



PLANNING COMMISSION

Tuesday, February 08, 2022 at 7:00 PM
HYBRID: Council Chambers & Zoom (details below)

AGENDA

7:00 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 January 11, 2022

PUBLIC HEARING AGENDA (times are earliest start time)

- B. 7:00 p.m. Site Design Review at 270 Strand Street - Columbia View Park
- C. 7:20 p.m. Conditional Use Permit at 1370 Columbia Blvd - Tanner

DISCUSSION ITEMS

- D. The Historic Landmarks Commission - Guardians of The Plaza
- E. Strategic Plan/Department Goals Overview

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

- F. Lot Line Adjustment at 59315 Forest Trail Circle/34739 Sykes Road - Elegant

PLANNING DEPARTMENT ACTIVITY REPORT

- G. Planning Department Activity Report - January

FOR YOUR INFORMATION ITEMS

ADJOURNMENT

NEXT REGULAR MEETING: March 8, 2022

VIRTUAL MEETING DETAILS

Join: <https://us06web.zoom.us/j/89687122194?pwd=bXo5OHUxMDFKbVFHckRIU1VsdmdaZz09>

Meeting ID: 896 8712 2194

Passcode: 125907

Dial by your location: +1 253 215 8782 US (Tacoma)

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PLANNING COMMISSION

Tuesday, January 11, 2022, at 7:00 PM

DRAFT MINUTES

Members Present: Chair Cary
 Vice Chair Hubbard
 Commissioner Webster
 Commissioner Semling
 Commissioner Pugsley
 Commissioner Toschi

Members Absent: Commissioner Lawrence

Staff Present: City Planner Graichen
 Associate Planner Dimsho
 Community Development Admin Assistant Sullivan
 Councilor Birkle

Others: Jeanne Morain
 Vicky Njust
 Cyndi Furseth
 David Morm
 Autumn Oliver
 Rhonda Kirtland
 Abigail Dawson

CALL TO ORDER & FLAG SALUTE

Vice Chair Hubbard stepped in as Chair for this meeting as Chair Cary was attending electronically through zoom. For purposes of clarity, Vice Chair Hubbard will be referred to as Chair Hubbard and Chair Cary will be referred to as Vice Chair Cary for this meeting only and in these meeting minutes only.

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

Commissioner Steve Toschi read a letter to the public about his excitement and goals that he had to be an active member of the Planning Commission.

CONSENT AGENDA

A. Planning Commission Minutes Dated December 14, 2021

Motion: Upon Commissioner Webster's motion and Commissioner Semling's second, the Planning Commission unanimously approved the Draft Minutes dated December 14, 2021. Commissioner Toschi abstained as he was not yet a member of the Commission at that time. [AYES: Vice Chair Cary, Commissioner Webster, Commissioner Semling, Commissioner Pugsley; NAYS: None]

PUBLIC HEARING AGENDA (times are earliest start time)

B. 7:00 p.m. Annexation at 2600 Pittsburg Road - Morain

Associate City Planner Jennifer Dimsho presented the staff report dated January 4, 2022. She mentioned there are additional letters or emails that were added into the record after the staff report was prepared, and that she had sent them electronically and gave hard copies to all the commissioners. She showed a map where the property was located and that both sides of the property abut City property. She mentioned there were opportunities to connect to the property from five different street connections including, a possible right-of-way dedication area.

She discussed that wetlands divide the property into three main sections for development. She showed the wetland delineation that the applicant had done to help determine what was developable. She showed the first wetland as the creek that runs on the northern end of the property with a 75-foot buffer zone. Then she also showed two other distinct wetland areas on the southern portion of the property with a 50-foot zone.

She said with all annexations, they send out comments to utilities. They received a comment from Columbia County Land Development services that they were support this annexation.

She said the property would need to meet compliance with the Comprehensive Plan which designates this property as Rural Suburban Unincorporated Residential. There are multiple zoning options to consider. With the Comprehensive Plan, there is an adopted Housing Needs Analysis (HNA) now to consider when determining the zoning of this property.

She said there was a Transportation Planning Rule, which requires that any amendment (in this case, zoning selection) that would significantly affect a transportation facility, conduct a traffic impact analysis (TIA).. They looked at the County zoning of R10 and the City zoning options range from R10 to Apartment Residential. If the Commission considered R10 or R7 zoning for the property, there would not be a significant impact for transportation services that would warrant a Traffic Impact Analysis to be done. She did say at the time of subdivision they would require it.

She said the utilities of water and sewer were available in multiple locations surrounding the property and there was significant capacity to serve the property.

She said the Statewide Planning Goals were also reviewed for this property and Goal 10 was the one she focused on. She said it involved the housing crisis in the state and the housing needs in our City. It also discusses the ability to support the broad spectrum of housing availability in both quantity and type. She mentioned this was important because the zoning has different types of houses that are allowed. She showed the Planning Commission a table from the HNA that summarized its findings. She showed that the City did not have a significant need for multi-family housing and that a lower density could be considered for this property. She also showed a zoning table that explained what type of residential development is permitted in all residential zones.

She discussed criterion "e" for annexation approval. Based on the size of the parcel (more than 10 acres), the City would have to show a need for the land if it is designated as residential. She gave a few examples of how the City had shown a need for this property, including housing need at urban densities and transportation needs.

Dimsho also discussed the options of how to zone the property. She said based on the Comprehensive Plan, it allows for the zones of R10, R7, or under special circumstances R5 or Apartment Residential. She said the staff did not recommend the property be zoned R5 or AR due to surrounding zoning and because of the need for a TIA. She said the recommended default zoning would follow the current zoning that surrounds the property of R10 for the northern portion of the property and R7 for the southern portion of the property. She said the Commission could consider the housing shortage, a more acceptable zoning would be to consider R7 for the entire property.

Morain, Jeanne. Applicant. The applicant was called to speak. She gave a history of the property, and the goal of her late family (Comstock), was to develop this site and create a great neighborhood for the community. She mentioned they did not want to see the property developed with high density or multi-family buildings which would create negative impacts to the neighbors of the property. She said she had been in contact with a Land Use Attorney to understand more how the property could be developed. She also researched the Urban Growth Boundary and the Housing Needs Analysis to determine what zoning they felt would best fit their goals for the property. She said she considered the economic impact of the area and wanted to be sure it was developed to where it would be reachable for those who had an average income. She said they have maintained the property for years and they have vested interest in the St. Helens community. She said they had spoken with several developers but turned many down, as the ideas they presented did not fit with the desire of her late family and their goal for this property. She expressed that they would like to see the whole property zoned R7.

In Favor

Njust, Vicky. Njust was called to speak. She is located at the corner of Westboro Way, a street that is proposed to provide access to the property. She said it made sense to be zoned R7 based on the area and surrounding properties. She said she loved the applicant's plan for the property, and she just wanted to be sure they were not discussing a denser zoning. She said the concern arises from a previous subdivision that was higher density that was causing some discomfort to neighbors.

Furseth, Cyndi. Furseth was called to speak. She is the president of the Homeowner's Association of Meadowbrook subdivision, which is the subdivision that abuts the subject property. She said she was in contact with the applicant and felt her idea was great. She said the HOA has maintained the Meadowbrook common space properties and the access easements and thought there could be a betterment of the whole area with this property being developed.

Neutral

Oliver, Autumn. Oliver was called to speak. She shared her concerns about the development of the property based on her experiences with the previous subdivision (Forest Trail) that had been developed adjacent to the subject property. It has created a traffic impact for the neighbors. She said she did not want to see another property developed in a disrespectful way to the neighbors.

Kirtland, Rhonda. Kirtland was called to speak. She expressed her concerns for the development of the property and the potential traffic it could cause for the neighbors. She expressed concern about the wetlands and all the critters that live on the property and that they will be preserved. She also mentioned that the property had flooding and her concern about where the houses would be placed. She shared that she had planted a garden a little bit on the property and hoped the developer would not build a house right up against her property creating no open space.

In Opposition

Dawson, Abigail. Dawson was called to speak. She had a concern about the ecosystems of the the property and how the development would impact the wetlands.. She mentioned that the new subdivision on Westboro Way (Forest Trail) was a disaster and she hoped that this applicant would consider developers that have regard for the neighbors.

Rebuttal

Morain, Jeanne. Applicant. Morain was called to speak. She shared again that they had met with many developers and turned down several as they want someone to carry on their legacy. She said the concerns mentioned above were things she has already considered when choosing a developer. They do not want this property to be developed and cause negative impacts to neighbors. They hope that

when people look at this property and what is developed, they think it is a valuable addition to the St. Helens community.

End of Oral Testimony

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

Close of Public Hearing & Record

The applicant waived the opportunity to submit final written argument after the close of the record.

Deliberations

Commissioner Toschi asked if they could remove the undevelopable wetlands as part of the property when considering the size of the property for annexation. This way, they could demonstrate "need" as required in criterion "e" without having to cite Oregon housing shortages.

There was a discussion about the zoning. The Commission was unanimous that R7 was the best zone to consider for the entire property.

Motion: Upon Commissioner Webster's motion and Vice Chair Cary's second, the Planning Commission unanimously recommended approval of the Annexation to Council R7 on the whole property with the findings of only considering the net acreage for the "need" findings and that R7 in combination with the open space (due to wetlands and their protection zone) would feel comparable to R10 when the property is developed as a residential subdivision. [Ayes: Vice Chair Cary, Commissioner Semling, Commissioner Webster, Commissioner Toschi, Commissioner Pugsley; Nays: None]

RIGHT-OF-WAY DEDICATION OF PROPERTY BETWEEN 2600 PITTSBURG ROAD & BARR AVE

Graichen showed on a map the lower portion of the property which was separated by a wetland. If the property was to be subdivided, the southern portion would need access. He said there are two ways to bring Barr Avenue to the property. He said they could do a Lot Line Adjustment to bring the property to Barr Avenue. They could also do a right-of-way dedication in advance of the subdivision, which is the matter at hand.

He showed the 50-foot-wide easement where the dedication could take place. He discussed the street access standards and showed that the access through this dedication would meet the spacing standards between streets. He gave more explanation as to why this was a logical location to create access to this property.

He mentioned the Meadowbrook Homeowners Association (HOA) President had been approached and was supportive this route.

There was a discussion about the width of Barr Avenue and whether this location could handle the amount of traffic.

Graichen mentioned this decision would be up to the City Council, but he wanted to bring it to them for discussion and to give feedback on the location.

Jeanne Morain, property owner, gave testimony about the easement that was already in place for the property to have access to the property. It is exclusive.

Cyndi Furseth, president of the Meadowbrook HOA, gave testimony that for an access road to go in at the proposed location would be a benefit to the current traffic impact on the subdivision located there.

Vicky Njust, neighbor of the property being discussed, gave testimony that she was concerned about the traffic that could be added to the area and the line of cars that lines up to turn onto Sykes Road.

Chair Cary asked the property owner if they planned to maintain the access for pedestrian access as well as vehicle access. Morain said yes, she did.

There was some discussion about a turn lane being installed and if it might help the traffic impact.

The Commission was supportive of the idea of this property being a right-of-way dedication.

DISCUSSION ITEMS

D. Annual Summary Report

Graichen shared the numbers over the last few years and how busy the Planning Department has been. He said this past year felt that it was back to a more average number of decisions and applications. He said he was thankful for the smaller numbers since there were several large City-initiated projects they have been working on.

E. Chair/Vice Chair Selection

Chair Hubbard nominated Vice Chair Cary to remain Chair for the next term. Chair Hubbard will remain Vice Chair.

Motion: Upon Commissioner Webster's motion and Commissioner Pugsley's second, the Planning Commission unanimously approved both Chair Hubbard to remain Vice Chair another term and for Vice Chair Cary to remain Chair another term. [AYES: Commissioner Toschi, Commissioner Pugsley, Vice Chair Cary, Commissioner Webster, Commissioner Semling; Nays: None]

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

- F. Sign Permit at 495 S Columbia River Hwy – Popeye's (5 Signs)
- G. Lot Line Adjustment at 35005 Sykes Road – KLS Surveying, Inc.
- H. Site Design Review (Minor) at 354 N 15th Street – SHMS/Gillis

PLANNING DEPARTMENT ACTIVITY REPORT

- I. Planning Department Activity Report – December

Graichen mentioned there would be an update to the city's Geographical Information System (GIS) data to have more accurate aerial images and information to use. He said they would be performing the aerial photo capture portion of the project in spring during the optimum time for no leaves on trees and angle of the sun.

Commissioner Toschi asked about the Planning Commission being more involved in the planning stages of the Riverfront Development, the Urban Renewal Agency, and more. There was a discussion amongst the Commission about the possibility of more meetings or doing work sessions. Graichen mentioned there were several logistics that would have to be considered before these could be scheduled, but they could start more discussion of these projects by adding them to the agendas of upcoming meetings. The Commission asked staff to add a discussion item of the Riverfront Development to the next agenda. Dimsho agreed that she would present the timeline of the project at the next meeting.

ADJOURNMENT

There being no further business before the Planning Commission, the meeting was adjourned 10:36 p.m.

Respectfully submitted,

*Christina Sullivan
Community Development Administrative Assistant*

**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Site Development Review SDR.1.22**

DATE: February 1, 2022
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: City of St. Helens
OWNER: same as applicant

ZONING: Riverfront District, RD, Mill Subdistrict
LOCATION: 4N1W-3BA-7500 and 4N1W-3-100; park expansion proposed south of the existing Columbia View Park at 270 The Strand (Strand Street)
PROPOSAL: Expansion of Columbia View Park

SITE INFORMATION / BACKGROUND

The property is the former location of a veneer mill, which discontinued after the Great Recession (2007-2009). The site was used for industrial purposes since the early days of the city up until the Great Recession. The city purchased the former mill property in 2015 and rezoned the property from Heavy Industrial, HI to the current zoning district in 2016 (Ordinance No. 3215; file CPZA.3.16).

PUBLIC HEARING & NOTICE

Public hearing before the Planning Commission: February 8, 2022

Notice of this proposal was sent to surrounding property owners within 100 feet of the subject property(ies) on January 20, 2022 via first class mail. Notice was sent to agencies by mail or e-mail on the same date.

Notice was published on January 26, 2022 in The Chronicle newspaper.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

Zoning Compliance: The site is zoned Riverfront District, RD, Mill Subdistrict. Public Park is a permitted use. This requires a Site Development Review.

Site Development Review applications are normally administrative decisions. Pursuant to SHMC 17.24.090(2), the Planning Director may refer any application for review to the Planning Commission. Staff chose to refer this to the Commission given the importance of the waterfront to the community, to keep the Commission engaged in the Riverfront District efforts, and to provide a better platform for public testimony.

Maximum building height allowed is 55 feet. No building proposed for the expansion area, but at least one future building is anticipated within the existing Columbia View Park (under a different zoning district)—future stage—but final design for that will be subsequent to this SDR.

The architectural character review provisions pursuant to SHMC 17.32.172(7) will apply to any building (e.g., new stage), when proposed.

Minimum landscaping is 10%/maximum impervious surface is 90%. As a park, these criteria are easily met.

No yard (setback) standards apply.

Pursuant to 17.32.173(5)(a):

In addition to other applicable standards, all development, division of land, lot line adjustment, replat and such subject to review by the city shall also comply with the St. Helens Waterfront Framework Plan, attached to Ordinance 3215 as Attachment E, as amended. Whenever the standards or requirements of the Waterfront Framework Plan are in conflict with other city codes, the approval authority may consider those of the Waterfront Framework Plan to be of the higher standard per SHMC 17.12.010.

The Waterfront Framework Plan can be accessed online:

https://www.sthelensoregon.gov/sites/default/files/fileattachments/planning/page/268/cosh_framework_plan.pdf

The Waterfront Framework Plan emphasizes pedestrian access through the former mill property including the 50' greenway along the river. The waterfront accessway is considered the highest priority for the former mill property and notes connection to Columbia View Park on the north side.

The plan identifies the large contiguous area that will remain a public park and specifically identifies (pg. 25):

“An extension or enlargement of the existing Columbia View Park to the south, creating a contiguous park that allows for growth in programmed activities at the park and potential growth of play areas or active sports.”

This proposal advances the intended park expansion and the public accessible greenway along the Columbia River, thus complying with the plan.

Pursuant to 17.32.173(5)(c):

As part of any development, division of land, lot line adjustment, replat and such, a minimum 50-foot width, measured from the top of bank/shoreline of the Columbia River landward, shall be dedicated for public access. The approval authority shall deny any proposal that prevents public access along the waterfront.

As a park with a walkway proposed along the river, this is met.

Some chapters of the Development Code do not specifically apply in this zoning district. Noteworthy for this proposal is Chapter 17.40 pertaining to wetlands and riparian areas.

* * *

RD Architectural Review: This will apply to any new buildings proposed, such as the new stage conceptualized for the exiting Columbia View Park area. This includes involvement of the Historic Landmarks Commission.

* * *

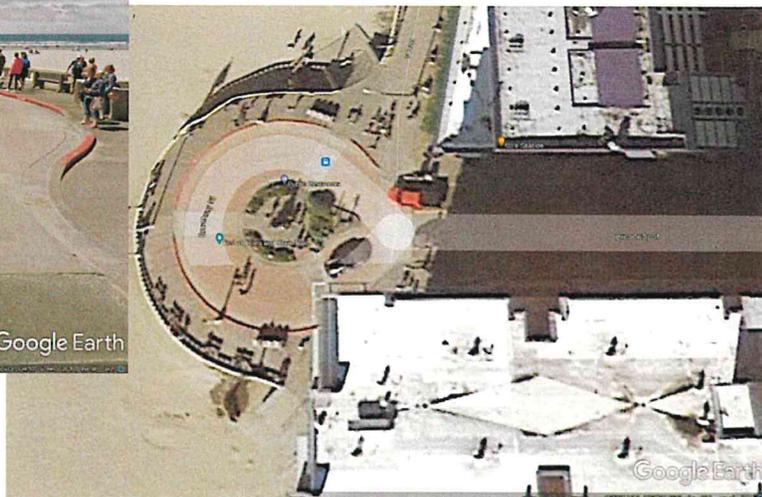
Landscaping/buffering/screening: Since this is a park with no proposed off-street parking, there is nothing to screen or buffer.

* * *

Off-Street Parking/Loading: The parking requirement for community parks and recreation is “as required by the facilities provided.” The existing Columbia View Park relies on street and nearby public parking. This is not proposed to change.

Note that part of the development of the old mill site includes street extensions of The Strand and S. 1st Street, which will include additional on-street parking to serve the area.

In addition, an extension of Cowlitz Street into the park in the form of a circular feature is proposed, which is anticipated to include approximately 8 additional on-street parking spaces.

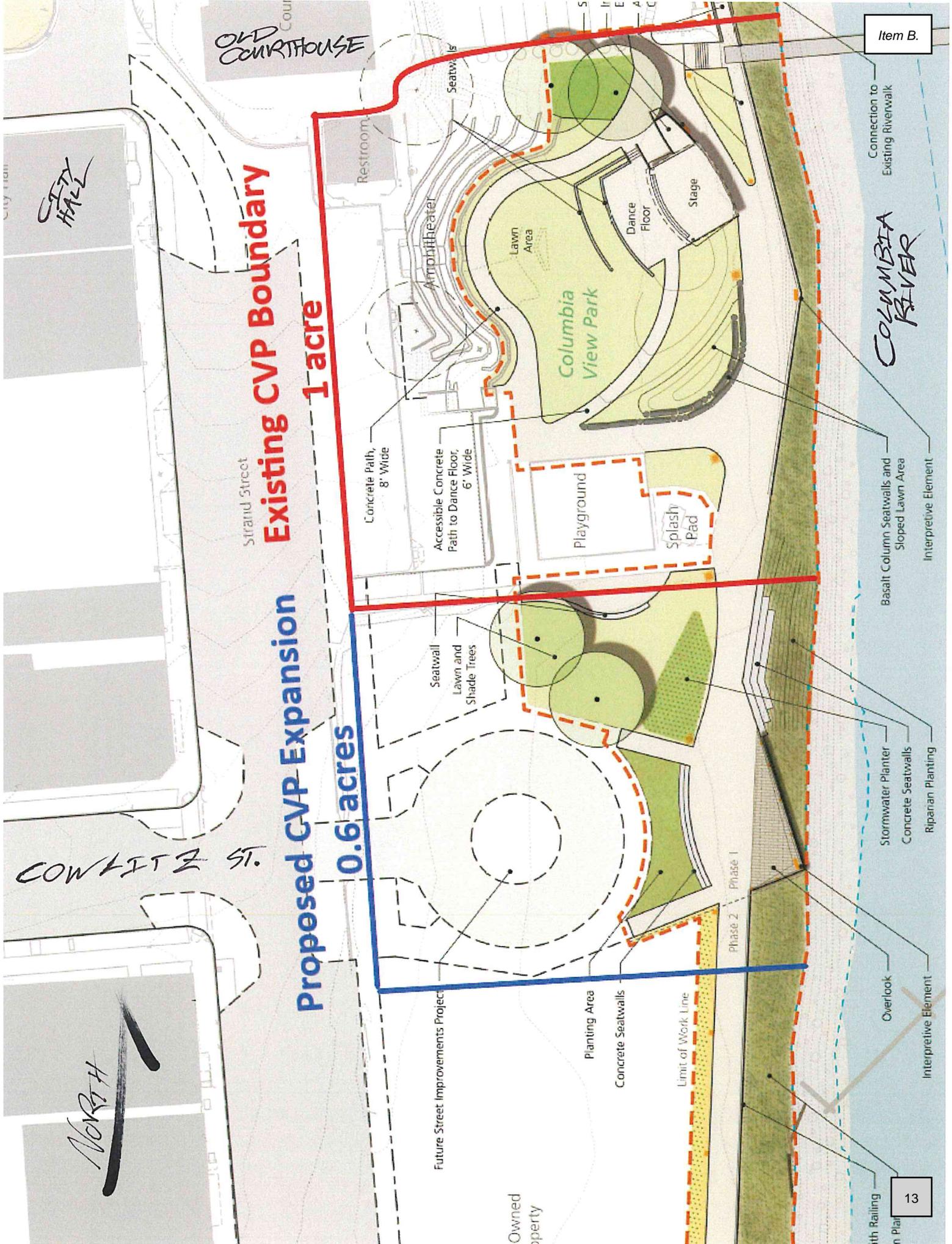


The proposed extension of Cowlitz Street across The Strand (Strand Street) into the proposed expansion area of Columbia View Park is comparable to the beachward terminus of Broadway Street in Seaside, Oregon as shown in these photos.

CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, staff recommends approval of this application.

Attachment(s): existing conditions and site plan



CITY HALL

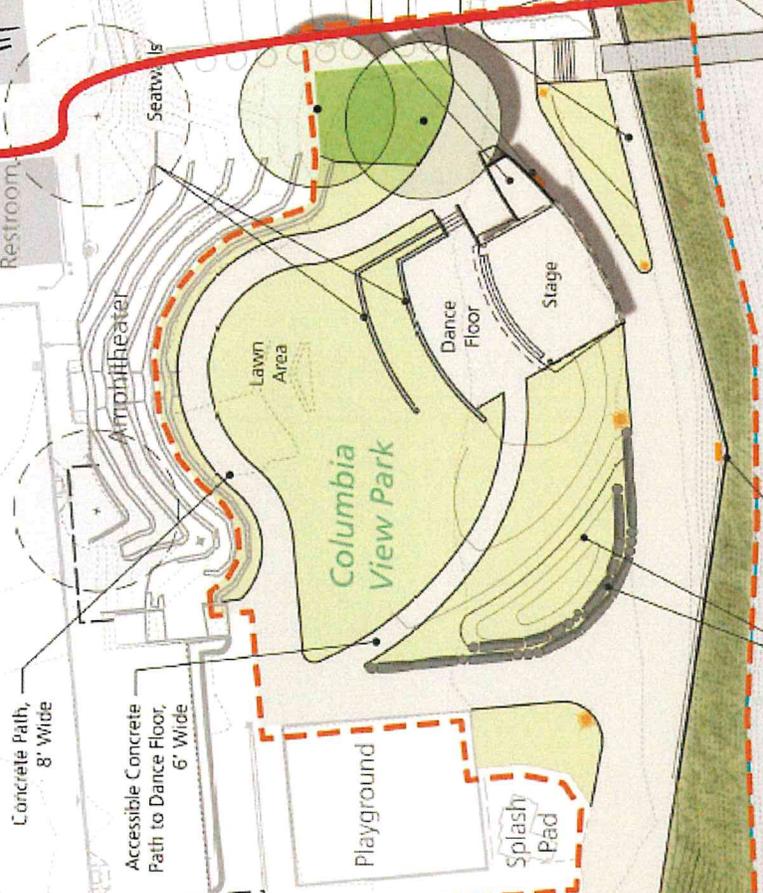
OLD COURTHOUSE

COWITZ ST.

NORTH

Strand Street
Existing CVP Boundary
1 acre

Proposed CVP Expansion
0.6 acres



Item B.

Connection to Existing Riverwalk

COLUMBIA RIVER

Basalt Column Seatwalks and Sloped Lawn Area

Interpretive Element

Stormwater Planter

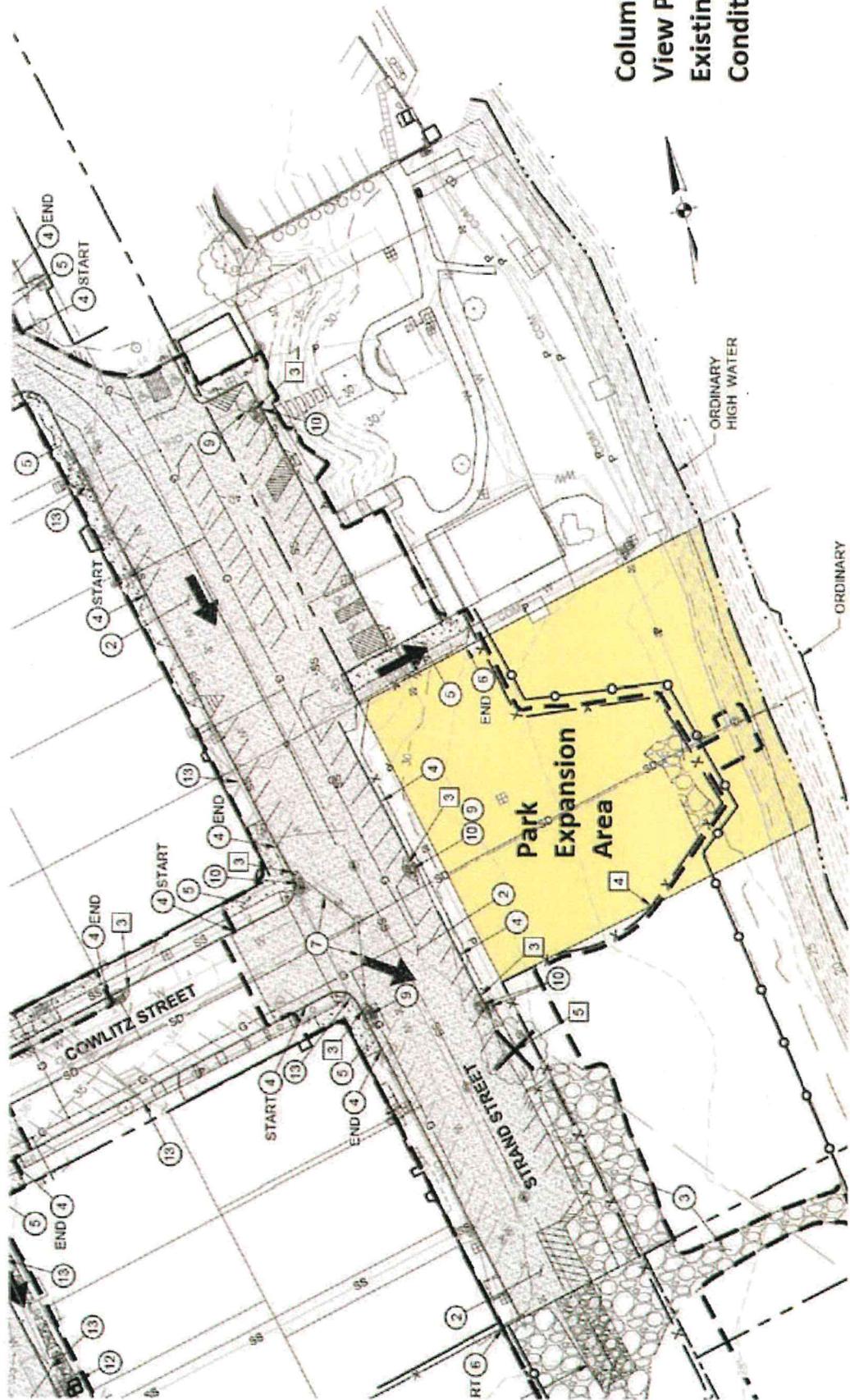
Concrete Seatwalks

Riparian Planting

Overlook

Interpretive Element

Columbia View Park Existing Conditions



**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Conditional Use Permit CUP.1.22**

DATE: February 1, 2022
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: Austen Tanner
OWNER: same as applicant

ZONING: Houlton Business District, HBD
LOCATION: 1370 Columbia Boulevard
PROPOSAL: Establish a dwelling unit on the same level as a nonresidential use.

SITE INFORMATION / BACKGROUND

The site is small being less than 3,000 square feet, triangular in shape, and surrounded on all three sides by developed public streets. The property is developed with a single building used for commercial purposes. In 2010, a Minor Site Development Review (SDRm.1.10) approved a 10' x 17' building addition to accommodate additional storage for the established retail/personal services use at the time. Earlier this year, the new owner (and applicant of this proposal) applied for a Minor Site Development Review (SDRm.5.21) to establish an artisan workshop for small scale coffee roasting. The intent is to maintain that activity and include a dwelling unit in the same building.

PUBLIC HEARING & NOTICE

Public hearing before the Planning Commission: February 8, 2022.

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on January 20, 2022 via first class mail. Notice was sent to agencies by mail or e-mail on the same date.

Notice was published on January 26, 2022 in The Chronicle newspaper.

APPLICATION COMPLETENESS

This application was originally received and deemed complete on January 5, 2022. The 120-day rule (ORS 227.178) for final action for this land use decision is May 5, 2022.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

Zoning Compliance: The site is zoned Houlton Business District, HBD.

Per SHMC 17.32.180(3)(h), dwellings on the same level as a nonresidential use is a conditional use and requires a Conditional Use Permit. Thus, this application.

Minimum open space is 10%. The lot is approximately 2,835 square feet in size and the existing building is approximately 1,670 square feet. There is at least 435 square feet of pervious surfaces (rock, gravel, and landscape strips) on the property, which exceeds 10% of the land area.

The maximum front yard (setback) is zero. The existing building abuts all three property lines already.

No building additions are proposed. Proposal is to use the exiting footprint of the building.

No additional or new on-site parking is required when building footprint coverage exceeds 50%. A 1,670 square foot building on a 2,835 square foot lot makes up about 59% of the land area. No off-street parking requirements triggered.

The visual clearance provisions of Chapter 17.76 do not apply in the HBD zone.

* * *

Landscaping/buffering/screening: Street trees can be considered because the site’s street frontage exceeds 100 feet (perimeter exceeds 250 feet).

There is already some landscaping along the St. Helens Street side of the property, much of which is within the public right of way. Given the unique circumstances of the site and the relatively small scope of the proposal, additional trees are not necessarily warranted.

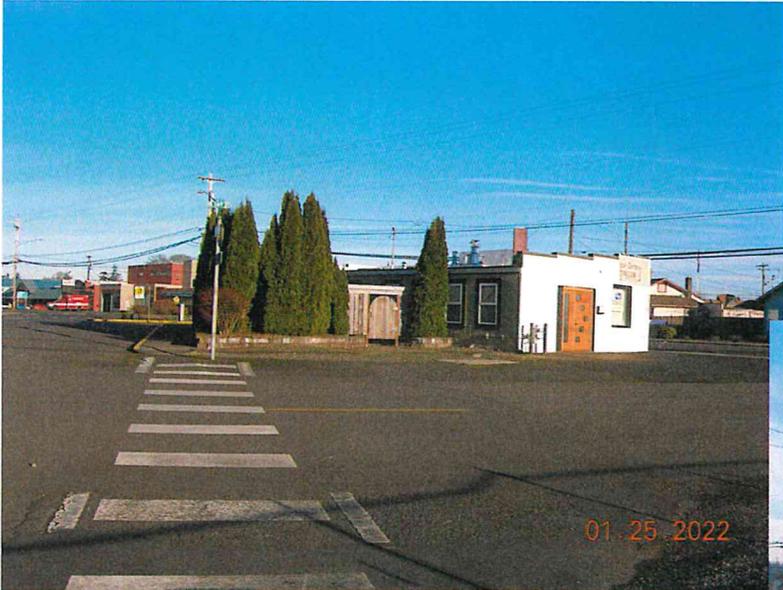


The rock “landscaping” area on the back side of the property is a potential area for a street tree that would be visible from multiple streets.

There is supposed to be a 20’ separation between trees and street lights. In this area there is approximately 35 feet between the light and closest wall of the building and thus, room for a tree of the appropriate species.

Does the Commission think a tree in this area should be required?

The buffering/screening requirements of Chapter 17.72 SHMC requires 10' of buffer and screening from non-highway arterial streets for an attached dwelling (this dwelling will be attached to a nonresidential use).



Left: as seen from N. 14th Street. **Below:** the “back side” of the property opposite from the N. 14th Street side. **Below left:** as seen from the St. Helens Street side.



On the side facing Columbia Boulevard, there are no external doorways to the proposed residential part of the proposal, only windows. The sidewalk/curb are close to 10' wide.

The external access to the proposed dwelling unit is on the St. Helens Street side. There is more than 10 feet of area to the back side of the sidewalk. This area is screened by arborvitae, largely within the right-of-way. There is also a small section of fence with a man gate facing N. 14th Street. The fence portion appears to be on private property. The fence and landscaping provide adequate screening.

Maintaining this screening shall be a condition of approval. Fencing is not allowed within the public right of way, but landscaping is acceptable.

Refuse and screening of service facilities is address in SDRm.5.21. All requirements of the Development Code still apply.

* * *

Off-Street Parking/Loading: Off street parking is required based on the provisions of the HBD zoning district. The site's parking has been within the N. 14th Street right-of-way and is anticipated to continue. On street parking along the portions of the site that abut St. Helens Street and Columbia Boulevard is not currently allowed due to traffic lane configurations.

St. Helens Street and Columbia Boulevard are both classified as Minor Arterial, whereas N 14th Street is a local street per the St. Helens Transportation Systems Plan. On-street parking along N. 14th is the most appropriate.

* * *

Access/egress/circulation: No new driveways proposed. There are no driveway approaches.

Within all attached housing and multifamily developments, each residential dwelling shall be connected by walkway to the vehicular parking area, and common open space and recreation facilities. Minimum width is 4 feet and they are required to be paved with hard surface materials.

The external access to the dwelling unit is on the St. Helens Street side. There are pavers from this man door leading to the North 14th Street right-of-way.

* * *

Site Development Review: Applicable sections below:

Per SHMC 17.96.180(4)(b)—Buffering, Screening, and Compatibility between Adjoining Uses:

(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;

As noted herein, screening of the patio area around the sole exterior door to the dwelling unit on the St. Helens Street side is a critical component of this proposal.

Per SHMC 17.96.180(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);

A ground floor unit is proposed; this provision applies. The area around the sole exterior door to the dwelling unit is already well screened. This screening needs to be maintained for the dwelling unit.

Per SHMC 17.96.180(6)—Private Outdoor Area – Residential Use:

- (a) Private open space such as a patio or balcony shall be provided and shall be designed for the exclusive use of individual units and shall be at least 48 square feet in size with a minimum width dimension of four feet, and:
 - (i) Balconies used for entrances or exits shall not be considered as open space except where such exits or entrances are for the sole use of the unit; and
 - (ii) Required open space may include roofed or enclosed structures such as a recreation center or covered picnic area;
- (b) Wherever possible, private outdoor open spaces should be oriented toward the sun; and
- (c) Private outdoor spaces shall be screened or designed to provide privacy for the users of the space;

The screened area around the sole exterior door to the dwelling unit is not accessible, from an external door from the non-residential area. The patio area exceeds 48 square feet in area and 4' in dimension.

Some of this area is within the public right of way. Fences and structures are not allowed within the right-of-way. Landscaping is acceptable. The screening provided appears to fall within these parameters.

Per SHMC 17.96.180(7)—Shared Outdoor Recreation Areas – Residential Use:

- (a) In addition to the requirements of subsections (5) and (6) of this section, usable outdoor recreation space shall be provided in residential developments for the shared or common use of all the residents in the following amounts:
 - (i) Studio up to and including two-bedroom units, 200 square feet per unit; and
 - (ii) Three- or more bedroom units, 300 square feet per unit;
- (b) The required recreation space may be provided as follows:
 - (i) It may be all outdoor space; or
 - (ii) It may be part outdoor space and part indoor space; for example, an outdoor tennis court and indoor recreation room;
 - (iii) It may be all public or common space; or
 - (iv) It may be part common space and part private; for example, it could be an outdoor tennis court, indoor recreation room and balconies on each unit; and
 - (v) Where balconies are added to units, the balconies shall not be less than 48 square feet;

(c) Shared outdoor recreation space shall be readily observable for reasons of crime prevention and safety;

The screened area around the sole exterior door to the dwelling unit is approximately 300 square feet. There is already a light with motion detector device and several windows from the dwelling unit area that faces this area for crime deterrence.



The door visible in this photo is the sole exterior access to the proposed dwelling unit. This is on the side facing St. Helens Street and screened from the street already.

Per SHMC 17.96.180(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;

The screened area around the sole exterior door to the dwelling unit provides sufficient demarcation in addition to sidewalks.

Per SHMC 17.96.180(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;

There are streetlights on all sides of the subject property. The area that may not be as illuminated by the streetlights—the screened area around the sole exterior door to the dwelling unit—already has a motion detection light within.

* * *

Conditional Use: SHMC 17.100.040(1) – Conditional Use Permit approval standards:

- (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.

(a) This criterion requires that the site size and dimensions provide adequate area for the needs of the proposed use.

There is no evidence to the contrary.

(b) This criterion requires that the characteristics of the site be suitable for the proposed use.

There is no evidence to the contrary. As noted above, screening along the St. Heles Street side is important for compliance. Continued maintenance shall be a condition of approval.

(c) This criterion requires that public facilities have adequate capacity to serve the proposal.

There is no evidence to the contrary.

(d) This criterion requires that the requirements of the zoning district be met except as modified by the Conditional Use Permit (CUP) chapter.

The CUP chapter does not include additional requirements or exceptions specific to the proposal.

(e) This criterion requires analysis of the sign chapter and site the development review chapter.

Site Development Review aspects are addressed above. Regarding signage, any new or altered sign per Chapter 17.88 SHMC requires sign permitting. There is one existing sign on the back side of the building as of the date of this report.

(f) This criterion requires compliance with the applicable policies of the Comprehensive Plan.

There are no known conflicts with the Comprehensive Plan.

* * *

SHMC 17.100.040(3)

(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.

Finding: The Commission needs to determine if any special conditions beyond that described herein are warranted. If the Commission considers anything, it must conclude that the condition is based on clear and objective standards and does not discourage housing through unreasonable cost or delay.

* * *

Street/Right-of-Way Standards: No right of way dedication or street improvements are warranted.

CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, staff recommends approval of this application 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. Screening of the exterior door to the dwelling unit and the area around that door shall be maintained for year-round screening. Fencing is not allowed within the public right-of-way, but landscaping is acceptable.
3. Does the Commission think a street tree should be required on the side of the property opposite N. 14th Street? If so, the condition could read:

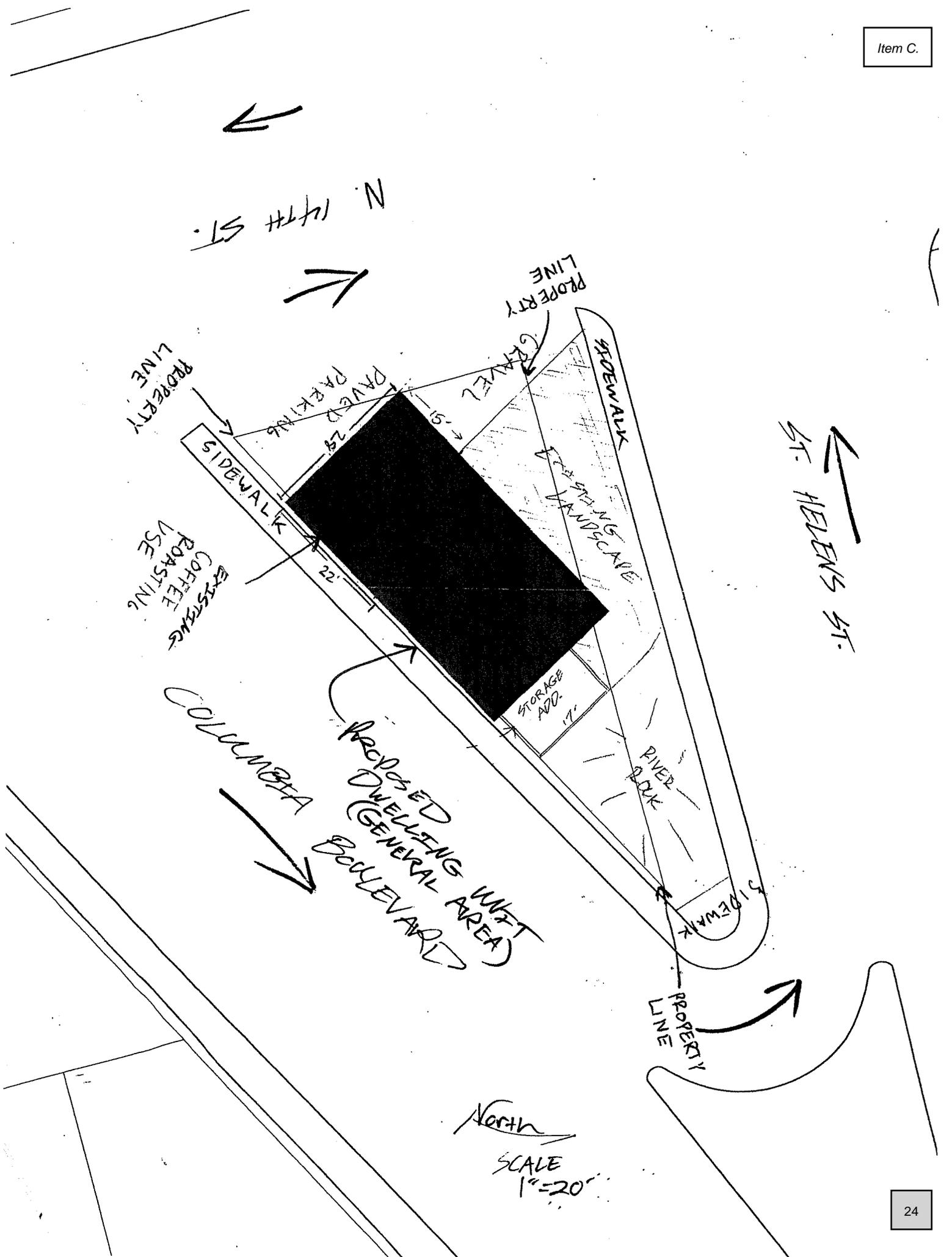
Street tree, specifications subject to city approval prior to planting, shall be planted on the side of the property opposite N. 14th Street, at least 20' from the streetlight.

Any other conditions?

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

Attachment(s): Site plan, floor plan (2 pages)

NOTE THAT DWELLING UNIT MAY BE A "WORK/LEASE" UNIT OR SEPARATE FROM THE NON-RESIDENTIAL USE - DEVELOPMENT CODE DOES NOT DISTINGUISH BETWEEN THE TWO



North
 SCALE
 1"=20"

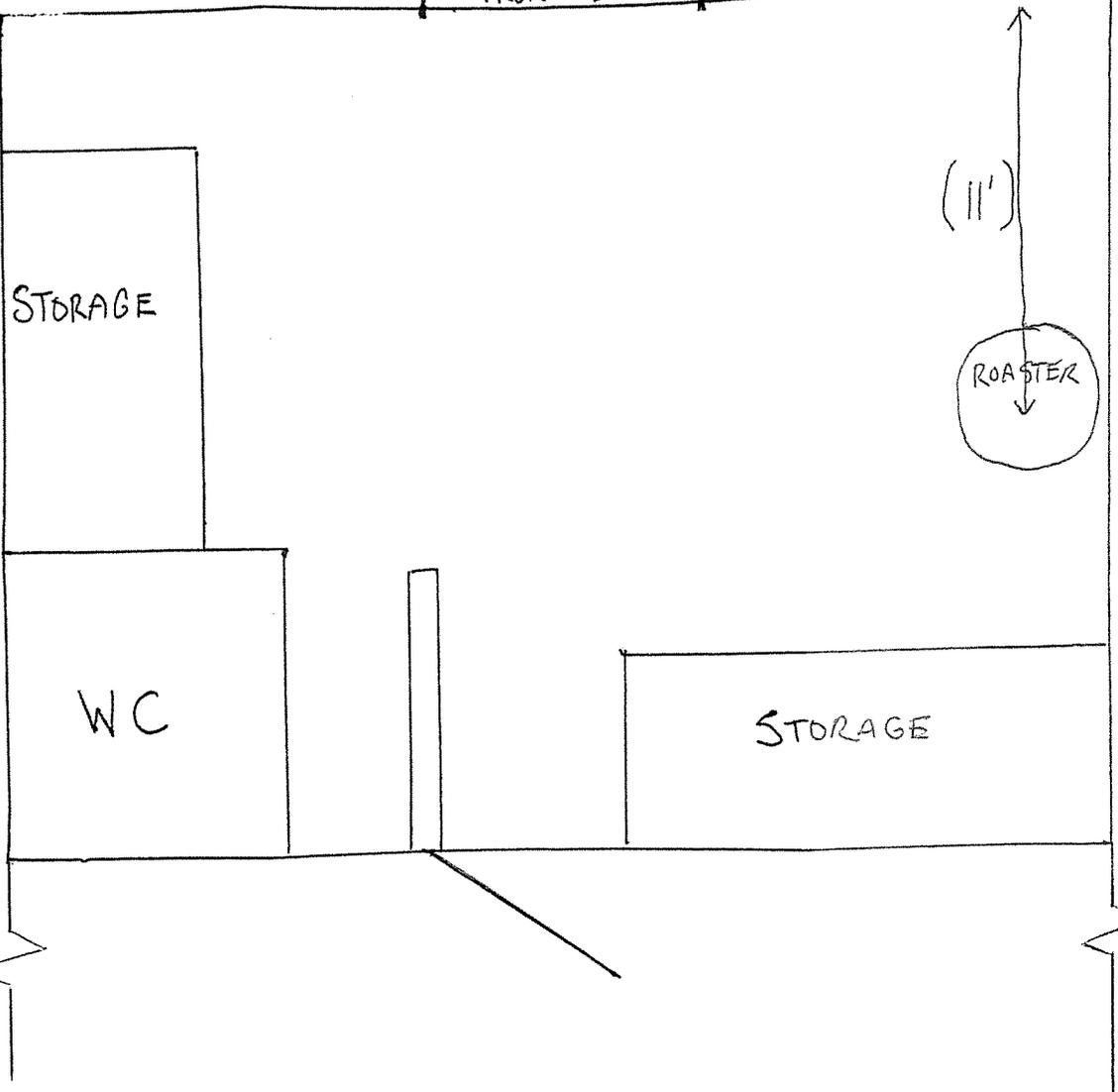
Handwritten notes: "I would not be in a position to make any changes in the project" and "I would not be in a position to make any changes in the project".

N. 14th St.

(26')

FRONT DOORS

Columbia Blvd.
↓



St. Helens Street
↑

22'

Building continues
~ 32' more feet
↓

FLOOR PLAN SHEET 1 OF 2

Floor Plan
Sheet 2 of 2

COLUMBIA BLVD

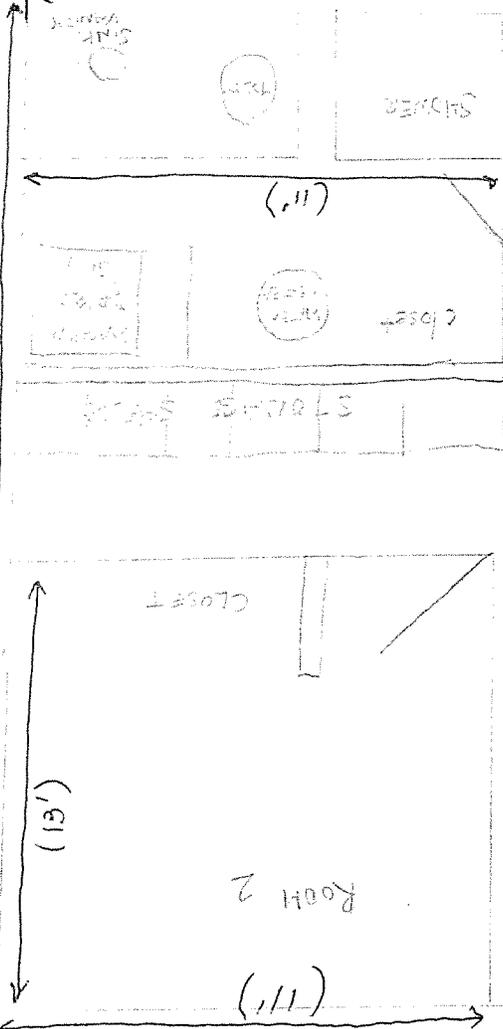
(30')

(13')

Room 2

(11')

Storage Addition



(26')

(21 1/2')



CITY OF ST. HELENS PLANNING DEPARTMENT M E M O R A N D U M

TO: Planning Commission (as the Historic Landmarks Commission)
FROM: Jacob A. Graichen, AICP, City Planner
RE: The Plaza, a Designated Landmark v. Amusement Park
DATE: January 27, 2022

Per Chapter 17.36 of the St. Helens Municipal Code a “designated landmark” is an historic resource officially recognized by the city of St. Helens.

Historic resources are often buildings but can also be other things like sites. The city’s Locally Designated Landmarks List includes 24 official historic resources. 22 of these are buildings. One is a site: the **Courthouse Plaza**. More information about the city’s historic resources can be found online: <https://www.sthelensoregon.gov/planning/page/historic-preservation>

There is a key term in the city’s historic preservation chapter: “**alteration**.” This is important as a proposed alteration of a designated landmark requires formal review by the Historic Landmarks Commission before the alteration occurs. This is known a **Historic Resource Review**.

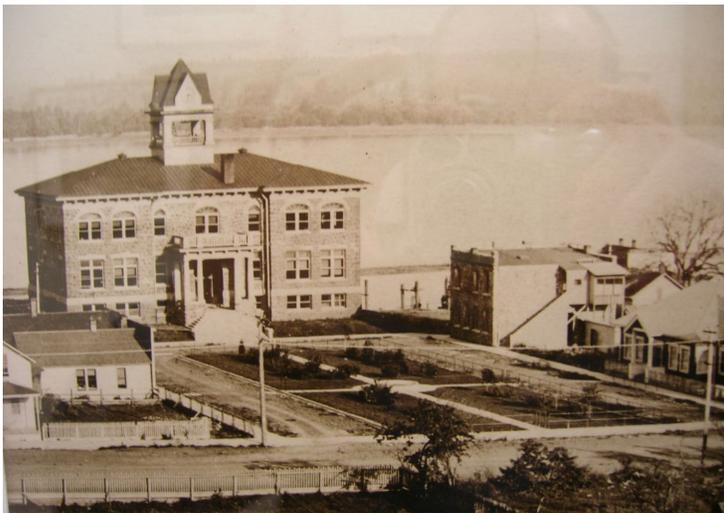
The definition is important for you to be aware of. Alteration is defined as:

“Alteration” means an addition, removal, or reconfiguration which significantly changes the character of a historic resource. Painting is not an alteration.

In 2019, the Commission approved an alteration for a kiosk, which has since been installed. Lawfully.

The purpose of this memo is twofold: 1) to inquire with the Commission whether or not you feel an addition after the kiosk was installed constitutes an alteration and, 2) as an FYI as Halloweentown continues to grow, there will be more tourism use of the plaza (as a key feature of the 1998 movie) and interest in modifications such as addressing the grass surface which gets a lot of use and takes much abuse during the local seasonal Halloweentown festivities.

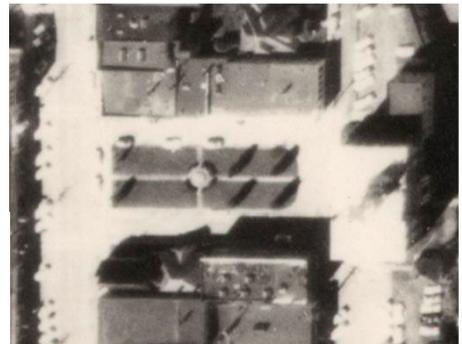
1910



1983



1963



The courthouse was built in 1906 and the plaza followed in 1907. Key features include the central circular platform and the crucifix feature. The center remains, but the crucifix, lost sometime between 1963 and 1983 could be restored to honor the original design.



Above: The Plaza as viewed from S. 1st Street in 2019 before the kiosk, permitted by the Historic Landmarks Commission, was lawfully installed. **Below,** same view of The Plaza this month. Note the permitted kiosk (light blue with faux basalt base) to the left. Also note the metal business sponsor sign features on either side, that appeared sometime after the permitted Kiosk was installed. **Do you think these constitute an alteration?**



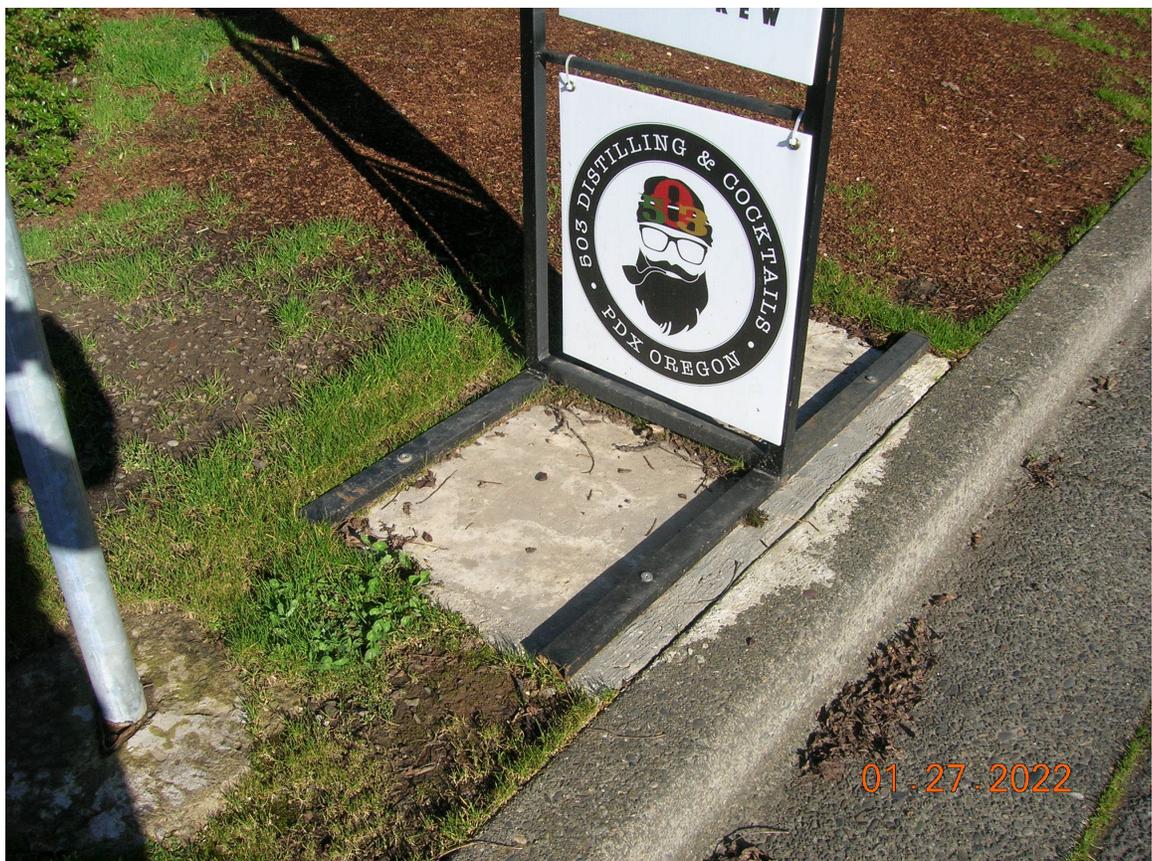


Left: another current photo of The Plaza looking towards S. 1st Street.

The metal business sponsor sign features are within the boundaries of The Plaza.

Right: A closer view of the foundation of one of the metal business sponsor sign features shows a small concrete pad that was poured (and never existed prior) and the intended permanency of these features.

Since there are two of these, there are two pads. A pad, albeit larger, was necessary for the permitted kiosk.



CITY OF ST. HELENS PLANNING DEPARTMENT ACTIVITY REPORT



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

Date: 01.26.2022

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.

PLANNING ADMINISTRATION—PREAPPLICATIONS MEETINGS

Conducted a pre-application meeting for a potential multi building development on an approximate 19-acre site along McNulty Way owned by the Port of Columbia County. We’ve talked with the Port about this property off and on for many years.

PLANNING ADMINISTRATION—MISC.

Support staff provided the required HB 4006 (from the 2018 Legislative Session) reporting to the state for permitted and produced residential units from the last year. This is required annually for cities in Oregon above 10,000 population.

City has started to look at future System Development Charge rates. Planning is involved as growth, development assumptions, and specific projects in adopted plans are components of this effort. Yikes! Initial numbers are big. Staff and the Council will have some challenging decisions to make.

As mentioned in the last two monthly reports, both the Thanksgiving and Christmas/New Year’s holidays did not provide enough “slow down time” to work on Development Code amendments, namely, residential beyond duplexes. At this point this may be delayed significantly.

Both the Associate Planner/Comm. Dev. Project Manager and I sat in on interview panels for two engineering department positions this month: Engineer Manager and Engineer II/III.

Last two weeks of January were not the most productively efficient for me. In the second to last week, some network changes were made that created difficulties for many departments. Many people, including myself, did not have access to much of our data. The following week, the Associate Planner/Project Manager, was out on vacation.

DEVELOPMENT CODE ENFORCEMENT

The issue at 264 N. Columbia River Highway continues to evolve since it first reporting in the July 2021 department report. There is strong evidence that the occupant will move to the old PGE building at 1771 Columbia Boulevard, which already has land use approval for the use contemplated.

Speaking of the 1771 Columbia Boulevard site, in last month's report I mentioned an unlawful use as a dwelling and unlawful outdoor storage in the parking lot on the corner of Columbia Boulevard and S. 18th Street. After the owner regained possession of the building last month (it was a squatter issue), the parking lot is now cleaned up too.

Starting in the June 2021 department report, an unlawful structure case on the 400 Block of Greycliffs Drive has been discussed in these reports. The owner has finally, as observed by staff, reduced the building to less than 200 square feet and moved it at least three feet from property lines. No charges imposed, but both staff and the judge noted the city will not be so nice if this happens again and will need to consider fines.

PLANNING COMMISSION (& *acting* HISTORIC LANDMARKS COMMISSION)

January 11, 2022 meeting (outcome): The Commission held a public hearing to consider annexation of property off Pittsburg Road, just east of Meadow View Drive. The Commission recommends approval to the Council. Interestingly, the "meadow," Meadow View Drive is assumed to be named after may not last long once the property is annexed and subdivided.

The Commission also considered and recommended approval of a right-of-way dedication off of Barr Avenue that would provide a southerly access point to the property subject to annexation noted above. The Council will see both in February.

The Commission also reviewed the annual summary report, selected chair and vice chair (status quo in this case).

February 8, 2022 meeting (upcoming): Two public hearings are scheduled. One is for the expansion of Columbia View Park and another is for a proposal to add a dwelling unit on the same level as a commercial use at 1370 Columbia Boulevard,

Staff may present some strategic plan information as it pertains to the Planning Department, time permitting.

GEOGRAPHIC INFORMATION SYSTEMS (GIS)

Data updates for recent annexations.

The Council approved the Personal Services Agreement with GeoTerra for our aerial photo/data update process. GeoTerra has already started establishing control points on the ground in various places throughout the area, in preparation for flights anticipated in March.

ASSOCIATE PLANNER—*In addition to routine tasks, the Associate Planner has been working on:*
See attached.

From: [Jennifer Dimsho](#)
To: [Jacob Graichen](#)
Subject: January Planning Department Report
Date: Thursday, January 20, 2022 8:48:08 AM

Here are my additions to the January Planning Department Report.

GRANTS

1. **OPRD - Local Government Grant – Campbell Park Improvements** - 6-month grant extension granted for the COVID-19 related delay of court surfacing materials. New deadline is April 2022. Concrete pad poured. Waiting on dry weather for PW to finish grading of stormwater area (plants ordered and pick up, soil delivered). Courts are complete. Conducted final walk through, created punchlist. Parking lot paving/stripping forthcoming.
2. **CDBG- Columbia Pacific Food Bank Project** – JH Kelly continuing \$1.6 million construction bid. Tracking all requests for information and submittals to ensure questions are answered. Received approval from state for ~16 Change Orders. Will need to submit a final budget amendment and timeline extension. Delay is mostly due to # of Change Orders and COVID-19 relayed lead times for construction materials. 6-month time extension approved. New completion is June 30, 2022.
3. **Safe Routes to School - Columbia Blvd. Sidewalk Project** – Construction timeline provided by David Evans, who is working through design/engineering process. Worked through change to schedule to allow an additional year for bidding the project to allow the County to replace a culvert which collapsed in 2020 during a heavy rainstorm. County IGA and contract amendment to add culvert in scope was approved in December. New schedule has bidding of the project and construction in 2022.
4. **Business Oregon – Infrastructure Finance Authority** – Application for a low-interest loan to fund streets, utilities, and a portion of the Riverwalk Project on the Riverfront property. Contract documents have been sent to legal counsel. Working with state on amending scope and budget to include updated 90 percent design work.
5. **Certified Local Government – Historic Preservation Grant Program** – Letters went out to eligible property owners on 5/24 announcing that there is \$12k available with a 1 to 1 match requirement and a grant deadline of 7/26. Only 1 incomplete application received, so Plan B work plan is for the City’s Court/Utility Billing exterior roof and cornice work. Worked with SHPO on work plan and began working through scope with contractors to begin soliciting direct bids. Site visit from 2 contractors so far. Notice to proceed from SHPO received on 11/1. Council advised staff to reduce project costs at their 1/5 Council meeting. Contract approved at 1/19 Council for just roof parapet work (no cornice work) for 24k.
6. **Technical Assistance Grant with the Oregon State Marine Board** - To assist with design and permitting of an in-water facility at Grey Cliffs Park. A more detailed contract will be drafted for review and approval by Council for the assistance. Meeting on 12/22 with OSMB discussed design options for the non-motorized launch and fishing pier. Next steps will be to take options to the public for feedback, select a preferred alternative, and begin final design, and permitting process.

PROJECTS & MISC

7. **Riverwalk Project (OPRD Grants x2)** – Held 12/15 Open House at the Recreation Center to celebrate and educate the public of the 30% design level. Developed communications strategy for sharing designs presented at the Open House. Working through archeological survey based on tribal feedback. Reviewed 30 percent cost estimates for Phase I and Phase II to provide feedback at 1/12 TAC meeting. Working on local Columbia View Park expansion permitting to assist with funding park improvements (SDC eligibility). Council approved concept. It goes before PC in February for approval. Additional design with Mayer Reed to re-design playground area on 1/19.
8. **Riverfront Streets/Utilities Design/Engineering** – 90 percent plan set received (205 pages of materials to review!). Began review and comments in preparation of an early February meeting with staff and OTAK.
9. **St. Helens Industrial Business Park (SHIBP) Public Infrastructure Design**– Work Order 1 approved (includes 30 % design for Phase I infrastructure). Kicked off project on 12/21. Coordinated with departments and various consultants to provide baseline data layers to Mackenzie.
10. **Millard Road City-Owned RFP** - Council directed staff to work through possible sale terms with Atkins & Dame. Assisting John with next steps.
11. **Waterfront Video Project** – Final version of the video to be premiered at the January 19 State of the City Public Forum!
12. **Urban Renewal Agency Presentation/Budget Adoption** – Organized staff, agenda, and presentation for the 1/5 URA meeting. Presentation included URA basics, transportation planning overview, funding options, and budget adoption for the next 4 years. Full recorded presentation is on the City’s meeting page. Prepared and handed out new URA binders.

Jenny Dimsho, AICP

Associate Planner / Community Development Project Manager

City of St. Helens

(503) 366-8207

Please note new email address: jdimsho@sthelensoregon.gov