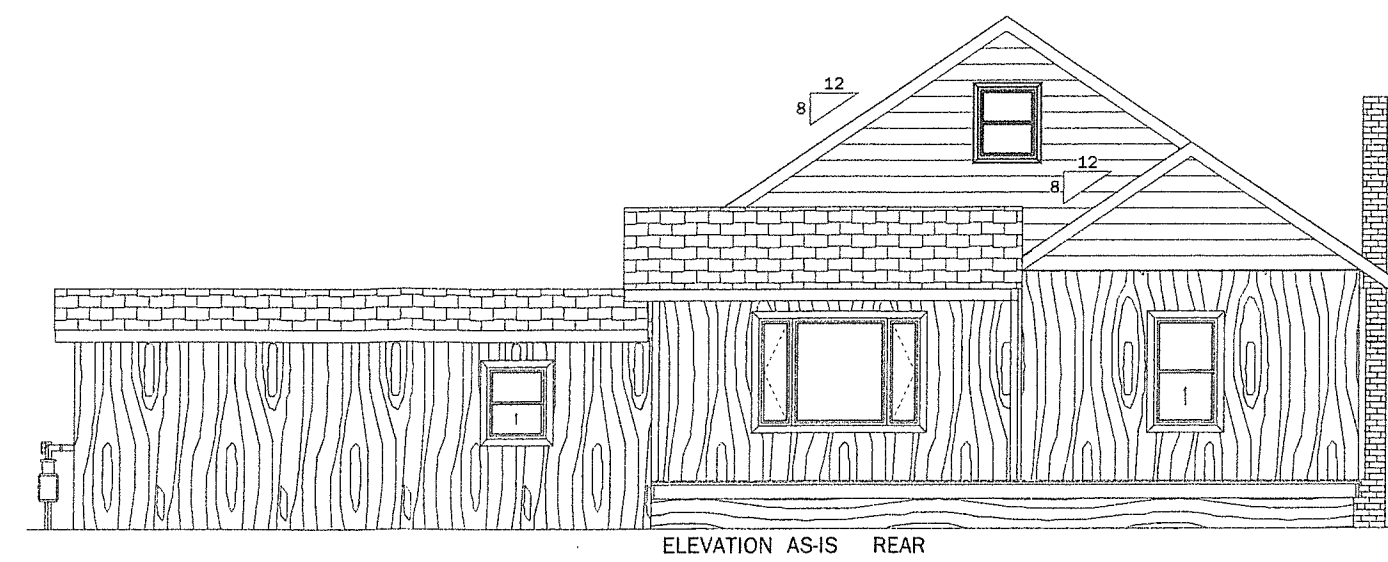
REVISIONS

DATE	REVISION
29 JUN 2023	DRAFT

DATE	JAN 24
SCALE	1/8" = 1'- 0"

ELEVATIONS  
AS-IS

A 1.1



Architectural  
Design  
Services

David Bonn, Principal  
bonndesign@yahoo.com  
971.203.3633

CLIENT:

Julie & Roy Wheeler  
240 N Vernonia Rd  
Saint Helens, OR 97051

PROJECT:

design an addition  
to the existing  
residence

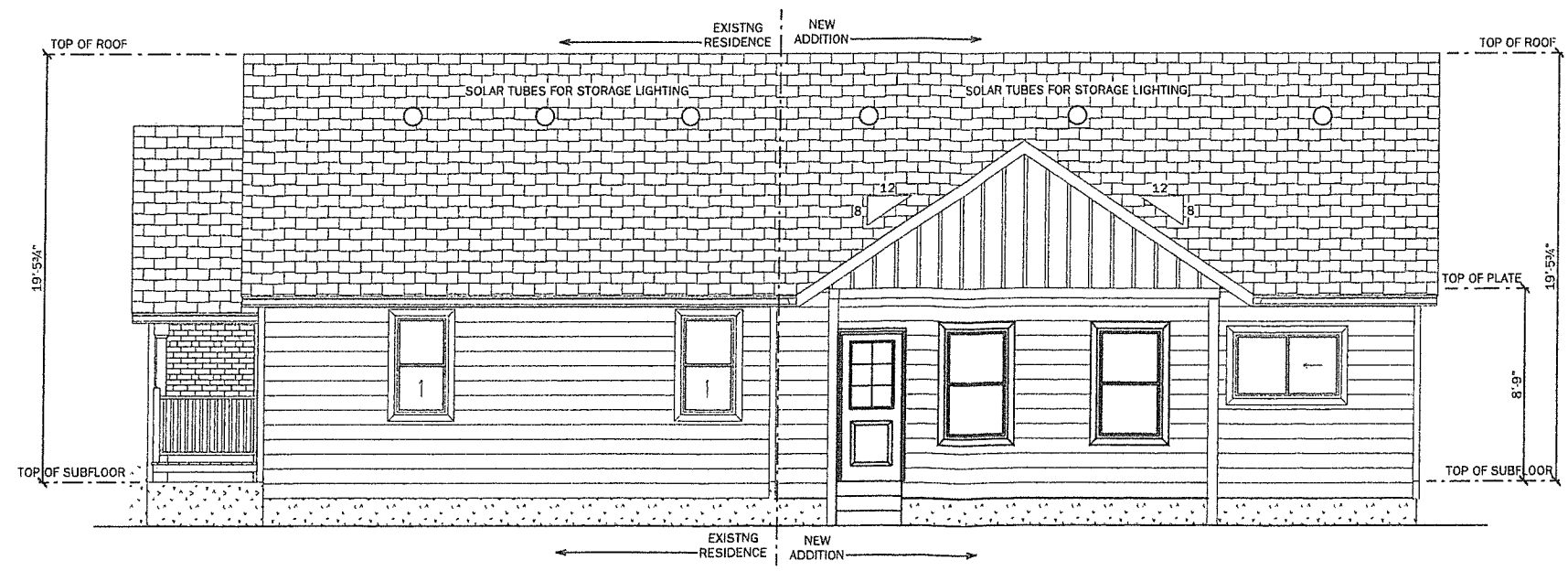
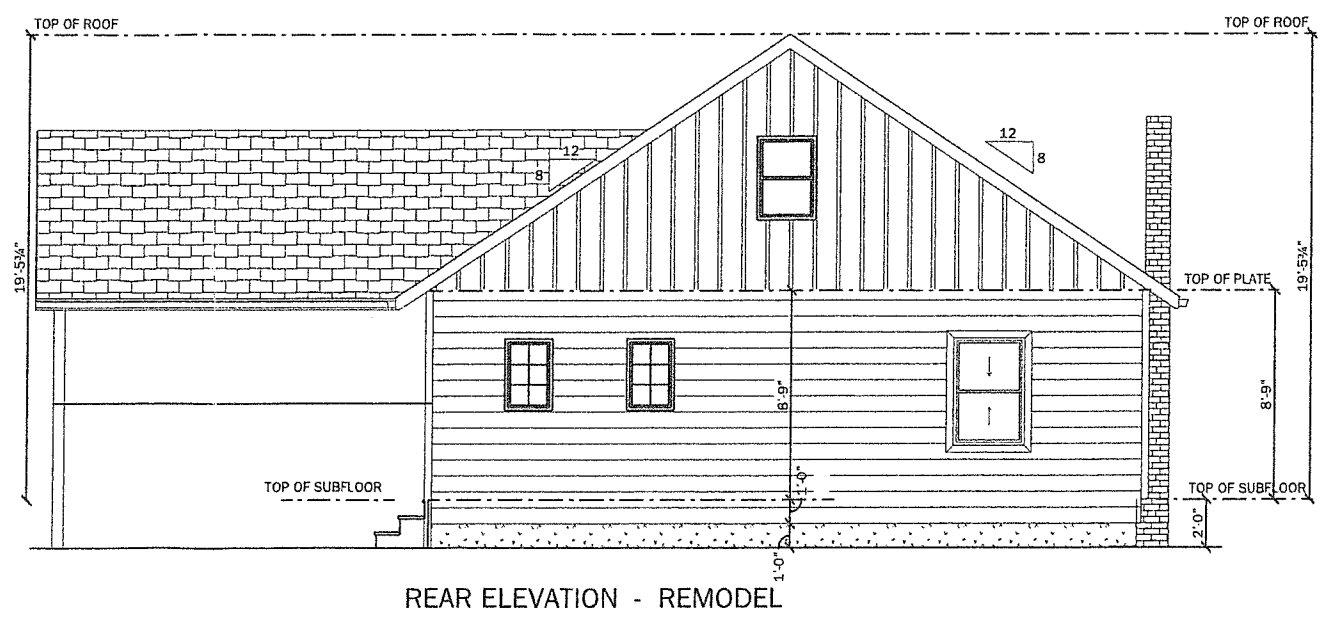
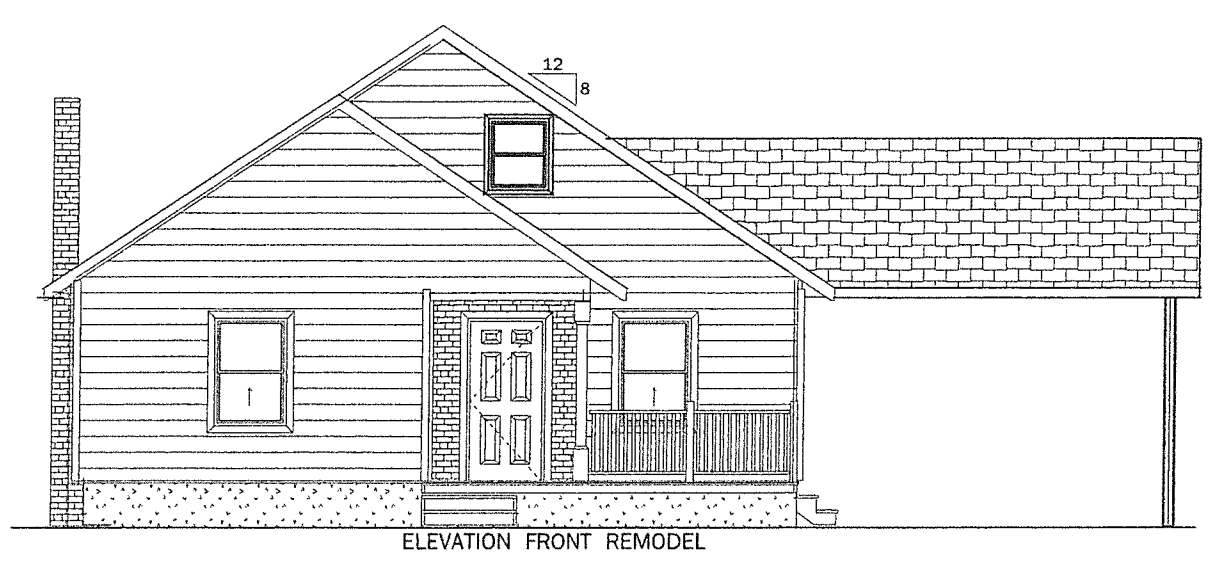
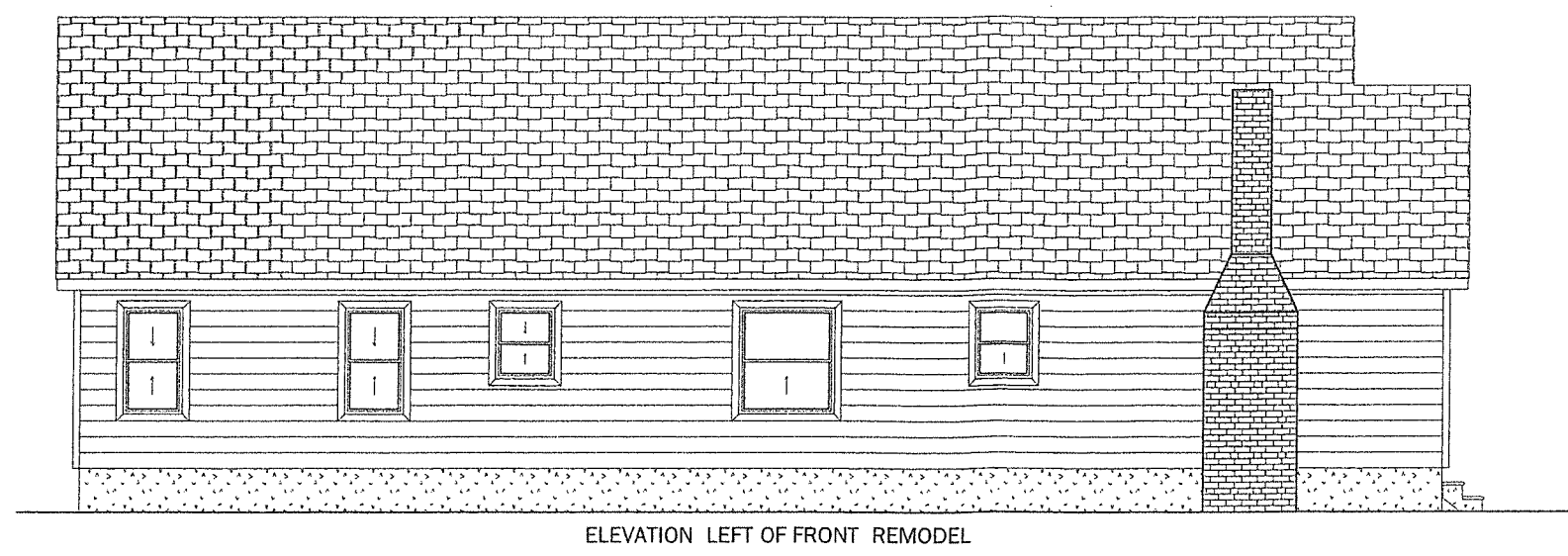
REVISIONS

DATE	REVISION
3 JAN 24	REMODEL

DATE	JAN 24
SCALE	1/8" = 1'- 0"

ELEVATIONS  
REMODEL

A 1.3





## CITY OF ST. HELENS PLANNING DEPARTMENT

# MEMORANDUM

**TO:** Planning Commission  
**FROM:** Jacob A. Graichen, AICP, City Planner  
**RE:** 2024 Development Code Amendments  
**DATE:** April 1, 2024

Before presenting the 2024 Development Code amendments before the Council to initiate the formal legislative proceedings, hopefully by mid-year, staff wants the Planning Commission to dive into the draft text first.

This memo provides some background and an overview of what it proposed, with an **attached** table of zoning with key aspects of the proposed changes, and the draft amendments themselves.

Please note that it will be best to review the draft code with the Development Code since the draft amendment document does not include much text that is not proposed to be changes. You can use your hard copy version or the online version <https://www.codepublishing.com/OR/StHelens/>.

### Basis for code amendments

1. **St. Helens Housing Needs Analysis (2019)** included a recommendation to allow cottage clusters, which is essentially multiple detached homes on a single property. Ordinance 3264 (2021) eliminated single family zoning allows two detached units where duplexes are allowed and established building separation requirements, neither of which was significantly controversial. This proposal takes this a step further by allowing multifamily development (3 or more units) in some cases to be detached, which would allow cottage cluster type development.

This also includes related changes to dwelling units in mixed use buildings, such as units above non-residential uses, on the same level as non-residential uses and those on ground level, depending on the zoning district.

This adds/amends many definitions in Chapter 17.16 SHMC, amends any zoning district that allows multifamily development (i.e., allows 3 or more dwelling units on a lot), and amends Site Development Review Chapter 17.96 SHMC, where the distinction between multifamily development (3 or more units on a lot) and multifamily structure (3 or more units in a building) become important.

Note that at the March 13, 2024 City Council / Planning Commission joint meeting, the Mayor suggested having policy that allowed detached single-room occupancy in addition to detached multi-family development. This would mean you could have detached sleeping rooms with a shared kitchen and or lavatory in its own building. Speaking with the Building Official about this concept, each building would need to comply with the energy code and accessibility would be required between buildings.

Because this seems inefficient, may not be practical, and would entail significant code rewrite, I thought it best to talk to the Commission about it more first.

2. **Measure 109 (2020)**, legalizing psilocybin for mental health purposes in the State of Oregon. As allowed by the measure, the city imposed a two-year moratorium, which is implemented by SHMC 5.08.010:

The establishment of psilocybin product manufacturers licensed under ORS 475A.290 and psilocybin service centers licensed under ORS 475A.305 is prohibited in the city of St. Helens.

This ordinance is repealed on December 31, 2024 and at the December 13, 2023 joint City Council / Planning Commission meeting, there was enough concern from those in attendance for staff to establish at least making psilocybin service centers—the place where people can obtain and consume psilocybin products—a conditional use in most commercial or mixed use zones, except for the Riverfront District.

This adds a definition to Chapter 17.16 and amends mixed use and commercial zones. Note that a psilocybin service center would not be allowed in the Riverfront District. This also adds the use to Chapter 17.100 regarding Conditional Uses and prohibits psilocybin manufacturing in conjunction with a service center.

3. **House Bill 4064 (2022)** changes how cities can regulate manufactured homes and prefabricates structures. For example, the long-time prohibition of single-wide manufactured homes can no longer be enforced and premanufactured structures are a new thing. Code updates to comply with current law.

We can prohibit old residential trailers (constructed before January 1, 1962) or mobile homes (constructed between January 1, 1962 and June 15, 1976) outside of manufactured homes parks, but have to allow them within. On a related note, ORS 197.493 requires that RVs be allowed in manufactured homes parks, just like they would be allowed in RV parks.

This adds definitions to Chapter 17.16 SHMC, tweaks SHMC 17.32.090—the only zone that allows manufactured/mobile home parks—and amends Chapter 17.60, where there are provisions to help protect historic resources. Manufactured homes are not allowed within a historic district or abutting a property with a designated landmark (locally significant historic property). Noteworthy change to SHMC 17.96.020.

4. **House Bill 3109 (2021)** updates the states childcare facility law. For many years, there has been restrictions on local governments on how certain childcare is allowed in homes in residential area and this bill creates additional restrictions outside of residential areas, impacting other zonings.

Oregon law requires child-caring agencies to be licensed. Children’s Care Licensing sets the licensing requirements for agencies that operate in Oregon and makes sure that agencies meet the requirements before receiving a license. There are two types: family child care home, which must be allowed and treated similarly to any single dwelling, and child care center which must be allowed in commercial and light industrial areas, generally.

This adds/amends definitions to Chapter 17.16 SHMC, and amends most zoning districts. Permit exemption clarified in SHMC 17.96.020 (Site Development Review) and added to SHMC 17.120.020 (Home Occupations).

5. Reexamination of **validity periods** for land use permits resulted in changes to be more consistent across the spectrum of land use permit types. See separate memo on this [attached](#) hereto.

In addition, the proposal includes a 10-year time period to utilize a planned development overlay before it expires. Any existing overlay would expire 10 years after January 1, 2025.

6. **House Bill 4064 (2023)** adds single room occupancies (SROs) to the list of “needed housing” in the ORS and requires local governments to allow them. SROs are attached living units that are not complete dwelling units given shared kitchen or lavatory facilities.

This adds a definition to Chapter 17.16 SHMC, and amends most zoning districts that allow typical residential uses, establishes one off-street parking space requirement per unit (same standard that applies

to a studio apartment) and note the applicability of Chapter 17.96 SHMC, the reference thereto being in the zoning district sections.

- 7. Housekeeping/scrivener’s errors. Notable things are:
  - a. Improved definition of boathouse.
  - b. Clarification of Time Extension application notification requirements. Code is silent on this matter currently.
  - c. Removal of “catering to motorists” language in the MU, HC and GC zones due to its lack a clarity and impracticality of implementation.
  - d. Prior to alteration of official historic resources in Chapter 17.36, photographs or drawings of the pre-altered state are required. With the museum going digital, it makes sense to add the digital option.
  - e. Parking for public safety facility is being updated to include the area for pubic use.

\* \* \* \* \*

**Changes by zoning district.**

**Suburban Residential – R-10**

- Home child care redefined in permitted uses.
- Single room occupancy (4-6 units) added to permitted uses.
- Child day care center redefined in conditional uses.

**Moderate Residential – R-7**

- Home child care redefined in permitted uses.
- Single room occupancy (4-6 units) added to permitted uses.
- Child day care center redefined in conditional uses.

**General Residential – R5**

- Home child care redefined in permitted uses.
- Single room occupancy (4-6 units) added to permitted uses.
- Child day care center redefined in conditional uses.
- Multidwelling development (3 or more dwelling units) clarified as being attached or detached housing in conditional uses. Detached housing for 3+ units will be allowed for first time in St. Helens since inception of zoning in 1953.
- Single room occupancy (>6 units) added to conditional uses and same standards that apply to multifamily development (3 or more dwelling units) applies to this.

**Apartment Residential – AR**

- Home child care redefined in permitted uses.
- Multidwelling development (3 or more dwelling units) clarified as being attached or detached housing in permitted uses. Detached housing for 3+ units will be allowed for first time in St. Helens since inception of zoning in 1953.
- Single room occupancy (4-6 units) added to permitted uses.
- Child day care center redefined in conditional uses.
- Single room occupancy (>6 units) added to conditional uses and same standards that apply to multifamily development (3 or more dwelling units) applies to this.

**Mobile Home Residential – MHR**

- Home child care redefined in permitted uses.
- Mobile home park redefined in permitted uses.
- Single room occupancy (4-6 units) added to permitted uses.
- Child day care center redefined in conditional uses.
- Multidwelling development (3 or more dwelling units) clarified as being attached or detached housing in conditional uses. Detached housing for 3+ units will be allowed for first time in St. Helens since inception of zoning in 1953.
- Single room occupancy (>6 units) added to conditional uses and same standards that apply to multifamily development (3 or more dwelling units) applies to this.

### **Mixed Use – MU**

- Child care center added to permitted uses (child day care center redefined and moved from conditional uses).
- Clarification that units above permitted uses (1-2 dwelling units) is attached housing and to distinguish from multifamily (3 or more dwelling units) in permitted uses.
- Home child care redefined in permitted uses.
- Removal of “catering to motorists” language for retail establishments in permitted uses.
- Single room occupancy (4-6 units) added to permitted uses. May be stand alone or units above permitted uses, but not on same level as non-residential use.
- Clarification that dwelling on same level as non-residential use applies to attached and detached housing in conditional uses.
- Clarification that multidwelling development (3 or more dwelling units) may attached or detached, except must be attached when above permitted uses in conditional uses. Detached housing for 3+ units will be allowed for first time in St. Helens since inception of zoning in 1953.
- Psilocybin service center added to conditional uses.
- Single room occupancy (>6 units) added to conditional uses. May be stand alone or units above permitted uses, but not on same level as non-residential use. Referencing the AR standards, the same standards that apply to multifamily development (3 or more dwelling units) applies to this.

### **Highway Commercial – HC**

- Child care center added to permitted uses.
- Family child care home added to permitted uses.
- Removal of “catering to motorists” language for offices and retail establishments in permitted uses. This also results in removal of retail not catering to motorists in from the conditional uses.
- Further defining the limitations of dwelling units above permitted uses, that the maximum amount is 2 units and that such must be attached housing with no dwelling on the same level as a non-residential use. This is a conditional use.
- Psilocybin service center added to conditional uses.

### **General Commercial – GC**

- Child care center added to permitted uses (child day care center redefined and moved from conditional uses).
- Clarification that units above permitted uses (1-2 dwelling units) is attached housing and to distinguish from multifamily (3 or more dwelling units) in permitted uses.
- Family child care home added to permitted uses.
- Removal of “catering to motorists” language for retail establishments in permitted uses.
- Further defining multidwelling development as a conditional use. Can only be attached housing (no cottage cluster type development) but may be on same level as nonresidential use.

- Psilocybin service center added to conditional uses.
- Single room occupancy (4 or more units) added to conditional uses. May be stand alone or units above permitted uses, but not on same level as non-residential use. Referencing the AR standards, the same standards that apply to multifamily development (3 or more dwelling units) applies to this.

**Light Industrial – LI**

- Child care center added to permitted uses (child day care center redefined and moved from conditional uses).

**Riverfront District – RD, Marina Subdistrict**

- Child care center added to permitted uses.
- Clarification that units above permitted uses (1-2 dwelling units) is attached housing and to distinguish from multifamily (3 or more dwelling units) in conditional uses.
- Family child care home added to permitted uses.
- Further defining multidwelling development as a conditional use. Can only be attached housing (no cottage cluster type development) and shall not be on same level as nonresidential use.
- Single room occupancy (4 or more units) added to conditional uses. May be stand alone or units above permitted uses, but not on same level as non-residential use. Referencing the AR standards, the same standards that apply to multifamily development (3 or more dwelling units) applies to this.

**Riverfront District – RD, Plaza Subdistrict**

- No change to prohibition of residential use on ground floor, except for official historic buildings.
- Clarification that units above permitted uses is attached housing and, a dwelling unit on the same level as nonresidential use is a conditional use.
- Single room occupancy (4 or more units) added to permitted uses. Shall be units above permitted uses and not on same level as non-residential use. Uses the same standard specific to this zoning district for density as dwelling units (i.e., per 500 s.f. of non-residential use area) and the same standards that apply to multifamily development (3 or more dwelling units) applies to this.
- Family child care home and child care center added to permitted uses. Child care removed from conditional uses.

**Riverfront District – RD, Mill Subdistrict**

- Clarification that multidwelling development (3 or more dwelling units) must be attached housing (no cottage clusters) in permitted uses.
- Single room occupancy (4 or more units) added to permitted uses, including residences above nonresidential uses. Not allowed on same level as non-residential use and the same standards that apply to multidwelling development (3 or more dwelling units) applies.
- Family child care home added to permitted uses.
- Child care center added to permitted uses (child day care center redefined and moved from conditional uses).
- Dwelling (attached housing only) on same level as non-residential use added to conditional uses.

**Houlton Business District – HBD**

- Clarification that units above permitted uses (1-2 dwelling units) is attached housing and to distinguish from multifamily (3 or more dwelling units) in permitted uses.
- Single room occupancy (4-6 units) added to permitted uses.



- Child care center added to permitted uses (child day care center redefined and moved from conditional uses.
- Family child care home added to permitted uses.
- Clarification that dwellings on the same level as non-residential use applies to both detached or attached housing in conditional uses.
- Clarification that multidwelling development (3 or more dwelling units on a lot) may be attached or detached housing, except is attached housing when above non-residential use in conditional uses. Detached housing for 3+ units will be allowed for first time in St. Helens since inception of zoning in 1953. Also, when above non-residential use, the density is based on the AR zone standards, a change from per 500 square feet of non-residential area.
- Psilocybin service center added to conditional uses.
- Single room occupancy (>6 units) added to conditional uses. May be stand alone or units above permitted uses, but not on same level as non-residential use. Referencing the AR standards, the same standards that apply to multifamily development (3 or more dwelling units) applies to this.

**Attached:** Land Use Decision Validity Periods Memo dated January 19, 2024  
Zoning and Residential Uses 2024 Code Amendment Proposal table dates March 1, 2024  
Draft Code Amendments (March 1, 2024 update)



# MEMORANDUM

**TO:** Planning Commission & City Council  
**FROM:** Jennifer Dimsho, AICP, Associate Planner  
**RE:** Land Use Decision Validity Periods – Proposed  
**DATE:** January 19, 2024

<i>Land Use Decision</i>	<b>Default Validity Period</b>	<b>Time Extension Period</b>	<b>Total Validity with Extension(s)</b>	<b>Code Section</b>
<i>Sensitive Lands</i>	<del>1.5 years</del> <u>1 year</u>	1 year	<del>2.5 years</del> <u>2 years</u>	SHMC 17.44.030
<i>Sign Permit</i>	<del>6 months</del> <u>1 year</u>	“Reasonable” <sup>4</sup>	<del>Unknown</del> <u>1 year</u>	SHMC 17.88.130 (6)
<i>Site Development Review</i>	1 year	<del>6 months</del> <u>1 year</u>	<del>1.5 years</del> <u>2 years</u>	SHMC 17.96.040
<i>Site Development Review (Phased)</i> <sup>2</sup>	Each phase: 1 year	<del>6 months</del> <u>1 year</u>	3 years	SHMC 17.96.050
<i>Conditional Use</i>	<del>1.5 years</del> <u>1 year</u>	1 year	<del>2.5 years</del> <u>2 years</u>	SHMC 17.100.030
<i>Variance</i>	1 year	1 year	2 years	SHMC 17.108.040
<i>Accessory Structure</i>	<del>1.5 years</del> <u>1 year</u>	1 year	<del>2.5 years</del> <u>2 years</u>	SHMC 17.124.050
<i>Tree Removal</i>	<del>1.5 years</del> <u>1 year</u>	1 year	<del>2.5 years</del> <u>2 years</u>	SHMC 17.132.050
<i>Subdivision</i>	<del>1 year</del> <u>2 years</u>	2 extensions at 1 year each	4 years	SHMC 17.136.040
<i>Subdivision (Phased)</i> <sup>3</sup>	Each phase: 2 years	2 extensions at 1 year each	6 years	SHMC 17.136.050
<i>Partition</i>	1 year	<del>6 months</del> <u>1 year</u>	<del>1.5 years</del> <u>2 years</u>	SHMC 17.140.035
<i>Planned Development</i>	<del>1.5 years</del> <u>2 years</u>	<del>1 year</del> <u>2 extensions at 1 year each</u>	<del>2.5 years</del> <u>4 years</u>	SHMC 17.148.030
<i>Planned Development (Phased)</i> <sup>4</sup>	Each phase: 2 years	2 extensions at 1 year each	7 years	SHMC 17.148.100

<sup>1</sup>An approved sign shall be constructed and installed within six months of the final approval of the permit, including resolution of any appeal. The sign permit shall be void if installation is not completed within this period or if the sign does not conform to the approved permit. Sign permits mistakenly issued in violation of this chapter or other provisions of this code are void. The planning director may grant a **reasonable extension of time** for the installation deadline upon a showing of reasonable grounds for delay.

<sup>2</sup>The director may approve a time schedule for developing a site in phases over a period of time of one year, but in no case shall the total time period for all phases be greater than **three years** without reapplying for site development review.

<sup>3</sup>The planning commission may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time period for any phase be greater than **two years** (unless an extension is granted) without reapplying for a preliminary plat, nor the cumulative time exceed **six years** (regardless of extensions) without applying for a new preliminary plat.

<sup>4</sup>The commission shall approve a time schedule for developing a site in phases, but in no case shall the total time period for all phases be greater than **seven years** without reapplying for preliminary development plan review.

## S C A P P O O S E , O R

<b>Land Use Decision</b>	<b>Default Validity Period</b>	<b>Time Extension</b>	<b>Total Validity Period</b>
<i>Sensitive Lands</i>	1 year	6 months	1.5 years
<i>Site Development Review</i>	1 year	1 year	2 years
<i>Site Development Review (Phased)</i>	1 year	1 year	3 years
<i>Conditional Use</i>	1 year	1 years	2 years
<i>Conditional Use (Phased)</i>	1 year	1 year	3 years
<i>Variance</i>	1 year	1 year	2 years
<i>Subdivision</i>	1 year	1 year	2 years
<i>Subdivision (Phased)</i>	Each phase: 2 years	1 year	5 years
<i>Partition</i>	1 year	1 year	2 years
<i>Planned Development (Overlay Zone)</i>	1 year	6 months	1.5 years

## S A N D Y , O R

<b>Land Use Decision</b>	<b>Default Validity Period</b>	<b>Time Extension</b>	<b>Total Validity Period</b>
<i>Site Development Review</i>	2 years	1 year	3 years
<i>Conditional Use</i>	2 years	1 year	3 years
<i>Variance</i>	2 years	1 year	3 years
<i>Subdivision</i>	2 years	1 year	3 years
<i>Partition</i>	1 year	N/A	1 year

## C O R N E L I U S , O R

<b>Land Use Decision</b>	<b>Default Validity Period</b>	<b>Time Extension</b>	<b>Total Validity Period</b>
<i>Site Development Review</i>	2 years	N/A	2 years
<i>Conditional Use</i>	2 years	N/A	2 years
<i>Variance</i>	1 year or 2 years (if COA)	N/A	2 years
<i>Subdivision</i>	1 year	1 year	2 years
<i>Subdivision (Phased)</i>	Each phase: 1 year	1 year for each phase	5 years
<i>Partition</i>	1 year	1 year	2 years
<i>Planned Development (With Subdivision)</i>	1 year	1 years	2 years

# Long Term Residential Uses by Zoning District – 2024 Code Amendment Proposal

Zone Use	R10	R7	R5	AR	MHR	MU	RD, Marina	RD, Plaza	RD, Mill	HBD	GC	HC	LI	HI	PL
1-2 Units Attached/Detached	P/P	P/P	P/P	P/P	P/P	P/P	N/N	N/N <sup>1</sup>	N/N	P/P	N/N	N/N	N/N	N/N	N/N
3+ Units Attached/Detached (Proposed)	N/N	N/N	C/N (C/C)	P/N (P/P)	C/N (C/C)	C/N (C/C)	C/N	N/N	P/N	C/N (C/C)	C/N	N/N	N/N	N/N	N/N
1-2 Units Upper Floors <sup>2</sup> (Proposed)	N	N	N	N	N	S (P)	S (P)	P	P	S (P)	S (P)	S (C)	N	N	N
3+ Units Upper Floors <sup>2</sup> (Proposed)	N	N	N	N	N	S (C)	S (C)	P	P	S (C)	S (C)	S (N)	N	N	N
Single Room Occupancy (Proposed)	S (P 4-6)	S (P 4-6)	S (P 4-6) (C > 6)	S (P 4-6) (P > 6)	S (P 4-6) (C > 6)	S (P 4-6) (C > 6)	S (C > 4)	S (P > 4) Upper Only)	S (P > 4)	S (P 4-6) (C > 6)	S (C > 6)	S (N)	N	N	N
Unit, Same Level as Non-Residential (Proposed) (DU-Attached/Detached)	N	N	N	N	N	C (C/C DU) (N SRO)	S (N/N DU) (N SRO)	S (C <sup>3</sup> /N DU) (N SRO)	S (C/N DU) (N SRO)	C (C/C DU) (N SRO)	S (C/N DU) (N SRO)	S (N)	N	N	N
Attached SFD	N	N	P	P	N	P	N	N	P	P	N	N	N	N	N
M Home Park	N	N	N	N	P	N	N	N	N	N	N	N	N	N	N
RV Park	N	N	N	N	C	C	C	N	N	N	C	C	C	C	C
Houseboat	N	N	N	N	N	N	P	N	P	N	N	N	N	N	N
Caretaker	N	N	N	N	N	N	N	N	N	N	N	N	C	C	N

<sup>1</sup> Except for historic residential structures      <sup>3</sup> Except not allowed on first floor

<sup>2</sup> Attached housing all zones

**P** - Permitted  
**N** - Not Allowed

**C** - Conditional Use  
**S** - Silent

**DU** - Dwelling Unit  
**SRO** - Single Room Occupancy

## Zoning Districts

R-10: Suburban residential

R7: Moderate residential

R5: General residential

AR: Apartment residential

MHR: Mobile home residential

MU: Mixed use

RD: Riverfront district (Marina, Plaza, and Mill subdistrict)

HBD: Houlton business district

GC: General commercial

HC: Highway commercial

LI: Light industrial

HI: Heavy industrial

PL: Public lands

The official zoning map can be found here: <https://www.sthelensoregon.gov/planning/page/zoning-maps-gis>

Zoning information can also be found here: <http://webgis.metroplanning.com/sainthelensgis/sainthelensgis.html>

underlined words are added  
~~words-stricken~~ are deleted

[...] means skipping text as it reads in the code (e.g., to focus on text being edited in this document)

## CHAPTER 17.16 GENERAL AND LAND USE DEFINITIONS

[...]

### 17.16.010 General and land use definitions.

Words used in this Development Code have their normal dictionary meaning unless they are listed below. Words listed below have the specific meaning stated, unless the context clearly indicates another meaning.

The definition of words with specific meaning in the Development Code are as follows:

[...]

“Boathouse” means any structure supported wholly or partially by flotation, used wholly or partially to ~~houseboat(s)~~ house or shelter a boat or boats, or other waterborne vessel(s). See floating structures ordinance Chapter 15.16 SHMC.

[...]

“Child care center” means a child care facility, other than a family child care home, that is certified under ORS 329A.280.

“~~Child care facility~~” means ~~a commercial establishment enrolling children under the age of 13 years and where tuition, fees, or other forms of compensation for the care of the children is charged, and which is licensed or approved to operate as a child care center (also “day care,” “children’s center,” “day nursery”)~~ any facility that provides child care to children, including day nursery, nursery school, child care center, certified or registered family child care home or similar unit operating under any name, and as further defined by ORS 329A.440.

[...]

“Dwelling: multidwelling units, apartment (multifamily)” means three or more dwelling units on a single lot or development site. It is considered attached housing when a structure containing contains at least three dwelling units in any vertical or horizontal arrangement located on a single lot (e.g., town house, triplex, apartments and condominiums). It is considered detached housing when dwelling units are in structures detached from one another. If there are other uses or occupancies on the same lot or development site, such as a mixed use building, it is still considered a multidwelling unit development or use in addition to the others.

[...]

~~“Family Day Care Facility. See “home child care.”~~ home” means a child care facility in a dwelling that is caring for not more than sixteen children and is certified under ORS 329A.280 or is registered under ORS 329A.330.

[...]

~~“Home child care” means any care provider who provides care to children under the age of 13 years in the home of the provider to fewer than 13 children, including children of the provider, regardless of full-time or part-time status (also “family day care”).~~

[...]

“Manufactured dwelling” means a residential trailer, mobile home, or manufactured home, but not including any building or structure ~~subject~~ constructed to conform to the State of Oregon structural specialty code adopted pursuant to ORS 455.100 through 455.450 or the low-rise residential dwelling code or any unit identified as a recreational vehicle by the manufacturer.

[...]

“Multidwelling structure” or “multidwelling unit structure” means a structure containing at least three dwelling units in any vertical or horizontal arrangement. If there are other uses or occupancies within the same structure, it is still considered a multidwelling structure in addition to the others.

[...]

“Prefabricated structure” means a structure, as defined in ORS 455.010, that is relocatable, more than eight and one-half feet wide and designed for use as a single-family dwelling. It is a building or subassembly that has been in whole or substantial part manufactured or assembled using closed construction at an off-site location to be wholly or partially assembled on-site. It does not mean a **manufactured dwelling** or small home as defined in Section 2, Chapter 401, Oregon Laws 2019.

[...]

“Psilocybin service center” has the meaning described in ORS 475A.220.

[...]

“Residential trailer” means a structure constructed for movement on public streets that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed before January 1, 1962.

[...]

“Single room occupancy” means a residential development with no fewer than four attached units that are independently rented and lockable and provide living and sleeping space for the exclusive use of an occupant, but require that the occupant share sanitary and/or food preparation facilities with other units in the occupancy.

[...]

**CHAPTER 17.24  
PROCEDURES FOR DECISION-MAKING – QUASI-JUDICIAL**

[...]

**17.24.120 Notice of decision by the director.**

(1) Notice of the director’s decision on an application pursuant to SHMC 17.24.090 shall be given by the director in the following manner:

[...]

(4) For decisions of time extensions, notice requirements are the same as the corresponding application type.

~~(4)~~ (5) If not listed in subsection (1) or (4) of this section, no notice of a director’s decision is required (e.g., final plat partitions, building permits).

[...]

**17.24.130 Notice of planning commission, historic landmark commission and city council proceedings.**

[...]

(3) Time extensions of decisions by the planning commission, historic landmark commission, and/or city council, shall be administered by the director per SHMC 17.24.120. Those entitled to notice shall still be per this Section.

~~(3)~~ (4) Where applicable, other notices required by law shall be accomplished.

[...]

**CHAPTER 17.32  
ZONES AND USES**

[...]

**17.32.050 Suburban residential zone – R-10.**



[...]

(2) Uses Permitted Outright. In an R-10 zone, the following uses are permitted outright:

- (a) Duplex.
- (b) ~~Home child care~~ Family child care home in lawfully existing dwelling.
- (c) Home occupation (per Chapter 17.120 SHMC).
- (d) Public facilities, minor.
- (e) Public park after site development review.
- (f) Residential home.
- (g) Single-dwelling unit, detached. Up to two may be allowed per lot, parcel, or otherwise lawfully established unit of land per ORS Chapter 92.
- (h) Single room occupancy, maximum of six units.

(3) Conditional Uses (See Chapter 17.100 SHMC). In an R-10 zone, the following conditional uses may be permitted upon application:

- (a) ~~Children's day care or day nursery~~ Child care center.

[...]

#### 17.32.060 Moderate residential zone – R7.

[...]

(2) Uses Permitted Outright. In an R-7 zone, the following uses are permitted outright:

- (a) Duplex.
- (b) ~~Home child care~~ Family child care home in lawfully existing dwelling.
- (c) Home occupation (per Chapter 17.120 SHMC).
- (d) Public facilities, minor.
- (e) Public park after site development review.
- (f) Residential home.
- (g) Single-dwelling unit, detached. Up to two may be allowed per lot, parcel, or otherwise lawfully established unit of land per ORS Chapter 92.
- (h) Single room occupancy, maximum of six units.

(3) Conditional Uses (See Chapter 17.100 SHMC). In an R-7 zone, the following conditional uses may be permitted upon application:

- (a) Bed and breakfast, homestay, boarding house.
- (b) ~~Children's day care/day nursery~~ Child care center.

[...]

#### 17.32.070 General residential zone – R-5.

[...]

- (2) Uses Permitted Outright. In an R-5 zone, the following uses are permitted outright:
- (a) Duplex.
  - (b) ~~Home child care~~ Family child care home in lawfully existing dwelling.
  - (c) Home occupation (per Chapter 17.120 SHMC).
  - (d) Public facility, minor.
  - (e) Public park.
  - (f) Residential home.
  - (g) Single-dwelling units, attached (five units maximum together).
  - (h) Single-dwelling unit, detached. Up to two may be allowed per lot, parcel, or otherwise lawfully established unit of land per ORS Chapter 92.
  - (i) Single room occupancy, maximum of six units.

(3) Conditional Uses (See Chapter 17.100 SHMC). In an R-5 zone, the following conditional uses may be permitted upon application:

- (a) Bed and breakfast, homestay, and boarding house.
- (b) ~~Children's day care/day nursery~~ Child care center.
- (c) Commercial recreation facility.
- (d) Cultural exhibits and library services.
- (e) Neighborhood store/plaza.
- (f) Multidwelling units, which may be attached housing and/or detached housing.
- (g) Elderly/convalescent home.
- (h) Private park.
- (i) Public facilities, major.
- (j) Public safety facilities.
- (k) Religious assembly.
- (l) Residential facility.
- (k) Single room occupancy with more than six units.

(4) Standards. In the R-5 zone, the following standards shall apply:

(a) For dwellings, the minimum lot size shall be 5,000 square feet for the single-dwelling unit, detached, and duplex and 2,500 square feet for each single-dwelling unit, attached (maximum of five units together). For multidwelling units, use 5,000 square feet as base plus 2,500 square feet for each multidwelling unit thereafter. For single room occupancy, the minimum lot size for up to six units is 5,000 square feet, and based on the same minimum lot size for multidwelling units, as determined by the number of units, for more than six single room occupancy units.

(b) The maximum building height shall be 35 feet except as required in SHMC 17.68.040.

(c) The minimum lot width at the building line and street shall be 50 feet for detached units, ~~and~~ duplexes, and single room occupancy. For attached single-dwelling units the width shall be at least 25 feet wide each. No minimum for multidwelling unit lots. For flag lots the width at the street shall be a minimum of 20 feet.

[...]

(g) No side yard shall be less than five feet wide for single-dwelling, detached, duplexes,

~~and~~ single-dwelling, attached structures, and single room occupancy structures with no more than six units and 10 feet for multidwelling structures and single room occupancy structures with more than six units. Corner lots shall have a minimum exterior side yard of 10 feet.

(h) The minimum rear yard depth shall be 10 feet.

(i) The minimum interior yard shall be six feet. Multidwelling units and single room occupancy structures with more than six units shall also comply with SHMC 17.96.180(11).

(j) The minimum front and side yards or other setbacks as stated herein shall be increased where such yard or setbacks abut a street having insufficient right-of-way widths to serve the area; in such cases, the planning commission shall determine the necessary setback requirements.

(k) Buildings and structures shall not occupy more than 40 percent of the lot area except for single attached, ~~and~~ multidwelling units, and single room occupancy structures with more than six units which can be up to 50 percent.

(l) No lot, parcel, or otherwise lawfully established unit of land per ORS Chapter 92 shall have more than one principal building constructed thereon, except for multidwelling ~~structures~~ units, single room occupancy with more than six units, and as otherwise allowed in this section.

(m) The minimum landscaping for dwellings other than multidwelling ~~s~~ units and single room occupancy with more than six units shall be 25 percent of the lot area.

(5) All chapters of the Development Code apply.

(a) See Chapter 17.64 SHMC for additional yard requirements and exceptions.

(b) SHMC 17.96.180 includes many site development standards specific to multidwelling units. The same standards that apply to multidwelling unit development and multidwelling structures per SHMC 17.96.180 shall apply to single room occupancy development with more than six units.

[...]

### 17.32.080 Apartment residential zone – AR.

[...]

(2) Uses Permitted Outright. In an AR zone, the following uses are permitted outright:

(a) Duplex.

(b) ~~Home child care~~ Family child care home in lawfully existing dwelling.

(c) Home occupation (per Chapter 17.120 SHMC).

(d) Multidwelling units, which may be attached housing and/or detached housing.

(e) Public facility, minor.

(f) Public park.

(g) Residential facility.

(h) Residential home.

(i) Single-dwelling unit, attached residential units (five units maximum together).

(j) Single-dwelling unit, detached residential units. Up to two may be allowed per lot, parcel, or otherwise lawfully established unit of land per ORS Chapter 92.

(k) Single room occupancy, maximum of six units.

(l) Single room occupancy with more than six units.

(3) Conditional Uses (See Chapter 17.100 SHMC). In an AR zone, the following conditional uses may be permitted upon application:

- (a) Bed and breakfast, homestay, and boarding house.
- (b) ~~Children's day care/day nursery~~ Child care center.

[...]

(4) Standards. In the AR zone, the following standards shall apply:

(a) For dwellings the minimum lot size shall be 4,000 square feet for single-dwelling, detached units and duplexes; 1,600 square feet minimum lot size for single-dwelling, attached units each (maximum of five units together); and 1,500 square feet minimum lot size for each multidwelling unit over the base of 4,000 square feet for the first two units (with no maximum). For single room occupancy, the minimum lot size for up to six units is 4,000 square feet and based on the same minimum lot size for multidwelling units, as determined by the number of units, for more than six single room occupancy units

(b) The minimum front yard shall be 20 feet.

(c) For single-dwelling, detached units, ~~and~~ duplexes, and single room occupancy the minimum lot width at the street and building line shall be 40 feet and no minimum for multidwelling unit lots; for flag lots and single attached dwelling units the minimum lot width at the street is 20 feet.

(d) The minimum lot depth shall be 85 feet, except single-dwelling units, attached shall be 80 feet.

(e) No side yard shall be less than five feet wide for single-dwelling, detached, duplexes, ~~and~~ single-dwelling, attached structures, and single room occupancy structures with no more than six units and 10 feet for multidwelling structures and single room occupancy structures with more than six units. Corner lots shall have a minimum exterior side yard of 10 feet.

(f) The minimum rear yard depth shall be 10 feet.

(g) The minimum interior yard shall be six feet. Multidwelling units and single room occupancy structures with more than six units shall also comply with SHMC 17.96.180(11).

[...]

(k) No lot, parcel, or otherwise lawfully established unit of land per ORS Chapter 92 shall have more than one principal building constructed thereon, except for multidwelling ~~structures~~ units, single room occupancy with more than six units, and as otherwise allowed in this section.

(l) The minimum landscaping shall be 25 percent of the lot area except for multidwelling units ~~structures~~ and single room occupancy with more than six units.

(5) All chapters of the Development Code apply.

(a) See Chapter 17.64 SHMC for additional yard requirements and exceptions.

(b) SHMC 17.96.180 includes many site development standards specific to multidwelling units. The same standards that apply to multidwelling unit development and multidwelling structures per SHMC 17.96.180 shall apply to single room occupancy development with more than six units.

[...]

**17.32.090 Mobile home residential zone – MHR.**

[...]

- (2) Uses Permitted Outright. In the MHR zone, the following uses are permitted outright:
- (a) Duplex.
  - (b) ~~Home child care~~ Family child care home in lawfully existing dwelling.
  - (c) Home occupation (per Chapter 17.120 SHMC).
  - (d) Manufactured dwelling (Mmobile home) parks.
  - (e) Public parks.
  - (f) Public facility, minor.
  - (g) Residential home.
  - (h) Single-dwelling unit, detached. Up to two may be allowed per lot, parcel, or otherwise lawfully established unit of land per ORS Chapter 92.
  - (i) Single room occupancy, maximum of six units.
- (3) Conditional Uses (See Chapter 17.100 SHMC). In the MHR zone, the following conditional uses may be permitted upon application:
- (a) Bed and breakfast, homestay, and boarding house.
  - (b) ~~Children's day care or day nursery~~ Child care center.
  - (c) Community recreation including structures.
  - (d) Neighborhood store/plaza.
  - (e) Multidwelling units, which may be attached housing and/or detached housing.
  - (f) Private park.
  - (g) Public facilities, major.
  - (h) Public or private school or college.
  - (i) Religious assembly.
  - (j) Residential facility.
  - (k) Sanitarium, rest home, senior or convalescent care facilities.
  - (l) Single room occupancy with more than six units.
  - (m) ~~(m)~~ Travel trailer parks.

[...]

**17.32.095 Mixed use zone – MU.**

[...]

- (2) Uses Permitted Outright. In an MU zone, the following uses are permitted outright subject to the provisions of this code and especially the chapter on site development review (Chapter 17.96 SHMC):
- (a) Animal sales and services: grooming, kennels, retail and veterinary (small animals).
  - (b) Car washes.
  - (c) Child care center.

- ~~(e)~~ (d) Congregate housing.
- ~~(d)~~ (e) Continuing care retirement community.
- ~~(e)~~ (f) Cultural and library services.
- ~~(f)~~ (g) Dwellings: single detached or attached, duplexes, and dwellings above permitted uses if no more than two dwelling units and is attached housing. If more than two dwelling units above permitted uses, see SHMC 17.32.095(3) for multidwelling units.
- ~~(g)~~ (h) Eating and drinking establishments.
- ~~(h)~~ (i) Equipment (small) sales, rental and repairs.
- (j) Family child care home in lawfully existing dwelling.
- ~~(i)~~ (k) Financial institutions.
- ~~(j)~~ (l) Hardware store, without outdoor storage.
- ~~(k)~~ ~~Home child care.~~
- ~~(l)~~ (m) Home occupation (per Chapter 17.120 SHMC).
- ~~(m)~~ (n) Hotels and motels.
- ~~(n)~~ (o) Offices – all.
- ~~(o)~~ (p) Personal and business services such as barber shops, beauty shops, tailors, laundries, printing, and locksmiths.
- ~~(p)~~ (q) Plumbing, HVAC, electrical and paint sales and service, without outdoor storage.
- ~~(q)~~ (r) Produce stands.
- ~~(r)~~ (s) Public facility, minor.
- ~~(s)~~ (t) Repair and maintenance of permitted retail products.
- ~~(t)~~ (u) Residential home.
- ~~(u)~~ (v) Retail sales establishments, ~~not specifically catering to motorists.~~
- ~~(v)~~ (w) Single room occupancy, maximum of six units. May be stand alone or units above permitted uses but shall not be on the same level as nonresidential use.
- ~~(w)~~ (x) Studios.
- ~~(x)~~ (y) Theaters, except drive-ins.

(3) Conditional Uses. In the MU zone, the following conditional uses may be permitted upon application, subject to provision of Chapter 17.100 SHMC and other relevant sections of this code:

[...]

(f) Businesses with outdoor storage (those businesses permitted in subsection (2) of this section).

- ~~(g)~~ ~~Child care facility/day nursery.~~
- ~~(h)~~ (g) Drive-up businesses and services.
- ~~(i)~~ (h) Dwellings on same level as nonresidential use. This applies to both attached housing and detached housing.
- ~~(j)~~ (i) Funeral homes.
- ~~(k)~~ (j) Hospitals and senior or convalescent care facilities.
- ~~(l)~~ (k) Laundromats and dry cleaners.
- ~~(m)~~ (l) Lodge, fraternal and civic assembly.
- ~~(n)~~ (m) Lodging facilities or rooming house.
- ~~(o)~~ (n) Marijuana retailer and/or medical marijuana dispensary.

~~(p)~~ (o) Multidwelling units, which may be attached housing and/or detached housing, except dwelling units above permitted uses shall be attached housing.

~~(q)~~ (p) Nurseries and greenhouses.

~~(r)~~ (q) Parking lots.

~~(s)~~ (r) Parks, public and private.

~~(t)~~ (s) Pawn shops.

(t) Psilocybin service center.

(u) Public and private schools.

(v) Public facilities, major.

(w) Public safety facilities.

(x) Recreation facilities (public or private).

(y) Religious assembly, including cemeteries.

(z) Residential facility.

(aa) Shopping centers.

(bb) Single room occupancy with more than six units. May be stand alone or units above permitted uses but shall not be on same level as nonresidential use.

~~(cc)~~ (cc) Travel trailer parks.

~~(dd)~~ (dd) Vehicle repair, service, and sales.

[...]

(4) Standards. In the MU zone the following standards shall apply:

[...]

(e) Multidwelling units, ~~and~~ dwelling units and single room occupancy units above permitted uses, and single room occupancy with more than six units must shall comply with AR standards and other applicable sections of this code. Except, for structures with units above permitted uses, the yard (setback) that applies is based on the use of the first (ground level) floor.

(f) Single-dwelling units, attached or detached, ~~and~~ duplexes, and single room occupancy, maximum of six units shall comply with R-5 standards.

[...]

### 17.32.100 Highway Commercial – HC.

(1) Purpose. The HC zone is intended to ~~recognize the existing~~ focus on commercial development along ~~Highway 30~~ Columbia River Highway (US30) ~~and to limit future commercial activity to retail concerns, activities that cater to motorists, and firms that deal in large goods and require unusual amounts of space.~~

(2) Uses Permitted Outright. In an HC zone, the following uses are permitted outright subject to the provisions of this code and in particular the chapter on site development review (Chapter 17.96 SHMC):

[...]

- (e) Car washes.
- (f) Child care center.
- ~~(g)~~ (g) Drive-up facilities (see specific requirements in Chapter 17.100 SHMC).
- ~~(h)~~ (h) Eating and drinking establishments, including drive-up and carry-out.
- (i) Family child care home in lawfully existing dwelling.
- ~~(j)~~ (j) Financial institutions, including drive-through (see specific requirements in Chapter 17.100 SHMC).
- ~~(k)~~ (k) Gasoline stations.
- ~~(l)~~ (l) Home occupation (per Chapter 17.120 SHMC).
- ~~(m)~~ (m) Motels and hotels.
- ~~(n)~~ (n) Motor vehicle sales, service and repair.
- ~~(o)~~ (o) Nurseries and greenhouses.
- ~~(p)~~ (p) Offices ~~catering to motorists (e.g., insurance claims)~~ all.
- ~~(q)~~ (q) Personal and business services such as barber shops, beauty shops, tailors, laundries, printing, and locksmiths.
- ~~(r)~~ (r) Parking lot.
- ~~(s)~~ (s) Plumbing, HVAC, electrical and paint sales and service.
- ~~(t)~~ (t) Produce stands.
- ~~(u)~~ (u) Public facility, minor.
- ~~(v)~~ (v) Retail sales establishments, ~~specifically catering to motorists, including drive-in.~~
- ~~(w)~~ (w) Retail sales of large equipment items and repair and maintenance concerns that conduct business completely within an enclosed building except for outdoor storage.
- ~~(x)~~ (x) Shopping plaza (permitted businesses only).
- ~~(y)~~ (y) Small equipment rentals, sales and repair.
- ~~(z)~~ (z) Theaters, except drive-ins.
- ~~(aa)~~ (aa) Tire shops within an enclosed building.

(3) Conditional Uses. In the HC zone, the following conditional uses may be permitted upon application, subject to provisions of Chapter 17.100 SHMC and other relevant sections of this code:

[...]

- (b) Dry cleaners and laundromats.
- (c) Dwelling units above ~~outright~~ permitted uses provided the number of dwelling units does not exceed two on a single lot or development site, is attached housing, and no dwelling unit is on same level as nonresidential use.

[...]

- (g) Parks.
- (h) Psilocybin service center.
- ~~(i)~~ (i) Public facilities, major.
- ~~(j)~~ (j) Recreation facilities.
- ~~(k)~~ (k) Religious assembly.
- ~~(l)~~ (l) ~~Retail establishments not directly catering to motorists.~~



(l) Schools.

[...]

### 17.32.110 General Commercial – GC.

(1) Purpose. The GC zone is intended to provide for a broad range of commercial operations and services required for the proper and convenient functioning of commercial activities serving the general public locally and regionally ~~but not specifically the traveling motorists.~~

(2) Uses Permitted Outright. In a GC zone, the following uses are permitted outright subject to the provisions of this code and especially the chapter on site development review (Chapter 17.96 SHMC):

[...]

(a) Animal sales and services: grooming, kennels, retail, veterinary (small animals), and veterinary (large animals).

(b) Car washes.

(c) Child care center.

~~(d)~~ (d) Cultural and library services.

~~(e)~~ (e) Dwellings above permitted uses (use AR standards) provided the number of dwelling units does not exceed two on a single lot or development site, is attached housing, and no dwelling unit is on same level as nonresidential use. If more than two dwelling units above permitted uses, see SHMC 17.32.110(3) for multidwelling units.

~~(f)~~ (f) Eating and drinking establishments.

~~(g)~~ (g) Equipment (small) sales, rental and repairs.

(h) Family child care home in lawfully existing dwelling.

~~(i)~~ (i) Financial institutions.

~~(j)~~ (j) Hardware store, without outdoor storage.

~~(k)~~ (k) Historic structures (as listed in the comprehensive plan).

~~(l)~~ (l) Home occupation (per Chapter 17.120 SHMC).

~~(m)~~ (m) Hotels and motels.

~~(n)~~ (n) Offices – all.

~~(o)~~ (o) Personal and business services such as barber shops, beauty shops, tailors, laundries, printing, and locksmiths.

~~(p)~~ (p) Plumbing, HVAC, electrical and paint sales and service, without outdoor storage.

~~(q)~~ (q) Produce stands.

~~(r)~~ (r) Public facility, minor.

~~(s)~~ (s) Repair and maintenance of permitted retail products.

~~(t)~~ (t) Retail sales establishments, ~~not specifically catering to motorists.~~

~~(u)~~ (u) Studios.

~~(v)~~ (v) Theaters, except drive-ins.

(3) Conditional Uses. In the GC zone, the following conditional uses may be permitted upon application, subject to provision of Chapter 17.100 SHMC and other relevant sections of this code:

[...]

(f) Businesses with outdoor storage (those businesses permitted in subsection (2) of this section).

~~(g) Child care facility/day nursery.~~

~~(h) (g) Congregate housing.~~

~~(i) (h) Drive-up businesses and services (including those associated with food/restaurants).~~

~~(j) (i) Funeral homes.~~

~~(k) (j) Hospitals and senior or convalescent care facilities.~~

~~(l) (k) Laundromats and dry cleaners.~~

~~(m) (l) Lodge, fraternal and civic assembly.~~

~~(n) (m) Lodging facilities or rooming house.~~

~~(o) (n) Marijuana retailer and/or medical marijuana dispensary.~~

~~(p) (o) Multidwelling units including dwelling units above permitted uses. Only attached housing is allowed and dwelling units may be on same level as nonresidential use.~~

~~(q) (p) Nurseries and greenhouses.~~

~~(r) (q) Parking lots.~~

~~(s) (r) Parks, public and private.~~

~~(t) (s) Pawn shops.~~

~~(u) Psilocybin service center.~~

(u) Public and private schools.

(v) Public facilities, major.

(w) Recreation facilities.

(x) Religious assembly, including cemeteries.

(y) Residential facility.

(z) Shopping centers and plazas.

~~(aa) Single room occupancy (four or more units). May be stand alone or units above permitted uses but shall not be on same level as nonresidential use.~~

~~(bb) (aa) Travel trailer parks.~~

~~(cc) (bb) Vehicle repair, service, and sales.~~

[...]

(4) Standards. In the GC zone the following standards shall apply:

[...]

(c) The maximum lot coverage including all impervious surfaces shall be 90 percent.

(d) Multidwelling units, dwelling units and single room occupancy units above permitted uses, and single room occupancy (four or more units) must shall comply with AR standards and other applicable sections of this code. Except, for structures with units above permitted uses, the yard (setback) that applies is based on the use of the first (ground level) floor and and the same standards that apply to multidwelling unit development and multidwelling structures per SHMC 17.96.180 shall apply to single room occupancy development with four or more units (instead of

six or more units per the AR zone).

[...]

### 17.32.130 Light Industrial – LI.

[...]

(2) Uses Permitted Outright. In the LI zone the following buildings and uses are permitted after compliance with the provisions of this section and others of this code:

(a) Agricultural supplies/sales, machinery sales and repairs but not slaughterhouses or tanneries.

(b) Animal sales and services: kennels, veterinary (small animals), and veterinary (large animals).

(c) Auction sales, services and repairs.

(d) Boat repairs.

(e) Building maintenance services.

(f) Building material sales including outdoor storage.

(g) Child care center.

~~(g)~~ (h) Commercial gasoline stations.

~~(h)~~ (i) Equipment (light and heavy) sales, storage, repair and rentals.

~~(i)~~ (j) Laboratories and research services.

~~(j)~~ (k) Manufacturing, repairing, compounding, research, assembly, fabricating, or processing activities of previously prepared materials and without off-site impacts.

~~(k)~~ (l) Mini storage and storage site.

~~(l)~~ (m) Motor vehicle sales, service, repair, and painting.

~~(m)~~ (n) Nurseries, greenhouse operations and sales.

~~(n)~~ (o) Parking lots, private or public.

~~(o)~~ (p) Public facility, minor.

~~(p)~~ (q) Transmitting and/or receiving towers with or without broadcast facilities.

~~(q)~~ (r) Utility distribution plants and service yards.

~~(r)~~ (s) Vehicle wash operations.

~~(s)~~ (t) Warehousing, enclosed.

~~(t)~~ (u) Wholesale trade.

(3) Conditional Uses. In the LI zone, in addition to the buildings and uses permitted outright, a conditional use permit can be granted for the following buildings and uses:

(a) Bar.

~~(b) Child care facilities.~~

~~(c)~~ (b) Concrete mixing (concrete batching plant).

~~(d)~~ (c) Drive-in theater.

~~(e)~~ (d) Dwelling for caretaker or superintendent which is located on the same site with the permitted industrial use and is occupied exclusively by a caretaker or superintendent of the industrial use and family (same applies to a kennel).

~~(f)~~ (e) Eating and drinking establishments.

~~(g)~~ (f) Entertainment, adult.

~~(h)~~ (g) Industrial park to combine light manufacturing, office and complementary related commercial uses to include such activities as postal services, veterinary services, communication services, construction sales, business support services, financial services, insurance services, real estate services, laundry services, medical/dental services, sports and health services, professional and administrative offices, convenience sales, personal services, eating and drinking establishments and such.

~~(i)~~ (h) Manufacturing, repairing, compounding, research, assembly, fabricating, processing or packing of resource materials with some off-site impacts.

~~(j)~~ (i) Public and private recreational and amusement facilities.

~~(k)~~ (j) Public facilities, major.

~~(l)~~ (k) Public parks.

~~(m)~~ (l) Public safety and support facilities.

~~(n)~~ (m) Temporary asphalt batching (six-month maximum).

~~(o)~~ (n) Travel trailer parks.

~~(p)~~ (o) Wrecking and junkyards.

[...]

### 17.32.171 Riverfront district – RD, marina.

[...]

(2) Uses Permitted Outright. In the marina subdistrict the following uses are permitted outright subject to the provisions of this code and especially the site development review chapter (Chapter 17.96 SHMC):

(a) Boathouses.

(b) Boat launching or moorage facilities and marine boat charter services

(c) Boat or marine equipment sales, service, storage, rental, or repair (including gas for marine vehicle use).

(d) Child care center.

~~(e) Dwellings located above permitted uses (use AR standards, except yard requirements, which are based on the use at ground level below the dwelling or dwellings).~~  
Dwellings above permitted uses provided the number of dwelling units does not exceed two on a single lot or development site, is attached housing, and no dwelling unit is on same level as nonresidential use. If more than two dwelling units above permitted uses, see SHMC 17.32.171(3) for multidwelling units.

~~(f)~~ (f) Eating and drinking establishments including carry-out.

(g) Family child care home in lawfully existing dwelling

~~(h)~~ (h) Home occupation (per Chapter 17.120 SHMC).

~~(i)~~ (i) Hotels and motels.

~~(j)~~ (j) Houseboats.

~~(k)~~ (k) Parking lots.

~~(l)~~ (l) Public facility, minor.

~~(m)~~ (m) Public parks and public recreational facilities.

~~(n)~~ (n) Retail sale of sporting goods, groceries, and similar commodities required by

marine recreationists.

- ~~(m)~~ (o) Retail sale of handicraft and tourist goods.
- ~~(n)~~ (p) Marine-related club facility.

[...]

(3) Conditional Uses. In the marina subdistrict the following uses may be permitted upon approval subject to the provisions of this code, especially those in Chapter 17.100 SHMC for conditional uses:

- (a) Commercial amusement and recreational facilities.
- (b) Multidwelling units ~~(must comply with AR standards and other applicable sections of this code)~~ including dwelling units above permitted uses. Only attached housing is allowed and no dwelling unit shall be on same level as nonresidential use.
- (c) Private parks.
- (d) Public facilities, major.
- (e) Single room occupancy (four or more units). May be stand alone or units above permitted uses but shall not be on same level as nonresidential use.
- ~~(e)~~ (f) Travel trailer parks.

[...]

(4) Standards. In the marina subdistrict the following standards shall apply:

- (a) The maximum building height shall be determined on a case-by-case basis (also see SHMC 17.68.040), except when the AR zone standards apply that includes building height standards.
- (b) Outdoor storage abutting or facing a lot in a residential zone shall comply with Chapter 17.72 SHMC.
- (d) The minimum landscaping shall be 10 percent of gross land area associated with the use.
- (e) Multidwelling units, dwelling units and single room occupancy units above permitted uses, and single room occupancy (four or more units) shall comply with AR zone standards and other applicable sections of this code. Except, for structures with units above permitted uses, the yard (setback) that applies is based on the use of the first (ground level) floor and the same standards that apply to multidwelling unit development and multidwelling structures per SHMC 17.96.180 shall apply to single room occupancy development with four or more units (instead of six or more units per the AR zone).

[...]

### **17.32.172 Riverfront district – RD, plaza.**

[...]

(2) Uses Permitted Outright. In the plaza subdistrict, the following uses are permitted

outright, subject to the modifications to development standards and conditions as specified herein and all other applicable provisions of this code as noted under additional requirements:

[...]

(a) Historic residential structures with or without any auxiliary dwelling unit. This is listed here separate from other residential uses given subsection (5)(a)(i) of this section. This does not mean historic residential structures are prohibited in other zones per SHMC 17.32.040(3)(a).

(b) Residential above Nonresidential Permitted Uses, provided it is attached housing, and no dwelling unit is on same level as nonresidential use.

(i) Dwelling, single-family, duplex or multidwelling units.

(ii) ~~Dwelling, duplex~~ Congregate care facility.

~~(iii) Dwelling, townhouse.~~

~~(iv) Dwelling, multifamily.~~

~~(v)~~ (iii) Other residential uses as per ORS Chapter 443.

[...]

(ii) Retail sales establishments.

(jj) Single room occupancy (four or more units). Shall be units above permitted uses and shall not be on same level as nonresidential use.

~~(jj)~~ (kk) Small equipment sales, rental and repairs facilities/shops, without outside storage.

~~(kk)~~ (ll) Theaters, indoors.

~~(ll)~~ (mm) Trade and skilled services without outdoor storage, such as plumbing, HVAC, electrical, and paint sales/services facilities/shops.

~~(mm) Type I and II home occupation in dwelling unit above nonresidential permitted uses.~~

~~(nn) Transient housing.~~

~~(oo)~~ (nn) Watercraft sales, rental, charters, without outdoor storage.

(oo) Child care center.

(pp) Family child care home in lawfully existing dwelling.

[...]

(3) Conditional Uses. In the plaza subdistrict, the following conditional uses may be permitted upon application, subject to provision of Chapter 17.100 SHMC and other relevant sections of this code:

[...]

(e) Business with outdoor storage (those businesses permitted in permitted uses).

(f) ~~Child care facility/day nursery~~ Dwellings on same level as nonresidential use, provided it is attached housing and there is no conflict with SHMC 17.32.172(5)(a)(i) prohibiting residential use on the first floor of buildings.

[...]

(5) Special Conditions Permitted and Conditional Uses.

(a) Residential Uses.

(i) Except for historic residential structures (listed in city's comprehensive plan and/or registered and recognized by the state or federal government), residential use is prohibited on the first floor of any building in the plaza subdistrict.

(ii) There is no minimum lot size requirement for residential use above permitted nonresidential uses.

(iii) Residential density above permitted uses shall be based on the standard of one dwelling unit or single room occupancy unit for each full 500 interior square feet of non-residential use provided. Outdoor dining areas and similar permitted outdoor uses may only be included in the calculation when such areas are not located within a right-of-way.

(iv) The same standards that apply to multidwelling unit development and multidwelling structures per SHMC 17.96.180 shall apply to single room occupancy development with four or more units.

[...]

**17.32.173 Riverfront district – RD, mill.**

[...]

(2) Uses Permitted Outright. The following uses are permitted outright, subject to all provisions of the SHMC including specifically the modifications to development standards and conditions specified in this section. Moreover, the applicable provisions of Chapter 17.96 SHMC, Site Development Review, apply, except those modified by this chapter.

(a) Residential.

(i) Single dwelling units, attached.

(ii) Multidwelling units provided it is attached housing.

(iii) Single room occupancy (four or more units). Shall not be on same level as nonresidential use and the same standards that apply to multidwelling unit development and multidwelling structures per SHMC 17.96.180 shall apply.

(iv) Family child care home in lawfully existing dwelling.

(b) Residential above Nonresidential Permitted Uses, provided it is attached housing, and no dwelling unit is on same level as nonresidential use.

(i) Dwelling, single-family, duplex or multidwelling units.

(ii) Congregate care facility.

(iii) ~~Single dwelling units, attached~~ Single room occupancy (four or more units). Shall not be on same level as nonresidential use and the same standards that apply to multidwelling unit development and multidwelling structures per SHMC 17.96.180 shall apply.

(iv) ~~Multidwelling units~~ Other residential uses as per ORS Chapter 443.

(v) ~~Residential care facility~~ Family child care home in lawfully existing dwelling.

[...]

(e) Commercial.

[...]

(xxii) Home occupation (per Chapter 17.120 SHMC).  
(xxiii) Child care center.

[...]

(3) The following conditional uses may be permitted upon application, subject to the provisions of Chapter 17.100 SHMC, Conditional Use, and other relevant sections of this code, except those modified by this chapter:

[...]

(e) Businesses with outdoor storage (for businesses that are permitted uses only).

(f) ~~Child care facility/day nursery~~ Dwellings on same level as nonresidential use, provided it is attached housing.

[...]

**17.32.180 Houlton business district – HBD.**

[...]

(2) Uses Permitted Outright. In the HBD zone, the following uses are permitted outright, subject to the modifications to development standards and conditions as specified herein and all other applicable provisions of this code as noted under additional requirements:

(a) Dwellings: single detached or attached, duplexes, and dwellings above permitted uses if no more than two dwelling units and is attached housing. If more than two dwelling units above permitted uses, see SHMC 17.32.180(3) for multidwelling units.

[...]

(rr) Residential home

(ss) Single room occupancy, maximum of six units. May be stand alone or units above permitted uses but shall not be on same level as nonresidential use.

(tt) Child care center.

(uu) Family child care home in lawfully existing dwelling.

[...]

(3) Conditional Uses. In the HBD zone, the following conditional uses may be permitted upon application, subject to provisions of Chapter 17.100 SHMC and other relevant sections of this code:



[...]

- (e) Business with outdoor storage (those businesses permitted in permitted uses).
- ~~(f) Child care facility/day nursery.~~
- ~~(g) (f) Drive-up businesses and services (including those associated with food sales, pharmacies and such).~~
- ~~(h) (g) Dwellings on same level as nonresidential use. This applies to both attached housing and detached housing.~~
- ~~(i) (h) Funeral homes.~~
- ~~(j) (i) Hospitals, clinics, nursing homes, and convalescent homes.~~
- ~~(k) (j) Laundromats and dry cleaners.~~
- ~~(l) (k) Marijuana retailer and/or medical marijuana dispensary.~~
- ~~(m) (l) Multidwelling units, which may be attached housing and/or detached housing, except dwelling units above permitted uses shall be attached housing.~~
- ~~(n) (m) Psilocybin service center.~~
- (n) Religious assembly, excluding cemeteries.
- (o) Residential facility.
- ~~(p) Single room occupancy with more than six units. May be stand alone or units above permitted uses but shall not be on same level as nonresidential use.~~
- ~~(q) (q) Parking lots/facilities, private.~~
- ~~(r) (r) Nurseries and greenhouses.~~
- ~~(s) (s) Vehicle repair, service, and sales.~~

[...]

(4) Standards Applicable to All Uses. In the HBD zone, the following standards and special conditions shall apply and shall take precedence over any conflicting standards listed in this code:

[...]

(m) Notwithstanding the standards of subsections (4)(a) through (l) of this section, these residential uses are subject to the following:

- (i) Single-dwelling units, attached or detached, ~~and~~ duplexes, and single room occupancy, maximum of six units shall comply with the R-5 standards; and
- (ii) Multidwelling units, dwelling units and single room occupancy units above permitted uses, and single room occupancy with more than six units shall comply with AR standards and other applicable sections of this code. Except, for structures with dwelling units above permitted uses, the yard (setback) that applies is based on the use of the first (ground level) floor.

(5) Special Conditions Permitted and Conditional Uses.

~~(a) Residential density above permitted uses shall be based on the standard of one dwelling unit for each full 500 interior square feet of nonresidential use provided. Outdoor dining areas and similar permitted outdoor uses may only be included in the calculation when such areas are not located within a right-of-way.~~

- ~~(b) (a) Outdoor storage of goods and materials must be screened.~~
- ~~(c) (b) Outdoor display of goods and materials for retail establishments is permitted on~~

private property in front of the retail establishment, provided such displays do not block safe ingress and egress from all entrances, including fire doors. In addition, outdoor display goods and materials shall be properly and safely stored inside during nonbusiness hours. No outdoor display may block safe pedestrian or vehicular traffic. Outdoor displays shall not encroach in public rights-of-way, including streets, alleys or sidewalks, without express written permission of the city council.

~~(d)~~ (c) Kiosks may be allowed on public property, subject to the approval of a concession agreement with the city.

(6) Additional Requirements.

~~(a) Residential Density Transition. The residential density calculation and transition provisions of Chapter 17.56 SHMC shall not apply to the HBD zone for residential uses above permitted uses. Densities are determined for residential uses by the formula in subsection (5)(a) of this section.~~

~~(b)~~ (a) The visual clearance area requirements of Chapter 17.76 SHMC do not apply to the Houlton business district.

~~(e)~~ (b) Overlay district Chapter 17.148 SHMC, Planned Development, shall not apply to the HBD zone.

~~(d)~~ (c) All chapters of the Development Code apply except as modified herein.

[...]

**CHAPTER 17.36  
HISTORIC SITES AND OVERLAY DISTRICT**

[...]

**17.36.040 Criteria for alteration.**

[...]

(4) Prior to alteration, current photographs and/or drawings of all elevations shall be provided to the city for its public records. Photographs and drawings shall be archival quality and may be digital; proof of such shall be provided with the photographs and/or drawings.

[...]

**CHAPTER 17.40  
ZONES PROTECTIVE MEASURES FOR SIGNIFICANT WETLANDS, RIPARIAN  
CORRIDORS, AND PROTECTION ZONES**

[...]

**17.40.015 Establishment of significant wetlands, riparian corridors and protection zones.**

(1) Wetlands. Ordinance 2807 adopted in November 1999 established and listed significant wetland areas within the city of St. Helens. Such areas were added to the comprehensive plan.

(a) The following significant wetlands are hereby established as Type I:

D-6	J-3	MC-1
D-10	M <del>I</del> -7	MC-9
D-11	M <del>I</del> -8	MC-25
D-16	M <del>I</del> -10	UA-2
D-17	M <del>I</del> -11	UB-5A
D-18	M <del>I</del> -12	UB-5B

(b) The following significant wetlands are hereby established as Type II:

D-1	D-21	MC-2	MC-20
D-2	D-22	MC-3	MC-21
D-4	F-2	MC-5	MC-22
D-7	J-6	MC-8	MC-26
D-8	M <del>I</del> -3	MC-10	UB-6
D-19	M <del>I</del> -5	MC-16	
D-20	M <del>I</del> -15	MC-17	

[...]

**CHAPTER 17.44  
SENSITIVE LANDS**

[...]

**17.44.030 Expiration of approval – Standards for extension of time.**

(1) Approval of a sensitive lands permit shall be void if:

(a) Substantial construction of the approved plan has not begun within a one-~~and one~~  
~~half~~-year period; or

(b) ~~Construction~~ Development on the site is a departure from the approved plan.

[...]

**CHAPTER 17.60  
MANUFACTURED/MOBILE HOME AND PREFABRICATED STRUCTURE  
REGULATIONS**

[...]

#### 17.60.020 Manufactured/mobile home park standards.

[...]

(6) Each unit shall be provided with a water, sewer, and electrical connection. The electrical connection shall provide for 110- and 220-volt service.

(7) ~~No manufactured/mobile home~~ There shall be a minimum of 6 foot separation between all manufactured dwellings or other alternatives per SHMC 17.60.040(2), accessory buildings, or other structures shall be closer than 10 feet from another mobile home, accessory building, or other garage/carport structure.

(8) On any individual space no building shall be any closer than 20 feet from a street and no less than 10 feet from the rear of each space.

[...]

#### 17.60.030 Manufactured homes and prefabricated structures on individual building lots.

The establishment, location, and use of manufactured homes and prefabricated structures as scattered site residences shall be permitted in any zone permitting ~~installation of a dwelling unit site-built~~ detached single-family dwellings subject to requirements and limitations applying generally to such residential uses in the district, and provided such homes shall meet the following requirements and limitations:

~~(1) The manufactured home shall be multisectional and enclose a space of not less than 1,000 square feet;~~

~~(2) The manufactured home shall be placed on an excavated and backfilled foundation and enclosed at the perimeter such that the finished first floor of the manufactured home is located not more than 12 inches above grade (except on sloped lots);~~

~~(3) The manufactured home shall be securely anchored to the foundation system in accordance with the requirements of the State Building Codes Agency for Manufactured Structures;~~

~~(4) The manufactured home shall have a pitched roof with a slope of at least three feet in height for each 12 feet in width;~~

~~(5) The manufactured home shall have exterior siding and roofing which in material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the city as determined by the Building Division. This requirement shall not be interpreted to mean that the city is responsible for enforcing codes, covenants, and restrictions of any homeowners or other association;~~

~~(6) The manufactured home shall have an exterior thermal envelope in substantial compliance with performance standards equivalent to the performance standards required of single family dwellings constructed under the State Building Code as defined in ORS 455.010, as determined by the Building Division; and~~

~~(7) Have minimum of two on-site parking spaces.~~

(1) As necessary to comply with a protective measure adopted pursuant to a statewide land use planning goal;

(2) That the manufacturer certify that the manufactured home or prefabricated structure has an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the Low-Rise Residential Dwelling Code as defined in ORS 455.010;

(3) No manufactured home or prefabricated structure shall be allowed within a historic district or abutting a property with a designated landmark as listed in the Comprehensive Plan and per Chapter 17.36 SHMC; and

(4) This does not apply to residential trailers (constructed before January 1, 1962) or mobile homes (constructed between January 1, 1962 and June 15, 1976), which shall be prohibited on individual lots, but may be allowed within manufactured/mobile home parks per SHMC 17.60.040.

[...]

**17.60.040 ~~Nonconforming mobile homes~~ Additional provisions for manufactured/mobile home parks.**

(1) Manufactured/m~~M~~obile home parks existing at the adoption of the ordinance codified in this code not meeting the standards set forth in this code shall be considered nonconforming and are subject to the standards set forth in SHMC 17.104.040(2), except for replacement of an occupied manufactured/mobile home space per (2) of this section may be allowed, provided the occupied manufactured/mobile home space is lawfully existing.

(2) ~~Replacement of nonconforming mobile homes in such parks when they are moved or destroyed must conform with the standards of SHMC 17.60.030.~~ A manufactured/mobile home park space may be occupied by a manufactured dwelling (residential trailer, mobile home, or manufactured home), prefabricated structure, or travel trailer (recreational vehicle). All shall be treated as structures for the purpose of the requirements of SHMC 17.60.020.

[...]

**CHAPTER 17.80  
OFF-STREET PARKING AND LOADING REQUIREMENTS**

[...]

**17.80.020 General provisions.**

[...]

(7) Visitor Parking in Multidwelling Unit Residential Districts.

(a) Multidwelling units and single room occupancy units with more than 10 required parking spaces shall provide parking for the use of guests of residents (visitors) of the complex; and

(b) Visitor parking shall consist of 15 percent of the total required parking spaces and shall be centrally located within or evenly distributed throughout the development. Required

bicycle parking facilities shall also be centrally located within or evenly distributed throughout the development.

[...]

(15) Bicycle Parking.

- (a) One lockable bicycle parking space shall be provided within a rack for the following:
- (i) Four or more dwelling units or single room occupancy units in one building: one space per dwelling unit or single room occupancy unit;

[...]

**17.80.030 Minimum off-street parking requirements.**

Note: some use classifications listed below indicate additional bicycle parking requirements beyond the requirements of SHMC 17.80.020(15).

(1) Residential.

[...]

(f) Manufactured dwelling/mobile home park – Two off-street spaces for each dwelling unit/park space.

(g) Multiple dwelling (also see SHMC 17.80.020(7)):

- (i) Studio – One space for each unit.
- (ii) One bedroom – One and one-half spaces for each unit.
- (iii) More than one bedroom per unit – Two spaces for each.
- (h) Single-dwelling units, attached – Two off-street spaces for each dwelling unit.
- (i) Single-dwelling units, detached – Two off-street spaces for each dwelling unit or pair of dwelling units as allowed by the zoning district. No more than two spaces are required for one detached single-family dwelling on a single lot, or two detached single-family dwellings on a single lot.

(j) Single room occupancy – One off-street space for each unit.

[...]

(2) Civic.

[...]

(c) ~~Children's day~~ care center – five spaces plus one space per classroom.

[...]

(h) Public safety services – one space for every employee of the largest shift plus one space per 350 square feet of gross floor area accessible to the public or other nonemployee use.

[...]

## CHAPTER 17.88 SIGNS

[...]

### 17.88.130 Sign permit application.

[...]

(6) An approved sign shall be constructed and installed within ~~six months~~ one year of the final approval of the permit, including resolution of any appeal. The sign permit shall be void if installation is not completed within this period or if the sign does not conform to the approved permit. Sign permits mistakenly issued in violation of this chapter or other provisions of this code are void. ~~The planning director may grant a reasonable extension of time for the installation deadline upon a showing of reasonable grounds for delay.~~

[...]

## CHAPTER 17.96 SITE DEVELOPMENT REVIEW

[...]

### 17.96.020 Applicability of provisions.

Site development review shall be applicable to all new developments and major modification of existing developments, as provided in SHMC 17.96.070, except it shall not apply to:

(1) Single-dwelling units, duplexes, manufactured homes and prefabricated structures on an individual building lot, parcel or, or otherwise lawfully established unit of land per ORS Chapter 92;

(2) ~~Manufactured homes on individual lots~~ Occupancy of lawfully existing manufactured/mobile home park space by manufactured dwelling or other alternative per SHMC 17.60.040(2);

~~(3) A duplex, which is not being reviewed as part of any other development;~~

~~(4)~~ (3) Minor modifications as provided in SHMC 17.96.080;

~~(5)~~ (4) Any proposed development which has a valid conditional use approved through the conditional use permit application process;

~~(6)~~ (5) Home child care family child care home in lawfully existing dwelling;

~~(7)~~ (6) Home occupations;

~~(8)~~ (7) Temporary use;

~~(9)~~ (8) Fuel tank; or

~~(10)~~ (9) Accessory structures.

[...]

**17.96.040 Expiration of approval – Standards for extension of time.**

[...]

(3) The director shall, upon written request by the applicant and payment of the required fee, grant an extension of the approval period not to exceed ~~six months~~ one year; provided, that:

[...]

**17.96.070 Major modifications to approved plans or existing development.**

[...]

(2) The director shall determine that a major modification(s) will result if one or more of the following changes are proposed. There will be:

(a) An increase in dwelling unit or single room occupancy unit density, or lot coverage for residential development;

(b) A change in the ratio or number of different types of dwelling units or single room occupancy units;

[...]

**17.96.180 Approval standards.**

[...]

(7) Shared Outdoor Recreation Areas – Residential Use.

(a) In addition to the requirements of subsections (5) and (6) of this section, usable outdoor recreation space shall be provided in residential developments for the shared or common use of all the residents in the following amounts:

(i) Studio (including single room occupancy units) up to and including two-bedroom units, 200 square feet per unit; and

(ii) Three- or more bedroom units, 300 square feet per unit;

[...]

(11) Distance between ~~Multiple-Family Residential Structure and Other~~ principal buildings and structures of multidwelling unit development.

(a) To provide privacy, light, air, and access to the multiple detached and/or attached residential dwellings within a development, the following separations shall apply:

(i) ~~Buildings~~ “Multidwelling structures” with windowed walls facing buildings with windowed walls shall have a 25-foot separation;

(ii) ~~Buildings~~ “Multidwelling structures” with windowed walls facing buildings with a blank wall shall have a 15-foot separation;

(iii) ~~Buildings~~ “Multidwelling structures” with opposing blank walls shall have a 10-



foot separation;

(iv) **Building** “Multidwelling structure” separation shall also apply to **buildings** those having projections such as balconies, bay windows, and room projections (measurement is from said projections); and

(v) **Buildings** “Multidwelling structures” with courtyards shall maintain separation of opposing walls as listed in subsections (11)(a)(i), (ii) and (iii) of this section for walls in separate buildings;

(b) In addition to (a), as applicable, ~~W~~where any principal buildings exceed a horizontal dimension of 60 feet or exceed 30 feet in height, the minimum ~~wall-separation interior yard~~ shall be one foot for each 15 feet of building length over 50 feet and two feet for each 10 feet of building height over 30 feet, or the minimum interior yard of the zoning district, whichever is larger;

(c) Driveways, parking lots, and common or public walkways shall maintain the following separation for any dwelling units within eight feet of the ground level:

(i) Driveways and parking lots shall be separated from windowed walls by at least eight feet; walkways running parallel to the face of the structures shall be separated by at least five feet; and

(ii) Driveways and parking lots shall be separated from living room windows by at least 10 feet; walkways running parallel to the face of the structure shall be separated by at least seven feet;

[...]

**CHAPTER 17.100  
CONDITIONAL USE**

[...]

**17.100.030 Expiration of approval – Standards for extension of time.**

(1) Approval of a conditional use by the planning commission shall be void if:

(a) Substantial construction of the approved plan has not begun within a ~~one-and-one-half~~-year period; or

[...]

**17.100.150 Additional requirements for conditional use types.**

[...]

(3) The additional dimensional requirements and approval standards for conditional use are as follows:

[...]

(o) Psilocybin service center.

(i) “Manufacture” as defined under ORS 475A.220 in conjunction with or on the same property as a psilocybin service center shall be prohibited; and

(ii) Shall comply with state and local laws. Additionally, more restrictive time, place and manner conditions may be imposed pursuant to ORS 475A.530, except any provision preempted by ORS 475A.524.

[...]

**CHAPTER 17.120  
HOME OCCUPATIONS**

[...]

**17.120.020 Applicability and exemptions.**

(1) No person shall carry on a home occupation, or permit such use to occur, on property which that person owns or is in lawful control of, contrary to the provisions of this chapter.

(2) Exemptions from the provisions of this chapter are:

(a) Garage sales;

[...]

(e) Proven nonconforming home occupations as per SHMC 17.104.040(4)(e).

(f) Family child care home in lawfully existing dwelling.

[...]

**17.120.040 Approval criteria and standards.**

All home occupations except those that have proven nonconforming status shall comply with the following:

[...]

(4) The home occupation shall be operated entirely within the dwelling unit and any ~~conforming~~ lawfully existing accessory structure. The total area which may be used in the accessory building for either material product storage and/or the business activity shall not exceed 600 square feet. Otherwise, the home occupation and associated storage of materials and products shall not occupy more than 25 percent of the combined residence and accessory structure gross floor area. The indoor storage of materials or products shall not exceed the limitations imposed by the provisions of the building, fire, health, and housing codes;

(5) A home occupation shall not make necessary a change in the applicable building code (as administered by the building official) use classification of a dwelling unit. Any accessory building that is used must meet the applicable building code requirements and be ~~in conformance with Chapter 17.124 SHMC~~ a lawfully existing structure;

[...]

**CHAPTER 17.124  
ACCESSORY STRUCTURES**

[...]

**17.124.050 Expiration of approval – Standards for extension of time.**

(1) Accessory structure approval by the director shall be effective for a one-~~and one-half~~ year period from the date of approval.

(2) The accessory structure approval by the director shall lapse if:

(a) Substantial construction or installation of the approved accessory structure plan has not begun within a one-~~and one-half~~-year period; or

(b) Construction on the site is a departure from the approved plan.

[...]

**CHAPTER 17.132  
TREE REMOVAL**

[...]

**17.132.050 Expiration of approval – Extension of time.**

(1) A tree removal permit shall be effective for one ~~and one-half~~ years from the date of approval.

[...]

**CHAPTER 17.136  
LAND DIVISION - SUBDIVISION**

[...]

**17.136.040 Expiration of approval – Standards for extension of time.**

(1) The preliminary plat approval by the planning commission or final approving authority shall lapse if:

(a) A final plat (first phase in an approved phased development) has not been submitted within a ~~one~~ two-year period; or

(b) The final plat does not conform to the preliminary plat as approved or approved with conditions.

[...]

**CHAPTER 17.140**  
**LAND DIVISION – LAND PARTITIONING – LOT LINE ADJUSTMENT**

[...]

**17.140.035 Expiration of approval – Standards for extension of time.**

[...]

(3) The director shall, upon written request by the applicant and payment of the required fee, grant an extension of the approval period not to exceed ~~six months~~ one year; provided, that:

- (a) No changes are made on the original plan as approved by the director;
- (b) The applicant can show intent of recording the approved partition or lot line adjustment within the extension period; and
- (c) There have been no changes in the applicable comprehensive plan policies and ordinance provisions on which the approval was based.

[...]

**CHAPTER 17.148**  
**PLANNED DEVELOPMENT**

[...]

**17.148.030 Expiration of approval – Standards for extension of time.**

(1) The approval of the planned development overlay zone shall not expire provided a related planned development plan is lawfully completed per city approved plans within the timeframe per this subsection. Any planned development overlay zone, or portion thereof, existing before January 1, 2025, without a lawfully completed development plan as approved by the city, shall expire 10 years after January 1, 2025. Any new existing planned development overlay, or portion thereof, shall expire after 10 years from the date it becomes effective if there is no related development plan lawfully completed per city approved plans. An overlay zone that becomes void due to expiration shall be removed from the zoning district map.

(2) The preliminary development plan approval by the commission shall lapse if a detailed development plan proposal has not been submitted for approval within ~~the one and one-half~~ a two-year period or unless an extension of time is granted.

(3) The director shall, upon written request by the applicant and payment of the required fee, grant ~~an two~~ extensions of the approval period not to exceed one year each provided, that:

- (a) No changes have been made on the original preliminary development plan as approved by the commission;
- (b) The applicant can show intent of applying for detailed development plan review within the one-year extension period; and
- (c) There have been no changes to the applicable comprehensive plan policies and ordinance provisions on which the approval was based.

[...]

**CHAPTER 19.20  
MAPS**

[...]

**19.20.060 Map and list of significant wetlands.**

[...]

(2) List of Significant Wetlands.

[...]

Milton Creek

M<sub>3</sub>

M<sub>5</sub>

M<sub>7</sub>

M<sub>8</sub>

M<sub>10</sub>

M<sub>11</sub>

M<sub>12</sub>

M<sub>15</sub>

# CITY OF ST. HELENS PLANNING DEPARTMENT ACTIVITY REPORT



To: City Council  
From: Jacob A. Graichen, AICP, City Planner  
cc: Planning Commission

Date: March 26, 2021

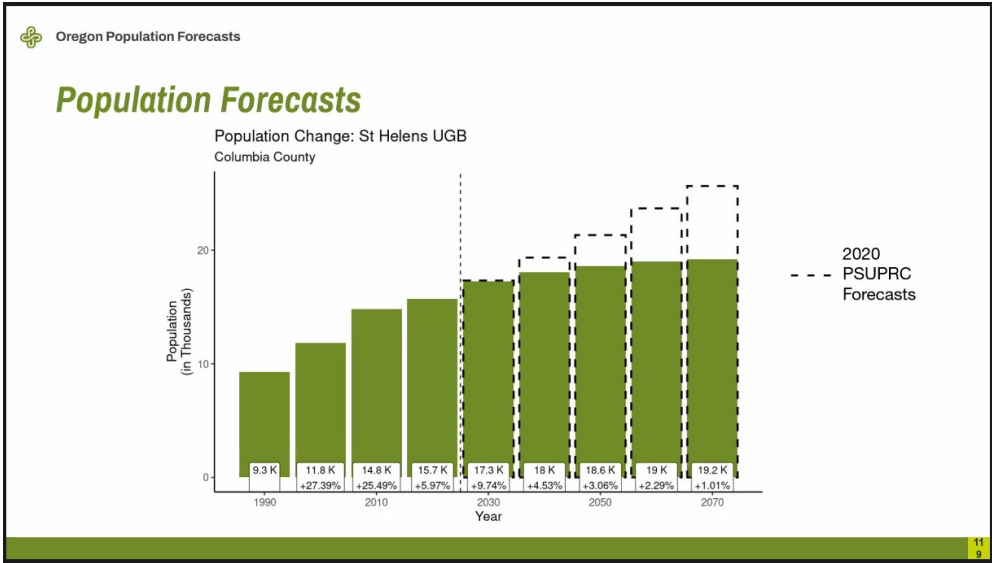
This report does not indicate all *current planning* activities over the past report period. These are tasks, processing and administration of the Development Code which are a weekly if not daily responsibility. The Planning Commission agenda, available on the City’s website, is a good indicator of *current planning* activities. The number of building permits issued is another good indicator as many require Development Code review prior to Building Official review.

**ASSOCIATE PLANNER/PROJECT MANAGER**—*In addition to routine tasks, the Associate Planner/Community Development Project Manager has been working on: See attached.*

### PLANNING ADMINISTRATION—MISC.

Prepared legal description and map for Oregon Dept. of Revenue review, which is our typical first step after receiving an Annexation application. In last month’s report, I mentioned two annexations that will probably be processed this year. The one referred to in this report is #3.

Attended virtual Portland State University Population Research Center PSUPRC Forecast Proposal Meeting on March 6, 2024. Most recent projections show jump in the near term with a slower long term growth rate for St. Helens. This is a toned-down projection from previous assumptions as shown on the slide



on **the right**. This reflects forecast adjustments since the 2020 forecast. Another interesting tidbit is that Scappoose growth is expected to be higher than Columbia County and the region.

Conducted (almost) final inspection for temporary occupancy of the Fast Lube and Oil business along US30 by Burger King. There is still some more work to do, mostly pertaining to a shared pedestrian path with the adjacent lot where Dairy Queen is proposed. This followed pre-inspection to assist with city expectations.

Pre-final occupancy inspection to assist with city expectations of the St. Heles High School to open a phase of school. That final inspection anticipated soon.

Participated in Resource Assistance for Rural Environments application preparation with City Engineering and Columbia County LDS for someone to help (for 11 months) with the DEQ mandated TMDL requirements that the city and county are now facing.

TMDL: <https://www.oregon.gov/deq/wq/tmdls/pages/default.aspx>

RARE: <https://rare.uoregon.edu/>

Assisted Engineering with review of speed hump policy they have initiated to address the somewhat common speed bump requests.

Presented to the Columbia County Board of Realtors along with Columbia County's Director of Land Development Services at the library building this month.

## **DEVELOPMENT CODE ENFORCEMENT**

"Training grounds" sign on CRFR property on the west side of the wastewater treatment pond installed in 2022 without permits under the previous Fire Chief, has been removed. After 2022 correspondence between attorneys (about more than just the sign), I emailed the current chief last December about this. The sign was removed sometime after that message with no further drama. I hadn't discussed this matter with the chief until this reporting period.

Visited a site where kids were allegedly were crossing a protected creek with a dirt bike in the Barr Avenue area. As luck would have it, maybe it was because of spring break, I caught them doing that when I visited. So not alleged but legit. 2-cycle engines will get you noticed.

## **PLANNING COMMISSION (& *acting* HISTORIC LANDMARKS COMMISSION)**

March 12, 2024 meeting (outcome): The Commission held three public hearings including a Historic Resource Review of the historic landmark at 175 S. 1<sup>st</sup> Street *As the Historic Landmarks Commission*), a pair of yard (setback) Variances to allow two duplexes to be attached along a shared property line, and an appeal of a 3-parcel partition/lot line adjustment. All were approved.

Also, *as the Historic Landmarks Commission*, they reviewed and provided recommendation to staff for an architectural review of the Klondike building.

April 9, 2024 meeting (upcoming): One public hearing is scheduled for a yard (setback) Variance for a property along N. Vernonia Road. Code review of the 2024 Development Code amendments will start and the Commission will be asked to determine who will be a part of the Technical Advisory Committee for the upcoming EOA effort.

## **GEOGRAPHIC INFORMATION SYSTEMS (GIS)**

Work for data related to Economic Opportunity Analysis (EAO) effort. Certain GIS data is used to inform the buildable lands inventory aspect of the EAO. Included review of data for 862 taxlots. Tedium abounds in this sort of effort.

Annual software renewal efforts start this month for GIS products used by the Planning, Engineering and Public Works Departments.

### **COUNCIL ACTIONS RELATED TO LAND USE**

The quarterly joint meeting with the City Council and Planning Commission occurred this month.

The City Council ok'd a 45-day extension to continue to pause the Police Station matter to the state Land Use Board of Appeals (LUBA).



**From:** [Jennifer Dimsho](#)  
**To:** [Jacob Graichen](#)  
**Subject:** March Planning Department Report  
**Date:** Monday, March 25, 2024 4:43:09 PM  
**Attachments:** [image001.png](#)

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Here are my additions to the March Planning Department Report.

## GRANTS

1. **Business Oregon – Infrastructure Finance Authority** – Low-interest loan for Streets & Utilities Project and Riverwalk improvements. Provided updates to loan officer. Compiled invoices and submitted our 2<sup>nd</sup> loan disbursement request. Received confirmation that this was received/processed.
2. **Riverwalk Project (OPRD Grants x2)** – 4 bids opened on March 7! Lowest bidder was Advanced Excavating Specialists for just under \$3 million. Council awarded bid on 3/20. Working on contract to be approved on April 17 with anticipated Notice to Proceed in May. Working with state grant coordinators on project timeline, budget, and forthcoming amendment. Working with County on an agreement to use County’s parking lot as the construction access into Columbia View Park. Erosion & Sediment Control inspections by Lower Columbia Engineering agreement to be approved on 4/3 Council meeting.
3. **Community Development Block Grant (CDBG)** – \$2.5 million grant award to fund design/engineering/permitting for the City’s Sanitary Sewer Improvement Project which 3 sanitary sewer basins identified as deficient in the adopted Wastewater Master Plan. Consor contract approved on 2/21 by Council after meeting to discuss local land use and environmental permitting required. Working with CRPUD to get a triangular-shaped property annexed into the City which contains City sewer to be upsized as part of this project near US 30. Held kickoff meeting on 3/14.
4. **CLG Historic Preservation Grant Program** – SHPO Certified Local Government Program. Received our contract for 17k. State approved work plan. Executed contract with property owners. Project to be completed by July 31, 2024. SHPO asked for an update. Applicant stated that they did a walkthrough with contractor and received a new construction scheduled which states work to be completed by mid-May.
5. **DLCD Technical Assistance Program** – 60k will fund a new Economic Opportunities Analysis (EOA). Contract approved with the state and with our consultants. Kicked off project with monthly check ins. Received initial Buildable Lands Inventory (BLI) data based on City’s GIS data. Working on initial BLI feedback by the end of March. Drafted EOA Technical Advisory Committee list of potential 10-12 members and sent invites out. Finalizing list by April 10.
6. **ODOT Community Paths Program: St. Helens Scappoose Trail Refinement Project** – 405k to study a trail route refinement project (30% design) from St. Helens to Scappoose. Award is \$363,407, with a match of around 42k split between Scappoose, the County, and

us. We finally received our draft/initial contract from ODOT. Contract needed a few changes which ODOT submitted again to DOJ for review. Met with Scappoose & Columbia County to work through draft Statement of Work (SoW). SoW can now be sent to DOJ for review. Working on IGAs for County & Scappoose in the meantime to cover our required match.

7. **Travel Oregon Grant Program –100k grant for Riverwalk Project** - Thanks to Columbia Economic Team and our Regional Destination Marketing Organization for providing support. Received 50% of the grant as contract terms require.
8. **ODOT TGM Program: Transportation Systems Plan** – Assisting with planning process. ODOT says it could be ~6 months before we see movement on this project. Coordinated & attended another meeting with a contractor interested in the project.

## PROJECTS & MISC

9. **Riverfront Streets/Utilities Project** – Attending weekly check-ins. Pump station generator to be installed soon. Tualatin staircase/bluff trailhead and Wapama Way intersection under construction. Traffic circle and elevated picnic platform under construction. North and south water quality swales underway. Undergrounding contract for 1<sup>st</sup> & St. Helens intersection awarded to lowest bidder (Landis & Landis) on 3/6. Undergrounding project pre-construction meeting scheduled for 3/28 which means work at 1<sup>st</sup> & St. Helens intersection to restart soon.
10. **Urban Renewal Agency** – Prepared for upcoming FY 24-25 budget process with Gloria/John.
11. **CDBG** – Met with Beth Pulito at the Amani Center to discuss CDBG eligibility and pros/cons if they were to utilize CDBG funding for their resource/health center.

## Jenny Dimsho, AICP | Community Development Project Manager

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