



PLANNING COMMISSION

Tuesday, November 14, 2023 at 6:00 PM
HYBRID: Council Chambers & Zoom (details below)

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 September 12, 2023

PUBLIC HEARING AGENDA (times are earliest start time)

- B. 6:05 p.m. Conditional Use Permit at vacant parcel southeast of 35835 Industrial Way - The Amani Center
- C. 6:30 p.m. Comprehensive Plan and Zoning Map Amendment at 475 N 12th Street; Lots 4, 5, 22, and 23, Block 5, Railroad addition to St. Helens - Vial Fotheringham, LLP

DISCUSSION ITEMS

- D. Planning Commission Vacancy Term Expirations
- E. December Joint meeting with the City Council

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

- F. Sensitive Lands Permit at 35454 & 35460 Valley View Drive - Danielson Contractors, Inc.
- G. Sign Permit at 435 N Columbia River Hwy - Clark Signs
- H. Sign Permit at 248 N Columbia River Hwy - Vernon (Troy) Locks
- I. Temporary Use Permit at 71 Cowlitz Street - Michael Sagalowicz (The Klondike Tavern)
- J. Temporary Sign Permit at 2100 Block of Columbia Blvd - The Amani Center
- K. Temporary Sign Permit at 2100 Block of Columbia Blvd - CRF&R Toy-N-Joy Auction

PLANNING DEPARTMENT ACTIVITY REPORT

- L. Planning Department Activity Report - September
- M. Planning Department Activity Report - October

PROACTIVE ITEMS

- N. Architectural Standards

FOR YOUR INFORMATION ITEMS

ADJOURNMENT

NEXT REGULAR MEETING: December 12, 2023

VIRTUAL MEETING DETAILS

Join:**<https://us06web.zoom.us/j/85664708216?pwd=sjKpMHj7WslwyXFKpYa3pu3oIEisy6.1>****Meeting ID: 856 6470 8216****Passcode: 508217****Dial by your location: +1 253 215 8782 US (Tacoma)**

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

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



PLANNING COMMISSION

Tuesday, September 12, 2023, at 6:00 PM

DRAFT MINUTES

Members Present: Chair Dan Cary
 Vice Chair Jennifer Shoemaker
 Commissioner Ginny Carlson
 Commissioner Russ Hubbard
 Commissioner Russ Low

Members Absent: Commissioner Charles Castner

Staff Present: City Planner Jacob Graichen
 Associate Planner Jenny Dimsho
 Community Development Admin Assistant Christina Sullivan
 City Councilor Mark Gunderson

Others: Brady Preheim
 Jen Massey
 Jenni Gilbert
 Jane Garcia
 Steve Toschi
 S. Moore
 Dorinda Aschoff
 Jason Mills
 Adrienne Linton
 Thomas Peck
 Shauna Harrison

CALL TO ORDER & FLAG SALUTE

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

Toschi, Steve. Toschi was called to speak. Toschi expressed concern about the law placed on the commissions and boards from the City Council. He felt it placed an unfair burden on the Commission to make decisions that might be hard and was used to try to steer the Commission to move towards a political agenda. He said the Commission has a role and duty to make decisions that are fair and promote the health, safety, and welfare of the St. Helens citizens.

CONSENT AGENDA

A. Planning Commission Minutes Dated August 08, 2023

Motion: Upon Commissioner Hubbard's motion and Vice Chair Shoemaker's second, the Planning Commission unanimously approved the Draft Minutes dated August 8, 2023. [AYES: Vice Chair Shoemaker, Commissioner Hubbard, Commissioner Carlson, Commissioner Low; NAYS: None]

PUBLIC HEARING AGENDA (times are earliest start time)

B. 6:05 p.m. Variance and Lot Line Adjustment at 155 S 6th Street – Jason Mills

Chair Dan Cary opened the Public Hearing at 6:07 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 August 25, 2023. She shared that the applicant owns three individual lots and two of those lots have one single-family dwelling developed on them. She mentioned that the single-family dwelling was built over the lot line on the third lot. She said the reason was because of the topography and the steep slope behind the home.

She said the applicant would like to move the lot line south so that it meets the single-family dwelling setback requirement of five feet on the side and ten feet in the back.

She said the applicant located a property corner marker and that was what the measurements were based on. So, if the application was approved, there would be a requirement to have the property lines approved by a surveyor.

She also mentioned they look at lot dimensional standards and one of the requirements for this zoning district is that the lots minimum width is 50-feet. She said the applicant was proposing a 46-foot-wide lot, which is why a variance was required. She said there is an incredibly steep slope which creates a unique circumstance for development. She also said this was not self-imposed because the applicant did not build the home over the property line.

Mills, Jason. Applicant. Mills was called to speak. He said his goal was to keep it as a buildable lot. He was not sure how that would work since the lot is very steep. He said he was not sure what would be built there in the future, but he wanted to do the work ahead of time to make it easier if they did decide to sell or build.

In Favor

No one spoke in favor of the application.

Neutral

No one spoke in neutral of the application.

In Opposition

Schmidt, John. Schmidt lives at 175 South 6th Street. He was not in favor of this property being separated because he did not want to see more dwellings built on this street. He said the traffic was already heavy and he did not wish to see more.

Rebuttal

Mills, Jason. Applicant. He said he had already spoken with his neighbors about what he planned to do if it was approved. He said there was still a requirement for a survey to be done and he was willing to talk more with his neighbors to not create more traffic in their area.

End of Oral Testimony

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

Close of Public Hearing & Record**Deliberations**

Vice Chair Shoemaker said she did not see a 46-foot lot as an issue as there are many in the area that are like that.

The Commission felt this was a very straight-forward decision.

Motion: Upon Vice Chair Shoemaker's motion and Commissioner Carlson's second, the Planning Commission unanimously approved the Variance and Lot Line Adjustment as recommended by staff. [AYES: Vice Chair Shoemaker, Commissioner Carlson, Commissioner Hubbard, Commissioner Low; NAYS: None]

Motion: Upon Vice Chair Shoemaker's motion and Commissioner Carlson's second, the Planning Commission unanimously approved the Chair to sign the Findings. [AYES: Vice Chair Shoemaker, Commissioner Carlson, Commissioner Hubbard, Commissioner Low; NAYS: None]

C. **6:30 p.m. Comprehensive Plan and Zoning Map Amendment at 58646 McNulty Way – Columbia Mental Health**

Chair Dan Cary opened the Public Hearing at 6:30 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

Dimsho presented the staff report dated August 25, 2023. She shared where the subject property was located. She mentioned that most of the development on the property had occurred post-2003 to current. She said they sent out notices to all the utilities and Columbia County said they didn't have any concerns with this zone change and that Gable Road in this location was a City-owned street.

She said zone changes require them to look at statewide planning goal compliance and she shared some of the relevant codes. She said the request of the applicant was to turn a Light Industrial area into General Commercial. She said they compared the Economic Opportunities Analysis to see if the rezone would affect their industrial lands. She mentioned the EOA, in 2008, concluded that there was a surplus of industrial lands. She said since 2008 they have rezoned some of the industrial land to other zone types, but still had 52 acres of "extra" industrial land which would be enough to support the rezoning of this property. She also mentioned the EOA found there was a shortage of Commercial lands.

She said they also look at the applicable Comprehensive Plan Policies. She highlighted the Light Industrial and General Commercial comprehensive policies to support the rezoning of this property. She said they encourage the development of general commercial in that area. She mentioned Gable Road was very accessible, highly trafficked, and there are several other areas abutting the property that are General Commercial.

She discussed the existing uses of the site. She said currently they are using their space for offices, which is an allowed use in the General Commercial zone, but not in the Light Industrial zone. She said this was the main reason the applicant looked to change the zoning, because any office expansion on this site would not be allowed without the change.

She also shared that traffic impact to the area would need to be considered when there is a possible zone change, and how it will affect the area. She said the applicant hired a traffic engineer who provided a detailed memo for a review. There was a focus on the larger parcel for future development, since the smaller parcel is already built out. They generated a trip cap which would allow them to comply with the Transportation Planning Rule (TPR) which was many more trips than they expect their future daily trips to be.

Jacobsen, Todd. Applicant. Jacobsen is the Director of Columbia Community Mental Health. He shared that community mental health for the area should serve residents of all Columbia County. He said they are working to increase their services as the mental health crisis increases in the community and within the state. He emphasized that they did not have any intent in creating a large complex on their property. He said what they proposed to develop was a Shelter in Care programs that were intended to help prevent homelessness. He said they would only serve Columbia County residents. He said the traffic cap that was highlighted by the traffic engineer memo was a high number, and they did

not think the staff and small number of individuals who would participate in the program would not come close to the cap given. He mentioned the reason behind wanting to expand was because they had received Oregon Health Authority grant funds that are based on these types of facilities to expand their care.

Petersen, Al. Applicant. Petersen is the architect for the project. He said the way the development code is written, they will be required, when submitting permits, to do a transportation traffic analysis. He said instead of doing it twice, they hired a traffic engineer to do a study ahead of time, with real scenarios based on what they plan to build. He also said the proposed development is a form of non-traditional housing. He said he compared what they plan to develop to the St. Helens Housing Needs Analysis, and it showed a deficiency in this type of housing.

In Favor

No one spoke in favor of the application.

Neutral

Toschi, Steve. Toschi was called to speak. He said he thought the area for the proposed zone change looked like spot zoning. He said the general area and how it was being developed was primarily light industrial. He said the type of use the applicant proposed did not seem to fit the description of what is allowed in a General Commercial Zone.

Massey, Jennifer. Massey was called to speak. She expressed concern about this property being developed into something residential. She said the County did not have enough law enforcement and was concerned there would not be enough to cover more people being moved in, especially for individuals who struggle with drug addiction or mental health. She wanted to know how the City could take on more people when the people who maintain public safety are already stretched so thin.

In Opposition

Moore, Sabrina. Moore is a neighboring property owner. She said with a zone change, despite what the applicant promises, it would allow them to do whatever that zone allows for them to build. So even if they promise small facility, they could build larger. She mentioned that the areas surrounding the property are all Light Industrial zone and wanted the Commission to consider that historically it has always been Light Industrial zone. She also said the area has potential for more growth with the Light Industrial zone. She is also not a fan of the type of development that would bring in those with mental health and drug addictions to the area. She said it creates more crime and property damage. She shared multiple incidents where there had been random people on her property from the applicant's facility who were caught using drugs or in areas they were not supposed to be in. She was also concerned about the sewer and said they were not serviced by City sewer and the septic system was already at capacity.

Preheim, Brady. Preheim was called to speak. He said even though he was sympathetic to the housing crisis, he did not agree with adding additional people being moved into that area because of the already large residential facilities across the street. He did mention the sewer capacity would be an issue because of the already full septic system. He said Light Industrial brings in money for the City and the residential properties on commercial lots do not contribute to revenue. He said this will burden the citizens of the City by bringing in more residents who need so much care.

Harrison, Shauna. Harrison was called to speak. She expressed concern that allowing this type of change would deter any future industries from developing near the proposed property. She said there was a need for more jobs and that what they planned to develop there could cause safety concerns for future developers. She felt that what the applicant planned to build there would be a financial burden

to the citizens of St. Helens and without the zone change, the applicant could not build what they hope to as it would not be an approved use for that light industrial zone.

Rebuttal

Petersen, Al. Applicant. Petersen was called to speak. He wanted to clarify what the applicant proposed to build there was an appropriate use if the zone was changed to General Commercial. He said they are already working with a traffic engineer and when a design is prepared, they will do a traffic analysis as required. He said the safety issues of the design would be dealt with after the design is completed, but they can not do that until the zone change is made. He said the applicant would like to make their property into a campus to do the same type of work they have already been doing.

End of Oral Testimony

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

Close of Public Hearing & Record

Deliberations

Commissioner Ginny Carlson said with the amount of change happening on that corner, she thought changing to a General Commercial zone was moving in the right direction.

Commissioner Russ Hubbard said he still felt like there was a shortage of Light Industrial properties and he did not agree with changing this zone. He said he would like to see more business move into the area, and if all the properties go away, that will not happen. He said these small properties could provide an opportunity for smaller business to come to town and he felt that small business is the direction our town was headed.

There was a small discussion on the traffic and the number of trips to be made to this site.

There was a discussion on what zoning is most appropriate for the area and possibly making a split zone for the property.

Vice Chair Shoemaker said she agreed with Commissioner Hubbard about keeping the property as Light Industrial. She said even at half of the capacity for the site, that would still be about 500 vehicle trips a day and that would be challenging. She said Gable Road is already a nightmare with traffic. She did say this was a gateway to the City and would like to see the area cleaned up, so that it gave a better reflection of St. Helens. She agreed that small industrial sites were the route our city was headed and was not in favor of the zone change.

Chair Cary shared he thought the applicant needed to have more use of their campus. He said even though they were not discussing the particular use of the property that the applicant was proposing for the future, he felt the proposed use of the property for the future was really needed to help the health of the City. He said he was in favor of the zone change.

Commissioner Low said he did not disagree with the idea or the need for more help for mental health services in the community, but he was not a fan of losing more Light Industrial property. He said he was not in favor of the zoning change.

Commissioner Carlson made a motion to recommend a split zone option. There was not a second, so the motion failed.

Motion: Upon Commissioner Hubbard's motion and Vice Chair Shoemaker's second, the Planning Commission recommended to the City Council to deny the zone change based on the need to retain

industrial lands. [AYES: Vice Chair Shoemaker, Commissioner Hubbard, Commissioner Low; NAYS: Commissioner Carlson]

D. 7:30 p.m. Conditional Use Permit, Sensitive Lands Permit (x2), & Sign Permit at southeast corner of the Old Portland Road / Kaster Road intersection for new police station – City of St. Helens

Chair Dan Cary opened the Public Hearing at 8:02 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

Toschi expressed his concern that there was an issue with Commissioner Carlson because she was on the City Council during the selection of the site, and possibly two other Commissioners who served on the Ad Hoc committee for the selection of the site.

The Commission discussed the concern and determined that no one had any conflicts of interest or bias in the matter.

City Planner Jacob Graichen presented the staff report dated August 30, 2023. Graichen shared where the existing Police Station is located and the location of where the City plans to build a new police station.

Graichen shared some history on the police station, including how old the building is and that it currently is not able to house the officers we have or provide the appropriate amount of storage and security required for the growth of the police force. He also mentioned that because of some of these deficiencies, it has made it an issue for the Police Chief to obtain grant funding related to policing..

He showed the subject property and where the proposed building would be placed on that lot. He said the proposed site was irregular in shape and surrounded by public rights of way. He did say that only two of those rights-of-way were developed, but not completely with sidewalks and curbs.

He showed that there was a rock bluff and wetland area on the site with a 50-foot upland protection zone.

He discussed the portion of the site where the flood boundaries are located as identified by the flood maps. He shared that a portion of the site was in the 500-year and 100-year flood plain. He said that the portion closest to Old Portland Road was the side of the property proposed to be developed and the opposite side closer to the wetland area was the portion that would be used for expansion in the future. He explained that Milton Creek flows southeast into the Multnomah Channel and what the flood maps show is when the creek encounters some of our roads and bridges, it creates a mushroom (or dam) effect. He showed where that happens along Columbia River Highway and where the same happens along Old Portland Road where the subject property is located. He also discussed some of the flooding that happens not associated with the creek or the channel. He said McCormick Park is the greater flood plain area not associated with the river, and he noted how some of that mushroom effect extends past the subject property up Old Portland Road. He also showed that it is up to S. 15th Street where there is a secondary access proposed that is unencumbered by flood waters to the subject property. Graichen said they hired a hydrologist, and they confirmed the pattern of floods to that property. As part of the study, there was a possibility to amend the map if there was better data provided than the model used and apply through FEMA, but he said after the study, the flood area could potentially be worse and add more 500-year flood area to the proposed property, so they did not move forward with remapping the area.

Graichen showed the placement of the police station and how it was laid out on the flood map. He noted that the flood maps are for insurance purposes and not just for development purposes. For development purposes, the flood line on the map is an approximation. He showed the flood boundaries, and that the 100-year flood plain is just about touching the west most side of the building

and the proposed building is mostly encumbered by the 500-year flood plain. He shared some information about the flood depth over Old Portland Road and Kaster Road and could end up being a serious water situation.

He also noted there was no other access to the street network other than Old Portland Road and Kaster Road. So, if they went further down Kaster Road there was no outlet to the street grid. He said the Industrial Park plan does have an access connection to S. 10th Street, but there is nothing forecasted as to when that will be developed.

Graichen talked about how the police station is considered a public safety facility and the proposed property district requires a Conditional Use Permit. He shared there were several criteria to meet the conditions for approval of a Conditional Use Permit, but the one that was most important to note was site suitability. It considers size, shape, location, topography, and natural features. They would consider if the use of this building for this property made sense based on those characteristics.

He mentioned when you look at flood policy, the police station is a type of critical facility. He said in the flood language that a critical facility is one that, in even a slight chance of flooding, might be too great, and they would need to consider if the City had done enough to mitigate some of the potential hazard to move forward with this location. He mentioned there is also an alternative sites analysis component to consider.

He also said something to consider is having access that is elevated from a flood standpoint. He said it was not practical to elevate the access from Old Portland Road and Kaster five feet (the approximate assumed flood depth over the streets). But he did say there was a route using the subject property that avoided the mapped flood area.

Graichen discussed the alternative site analysis which resulted in this proposed property selection. He shared there was a three-phase approach to narrowing down which site to choose. He said they started with about ten locations and narrowed it down. He shared the different sites considered and why they did or did not move forward into the next phase two.

He shared phase two of the selection process was a little more in depth and the consultant team used a site scoring system with 18 different categories to consider and score the different sites that moved forward to phase two. He said the scoring was used to elicit more discussion around the properties, not necessarily to rank them. But if used by rank, the subject property was third place in the lineup of four.

He said that phase three was when the subject properties were brought before the City Council and they were asked to decide which property to move forward with. Graichen mentioned there was some input from the police chief which was channeling input from some of the officers. He said the police chief took broke the issue down to four components and shared with the City Council why the site was suitable for the police.

He shared the rendering and the site plan of the proposed building. He talked about the 7th Street right of way that was vacated and no longer exists. He said one of the stipulations for that was obtaining an easement for power for the Columbia River PUD. The site plan shows those power poles still in place. It also depicts the wetland buffer and the protection zones. He mentioned there was little impact to the wetland protection zone for the secondary access. He mentioned where it was proposed to be impacted was a good place, as there was already preexisting impact in that location.

He shared about the parking and how some of it was secured parking and some that was open to the public. He did say this proposed location, there was no additional street parking, and the only overflow parking would be across the street (at 1810 Old Portland Road). He also discussed the frontage improvements and if it was justified for this project. He said there was a roundabout proposed to be built at the Old Portland Road/Kaster Road intersection as part of the future transportation plan, so the

curbs and sidewalks required for this development could be different. Staff recommended leaving the frontage area near the proposed roundabout for a future improvement, but requiring frontage along the remainder of the subject property instead.

He discussed how the City worked to mitigate the flood issues. He said the building itself would be built up at least two feet above grade. He also discussed the flood impacts to the main access and to the street. He discussed his conversation with the Fire Marshall about emergency vehicle access and how that was incorporated into the plans.

He also talked about the ability for this police station to expand. He said they needed to be picky about access to maximize the expansion potential. He said it should be feasible for future upgrades or expansion to the building and need for growth.

Greenway, Brian. Applicant. Greenway is the Police Chief for St. Helens. He said this location was selected and unanimously approved through the City Council. He said the Ad Hoc committee that helped narrow down the locations were also active and participated in the site location as well. He talked about the current location of the police station and said the property does not have the ability to expand which is why they needed to move to a different area to prepare for growth in the City. He said the other locations considered were on the outskirts of the city and they felt it better to be in a more prominent location.. He said it should be easily accessible by the community and easy to find. He said one of the major reasons they selected this location was because of the trains. They said this location allows them to have different access points to traverse through to Highway 30.

Varricchione, Brian. Applicant. Varricchione works for Mackenzie, the architect for the project. He shared some of the information about the inadequacies of the existing police station. He said the conditions recommended for approval seemed appropriate and something the applicant would be able to meet. He explained why the access was off Kaster Road and far enough away from the future roundabout that could be built there. He said the back (secondary) access from the wetland area would be gated and secure and not used by the public. He shared there was additional space to add more storage or space for vehicles in the back of the building. He said the topography is designed to drain to the east of the property into a storm facility with sediment and vegetation. He said the building would be elevated more than two-feet above the flood plain. He also shared that the secondary access would not be used on a regular basis and that the road narrows to about 15-foot width in a small section. He said the Fire Marshall did not have concern over the narrow portion of the 2nd access road.

Peck, Thomas. Applicant. Peck works for Mackenzie, the architect for the project. He said there were a lot of considerations that have gone into developing the site and the building for this location. He said he wanted to share more about celebrating the building and making it easily viewed and having clear discernable access to the facility. He said this consideration is why it was placed in the location the way it was. He shared the design elements of the building including the color and the materials that were selected.

There was a discussion prompted by the commission about the timing of this permit .

In Favor

No one spoke in favor of the application.

Neutral

Aschoff, Dorinda. Aschoff was called to speak. She said the police have always been available to help and are on standby and she said if the police need a new facility, she did not mind her tax money going towards it.

In Opposition

Preheim, Brady. Preheim was called to speak. He said he did not think they needed a new police station, but rather the current station needed a remodel and storage which would be more affordable. He also said they need law enforcement officers first before building a huge police station that the city cannot afford. He said with the current climate change and amount of weather phenomenon happening, the 100-year and 500-year flood plain were not likely an accurate measure. He said critical facility sites are not allowed to be in a flood plain period and they have already wasted so much money on designing the huge facility in a poor location. He said there had to be a better solution. He also said the amount of work that was already being done to the site implies there is a political pressure to push this decision through without taking into consideration the health and safety of the citizens and he asked the Commission to say no and not allow the disaster to move forward.

Toschi, Steve. Toschi was called to speak. Toschi said he thought for the type of meeting this was and how important of a decision it was meant to be, he thought the findings that the Commission were just brushed over. He wanted to be sure the criteria were all brought up to be able to approve this Conditional Use Permit. He shared about some of the recent weather disasters that had happened throughout the nation and how the lack of coordination between emergency services made the situation worse. He did not want this to happen in St. Helens. He said that there should never be an option considered where our emergency responders are hampered from being able to respond in a timely fashion, or at all, because that is when people die. He said that is why placing a critical facility in a flood zone is such an important criterion to consider when deciding if this location is appropriate. He said the State created statutory law to keep critical facilities out of the flood zones to protect the health and safety of people. He said they had cities adopt statutory framework around these laws for the same purpose and it was the Commissions job to uphold these even if there is political pressure. He shared some of the criteria from the Development Code Flood chapter and said the Commission needed to consider those criteria. To approve a critical facility in this location, they would have to find that this new critical facility could only be built at the proposed location if there was no other feasible alternative site available. He said the City had the burden to prove that there was no other suitable site available and in fact, there were many sites that were viable alternatives.

Rebuttal

Greenway, Brian. He said they were not talking about the need for the police station, they were to consider the location. He said the police do not usually sit in the police station, but are out in the public and community. He said the police will go to where they are needed. He also said he felt the secondary access was wide enough to get out if needed.

Varricchione, Brian. He discussed the provision in the development code to critical facilities. He said that technically since this building was outside the special flood zone area, that particular provision of the code did not apply to this building. He said even though the building is not subject to this portion of the code, it was still designed as if it was to meet all the criteria for elevating it out of the flood zone.

End of Oral Testimony

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

Close of Public Hearing & Record

Deliberations

Commissioner Russ Low said he felt it was late in the game for them to be discussing the flood zone aspects of the location. He said he felt they were put in a position with no positive solution. He said he felt the alternative access road should be widened. If it were a two-lane road, it would make it more accessible. Otherwise, he felt problems would arise in an emergency, especially in a flood.

Vice Chair Shoemaker said she was part of the Ad Hoc committee who helped select the location. She said they clearly need a new facility and supports law enforcement but feels duped that the flood issues were glazed over during the selection process and were hardly mentioned. She said that even with the building not in the flood zone, if you cannot get to it because of flood waters, that is a problem. She also said with all the recent catastrophic weather events, she was not surprised that a flood map change may worsen the flood conditions in that area. She also said when the committee was looking at different locations in the beginning, there was no discussion on the line from the code that said if no other viable alternative exists. She also said the City should be held to the same standards for frontage improvements that they enforce on other developers.

Commissioner Hubbard said he was also on the Ad Hoc committee and there were other locations that were better suited for the police station. But when he brought up those locations, they were turned down quickly by the previous City employee who was managing the project. He also said he was brushed off when he had questions about the flood zone and told to talk to the Planning Department. He said if one person is compromised because there is a flood, and the police cannot do their job, the Planning Commission did not do their job.

Commissioner Carlson also said when she was on the City Council during the beginning of the selection process, she felt that some of the alternative sites were better locations and said the flood zone issues were never mentioned when considering the proposed site.

There was a small discussion about alternative access and whether it was a suitable solution for the site being in a flood zone.

The Commission discussed the other locations that were considered.

Motion: Upon Commissioner Hubbard's motion and Commissioner Carlson's second, the Planning Commission unanimously denied the Conditional Use Permit, Sensitive Lands Permit (x2), and Sign Permit based on the flood hazards in the area. [AYES: Vice Chair Shoemaker, Commissioner Carlson, Commissioner Hubbard, Commissioner Low; NAYS: None]

Motion: Upon Vice Chair Carlson's motion and Commissioner Shoemaker's second, the Planning Commission unanimously approved the Chair to sign the Findings. [AYES: Vice Chair Shoemaker, Commissioner Carlson, Commissioner Hubbard, Commissioner Low; NAYS: None]

DISCUSSION ITEMS

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

Associate Planner Dimsho mentioned at the last meeting they tried to discuss this item, but the Commission had a lot of questions for the applicant.

Holcombe Waller is the owner of the Klondike Tavern and shared what the changes were to the design. He said they wanted to move to a more direct solution for ADA access that did not involve an exterior wheelchair lift. They would be building a ramp down to a future elevator instead. He said they would expedite the elevator phase. Dimsho mentioned this elevator would create access to the hotel as well for luggage, strollers, and other items that would be difficult to take up stairs. This change would streamline access to all levels.

Waller also shared the changes he made to the lower level for future usable space. He said to prepare for that, they added a window and a door to the elevation that would use historic materials. He also said they added permanent accordion type windows to make the patio area usable during the inclement seasons. He said they would also meet the historic guidelines.

He also shared the design for the banister and enclosure of the porch and how it would match the waterline of the building and use the same columns and a tongue and groove style for the siding. They wanted to match the existing architectural elements.

There was a small discussion about how the restaurant would be servicing the patio.

Waller shared how the service window would not be a slider, but an inswing window for service.

Motion: Upon Commissioner Shoemaker's motion and Commissioner Carlson's second, the Planning Commission unanimously recommended that the application, as revised, complies with the architectural guidelines. [AYES: Vice Chair Shoemaker, Commissioner Carlson, Commissioner Hubbard, Commissioner Low; NAYS: None]

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

- F. Temporary Sign Permit at 2100 Block of Columbia Blvd – Columbia County Fairgrounds
- G. Temporary Sign Permit at 2100 Block of Columbia Blvd – The Big Halloween Parade
- H. Lot Line Adjustment at 821 Columbia Blvd & 115 S 8th Street – Ryan Holmes & Joel Warner

There was no discussion on the Planning Director Decisions.

PLANNING DEPARTMENT ACTIVITY REPORT

- I. Planning Department Activity Report – August

Graichen said Broadleaf Arbor were continuing to move along and get more buildings occupied.

There was a small discussion about the sidewalk and crosswalk put in near this project.

PROACTIVE ITEMS

- J. Architectural Standards

There was no discussion on the proactive items.

FOR YOUR INFORMATION ITEMS

Dimsho said in the original CLG Grant decision they forgot to pick a back-up project. She said she looked at all their scores and the second-place project were tied between the Columbia County clock tower and the Klondike Tavern restaurant project. She mentioned what was happening with the first-place project was they had to work with the insurance company and were struggling to get the restoration contractor to comply with the historic preservation guidelines and there was a deadline. Commissioner Shoemaker said she was willing to move towards the Klondike Tavern as her second choice because they had shown they had the funding to match. The Commission decided the second-place project should be the Klondike Tavern.

There was a small discussion about the property located on Grey Cliffs Drive abutting the east side of the botanical gardens. Graichen mentioned they had a pre-application meeting with the new owners, and they were discussing partitioning it. He said it would be a similar situation to the Belton Road project because of the narrow road.

Graichen also mentioned the Joint City Council and Planning Commission Meeting was cancelled for this month.

Graichen shared they had three candidates for the Planning Commission vacancy, and it dropped down to two. The interview committee recommended approval of David Rosengard to be the new appointment. Vice Chair Shoemaker said there was a clear difference in application and interview. She

said he had a strong background in historical presentation and was very well prepared and engaging. Commissioner Hubbard agreed with Vice Chair Shoemaker.

Motion: Upon Commissioner Carlson’s motion and Commissioner Hubbard’s second, the Planning Commission unanimously recommended to the City Council appointment of David Rosengard to the vacant Planning Commission seat. [AYES: Vice Chair Shoemaker, Commissioner Carlson, Commissioner Hubbard, Commissioner Low; NAYS: None]

Councilor Gundersen wanted to make sure the Commission feels they could make decisions without political pressure from the Council.

Commissioner Carlson asked questions about the parks and why there was no green grass and long-term shrubs being kept alive. She asked Councilor Gundersen if these were being prioritized. She said the city should take pride in their land and be good stewards of their properties. Councilor Gundersen said he agreed and understood her concern.

ADJOURNMENT

There being no further business before the Planning Commission, the meeting was adjourned at 10:46 p.m.

Respectfully submitted,

*Christina Sullivan
Community Development Administrative Assistant*

**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Conditional Use Permit CUP.5.23**

DATE: November 7, 2023
TO: Planning Commission
FROM: Jennifer Dimsho, AICP, Associate Planner
 Jacob A. Graichen, AICP, City Planner

APPLICANT: Lower Columbia Engineering LLC, c/o Matthew Alexander
OWNER: Dahlgren Living Trust

ZONING: Light Industrial (LI)
LOCATION: 4N1W-8AD-1401; Vacant lot southeast of 35835 Industrial Way
PROPOSAL: Conditional Use Permit to construct office use on Parcel 2 of PP 2008-17. Office use is conditionally allowed with the property classified as an “industrial park” along with Parcel 1 and 3 of PP 2008-17. See Permitting History for more detail.

SITE INFORMATION / BACKGROUND

The 1.68-acre site is located off Industrial Way, just south of the intersection of McNulty Way. It is completely undeveloped, except for a public stormwater facility located on the northern property line. It is irregularly shaped like a flag lot, with the pole-shaped portion of the lot at 45° wide along McNulty Way. The lot is relatively flat until about the middle of the lot where it slopes towards McNulty Creek located along the eastern property line. Water and sewer is located along Industrial Way. The subject property’s frontage along Industrial Way is already developed with a driveway, curb, gutter, and sidewalks.



Left: Existing driveway approach. 35835 Industrial Way (Control Solutions), who shares the driveway approach, is located to the left.

Right: Public stormwater facility located along the northern property line.

PUBLIC HEARING & NOTICE

Public hearing before the Planning Commission: November 14, 2023

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject properties on October 25, 2023, via first class mail. Notice was sent to agencies by mail or e-mail on the same date.

Notice was published on November 1, 2023, in The Chronicle newspaper.

The 120-day rule (ORS 227.178) for final action for this land use decision is **February 12, 2023**.

AGENCY REFERRALS & COMMENTS

As of the date of this staff report, the following relevant agency comments have been received:

City Engineering Department: See attached Engineering Staff Report.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

* * *

Permitting History: The subject property is identified as Parcel 2 of PP 2008-17.

When Parcel 1 and Parcel 3 of PP 2008-17 were developed, Inst. No. 2010-8607 and Inst. No. 2010-10755 were recorded which stated that Parcels 1, 2, and 3 of PP 2008-17 would be subject to the requirements for an “industrial park” which requires that there be at least 30% of businesses be uses permitted outright in the Light Industrial zoning district. This requirement is addressed under the CUP standards.

* * *

Zoning Compliance: The site is zoned Light Industrial.

The Amani Center provides medical exams, interviews, therapy, and other support services to child victims of abuse. This is considered office use. Office use is conditionally allowed with the property classified as an “industrial park.”

The standards for the LI zone shall be determined by the proximity to residentially zoned property and the anticipated off-site impacts of the proposed use. There are no residentially zoned properties surrounding the subject property and there are no off-site impacts proposed.

The maximum building height is 100’. The proposed building height is 32’.

* * *

Sensitive Lands: There is a significant riparian area (McNulty Creek) identified on the property (R-MC-10) which has a 50' upland protection zone measured from the top of bank or from the upland edge of the riparian area, whichever is greater.

The closest impact is vegetation removal on the north end of the property which appears to be over 150' from the top of the creek bank. In addition, the area of the proposed building which comes the closest to the 100-year floodplain appears to be over 50' away.

Applicant does not explicitly address steep slopes greater than 25% that are close to the area to be developed. A Sensitive Lands Permit may be needed if impacted by any plan revisions.

* * *

Landscaping/buffering/screening: **Street trees are not required.** The street frontage is only 45'. 100' is the minimum frontage for requiring street trees.

This chapter requires buffering. The site is surrounded by industrial uses and does not require buffering.

This chapter requires screening unrelated to buffering above. This applies in this case as follows:

Because the parking lot will be greater than three spaces, it is required to be screened. For screening in this case, the City usually requires landscaping along the perimeter that includes a balance of low lying and vertical shrubbery and trees. The proposed landscaping plan reflects this is met.

Service facilities and equipment (e.g., HVAC and other mechanical unit) visible from a public street, customer or residential parking area, any public facility or residential area are required to be screened whether they are ground, wall or roof mounted. In addition, rooftop facilities and equipment are required to be screened from street and adjacent properties. There is no mention of facilities. Screening is required in all cases.

Refuse container or collection area are required to be screened (e.g., trash enclosure). A trash enclosure is shown on the plans. Its size is addressed under Solid Waste/Recyclables below.

Interior parking lot landscaping. When off-street parking lots have more than 20 spaces, landscape islands are required with trees. Rows of parking spaces are not to exceed 7 spaces, generally. The "islands" are required to be no less than 48 sq. ft. in area and no dimension less than six ft. They are required to have a combination of groundcover and shrubs in addition to a tree, such that at least 50% of the island will be covered with living plants. They are also required to be protected from vehicular damage by some form of wheel guard or curb that is permanently fixed to the ground. There are two required landscape islands shown. Plans reflect them at 6' wide without curbs, and they are at least 87 sq. ft. They show groundcover and one tree in each. They also have curbs surrounding them.

* * *

Visual Clearance: Chapter 17.76 SHMC requires proper sight distances at intersections to reduce traffic hazard potential. The vision clearance areas are properly depicted on the plans and no obstructions (like parking spaces) are proposed within the area.

* * *

Off-Street Parking/Loading: Off-street parking is required since this is new development.

Dimension and type. There is a mix of standard spaces (min. size 9' x 18') and compact spaces (min. size 8' x 15') shown on the plans. All compact spaces are required to be signed or labeled by painting on the parking space. There are also 7 parallel spaces shown at 8' x 22'.

Location. Parking spaces are required to be located not further than 200 feet from the building or the use they are required to serve. This is met.

Accessible (disabled person) spaces. Required to comply with State and Federal Standards. A total of 36 parking spaces are proposed. Per the 2019 Oregon Specialty Code, this requires at least 2 accessible spaces, one of which is required to be van-accessible. A double-accessible parking space is shown, with one van-accessible.

Also, accessible parking spaces are required to be located on the shortest route to an accessible pedestrian entrance. Though this is a building code issue, it is relevant to site design. They are shown directly adjacent to the front entry.

Bicycle parking. 1 lockable space is required at a rate of 10% of vehicle spaces. The applicant states that they are providing a total of 4 bicycle spaces, but only 2 spaces are proposed, and the area provided is deficient for the standard size bicycles. **The Commission must decide if the applicant should provide 10% of the minimum required parking spaces (10% of 24) which would be 2 spaces, or 10% of the parking spaces they are providing (10% of 36) which would be 4 spaces.** In addition, bicycle spaces are required to be within 50' of primary entrances, under cover when possible, and not located in parking aisles, landscape areas, or pedestrian ways. If only 2 spaces are required, typically, we do not require covered bicycle parking because it is too small to warrant it. **Since this is a CUP, the Commission should weigh in on whether the bicycle parking should be covered.**

One inverted "U" rack is shown on a 4' x 5' concrete pad which is not large enough for even one bicycle. The average bike length is 72", so the length of the concrete pad should be at least 7' long and wide enough to accommodate the required number of spaces. **The length and width of the concrete pad must be able to accommodate the required # of bicycle parking spaces the Commission requires.**

Number of off-street parking spaces required. Offices require one space for each 350 sq. ft. of gross floor area. Approximately 8,329 sq. ft. of GFA is proposed, which means 24 parking

spaces are required. 36 spaces are proposed, which is 12 more spaces than the minimum number required.

Up to 40% of the required parking may be compact. 9 compact spaces are shown, which is approximately 25%.

Aisle width. Aisles accommodating 2-direction traffic shall be a minimum of 24’ width. This is shown.

Markings. All interior drives and access aisles are required to be marked and signed to indicate direction flow.

Surface area. All areas used for parking, storage or maneuvering of vehicles (including things towed by vehicles) shall be paved.

Wheel stops. Wheel stops are required along the boundaries of a parking lot, adjacent to interior landscape area, and along pedestrian ways. Curbs are shown along the exterior boundary of the parking lot (along the landscaping) and along the interior boundary (along the walkways), wheel stops are shown.

Drainage. Drainage plans will be required to prevent ponding, prevent water flow across pedestrian ways and to address pollutants from vehicles (e.g., oil/water separation). A preliminary stormwater plan was submitted with the plan set. See additional comments in the Engineering Staff Report attached.

Lighting. Required to be directed to avoid glare from surrounding residences and roads/streets. An illumination plan was submitted with the plan set.

* * *

Access/egress/circulation: Joint access and reciprocal access easements. Joint access via easement is allowed by the code provided there is satisfactory legal evidence of such (e.g., easements) and the legal means of allowing the shared access is provided to the City. A 45’ wide non-exclusive access easement was recorded via Inst. No. 2011-6116 recorded along the “pole” shaped portion of the subject property. The easement and developed driveway approach is utilized by 35835 Industrial Way.

Public street access. All vehicular access and egress per Chapter 17.84 SHMC is required to directly connect to a public or private street approved by the City for public use. Moreover, vehicular access is required to be within 50’ of primary entrances.

The site abuts the following streets:

Street/Road Name	Public or Private	Street Class (TSP)	Jurisdiction	Improved?
Industrial Way	Public Private	Collector	City	Yes

The site utilizes these streets for access and brings vehicle access within the statutory distance of the primary entrance.

Vehicular access spacing, amount, etc. The shared driveway approach is already developed, and it is not proposed to be altered in its location or width.

Pedestrian access (interior walkways). Walkways shall extend from the ground floor entrances or from the ground floor landing of stairs, ramps, or elevators of all commercial, institutional, and industrial uses to the streets which provide the required access and egress. Walkways shall provide convenient connections between buildings in multibuilding commercial, institutional, and industrial complexes. Walkways also shall provide access to existing and planned transit stops adjacent to the development site. Unless impractical, walkways should be constructed between a new development and neighboring developments.

To meet this requirement, the applicant is proposing a walkway through property addressed 35835 Industrial Way. This will need to be formalized with a shared pedestrian access easement. There is also an entry door on the north façade of the building which does not have a required walkway. This will need to be addressed with the revised plans.

Where a site for proposed commercial, institutional, or multifamily development is located within at least one-quarter mile of an existing or planned transit stop, the proposed pedestrian circulation system must include a safe and direct pedestrian walkway from building entrances to the transit stop or to a public right-of-way that provides access to the transit stop. Per the CC Rider's website, there is no transit stop within a quarter mile.

Wherever required walkways cross vehicle access driveways or parking lots, such crossings shall be designed and located for pedestrian safety. Required walkways shall be physically separated from motor vehicle traffic and parking by either a minimum six-inch vertical separation (curbed) or a minimum three-foot horizontal separation, except that pedestrian crossings of traffic aisles are permitted for distances no greater than 36 feet if appropriate landscaping, pavement markings, or contrasting pavement materials are used. Walkways shall be a minimum of four feet in width, exclusive of vehicle overhangs and obstructions such as mailboxes, benches, bicycle racks, and sign posts, and shall be in compliance with ADA standards. There is a 24' wide crossing with pavement markings shown which complies.

Required walkways shall be paved with hard-surfaced materials such as concrete, asphalt, stone, brick, etc. Walkways shall be required to be lighted and/or signed as needed for safety purposes. All walkways are shown as being paved and the lighting plan shows must being illuminated. However, the proposed walkway to McNulty Way and the walkway behind the building are missing illumination. This must be shown on a revised illumination plan.

Fire access. Access drives in excess of 150' in length must provide an approved fire turnaround as approved by the fire marshal. This appears to be met with a "Y-shaped" turn around which is within the parking lot drive aisles. The proper radius is not shown and must be reflected on a revised plan. Any requirements of the Fire Marshall shall be met.

Access requirements based on type and intensity of use. For commercial uses under 100 parking spaces required, 1 driveway with a minimum access width of 30’ and a maximum access width of 40’ is required. Minimum pavement between curbs is 24’. The driveway is developed at 30’ which complies.

* * *

Signs: There is a proposed freestanding sign, but no additional details provided. New signs will require permits per Chapter 17.88 SHMC.

* * *

Solid Waste/Recyclables: Chapter 17.92 SHMC includes provisions for functional and adequate space for on-site storage and efficient collection of mixed solid waste and recyclables subject to pick up and removal by haulers.

Non-residential buildings shall provide a minimum storage area of 10 sq. ft. plus 4 sq. ft. / 1,000 sq. ft. of GFA for office use. With 8,329 sq. ft. GFA proposed, a storage area of 43 sq. ft. is required. The trash enclosure is shown at 60 sq. ft., which complies. Collection area must be screened with a sight-obscuring fence, wall, or hedge at least 6’ in height. 6’ tall cedar screening is proposed. A gate opening of a minimum of 10’ wide and must be capable of being secured in a closed and open position.

* * *

Site Development Review: Buildings are required to be located to preserve existing trees and such. Per Chapter 17.96 SHMC trees with a 6” or greater DBH require preservation or replacement. This is addressed in further detail under Tree Removal/Preservation.

Crime prevention. Light fixtures shall be provided in areas with heavy pedestrian or vehicular traffic and in areas potentially dangerous such as parking lots, stairs, ramps, and abrupt grade changes. Fixtures shall be placed at a height so that light patterns overlap at a height of 7’. An illumination plan was provided that shows a combination of six (6) wall mounted lights on the building and two (2) pole mounted lights in the parking lot. It shows sufficient illumination of the site. However, the west pole mounted light must be relocated out of the public utility easement to avoid utility conflicts. Illumination of all walkways (behind the building and to McNulty Way) is also required.

* * *

Conditional Use: Pursuant to SHMC 17.100.040:

- (1) The planning commission shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the following criteria:
 - (a) The site size and dimensions provide adequate area for the needs of the proposed use;
 - (b) The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and natural features;
 - (c) All required public facilities have adequate capacity to serve the proposal;

- (d) The applicable requirements of the zoning district are met except as modified by this chapter;
- (e) The supplementary requirements set forth in Chapter 17.88 SHMC, Signs; and Chapter 17.96 SHMC, Site Development Review, if applicable, are met; and
- (f) The use will comply with the applicable policies of the comprehensive plan.

If the Commission is able to approve Conditional Use Permit and find all other standards are met, it should be able to find that these criteria are met.

SHMC 17.100.150 has additional requirements for certain conditional use types. When Parcel 1 and Parcel 3 of PP 2008-17 were developed, Inst. No. 2010-8607 and Inst. No. 2010-10755 were recorded which stated that Parcels 1, 2, and 3 of PP 2008-17 would be subject to the requirements for an “industrial park.” The only way for the proposed use to be allowed is under the “industrial park” use category. Therefore SHMC 17.100.150 (3) (i) applies:

- (i) The minimum lot size is 40,000 square feet;
- (ii) Minimum provisions for three or more businesses; and
- (iii) At least 30 percent of the business must be in the list of light industrial permitted uses.

Parcel 1 is occupied by office use, which is not in the list of light industrial permitted uses. Parcel 2, the subject property, is proposed office use, which is not in the list of light industrial permitted uses. Therefore, it is important to document the businesses included in Parcel 3. A diagram has been provided which shows 9 separate businesses, 6 of which are listed as permitted uses in the Light Industrial zone. Therefore, Parcels 1, 2, and 3, which make up the entirety of the industrial park, contain 66% of light industrial permitted uses, which complies with this standard.

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

- (3) The planning commission may impose conditions on its approval of a conditional use, which it finds are necessary to ensure the use is compatible with other use in the vicinity. These conditions may include, but are not limited to, the following:
 - (a) Limiting the hours, days, place, and manner of operation;
 - (b) Requiring design features which minimize environmental impacts such as noise, vibration, air pollution, glare, odor, and dust;
 - (c) Requiring additional setback areas, lot area, or lot depth or width;
 - (d) Limiting the building height, size or lot coverage, or location on the site;
 - (e) Designating the size, number, location, and design of vehicle access points;
 - (f) Requiring street right-of-way to be dedicated and the street to be improved;
 - (g) Requiring landscaping, screening, drainage and surfacing of parking and loading areas;
 - (h) Limiting the number, size, location, height, and lighting of signs;
 - (i) Limiting or setting standards for the location and intensity of outdoor lighting;
 - (j) Requiring berming, screening or landscaping and the establishment of standards for their installation and maintenance;
 - (k) Requiring and designating the size, height, location, and materials for fences; and
 - (l) Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, and drainage areas.

These are for the Commission’s consideration.

* * *

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

There are well over 10 trees on the property which would trigger a tree inventory of the entire site. However, the development footprint is in an area that will likely impact only a handful of trees.

To determine which trees on the site are impacted, and to ensure additional trees are not impacted with development, **a tree inventory is required to be submitted with the building permit which identifies all trees larger than 6” DBH within 20’ of the building footprint.** Any trees proposed to be removed or protected shall be identified. Identifying trees within 20’ of the building footprint will help protect the critical root zone of trees in proximity to the building footprint. Since more than 50% of the trees on the site are to remain, the number of trees to be lost are required to be replaced at a 1:1 ratio.

A protection program by a qualified professional defining the standards and methods that will be used to protect the existing trees to be preserved is required. This shall be submitted with the building permit set to ensure contractors and others follow the tree protection plan during site development.

* * *

Street/Right-of-Way Standards: The frontage improvements for the 45’ wide frontage are already complete.

* * *

Utility Standards:

Water: Water is available in Industrial Way.

Sanitary Sewer: Sanitary sewer is available in Industrial Way.

The city adopted a new **Wastewater Master Plan (WWMP)** in November 2021 that identifies undersized trunk lines already operating at or above capacity that this development would depend on. The WWMP can be found here:

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

Sewer pipes are considered “at capacity” when peak flows exceed 85% of the full depth of the pipe in accordance with industry standards. This depth is based on the maximum depth of flow ratio (d/D), where “d” is the depth of flow and “D” is the pipe diameter. The WWMP includes an exhibit—Figure 18—that shows that a portion of the conveyance system between the subject property and the wastewater treatment plant (specifically in the South Trunk) is currently operating between 85-99%. This is greater than the industry and city standard 85% “at capacity” flows.

Pipeline surcharging occurs as flows exceed the capacity of a full pipe, causing wastewater to back up into manholes and services. In addition to potentially backing up into homes and health risks associated with sanitary sewer overflows, Oregon DEQ prohibits all sanitary sewer overflows and can fine cities for allowing such and has done so to other jurisdictions. Examples of DEQ fines can be found here:

<https://www.oregon.gov/deq/Pages/enforcement-actions.aspx>

Given this issue, SHMC 17.152.090(4) must be considered:

Permits Denied. Development permits may be restricted by the commission or council (i.e., the applicable approval authority) where a deficiency exists in the existing sewer system or portion thereof which cannot be rectified within the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of the sewage treatment system.

There is a current deficiency (undersized pipes for existing demand) of a widespread scale within the city per the WWMP including infrastructure this development would need to utilize that could result in surcharging, fines (e.g., for violation of Oregon DEQ standards) and public health risks.

Staff finds this development can still be approved under these circumstances given this criterion based on the following recommended findings or conditions of approval:

- The deficient conveyance infrastructure this development depends on for sanitary sewer is a priority 3 in the WWMP. Priority rankings include three categories. There is no priority 2 conveyance improvements. The difference between priority 1 and 3, is priority 1 includes areas that have been reported to have overflows or significant surcharging during wet weather events, whereas priority 3 areas are where there have been infrequent or no observations of historical overflows or surcharging.
- City Public Works and Engineering staff have already begun to address the necessary sanitary sewer infrastructure upgrades having received a Community Development Block Grant for the design/engineering and an Oregon DEQ Revolving Fund Program loan (for below market rate loans) for the construction of both priority 1 projects (in basins 4 and 5) and priority 3 projects in basin 6. If basin 4 improvements are completed, it will reduce conveyance issues of the South Trunk which this project relies on. City Public Works and Engineering indicate completion of these projects by 2027.
- A condition of approval to require a fee per equivalent dwelling unit will be included. This is not a System Development Charge pursuant to ORS 223.299(4)(b); it is a temporary charge by order for development and land divisions proposed under these circumstances until the infrastructure is in order per the WWMP. The nexus is clear as it relates to the sewer conveyance deficiency and an amount has been determined based on calculations to determine fair proportionality—see attached **Sanitary Sewer Exhibit**.

For this project, the fee per equivalent dwelling unit is \$3,200, and this estimated amount is determined to be a fair share quantity for this proposal. It is based on October 2022 dollars, and inflation must be considered.

- Though denial of this proposal itself does not warrant a moratorium or public facilities strategy as there is no prior stoppage or restriction of permits, authorizations, or approvals*, the city recognizes that the sanitary sewer conveyance problems identified in the WWMP are widespread and denial could set a precedence of action that if continued for projects under similar circumstances, could be construed as a pattern or practice that at some point could warrant a moratorium or public facilities strategy.

*Per ORS 197.524 a local government is required to adopt a public facilities strategy under ORS 197.768 or a moratorium on construction or land development under ORS 197.505 to 197.540 when it engages in a pattern or practice of delaying or stopping the issuance of permits, authorizations, or approvals necessary for land divisions or construction due to the shortage of public facilities (like sanitary sewer).

Storm Sewer: All requirements of City Engineering (per attached Engineering Staff Report) to be met. This includes but is not limited to:

- A final stormwater drainage plan certified by a registered professional engineer shall be accepted by City Engineering to address water quality to protect surrounding wetlands and/or riparian areas/streams), water quantity (e.g., to prevent ponding and for storm water retention if needed) and conveyance of storm water. Drainage plan shall comply with City, State and Federal standards.
- 1200-C Construction Stormwater General (NPDES) Permit (if required)

* * *

Traffic Impact Analysis: A traffic memo has been provided which shows the estimated ADT and AM/PM peak times are less than the threshold for requiring a TIA per Chapter 17.156 SHMC.

* * *

CONCLUSION & RECOMMENDATION

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

1. This **Conditional Use Permit** approval is valid for a limited time (to establish the use) pursuant to SHMC 17.100.030. This Conditional Use Permit approval is valid for 1.5 years. A 1-year extension is possible but requires an application and fee. If the approval is not vested within the initial 1.5 year period or an extension (if approved), this is no longer valid and a new application would be required if the proposal is still desired. See SHMC 17.100.030.
2. The following shall be required prior to any development or building permit issuance:

- a. Final plans as submitted with any development or building permit(s) shall comply with the with the following additions and/or corrections:
 - A. A walkway is required to all doors of the building (none shown on northeast door).
 - B. A tree inventory identifying any trees greater than 6” DBH within 20’ of the building footprint. The tree inventory shall identify size, species and whether the tree is to be protected or removed. A tree protection program by a qualified professional defining the standards and methods that will be used to protect the existing trees to be preserved. Trees to be removed are required to be replaced (and identified on landscaping plan) at a 1:1 ratio with trees at a 2” caliper.
 - C. Revised illumination plan. Pole mounted light to be relocated outside of public utility easement. Illumination of all walkways (including behind the building and to McNulty Way) required.
 - D. << The Commission must decide # of bicycle parking and whether they should be covered >> Bicycle parking to reflect parking for x of bicycles. The length and width of the concrete pad must be able to accommodate the bicycle parking and meet the requirements of SHMC 17.80.20 (15) (b). **Bicycle parking spaces shall be covered.**
 - E. Proposed use as “Public Safety Services” reference on the coversheet to be removed.
 - F. All plan revisions must confirm avoidance of all sensitive lands including floodplain, riparian area, and steep slopes. A Sensitive Lands Permit may be required if new impacts are shown.
 - b. A copy of the recorded pedestrian access easement to McNulty Way. Easement subject to City review prior to recordation. It must include provisions for lighting as required on revised plans.
 - c. All requirements of City Engineering shall be met regarding stormwater/drainage. This includes, but is not limited to, acceptance of a final stormwater report, a 1200-C Construction Stormwater General (NPDES) Permit (if required).
 - d. An additional “fair share” fee shall be paid per equivalent dwelling unit (EDU) based on the portions of the city wastewater collection system between the subject property and the wastewater treatment plant, that this development depends on, that are at or above capacity as identified in the 2021 Wastewater Master Plan. Estimated per EDU cost is **\$3,200** based on October 2022 dollars. Inflation adjustment to value at time of building permit issuance shall be included.
3. The following shall be required **prior to** Certificate of Occupancy by the City Building Official:

All improvements necessary to address the requirements herein, and in accordance with approved plans, shall be in place.

4. Any refuse container or refuse collection area visible from a public street, parking lot, residential or commercial area, or any public facility (e.g., school or park) shall be screened or enclosed from view by a solid wood (or otherwise sight-obscuring) fence, masonry wall or evergreen hedge.
5. Service facilities such as gas meters and air conditioners which would otherwise be visible from a public street, customer or resident parking area, any public facility or any residential area shall be screened, **regardless if such screening is absent on any plan reviewed by the City. This includes but is not limited to ground mounted, roof mounted or building mounted units.** See SHMC 17.72.110(2).
6. Any artificial lighting of the site / off-street parking facilities shall be designed such that there will be no glare into nearby public rights-of-way or residences.
7. Any proposed landscaping, fencing or other potential visual obstruction shall comply with SHMC 17.76, Vision Clearance Areas.
8. Disabled person parking space(s) shall comply with local, State, and Federal standards.
9. In addition to normal parking space markings, compact spaces shall be signed or marked to indicate "compact."
10. The off-street parking assumed for this proposal is 1 space per 350 sq. ft. of GFA. Proposed GFA (8,329 sq. ft.) shows that the applicant is providing more spaces than is required. At a minimum, final plans submitted with the building permits should show at least 24 spaces.
11. Required walkways shall be paved with hard-surfaced materials such as concrete, asphalt, stone, brick, etc. and be a minimum of 4-feet wide.
12. Trash enclosure shall include a gate at a minimum of 10' wide and must be capable of being secured in a closed and open position.
13. Areas where natural vegetation has been removed, and that are not covered by approved landscaping, shall be replanted pursuant to SHMC 17.72.120.
14. Any requirement of the Fire Marshall as it applies to this proposal shall be met.
15. Any new sign requires a sign permit prior to installation, pursuant to Chapter 17.88 SHMC.
16. Any new utilities shall be underground.
17. Owner/Developer shall be solely responsible for obtaining all approvals, permits, licenses, and authorizations from the responsible Federal, State and local authorities, or other entities, necessary to perform land clearing, construction and improvement of the subject property in

the location and manner contemplated by Owner/Developer. City has no duty, responsibility, or liability for requesting, obtaining, ensuring, or verifying Owner/Developer compliance with the applicable State and Federal agency permit or other approval requirements. This land use approval shall not be interpreted as a waiver, modification, or grant of any State or Federal agency or other permits or authorizations.

18. No plan submitted to the City for approval shall contradict another.

19. Owner/applicant and their successors are still responsible to comply with the City Development Code (SHMC Title 17).

Attachments

- *Applicant Narrative (36 pages)*
- *Technical Memo Trip Generation (1 page)*
- *Plan Set (12 pages)*
- *Exhibit D – Parcel 3 Uses (1 page)*
- *Amani Center Info (2 pages)*
- **Preliminary Stormwater Report (22 pages)*
- *Sanitary Sewer Exhibit (7 pages)*
- *City Engineering Staff Report (2 pages)*

** Only included in the Digital Packet*



Amani Center

New Facility

*Site Development Review
Conditional Use Permit*

Prepared by Lower Columbia Engineering
Submitted to The City of St. Helens
Planning Department
October 2023



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List of Exhibits

Exhibit A: Plan Set (provided under separate cover)

Sheet G-1	General Project Info, Vicinity Map & Index
Sheet C-1	Existing Conditions Plan
Sheet C-2	Erosion and Sediment Control Plan
Sheet C-3	Civil Site Plan
Sheet C-4	Grading Plan & Utility Plan
Sheet C-5	Parking & Landscape Plan
Sheet C-6	Illumination Plan
Sheet C-7	ESC Details
Sheet A-1	First Floor Plan
Sheet A-2	Second Floor Plan
Sheet A-3	Exterior Elevations
Sheet A-4	Exterior Elevations
Sheet D-1	ESC Details

Exhibit B: Stormwater Report

Exhibit C: Trip Generation Analysis



1. Proposal Summary Information

Internal File No: 3521

Applicant: Dahlgren Living Trust
2110 6th Street
Columbia City, Oregon 97018
(503) 369-3766
chrisdahlgren@comcast.net

Applicants Representative: Matt Alexander
Lower Columbia Engineering
58640 McNulty Way
St. Helens, OR 97051
(503) 366-0399
matt@lowercolumbiaengr.com

Request: Site Development Review
Conditional Use Permit

Location: Industrial Way (Address not assigned)
St. Helens, Oregon 97051

Tax Lot ID: 4108-AD-01401

Zoning Designation: Light Industrial (LI)



2. Project Team

Owner

Dahlgren Living Trust
Christine Dahlgren
2110 6th Street
Columbia City, Oregon 97018
(503) 369-3766
chrisdahlgren@comcast.net

Civil Engineer

Lower Columbia Engineering, LLC
Andrew Niemi, Owner
58640 McNulty Way
St. Helens, OR 97051
(503) 366-0399
andrew@lowercolumbiaenr.com

Owner Representative

Lower Columbia Engineering, LLC
Matt Alexander, Project Manager
58640 McNulty Way
St. Helens, OR 97051
(503) 366-0399
matt@lowercolumbiaenr.com

General Contractor

Artis Construction
Patrick Kessi
3330 NW Yeon Avenue #200
Portland, OR 97210
(503) 248-9370
pkessi@artisbuilds.com

3. Project Introduction

Project Description

The Dahlgren Living Trust and Amani Center (“Applicant”) are seeking approval from the City of St. Helens to construct a two-story office building with parking and pedestrian infrastructure on an undeveloped lot zone Light Industrial off Industrial Way. The subject property consists of tax lot 1401 of tax map 4108AD which has an area of 1.68 acres and contains light to heavy vegetation and a portion of McNulty Creek. The Amani Center provides medical examinations, interviews, therapy, and other services to children that are suspected of being abused. The proposed location has been chosen because for privacy and the trauma informed environment the creek and surrounding natural landscape provide.

Site improvements include a new off-street parking lot, pedestrian circulation and access paths, bicycle parking, landscaping, and private outdoor space. The proposed off-street parking facility will connect to an existing 30-foot-wide driveway of Industrial Way.

Figure 1. Amani Center Vicinity Map





About the Amani Center

Since Amani Center’s inception in 2000, the Center has provided medical evaluation, forensic interview and support and referral services to over 2000 children in Columbia County. The Center has also provided educational program presentations to youth and adults in the community and training for community partners. The Center provides evaluative medical and forensic, support and educational services in a child-friendly environment. The services provide at Amani Center include:

- Medical Evaluations for Children Suspected to be Abused
- Child Forensic Interviews
- Information and Referrals for children and caregivers
- Safety Planning
- Assistance Filing Crime Victims Compensation
- Support & Advocacy Services

The Amani Center’s current location off Columbia Boulevard in St. Helens

Building Information

Total Building Area: 8,008 sf
Building Footprint: 4,760 sf

- Exterior Finishes, Basis of Design
 - Roofs: Standing seam, charcoal or classic green color.
 - Siding-01: T&G cedar siding, natural color.
 - Siding-02: Metal panel, dark grey color.
 - Windows: Aluminum mullions, charcoal color.
 - Base: Concrete, natural color.

Requested Approvals

In order to receive the necessary land use permits to construct the new building and site improvements, the applicant is requesting the following approvals:

- **Site Development Review**
- **Conditional Use Permit (CUP)**

The above applications are being submitted with this package and the applicant understands that they will be reviewed by the City Planner with an additional review and hearing by the planning commission. This narrative contains written responses to all applicable standards, requirements, and approval criteria for each application. Applicable provisions were identified during the pre-application conference with City planning staff on September 21, 2023.

4. Conformance with the St. Helens Municipal Zoning Code

This section of the narrative demonstrates the project’s conformance with all applicable provisions of Title 17 of the Municipal Code of St. Helens, Oregon (“SHMC”). It is organized by the SHMC chapters within the Community Development Code. All text in *italics* are direct quotes from the code, which are followed by applicant responses in [blue](#).

Chapter 17.32 – Zones and Uses

17.32.130 – Light Industrial Zone - LI

(1) Purpose. The light industrial or LI zone is intended to provide appropriate locations for general industrial use including light manufacturing and related activities with few, if any, nuisance characteristics such as noise, glare, and smoke. It is to permit manufacturing, processing, assembling, packaging or treatment of products from previously prepared materials and to discourage residential use and limit commercial use.

[...]

(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:

[...]

(h) 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.

[...]

Response: The proposed office use is permitted as a conditional use as the property was incorporated into an Industrial Park with four other properties per instruments 2010-8607 and 2010-10755. Please see responses to Conditional Use Chapter 17.100 for more information.

(4) Standards.

(a) The standards for the LI zone shall be determined by the proximity to residential zones and the anticipated off-site impacts.

(b) The maximum height within 100 feet of any residential zone shall be 35 feet.

(5) All chapters of the Development Code apply. (Ord. 3215 § 4 (Att. D), 2017; Ord. 2875 § 1.080.130, 2003)

Response: Please see Existing Conditions Plan and Exterior Elevations (Sheets C-1, A-3 and A-4). There are no residential properties adjacent to the subject property and the proposed building is under 100 feet in height. Therefore, these standards are met.

Chapter 17.40 – Protective Measures for Significant Wetlands, Etc.

17.40.005 – Purpose

The purpose of this chapter is to implement Statewide Planning Goal No. 5 and Oregon Administrative Rules requiring the establishment of regulatory protective measures for significant wetland areas and significant riparian corridors. This chapter establishes prohibitions and permit requirements for the significant wetlands and riparian corridors and their associated protection zones.

The standards and requirements of this chapter shall apply in addition to other regulations of the Development Code applicable to the underlying zoning classification of lands within significant wetlands, riparian corridors, and protection zones. In case of any conflict between these regulations and any other regulation(s) of the city, the regulation(s) which provide more protection shall apply. (Ord. 2890 Att. A, 2003; Ord. 2875 § 1.091.005, 2003)

[...]

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.

[...]

(2) Riparian Corridors. Ordinance 2824 adopted in August 2000 established significant riparian corridors within the city of St. Helens. Such areas were added to the comprehensive plan.

(a) Significant riparian corridors are established in waterways within the city limits of the city of St. Helens as follows: Scappoose Bay, Multnomah Channel, Columbia River, Milton Creek, McNulty Creek, and North Fork of McNulty Creek.

[...]

(c) The significant riparian corridors, including those with associated riparian areas, are more specifically defined in Ordinance 2824. Ordinance 2824 defines these corridors as those waterways identified as fish habitat by Oregon Department of Fish and Wildlife and also those associated riparian areas identified by Pacific Habitat Services, Inc., report dated February 4, 2000, and amended March 24, 2000, as having two or more assessed functions that have been rated as High.

(3) Protection Zone. There is hereby established a wetland/riparian protection zone (hereinafter “protection zone” or “PZ”) adjacent to all significant wetlands and all significant riparian corridors to protect their integrity, function and value. The protection zone shall be measured from the wetland edge, the riparian corridor edge, or the top of the bank of the waterway when no riparian area is included in the corridor. The width of the protection zone shall vary according to the type of wetland/riparian corridor as listed below:

(a) The required protection zone for Type I wetland shall extend 75 feet upland from the delineated wetland edge.

(b) The required protection zone for Type II wetland shall extend 50 feet upland from the delineated wetland edge.

(c) The required protection zone for riparian corridor streams with an annual average stream flow greater than 1,000 cubic feet per second shall extend 75 feet upland from the top of bank. This provision concerns all portions of Scappoose Bay, Multnomah Channel, and the Columbia River.

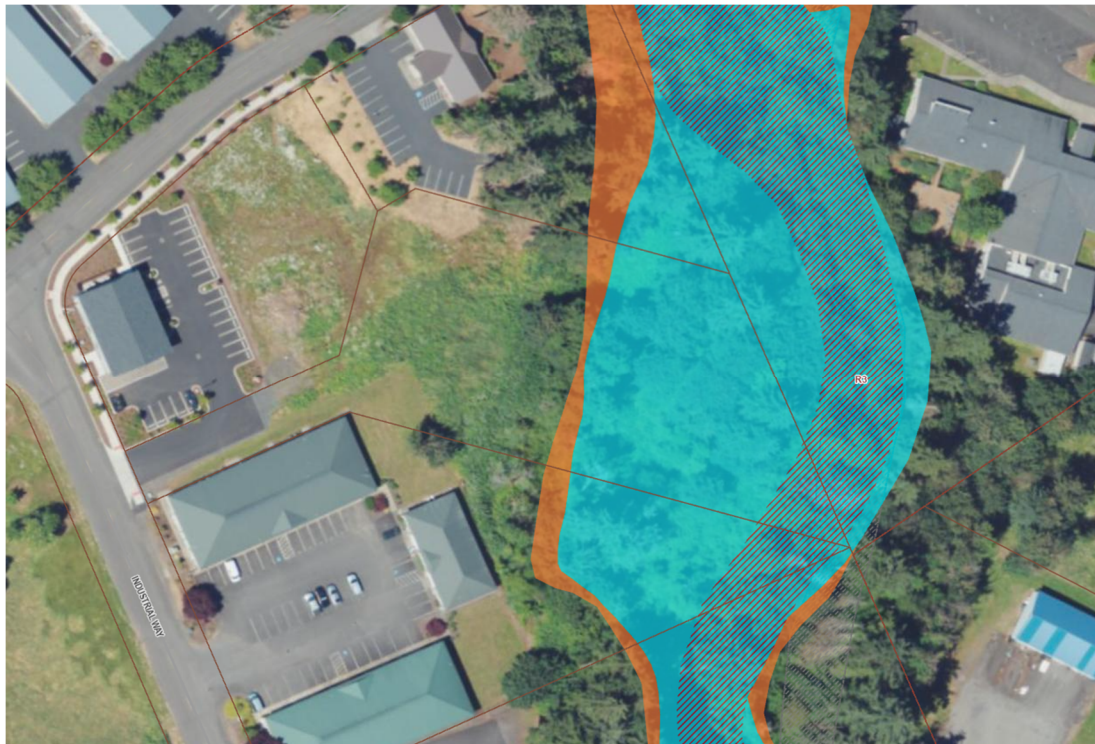
(d) The required protection zone for riparian corridor streams with an average annual stream flow less than 1,000 cubic feet per second shall extend 50 feet upland from the top of bank or from the upland edge of the significant riparian area, whichever is greater. This provision concerns portions of Milton Creek, McNulty Creek and the North Fork of McNulty Creek as well as the following sections of streams and their associated riparian areas:

[...]

(Ord. 3264 § 2 (Att. A), 2021; Ord. 2890 Att. A, 2003; Ord. 2875 § 1.091.015, 2003)

Response: Please see the Existing Conditions Plan, Civil Site Plan, and Grading & Utility Plan (Sheets C-1, C-3 and C-4). There are no wetlands found on the property in the City, State or Federal databases but McNulty Creek does pass through the southeast corner of the property. A 100-foot setback from the top of creek bank has been shown on all site plans as well as the line of the McNulty Creek floodway and the furthest boundary of possible flooding (0.2% annual chance). There is no development or disturbance proposed within 200 feet of the creek, within 200 feet of the floodway, or within 65 feet of the 0.2% annual chance of flood zone. Please see figure 1 below for aerial image depicting the floodway and flood hazard zones.

Figure 1.



The base flood elevation on the property is between 42 and 48 feet and the proposed finished floor elevation of the building is set at 63.50 feet. Given the horizontal distance from the boundaries listed above and the vertical height above the base flood elevation, the applicant believes that the proposed development does not pose any threat to wetlands, riparian corridors, or any other sensitive lands. The building was purposely sited on the west end of the property to avoid disturbances to the creek or surrounding floodway. The distances listed above far exceed the required setbacks listed in this chapter. Therefore, the applicant feels that this chapter of the municipal code is not applicable.

Chapter 17.44 – Sensitive Lands

17.44.010 – Purpose

(1) *Sensitive lands are lands potentially unsuitable for development because of their location within:*

- (a) *The 100-year floodplain per the Federal Emergency Management Agency (FEMA) map;*
- (b) *Natural drainageways;*
- (c) *Wetland areas which are regulated by the other agencies including the U.S. Army Corps of Engineers and the Division of State Lands, and/or are designated as significant wetland on the St. Helens comprehensive plan floodplain and local wetlands inventory maps;*
- (d) *Steep slopes of 25 percent or greater and unstable ground;*
- (e) *Fish and wildlife habitats as listed in acknowledged comprehensive plan;*
- (f) *Archaeologically designated sites or culturally designated sites as listed in acknowledged comprehensive plan;*
- (g) *State and federal threatened/endangered species habitats as listed by the applicable authority; and*
- (h) *Open space/open space design review areas shown on the comprehensive plan map.*

(2) *Sensitive land areas are designated as such to protect the public health, safety, and welfare of the community through the regulation of these sensitive land areas.*

(3) *Sensitive land regulations contained in this chapter are intended to maintain the integrity of the rivers, streams, and creeks in St. Helens by minimizing erosion, promoting bank stability, maintaining and enhancing water quality and fish and wildlife habitats, and preserving scenic quality and recreation potential.*

(4) *The regulations of this chapter are intended to implement the comprehensive plan and the city's floodplain management program as required by the National Flood Insurance Program, and help to preserve natural sensitive land areas from encroaching use.*

All development within a floodplain or floodway or that may directly impact a floodplain or floodway shall follow the rules as stated in Chapter 17.46 SHMC. (Ord. 3031 Att. A, 2007; Ord. 2875 § 1.092.010, 2003)

Response: Please see the Existing Conditions Plan, Civil Site Plan, and Grading & Utilities Plan (Sheets C-1, C-3 and C-4). There are no wetlands found on the property in the City, State or Federal databases but McNulty Creek does pass through the southeast corner of the property. A 100-foot setback from the top of creek bank has been shown on all site plans as well as the line of the McNulty Creek floodway and the furthest boundary of possible flooding (0.2% annual chance). There is no development or disturbance

proposed within 200 feet of the creek, within 200 feet of the floodway, or within 65 feet of the 0.2% annual chance of flood zone. Please see figure 1 above for aerial image depicting the floodway and flood hazard zones.

The base flood elevation on the property is between 42 and 48 feet and the proposed finished floor elevation of the building is set at 63.50 feet. Given the horizontal distance from the boundaries listed above and the vertical height above the base flood elevation, the applicant believes that the proposed development does not pose any threat to wetlands, riparian corridors, or any other sensitive lands. The building was purposely sited on the west end of the property to avoid disturbances to the creek or surrounding floodway. The distances listed above far exceed the required setbacks listed in this chapter. Therefore, the applicant feels that this chapter of the municipal code is not applicable. However, if the City determines that an environmental assessment is necessary, the applicant will comply with this requirement.

Chapter 17.72 – Landscaping and Screening

[...]

17.72.020 – General Provisions

[...]

(5) Existing plant materials on a site shall be protected as much as possible:

(a) The developer shall provide methods for the protection of existing plant material to remain during the construction process; and

(b) The plants to be saved shall be noted on the landscape plans (e.g., areas not to be disturbed can be fenced, as in snow fencing which can be placed around individual trees).

Response: Please see Existing Conditions Plan (Sheet C-1). The western portion of the subject property is largely covered with grasses and low-lying brush. A thick green line representing brush has been shown on the drawings to show the edge of the denser, taller brush and where existing trees populate the site. After walking the site, the applicant believes that a maximum of two trees will possibly be removed as a result of the proposed building and parking lot. All existing plants to remain will be protected per (a) and (b) above. Therefore, this standard is met.

(6) Appropriate methods for the care and maintenance of street trees and landscaping materials shall be provided by the owner of the property abutting the rights-of-way unless otherwise required for emergency conditions and the safety of the general public.

Response: The subject property does not have frontage along a right-of-way except at the existing driveway. Therefore, this standard is not applicable.

[...]

17.72.070 – Buffering and screening – General provisions

(1) It is the intent that these requirements shall provide for privacy and protection and reduce or eliminate the adverse impacts of visual or noise pollution at a development site, without unduly interfering with the view from neighboring properties or jeopardizing the safety of pedestrians and vehicles.

(2) Buffering and screening are required to reduce the impacts on adjacent uses which are of a different type in accordance with the matrix in this chapter. The owner of each proposed development is responsible for the installation and effective maintenance of buffering and screening.

(3) In lieu of these standards, a detailed buffer area landscaping and screening plan may be submitted for the director's approval as an alternative to the buffer area landscaping and screening standards, provided it affords the same degree of buffering and screening as required by this code.

Response: Please see Parking & Landscape Plan (Sheet C-5) for location of screening and buffering plants. The applicant understands the purpose of these provisions and demonstrates conformance with its applicable provisions below.

17.72.080 – Buffering and screening requirements

(1) A buffer consists of an area within a required yard adjacent to a shared property line and having a depth equal to the amount specified in the buffering and screening matrix and containing a length equal to the length of the property line of the abutting use or uses.

(2) A buffer area may only be occupied by utilities, screening, sidewalks and bikeways, and landscaping. No buildings, accessways, or parking areas shall be allowed in a buffer area except where an accessway has been previously approved by the city.

(3) A fence, hedge, or wall, or any combination of such elements which is located in any yard is subject to the conditions and requirements of this section.

(4) The minimum improvements within a buffer area shall consist of the following:

(a) At least one row of trees shall be planted. They shall be not less than 10 feet high for deciduous trees and five feet high for evergreen trees at the time of planting. Spacing for trees shall be as follows:

(i) Small or narrow stature trees, under 25 feet tall or less than 16 feet wide at maturity, shall be spaced no further than 15 feet apart; and

(ii) Medium sized trees, between 25 to 40 feet tall and with 16 to 35 feet wide branching at maturity, shall be spaced no greater than 30 feet apart; and

(iii) Large trees, over 40 feet tall and with more than 35 feet wide branching at maturity, shall be spaced no greater than 30 feet apart.

(b) In addition, at least 10 five-gallon shrubs or 20 one-gallon shrubs shall be planted for each 1,000 square feet of required buffer area; and

(c) The remaining area shall be planted in lawn, ground cover, or spread with bark mulch.

Response: Please see Parking & Landscape Plan (Sheet C-5). The proposed development is surrounded by other similar uses and there are no residentially-zoned properties in the vicinity. Per the Buffer Matrix in SHMC section 17.72.130, there are no buffering requirements between the subject property and adjacent uses. However, a buffer area 10-foot-wide is proposed between the north, south, and west sides of the parking lot and the adjacent property lines. These buffer areas include Northern White Cedar trees

spaced every 15 feet and Oregon Grape spaced every 5 feet on average. The total buffer area proposed is approximately 4,500 square feet. The proposed buffer area contains Kinnikinnick as groundcover.

(5) *Where screening is required, the following standards shall apply in addition to those required for buffering:*

- (a) *A hedge of narrow or broadleaf evergreen shrubs shall be planted which will form a four-foot continuous screen within two years of planting; or*
- (b) *An earthen berm planted with evergreen plant materials shall be provided which will form a continuous screen six feet in height within two years. The unplanted portion of the berm shall be planted in lawn, ground cover or bark mulch; or*
- (c) *A five-foot or taller fence or wall shall be constructed to provide a continuous sight-obscuring screen.*

Response: Please see Parking & Landscape Plan (Sheet C-5). Buffering is proposed around the parking lot and screening will be added around any mechanical equipment if necessary. Therefore, this standard will be met.

(6) *Buffering and screening provisions shall be superseded by the vision clearance requirements as set forth in Chapter 17.76 SHMC.*

Response: There are no plantings proposed within the vision clearance triangles. Therefore, this standard is met.

[...]

17.72.090 – Setbacks for fences or walls

(1) *No fence or wall shall be constructed which exceeds the standards in subsection (2) of this section except when the approval authority, as a condition of approval, allows that a fence or wall be constructed to a height greater than otherwise permitted in order to mitigate against potential adverse effects. For residential uses, a fence may only exceed the height standards if approved by a variance.*

Response: The applicant will comply with this standard.

(2) *Fences or walls:*

- (a) *May not exceed four feet in height in a required front yard along local or collector streets or six feet in all other yards and, in all other cases, shall meet vision clearance area requirements (Chapter 17.76 SHMC);*
- (b) *Are permitted up to six feet in height in front yards adjacent to any designated arterial or street. For any fence over three feet in height in the required front yard area, permission shall be subject to review of the location of the fence or wall;*
- (c) *All fences or walls shall meet vision clearance area requirements (Chapter 17.76 SHMC);*
- (d) *All fences or walls greater than six feet in height shall be subject to building official approval.*

Response: No fences or walls are proposed on this development. Therefore, these standards are not applicable.

[...]

17.72.110 – Screening - Special provisions

(1) Screening of Parking and Loading Areas.

- (a) Screening of parking for single and duplex attached and detached dwellings is not required.
- (b) Screening of parking (larger than three spaces) and loading areas (larger than 400 square feet) is required. The specifications for this screening are as follows:
 - (i) Landscaped parking areas shall include special design features which effectively screen the parking lot areas from view. These design features may include the use of landscaped berms, decorative walls, and raised planters. Berms, planters, and other forms of vegetative landscaping are permitted for screening that fronts US 30. Walls are prohibited for screening that fronts US 30;
 - (ii) Landscape planters may be used to define or screen the appearance of off-street parking areas from the public right-of-way; and
 - (iii) Materials to be installed should achieve a balance between low-lying and vertical shrubbery and trees.

Response: Please see Parking & Landscape Plan (Sheet C-5). The proposed development is surrounded by other similar uses and there are no residentially-zoned properties in the vicinity. Per the Buffer Matrix in SHMC section 17.72.130, there are no buffering requirements between the subject property and adjacent uses. However, a buffer area 10-feet-wide is proposed between the north, south, and west sides of the parking lot and the adjacent property lines. These buffer areas include Northern White Cedar trees spaced every 15 feet and Oregon Grape spaced every 5 feet on average. The total buffer area proposed is approximately 4,500 square feet. The proposed buffer area contains Kinnikinnick as groundcover.

(2) Screening of Service Facilities. Except for single-dwelling units and duplexes, service facilities such as gas meters and air conditioners which would otherwise be visible from a public street, customer or resident parking area, any public facility or any residential area shall be screened from view by placement of a solid wood fence or masonry wall between five and eight feet in height or evergreens already to correct height minimums. All refuse materials shall be contained within the screened area. Rooftop service facilities and equipment shall be screened from view from adjacent streets and adjacent properties in one of the following ways:

- (a) A parapet wall of adequate height;
- (b) A screen around the equipment that is made of a primary exterior finish material used on other portions of the building; or
- (c) Set back such that it is not visible from the public street(s) and adjacent properties.

Response: Please see Parking & Landscape Plan (Sheet C-5). The proposed project has not been developed to the point of assigning specific mechanical or electrical equipment. If future equipment is visible, it will be adequately screened per the requirements above. Therefore, this standard will be met.

[...]

(4) Screening of Refuse Containers Required. Except for one- and two-unit dwellings, any refuse container or refuse collection area which would be visible from a public street, parking lot, residential or commercial area, or any public facility such as a school or park shall be screened or enclosed from view by placement of a solid wood fence, masonry wall or evergreen hedge.

Response: Please see Parking & Landscape Plan (Sheet C-5). The proposed refuse enclosure is screened with a 6-foot-tall cedar fence and buffer plants/trees are proposed between it and the adjacent property line. Therefore, this standard is met.

(5) Outdoor storage areas shall be landscaped and screened in accordance with SHMC 17.72.080(5)(a) through (c).

Response: No outdoor storage areas are proposed. Therefore, this standard is not applicable.

[...]

17.72.120 – Revegetation

(1) Where natural vegetation has been removed through grading in areas not affected by the landscaping requirements and that are not to be occupied by structures, such areas are to be replanted as set forth in this section to prevent erosion after construction activities are completed.

Response: Please see Parking & Landscape Plan (Sheet C-5). All areas unoccupied by structures shall be replanted with landscaping.

[...]

17.72.130 – Buffer matrix

(1) The buffer matrix (Figure 13) shall be used in calculating widths of buffering and screening to be installed between proposed uses and abutting zoning districts or specified types of streets.

(2) An application for a variance to the standards required in Figure 13 shall be processed in accordance with Chapter 17.108 SHMC.

Response: Please see Parking & Landscape Plan (Sheet C-5). The proposed development is surrounded by other similar uses and there are no residentially-zoned properties in the vicinity. Per the Buffer Matrix in SHMC section 17.72.130, there are no buffering requirements between the subject property and adjacent uses. However, a buffer area 10-feet-wide is proposed between the north, south, and west sides of the parking lot and the adjacent property lines. These buffer areas include Northern White Cedar trees spaced every 15 feet and Oregon Grape spaced every 5 feet on average. The total buffer area proposed is approximately 4,500 square feet. The proposed buffer area contains Kinnikinnick as groundcover.

17.72.140 – Interior parking lot landscaping

(1) All parking areas with more than 20 spaces shall provide landscape islands with trees that provide a canopy effect and break up the parking area into rows of not more than seven contiguous parking spaces.

Response: Please see Parking & Landscape Plan (Sheet C-5). A total of 36 off-street parking spaces are proposed and landscape islands with trees have been included within the parking lots. Therefore, this standard is not applicable.

(2) Landscape islands and planters shall have dimensions of not less than 48 square feet of area and no dimension of less than six feet, to ensure adequate soil, water, and space for healthy plant growth.

Response: Please see Parking & Landscape Plan (Sheet C-5). Proposed landscape islands and planters are a minimum of 7-feet-wide and have a minimum area of 100 square feet. Therefore, this standard is met.

(3) All required parking lot landscape areas not otherwise planted with trees must contain a combination of shrubs and groundcover plants so that, within two years of planting, not less than 50 percent of that area is covered with living plants.

Response: Please see Parking & Landscape Plan (Sheet C-5). All proposed parking lot landscape areas not planted with trees shall be covered with a combination of Kinnikinnick and Oregon Grape. Therefore, this standard is met.

(4) The landscaping shall be protected from vehicular damage by some form of wheel guard or curb permanently fixed to the ground. (Ord. 3181 § 4 (Att. C), 2015)

Response: Please see Parking & Landscape Plan (Sheet C-5). Precast wheel stops and curbs are proposed in the parking lot. Therefore, this standard is met.

Chapter 17.80 – Off-street parking and loading requirements

[...]

17.80.020 – General provisions

(1) *Parking Dimensions. The minimum dimensions for parking spaces are:*

- (a) *Nine feet wide and 18 feet long for a standard space;*
- (b) *Eight feet wide and 15 feet long for a compact space;*
- (c) *Eight feet wide and 22 feet long for parallel spaces;*
- (d) *As required by applicable state of Oregon and federal standards for designated disabled person parking spaces; and*
- (e) *Special provisions for side-by-side parking for single-family dwellings (attached and detached) and duplexes:*
 - (i) *The total unobstructed area for side-by-side parking spaces for single-family dwellings (attached and detached) and duplexes shall still be 18 feet by 18 feet (two nine-foot by 18-foot standard spaces together), but the improved portion may be 16 feet in width centered within the 18 feet for the purposes of the surface (paving) requirements of this chapter and, if the spaces are adjacent or close to the street, driveway approach width.*
 - (ii) *This does not apply to single parking spaces by themselves or rows of parking spaces that exceed two spaces. This only applies to two standard space parking areas where the spaces are adjacent to each other along the long side.*

Response: Please see Parking & Landscape Plan (Sheet C-5). All proposed off-street parking spaces were designed to meet the dimensional standards listed above. Therefore, the dimensional standards are met.

[...]

(3) *Parking Requirements for Unlisted Uses.*

- (a) Upon application and payment of fees, the director, as provided by SHMC 17.24.090(1), may rule that a use, not specifically listed, is a use similar to a listed use and that the same parking standards shall apply. No notice need be given. The decision may be appealed as provided by SHMC 17.24.310(1). The ruling on parking area requirements shall be based on findings that the following criteria are satisfied:

- (i) The use is similar to and of the same general type as a listed use;
- (ii) The use has similar intensity, density, and off-site impact as the listed use; and
- (iii) The use has similar impacts on the community facilities as the listed use;

(b) This section does not authorize the inclusion of a use in a zoning district where it is not listed, or a use which is specifically listed in another zone or which is of the same general type and is similar to a use specifically listed in another zoning district; and

(c) The director shall maintain a list of approved unlisted use parking requirements which shall have the same effect as an amendment to this chapter.

Response: The Amani Center provides medical exams, forensic interviews and therapy services to children that are suspected to have been abused. However, a medical office is not an appropriate analog for this development as the Amani Center treats a maximum of only two children at the same time. Unlike a medical office, Amani keeps patient and family confidentiality throughout the process including arrival and departure. Due to this constraint, traffic to the Amani Center will be far less than it would to a normal medical office. For this reason, we believe an office use per 17.80.030(3)(z) would be a more appropriate and relative use. Please see responses to section 17.80.030 for additional information.

[...]

(8) Location of Required Parking.

(a) Off-street parking spaces for single-dwelling unit – detached, duplex dwellings and single-dwelling – attached dwellings shall be located on the same lot with the dwelling; and

(b) Off-street parking lots for uses not listed above shall be located not further than 200 feet from the building or use they are required to serve, measured in a straight line from the building with the following exceptions:

(i) Shared parking areas, as provided by subsection (6) of this section, for commercial uses which require more than 40 parking spaces may provide for the spaces in excess of the required 40 spaces up to a distance of 300 feet from the commercial building or use; and

(ii) Industrial and manufacturing uses which require in excess of 40 spaces may locate the required spaces in excess of the 40 spaces up to a distance of 300 feet from the building.

(9) Mixed Uses. Where several uses occupy a single structure or parcel of land or a combination of uses are included in one business, the total off-street parking spaces and loading area is the sum of the requirements of the several uses, computed separately unless the peak hours of use do not overlap.

Response: Please see Parking & Landscape Plan (Sheet C-5). All proposed off-street parking spaces are located within 200 feet of the proposed building except for the furthest parallel parking stall. Due to the properties shape, size and topography, no additional standard parking stalls would fit on the site. Therefore, parallel stalls were proposed along the existing and new access drive. The furthest parallel spot can be removed if necessary.

[...]

(12) Parking Lot Landscaping. Parking lots shall be landscaped in accordance with the requirements in Chapter 17.72 SHMC.

Response: Please see Parking & Landscape Plan (Sheet C-5) and narrative response to SHMC Chapter 17.72 for more information.

(13) Designated Parking for the Handicapped. All parking areas shall be provided with the required numbers and sizes of disabled person parking spaces as specified by applicable state of Oregon and

federal standards. All disabled person parking spaces shall be signed and marked on the pavement as required by these standards.

Response: Please see Parking & Landscape Plan (Sheet C-5). Per OSSC Table 1106.1 parking lots with 25 to 50 spaces shall require two accessible parking space. Two accessible parking spaces and an associated access aisle have been provided and meet the dimensional requirements of ODOT's Standards for Accessible Parking Spaces. Therefore, this standard has been met.

(14) Designated Parking for Compact Vehicles. All parking spaces designated for compact vehicles shall be signed or labeled by painting on the parking space.

Response: Please see Parking & Landscape Plan (Sheet C-5) for compact parking locations (marked with a "C"). Nine compact parking spaces are proposed and will be labeled with paint. Therefore, this standard is met.

(15) Bicycle Parking.

(a) One lockable bicycle parking space shall be provided within a rack for the following:

- (i) Four or more dwelling units in one building: one space per dwelling unit;*
- (ii) Commercial development: 10 percent of vehicular parking spaces;*
- (iii) Civic uses: 20 percent of vehicular parking spaces; and*
- (iv) Industrial development: five percent of vehicular parking spaces;*

(b) Bicycle parking areas shall be provided at locations within 50 feet of primary entrances to structures. Where possible, bicycle parking facilities shall be placed under cover. Bicycle parking areas shall not be located within parking aisles, landscape areas, or pedestrian ways; and

(c) Residential complexes with less than four dwelling units do not need bicycle racks.

Response: Please see Civil Site Plan (Sheet C-3) for location of bicycle parking. With 35 vehicular parking stalls proposed, four total bicycle spaces are required. A rack containing four bicycle spaces is proposed along the south side of the building. Therefore, these standards have been met.

(16) Lighting. Any lights provided to illuminate any public or private parking area or vehicle sales area shall be so arranged as to direct the light away from any adjacent residential district, and shall not create a hazard for drivers in public streets.

Response: Please see Illumination Plan (Sheet C-6). All on-site parking illumination has been designed to direct light away from public rights-of-way. Therefore, this standard is met.

[...]

(19) Measurement for Required Parking. Unless otherwise specified, where square feet are specified, the area measured shall be gross floor area under the roof measured from the faces of the structure, excluding only space devoted to covered off-street parking or loading.

Response: Please see Cover Sheet and Parking & Landscape Plan (Sheets G-1 and C-5) and narrative responses to SHMC section 17.80.030 for parking requirements, areas, and proposed parking layout. All calculations for gross floor area were measured from the faces of the structure. Therefore, this standard is met.

[...]

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).

[...]

(3) Commercial.

[...]

(z) Offices – one space for each 350 square feet of services gross floor space.

[...]

Response: Please see the Cover Sheet, Floor Plans, and Parking & Landscape Plan (Sheets G-1, A-1, A-2, and C-5) for parking requirement calculations, floor plans, and parking layout respectively. An 8,000 square foot building is proposed requiring 23 parking stalls ($8000/350 = 22.86$). The proposed development contains 35 parking stalls total. Therefore, this standard is met.

17.80.040 – Modification to parking requirements

The provisions of this section as to number of spaces may be modified by the approval authority as follows:

(1) Compact Car Spaces. Up to 40 percent of the required parking spaces may be compact spaces.

Response: Please see Parking & Landscape Plan (Sheet C-5) for location of compact spaces. Of the 35 off-street parking spaces proposed, nine have been designated compact. They represent 25.7% of the total spaces. Therefore, this standard has been met.

[...]

17.80.050 – Parking dimension standards

(1) Accessibility.

(a) Each parking space shall be accessible from a street or right-of-way, and the access shall be of a width and location as described by SHMC 17.84.070 and 17.84.080 as applicable.

Response: Please see Parking & Landscape Plan (Sheet C-5). All parking spaces are accessible via a 30-foot-wide driveway. Therefore, this standard is met.

(b) All parking spaces shall be independently functional. This means the vehicle in the parking space is not dependent on another vehicle moving to get to the street or right-of-way from the parking space. For example, a two-vehicle garage with a garage opening and driveway, both 18 feet in width, can only count as two parking spaces (not four), since the vehicles in the garage cannot get to the street without the ones in the driveway moving out of the way.

Response: Please see Parking & Landscape Plan (Sheet C-5). All parking spaces are independently functional and are not dependent on vehicles in adjacent spaces moving. Therefore, this standard is met.

(2) Table of Standards.

(a) Minimum standards for a standard parking stall's length and width, aisle width, and maneuvering space shall be determined from the Table of Standards for Parking Spaces, Figure

14, below. Figure 14 includes the spaces identified by SHMC 17.80.020(1)(a) through (1)(c) and other spaces if spaces larger than the minimum required are desired.

(b) The width of each parking space includes the striping which separates each space as measured from the center of any shared stripe.

[...]

Response: Please see Parking & Landscape Plan (Sheet C-5). All parking spaces have been designed using the Table of Standards requirements for 90-degree and parallel parking stalls. Proposed standard stalls are 9-feet-wide and 18-feet-deep with 24-foot-wide aisles. Proposed compact stalls are 8-feet-wide and 15-feet-deep with 24-foot-wide aisles. Proposed parallel stalls are 8-feet-deep and 22-feet-long with a 30-foot-wide drive aisle. Therefore, this standard is met.

(3) Aisle Width. Aisles accommodating two-direction traffic, or allowing access from both ends shall be a minimum of 24 feet in width.

Response: Please see Parking & Landscape Plan (Sheets C-5). At a minimum, all aisle widths are 24 feet in width. Therefore, this standard is met.

(4) Angle Parking. Angle parking is permitted in accordance with Figure 14.

Response: Please see Parking & Landscape Plan (Sheet C-8, Exhibit A). No angled parking spaces are currently proposed. Therefore, this standard is not applicable.

[...]

(6) Service Drive.

(a) Excluding single-dwelling units and duplex residences, except as provided by Chapter 17.84 SHMC and SHMC 17.152.030(16), groups of more than two parking spaces shall be served by a service drive so that no backing movements or other maneuvering within a street or other public right-of-way would be required; and

(b) Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the site.

Response: Please see Parking & Landscape Plan (Sheet C-5). The proposed off-street parking lot utilizes an existing 30-foot-wide service drive off of Industrial Way and an associated access easement. No backing movement or other maneuvering within a street or public right-of-way will be required. Therefore, this standard is met.

[...]

(11) Access Drives.

(a) Access drives from the street to off-street parking or loading areas shall be designed and constructed to facilitate the flow of traffic and provide maximum safety for pedestrian and vehicular traffic on the site;

(b) The number and size of access drives shall be in accordance with the requirements of Chapter 17.84 SHMC, Access, Egress, and Circulation;

(c) Access drives shall be clearly and permanently marked and defined through use of rails, fences, walls, or other barriers or markers on frontage not occupied by service drives;

(d) Access drives shall have a minimum vision clearance as provided in Chapter 17.76 SHMC, Visual Clearance Areas;

(e) Access drives shall normally be improved with an asphalt or concrete surface or other similar type material approved by the city; and

(f) Where more public harm would occur than good, the director can waive some hard surface requirements on access drives.

Response: Please see Parking & Landscape Plan (Sheets C-5). The proposed off-street parking lot utilizes an existing 30-foot-wide access drive off Industrial Way and an associated access easement. This existing drive is paved, meets minimum width requirements, and is clearly marked/defined. Visual clearance areas will not be blocked. Therefore, this standard is met.

(12) *Wheel Stops. Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop at least four inches high located three feet back from the front of the parking stall. The front three feet of the parking stall may be concrete, asphalt or low-lying landscape material that does not exceed the height of the wheel stop. This area cannot be calculated to meet landscaping or sidewalk requirements.*

Response: Please see Parking & Landscape Plan (Sheet C-5). Wheel stops are proposed on all parking stalls adjacent to buildings and sidewalks. Therefore, this standard is met.

(13) *Drainage. Hard surface off-street parking and loading areas shall be drained in accordance with specifications approved by the city engineer to ensure that ponding does not occur:*

(a) *Except for single-dwelling units and duplexes, off-street parking and loading facilities shall be designed to avoid flow of water across public sidewalks.*

(b) *In most cases oil/water separators will be required as part of a parking lot drainage system.*

Response: Please see Grading & Utility Plan (Sheets C-4) and Stormwater Report (Exhibit B).

(14) *Lighting. Artificial lighting on all off-street parking facilities shall be designed to direct all light away from surrounding residences and so as not to create a hazard to the public use of any road or street.*

Response: Please see Illumination Plan (Sheet C-6). All proposed lighting has been designed to direct light away from surrounding rights-of-way and residences. Therefore, this standard is met.

(15) *Signs. Signs which are placed on parking lots shall be as prescribed in Chapter 17.88 SHMC, Signs.*

Response: No signs are proposed at this time. Therefore, this standard is not applicable.

[...]

17.80.080 – Off-street loading spaces

Buildings or structures to be built or altered which receive and distribute material or merchandise by truck shall provide and maintain off-street loading and maneuvering space as follows:

(1) *Every commercial or industrial use having floor area of 10,000 square feet or more shall have at least one off-street loading space on site; and*

(2) *If loading dock is proposed, it must meet the standards in SHMC 17.80.090, Off-street loading dimensions*

Response: Please see Parking & Landscape Plan (Sheets C-5). The Amani Center does not receive or distribute material by truck and the proposed building is under 10,000 square feet. Therefore, this standard is not applicable.

[...]

Chapter 17.84 – Access, egress and circulation

[...]

17.84.030 – Joint access and reciprocal access easements

Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same access and egress when the combined access and egress of both uses, structures, or parcels of land satisfies the combined requirements as designated in this code, provided:

- (1) Satisfactory legal evidence shall be presented in the form of deeds, easements, leases, or contracts to establish the joint use; and*
- (2) Copies of the deeds, easements, leases, or contracts are placed on permanent file with the city.*

Response: Please see Parking & Landscape Plan (Sheets C-5) for location of joint access and access easement. The development proposes joint use of the existing driveway and associated access easement off Industrial Way. All access and utility easements for the subject property and tax lot 1300 are on file with the City of St. Helens. Therefore, these standards are met.

17.84.040 – Public Street access

(1) All vehicular access and egress as required in SHMC 17.84.070 and 17.84.080 shall connect directly with a public or private street approved by the city for public use and shall be maintained at the required standards on a continuous basis.

Response: Please see Parking & Landscape Plan (Sheet C-5). All proposed and existing vehicular access and egress connects to Industrial Way which is a public street. Therefore, this standard is met.

[...]

(3) Vehicular access shall be provided to commercial or industrial uses, and shall be located to within 50 feet of the primary ground floor entrances.

Response: Please see Parking & Landscape Plan (Sheet C-5). Proposed vehicular access is within 50 feet of the ground floor entrances of the proposed building. Therefore, this standard is met.

[...]

(9) Shared Driveways. The number of driveway and private street intersections with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The city shall require shared driveways as a condition of land division or site development review, as applicable, for traffic safety and access management purposes in accordance with the following standards:

(a) Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. “Stub” means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent parcel develops. “Developable” means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).

(b) Reciprocal access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.

(c) Exception. Shared driveways are not required when existing development patterns or physical constraints (e.g., topography, parcel configuration, and similar conditions) prevent extending the street/driveway in the future.

Response: Please see Parking & Landscape Plan (Sheet C-5). The proposed development will share an existing driveway and associated access easement off Industrial Way. No new access to the public right-of-way is proposed. Therefore, this standard is met.

17.84.050 – Required walkway location

(1) Walkways shall extend from the ground floor entrances or from the ground floor landing of stairs, ramps, or elevators of all commercial, institutional, and industrial uses, to the streets which provide the required access and egress. Walkways shall provide convenient connections between buildings in multibuilding commercial, institutional, and industrial complexes. Walkways also shall provide access to existing and planned transit stops adjacent to the development site. Unless impractical, walkways should be constructed between a new development and neighboring developments.

Response: Please see Civil Site Plan (Sheet C-3) for entrance and walkway locations. All proposed ground floor entrances are connected to the public sidewalk on McNulty. Therefore, this standard is met.

[...]

(5) Wherever required walkways cross vehicle access driveways or parking lots, such crossings shall be designed and located for pedestrian safety. Required walkways shall be physically separated from motor vehicle traffic and parking by either a minimum six-inch vertical separation (curbed) or a minimum three-foot horizontal separation, except that pedestrian crossing of traffic aisles are permitted for distances no greater than 36 feet if appropriate landscaping, pavement markings, or contrasting pavement materials are used. Walkways shall be a minimum of four feet in width, exclusive of vehicle overhangs and obstructions such as mailboxes, benches, bicycle racks, and sign posts, and shall be in compliance with ADA standards.

Response: Please see Parking & Landscape Plan (Sheet C-5). All required walkways are at least 5-foot-wide, have a vertical separation of 6 inches or a horizontal separation of at least 3-feet, and meet all ADA standards. Therefore, this standard is met.

(6) Required walkways shall be paved with hard-surfaced materials such as concrete, asphalt, stone, brick, etc. Walkways shall be required to be lighted and/or signed as needed for safety purposes. Soft-surfaced public use pathways may be provided only if such pathways are provided in addition to required pathways.

Response: Please see Parking & Landscape Plan and Illumination Plan (Sheets C-5 and C-6). All required walkways are proposed to be paved with concrete and lighting exists or has been provided to illuminate walkways sufficiently for safety. Therefore, this standard is met.

[...]

17.84.080 – Minimum requirements – Commercial and industrial use

(1) Vehicle access, egress and circulation for commercial and industrial use shall comply with the following:

COMMERCIAL AND INDUSTRIAL USE

Figure 17

Required Parking Spaces	Minimum Number of Driveways Required	Minimum/Maximum Access Width	Minimum Pavement
0 to 100	1	30'/40'	24' curbs required

Response: Please see Parking & Landscape Plan (Sheets C-5). The proposed building includes 8,000 sq. ft. of commercial space requiring 23 parking stalls. The paved, shared access drive off of Industrial Way is 30-feet-wide at the entrance and drive aisles are 24-feet-wide throughout the parking lots. Curbs exist and on both sides of the drive and are proposed where the drive is to be extended. Therefore, the standard of one driveway (minimum) with a minimum access width of 30 feet, and a minimum pavement width of 24 feet with curbs is met.

(2) Additional requirements for truck traffic or traffic control may be placed as conditions of site development review or conditional use permit.

Response: The applicant understands that conditions may be placed for truck traffic or traffic control as part of this land use process.

17.84.090 – Width and location of curb cuts

Curb cuts shall be in accordance with SHMC 17.152.030(14).

Response: Please see Parking & Landscape Plan (Sheet C-5) for location and width of curb cuts. All existing curb cuts for the existing access drive off Industrial Way were designed to meet the requirements of SHMC 17.152.030(14). New curb cuts are not proposed as access will be shared. Therefore, this standard is not applicable.

[...]

Chapter 17.92 – Mixed solid waste and recyclables storage in new multi-unit residential and nonresidential buildings

[...]

17.92.050 – Methods of demonstrating compliance

(1) An applicant shall choose one of the following four methods to demonstrate compliance:

- (a) Minimum standards;
- (b) Waste assessment;
- (c) Comprehensive recycling plan; or
- (d) Franchised hauler review and sign-off.

Response: Please see Civil Site Plan (Sheet C-3) for proposed refuse enclosure location and size. The proposed development demonstrates compliance using the “minimum standards” method. Please see narrative responses below for how these standards are met.

[...]

(5) Specific Requirements.

- (a) Multi-unit residential buildings containing six to 10 units shall provide a minimum storage area of 50 square feet. Buildings containing more than 10 residential units shall provide an additional five square feet per unit for each unit above 10;
- (b) Nonresidential buildings shall provide a minimum storage area of 10 square feet, plus:
 - (i) Office: four square feet/1,000 square feet gross floor area (GFA).
 - (ii) Retail: 10 square feet/1,000 square feet GFA.
 - (iii) Wholesale / warehouse / manufacturing: six square feet/1,000 square feet GFA.
 - (iv) Educational and institutional: four square feet/1,000 square feet GFA.
 - (v) Other: four square feet/1,000 square feet GFA.

Response: Please see the Floor Plans and Civil Site Plan (Sheets A-1, A-2, and C-3) for building areas and refuse enclosure location and area. The proposed building has a total floor area of 8,000 square feet which is all designated office space. Per item (i) above, this requires 32 square feet of total storage area. The proposed refuse enclosure has an area of 90 square feet. Therefore, this standard is met.

[...]

17.92.060 – Location, design and access standards for storage areas

[...]

(2) Location Standards.

- (a) To encourage its use, the storage area for source-separated recyclables shall be collocated with the storage area for residual mixed solid waste;*
- (b) Indoor and outdoor storage areas shall comply with Uniform Building and Fire Code requirements;*
- (c) Storage area space requirements can be satisfied with a single location or multiple locations, and can combine both interior and exterior locations;*
- (d) Exterior storage areas can be located within side yard or rear yard areas, but not within exterior side yards (on corner lots). Exterior storage areas shall not be located within a required front yard setback or in a yard adjacent to a public or private street;*
- (e) Exterior storage areas shall be located in central and visible locations on a site to enhance security for users;*
- (f) Exterior storage areas can be located in a parking area, if the proposed use provides at least the minimum number of parking spaces required for the use after deducting the area used for storage. Storage areas shall be appropriately screened according to the provisions in subsection (3) of this section, Design Standards; and*
- (g) The storage area shall be accessible for collection vehicles and located so that the storage area will not obstruct pedestrian or vehicle traffic movement on the site or on public streets adjacent to the site.*

Response: Please see Civil Site Plan (Sheet C-3) for proposed refuse enclosure location. A single enclosure is proposed for recyclables and waste. This location is central, visible, accessible for collection vehicles and tenants, and will not obstruct pedestrian or vehicular traffic. The enclosure is screened with a 6-foot-high cedar fence and is within the proposed parking lot. Therefore, these standards are met.

(3) Design Standards.

- (a) The dimensions of the storage area shall accommodate containers consistent with current methods of local collection;*
- (b) Storage containers shall meet Uniform Fire Code standards and be made and covered with waterproof materials or situated in a covered area;*
- (c) Exterior storage areas shall be enclosed by a sight-obscuring fence, wall, or hedge at least six feet in height. Gate openings which allow access to users and haulers shall be provided. Gate openings for haulers shall be a minimum of 10 feet wide and shall be capable of being secured in a closed and open position; and*
- (d) Storage area(s) and containers shall be clearly labeled to indicate the type of materials accepted.*

Response: Response: Please see Civil Site Plan (Sheet C-3) for proposed refuse enclosure location. The enclosure is screened with a 6-foot-high cedar fence and has a 10-foot-wide double-leaf gate for access. Therefore, these standards are met.

[...]

Chapter 17.96 – Site development Review

[...]

17.96.180 – Approval standards

The director shall make a finding with respect to each of the following criteria when approving, approving with conditions, or denying an application:

(1) Provisions of all applicable chapters of the Community Development Code per SHMC 17.04.010.

(2) Relationship to the Natural and Physical Environment.

(a) Buildings shall be:

(i) Located to preserve existing trees, topography, and natural drainage in accordance with other sections of this code;

(ii) Located in areas not subject to ground slumping or sliding;

(iii) Located to provide adequate distance between adjoining buildings for adequate light, air circulation, and firefighting; and

(iv) Oriented with consideration for sun and wind; and

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

Response: Please see Existing Conditions Plan and Civil Site Plan (Sheets C-1 and C-3). The proposed building has been located and designed to preserve existing topography, drainage patterns and trees/vegetation. Only one building is proposed and it has been sited on the western side of the property to avoid the steep, densely vegetated eastern side of the property nearest to McNulty Creek. The applicant is aware that a tree plan may be required to obtain a building permit. However, in its current location, the proposed development will not result in the removal of more than two existing trees. Therefore, these standards are met.

[...]

(4) Buffering, Screening, and Compatibility between Adjoining Uses (See Figure 13, Chapter 17.72 SHMC).

(a) Buffering shall be provided between different types of land uses (for example, between single-dwelling units and multidwelling units residential, and residential and commercial), and the following factors shall be considered in determining the adequacy of the type and extent of the buffer:

(i) The purpose of the buffer, for example to decrease noise levels, absorb air pollution, filter dust, or to provide a visual barrier;

(ii) The size of the buffer required to achieve the purpose in terms of width and height;

(iii) The direction(s) from which buffering is needed;

(iv) The required density of the buffering; and

(v) Whether the viewer is stationary or mobile;

(b) On-site screening from view from adjoining properties of such things as service areas, storage areas, parking lots, and mechanical devices on rooftops (e.g., air cooling and heating systems) shall be provided and the following factors will be considered in determining the adequacy of the type and extent of the screening:

(i) What needs to be screened;

(ii) The direction from which it is needed;

(iii) How dense the screen needs to be;

(iv) Whether the viewer is stationary or mobile; and

(v) Whether the screening needs to be year-round;

Response: Please see Parking & Landscape Plan (Sheet C-5) for buffer and screening locations. The subject property is in an Industrial Park overlay and the adjacent uses are similar enough in nature to not necessitate screening between uses. The proposed parking lot and refuse enclosure will be screened with Oregon Grape and Northern White Cedar. Any visible mechanical equipment or storage areas will be similarly screened. Therefore, this standard will be met.

(5) Privacy and Noise.

(a) Structures which include residential dwelling units shall provide private outdoor areas for each ground floor unit which is screened from view by adjoining units as provided in subsection (6)(a) of this section;

(b) The buildings shall be oriented in a manner which protects private spaces on adjoining properties from view and noise;

(c) Residential buildings should be located on the portion of the site having the lowest noise levels; and

(d) On-site uses which create noise, lights, or glare shall be buffered from adjoining residential uses (see subsection (4) of this section);

Response: Please see Parking & Landscape Plan (Sheet C-5) showing buffer and screening locations. The subject property's shape, location, and surrounding area will ensure the development has privacy. The adjacent uses do not contain "private spaces" or create disruptive levels of noise and there are no residentially zoned properties in the vicinity. The development's proposed outdoor area faces towards the creek and is nestled between the two wings of the building. The outdoor space will not be viewable from adjacent properties. Therefore, these standards are met.

[...]

(8) Demarcation of Public, Semipublic, and Private Spaces – Crime Prevention.

(a) The structures and site improvements shall be designed so that public areas such as streets or public gathering places, semipublic areas and private outdoor areas are clearly defined in order to establish persons having a right to be in the space, in order to provide for crime prevention and to establish maintenance responsibility; and

(b) These areas may be defined by:

- (i) A deck, patio, low wall, hedge, or draping vine;*
- (ii) A trellis or arbor;*
- (iii) A change in level;*
- (iv) A change in the texture of the path material;*
- (v) Sign; or*
- (vi) Landscaping;*

Response: Please see Parking & Landscape Plan (Sheet C-5) and response to 17.96.180(5) above. The proposed outdoor private area is defined by the edges of the building and adjacent slope/landscape. The patio surface will be acid-washed concrete which will only be used on this surface. Therefore, these standards are met.

(9) Crime Prevention and Safety.

- (a) Windows shall be located so that areas vulnerable to crime can be surveyed by the occupants;*
- (b) Interior laundry and service areas shall be located in a way that they can be observed by others;*
- (c) Mail boxes shall be located in lighted areas having vehicular or pedestrian traffic;*
- (d) The exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime; and*
- (e) Light fixtures shall be provided in areas having heavy pedestrian or vehicular traffic and in potentially dangerous areas such as parking lots, stairs, ramps, and abrupt grade changes:*
 - (i) Fixtures shall be placed at a height so that light patterns overlap at a height of seven feet, which is sufficient to illuminate a person;*

Response: Please see Parking & Landscape Plan and Illumination Plan (Sheets C-5 and C-6). The proposed development will be well lit and – because of the sensitive nature of their work - the Amani Center will have a robust security system. Therefore, these standards will be met.

(10) Access and Circulation.

- (a) The number of allowed access points for a development shall be as provided in SHMC 17.84.070;*
- (b) All circulation patterns within a development shall be designed to accommodate emergency vehicles; and*
- (c) Provisions shall be made for pedestrian ways and bicycle ways if such facilities are shown on an adopted plan;*

Response: Please see Parking & Landscape Plan (Sheet C-5). The proposed parking lot has been designed with two separate wings in order to accommodate a 60-foot “Y” fire truck turnaround configuration. Pedestrian access is proposed to the building, parking lots, and the McNulty Way right-of-way. Please see responses to section 17.84.070 for more information about access points. Therefore, these standards are met.

[...]

(12) Parking. All parking and loading areas shall be designed in accordance with the requirements set forth in SHMC 17.80.050 and 17.80.090; Chapter 17.76 SHMC, Visual Clearance Areas; and Chapter 17.84 SHMC, Access, Egress, and Circulation;

Response: Please see Parking and Landscape Plan (Sheet C-5) and narrative responses to Chapters 17.80 and 17.84 for additional parking and access information.

(13) Landscaping.

(a) All landscaping shall be designed in accordance with the requirements set forth in Chapter 17.72 SHMC; and

(b) For residential use, in addition to the open space and recreation area requirements of subsections (6) and (7) of this section, a minimum of 15 percent of the gross area including parking, loading and service areas shall be landscaped;

Response: Please see Parking and Landscape Plan (Sheet C-5) and narrative responses to Chapter 17.72 for additional landscaping, screening, and buffering information.

(14) Drainage. All drainage plans shall be designed in accordance with the criteria in the most current adopted St. Helens master drainage plan;

Response: Please see Grading & Utility Plan (Sheet C-4) and attached stormwater report (Exhibit B). The proposed development has been designed in accordance with the criteria set forth in the current St. Helens master drainage plan. Therefore, this standard is met.

(15) Provision for the Handicapped. All facilities for the handicapped shall be designed in accordance with the requirements pursuant to applicable federal, state and local law;

Response: Please see Floor Plans and Parking & Landscape Plan (Sheet A-1, A-2 and C-5). All proposed facilities (parking, building, circulation, etc.) have been designed in accordance with the applicable federal, state, and local laws.

(16) Signs. All sign placement and construction shall be designed in accordance with requirements set forth in Chapter 17.88 SHMC;

Response: The applicant is not proposing any signs other than those required for parking, accessibility, and other mandatory signage. The applicant understands that future signs will require land use approval and must meet the requirements in SHMC Chapter 17.88. Therefore, this standard is not applicable.

(17) All of the provisions and regulations of the underlying zone shall apply unless modified by other sections of this code (e.g., the planned development, Chapter 17.148 SHMC; or a variance granted under Chapter 17.108 SHMC; etc.).

Response: The applicant understands and will comply with all provisions and regulations of the underlying zone. No modification to the underlying zone are proposed for this development.

Chapter 17.100 – Conditional use

[...]

17.100.040 – Approval standards and conditions

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

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

Response: The applicant understands that the planning commission shall approve, approve with conditions, or deny an application for a conditional use based on the criteria listed above. The subject property was selected by the applicant because its location, shape and natural features are perfect for the Amani Center. The services they provide the community require privacy, stillness/quiet, and trauma informed spaces. The subject property meets all their requirements as it is tucked away in a relatively quiet area, the property's shape will keep the facility away from public view, and its location along McNulty Creek provides a serene, natural environment (trauma informed setting). The Industrial Way and McNulty rights-of-way contain public sewer, water, power, and telecom utilities. Therefore, these standards are met.

(2) An enlargement or alteration of an existing conditional use shall be subject to the development review provisions set forth in Chapter 17.96 SHMC.

Response: This development will not alter or enlarge an existing conditional use. Therefore, this standard is not applicable.

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

- (a) Limiting the hours, days, place, and manner of operation;*
- (b) Requiring design features which minimize environmental impacts such as noise, vibration, air pollution, glare, odor, and dust;*
- (c) Requiring additional setback areas, lot area, or lot depth or width;*
- (d) Limiting the building height, size or lot coverage, or location on the site;*
- (e) Designating the size, number, location, and design of vehicle access points;*
- (f) Requiring street right-of-way to be dedicated and the street to be improved;*
- (g) Requiring landscaping, screening, drainage and surfacing of parking and loading areas;*
- (h) Limiting the number, size, location, height, and lighting of signs;*

- (i) Limiting or setting standards for the location and intensity of outdoor lighting;*
- (j) Requiring berming, screening or landscaping and the establishment of standards for their installation and maintenance;*
- (k) Requiring and designating the size, height, location, and materials for fences; and*
- (l) Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, and drainage areas.*

Response: The applicant understands that the planning commission may impose conditions of approval on a conditional use application.

[...]

17.100.150 – Additional requirement for conditional use types

[...]

(i) Industrial Park.

- (i) The minimum lot size is 40,000 square feet;*
- (ii) Minimum of provisions for three or more businesses; and*
- (iii) At least 30 percent of the businesses must be in the list of light industrial permitted uses;*

Response: The subject property is over 70,000 square feet (1.68 acres) and the existing Industrial Park contains more than three businesses. Per the pre-applications notes provided by the City, the Industrial Park includes Industrial Way addresses 35851, 35853 and 35855 as well as 58640 McNulty Way. There are three existing buildings at the 35851 property containing a total of 12 suites. Those suites are occupied by the following businesses:

- 3 Suites – Control Solutions (Industrial Use)
- 2 Suites – Oregon Highway Patrol
- 2 Suites – Les Schwab Storage (Industrial Use)
- 2 Suites – Storage for Oregon Theater Company (Industrial Use)
- 1 Suite – Versatile Glass Tinting (Industrial Use)
- 1 Suite – Dog grooming business (Industrial Use)
- 1 Suite – JNJ Mechanical Welding (Industrial Use)

Per section 17.32.130, warehouses, storage sites, equipment repair, motor vehicle services/repair, and manufacturing are all permitted outright in the Light Industrial zone. Therefore, Control Solutions (manufacturing), Les Schwab and Oregon Theater Company (storage), Versatile Glass (vehicle repair), JNJ Mechanical (manufacturing) and the dog grooming business (animal sales and services) are permitted light industrial uses. Ten of the twelve suites are occupied by permitted uses. If you include the other two addresses in the Industrial Park (Lower Columbia Engineering and Amani Center), ten of the fourteen available tenants are providing light industrial permitted services which represents 71 percent of the available tenant spaces.

If we use a different method and count the individual businesses only and not the number of suites they occupy, there are nine separate businesses within the Industrial Park. Of those, only Lower Columbia

Engineering, Amani Center and the OHP are not permitted in the Light Industrial zone. That means industrial uses still make up 66% of the businesses within the Industrial Park. Even if we argue that the dog grooming and storage businesses are not industrial, there are still three industrial businesses out of the nine which accounts for 33% of the total.

Finally, the analysis above does not consider undeveloped or unoccupied lots or portions of lots and the possibility of new buildings with industrial uses being constructed on properties already containing a business. Therefore, the applicant believe that this standard is met.

[...]

Chapter 17.132 – Tree Removal

[...]

17.132.025 – Tree plan requirement.

(1) *A tree plan for the planting, removal, and protection of trees prepared by a certified arborist or other capable professional as allowed by the director (for property or site with more than 10 trees or any tree over two feet DBH) shall be provided for any lot, parcel or combination of lots or parcels for which a development application for a land division, site development review, planned development or conditional use is filed. Protection is preferred over removal where possible.*

(2) *The tree plan shall include the following:*

(a) *Identification of the location, size, DBH and species of all existing trees including trees designated as significant by the city;*

(b) *Identification of a program to save existing trees or mitigate tree removal over 12 inches DBH. Mitigation must follow the replacement guidelines of SHMC 17.132.070(4) according to the following standards:*

(i) *Retainage of less than 50 percent of existing trees over 12 inches DBH requires a mitigation program according to SHMC 17.132.070(4) with a ratio of two minimum two-inch DBH trees for each 12-inch or greater DBH tree to be removed.*

(ii) *Retainage of over 50 percent of existing trees over 12 inches DBH requires the trees to be mitigated according to SHMC 17.132.070(4) with a ratio of one minimum two-inch DBH tree for each 12-inch or greater DBH tree to be removed.*

(c) *Identification of all trees which are proposed to be removed; and*

(d) *A protection program defining standards and methods that will be used by the applicant to protect trees during and after construction.*

(3) *Trees removed within the period of one year prior to a development application listed above will be inventoried as part of the tree plan above and will be replaced per this chapter. (Ord. 3264 § 2 (Att. A), 2021; Ord. 3144 § 2 (Att. A), 2011; Ord. 2875 § 1.160.025, 2003)*

Response: The applicant understands that the City may require a tree plan prepared by a qualified professional. The proposed building and parking lot are sited on the elevated western side of the property as far from McNulty Creek as possible. Most of the vegetation and almost all the existing trees are located

within 100 feet of the creek. After walking the site, we believe that at most, two trees will be removed as a result of this development. However, the applicant is willing to work with the City and provide whatever information is required to developed the property.

[...]

Chapter 17.156 – Traffic Impact Analysis (TIA)

17.156.010 – Purpose.

The purpose of this chapter is to implement OAR 660-012-0045(2)(e) of the State Transportation Planning Rule that requires the city to adopt a process to apply conditions to development proposals in order to protect and minimize adverse impacts to transportation facilities. This chapter establishes the standards for when a proposal must be reviewed for potential traffic impacts; when a traffic impact analysis must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be in a traffic impact analysis; and who is qualified to prepare the analysis. (Ord. 3150 § 3 (Att. B), 2011)

17.156.020 – Typical average daily trips and level-of-service standards.

(1) The latest edition of the trip generation manual published by the Institute of Transportation Engineers (ITE) shall be used as standards by which to gauge average daily vehicle trips.

(2) Pursuant to the transportation systems plan (TSP) (see TSP Section 4), the following minimum operating standards apply to city-maintained intersections. As measured using the Highway Capacity Manual, latest edition, Level of Service “D” is considered acceptable at signalized and all-way stop controlled intersections if the intersection volume-to-capacity ratio is not higher than 1.0 for the sum of critical movements. Level of Service “E” is considered acceptable for the poorest operating approach at two-way stop intersections. Level of Service “F” is allowed in situations where a traffic signal is not warranted. (Ord. 3150 § 3 (Att. B), 2011)

17.156.030 – Applicability.

A traffic impact analysis shall be required to be submitted to the city with a land use application when the application involves one or more of the following actions:

(1) A change in zoning or a comprehensive plan amendment designation, except when the change will result in a zone or plan designation that will result in less vehicle trips based on permitted uses (e.g., from a high density residential district to a lower density residential district or from a commercial district to a residential district);

(2) The site proposes to take access on Highway 30 or on an approach to Highway 30; or

(3) The development shall cause one or more of the following effects, which can be determined by field counts, site observation, traffic impact analysis or study, field measurements, crash history, Institute of Transportation Engineers Trip Generation, and information and studies provided by the local reviewing jurisdiction(s) and/or ODOT:

- (a) *The proposed action is estimated to generate 2501 average daily trips (ADT) or more or 25 or more weekday a.m. or p.m. peak hour trips (or as required by the city engineer);*
- (b) *The proposed action is projected to further degrade mobility at the Deer Island Road/Highway 30, Pittsburg Road/Highway 30, Wyeth Street/Highway 30, Gable Road/Highway 30, or Millard Road/Highway 30 intersections;*
- (c) *An increase in use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights by 10 vehicles or more per day;*
- (d) *The location of the access driveway does not meet minimum intersection sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate, creating a safety hazard;*
- (e) *The location of the access driveway does not meet the access spacing standard of the roadway on which the driveway is located; or*
- (f) *A change in internal traffic patterns that may cause safety problems, such as backup onto the highway or traffic crashes in the approach area. (Ord. 3150 § 3 (Att. B), 2011)*

Response: Please see the attached Trip Generation Analysis (Exhibit C). The proposed use as a single tenant office building will result in 90 average daily trips. It will not increase the use of adjacent streets by vehicles over 20,000 pounds as no loading/unloading of goods is necessary for the proposed use. The access driveway meets all requirements listed above and internal traffic patterns should not cause any safety problems. Therefore, the applicant feels that a traffic impact analysis is not necessary or applicable.

[...]



Technical Memorandum

To: City of St. Helens Planning Department
From: Andrew Niemi, P.E.
Date: October 13, 2023
Subject: Amani Center - Trip Generation Analysis
Project: 3521

We have performed a simple trip generation analysis for the proposed Amani Center facility off Industrial Way in St. Helens, Oregon as well as a trip generation analysis for the site’s previous use as a vacant lot.

The proposed development consists of a single new building with 8,000 square feet of total floor area, an estimated 20 employees, and a maximum of 24 employees. The proposed building will provide services to children suspected to be abused. Due to the privacy associated with their services, the Amani Center will only see two children and their families at a time and will not see more than 6 clients in any given day. We developed trip generation estimates for the proposed and previous use, based on data from the 10th Edition of the ITE Trip Generation Handbook.

PREVIOUS USE TRIP ESTIMATION SUMMARY

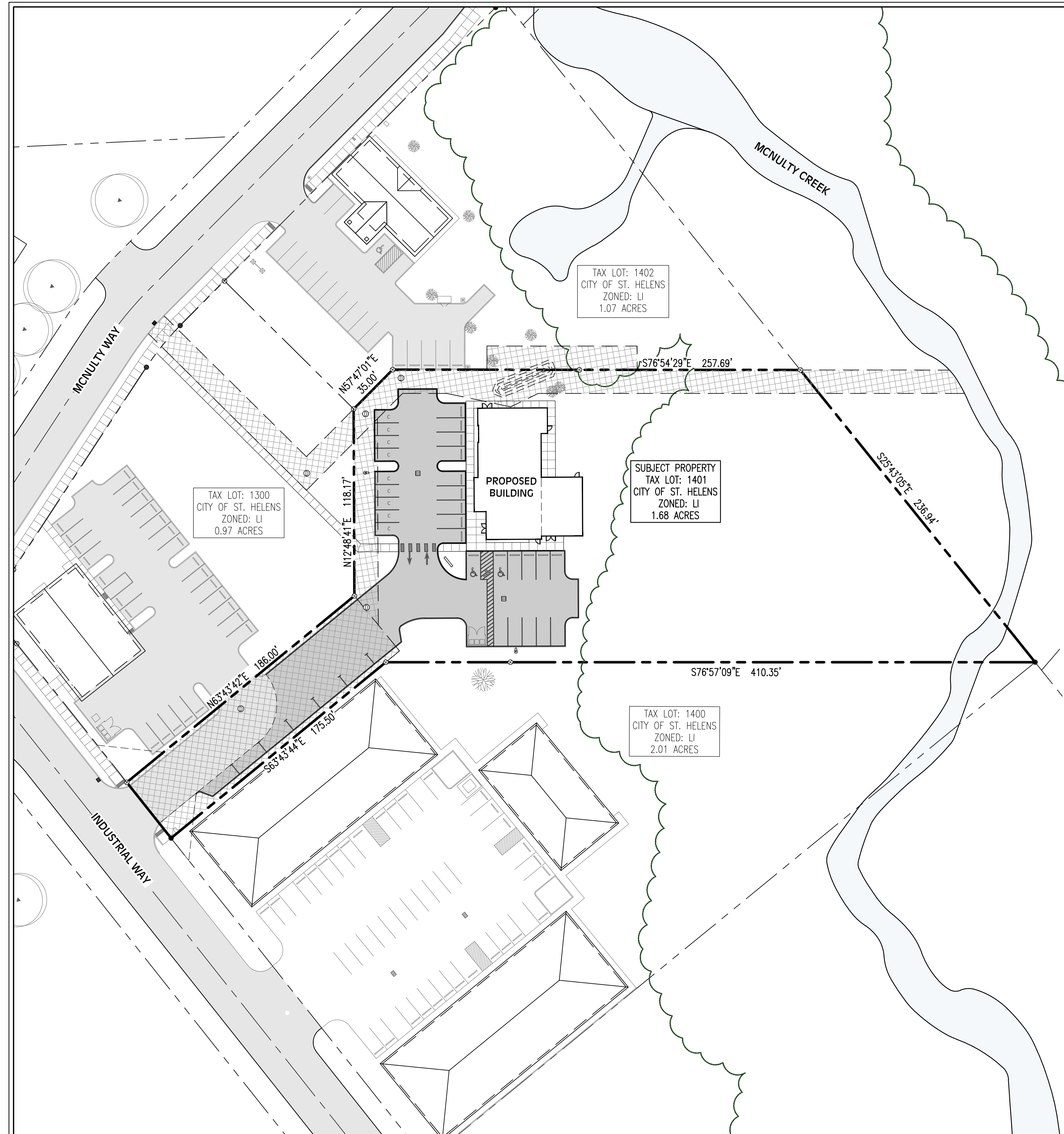
ITE	DESCRIPTION	Total Building Area	WEEKDAY		
			Trips/1000 sf	#1000 sf	Total Trips
000	Empty Lot	0 sf	0.00	0	0
PREVIOUS USE TRIPS					0

PROPOSED USE TRIP ESTIMATION SUMMARY

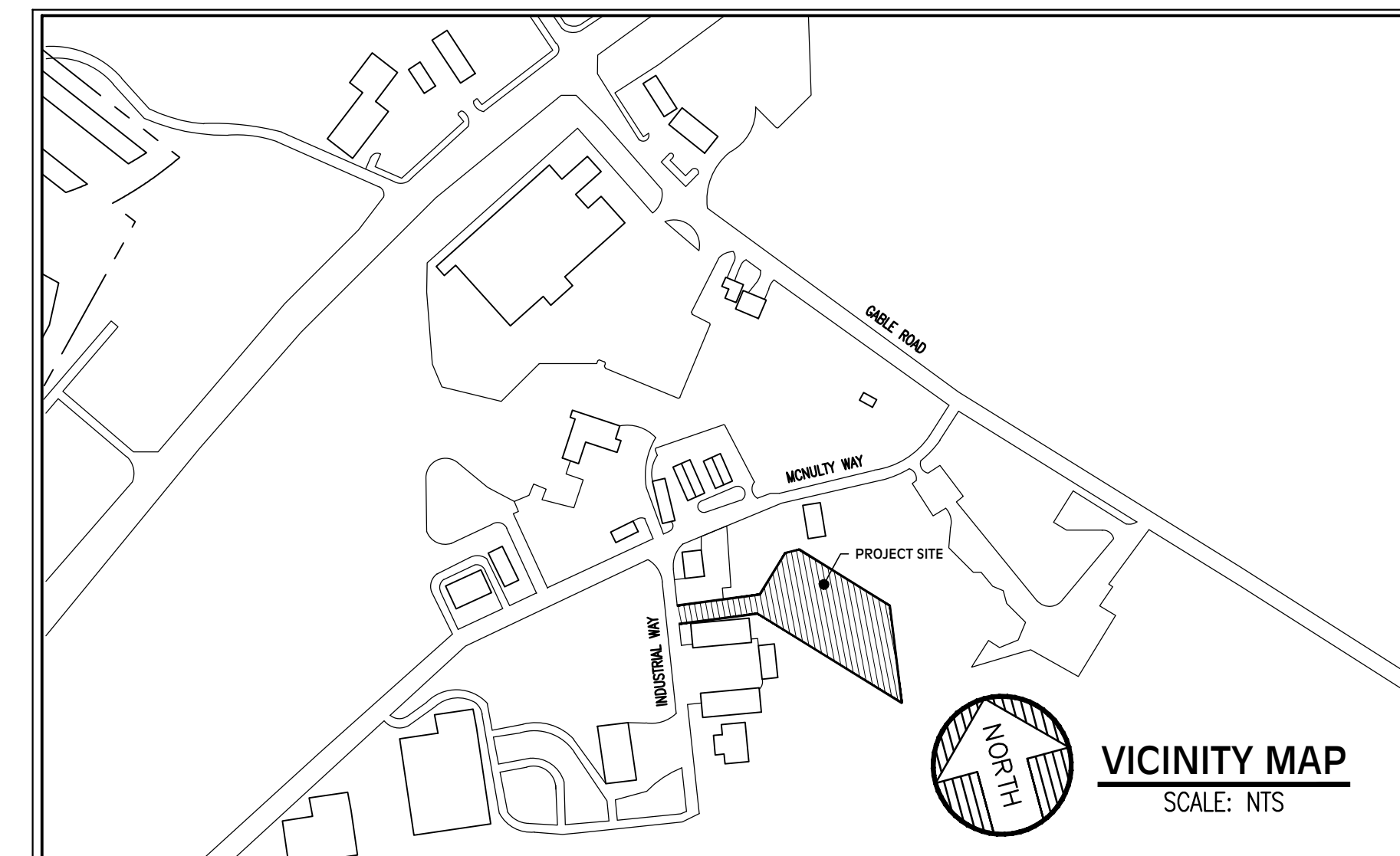
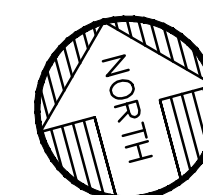
ITE	DESCRIPTION	Total Building Area	WEEKDAY		
			Trips/1000 sf	#1000 sf	Total Trips
715	Single Tenant Office Bldg	8,000 sf.	11.25	8	90
PROPOSED USE TRIPS					90

AMANI CENTER FACILITY

ERIC DAHLGREN
INDUSTRIAL WAY
ST. HELENS, OREGON 97051



PLOT PLAN
 SCALE: 1" = 40'



DRAWING INDEX	
SHEET	DESCRIPTION
GENERAL	
G-1	COVER SHEET
CIVIL	
C-1	EXISTING CONDITIONS PLAN
C-2	EROSION AND SEDIMENT CONTROL
C-3	CIVIL SITE PLAN
C-4	GRADING & UTILITIES PLAN
C-5	PARKING & LANDSCAPE PLAN
C-6	ILLUMINATION PLAN
C-7	ESC DETAILS
ARCHITECTURAL	
A-1	GROUND LEVEL FLOOR PLAN
A-2	UPPER LEVEL FLOOR PLAN
A-3	EXTERIOR ELEVATIONS
A-4	EXTERIOR ELEVATIONS

PROJECT TEAM

ENGINEER & DESIGNER
 LOWER COLUMBIA ENGINEERING
 58640 MCNULTY WAY
 ST. HELENS, OR 97051
 PHONE: (503) 366-0399
 CONTACT: MATTHEW ALEXANDER
 matt@lowercolumbiaengr.com

OWNER

DAHLGREN LIVING TRUST
 CHRIS DAHLGREN
 2110 6TH ST
 COLUMBIA CITY, OR 97018
 PHONE: (503) 369-3766

GENERAL CONTRACTOR

ARTIS CONSTRUCTION
 3330 NW YEON AVENUE, SUITE 120
 PORTLAND, OR 97210
 PHONE: 503.248.9370
 CONTACT: PATRICK KESSI
 pkessi@phkinc.com

EXISTING SITE AREA CALCULATIONS

GROSS LOT AREA (SUBJECT PROPERTY): 73,255 SQ FT (100%)
 IMPERVIOUS / PAVED AREA: 3,316 SQ FT (4.6%)
 OPEN / LANDSCAPED AREAS: 69,939 SQ FT (95.4%)

PROPOSED SITE AREA CALCULATIONS

GROSS LOT AREA (SUBJECT PROPERTY): 73,255 SQ FT (100%)
 TOTAL IMPERVIOUS: 20,970 SQ FT (29%)
 BUILDING FOOTPRINT: 4,275 SQ FT (6%)
 SIDEWALK/ASPHALT: 16,695 SQ FT (23%)
 OPEN / LANDSCAPED AREAS: 52,285 SQ FT (71%)

PARKING REQUIREMENTS

COMMERCIAL REQUIREMENT: 1 SPACE PER 350 SQ. FT.
 COMMERCIAL AREA PROPOSED: 8,008 SQ. FT.
 COMMERCIAL PARKING REQUIRED: 23 SPACES (8008/350 = 22.88)

TOTAL PARKING: 36 SPACES

ON-SITE STANDARD SPACES (9'x18'): 20 SPACES
 ON-SITE PARALLEL SPACES (8'x22'): 7 SPACES
 ON-SITE COMPACT SPACES (8'x18'): 9 SPACES
 ACCESSIBLE SPACES (9'x18'): 2 SPACE
 BICYCLE PARKING: 4 SPACES

GENERAL SITE INFO:

PROJECT NAME: AMANI CENTER FACILITY
PROPOSED USE: PUBLIC SAFETY SERVICES
TOTAL LOT AREA: 73,255 SQ FT (APPROX 1.68 ACRES)
TOTAL BUILDING AREA: 8,329 SQ FT
FIRST FLOOR AREA: 4,275 SQ FT
SECOND FLOOR AREA: 4,054 SQ FT
BUILDING HEIGHT: 31'-6" (75' MAX.)
SPECIAL NOTE:
 LOWER COLUMBIA ENGINEERING HAS ONLY ADDRESSED THE PROPOSED DESIGN. THESE DRAWINGS ARE INTENDED FOR THE SITE DEVELOPMENT REVIEW CRITERIA REQUIREMENTS. THESE DRAWINGS ARE CONSIDERED PRELIMINARY ONLY.

SITE IMPROVEMENT QUANTITIES

-CONTRACTOR TO VERIFY ALL QUANTITIES

SITE IMPROVEMENT ITEM	AREA/LENGTH	VOLUME
CONCRETE (SDWK)	1525 SQ. FT.	19 CU. YD.
HMAC (ASPHALT)	15170 SQ. FT.	187 CU. YD.
3/4" MINUS AGGREGATE	16695 SQ. FT.	112 CU. YD.
1 1/2" MINUS AGGREGATE	15170 SQ. FT.	561 CU. YD.
TYPE 'A' CONCRETE CURB	951 L.F.	N/A

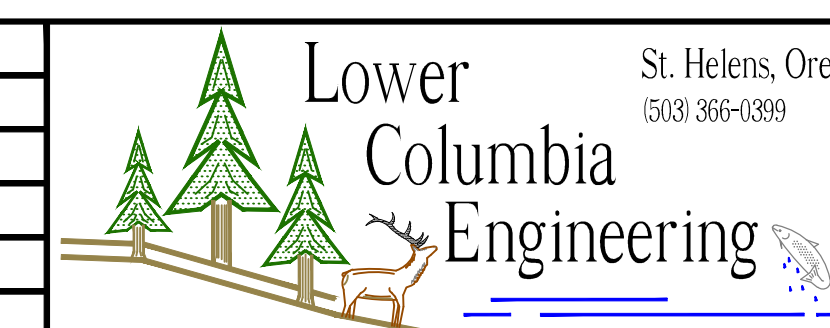
SITE UTILITY QUANTITIES

-CONTRACTOR TO VERIFY ALL QUANTITIES

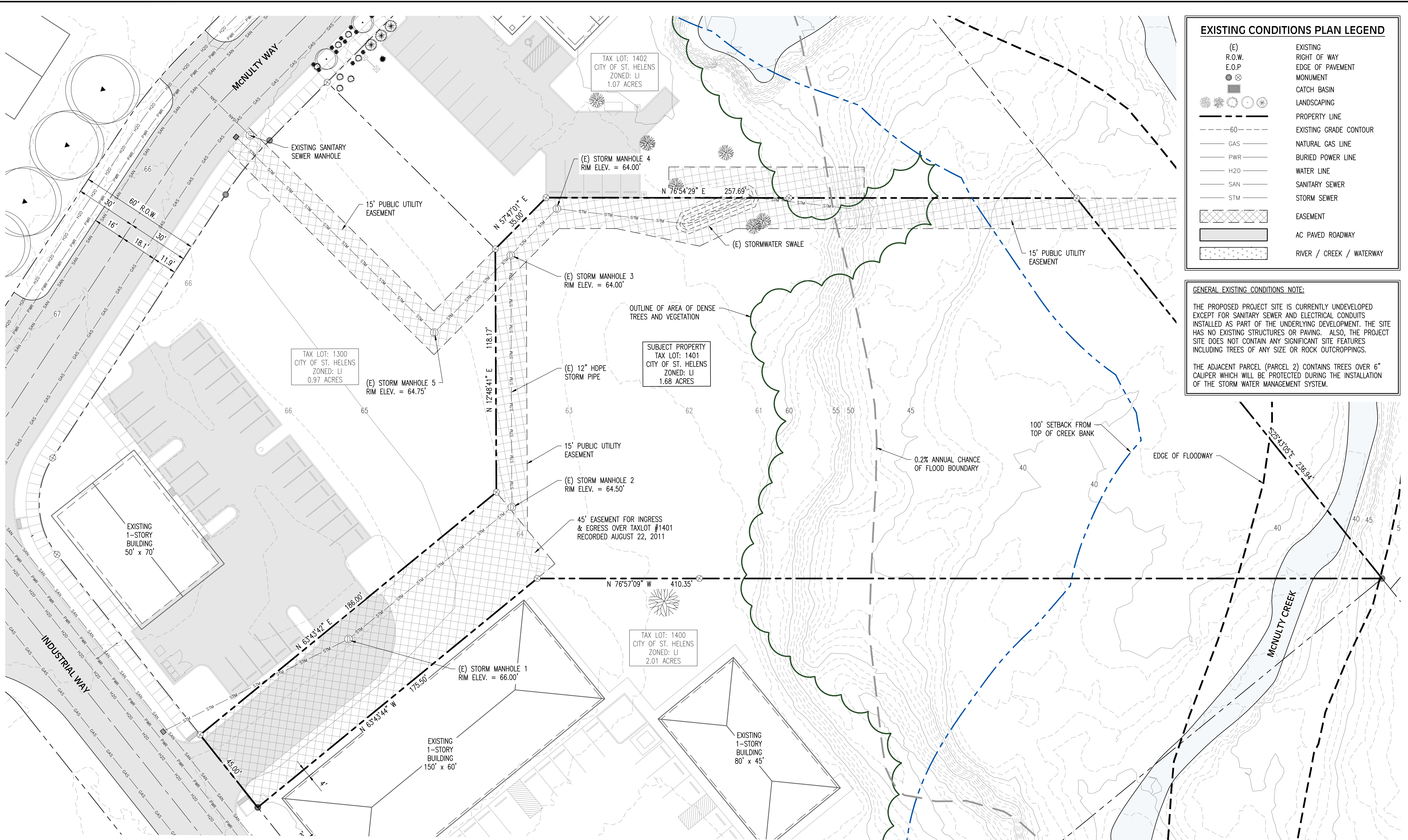
SIZE	MATERIAL	UTILITY	QUANTITY
1"	COPPER	WATER	310 L.F.
4"	PVC	SANITARY	293 L.F.
4"	PVC	STORM	37 L.F.
6"	HDPE	STORM	150 L.F.
2"	PVC	ELECTRICAL	600 L.F.

DATE: 10/13/2023
PRELIMINARY
 NOT
 FOR CONSTRUCTION

REV.	REVISION RECORD	DATE



PROJ. NO. 3521	COVER SHEET	SHEET
DWG. BY RM2	NEW FACILITY	
APPR. BY	AMANI CENTER	G-1
FILE D-3521-G-1	DATE 10/31/2022	



EXISTING CONDITIONS PLAN LEGEND

(E)	EXISTING
R.O.W.	RIGHT OF WAY
E.O.P.	EDGE OF PAVEMENT
⊗	MONUMENT
■	CATCH BASIN
⊙	LANDSCAPING
---	PROPERTY LINE
-60-	EXISTING GRADE CONTOUR
GAS	NATURAL GAS LINE
PWR	BURIED POWER LINE
H2O	WATER LINE
SAN	SANITARY SEWER
STM	STORM SEWER
▨	EASEMENT
▩	AC PAVED ROADWAY
▤	RIVER / CREEK / WATERWAY

GENERAL EXISTING CONDITIONS NOTE:

THE PROPOSED PROJECT SITE IS CURRENTLY UNDEVELOPED EXCEPT FOR SANITARY SEWER AND ELECTRICAL CONDUITS INSTALLED AS PART OF THE UNDERLYING DEVELOPMENT. THE SITE HAS NO EXISTING STRUCTURES OR PAVING. ALSO, THE PROJECT SITE DOES NOT CONTAIN ANY SIGNIFICANT SITE FEATURES INCLUDING TREES OF ANY SIZE OR ROCK OUTCROPPINGS.

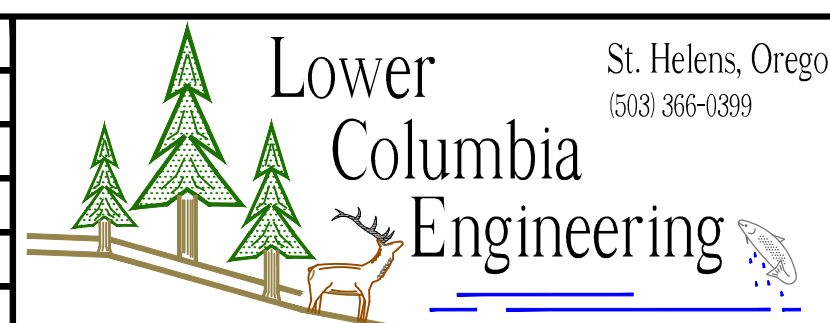
THE ADJACENT PARCEL (PARCEL 2) CONTAINS TREES OVER 6" CALIPER WHICH WILL BE PROTECTED DURING THE INSTALLATION OF THE STORM WATER MANAGEMENT SYSTEM.

DATE: 10/13/2023
PRELIMINARY
 NOT FOR CONSTRUCTION

EXISTING CONDITIONS PLAN

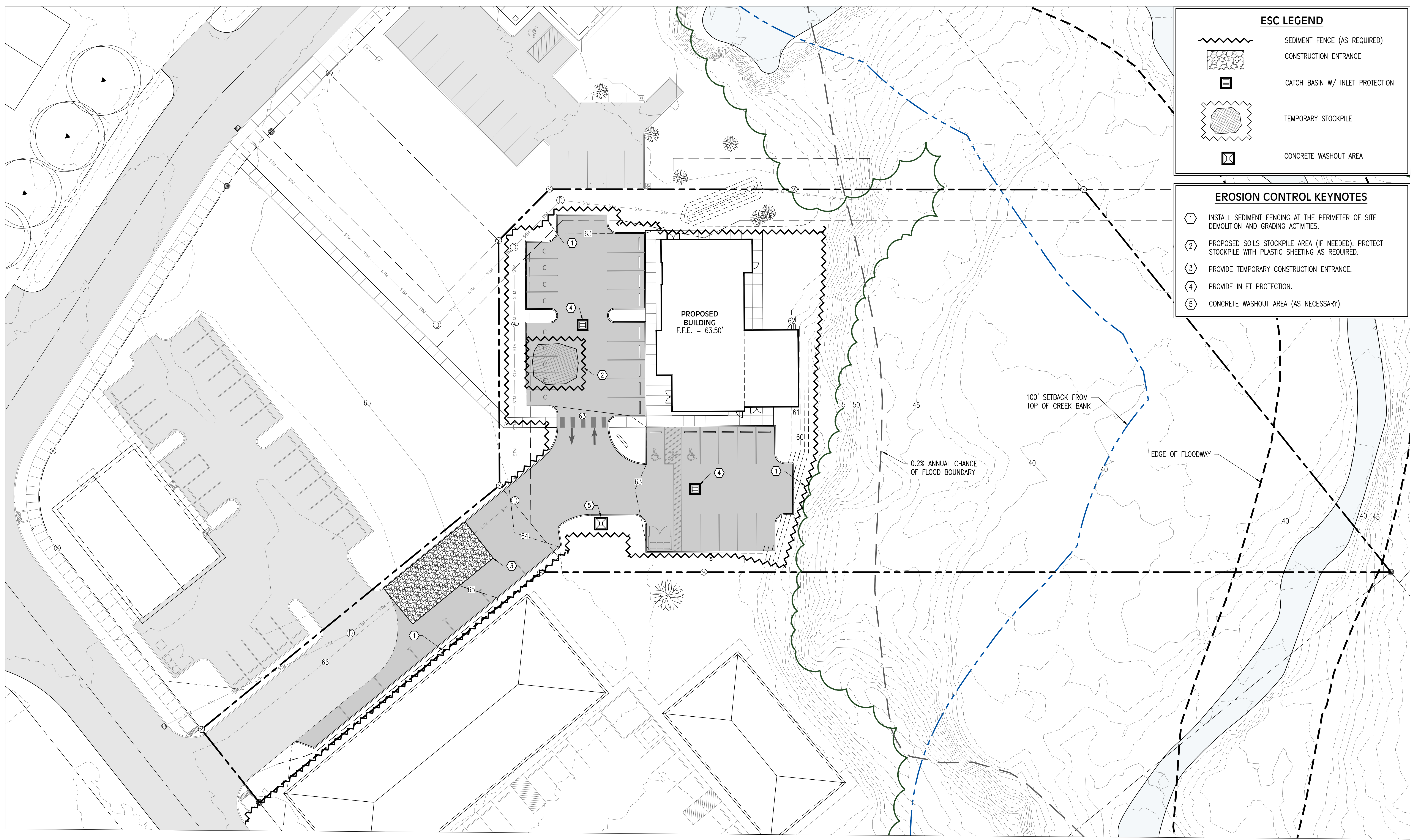
SCALE: 1" = 20'

REV.	REVISION RECORD	DATE


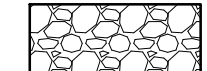

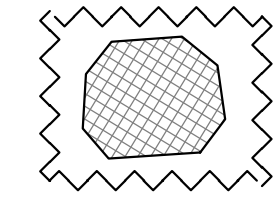



PROJ. NO.	3521	EXISTING CONDITIONS PLAN
DWG. BY	PCD	NEW FACILITY
APPR. BY	AMANI CENTER	SHEET
FILE	D-3521-C-1	DATE 10/27/2022

C-1



ESC LEGEND

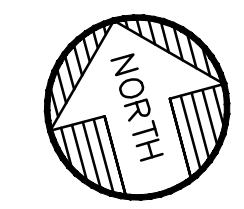
-  SEDIMENT FENCE (AS REQUIRED)
-  CONSTRUCTION ENTRANCE
-  CATCH BASIN W/ INLET PROTECTION
-  TEMPORARY STOCKPILE
-  CONCRETE WASHOUT AREA

EROSION CONTROL KEYNOTES

- ① INSTALL SEDIMENT FENCING AT THE PERIMETER OF SITE DEMOLITION AND GRADING ACTIVITIES.
- ② PROPOSED SOILS STOCKPILE AREA (IF NEEDED). PROTECT STOCKPILE WITH PLASTIC SHEETING AS REQUIRED.
- ③ PROVIDE TEMPORARY CONSTRUCTION ENTRANCE.
- ④ PROVIDE INLET PROTECTION.
- ⑤ CONCRETE WASHOUT AREA (AS NECESSARY).



EROSION AND SEDIMENT CONTROL PLAN
SCALE: 1" = 20'-0"



DATE: 10/13/2023
PRELIMINARY
NOT
FOR CONSTRUCTION

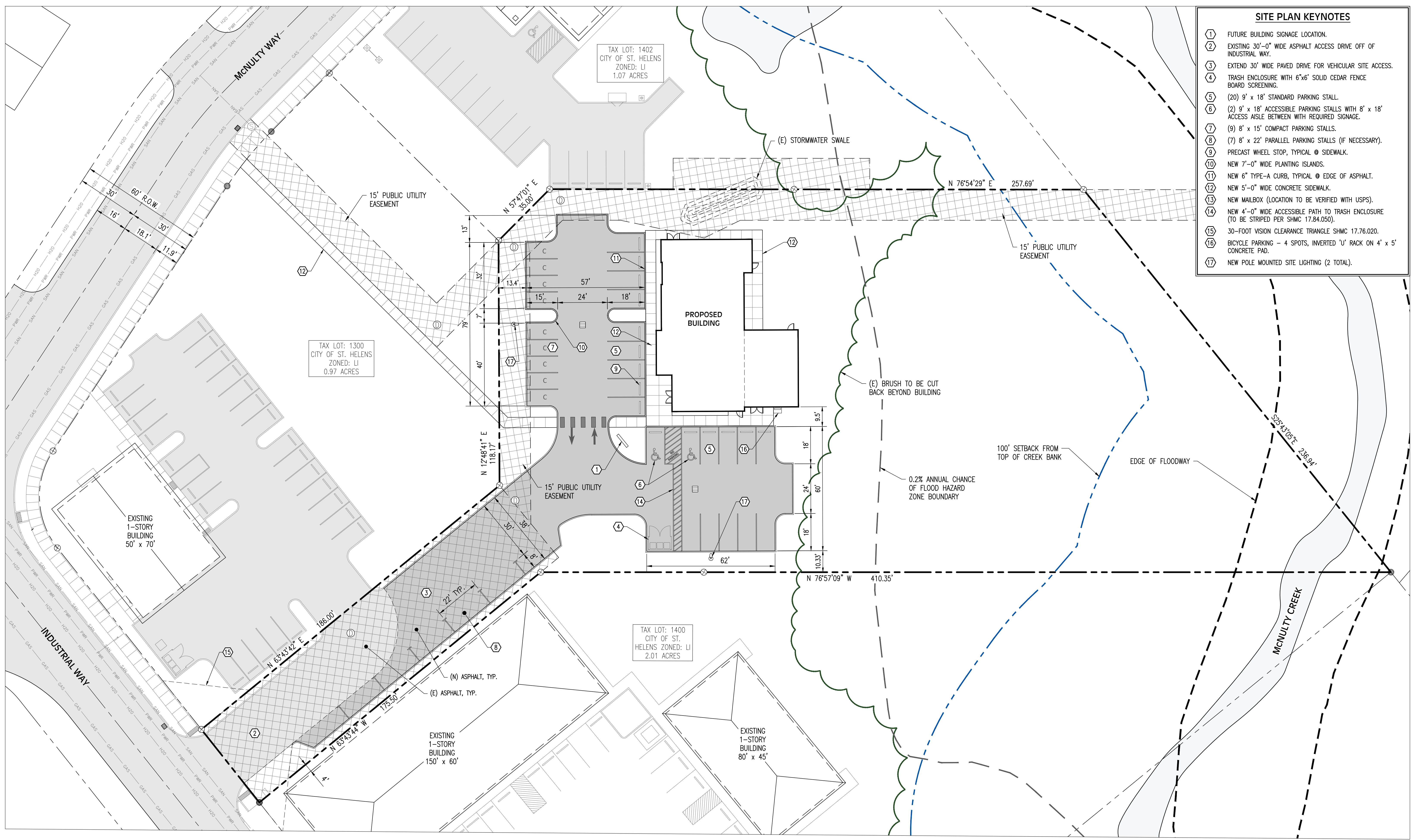
REV.	REVISION RECORD	DATE

Lower Columbia Engineering
St. Helens, Oregon
(503) 366-0399

PROJ. NO.	3521	EROSION AND SEDIMENT CONTROL PLAN
DWG. BY	RM2	NEW FACILITY
APPR. BY	AMANI CENTER	SHEET
FILE	D-3521-C-2	DATE 10/31/2022

C-2

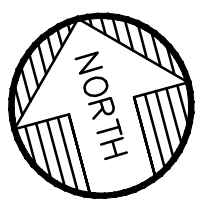
- SITE PLAN KEYNOTES**
- ① FUTURE BUILDING SIGNAGE LOCATION.
 - ② EXISTING 30'-0" WIDE ASPHALT ACCESS DRIVE OFF OF INDUSTRIAL WAY.
 - ③ EXTEND 30' WIDE PAVED DRIVE FOR VEHICULAR SITE ACCESS.
 - ④ TRASH ENCLOSURE WITH 6"x6" SOLID CEDAR FENCE BOARD SCREENING.
 - ⑤ (20) 9' x 18' STANDARD PARKING STALL.
 - ⑥ (2) 9' x 18' ACCESSIBLE PARKING STALLS WITH 8' x 18' ACCESS AISLE BETWEEN WITH REQUIRED SIGNAGE.
 - ⑦ (9) 8' x 15' COMPACT PARKING STALLS.
 - ⑧ (7) 8' x 22' PARALLEL PARKING STALLS (IF NECESSARY).
 - ⑨ PRECAST WHEEL STOP, TYPICAL @ SIDEWALK.
 - ⑩ NEW 7'-0" WIDE PLANTING ISLANDS.
 - ⑪ NEW 6" TYPE-A CURB, TYPICAL @ EDGE OF ASPHALT.
 - ⑫ NEW 5'-0" WIDE CONCRETE SIDEWALK.
 - ⑬ NEW MAILBOX (LOCATION TO BE VERIFIED WITH USPS).
 - ⑭ NEW 4'-0" WIDE ACCESSIBLE PATH TO TRASH ENCLOSURE (TO BE STRIPED PER SHMC 17.84.050).
 - ⑮ 30-FOOT VISION CLEARANCE TRIANGLE SHMC 17.76.020.
 - ⑯ BICYCLE PARKING - 4 SPOTS, INVERTED 'U' RACK ON 4' x 5' CONCRETE PAD.
 - ⑰ NEW POLE MOUNTED SITE LIGHTING (2 TOTAL).



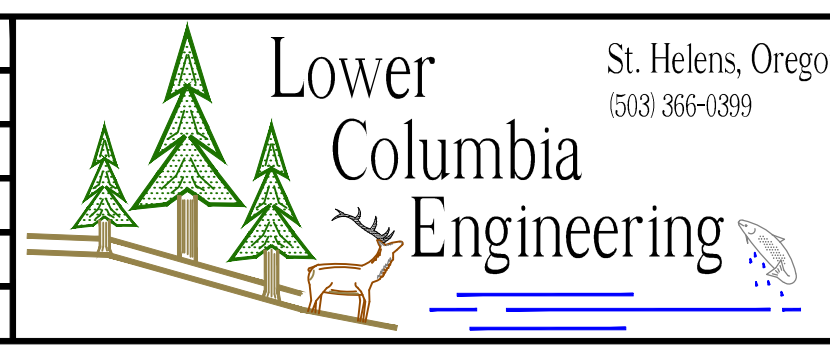
DATE: 10/13/2023
 PRELIMINARY
 NOT
 FOR CONSTRUCTION



CIVIL SITE PLAN
 SCALE: 1" = 20'-0"



REV.	REVISION RECORD	DATE

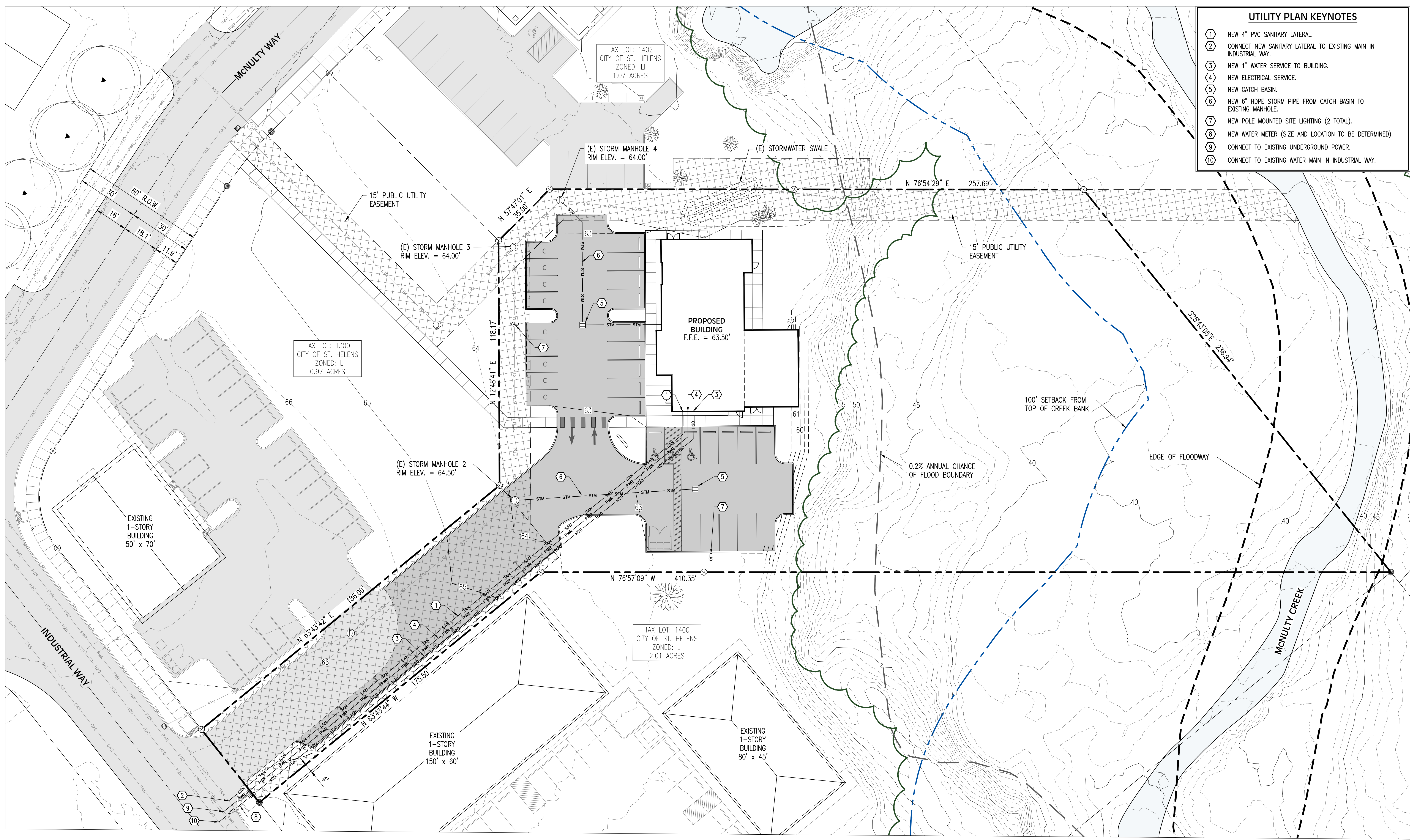


PROJ. NO. 3521	CIVIL SITE PLAN
DWG. BY RM2	NEW FACILITY
APPR. BY	AMANI CENTER
FILE D-3521-C-3	DATE 10/31/2022

SHEET
C-3

UTILITY PLAN KEYNOTES

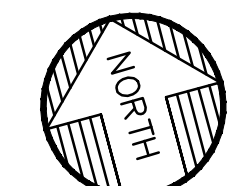
- 1 NEW 4" PVC SANITARY LATERAL.
- 2 CONNECT NEW SANITARY LATERAL TO EXISTING MAIN IN INDUSTRIAL WAY.
- 3 NEW 1" WATER SERVICE TO BUILDING.
- 4 NEW ELECTRICAL SERVICE.
- 5 NEW CATCH BASIN.
- 6 NEW 6" HDPE STORM PIPE FROM CATCH BASIN TO EXISTING MANHOLE.
- 7 NEW POLE MOUNTED SITE LIGHTING (2 TOTAL).
- 8 NEW WATER METER (SIZE AND LOCATION TO BE DETERMINED).
- 9 CONNECT TO EXISTING UNDERGROUND POWER.
- 10 CONNECT TO EXISTING WATER MAIN IN INDUSTRIAL WAY.



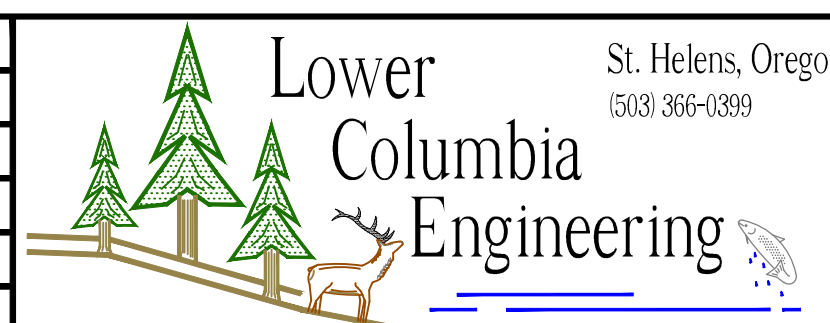
DATE: 10/13/2023
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GRADING & UTILITIES PLAN
 SCALE: 1" = 20'-0"

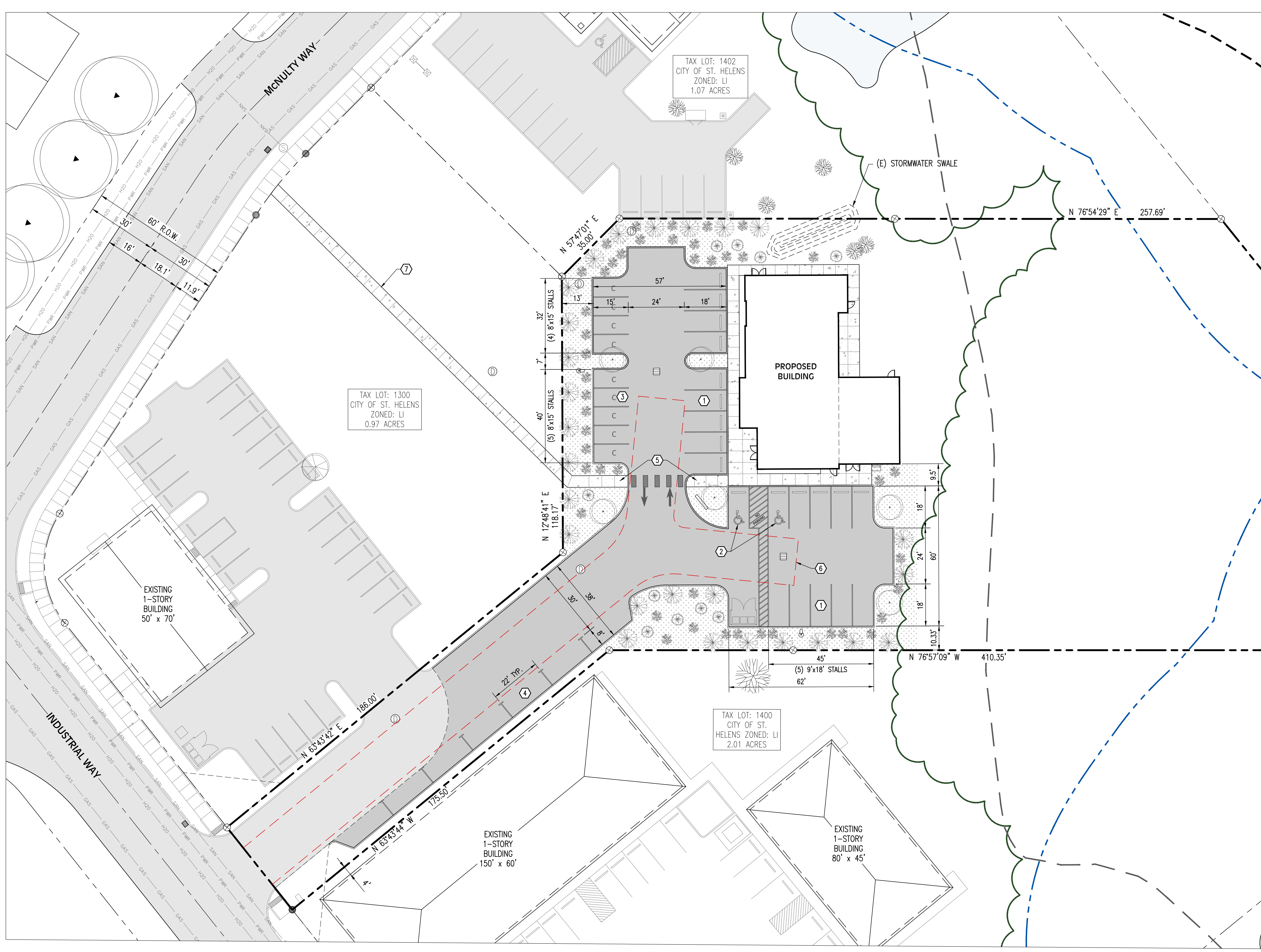


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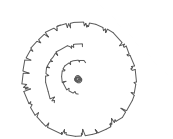
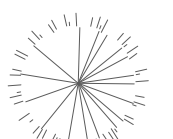

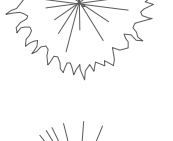
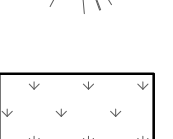
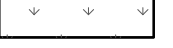


PROJ. NO. 3521	GRADING & UTILITY PLAN
DWG. BY RM2	NEW FACILITY
APPR. BY	AMANI CENTER
FILE D-3521-C-4	DATE 11/28/2022

SHEET
C-4



LANDSCAPING LEGEND

-  PARKING TREES – CRAPE MYRTLE (LAGERSTROEMIA INDICA)
NO GREATER THAN 6' TALL AT THE TIME OF PLANTING
20'x12' AT MATURITY
QUANTITY: 15
-  SCREENING TREES
NORTHERN WHITE CEDAR (THUJA OCCIDENTALIS)
4'x8' AT MATURITY
QUANTITY: 14
-  SCREENING SHRUBS – OREGON GRAPE (MAHONIA AQUIFOLIUM)
2' TALL AT MATURITY
QUANTITY: 75-85
-  IN-FILL SHRUBS – OCEAN SPRAY (HOLODISCUS DISCOLOR)
4' – 5' TALL
QUANTITY: 15 TO 20
-  IN-FILL SHRUBS – KELSEY DOGWOOD (CORNUS SERICEA 'KELSEYII')
24" – 30" TALL AND WIDE
QUANTITY: 35 TO 40
-  SITE GROUNDCOVER KINNICKINICK (ARCTOSTAPHYLOS UVA-URSI)

PARKING REQUIREMENTS

COMMERCIAL REQUIREMENT:	1 SPACE PER 350 SQ. FT.
COMMERCIAL AREA PROPOSED:	8,008 SQ. FT.
COMMERCIAL PARKING REQUIRED:	23 SPACES (8008/350 = 22.88)
TOTAL PARKING:	36 SPACES
ON-SITE STANDARD SPACES (9'x18'):	20 SPACES
ON-SITE PARALLEL SPACES (8'x22'):	7 SPACES
ON-SITE COMPACT SPACES (8'x18'):	9 SPACES
ACCESSIBLE SPACES (9'x18'):	2 SPACE
BICYCLE PARKING:	4 SPACES

PARKING KEYNOTES

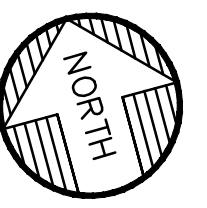
- ① NEW 9'W x 18'L STANDARD PARKING STALL (20 TOTAL), TYPICAL.
- ② NEW 9'W x 18'L ACCESSIBLE PARKING STALLS (2 TOTAL) WITH ALL REQUIRED ACCESSIBLE STRIPING AND SIGNAGE PER ODOT.
- ③ NEW 8'W x 15'L COMPACT PARKING STALL (9 TOTAL).
- ④ NEW 8'W x 22'L PARALLEL STALLS (7 TOTAL) WITH ALL REQUIRED ACCESSIBLE STRIPING AND SIGNAGE PER ODOT.
- ⑤ NEW CONCRETE SIDEWALK THROUGH PARKING AREA TO PROVIDE SAFE AND ACCESSIBLE PEDESTRIAN ACCESS.
- ⑥ OUTLINE OF 60-FOOT "Y", CONFIGURED FIRE TRUCK TURNAROUND.
- ⑦ CONCRETE SIDEWALK TO PROVIDE ACCESSIBLE ACCESS ROUTE TO PUBLIC RIGHT-OF-WAY. LOCATION AND ROUTE SHOWN ARE PRELIMINARY UNTIL AGREEMENT WITH ADJACENT LAND OWNERS IS MADE.

DATE: 10/13/2023
PRELIMINARY
NOT
FOR CONSTRUCTION

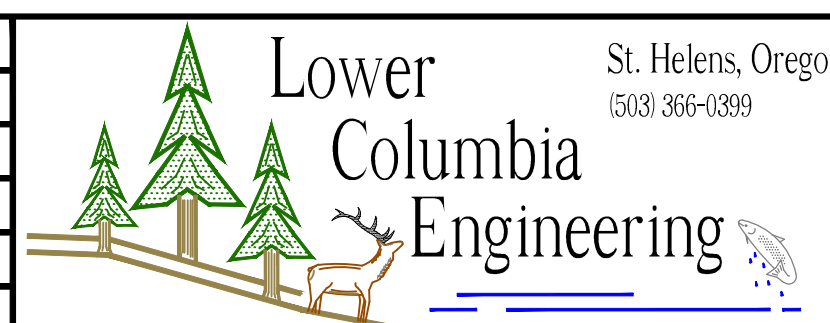


PARKING & LANDSCAPE PLAN

SCALE: 1" = 20'-0"

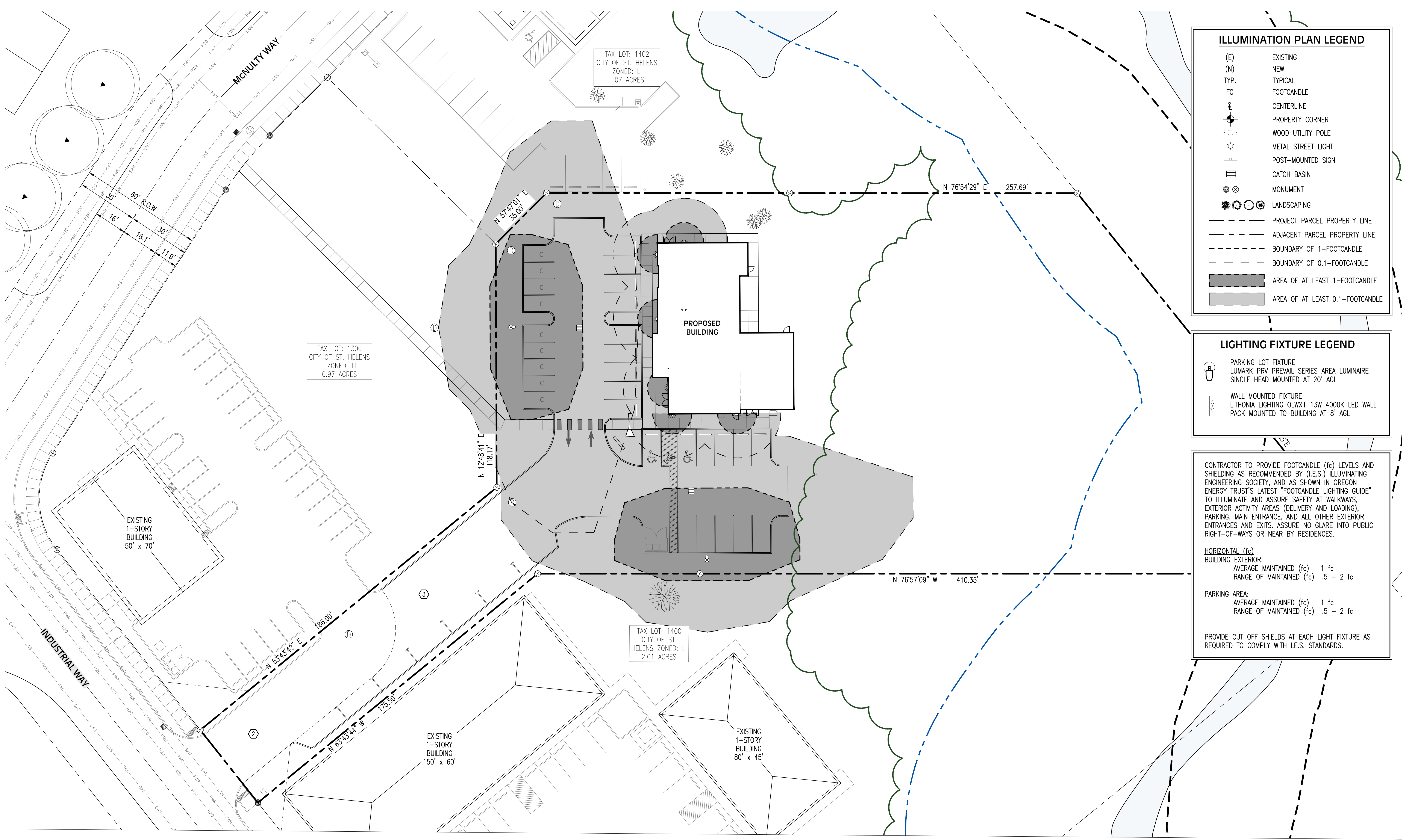


REV.	REVISION RECORD	DATE



PROJ. NO.	3521	PARKING & LANDSCAPE PLAN
DWG. BY	RM2	NEW FACILITY
APPR. BY	AMANI CENTER	
FILE	D-3521-C-5	DATE 10/31/2022

SHEET
C-5



ILLUMINATION PLAN LEGEND

- (E) EXISTING
- (N) NEW
- TYP. TYPICAL
- FC FOOTCANDLE
- CL CENTERLINE
- PC PROPERTY CORNER
- WUP WOOD UTILITY POLE
- MSL METAL STREET LIGHT
- PMSP POST-MOUNTED SIGN
- CB CATCH BASIN
- M MONUMENT
- LAN LANDSCAPING
- PPR PROJECT PARCEL PROPERTY LINE
- APR ADJACENT PARCEL PROPERTY LINE
- B1F BOUNDARY OF 1-FOOTCANDLE
- B0.1F BOUNDARY OF 0.1-FOOTCANDLE
- A1F AREA OF AT LEAST 1-FOOTCANDLE
- A0.1F AREA OF AT LEAST 0.1-FOOTCANDLE

LIGHTING FIXTURE LEGEND

- PLF PARKING LOT FIXTURE
LUMARK PRV PREVAIL SERIES AREA LUMINAIRE
SINGLE HEAD MOUNTED AT 20° AGL
- WLF WALL MOUNTED FIXTURE
LITHONIA LIGHTING QLWX1 13W 4000K LED WALL
PACK MOUNTED TO BUILDING AT 8° AGL

CONTRACTOR TO PROVIDE FOOTCANDLE (fc) LEVELS AND SHIELDING AS RECOMMENDED BY (I.E.S.) ILLUMINATING ENGINEERING SOCIETY, AND AS SHOWN IN OREGON ENERGY TRUST'S LATEST "FOOTCANDLE LIGHTING GUIDE" TO ILLUMINATE AND ASSURE SAFETY AT WALKWAYS, EXTERIOR ACTIVITY AREAS (DELIVERY AND LOADING), PARKING, MAIN ENTRANCE, AND ALL OTHER EXTERIOR ENTRANCES AND EXITS. ASSURE NO GLARE INTO PUBLIC RIGHT-OF-WAYS OR NEAR BY RESIDENCES.

HORIZONTAL (fc)
BUILDING EXTERIOR:
 AVERAGE MAINTAINED (fc) 1 fc
 RANGE OF MAINTAINED (fc) .5 - 2 fc

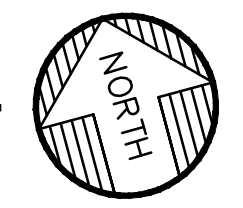
PARKING AREA:
 AVERAGE MAINTAINED (fc) 1 fc
 RANGE OF MAINTAINED (fc) .5 - 2 fc

PROVIDE CUT OFF SHIELDS AT EACH LIGHT FIXTURE AS REQUIRED TO COMPLY WITH I.E.S. STANDARDS.

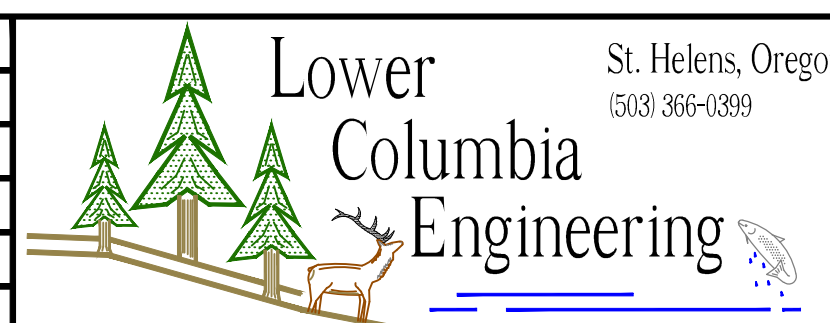
DATE: 10/13/2023
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PARKING & LANDSCAPE PLAN
 SCALE: 1" = 20'-0"

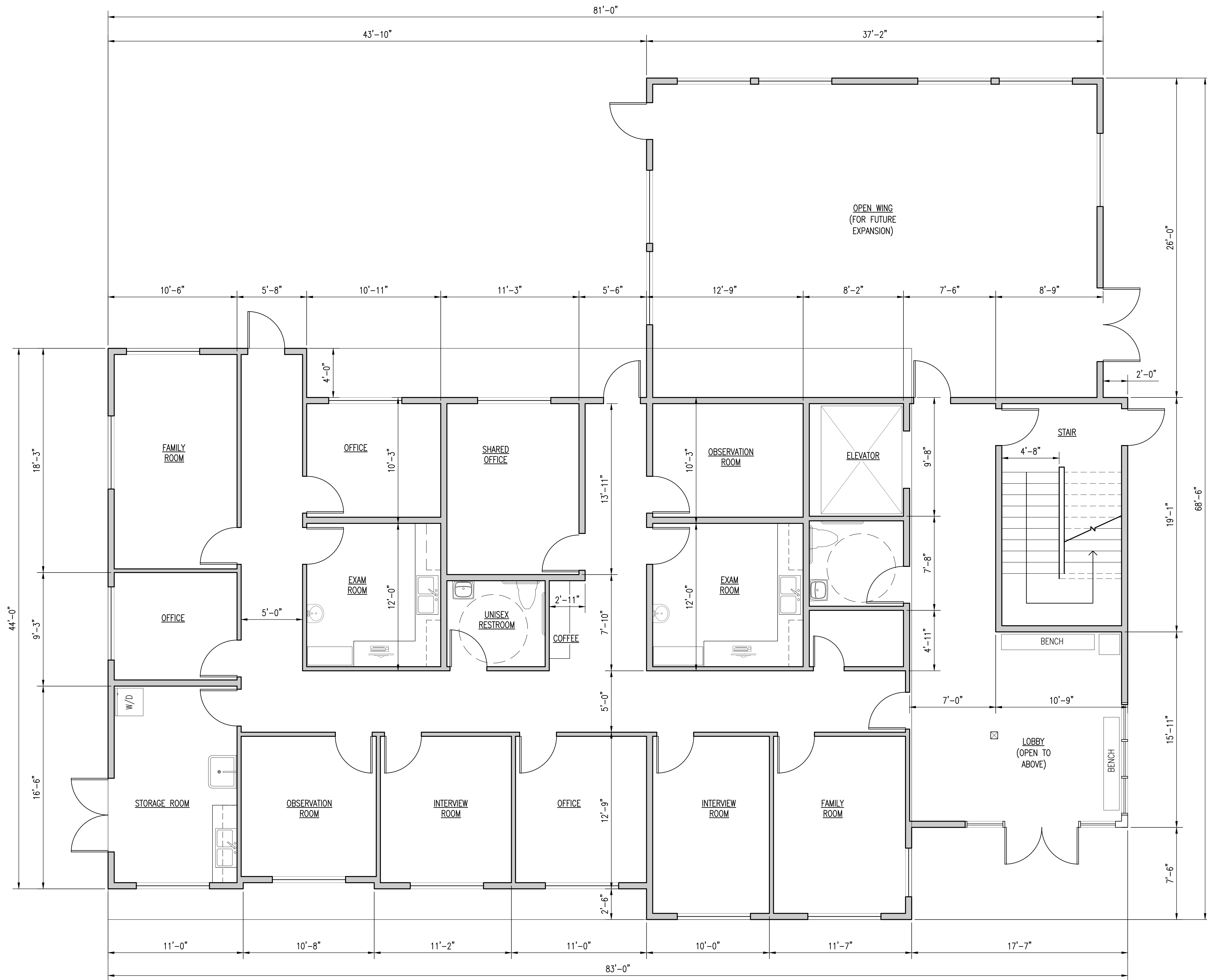


REV.	REVISION RECORD	DATE



PROJ. NO. 3521	ILLUMINATION PLAN
DWG. BY RM2	NEW FACILITY
APPR. BY	AMANI CENTER
FILE D-3521-C-6	DATE 10/31/2022

SHEET
C-6

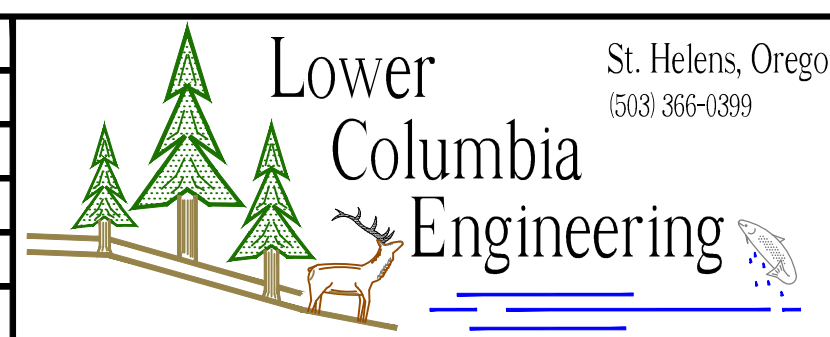


DATE: 10/13/2023
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 NOT
 FOR CONSTRUCTION

GROUND LEVEL FLOOR PLAN
 SCALE: 1/4" = 1'-0"

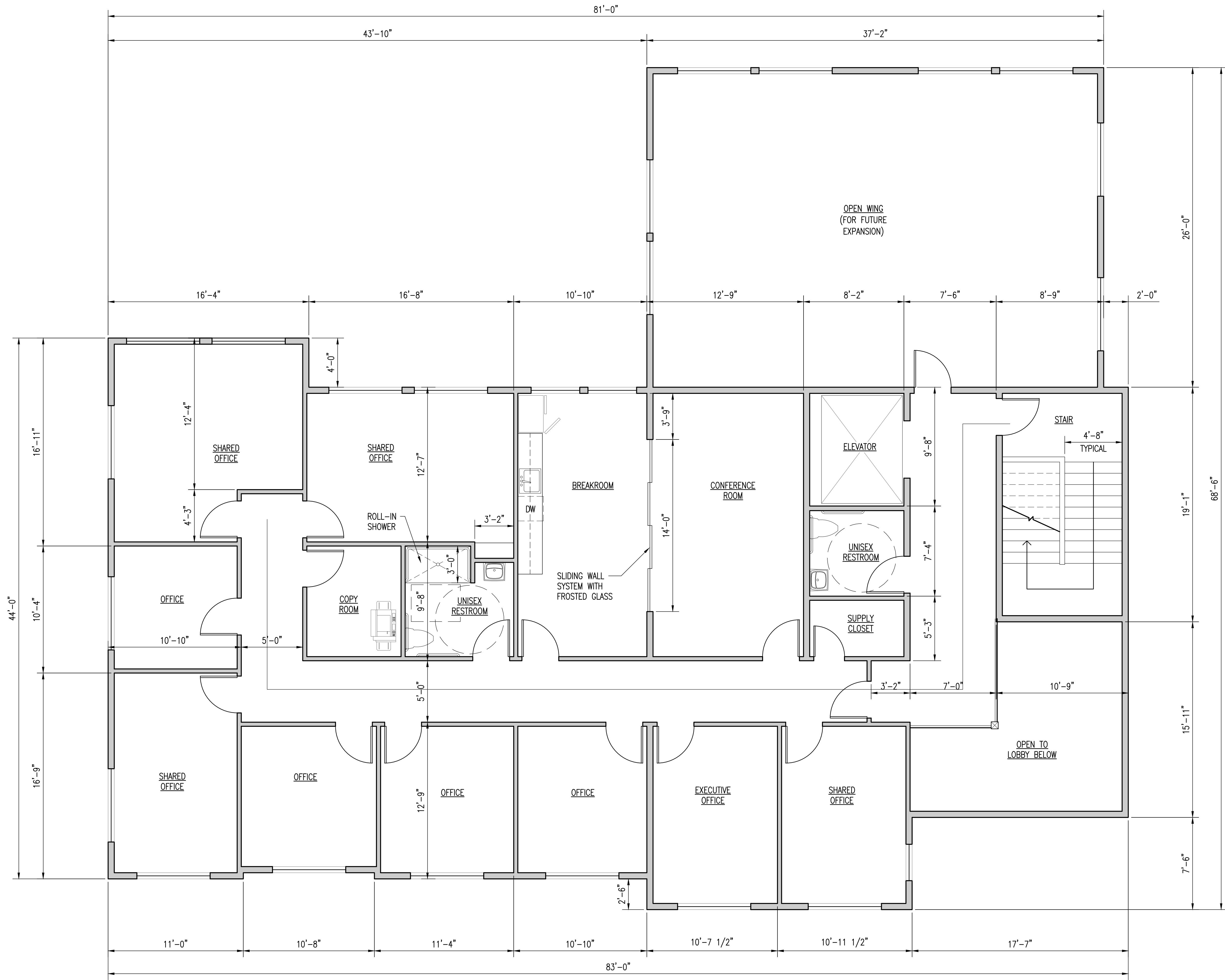


REV.	REVISION RECORD	DATE



PROJ. NO. 3521	GROUND LEVEL FLOOR PLAN
DWG. BY MLA	NEW FACILITY
APPR. BY	AMANI CENTER
FILE D-3521-A-1	DATE 11/28/2022

SHEET **A-1**

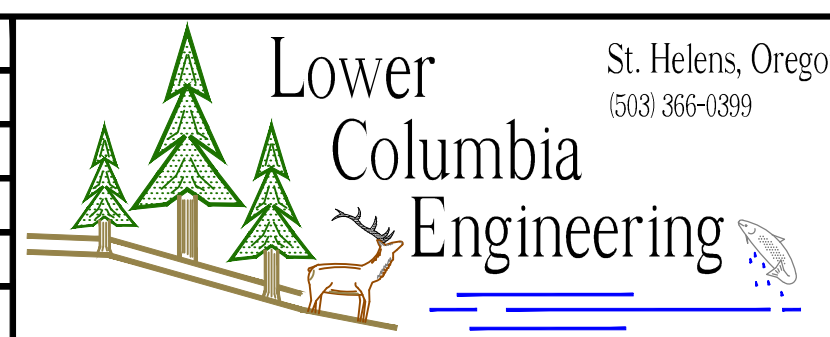


UPPER LEVEL FLOOR PLAN
SCALE: 1/4" = 1'-0"



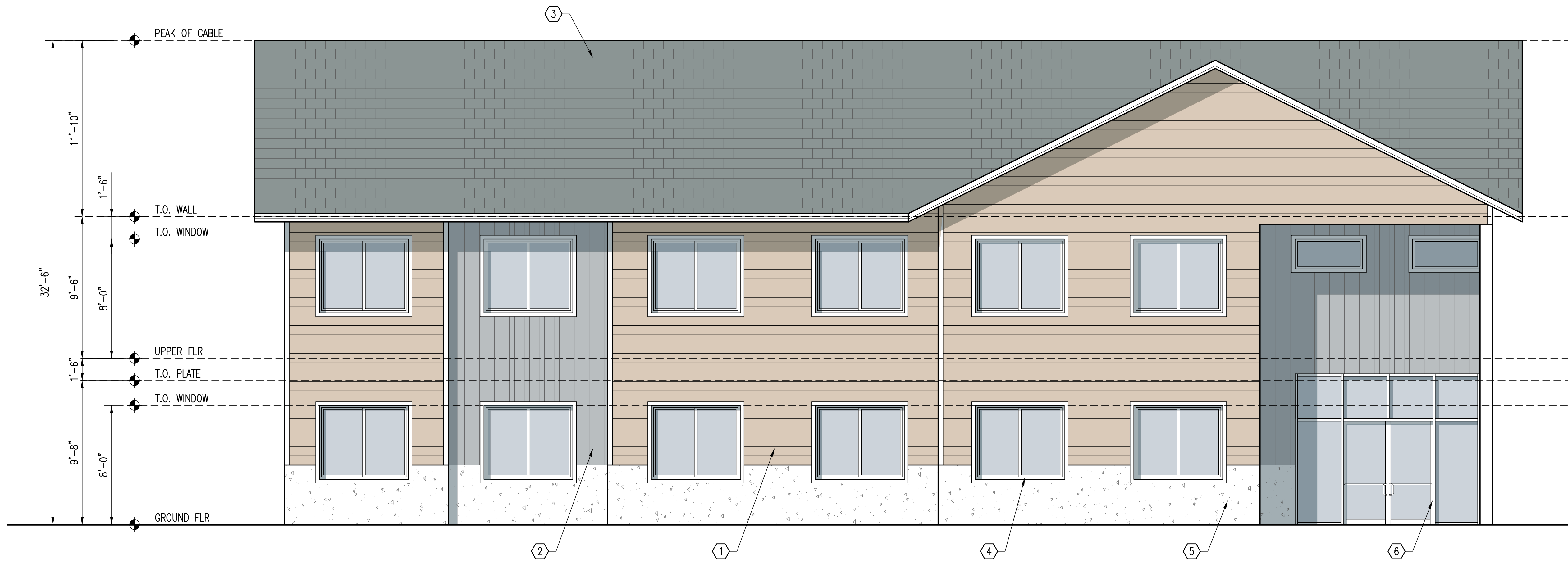
DATE: 10/13/2023
PRELIMINARY
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FOR CONSTRUCTION

REV.	REVISION RECORD	DATE

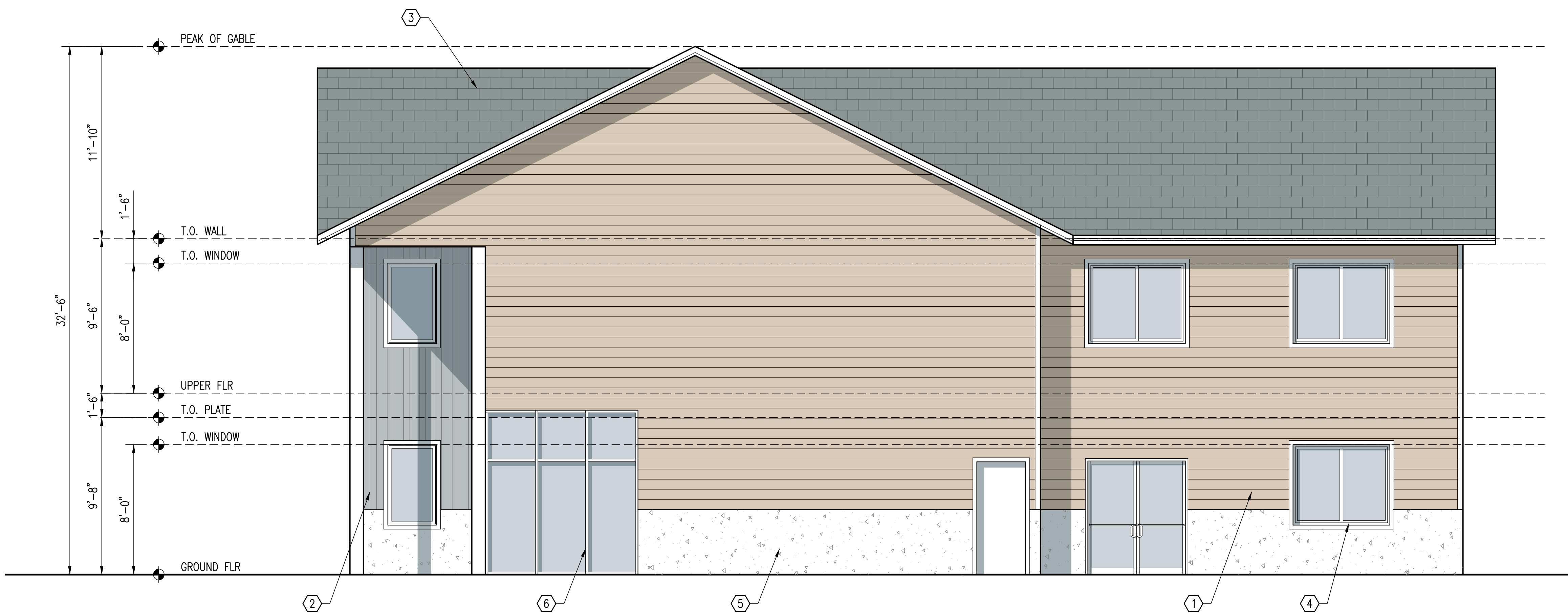


PROJ. NO.	3521	UPPER LEVEL FLOOR PLAN
DWG. BY	MLA	NEW FACILITY
APPR. BY	AMANI CENTER	SHEET
FILE	D-3521-A-2	DATE 11/28/2022

A-2



EXTERIOR ELEVATION - WEST
SCALE: 1/4"=1'-0"



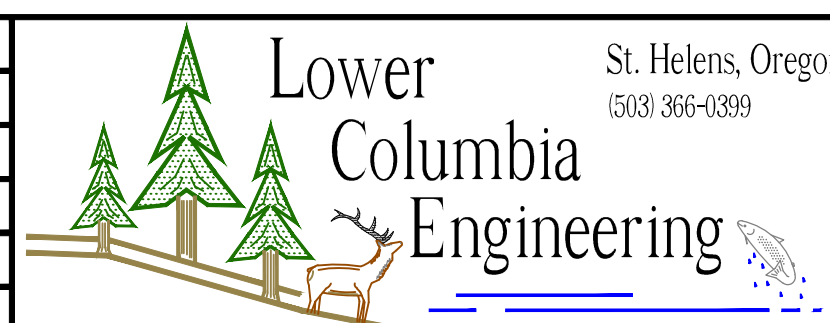
EXTERIOR ELEVATION - SOUTH
SCALE: 1/4"=1'-0"

MATERIALS KEYNOTES	
①	T&G HORIZONTAL CEDAR SIDING (NATURAL COLOR)
②	METAL PANEL OR BOX RIB SIDING (GRAPHITE)
③	DIMENSIONAL ASPHALT SHINGLE ROOF
④	ALUMINUM MULLIONS (CHARCOAL)
⑤	CONCRETE BASE
⑥	ALUMINUM STOREFRONT GLAZING AT ENTRY

*FINISHES, PROFILES, AND COLORS ARE PRELIMINARY AND SUBJECT TO CHANGE

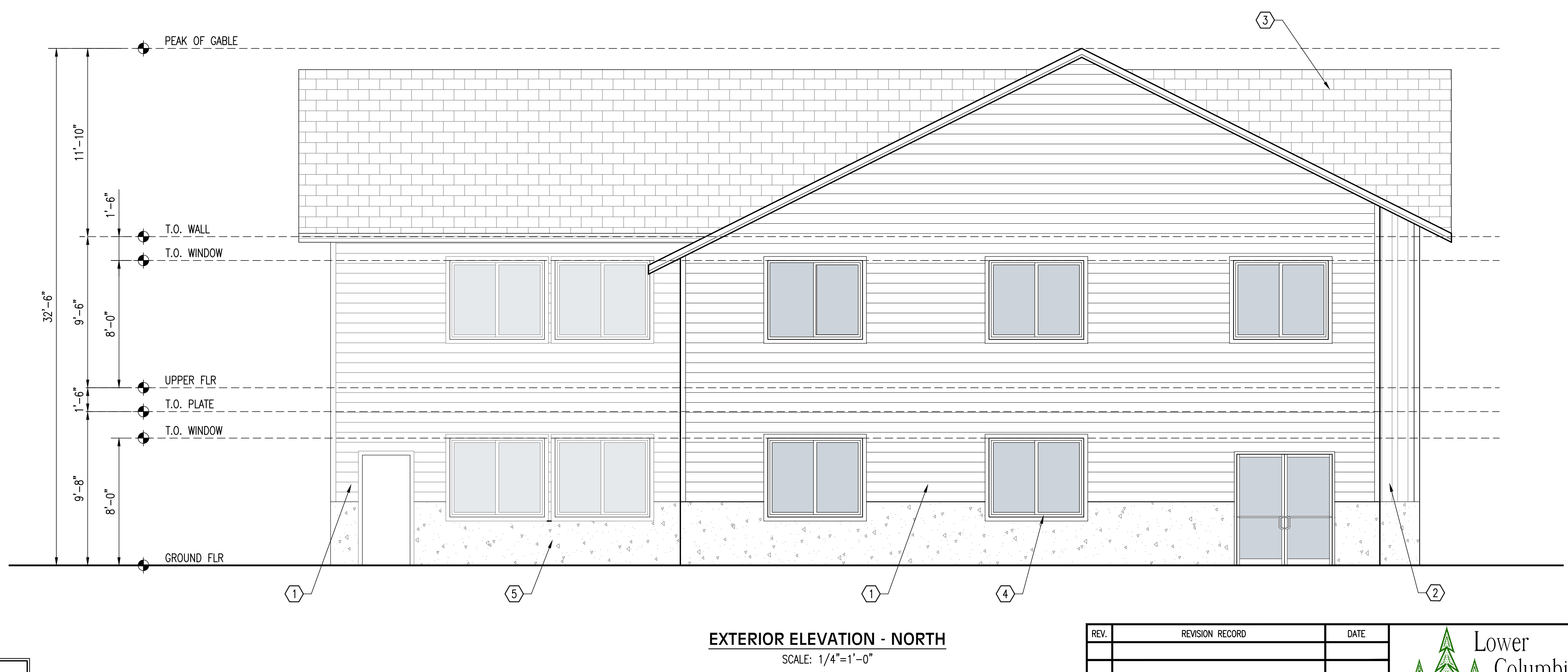
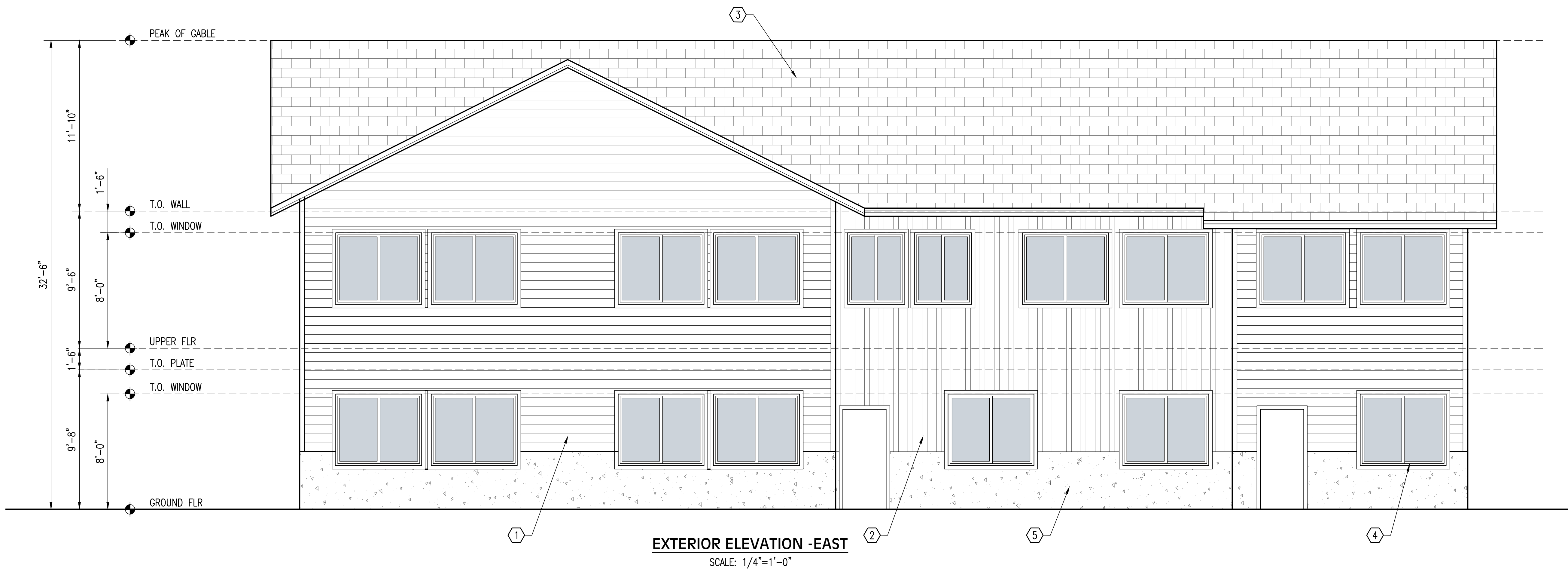
DATE: 10/13/2023
PRELIMINARY
NOT
FOR CONSTRUCTION

REV.	REVISION RECORD	DATE



PROJ. NO.	3423	EXTERIOR ELEVATIONS
DWG. BY	MLA	AMANI CENTER
APPR. BY	ERIC DAHLGREN	SHEET
FILE	D-3423-A-3	DATE 11/24/22

A-3



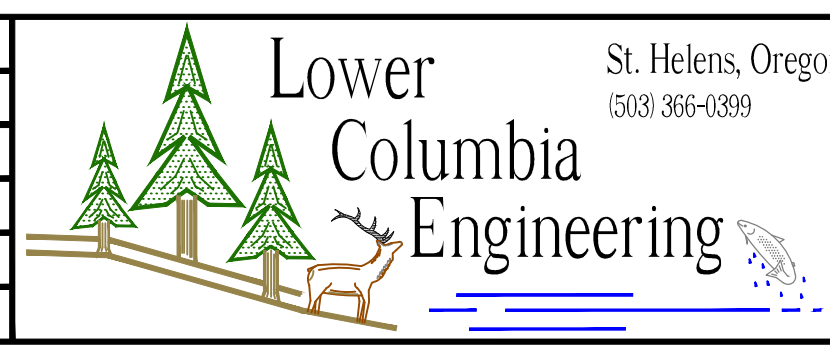
MATERIALS KEYNOTES

- ① T&G HORIZONTAL CEDAR SIDING (NATURAL COLOR)
- ② METAL PANEL OR BOX RIB SIDING (GRAPHITE)
- ③ DIMENSIONAL ASPHALT SHINGLE ROOF
- ④ ALUMINUM MULLIONS (CHARCOAL)
- ⑤ CONCRETE BASE
- ⑥ ALUMINUM STOREFRONT GLAZING AT ENTRY

*FINISHES, PROFILES, AND COLORS ARE PRELIMINARY AND SUBJECT TO CHANGE

DATE: 10/13/2023
PRELIMINARY
NOT
FOR CONSTRUCTION

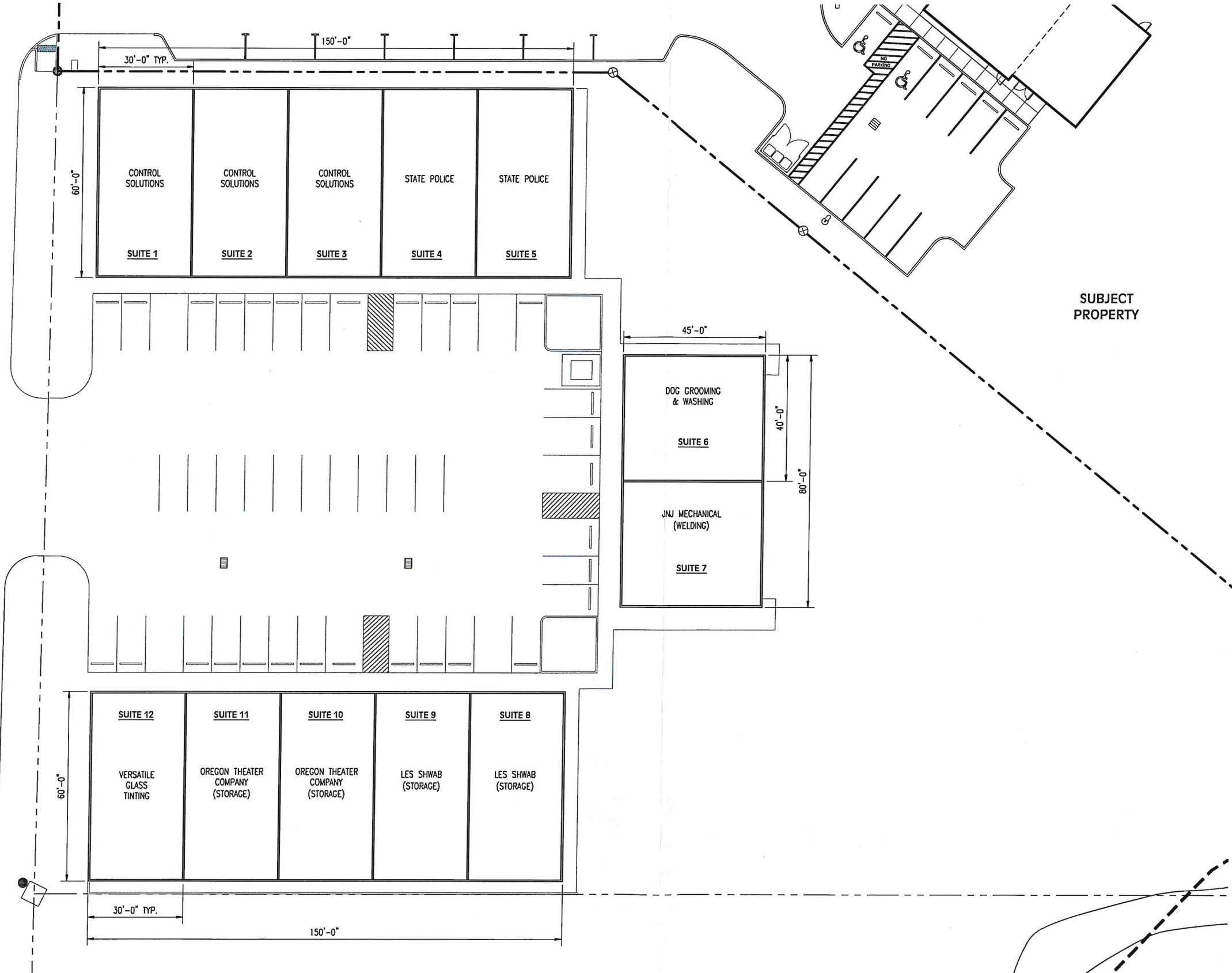
REV.	REVISION RECORD	DATE



PROJ. NO.	3423	EXTERIOR ELEVATIONS
DWG. BY	MLA	AMANI CENTER
APPR. BY	ERIC DAHLGREN	SHEET
FILE	D-3423-A-4	DATE 11/24/22

A-4

INDUSTRIAL WAY



ADJACENT OCCUPANCIES - DAHLGREN BUILDING
SCALE: 1/16"=1'-0"

REV.	REVISION RECORD	DATE



PROJ. NO.	3423	EXHIBIT D - ADJACENT OCCUPANCIES (DAHLGREN)
DWG. BY	PCD	AMANI CENTER
APPR. BY	ERIC DAHLGREN	SHEET
FILE	D-3423-EX-D	DATE 11/24/22

EX-D

Amani Center Building Project

Children deserve special care after being victims or witnesses to crime--to share their stories and provide evidence in a safe, trauma-informed environment.

The Amani Center ensures children are not re-traumatized by sharing their stories over and over with investigators, therapists, and other care providers.

Children also receive evidence-based therapy that helps them heal from their difficult experiences. Through holistic support, children can flourish after a traumatic incident.

Why?

Assessment and mental health services reduce trauma and provide better long-term health outcomes for children and families. Forensic Child Abuse Assessments help investigators obtain quality evidence that is admissible in court and can be used to hold perpetrators accountable, resulting in increased community safety and preventing additional victims.

What?

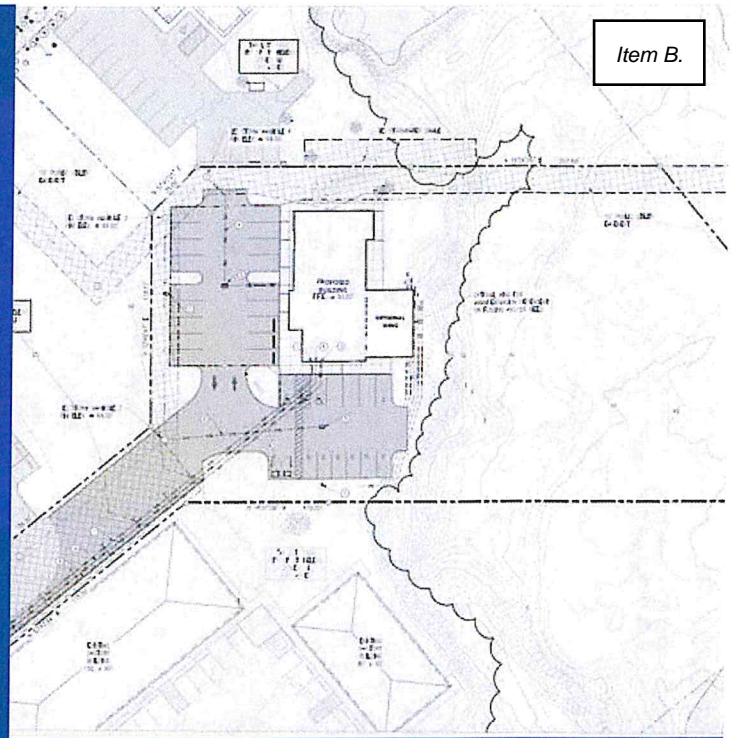
Construct a new facility providing space for therapy services

- double forensic medical service capacity
- increase privacy, security, and organizational capacity
- decrease wait time

8,000 sq ft, two-story building on Industrial way in St. Helens

For More Information:

Beth Pulito
Development Manager
bpulito@amanicenter.org
503-318-0568



Who?

Long-time supporters, Eric and Christine Dahlgren, proposed this vision and donated property to launch the project. Lower Columbia Engineering has provided conceptual drawings and PHK/Artis Construction has provided consultation regarding construction and development.



Expansion Project Impact

Current/Baseline

**Forensic Medical
Assessments**

130

**Mental Health
Services**

0

Wait Time

2-4 weeks

New Building

**Forensic Medical
Assessment**

350

(up to 750 at full capacity
expansion)

**Mental Health
Services by
2 therapists**

20/week

Wait Time

Max 2 weeks
Walk-In and Urgent
Services Available.

Additional Services & Considerations

Current

- Full-time Family Nurse Practitioner on staff
- Support Services & Victim Advocacy

With New Building

- Therapy services on site
- Simultaneous medical exams
- Urgent response assessment services
- Increased funding sustainability
- ADA Compliant

How you can help:

Amani Center has met the needs of children experiencing trauma for 23 years. We are excited to continue growing to serve future generations.

We would like to have you as a partner in our continued growth!

To sign up for project updates, please e-mail;
Bpulito@amanicenter.org

Timeline:

August-October 2023 -

- Schematic drawings completed;
- Conditional use permit granted;
- Feasibility Study

October-December 2023 -

- Value engineering (in-kind donations);
- Campaign Development
- Key community partner engagement
- Early indicators of funding success

January-June 2024 -

- Construction drawings completed;
- Campaign Kick Off Event
- Final permitting; Minimum 75% capital funding committed

July 2024-June 2025 -

- Construction & Opening;
- 100% funding committed



Lower Columbia Engineering
58640 McNulty Way
St. Helens, OR 97051
503.366.0399

Item B.

Amani Center

Type of Project: Non-Profit Office Building
St. Helens, OR

Preliminary Stormwater Report

October 13th, 2023
LCE Project No. 3521



Table of Contents

Stormwater Narrative..... 3
Attachment A- Soil Survey..... 4
Attachment B- Stormwater Calculations 6

This report pertains to the proposed private improvements described below based on specific requests by our clients. Lower Columbia Engineering is not responsible for complying with any conditions of approval or adjacent storm drainage issues that are outside of the project area. Contact Lower Columbia Engineering with any questions or uncertainties. Maintenance of this system and verification of property line locations are the responsibility of others.

Stormwater Narrative

Project Description

This project, centered at 45°50'44"N, 122°49'40"W in St. Helens, Oregon focuses on the development of an office building for a non-profit organization dealing with child welfare. The property occupies a total of 1.68 acres over tax lot 1401; tax map 4108AD. For the purposes of this stormwater report, the project area occupies approximately 35,000 square feet (0.80 acres) with much of the eastern portion of the property left unaltered. Of this total project area, 3,260 square feet is an existing impervious driveway installed for access to the adjacent property, lot 1300. The remaining portion of the project property is comprised of vegetated land with some grass cover, brambles, forest cover and McNulty Creek at the eastern end. Along a portion of the northern edge of the property, there is an existing stormwater swale which was constructed as part of a stormwater system built along with the development of lot 1300. This existing swale provides treatment for runoff from lot 1300's frontage on McNulty Way and Industrial Way along with the parking and building surfaces of lot 1300. Stormwater piping is routed within established easements through the project property and the swale discharges 50' to the east allowing runoff to naturally drain toward the McNulty Creek riparian area. Proposed conditions for the project include the development of a new building, additional parking area, extension of the existing driveway and landscaping. Stormwater runoff from this development will be properly captured and conveyed to the existing stormwater system which leads to the swale that is adjacent to the new building area. Similar to the existing storm system, this runoff will be treated through the swale and continue to the adjacent, undisturbed vegetated area and continue toward the riparian area. If water is not fully absorbed during sheet flow across the undisturbed land, McNulty Creek will be the receiving water body eventually flowing to Scappoose Creek and then the Columbia River.

Stormwater Analysis

Stormwater events for the existing system and this project were calculated using the SBUH method given a Type IA storm type within the HydroCAD software system. Western Regional Climate Center's Precipitation Frequency Maps were referenced to include 10-year, 25-year, and 100-year storm event depths as 3.0 inches, 3.4 inches, and 4.0 inches, respectively, over a 24-hour period. Soil Survey Maps from the NRCS were referenced to determine the site's soil compositions as Rock Outcrop- Xerumbrepts complex, with a hydrologic soil group of D (see attached soil survey).

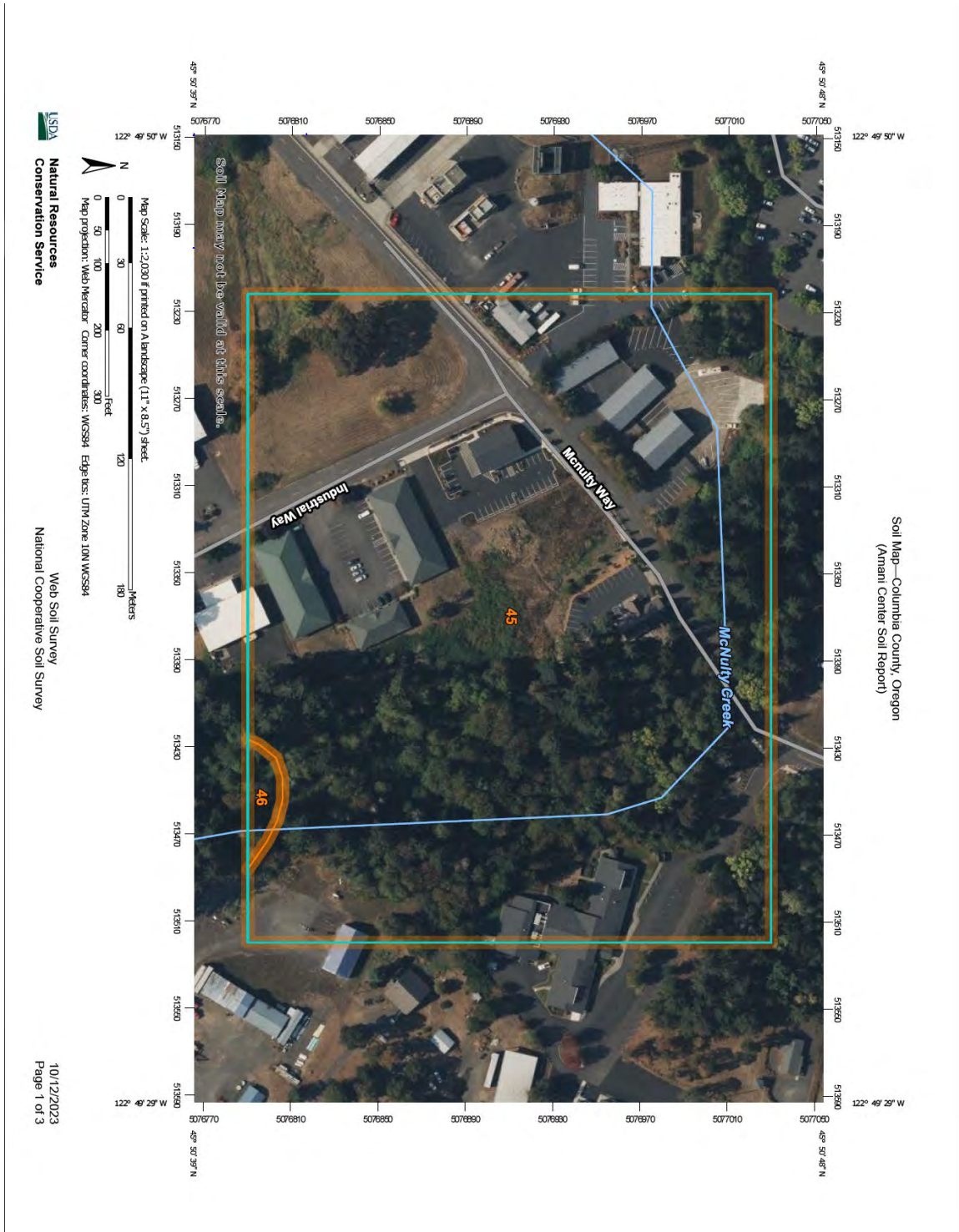
Stormwater Design

Stormwater runoff from the proposed development has been designed to be captured through standard roof drainage and catch basins to the existing public stormwater system on site. Similar to the adjacent developed land's runoff, stormwater will be conveyed through storm sewer infrastructure and discharged into the existing swale for flow-through treatment. From the swale, stormwater will discharge through the outlet piping onto the undisturbed vegetated area and allowed to sheet flow naturally with the terrain sloping down toward McNulty Creek at the east end of the property. Existing infrastructure has been analyzed and is capable of handling the increased amount of runoff that will be directed into the system. It is intended that beyond the public system, natural flow patterns will be maintained. See the corresponding stormwater plans for further illustration. Stormwater calculations may be seen in Attachment B.

Conclusion

Development of the Amani Center on lot 1401 will utilize standard methods of capturing and conveying stormwater runoff to the existing public storm system on site. The existing system has been analyzed to have enough capacity to handle the additional runoff from this development. The property owner will be responsible for the proper installation of the stormwater connections as well as maintenance of the private system, including regular cleaning of the catch basins.

Attachment A- Soil Survey



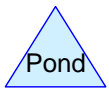
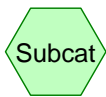
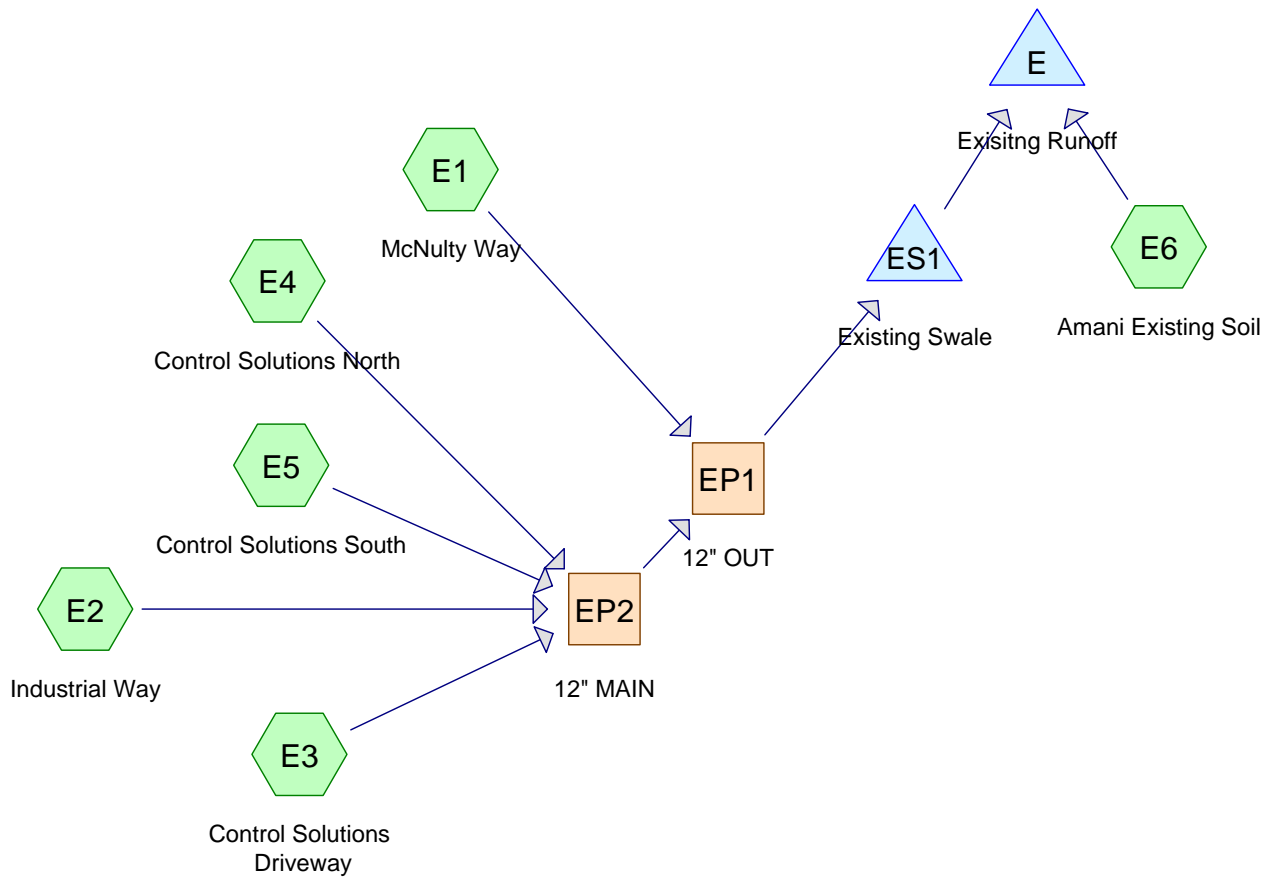


Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
45	Rock outcrop-Xerumbrepts complex, undulating	17.6	99.1%
46	Sauvie silt loam	0.2	0.9%
Totals for Area of Interest		17.7	100.0%



Attachment B- Stormwater Calculations



Routing Diagram for 3521 Storm Calcs
Prepared by Lower Columbia Engineering, Printed 10/13/2023
HydroCAD® 10.00-26 s/n 07313 © 2020 HydroCAD Software Solutions LLC

3521 Storm Calcs

Prepared by Lower Columbia Engineering

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Amani Center Existing Storm
Type IA 24-hr 100YR Rainfall=4.00"

Printed 10/13/2023

Page 4

Summary for Subcatchment E6: Amani Existing Soil

[46] Hint: Tc=0 (Instant runoff peak depends on dt)

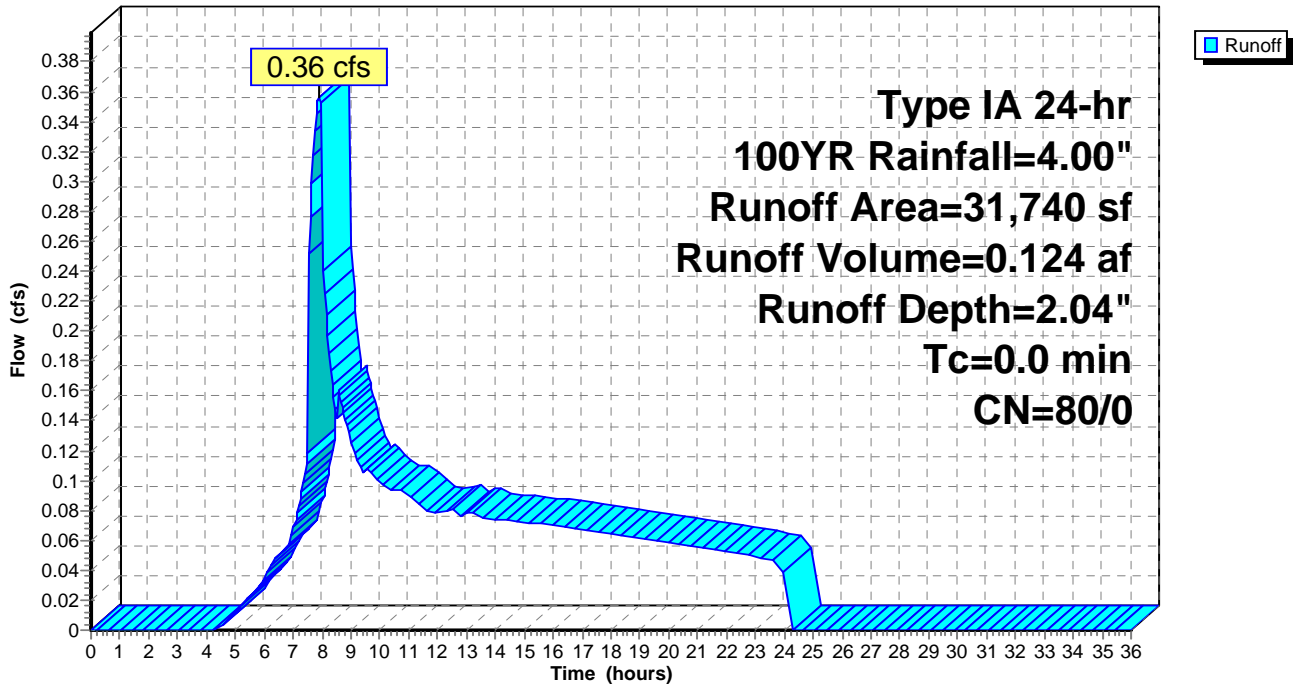
Runoff = 0.36 cfs @ 7.91 hrs, Volume= 0.124 af, Depth= 2.04"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-36.00 hrs, dt= 0.05 hrs
Type IA 24-hr 100YR Rainfall=4.00"

Area (sf)	CN	Description
31,740	80	>75% Grass cover, Good, HSG D
31,740	80	100.00% Pervious Area

Subcatchment E6: Amani Existing Soil

Hydrograph



3521 Storm Calcs

Prepared by Lower Columbia Engineering

HydroCAD® 10.00-26 s/n 07313 © 2020 HydroCAD Software Solutions LLC

Amani Center Existing Storm
Type IA 24-hr 100YR Rainfall=4.00"

Printed 10/13/2023

Page 2

Summary for Pond ES1: Existing Swale

[61] Hint: Exceeded Reach EP1 outlet invert by 0.10' @ 7.85 hrs

Inflow Area = 0.590 ac, 100.00% Impervious, Inflow Depth = 3.77" for 100YR event
 Inflow = 0.56 cfs @ 7.83 hrs, Volume= 0.185 af
 Outflow = 0.56 cfs @ 7.84 hrs, Volume= 0.185 af, Atten= 0%, Lag= 0.7 min
 Discarded = 0.00 cfs @ 7.84 hrs, Volume= 0.002 af
 Primary = 0.56 cfs @ 7.84 hrs, Volume= 0.184 af

Routing by Stor-Ind method, Time Span= 0.00-36.00 hrs, dt= 0.05 hrs
 Peak Elev= 58.45' @ 7.84 hrs Surf.Area= 41 sf Storage= 15 cf

Plug-Flow detention time= 0.8 min calculated for 0.185 af (100% of inflow)
 Center-of-Mass det. time= 0.8 min (659.6 - 658.8)

Volume	Invert	Avail.Storage	Storage Description
#1	58.00'	931 cf	Custom Stage Data (Irregular) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Perim. (feet)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
58.00	25	63.8	0	0	25
63.00	430	67.8	931	931	357

Device	Routing	Invert	Outlet Devices
#1	Discarded	58.00'	1.000 in/hr Exfiltration over Wetted area
#2	Primary	58.00'	8.0" Vert. 8" Outflow C= 0.600

Discarded OutFlow Max=0.00 cfs @ 7.84 hrs HW=58.45' (Free Discharge)
 ↑1=Exfiltration (Exfiltration Controls 0.00 cfs)

Primary OutFlow Max=0.56 cfs @ 7.84 hrs HW=58.45' (Free Discharge)
 ↑2=8" Outflow (Orifice Controls 0.56 cfs @ 2.27 fps)

3521 Storm Calcs

Prepared by Lower Columbia Engineering

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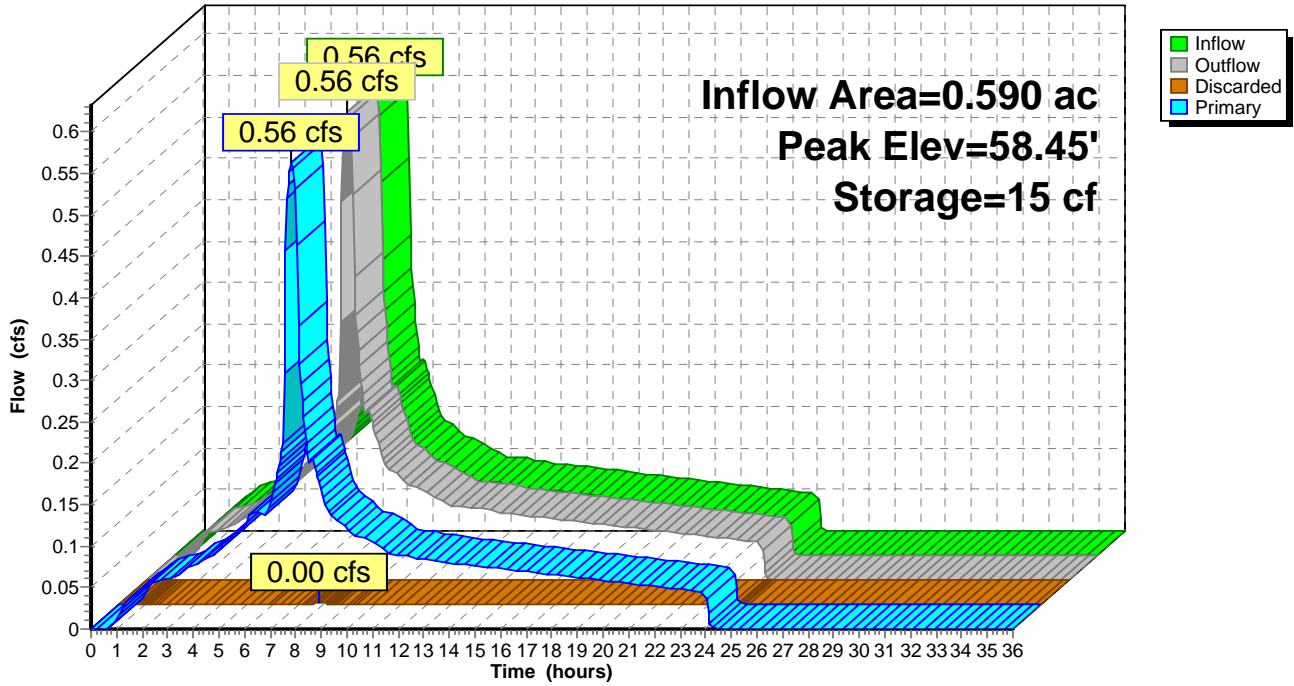
Amani Center Existing Storm
Type IA 24-hr 100YR Rainfall=4.00"

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Page 3

Pond ES1: Existing Swale

Hydrograph



3521 Storm Calcs

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Amani Center Existing Storm
Type IA 24-hr 100YR Rainfall=4.00"

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Summary for Pond E: Existing Runoff

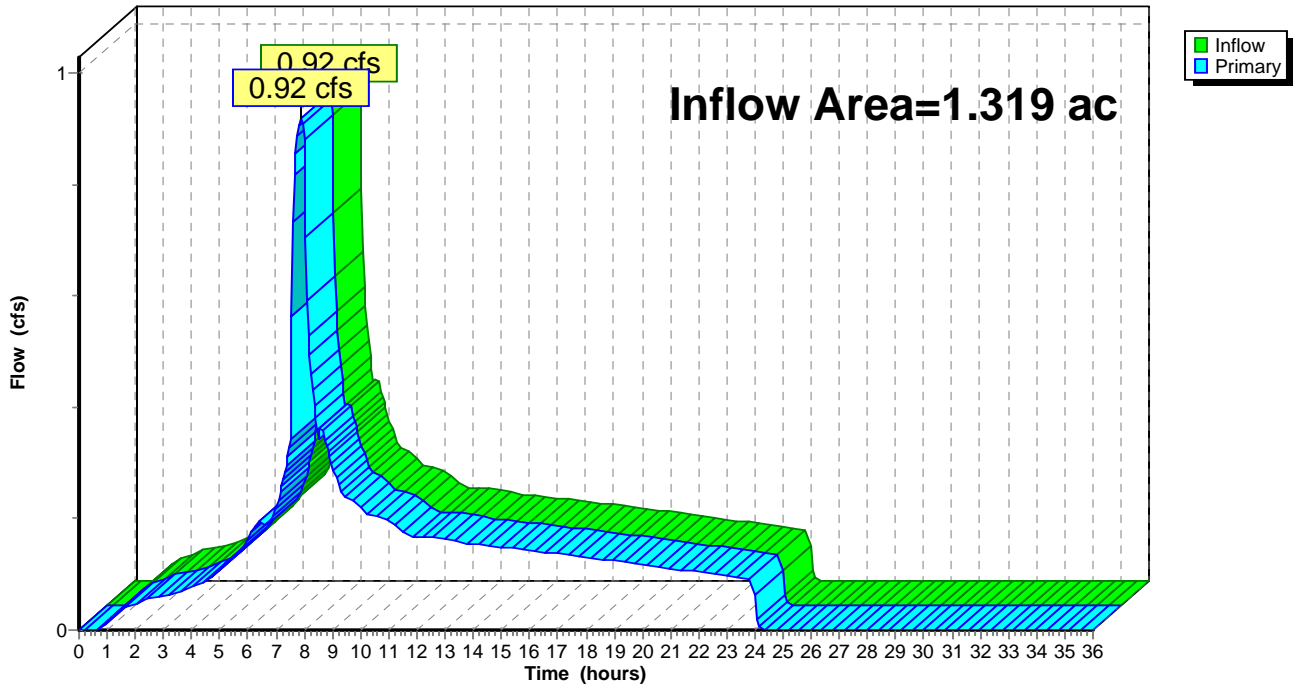
[40] Hint: Not Described (Outflow=Inflow)

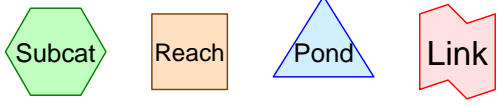
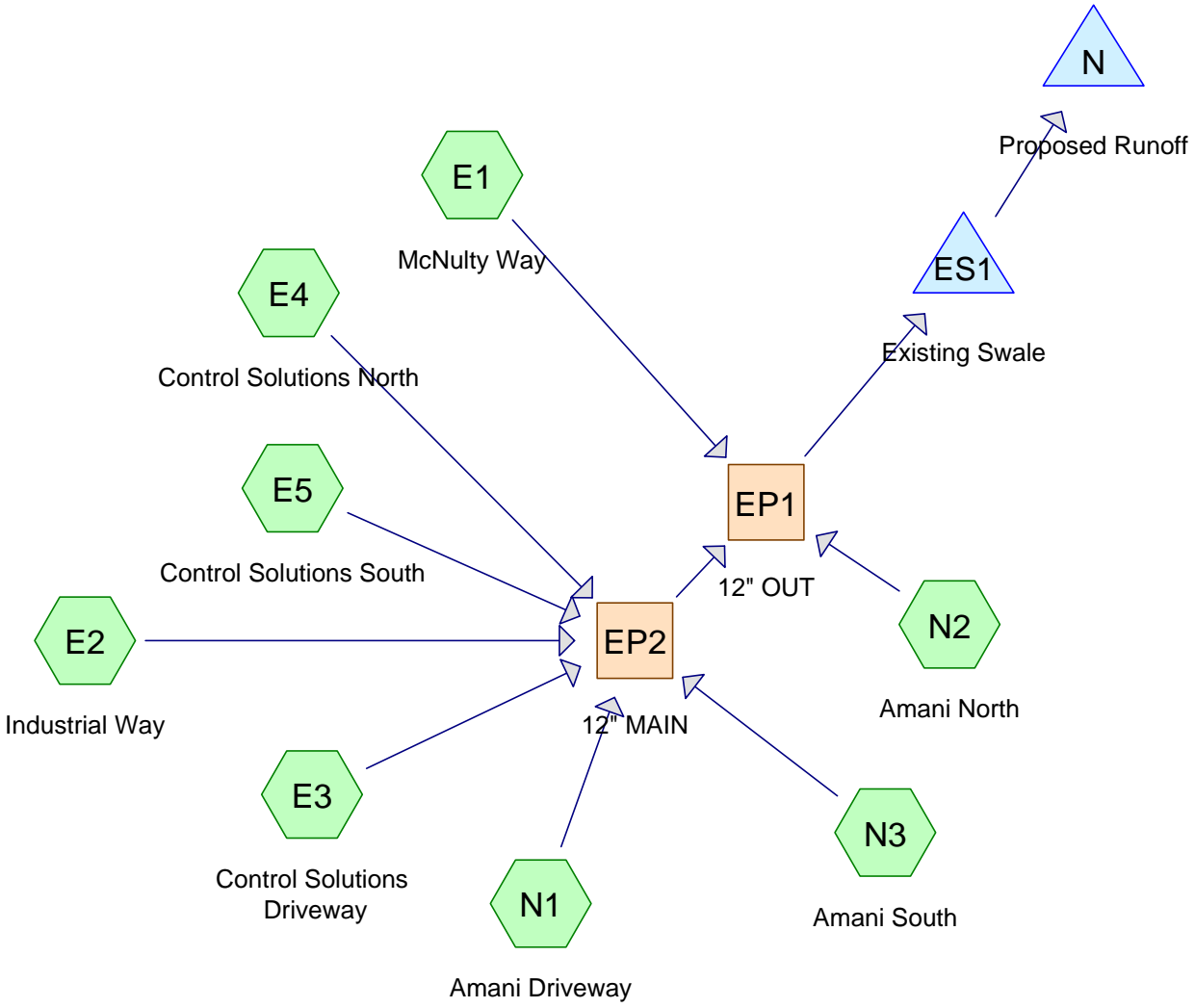
Inflow Area = 1.319 ac, 44.76% Impervious, Inflow Depth = 2.80" for 100YR event
Inflow = 0.92 cfs @ 7.87 hrs, Volume= 0.308 af
Primary = 0.92 cfs @ 7.87 hrs, Volume= 0.308 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind method, Time Span= 0.00-36.00 hrs, dt= 0.05 hrs

Pond E: Existing Runoff

Hydrograph





Routing Diagram for 3521 Storm Calcs
Prepared by Lower Columbia Engineering, Printed 10/13/2023
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3521 Storm Calcs

Prepared by Lower Columbia Engineering

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Amani Center Proposed Storm
Type IA 24-hr 100YR Rainfall=4.00"

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Summary for Subcatchment N1: Amani Driveway

Driveway

[46] Hint: Tc=0 (Instant runoff peak depends on dt)

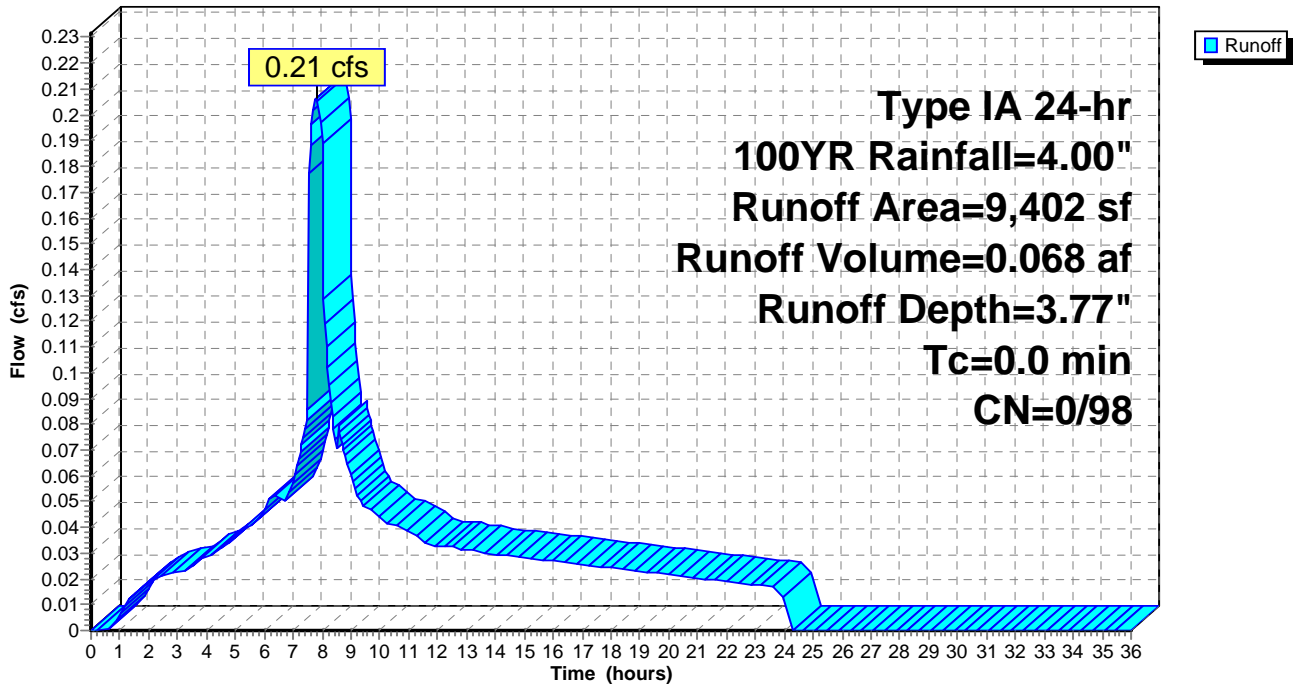
Runoff = 0.21 cfs @ 7.80 hrs, Volume= 0.068 af, Depth= 3.77"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-36.00 hrs, dt= 0.05 hrs
Type IA 24-hr 100YR Rainfall=4.00"

	Area (sf)	CN	Description
*	9,402	98	Roadway
	9,402	98	100.00% Impervious Area

Subcatchment N1: Amani Driveway

Hydrograph



3521 Storm Calcs

Prepared by Lower Columbia Engineering

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Amani Center Proposed Storm
Type IA 24-hr 100YR Rainfall=4.00"

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Summary for Subcatchment N2: Amani North

[46] Hint: Tc=0 (Instant runoff peak depends on dt)

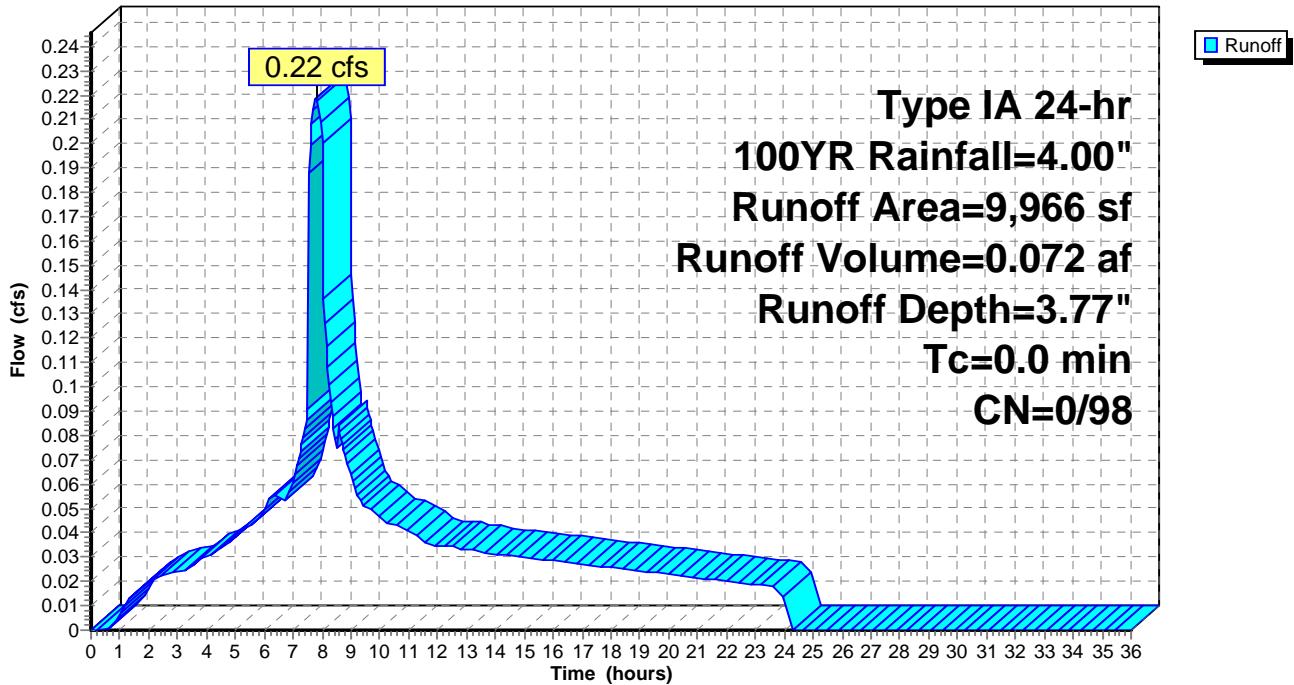
Runoff = 0.22 cfs @ 7.80 hrs, Volume= 0.072 af, Depth= 3.77"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-36.00 hrs, dt= 0.05 hrs
Type IA 24-hr 100YR Rainfall=4.00"

	Area (sf)	CN	Description
*	9,966	98	Building and Parking
	9,966	98	100.00% Impervious Area

Subcatchment N2: Amani North

Hydrograph



3521 Storm Calcs

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Amani Center Proposed Storm
Type IA 24-hr 100YR Rainfall=4.00"

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Summary for Subcatchment N3: Amani South

[46] Hint: Tc=0 (Instant runoff peak depends on dt)

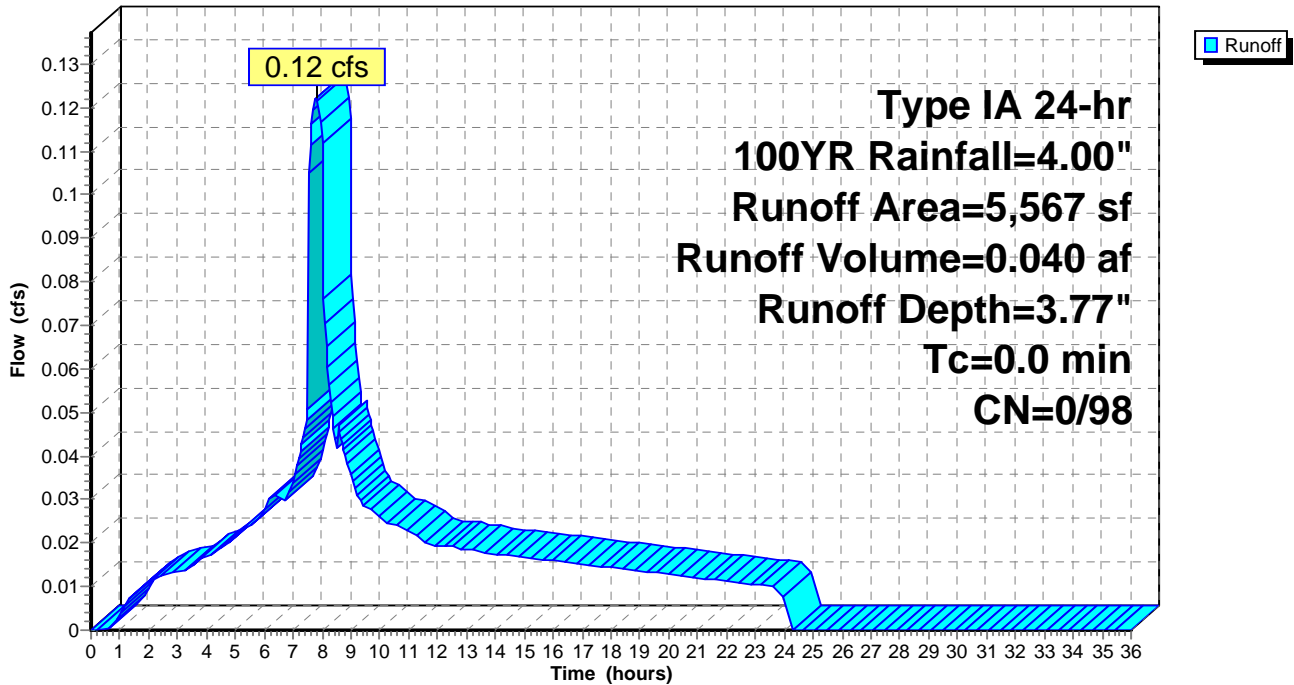
Runoff = 0.12 cfs @ 7.80 hrs, Volume= 0.040 af, Depth= 3.77"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-36.00 hrs, dt= 0.05 hrs
Type IA 24-hr 100YR Rainfall=4.00"

	Area (sf)	CN	Description
*	5,567	98	Building and Parking
	5,567	98	100.00% Impervious Area

Subcatchment N3: Amani South

Hydrograph



3521 Storm Calcs

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Amani Center Proposed Storm
Type IA 24-hr 100YR Rainfall=4.00"

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Summary for Reach EP2: 12" MAIN

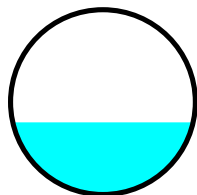
[52] Hint: Inlet/Outlet conditions not evaluated

Inflow Area = 0.840 ac, 100.00% Impervious, Inflow Depth = 3.77" for 100YR event
 Inflow = 0.81 cfs @ 7.80 hrs, Volume= 0.264 af
 Outflow = 0.80 cfs @ 7.83 hrs, Volume= 0.264 af, Atten= 0%, Lag= 1.5 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-36.00 hrs, dt= 0.05 hrs
 Max. Velocity= 2.85 fps, Min. Travel Time= 0.9 min
 Avg. Velocity= 1.60 fps, Avg. Travel Time= 1.6 min

Peak Storage= 42 cf @ 7.81 hrs
 Average Depth at Peak Storage= 0.39'
 Bank-Full Depth= 1.00' Flow Area= 0.8 sf, Capacity= 2.52 cfs

12.0" Round Pipe
 n= 0.013
 Length= 150.0' Slope= 0.0050 '/'
 Inlet Invert= 59.55', Outlet Invert= 58.80'



3521 Storm Calcs

Prepared by Lower Columbia Engineering

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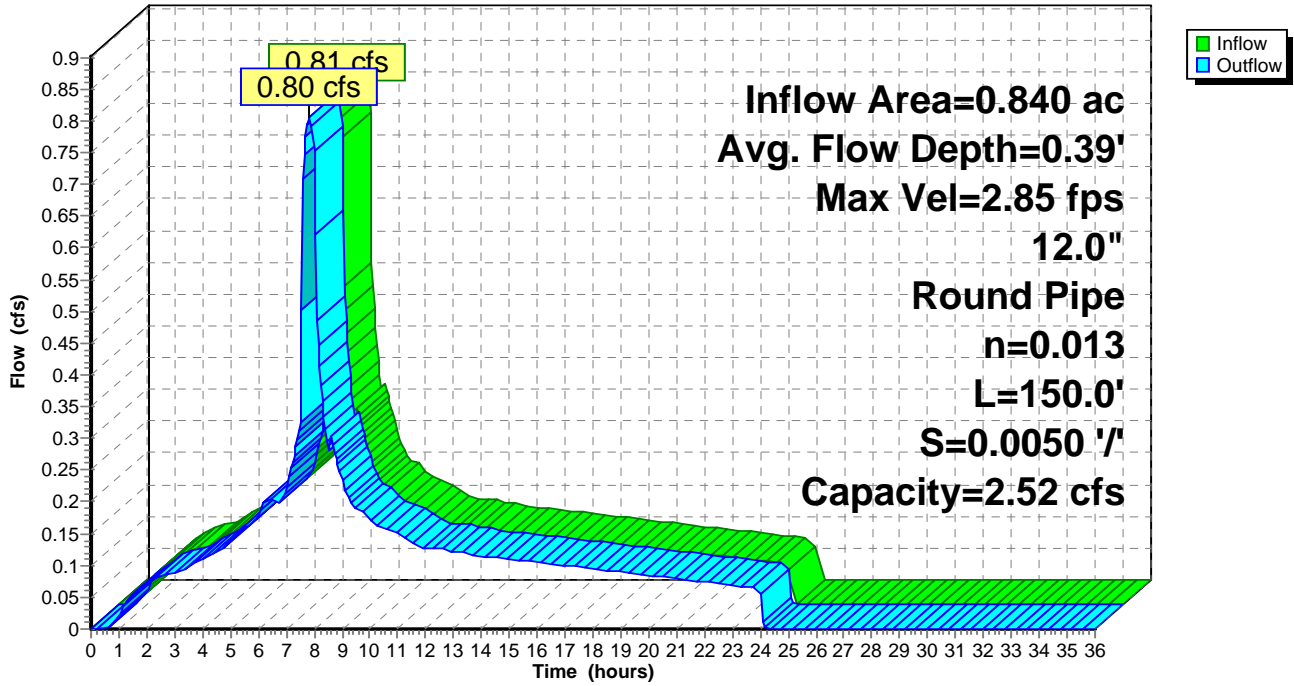
Amani Center Proposed Storm
Type IA 24-hr 100YR Rainfall=4.00"

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Page 12

Reach EP2: 12" MAIN

Hydrograph



3521 Storm Calcs

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Amani Center Proposed Storm
Type IA 24-hr 100YR Rainfall=4.00"

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Summary for Reach EP1: 12" OUT

[52] Hint: Inlet/Outlet conditions not evaluated

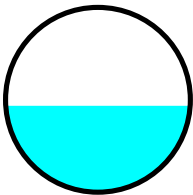
[61] Hint: Exceeded Reach EP2 outlet invert by 0.27' @ 7.80 hrs

Inflow Area = 1.163 ac, 100.00% Impervious, Inflow Depth = 3.77" for 100YR event
 Inflow = 1.11 cfs @ 7.82 hrs, Volume= 0.365 af
 Outflow = 1.11 cfs @ 7.82 hrs, Volume= 0.365 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-36.00 hrs, dt= 0.05 hrs
 Max. Velocity= 3.11 fps, Min. Travel Time= 0.3 min
 Avg. Velocity = 1.76 fps, Avg. Travel Time= 0.5 min

Peak Storage= 18 cf @ 7.81 hrs
 Average Depth at Peak Storage= 0.47'
 Bank-Full Depth= 1.00' Flow Area= 0.8 sf, Capacity= 2.52 cfs

12.0" Round Pipe
 n= 0.013
 Length= 50.0' Slope= 0.0050 '/
 Inlet Invert= 58.60', Outlet Invert= 58.35'



3521 Storm Calcs

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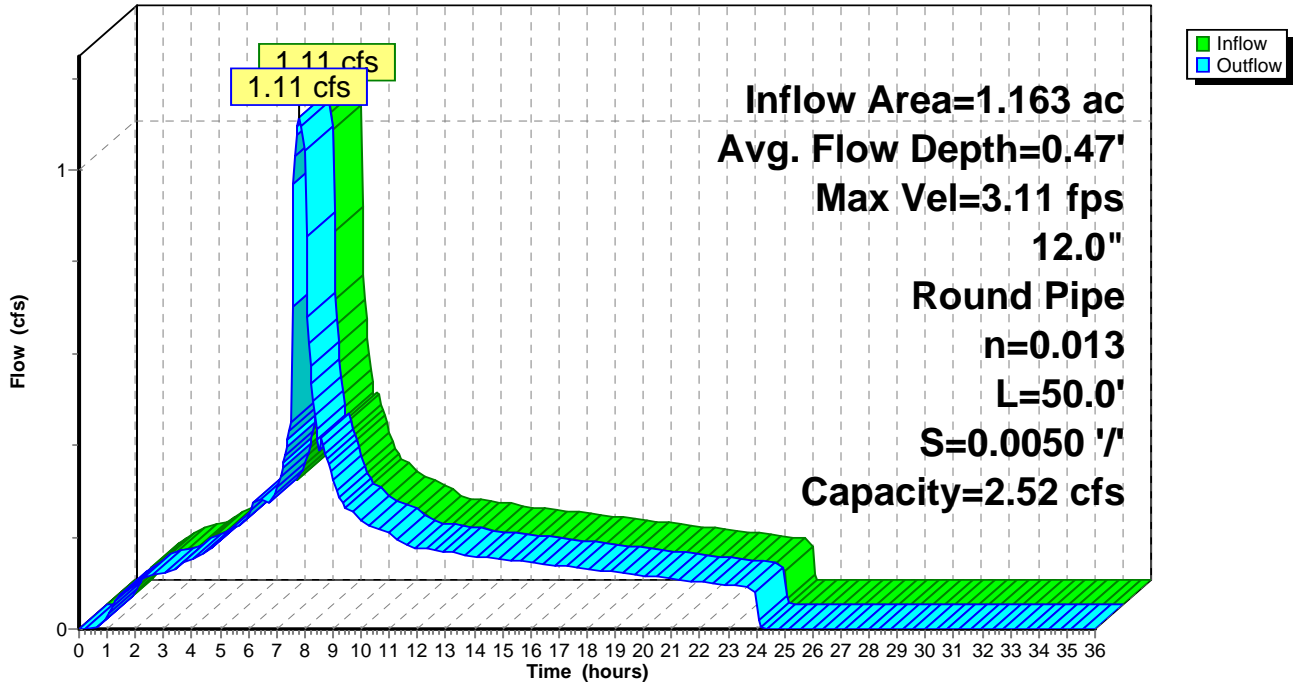
Amani Center Proposed Storm
Type IA 24-hr 100YR Rainfall=4.00"

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Reach EP1: 12" OUT

Hydrograph



3521 Storm Calcs

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Summary for Pond ES1: Existing Swale

[61] Hint: Exceeded Reach EP1 outlet invert by 0.42' @ 7.85 hrs

Inflow Area = 1.163 ac, 100.00% Impervious, Inflow Depth = 3.77" for 100YR event
 Inflow = 1.11 cfs @ 7.82 hrs, Volume= 0.365 af
 Outflow = 1.11 cfs @ 7.84 hrs, Volume= 0.365 af, Atten= 0%, Lag= 1.5 min
 Discarded = 0.00 cfs @ 7.84 hrs, Volume= 0.002 af
 Primary = 1.11 cfs @ 7.84 hrs, Volume= 0.363 af

Routing by Stor-Ind method, Time Span= 0.00-36.00 hrs, dt= 0.05 hrs
 Peak Elev= 58.77' @ 7.84 hrs Surf.Area= 55 sf Storage= 30 cf

Plug-Flow detention time= 0.6 min calculated for 0.364 af (100% of inflow)
 Center-of-Mass det. time= 0.6 min (658.7 - 658.1)

Volume	Invert	Avail.Storage	Storage Description			
#1	58.00'	931 cf	Custom Stage Data (Irregular) Listed below (Recalc)			
Elevation (feet)	Surf.Area (sq-ft)	Perim. (feet)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)	
58.00	25	63.8	0	0	25	
63.00	430	67.8	931	931	357	

Device	Routing	Invert	Outlet Devices
#1	Discarded	58.00'	1.000 in/hr Exfiltration over Wetted area
#2	Primary	58.00'	8.0" Vert. 8" Outflow C= 0.600

Discarded OutFlow Max=0.00 cfs @ 7.84 hrs HW=58.77' (Free Discharge)
 ↑1=Exfiltration (Exfiltration Controls 0.00 cfs)

Primary OutFlow Max=1.11 cfs @ 7.84 hrs HW=58.77' (Free Discharge)
 ↑2=8" Outflow (Orifice Controls 1.11 cfs @ 3.18 fps)

3521 Storm Calcs

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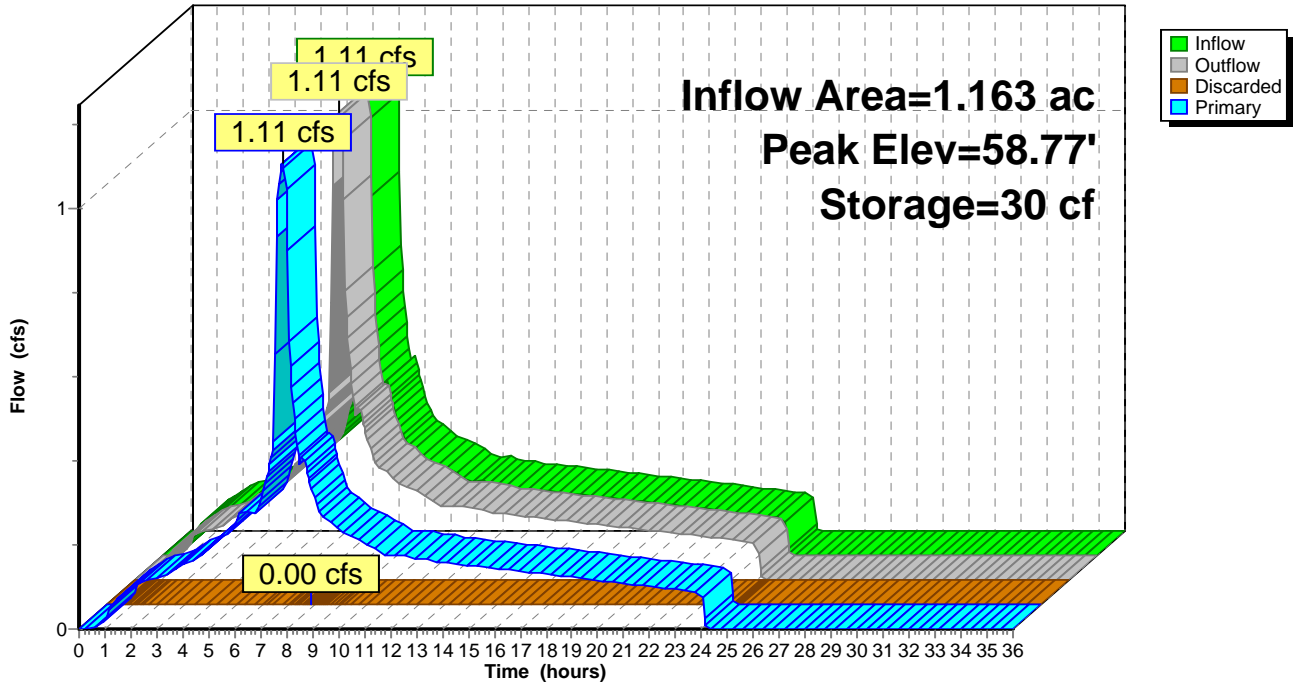
Amani Center Proposed Storm
Type IA 24-hr 100YR Rainfall=4.00"

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Pond ES1: Existing Swale

Hydrograph



3521 Storm Calcs

Prepared by Lower Columbia Engineering

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Amani Center Proposed Storm
Type IA 24-hr 100YR Rainfall=4.00"

Printed 10/13/2023

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Summary for Pond N: Proposed Runoff

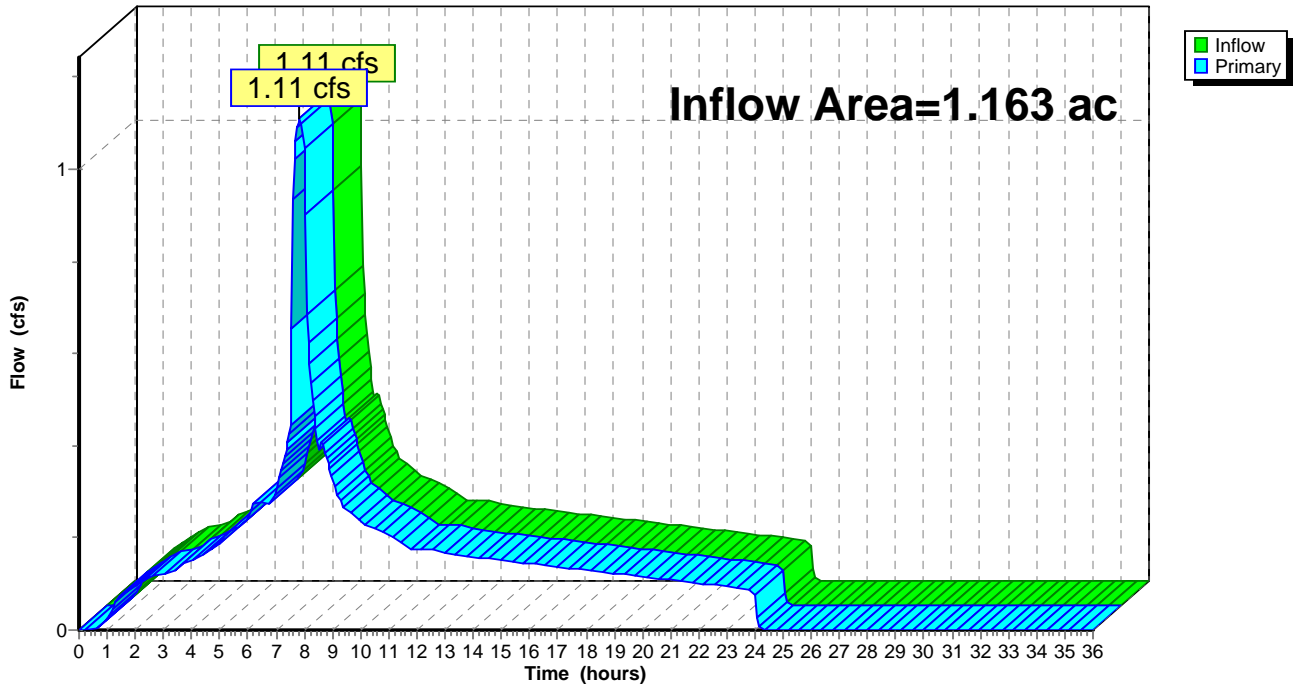
[40] Hint: Not Described (Outflow=Inflow)

Inflow Area = 1.163 ac, 100.00% Impervious, Inflow Depth = 3.75" for 100YR event
Inflow = 1.11 cfs @ 7.84 hrs, Volume= 0.363 af
Primary = 1.11 cfs @ 7.84 hrs, Volume= 0.363 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind method, Time Span= 0.00-36.00 hrs, dt= 0.05 hrs

Pond N: Proposed Runoff

Hydrograph





St. Helens Wastewater Collection System New Sewer Connection Surcharge

December 1, 2022
Revision 01

CITY OF ST. HELENS
265 STRAND STREET | ST. HELENS, OREGON 97051
503.397.6272 | WWW.STHELENSOREGON.GOV

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SECTION 2 – ST. HELENS SEWER TRUNKLINE BASINS

2.1 Sanitary Sewer Trunk Basins Methodology

Sewer basin delineations by trunk lines were created to aid in the proper assessment of the sewer surcharge to ensure costs reflect the actual share of costs that new upstream EDUs, as identified in the 2019 Housing Needs Analysis, would pay based on the downstream sanitary sewer capital improvements along the trunk lines the flows for their property would flow through.

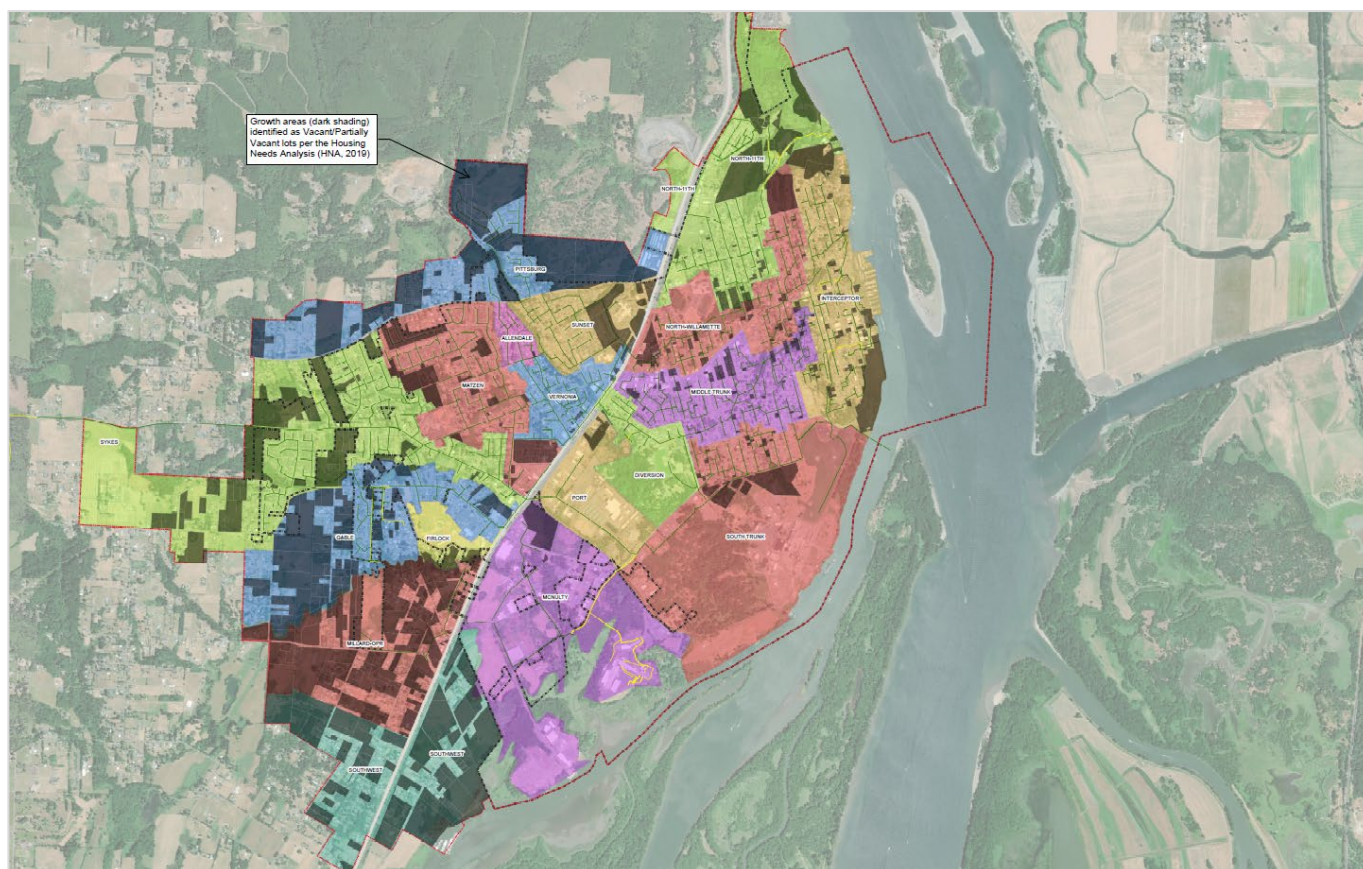


Figure 2.1.A St. Helens Sanitary Sewer Trunkline Basin Delineations

The delineation of CIP projects was simplified and where major portions of a Capital Improvement Project (CIP) spanned more than one basin, projects were split by basin. Basin delineation generally reflects existing conditions, except the Pittsburg basin, which is largely undeveloped and is anticipated to discharge to the North-11th basin.

Costs were calculated by summing CIP costs in and downstream of a basin and summing the EDUs in and upstream of the basin. The downstream CIP costs are then divided by the upstream EDUs. A sewer surcharge cap of \$15,000 per EDU is assumed.

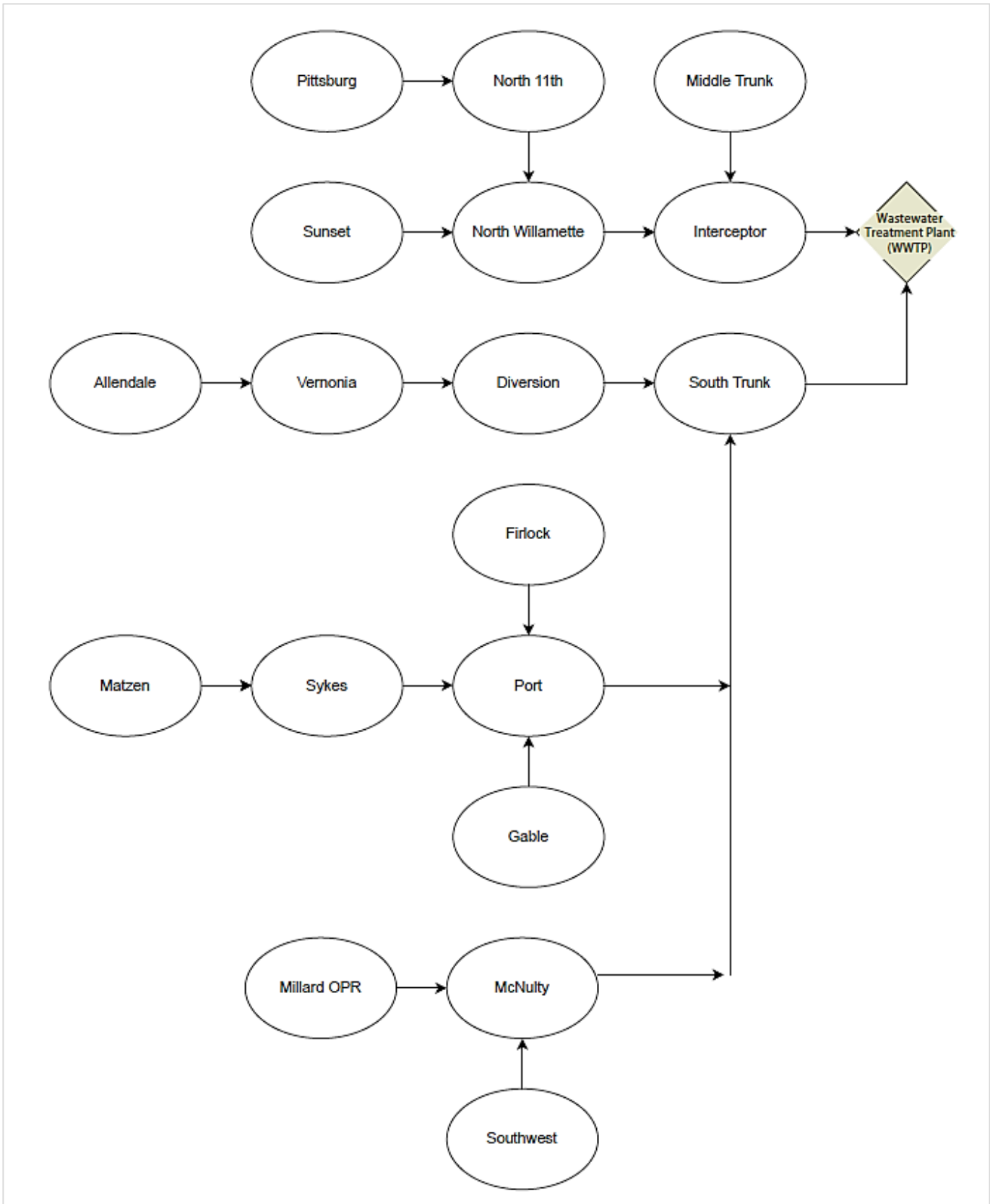


Figure 2.1.B St. Helens Sanitary Sewer Trunkline Basin Flow Paths

2.8 McNulty Sewer Basin

The McNulty sewer basin area has 144 new In-Basin EDUs.

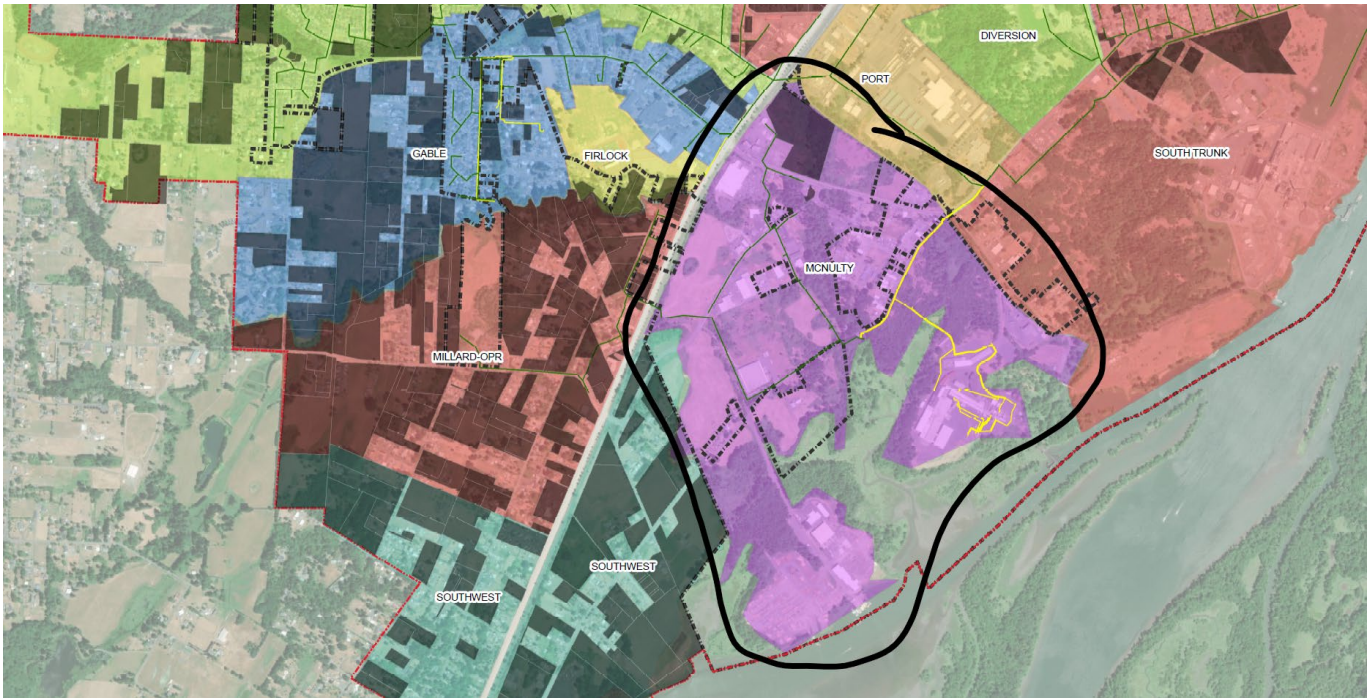


Figure 2.8.A McNulty Sanitary Sewer Basin

The allocation of the McNulty sewer basin's downstream CIP share per new upstream EDU, which consists of the McNulty and South Trunk basins, is \$3,200.

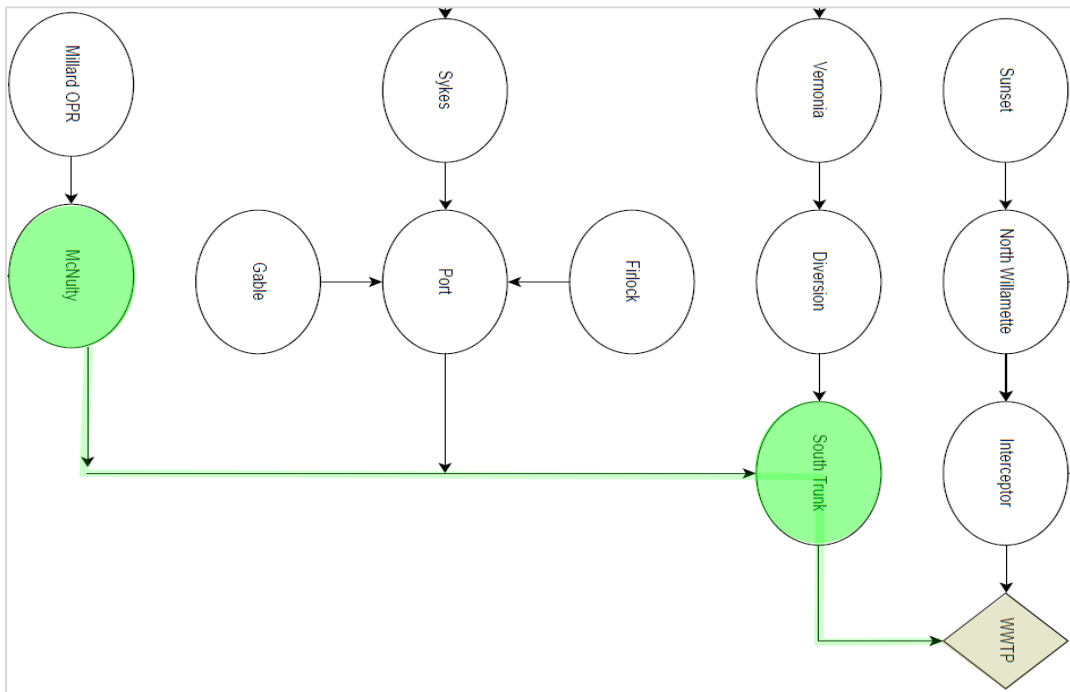


Figure 2.8.B McNulty Sewer Basin Flow Path to WWTP

SECTION 3 – SEWER SURCHARGE CHART

Sewer Trunkline Basin	Downstream CIP Share per New Upstream EDU	New-In Basin EDU	Sewer Surcharge per EDU*
Allendale	\$104,900	1	\$15,000 (max.)
Diversion	\$104,900	1	\$15,000 (max.)
Firlock	\$7,600	0	\$7,600
Gable	\$7,900	589	\$7,900
The Interceptor	\$2,200	512	\$2,200
Matzen	\$12,700	430	\$12,700
McNulty	\$3,200	144	\$3,200
Middle Trunk	\$41,400	91	\$15,000 (max.)
Millard-OPR	\$3,200	806	\$3,200
North 11th	\$3,400	340	\$3,400
North Willamette	\$2,200	134	\$2,200
Pittsburg	\$3,400	731	\$3,400
Port	\$3,800	36	\$3,800
South Trunk	\$1,800	124	\$1,800
Southwest	\$3,200	748	\$3,200
Sunset	\$7,900	321	\$7,900
Sykes	\$6,600	500	\$6,600
Vernonia	\$104,900	30	\$15,000 (max.)

* Estimated Sewer Surcharge cost per EDU is based on the US dollar at the time this document was published. Inflation adjustment to value at time of building permit issuance shall be included.

SECTION 4 – EQUIVALENT DWELLING UNIT CONVERSION

Land Use	EDU Conversion
Single Family Residential	1.00 EDU per unit
Multi Family (Duplex)	0.80 EDU per unit
Multi Family (3 or more Dwelling Units)	0.77 EDU per unit

Residential EDU conversion rate based on the City of St. Helens adopted Sewer Utility Rates and Charges.

EDU conversion rates for sewer surcharges for commercial, industrial, and other land uses not covered under Single Family Residential, Multi Family (Duplex), or Multi Family (3 or more Dwelling Units) shall be based on City of St. Helens wastewater rate classifications for water meter size(s),	
3/4-inch meter	1.00 x Sewer Surcharge
1-inch meter	1.67 x Sewer Surcharge
1.5-inch meter	3.33 x Sewer Surcharge
2-inch meter	5.33 x Sewer Surcharge
3-inch meter	10.00 x Sewer Surcharge
4-inch meter	16.67 x Sewer Surcharge
6-inch meter	33.33 x Sewer Surcharge
8-inch meter	53.33 x Sewer Surcharge



ENGINEERING STAFF REPORT

PROJECT/SITE: AMANI CENTER – VACANT PARCEL SE OF 35835 INDUSTRIAL WAY

REPORT DATE	PROJECT NAME	PREPARED BY
11/03/2023	Amani Center Building Project	Sharon Darroux Engineering Manager

COMMENTS

STREETS

No frontage improvements required.

WATER

- Water is available. Site shall connect to the 12-inch water main on industrial way. Developer is required to perform all surface restoration per City Standards after the Public Works Department makes connect their water service to the main. Inspection in the Public Right-of-Way shall be done by Engineering Division staff.

SEWER

- Sewer capacity surcharge fee will apply for the new sewer connection to the McNulty Sewer Basin and will be determined based on the McNulty Sewer Basin surcharge fee of \$3,200 and the water meter size for the facility.

STORM

- Site disturbance appears to be just under one acre. A 1200-C Construction Stormwater General (NPDES) Permit will be required for the site if construction activity and materials or equipment staging and stockpiling will disturb one or more acres of land.

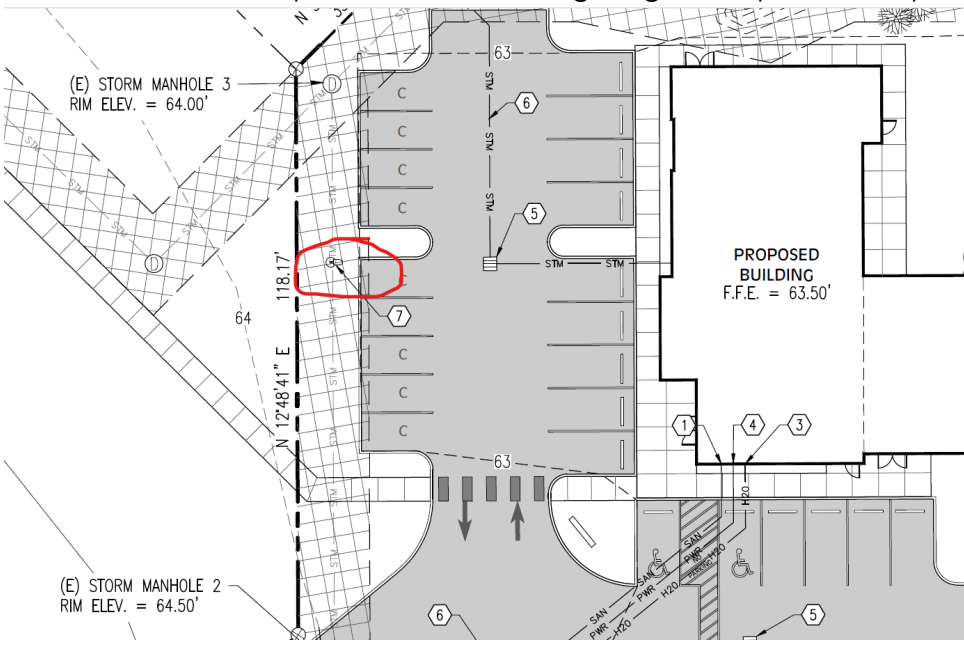
*Please note that because of the site's proximity to McNulty Creek, which is one of the impacted waterbodies listed in the City's Mercury TMDL Implementation Plan, the City may require a 1200-C Construction Stormwater General Permit on the basis of DEQ's permit requirement for "Any construction activity that may discharge stormwater to surface waters of the state that may be a significant contributor of pollutants to waters of the state or may cause an exceedance of a water quality standard".

- Stormwater report shows the existing stormwater swale system has enough capacity required detention for the 25-year storm event, with safe overflow conveyance of the 100-year storm.

GENERAL COMMENTS ON PRELIMINARY DRAWINGS

Item B.

- Do not construction pole mounted site lighting in the public utility easement.



**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Comprehensive Plan Map and Zoning Map Amendment CPZA.2.23**

DATE: November 6, 2023
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: Andrew H Stamp, Esq. of Vial Fotheringham, LLP
OWNER: 1771 Columbia Boulevard, LLC

ZONING: Light Industrial, LI
LOCATION: 475 N. 12th Street; Lots 4, 5, 22, and 23, Block 5, Railroad Addition to St. Helens
PROPOSAL: Comprehensive Plan Map Amendment from Light Industrial, LI to General Residential, GR and Zoning Map Amendment from Light Industrial, LI to General Residential, R5

SITE INFORMATION / BACKGROUND

The site is composed of four lots of the Railroad Addition to St. Helens (Lots 4, 5, 22, and 23, Block 5). The site was developed with a detached single family dwelling since the early 20th century (per County Assessor records) until the use was discontinued and the dwelling razed. The demo permit to raze the building (749-22-000630-DEMO) was issued by the Building Department on December 29, 2022.

The site was zoned two-family residential with heavy industrial abutting the north side per the 1952 zoning map but has been zoned light industrial since the 1980s.

The owner applied for a Site Development Review (file SDR.1.23) in 2023 but has not pursued that proposal to develop the site for industrial related use. Instead, they have initiated this proposal to amend the Comprehensive Plan and Zoning Maps.

PUBLIC HEARING & NOTICE

Public hearing before the Planning Commission for *recommendation to the City Council*: November 14, 2023. Public hearing before the City Council: December 20, 2023.

Notice of this proposal was sent to the Oregon Department of Land Conservation and Development on October 4, 2023 through their PAPA Online Submittal website.

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on October 25, 2023 via first class mail. Notice was sent to agencies by mail or e-mail on the same date.

Notice was published on November 1, 2023 in The Chronicle newspaper.

AGENCY REFERRALS & COMMENTS

No comments of substance received.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

SHMC 17.20.120(1) – Standards for Legislative Decision

The recommendation by the commission and the decision by the council shall be based on consideration of the following factors:

- (a) The statewide planning goals and guidelines adopted under ORS Chapter 197;
- (b) Any federal or state statutes or guidelines found applicable;
- (c) The applicable comprehensive plan policies, procedures, appendices and maps; and
- (d) The applicable provisions of the implementing ordinances.
- (e) A proposed change to the St. Helens zoning district map that constitutes a spot zoning is prohibited. A proposed change to the St. Helens comprehensive plan map that facilitates a spot zoning is prohibited.

Findings:

- (a) This criterion requires analysis of the applicable statewide planning goals.

See applicant's narrative.

In regard to *Statewide Planning Goal 9: Economic Development*, this goal is satisfied when it can be shown that the proposal will not negatively affect industrial or other employment land, as such lands are catalysts to economic development.

According to the 2008 Economic Opportunities Analysis (Ord. 3101), St. Helens should have no shortage of industrial land over the next 20 years. Projections of future employment and industry demand indicate that St. Helens has a surplus of industrial zoned lands and parcels of at least 78 acres. Since 2008, the city has rezoned 25 acres of Heavy Industrial to the Riverfront District zoning district (Ord. No.3215) and approximately 1 acre from Light Industrial to Apartment Residential zoning (Ord. No. 3220). This means there is still a 52-acre industrial land surplus.

As of the date of this report there is a proposal to rezone 9.84 acres from Light Industrial to General Commercial, but there is no finality to that yet (file CPZA.1.23). Ordinance No. 3297, approving this matter has its second reading on November 15, 2023, and there is still the potential for appeal.

This means there is still a 52-acre industrial land surplus, or approximately 42.16 acre if CPZA.1.23 is not challenged.

This proposal would only reduce the city's industrial land inventory an additional 20,000 square feet.

One shortcoming of the EOA is that it doesn't prioritize industrial lands as to utility availability, which is a major factor in a 20-year planning horizon. Much industrial land lacks water and or sanitary sewer, which is available for the subject property.

However, that it lies on the other side of the long-time in place wall/fence that surrounded the former lumber mill to the north (and is still intact), is noteworthy. Despite its industrial zoning, the subject property is the only known developed property of significance outside of the wall/fence area in the contiguous industrial zoning area associated with (or in the immediate vicinity of) the former mill site.



Above left: Subject property in March 2023 after it was cleared. This photo taken from N. 12th Street. The fence/wall that surrounded the former mill site is visible to the right of the photo.



Below left: This photo from March 2023 is taken from N. 12th Street looking north towards the end of the street with the subject property to the left. The fence/wall that surrounded the former mill site is visible in the background.

- (b) This criterion requires analysis of any applicable federal or state statutes or guidelines applicable to this zone change. None identified.
- (c) This criterion requires analysis of applicable comprehensive plan policies, procedures, appendices, and maps.

See applicant's narrative.

SHMC 19.08.020(2)(j) talks about adequate amounts of land for economic growth. This aligns with the Economic Opportunity Analysis referenced above.

- (d) This criterion requires an analysis of the implementing ordinances. The lot is vacant, but also small and abutting residential zoning.

The applicant's narrative discusses some of the spatial inefficiencies that this circumstance, combined with code standard, results in.

- (e) This criterion requires that the proposed change is not a spot zone. The definition of "spot zoning" per Chapter 17.16 SHMC:

Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding uses and not for the purpose or effect of furthering the comprehensive plan.

The subject property is surrounded on three sides by residential zoning. Two sides (south and east) have the same zoning as proposed. The west side is zoned Apartment Residential and the north side Light Industrial.

Three side (west, east and south) have the same Comprehensive Plan Map designation as proposed.

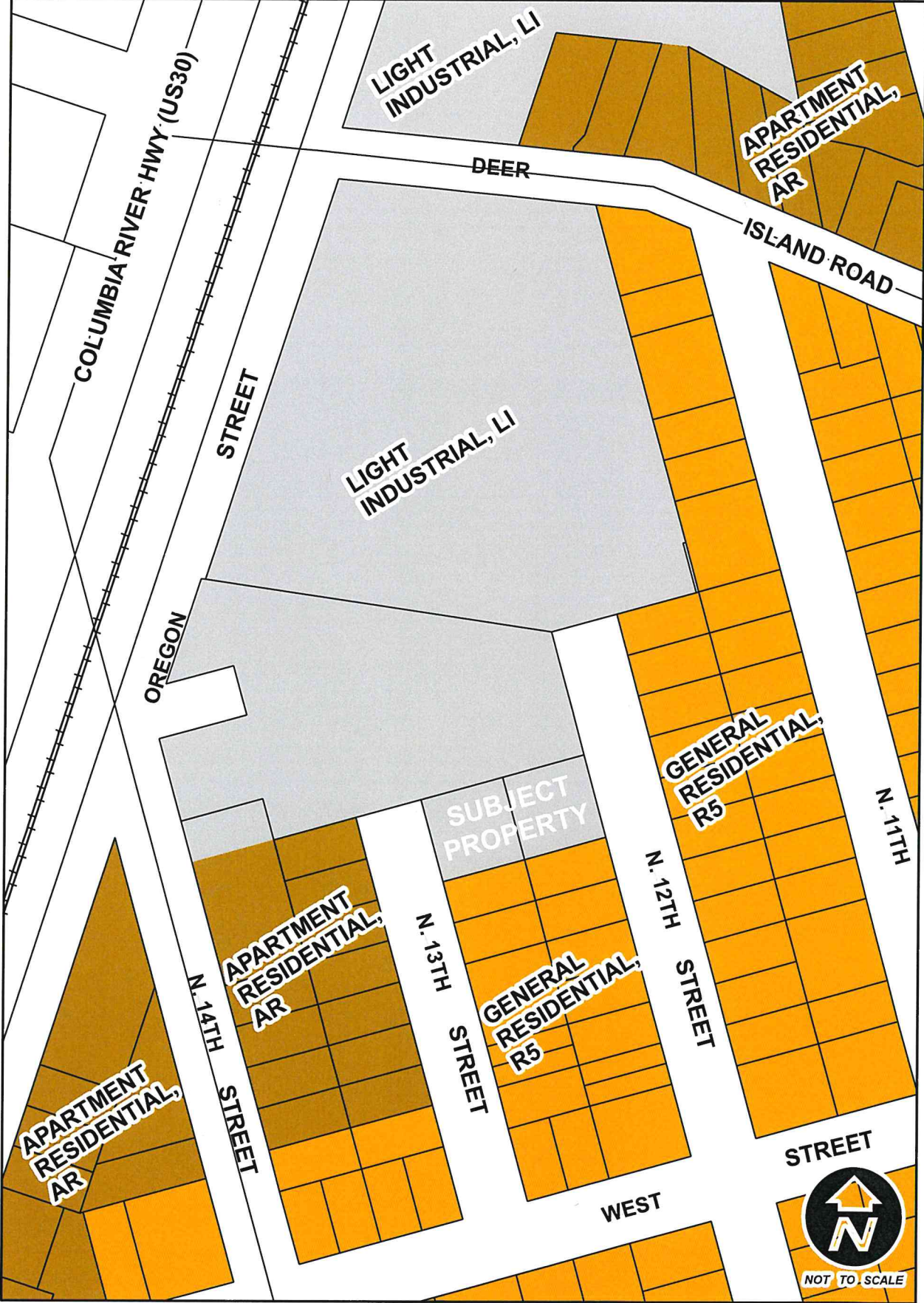
That combined with the long existing fence described above alleviates any "spot zoning" issue.

CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, staff recommends approval of this Comprehensive Plan Map and Zoning Map Amendment.

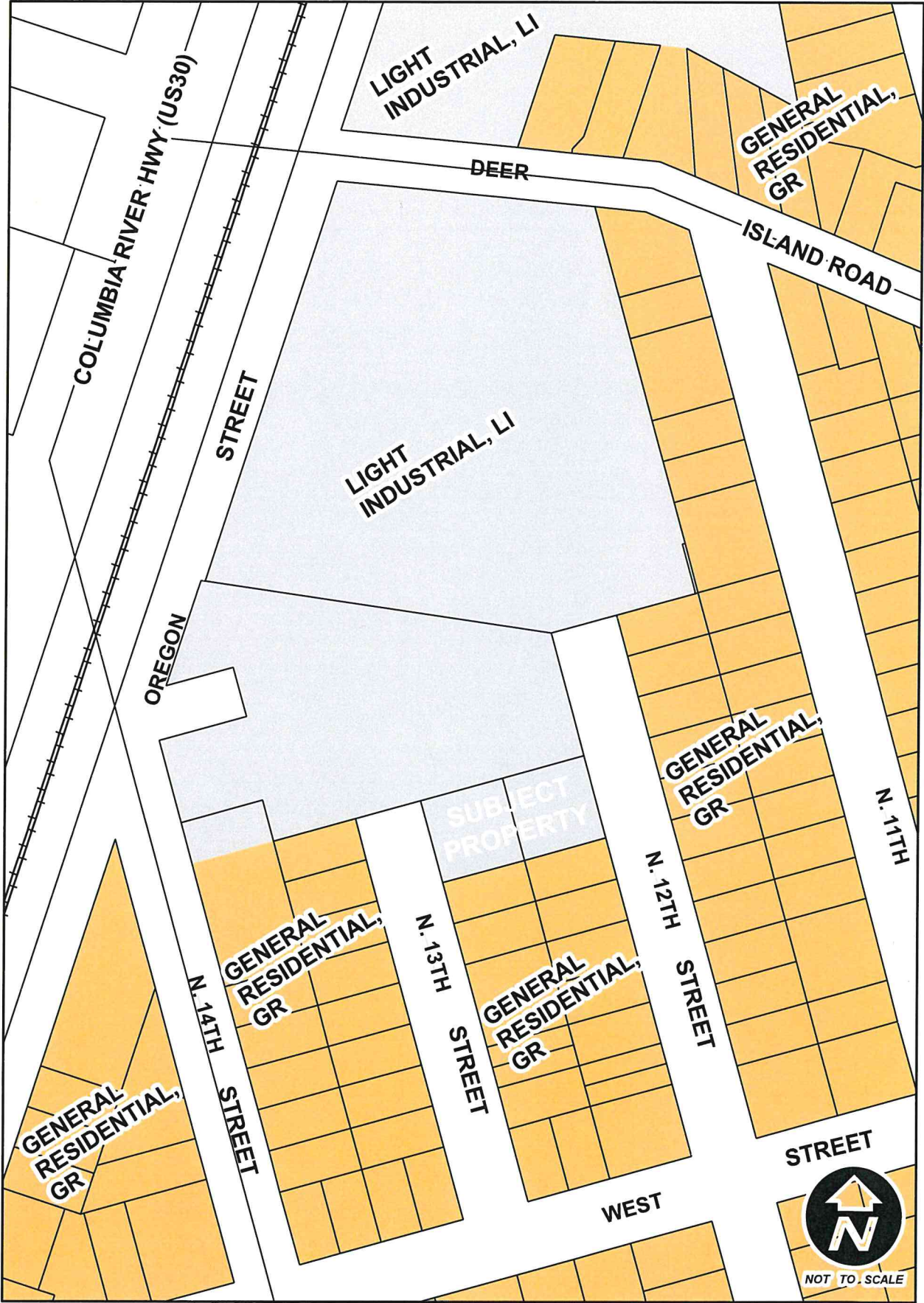
Attachment(s): Zoning exhibit
 Comprehensive Plan designations exhibit
 Aerial exhibit
 Applicant's narrative

CPZA.2.23 ZONING



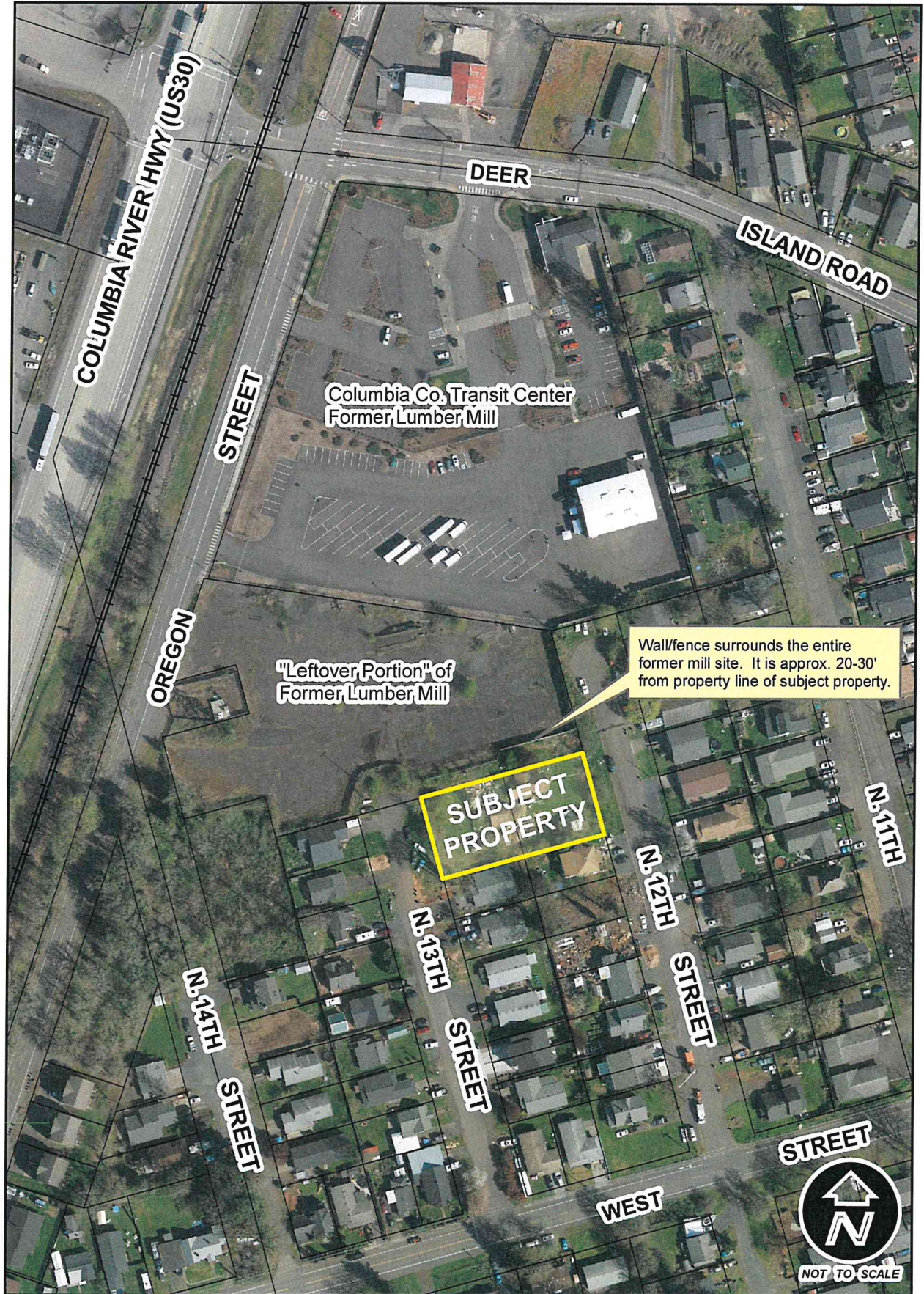
OCTOBER 2023

CPZA.2.23 COMPREHENSIVE PLAN DESIGNATIONS



OCTOBER 2023

CPZA.2.23 AERIAL



OCTOBER 2023

I. PROPOSAL SUMMARY.

A. GENERAL INFORMATION.

OWNER & APPLICANT: Wayne Weigandt
310 Riverside Drive
St Helens, OR 97051
weigandt@opusnet.com

APPLICANT REPRESENTATIVE: Andrew H. Stamp, Esq.
Vial Fotheringham, LLP
17355 SW Boones Ferry Road, Suite A
Lake Oswego, OR 97035
Andrew.stamp@vf-law.com

SITE ADDRESS: 475 N 12th St., St. Helens, OR 97051

TAX LOT NUMBERS: T5N, R1W, Section 33, TL 7500, 8700.

TOTAL AREA: Approximately (100 x 200) 20,000 s.f.

CITY COMPREHENSIVE PLAN: Light Industrial (LI) (Current)
General Residential (GR) (Proposed)

CITY ZONING: Light Industrial (LI) (Current)
General Residential, R-5 (Proposed)

B. NATURE OF REQUEST & BACKGROUND FACTS.

This application has two objectives for the application:

- (1) Change the Comprehensive Plan Designation for the subject properties from Light Industrial (LI) to General Residential (GR); and
- (2) Rezone the subject properties from Light Industrial (LI) to General Residential (R-5).

Mr. Weigandt has owned the property since 2022. *See Exhibit 1.* He paid \$325,000 for the land. At the time, the property contained a dilapidated “packrat” home that was more of a liability than an asset. Mr. Weigandt invested nearly another \$75,000 to remove the home and relocate power lines, etc. pursuant to permit 749-22-000630-DEMO, which was issued on December 29, 2022. *See Exhibit 2.*

Mr. Weigandt’s first development plan for the site was to create a small industrial building on the site. He received a limited land use decision, numbered SDR.1.23 and dated

March 23, 2023, enabling site development in accordance with the current light industrial zoning. *See Exhibit 3.* However, he quickly realized that the combination of a minimum 30-foot buffer setback (SHMC 17.72.130 Buffer matrix), and on-site parking requirements would conspire to make the plan unfeasible. The buffer alone could take up 6,000 s.f. (*i.e.* 30% of the property), and that is in addition to other setbacks that apply to the other three sides of the property. If offsite impacts were established for any proposed light industrial usage, the required buffer could be up to 150 feet, which would eliminate the possibility of developing the site altogether with the current zoning, since it is only 100 feet in width. The limited land use decision furthermore specifies that onsite parking of more than three spaces would need to be created and screened, further eliminating usable space for any construction of buildings corresponding to the light industrial zone. Another problem facing any industrial user of the property is that it takes access through a residential neighborhood. Headlight glare from industrial vehicles is identified in the limited land use decision as an “important aspect of the parking area buffer,” and would certainly affect neighbors who live on these residential streets as well. The neighbors seem to be in agreement that the land is better suited for residential uses. For these reasons, this request to rezone the subject property seems like a logical request. With the potential to build attached residential units on 25x100 s.f. lots, the property seems well-suited to providing eight (8) units of needed housing to the community.

The city recently adopted a Housing Needs Analysis (HNA) which documented a deficiency of 8 acres of high-density residential land. *Id.* at p. 21. The HNA defines “high density” as lots with an average density of 12+ dwelling units per acre. *Id.* at 28. As discussed in more detail herein, this application is consistent with the goal of proving more high-density residential land to meet the land needs set forth in the HNA.

One policy issue that must be considered is whether the loss of 20,000 s.f. of vacant industrial land is warranted in light of this pressing need for housing. We have already discussed the inefficiency associated with this small site due to the buffering issue. Beyond that, the applicant believes that the need for housing land outweighs any small loss of industrial land. Despite the best efforts of the city and county, the industrial base of the city is shrinking. In large part, this is due to the decline in the wood products industry. For example, in 2009, Stimpson shut down its lumber mill on the property to the north of the subject site. Boise Cascade closed its veneer mill manufacturing facility in 2008. The Boise Cascade White Paper Mill stopped pulp production in 2012, and reduced its paper production. Although a packaging producer, Cascades Inc., moved in to the space, they recently decided to close the tissue plant, a move which results in the loss of 75 jobs. Thus, the City has more than the 350 acres of land that it previously identified as being “available for industrial development” in 2007. *See City of St. Helens Economic Opportunities Analysis, Aug 1, 2007.*

The subject property might be more useful for actual industrial use if it could be used in conjunction with the largely vacant industrial property to the north. This property was for a long time known as the “Stimpson Lumber Mill.” Stimpson shut down its operations in 2009. Columbia County now uses the northern portion of the former Stimpson site as a transportation hub known as the “CC Rider Transit Center.” The southern portion of the site does not have utilities, which makes the property unable to be used to fulfill its highest and best use. Having been vacant for the past 14 years, it is not anticipated that an industrial user will be found for the property in the short term.

II. LEGAL ANALYSIS.

A. Applicable Zoning Code Provisions.

17.08.020 – Legislative amendments:

Legislative amendments to this code and to the zoning map shall be in accordance with the procedures and standards as set forth in Chapter 17.20 SHMC.

Applicant Response: The applicant proposes a legislative amendment to both the comprehensive plan map and the zoning map. The term “legislative” is defined as follows:

“Legislative” means any proposed action which would result in a change in city policy including: (a) a change to the comprehensive plan text; (b) a change to the comprehensive plan map which involves a number of parcels of land; (c) a change to the text of an implementing ordinance; (d) a change to the zoning map which involves a number of parcels of land; and/or (e) a change to any land use plan or map which represents a change in city land use policy.

SHMC 17.16.010. In contrast, the term “quasi-judicial” is defined as follows:

“Quasi-judicial” means an action or decision which involves the application of adopted policy to a specific development application or amendment.

This zone constitutes a “change” to both the comprehensive plan map and zoning map which involves “a number of parcels of land,” and therefore the matter is processed as a legislative matter in accordance with the standards set forth in Chapter 17.20.

17.08.060 – Transportation Planning Rule compliance:

(1) Review of Applications for Effect on Transportation Facilities. A proposed comprehensive plan amendment, zone change or land use regulation change, whether initiated by the city or by a private interest, shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-012-0060 (the Transportation Planning Rule (“TPR”)). “Significant” means the proposal would:

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);**
- (b) Change standards implementing a functional classification system; or**
- (c) As measured at the end of the planning period identified in the adopted transportation system plan:**
 - (i) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;**
 - (ii) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP; or**

(iii) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Applicant Response: In this case, the subject property is accessed by two local roads. The applicant anticipates that approach roads to both roads will be maintained.

The rezone will not have a significant effect on a transportation facility. More than likely, any effect on the transportation facilities will be neutral or positive. As an initial matter, the rezone will correct the presently allowed problem of heavy trucks accessing the site via residential roads. Second, the current Light Industrial (LI) zoning could easily facilitate uses that have a more intensive trip generation profile than eight residential users would. Examples of uses with high-trip-generation that are allowed by right in the LI zone include: motor vehicle sales, commercial gas stations, vehicle wash operations, nurseries, auto sales, and building materials sales.

(2) Amendments That Affect Transportation Facilities. Comprehensive plan amendments, zone changes or land use regulations that significantly affect a transportation facility shall ensure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the TSP. This shall be accomplished by one or a combination of the following:

- (a) **Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.**
- (b) **Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of OAR 660-012-0060.**
- (c) **Altering land use designations, densities, or design requirements to reduce demand for vehicle travel and meet travel needs through other modes of transportation.**
- (d) **Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.**

Applicant Response: This section does not apply.

(3) Traffic Impact Analysis. A traffic impact analysis shall be submitted with a plan amendment or zone change application, as applicable, pursuant to Chapter 17.156 SHMC.

Applicant Response: City Staff indicated that a TIA is not warranted to merely support a PAPA and zone change that will only create 8 pm peak hour trips.

17.20 Procedures for Decision Making - Legislative

17.20.020 - The application process

(1) A request for a legislative change may be initiated by:

- (a) **Order of the council;**
- (b) **Resolution of a majority of the commission;**
- (c) **The director;**
- (d) **Any person or the person's agent authorized in writing to make the application.**

Applicant Response: The property owner is initiating the application for zone change.

17.20.120 – The standard of the decision

(1) The recommendation by the commission and the decision by the council shall be based on consideration of the following factors:

- (a) The statewide planning goals and guidelines adopted under ORS Chapter 197, including compliance with the Transportation Planning Rule, as described in SHMC 17.08.060;**
- (b) Any federal or state statutes or guidelines found applicable;**
- (c) The applicable comprehensive plan policies, procedures, appendices and maps; and**
- (d) The applicable provisions of the implementing ordinances.**

(2) Consideration may also be given to:

- (a) Proof of a change in the neighborhood or community or a mistake or inconsistency in the comprehensive plan or implementing ordinance which is the subject of the application.**

Applicant Response: The Applicant notes the following:

- ❖ The statewide Planning Goals are discussed in Section II.B. p. 8.
- ❖ Applicable comprehensive Plan policies are discussed in Section IIC., p. 13.
- ❖ The TPR is discussed in Section IIA, p. 4.

The last remaining issue concerns whether there is proof of a change in the neighborhood or community. In the limited land use decision Mr. Weigandt obtained for the site, the City states that “the site was developed with a detached sing[l]e family dwelling since the early 20th century (per County Assessor records).” It was “zoned as two-family residential ... per the County’s 1952 zoning map, but has been zoned light industrial since the 1980s.” *Ibid.* The exact circumstances under which it was zoned for LI are likely lost to history, but the change was likely made to provide the mill to the north some additional room for expansion. Note that this is the only rationale that makes any sense from a planning perspective, as the land to the north is zoned LI and could provide access to the subject property. Given that the mill is no longer in operation, any continued reliance on the LI zoning is not prudent from a planning standpoint.

17.32.070 – General residential zone – R-5

(1) Purpose. The R-5 zone is intended to provide minimum development standards for residential purposes and to establish sites for single-dwelling, detached and attached units for medium density residential developments.

(2) Uses Permitted Outright. In an R-5 zone, the following uses are permitted outright:

- (a) Duplex dwelling units.**
- (b) Home child care.**
- (c) Home occupation, Types I and II**
- (d) Public facility, minor.**
- (e) Public park.**
- (f) Residential facility.**
- (g) Residential home.**
- (h) Single-dwelling units, attached (five units maximum together).**
- (i) Single-dwelling unit, detached.**

Applicant Response: At the time of development, the above list of uses would be permitted outright under the R-5 zone. The applicant is proposing to sell the land to a developer who could build eight (8) attached dwellings or four (4) duplexes.

This PAPA and Zone Change Do Not Represent Impermissible “Spot Zoning.”

The St Helens Municipal Code contains the following definition of “Spot Zoning.”

“Spot zoning” means rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding uses and not for the purpose or effect of furthering the comprehensive plan.

As far as we have been able to tell, there is no corresponding approval standard that references the term “spot zoning.” As a result, we are inclined to believe that this is definition is nothing more than a vestige from an older version of the Code.

This definition largely mirrors the definition assigned to the term by the Oregon Supreme Court.

'Spot zoning' is the practice whereby a single lot or area is granted privileges which are not granted or extended to other land in the vicinity in the same use district * * *.' 1 Rathkopf, *The Law of Zoning and Planning* 26-1 (3d ed 1966). See also 46 Or L Rev 323 (1967).

Follmer v. County of Lane, 5 Or. App. 185,480 P.2d 722 (1971). Yokley, *Zoning Law and Practice*, discusses the concept of spot zoning as follows:

"* * * Cases become 'spot zoning' cases where obviously a particularly small lot or parcel of ground is singled out and placed in an area, the use of which is inconsistent with the small lot or area so placed and whose classification is changed in the ordinance, and in these cases *where special benefits are sought to be conferred on a particular property owner, or special burdens sought to be imposed upon particular property owners, these and these alone, in our way of thinking, become the real 'spot zone' amendments* and they alone constitute the cases that sabotage the laudable efforts of progressive municipal authorities to comprehensively zone the municipalities and drag down into the dust such praiseworthy undertakings."

All of the Oregon case law addressing "spot zoning" predated *Fasano v. Washington Co. Comm.*, 264 Or 574, 507 P2d 23 (1973), which held that small-scale rezonings are quasi-judicial actions requiring certain procedural safeguards, and the 1973 adoption of new statewide land use legislation. These changes in the law make the concept of "spot zoning" obsolete in Oregon. Since *Fasano*, there have been no judicial or LUBA decisions declaring a rezoning invalid as "spot zoning."

In this case, any decision to change the plan and zone map designations for the subject parcel are being made pursuant to provisions in the Statewide Planning Goals (“goals”) and the City's Comprehensive Plan, which has been acknowledged by the Land Conservation and Development Commission (LCDC) as complying with the goals. There can be no spot zoning if the City's decision identifies the applicable criteria and adopts findings to demonstrate those criteria are satisfied. Stated another way, if the proposed plan and zone map amendment are adopted in compliance with the applicable criteria, it cannot be considered arbitrary and, therefore, is not invalid "spot zoning." *See Wallowa Lake Forest Ind. v. Wallowa County*, 13 Or LUBA 172, 179 (1985); *Brown & Cole, Inc. v. City of Estacada*, 21 Or. LUBA 392, 408-409 (1991).

This request does not meet any definition of “spot zoning.” If granted, this request will not change the overall character of the nearby neighborhoods, nor negatively affect these land uses. As can be seen from the attached map, nearly all of the surrounding area to the south, east and west is already zoned R-5 and developed with residential housing.

B. STATEWIDE PLANNING GOALS

Citizen Involvement (Goal 1)

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Applicant Response: The intent of Goal 1 is to ensure that citizens have meaningful opportunities to participate in land use planning decisions. As stated in the Goal, the purpose is:

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Goal 1 has five stated objectives that are relevant to a zone change:

Citizen Involvement -- To provide for widespread citizen involvement.

Communication -- To assure effective two-way communication with citizens.

Citizen Influence -- To provide the opportunity for citizens to be involved in all phases of the planning process.

Technical Information -- To assure that technical information is available in an understandable form.

Feedback Mechanisms – To assure that citizens will receive a response from policy-makers.

Citizen involvement is always applicable to both quasi-judicial and legislative land use applications. The City's acknowledged Comprehensive Plan and Development Code include citizen involvement procedures with which the review of this application will comply. This

process allows for citizens to communicate their input into this application review conducted by the City at public hearings or by submitting written comments. This process complies with this goal.

Land Use Planning (Goal 2)

To establish a land use planning process and policy framework as a basis for all decision and actions related to use.

Applicant Response: Goal 2 requires all incorporated cities to establish and maintain comprehensive land use plans and implementing ordinances. It also requires cities to coordinate with other affected government entities in legislative land use processes. The purpose of Goal 2 is:

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

The SHCC and STMC are acknowledged to be in compliance with statewide planning goals and guidelines. Goal 2's coordination obligation will be met because the applicant and County shall seek public comment from any affected unit of government, including any special district whose boundaries overlap with the site. The procedural requirements for a zone change are contained in the St. Helens Municipal Code, which involve assessment of the application's merits, notice to affected parties, and public hearings. The proposal is to change the zoning on the subject property from LI to R-5, in compliance with Goal 2. Notice of the zoning map amendment will be provided by the City of St Helens to the Oregon Department of Land Conservation and Development (DLCD), as required by law. The City's decision will be based on findings of fact.

Agricultural Lands (Goal 3)

To preserve and maintain agricultural lands.

Applicant Response: This Goal is not applicable since the land is within the city limits, is anticipated to be developed at an urban scale, and no identified agricultural resources are listed on site.

Forest Lands (Goal 4)

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Applicant Response: The subject property does not contain forest land. The land is within the city limits. Therefore, Goal 4 does not apply to this land. This Goal is also not applicable since the land is anticipated to be developed at an urban scale, and no identified forest lands are identified on site.

Open Spaces, Scenic and Historic Areas and Natural Resources (Goal 5)

To protect natural resources and conserve scenic and historic areas and open spaces.

Applicant Response: There are no identified Goal 5 resources on or near the site. The subject property is not designated as an open space, scenic, or historic area and has no Goal 5 natural resources to protect. There are no natural resources located on the subject property at issue. There are no landslide hazard areas. There are no historic resources or cultural areas located or identified on the site. There are no identified mineral or aggregate resources on the site. The site is not located downtown or in a neighborhood conservation district. Therefore, this goal does not apply.

Air, Water and Land Resources Quality (Goal 6)

To maintain and improve the quality of the air, water, and land resources of the state.

Applicant Response: The site is currently zoned for light industrial use, and is proposed to be rezoned for residential use. The zone change request will have no impact with regard to this goal. Development applications submitted in the future will create additional impervious surfaces which will increase storm water effluent unless those impacts are mitigated. However, it is reasonable and likely that engineering solutions exist which can successfully mitigate those impacts, and therefore, compliance with this goal can be deferred to future development proposals.

Areas Subject to Natural Disasters and Hazards (Goal 7)

To protect people and property from natural hazards.

Applicant Response: The subject site is not located within a potential landslide, earthquake, or flooding hazard area. The zoning map amendment proposal is consistent with avoidance of natural disasters and hazards under Goal 7.

Recreational Needs (Goal 8)

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Applicant Response: Goal 8 requires governmental organizations with responsibilities for providing recreational facilities plan for meet the recreational needs of the community. The City of St. Helens has adopted a Parks and Trails Master Plan (2015) that implements this Goal.

The site is presently zoned light industrial, and is proposed to be zoned R-5. The site has not been planned for recreational use. The requested zoning map amendment will not result in a reduction of land planned or reserved for recreational use. Consequently, the requested zoning map amendment is in compliance with this Goal.

Economic Development (Goal 9)

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Applicant Response: This Goal is applicable to commercial and industrial lands. Goal 9, paragraph 3 requires a city to “provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses

consistent with plan policies.” *Home Depot USA v. City of Portland*, 169 Or App 599, 601, 10 P3d 316 (2000). LUBA has repeatedly held that in the context of post-acknowledgement plan amendments, local governments are required by Goal 9 to consider the adequacy of their inventory of lands that would remain available for industrial or commercial uses in the aftermath of decisions that would actually redesignate or divert existing industrially or commercially zoned lands from all industrial and commercial use.” *Id.* at 602, citing *Opus Development Corp. v. City of Eugene*, 28 Or LUBA 670 (1995), *aff’d*, 141 Or App 249, 918 P2d 116 (1996), and *Volny v. City of Bend*, 37 Or LUBA 493, *aff’d* 168 Or App 516, 4 P3d 768 (2000). Furthermore, Goal 9 requires that a local government’s inventory of suitable commercial and industrial sites be adequate not just with regard to total acreage, but also with regard to size, type, location and service levels, to provide for a “variety of industrial and commercial uses consistent with plan policies.” *Opus Development Corp.*, 28 Or LUBA at 691. Thus, a post-acknowledgement plan amendment (“PAPA”) and zone change can trigger an obligation to evaluate the adequacy of a city’s Goal 9 inventory if (1) the amendments physically reduce the acreage of land in the Goal 9 inventory, or (2) threaten to convert lands inventoried for Goal 9 uses to uses not protected by the goal. *Shamrock Homes LLC v. City of Springfield*, 68 Or LUBA 1 (2013). However, changing acknowledged plan map designations for industrially designated lands to allow a combination of industrial, commercial and residential uses does not violate the Goal 9 requirement that a local government have sufficient suitable industrially designated sites, where the local government will have more than enough constraint-free industrially designated land to meet projected needs, notwithstanding the plan map amendments. *Neste Resins Corp. v. City of Eugene*, 23 Or LUBA 55 (1992).

In this case, the City has a surplus of available industrial land, not just with regard to total acreage, but also with regard to size, type, location and service levels. The St. Helens Industrial Business Park is a 225-acre industrial property that was acquired by the City of St. Helens in 2015 when the Boise White Paper Mill closed. It provides significant opportunities for both large and small industrial users.

As noted by the Code, the light industrial zone allows for general industrial use including light manufacturing and related activities with few, if any, nuisance characteristics such as noise, glare, and smoke. It permits manufacturing, processing, assembling, packaging or treatment of products from previously prepared materials and discourages residential and limited commercial uses. Standards are determined by the proximity to residential zones and the anticipated off-site impacts. The maximum height within 100 feet of any residential zone is 35 feet. The code imposes a 30-foot buffer on LI zoned lands that are adjacent to residential lands.

Paragraph 4 of Goal 9 requires the City to “[l]imit uses on or near sites zoned for specific industrial and commercial uses to those which are compatible with proposed uses.” However, this does not apply in this case. LUBA has stated that Goal 9, paragraph 4 does not impose a requirement that uses near all lands zoned for commercial or industrial use be limited to those compatible with commercial and industrial uses in general, but rather applies only where a local government has designated certain commercial or industrial zoned land for specific commercial or industrial uses with special site requirements. OAR 660-09-025(4). *Opus Development Corp.*, 28 Or LUBA at 692.

The guidelines to the Statewide Planning Goals are not standards that must be satisfied to approve a post-acknowledgment plan amendment, and thus alleged inconsistency between a plan amendment and a guideline to Goal 9 is not a basis to reverse or remand the plan amendment. *People for Responsible Prosperity v. City of Warrenton*, 52 Or LUBA 181 (2006).

Housing (Goal 10)
To provide for the housing needs of citizens of the state.

Applicant Response: The site is currently zoned Light Industrial. The proposed zoning map amendment to R-5 would enable the City to provide additional needed housing units once the site is developed for residential use. The proposed zoning map amendment is in compliance with this Goal.

Public Facilities and Services (Goal 11)
To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Applicant Response: Full urban services are available to serve the site and will be constructed/extended at the applicants' expense at the time of development.

Transportation (Goal 12)
To provide and encourage a safe, convenient and economic transportation system.

Applicant Response: This Goal requires the City to prepare and implement a Transportation System Plan (TSP). The City of St. Helens completed a TSP update in 2011.

Under the current zoning, the access creates a condition that is not ideal from a safety standpoint, because light industrial uses will often involve the use of heavy trucks. Frequent usage of heavy trucks in residential neighborhoods can reduce the property values of those homes. It was probably anticipated that the subject property would take access through the property located to the north, but the fact that the properties are currently in separate ownerships and separated by a tall fence make the consolidations of these properties unlikely.

Energy Conservation (Goal 13)
To conserve energy.

Applicant Response: LUBA and the Courts have never given any regulatory affect to this Goal. Despite this, the rezoning of land from an unused industrial site to general residential will result in a more compact urban form, which should have at least a marginal effect on energy efficiency. The site is located immediately adjacent to other residential land. The proposed zoning map amendment would permit development in accordance with the Comprehensive Plan, with the potential to create an energy efficient land use pattern within the City limits of St. Helens.

Urbanization (Goal 14)
To provide for an orderly and efficient transition from rural to urban land use.

Applicant Response: The subject property is already located within the City limits, and has been planned for urban land use. Goal 14 does not apply.

Goals 15 through 19

Applicant Response: The following Goals are not applicable to this application: Willamette River Greenway (Goal 15); Estuarine Resources (Goal 16); Coastal Shorelands (Goal 17); Beaches and Dunes (Goal 18); and Ocean Resources (Goal 19).

C. APPLICABLE COMPREHENSIVE PLAN POLICIES

SHDC 17.20.120(1)(c) requires the city to comply with “applicable comprehensive plan policies, procedures, appendices and maps.” Determining whether any given Comprehensive Plan policy is an “applicable” approval standard can present vexing questions for practitioners. In some cases, the plan itself will provide a “roadmap” by expressly stating which, if any, of its policies are applicable approval standards. For example, if the comprehensive plan specifies that a particular plan policy is itself an implementing measure, LUBA will conclude that policy applies as an approval criterion for land use decisions. *Murphey v. City of Ashland*, 19 Or LUBA 182 (1990). On the other hand, where the comprehensive plan emphasizes that plan policies are intended to *guide* development actions and decisions, and that the plan must be implemented through the local code to have effect, such plan policies are not approval standards for individual conditional use decisions. *Schellenberg v. Polk County*, 21 Or LUBA 425 (1991). Similarly, statements from introductory findings to a comprehensive plan chapter are not plan policies or approval standards for land use decisions. *19th Street Project v. City of The Dalles*, 20 Or LUBA 440 (1991). Comprehensive plan policies which the plan states are specifically implemented through particular sections of the local code do not constitute independent approval standards for land use actions. *Murphey v. City of Ashland*, 19 Or LUBA 182 (1990). Where the county code explicitly requires that a nonfarm conditional use in an exclusive farm use zone “satisfy” applicable plan goals and policies, and the county plan provides that its goals and policies shall “direct future decisions on land use actions,” the plan agriculture goals and policies are applicable to approval of the nonfarm conditional use. *Rowan v. Clackamas County*, 19 Or LUBA 163 (1990).

Often, however, no roadmap is provided. In those cases, the key is to look at the nature of the wording of the plan provision at issue. LUBA has often held that some plan policies in the comprehensive plan will constitute mandatory approval criteria applicable to individual land use decisions, depending on their context and how they are worded. See *Stephan v. Yamhill County*, 21 Or LUBA 19 (1991); *Von Lubken v. Hood River County*, 19 Or LUBA 404 (1990). For example, where a comprehensive plan provision is worded in mandatory language – such as when the word “shall” is used – and is applicable to the type of land use request being sought, then LUBA will find the standard to be a mandatory approval standard. *Compare Axon v. City of Lake Oswego*, 20 Or LUBA 108 (1990) (“Comp plan policy that states that “services shall be available or committed prior to approval of development” is a mandatory approval standard”); *Friends of Hood River v. City of Hood River*, 68 Or LUBA 459 (2013). Conversely, use of aspirational language such as “encourage” “promote,” or statements to the effect that certain things are “desirable” will generally not be found to be mandatory approval standards. *Id.*; *Neuschwander v. City of Ashland*, 20 Or

LUBA 144 (1990); *Citizens for Responsible Growth v. City of Seaside*, 23 Or LUBA 100 (1992), *aff'd w/o op.* 114 Or App 233 (1993).

In some cases, an otherwise applicable plan policy will be fully implemented by the zoning code. Where the text of the comprehensive plan supports a conclusion that a city's land use regulations fully implement the comprehensive plan and displace the comprehensive plan entirely as a potential source of approval criteria, demonstrating that a permit application complies with the city's land use regulations is sufficient to establish consistency/compliance with the comprehensive plan. *Save Our Skyline v. City of Bend*, 48 Or LUBA 211-12; *Murphy v. City of Ashland*, 19 Or LUBA 182, 199 (1990); *Miller v. City of Ashland*, 17 Or LUBA 147, 169 (1988); *Durig v. Washington County*, 35 Or LUBA 196, 202 (1998) (explicit supporting language is required to establish that land use regulations entirely displace the comprehensive plan as a source of potentially applicable approval criteria for land use decisions). However, a local government errs by finding that its acknowledged zoning ordinance fully implements the acknowledged comprehensive plan, thus making it unnecessary to apply comprehensive plan provisions directly to an application for permit approval, where the acknowledged zoning ordinance specifically requires that the application for permit approval must demonstrate compliance with the acknowledged comprehensive plan and the county does not identify any zoning ordinance provisions that implement applicable comprehensive plan policies. *Fessler v. Yamhill County*, 38 Or LUBA 844 (2000).

19.16.010 Amendments to the Comprehensive Plan.

(1) Preface. It is the intent of this section to give direction for amending the St. Helens Comprehensive Plan.

(2) Goal. To create a process that complies with state and local laws for amending the acknowledged St. Helens Comprehensive Plan.

(3) Policy. All proposed amendments to this plan shall follow state laws and local laws. In particular they shall comply with ORS Chapters 195 and 215. See SHMC 17.08.060 for transportation planning rule compliance. (Ord. 3150 § 3 (Att. B), 2011; Ord. 2980 § 2, 2006)

ORS Chapter 195 does not contain any approval standards for a PAPA or zone change. Perhaps the intended cross-reference is ORS Chapter 197, which sets forth the required procedure for a PAPA, ORS 197.610 *et seq.*, as well as the procedural requirements for conducting a land use hearing. ORS 197.763.

ORS Chapter 215 only applies to counties. This appears to be a typo as well, as the equivalent chapter for cities is ORS Chapter 227.

19.08.020 Economic goals and policies.

(3) Policies. It is the policy of the city of St. Helens to:

(j) Allocate adequate amounts of land for economic growth and support the creation of commercial and industrial focal points.

Applicant Response: The proposed PAPA and zone change will only result in the loss of 20,000 s.f. of industrial land. This is a *de-minimus* amount, which is offset by the need for housing.

19.08.030 Public services and facilities goals and policies. (Ref: Statewide Planning Goal 11)

(3) Policies. It is the policy of the city of St. Helens to:

(c) Require in new residential developments that water, sewer, storm sewer, paved streets, curbs, parks and other improvements are installed as part of the initial construction. Encourage the placement of underground utilities whenever feasible.

Applicant Response: This requirement can be made a condition of approval. Adjacent streets have utilities in place that can be connected to each lot.

(d) Ensure that capacities and patterns of utilities and other facilities are adequate to support the residential densities and land use patterns of the Comprehensive Plan.

Applicant Response: This is a directive to the City Council and staff, which is primarily accomplished via the adoption and implementation of utility master plans. The Zoning Code requires an application for a subdivision to demonstrate that adequate public facilities exist to support the development.

(g) Have all new subdivisions within the urban area connect to public sewer and water systems.

Applicant Response: This requirement can be made a condition of approval.

(j) Require new developments to provide adequate drainage at the time of initial construction; however, discourage the removal of streamside vegetation, the alteration of streams and the drainage or contamination of wetlands that are identified as significant wildlife habitats.

Applicant Response: This requirement can be made a condition of approval.

(m) Discourage the leapfrog development of industrial lands, unless there is a program to provide sewer and water to intervening properties.

Applicant Response: Nothing proposed in this request will result in leapfrog development.

19.08.050 Housing goals and policies.

(3) Policies. It is the policy of the city of St. Helens to:

(e) Permit multifamily developments which conform to the following general conditions and criteria:

(i) They should not be constructed within areas which are established and recognized as substantially well maintained single-family areas.

- (ii) They should have safe and appropriate arrangement of buildings, open spaces, and parking access.*
- (iii) They should not be so large or close to single-family homes as to block their view or sunlight or to unduly interfere with an established single-family character; where conditionally used, they thus shall be subject to density criteria.*
- (iv) They should include adequate open space.*
- (v) They should include ample off-street parking.*
- (vi) They should not be located where undue noise or other factors will adversely affect residential living.*
- (vii) They shall be subject to a site design review process and minimum landscaping requirements.*

Applicant Response: The policy that multi-family development should not be allowed in “established and substantially well-maintained single-family areas” has been superseded by state law and is no longer enforceable. With the exception of policy E(vii), the remainder of these policies are not “clear and objective.” State law no longer allows a local government to apply discretionary standards to multi-family housing.

19.12.090 Light industrial category goals and policies.

(1) Goals. *To provide a place for smaller and/or less intensive industrial activities where their service and transportation requirements can be met, and where their environmental effects will have minimal impact upon the community.*

(2) Policies. *It is the policy of the city of St. Helens to:*

- (a) Apply this category where light industrial concerns have become established and where vacant industrial sites have been set aside for this purpose.*
- (b) Encourage preserving such designated areas for light manufacturing, wholesaling, processing and similar operations by excluding unrelated uses which would reduce available land and restrict the growth and expansion of industry.*
- (c) Ensure that light industry operations have adequate space with respect to employee and truck parking, loading, maneuvering and storage.*
- (d) Follow a site design review process for light industrial activity to ensure proper setbacks as well as screening and buffering, particularly for unsightly areas which can be viewed from arterials or from adjoining residential areas; in contemplating the setbacks, consideration should be given to the effect of the activity on significant fish and wildlife areas. (Ord. 2980 § 2, 2006)*

Applicant Response: The subject property is not a good candidate to remain zoned for light industrial (LI) uses because it is too small to be effectively developed for that purpose, and the access is highly problematic because it requires access through a residential neighborhood, among other issues discussed *supra*.

19.12.160 Rural suburban unincorporated residential category goals and policies

(1) Goals: *To provide sufficient are for urban development that will accommodate a variety of housing types.*

(2) Policies: *It is the policy of the city of St Helens to:*

- (a) Work with the county on partition and subdivision applications for these lands to ensure that they are divided in a manner that does not hinder future urbanization.*
- (b) Zone the rural suburban unincorporated residential as R-7 or R-10 upon annexation to the City unless circumstances listed in subsection (2)(c) of this section exist.*

- (c) **Consider zoning lands with the rural suburban unincorporated residential category for R-5 or AR if the following conditions are found:**
- (i) **The parcel is vacant and larger than two acres in size.**
 - (ii) **The carrying capacity of the public services including but not limited to streets, sewer, and water are sufficient for higher density development.**
 - (iii) **The county and city determine, due to the pattern of development in the city and within the urban growth area, that other lands are more appropriate for these designations.**

Applicant Response: This provision appears to only be applicable when rural land is being considered for future urbanization. The subject site is currently inside City limits, however, so this provision should not apply.

The St. Helens Comprehensive Plan SHMC 19.08.050(2) requires the city:

- (a) To promote safe, adequate, and affordable housing for all current and future members of the community.**
- (b) To locate housing so that it is fully integrated with land use, transportation and public facilities as set forth in the Comprehensive Plan.**

Neither of these two goals are mandatory approval standards. Nonetheless, the proposed PAPA and zone change will fully support this first Comprehensive Plan goal, promoting safe, adequate and affordable housing for St. Helens residents.

TICOR 3642200545

RECORDING REQUESTED BY:
TICOR TITLE
Company of Oregon

2534 Sykes Road, Ste C
St Helens, OR 97051

GRANTOR'S NAME:
Estate of Bill Edward Allshouse

GRANTEE'S NAME:
1771ColumbiaBlvd, LLC

AFTER RECORDING RETURN TO:
1771ColumbiaBlvd, LLC, an Oregon limited liability company
310 Riverside Drive
Saint Helens, OR 97051

SEND TAX STATEMENTS TO:
1771ColumbiaBlvd, LLC
310 Riverside Drive
Saint Helens, OR 97051

13503, 13517, 5N1W33-DC-07500 and 5N1W33-DC-08700
475 N 12th St, Saint Helens, OR 97051-1317

COLUMBIA COUNTY, OREGON	2022-09023
DEED-PRD	11/18/2022 09:36:01 AM
Cnt=1 Pgs=2 FAILB	
\$10.00 \$11.00 \$10.00 \$60.00 \$5.00	\$96.00
I, Debbie Klug, County Clerk for Columbia County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Debbie Klug - County Clerk	

SPACE ABOVE THIS LINE FOR RECORDER'S USE

PERSONAL REPRESENTATIVE'S DEED

Jason L Ford, the duly appointed, qualified and acting personal representative of the estate of Bill Edward Allshouse, deceased, pursuant to proceedings filed in Circuit Court for Columbia County, Oregon, Case No. 21PB08492, Grantor, conveys to 1771ColumbiaBlvd, LLC, an Oregon limited liability company, Grantee, all the estate, right and interest of the above named deceased at the time of the deceased's death, and all the right, title and interest that the above named estate of the deceased by operation of law or otherwise may have acquired afterwards, in and to the following described real property:

Lots 4, 5, 22 and 23, Block 5, RAILROAD ADDITION, in the City of St. Helens, Columbia County, Oregon.

The true consideration for this conveyance is Three Hundred Twenty-Six Thousand And No/100 Dollars (\$326,000.00).

Subject to:

Rights of the public to any portion of the Land lying within the area commonly known as streets, roads and highways.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

PERSONAL REPRESENTATIVE'S DEED
(continued)

Item C.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Estate of Bill Edward Allshouse
By: [Signature]
Jason L Ford, Personal Representative

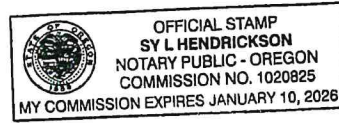
11/17/22
Date

State of OR
County of Columbia

This instrument was acknowledged before me on 11/17/22 by

Jason L Ford as Personal Representative of

The Estate of Bill Edward Allshouse
[Signature]
Notary Public - State of Oregon



My Commission Expires: 01/10/26

Ticor 36042200554S

RECORDING REQUESTED BY:



2534 Sykes Road, Ste C
St Helens, OR 97051

GRANTOR'S NAME:
Estate of Bill Edward Allshouse

GRANTEE'S NAME:
1771ColumbiaBlvd, LLC

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DEED-PRD
Cnt=1 Pgs=2 FAILB 11/18/2022 09:36:01 AM
\$10.00 \$11.00 \$10.00 \$60.00 \$5.00 **\$96.00**

Item C.

I, Debbie Klug, County Clerk for Columbia County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Debbie Klug - County Clerk

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PERSONAL REPRESENTATIVE'S DEED
(continued)

Item C.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Estate of Bill Edward Allshouse
By: [Signature]
Jason L Ford, Personal Representative

11/17/22
Date

State of OR
County of Columbia

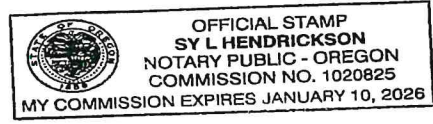
This instrument was acknowledged before me on 11/17/22 by

Jason L Ford as Personal Representative of

The Estate of Bill Edward Allshouse
[Signature]

Notary Public - State of Oregon

My Commission Expires: 01/10/26





265 Strand St.
St. Helens, OR 97051
503-397-6272
Fax: 503-397-4016

Building Permit

Residential Demolition

Permit Number: 749-22-000630-DEMO-01

IVR Number: 749081283991

Web Address: www.sthelensoregon.gov

Email Address: buildingsafety@sthelensoregon.gov

Permit Issued: December 29, 2022

Application Date: December 16, 2022

TYPE OF WORK

Category of Construction: None Specified

Type of Work: None Specified

Submitted Job Value: \$0.00

Description of Work: DEMO 20'x20' (400 SQ FT) SHOP

JOB SITE INFORMATION

Worksite Address

0 NO ADDRESS ASSIGNED
ST HELENS OR 97051

Parcel

5N1W33DC 8700

Owner:

1771COLUMBIABLVD LLC

Address:

310 RIVERSIDE
ST HELENS, OR 97051

LICENSED PROFESSIONAL INFORMATION

Business Name

ADVANTAGE JC EXCAVATING LLC -
Primary

License

CCB

License Number

200834

Phone

503-396-2551

PENDING INSPECTIONS

Inspection

1999 Final Building

Inspection Group

Struct Res

Inspection Status

Pending

SCHEDULING INSPECTIONS

Various inspections are minimally required on each project and often dependent on the scope of work. Contact the issuing jurisdiction indicated on the permit to determine required inspections for this project.

Schedule or track inspections at www.buildingpermits.oregon.gov

Call or text the word "schedule" to 1-888-299-2821 use IVR number: 749081283991

Schedule using the Oregon ePermitting Inspection App, search "epermitting" in the app store

Permits expire if work is not started within 180 Days of issuance or if work is suspended for 180 Days or longer depending on the issuing agency's policy.

Per R105.7 and R 106.3.1, a copy of the building permit and one set of approved construction documents shall be available for review at the work site.

All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. Granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

ATTENTION: Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth in OAR 952-001-0010 through OAR 952-001-0090. You may obtain copies of the rules by calling the Center at (503) 232-1987.

All persons or entities performing work under this permit are required to be licensed unless exempted by ORS 701.010 (Structural/Mechanical), ORS 479.540 (Electrical), and ORS 693.010-020 (Plumbing).

PERMIT FEES

Fee Description	Quantity	Fee Amount
Technology Fee		\$4.11
City Permit Administration Fee	1	\$42.00
Demolition permit fee, total structure		\$95.00
Total Fees:		\$141.11

Note: This may not include all the fees required for this project.

ADDITIONAL INFORMATION/CONDITIONS OF APPROVAL FOR ONSITE

Date Applied: 12/20/2022

Comments: _____

ADDITIONAL INFORMATION/CONDITIONS OF APPROVAL FOR PLANNING

Date Applied: 12/16/2022

Comments: Residential use of this property for a detached single-family dwelling is no longer allowed after this structure has been demolished due to its zoning as Light Industrial.



265 Strand Street
St. Helens, Oregon
97051

NOTICE OF ADMINISTRATOR’S LIMITED LAND USE DECISION
March 29, 2023

RE: Site Development Review SDR.1.23

You are receiving this notice of a decision by the City of St. Helens Planning Administrator because you are entitled to it by law. Wayne Weigandt of 1771 Columbia Boulevard, LLC submitted an application to develop property located at 475 N. 12th Street with a building and associated site improvements for uses possible in the Light Industrial zoning district. The site is also known as Columbia County Assessor Map No. 5N1W-33DC-7500/8700. The City Planning Administrator is authorized by the City of St. Helens Development Code (SHMC Title 17) to review Major Site Development Review applications and approve, deny or approve them with conditions.

Attached is a complete report of the proposal, which includes the criteria and evaluation to approve or deny the proposal, and the decision. Comments are invited and acceptable **no later than 14 days following the date of this notice**. Any issues which may provide the basis for an appeal must be raised prior to the expiration of the comment period. Issues must be raised with sufficient specificity to enable the decision-maker to respond to the issue. In order to be considered, comments pertaining to this decision should be directed to:

City of St. Helens Planning Department
265 Strand Street
St. Helens, OR 97051

If there are any agency or citizen comments that would affect the decision at the end of the comment period, the City will send another notice of the final decision to all that submitted evidence and/or comments. The final decision can be appealed or amended by those entitled to do so in accordance with SHMC 17.24.290. If no comments are received during the comment period or comments are received that don’t warrant a revised decision, this decision will become final subject to an appeal period of **ten (10) calendar days from the date the comment period ends**. If no revised decision is made, there will not be any additional notice for the appeal period.

The application and details are on file at City Hall and are available for review during normal business hours. Copies are available for a nominal charge.

If you have any questions, please contact this office.



265 Strand Street
St. Helens, Oregon
97051

AMENDED DECISION PROCESS

- The approving authority may issue an amended decision after the notice of final decision has been issued and within 10 working days of receipt of a proper request for an amended decision.
- A request for an amended decision shall be in writing, accompanied with the appropriate fee and filed with the Director within the appeal period, after the notice of final decision has been filed.
- A request for an amended decision may be filed within the appeal period by:
 1. The City Council;
 2. The Planning Commission;
 3. An employee of the City's planning staff;
 4. Any party entitled to notice of the original decision; or
 5. Any party who submitted comments in writing on the original decision.
- The amended decision process shall be limited to 1 time for each original application.
- The approving authority shall make the determination as to issuance of an amended decision based on findings that 1 or more of the following conditions exist:
 1. An error or omission was made on the original notice of final decision;
 2. The original decision was based on incorrect information; and
 3. New information becomes available during the appeal period which was not available when the decision was made which alters the facts or conditions in the original decision.
- An amended decision shall be processed in accordance with Section 17.24.120 and 130 of this code.

APPEALS

- In the case of a decision by the Director, any person entitled to notice of the decision per this code or any person who is adversely affected or aggrieved by the decision, may file a notice of appeal as provided by the St. Helens Municipal Code, Chapter 17.24.
- In the case of a decision by the Planning Commission, except for a decision on an appeal of the Director's decision, any person shall be considered a party to a matter, thus having standing to seek review, provided:
 1. The person appeared before the Planning Commission orally or in writing and;
 - a. The person was entitled as of right to notice and hearing prior to the decision to be reviewed; or
 - b. The person is aggrieved or has interests adversely affected by the decision.

APPEAL PETITIONS

- The petition for appeal shall contain:
 1. A reference to the application sought to be appealed;
 2. A statement as to how the petitioner qualifies as a party;
 3. The specific grounds for the appeal. Grounds shall include specific reference to the Development Code sections or comprehensive plan provisions which form the basis for the appeal; and
 4. The date of the filing of the final decision on the action or, in the case of a decision by the Director, the date the decision was filed and the date notice of the final or proposed decision was given.
- The appeal petition shall be accompanied by the required fee.
- All the requirements of Section 17.24.340 (Notice of Appeal) are jurisdictional requirements for filing a valid petition for appeal.

FEE WAIVER FOR APPEALS

- The fee for a petition to appeal may be waived or reduced and refunded in whole or in part to the applicant by the Council upon written request if:
 1. The proposed project will benefit the general public; or
 2. The applicant is a public agency or non-profit, community-oriented service organization; or
 3. Payment of the application fee would pose a financial hardship to the applicant.
- Only the "local" portion of a fee may be waived or reduced when a portion of a fee must be remitted to another agency as required by law.

**CITY OF ST. HELENS PLANNING DEPARTMENT
ADMINISTRATIVE STAFF REPORT**

File(s): Site Development Review SDR.1.23

Proposal: Develop site with a building for uses possible in the Light Industrial zoning district. This proposal requires a Site Development Review.

Location: 475 N. 12th Street

Map/Taxlot(s): 5N1W-33DC-7500/8700

Applicant(s): Wayne Weigandt of 1771 Columbia Boulevard, LLC

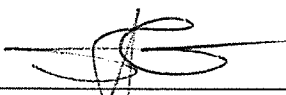
Owner(s): same as applicant

Zoning: Light Industrial, LI

* * * * *

CONCLUSION & DECISION

Based upon the facts and findings herein, the City Planning Administrator **APPROVES** this **Site Development Review** with conditions (as detailed in the next section of this report).



Jacob A. Graichen, AICP, City Planner

MAR 29, 2023
Date

* * * * *

CONDITIONS OF APPROVAL

Please note that the requirements of other City of St. Helens departments (e.g., Building, Engineering, and Administration) and other agencies (local, state and/or federal) may apply to this proposal. This *local land use approval* decision does not exempt and is not a substitute for those requirements.

The following conditions apply to the *local land use approval* aspect of this proposal:

1. This **Site Development Review** approval is valid for a limited time (to establish the use) pursuant to SHMC 17.96.040. This Site Development Review approval is valid for 1 year. A 6-month extension is possible but requires an application and fee. If the approval is not vested within the initial 1 year period or an extension (if approved), this is no longer valid and a new application would be required if the proposal is still desired. See SHMC 17.96.040.
2. The following shall be required prior to any development or building permit issuance:
 - a. All lots of the subject property (Lots 4-5 and Lots 22-23 of Block 5, Railroad Add.) shall be combined such that they can only be transferred (change of ownership) together as a whole. This may be done by a Declaration of Covent to Bind Property prepared by the city or by a one-parcel land partition. Applicant is responsible for all recordation fees.

- b. The existing utility pole along N. 12th Street must be moved with approval from all applicable utility provider(s) and the city such that it will not conflict with the circulation, parking or overall design. If not moved or moved to a location that will result in plan changes, a minor or major modification Site Development Review shall be required for any plan to be approved before development or building permit issuance.
- c. Final plans as submitted with any development or building permit(s) shall comply with the plans submitted with this Site Development Review with the following additions and/or corrections:
- i. All provisions of SHMC 17.96.090, 17.96.110, 17.96.120, 17.96.130, 17.96.140, and 17.96.150 shall apply.
 - ii. New location of pole per condition 2.b unless a major or minor modification of this Site Development Review is necessary, in which case pole location will be addressed by the modification application.
 - iii. In addition to being drawn to scale dimensions shall be specifically identified to ensure workers implementing the plan construct improvements according to the plan.
 - iv. Street trees along N. 12th Street. Trees shall be “small” species per the Development Code and a minimum of three are required. Tree location shall also comply with requirements per 17.72.035(2)(d)-(l). Trees shall be minimum 2” caliper at four feet in height. Specific species shall be indicated and applicant shall not plant a different species without prior approval from the city.
 - v. Street trees along N. 13th Street. Tree location shall also comply with requirements per 17.72.035(2)(d)-(l). Trees shall be minimum 2” caliper at four feet in height. There shall be no less than three street trees unless a “large” species is used, in which case there shall be no less than two street trees. Specific species shall be indicated and applicant shall not plant a different species without prior approval from the city.
 - vi. Landscaping plans meeting the buffering and screening requirements of Chapter 17.72 SHMC. Headlight glare screening from residential properties shall be addressed.
 - vii. Landscaping along the perimeter that includes a balance of low lying and vertical shrubbery and trees to “screen” off-street parking areas.
 - viii. Per condition 5.
 - ix. Trash enclosure details demonstrating compliance with all provisions of the Development Code.
 - x. Parking spaces behind the sidewalk (opposite street side) but also within the public right-of-way shall be omitted. These will not be allowed.
 - xi. Accessible (disabled person) space in compliance with applicable laws.
 - xii. A bicycle space, which must be lockable.
 - xiii. How all interior drives and access aisles will be marked and signed to indicate vehicular direction flow.

- xiv. Wheel stops for all off-street parking spaces.
- xv. Specifications as to proposed building mounted lighting. Additional lighting shall be included on the building north side.
- xvi. Pedestrian crossings shall be indicated with pavement markings, or contrasting pavement materials, which shall be depicted and indicated on plans.
- xvii. The regulations pertaining to visual clearance areas (SHMC Chapter 17.76) shall apply.

- d. Engineering construction plans shall be submitted for review and approval addressing all public improvements including but not limited to street improvements including but not limited to curb, sidewalk, landscaping and maneuvering area. Parking spaces behind the sidewalk (opposite side from the street) within the public right-of-way shall be prohibited.
- e. A drainage and stormwater plan by a certified by a registered professional engineer shall be submitted that addresses any increase in runoff from the site and how the potential impacts will be mitigated. Plans shall include oil/water separation.
- f. An erosion control plan shall be reviewed and approved by City Engineering to prevent erosion of any new soil materials.
- g. Property corners shall be identified by Professional Land Surveyor licensed in the State of Oregon. Written proof that said surveyor has done this including verification of the accuracy of field markings and photos of those markings shall be required.
- h. An additional “fair share” fee shall be paid per equivalent dwelling unit (EDU) based on the portions of the city wastewater collection system between the subject property and the wastewater treatment plant, that this development depends on, that are at or above capacity as identified in the 2021 Wastewater Master Plan. Estimated per EDU cost is \$3,400 based on October 2022 dollars. Inflation adjustment to value at time of building permit issuance shall be included.

3. The following shall be required **prior to** Certificate of Occupancy by the City Building Official or commencement of use:

- a. All improvements necessary to address the requirements herein, and in accordance with approved plans, shall be in place. Discrepancies from improvements and approved plans must be resolved. This includes changes to physical improvements and modification of the Site Development Review (processing a modification application) as applicable.
- b. A professional Land Surveyor licensed in the State of Oregon shall verify property corners as marked before construction per condition 2.g. Any discrepancy from the approved plan shall be resolved.

4. This Site Development Review does not allow uses with offsite impacts.

5. Service facilities such as gas meters and air conditioners which would otherwise be visible from a public street, customer or resident parking area, any public facility or any residential area shall be screened,

regardless if such screening is absent on any plan reviewed by the City. This includes but is not limited to ground mounted, roof mounted or building mounted units. See SHMC 17.72.110(2).

6. Any artificial lighting of the site shall be designed such that there will be no glare into nearby public rights-of-way or residences.
7. Disabled person parking space(s) shall comply with local, State, and Federal standards.
8. Any new sign requires a sign permit prior to installation, pursuant to Chapter 17.88 SHMC.
9. Any new utilities shall be underground. Existing overhead utilities may remain above ground provided there are no new poles.
10. No plan submitted to the City for approval shall contradict another.
11. The off-street parking assumed for this proposal is 1 space per 600 feet of gross floor area. Uses that exceed this are subject to Site Development Review, in addition to any other applicable requirements, in order to be allowed.
12. Owner/applicant and their successors are still responsible to comply with the City Development Code (SHMC Title 17).

* * * * *

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

Deemed Complete Info: This application was originally received and deemed complete on February 6, 2023.

* * *

Permitting History: The site is composed of four lots of the Railroad Addition to St. Helens (Lots 4, 5, 22, and 23, Block 5. The site was developed with a detached single family dwelling since the early 20th century (per County Assessor records) until the use was discontinued and the dwelling razed. The demo permit to raze the building (749-22-000630-DEMO) was issued by the Building Department on December 29, 2022.

The site was zoned two-family residential with heavy industrial abutting the north side per the 1952 zoning map, but has been zoned light industrial since the 1980s.

* * *

Zoning Compliance: The site is zoned Light Industrial, LI.

(4) Standards.

(a) The standards for the LI zone shall be determined by the proximity to residential zones and the anticipated off-site impacts.

(b) The maximum height within 100 feet of any residential zone shall be 35 feet.

The property is on the edge of a division between residential and industrial zoned property. Abutting property on the south side is zoned R5 and developed with dwellings. There is AR zoning across N. 13th Street and R5 across N. 12th Street and these areas are also developed with dwellings. Industrial land abuts the north side.

Buffering and screening is address below and, in part, to address this zoning transition.

Because the property is within 100' of residential zoning on three sides, the height limit of 35 feet applies. Proposed building is 20' in height.

* * *

Sensitive Lands: There are no known sensitive lands as identified in the Development Code.

* * *

Building Height Limitations & Exceptions: Chapter 17.68 includes some industrial zone building height provisions as follows:

- Any building located in an industrial zone may be built to a maximum height of 75 feet, provided:
 - (1) The total floor area of the building does not exceed one and one-half times the area of the site;
 - (2) The yard dimensions in each case are equal to at least the following:
 - (a) Half of the building height from any abutting residential (e.g., R-10, R-7, R-5, AR or MHR) or mixed use (e.g., MU, RD or HBD) zoning district;
 - (b) As necessary to comply with the provisions of Chapter 17.72 SHMC; and
 - (c) Pursuant to Chapter 17.64 SHMC.

As noted in the zoning section above, the building height is limited to 35 feet. So the 75 foot possibility is moot. However, the other provisions still apply.

- (1) As a one story building whose footprint does not include the entire property, it is not possible for the total floor area to achieve the maximum 150% of site area maximum. It will be below 100%.
- (2) The building is proposed to be 30' from the abutting R5 zoned property, which exceeds half of the proposed 20' building height (i.e., 10 feet). Provisions of other chapters address elsewhere herein.

* * *

Landscaping/buffering/screening: Street trees will be required because this is new development with more than 100' of street frontage.

There is overhead utility lines along the N. 12th Street side, thus, street trees need to be "small" per this chapter along N. 12th Street. This requires a 20' spacing. Along N. 13th Street, there is not overhead utility lines along the abutting street(s) that would restrict tree size to "small" trees per the code; tree spacing will be based on tree size per 17.72.035(2)(a)-(c).

Tree location shall also comply with requirements per 17.72.035(2)(d)-(l). There is an existing power pole along N. 12th Street that will need to be moved or incorporated into plans that differ from the proposal presented and thus will require a modification of this Site Development Review.

Because of proposed driveways and such, greenscape along both streets is limited. However, each street frontage is 100' long and 100/3 is 33.333. Medium trees require a 30' spacing and large trees 40'. There is no reason three trees cannot be installed (one in the middle and one on each side) if large trees are not used. No less than three street trees along N 12th Street and the same for N. 13th Street unless a large tree species per Chapter 17.72 is used.

This chapter requires buffering. This applies in this case as follows:

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- Site abuts R5 zoned properties occupied by detached single-family dwellings. The normal requirement is minimum 30' of buffer plus screening for abutting Light Industrial uses.

This is for Light Industrial uses (the site is zoned Light Industrial) but the buffer could be as much as 150' if there are significant off site impacts. This is an important distinction as the specific use of the building is to be determined and the LI zone contemplates off site impacts. For example, one of the permitted uses is:

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

And one of the conditional uses (i.e., needs a Conditional Use Permit) is:

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

A use with offsite impacts would require different land use permitting—a Conditional Use Permit, which this Site Development Review is not a substitute for—and different buffer considerations. These limitations must be reflected in the conditions of approval.

Plans show a 30' separation from the building to the abutting R5 zoning. But the parking areas are closer.

- Parking lots between 4-50 spaces abutting the same R5 zoned property requires 10' buffer plus screening.

Plans show about a 10' area between the R5 zoning and parking lots on both sides of the building.

For all of the buffer areas described, no landscape plan has been submitted. Final plans will be necessary to demonstrate adequate buffering plantings and screening as required by the code. Sidewalk is proposed within the buffer area, which is allowed.

Screaming headlight glare for residential properties will be an important aspect of the parking area buffer.

This chapter requires screening (unrelated to buffering above). This applies in this case as follows:

Because the parking lot will be greater than three spaces, it is required to be screened. For screening in this case, the City usually requires landscaping along the perimeter that includes a balance of low lying and vertical shrubbery and trees.

There are areas for landscaping, but no landscape details, which will ne necessary with final plans.

Service facilities and equipment (e.g., HVAC and other mechanical unit) visible from a public street, customer or residential parking area, any public facility or residential area are required to be screened whether they are ground, wall or roof mounted. In addition, rooftop facilities and equipment are required to be screened from street and adjacent properties.

There is no information for this at this time. Details necessary with final plans. Screening required in all cases.

Refuse container or collection area are required to be screened (e.g., trash enclosure).

A trash enclosure is shown on the plans, but certain details such as wall/fence type and height were not provided. Details needed with final plans.

Interior parking lot landscaping. When off-street parking lots have more than 20 spaces, landscape islands are required with trees.

Less than 20 spaces are proposed.

* * *

Visual Clearance: Chapter 17.76 SHMC requires proper sight distances at intersections to reduce traffic hazard potential. The required area to maintain clear vision is greater for arterial streets.

Parking spaces (one on each side) behind the sidewalk but proposed within the public right-of-way will not function as street parking and are within much of the vision clearance area. As such, they must be omitted.

* * *

Off-Street Parking/Loading: Off street parking is required because this is new development.

Dimension and type. All proposes spaces are standard size and meet the normal dimensional requirements (min. size 9' x 18').

Location. Parking spaces are required to be within 200' of the building or use served. Proposed spaces are within this distance.

Accessible (disabled person) spaces. Required to comply with State and Federal Standards. A total of <20 parking spaces are proposed. Per the 2022 Oregon Specialty Code, this requires at least 1 accessible space, which is required to be van-accessible. There is a wheelchair access aisle presumably for an ADA space; needs to be clearer with final plans.

Also, accessible parking spaces are required to be located on the shortest route to an accessible pedestrian entrance. Though this is a building code issue, it is relevant to site design. Presumed proposed location is logical.

Bicycle parking. 1 lockable space is required at a rate of 5% of vehicle spaces. Bicycle spaces are required to be within 50' of primary entrances, under cover when possible, and not located in parking aisles, landscape areas, or pedestrian ways.

5% of 14 or 16 parking spaces (14 assumes two spaces proposed in the right-of-way will not work due to vision clearance conflicts) is 1 bicycle space. This is not address on plans.

Number of off-street parking spaces required. The building is approximately 8,700 square feet in size. Though 16 spaces are proposed, due to vision clearance conflicts, only 14 will be allowed.

$8,700/14 = 621.42$ or about 1 space per 600 square feet. This can accommodate some uses, though many industrial uses are based on employee numbers. The proposal may not be able to accommodate high employee users or uses whose parking requirement exceeds 1 space per 600 square feet, generally.

Aisle width. Two-way vehicle circulation requires a minimum of 24 feet. Such is proposed, however, there is an existing power pole on the N. 12th Street side that interferes with this.

Revised plans needed showing the pole moved, with written consent from the applicable utility providers, or redesign, which will be a modification of this approval and must be formally addressed as a minor or major modification pursuant to Chapter 17.96 SHMC.

Markings. All interior drives and access aisles are required to be marked and signed to indicate direction flow. This shall be a plan and final improvement requirement.

Surface area. All areas used for parking, storage or maneuvering of vehicles (including things towed by vehicles) shall be paved. No gravel is proposed or allowed by this proposal.

Wheel stops. Wheel stops are required along the boundaries of a parking lot, adjacent to interior landscape area, and along pedestrian ways. All spaces front pedestrian ways and will need wheel stops, which will need to be indicated on final plans.

Drainage. Drainage plans will be required to prevent ponding, prevent water flow across pedestrian ways and to address pollutants from vehicles (e.g., oil/water separation).

Lighting. Required to be directed to avoid glare from surrounding residences and roads/streets. Building mounted lighting is proposed, though the specific type is not indicated, which will be required with final plans.

Off-street loading spaces. New or altered buildings or structures which receive and distribute material or merchandise by truck are required to maintain off-street loading and maneuvering area if they are at least 10,000 square feet in size. The building is less than 10K SF in size, so no truck loading dock is required.

* * *

Access/egress/circulation: Joint access and reciprocal access easements. Joint access via easement is allowed by the code provided there is satisfactory legal evidence of such (e.g., easements) and the legal means of allowing the shared access is provided to the City. The development includes 4 lots to be used together; lots need to be combined.

Public street access. All vehicular access and egress per Chapter 17.84 SHMC is required to directly connect to a public or private street approved by the City for public use. Moreover, vehicular access is required to be within 50' of ground floor entrances.

The site abuts the following streets:

Street/Road Name	Public or Private	Street Class (TSP)	Jurisdiction	Improved?
N. 12 th Street	Public	Local	City of St. Helens	partial; no curb or sidewalks
N. 13 th Street	Public	Local	City of St. Helens	partial; no curb or sidewalks

The site utilizes these streets for access and brings vehicle access within the statutory distance of the primary entrance.

Vehicular access spacing, amount, etc. As local streets, there is no spacing between driveways requirements. However, there is a code provision about minimizing access points for industrial (and other) uses.

Two 24' wide access points (driveways) are proposed off both streets. If the lots were residential (like the rest of the streets) and each developed with a single-family dwelling or duplex, each would have its own

driveway and it would be the same amount proposed. So no issue. Also, 24' access width is the minimum requirement for industrial uses.

Pedestrian access (interior walkways). Walkways shall extend from the ground floor entrances or from the ground floor landing of stairs, ramps, or elevators of all commercial, institutional, and industrial uses, to the streets which provide the required access and egress. Walkways shall provide convenient connections between buildings in multibuilding commercial, institutional, and industrial complexes. Walkways also shall provide access to existing and planned transit stops adjacent to the development site. Unless impractical, walkways should be constructed between a new development and neighboring developments.

A walkway is included connecting all doors to the adjacent public streets.

Wherever required walkways cross vehicle access driveways or parking lots, such crossings shall be designed and located for pedestrian safety. Required walkways shall be physically separated from motor vehicle traffic and parking by either a minimum six-inch vertical separation (curbed) or a minimum three-foot horizontal separation, except that pedestrian crossings of traffic aisles are permitted for distances no greater than 36 feet if appropriate landscaping, pavement markings, or contrasting pavement materials are used. Walkways shall be a minimum of four feet in width, exclusive of vehicle overhangs and obstructions such as mailboxes, benches, bicycle racks, and sign posts, and shall be in compliance with ADA standards.

Walkways cross vehicle aisles in front of both proposed overhead doors, but these crossing are less than 36 feet, so pavement markings or contrasting pavement material may be used. Must be included on final plans.

Required walkways shall be paved with hard-surfaced materials such as concrete, asphalt, stone, brick, etc. Walkways shall be required to be lighted and/or signed as needed for safety purposes. Soft-surfaced public use pathways may be provided only if such pathways are provided in addition to required pathways.

The shading of the walkway areas suggests concrete use. Proposed building mounted lighting, aligns with the walkways.

Access requirements based on type and intensity of use. Only one driveway is required based on the size of the parking areas on each side of the building, but as noted above, having two 24' wide driveways along each street frontage is acceptable.

* * *

Signs: No signs are proposed at this time. New signs will require permits per Chapter 17.88 SHMC.

* * *

Solid Waste/Recyclables: Chapter 17.92 SHMC includes provisions for functional and adequate space for on-site storage and efficient collection of mixed solid waste and recyclables subject to pick up and removal by haulers.

Minimum area required is 10s.f. + (4s.f. x 1,000 s.f. GFA) or about 45 square feet. Proposes enclosure exceeds this. Minimum 6' high sign obscuring fence/wall is required; such detail not provided. A minimum 10' wide gate opening is required, which is reflected on the plans. Needed additional details will be required for final plans.

* * *

Site Development Review: This chapter details several plan requirements for site development review applications. The applicant provided a basic site plan and building elevations but did not fully address all requirements of Chapter 17.96 SHMC. All requirements shall be met with final plans.

Buildings are required to be located to preserve existing trees and such. Per Chapter 17.96 SHMC trees with a 6" or greater dbh require preservation or replacement. The site is void of trees.

Crime prevention. There are "eyes on the street" throughout the neighborhood given the dwellings in the area. The proposal includes building mounted lighting on three sides but omits anything on the north side. There is a fence on the abutting property to the north that was associated with the former mill that operated there until around 2010. There is space between the property line and old mill fence as vast as 30 feet. With the proposed building and development, the area between the property line and fence will be less visible overall. Lighting of this side of the site is warranted for crime prevention purposes.

* * *

Street/Right-of-Way Standards: The applicant is proposing street frontage improvements consistent with each street's local classification. There is a power pole that conflicts with the design along N. 12th Street. All existing improvements need to be incorporated into plans.

Design subject to review by city engineering. The rights-of-way exceed the normal width requirement so no dedication needed. However, the applicant proposes to use right-of-way for maneuvering associated with the off-street parking on private property, so a surveyor is needed to ensure where the division of private versus public improvements, both before and after construction.

* * *

Utility Standards:

Water: City water is available within both the N. 12th and N. 13th Streets right-of-way.

Sanitary Sewer: Sewer is available within both the N. 12th and N. 13th Streets right-of-way.

The city adopted a new **Wastewater Master Plan (WWMP)** in November 2021 that identifies undersized trunk lines already operating at or above capacity that this development would depend on. The WWMP can be found here:

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

Sewer pipes are considered "at capacity" when peak flows exceed 85% of the full depth of the pipe in accordance with industry standards. This depth is based on the maximum depth of flow ratio (d/D), where "d" is the depth of flow and "D" is the pipe diameter. The WWMP includes an exhibit—Figure 18—that shows that the sanitary sewer main in West Street, N. 10th Street, and N/S 4th Street have portions currently operating at or above 100%. This is much greater than the industry and city standard 85% "at capacity" flows and is a portion of the conveyance system between the subject property and the wastewater treatment plant.

Pipeline surcharging occurs as flows exceed the capacity of a full pipe, causing wastewater to back up into manholes and services. In addition to potentially backing up into homes and health risks associated with sanitary sewer overflows, Oregon DEQ prohibits all sanitary sewer overflows and can fine cities for allowing such and has done so to other jurisdictions. Examples of DEQ fines can be found here:

<https://www.oregon.gov/deq/Pages/enforcement-actions.aspx>

Given this issue, SHMC 17.152.090(4) must be considered:

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Permits Denied. Development permits may be restricted by the commission or council (i.e., the applicable approval authority) where a deficiency exists in the existing sewer system or portion thereof which cannot be rectified within the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of the sewage treatment system.

There is a current deficiency (undersized pipes for existing demand) of a widespread scale within the city per the WWMP including infrastructure this development would need to utilize that could result in surcharging, fines (e.g., for violation of Oregon DEQ standards) and public health risks.

Staff finds this development can still be approved under these circumstances given this criterion based on the following findings or conditions of approval:

- The deficient conveyance infrastructure this development depends on for sanitary sewer is a priority 1 or 3 in the WWMP. Priority rankings include three categories. There is no priority 2 conveyance improvements. The difference between priority 1 and 3, is priority 1 includes areas that have been reported to have overflows or significant surcharging during wet weather events, whereas priority 3 areas are where there have been infrequent or no observations of historical overflows or surcharging.
- City Public Works and Engineering staff have already begun to address the necessary sanitary sewer infrastructure upgrades having already submitted an application to the State Revolving Fund Program (for below market rate loans) to Oregon DEQ to fund both priority 1 projects (in basins 4 and 5) and priority 3 projects in basin 6. Basin 3 and 4 is applicable to this proposal, with basin 4 improvements a priority. City Public Works and Engineering indicate an anticipated 4-year timeframe (from October 2022, when DEQ approved a \$16.4 million loan) for completion of these upgrades.
- A condition of approval to require a fee per equivalent dwelling unit will be included. This is not a System Development Charge pursuant to ORS 223.299(4)(b); it is a temporary charge by order for development and land divisions proposed under these circumstances until the infrastructure is in order per the WWMP. The nexus is clear as it relates to the sewer conveyance deficiency and an amount has been determined based on calculations to determine fair proportionality—see attached **St. Helens Wastewater Collection System New Sewer Connection Surcharge memo**.

For this project, the fee per equivalent dwelling unit is \$3,400, and this estimated amount is determined to be a fair share quantity for this proposal. It is based on October 2022 dollars, and inflation must be considered.

- Though denial of this proposal itself does not warrant a moratorium or public facilities strategy as there is no prior stoppage or restriction of permits, authorizations, or approvals*, the city recognizes that the sanitary sewer conveyance problems identified in the WWMP are widespread and denial could set a precedence of action that if continued for projects under similar circumstances, could be construed as a pattern or practice that at some point could warrant a moratorium or public facilities strategy.

*Per ORS 197.524 a local government is required to adopt a public facilities strategy under ORS 197.768 or a moratorium on construction or land development under ORS 197.505 to 197.540 when it engages in a pattern or practice of delaying or stopping the issuance of permits, authorizations or approvals necessary for land divisions or construction due to the shortage of public facilities (like sanitary sewer).

Storm Sewer: There is some storm infrastructure within the N. 13th Street right-of-way. Storm plans will need to be approved as part of the final plan set/building permit package.

Other: There are overhead utilities along both N. 12th and N. 13th Streets. Overhead utilities may be utilized as long as there are no new poles.

* * *

Trails/bikeways: There is no planned trail or bikeway identified in the Transportation Systems Plan and Parks and Trails Mater Plan associated with this site.

* * *

Traffic Impact Analysis: Not warranted.

* * *

Other Considerations: Multiple lots need to be consolidated given building placement over property lines and associated site improvements utilizing all four lots as one.

* * * * *

ATTACHMENTS

As mailed:

- St. Helens Wastewater Collection System New Sewer Connection Surcharge memo (excerpts: pgs. 1-6, 16, and 25-26)
- Site plan
- Building elevations plan



St. Helens Wastewater Collection System New Sewer Connection Surcharge

December 1, 2022
Revision 01

*EXCERPT
FOR
SDR. 1.23*

CITY OF ST. HELENS
265 STRAND STREET | ST. HELENS, OREGON 97051
503.397.6272 | WWW.STHELENSOREGON.GOV

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SECTION 1 – BACKGROUND

1.1 Wastewater Masterplan 2021 Update

The City of St. Helens provides sanitary sewer collection services to businesses and residences within the City limits. The sanitary sewer collection system is a combination of over 60 miles of gravity and force mains, 9 lift stations, and over 1,700 sanitary sewer manholes, vaults, and cleanouts. The sewer pipes in the City range from 6-inches to 48-inches in diameter, with the majority of the pipes being 8-inch. All sewage flows are conveyed to the City's wastewater treatment facility.

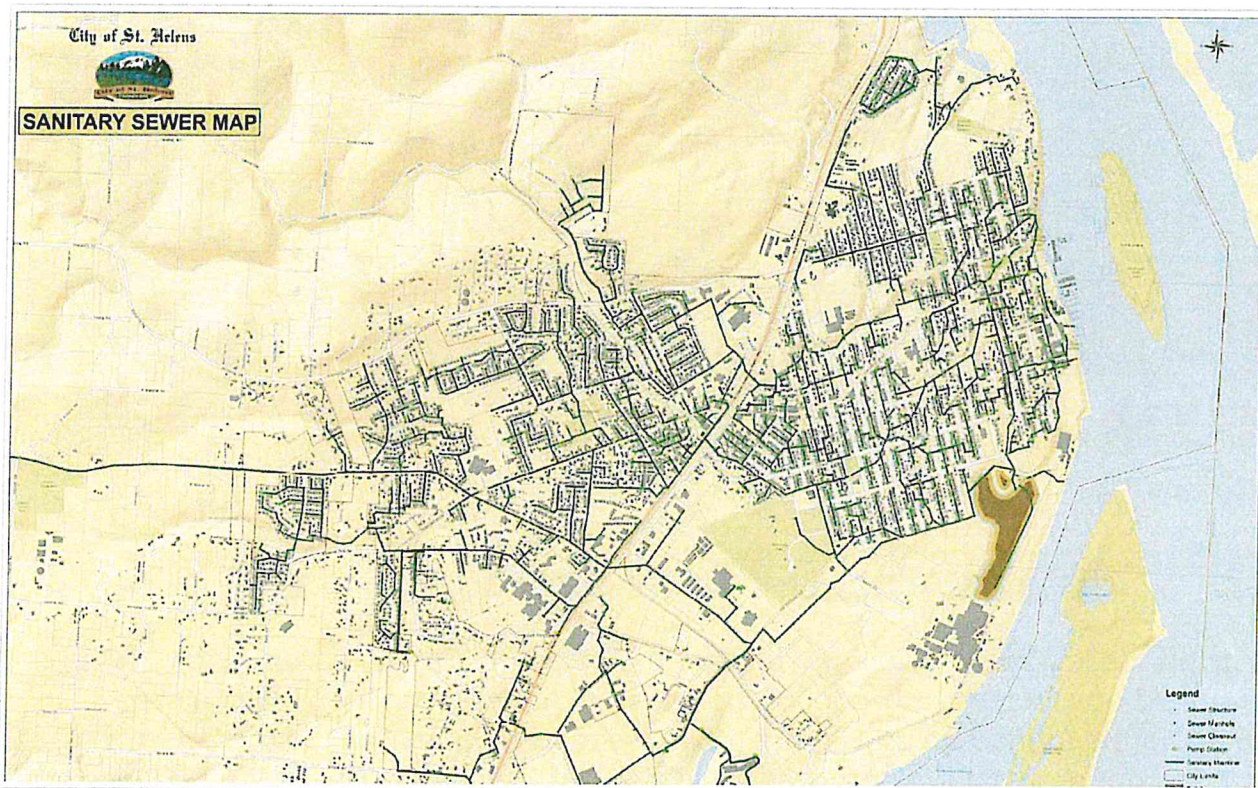


Figure 1.1.A St. Helens Sanitary Sewer Map

On November 17, 2021, the St. Helens City Council adopted the updated Wastewater Master Plan (WWMP) under Resolution No. 1940. This update to the City's WWMP is the first complete study done on the entire sewer collection system since 1989. The population was 7,500 at the time. Since then, the population of St. Helens has grown to over 14,500 – almost double. With this added population, more load is added to the public sewer system. Meanwhile, the size of the sewers have not been increased.

After 33 years of growth, the WWMP revealed that the majority of the City's sewer trunklines are at operating at or above capacity. This means that the greater portion of the City's public sewer system is inadequate to serve a growing population. Without

increasing the sizes of the trunklines, there is an increased risk of sanitary sewer overflows in the collection system.

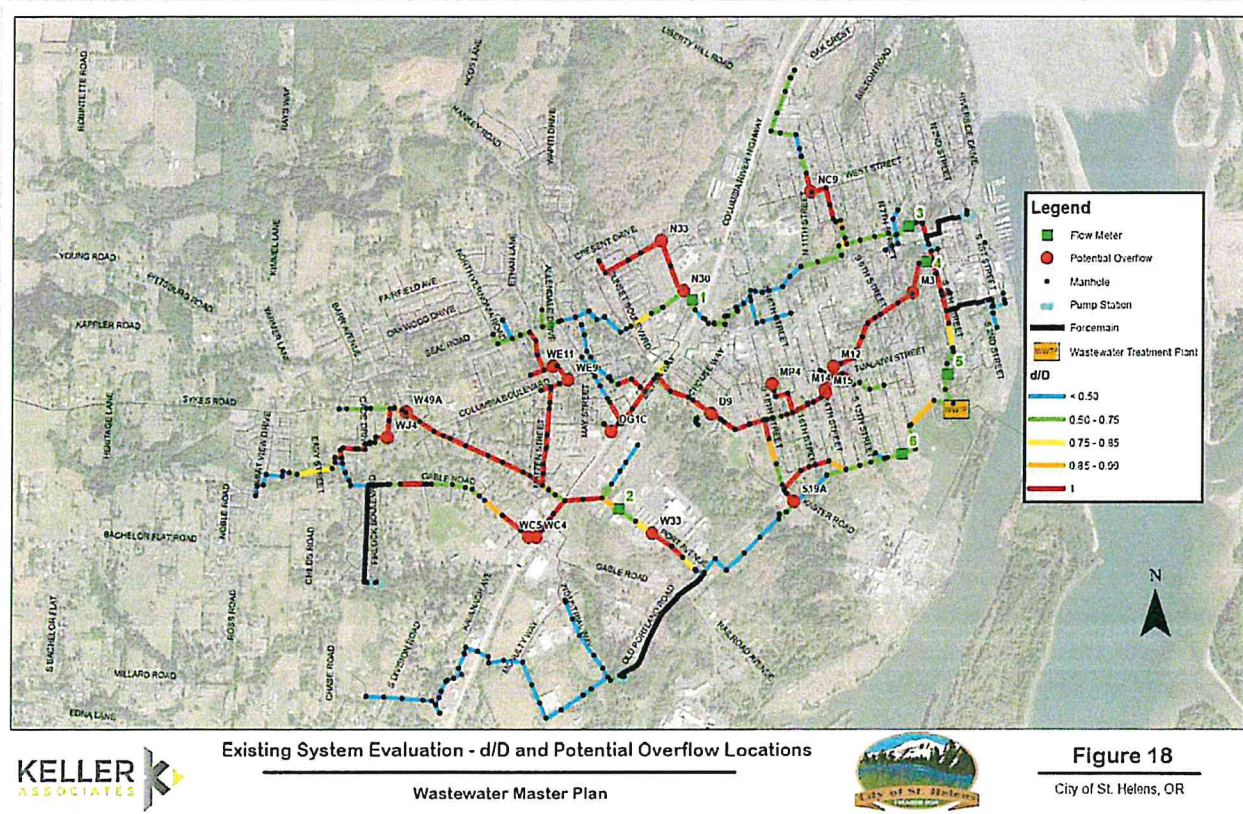


Figure 1.1.B Existing Sanitary Sewer Evaluation Map (2021 WWMP)

1.2 New Development Sewer Surcharge

To assess the impacts of future development on the public sewer system and how the City could pay for the costly capital improvements identified in the WWMP, Keller Associates performed an assessment of a sewer charge based on the shared of costs that new upstream Equivalent Dwelling Units (EDUs), as identified in the 2019 Housing Needs Analysis, would pay to complete the downstream CIP improvements along trunk lines that convey their sewage flows. The costs per EDU were based on the CIP project costs broken down by trunkline.

This sewer surcharge assessed per EDU is to fund capacity upgrades to the public sewer system and will be levied on those properties and developments requiring connection to the sewer trunklines identified in the 2021 WWMP update as "at or above" capacity. These fees will allow the City to recover a fair portion of the infrastructure improvements made by the City to accommodate new users and be used solely for public sewer capacity improvements. Equivalent Dwelling Units conversion details for sewer charges for multifamily dwellings, commercial, and industrial land uses may be found in Section 4 – EQUIVALENT DWELLING UNIT CONVERSION.

SECTION 2 – ST. HELENS SEWER TRUNKLINE BASINS

2.1 Sanitary Sewer Trunk Basins Methodology

Sewer basin delineations by trunk lines were created to aid in the proper assessment of the sewer surcharge to ensure costs reflect the actual share of costs that new upstream EDUs, as identified in the 2019 Housing Needs Analysis, would pay based on the downstream sanitary sewer capital improvements along the trunk lines the flows for their property would flow through.

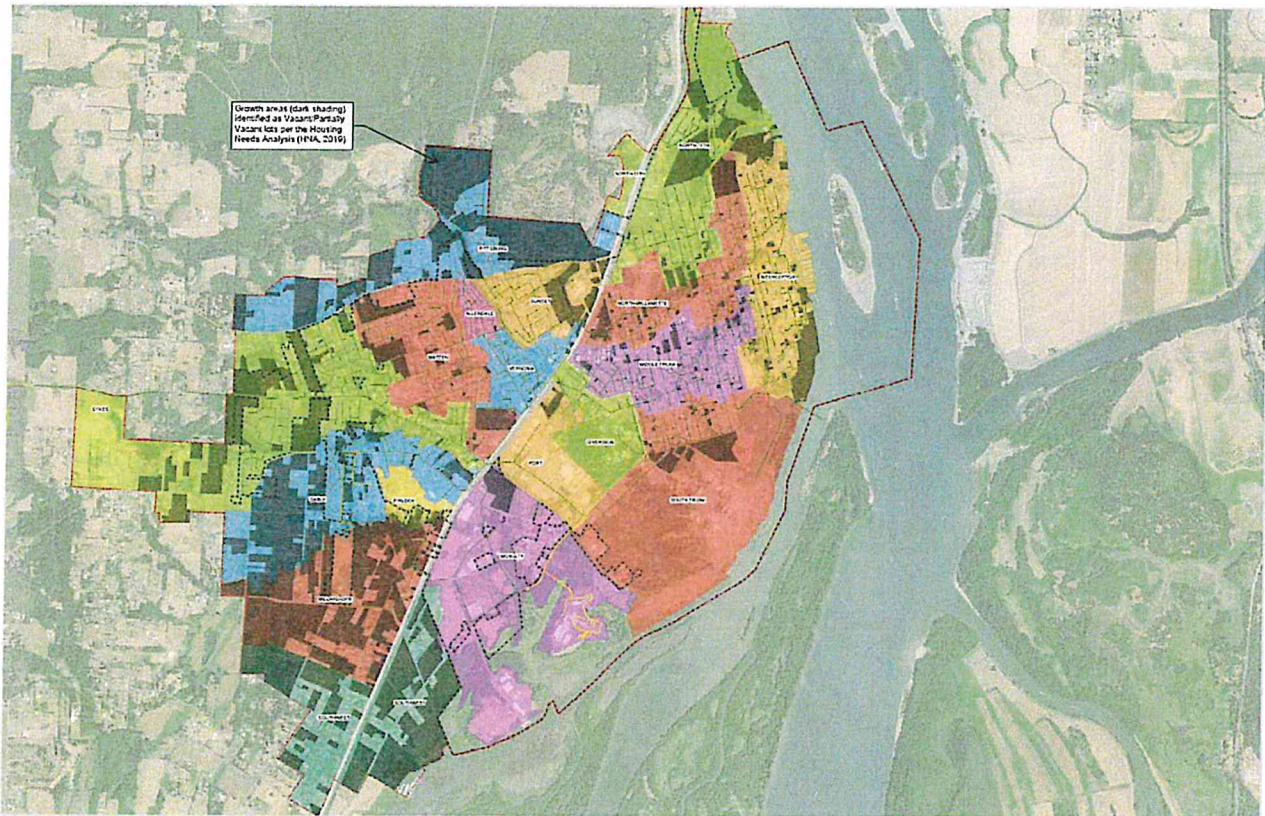


Figure 2.1.A St. Helens Sanitary Sewer Trunkline Basin Delineations

The delineation of CIP projects was simplified and where major portions of a Capital Improvement Project (CIP) spanned more than one basin, projects were split by basin. Basin delineation generally reflects existing conditions, except the Pittsburg basin, which is largely undeveloped and is anticipated to discharge to the North-11th basin.

Costs were calculated by summing CIP costs in and downstream of a basin and summing the EDUs in and upstream of the basin. The downstream CIP costs are then divided by the upstream EDUs. A sewer surcharge cap of \$15,000 per EDU is assumed.

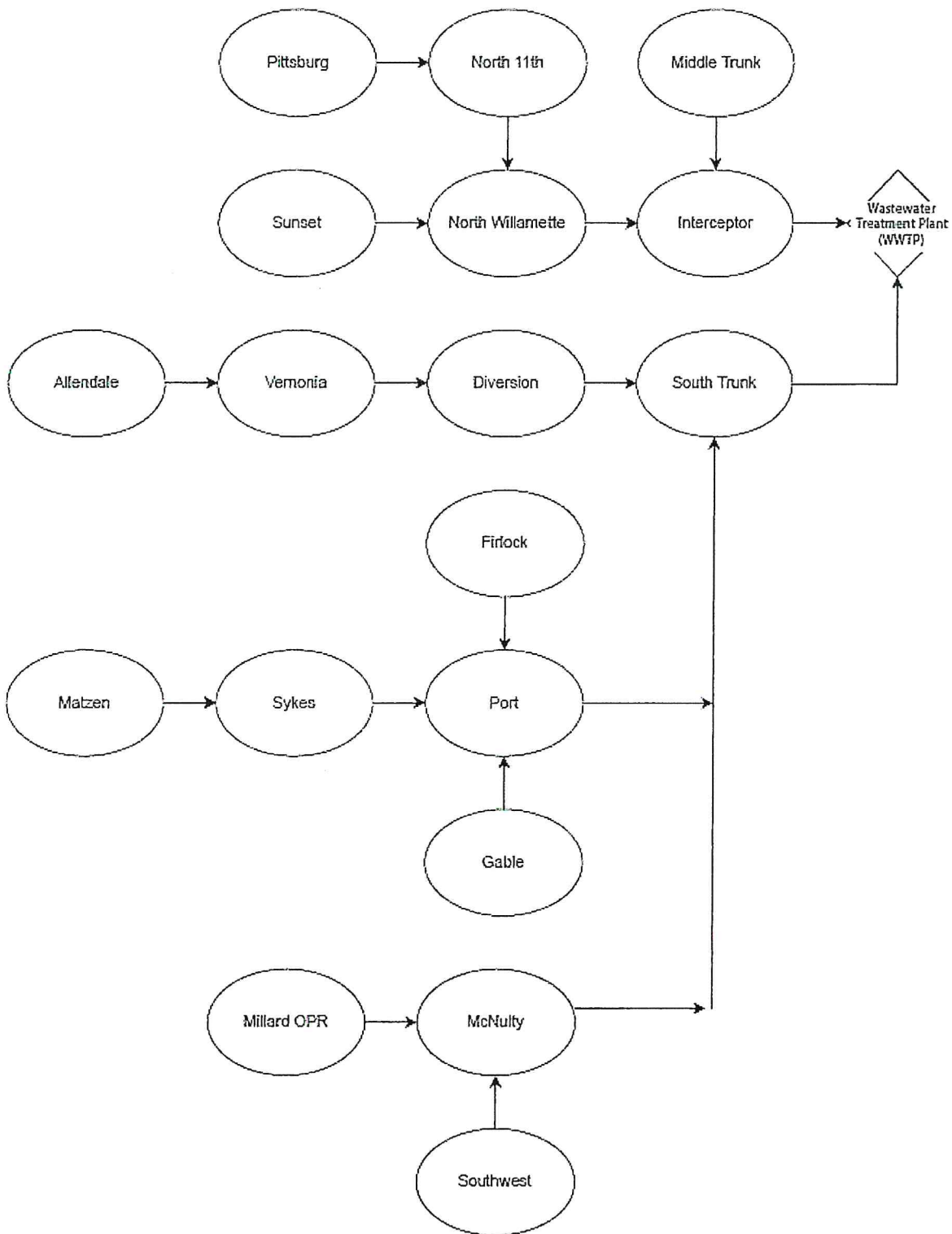


Figure 2.1.B St. Helens Sanitary Sewer Trunkline Basin Flow Paths

2.11 North 11th Sewer Basin

The North 11th sewer basin area has 304 new In-Basin EDUs.

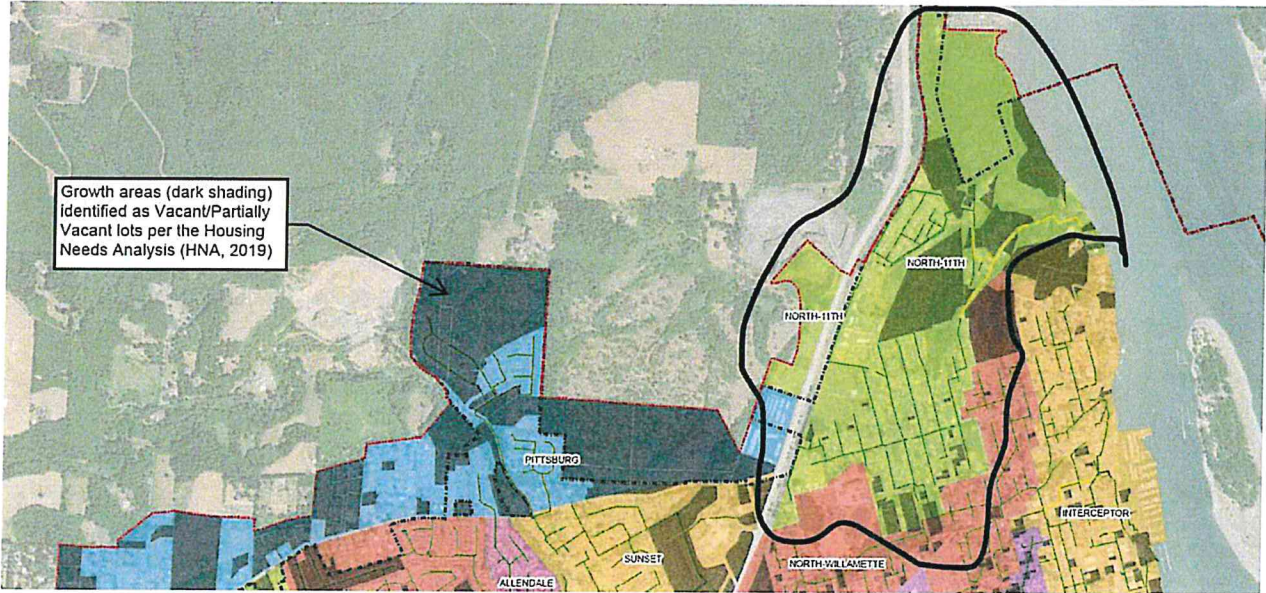


Figure 2.11.A North 11th Sanitary Sewer Basin

The allocation of the North 11th sewer basin's downstream CIP share per new upstream EDU, which consists of North 11th, North Willamette, and the Interceptor basins, is \$3,400.

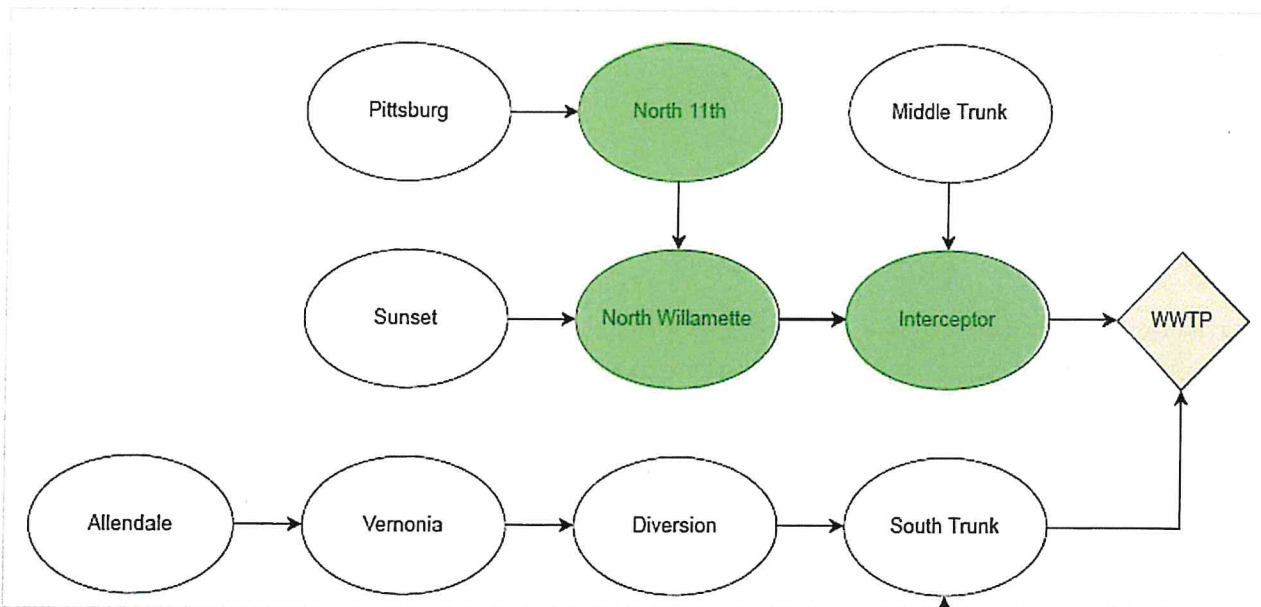


Figure 2.11.B North 11th Sewer Basin Flow Path to WWTP

SECTION 3 – SEWER SURCHARGE CHART

Sewer Trunkline Basin	Downstream CIP Share per New Upstream EDU	New-In Basin EDU	Sewer Surcharge per EDU*
Allendale	\$104,900	1	\$15,000 (max.)
Diversion	\$104,900	1	\$15,000 (max.)
Firlock	\$7,600	0	\$7,600
Gable	\$7,900	589	\$7,900
The Interceptor	\$2,200	512	\$2,200
Matzen	\$12,700	430	\$12,700
McNulty	\$3,200	144	\$3,200
Middle Trunk	\$41,400	91	\$15,000 (max.)
Millard-OPR	\$3,200	806	\$3,200
North 11th	\$3,400	340	\$3,400
North Willamette	\$2,200	134	\$2,200
Pittsburg	\$3,400	731	\$3,400
Port	\$3,800	36	\$3,800
South Trunk	\$1,800	124	\$1,800
Southwest	\$3,200	748	\$3,200
Sunset	\$7,900	321	\$7,900
Sykes	\$6,600	500	\$6,600
Vernonia	\$104,900	30	\$15,000 (max.)

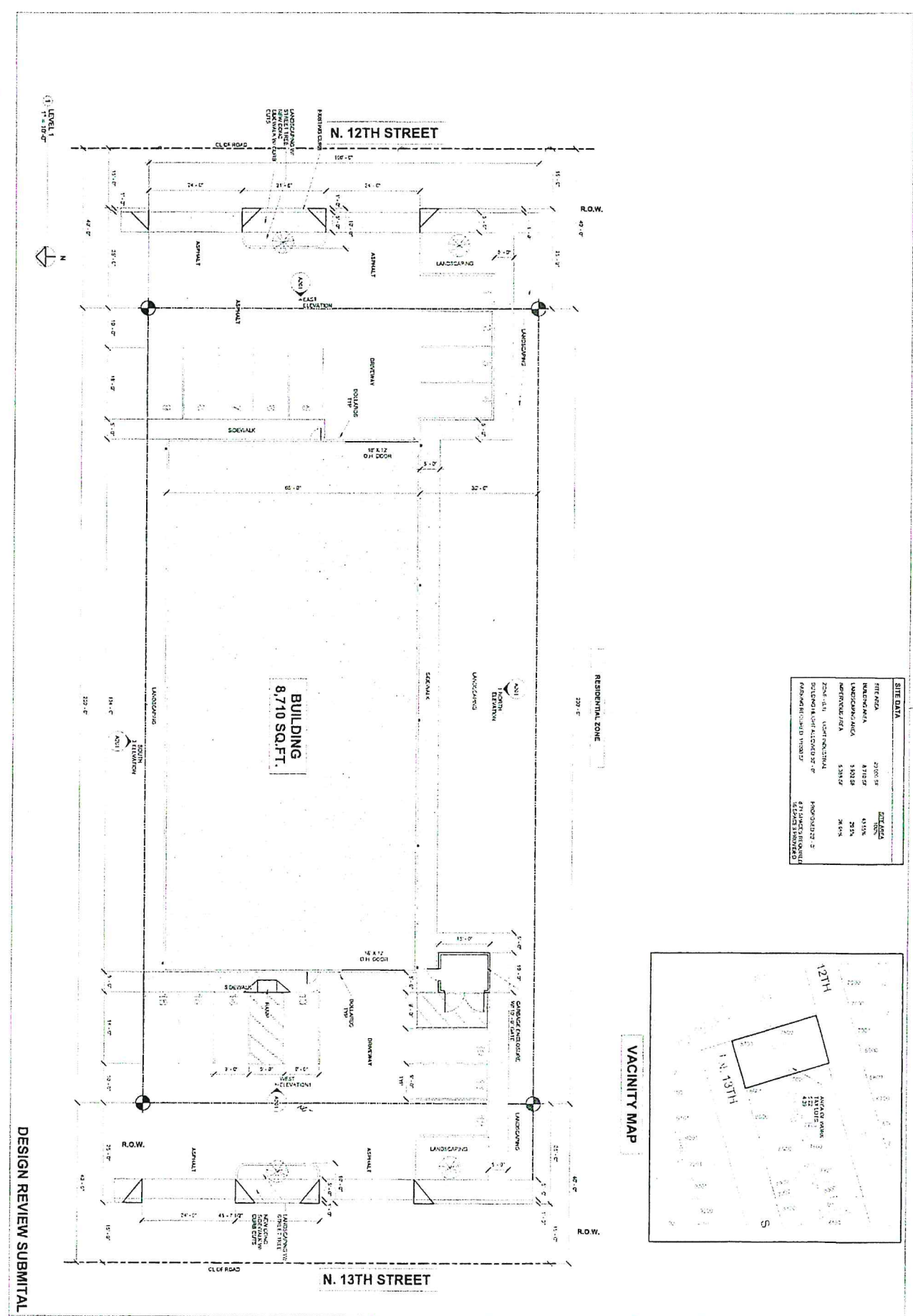
* Estimated Sewer Surcharge cost per EDU is based on the US dollar at the time this document was published. Inflation adjustment to value at time of building permit issuance shall be included.

SECTION 4 – EQUIVALENT DWELLING UNIT CONVERSION

Land Use	EDU Conversion
Single Family Residential	1.00 EDU per unit
Multi Family (Duplex)	0.80 EDU per unit
Multi Family (3 or more Dwelling Units)	0.77 EDU per unit

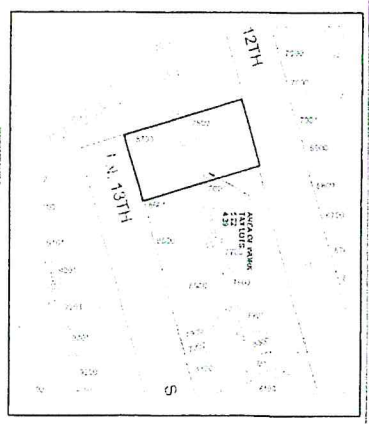
Residential EDU conversion rate based on the City of St. Helens adopted Sewer Utility Rates and Charges.

EDU conversion rates for sewer surcharges for commercial, industrial, and other land uses not covered under Single Family Residential, Multi Family (Duplex), or Multi Family (3 or more Dwelling Units) shall be based on City of St. Helens wastewater rate classifications for water meter size(s),	
3/4-inch meter	1.00 x Sewer Surcharge
1-inch meter	1.67 x Sewer Surcharge
1.5-inch meter	3.33 x Sewer Surcharge
2-inch meter	5.33 x Sewer Surcharge
3-inch meter	10.00 x Sewer Surcharge
4-inch meter	16.67 x Sewer Surcharge
6-inch meter	33.33 x Sewer Surcharge
8-inch meter	53.33 x Sewer Surcharge



SITE DATA

NET AREA	2700 SF	EXISTING AREA	2700 SF
LANDSCAPE AREA	8710 SF	LANDSCAPE AREA	8710 SF
ASPHALT AREA	5300 SF	ASPHALT AREA	5300 SF
CONCRETE AREA	2600 SF	CONCRETE AREA	2600 SF
LANDSCAPE VOLUME	10000 CU YD	LANDSCAPE VOLUME	10000 CU YD
ASPHALT VOLUME	1000 CU YD	ASPHALT VOLUME	1000 CU YD
CONCRETE VOLUME	1000 CU YD	CONCRETE VOLUME	1000 CU YD



DESIGN REVIEW SUBMITTAL

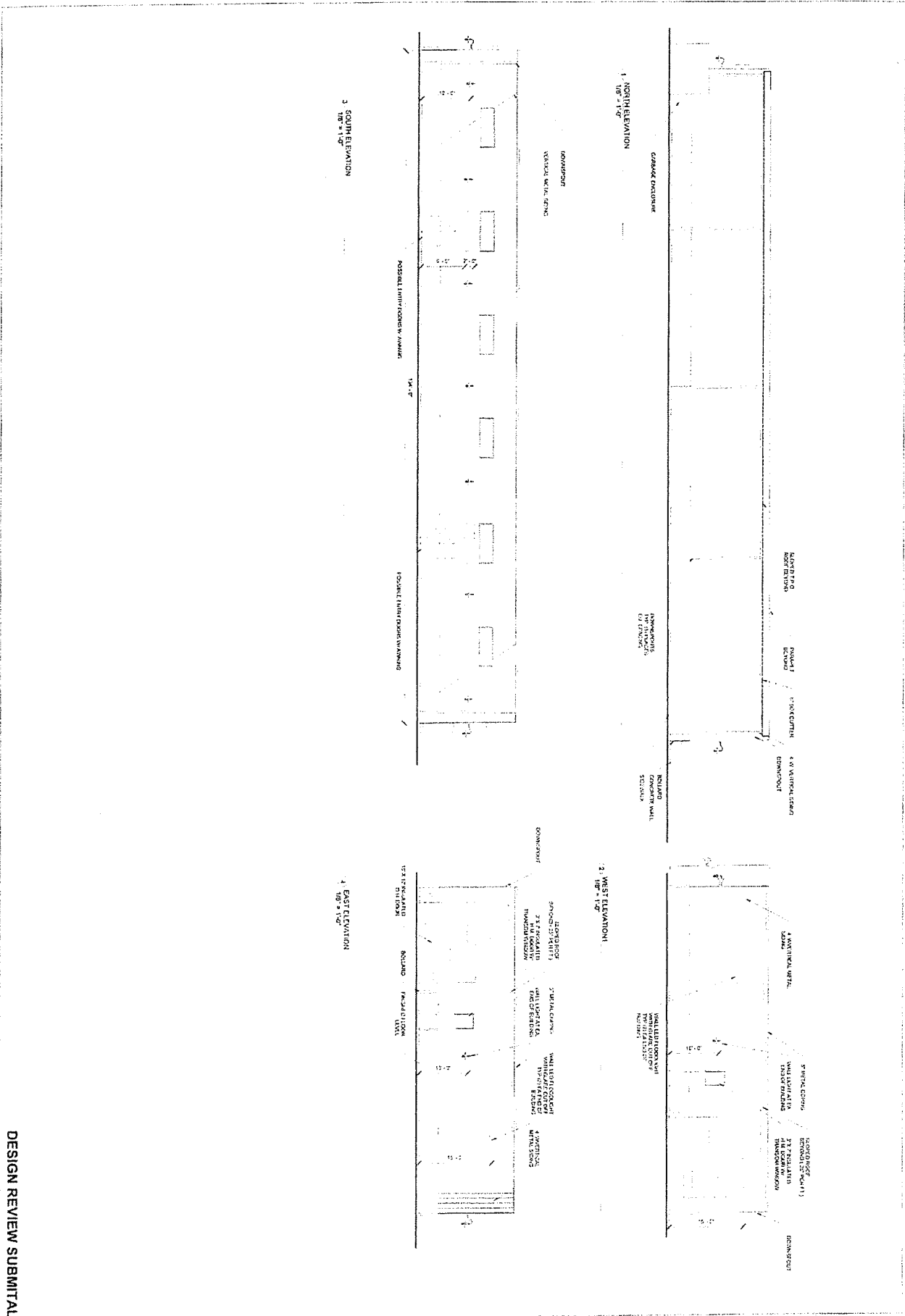
DESIGN REVIEW

No.	Decision	Date

SITE PLAN

A101

LIGHT INDUSTRIAL BUILDING
 475 N. 12TH STREET
 ST. HELENS, OR. 97051



DESIGN REVIEW SUBMITAL

DESIGN REVIEW

No.	Description	Date

ELEVATIONS

LIGHT INDUSTRIAL BUILDING
475 N. 12TH STREET
ST. HELENS, OR. 97051

CITY OF ST. HELENS PLANNING DEPARTMENT ACTIVITY REPORT



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

Date: 09.25.2023

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—PREAPPLICATIONS MEETINGS

Conducted a pre-application meeting for a potential new development of a parcel located off Industrial Way near the intersection of McNulty Way/Industrial Way. The Amani Center is exploring a new location.

PLANNING ADMINISTRATION—MISC.

Conducted final inspection for building H of the Broadleaf Arbor (Gable Road apartments) development. D (community building), E, F and G (multi-family buildings) inspected previously. H is the 5th of ten buildings. Conducted a pre inspection with the project manager for next building (Building I) as we are at the halfway point and looking at getting the “back half” of the site 100% complete. Gable Road improvements are underway, but not subject to completion for the “back half,” but we have expressed the importance of them progressing at this point. They anticipate all being done by end of November.

Conducted Planning Commission interviews for our vacancy resulting from resignation and that person was appointed by the Council.

With Russ Hubbard selected to fill the city council vacancy, we'll need to do another round of outreach and interviews, for the new vacancy on the Commission.

We have two annexations that will probably be processed later this year or next year. Both are related to connection to city utility. bit of time spent related to these this month.

With changeover of long-time staff at Columbia County Land Development Services and the recent adoption of an e-permitting system, I had a discussion with their office manager about how we handle connection to a city utility for properties outside of city limits. Technology and people have changed, and staying coordinated on this is important to prevent future mishaps.

A fairly common issue of people using street turn-around for parking or storage came up again recently, this time for Mikayla Lane on the south side of Campbell Park. [See attached.](#)

Some of our older files are kept in a storage area accessible from an outdoor doorway. This outdoor area is secure and popular for storing stuff related to events and such. Sometimes, the door gets blocked. Thanks to our Safety Committee, a sign was posted on the door to help get the point across. I wrote this on the door years ago with a permanent marker but that faded.



DEVELOPMENT CODE ENFORCEMENT

There was a complaint about a fence in the Old Portland Road tight-of-way at 7th Street. Issue resolved.

Local post office called about a beehive issue on S. 2nd Street. One of their mail carriers is allergic to bee stings. After some unsuccessful discussions with the applicant, USPS contacted the city. Upon observation, the hives were clearly visible from the public street and, thus, not in compliance with honeybee keeping code.

PLANNING COMMISSION (& *acting* HISTORIC LANDMARKS COMMISSION)

September 12, 2023 meeting (outcome): The Commission held three public hearings. They approved a Variance associated with a Lot Line Adjustment, recommend denial (to the Council) of a zoning and comprehensive plan map change for the CCMH property, and denied the Conditional Use Permit, et al. for the proposed Police station at Old Portland Road/Kaster Road.

As the Historic Landmarks Commission, they reviewed the latest changes proposed for 71 Cowlitz Street (Klondike Tavern) as tabled from the August meeting.

October 10, 2023 meeting (upcoming): As of the date of this report, there is nothing significant scheduled for this meeting. Potential one to cancel or for the Commission to use as a work session.

From: [Jennifer Dimsho](#)
To: [Jacob Graichen](#)
Subject: September Planning Department Report
Date: Monday, September 25, 2023 10:17:24 AM
Attachments: [image001.png](#)

Here are my additions to the September Planning Department Report.

GRANTS

1. **Safe Routes to School - Columbia Blvd. Sidewalk & County Culvert Project** – Construction with TFT began July 17, starting at the culvert near Gable Road. Trees have been removed. Culvert is installed. Grading work and retaining work is ongoing. Flashing beacon and signage near elementary school installed. Submitted quarterly progress report due on 9/6.
2. **Business Oregon – Infrastructure Finance Authority** – Low-interest loan for Streets & Utilities Project and Columbia View Park improvements that are not covered by grants and Parks SDCs. 1st Reimbursement request processed (which included over 30 invoices). Working with finance and URA revenue projection consultant to support amendment request for additional funding for undergrounding.
3. **Riverwalk Project (OPRD Grants x2)** – Project bidding closed on 9/19. I coordinated issuing 3 addendums during bidding. All bids came back around \$5 million, which is higher than we had budgeted/estimated. Working on a solution to focus on the Riverwalk Project and which is mostly grant funded.
4. **Community Development Block Grants (CDBG)** – \$2.5 million grant award to fund design/engineering/permitting for the City’s Sanitary Sewer Improvement Project. This project covers 3 sanitary sewer basins which were identified as deficient and priorities for improvement in the adopted Wastewater Master Plan. Contracts are expected in August. Construction will be funded by a \$16.4 million loan (with up to \$4.5 million in loan forgiveness) from DEQ’s revolving loan fund. 1st draw requirements completed. Grant administration RFQ closed and we received 3 qualified candidates. Selected contractor on 9/25 and prepared a PSA for approval on 10/4. Engineering is working on Design/Engineering RFP to issue soon.
5. **Certified Local Government Historic Preservation Grant Program** – Received our contract for 17k. Commission scored 4 applicants and selected top-scoring applicant at 135 S. 3rd Street. Prepared package of project material for the state to begin review process which could take up to 75 days. State had additional follow up questions about meeting the standards for rehabilitation, applicant is working on answers /clarifications.
6. **DLCD Technical Assistance Program** – Submitted request for 60k to cover the cost of a new Economic Opportunities Analysis (EOA), including a Resolution from City Council and a letter of support from Columbia Economic Team. Grant was due 9/29.
7. **Veterans Memorial Grant Program** - 33k award for an expansion at McCormick Park Veterans Memorial. Project includes 7 branch of service monuments and corresponding flags. The project includes matching funds of \$28,130 through in-kind labor and donations. Granite slabs are being prepared. Electrician and mason have provided quotes. Project costs (mostly the mason) are higher than expected, but we’re working on a solution. Public Works has poured the walkway and footings and is prepared to pour the 7

concrete pedestals but needs dry weather.

8. **ODOT Community Paths Program** - Received 300k to study a trail route refinement project (30% design) from St. Helens to Scappoose. Contracts are expected in October. Award is \$300k, with a match of around 42k split between Scappoose, the County, and us. ODOT anticipates grant contracts in November/December.
9. **SHPO Oregon Heritage grant Program** - Grant program opened to cover the design and cost of materials for the Warrior Rock Lighthouse replica and signage (Grant max is 20k). Construction could be completed in-house as a match requirement by Public Works staff. Received a letter of support from the County Commissioners and the Columbia County Museum Association. Working on budget, timeline, grant narrative in early October. Grant cycle closes on 10/12.
10. **Travel Oregon Grant Program** - Submitted a 100k grant request to fund ADA components of the Riverwalk Project (Grant was due 9/15). Included a letter of support from our Regional Destination Management Organization (RDMO) which is CET, narrative responses, project budget, grant timeline, and permitting and planning attachments.

PROJECTS & MISC

11. **Riverfront Streets/Utilities Project** – Attending weekly check-ins. Pump station nearly complete. Bluff trail construction is moving along. Stormwater improvements south of Columbia View park complete. Rough grade of traffic circle near Cowlitz/Strand underway. Water line under construction. Undergrounding at 1st Street and St. Helens Street design ongoing.
12. **St. Helens Industrial Business Park (SHIBP) Public Infrastructure Design** – 30% design for Phase I infrastructure & permitting/grading work for Phase II with Mackenzie. Mackenzie provided preliminary PT for PGE parcel. City will facilitate partition process, PGE will prepare other land use applications.
13. **Oregon Population Forecast Program Survey** - Worked with Jacob to prepare narrative/qualitative responses to this survey which are due in November. PSU divides the state into 4 regions and each region receives a forecast every 4 years with a 50-year horizon. The previous report was from 2020-2070. The next report will be for 2024.
14. **Council Meeting Coverage** - While Lisa and Kathy were attending a statewide conference, I covered the City Council meeting ZOOM/recording on 9/20.
15. **Professional Development** - Attended a few relevant webinars this month and registered for two conferences in October (Mainstreet Conference & OAPA).

Jenny Dimsho, AICP | Community Development Project Manager

City of St. Helens | Planning Department
 265 Strand Street, St. Helens, OR 97051 | www.sthelensoregon.gov
 P: (503) 366-8207 | jdimsho@sthelensoregon.gov





265 Strand Street
St. Helens, Oregon
97051

September 25, 2023

RE: Mikayla Lane history and parking

Dear owner of property along Mikayla Lane in St. Helens,

Current improvements:

Mikayla Lane is a public street within a 30' wide right-of-way and a related public access easement for a required turnaround for this dead-end street. It includes a 24' wide roadway with sidewalk on the west side only.

See **attached** Abbey Lane Plat (final plat) with the public right-of-way and turnaround highlighted. This is the recorded plat that created the lots, right-of-way and public access easement for turnaround. This was recorded with the County Clerk on December 7, 2006.

History:

Notice of the subdivision proposal dated July 19, 2004, identified a 5-lot subdivision with a dead-end street with less than the standard dimensions and sizes. See **attached**.

The original proposal, as attached to the notice, showed a street between Columbia Boulevard and Campbell Park with no turnaround. See **attached**.

Subdivisions normally get reviewed by the city's Planning Commission.

The Planning Commission held a public hearing on the matter on August 10, 2004, per this notice. The staff report for that hearing dated August 2, 2004, notes that: the Fire District indicated that the subdivision would have to comply with Fire Code requirements, dead end streets over 150 feet in length require a turnaround, and no turnaround was proposed. Excerpt of this report is **attached** with these statements marked. The lesser road standards requested by the developer are also described.

The hearing was continued to a later date, on October 12, 2004. The Commission's decision following this hearing as signed on November 9, 2004, shows that a sidewalk on the west side was required (condition "i"), that a turnaround be located between lots 3 and 4 (condition "m"), a recommendation that no parking designations be included for the street and turnaround (condition "n"), and that the 30' wide right-of-way was ok. See **attached** excerpt of the final decision signed November 9, 2004.

Note that Lots 3 and 4 are those lots now addressed as 121 and 111 Mikayla Lane.

In 2006, the developer applied to modify the approve preliminary plat from four lots to five. I think the requirements from 2004 resulted in a four-lot proposal, even though five were originally intended.

Identical conditions from the 2004 decision as referenced above were included in the 2006 decision. See **attached** excerpt of the final decision signed April 11, 2006.

It appears the subdivision was constructed in 2006. Typically, construction starts after the preliminary plat is approved and before the final plat (the first attachment) is recorded. Construction is supposed to comply with the conditions of the preliminary plat decision. Construction cannot happen until construction plans are approved.

Attached is a street plan sheet from the construction plans. No driveways are shown because they are private improvements constructed when each lot is developed with a home (after the subdivision is constructed). But the turnaround is shown because it was part of the public street improvements as required for this subdivision.

Current standards:

Fire Code requires a turnaround when a street is longer than 150 feet.

The minimum road width for fire apparatus access is 20 feet per Fire Code, though this increases to 26 feet when there is a fire hydrant along the street. Because automobiles are normally wider than 4 feet, any on-street parking on Mikayla Lane, even on just one side of the street would be an obstruction for emergency vehicle response since it is only 24 feet wide between curbs.

Street signage is usually the responsibility of the developer. Though, because initial development was long ago, any new curb painting or street signage to make up for any deficiency would be the purview of Public Works.

Enforcement of designated no parking areas is up to the Police Department (which includes Code Enforcement).

Chapter 10.04 of the St. Helens Municipal Code addresses parking regulations.

The code can be found online: <https://www.codepublishing.com/OR/StHelens/>

The definition of “street” per this Chapter is as follows:

“Street” means every public way, road, street, thoroughfare and place, including bridges, viaducts and other structures within the boundaries of this state, open, used or intended for use of the general public for vehicles or vehicular traffic as a matter of right.

Though interpretation would ultimately fall to the Police, this definition is broad and because the turnaround is within a public access easement as identified on the final plat and based on the history of approval of the subdivision it is unquestionably for vehicular purposes, the turnaround area appears to fall in the same “street” category as the rest of Mikayla Lane.

Section 10.04.150 of the St. Helens Municipal Code includes prohibited parking or standing regulations, where parking by a yellow curb or contrary to posted signage and similar matters are identified.

Conclusion:

Markings and/or signage to prevent parking or obstruction of this narrow road can be justified based on the original decision, current regulations and the city's overall purpose of protecting public health safety and welfare. Specifics of how this is done, if anything new is warranted, would be up to Public Works.

Enforcement of parking or obstruction violations is possible but may need proper markings and/or signage and depends on the resources of the Police Department.

I hope this increases the understanding of how Mikayla Lane is supposed to function and the resources available.

Respectfully yours,



Jacob A. Graichen, AICP, City Planner

Attached: Abby Lane Subdivision plat (final plat) with notes
Notice of hearing dated July 19, 2004
Preliminary plat (c. 2004)
August 2, 2004 staff report (excerpt)
Findings and Conclusions (F&C) as signed November 9, 2004
Findings and Conclusions (F&C) as signed April 11, 2006
Street plan sheet from the construction plans (c. 2006)

cc: Councilor, Planning Commission liaison

Final Plat (with notes)

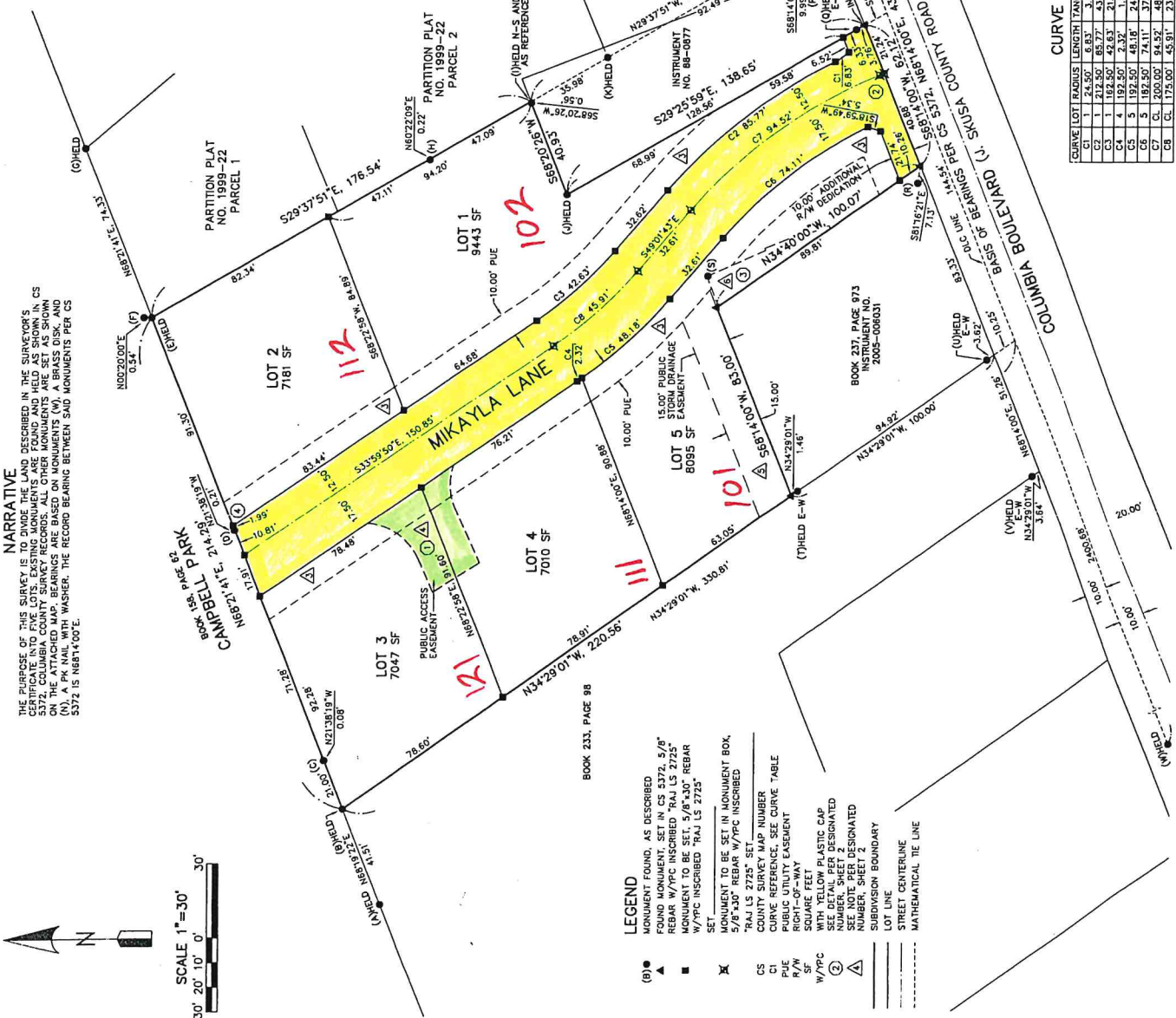
Item L.

PLAT BOOK 7 PAGE 3 B-65-A
ABBEY LANE
 PLAT OF THE LAND DESCRIBED IN COUNTY CLERK'S INSTRUMENT NO. 2006-005288, LOCATED IN THE SE 1/4 OF SECTION 5, T4N, R1W, WM, IN THE CITY OF ST. HELENS, COLUMBIA COUNTY, OREGON SURVEYED NOVEMBER 21, 2006

DESCRIPTIONS OF FOUND MONUMENTS

- (A) 5/8" REBAR W/PC INSCRIBED "REYNOLDS LAND SURVEYING, INC.", FLUSH, SET IN [8], HELD FOR THE R/W OF COLUMBIA BLVD.
- (B) PK NAIL WITH BRASS WASHER INSCRIBED "P. DEWEY SURVEYING, INC.", FLUSH, SET IN [8], HELD FOR THE R/W OF COLUMBIA BLVD.
- (C) 5/8" REBAR W/PC INSCRIBED "SWANEY DUNCAN", FLUSH, SET IN [4], HELD FOR THE NORTHERLY EAST LINE OF THE SUBJECT PROPERTY.
- (D) 1/2" IRON PIPE 0.1" DOWN, SET IN [1], HELD FOR TRUE CORNER.
- (E) 5/8" REBAR 0.7" DOWN, SET IN [5], LOCATED 10.00' FROM THE NORTH LINE OF THE SUBJECT PROPERTY.
- (F) 5/8" REBAR 0.3" DOWN, SET IN [5], LOCATED 10.00' FROM THE NORTH LINE OF THE SUBJECT PROPERTY.
- (G) 5/8" REBAR W/PC INSCRIBED "REYNOLDS LAND SURVEYING, INC.", FLUSH, ORIGIN UNKNOWN, HELD FOR THE R/W OF COLUMBIA BLVD.
- (H) 5/8" REBAR 0.1" UP, BELIEVED SET IN [4], LOCATED 10.00' FROM TRUE CORNER.
- (I) 1-1/2" IRON PIPE 0.6" DOWN, SET IN [3], HELD TO DETERMINE THE NORTHERLY EAST LINE OF THE SUBJECT PROPERTY.
- (J) 5/8" REBAR 0.3" UP, BEAT, SURVEYED SPIN HOLE AT GROUND ELEVATION, ORIGIN UNKNOWN, LOCATED N662209.5, 0.22' FROM THE EAST LINE OF THE SUBJECT PROPERTY.
- (K) 5/8" REBAR W/PC INSCRIBED "SWANEY DUNCAN", FLUSH, SET IN [4], HELD NORTH-SOUTH FOR THE TRUE CORNER.
- (L) 5/8" REBAR W/PC INSCRIBED "SWANEY DUNCAN", FLUSH, SET IN [4], HELD EAST-WEST FOR THE TRUE CORNER.
- (M) 5/8" REBAR W/PC INSCRIBED "SWANEY DUNCAN", FLUSH, SET IN [4], HELD EAST-WEST FOR THE TRUE CORNER.
- (N) 5/8" REBAR W/PC INSCRIBED "SWANEY DUNCAN", FLUSH, SET IN [4], HELD EAST-WEST FOR THE TRUE CORNER.
- (O) 5/8" REBAR W/PC INSCRIBED "SWANEY DUNCAN", FLUSH, SET IN [4], HELD EAST-WEST FOR THE TRUE CORNER.
- (P) 5/8" REBAR W/PC INSCRIBED "SWANEY DUNCAN", FLUSH, SET IN [4], HELD EAST-WEST FOR THE TRUE CORNER.
- (Q) 5/8" REBAR W/PC INSCRIBED "SWANEY DUNCAN", FLUSH, SET IN [4], HELD EAST-WEST FOR THE TRUE CORNER.
- (R) 5/8" REBAR W/PC INSCRIBED "SWANEY DUNCAN", FLUSH, SET IN [4], HELD EAST-WEST FOR THE TRUE CORNER.
- (S) 5/8" REBAR W/PC INSCRIBED "SWANEY DUNCAN", FLUSH, SET IN [4], HELD EAST-WEST FOR THE TRUE CORNER.
- (T) 5/8" REBAR W/PC INSCRIBED "SWANEY DUNCAN", FLUSH, SET IN [4], HELD EAST-WEST FOR THE TRUE CORNER.
- (U) 5/8" REBAR W/PC INSCRIBED "SWANEY DUNCAN", FLUSH, SET IN [4], HELD EAST-WEST FOR THE TRUE CORNER.
- (V) 2" IRON PIPE 0.4" DOWN, SET IN [2], HELD EAST-WEST AS A CHECK ON THIS SURVEY, LOCATED N342901'W, 3.64' FROM THE R/W OF COLUMBIA BLVD.
- (W) BRASS DISK IN MONUMENT BOX, INSCRIBED "S.W. COR. A. BROYLES D.L.C. #37, DESIGNATED AS COUNTY GPS STATION NO. 30. ELEVATION 122.184', HELD TO DETERMINE THE R/W OF COLUMBIA BLVD.

NARRATIVE
 THE PURPOSE OF THIS SURVEY IS TO DIVIDE THE LAND DESCRIBED IN THE SURVEYORS OFFICE RECORD NO. 2006-005288 INTO FIVE LOTS AS SHOWN ON THE ATTACHED MAP. BEARINGS ARE BASED ON MONUMENTS (W), A BRASS DISK, AND (N), A PK NAIL WITH WASHER, THE RECORD BEARING BETWEEN SAID MONUMENTS PER CS 3372 IS N6614'00"E.



REGISTERED PROFESSIONAL LAND SURVEYOR
 JULY 23, 1985
 ROBERT ALAN JOHNSON
 #2725
 EXPIRES 6/30/07

ROBERT ALAN JOHNSON, LS 2725,
 CEMENT HILLS OFFICE WAS
 PREPARED USING HEWLETT-
 PACKARD PRODUCT #C4844A ON
 HMAN 1MM POLYESTER FILM
 ROBERT ALAN JOHNSON, LS 2725

CURVE DATA

CURVE LOT	FLUSH	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	1	242.50'	85.77'	43.48'	N37°27'54"W	123°07'37"
C2	1	182.50'	42.63'	21.44'	N41°30'46"W	150°01'53"
C3	4	192.50'	2.39'	1.16'	S34°20'32"E	0°41'23"
C4	5	192.50'	48.19'	24.22'	S41°51'29"E	14°20'29"
C5	3	182.50'	74.14'	37.01'	S73°23'41"E	13°16'02"
C6	CL	175.00'	45.91'	23.09'	N41°30'46"W	150°01'53"

JOHNSON LAND SURVEYING, INC.
 10185 SW HODDMEAD DR., TIGARD, OR 97224
 (503)639-7919, FAX (503)670-9050
 survey@johnson.net

SHEET 1 OF 2

Notice of Hearing
dated July 19, 2004

City of St. Helens
P.O. BOX 278 PHONE (503) 397-6272
St. Helens, Oregon
97051

July 19, 2004

Sub 5.04

Dear Property Owner:

You are being notified of a Planning Commission public hearing because you are listed in the County Assessor records as the owner of property within 300 feet of a proposed subdivision to be called Parmeter Subdivision. It will be located at approximately 2584 Columbia Blvd. The Columbia County Tax Assessor lot is 410504102500.

The proposed development is in an R-7 zone. The proposal is for 5 lots on approximately 1.29 acres to be developed in one phase. The developer proposes to develop the dead end street with less than standard dimensions and sizes. The proposed Subdivision will be reviewed against the requirements of the City's Community Development Code and in particular per the following criteria:

1. The proposed preliminary plat complies with the City's comprehensive plan, the applicable sections of the Code, and other applicable ordinances and regulations; and
2. The proposed plat name is not duplicative or otherwise satisfies the provision of ORS Chapter 92; and
3. The streets and roads are laid out so as to conform to the plats of subdivisions and maps of partitions already approved for adjoining property as to width, general direction and in all other respects unless the city determines it is in the public interest to modify the street or road pattern; and
4. An explanation has been provided for all common improvements.
5. Lot dimensions shall comply with the zone.
6. Through lot shall comply with special requirements for landscaping and setbacks.
7. Large lots shall have a shadow plat.
8. There are special circumstances or conditions affecting the property which are unusual and peculiar to the land as compared to other lands similarly situated.
9. The variance is necessary for the proper design or function of the subdivision.
10. The granting of the variance will not be detrimental to the public health, safety, and welfare or injurious to the rights of other owners of property.
11. The variance is necessary for the preservation and enjoyment of a substantial property right because of an extraordinary hardship which would result from strict compliance with the regulations of the Code.

The hearing is scheduled for 7:10 p.m. on Tuesday, August 10, 2004 in the St. Helens City Council Chambers located at 265 Strand. All interested persons are invited to attend and offer testimony. Failure to provide oral or written testimony may impact your rights to appeal. Written testimony should be submitted prior to the hearing. Note that these guidelines are required by ORS Chapters 92, 197 and 227 and should not preclude an interested party from

seeking legal aide in fully determining your rights in these matters.

If any special physical or language accommodations are required, please notify City Hall well in advance of the hearing.

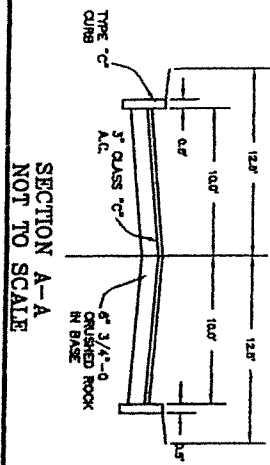
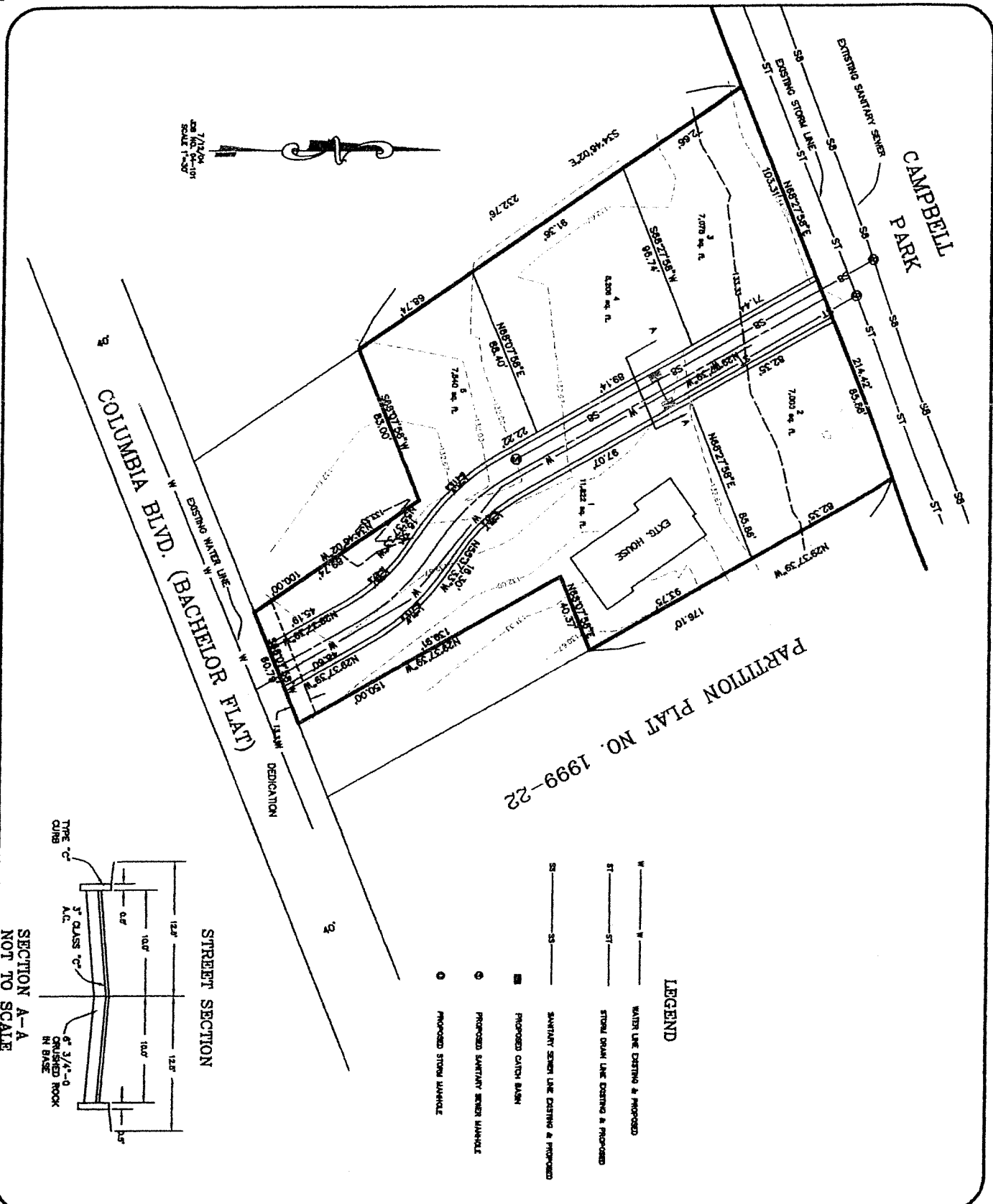
A copy of the application (Parmeter Sub 5.04) is on file at City Hall for public review. If you have any questions, please contact me at 503-397-6272.

Sincerely,



Skip Baker,
Planning Administrator

enclosures: Map of site and preliminary plat.



- LEGEND**
- W — WATER LINE EXISTING & PROPOSED
 - ST — STORM DRAIN LINE EXISTING & PROPOSED
 - SS — SANITARY SEWER LINE EXISTING & PROPOSED
 - PROPOSED CATCH BASIN
 - PROPOSED SANITARY SEWER MANHOLE
 - PROPOSED STORM MANHOLE

BE BURTON ENGINEERING AND SURVEYING

10121 NE GLISAN ST., PORTLAND, OR 97220
PHONE: (503)251-2947 FAX: (503)251-3714

PROJECT NUMBER: 1 OF 1

PROJECT: PROPOSED 5 LOT SUBDIVISION "PARMETER" LOCATED IN THE NE 1/4 OF THE SE 1/4 SEC. 5, T4N, R1W, W.M. CITY OF ST. HELENS, COLUMBIA COUNTY, OREGON TL 2500, MAP 4 1 5 4 1

FOR: NORMAN J. PARMETER

SCALE: HOR: 1"=30' VERT: 1"=5'

DATE: 7/12/04

DRAWN BY: CMB

DESIGN BY: WB

Staff Report, dated August 2, 2004 (excerpt)

PLANNING STAFF REPORT
Parmeter Subdivision Preliminary Plat

TO:	Planning Commission	DATE:	August 2, 2004
FROM:	Skip Baker, City Planner	HEARING DATE:	August 10, 2004
SUBJECT:	Parmeter Subdivision Preliminary Plat	LEGAL NOTICE:	July 19, 2004 to property owners within 300' and in the local newspaper July 28, 2004.

APPLICANT: Burton Engineering

OWNER: Norman Parmeter

** ** * ** * ** * ** * ** * ** * ** * ** * ** * ** * ** * ** * ** * ** * **

REQUEST:

Approval of a preliminary plat for a 5 lot subdivision in R-7, Moderate Residential zone.

INFORMATION:

1. Location- The subject property (site) is tax lot 2500 on Columbia County tax assessor map 41541. It contains approximately 1.18 acres of land.
2. Field Inspection- The site topography basically flat.
3. Comprehensive Plan- The Comprehensive Plan designates this site as Suburban Residential.
4. Zoning- The zoning of the property is R-7, Moderate Residential.
5. Access- The site is served by Columbia Blvd. It is a city arterial street and has generally a 40 foot right-of-way in front of this site.
6. Services- There is water and sanitary services available nearby and the capacity of the plants is more than adequate per the Engineering Department. Downstream pipe capacity will need to be evaluated by the applicant
7. Layout- The applicant proposes to construct 20 foot local streets in a 25 foot right of way.
8. Referral Replies- Copies of the preliminary plat and request for comments were sent to:

- A. St. Helens Public Works, Waste Water Treatment Plant. Police, Parks, Engineering, and Building Departments.
- B. St. Helens Rural Fire Department
- C. Columbia County Road Department
- D. Columbia 911 Communications District
- E. Columbia County Board of Commissioners, Land Development Services, and Surveyor.
- F. St. Helens Rural School District No. 502
- G. St. Helens Postmaster
- H. Qwest and NW Natural Gas Companies
- I. Columbia River PUD

↙ The Fire District has indicated that the subdivision will have to comply with Fire Code requirements. The St. Helens School District says it does not have the capability to handle more students.

EVALUATION:

Subdivision Criteria:

1. The proposed preliminary plat complies with the City's Comprehensive Plan, the applicable sections of the Development Code, and other applicable ordinances and regulations.

The City's Comprehensive Plan has been acknowledged by the State of Oregon. There are no known conflicts with the City's Comprehensive Plan. This proposed subdivision is located in an R-7 zone. The applicant has submitted a drawing of the proposed plat showing the lot sizes and dimensions.

Finding: The applicant has not submitted a tree plan.

Finding: The application is for 5 single dwelling unit lots and the normal allowed based upon the size of the property is 5.87.

Finding: All lots have 50 foot frontages on a street and have the width for 60 feet at the building line and are 85 feet or more in depth and exceed 7,000 square feet in area.

Finding: Lots in this zone must be at least 7,000 square feet in area, at least 50 feet wide at the street frontage, at least 60 feet wide at the building line and at least 85 feet deep.

Finding: Solar Access basic requirements are met for 3 lots. The remaining 2 lots are proposed to comply using the Performance Options A & B or Exemptions under the Adjustments to Design Standards A & B.

Finding: Columbia Blvd. is a minor arterial in the St. Helens Transportation Plan and Community Development Code.

Finding: Minor arterial standards are 40 feet of pavement and 60 feet of right of way and 6 foot sidewalks.

Finding: Local dead end streets not exceeding 400 feet in length are permitted with at least 36 feet in right of way width and 24 feet of pavement and five foot sidewalks on both sides of the street. Dead end streets over 150 feet in length require a turn around.



Finding: The proposed street is shown at 20 feet of pavement in a 25 foot wide right of way with no sidewalks nor turn-around.

Finding: The applicant/owner prefers a private street.

Finding: The proposed street is a dead end street of about 330 feet in length with the max allowed at 400 feet. No turn-around is proposed.



Finding: Campbell Park is next to this proposed development.

Finding: There is a wetland protection zone along the west property line of the proposed development that has not been addressed but looks to be of marginal if any impact on the proposed development.

This criteria is generally met except for a tree plan, Solar Access requirements, local street standards and Columbia Blvd. standards.

2. The proposed plat name is not duplicative or otherwise satisfies the provisions of ORS Chapter 92[.090(1)].

No other subdivision has this name in St. Helens, therefore this criteria is met.

3. The streets and roads are laid out so as to conform to the plat of subdivision and maps of partitions already approved for adjoining property as to width, general direction and in all other respects unless the City determines it is in the public interest to modify the street or road pattern.

Finding: There are no streets abutting this property from other subdivisions.

Finding: There is one street on the south side of Columbia Blvd. and about 160 feet west of the proposed street.

This criteria is generally met.

4. An explanation has been provided for all common improvements.

Findings and Conditions, signed November 9, 2004 (excerpt)

Finding: There is access available through Campbell Park as the gravel driveway about the north end of the proposed development and street.

This criteria appears to have been met.

11. The variance is necessary for the preservation and enjoyment of a substantial property right because of an extraordinary hardship which would result from strict compliance with the regulations of the Code.

Finding: The hardship is the shape of the property and in particular the width.

This criteria appears to have been met.

CONCLUSIONS

The criteria is not met for Columbia Blvd. street standards but appears to have been met for a subdivision variance to the local street standards with a 30 foot wide right of way. The tree plan can be approved separately by the Planning Director.

The Planning Commission closed the hearing, deliberated, and after due consideration to the record, reports, evidence and testimony found in favor of the applicant to allow a four lot subdivision with a variance for the street right of way with the following additional conditions of approval:

- a. Street lighting must comply with the standards used by the local electricity supplier and all street lighting fixtures and installation shall be to the developer's account.
- b. Street signage is required in accordance with normal traffic regulations.
- c. Street trees, in accordance with the Code are required along the local streets.
- d. The street name needs more coordination with the emergency agencies as none has been suggested in the preliminary plat.
- e. Solar Access requirements need to be stated in the deeds where applicable.
- f. Owner/Developer shall be solely responsible for obtaining all approvals, permits, licenses, and authorizations from the responsible Federal, State and local authorities, or other entities, necessary to perform land clearing, construction and improvement of the subject property in the location and manner contemplated by Owner/Developer. city has no duty, responsibility or liability for requesting, obtaining, ensuring, or verifying Owner/Developer compliance with the applicable state and federal agency permit or other approval requirements. This conditional land use approval shall not be interpreted as a waiver, modification, or grant of any state or federal agency or other permits or

authorizations. Prior to any land clearing and/or physical construction of subdivision improvement, (other than survey work and environmental testing) on the subject property, Owner/Developer shall execute a sworn statement, under penalty of perjury and false swearing, that Owner/Developer has obtained all required, Federal, State and local authorizations, permits and approvals for the construction of the proposed development.

g. Off-site improvements to abutting streets shall be per the Engineering Standards manual.

h. Drainage of water onto adjacent properties must be in accordance with the standard engineering practices for drainage.

↘ i. Add a sidewalk on the west side and none on the east side.

j. Submit a tree plan if there are any trees on the property that are over 6 inches in diameter and a tree mitigation plan if any trees over 12 inches in diameter are to be removed..

k. Install a control device for the north end of the street abutting the park and place a one foot street plug deeded to the City.

l. Change the tree lots on the west side to become two 10,000 (approximately) square feet lots.

↘ m. The turnaround is to be relocated to between lots 3 and 4 on the westside of the street.

↘ n. The Planning Commission recommends to the City/Staff that no parking designations be clearly designated and enforced along the turnaround and on one side of the street.

↘ o. The variance is approved to reduce the right of way from 36 feet to 30 feet for the local street.

William D. Amos
William Amos, Chairman

11-9-04
Date

Findings and Conclusions, signed April 11, 2006 (excerpt)

CONCLUSIONS

The criteria is not met for the solar access requirements and no other circumstances have changed since the original preliminary plat was approved. The Solar Access requirements are proposed to be met by deed restrictions/conditions and the tree plan can be approved separately by the Planning Director.

If the Planning Commission approves this modified preliminary plat, it could consider the following additional conditions of approval:

- a. Street lighting must comply with the standards used by the local electricity supplier and all street lighting fixtures and installation shall be to the developer's account.
- b. Street signage is required in accordance with normal traffic regulations.
- c. Street trees, in accordance with the Code are required along the local streets.
- d. The street name needs more coordination with the emergency agencies as none has been suggested in the preliminary plat.
- e. Solar Access requirements need to be stated in the deeds where applicable.
- f. Owner/Developer shall be solely responsible for obtaining all approvals, permits, licenses, and authorizations from the responsible Federal, State and local authorities, or other entities, necessary to perform land clearing, construction and improvement of the subject property in the location and manner contemplated by Owner/Developer. city has no duty, responsibility or liability for requesting, obtaining, ensuring, or verifying Owner/Developer compliance with the applicable state and federal agency permit or other approval requirements. This conditional land use approval shall not be interpreted as a waiver, modification, or grant of any state or federal agency or other permits or authorizations. Prior to any land clearing and/or physical construction of subdivision improvement, (other than survey work and environmental testing) on the subject property, Owner/Developer shall execute a sworn statement, under penalty of perjury and false swearing, that Owner/Developer has obtained all required, Federal, State and local authorizations, permits and approvals for the construction of the proposed development.
- g. Off-site improvements to abutting streets shall be per the Engineering Standards manual.
- h. Drainage of water onto adjacent properties must be in accordance with the standard engineering practices for drainage.
- I. Add a sidewalk on the west side and none on the east side.

- j. Submit a tree plan if there are any trees on the property that are over 6 inches in diameter and a tree mitigation plan if any trees over 12 inches in diameter are to be removed..
- k. Install a control device for the north end of the street abutting the park and place a one foot street plug deeded to the City.
- l. The turnaround is to be relocated to between lots 3 and 4 on the westside of the street.
- m. The Planning Commission recommends to the City/Staff that no parking designations be clearly designated and enforced along the turnaround and on one side of the street.
- n. The variance is approved to reduce the right of way from 36 feet to 30 feet for the local street.

The Planning Commission held a public hearing, accepted the staff report and testimony and other written evidence into the record, deliberated and based upon the criteria and evidence in the record found in favor for the applicant with the additional recommended conditions of approval.

Approved by:

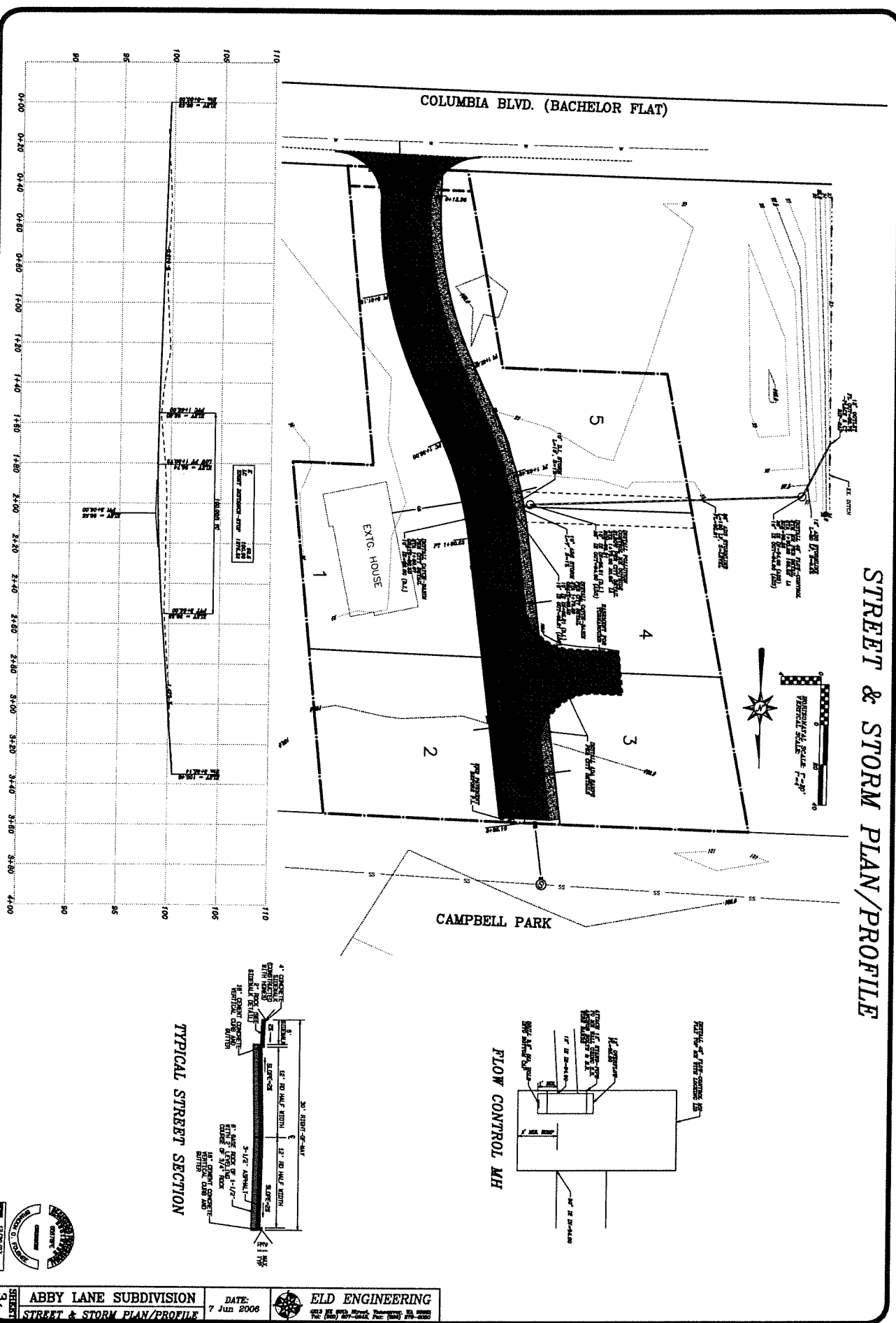
William J. Amos
William Amos, Chair Planning Commission

11 APRIL 2006
Date

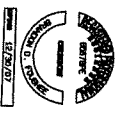
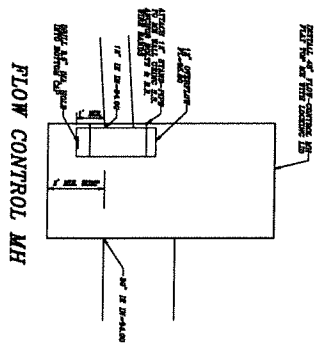
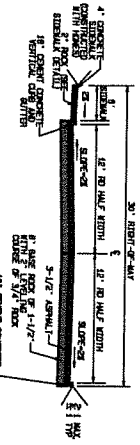
Construction Plans - Street Plan sheet

Item L.

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STREET & STORM PLAN/PROFILE



CITY OF ST. HELENS PLANNING DEPARTMENT ACTIVITY REPORT



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

Date: 10.23.2023

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—PREAPPLICATIONS MEETINGS

Had a preliminary Q&A meeting for potential redevelopment of the old “Gracie’s Annex” building along The Strand and a vacant lot behind it along S. 1st Street.

Had a post decision Q&A meeting with a potential developer for the Comstock Subdivision, which was approved last year.

Had a Q&A meeting with the original owner of the Ridgecrest Subdivision, Phase 3 for some remaining lots to be developed, which have been in discussion since I started working for St. Helens in 2007. Issue is timing of construction, an abutting sensitive land, and when the sensitive lands laws took effect. No other lots in town have this circumstance that I am aware of. We also discussed some Phase 3 Homeowners Association issues; there is a lot of common space for this subdivision, and I don’t think there is an established or functional Homeowners Association yet. Messy situation that goes back years.

PLANNING ADMINISTRATION—MISC.

Conducted final inspection for building I of the Broadleaf Arbor (Gable Road apartments) development. D (community building), E, F, G and H (multi-family buildings) inspected previously. H is the 6th of ten buildings.

Burger King final inspection conducted this month. Several items to resolve still. We confirmed with CRPUD that the street trees along US30 were ok because there is less clearance than normal with the trees planted on a slope behind the sidewalk.

Much work this month on the Police Station land use permitting, given appeal of the Planning Commission’s denial. More work still as the council’s final decision needs to be drafted and signed. Then notice goes out with the potential of an appeal to the Oregon Land Use Board of Appeals (LUBA),

A Lot Line Adjustment (LLA) in and adjacent to the Elk Ridge Subdivision off Hankey Road has been completed. This is related to some old landfill areas and DEQ requirements. This LLA is report worthy as it was an important step the owners undertook to get a No Further Action

(NFA) from Oregon DEQ. The NFA from DEQ is an important step to market the remaining approximately 37 acres for future phases of the subdivision. Those phases will be higher up the hill and have some of the best long-distance views in town, including being able to see downtown Portland on clear days. Some infrastructure challenges will add cost though.

DEVELOPMENT CODE ENFORCEMENT

Another month, another shed complaint. This one is too small to require a permit but too close to the property line with the roof slanted towards the adjacent property. Proximity and rain runoff is the most common reason for a neighbor's shed concern. This one is on Whitetail Avenue.

PLANNING COMMISSION (& acting HISTORIC LANDMARKS COMMISSION)

October 10, 2023 meeting (outcome): This meeting was cancelled. Staff confirmed the Commission and Councilor liaison was ok with this prior to official cancellation.

November 14, 2023 meeting (upcoming): The Commission has two public hearings scheduled. One is for a zoning and comprehensive plan map change at 475 N 12th from industrial to residential. The other is for a Conditional Use Permit for a new location and construction of a new building for the Amani Center. The Amani Center is currently located along Columbia Boulevard in the Houlton area, and they are looking for a more suitable location and building.

The Commission has some position vacancy matters to discuss too.

COUNCIL ACTIONS RELATED TO LAND USE

The Council heard the appeal for the Police Station matter that the Planning Commission denied. They reserved the Commission's decision by approving it with conditions and with the interpretation that for a "critical facility," the word "facility" means "building." A police station is a critical facility in floodplain regulation world, which adds extra regulation considerations. Clarification of "facility" means "building" eliminates some ambiguity.

From: [Jennifer Dimsho](#)
To: [Jacob Graichen](#)
Subject: October Planning Department Report
Date: Friday, October 20, 2023 11:23:19 AM
Attachments: [image001.png](#)

Here are my additions to the October Planning Department Report.

GRANTS

1. **Safe Routes to School - Columbia Blvd. Sidewalk & County Culvert Project** – Construction with TFT began July 17, starting at the culvert near Gable Road. All but the trees have been installed. Project is near completion.
2. **Business Oregon – Infrastructure Finance Authority** – Low-interest loan for Streets & Utilities Project and Columbia View Park improvements that are not covered by grants and Parks SDCs. 1st Reimbursement request processed (which included over 30 invoices). Working with finance and URA revenue projection consultant to support amendment request for additional funding for undergrounding.
3. **Riverwalk Project (OPRD Grants x2)** – Project bidding closed on 9/19. All bids came back around \$5 million, which is higher than we had budgeted and estimated. Working on value engineering efforts to reduce project costs rebid the project and to ensure full utilization of grant funding. It is likely we will not be able to construct the playground and the picnic shelter at this time.
4. **Community Development Block Grant (CDBG)** – \$2.5 million grant award to fund design/engineering/permitting for the City’s Sanitary Sewer Improvement Project. This project covers 3 sanitary sewer basins which were identified as deficient and priorities for improvement in the adopted Wastewater Master Plan. Grant Administration contract approved at 10/18 CC RS. CDBG 1st Draw requirements complete. Design RFQ closes on 11/2. Selection will occur week of 11/6.
5. **CLG Historic Preservation Grant Program** – SHPO Certified Local Government Program. Received our contract for 17k. Commission scored 4 applicants and selected top-scoring applicant at 135 S. 3rd Street. Prepared package of project material for the state to begin review process which could take up to 75 days. State had additional follow up questions about meeting the standards for rehabilitation, applicant is working on answers /clarifications.
6. **DLCD Technical Assistance Program** – Submitted request for 60k to cover the cost of a new Economic Opportunities Analysis (EOA), including a Resolution from City Council and a letter of support from Columbia Economic Team. Grant was due 9/29.
7. **SHPO Veterans Memorial Grant Program** - 33k award for an expansion at McCormick Park Veterans Memorial. Project includes 7 branch of service monuments and corresponding flags. The project includes matching funds of \$28,130 through in-kind labor and donations. Electrician and mason have provided quotes. Project costs (mason) are higher than expected, but we’re working on a solution. Public Works poured pedestals. Mason is installing veneer. Granite slabs are being etched.
8. **ODOT Community Paths Program** - Received 300k to study a trail route refinement project (30% design) from St. Helens to Scappoose. Contracts are expected in October. Award is \$300k, with a match of around 42k split between Scappoose, the County, and us.

- ODOT anticipates grant contracts in November/December. Received draft Statement of Work from ODOT. Compiled first round of comments on the statement of work.
9. **SHPO Oregon Heritage Grant Program** - Grant program opened to cover the design and cost of materials for the Warrior Rock Lighthouse replica and signage. Request was for 20k. Construction could be completed in-house as a match requirement by Public Works staff. Received a letter of support from the County Commissioners and the Columbia County Museum Association. Submitted budget, timeline, grant narrative before deadline on 10/12.
 10. **Travel Oregon Grant Program** - Submitted a 100k grant request to fund ADA components of the Riverwalk Project (Grant was due 9/15). Included a letter of support from our Regional Destination Management Organization (RDMO) which is CET, narrative responses, project budget, grant timeline, and permitting and planning attachments.
 11. **CCCC Grant Program** – Columbia County Cultural Coalition Grant Due Nov 18. Max request is 2k. City will submit for the same project as the SHPO OR Heritage grant above.
 12. **ODOT TGM Program** – Reviewed and provided comments on the Draft Statement of Work (SoW) for our new Transportation Systems Plan (TSP) project paid for by the successful ODOTTGM grant. ODOT’s SoW will be used to solicit the consultant who will do the work. Attended initial kickoff meeting on 10/4.

PROJECTS & MISC

13. **Riverfront Streets/Utilities Project** – Attending weekly check-ins. Pump station nearly complete. Bluff trail construction is moving along. Stormwater improvements south of Columbia View park complete. Rough grade of traffic circle near Cowlitz/Strand underway. Water line under construction. Undergrounding at 1st Street and St. Helens Street design ongoing.
14. **St. Helens Industrial Business Park (SHIBP) Public Infrastructure Design** – 30% design for Phase I infrastructure & permitting/grading work for Phase II with Mackenzie. Mackenzie provided preliminary PT for PGE parcel. City will facilitate partition process, PGE will prepare other land use applications. Project is on hold with potential user/sale of property.
15. **Oregon Population Forecast Program Survey** - Worked with Jacob to prepare narrative/qualitative responses to this survey which are due in November. PSU divides the state into 4 regions and each region receives a forecast every 4 years with a 50-year horizon. The previous report was from 2020-2070. The next report will be for 2024.
16. **Professional Development** - Attended two conferences in October. Mainstreet Conference in Independence & Oregon American Planning Association (OAPA) in Eugene.

Jenny Dimsho, AICP | Community Development Project Manager

City of St. Helens | Planning Department
 265 Strand Street, St. Helens, OR 97051 | www.sthelensoregon.gov
 P: (503) 366-8207 | jdimsho@sthelensoregon.gov

