



PLANNING COMMISSION
Tuesday, January 14, 2020
265 Strand Street, St. Helens, OR 97051
www.ci.st-helens.or.us

Welcome!

1. **7:00p.m. - Call to Order and Flag Salute**
2. **Consent Agenda: Approval of Minutes**
 - 2.A. Planning Commission Minutes dated December 10, 2019
[121019 PC Minutes DRAFT](#)
3. **Topics from the Floor: Limited to 5 minutes per topic (not on public hearing agenda)**
4. **Public Hearings (times reflect earliest start time)**
 - 4.A. 7:00 p.m. - Comprehensive Plan Amendment (Add property to the Historic Designated Landmarks Register) at 260 S. 2nd Street - Feather
[CP.2.19 Staff Report](#)
 - 4.B. 7:30 p.m. - Annexation at 58865 Firlok Park Street - OHM Equity Partners LLC
[A.4.19 Staff Report](#)
5. **Discussion Items**
 - 5.A. Chair/Vice Chair Selection
 - 5.B. End of Year Summary Report
[2019 Year End Summary](#)
 - 5.C. Accessory Structure Breezeway Attachment Discussion

The St. Helens City Council Chambers are handicapped accessible. If you wish to participate or attend the meeting and need special accommodation, please contact City Hall at 503-397-6272 in advance of the meeting.

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For more information or for an application, stop by City Hall or call 503-366-8217.**

Accessory Structure Attachments Memo to CC & PC 12312019

6. **Planning Director Decisions -**

- a. Time Extension (PT.6.18) at 1160 & 1170 Deer Island Road - Frank*
- b. Lot Line Adjustment at 46 & 63 Dubois Lane - Adjust a common boundary*
- c. Sign Permit at 1050 Old Portland Road - New wall sign on an existing building*
- d. Sign Permit at 1805 St. Helens Street - New wall sign on an existing building*
- e. Home Occupation at 335 S. 3rd Street - Home-based supplement sales business*
- f. Sign Permit (Banner) at 2100 Block of Columbia Blvd – Columbia County Bridal Expo*

7. **Planning Department Activity Report**

- 7.A. Planning Department Activity Report dated December 31, 2019
[2019 DEC Planning Dept Rept](#)

8. **For Your Information Items**

9. **Next Regular Meeting: February 11, 2020**

10. **Adjournment**

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City of St. Helens Planning Commission

Draft Minutes

December 10, 2019

Members Present: Chair Hubbard
Commissioner Cohen
Commissioner Lawrence
Commissioner Semling
Commissioner Stenberg
Commissioner Webster
Vice Chair Cary

Members Absent: None

Staff Present: City Planner Graichen
Associate Planner Dimsho
Councilor Carlson
Community Development Administrative Assistant Sullivan

Others: Jeff Bolton
Anita Kjos
Steve Topaz

- 1) **7:00 p.m. - Call to Order and Flag Salute**
- 2) **Consent Agenda: Approval of Minutes**
2.A Planning Commission Minutes dated October 8, 2019

Motion: Upon Commissioner Semling's motion and Commissioner Cohen's second, the Planning Commission unanimously approved Minutes Dated October 8, 2019. Vice Chair Cary and Commissioner Lawrence did not vote due to their absences from that meeting. [AYES: Commissioner Cohen, Commissioner Semling, Commissioner Stenberg, Commissioner Webster; Nays: None]

- 3) **Topics from the Floor: Limited to 5 minutes per topic (not on public hearing agenda)**

Topaz, Steve. Topaz has concerns for public and private safety along with long-term City legality problems related to Acceptance Agenda Item 7.b. for a marijuana processor at 1400 Kaster Road. He has concerns about this industry federally. He advised when the FDA takes over that the facility would have to be brought up to code and incur a great expense. Topaz is concerned if this happens that the current tenant would abandon the facility and the City would be left with vacant buildings. He thinks that the FDA will require that their product be kept in a secure warehouse where there are no outside components that could contaminate it. He said they are currently storing in a general warehouse. He cited an article that he gave to Councilor Locke regarding dust causing cancer. He said the facility would need high grade filters and air quality systems to avoid the poor air quality in the processing rooms. He is concerned about the safety of the solvents being used in the processing. He also expressed concern that, according

to what he saw in the plans, there was no preparation for a major accident or in-house contamination. He expressed concern about the City's financial liability since we currently own the property. He admits the facility may be meeting all of Oregon state laws, but not federal regulations. Chair Hubbard asked if the Council, when signing the lease with the current tenant, required any bonding. Topaz advised he was not part of that meeting and did not know. Councilor Carlson said she did not have the documents present to answer the question, as it was not an agenda item. Commissioner Cohen asked if the Planning Commission has the jurisdiction to oversee this issue. City Planner Jacob Graichen said that the Commission can regulate time, place, and manner of land uses. He added that the proposed use was outright permitted. Commissioner Cohen suggested that Topaz go back to City Council with these concerns. Graichen also noted that the Building Official and the Fire Marshall have jurisdiction over most safety concerns. There may also be a state agency that deals with the safety of the facility.

Graichen said that the audio/visual system has changed. There are no microphones on the tables. They are in the ceiling. He also introduced Christina Sullivan, the new Community Development Administrative Assistant. She will be taking over the meeting operations and minutes at the next meeting. Commissioner Semling expressed gratitude for all the new audio equipment.

4) **Public Hearings (times reflect earliest start time)**
4.A 7:00 p.m. - Comprehensive Plan & Zone Map Amendment at the SE corner of Matzen Street & Maplewood Drive (Brayden Street) - Multi-Tech Engineering Services

Chair Hubbard opened the Public Hearing at 7:18 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter. Graichen entered the staff report dated December 3, 2019 into the record.

Graichen introduced the proposal to the Commission, as presented in the staff report. The applicant is requesting a zone change from Moderate Residential (R7) to General Commercial (GC). He reminded the Commission that this request is for the zone change, not the development itself, which will come later. The applicant acquired this property to develop the garages for the apartment complex development to the north. However, Graichen mentioned that once the zone change is made, the applicant could decide to develop something different. He also noted there are comprehensive policies about encouraging commercial development in and adjacent to well-established business areas. He mentioned the commercial zoning on two sides of the property. The property will also be a new significant intersection, since Matzen Street is a collector street. He noted there is a 293-acre surplus of low-density residential lands according to the adopted Housing Needs Analysis (2019), so this reduction of residential land will not have an impact on residential land availability. The Economic Opportunities Analysis (2008) identified a shortage of employment lands, and this proposal would add employment lands. Commissioner Lawrence asked about the proposed use. She asked if they are proposing car garages or actual storage units. Graichen said there is a plan in their narrative, but the Commission is not approving development plans tonight. The future application will come before the Commission when they apply.

Graichen went through the recommended conditions of approval, as identified in the staff report.

In Favor

Bolton, Jeff. Applicant. Bolton is representing the property owner, St. Helens Land Company, LLC. Bolton said the reason the owner pursued this property was to further develop it. He said there is a shortage of General Commercial property in the City. He feels this proposal fits in with the character of the area. It is adjacent to commercial uses. The property is under 0.5 acres. Commissioner Cohen asked if they plan to allow the tenants exclusive use of the storage units. Bolton said he was not sure at this time. The plan is to have garages on the lower level with storage on the upper level. The property owner has developed these in other communities and they have been successful with tenants. Graichen said mini storage is not an allowed use in the General Commercial zoning, so this proposed future development would have to be for the exclusive use of the residents in order to be allowed per the zoning. Bolton noted that they would have liked to have fit the garages on the existing property, but they could not. Commissioner Cohen said that it was important to him that the proposed storage be tied in directly with the apartments.

Neutral

Kjos, Anita. Kjos lives at 525 Matzen Street. Kjos is asking if speed bumps could be put in along Matzen Street. She has lived there for five years. Graichen said similar comments were received back during the apartment Conditional Use Permit public hearing, so staff asked the applicant to look into traffic calming features. They included a curb extension in their design to shorten the crossing distance along Matzen Street. Graichen said Public Works and the Fire District are generally not in favor of speed bumps, but other traffic calming measures could be used. Councilor Carlson expressed concern with the traffic increase in a historically quiet neighborhood. Graichen suggested that Kjos bring this up at a Council meeting or by talking to Public Works directly about traffic calming for this area.

In Opposition

No one spoke in opposition.

Rebuttal

Bolton, Jeff. Applicant. Bolton said two traffic calming features will be built very soon. They curved all the frontages. They will be putting a new six foot sidewalk along the apartment complex property. He said this would extend onto the new storage property as well. He did say their initial traffic analysis found additional trips, but not enough to create large impacts to the transportation system.

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

Vice Chair Cary noted that the traffic impacts of General Commercial would be greater than residential. Graichen said the applicant's traffic analysis did find that there would be additional

trips, but it would not be enough to have a large effect. Graichen said this is a recommendation to City Council.

Motion: Upon Commissioner Cohen's motion and Commissioner Webster's second, the Planning Commission unanimously recommended to City Council approval of the Comprehensive Plan and Zone Map Amendment as written. [AYES: Commissioner Cohen, Commissioner Lawrence, Commissioner Semling, Commissioner Stenberg, Commissioner Webster, Vice Chair Cary; Nays: None]

5) Discussion Items

5.A Proposed Text Amendments Discussion

Graichen explained the proposed text amendments, as included in the memo. There are two main topics: accessory structures and floodplain management. Staff is recommending to increase the size requirement for when an accessory structure permit is required from 120 square feet to 200 square feet. This would match the Oregon Building Code. The other change is related to the maximum size allowed. Currently, there are two tiers. Most lots in the City allow a shed to be 600 square feet. Lots that are 2.5 acres or more, the City allows a shed up to 1,000 square feet. Graichen said the proposal is to allow 1,000 square feet for lots under 2.5 acres and 1,600 square feet for lots more than 2.5 acres. Lot coverage and setback requirements still apply.

Commissioner Cohen asked about nuisance stormwater runoff. Graichen said most complaints from neighbors regarding accessory structures are related to structures being built on the property line. There will still be a requirement that structures have to be three feet from property lines. Commissioner Cohen is concerned with stormwater runoff and the amount of accessory structures that are added to properties without permits. Commissioner Lawrence agrees. She is concerned about neighborhood character. Associate Planner Jenny Dimsho noted we allow breezeways to accommodate larger structures currently. Graichen said that updating the code would result in less pointless breezeways. Graichen said aligning the Development Code with the Building Code would make it easier for customers to understand the permitting process. After another small discussion on avoiding the increase of unpermitted structures being built around the City, the Commission came to an agreement. The Commission supported increasing the applicability of a permit from 120 to 200 square feet, but not increasing the maximum size.

Graichen discussed diagrams in the floodplain rule changes, as included in the memo. Chair Hubbard asked what the Base Flood Elevation is in St. Helens. Graichen said it varies throughout the community. Commissioner Cohen asked what these changes would apply to. Graichen said it would apply to new construction or substantial improvements, which is defined in the code. Councilor Carlson asked if there were exceptions for historic structures. Graichen said yes. Commissioner Cohen asked when the last time FEMA flood maps were updated. Graichen said November 2010. The next update will be up to FEMA. The Commission tentatively agrees with Graichen's suggestion for Base Flood Elevation changes, but could also live with status quo. He recommended requiring that new residential construction or substantial residential improvements be built one foot above Base Flood Elevation. For commercial, he recommend increasing the Base Flood Elevation from zero to one foot for new construction and substantial improvements. Graichen wanted feedback in order to begin drafting the amendments before the formal adoption hearings.

5.B Term Expiration Discussion

Graichen said Commissioner Lawrence has not served a full two terms, so advertising for the opening is not necessary. He asked the Commission if they supported re-appointing her for a four-year term.

Motion: Upon Commissioner Cohen's motion and Commissioner Webster's second, the Planning Commission unanimously recommended approval of a second term for Commissioner Lawrence. [AYES: Commissioner Cohen, Commissioner Semling, Commissioner Stenberg, Commissioner Webster, Vice Chair Cary; Nays: None]

6) Acceptance Agenda: Planning Administrator Site Design Review

Motion: Upon Commissioner Cohen's motion and Commissioner Lawrence's second, the Planning Commission unanimously approved the Acceptance Agenda: Planning Administrator Site Design Review. [AYES: Commissioner Cohen, Commissioner Lawrence, Commissioner Semling, Commissioner Stenberg, Commissioner Webster, Vice Chair Cary; Nays: None]

7) Planning Director Decisions

There were no comments.

8) Planning Department Activity Report

8.A Planning Department Activity Report dated October 29, 2019

8.B Planning Department Activity Report dated November 25, 2019

There were no comments.

9) For Your Information Items

Chair Hubbard asked about the new designs for the Columbia View Park Amphitheater. He recommended a design similar to Kalama's Riverfront Park. He also asked if the gazebo would move. Dimsho said they were looking at using the existing seating, but the gazebo would be replaced.

Councilor Carlson mentioned the upcoming State of the City meeting is on January 11, 2020. It will be held at the new middle school in collaboration with the school district.

Chair Hubbard asked about the progress of the container homes near 6th Street Park. Graichen said they have submitted a building permit and there were issues with the site plan. They met with the builder and they are working on a revised plan.

10) Next Regular Meeting: January 14, 2020

11) Adjournment

There being no further business before the Planning Commission, the meeting was adjourned at 9:08 p.m.

Respectfully submitted,

*Christina Sullivan
Community Development Administrative Assistant*

CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Comprehensive Plan Amendment CP.2.19

DATE: January 7, 2020
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner
Jennifer Dimsho, Associate Planner

APPLICANT: City of St. Helens
PROPOSAL: Comprehensive Plan Amendment to add a property to the Historic Designated Landmarks Register
LOCATION: 260 S. 2nd Street; 4N1W-3BA-4800
ZONING: Riverfront District (RD), Plaza Subdistrict

The 120-day rule (ORS 227.178) for final action for this land use decision is **not applicable**.

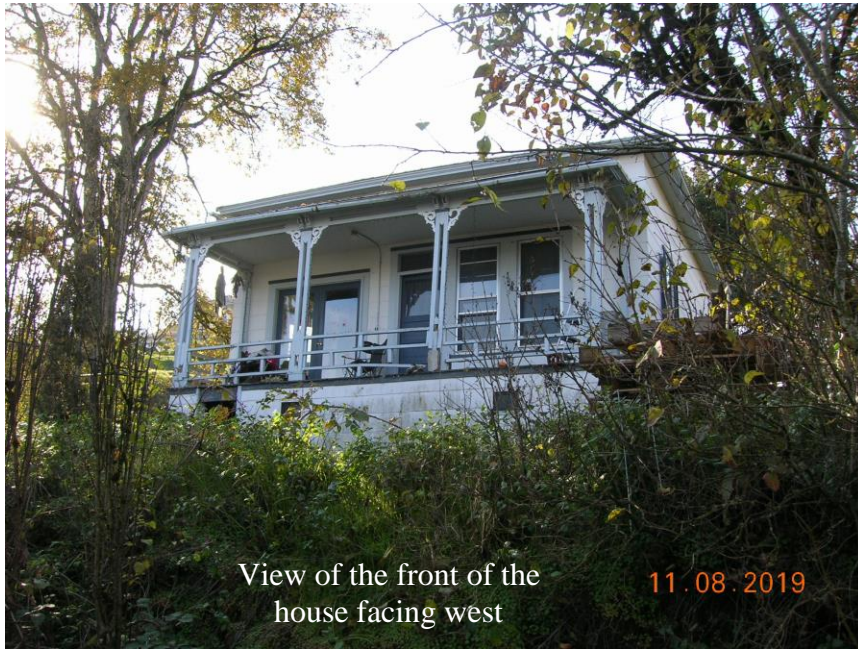
SITE INFORMATION / BACKGROUND

This detached single-family dwelling was built in the style of an “Italianate Cottage.” The St. Helens Downtown Historic District nomination states that the house was built in 1885. However, the Columbia County Museum Association’s research did not find any evidence that references a structure on the property prior to 1906. This is discussed further below.

According to the County Assessor, it is a single-story at 1,196 square feet. The building is sited on the slope of a hillside and faces east overlooking downtown St. Helens and the Columbia River. The rear of the structure faces S. 2nd Street, which is where the property is accessed by vehicles today. It also accessed on foot by a pedestrian path / alley in between two commercial buildings along S. 1st Street.

The structure is within the nationally registered St. Helens Downtown Historic District. The nomination classifies the structure one of “primary significance” which means it was built before the fire of September 1904. A construction date of 1885 would date this structure as the second oldest surviving structure in downtown St. Helens. The oldest structure is the Henry Knighton House, which was built in 1851 by Henry Knighton, who established the town of St. Helens. More recently, this structure was a filming location for the movie *Twilight* (2008) where the main character, Bella, buys a book from the house, which was fashioned as a bookstore.

Regarding alterations, the St. Helens Downtown Historic District nomination from 1984 states, “The house has been covered over with fire retardant shingles, but the window and door trim are intact. The windows are one over one double-hung wood sash. A one story attached porch extends across the front of the house and has a hipped roof. It is supported by four posts across the front and pilasters at the wall edge which are ornamented with cut work brackets. In addition to the siding, only the porch rail, hand rail and stairs appear to have been altered.”



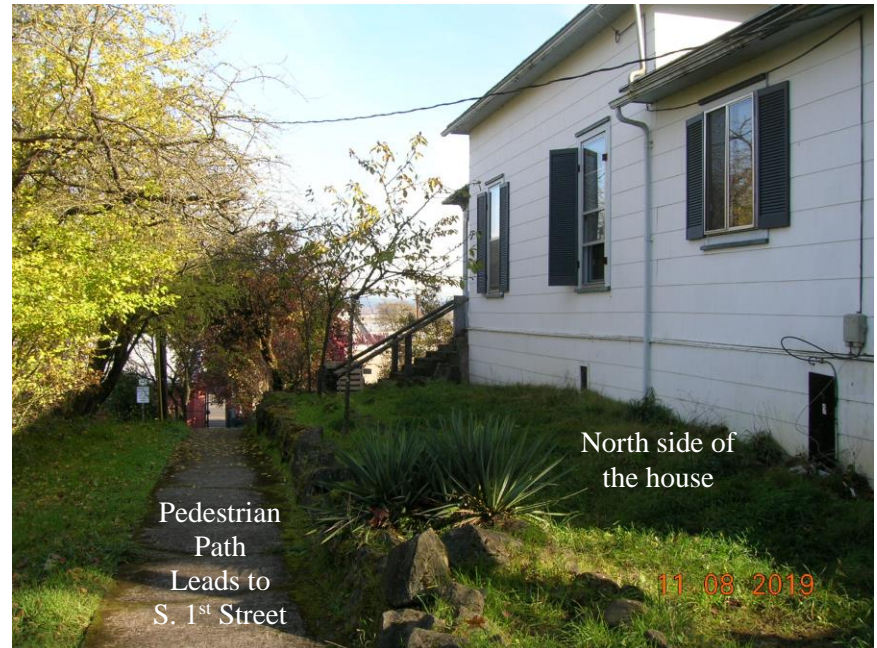
View of the front of the house facing west 11.08.2019



View of the back of the house facing east 11.08.2019



Pedestrian Path Leads to S. 1st Street 11.08.2019



Pedestrian Path Leads to S. 1st Street North side of the house 11.08.2019

PUBLIC HEARING & NOTICE

Hearing dates are **January 14, 2020** before the Planning Commission and **February 5, 2020** before the City Council.

Notice was published in The Chronicle on **January 1, 2020**. Notice was sent to the Oregon Department of Land Conservation and Development on **December 10, 2019**.

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.

(a) Discussion: This criterion requires analysis of the applicable statewide planning goals. The applicable goals in this case are Goal 1 and Goal 5.

Statewide Planning Goal 1: Citizen Involvement.

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

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

The City's Development Code is consistent with State law with regards to notification requirements. Pursuant to SHMC 17.20.080 at least one public hearing before the Planning Commission and City Council is required. Legal notice in a newspaper of general circulation is required too. Notice of this proposal was sent to surrounding property owners within 300 feet of the subject properties. The City has met these requirements and notified DLCD of the proposal.

Finding: Given the scheduled public hearings and notice provided to surrounding property owners and DLCD, Goal 1 is satisfied.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

Goal 5 requires the adoption of programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. These resources promote a healthy environment and natural landscape that contributes to Oregon's livability.

Finding: This proposal is to add a property to the City's historic resource list. Therefore, Goal 5 is satisfied.

(b) Discussion: This criterion requires analysis of any applicable federal or state statutes or guidelines. There are no federal level statutes or guidelines that were specifically analyzed, except where already incorporated in state level statutes or guidelines.

The applicable state level statutes/guideline is ORS 227.186(2), which states:

All legislative acts relating to comprehensive plans, land use planning or zoning adopted by a city shall be by ordinance.

Finding: The Comprehensive Plan amendment will be adopted by ordinance in compliance with this statute.

(c) Discussion: This criterion requires analysis of applicable comprehensive plan policies, procedures, appendices and maps. The relevant comprehensive plan policy is below.

19.08.060 Natural factors and local resources goals and policies.

(3) Policies. It is the policy of the city of St. Helens to:

[...]

(k) Subject proposed alteration of the city's historic resources to design review and historic documentation to encourage preservation of historical assets.

(l) Devise a program for attempting to preserve those historic resources that are threatened with demolition.

[...]

Finding: By adding this property to the Designated Historic Landmarks Register, the city will be preventing major alteration and even demolition of a historic asset.

(d) Discussion: This criterion requires analysis of the applicable provisions of the implementing ordinances. Specific standards for inclusion onto the Designated Landmarks Register are per SHMC 17.36.030 (1) - (6).

SHMC 17.36.030 (1) - (6) Designated Landmarks Register

(1) Properties listed on the National Register of Historic Places, including all properties within National Register Historic District boundaries, are eligible for automatic listing on the Designated Landmarks Register. However, only properties listed on the Designated Landmarks Register shall be eligible for public incentives and code considerations pursuant to this chapter.

(2) Any individual or group, including the commission acting on its own initiative, may nominate a historic resource for inclusion on or removal from the Designated Landmarks Register by submitting a complete application to the planning director. The burden of proof lies with the applicant. No property shall be so designated without the written consent of the owner or, in the case of multiple ownership, all of the owners.

(3) The planning director shall establish standards for a complete application. Upon acceptance of a complete application the planning director shall schedule a public hearing pursuant to the applicable state laws and provisions of the St. Helens Development Code.

(4) In order to be included or maintained on the Designated Landmarks Register the city council (based on recommendation of the commission), pursuant to comprehensive plan amendment procedures, must find that the historic resource is over 50 years of age or of “extraordinary historic importance” (as defined by SHMC 17.36.010), and possesses sufficient “historic integrity” (as defined by SHMC 17.36.010), and:

(a) Is associated with events that have made a significant contribution to the broad patterns of local, state, or national history; or

(b) Is associated with the lives of persons, or groups of people, significant in local, state, or national history; or

(c) Embodies the distinctive characteristics of an architectural type, style, period, or method of construction or that represents the work of a master (e.g., builder, designer or architect), or that possesses high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction; or

(d) Has yielded or is likely to yield information which is important in local, state, or national history.

(5) The commission and city council shall develop findings to support their decisions. These findings shall indicate those elements of a property, including archaeological features, that are included in the designation and subject to regulation under the provisions of this chapter.

(6) The age of a specific building or structure is not sufficient in itself to warrant listing on the Designated Landmarks Register.

(1) Finding: The property is within the National Register of Historic District Boundary classified as “primary significant,” and is therefore eligible for automatic listing.

(2) Finding: The application for nomination of the historic resource for inclusion on the Designated Landmarks Register was submitted by the sole property owner. This application is by the property owner’s own action and consent. The application is not being imposed by the City of St. Helens.

(3) Finding: The application submitted was complete, and a public hearing was scheduled subject to the provisions of the St. Helens Development Code.

(4) Discussion: The historic resource is over 50 years of age. “Historic integrity” is defined as the quality of wholeness of the historic location, design, setting, materials, workmanship, feeling and/or association of a resource, as opposed to its physical condition. The nomination

states that in addition to the exterior shingles, the porch rail, hand rail and stairs appear to have been altered. Indeed, in the historic photo from 1929, the staircase leading to the front porch and door can be seen facing east. Today, this staircase is facing west to alter the access from 1st Street as it became a denser commercial corridor. However, the location, design, and basic features of the home (columns, windows, roofline, etc.) appear to be unaltered.

(4) Finding: The historic resource is over 50 years of age, and aside from minor alterations, the historic resource appears to possess sufficient “historic integrity.” Therefore, this structure is eligible for inclusion on the Designated Landmarks Register.

(4)(a - d) Discussion: This section focuses on the local history of the land the structure sits on, the history of structure itself, and the history of property owners of both the land and the structure.

The land that this structure sits on was once owned by Henry Knighton, who is known to have founded the City of St. Helens. This property was part of the larger Knighton farm. The original Henry Knighton House (seen in the historic photos attachment) and other outbuildings were located on the property. Henry Knighton constructed the oldest surviving structure in the City’s downtown, the Henry Knighton House, which has been moved twice since its original location on S. 1st Street. The second location, which is slightly further west from its original location, can be seen in the photo attachment. The Columbia County Museum Association (CCMA) believes that the location of the subject dwelling is actually the location of a barn structure on the Knighton property (see photo attachment).

After Henry Knighton, the lot was owned by William and Emmeline Meeker. The Meekers operated a hotel out of the Knighton House (at its first location) after Henry Knighton moved from St. Helens. According to CCMA, deed records and newspaper references begin to referencing a single-family dwelling on the property only *after* 1906. Property records seem to indicate that the builders of the single-family dwelling were the Ansorge family, who owned the property from 1906 to 1912.

Mr. Alfred E. Ansorge was a born in Prussia and immigrated to the United States in 1852. After enlisting in the Civil War and serving approximately three years, he was discharged in 1864. At 32, he married Elizabeth McKee (possibly Meeker) in Cambridge, Massachusetts. They had two daughters, and after 1900, they moved to St. Helens to live near their younger daughter, Irene Day, who lived with her husband Joseph Day. In 1906, they purchased the Knighton/Meeker barn property, which is when it is believed they constructed the subject dwelling. After the Ansorge family, the home was owned by William and Edwin Ross from 1912 to 1918.

Regarding the structure itself, it was one of two Italianate-style dwellings within the Historic District boundary when the district was first designated. Since then, the second Italianate-style dwelling was demolished around 2008(the Dillard House at 135 S. 1st Street), leaving this now the only structure to be of the Italianate-architectural style.

A construction date of 1885 would date this structure as the second oldest surviving structure in downtown St. Helens, and the first oldest structure in its original location. A construction date of 1906 would make this structure one of approximately 14 structures that remain intact built before 1907. Regardless of which date the structure was constructed, it is safely *at least* 113 years old.

Nationally, the exterior and interior of the structure is significant in pop culture because of its inclusion in *Twilight* (2008) as the location of a bookstore.

(4) (a-d) Finding: The land this structure sits on and the structure itself is associated with the lives of persons significant in the local history of St. Helens. It is of an older architectural style (Italianate) of which there is only one structure remaining within the Historic District boundary. Although there remains some discrepancy about the exact date of construction, the structure itself is *at least* 113 years of age. The structure also has national significance, due to its exterior and interior appearance in *Twilight* (2008). For these reasons, this structure is eligible for inclusion on the Designated Landmarks Register.

(d) Finding: The relevant Designated Landmarks Register implementing ordinance is met.

(e) Finding: Since this request is not a zone change or a comprehensive plan map change, this is not applicable to this proposal.

CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, staff recommends the Planning Commission recommend to the City Council approval of the Comprehensive Plan Amendment to add a property to the Historic Designated Landmarks Register.

Attachments

- *Historic Photos Attachment*
- *St. Helens Downtown Historic District nomination*

***NOTE** - The map and list of significant historic resources will need to be updated as part of the adoption ordinance.*



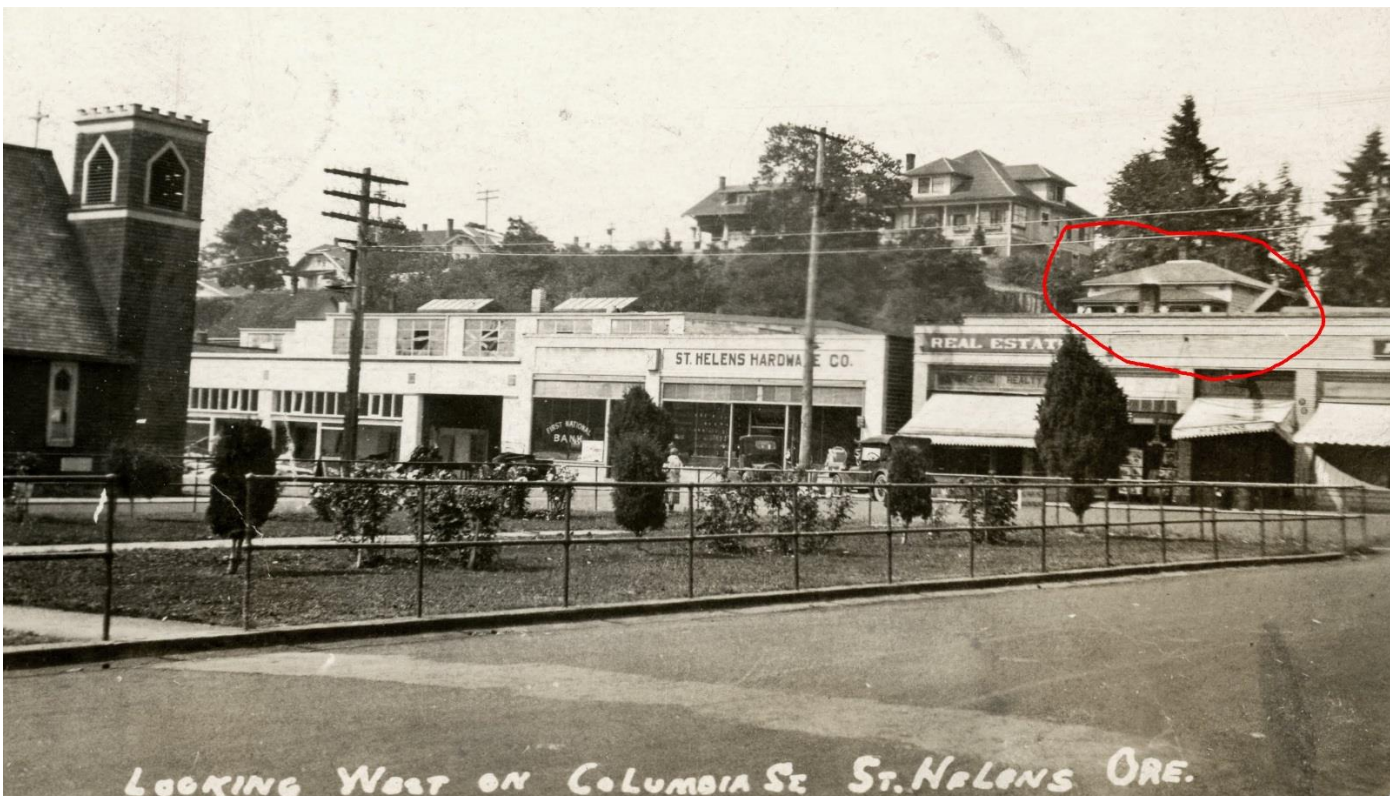
1851 - This is the original location of the Henry Knighton House seen on the left. The fence is shown is built along what is today S. 1st Street. The large barn shown on the right appears to be the location of the subject dwelling today. Photo courtesy CCMA.



1912-1915 - The 2nd location of the Henry Knighton House shown in the foreground. The subject dwelling can be seen in red. CCMA believes the location of the barn being deconstructed may be in circled in blue. Photo courtesy CCMA.



1909 - This appears to be the oldest photo of the structure. Photo courtesy CCMA.



1920 - Columbia County Courthouse Plaza in the foreground. Photo courtesy CCMA.



1929 - This photo was part of a cropped section of a large panorama of the St. Helens skyline. Photo courtesy of CCMA.



1967 - Photo courtesy CCMA.



2008 - The home was used as the filming location for the first Twilight movie of the series. The interior and exterior of the building was used as the location of the Thunderbird and Whale Bookstore where the main character, Bella buys a book about Quileute legends.

United States Department of the Interior
Heritage Conservation and Recreation Service

**National Register of Historic Places
Inventory—Nomination Form**

For HCRS use only

received

date entered

Continuation sheet

Item number 7

Page 51

71 ADDRESS: S. 2nd Street
CLASSIFICATION: Vacant
OWNER: Donald Kalberer, PO Box 888, Scappoose OR 97056
ASSESSOR MAP: 41321 TAX LOT: 4700
PLAT: St. Helens LOT: Pt 4,19 BLOCK: 18
USE: Alley

DESCRIPTION: The property is a pedestrian and service alley approximately one hundred sixty feet long. It takes access from 2nd street but does not run through to 1st street.

72 ADDRESS: 260 S. 2nd Street
CLASSIFICATION: Primary Significant
OWNER: Samuel & Ida Mae Cole, 260 S 2nd, St Helens OR 97051
ASSESSOR MAP: 41321 TAX LOT: 4800
PLAT: St. Helens LOT: 5 BLOCK: 18
YEAR BUILT: 1885 STYLE: Italianate Cottage
ALTERATIONS: Moderate USE: Residence

DESCRIPTION: The building is a one story structure, rectangular in shape with irregular front fenestration. The main body of the house has a truncated hip roof with a hipped roof rear addition. The eaves are boxed. The house has been covered over with fire retardant shingles, but the window and door trim are intact. The windows are one over one double-hung wood sash. A one story attached porch extends across the front of the house and has a hipped roof. It is supported by four posts across the front and pilasters at the wall edge which are ornamented with cut work brackets. Except for the siding, only the porch rail, hand rail and stairs appear to have been altered. The building is sited on the slope of a hillside and faces east overlooking downtown and the Columbia River. The rear of the structure faces 2nd street from which it takes access. It is surrounded by an old lilac hedge and other old fashioned plantings.

CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Annexation A.4.19

DATE: January 7, 2020
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner
Jennifer Dimsho, AICP, Associate Planner
APPLICANT: OHM Equity Partners, LLC
OWNERS: Same
ZONING: Columbia County's Multi-Family Residential (MFR)
LOCATION: 58865 Firlok Park Street, 4N1W-8BB-2400
PROPOSAL: The property owner filed consent to annex because they desired to connect to the City sanitary sewer.

SITE INFORMATION / BACKGROUND

The subject property is a rectangular shaped lot at 19,166 square feet or 0.44 acres. It is accessed by Firlok Park Street with two driveways: one paved driveway to a covered carport and one gravel driveway to a single-car garage. Firlok Park Street is a developed collector classified street without frontage improvements (sidewalks, curb, and landscape strip) on either side. It is within the County's jurisdiction. The parcel slopes to the back with the North Fork McNulty Creek bordering the western property line and a small pedestrian bridge pictured below. The dwelling is connected to City water. The closest City sanitary sewer main is located in the Firlok Park Street right-of-way approximately 190 feet north of the subject property. Utilities are discussed below in further detail.



Paved driveway in foreground with gravel driveway and garage in the background



Backyard sloping to McNulty Creek with a small pedestrian bridge

Abutting Zoning

North - County's Multi-Family Residential (MFR)

East - County's Multi-Family Residential (MFR)

South - County's Single-Family Residential (R-10)

West - City's Moderate Residential (R7)

PUBLIC HEARING & NOTICE

Hearing dates are as follows:

October 8, 2019 before the Planning Commission

October 16, 2019 before the City Council

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject properties on December 23, 2019 via first class mail. Notice was sent to agencies by mail or e-mail on the same date. Notice was published in the The Chronicle on January 1, 2020. Notice was sent to the Oregon Department of Land Conservation and Development on December 10, 2019 via e-mail.

AGENCY REFERRALS & COMMENTS

Columbia County Public Works - No issues with the proposed annexation pursuant to City's approval standards for annexations.

Columbia County Land Development Services - No issues with the proposed annexation. Note that there are Goal 5 wetlands on the property.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

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

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

Discussion: **(a)(i)** The Comprehensive Plan designation for the subject property is Unincorporated Multi-Family Residential (UMFR). Applicable designation and zoning district for annexation are discussed later.

There is no known conflict with the general Comprehensive Plan policies identified in Chapter 19.08 SHMC. Note that SHMC 19.08.030 discusses public services and facilities and includes utility provisions (e.g., water and sewer) as well as services such as police and library. In sum, all services are intertwined; the consent to annexation allows connection to City sewer to support existing and future development on the subject property, and, once annexed, all other City services/facilities. By this process, the proposal complies with this aspect of the Comprehensive Plan.

There is no known conflict with the specific Comprehensive Plan policies identified in Chapter 19.12 SHMC. There is no known conflict with the addendums to the Comprehensive Plan which includes Economic Opportunities Analysis (Ord. No. 3101), Waterfront Prioritization Plan (Ord. No. 3148), the Transportation Systems Plan (Ord. No. 3150), the Corridor Master Plan (Ord. No. 3181), the Parks & Trails Master Plan (Ord. No. 3191), the Riverfront Connector Plan (Ord. No. 3241), and the Housing Needs Analysis (Ord. No. 3244). Finally, there is no evidence that this proposal will be contrary to the health, safety and welfare of the community.

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

(a)(iii) In addition, Section 3 of the City's Charter states that "annexation, delayed or otherwise, to the City of St. Helens, may only be approved by a prior majority vote among the electorate." However, during the 2016 Legislative Assembly, Senate Bill 1578 was passed. It states that a City shall annex the territory without submitting the proposal to the electors if certain criteria are met:

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

As this proposal meets these criteria, this property will **not** be subject to a majority vote among the electorate.

Other provisions applicable to this proposal are discussed elsewhere herein.

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

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

SHMC 17.08.060 – Transportation planning rule compliance

- (1) Review of Applications for Effect on Transportation Facilities. A proposed comprehensive plan amendment, zone change or land use regulation change, whether initiated by the city or by a private interest, shall be reviewed to determine whether it significantly affects a transportation

facility, in accordance with OAR 660-012-0060 (the Transportation Planning Rule (“TPR”)).

“Significant” means the proposal would:

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
 - (b) Change standards implementing a functional classification system; or
 - (c) As measured at the end of the planning period identified in the adopted transportation system plan:
 - (i) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - (ii) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP; or
 - (iii) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.
- (2) Amendments That Affect Transportation Facilities. Comprehensive plan amendments, zone changes or land use regulations that significantly affect a transportation facility shall ensure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the TSP. This shall be accomplished by one or a combination of the following:
- (a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.
 - (b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of OAR 660-012-0060.
 - (c) Altering land use designations, densities, or design requirements to reduce demand for vehicle travel and meet travel needs through other modes of transportation.
 - (d) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.
- (3) Traffic Impact Analysis. A traffic impact analysis shall be submitted with a plan amendment or zone change application, as applicable, pursuant to Chapter 17.156 SHMC.

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

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

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

SHMC 17.28.030 (1) – Annexation criteria

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

Discussion: (a)

Water - The site is already connected to City water.

Sewer - The site is currently utilizing a septic system. However, according to the County, that system has failed. The closest City sanitary sewer is approximately 190 feet away in the Firlok Park Street right-of-way. However, because of the shallow elevation of the nearest City sewer line (only approximately 2 feet deep), the applicant is proposing to build a private sewer step system, which City Council has agreed to allow.

With regards to capacity, the City's waste water treatment plant currently has the capacity (physically and as permitted by DEQ) to handle 50,000 pounds of Biochemical Oxygen Demand (BOD), which is the "loading" or potency of the wastewater received by the plant. The average daily BOD is well below this at only 1,500 pounds. Thus, any potential uses that occur on the subject property can be accommodated by the City's sanitary sewer system as infrastructure is in place or can be upgraded and there is substantial capacity available.

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

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

(b) The land use of the subject property is a detached single-family dwelling. This is a permitted use in the corresponding zoning district.

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

(c) With regards to Oregon Revised Statutes (ORS), city annexations of territory must be undertaken consistent with ORS 222.111 to 222.183. Pursuant to ORS 222.111(1), a City may only annex territory that is not within another City, and the territory must either be contiguous to the annexing City or be separated from the City only by a body of water or public right-of-way. The subject property is not within another City's jurisdiction and City of St. Helens corporate limits lies on the west side of the subject property.

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

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

ORS 197.175(1) suggests that all annexations are subject to the statewide planning goals. The statewide planning goals that could technically apply or relate to this proposal are Goals 1, 2, 11 and 12.

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

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

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

- ***Statewide Planning Goal 2: Land Use Planning.***
This goal requires that a land use planning process and policy framework be established as a basis for all decisions and actions relating to the use of land. All local governments and state agencies involved in the land use action must coordinate with each other. City, county, state and federal agency and special districts plans and actions related to land use must be consistent with the comprehensive plans of cities and counties and regional plans adopted under Oregon Revised Statutes (ORS) Chapter 268.

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

- ***Statewide Planning Goal 11: Public Facilities and Services.***
Goal 11 requires cities and counties to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural

development. The goal requires that urban and rural development be "guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable and rural areas to be served."

City water and sewer capacities are adequate to serve the subject property. This is explained above. Moreover, there is no evidence that adequate infrastructure cannot be made available to serve the annexed area if redeveloped. The existing development is adequately served.

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

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

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

(d) The subject property abuts Firlok Park Street. Firlok Park Street is a collector-classified developed street without frontage improvements (sidewalks, curb, and landscape strip) on either side. City standards require such improvements. The existing right-of-way width of Firlok Park Street is also insufficient for the collector street right-of-way width standard of 60 feet.

However, this property is not the subject of a current development land use review, which provides the legal nexus and proportionality to require such improvements or right-of-way dedications. As such, the only option is for the property owner to be required to sign and record an irrevocable consent to local improvement district, though, the applicant could improve the frontages if desired.

(e) The subject property is not greater than 10 acres in gross size. Thus a needs analysis is not necessary.

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

SHMC 17.28.030 (2) – Annexation criteria

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

Discussion: The Comprehensive Plan designation is currently Unincorporated Multi-Family Residential (UMFR). The City's only zoning option given annexation is Apartment Residential (AR). The Comprehensive Plan designation would thus be General Residential (Incorporated) (GR).

Finding: Upon annexation, the subject property's Comprehensive Plan designation shall be General Residential (Incorporated) and zoned Apartment Residential (AR).

SHMC 17.112.020 – Established & Developed Area Classification criteria

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

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

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

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

This property is subject to natural resource protection measures under Goal 5, due to the presence of Wetland MC-9 (Type I) with a 75 foot protection zone and Riparian Corridor R-MC-13 with a 50 foot upland protection zone. Therefore, this property is not considered buildable land under OAR 660-008-0005.

Finding: The subject property should be designated as “established” in accordance with SHMC 17.112.

CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, staff recommends approval of this annexation and that upon annexation, the subject property have a Comprehensive Plan designation of General Residential (Incorporated) GR, be zoned Apartment Residential (AR), and designated as “established” given the following condition:

Firlok Park Street frontage abutting the subject property shall be brought into compliance with City street standards (or) property owner(s) shall sign and record an irrevocable consent to a local improvement district.

*This annexation will **not** be subject to voter approval subsequent to this land use process.*

Attachments: *Aerial Map, Legal Description*

A.4.19 Annexation Aerial Map

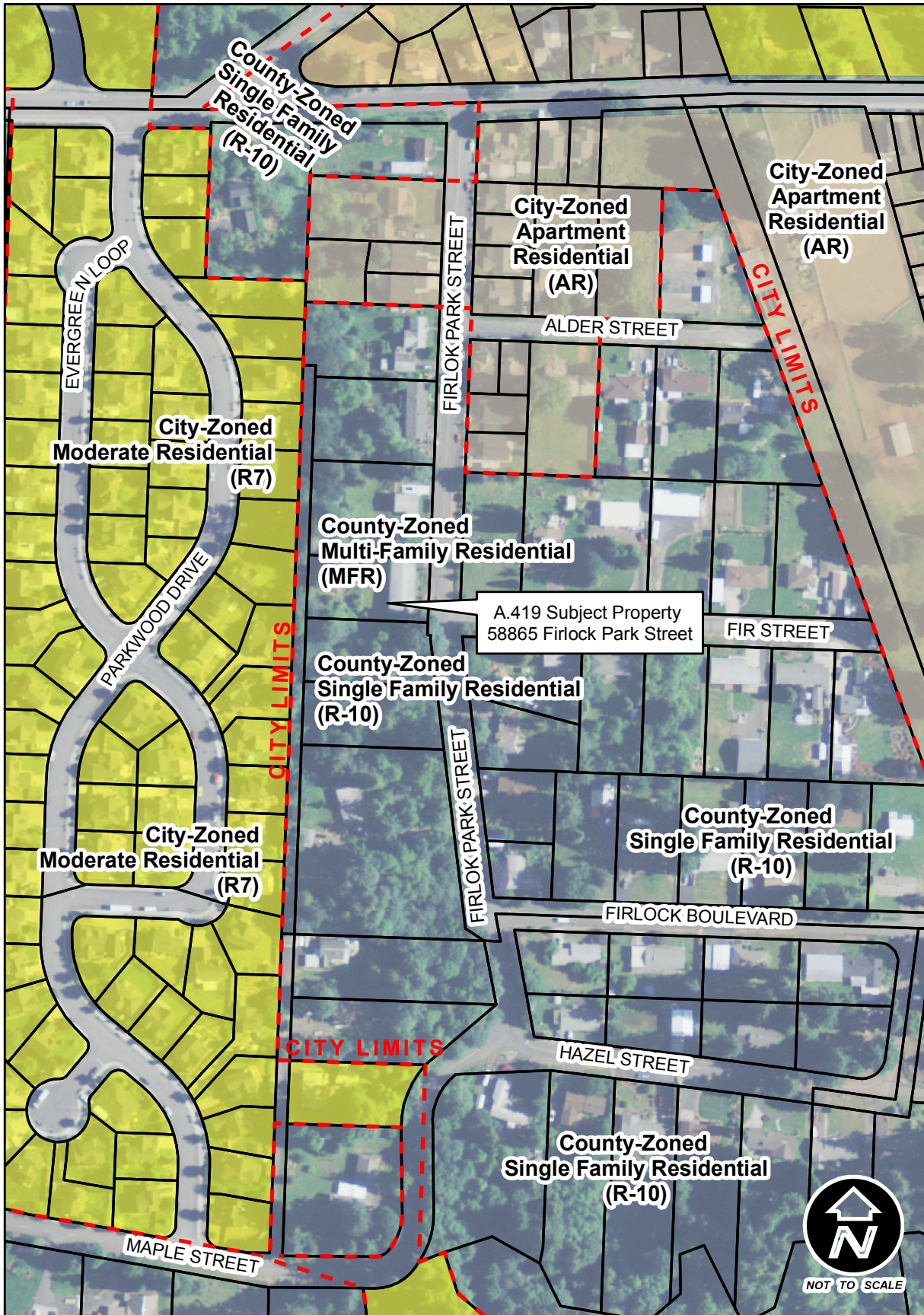


Exhibit A

Tract 8, FIRLOCK PARK, Columbia County, Oregon. EXCEPTING THEREFROM that portion conveyed to Columbia County, Oregon by deed recorded January 24, 1962 in Book 148, Page 26, Deed Records of Columbia County, Oregon.

Comparison of Land Use Actions by Year

Planning Commission Public Hearings & Planning Administrator Decisions

Land Use Action	2011	2012	2013	2014	2015	2016	2017	2018	2019
Accessory Structure	1	1	1	2	3	6	8	7	8
Amended Land Use Decision	1	2	3	0	2	1	1	1	2
Annexation (Processed)	1		0	2	0	1	2	2	2
Annexation (Submitted, Not Processed)	2	0	4	1	0	1	0	1	3
Appeals	1	0	2	0	1	1	1	1	0
Map/Text Amendment	2	1	0	1	4	4	2	2	5
Auxiliary Dwelling Unit ₁	0	0	0	0	0	0	0	0	1
Conditional Use Permit	1	1	3	2	6	7	6	5	3
Conditional Use Permits (Minor Modification)	0	1	1	0	0	0	1	0	0
Development Agreement	0	0	0	0	0	0	0	1	0
Expedited Land Division	0	0	0	0	0	0	0	0	0
Extension of Time	0	0	0	1	2	1	1	4	5
Historic Site Review	0	0	0	0	0	1	0	0	1
Home Occupations ₂	5	9	5	6	1	4	1	3	4
Lot Line Adjustment	1	3	0	0	0	3	3	3	11
Non-Conforming Use Determination	0	0	0	0	0	0	0	0	0
Partition	0	0	0	0	2	2	2	6	2
Planned Development	0	0	0	0	0	0	0	1	0
Revocation	0	0	0	0	0	0	0	0	0
Sensitive Lands Permit	1	2	3	2	0	4	3	5	0
Sign Permit	31	34	35	32	35	24	34	23	25
Sign Exception/Variance	0	0	1	0	0	0	0	1	0
Site Design Review	2	4	5	2	6	4	7	6	7
Site Design Review (Minor)	15	11	9	6	5	6	8	10	7
Site Design Review (Scenic Resource)	1	0	3	1	1	4	0	1	0
Subdivisions	0	1	2	0	0	1	3	2	0
Subdivision Final Plat Approval	0	0	1	1	0	0	0	3	1
Variances	3	4	5	3	4	9	7	6	16
Temporary Use Permits	10	7	2	3	4	2	5	13	12
Tree Removal Permit	1	0	0	0	0	1	1	0	0
Other Public Hearing Subjects (i.e. Periodic Review)	0	0	0	0	0	0	0	0	0
Columbia County Referrals	4	3	3	0	0	0	9	6	2
Total Land Use Actions	83	84	88	65	76	87	105	113	117

₁Permitted by CUP prior to 2019

₂This includes Home Occupation (Type II) prior to 2019

Home Occupation (Type I) removed in 18/19 - See previous summaries for counts

2019 Year End Summary
Planning Commission & Planning Administrator Land Use Actions
Planning Commission Work Sessions, Discussions & Interpretations

Accessory Structure		Annexation	
1. Matt Dougherty (St. Helens Street)		1. Brent & Dawn Paintner (Gable Road)	
2. John Boyd (S. 14th Street)		2. Columbia Community Mental Health (Gable Road)	
3. Todd & Tricia Cathers (Skyline Drive)		3. Chance Masterson (E. Division Road)	
4. Wayne & Patrice Boyer (N. 17th Street)		4. OHM Equity Partners, LLC (Firlok Park Street)	
5. Bill Lain (West Street)		5. Tammy Cinnera (Windy Ridge)	
6. Bill Lain (West Street)			
7. Travis DeCoteau (Brown Place)			
8. William Robinson (N. 7th Street)			
Appeal		Comprehensive Plan/Zone Map Amendment	
1.		1. Lewis & Erickson (S. 1st Street)	
		2. COSH (Riverfront Connector Plan)	
		3. COSH (Housing Needs Analysis)	
		4. Multi Tech Engineering Services (Matzen Street)	
		5. Ruby Feather (S. 2nd Street)	
Conditional Use Permit		Conditional Use Permits (Minor Modifications)	
1. GA Miller Architecture PC (N. Columbia River Hwy)		1.	
2. Wilian Lopez-Romero (Columbia Blvd.)			
3. Community Development Partners (Gable Road)			
Extension of Time		Home Occupation	
1. Painted Gate Properties, LLC (S. 1st Street)		1. Lucas & Olivia Eaton (S. 10th Street)	
2. Kessi Engineering & Consulting (Sykes Road)		2. Heather Howard (S. 12th Street)	
3. LaGrand Townhomes LLC (N. 15th Street)		3. Erik Frazier (N. 1st Street)	
4. KCL, Inc. (N. Columbia River Highway)		4. Lori Armstrong (S. 3rd)	
5. Peter Frank (Deer Island Rd)			
Scenic Resource Review		Tree Removal Permit	
1.		1.	
Lot Line Adjustment		Partition	
1. Rick Scholl & Ron Schlumpberger (N. 8th Street)		1. Columbia County Habitat for Humanity (S. 7th Street)	
2. Rick Scholl & Ron Schlumpberger (N. 8th Street)		2. Charles Trefjens (S. 4th Street)	
3. Greg Cohen (Morten Lane)			
4. Greg Cohen (Morten Lane)			
5. Rensch Construction & Properties (N. 17th Street)			
6. Josh & Diana Hafner (S. 8th Street)			
7. Semling Storage Center LLC (McNulty Way)			
8. SJRE Ventures LLC (Sykes Road)			
9. Port of Columbia County (Old Portland Road)			
10. Brian & Shannon Vaerewyck (Dubois Lane)			
11. Dan Luff (Dubois Ln & S 22nd St)			
Sign Permit		Sensitive Lands Permit	
1. Carrick Inc. (S. Columbia River Highway)		1.	

2. Dianna Holmes (Columbia Blvd.)
3. City of St. Helens (Kaster Road)
4. Amani Center (Columbia Blvd.)
5. Plymouth Street (S. 1st Street)
6. NW Antique Airplane Club (Columbia Blvd.)
7. St. Helens Booster Club (Columbia Blvd.)
8. Clark Signs (Columbia Blvd.)
9. Doug Alley (N. 10th Street)
10. Dick Miller (S. Columbia River Highway)
11. Dick Miller (S. Columbia River Highway)
12. Bold & Beautiful Floral Designs (Columbia Blvd.)
13. Clark Signs (Columbia Blvd.)
14. Kiwanis Club (Columbia Blvd.)
15. Columbia County Fairgrounds (Columbia Blvd.)
16. Molly Matchak (S. 1st Street)
17. Jennifer Pugsley (Plaza Square)
18. Hannah Signs (Columbia Blvd.)
19. Clark Signs (S. Columbia River Highway)
20. Heather Epperly Agency, Inc. (Columbia Blvd.)
21. Columbia River Fire & Rescue (Columbia Blvd.)
22. St. Helens Police Dept. (Columbia Blvd.)
23. Pebbles Stone (Old Portland Road)
24. April Helton (St Helens Street)
25. Dianna Holmes (Columbia Blvd.)

Site Design Review (Major)		Nonconforming Use Determination	
<ol style="list-style-type: none"> 1. Peter Frank (Deer Island Road) 2. Kellie Smith (Columbia Blvd.) 3. Storage Pal LLC (Old Portland Road) 4. Pellham Cutting LLC (Milton Way) 5. Wayne Weigandt (S. Columbia River Highway) 6. Lower Columbia Engineering (Industrial Way) 7. City of St. Helens (Millard Road) 		<ol style="list-style-type: none"> 1. Dorinda Aschoff (S. 3rd Street) 	
Site Design Review (Minor)		Temporary Use Permit	
<ol style="list-style-type: none"> 1. Aaron Stoddard (Old Portland Road) 2. Community Action Team (N. 17th Street) 3. Terri Zahler (N. Columbia River Highway) 4. Jaron & Maggie Clayton (S. 1st Street) 5. Aaron Stoddard (Old Portland Road) 6. Crown Castle (Milton Way) 7. Lower Columbia Engineering (Industrial Way) 8. ACSP LLC (Kaster Road) 		<ol style="list-style-type: none"> 1. Martin & Katherine Andrews-Lynn (S. 22nd Street) 2. Brent Paintner (Gable Road) 3. Juana Macias (S. Columbia River Highway) 4. I&E Construction (S. Columbia River Highway) 5. Kristin Justis (Gable Road) 6. North 8th Street LLC (N. 8th Street) 7. TNT Fireworks (Gable Road) 8. Roger Konka (The Strand) 9. Bethel Fellowship (S. Columbia River Highway) 10. TFT Construction Inc. (Gable Road) 11. Katherine Finnell (Grey Cliffs Drive) 12. CCPOD LLC (Bowling Alley Lane) 	
Variance		Historic Resource Review	
<ol style="list-style-type: none"> 1. Peter Frank (Deer Island Road) 2. Andrew Stamp (Fairfield Court) 		<ol style="list-style-type: none"> 1. City of St. Helens (The Plaza) 	

3. Andrew Stamp (Fairfield Court)
4. Andrew Stamp (Fairfield Court)
5. Andrew Stamp (Fairfield Court)
6. Andrew Stamp (Fairfield Court)
7. Andrew Stamp (Fairfield Court)
8. Andrew Stamp (Fairfield Court)
9. Andrew Stamp (Fairfield Court)
10. Andrew Stamp (Fairfield Court)
11. Andrew Stamp (Fairfield Court)
12. Andrew Stamp (Fairfield Court)
13. Andrew Stamp (Fairfield Court)
14. Tamara Lucas (Farmview Drive)
15. Renshc Construction (N. 17th Street)
16. Brian & Shannon Vaerewyck (Dubois Lane)

Planned Development/Development Agreement		Columbia County Referral	
1.		1.	
Subdivision (Final Plat)		Subdivision	
1. St. Helens Assets LLC (Elk Meadows Drive)		1.	
2. Kessi Engineering & Consulting (Sykes Road)			
Auxiliary Dwelling Units			
1. Nicholas & Hannah Padilla (Alderwood Drive)		1.	



CITY OF ST. HELENS PLANNING DEPARTMENT

MEMORANDUM

TO: City Council and Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner
RE: Accessory Structure breezeway attachment – **potential policy changes**
DATE: December 31, 2019

This memo intended for Planning Commission review at their January 14 meeting, and the City Council at their January 15 work session.

* * *

Accessory structures per Chapter 17.124 SHMC are considered detached structures. If attached to the principle building, normally a home, they are considered building additions. One of the exemptions from an Accessory Structure Permit includes:

Accessory buildings or structures attached to the principal building or structure, as long as they use the same architectural features such as roof lines and exterior building materials. **“Attached” means wall-to-wall or any permanent roof attachment such as breezeways.** Said structures shall be considered as building additions and shall require building permits and compliance with the applicable setback standards for the principal building or structure.

Staff recommends additional basic provisions for attachments as they relate to breezeways and things of that nature.

Current code, from the above includes:

- Must be a wall-to-wall or any permanent roof attachment

Over the years arbor and pergola type attachments have been allowed. This has resulting in the attachment being an afterthought occasionally, and recently such an attachment (75' length) was removed soon after final inspection.



Examples of arbors or pergolas.

Considerations—what do you think about the following?

1. Mandate roof attachments? General definition (per Google search) of a breezeway is a roofed outdoor passage between a house and garage.



Covered breezeway example. Includes an actual roof.

2. Require a man door on either side of the breezeway attachment? This ensures it has an actual purpose.

Or, for the existing building side, allow a paved path (4' wide minimum) to an existing man door at that end of the breezeway?
3. Minimum height of breezeway: 8' ?
4. Minimum width of breezeway: 6' ?
5. Must be permanently attached to the ground, principle building and accessory structure?
6. Maximum length: 20' without a Variance?

CITY OF ST. HELENS PLANNING DEPARTMENT ACTIVITY REPORT



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

Date: 12.31.2019

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 subdivision located off of Hankey Road.

PLANNING ADMINISTRATION—MISC.

Continued to work on the updates to the floodplain development rules based on the Community Assistance Visits (CAV) mentioned last month. Also, worked on, completed, and sent to DLCD staff, the **Sensitive Lands Permit Application for Floodplain Development (and its Appendix A)** and **Floodplain Development Standard Operating Procedures** (all **attached**), which are required to be done by January 3, 2020.

This prompted some organization of application forms, all of which needed to be updated as we no longer have a PO Box. Updates completed.

HB 2003 mandates Housing Needs Analyses (HNA) for City's greater than 10,000 population. DLCD gave us a chance to comment on a schedule for City adoption. If you review **the attached 10-Day Comment Opportunity letter** and the **draft HNA adoption schedule**, you will see that our year to update our HNA is 2027, since we just adopted one this year. The **attached related table** provides some additional information, to compare St. Helens with other Cities.

Last month, a potential land partition for property along Belton Road was discussed. The update this month is sending the property owner violation correspondence given work in close proximity to sensitive lands, which includes Dalton Lake and the Columbia River. Expect cooperation and wetland identification requirements of the partition should alleviate any enforcement action.

It's been over three years, but I finally updated the City's official Zoning and Comprehensive Plan Maps. Last update to the official maps was May 2016, though the core zoning and comprehensive plan data is kept up to date. For those curious, the official maps can be found here: <https://www.ci.st-helens.or.us/planning/page/resources-links>. Click the appropriate link.

Organized annexations files on hold. Also digitized the data in a GIS format for future ease of use.

Staff considered its land use application file retention policy around January / February of this year. Finally got back to this; provided information to the City Recorder for final authorization of records retention that differs from the State of Oregon minimum, which was granted.

PLANNING COMMISSION (& acting HISTORIC LANDMARKS COMMISSION)

December 10, 2019 meeting (outcome): The Commission considered a Comprehensive Plan map and Zoning Map change of property at the corner of Matzen and Brayden Streets from residential to commercial and made a recommendation of approval to the Council.

The Commission discussed floodplain regulations and accessory structure regulation for upcoming code amendments.

Commissioner Lawrence's term expiration was discussed; she wants to continue and the other Commissioners concurred. She had not served two full terms, so we don't need to advertise for the position.

January 14, 2019 meeting (upcoming): The Commission has two public hearings. One if for annexation of property along Firlok Park Road (or Boulevard).

As the Historic Landmarks Commission, they will consider the second public hearing for Comprehensive Plan Amendment to add 260 S. 2nd Street to the City's official historic resource inventory (i.e., the Designated Landmarks Register).

The Commission will also discuss accessory structure breezeway attachments.

ST. HELENS INDUSTRIAL PARK WETLAND DELINIATION EFFORTS

Visited the site with our wetland consultant and Oregon DSL staff this month. DSL staff person needed to field check some things. With this field check, this are getting close with the State. Have some mapping and reporting updates, but the time consuming stuff is over.

I reached out to the Army Corps of Engineers and still haven't heard anything; hope for feedback once the holidays are over.

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

City of St. Helens

265 Strand Street
St. Helens, Oregon
97051

Sensitive Lands Permit Application for Floodplain Development

In accordance with the City of St. Helens floodplain management regulations per Chapters 17.44 and 17.46 of the St. Helens Municipal Code, development within the City of St. Helens regulatory floodplain must comply with the standards within the aforementioned regulations. The regulatory floodplain is the Special Flood Hazard Area (SFHA) as defined on the currently effective Flood Insurance Rate Maps (FIRMs) for the City of St. Helens.

If the proposed development activity will occur at least partially within (horizontally within) the community's regulatory floodplain this Sensitive Lands Permit for floodplain development is required. This will be processed as a Sensitive Lands Permit. The exception to this is if FEMA through a Letter of Map Change (LOMC) (e.g., LOMA, LOMR-F, LOMR), made a formal determination that this property or proposed development site is out of the regulatory floodplain. In that case a Sensitive Lands Permit for floodplain development is not required but a copy of the LOMC must be kept in the permitting records.

Section 1: General Provisions

The undersigned (**on page 2**) hereby makes application for a permit to develop in a designated floodplain area. The work to be performed is described below and in attachments hereto. The undersigned agrees that all such work shall be done in accordance with the requirements of the City of St. Helens, Chapters 17.44 and 17.46 of the St. Helens Municipal Code, and with all other applicable local, state and federal regulations. This application does not create liability on the part of the City of St. Helens or any officer or employee thereof for any flood damage that results from reliance on this application or administrative decision made lawfully hereunder.

1. When the community's floodplain regulatory standards apply to a proposed development activity, no work of any kind may begin in a regulatory floodplain area until a floodplain development permit is issued.
2. The permit may be revoked if any false statements are made herein. If revoked, all work must cease until a permit is re-issued.
3. The permit will expire if no work is commenced within 1.5 years the date of issue. A Time Extension is possible, upon application, under certain circumstances. See SHMC 17.44.030.
4. The permit will not be issued until any other necessary local, state, or federal permits have been obtained (approved).

OFFICIAL USE ONLY

Permit Number: SL._____._____

Pre-Application Conference Date:_____

Date Received:_____

Receipt Number:_____

● **Property owner and applicant information and signatures on next page** ●

Section 2: Property Owner and Applicant Information and Signatures

I/We hereby request a **Sensitive Lands Permit for Floodplain Development** on the herein described real property, located within the City of St. Helens, Oregon. I/We hereby acknowledge that this application is not considered filed, until all of the required information has been submitted as determined by the floodplain administrator and all required fees have been paid in full.

Property Owner(s):*

(print name)

(signature)

(date)

(print name)

(signature)

(date)

Mailing Address: _____

Phone Number: _____

Fax Number: _____

E-mail: _____

Applicant:

☐ ← Tick box if Property Owner is Applicant

(print name)

(signature)

(date)

Mailing Address: _____

Phone Number: _____

Fax Number: _____

E-mail: _____

This application is only for a Sensitive Lands Permit for floodplain development. Building Permits and any other permits require separate applications.

**All property owners must be listed. All property owners must sign. This/These signature(s) is/are an acknowledgement and consent to this Sensitive Lands Permit application for floodplain development.*

Section 3: Development Proposal Information

PROJECT LOCATION

Address: _____ Map & Taxlot: _____

Legal Description (may attach current deed): _____

PROJECT DESCRIPTION

A. Structural Development *(Check all that apply)*

- | | | |
|---|---|--|
| <input type="checkbox"/> ← New Structure | <input type="checkbox"/> ← Residential | → <input type="checkbox"/> Single, <input type="checkbox"/> Two-Family
<input type="checkbox"/> Multi-Family (3+) |
| <input type="checkbox"/> ← Addition* | <input type="checkbox"/> ← Non-Residential | → <input type="checkbox"/> Elevated, <input type="checkbox"/> Floodproofed |
| <input type="checkbox"/> ← Alteration (includes repairs and/or improvements)* | <input type="checkbox"/> ← Combined Use (Residential and Non-Residential) | |
| <input type="checkbox"/> ← Relocation** | <input type="checkbox"/> ← Manufactured Home/Dwelling | |
| <input type="checkbox"/> ← Demolition | <input type="checkbox"/> ← Recreational Vehicle (RV) | |
| <input type="checkbox"/> ← Replacement | <input type="checkbox"/> ← Garage | → <input type="checkbox"/> Attached, <input type="checkbox"/> Detached |
| | <input type="checkbox"/> ← Appurtenant / Accessory Structure | |
| <input type="checkbox"/> ← Other (please specify): _____ | | |

*An alternation includes the repair or improvement of a structure. If the value of an addition or alteration to a structure equals or exceeds 50% of the value of the structure before the addition or alteration, the entire structure must be treated a substantially improved structure.
**A relocated structure must be treated as new construction.

B. Other Development *(Check all that apply)*

- ☐ ← Clearing ☐ ← Fill ☐ ← Mining ☐ ← Drilling ☐ ← Grading ☐ ← Dredging
- ☐ ← Excavation or Removal of Fill (Except for Structural Development Checked Above)
- | | |
|---|--|
| <input type="checkbox"/> ← Watercourse Alteration | <input type="checkbox"/> ← Drainage Improvement (including culvert work) |
| <input type="checkbox"/> ← Individual Water or Sewer System | <input type="checkbox"/> ← Road, Street, or Bridge Construction |
| <input type="checkbox"/> ← Fencing | <input type="checkbox"/> ← Utilities |
- ☐ ← Subdivision (New or Expansion, including Planned Developments) or Partition
- ☐ ← Other (please specify): _____

FLOOD HAZARD INFORMATION

Note: City may require a “pre-development” Elevation Certificate to certify the following information:

1. The proposed development is located on FIRM Panel: _____ (number and suffix), Dated: _____
2. The proposed development is located partially or fully within the horizontal boundaries of the Special Flood Hazard Area, Zone(s): _____ (A, A1 -30, AE, AO, AH, AR, or A99)
3. The one-percent-annual chance (100 year) flood elevation at this site is: _____ ft, based on the North American Vertical Datum of 1988 (NAVD 88).
Source: _____ or → ☐ None Available
4. Is the proposed development located partially or fully within a designated Floodway? → ☐-Y ☐-N
If “Yes,” this proposal is for:
☐ ← Temporary encroachment (less than 30 days – outside of flood season)
☐ ← Fish habitat restoration or enhancement*
☐ ← Fence (type and material: _____)

**For habitat restoration projects a rise in elevation may be allowed if a CLOMR is approved by FEMA. Permit shall not be issued, until FEMA approval is received.*

5. If “Yes” was answered to (4) above, then is a “No Rise Certification” with supporting engineering hydrologic and hydraulic data attached? → ☐-Y ☐-N
6. Are other federal, state, or local permits required? → ☐-Y ☐-N
If “Yes,” which ones: _____

Section 4: Additional Information Required (Complete all that apply)

Note: City may require a “pre-development” Elevation Certificate to certify the following information:

1. Complete for Proposed Structures and Building Sites:

- A. Base Flood Elevation at this site: _____ ft (NAVD 88).
- B. Elevation of highest adjacent grade: _____ ft (NAVD 88).
- C. Required Elevation of lowest floor* (including basement): _____ ft (NAVD 88).
- D. Proposed Elevation of lowest floor* (including basement): _____ ft (NAVD 88).
- E. Elevation of next highest floor: _____ ft (NAVD 88).

- F. Elevation of top of proposed garage slab, if any: _____ ft (NAVD 88).
G. Details for anchoring structures (type of anchoring used and location of anchoring):

- H. Details of floodproofing or elevation of utilities. Provide the elevation of the utilities or the elevation to which the utilities were floodproofed. If floodproofed, provide details regarding how the utilities were floodproofed (describe the type of floodproofing used or manner in which the utilities were floodproofed):

- I. Exact location(s) on structure of all flood openings, if required. Include the elevation of the bottom of the flood opening(s), the size of the openings, and note if engineered flood opening(s) will be used. (Provide a reference diagram, in site plan or drawings):

- J. Types of water-resistant materials used below the first-floor and portions of the structure they were applied to:

**lowest floor is generally defined as: the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure (such as a crawlspace), usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is built in compliance with the required floodplain and building code regulations including but not limited to flood venting requirements. See Chapter 17.46 SHMC for the adopted legal definition of lowest floor.*

2. Complete for Alterations or Additions to Existing Structures:

Please complete **Appendix A** to the City of St. Helens Sensitive Lands Permit application for floodplain development and enter the cost of the proposed construction* here: \$ _____

***PLEASE NOTE:** Cost of construction estimates must include all structural elements, interior finish elements, utility and service equipment, labor and other costs associated with demolishing, removing, or altering building components, and construction management. As well as any improvements being made to repair damage that go beyond just making repairs to return to pre-damaged conditions.

3. Complete for Non-Residential Floodproofed Construction:

- A. Type of floodproofing method: _____
- B. Required floodproofing elevation is: _____ ft (NAVD 88).
- C. Floodproofing certification by a registered engineer attached? → ☐-Y ☐-N

4. Complete for Subdivisions, including Planned Developments, and Partitions:

- A. Will the subdivision or other development contain 50 lots or 5 acres? → ☐-Y ☐-N
- B. If “Yes”, does the plat or proposal clearly identify base flood elevations? → ☐-Y ☐-N
- C. Are the 100 year Floodplain and Floodway delineated on the site plan? → ☐-Y ☐-N

5. Complete for Proposals NOT Included in 1-4 Above:

- A. For all watercourse relocations and/or landform alterations include plans showing the proposed relocation and/or alterations.
- B. If the proposed development activity will result in a change in water elevation, then what is the change in water elevation (in feet) _____? → Is this an ☐ increase, or ☐ decrease?
- C. For stream habitat restoration that impacts a mapped floodway, provide copy of “no-rise certification” from registered professional engineer or a FEMA approved CLOMR.
- D. Amount of fill to be placed: _____

Top of new compacted fill elevation _____ ft (NAVD 88).

6. Required Attachments:

- A. A site plan drawn to scale, with elevations of the project area and the nature, location, dimensions of existing and/or proposed structures, earthen fill placement, storage of materials or equipment and drainage facilities. Plans shall include location of all water bodies, adjacent roads, lot dimensions, as well as, delineation of Special Flood Hazard Areas, regulatory Floodway boundaries including Base Flood Elevations (when available), or flood depth in AO zones.
- B. Copies of all required local, state, and federal permits. All required local, state, and federal permits must be approved before the Sensitive Lands Permit for floodplain development is approved.
- C. City of St. Helens may and reserves the right to require a complete pre-construction Elevation Certificate signed and sealed by a registered professional surveyor.
- D. Certification from a registered professional engineer that any proposed non-residential floodproofed structure will meet the floodproofing criteria of Chapter 17.46 SHMC and Oregon Specialty Code requirements, if applicable.
- E. Other documentation as required per the above sections and as required by the St. Helens Development Code.

Section 5: Official Use Only

SUBSTANTIAL IMPROVEMENT REVIEW

The formula for substantial improvement threshold is as follows:

Market Value X 50% (.50) = Substantial Improvement Threshold

1. What is the market value (based on current Assessor data or other source) of the existing structure prior to damage/improvement?

\$ _____

Was other information used to determine the market value such as an appraisal?

☐-Y (If "Yes," what was used to determine value? _____)
☐-N

2. What is 50% of the estimated market value of the existing structure prior to damage / improvement (use the formula provided above)?

\$ _____

3. Has Appendix A been completed? → ☐-Y ☐-N

4. Does the total cost of the proposed construction noted in Appendix A match the cost of the proposed construction provided in Section 4(2)? → ☐-Y ☐-N

5. What is the cost of the proposed construction* (provided in both Section 4(2) and Appendix A)?

\$ _____

6. Is the value listed in line "3" of this section, equal to or greater than the value listed in line "2"?

☐-Y (If "Yes," then the proposed development activity qualifies as a substantial improvement*)
☐-N

7. Does the proposed development activity qualify as a substantial improvement**? → ☐-Y ☐-N

**Construction cost estimates must include all structural elements, interior finish elements, utility and service equipment, labor and other costs associated with demolishing, removing, or altering building components, and construction management. As well as any improvements being made to repair damage that go beyond just making repairs to return to pre-damaged conditions.*

***If the cost of the proposed construction equals or exceeds 50 percent of the market value of the structure, then the entire structure must be treated as a substantially improved structure and the substantial improvement provisions shall apply. See FEMA publication [P-758, Substantial Improvement/Substantial Damage Desk Reference](#) for more information regarding substantial improvement.*

City of St. Helens

265 Strand Street
St. Helens, Oregon
97051

Sensitive Lands Permit Application for Floodplain Development Appendix A

Purpose: This Appendix to be completed for alterations, additions, rehabilitations, repairs, or improvements to existing structures.

Section 1

COSTS TO BE INCLUDED

1. Material and labor for all structural elements, “including:”

- ✓ Spread or continuous foundation footings and pilings
- ✓ Monolithic or other types of concrete slabs
- ✓ Bearing walls, tie beams and trusses
- ✓ Floors and ceilings
- ✓ Attached decks and porches
- ✓ Interior partition walls
- ✓ Exterior wall finishes (brick, stucco, siding) including painting and moldings
- ✓ Windows and doors
- ✓ Re-shingling or re-tiling a roof
- ✓ Hardware

2. All interior finishing elements, “including:”

- ✓ Tiling, linoleum, stone, or carpet over subflooring
- ✓ Bathroom tiling and fixtures
- ✓ Wall finishes (drywall, painting, stucco, plaster, paneling, marble, etc.)
- ✓ Kitchen, utility and bathroom cabinets
- ✓ Built-in bookcases, cabinets, and furniture
- ✓ Hardware

3. All utility and service equipment, “including:”

- ✓ HVAC equipment
- ✓ Plumbing and electrical services
- ✓ Light fixtures and ceiling fans
- ✓ Security systems
- ✓ Built-in kitchen appliances
- ✓ Central vacuum systems
- ✓ Water filtration, conditioning, or recirculation systems

4. Cost to demolish storm-damaged building components.

5. Labor and other costs associated with moving or altering undamaged building components to accommodate the improvements or additions.

6. Overhead and profits.

ITEMS TO BE EXCLUDED

1. Plans and specifications.
2. Survey costs.
3. Permit fees.
4. Post-storm debris removal and clean up.
5. Outside improvements, including:

- ▶ Landscaping
- ▶ Sidewalks
- ▶ Fences
- ▶ Swimming Pools
- ▶ Screened pool enclosures
- ▶ Landscape irrigation systems
- ▶ Detached structures (such as garages, sheds, and gazebos)

Source: FEMA Publication [P-758, Substantial Improvement/Substantial Damage Desk Reference](#)

Section 2 – ITEMIZATION OF CONSTRUCTION COSTS TO COMPLETE PROJECT

	Work Description	Cost of Materials	Cost of Labor	Comments
1	Foundation/ Footings/ Pilings			
2	Concrete Slab			
3	Masonry Work			
4	Rough Carpentry			
5	Roofing and Gutters			
6	Insulation/ Weather Stripping			
7	Exterior Finish (stucco/ siding)			
8	Finished Carpentry			
9	Drywall			
10	Cabinets (built-in)			
11	Floor Covering			
12	Plumbing/ Gas			
13	Bathroom Fixtures			
14	Kitchen Fixtures			
15	Electrical and Lighting Fixtures			
16	Built-in Appliances			
17	HVAC System			
18	Paint and Wallpaper			
19	Demolition and Removal			
20	Overhead and Profit			
21	Construction Supervision			
	GROSS TOTAL = Contract Price			

Section 3 – City of St. Helens may require this affidavit to confirm that the work described in an application is all of the work that will be done. This is the construction cost affidavit from FEMA Publication P-758 Substantial Improvement/Substantial Damage Desk Reference.

AFFIDAVIT

Completed by (select one): ☐ → **Architect** ☐ → **Contractor** ☐ → **Property Owner**

Project Address / Location: _____

Name: _____

Company Name (if applicable): _____

Mailing Address:_____

Phone Number: _____ E-mail: _____

I hereby attest to the following:

1. I have prepared (or directly supervised the preparation of) a set of construction plans and specifications for the project located at the above noted property.
2. I have personally reviewed the Itemization of Costs to Complete Project listed in Section 2 above.
3. The cost, quantity, and type of materials and labor shown in the Itemization of Costs to Complete Project constitute the entire scope of work to be done in accordance with plans and specifications prepared by or supervised by me.

Additionally, I understand:

4. I will not be held responsible for actions taken by the contractor, architect, or property owner without my knowledge or approval.
5. I am subject to enforcement actions and/or fines if I subsequently alter the approved plans without prior approval by the City of St. Helens.
6. The grade of materials may vary as to the manufacturer, but may not exceed the costs stated on the Itemization of Costs to Complete Project.
7. Any permit issued by the City of St. Helens for the proposed project does not authorize the reconstruction, repair or maintenance of any illegal additions, sheds or other non-conforming uses or structures on the subject property.

Total Labor and Materials \$ _____

Overhead & Profit \$_____

Total Cost \$

(signature)

STATE OF _____)
)ss.

COUNTY OF _____)

On this _____ day of _____, 20_____, personally appeared before me the above named _____

_____ and acknowledged the foregoing instrument to be his/her voluntary act and deed.

Notary Public of

My Commission Expires:

City of St. Helens

265 Strand Street
St. Helens, Oregon
97051

Floodplain Development Standard Operating Procedures

Section 1 – Proposal considerations and determination of Sensitive Lands Permit applicability.

1. Review all building, grading, and other permits and proposals to determine if the proposed development activity is within the regulatory floodplain. Be mindful of the definitions of Chapter 17.46 SHMC, such as “development.” Note SHMC 17.46.040 for when a permit is required. The applicable permit is the Sensitive Lands Permit (for floodplain development). The term “development permit” used in this section is generic.
2. If located within a regulatory floodplain, also check if there is a designated floodway or not and if so, if the proposal will occur in the floodway. If no designated floodway, be mindful of the “before regulatory floodway” sub-section of SHMC 17.46.050.
3. Require a Sensitive Lands Permit (for floodplain development) for all development within the regulatory floodplain unless a Letter of Map Amendment (LOMA) or Letter of Map Revision-Fill (LOMR-F) has been approved by FEMA for the structure/parcel/lot. This Sensitive Lands Permit shall be approved before any permit is allowed (e.g., building permit, grading permit, etc.) or other approval that is required.
4. Check to make sure other Sensitive Lands identified in Chapters 17.40 and 17.44 SHMC are included or not. If they are, additional Sensitive Lands permitting may be required. This additional Sensitive Lands permitting is not addressed further on this Floodplain Development Standard Operations Procedure document.
5. Hold a pre-application conference to go over the **Sensitive Lands Permit Application for Floodplain Development**, regulatory floodplain mapping information for the property in question, and the community floodplain regulations (that pertain to the development proposal) with the applicant(s). The pre-application conference is normally a prerequisite to filling the Sensitive Lands Permit application and is required to be done within 6 months from the date the application was submitted (see SHMC 17.24.040).
6. Upon receipt of the initial Sensitive Lands Permit application, it needs to be deemed complete. The deem complete determination needs to be done within 30 days per SHMC 17.24.050. Verify that the **Sensitive Lands Permit Application for Floodplain Development** has been signed and completed, and that all the required supporting information has been obtained (e.g., pre-development Elevation Certificate and plans).
7. Coordinate with other internal parties (e.g., public works and building department) and complete internal review procedures.
8. Ensure all other required local, state, or federal permits have been approved and obtained. This could be a condition of approval of the Sensitive Lands Permit (if approved).

9. Complete the Sensitive Lands Permit process within the timeframe per SHMC 17.24.030 (normally 120 days).

Section 2 – If the Sensitive Lands Permit is approved.

10. Make sure the development permit (e.g., building permit) that the Sensitive Lands Permit is based on complies with the requirements and conditions of the Sensitive Lands Permit. For structures send a copy of the **Sensitive Lands Permit Application for Floodplain Development** and the pre-development Elevation Certificate to the Building Official, or otherwise ensure the Building Official is aware of the floodplain details.

If in a floodway or “before regulatory floodway” as noted in 2 above, hydraulic and hydrologic modeling (“no-rise” analysis) is normally required.

11. Coordinate with the Building Official and the applicant during the construction and inspection process. Ensure field inspections are conducted. Ensure that the Building Official notifies the Floodplain Administrator regarding any changes from the proposed development activities detailed in the permit application form or Sensitive Lands Permit. Make sure the provisions of the Sensitive Lands Permit and Chapter 17.46 SHMC are met.
12. For structures, obtain and review the second elevation certificate from the applicant, making sure Building Official has a copy, when the foundation is in place, but before the walls are on to ensure the foundation location and elevation, and the flood vents sizing, location, amount and elevations are correct.
13. Obtain the as-built Elevation Certificate from the applicant, making sure the Building Official has a copy, and review it prior to the Building Official completing the final inspection process and the certificate of occupancy being issued. Also, make sure the provisions of the Sensitive Lands Permit and Chapter 17.46 SHMC are met for any regulated development with or without structures.
14. Ensure file is complete and copies of final as-built Elevation Certificates are in both the project file (e.g. Sensitive Lands Permit file) and the Elevation Certificate file managed by the Floodplain Administrator.
15. If applicant proposes floodproofing of a non-residential structure, procedure is similar for 10-14 above, but a Floodproofing Certificate is required upon project completion.

Section 3 – Notes.

The St. Helens Development Code can be found online: <https://www.codepublishing.com/OR/StHelens/>. Copies are also available at City Hall and the City Library.

This Floodplain Development Standard Operating Procedures is a guide only. It is not a substitute for actual law. As proposals differ, this SOP may not reflect the details or steps of every proposal.

10-DAY COMMENT OPPORTUNITY DRAFT HOUSING NEEDS ANALYSIS UPDATE SCHEDULE



TO: Planning and/or Community Development Directors for cities over 10,000 population and all other Interested Parties

FROM: Kevin Young, Senior Urban Planner

SUBJECT: Comment Opportunity for HNA Update Schedule – Deadline December 16, 2019

Dear Planning Directors, Community Development Directors, and Interested Parties,

House Bill 2003, which passed in 2019, requires the Oregon Land Conservation and Development Commission (LCDC) to establish a schedule (by December 31, 2019) for all Oregon cities with a population of more than 10,000 to adopt updated housing needs analyses (HNAs). The requirement for regular HNA updates is a new and ongoing obligation for these local governments (and for those that grow to be over 10,000 population in the future). To allow more time for data gathering and analysis, the Commission delegated authority for schedule setting to the Director of the Department of Land Conservation and Development (DLCD) in September of 2019. The necessary data has been gathered and a draft schedule has been prepared. House Bill 2003 requires those cities within the Portland Metro UGB to update their HNAs every six years. Cities outside the Portland Metro area must update their HNAs every eight years.

With this memo, we are opening a 10-day comment opportunity on the draft HNA Update schedule attached to this memo. If you wish to comment, please review this memo and the attached schedule and provide comments to Kevin Young by midnight on December 16, 2019. This will allow time for the Director to consider your input before finalizing the schedule. Comments should be provided in writing, either via email or regular mail. Kevin's contact information is provided at the bottom of this memo. DLCD Director Jim Rue is expected to publish the final schedule by end of day December 20, 2019.

As background, data that were considered in drafting the schedule include; 1) the age of each city's adopted HNA, 2) population growth rates for affected cities, 3) the level of rent burden (high rent cost in relation to household income) in each city, 4) DLCD's capacity for timely review of HNAs on an annual basis, and 5) input from the affected cities regarding any HNA updates in process, planned updates, or other housing-related work. The 49 affected cities were contacted in mid-November and their feedback has been factored into the draft schedule. Since Baker City is expected to surpass the 10,000 population threshold when the Population Research Center publishes certified population estimates on December 15th 2019, outreach with Baker City leadership will be handled separately.

Please consider the following points as you evaluate the attached draft schedule:

- The deadline for adoption in any given year will be December 31st.
- A city will be considered to have met its obligation to adopt the HNA update once the update decision is final at the local level. Any subsequent appeal will not be considered a failure to comply with the update requirement. If an appeal beyond the local level effectively delays adoption of the HNA, the next HNA

update deadline will be established from the ultimate adoption date following resolution of all appeal processes.

- Those cities that adopt an HNA prior to their listed deadline will effectively “reset the clock,” such that their next applicable HNA deadline will run six or eight years from the actual adoption date, depending upon whether or not they are within Portland Metro. Note that the draft schedule includes a large number of cities that are scheduled for updates in 2022, but which are anticipated to adopt HNAs prior to that date, which will effectively reset their respective deadlines.
- House Bill 2003 includes \$1 million in funding to support local government work in compliance with the requirements of the bill, including HNA updates. DLCD anticipates making this funding available beginning in January of 2020. The funds must be expended by June 30, 2021. Preliminarily, it would be helpful if you notify Kevin Young if you are interested in applying for this assistance. More information about this process, along with formal request for assistance applications, will be available soon.
- House Bill 2003 stipulates that the first scheduled HNA update may be no less than two years following adoption of administrative rules for another element of the bill, known as “housing production strategies.” Rulemaking on housing production strategies (HPSs) is anticipated to be completed in the fall of 2020. However, if HPS rulemaking extends beyond December of 2020, the schedule will reset and one additional year will be added to each of the stipulated deadlines.

We hope this information is helpful to you and appreciate your review. Please remember to provide any comments on the draft schedule by December 16, 2019. Thank you.

Contact information:

Email: kevin.young@state.or.us

Mail:

Kevin Young
Oregon Department of Land Conservation and Development
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For More Information:

If you’d like to receive updates regarding the rulemaking process and other housing related topics, please visit this website and check the “housing” box:

<https://public.govdelivery.com/accounts/ORDLCD/subscriber/topics>

The bills themselves can be reviewed at the following links:

HB 2001: <https://olis.leg.state.or.us/liz/2019R1/Downloads/MeasureDocument/HB2001/Enrolled>

HB 2003: <https://olis.leg.state.or.us/liz/2019R1/Downloads/MeasureDocument/HB2003/Enrolled>

Draft Housing Needs Analysis Update Schedule for Oregon Cities with a population above 10,000 (Required by House Bill 2003)

(Cities to adopt updated housing needs analyses by December 31st of the listed year)

	2022	2023	2024	2025	2026	2027
1	Beaverton	Ashland	Bend	Forest Grove	Eugene	Central Point
2	Grants Pass	Hillsboro	Hermiston	Springfield		Corvallis
3	Happy Valley	Lake Oswego	Sandy	The Dalles		Cottage Grove
4	Medford	McMinnville				Prineville
5	Milwaukie	Portland				Roseburg
6	Newport	Tigard				St. Helens
7	West Linn	Wilsonville				

Cities Expected to adopt HNAs prior to 2022, resetting HNA update deadlines*

	2022	2023	2024	2025	2026	2027
1	Albany*		Keizer*	Newberg*		
2	Canby*		Salem*			
3	Coos Bay*					
4	Cornelius*					
5	Dallas*					
6	Gladstone*					
7	Gresham*					
8	Klamath Falls*					
9	La Grande*					
10	Lebanon*					
11	Ontario*					
12	Oregon City*					
13	Pendleton*					
14	Redmond*					
15	Sherwood*					
16	Silverton*					
17	Troutdale*					
18	Tualatin*					
19	Woodburn*					

* Listed cities are anticipated to adopt HNAs prior to the listed deadlines, thereby "resetting" their applicable deadline six years into the future for cities within Portland Metro, eight years for cities outside Portland Metro. If cities do not adopt updated HNAs prior to the listed deadlines, the listed deadlines will apply.

Please provide comments to Kevin Young by December 16, 2019.

Email: kevin.young@state.or.us

Mail: Kevin Young

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12/6/2019

Draft HNA Update Schedule for Oregon cities over 10,000 population, with notes (Required by House Bill 2003)

Cities	Proposed HNA Update Deadline	Growth Rate Ranking ¹ (shaded = top ten)	Rent Burden Percentage ² (light shade is >25%, dark shading is > 30%)	Current Adopted HNA Date	Notes
Albany	2022*	27	26.1	2007	HNA update process is underway, expecting to adopt prior to 2022.
Ashland	2023	36	33.6	2013	Had planned to update HNA in 2020, but may wait on HPS rulemaking. SRB is 33.6%.
Beaverton	2022	20	24.3	2016	2022 would work well for them and is six years from current HNA date.
Bend	2024	4	24.4	2016	May begin HNA update as soon as 2021.
Canby	2022*	26	14.1	1999	Recent HNA draft has been accepted, but not adopted. Working on addressing the identified deficit, expect deadline reset.
Central Point	2027	34	16.6	2019	
Coos Bay	2022*	32	25.9	2009	Applied for assistance with HNA update, and hoping to finish in 2020, which would reset deadline.
Cornelius	2022*	49	16.7	2009	Applied for assistance with HNA update, which would likely reset deadline.
Corvallis	2027	14	39.6	2019	Highest percentage of rent burden (39.6%).
Cottage Grove	2027	38	33	2019	Moving forward with housing implementation plan from HB 4006 funding.
Dallas	2022*	17	25.8	??	Completed HNA with HB 4006 funding, working through addressing deficit and adoption. Expect deadline reset.
Eugene	2026	16	37.8	2018	Very high SRB (37.8%).
Forest Grove	2025	6	31.4	2019	Adopted HNA in 2019. High rent burden (31.4%).
Gladstone	2022*	37	35.2	??	Received data from Clackamas Co. HNA. Seeking funding to complete HNA update. Expect deadline reset. SRB is 35.2%
Grants Pass	2022	21	33.6	2014	May update HNA by Fall of 2022. SRB is 33.6%
Gresham	2022*	31	34.3	2013	Seeking HNA update funding. SRB is 34.3%
Happy Valley	2022	1	20	1997	Seeking funding to update HNA by summer 2022. Fastest growing city in Oregon.
Hermiston	2024	15	15.5	2011	Seeking funding for HNA update. Possible deadline reset.
Hillsboro	2023	9	19.9	2017	Adopted affordable housing policy and action plan in 2018.
Keizer	2024*	28	25.5	2013	HNA draft is completed, but working thru shared UGB w/Salem to address deficits. Expect deadline reset.
Klamath Falls	2022*	30	30.4	??	No response to survey. Draft HNA completed from HB 4006 program, but not yet adopted. Expect deadline reset. SRB is 30.4%
La Grande	2022*	43	23.3	2000	Draft HNA funded from HB 4006, plan to adopt by Fall 2020. Expect deadline reset.
Lake Oswego	2023	33	25.7	2014	
Lebanon	2022*	13	35.8	2004	Draft HNA funded by HB 4006, planning to adopt in early 2020. Expect deadline reset. SRB is 35.8%
McMinnville	2023	29	23.1	2001	Have draft HNA, plan to adopt June 2021.
Medford	2022	23	31.4	2010	Addressing housing as part of regional effort as well. SRB is 31.4%
Milwaukie	2022	47	24.5	??	HNA completed in 2016, but not yet adopted. Able to adopt by 2022.
Newberg	2025*	22	28.6	2005	2019 HNA update accepted but not adopted. Plan to take HNA and EOA (in process) updates to council in 2021. Likely reset.
Newport	2022	45	24	2011	Key partner in Lincoln Co. implementation plan project from HB 4006.
Ontario	2022*	48	27.8	2007	Plan to update HNA by 2022, so expect deadline reset.
Oregon City	2022*	12	24.4	2004	Planning to adopt HNA update in 2021, expect deadline reset. Have data from Clackamas Co. project.
Pendleton	2022*	46	18.7	??	No response to survey. Have yet to adopt HNA from HB 4006. Expect deadline reset.
Portland	2023	10	28.2	2014	Largest and 10th fastest growing city in Oregon.
Prineville	2027	19	27.6	2019	HNA adopted in 2019, funded by HB 4006.
Redmond	2022*	8	31	2007	Draft HNA prepared in 2019 from HB 4006 funding, so deadline expected to reset. Eighth fastest growing city and high SRB at 31%.
Roseburg	2027	3	29.1	2019	Adopted HB 4006-funded HNA in 2019. Third-fastest growing city.
Salem	2024*	25	23.4	2001	Expected to adopt HNA update by end of 2021 and address identified deficit with Keizer. Deadline expected to reset.
Sandy	2024	5	17.8	2015	Fifth fastest growing city.
Sherwood	2022*	24	18.4	??	HNA update in process, plan to adopt in 2020. Deadline expected to reset.
Silverton	2022*	7	17.2	2001	HNA update in process, expect deadline reset. 7th fastest-growing city.
Springfield	2025	42	23.7	2011	Working on Comp plan and development code updates from HB 4006 code audit.
St. Helens	2027	40	21.8	2019	
The Dalles	2025	18	29.4	2017	
Tigard	2023	11	29.1	2013	May decide to update HNA in 2020, so possible reset.
Troutdale	2022*	44	32.9	2011	HNA update in process, plan to adopt by 2022, so expected deadline reset. SRB is high, at 32.9%

Tualatin	2022*	35	26.5	??	HNA update in process, expect deadline reset.
West Linn	2022	39	20.5	1999	Have data from Clackamas HNA, seeking funding to finalize and adopt HNA. Possible deadline reset.
Wilsonville	2023	2	17.6	2014	Second-fastest growing city in Oregon.
Woodburn	2022*	41	26.1	??	HNA update funded by HB 4006, plan to adopt by the end of 2019. Expect deadline reset.

¹ Growth rate was calculated for the period from 2010 to 2018, using 2010 US Census and 2018 PSU population estimate data.

Jacob Graichen

From: Jennifer Dimsho
Sent: Tuesday, December 31, 2019 10:17 AM
To: Jacob Graichen
Subject: December Planning Department Report

Here are my additions to the December Planning Department Report.

GRANTS

1. **DLCD's 2019-2021 Technical Assistance Program** – Received formal notice of approval for 50k of technical assistance to prepare a *Boise White Paper Industrial Site Master Plan* which will include a parcelization framework and an infrastructure finance planning for the site! Working with DLCD on a detailed scope of work, timeline, and contract.
2. **OPRD - Local Government Grant – Campbell Park Improvements** (\$187k) includes replacement of four existing tennis courts and two basketball courts with two tennis flex courts and one flex sport court, adds a picnic viewing area, improves natural stormwater facilities, expands parking, and improves ADA access. Grant deadline is October 2021. Began working on Request for Bid document for court installation.
3. **Oregon Community Foundation – Nike Impact Fund – 5th Street Trail Project** (19k) to install approximately 1,000 feet of new off-street trail and a small boardwalk in the undeveloped 5th Street right-of-way. Met CRYC project leader on site and discussed scheduling, tools needed, etc. Flagged entire route. Prepared construction notice letters for abutting neighbors. Vegetation and trash removal by CRYC is anticipated from 1/15-2/15, and trail construction 2/1– 3/15. Exact extent of boardwalk over wetland TBD.
4. **Travel Oregon - Medium Grants Program (100k)** – Additional signs ordered for existing signs and a few signs to be corrected. A few more installs expected by Public Works. Working on final budget and reimbursement documentation.
5. **EPA – CWA Grant Program** – Council update on 11/20. 50 Plaza Square eligibility received. Work plan in process of development. South 80 follow up work needed to close the loop with DEQ.
6. **CDBG- Columbia Pacific Food Bank Project** – Design/Architectural meeting at Lower Columbia on 12/18. Sub-contract for mechanical and plumbing work initiated.
7. **Certified Local Government – Historic Preservation Grant Program** - Columbia Theater work plan approved through SHPO and met NEPA requirements. Given notice to proceed on new marquee/signage installation!
8. **Safe Routes to School - Columbia Blvd. Sidewalk Project** – Prepared quarterly report due 12/4. Discussed applicability of Sensitive Lands Permit.

MISC

9. **Columbia View Park Amphitheater** - Prepared memo of research of various outdoor amphitheater and open air band shell contractors to compile a list of options/contractors. Presentation to Council planned for 1/15/20.
10. Training continued for Community Development Administrative Assistant Christina Sullivan for land use file creation, issuing decisions, and running PC meetings, and preparing PC minutes.
11. **Millard Road Property** – Planned for 1/15/20 Council discussion regarding zoning, parks inventory, etc.

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