



PLANNING COMMISSION
Tuesday, June 09, 2020
265 Strand Street, St. Helens, OR 97051
www.ci.st-helens.or.us

Welcome!

1. **7:00 p.m. Call to Order and Flag Salute**
2. **Consent Agenda: Approval of Minutes**
 - 2.A. Planning Commission Minutes dated May 12, 2020
[05122020 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. Conditional Use Permit at 254 N Columbia River Hwy - Deahl & Lewis
[CUP.3.20 Deahl & Lewis](#)
 - 4.B. 8:00 p.m. Appeal of PT.1.20 at 160 Belton Road - Tracey Hill
[AP.1.20 Tracey Hill](#)
5. **Riverfront District Architectural Guidelines Recommendation - Modification at 330 S 1st Street**
 - 5.A. Modification at 330 S 1st Street
[RiverFront Memorandum](#)
6. **Riverfront District Architectural Guidelines Recommendation - Bennett Building Modification at 275/277 the Strand**
7. **Planning Director Decisions -**

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.

Be a part of the vision...get involved with your City...volunteer for a City of St. Helens Board or Commission!
For more information or for an application, stop by City Hall or call 503-366-8217.

- a. Temporary Use Permit at 2295 Gable Road – TNT Fireworks*
- b. Temporary Use Permit at 735 Columbia River Hwy – Bethel Fellowship*
- c. Temporary Sign Permit at 2100 block of Columbia Blvd – SHHS Senior Planning*

8. Planning Department Activity Report

- 8.A. May Planning Department Report
[2020 MAY Planning Dept Rept](#)

9. For Your Information Items

10. Next Regular Meeting: July 14, 2020

11. Adjournment

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City of St. Helens Planning Commission

Draft Minutes

May 12, 2020

Members Present: Chair Hubbard
Commissioner Cohen
Commissioner Semling
Commissioner Lawrence
Commissioner Webster

Members Absent: Vice Chair Cary
Commissioner Stenberg

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

Others: Jennifer Pugsley David Force Michael Anders
Shelly Nelson Dan Hatfield Roger Toth
Jeff Bolton Giovanni Jarquin
Les Watters Emilia Ponti

1) **7:00 p.m. Call to Order and Flag Salute**

2) **Consent Agenda**
2.A Planning Commission Minutes dated March 10, 2020

Motion: Upon Commissioner Webster's motion and Commissioner Semling's second, the Planning Commission unanimously approved the Draft Minutes Dated March 10, 2020. Commissioner Cohen did not vote due to his absence from that meeting. [AYES: Commissioner Lawrence, Commissioner Webster, Commissioner Semling; Nays: None]

3) **Topics from the Floor: Limited to 5 minutes per topic (not on Public Hearing Agenda)**

There were no topics from the floor.

4) **Public Hearings (times are earliest start time)**
4.A 7:00 p.m. Subdivision Prelim Plat & Variance at corner of N 6th & Columbia Blvd – LaGrande Townhomes

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

Associate Planner Dimsho entered the staff report dated May 5, 2020. Dimsho introduced the proposal to the Commission as presented in the staff report. She mentioned how the property

was formerly a carwash. She explained how the applicant wants to replat three existing lots into six different lots for attached single-family dwellings. She also explained how he is applying for the variance for the front setbacks. It is split zoned Mixed Use and General Residential. She mentioned the standards were the same in both zones for attached single-family dwellings. She mentioned that the minimum lot size for attached single-family dwellings is 2,500 square feet. She said minimum lot width is 25 feet. Dimsho said that street trees would be required on both street frontages. She said the two streets were classified as Minor Arterial, which means greater access control standards and higher traffic. She mentioned the applicant will have to provide adequate protection from the arterial streets. She also brought up the condition of the current sidewalks and curbs. City Planner Graichen mentioned that if the Commission decided that the sidewalks needed redone, they would need to decide if they needed to be redone to the new standards that include curb bump-outs or to the current standards they are at now.

Commissioner Cohen asked where the fence was being proposed. Dimsho mentioned it would be along lots one through five abutting N. 6th Street. She mentioned this was up to the Commission to decide what type of screening to require, if any.

Commissioner Webster asked if the property was a gas station and if the tanks from the station had been taken out. Dimsho mentioned there was some environmental testing done on this property. She mentioned they had underground tanks and had permissions to remove them. Dimsho mentioned that the neighboring property may have had some leakage from their tank and so additional testing was done. The test results found that if soil was not disturbed at a 14-foot depth, there would be no impacts to human health and safety.

City Councilor Carlson asked about what the visual standards were for the Columbia Boulevard view. She also asked about the visibility and safety of school-aged children who cross near Columbia Blvd. and 6th Street. Dimsho mentioned that the Corridor Master Plan includes curb extensions to shorten the crossing distance for individuals crossing the roads there. She also mentioned there is a ten-foot setback so development will not be obstructing vision.

Dimsho discussed the City utilities. She said there was a utility easement that takes up a large part of lot six. She also said there was an unknown size of sewer line that alongside the east property line. She mentioned it could be a main line or a private line. She said an easement may be required. Dimsho mentioned there is adequate water and sewer to service this property.

Dimsho mentioned the new language in the conditionals that applies to the new House Bill. Graichen explained how subdivisions usually get recorded first, then they apply for building permits. He said that they are careful with bonds and they usually want all the work to be done, including sidewalks before a subdivision is given building permits. The House Bill allows the builder to get building permits before all the work is completed with appropriate bonding for certain things. Then individual Certificate of Occupancies can be held until all conditions and improvements are done. He mentioned this provides individual homes an option for builders to get permits faster.

There was a small discussion about the access to the different lots and the Minor Arterial streets.

Dimsho said the variance is necessary for the proper design of this subdivision. She said it will give the lots enough buildable area. Design and function also include adequate screening and

buffering. This variance allows the Commission to discuss additional screening requirements. There was a small discussion regarding screening options.

Hatfield, Dan. Applicant. Hatfield was called to speak. Hatfield discussed his building plans. He said he was applying for the variance so that he could design his dwellings correctly. He mentioned he is willing to do whatever the Commission recommended for screenings as well. He said they would be two-story dwellings with three bedrooms. He mentioned there would be a rear entrance. He said he wants to follow everything the Planning Commission encourages and that he will be doing work to help improve the area.

Chair Hubbard asked about the buildings not having entrances that face Columbia Boulevard. City Councilor Carlson also mentioned a concern that the entrances did not face Columbia Boulevard. She said how it would be a very different streetscape. She said she knows there are no street standards, but that this issue was important to the livability of our community. She said the in-fill development happens but wants to make sure we are not upsetting neighbors.

In Favor

No one spoke in favor.

Neutral

Pugsley, Jennifer. Pugsley is the owner of 50 Plaza Square. Pugsley mentioned that 6th Street is such a traveled street, and she was curious why the design did not have a front yard with landscaping along 6th Street with the driveway and entrance to home in the back as proposed. She felt it would be more inviting.

There was a small discussion about the layout. Graichen mentioned we need to review based on the standards we have, not on the standards we wished we had.

In Opposition

No one spoke in opposition.

Rebuttal

No one spoke in rebuttal. **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

The Commission went through each condition and determined if it was needed. There was a long discussion about the screening/fence and what should be used. They decided the applicant should construct a five-foot fence along Lots 1-5 abutting N. 6th Street.

Motion: Upon Commissioner Webster's motion and Commissioner Semling's second, the Planning Commission unanimously approved the Subdivision Prelim Plat and Variance as written. [Ayes: Commissioner Semling, Commissioner Lawrence, Commissioner Webster, Commissioner Cohen; Nays: None]

Motion: Upon Commissioner Webster's motion and Commissioner Cohen's second, the Commission unanimously approved the Chair to sign the Findings when prepared. [Ayes: Commissioner Semling, Commissioner Cohen, Commissioner Lawrence, Commissioner Webster; Nays: None]

**4.B 7:30 p.m. Conditional Use Permit & Variance at Matzen and Brayden Streets
– MultiTech Engineering**

Chair Hubbard opened the Public Hearing at 8:51 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

Graichen entered the staff report dated May 4, 2020. Graichen introduced the proposal to the Commission as presented in the staff report. Graichen mentioned this is a major modification. He said they were building off of a previous Conditional Use Permit in 2018. He said they are adding a storage facility and then a large flagpole and a bike shelter that were not on the original plans. The Variance is to allow an accessory structure larger than the normal standard. He reminded the Commission that the zoning for this property was General Commercial and normally an accessory structure is not allowed to be built until a principal use is. He mentioned the principal use was the apartment complex in this instance. He said the Commission would need to look at making sure this property could not be sold separately from the apartments and turned into a storage facility, since the zoning does not allow for that. He said there are two ways to do that: through a deed restriction or a land partition.

Commissioner Cohen asked about the height of the nearest buildings to the accessory structure. He wanted to make sure the accessory structure was close in height to the apartments. He also asked what staff recommends for keeping the two properties together. Graichen mentioned the accessory structure was a little shorter than the apartments. He also said that staff feels more comfortable with a land partition.

Commissioner Cohen also asked about security and what was required. Graichen mentioned there was lighting and fencing all around the property. Commissioner Cohen asked for a little more clarification regarding the flagpole. Graichen said the flagpole is proposed at 45 feet and that the proposed conditions require a pole base able to hold the pole with no issues. Graichen mentioned the code says if the flagpole is more than 20 feet in height in residential or more than 30 feet in commercial it requires permitting.

Commissioner Cohen also asked about the bike storage. Graichen said the property was required to have a certain amount of covered bike storage. He said the proposal meets all the standards.

Grentz, Mark. Applicant. Grentz is with MultiTech Engineering. He said it has been a pleasure to work with all the staff. He said they were getting to the end of the overall project and a few of the projects on site needed some finalizing. He said the bike structure would be secure and a nice extra for the tenants. He said the storage facility is important because in their previous apartment projects, tenants have a need for more storage. Grentz mentioned when they first

started the project the storage site was on the premises, but as they began to build, they realized there was not enough room. They are excited to be able to move forward with the storage for their tenants on this abutting property. They said the design of the building will be pleasing to the eye and fit in with the design of the apartments.

In Favor

No one spoke in favor. We received a letter in support from Al Petersen.

Neutral

Carlson, Ginny. City Councilor. Carlson said the project looks great. She said the workers are very nice and that the project landscaping was very nice. She said things were going the way they promised. She said the site did not impede the parking for the people who already live over there. She also mentioned the bronze statues were amazing.

In Opposition

No one spoke in opposition.

Rebuttal

No one spoke in rebuttal.

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

The Commission was all in agreeance with the Variance. The Commission discussed how to tie the properties together. They agreed that a partition was the cleaner and more solidified way to tie the properties together. There was a small discussion about the flagpole and the height. Commission Cohen recommended that it be reduced to a 35-foot standard, which is the maximum building height for the projects.

Motion: Upon Commissioner Cohen's motion and Commissioner Webster's second, the Planning Commission unanimously approved the Conditional Use Permit and Variance as written. [Ayes: Commissioner Semling, Commissioner Lawrence, Commissioner Webster, Commissioner Cohen; Nays: None]

Motion: Upon Commissioner Cohen's motion and Commissioner Semling's second, the Commission unanimously approved the Chair to sign the Findings when prepared. [Ayes:

Commissioner Semling, Commissioner Cohen, Commissioner Lawrence, Commissioner Webster; Nays: None]

4.C 8:00 p.m. Variance for Lots 28, 37, 38, 66, 70, 71, 74, 76, & 77 – Emerald Meadows / Lennar Northwest, LLC

Chair Hubbard opened the Public Hearing at 9:58 p.m. There were no ex-parte contacts, conflicts of interests, or bias in this matter.

Dimsho entered the staff report dated May 4, 2020. Dimsho introduced the proposal to the Commission as presented in the staff report. This is a similar request as Richmond American made in the Emerald Meadows subdivision. The applicant is requesting nine variances to exceed the maximum lot coverage on nine different lots. Their request is for 27 percent of the lots that they would own, and the request is to accommodate Lennar Northwest's single-story models. She said the Development Code has standards to help promote streetscape and provide light, air, and space. She mentioned when you look at the streetscape, you would see a mix of single- and two-story homes in this case. Dimsho said in the general housing goals there is a policy that promotes housing for those with special needs. She said the applicant's narrative discussed how single-level housing provides for those with children, special needs, and elderly. Dimsho said since variances run with the land, the Commission should limit the conditions to only work with Lennar's models as proposed for each lot. She said the Commission can choose to cap the lot coverage allowed, which would reduce the number of variances granted.

Commissioner Cohen asked if they go with the variances for the seven of the nine, which two lots would be returned to the regular lot size. Dimsho said it would be the two that were above the five percent, which is lot 37 and lot 71.

Commissioner Webster asked if they were affordable. Dimsho said the applicant has narrative that mentions that single level homes are more affordable but said staff cannot confirm affordability. Webster was concerned with the average pricing not being affordable, as this was the argument that resulted in the lot size issue they are dealing with now.

Anders, Michael. Applicant. Anders is with Lennar Northwest, LLC. Anders said they do an extensive amount of research before they decide to move into a community. He said through the process they come up with a viable plan and the goal is to provide houses that meet numerous profiles. He said that there is a need for single-level homes. Anders said they do not deviate from the pre-planned subdivision design. He said they also operate on an "everything is included" policy, so that when the homeowner moves in, the house is complete. He said this provides a neat and tidy look upon completion. He mentioned that price point is relative and that they looked at the City's Housing Needs Analysis, which provided a median price, and they do not plan to vary much from that median. He mentioned they do not set pricing until they go to market.

In Favor

No one spoke in favor. We received a letter in support from Wayne Weigandt

Neutral

Pugsley, Jennifer. Pugsley is the owner of 50 Plaza Square in St. Helens. Pugsley said there is a need in this market for single-level homes. She said, as a local real estate broker, she would like to see more single-level homes available on the market. She said the single-level homes sell much quicker. She has seen Lennar's product in other markets, and they are nice.

In Opposition

No one spoke in opposition. The Commission was given a letter in opposition from Al Petersen.

Rebuttal

Anders, Mark. Applicant. Anders said in response to the letter in opposition from Al Petersen, they are not the creator of the subdivision, but the home builder who is desiring to purchase the remaining lots. He said the research is what led them to the variance request. He said the variance is very specific and is not a wholesale request. He also said this is a request to build a variety of homes with different functions and price points to serve the community of St. Helens based on their research. He believes that taking these steps, which are costly and time consuming, to serve the needs in the market shows that they are not lazy. He thinks the outcome will be more desirable for the community.

Commissioner Cohen said that he felt the letter points out that they knew about the lot coverage standards when they decided to purchase the lots. Anders responded that part of their due diligence was to find out what they needed to do to build homes that are marketable before purchasing, which led them to the variance.

End of Oral Testimony

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

Close of Public Hearing & Record

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

Deliberations

Commissioner Cohen asked if there was anything that would limit the developer from coming and asking for more variances on additional lots. Dimsho said the applicant is looking to buy the remaining lots, but there is nothing that keeps them from coming back and requesting additional variances.

There was a discussion about additional variances for the remaining houses that were in the subdivision. The Commission is concerned about the total number of variances for this subdivision. Commission Webster felt the applicant did not meet the standards for approval. Commissioner Cohen felt conflicted between approval and denial, citing a need for single-story homes, but stated that the applicant knew of the standards before attempting to purchase the lots. He leans towards approval.

Motion: Commissioner Cohen made a motion to approve the variance, as written. There was no second. Motion failed.

There was a discussion about referring the decision to the City Council, as opposed to making the decision themselves. Commission Webster preferred denial, as opposed to a referral.

Motion: Upon Commissioner Webster's motion and Commissioner Cohen's second, the Planning Commission unanimously denied the Variance as written. [Ayes: Commissioner Semling, Commissioner Lawrence, Commissioner Webster, Commissioner Cohen; Nays: None]

Motion: Upon Commissioner Cohen's motion and Commissioner Semling's second, the Commission unanimously approved the Chair to sign the Findings when prepared. [Ayes: Commissioner Semling, Commissioner Cohen, Commissioner Lawrence, Commissioner Webster; Nays: None]

5) Annual Report to Council

Graichen said every year they give a memo to the Council with all the Planning Commission meetings, public hearings and all the items the Commission and Planning Department has done. He said the Council looks at the numbers and future projects. Graichen said the question from the Council is what they can do for the Planning Commission. Commissioner Cohen suggested they have an in-person joint meeting with the Council (when allowed to do so) to brainstorm where Council sees the Commission going. Graichen said he will request this. The Commission agreed that a meeting would be beneficial for both parties involved.

6) Planning Commission Interview Committee Recommendation

Graichen said there were several applicants and the interview committee felt that Jennifer Pugsley was the best applicant. He mentioned there has not been a realtor on the Commission for years and this would fill that hole. Her knowledge of historic preservation will also be valuable too. Graichen said she will be appointed at the next Council meeting if the Commission agrees with this.

Motion: Upon Commissioner Semling's motion and Commissioner Lawrence's second, the Planning Commission unanimously recommended to the City Council appointment of Jennifer Pugsley to the Planning Commission. [AYES: Commissioner Lawrence, Commissioner Semling, Commissioner Webster, Commissioner Cohen; Nays: None]

7) Acceptance Agenda: Planning Administrator Site Design Review

- a. Site Design Review (Major) at 1955 Columbia Blvd – Restaurant sales in an existing commercial building
- b. Site Design Review (Major) at 58144 Old Portland Road – 12,500sf Warehouse building for an existing tenant
- c. Site Design Review (Minor) at 585 S. Columbia River Highway – CRPUD
- d. Scenic Resource Review for addition at 215 N River St. – AKAAN Architecture

Motion: Upon Commissioner Cohen's motion and Commissioner Webster's second, the Commission unanimously approved the Acceptance Agenda: [AYES: Commissioner Lawrence, Commissioner Semling, Commissioner Webster, Commissioner Cohen; Nays: None]

8) Planning Director Decisions

- a. Temporary Use Permit at 1810 Old Portland Rd – City of St. Helens
- b. Partition at 160 Belton Road – Schlumpberger
- c. Sign Permit at 1844 Columbia Blvd – Ramsay Signs
- d. Accessory Structure Permit (Shop) at 2660 Gable Road – Stansbury
- e. Accessory Structure Permit (RV Cover) at 2660 Gable Road – Stansbury
- f. Sign Permit at Matzen/Brayden Street – MultiTech Engineering
- g. Sign permit for secondary sign at 475 S Columbia River Hwy – Vancouver Sign Co.
- h. AMENDED Temporary Use Permit at 1810 Old Portland Rd – City of St. Helens
- i. Auxiliary Dwelling Unit at 374 N 15th St. – St. Helens School District
- j. AMENDED Partition at 160 Belton Road – Schlumpberger
- k. Temporary Use Permit – Renewal at 555 S Columbia River Hwy – Mucias
- l. Temporary Use Permit – Renewal at 35341 Fairfield Ct. – Richmond American
- m. Sensitive Lands Permit at 58144 Old Portland Rd – Port of Columbia County
- n. Temporary Use Permit at Milton Way North of St. Helens St. – US 30 Farmer's Market
- o. Temporary Sign Permit at 2100 Block of Columbia Blvd – Hometown Heroes

There were no comments

9) Planning Department Activity Report

- a. March Planning Department Report
- b. April Planning Department Report

There were no comments.

10) For Your Information Items

Commissioner Lawrence asked about the apartments and senior housing that were approved on Gable Road. Graichen mentioned that they are still working on plans but building permits have not yet been submitted.

Chair Hubbard asked about the St. Helens Police Station. Graichen mentioned they are looking to get some topographic info to make sure exactly where the flood plain is. They are planning on getting a surveyor to confirm. He said it is part of the feasibility study.

11) Next Regular Meeting: June 9, 2020

12) Adjournment

There being no further business before the Planning Commission, the meeting was adjourned 10:37p.m.

Respectfully submitted,

Christina Sullivan
Community Development Administrative Assistant

**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Conditional Use Permit CUP.3.20**

DATE: June 2, 2020
To: Planning Commission
FROM: Jennifer Dimsho, AICP, Associate Planner
 Jacob A. Graichen, AICP, City Planner

APPLICANT: Benjamin Deahl & Shauna Lewis (H & I Stone Casting, LLC)
OWNER: Same

ZONING: Houlton Business District (HBD)
LOCATION: 4N1W-4BD-2700 & 4N1W-2701; 254 N. Columbia River Highway
PROPOSAL: Establish retail use and artisan workshop use in two existing buildings. Outdoor storage is also requested.

The 120-day rule (ORS 227.178) for final action for this land use decision is **September 9, 2020**.

SITE INFORMATION / BACKGROUND

The site is developed two existing buildings. Current access includes traversing private property (currently owned by Masterson) and ODOT railroad right-of-way. This access is currently asphalt, but the area proposed for off-street parking is currently gravel. There used to be direct highway access but that was removed by the railroad years ago. This is why the property has a Columbia River Highway address. During the site visit, there was a six foot chain link fence with slats under construction. Surrounding zoning is Houlton Business District, HBD and uses are mostly commercial, aside from a residential townhome complex near the southeast corner of the property.



*Taken standing on the railroad access.
Proposed retail building and front entry.*



*Proposed artisan workshop on left and
parking area left of retail building.*

PUBLIC HEARING & NOTICE

Hearing dates are as follows: June 9, 2020 before the Planning Commission

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on May 21, 2020 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 May 27, 2020.

AGENCY REFERRALS & COMMENTS

Building Official: See attached referral.

City Public Works: See attached referral.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

Retail use and artisan workshop use are permitted outright in the HBD zone. Outdoor storage related to these uses is a Conditional Use in the HBD zone.

SHMC 17.100.040(1) - CUP Approval standards and conditions

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

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

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

Finding(s): The property is approximately 16,553 square feet. The applicant is proposing to expand the 576 square foot building proposed to be used as workshop to about 700 square feet. The building proposed to be used as retail space is about 900 square feet with a 480 square foot enclosed deck to be replaced. This leaves about 14,500 square feet for “product display area” which includes outdoor storage. Off-street parking is addressed later in this report, but there is no evidence that this site is not adequate for the needs of the proposed uses.

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

Finding(s): The property’s sole access is via railroad right-of-way and over private property, owned by Masterson. Legal right of access through both properties shall be maintained for the entire duration of the use. This is a necessary condition of approval.

Any requirements of the Building Official and/or Fire Marshal shall be met. This includes, but is not limited to, sewer, which is addressed below, and potentially improvements to the buildings related to their proximity to the property lines. Otherwise, there is no evidence to the contrary.

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

Findings: Based on utility billing records, the site is already served by City water. It is currently not hooked up to City sewer, nor does Columbia County have any septic records for the property. There is a sanitary sewer line that terminates about 190 feet southeast of the subject property. Per SHMC 13.14060(4), the City will not force sanitary sewer connection if the line is located over 160 feet away. Prior to occupancy, the site needs to be connected to the City's Sanitary Sewer system or provide an approved on-site system. If the applicant chooses to connect to the City's sanitary sewer system, the line would need to be surveyed, inspected, tested, and approved for use. Easements would need to be written and recorded as well. If the applicant chooses the latter, they will need to obtain a permit and a subsequent Certificate of Satisfactory Completion for sanitary purposes from Columbia County and provide proof of such to the City.

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

Findings: "Business with outdoor storage (those permitted in permitted uses)" is listed as a conditionally permitted use in the HBD zone. There are no minimum setback requirements applicable in this zone for this use. The maximum lot coverage, including all impervious surfaces is 90 percent. There shall be at least 10 percent previous surface remaining on the lot, including with building renovations and paved parking requirements. This shall be a condition.

Outdoor storage of materials must be screened per SHMC 17.72.110(5). Continuous site-obscuring screening shall be a condition of approval. Note that storage by itself is not a permitted or a conditional use in the HBD zone. It appears the applicant is proposing a 6 foot chain link fence with slats, which as of the date of the site visit, had already been partially constructed along the south property line. See below. This is an acceptable form of screening normally.

Does the Commission agree with this method in this case?



In the HBD zone, outdoor display of goods and materials for retail establishments is permitted on private property in front of the retail establishment provided such displays do not block safe ingress and egress from all entrances, including fire doors. In addition, outdoor displays of goods shall be properly and safely stored inside during non-business hours. No outdoor displays may block safe pedestrian or vehicular traffic. Outdoor displays shall not encroach in public right-of-ways without express permission. This shall be a condition of approval.

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

Finding(s): With regards to signs, any new sign or modified sign shall require a sign permit per Chapter 17.88 SHMC.

With regards to site development review standards, as the site is developed and there are fewer substantial proposed improvements to the site to accommodate the proposed use (e.g., new development), many aspects do not apply. The noteworthy aspects are as follows:

Per Chapter 17.72 Landscaping and screening, fencing is allowed up to 6 feet in height, unless the Commission, as a condition of approval, allows a fence of a greater height to mitigate against potential adverse impacts.

Because the parking lot will be greater than three spaces, it is required to be screened. For screening in this case, the City usually requires landscaping along the perimeter that includes a balance of low lying and vertical shrubbery and trees. The applicant is proposing a fence on two sides, the retail building is on the third, and there is a proposed display area in the front of the proposal. The railroad right-of-way limits screening opportunities from US 30. The Commission should decide if this is sufficient to meet this criteria.

Service facilities and equipment (e.g., HVAC and other mechanical unit) visible from a public street, customer or residential parking area, any public facility or residential area are required to be screened whether they are ground, wall or roof mounted. In addition, rooftop facilities and equipment are required to be screened from street and adjacent properties. This shall be a condition of approval.

Screening of refuse containers or refuse collection area is required for any refuse container or refuse collection area which would be visible from a public street parking lot, or commercial area. This shall be a condition of approval.

This chapter also requires outdoor storage areas to be screened, which is addressed above.

Per Chapter 17.80 Off-street parking requirements:

Dimension and type. Standard spaces are a minimum of 9' x 18'. One space (40% of 4 spaces) is allowed to be compact (8' x 15'), but must be signed accordingly. Plan does not indicate compact spaces, but given the need for a revised parking plan, they may choose to utilize compact size.

Accessible (disabled person) spaces. Required to comply with State and Federal Standards. 1 ADA parking space is proposed. The accessible space is required to be located on the shortest route to an accessible pedestrian entrance. Though this is a building code issue, it is relevant to site design. The location of the ADA space appears to be located at the closest route.

Bicycle parking. 1 space for bike parking is required. This space can be accommodated on the site.

Number of off-street parking spaces required. General retail sales requires one space for each 400 sq. ft. of gross retail floor area, but not less than four spaces for each establishment. The applicant is proposing 4 spaces, including 1 ADA space. There is also a 700 square foot artisan workshop proposed; however this workshop is related to the retail use, not a second principal use, which would require additional parking. This shall be a condition of approval. Although the plan shows the correct number of spaces, there appears to be limited space on site for four spaces as shown. A revised parking plan is needed.

Aisle width. The 4 proposed spaces are head-in, accessed from the railroad right-of-way. The rail right-of-way provides adequate room for maneuvering, as long as the applicant provides permission from the railroad.

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

Wheel stops. Wheel stops are required along the boundaries of a parking lot, adjacent to interior landscape area, and along pedestrian ways.

Drainage. Drainage plans will be required to prevent ponding, prevent water flow across pedestrian ways and to address pollutants from vehicles (e.g., oil/water separation). This may be required.

Per 17.84.050 Pedestrian access (interior walkways), walkways shall extend from the ground floor entrances or from the ground floor landing of stairs, ramps, or elevators of all commercial, institutional, and industrial uses, to the streets which provide the required access and egress. Paved walkways shall be shown on a revised plan. Walkways shall be a minimum of four feet in width, exclusive of vehicle overhangs and obstructions such as mailboxes, benches, bicycle racks, and sign posts, and shall be in compliance with ADA standards. Required walkways shall be paved with hard-surfaced materials such as concrete, asphalt, stone, brick, etc.

Crime prevention. There does not appear to be existing lighting in the railroad right-of-way or on the exterior of the proposed retail building. Lighting should be provided to sufficiently illuminate the parking area at night.

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

Discussion: The Comprehensive Plan designation of the portion of the property being used as outdoor storage is General Commercial. A policy of this designation per SHMC 19.12.070(2)(f) reads:

Preserve areas for business use by limiting incompatible uses within them.

This helps explain why storage alone is not a use allowed in commercial zoned property, because storage by itself can take up substantial commercial space better suited to an active business.

Finding(s): Storage as a principal use is not allowed in the HBD zoning districts. This proposal complies with the applicable Comprehensive Plan policies, provided storage by itself is not allowed by this CUP.

SHMC 17.100.040(3) - CUP Approval standards and conditions

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

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

Discussion: These are items the Commission may consider for this proposal.

Findings: Outdoor storage in conjunction with permitted uses is condition to avoid adverse impacts to the surrounding businesses and residents. The applicant is proposing a 6 foot chain link fence with slats as pictured above. **Does the Commission feel this is sufficient to address any potential adverse impacts?**

CONCLUSION & RECOMMENDATION

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

1. This **Conditional Use Permit** approval is valid for a limited time (to establish the use) pursuant to SHMC 17.100.030. This Conditional Use Permit approval is valid for 1.5 years. A 1-year extension is possible but requires

an application and fee. If the approval is not vested within the initial 1.5 year period or an extension (if approved), this is no longer valid and a new application would be required if the proposal is still desired. See SHMC 17.100.030.

2. The following shall be required prior to any development or building permit issuance:

- a. Final plans as submitted with any development or building permit(s) shall comply with the final plans submitted with this Conditional Use Permit with the following additions and/or corrections:
 - i. Revised parking plan to scale with ADA details and paving extent
 - ii. Planning Commission-approved method of screening, and correct screening perimeter to include property line jog in back
 - iii. Paved pedestrian walkway from entrances to parking area
 - iv. Adequate lighting for illumination of parking area at night
 - v. Landscaping to be shown at a minimum of 10 percent of property area
 - vi. Trash enclosure location and method of screening
 - vii. ADA ramp extent/grade needs to meet building code (may impact area for parking)
 - viii. Method of sanitary sewer and applicable details based on method (lateral connection to public sanitary sewer main versus on-site system)
 - ix. A drainage and stormwater plan shall be submitted that addresses any increase in runoff from the site as required by City Engineering. Plans shall include oil/water separation.
 - b. **If method of sanitary sewer is connection to the public sanitary sewer main**, an applicable sanitary sewer easement (public and/or private) needs to be recorded. Applicant is responsible for providing the legal description(s). Feasibility of this method including inspections, tests, and survey required.
- OR**
- If method of sanitary sewer disposal is with an on-site system**, feasibility and the approval from the County is required. A permit and a subsequent Certificate of Satisfactory Completion for sanitary purposes from Columbia County must be provided to the City.

3. The following shall be required prior to Certificate of Occupancy by the City Building Official, or commencement of the proposal:

- a. **If method of sanitary sewer is connection to the public sanitary sewer main**, the public and private improvements must be completed.
- OR**
- If method of sanitary sewer disposal is with an on-site system**, on-site improvements need to be complete and approved by the City and the County.
- b. All improvements necessary to address the requirements herein, and in accordance with the approved plans, shall be in place.
 - c. The applicant shall provide documentation that access via the railroad right-of-way is authorized by ODOT-Rail and by the private property owner (currently Masterson).

4. All outdoor storage areas are to be continuously screened with site-obscuring screening.
5. Legal access via the rail right-of-way and the private property shall be maintained.
6. This conditional use approves the artisan workshop as associated with the approved retail use.
This approval does not approve two separate principal land uses.
7. Any refuse container or refuse collection area visible from a public street, parking lot, residential or commercial area, or any public facility (e.g., school or park) shall be screened or enclosed from view by a solid wood fence, masonry wall or evergreen hedge. If the trash area will not be located within the screened outdoor storage area, plans as to screening shall be provided to the City prior to installation.
8. Any new service facilities such as gas meters and air conditioners which would otherwise be visible from a public street, customer or resident parking area, any public facility or any residential area shall be screened, **regardless if such screening is absent on any plan reviewed by the City. This includes but is not limited to ground mounted, roof mounted or building mounted units.** See SHMC 17.72.110(2).
9. A minimum of 10 percent of the property must remain landscaping/pervious.
10. Disabled person parking space(s) shall comply with local, State, and Federal standards. For example, see attached standards.
11. No outdoor displays may block safe pedestrian or vehicular traffic. Outdoor displays shall not encroach in public right-of-ways without express permission.
12. Compliance with Columbia River Fire & Rescue Fire Code concerns shall be required prior to Certificate of Occupancy the City Building Official.
13. Any new sign requires a sign permit prior to installation, pursuant to Chapter 17.88 SHMC.
14. Storage as an independent/principal land use on or within the subject property is not allowed in the HBD zoning district.
15. Owner/applicant is still responsible to comply with the City Development Code (SHMC Title 17).

Attachments

Site Plan

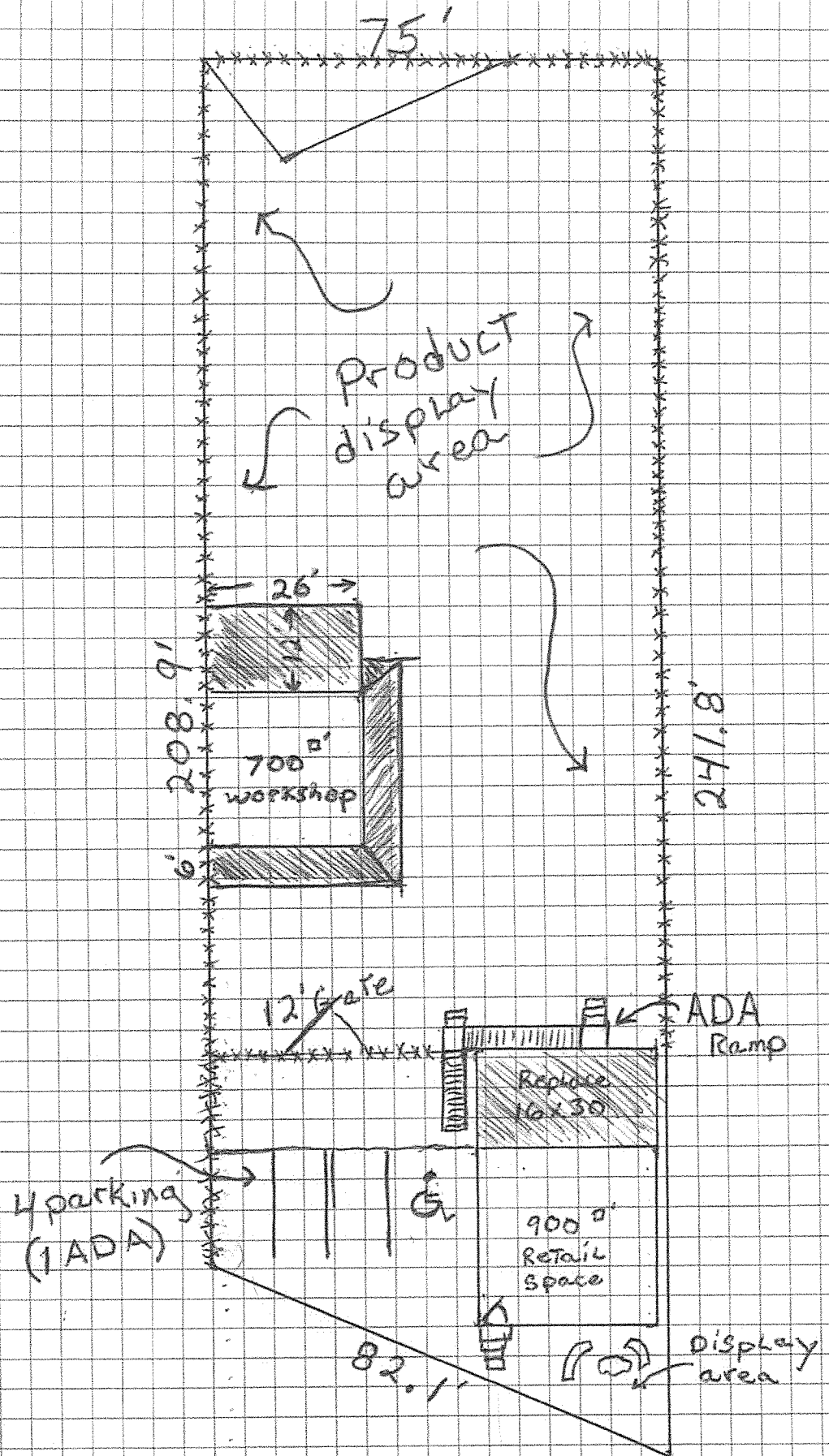
Survey & Access Diagram

Building Plans (2)

Standards for Accessible Parking Places August 2018

Building Official Referral Comments

*Public
Works
Referral*



RECORD OF SURVEY
FOR H AND I STONE CASTING LLC
IN THE NW 1/4 OF SECTION 4, T4N, R1W, WM
SURVEYED MAY 12, 2020
CITY OF ST. HELENS, COLUMBIA COUNTY, OREGON

PRELIMINARY

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO ESTABLISH THE BOUNDARY CORNERS OF THE LAND DESCRIBED IN DEED INSTRUMENT NO. 2020-03060, COLUMBIA COUNTY DEED RECORDS. THE SUBJECT PROPERTY IS LOCATED IN THE NW 1/4 OF SECTION 4, 14N, R1W, WILLAMETTE MERIDIAN, CITY OF ST. HELENS, COLUMBIA COUNTY, OREGON

THE BEARINGS ARE BASED ON MONUMENTS (A), A 5/8" IRON REBAR WITH YELLOW PLASTIC CAP INSCRIBED "HOWLAND LAND SURVEYING, INC." AND (C), A 5/8" IRON REBAR WITH YELLOW PLASTIC CAP INSCRIBED "MARTINEZ LS 2536". THE RECORD BEARING BETWEEN SAID POINTS PER SURVEY NO. 4679 IS N007°00'00".

THE RIGHT-OF-WAY OF PORTLAND-WESTERN RAILROAD IS ESTABLISHED BY SURVEYING EXISTING TRACK LOCATIONS AND CREATING A BEST-FIT CURVE AT CENTERLINE OF RIGHT-OF-WAY BETWEEN SAID TRACKS.

THE WEST LINE OF THE LAND DESCRIBED IN DEED INSTRUMENT NO. 2020-03060, COLUMBIA COUNTY DEED RECORDS IS DETERMINED BY OFFSETTING SAID ESTABLISHED CENTERLINE OF PORTLAND-WESTERN RAILROAD RIGHT-OF-WAY RECORD SURVEY DISTANCE PER SURVEY NO. L-1501, 50.00'

THE NORTH LINE OF THE LAND DESCRIBED IN DEED INSTRUMENT NO. 2070-03060 IS DETERMINED BY THE LINE CONTROLLED BY MONUMENTS (C) AND (E), BOTH 5/8" IRON REBAR WITH YELLOW PLASTIC CAPS INSCRIBED "MARTINEZ LS 2530", AND MONUMENT (O), A 5/8" IRON REBAR.

THE EASTERLY LINES OF THE LAND DESCRIBED IN DEED INSTRUMENT NO. 2020-03060 ARE ESTABLISHED BY HOLDING RECORD SURVEY MEASUREMENTS PER SURVEY NUMBERS L-1501 AND 4403 FROM MONUMENT (E).

THE SOUTH LINE OF THE LAND DESCRIBED IN DEED INSTRUMENT NO. 2020-03060 IS DETERMINED BY OFFSETTING THE ABOVE DETERMINED NORTH LINE RECORD SURVEY DISTANCES PER SURVEY NUMBERS L-1501 AND 4492, 75.00' SOUTHERLY AS SHOWN ON THE ATTACHED MAP.

THE BOUNDARY CORNERS OF THE LAND DESCRIBED IN DEED INSTRUMENT NO. 2020-03060, COLUMBIA COUNTY DEED RECORDS ARE ESTABLISHED BY THE INTERSECTIONS OF THE ABOVE DETERMINED AND ESTABLISHED LINES.

ONLY THE SUBJECT PROPERTIES ARE ESTABLISHED AS PART OF THIS RECORD OF SURVEY.

LEGEND

- [illegible]

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 6771 MS 46

CAP INSCRIBED "AKS ENGR". SET IN SN 6009

AG ABOVE GROUND
FLOORS

| SN | SURVEY NUMBER | COLUMBIA COUNTY SURVEY RECORD |
|-----|---------------|-------------------------------|
| 1 | 100 | 100 |
| 2 | 200 | 200 |
| 3 | 300 | 300 |
| 4 | 400 | 400 |
| 5 | 500 | 500 |
| 6 | 600 | 600 |
| 7 | 700 | 700 |
| 8 | 800 | 800 |
| 9 | 900 | 900 |
| 10 | 1000 | 1000 |
| 11 | 1100 | 1100 |
| 12 | 1200 | 1200 |
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| 17 | 1700 | 1700 |
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| 40 | 4000 | 4000 |
| 41 | 4100 | 4100 |
| 42 | 4200 | 4200 |
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| 50 | 5000 | 5000 |
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| 61 | 6100 | 6100 |
| 62 | 6200 | 6200 |
| 63 | 6300 | 6300 |
| 64 | 6400 | 6400 |
| 65 | 6500 | 6500 |
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| 81 | 8100 | 8100 |
| 82 | 8200 | 8200 |
| 83 | 8300 | 8300 |
| 84 | 8400 | 8400 |
| 85 | 8500 | 8500 |
| 86 | 8600 | 8600 |
| 87 | 8700 | 8700 |
| 88 | 8800 | 8800 |
| 89 | 8900 | 8900 |
| 90 | 9000 | 9000 |
| 91 | 9100 | 9100 |
| 92 | 9200 | 9200 |
| 93 | 9300 | 9300 |
| 94 | 9400 | 9400 |
| 95 | 9500 | 9500 |
| 96 | 9600 | 9600 |
| 97 | 9700 | 9700 |
| 98 | 9800 | 9800 |
| 99 | 9900 | 9900 |
| 100 | 10000 | 10000 |

SF SQUARE FEET

[2] SURVEY RECORD REFERENCE
DATE 2013 RECORD DATA

75.00' HELD RECORD SURVEY DATA (TYPICAL)

MATHEMATICAL PIE LINE

MEASURED CURVE DATA TABLE

| CURVE | RADIUS | LENGTH | TANGENT | CHORD | BEARING | DELTA |
|-------|----------|--------|---------|--------|------------|----------|
| C1 | 4757.62' | 81.91' | 40.36' | 81.91' | N23°41'5"E | 0°59'11" |

RECORD PER {4} CURVE DATA TABLE

| CURVE | RADIUS | LENGTH | TANGENT | CHORD | BEARING | DELTA |
|-------|----------|--------|---------|--------|-------------|----------|
| C1 | 5779.60' | 82.02' | NA | 82.02' | N23°31'48"E | 0°48'47" |

A horizontal number line with arrows at both ends. It is marked with integers from -3 to 3. A shaded region is indicated between -2 and 1, with a solid dot at -2 and an open circle at 1.

SCALE 1"=30'

30' 20' 10' 0'

PORTLAND-WESTERN RAILROAD (100.00' RIGHT-OF-WAY BASED ON SURVEYED TRACK LOCATION)

30' 20' 10' 0'

00'

subject
property

Master's property

Master son
property

Masteron
Droperidol

ST. HELENS STREET

PRELIMINARY

COLUMBIA COUNTY
DEED RECORDS

DEED INSTRUMENT NO. 95 040322
DEED INSTRUMENT NO. 9A 037499
DEED INSTRUMENT NO. 9B 142222
DEED INSTRUMENT NO. 2011-007003
DEED INSTRUMENT NO. 2016-0001
DEED INSTRUMENT NO. 2016-0002
DEED INSTRUMENT NO. 2020-0301

COLUMBIA COUNTY PLATS
AND SURVEY RECORDS

11 "MIDWAY LOTS" (1913)
12 SURVEY NO. 765 (1953)
13 SURVEY NO. L-1139 (1978)
14 SURVEY NO. L-1501 (1981)
15 SURVEY NO. L-1778 (1985)
16 SURVEY NO. 4492 (1997)
17 SURVEY NO. 4499 (1998)
18 SURVEY NO. 4521 (1998)
19 SURVEY NO. 4679 (1999)
20 SURVEY NO. 6009 (2014)
21 SURVEY NO. 6478 (2019)

NOTES

- 1) A CURRENT TITLE REPORT WAS NOT PROVIDED FOR THIS PROJECT.
- 2) EASEMENTS AND ENCROACHMENTS WERE NOT REQUESTED TO BE SURVEYED AND SHOWN ON THIS MAP.
- 3) ONLY THE SUBJECT PROPERTY BOUNDARY IS ESTABLISHED IN THIS RECORD OF SURVEY.

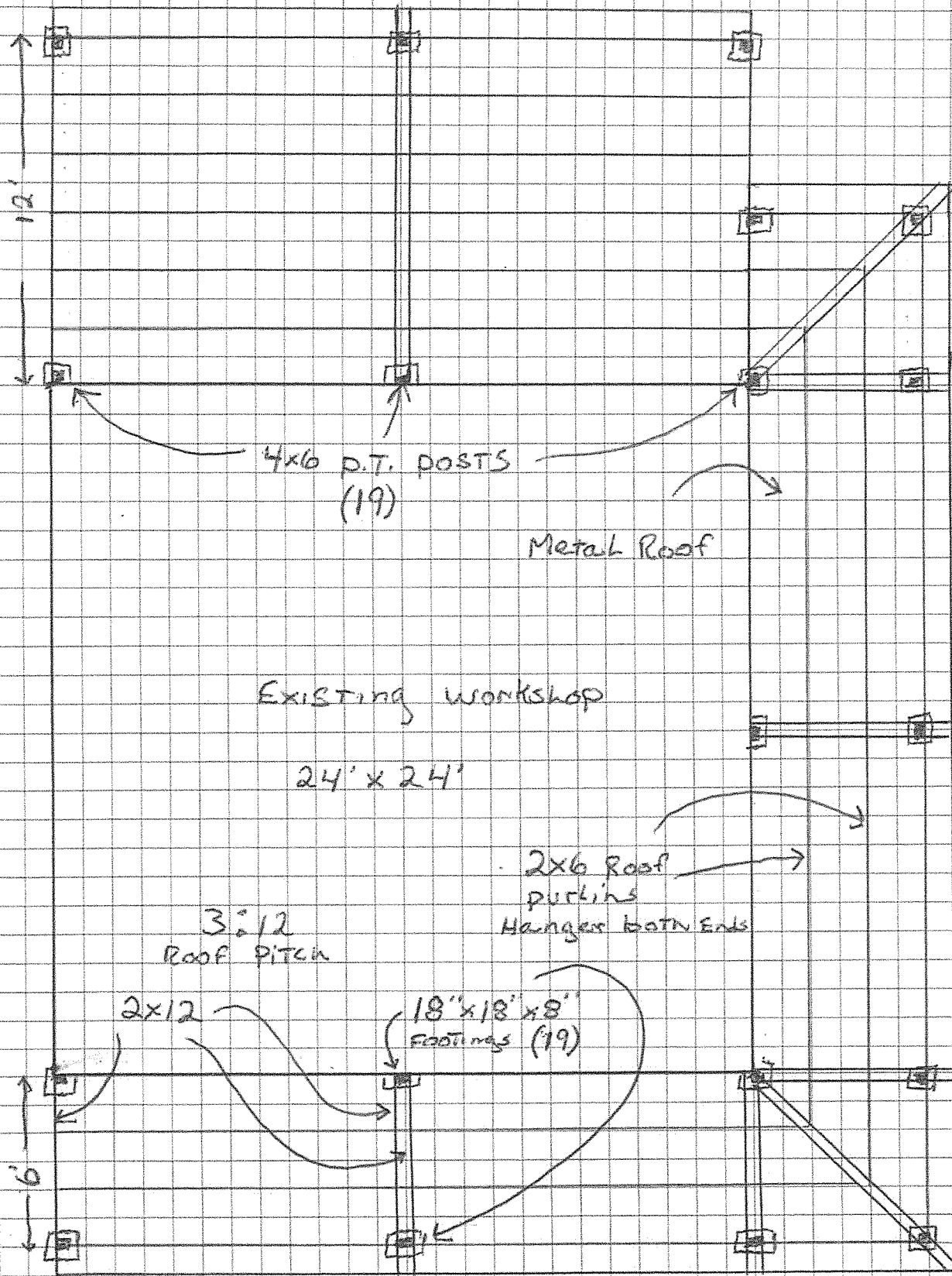
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 25, 1995
BERT ALAN JOHNSON

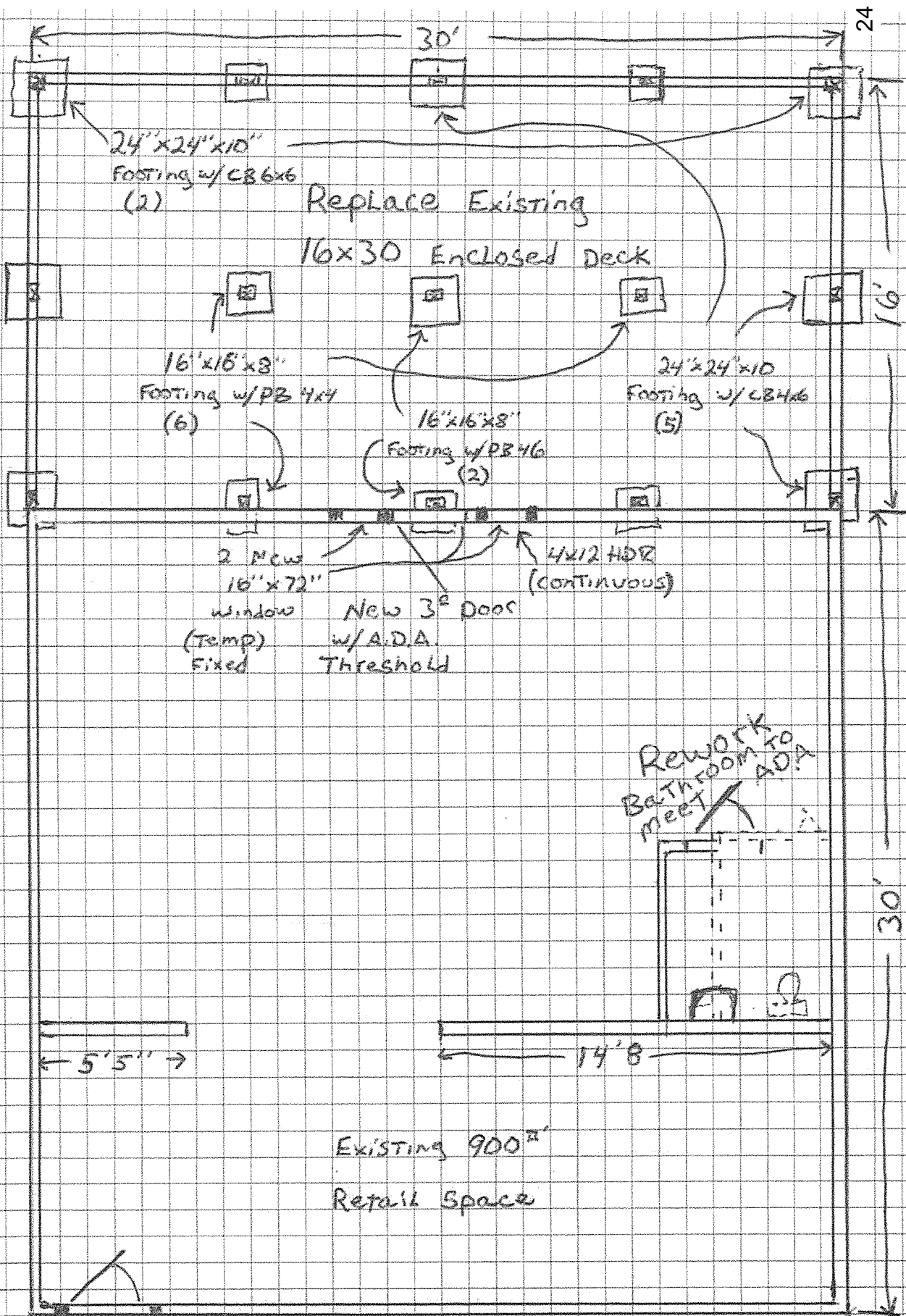
EXPIRES 6/30/93

JOHNSON LAND SURVEYING, INC.

10185 SW HOODVIEW DR, TIGARD, OR 97224
503-407-9966 jlsurvey@frontier.com jlsurvey.com



16x30 Replacement Covered Deck



Scale 1/4" = 1 Foot

OREGON TRANSPORTATION COMMISSION
Standards for Accessible Parking Places
August 2018

MINIMUM STANDARD SINGLE-ACCESSIBLE PARKING SPACE (VAN-ACCESSIBLE DESIGNATION REQUIRED)

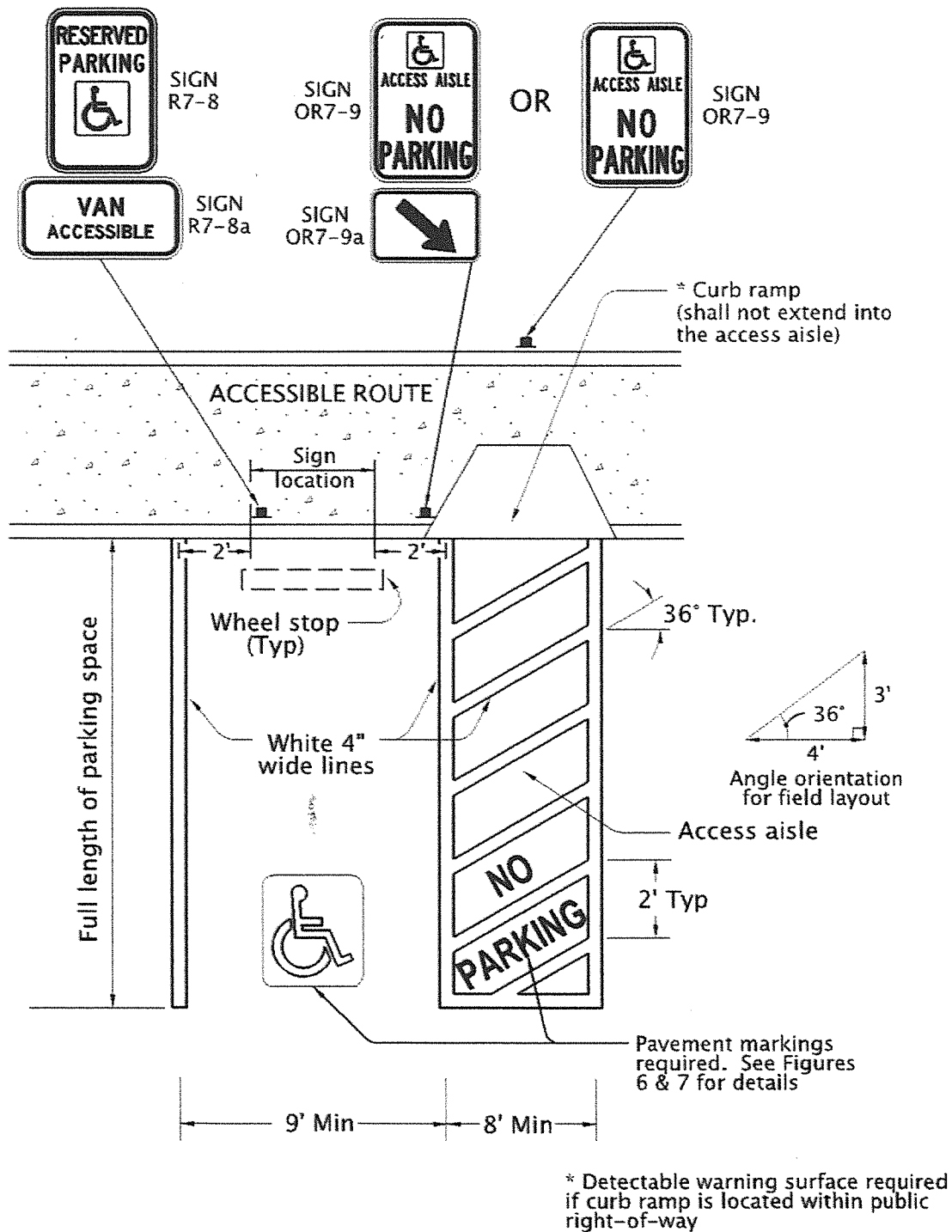


Figure 1

Jennifer Dimsho

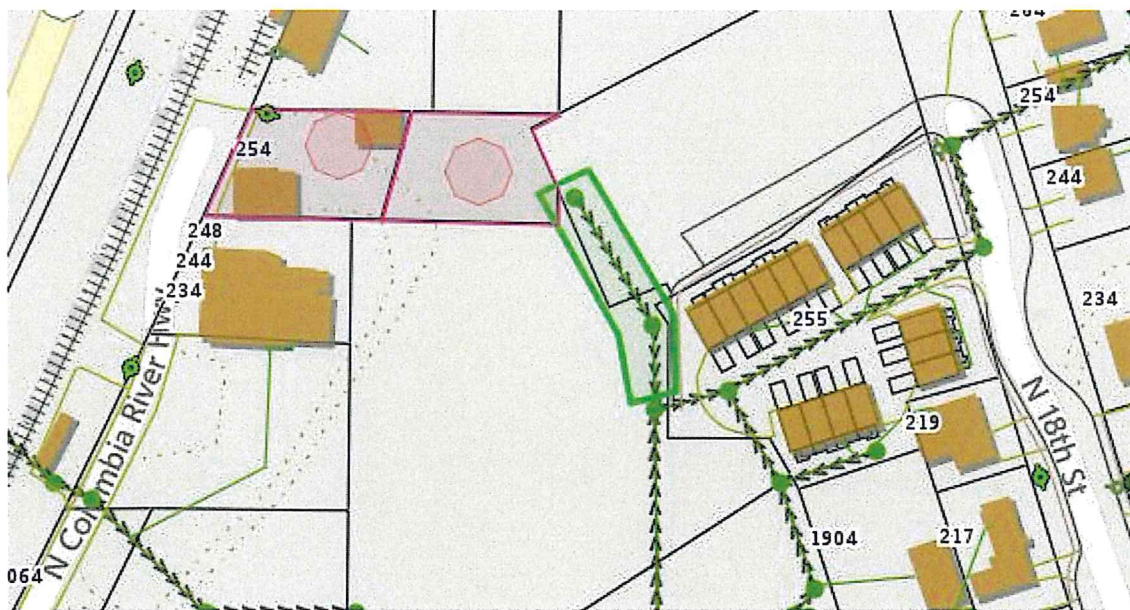
From: Sue Nelson
Sent: Friday, May 29, 2020 2:07 PM
To: Jennifer Dimsho; Jacob Graichen
Cc: Dave Elder
Subject: RE: City Referral - Deahl & Lewis

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Jacob and Jenny,

I sent a quick email to Jenny about this, but wanted to put the same information in a response to the Referral: There is a manhole on the adjacent property, very near this site. However, it is part of a system that was not fully completed almost 20 years ago. Our records do not show that it was ever tested and there are no easements on the adjacent property that I can find. Therefore, it is not technically a public main that they can use, even though it is only a couple of feet from their property line. Before anyone can connect to it, the line will have to be inspected, tested, surveyed, and easements written and recorded.

The following map roughly illustrates the sewer main in question. The subject property is highlighted pink. The questionable sewer main is outlined in light green. The sewer main was at least partially, if not fully, constructed approximately 21 years ago in anticipation of additional condominiums being constructed adjacent to 255 N. 18th but the company doing the project disbanded before the rest were completed. The highlighted portion of the sewer main has not been tested and is located on a separate tax lot than the existing condos and the Deahl property. From field investigations, what is shown is not accurate, at a minimum the manhole at the northerly extension of the main appears to be in a different position than what is shown. I have done some preliminary research and cannot find any easements for this portion of sewer main. Therefore, without test results, correct as-builts, and easements, it cannot be assumed to be a "public" main. There are no known connections to this portion of the line.



Please let me know if you have any questions.

Thank you,



P.O. Box 278, St. Helens, OR 97051
Phone: (503) 397-6272 Fax: (503) 397-4016
www.ci.st-helens.or.us

To: Planning Department
RE: CUP.3.20
Applicant: Benjamin Deahl and Shauna Lewis
Location: 254 N. Columbia River Highway

The building department is requiring that the applicant address the private sewer drain serving these lots.

The city currently provides water service to this site but has no history of a sewer connection. Columbia County Health Department has also been contacted and found that the county has no record of any private onsite sewer system. These findings appear to conclude there is no legally established sewer system for the buildings served. The nearest sewer line to that could be considered for use is approx. 190 feet away on lot 4N1W-04BD-01900. However, the existing line must be approved for use. This may include easements, inspections and testing of the line.

With the lack of an adequate sewer connection required by ORS 447.140, this building shall not be occupied until such time that the sewer drain has been shown to be in good working order and legally connected to an approved sewer system.

Please feel free to contact me with any questions

Thank you

Michael De Roia
Building Official
City of St. Helens
Office: 503-366-8228
Fax: 503-397-4016
miked@ci.st-helens.or.us



**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Appeal AP.1.20 of Partition PT.1.20**

DATE: June 2, 2020
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPELLANT: Tracy A. Hill for Tracy A. Hill Family Trust
APPLICANT: Andrew and Lindsay Schlumpberger
OWNER: Andrew and Lindsay Schlumpberger

ZONING: Suburban Residential, R10
LOCATION: 160 Belton Road; 5N1W-34BC-1100 and 5N1W-34-201
PROPOSAL: 2-parcel Partition

SITE INFORMATION / BACKGROUND

The subject property is located along the Columbia River, Dalton Lake and Belton Road. Belton Road provides access. The Planning Administrator originally approved the Partition request PT.1.20 on March 25, 2020. The City received various comments about that decision and the Planning Administrator issued an amended decision on April 15, 2020 in response to some of those comments. An appeal of that decision was filed by the appellant on May 1, 2020.

PUBLIC HEARING & NOTICE

Hearing dates are as follows: June 9, 2020 before the Planning Commission.

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on May 21, 2020 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 May 27, 2020.

AGENCY REFERRALS & COMMENTS

As of the date of this staff report for the appeal, the following agency referrals/comments have been received:

Fire Marshall: see attached letter dated May 29, 2020 (received June 1, 2020).

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

****Important: this report is not a stand-alone document and is meant to be reviewed with the original decision.****

See PT.1.20 *Amended Decision*, attached. This report focuses on the issues the appellant raises as part of this appeal.

* * *

The appellant raises three general issues: 1) tree and vegetation removal, 2) subsurface sewerage disposal system (septic drainfield) easement, and 3) road access.

Tree and Vegetation Removal

There are two components of this as it pertains to St. Helens' Development Code. The first is Chapter 17.40 SHMC, which protects woody and other native vegetation within significant wetlands and riparian areas and their protection zones. The second is Chapter 17.132 SHMC which requires a tree plan for certain actions, including Partitions, intended to document and preserve trees over 12 inches diameter at breast height or DBH when possible.

Sensitive Lands Trees and Vegetation

There are two sensitive lands that affect the property. The Columbia River (with 75' upland protection zone required per Chapter 17.40 SHMC) and Wetland D-16, otherwise known as Dalton Lake (with 75' upland protection zone required per Chapter 17.40 SHMC). The preliminary plat shows the protection zoned boundaries based on a professional assessment as required.

However, before the applicant determined these boundaries, they were found to have used heavy equipment within the Dalton Lake protection zone. Staff sent the applicant a violation letter in December 2019, but staff observed little native vegetation disturbance (affecting mostly a heavy infestation of nonnative blackberries) and the applicant ceased such activity. The disturbance was limited to the outer portions of the protection zone. Staff essentially gave the applicant a warning.

These sensitive lands are discussed in the PT.1.20 *Amended Decision*, towards the bottom of page 4 and top half of page 7, mostly. Conditions 4.a and 11 pertain to this issue.

Staff visited the site again on May 29, 2020 and did not observe any obvious new impacts to sensitive lands.

Tree Plan

The tree plan per Chapter 17.132 SHMC is discussed in the PT.1.20 *Amended Decision* towards the bottom of page 4 and continuing to the top of page 5. It is addressed in the conditions (page 2) per condition 2.a. The applicant provided inadequate information at the beginning of the process and cut trees soon after the initial PT.1.20 decision was issued (before the amended decision). As such, condition 2.a on the *Amended Decision* includes the consideration of stumps for trees, since per 17.132.025(3):

(3) Trees removed within the period of one year prior to a development application listed above will be inventoried as part of the tree plan above and will be replaced according to SHMC 17.132.070(4).

Conditions 7.a and 10 also pertain to the tree plan requirements of Chapter 17.132 SHMC.

Staff visited the site again and observed some larger trees (<6) outside of sensitive lands that have been removed.



Two photos from the same location on the north end of the subject property looking southward towards the home at 160 Belton Road.

Other than differences based on the time of year, some removed trees (assumed to be Big Leaf Maples by staff) have been cut in between this time period.

THE SENSITIVE LAND areas are to the far right of and behind THE PHOTOGRAPHER generally.





Two photos showing the same area as those on the previous page, but from the south side of the subject property looking north.

The Columbia River can be clearly seen. Dalton Lake is not as visible but is located to the left behind the hill line.

The patches of sand in the grass in the background show some of the heavy equipment impacts in the Dalton Lake protection zone.

The protection zone is to the far left of said sand patches.





THIS IS THE
AREA OF
Dalton Lake

protection zone
IMPACT...
MENTIONED IN
this report.

THIS AREA IS
HEAVILY
infested with
nonnative
BLACKBERRY
PLANTS.

Only the outside of
THE 75' PROTECTION
ZONE
zone was affected
based on staff
OBSERVATION.

Question for the Commission is if the conditions of the decision adequately addresses these issues, if the applicable conditions should be revised, or if this is basis for denial.

Subsurface sewerage disposal system (septic drainfield) easement

There is a large drainfield easement on the subject property for the benefit of the appellant's property. This is a substantial encumbrance to access and utilities and created a legal wall of sorts between proposed Parcels 1 and 2, such that Parcel 2 has no access for vehicles or utilities.

This is a private matter as it is not a public easement, but the easement is in the way so the City has to consider it in the Partition decision. This easement is discussed on page 6 in the PT.1.20 *Amended Decision*. Condition 2.b basically says the applicant needs to get rid of the easement or find a way around it via easement(s) on other property. If neither is possible, the Partition cannot be completed.

Does the Commission feel this is already adequately addresses in the conditions or should it be a basis of denial as the appellant suggests? Please remember it is not the Planning Commission's role to determine if the easement has been "abandoned." Rather, the Commission's focus is how the easement impacts the fate of the partition. The easement's status is anticipated to be resolved outside of land use procedures.

Road Access

Much of Belton Road is predominately 11' wide and doesn't meet any public or private road standard. This is discussed at the bottom of page 5, the top of page 6, and pages 9-10 of the PT.1.20 *Amended Decision*. Condition 2.c and 3.a address Belton Road. Be careful not to

confuse this with the easement discussion outside of the Belton Road right-of-way in the report. See attached map that shows the properties that depend on Belton Road (after the Elk Lodge driveway) for sole access in or out of this neighborhood. It also shows road widths at various locations.

Staff requires a turn-out to address the additional traffic this Partition will create on this largely one-lane road.

Belton Road is public right-of-way. Its is classified as a local street, which normally requires a roadway width of 34 feet. However, under the unusual circumstances of 10 dwellings currently being accessed (starting from just after the Elks Lodge driveway at 350 Belton Road) from what is essential a driveway, with the potential for more, the Commission could consider driveway standards. For example 3-6 dwellings requires a 20 pavement width, whereas 3-19 apartments (for comparison) requires 24 feet per SHMC 17.84.070.

The question for the Commission on this matter is if the existing conditions address this adequately given the existing circumstances and magnitude of the proposal, if more improvements should be required, or if the Partition should be denied based on inadequate access. Note that Belton Road is only one way in and out for the existing 10 dwellings including the one at 160 Belton Road (the subject property).

CONCLUSION & RECOMMENDATION

The Commission has a few options:

1. Affirm the PT.1.20 *Amended Decision* (i.e., uphold the decision being appealed with no changes);
2. Reverse or deny the decision; or
3. Modify the decision (e.g., change the conditions of approval).

* * *

Attachment(s): Preliminary plat with City Planner notes

Map showing number of existing dwellings currently accessed via Belton Road after the Elks Lodge driveway and road width measurements

Fire Marshall letter dated May 29, 2020 (received June 1, 2020)

Notice of appeal letter dated May 1, 2020 from Reeve Kerns PC (received May 1, 2020)

PT.1.20 *Amended Decision*, with attachments:

- Preliminary plat

- Engineering report from Schlumpberger Consulting Engineers, Inc. dated December 13, 2019 regarding STEP system
- Preliminary plat showing easement recorded in 1976 as Book 208, Page 404 Columbia County Clerk's records
- Environmental Assessment from Wetland Solutions Northwest, LLC dated January 30, 2020
- Letter from Tracey A. Hill dated April 6, 2020
- Letter from VaNatta, Petersen & Anderson, Attorneys At Law, dated April 7, 2020
- Letter from Robin Nunn dated April 8, 2020

Notes:

Property Owners:
Andrew and Lindsay
Schlumpberger
160 Belton Road
St. Helens, OR 97051

Tax Map Parcel No.:
5134-000-00201
5134-BC-01100

Zoning: R10

Wetland Delineation by
Wetland Solutions Northwest, LLC

Sensitive Lands Buffers were
measured along the slope

*PRASFIELD
EASEMENT
BOOK 208
PAGE 404*

Dalton Lake
EDGE OF WATER

Belton Road

*APPROX LOC.
LAST
HYDRANT
ON STREET*

*STREET TURNS
TO GRAVEL
HERE*

HOUSE

GARAGE

Parcel 1
45900 SQ.FT.
43010 SQ.FT. OUTSIDE
OF SENSITIVE LANDS

Parcel 2
46060 SQ.FT.
22565 SQ.FT. OUTSIDE
OF SENSITIVE LANDS

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 26, 1985
DAVID E. REYNOLDS
2157

RENEWAL DATE: 12-31-2020

Reynolds
Land Surveying, Inc.
32990 Stone Road
Warren, Oregon 97053
(503) 397-5516

Preliminary Partition Plat
For
Andrew & Lindsay Schlumpberger
Situated In The N.W. 1/4
Section 34, T.5N., R.1W., W.M.
City of St. Helens
Columbia County, Oregon
January 21, 2020

*ACCESS
EASEMENT?
2005-16542*

*20' ROAD EASEMENT
BOOK 179
PAGE 428*

*PUBLIC
PRESSURE
92-6811*



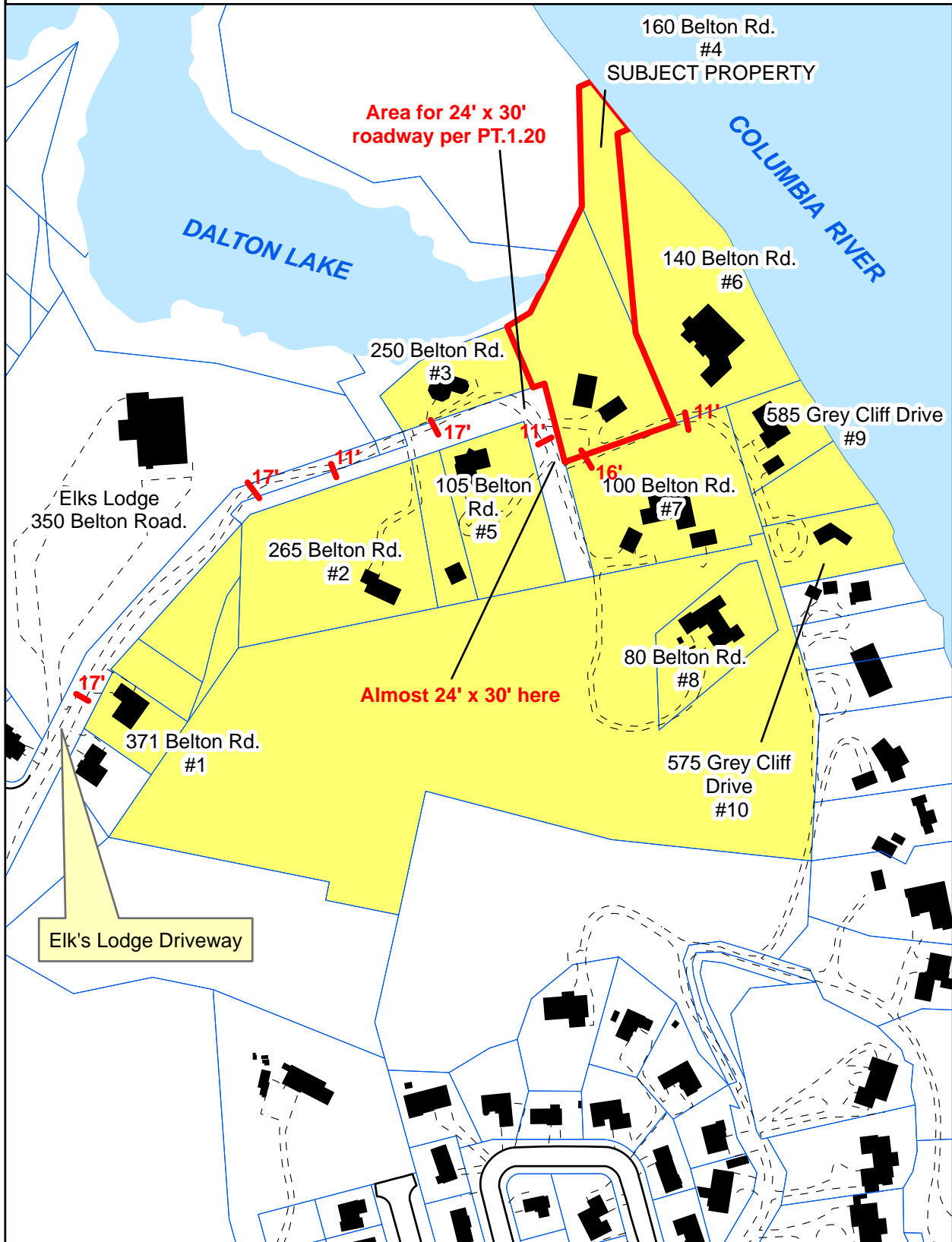
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GRAPHIC SCALE - FEET

FILE: AP.1.20
ATTACHMENT

Number of Existing Dwellings Currently Accessed Via Belton Road
After The Elks Lodge Driveway & Road Width Measurements





FIRE MARSHAL

Columbia River Fire & Rescue / Scappoose Fire District



Date: 05/29/2020

Andrew Schlumpberger

RE:

Belton Road Development Partition PT.1.20

Andrew Schlumpberger

Property Description: 160 Belton Road (5N1W-34BC1100 & 5N1W-43-201)

RECEIVED
JUN 1 2020
CITY OF ST. HELENS

Mr. Schlumpberger:

I received your request to review the subject property identified above and provide comments for the partition that is being requested. This is in accordance to item number 6 of the conditions listed by the City of St. Helens in the Land Use Decision. The recommendations by the fire district are listed below and are in accordance with fire district ordinances and the Oregon Fire Code (OFC).

1. New construction as proposed will not conform to the OFC. Specifically, Section 503 (Access to buildings) and Appendix "D". The tradeoff for the access challenge will be the following conditions:
 - i. The building shall be protected by a residential automatic sprinkler system meeting all provisions of NFPA 13D.
 - ii. Signage that clearly identifies the location of the new structure is required.
2. All items that are identified in the Fire code Guide (Adopted by ordinance) need to be adhered to and completed by final occupancy and inspection of the building. This includes the adopted county driveway standard, included as part of the driveway permit process.
 - i. Driveway Permit
 - ii. Address Signs
3. The fire district would like to request to have an opportunity to conduct operational training on the building prior to occupancy. This will consist of tours to become familiar of the building layout as well as pre plan our response operations due to some of the access challenges.

Should you have any questions about anything else, please do not hesitate to give me a call.

Sincerely,

Jeff Picher

Division Chief

Fire Marshal (CRF&R / SRFD)

Reeve Kearns PC

Attorneys at Law

510 American Bank Building
621 S.W. Morrison Street
Portland, Oregon 97205
Voice Mail: 503-225-1127
Email: dan@reevekearns.com

Daniel H. Kearns
Direct Dial: 503-997-6032

May 1, 2020

St. Helens Planning Dept.
Attn: Jacob Graichen
St. Helens City Hall
265 Strand Street
St. Helens, OR 97051

VIA HAND DELIVERY

Re: Notice of Appeal – Partition PT.1.20 (Schlumpberger)

Dear Mr. Graichen:

This firm represents Tracey Hill, the appellant in this appeal, and I hereby submit the following notice of appeal of the Administrator's decision in the above-mentioned matter. The information required for this appeal notice by SHMC 17.24.340 is set forth below.

I. The Proposal and Challenged Decision:

This application seeks to partition a 2.11-acre, R10 zoned parcel into two new buildable parcels.¹ The parent parcel is already developed with a single-family dwelling (Parcel 1), and this proposal will create an additional buildable lot (Parcel 2). The parent parcel abuts Dalton Lake and the Columbia River and is extensively encumbered by sensitive lands and buffers. The Administrator approved the partition on April 15, 2020 in a Type II decision with conditions that stated a May 1, 2020 appeal deadline.

II. The Parties:

Owner/Applicant.....Andrew and Lindsay Schlumpberger
160 Belton Road
St. Helens, OR 97051

Appellant.....Tracey A. Hill for Tracey A. Hill Family Trust
250 Belton Road
St. Helens, OR 97051

Appellant's Attorney..Daniel Kearns, OSB #893952
REEVE KEARNS PC

RECEIVED
MAY 1 2020
CITY OF ST. HELENS

¹ 5N1W-34BC-1100 and 5N1W-34-201, street address: 160 Belton Road

621 SW Morrison St., Suite 510
Portland, OR 97205

III. Appellant's Standing:

Appellant Tracey Hill owns and lives on an adjacent parcel within the City's notice range for this proposal and submitted timely written comments (dated April 6, 2020) in opposition to the partition proposal. Ms. Hill stands to be directly impacted by this proposal because the new parcel (Parcel 2) will allow for the development of a new dwelling within sight and sound of Ms. Hill's home, and she is therefore adversely affected and aggrieved by the Administrator's decision. Additionally, the applicant is aware of a recorded drainfield easement that Ms. Hill holds over a significant portion of Parcels 1 and 2, and the development of Parcel 2 will destroy and thereby violate her easement. As such, Ms. Hill has standing to appeal the Administrator's decision under SHMC 17.24.290(1).

IV. Appeal Arguments:

The applicant, who resides in the house on Parcel 1, has already removed multiple mature trees from the protective Sensitive Lands Buffer without permits, and has removed other non-woody vegetation with heavy equipment and sprayed herbicide on vegetation adjacent to the lake, again with no permits in violation of SHMC chapter 17.40. This adversely affects and aggrieves Ms. Hill and her use and enjoyment of her home and property and views of Dalton Lake, the surrounding wetlands and the Columbia River. Approval of a second home site on Parcel 2 for the applicants will also significantly and negatively impact the environment and Ms. Hill's property because of the house development and attendant environmental damage that will result. The unpermitted tree and vegetation removal are noted in the Administrator's decision at pp 4-5, yet there is no requirement that the violations be mitigated, or the damage corrected. The application should be denied until the applicant submits a tree plan required by SHMC chapter 17.40 that shows and accounts for the unpermitted tree and vegetation removal.

Ms. Hill holds a recorded septic drainfield easement for her property that encumbers the parent parcel in this application and covers significant portions of proposed Parcels 1 and 2, as well as the access easement proposed to serve Parcel 2. The applicant incorrectly claims that Ms. Hill's drainfield easement has been abandoned, relinquished or is somehow not material. To the contrary, Ms. Hill's drainfield easement is recorded with title to the parent parcel in this application; Ms. Hill has not relinquished or abandoned it, has no intention of doing so, and her easement is fully and legally enforceable. Ms. Hill's prior (April 6, 2020) comments on the application made clear that this drainfield easement was a back-up for an on-site septic system and a guarantee her home would be inhabitable in the event the city's STEP system failed. In her comments, she also stated her intent to enforce this easement and that construction of a house or an access driveway serving Parcel 2 would destroy its ability to support a septic drainfield and would therefore violate her easement right. As a matter of law, the existence of Ms. Hill's drainage easement precludes this development, and there is no evidence in the record that the applicant has useable access to Parcel 2. For that reason, this application must be denied for lack

Reeve Kearns P.C.

May 1, 2019

Page 3

of legal access required by SHMC 17.84.070 to serve Parcel 2. A copy of Ms. Hill's recorded easement and illustration of its location on the subject property are attached as Exhibits to this Appeal Notice.

The subject property is served by a long, substandard road that does not meet the City's basic requirements for access. In particular, Belton Road/Gray Cliffs Road collectively constitute an over-length dead-end or cul-de-sac. While the roadway is within a 50-foot public right-of-way, the pavement width varies from 17 feet wide near the Elks Lodge and quickly narrows to 11 feet for most of its length. SHMC 17.84.070, Figure 15 requires a minimum access width of 24-30 feet with a minimum pavement width of 20 feet when serving 3-6 homes, thus an 11-foot pavement width is inadequate. Approval of a new buildable parcel on this road not only endangers public health and safety, it violates the City's minimum access requirements in SHMC 17.84.070 and must be denied. The Administrator's suggested mitigation of a single turn-out near the blind curve on Belton Road does not remedy the life safety hazard, nor does it satisfy the Code's requirements. Unless this application proposes to comply with the 20-foot pavement width requirement in SHMC 17.84.070, it must be denied.

V. Appeal Fee: Payment of the \$250 appeal fee accompanies this Notice of Appeal.

Please notify me when the Planning Commission hearing is scheduled. Thank you.

Sincerely,



Daniel Kearns

Enclosures

cc: Client

Agnes Marie Petersen, Esq.

BIG DRAFT FIELD EASEMENT

EASEMENT AGREEMENT

BOOK 208 PAGE 404

THIS AGREEMENT, made this 27th day of July, 1976, by and between CHARLES T. BROWNLOW, grantor, and LEE C. APPLGATE, grantee;

WHEREAS, grantee is the owner of the following described real property in Columbia County, Oregon, to-wit:

Beginning at a point which is North 4°35'30" West 1223.3 feet and East 1891.3 feet from the Northeast corner of "Rose Hill", Columbia County, Oregon, said point being on the left bank of the Columbia River; thence along low water line along said left bank North 31°38' West a distance of 266.37 feet; thence South 69°24' West a distance of 227.37 feet; thence North 24°36'30" West to a point on the most Easterly North line of City Ordinance #1877 recorded August 18, 1969 in Book 174, page 343, Deed Records of Columbia County, Oregon; thence South 60°21' West 153.57 feet; thence South 57°16' West 46.43 feet to the TRUE POINT OF BEGINNING of herein described tract, said point being the Northwest corner of tract described in Deed Book recorded March 30, 1976 in Book 137, page 11, Mortgage Records of Columbia County, Oregon; thence South 64°47'30" West 81.22 feet; thence South 64°47'30" West 75.10 feet; thence South 46°33' West 87.50 feet; thence South 34°02' East to the North line of 50 foot road conveyed to City of St. Helens by deed recorded October 12, 1971 in Deed Book 184, page 11; thence North 69°24' East along the North line of said 50 foot road to the point of intersection with the West line of tract described in Mortgage Book 137, page 12; thence North 24°36'30" West along said West line to the point of beginning.

The grantors, in consideration of ONE DOLLAR (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, do hereby grant and convey to the grantees, their heirs, successors and assigns, a non-exclusive easement, subject to liens and encumbrances of record, in the following described real property in Columbia County, Oregon, to-wit:

That part of the following described tract lying Northerly of the Easterly extension of the North line of Sixth Street as conveyed to City of St. Helens by deed recorded October 12, 1971 in Deed Book 184, page 11:

BOOK 208 PAGE 405

Beginning at a point which is North 4°35'30" West 1223.3 feet and East 1891.3 feet from the Northeast corner of Rose Hill, Columbia County, Oregon, said point being on the left bank of the Columbia River; thence along low water line along said left bank North 31°38' West a distance of 266.87 feet; thence South 69°24' West a distance of 227.37 feet to the TRUE POINT OF BEGINNING; thence North 24°36'30" West to a point on the most Easterly North line of City Ordinance #1877 recorded August 18, 1969 in Book 174, page 343, Deed Records of Columbia County, Oregon; thence South 60°21' West 153.57 feet; thence South 57°16' West 46.43 feet; thence South 24°36'30" East 251.73 feet; thence South 16°02' East 6.3 feet; thence North 69°24' East 200 feet to the point of beginning, EXCEPT THEREFROM that portion lying within 50 foot road conveyed to City of St. Helens by deed recorded October 12, 1971 in Deed Book 184, page 11,

for the construction, maintenance, use and repair of an individual water-carried subsurface sewage disposal system (hereinafter called "system") appurtenant to the above-described property of grantees.

Grantors, for themselves and their heirs, successors and assigns, covenants and agree to and with the grantees, their heirs, successors and assigns, that the above-described property of grantors shall not be used for any purpose detrimental to said system or contrary to laws and rules of governmental agencies applicable or related to said system.

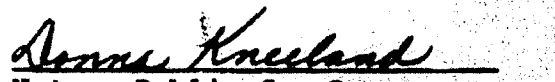
IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the date first hereinabove written.


Charles T. Brownlow (Grantor)

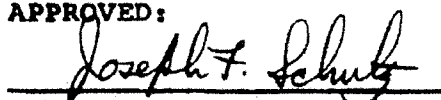

Lee C. Applegate (Grantee)

STATE OF OREGON)
County of Columbia) ss.
July 27, 1977)

Personally appeared the above-named Charles T. Brownlow, grantor, and Lee C. Applegate, grantee, and acknowledged the foregoing instrument to be their voluntary act. Before me:


Notary Public for Oregon
My commission expires: 9-14-77

APPROVED:

 , Sanitarian

Date July 28, 1976

204 208

BOOK 208 PAGE 406

7312
 STATE OF OREGON
 COLUMBIA COUNTY
 RECORDED OR FILED
 OCT 13 3 16 PM '76
 BOOK 208 PAGE 404
 ROY A. NELSON CO CLK
 J. J. Nelson DEP.

Lee Applegate
 P.O. Box 1
 St. Helens, Or.

Notes:

Property Owners:
Andrew and Lindsay
Schlumpberger
160 Belton Road
St. Helens, OR 97051

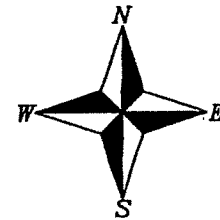
Tax Map Parcel No.:
5134-000-00201
5134-BC-01100

Zoning: R10

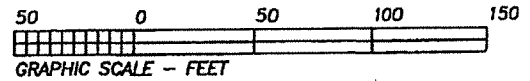
Wetland Delineation by
Wetland Solutions Northwest, LLC

Sensitive Lands Buffers were
measured along the slope

Columbia River



Scale: 1"=50'
CF&SF: 18054S



REGISTERED
PROFESSIONAL
LAND SURVEYOR

DAVID E. REYNOLDS
JULY 28, 1985
OREGON
2157

RENEWAL DATE: 12-31-2020

Reynolds
Land Surveying, Inc.
32990 Stone Road
Warren, Oregon 97053
(503) 397-5516

Preliminary Partition Plat
For
Andrew & Lindsay Schlumpberger
Situated In The N.W. 1/4
Section 34, T.5N., R.1W., W.M.
City of St. Helens
Columbia County, Oregon
January 21, 2020

Dalton Lake
EDGE OF WATER

Parcel 2

48060 SQ. FT.
22565 SQ. FT. OUTSIDE
OF SENSITIVE LANDS

Parcel 1

45900 SQ. FT.
43010 SQ. FT. OUTSIDE
OF SENSITIVE LANDS

HOUSE

GARAGE

Belton Road

EASEMENT AREA
PER ROCK 708, PAGE 404



**CITY OF ST. HELENS PLANNING DEPARTMENT
ADMINISTRATIVE STAFF REPORT**

****AMENDED DECISION****

File Number(s): Partition, PT.1.20

Proposal: 2 parcel land partition. A Partition is required when two or three parcels are created within a calendar year. It is also required when a division of land (if not a subdivision, which creates 4 or more lots) creates a street or road. It can also be used to replat or rearrange property lines. This report pertains to the Partition's *Preliminary Plat*; a *Final Plat* is also required subsequent to the *Preliminary Plat*.

Location: 160 Belton Road

Map/Taxlot(s): 5N1W-34BC-1100 and 5N1W-34-201

Applicant(s): Andrew and Lindsay Schlumpberger

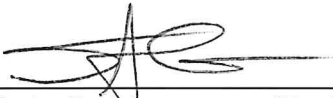
Owner(s): same as applicants

Zoning: Suburban Residential, R10

* * * * *

CONCLUSION & DECISION

Based upon the facts and findings herein, the City Planning Administrator **APPROVES** this **Land Partition with conditions** (as detailed in the next section of this report).



Jacob A. Graichen, AICP, City Planner

APRIL 15, 2020
Date

* * * * *

CONDITIONS OF APPROVAL

Please note that the requirements of other City of St. Helens departments (e.g., Building, Engineering, and Administration) and other agencies (local, state and/or federal) may apply to this proposal. This *local land use approval* decision does not exempt and is not a substitute for those requirements. *For example, all partitions include necessary steps with Columbia County (e.g., County Surveyor).*

The following conditions apply to the *local land use approval* aspect of this proposal:

1. **This Land Partition preliminary plat approval shall be effective for a period of twelve (12) months from the date of approval.** The approval shall become void if a final plat prepared by a professional registered surveyor in accordance with 1) the approved preliminary plat, 2) the conditions herein, and 3) the form and content requirements of the City of St. Helens Development Code (SHMC Title 17) and Oregon Revised Statutes is not submitted within the twelve (12) month approval period. **Note: a time extension of up to six months is possible per SHMC 17.140.035(3).**

2. The following shall be required before the City accepts a final plat for review:

- a. Tree inventory of all trees currently over 12" DBH shall be required. See Chapter 17.132 SHMC. This shall include a protection program defining standards and methods that will be used by the applicant/owner to protect trees during and after construction.

Trees removed within a one-year period shall be inventoried, but identified as being removed for the purpose of tree replacement calculations. The width of the tree (normally measured as diameter of breast height) shall be determined by the width of stump (if below dbh) unless a certified arborist can determine otherwise.

Tree plans are required to be done by a certified arborist or other capable professional as allowed by the planning director.

- b. Easement recorded in 1976 as Book 208, Page 404 Columbia County Clerk's records shall be lawfully abandoned. It shall be removed from the deed of the subject property.

Or, easements can be attained on neighboring properties to circumvent the drain field easement. This option is valid only if the width of the easement is sufficient for the anticipated dwelling units/uses served per the City's standards and includes maintenance agreement provisions that includes the subject property.

- c. Plans for a vehicle turnout (providing a minimum total driveway width of 24 feet for a distance of at least 30 feet) along Belton Road (and within the right-of-way) along the subject property shall be provided for city review and approval. The City may require no-parking identification.

Location of turnout shall remedy the blind corner to the maximum extent possible where the public right-of-way has an approximate 90 degree angle along the west side of the subject property.

3. The following shall be required before the City signs an approved final plat:

- a. The vehicle turnout per plans per condition 2.c shall be completed and approved by the City.
- b. Applicant shall provide (a) maintenance agreement(s), subject to city review and approval, that will be recorded with the final plat per condition 5.

4. In addition to compliance with local, county, state and other requirements, the following shall be included on the final plat:

- a. Conservation easements to the City for wetlands and related upland protection zone, and riparian areas and related upland protection zones. For conservation easements, there shall be a narrative that states: "this area subject to the restrictions and protections of the City of St. Helens" or an alternative as approved by the City.
- b. A note shall be included on the plat for the maintenance agreement for shared access (see condition 3.b and 5) with a line to write the instrument number on the plat upon the agreement's recordation.
- c. Any easements and related maintenance agreements for easements outside of the subject property, if the applicant pursues such for access to Parcel 2 or otherwise.
- d. Easement serving Parcel 2 via Belton Road shall be a minimum of 30' wide for its entire length.

5. The following shall be recorded with the final plat:

- a. Maintenance agreements shall be required for all access easements.
- b. Any access easement that may apply.

6. The following shall be required prior to any development or building permit issuance for Parcel 2 of this partition:

- a. Fire Marshall approval of driveway design shall be required and the plans included as part of the building/development permit.
- b. Plans as part of the building/development permit shall show minimum 10' paved driveway width (or additional requirements per the Fire Marshall) from Belton Road to the dwelling or other principal use proposed. This must be within the easement(s) for Parcel 2. *Note the photo and discussion on page 10 of this report.*

Driveway shall include any turn-around/maneuvering areas required by the Fire Marshall.

Paving requirements are not exempt if easement is on another property.

7. The following shall be required prior to Certificate of Occupancy (or the equivalent) of new principal uses for each parcel of this partition:

- a. Tree replacement as necessary per the requirements and plans per the conditions herein.
- b. Installation driveway per the requirements and plans per the conditions herein.

8. Any requirement of the Fire Marshall as it applies to this Land Partition shall be met.

9. All utilities shall be underground pursuant to SHMC 17.152.120.

10. Tree replacement shall be required when future development occurs, as applicable per Chapter 17.132 SHMC. Development shall follow the approved protection program defining standards and methods that will be used by the applicant/owner to protect trees during and after construction. City recommends that trees be replanted in the general area they were removed for neighborly courtesy.

11. This partition does not allow impacts to sensitives lands (such as floodplains, wetlands and their upland protection zones, and riparian areas and their upland protection zones). Additional permitting may be required for such impacts. Sensitive lands regulation still apply.

12. Storm water regulations still apply.

13. Owner/applicant is still responsible to comply with the City Development Code (SHMC Title 17).

* * * * *

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

Site Description: The property to be divided is developed with a detached single-family dwelling. The property abuts both Dalton Lake and the Columbia River. It is accessed via Belton Road

Permitting History: Per the County Assessor, the dwelling on the property was built in 1976. There was an application to divide the subject property (in its configuration at the time) in 1993; that was never completed. A Lot Line Adjustment was approved and completed in 2004 between the subject property and an adjacent property on the east side. This resulted in the property's "pan handle" extending to the Columbia River; prior to this Lot Line Adjustment, the subject property did not front the Columbia River. The property is now proposed to be partitioned into two parcels.

SHMC 17.140.040 – Partition approval criteria.

A request to partition land shall meet all of the following criteria (1-5):

(1) The proposal conforms with the city's comprehensive plan;

Finding(s): 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).

(2) The proposed partition complies with all statutory and ordinance requirements and regulations;

Finding(s): New lines do not create any new substandard compliance with the R10 zone.

There is area of special flood hazard (100 year flood) associated with the Columbia River. Its possible that any development of Parcel 2 can avoid this. Further consideration when Parcel 2 is developed. City may require elevation data to ensure any development is outside of the floodplain.

There is considerable nonnative blackberry growth within the protection zones of both the Columbia River and Dalton Lake. Removal of invasive species does not require a permit if done by electric or handheld (non-power assisted) equipment per SHMC 17.40.035(1)(c). If power assisted equipment or machinery is used a permit is required. See SHMC 17.40.040(6)(d). See Chapter 17.40 for further details.

Per SHMC 17.132.025 a tree plan is required. Most trees can probably be saved, but some are proposed to be removal eventually for driveway and utility service to Parcel 2. Trees within protection zones are already protected per Chapter 17.40 SHMC. A tree plan meeting the standards of this Chapter has not been provided. Tree inventory of all trees currently over 12" DBH shall be required. Replacement shall be required when future development occurs, as applicable.

[Letter from VanNatta, Petersen and Anderson, Attorneys at Law dated April 7, 2020 mentions concern about trees. It requests that trees be replanted in the general area they were removed. There is no specific code provision for this, but it can be a suggested condition. However, a protection program defining standards and methods that will be used by the applicant to protect trees during and after construction is a code requirement.](#)

In addition, after the initial decision was issued (before this amended decision) the applicant started to remove trees. New stumps were observed. Tree removed within 1 year of the land partition application count towards the tree plan requirement. Normally, the 12" wide is dbh, but as the applicant felt it necessary to start removing trees early, the 12" measurement will need to be made at the stump level, unless a certified arborist can determine otherwise. Trees removed recently need to be identified as such on the tree preservation plan and will count for replacement calculations.

Tree plans are required to be done by a certified arborist or other capable professional as allowed by the planning director. Tree plan includes protection of trees.

Utilities are already underground in this area. This is required.

Letter from Tracey A. Hill dated April 6, 2020 argues that the proposal includes a flag lot. Proposed Parcel 2's access is via easement, which can be allowed in some circumstances. Thus, it is not a flag lot, which are not allowed in the R10 zoning district.

(3) Adequate public facilities are available to serve the proposal (to address transportation facilities in this regard, a traffic impact analysis shall be prepared, as applicable, pursuant to Chapter 17.156 SHMC);

Finding(s): Water is available. There is a water main within the Belton Road right-of-way along the west side of the subject property and along the south side of the property. For the purpose of this Partition, whether or not Parcel 2 will have access to the southerly water main is unknown, but it is at least available from the Belton Road right-of-way to Parcel 2 via proposed easements as shown on the preliminary plat.

Sanitary sewer is available. When 160 Belton Road was originally built in 1976 it was connected to an on-site septic system with holding tank and drain field. Around the late 1980s with further improvements in the early 1990s a septic tank effluent pump (STEP) system was installed. This is a pressurized sanitary sewer system with limited capacity. Development off Belton Road (and the connected leg of Grey Cliffs Drive) is dependent on this STEP system or on-site (septic systems) facilities.

Sometime after the STEP system was installed, the subject property is assumed to have connected; it currently gets billed for both water and sanitary sewer. Moreover, past Columbia County permits show that the drain field for the on-site (septic system) was shared with 250 Belton Road (adjacent property to the west). 250 Belton Road also currently gets a water and sewer bill; thus, is assumed to have connected to the STEP system.

The applicant provided an analysis of the STEP system by a Oregon Registered Professional Engineer, that notes that the STEP system has eight connections and there is the potential capacity for more. Proposed Parcel 1 is already served and Parcel 2 has the ability to be served.

Storm Water. Both the Columbia River and Dalton Lake are nearby. Letter from VaNatta, Petersen & Anderson, Attorneys At Law, dated April 7, 2020 expressed concerns about storm water. That letter requests several conditions as it pertains to storm water. The city recognizes these concerns as germane to physical work on the property. However, the city's storm water provisions would apply regardless of the land division. The City can add a condition to that affect.

The **street system** for this area is problematic. There are currently about ten homes accessed by a single narrow road (Belton Road / Grey Cliffs Drive) with no outlet, starting from the driveway to the Elks Lodge at 350 Belton Road and proceeding easterly to road terminus. The first approximate 500 feet of this section of road is paved at a width of approximately 17 feet, thereafter the width is around 11' in most places. This doesn't meet any current standard for a public or private street that accesses 10+ dwellings.

The street is paved where it lies within public right-of-way, but turns to gravel when it leaves the right-of-way along the south side of the subject property. Paving is required in residential areas per current standards.

A new parcel that will allow another dwelling doesn't warrant improvement of the entire street system but this issue is important as the road is narrow making it difficult for two opposing automobiles to pass and for emergency vehicle access/maneuvering/turn around. Conditions for the street system are detailed further below.

The street system provides **access**. Access to a proposed parcel is a critical element. There is an easement on the property that lies between the Belton Road right-of-way and proposed Parcel 2. It also substantially encumbers access to Parcel 2 from the south side.

This easement was recorded in 1976 as Book 208, Page 404 Columbia County Clerk's records and is for:

"the construction, maintenance, use and repair of an individual water-carried subsurface sewage disposal system"

It appears to be for the benefit of property addressed as 250 Belton Road. As described above, both the subject property and 250 Belton Road appear to be connected to the STEP system. Despite this, the easement remains. Even though the easement may not have been used in many years, it may not be legally abandoned. Oregon law requires more than nonuse to prove abandonment. Some related case law:

In *Wiser v. Elliott*, 228 Or. App. 489, 495, 209 P.3d 337, 341 (2009), the Oregon Court of Appeals stated:

"We have since held that nonuse of an easement is insufficient by itself to prove abandonment. In *Conner v. Lucas*, 141 Or. App. 531, 538, 920 P.2d 171 (1996), we reiterated that,..."

"[i]n *Abbott v. Thompson*, 56 Or. App. 311, 641 P.2d 652, rev. den. 293 Or. 103, 648 P.2d 851 (1982), we explained that nonuse alone does not constitute the abandonment of an easement. A party claiming abandonment must show in addition to nonuse 'either [a] verbal expression of an intent to abandon or conduct inconsistent with an intention to make further use.' *Id.* at 316, 641 P.2d 652."

It is not the City's decision to determine as to whether the easement is abandoned. However, it exists on deed records and is a substantial encumbrance to access proposed Parcel 2. As such, this easement must be eliminated prior to final platting, [or per below](#).

[Letter from Tracey A. Hill dated April 6, 2020 argues the easement is a basis for denial. It does create access concerns, especially since, per Columbia County, underground utilities are required to be 10' from drain fields and driveways are not allowed over drain fields. This letter further states no willingness to abandon the easement. It is possible that the applicant attain easements on neighboring properties to circumvent the drain field easement. If such option is taken, the easement must be in place before the final plat, to be referenced on the final plat, and will only be considered if the easement is the right width for the anticipated number of dwelling units \(or other uses\) to be served and includes maintenance agreement provisions.](#)

[Further, the paving requirements for driveways/streets are not exempted by being on another property.](#)

(4) All proposed lots conform to the size and dimensional requirements of this code; and

Finding(s): There are two aspects of this criterion, Sensitive Lands and the provisions of the R10 zoning district.

Sensitive Lands. The site abuts the Columbia River (with 75' upland protection zone required per Chapter 17.40 SHMC) and Wetland D-16, otherwise known as Dalton Lake (with 75' upland protection zone required per Chapter 17.40 SHMC). The applicant has conducted an Environmental Assessment to determine the boundaries of these sensitive lands and their respective buffers, which are reflected on the preliminary plat.

The City's local wetland inventory also identified Wetland D-17 on or close to the property, but the Environmental Assessment effort determined D-17 was not close to the property and does not impact this partition.

Letter from VaNatta, Petersen & Anderson, Attorneys At Law, dated April 7, 2020 requests that no development occur within sensitive lands. The City's (and other agencies such as the State of Oregon Division of State Lands and US Army Corps of Engineers) rules pertaining to sensitive lands apply regardless of this partition or not. The City can add a condition to that affect.

For subdivisions (creating 4 or more lots), significant wetlands and riparian areas and their protection zones are required to be part of dedicated preservation tracts to be managed by a homeowners association or other responsible entity. Partitions do not create tracts. Thus, the City has allowed easements as a substitute to preserve these areas (e.g., see P.P. No. 2009-17). However, the intent of this is for newly created properties to be "whole" excluding the sensitive lands and protection zones. "Whole" means that the net property not encumbered needs to meet the standards of the Development Code.

Thus, the **R10 zoning district** standards. The minimum lot size of is 10,000 square feet. The net area excluding the wetland, riparian area and protection zones still exceeds this for both parcels. The minimum lot width at the building line is 70' or 80' for a corner lot. Parcel 1 is a corner lot and exceeds this. Parcel 2 gets close to 70' in its net area, but still meets the standard.

The minimum lot width at the street is 60' or 30' along an approved cul-de-sac (i.e., dead-end road). Parcel 1 meets this and Parcel 2 meets the cul-de-sac standard given a proposed 40' wide access and utility easement.

Letter from VaNatta, Petersen & Anderson, Attorneys At Law, dated April 7, 2020 noted that the easement proposed to serve Parcel 2 starts out at 20' in width and widens to 40', which brings the cul-de-sac street width standards to question. Minimum width shall be at least 30 feet. This puts the easement line within about 17' of the existing garage. Staff can allow a slight reduction to the 20' setback (or yard) (measured from the easement line) per SHMC 17.108.080(1). Its only a corner that is within the 20' yard.

Minimum lot depth is 100 feet. This is met for both parcels using the net area.

(5) All proposed improvements meet city and applicable agency standards.

Finding(s): This will be a requirement. Fire Marshall consideration is particularly important given limited access to the area.

* * *

SHMC 17.140.050 – Special provisions for parcels created by through the partition process.

(1) Lot Dimensions. Lot size, width, shape and orientation shall be appropriate for the location of the development and for the type of use contemplated, and:

- (a) No lot shall be dimensioned to contain part of an existing or proposed public right-of-way;
- (b) The depth of all lots shall not exceed two and one-half times the average width, unless the parcel is less than one and one-half times the minimum lot size of the applicable zoning district; and

(c) Depth and width of properties zoned for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use proposed.

Finding(s): (a) No existing or proposed right-of-way is impacted. (b) Excluding sensitive land protection buffers the net area for Parcel 2 has an average width of approximately 90' and a depth of approximately 230'. This meets the depth to width ratio requirement more-or-less. (c) Not applicable; the property is zoned residential.

(2) Through Lots. Through lots shall be avoided except where they are essential to provide separation of residential development from major traffic arterials or to overcome specific disadvantages of topography and orientation, and:

- (a) A planting buffer at least 10 feet wide is required abutting the arterial rights-of-way; and
- (b) All through lots shall provide the required front yard setback on each street.

Finding(s): No through lot is proposed.

(3) Large Lots. In dividing tracts into large lots or parcels which at some future time are likely to be redivided, the approving authority may require that the lots be of such size and shape, and be so divided into building sites, and contain such site restrictions as will provide for the extension and opening of streets at intervals which will permit a subsequent division of any tract into lots or parcels of smaller size, and:

(a) The land division shall be denied if the proposed large development lot does not provide for the future division of the lots and future extension of public facilities.

Finding(s): Given surrounding wetlands, the Columbia River, floodplain associated with the Columbia River, one narrow road access for this neighborhood, this neighborhood's wildland-urban interface (a transition area between wildland and human development with a higher wildfire risk), and limited sanitary sewer capacity, density promotion is unwise in this area. Redevelopment planning such as "shadow plats" are not warranted for this proposal.

(4) Fire Protection. The fire district may require the installation of a fire hydrant where the length of an accessway would have a detrimental effect on firefighting capabilities.

Finding(s): There is an existing fire hydrant along Belton Road by the southern edge of the subject property.

The access easement proposed to serve Parcel 2 will exceed 150 feet. Per SHMC 17.152.030(3)(a), when access easements exceed 150 feet, they shall be improved in accordance with the fire code. When Parcel 2 is developed, its driveway will need to be able to accommodate emergency vehicles. Any requirement of the Fire Marshall shall be met.

(5) Reciprocal Easements. Where a common drive is to be provided to serve more than one lot, a reciprocal easement which will ensure access and maintenance rights shall be recorded with the approved partition map.

Finding(s): An access easement is proposed to access Parcel 2 from the Belton Road right-of-way through Parcel 1. Maintenance agreement shall be required.

(6) Accessway. Any accessway shall comply with the standards set forth in Chapter 17.84 SHMC, Access, Egress, and Circulation.

Finding(s): The access easement proposed to provide street connection to proposed Parcel 2 encompasses the southerly 20' of Parcel 1 (where there are previously recorded access and utility easements for other parties) and the west 40' of Parcel 1. **As noted above, a 30' minimum width is required.**

Parcel 2 is likely to be developed as a detached single-family dwelling and though not currently allowed, potentially a duplex given Oregon HB 2001, which requires St. Helens to allow duplexes in lands zoned for single-family dwellings by June 30, 2021. The minimum easement for up to two dwellings (like a duplex) is 15' width with a minimum 10' pavement width.

The other issue is the other properties that use the first leg of the proposed easement. The following detached single-family dwellings/properties access this area from Belton Road:

1. 140 Belton Road; 5N1W-34-200
2. 585 Grey Cliffs Drive; 5N1W-34BC-901
3. 5N1W-34BC-900 (this Land Partition decision is not the mechanism to determine if this is a legal lot of record).
4. 575 Grey Cliffs Drive; 5N1W-34BC-1301

Thus, there are three detached single-family dwelling that use the access. With the new Parcel 2, it would be four. The minimum easement for 3-6 dwelling units is 24' (not bearing on this application) with a pavement width of 20 feet.

In addition, the following requirements apply under SHMC 17.84.070:

- (2) Private residential access drives shall be provided and maintained in accordance with the provisions of the Uniform Fire Code.
- (3) Access drives in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus in accordance with the engineering standards of SHMC Title [18](#) and/or as approved by the fire marshal.
- (4) Vehicle turnouts (providing a minimum total driveway width of 24 feet for a distance of at least 30 feet) may be required so as to reduce the need for excessive vehicular backing motions in situations where two vehicles traveling in opposite directions meet on driveways in excess of 200 feet in length.

New access to Parcel 2 will be subject to Fire Marshall/Fire Code standards. This includes a turn-around area.

New access to Parcel 2 shall be paved as required by the Development Code.

Given the basic provisions above and general guidance for improvements, the specific road improvements necessary for this partition because it will result in increased density on an already substandard street network are:

Easement (private road) along the south side of the property.

When Parcel 2 is developed, it will need a minimum 10' wide paved driveway from Belton Road to the dwelling or other principal use proposed. This must be within the easement on Parcel 1 for Parcel 2 (cannot be on adjacent property). This is important to consider as the private road along the south side of the subject property is mostly outside of the property where it intersections Belton Road, but angles into the property progressing eastward.

This will result in a total roadway width widening at least close to Belton Road. [Or since the easement will be 30 in width off of the Belton Road right-of-way, may appear to be separate driveway off Belton. This is ok as there is no minimum spacing for driveways along local classified streets \(Chapter 17.84 SHMC\).](#)



Photo left: The intersection of the Belton Road (public right-of-way) and the private road along the south side of the subject property. Photo looking east.

The black arrow identifies the southwest property corner. The yellow arrow indicates approximately 11 feet from that property corner.

The new driveway serving parcel 2 needs to be within the easement provided for it. It will need to be to the left of the black arrow at this location.

The existing private road angles northerly into the property as can be seen in the distance here.

Belton Road.

Belton Road is substandard as to width, but the right-of-way is 50' in width. 50' is the standard right-of-way width for local classified streets. Belton is a local classified street. The right-of-way meets standards, the physical improvements do not.

The partitioning of the property will result in increased vehicular trips for the permanent improvements and construction leading to those improvements. The property abuts locations along the right-of-way that could reasonably be improved to achieve the 24' x 30' turnout area described above. Because (1) this will abut the "developed" Parcel 1, which could have different ownership than Parcel 2 (once partitioned), and (2) this partition is the catalyst for new/additional vehicular trips for Belton Road, these improvement shall be done prior to the final plat, subject to City review and approval. Location should be such to maximize the view a motorists to see oncoming traffic to use the vehicular turnout area. No parking identification may be necessary.

Letter from Robin Nunn, dated April 8, 2020 attests to this concern. The approximate 90 degree angle of the Belton Road right-of-way is an area of concern being a blind corner. The turnout should remedy this to the maximum extent possible.

(7) The streets and roads are laid out so as to conform to the plats of subdivisions and maps of partitions already approved for adjoining property as to width, general direction and in all other respects unless the city determines it is in the public interest to modify the street or road pattern.

Finding(s): There is no reason to modify the overall road pattern. Some improvement for function and safety is warranted when parcel 2 is developed.

* * * * *

ATTACHMENTS

- Preliminary plat
- Engineering report from Schlumberger Consulting Engineers, Inc. dated December 13, 2019 regarding STEP system
- Preliminary plat showing easement recorded in 1976 as Book 208, Page 404 Columbia County Clerk's records
- Environmental Assessment from Wetland Solutions Northwest, LLC dated January 30, 2020
- [Letter from Tracey A. Hill dated April 6, 2020](#)
- [Letter from VaNatta, Petersen & Anderson, Attorneys At Law, dated April 7, 2020](#)
- [Letter from Robin Nunn, dated April 8, 2020](#)

Notes:

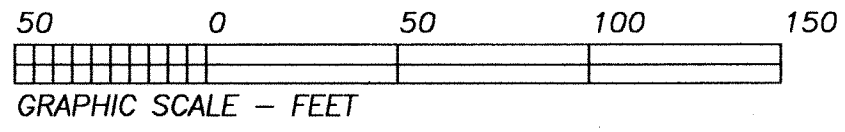
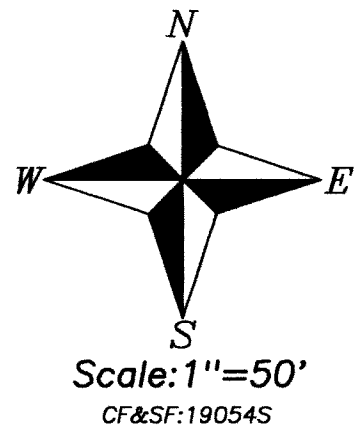
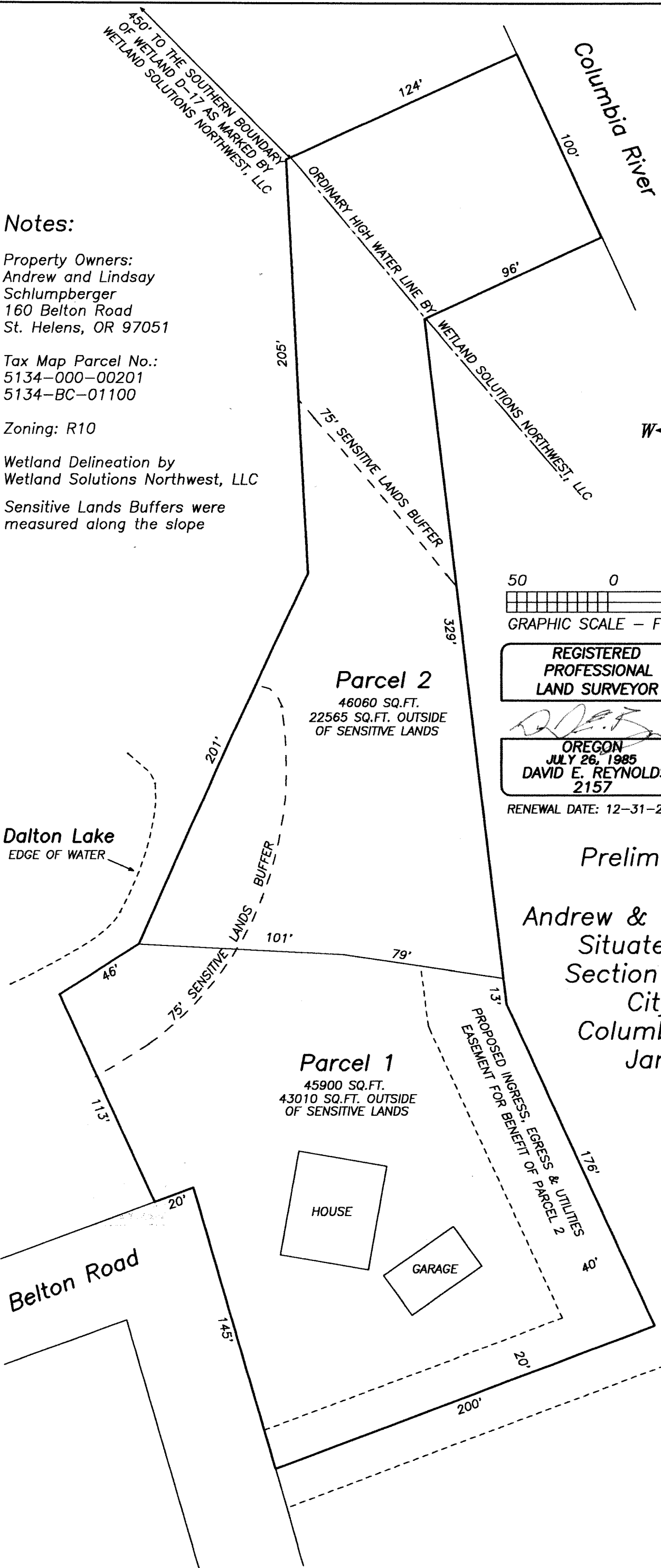
Property Owners:
Andrew and Lindsay
Schlumpberger
160 Belton Road
St. Helens, OR 97051

Tax Map Parcel No.:
5134-000-00201
5134-BC-01100

Zoning: R10

Wetland Delineation by
Wetland Solutions Northwest, LLC

Sensitive Lands Buffers were
measured along the slope



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 26, 1985
DAVID E. REYNOLDS
2157

RENEWAL DATE: 12-31-2020

Reynolds
Land Surveying, Inc.
32990 Stone Road
Warren, Oregon 97053
(503) 397-5516

Preliminary Partition Plat
For
Andrew & Lindsay Schlumpberger
Situated In The N.W. 1/4
Section 34, T.5N., R.1W., W.M.
City of St. Helens
Columbia County, Oregon
January 21, 2020



Schlumpberger Consulting Engineers, Inc.
Structural/Civil /Environmental/Construction Mgt.

*Main Office: Mount Shasta
624 S. Mt. Shasta Blvd., Mt. Shasta, CA 96067
Tel: 530-926-2605
Oregon: 17744 #A11 Hwy 101 N. Brookings, OR 97415
Mobile: 530-859-1277
Email: cps@sceshasta.com*

**SUBJECT: Additional Connections to the Belton Road S.T.E.P. System
In St. Helens, Oregon**

**CLIENT: Andrew Schlumpberger
LOCATION: 160 Belton Road
St. Helens, Oregon**

DATE: December 13, 2019

Engineering Report:

1. The existing STEP wastewater system for the Belton Road and Graycliff Drive in St. Helens, Oregon as shown on the as-built plan dated August 1989 by Smits and Associates, with updates in 1990 and 1992, is a pressure system for the community of Forest Park Road.
2. The Step system requires a pump at each lot that is hooking up to the system.
3. The transport pipe is in City ROW and is maintained as part of the City wastewater collection system.
4. The transport pipe is 2 inch schedule 40 PVC pressure pipe. The transport pipe can take a maximum flow of 127 gallons per minute (gpm) at minimal internal pressure of 20-100 psi.
5. The total length of the transport pipe is less than 1500 feet. Connections are at multiple points along this transport pipe and available to all lots along Belton and Graycliff roads that can connect to the transport pipe.

In reviewing the as-built plans it appears that the existing transport pipe, with 8 current connections, is capable of a number of future connections without significant problems to City STEP System or existing owners since each new owner would have a tank, pump and lateral for which they are responsible for. There are less than ten connections to the pressure line at this time and the two inch line has capacity for more than ten connections at peak capacity where everyone is pumping at the same time. High Head pumps are needed for the static and dynamic TDH losses. Pumps should be efficient between 10 and 30 gpm. Even if all pumps are on at once there is capacity for a minimum of 12 connections or maximum of 20. Pumps should be effluent pumps rather than grinder pumps and TDH capacity of 150 feet and discharge rate of 20 gpm. Therefore there should be no issues with an additional connection to the Belton Road S.T.E.P. System with an approved tank and pump.

Charles Schlumpberger PE
C15654

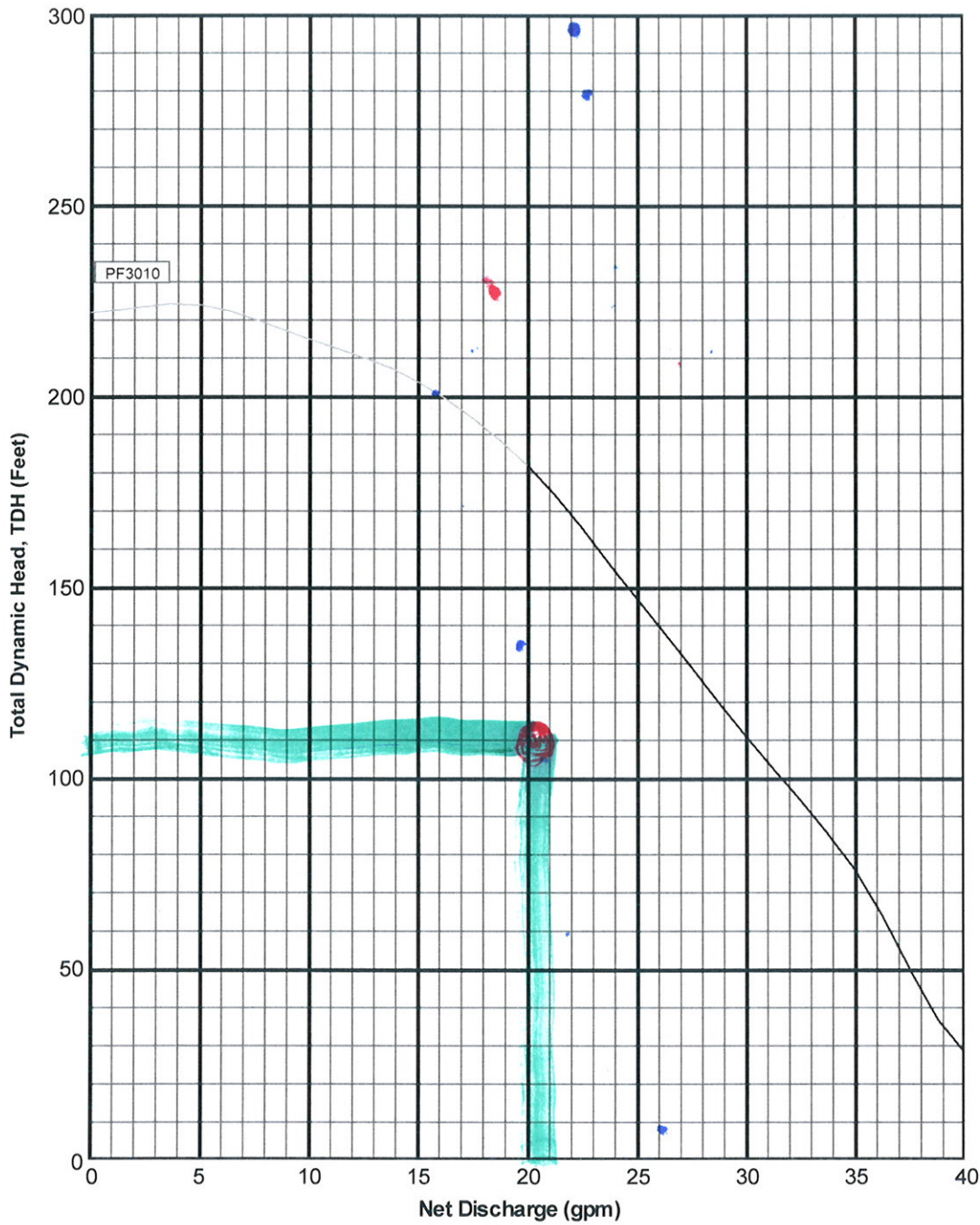


Pump Curve
for PF3010



Oreco Systems®
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*Changing the Way the
World Does Wastewater®*



Recommended Pump for S.T.E.P.
Oreco PF3010 High Head

Belton Road S.T.E.P. System

Belton Road and Graycliff Drive.

69

Legend

 Elks Lodge



Google Earth

© 2018 Google

EASEMENT AREA
PER BOOK 708, PAGE 404

Notes:

Property Owners:
Andrew and Lindsay
Schlumpberger
160 Belton Road
St. Helens, OR 97051

Tax Map Parcel No.:
5134-000-00201
5134-BC-01100

Zoning: R10

Wetland Delineation by
Wetland Solutions Northwest, LLC

Sensitive Lands Buffers were
measured along the slope

Dalton Lake
EDGE OF WATER

Parcel 2

46060 SQ.FT.
22565 SQ.FT. OUTSIDE
OF SENSITIVE LANDS

Parcel 1

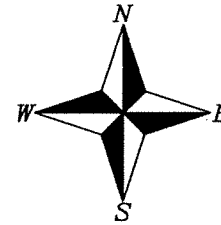
45900 SQ.FT.
43010 SQ.FT. OUTSIDE
OF SENSITIVE LANDS

HOUSE

GARAGE

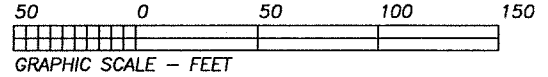
Belton Road

Columbia River



Scale: 1"=50'

CF&SF:19054S



REGISTERED
PROFESSIONAL
LAND SURVEYOR

David E. Reynolds
OREGON
JULY 26, 1985
DAVID E. REYNOLDS
2157

RENEWAL DATE: 12-31-2020

Reynolds
Land Surveying, Inc.
32990 Stone Road
Warren, Oregon 97053
(503) 397-5516

Preliminary Partition Plat
For
Andrew & Lindsay Schlumpberger
Situated In The N.W. 1/4
Section 34, T.5N., R.1W., W.M.
City of St. Helens
Columbia County, Oregon
January 21, 2020

RECEIVED
JAN 30 2020
CITY OF ST. HELENS

Wetland Solutions Northwest, LLC
59446 Lytle Dr.
St. Helens, Oregon 97051
Stacy@WetlandSolutionsNW.com
503-367-7177

January 30, 2020

Andrew Schlumpberger
160 Belton Road
St. Helens, OR 97051

SUBJECT: 160 Belton Road, St. Helens Wetland/Waters Delineation
Tax Map / Lots 5013400 / 200 & 50134BC / 1100

Introduction and Background Information

A lot partition is proposed on the subject site. The subject site includes tax lot 200, located at 160 Belton Road which contains an existing residence, and tax lot 1100 which is undeveloped and extends north of tax lot 200 to the Columbia River. Three wetlands/waters are mapped on or in close proximity to the subject site in the City of St. Helens Local Wetland Inventory (LWI) (Otak, Inc. 1999). Dalton Lake (LWI unit D-16) is mapped adjacent to the northwest portion of tax lot 200, the Columbia River is mapped along the north edge of tax lot 1100, and wetland unit D-17 is mapped extending south of the Columbia River into tax lot 1100. Wetland units D-16 and D-17 are considered Type I significant wetlands, and the City requires a 75-foot protection zone adjacent to Type I significant wetlands. A 75-foot protection zone is also required adjacent to the top of bank of the Columbia River. The tax lot boundaries of the subject site and the LWI mapping are shown on Figure 1 which was obtained from Columbia County Web Maps (Columbia County 2020). A wetland/waters delineation was conducted on the site in order to map the actual location of on and off-site resources and the adjacent 75-foot protection zones to facilitate site planning.

Methods & Results

A wetland/waters delineation was conducted on January 9, 2020 by Stacy Benjamin of Wetland Solutions Northwest, LLC in accordance with the methodology of the Corps of Engineers (Corps) Wetlands Delineation Manual (Environmental Laboratory 1987) and the Regional Supplement to the Corps Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0; Corps 2010) used by both the Oregon Department of State Lands and the Corps.

The ordinary high water (OHW) line/top of bank of the Columbia River was delineated based on field indicators including a vegetation line, with predominantly bare sandy soils occurring below the OHW line and a notable increase in grasses and weedy forbs occurring above the OHW line.

The wetland boundary of Dalton Lake is well-defined by steep topography, and the wetland boundary coincided with the edge of ponded water during the January 2020 site visit. The southern portion of the lake boundary is defined by a steep hillslope. The steep hillslope, which comprises the majority of the 75-foot protection zone, is vegetated with native trees and shrubs in the overstory including balsam poplar, red alder (*Alnus rubra*), and beaked hazelnut (*Corylus cornuta*), and mainly invasive species in the understory including Himalayan blackberry (*Rubus armeniacus*) and English ivy (*Hedera helix*). A small amount of native sword fern (*Polystichum munitum*) is also present. An existing narrow dirt footpath (approx. 2 feet wide) is present in the riparian protection zone, and a small amount of the upslope edge of the protection zone falls within the edge of an existing mowed lawn. Slopes adjacent to the east/northeast edge of Dalton Lake are more gradual. A dense thicket of Himalayan blackberry is present along the eastern edge of the lake, and a fringe of mainly native wetland vegetation consisting of red osier (*Cornus alba*), Oregon ash (*Fraxinus latifolia*) and reed canarygrass is present extending around the northeast portion of the lake.

Wetland D-17 was determined not to extend onto tax lot 1100, and the southern edge of wetland D-17 was delineated approximately 450 feet north of tax lot 1100. Wetland D-17 consists of a forested and scrub-shrub wetland vegetation community containing balsam poplar (*Populus balsamifera*) and Pacific willow (*Salix lasiandra*) in the overstory with reed canarygrass (*Phalaris arundinacea*) and tall scouring-rush (*Equisetum hyemale*) in the understory. Hydric soils were observed in the wetland, along with water-stained leaves indicating the presence of wetland hydrology. The south wetland boundary was delineated where the reed canarygrass understory transitioned to a Himalayan blackberry understory, soils became a more sandy texture which did not display hydric soil features, no indicators of wetland hydrology were observed, and site topography began to rise.

The boundary of Dalton Lake and the OHW of the Columbia River were professionally land surveyed by Reynolds Land Surveying, Inc (Figure 2), and the 75-foot protection zones were mapped. Site photographs are attached.

References

Columbia County. 2020. Columbia County Web Maps. Available at:

<http://webmap.co.columbia.or.us/geomoose2/>

Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual. Technical Report Y-87-1. Vicksburg, MS: U.S. Army Engineer Waterways Experiment Station.

Otak, Inc. 1999. Local Wetland Inventory, City of St. Helens, OR. Available at:

http://www.oregon.gov/dsl/WETLAND/Pages/lwi_disclaimer_agreed.aspx.

U.S. Army Corps of Engineers. 2010. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0), ed. J.S. Wakeley, R.W. Lichvar, and C.V. Noble. ERDC/EL TR-10-3. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

Attachments

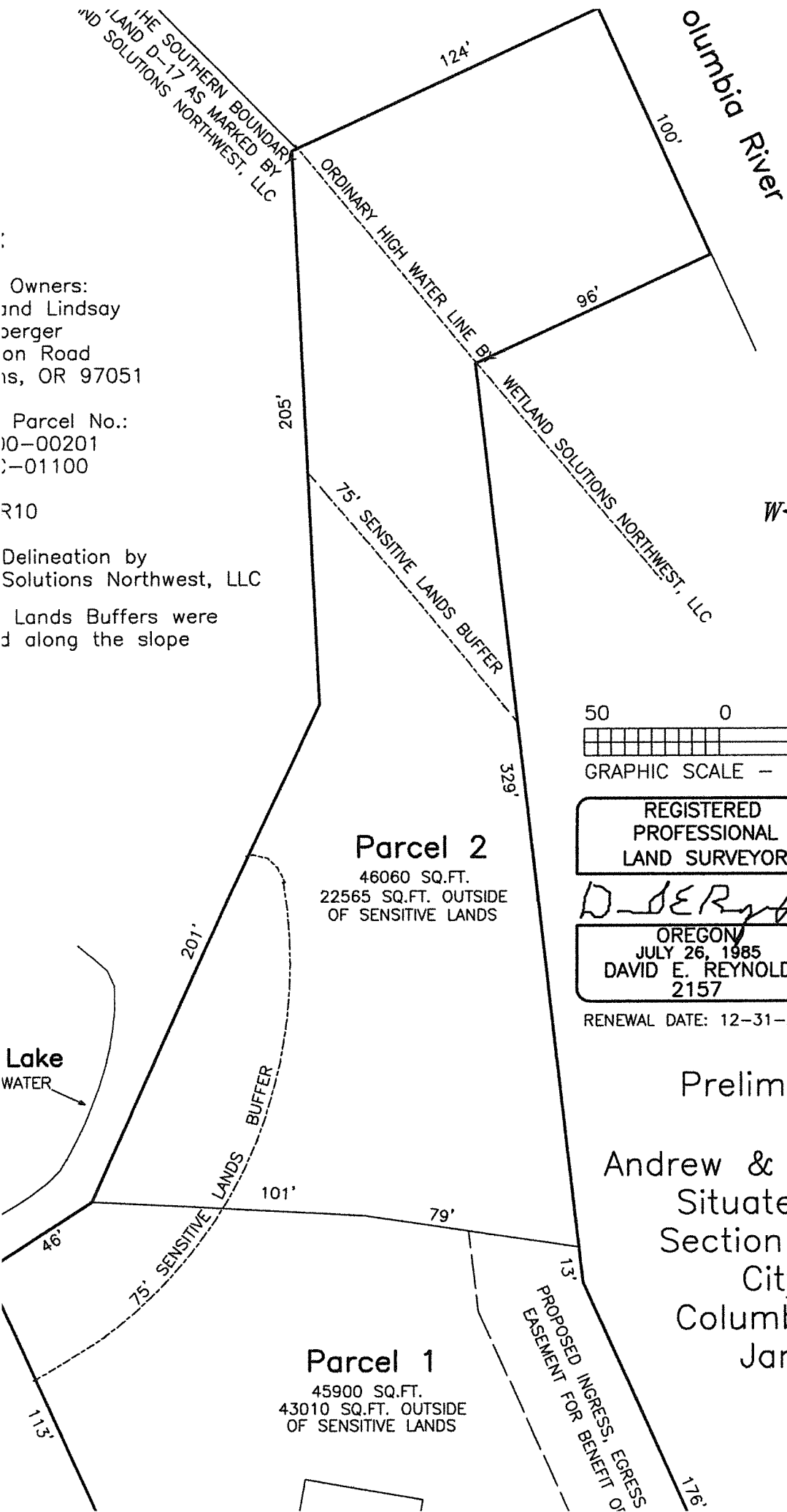
Figure 1. Tax lot map showing LWI mapping

Figure 2. Wetland & waters delineation map

Site photographs



| | | |
|--|----------------------------------|--|
| 160 Belton Road, St. Helens Wetland & Waters Delineation Figure 1. Site Location Map | ↑ | Wetland Solutions Northwest, LLC |
| | Scale approx. 1 inch = 200 ft | |
| Source: downloaded from: http://webmap.co.columbia.or.us/geomoose2/ | | January 2020 |



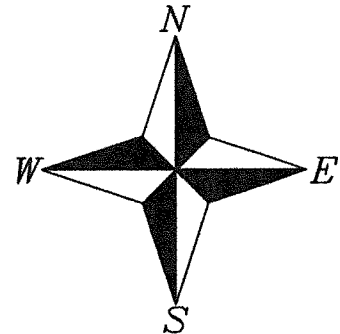
Owners:
 and Lindsay
 berger
 on Road
 is, OR 97051

Parcel No.:
 10-00201
 10-01100

R10

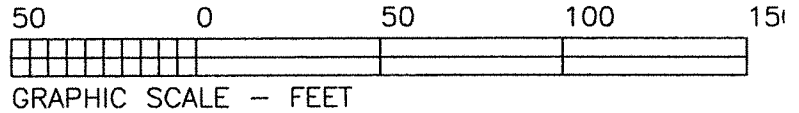
Delineation by
 Solutions Northwest, LLC

Lands Buffers were
 d along the slope



Scale: 1"=50'

CF&SF:19054S



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

D. E. Reynolds

OREGON
 JULY 26, 1985
 DAVID E. REYNOLDS
 2157

RENEWAL DATE: 12-31-2020

Reynolds
 Land Surveying, Inc.
 32990 Stone Road
 Warren, Oregon 97051
 (503) 397-5516

Parcel 2

46060 SQ.FT.
 22565 SQ.FT. OUTSIDE
 OF SENSITIVE LANDS

Parcel 1

45900 SQ.FT.
 43010 SQ.FT. OUTSIDE
 OF SENSITIVE LANDS

Preliminary Partition Plat
 For
 Andrew & Lindsay Schlumpberger
 Situated In The N.W. 1/4
 Section 34, T.5N., R.1W., W.M.
 City of St. Helens
 Columbia County, Oregon
 January 21, 2020



Photo A. View east of southern boundary of Dalton Lake and mixed native/invasive community in adjacent 75-foot protection zone.



Photo B. View west of invasive Himalayan blackberry community in 75-foot protection zone adjacent to eastern edge of Dalton Lake.



Photo C. View north of delineated OHW of Columbia River (red flag).



Photo D. View south of delineated OHW of Columbia River (red flag).

Tracey A. Hill
Tracey A. Hill Family Trust
250 Belton Road
St. Helens, OR 97051

April 6, 2020

RECEIVED
APR 6 2020
CITY OF ST. HELENS

St. Helens Planning Dept.
Attn: Jacob Graichen
P.O. Box 278
St. Helens, OR 97051

Re: Comments on Partition, PT.1.20 (Schlumpberger)

Dear Mr. Graichen:

Please accept these comments on the above-referenced partition application in response to the City's March 25, 2020 Notice. I live on and own property within the notice range of this partition application; in fact, my property is situated adjacent to the parent parcel in this matter. I own a significant septic drainfield easement that encumbers a substantial portion of the parent parcel and is referenced in the Director's draft decision. This July 27, 1976 easement is recorded at Book 208, Page 404 of the property deed records of Columbia County. My comments fall into two categories: legal protections for my recorded easement and the City's land use requirements for partitions.

A. Recorded Easement encumbering the applicant's property. The Director's draft decision suggests that this partition can be preliminarily approved with a condition that the applicant remove this easement prior to final plat approval. I respectfully disagree with this approach. First, my easement is expressly for the following purposes:

"... for the construction, maintenance, use and repair of an individual water-carried subsurface sewage disposal system (hereinafter called 'system') appurtenant to the above-described property of grantees."

"Grantors, for themselves and their heirs, successors and assigns, covenants and agree to and with the grantees, their heirs, successors and assigns, that the above-described property of grantors shall not be used for any purpose detrimental to said system or contrary to laws and rules of governmental agencies applicable or related to said system."

The Director's draft decision suggests that I may consider or may already have abandoned this easement; I have not, nor will I abandon this easement. Even though my property is currently served by a connection to the City's STEP sewer system, this easement provides a valuable property right and guarantee that runs with title to my property that, in the event that the City's STEP system were to fail, be out of service for a period of time, or some other currently unforeseeable event occur, I have a back-up option for septic to serve my home. This was and remains a valuable and important property right, and it was an important consideration when I purchased my property. This easement remains a valuable and important property right today because of the security it provides me and the continued habitability of my

St. Helens Planning Dept.
 April 6, 2020
 Page 2

home, regardless of reliability of the City's system. I have not abandoned this easement or my easement rights, and I will not abandon them. Instead, I intend to reconstruct a septic drain field within the easement area and resume its use in the future, if necessary, for its intended purposes. Because it is my intention to resume use of this easement, if needed, and my plan to retain that option in the future, my easement is not and will not be "abandoned" as defined in SHMC 17.16.010.

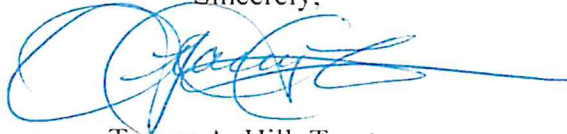
Because my easement encumbers such a significant portion of the applicants' parent parcel, the City should not have accepted or deemed this application complete without my signature on or consent to the application. This partition so significantly affects my protected property right in this easement, that the City should have required my signature or consent as an "owner" before accepting the application. *See* STMC 17.140.030.

Finally, the City should not approve this partition and simply relegate my easement to a condition of approval. Because my easement represents a significant encumbrance over a large portion of the parent parcel and represents a legal obstacle to approval, the City should deny the application. The applicants have not contacted or approached me about this application or my easement, which should occur before preliminary partition approval; therefore, I am quite confident that compliance with the Director's suggested Condition 2b will not be a simple matter, to the extent it is even possible. So long as my easement encumbers title to the parent parcel, the proposed partition is legally impossible, and the existence of my easement warrants denial. Quite frankly, the City should not extend more effort in this partition than the applicant is apparently willing to invest. Moreover, the City should not accept a resubmission of the application unless or until the applicant first addresses my easement.

B. SHMC 17.140.055 prohibits approval in any event. The parent property is zoned R10, and the application proposes the creation of a "flag lot" (Parcel 2) as defined in SHMC 17.16.010. SHMC 17.140.055 prohibits approval of a flag lot on this R10 zoned property ("The creation of flag lots is permitted only in the R-5, AR, MU, and MHR residential zones."). Therefore, this application must be denied regardless of the easement that encumbers the property.

Please add my name to the list of people with standing and those entitled to notice of all decisions and other actions in this matter. Thank you for considering my comments.

Sincerely,



Tracey A. Hill, Trustee
 Tracey A. Hill Family Trust

/tah

Agnes Marie Petersen
Robert P. VanNatta
Mary Anne Anderson

VanNatta, Petersen & Anderson
Attorneys At Law
P.O. Box 748 • 222 S. First Street
St. Helens, Oregon 97051

Phone: (503) 397-4091
FAX: (503) 397-6582

April 07, 2020

RECEIVED

APR 07 2020

CITY OF ST. HELENS

To: City of St Helens Planning Department
265 Strand Street / PO Box 278
St Helens Oregon 97051

RE: Partition PT1.20 – Schlumpberger
Tax Map #5N1W-34BC-00200 and #5N1W-34-201

Our Client:

Kathleen Ward
140 Belton Road
St Helens Oregon 97051 (Tax lot # 5134-00-200)

Dear City of St Helens:

This letter is in response to PT1.120. Our Client, Kathleen Ward, owns the property directly east and downhill of the above referenced properties and partition proposal. She has concerns about this proposal, This letter is to address questions regarding the report and the preliminary plat, to request additional conditions of approval, and suggest other alternatives to the proposed configuration of this development.

Mrs. Ward thanks you for considering these comments. She is most anxious to enjoy a friendly relationship with her neighbors, Andrew and Lindsay Schlumpberger. She would as necessary agree to an extension of the Appeal period because of the present pandemic in the United States.

Mrs. Ward has lived at 140 Belton Road many years. The properties on Belton Road are secluded, on peaceful wooded lots where the nature all around provides separation and privacy between the houses. Most residents of the area do not even have window blinds or drapes.

Many houses enjoy views of the Columbia River. In fact, the former owners of this property, the Sorensens, purchased from Mrs. Ward the area of land subject to this partition. They purchased the property from Kathleen Ward in order to protect their unencumbered view between their house and the Columbia River. Sorensens agreed with Mrs. Ward they would never build down there below their home, thus preserving the natural view for Sorensens and Mrs. Ward

Comments and concerns:

Width of the proposed access easement: The report appears inaccurate where it says “parcel 2 meets the cul-de-sac standard given a proposed 40’ wide access and utility easement”. (top of page 6 of 9). The preliminary partition plat drawing by Reynolds Surveying does show a 40’ easement on the east side, However on the south side where the easement turns west to connect to Belton Road it is shown as only 20’ wide. Should it be 40’ wide along the entire length including where it connects to Belton Road? If the “cul-de-sac” standard apparently requires a 40’ frontage then is not the frontage measured where it connects with the public right of way?

The fact that there are older nonconforming easements that serve other properties is not relevant to this decision. The decision should stand on its own merits. Those other easements are pre-existing. They legally benefit other properties not the proposed new parcel. We would argue that the definition of cul-de-sac “frontage” is where the “frontage” meets the public street, not to where it meets another private easement. The new parcel cannot piggyback on nonconforming easements for its “frontage”.

Furthermore, the south leg of the driveway already serves three other houses. It seems contrary to best planning practices that the portion of the driveway that will serve more houses, i.e. more traffic, is proposed to be a narrower right of way. Is this a mistake? It must be.

Fire protection: Based on the provided drawing the length of the easement is approximately 400' long and we assume that the actual driveway would be closer to 450' to 500' long. Although the report says that the driveway will be 10' wide it is our understanding that fire department access widths are actually wider, usually a minimum of 12' wide or more. Further, if a driveway is longer than 150 feet, as is the case, there are additional requirements like passing pull-outs, turn-arounds, and sometimes fire sprinklers are required in the buildings. None of this is addressed in the report. In reality this driveway will serve, when this new parcel is developed, four houses. Perhaps, because the driveway is so long a fire hydrant is needed considering there are other existing houses down this driveway.

Although this property is technically located within the city limits, as stated before, this is very much a wooded park-like setting, perhaps as a condition of approval a fire protection zone should be established around any new structures similar to what is required in rural areas.

Stormwater: The report says the following: "Stormwater is not an (sic.) significant issue as the site slopes to and abuts the Columbia river. Dalton Lake is nearby too." (page 4 of 9). This statement completely ignores an existing natural spring that exacerbates the stormwater problem that needs to be addressed.

The Ward property is directly east and downhill from the subject property. More or less directly uphill from the Ward front door a 12" (approximately) stormwater pipe discharges on the subject property. That water runs down onto the Ward property. Over the years this has been a continual problem and often sandbags from the City have to be piled up to keep the water coming out of that pipe and running down and across the Ward's driveway. Attached are photographs that show the stormwater pipe discharge point and sandbags that were placed not long ago, and photographs looking down from the approximate property line to the Ward house. Multiple times water has run across the driveway, running down the

north side of the house to the lower level, running through and eroding the flowerbeds below the house.

The new driveway is proposed to be constructed in this area. We request that there be conditions of approval dealing with the following: 1.) It should be a condition of approval that all stormwater discharging directly uphill from the Ward property and house be dealt with. We recommend that the stormwater discharging from that pipe be somehow directed down the new driveway and dealt with on-site or before discharging to the Columbia River or Dalton Lake or whatever best practices dictate. 2.) Any new stormwater runoff from the new proposed driveway should not run onto the Ward property, 3.) We further recommend that it be a condition of approval that any other pipes or runoff that Mrs. Ward is unaware of (downspouts, driveway surfaces etc.) that are running downhill onto her property be incorporated into whatever is designed.

Landscaping and Trees: As mentioned above and indicated in the report this area of St. Helens is secluded and park like. The houses are separated from one another by the woodlands that exist between them. Attached are photographs showing the existing trees. That landscape buffer between the Ward home and the (current) Schlumpberger house will have to be removed in order to build the new driveway. (see attached areal photograph from City GIS website, circled is the area where existing buffer is located, the location of the stormwater discharge, and an alternate location for a driveway. (See below).

The report indicates that there is a requirement to replant trees where trees are removed. (Condition 2a, condition 7a, and condition 10.) We recommend as a condition of approval that trees be replanted as required by the code in the general area where the trees are removed.

A 12 foot wide driveway can be placed in the middle of the 40' access way, which would leave 14 feet on each side. Trees and other landscaping can be planted along the driveway, reestablishing a buffer between the Ward property and

the applicants' property. At a minimum we request as a condition of approval, that a 14' wide landscape buffer be established on the east side of the new driveway.

Location of proposed Driveway (access easement): Alternatively, it would seem to be much more practical, and probably less expensive, for the driveway to be on the west side of the Schlumpberger's (current) house and connect to Belton Road at the corner. In fact that is how the riverfront was accessed by the previous owners in the past.

It appears that the rationale against a west-side driveway for the location of the proposed access easement and driveway is because of the existing drain-field and easement. The report indicates that the drain-field is no longer needed and the City is requiring that the easement be legally abandoned (condition 2b). If that is the case, it appears that there is no longer any legal or practical rationale for not allowing a driveway to connect on the west site of Schlumpberger property at the corner of Belton Road.

Furthermore, by connecting on the outside of the corner, a driver coming out of a driveway at that location would be able to see in both directions on Belton Road. There would be no sight-distance issues. We see no reason why access to the lower portion of the Schlumpberger property (new parcel) couldn't be where it had been accessed in the past. In fact, such a driveway at what is now a blind corner on Belton Road would enhance safety issues by widening the corner where a new driveway would "Y" off of Belton road.

Sensitive Lands: We request that as a condition of approval that no development occur in the sensitive lands areas of Dalton Lake and the Columbia River including structures, ADUs, accessory buildings, paved areas, boat launch ramps, gazebos or the like, or docks.

Sincerely,


Agnes Marie Petersen, Oregon State Bar 60 067 8



Stormwater discharge pipe.

Sandbags



From below the property line house looking downhill toward Ward house.

During storms water runs down and across the driveway, down side of the house to the lower level and through the flower beds at the lower level.

Wooded area to be removed for driveway



From Ward house looking uphill.

Sandbags

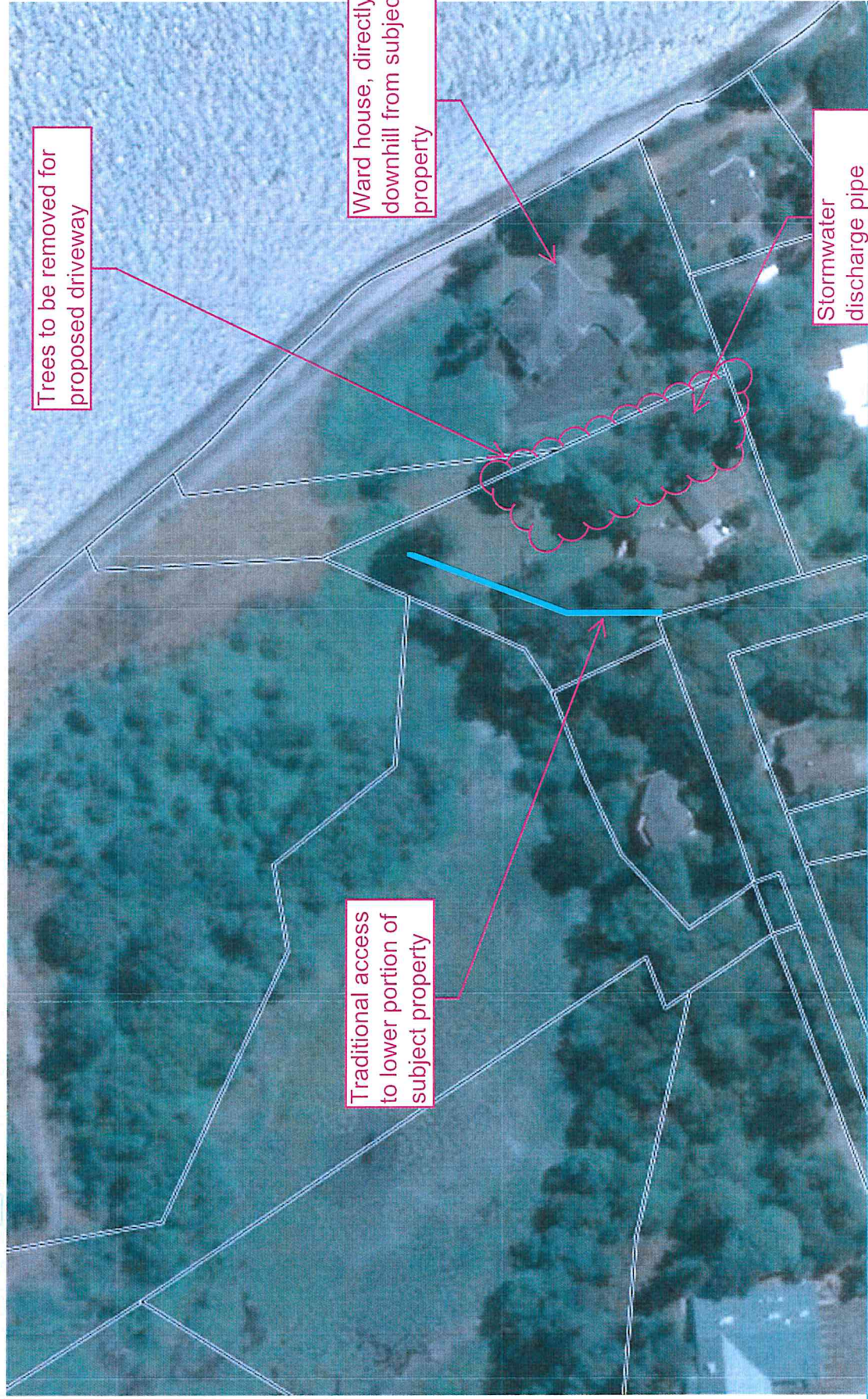


Saint Helens, Oregon

Online Mapping Service

Go to: [Saint Helens, Oregon Home Page](#)

Go to: [Map Help](#)



170.2945595 151598.lat=35.12930934 19098

Nothing Selected

RECEIVED

APR 08 2020

CITY OF ST. HELENS

TO: City of St. Helens Planning Department
RE: Partition PT.1.20

FROM: Robin Nunn

This letter is to address some concerns raised in response to Partition PT.1.20 dated March 25, 2020. My husband and I own 100 Belton Road, the property south of 160 Belton Road.

8(7) The finding of "no need to modify the road" is not in the public interest for safety.

My main concern is the added vehicular traffic that will result from this proposal. Belton Road has morphed from a once-unpaved single-home private drive, meandering around rock croppings and stands of trees. Since the city took acquisition, pavement has improved the road and widened previous problem areas. Currently approximately 14 resident drivers successfully navigate this road but are often subject to backing around the 90 degree blind corner at the top of the hill when confronted by the mailman and growing number of delivery trucks which do not back up. We often meet joggers, bikers, walkers with small children and pets on that blind corner causing a dangerous, tense situation. When two vehicles meet, one must back up to the entrance of 160 Belton Rd or 250 Belton Rd.

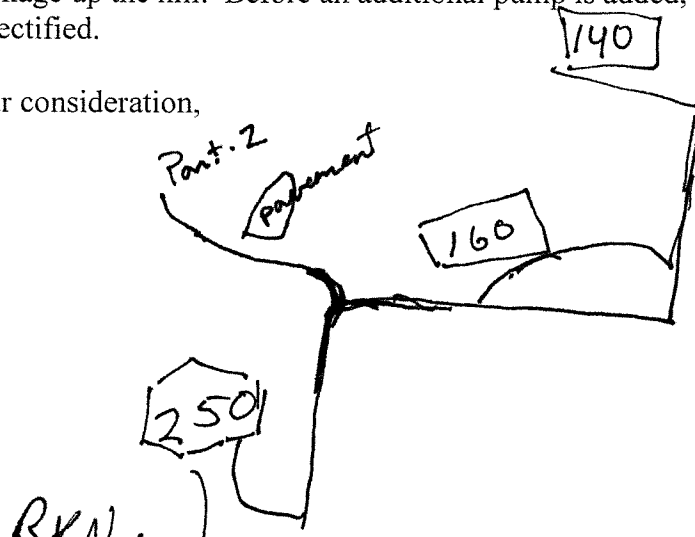
6-a With an additional dwelling plus the heavy equipment necessary for the build, there is heightened potential danger which could result in a tragedy. With the city requirement of a necessary "turnout", it seems this corner could be smoothly transitioned to accommodate this road modification. An extension added to the north would form a "Y" with the left branch heading naturally down to the paved area of Partition 2. Not only would this allow visibility for all oncoming vehicles, it will also allow easier passage for emergency vehicles and larger trucks to veer left to the building site rather than turn 90 degrees right on the blind corner and then 90 degrees left from Belton Rd to the proposed driveway on the east side of 160 Belton Rd. This will allow clear vision from all driveways and roads, improving safety for the entire neighborhood. *See below*

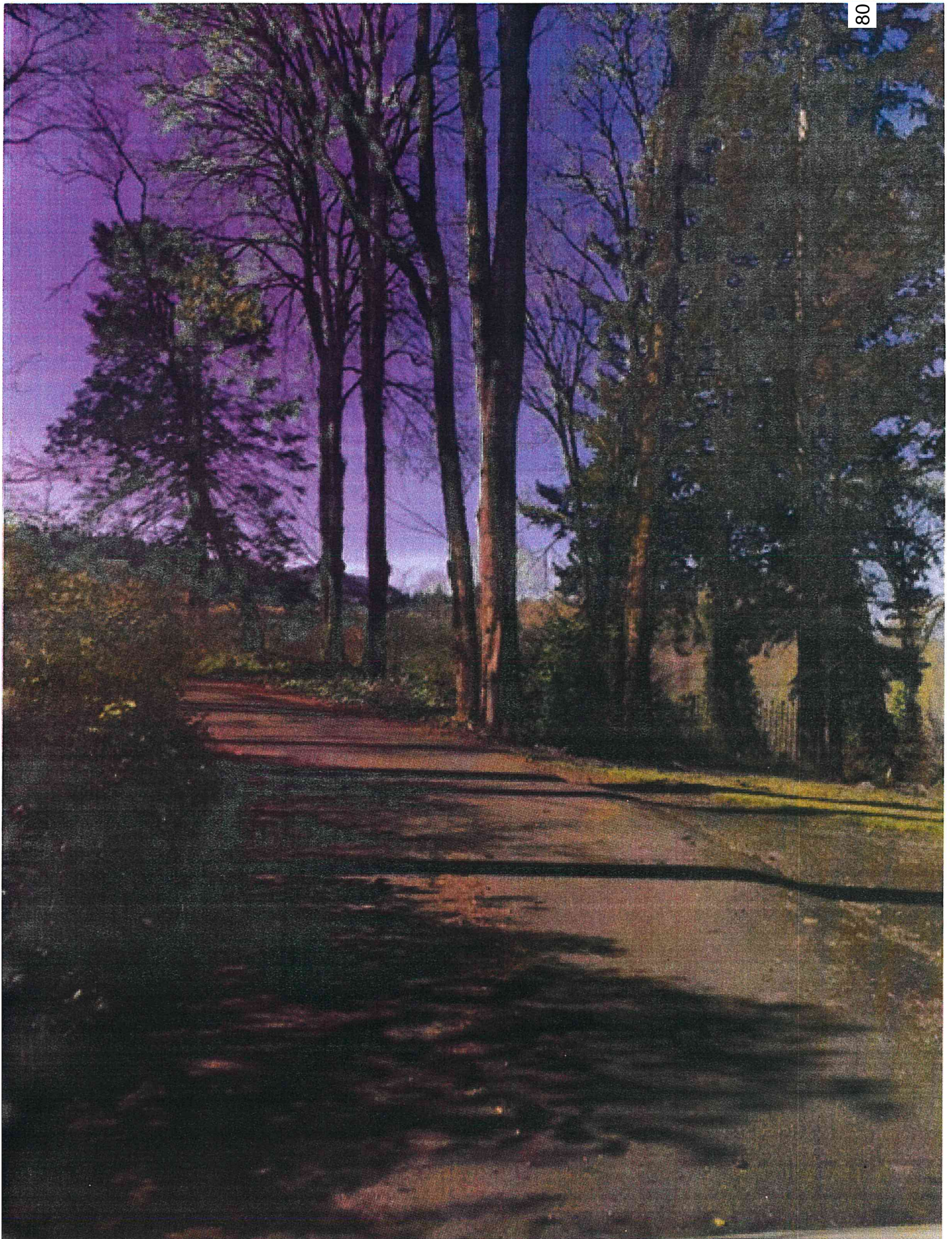
7.11 I'm also concerned that the wetlands report suggests that the proposed dwelling will not be affected by the flood plain. In 1996 that site was under more than several feet of water during which time Dalton Lake and the Columbia river became merged and remained so for some time.

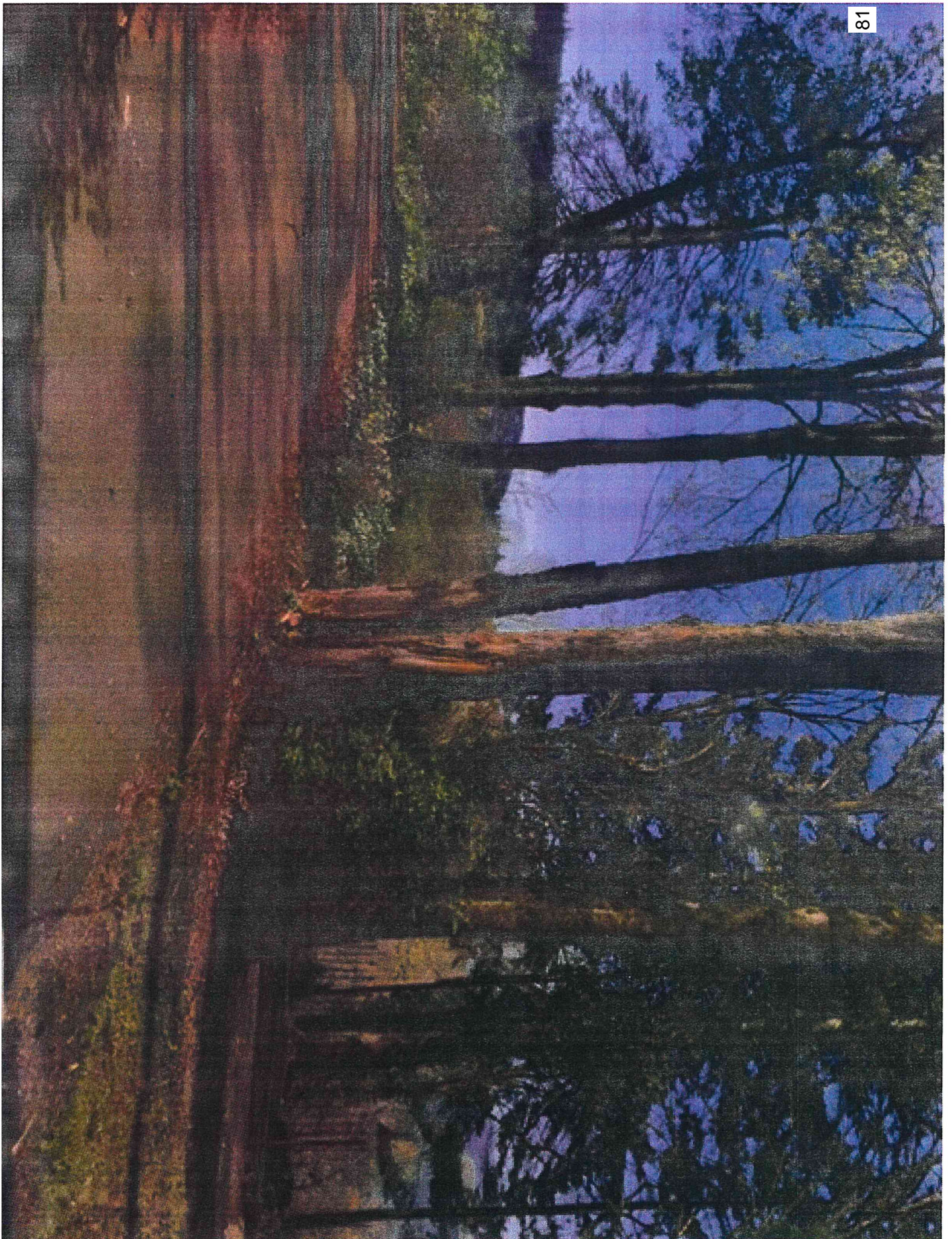
Engineer Report – (I'm unsure of what is referred to as Forest Park Road) The findings of SCE states that there "should be no issues with an additional connection to Belton Rd STEP", but the fact is that issues already exist. Since the sale of 160 Belton Rd, the septic pump at 140 Belton Rd has failed two times. Melvin Moore Co has confirmed that the problem is not at 140 Belton Rd, but caused by an undetermined blockage up the hill. Before an additional pump is added, this pattern of blockage should be identified and rectified.

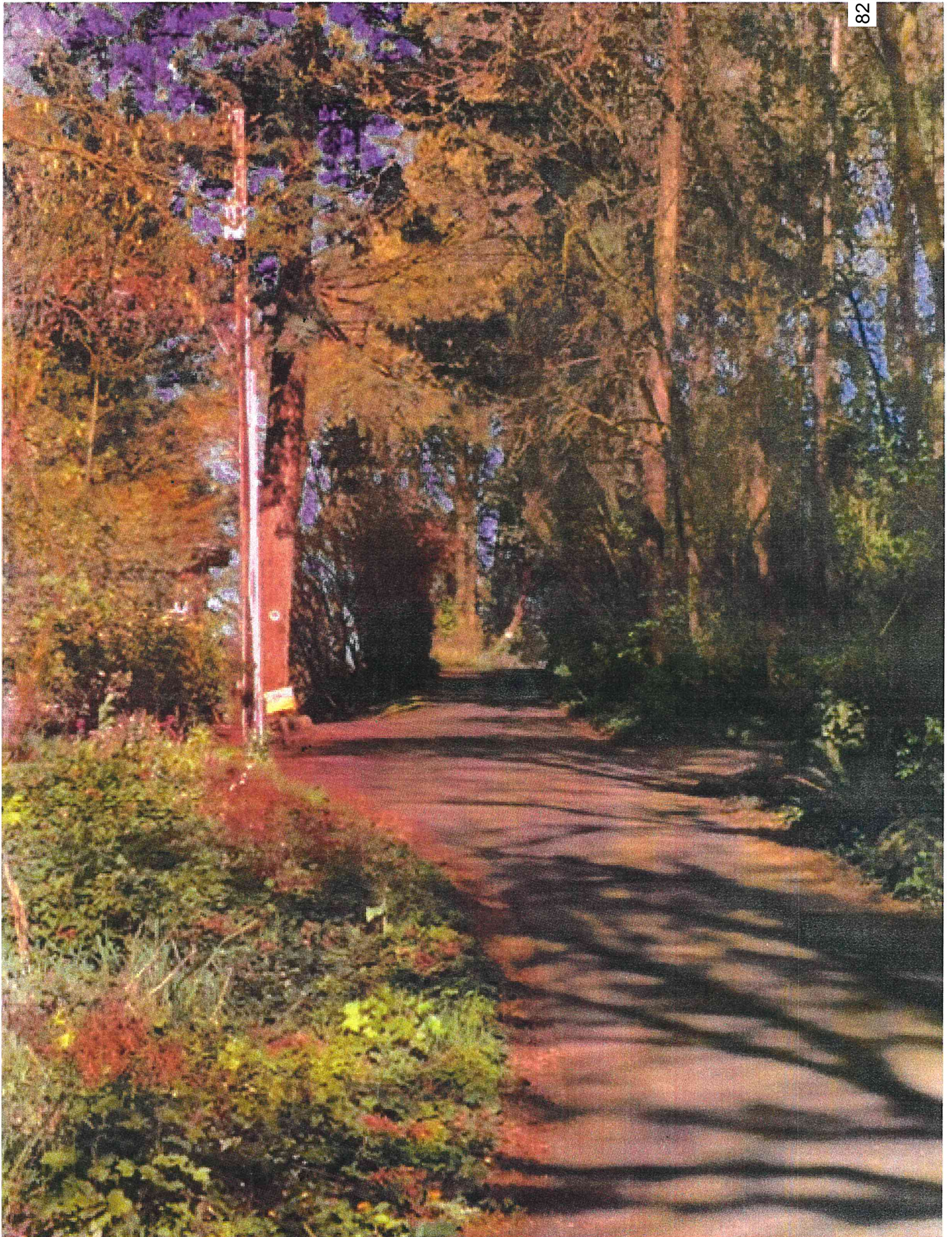
Thank you for your consideration,

Robin Nunn
160 Belton Road

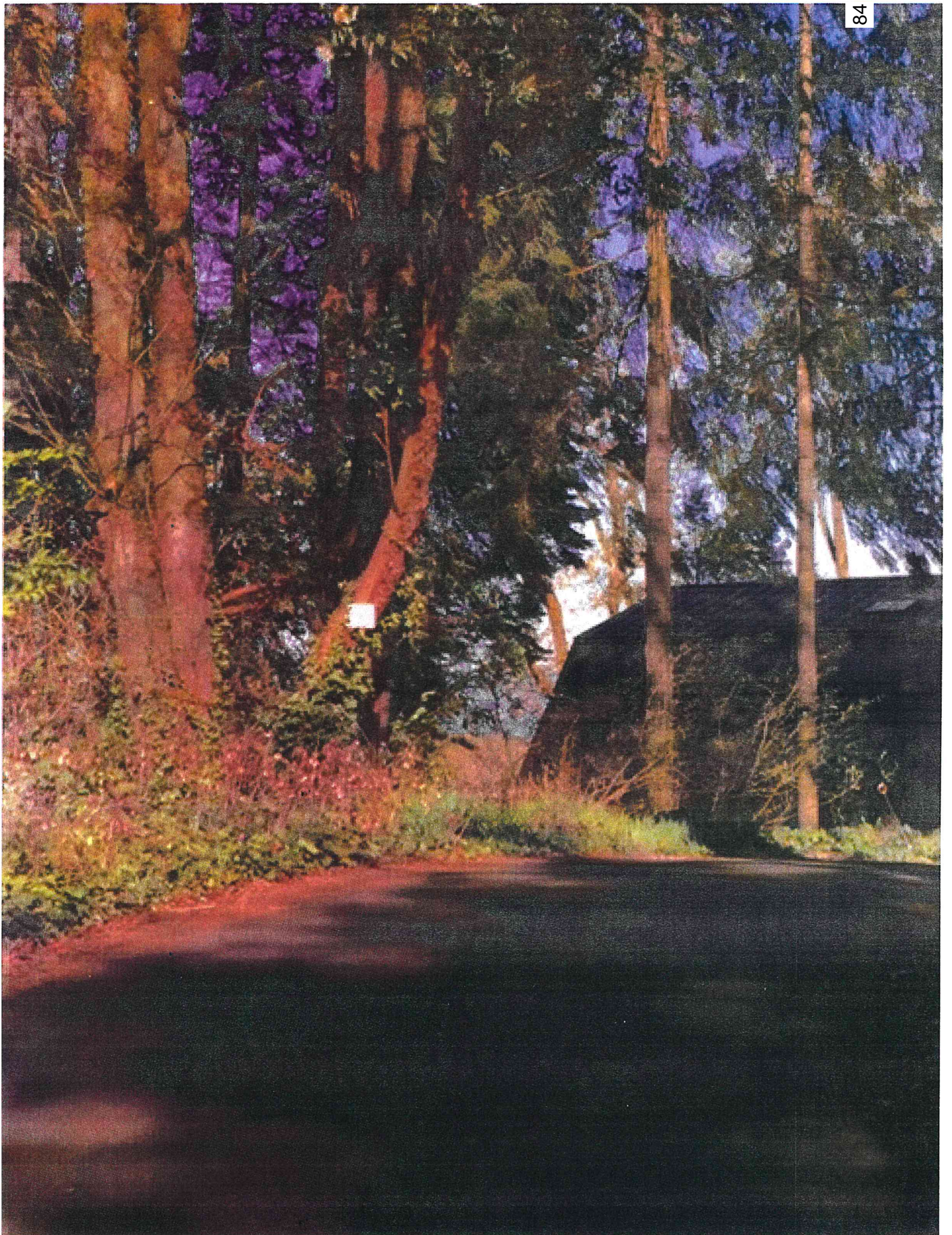














CITY OF ST. HELENS PLANNING DEPARTMENT

M E M O R A N D U M

TO: Planning Commission acting as the Historic Landmarks Commission
 FROM: Jennifer Dimsho, AICP, Associate Planner
 Jacob Graichen, AICP, City Planner
 RE: Architectural Character Review: 330 S. 1st Street (SDRm.2.20 and BP # 14479)
 DATE: June 2, 2020

Site History

In 2013, a Site Design Review (SDR.8.13) approved exterior modifications (and received a conditional recommendation of approval by the HLC) and confirmed a legal dwelling unit on the 2nd floor of the existing single-family dwelling. In 2017, SDR.7.17 approved office use on the main floor, and proposed a live/work unit in the basement. Since then, Lower Columbia Engineering has submitted a Building Permit (No. 14479) and a modification (SDRm.2.20) to the originally approved SDR.7.17 for a live/work unit and related ADA ramp and exterior rear façade modifications.

Per SHMC 17.32.072(7), permanent exterior architectural changes to buildings (that are not official recognized historic resources) shall comply with the ***Riverfront District's Architectural Design Guidelines***. The Historic Landmarks Commission shall make a recommendation to the approval authority as to whether the Commission believes the proposal complies.

Please review your copy of the guidelines when looking at this proposal and be prepared to discuss. The guidelines can also be found on the City website on the Planning Departments historic preservation page: <https://www.ci.st-helens.or.us/planning/page/riverfront-district-architectural-design-guidelines>

Attached to this memo are photos of the existing site, proposed plans (3) and applicant narrative (3 pages) and two relevant excerpts from the design guidelines.

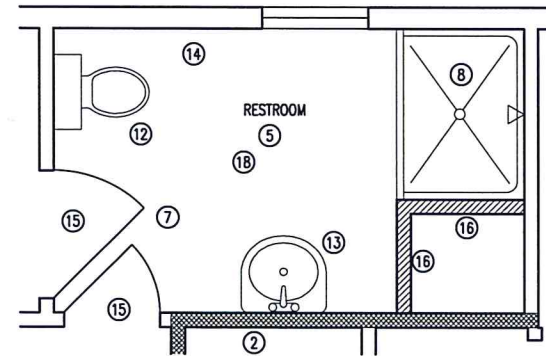
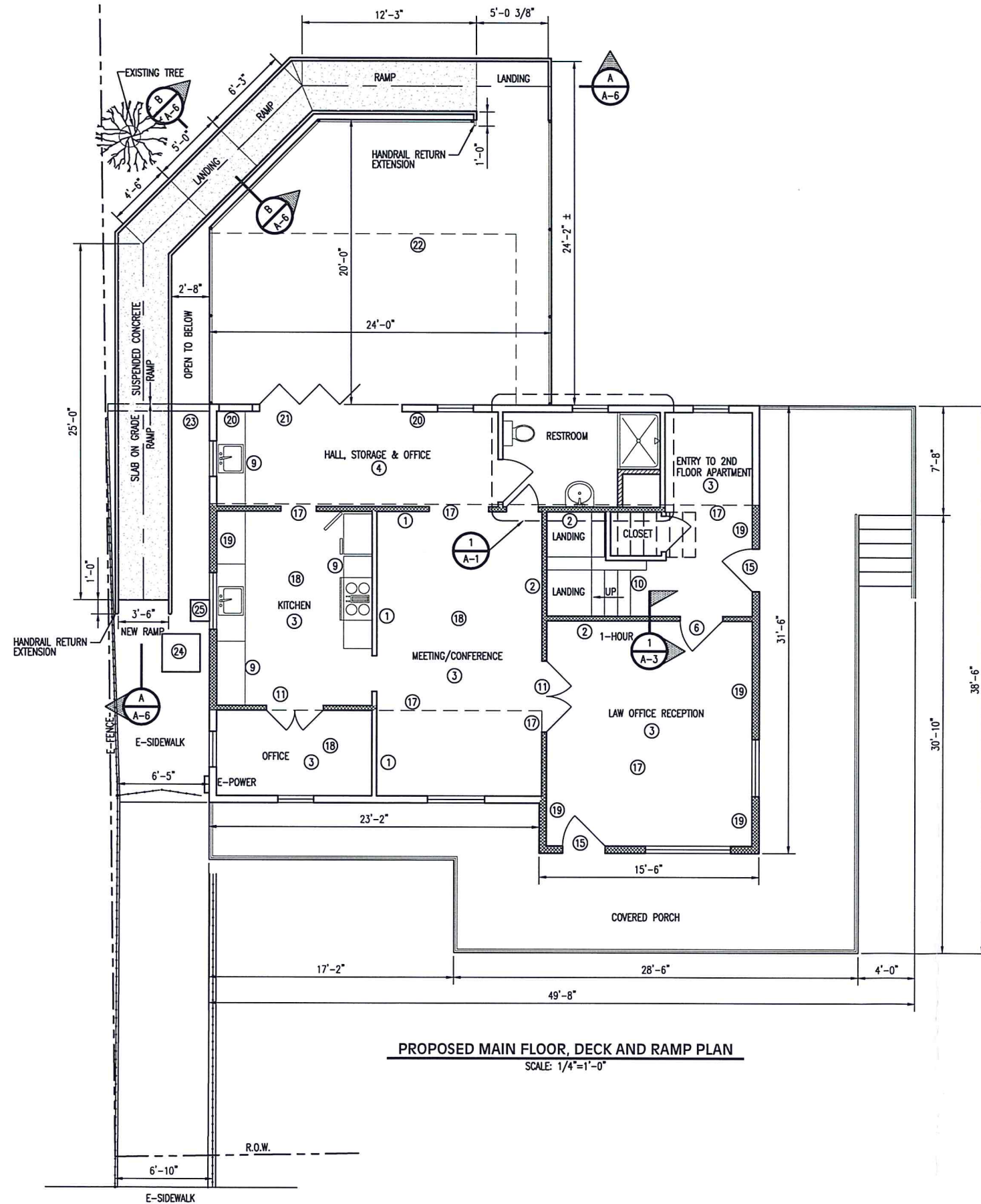
Staff Thoughts

Original windows and doors should be retained wherever practical. The applicant is proposing to remove an existing rear door, remove four window, and modify the wall for a "bi-fold door." See the applicant's narrative for example photos of a bi-fold door. The bi-fold door is to accommodate ADA access and looks similar to the existing rear French door that was installed with the 2013 SDR.8.13 approval (see photo on next page of rear façade).

The applicant is proposing demolition and replacement of the existing rear deck with a new ADA ramp. A steel railing with mesh is proposed. The design guidelines state that a traditional pallet of colors and materials are preferred. Alterations should appear similar to those seen traditionally to establish a sense of visual continuity. Specifically, use of bright unfinished metal is discouraged. The applicant is proposing to powder coat and paint the steel metal rails and supports with matte black to match their existing front yard metal fence and other front exterior fixtures (see applicant photos). The steel mesh will also be painted to match.

Rear & Front Façade Photos (Existing)





MAIN FLOOR KEYED NOTES

- ① PROVIDE (1) LAYER OF 1/2" PLYWOOD TO ONE SIDE OF ALL WALLS THAT ORIGINALLY HAD 1x4 T&G FIR SHEATHING. SEE DETAIL 5
A-3
- ② 1-HOUR WALL, SEE DETAIL 1
A-3
- ③ REFINISH FIR FLOORING
- ④ NEW FIR FLOORING TO MATCH EXISTING
- ⑤ EXISTING TILE AND BASE
- ⑥ PROVIDE LOCK SET (CYLINDER BY OWNER) FOR NEW 45 MINUTE FIRE RATED DOOR 3/0x7/0 AND WOOD DOOR FRAME.
- ⑦ ACCESSIBLE RESTROOM IS LOCATED ON LOWER FLOOR. (TWO OWNERS, NO EMPLOYEES).
- ⑧ NEW STEAM/SHOWER, BY OWNER
- ⑨ NEW AND RENOVATED CASEWORK BY OWNER
- ⑩ EXISTING STAIRS
- ⑪ (PAIR) NEW DOORS 3/0x7/0 WITH FULL LIGHT (NOTE: WRAP RATED WALL ASSEMBLY BEHIND DOOR JAMBS FOR CONTINUOUS 1-HOUR RATING)
- ⑫ NEW WATER CLOSET
- ⑬ NEW LAVATORY (PEDESTAL)
- ⑭ PAINT WALL FULL HEIGHT AND CEILING
- ⑮ EXISTING DOOR TO REMAIN
- ⑯ NEW WALLS, SEE DETAIL 4
A-3
- ⑰ PROVIDE 1-HOUR FLOOR CEILING ASSEMBLY AT FLOOR OF APARTMENT ABOVE MAIN FLOOR, SEE DETAIL 3
A-3
- ⑱ PROVIDE PAINTED GYPSUM WALL BOARD ON FURRING, 24" O.C. AT BOTTOM OF JOIST, TYPICAL. REFER TO NOTE 17 FOR RATED PORTION OF CEILINGS.
- ⑲ PROVIDE (1) LAYER OF 5/8" TYPE 'X' GYPSUM BOARD ON INTERIOR FACE OF EXTERIOR WALLS THAT CARRY THE SECOND FLOOR AS INDICATED ON PLANS PER OSSC SECTION 705.5
- ⑳ DEMO EXISTING WINDOW AND REPAIR/INFILL WALL WITH DOUBLE KING STUDS TO SUPPORT NEW 3 1/2" x 12" 2.0E HEADER FOR OPENING
- ㉑ EXISTING DOOR & WINDOWS REPLACED WITH 10' BI-FOLD DOOR (DOOR SYSTEM IS BY OTHERS) AND 3 1/2" x 12" 2.0E HEADER
- ㉒ EXISTING DECK TO BE DEMOLISHED AND REPLACED WITH NEW CONCRETE DECK AND ADA RAMP, SEE PAGE A-5 AND A-6
- ㉓ EXISTING RETAINING WALL TO REMAIN
- ㉔ RELOCATE EXISTING HVAC UNIT TO PROVIDE 5' OF CLEARANCE AT RAMP APPROACH
- ㉕ EXISTING GAS METER TO REMAIN

THESE NOTES APPLY TO THIS SHEET ONLY



DATE: 3/5/2020
REVISED PRINT
VOID ALL PREVIOUS

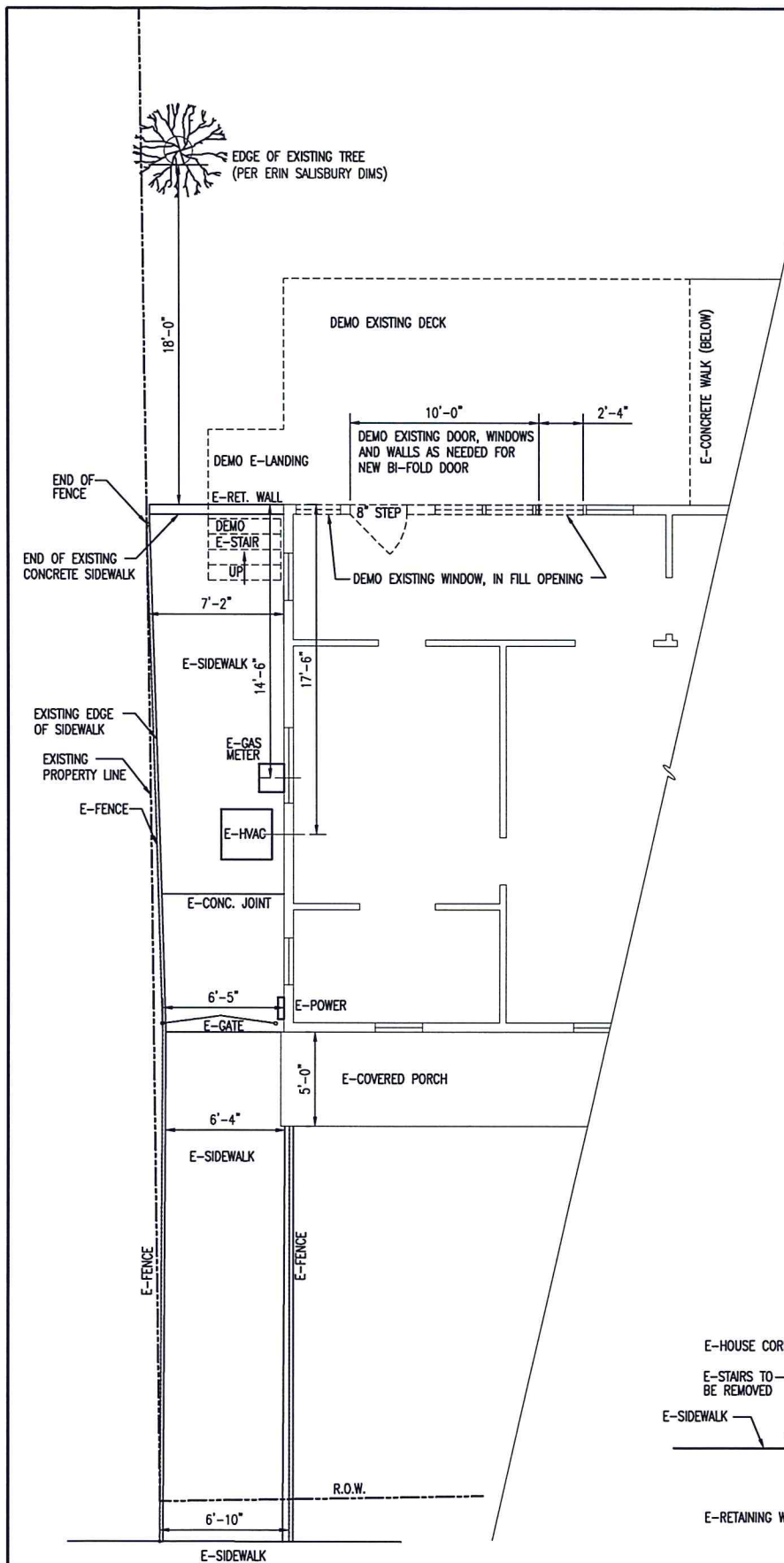
DATE: 05/03/19
ISSUED
FOR APPROVAL

| REV. | REVISION RECORD | DATE |
|------|--------------------------------------|----------|
| A | REVISED TO INCLUDE NEW DECK AND RAMP | 12/12/19 |
| B | HANDRAIL RETURN DIMS ADDED | 3/5/2020 |
| | | |
| | | |

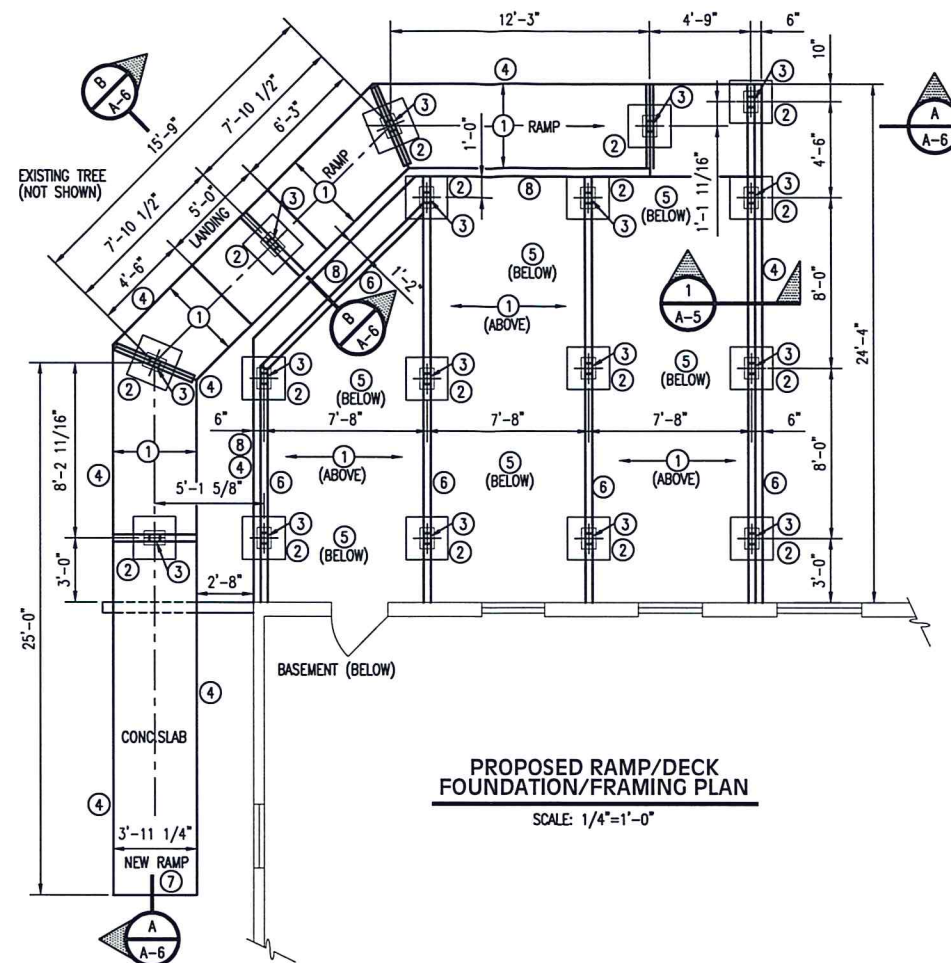


| | | |
|-----------|--------------|---|
| PROJ. NO. | 2899 | PROPOSED MAIN FLOOR, DECK AND RAMP PLAN |
| DWG. BY | CAT | 330 S FIRST STREET REMODEL |
| APPR. BY | | SALISBURY LAW OFFICE |
| FILE | D-2899-A-1-B | DATE 4/30/19 |

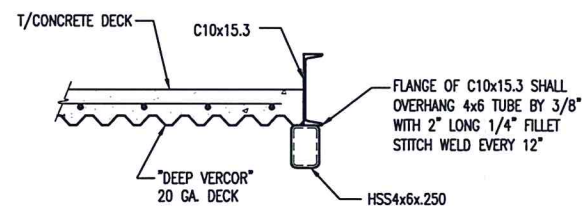
A-1



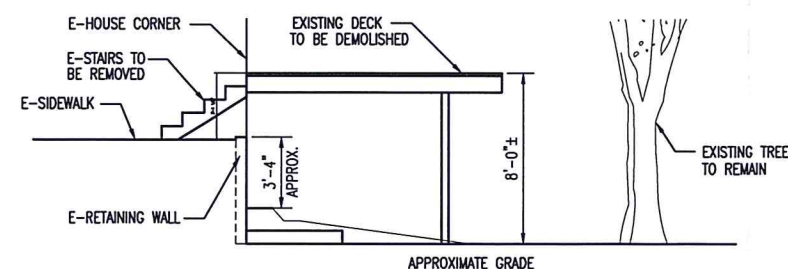
EXISTING/DEMO PLAN
SCALE: 1/4"=1'-0"



PROPOSED RAMP/DECK FOUNDATION/FRAMING PLAN
SCALE: 1/4"=1'-0"



1 TYPICAL DECK SECTION AT EDGE
SCALE: 1" = 1'-0"



APPROXIMATE PROFILE AT EXISTING DECK
SCALE: 1/4"=1'-0"

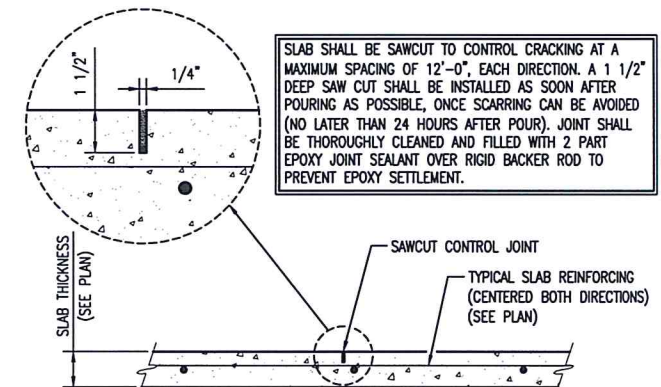
KEYED FRAMING & FOUNDATION NOTES

- 1 PROPOSED 5" CONCRETE OVER "DEEP VERCOR" 20 GA. METAL PAN DECKING, SEE DETAIL **2**
 - 2 3'-0" SQ. x 12" DEEP FOOTING WITH #4 REBAR AT 12" O.C. EACH WAY MAXIMUM, CENTERED IN FOOTING.
 - 3 HSS4x6x.250, WELDED TO 8"x12"x.500 PLATE, WELDED TO HSS4x.250 BEAM, SEE DETAIL **B**
 - 4 SEE DETAIL **1** FOR HANDRAIL AND GUARD RAIL
 - 5 4" CONCRETE BASEMENT PATIO SLAB ON GRADE BELOW DECK WITH THICKENED EDGE, WITH #4 REBAR AT 48" O.C. EACH WAY MAXIMUM. (SAME SIZE AS DECK ABOVE) SEE SLAB DETAIL **3**
- 3'-0" SQ.x12" FOOTINGS MAY BE POURED FIRST WITH BASEMENT PATIO SLAB POURED OVER TOP OF BASE PLATES, OR SLAB MAY BE POURED MONOLITHIC WITH THICKENED AREAS FOR FOOTINGS AND EXPOSED BASE PLATES (VERIFY WITH OWNER)
- 6 HSS 4x6x.250 BEAM
 - 7 PROVIDE 1/2" EXPANSION BOARD AT TRANSITION WITH EXISTING CONCRETE
 - 8 C10x15.3

THESE NOTES APPLY TO THIS SHEET ONLY

STEEL NOTES

1. ALL STEEL SHALL BE NEW DOMESTIC STOCK. HOT ROLLED SHAPES AND PLATES SHALL CONFORM TO ASTM A36 WITH A MINIMUM YIELD STRENGTH OF 36,000 PSI. SQUARE AND RECTANGULAR TUBING SHALL BE COLD FORMED, ELECTRIC RESISTANCE WELDED AND CONFORM TO ASTM A500-GRADE B, WITH A MINIMUM YIELD STRENGTH OF 46,000 PSI. ROUND PIPE SHALL CONFORM TO ASTM A53-GRADE B, WITH A MINIMUM YIELD STRENGTH OF 35,000 PSI.
2. ALL WELDING SHALL BE OF SIZE AND TYPE APPROPRIATE FOR THE MEMBERS BEING WELDED PER APPROPRIATE AWS SPECIFICATIONS USING E70XX ELECTRODES. IN GENERAL ALL JOINTS SHALL BE FULLY WELDED WITH A FILLET WELD THAT IS 1/16" LESS THAN THE THINNESS MEMBER BEING JOINED, UNLESS NOTED OTHERWISE. CONTACT ENGINEER WITH ANY UNCERTAINTIES PRIOR TO PROCEEDING. TAKE EXTREME CARE TO NOT OVERHEAT EMBEDS IN CONCRETE.
3. CONTRACTOR IS RESPONSIBLE FOR SUBMITTING SHOP DRAWINGS TO ENGINEER FOR REVIEW AND APPROVAL PRIOR TO COMMENCING FABRICATION.
4. ALL TEMPORARY SHORING FOR CONSTRUCTION PURPOSES IS THE RESPONSIBILITY OF THE CONTRACTOR.
5. ALL STEEL SHALL BE POWDER COATED PER INDUSTRY STANDARDS.
6. ALL BOLT ASSEMBLIES SHALL INCLUDE BOLT, NUT AND LARGE HARDENED FLAT WASHER. BOLTS SHALL CONFORM TO ASTM A325, UNLESS NOTED OTHERWISE. TIGHTEN ALL BOLTS UTILIZING THE "TURN-OF-NUT" METHOD.
7. INSTALL ALL ITEMS PER MANUFACTURERS SPECIFICATIONS.
8. ANY UNCERTAINTIES SHALL BE ADDRESSED PRIOR TO PROCEEDING, LOWER COLUMBIA ENGINEERING IS NOT RESPONSIBLE FOR THE PROPER IMPLEMENTATION OF THE SPECIFICATIONS CONTAINED ON THESE DRAWINGS.



SAW CUT CONTROL JOINT DETAIL
SCALE: 3/4" = 1'-0"



DATE: 2/11/2020
REVISED PRINT
VOID ALL PREVIOUS

DATE: 9/24/19
PRELIMINARY
NOT FOR CONSTRUCTION

| REV. | REVISION RECORD | DATE |
|------|--------------------------------------|----------|
| A | PER CLIENT REVIEW & COMMENTS 9/26/19 | 9/27/19 |
| B | NEW RAMP DESIGN | 12/3/19 |
| C | REVISED PER CLIENT 12/9/19 EMAIL | 12/12/19 |



| | | |
|-----------|--------------|--|
| PROJ. NO. | 2899 | E/DEMO PLAN, RAMP FOUNDATION/FRAMING & NOTES |
| DWG. BY | CAT | 330 S FIRST STREET REMODEL |
| APPR. BY | | SALISBURY LAW OFFICE |
| FILE | D-2899-A-5-C | DATE 9/10/19 |

A-5



EXISTING REAR ELEVATION

SCALE: 1/4"=1'-0"



PROPOSED REAR ELEVATION

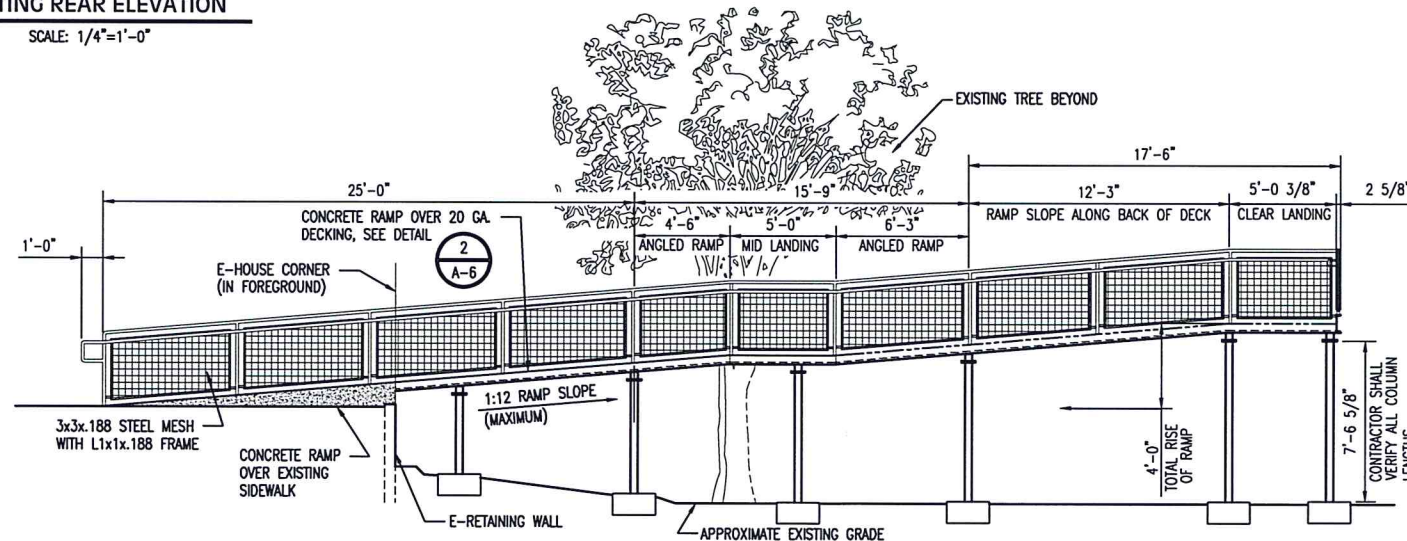
SCALE: 1/4"=1'-0"

NOTES:

1. INSTALL GUARDRAILS A MINIMUM OF 42" HIGH SUCH THAT A 4" SPHERE CANNOT PASS THROUGH IN ALL AREAS WITH A 24" OR GREATER VERTICAL DROP. ALL RAILS SHALL BE CONSTRUCTED TO RESIST A 50 POUND PER FOOT DISTRIBUTED LOAD OR A 200# CONCENTRATED. INTERMEDIATE AREAS SHALL RESIST A 50 PSF UNIFORM FORCE.

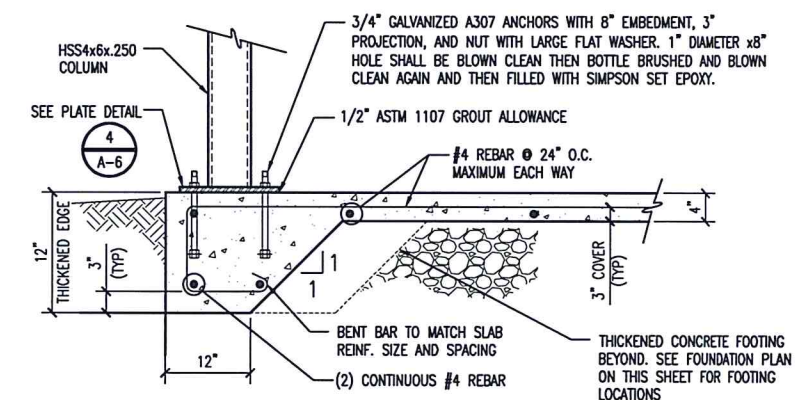
2. DESIGN CONCEPT SHOWN HAS 1 1/2" SQUARE TUBE CAP AND POSTS (8'-0" O.C. MAX.) AND IN-FILL PANELS COMPRISED OF 3" SQ.X.188 MESH FRAMED WITH L1X1X.188 WITH 3" NOMINAL GAP BETWEEN ANGLE FRAME AND CHANNEL AT BOTTOM AND 1 1/2" SQUARE TUBE AT TOP AND SIDES.

3. FABRICATOR SHALL PROVIDE SHOP DRAWINGS FOR REVIEW AND APPROVAL BY ENGINEERING PRIOR TO FABRICATION.



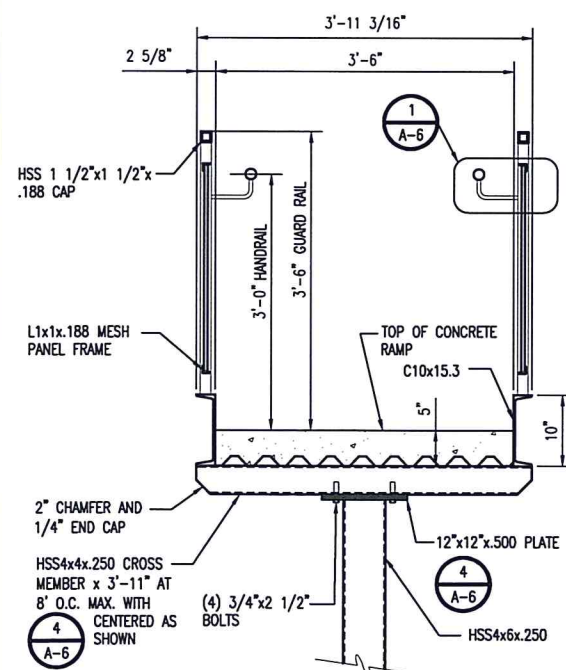
PROPOSED RAMP PROFILE/SECTION

SCALE: 1/4"=1'-0"



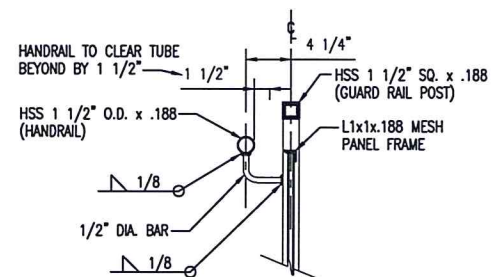
THICKENED SLAB EDGE

SCALE: 1"=1'-0"



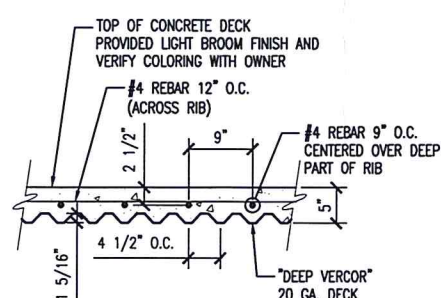
TYPICAL RAMP SECTION

SCALE: 1"=1'-0"



HANDRAIL DETAIL

SCALE: 1 1/2"=1'-0"



PATIO DECK SECTION

SCALE: 1"=1'-0"

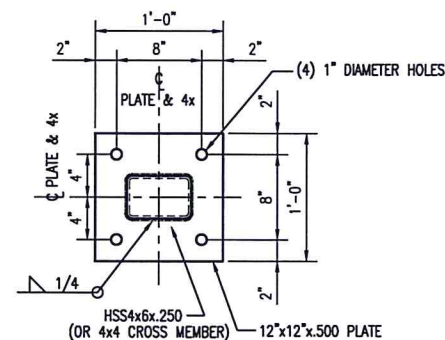


PLATE DETAIL

SCALE: 1 1/2"=1'-0"

| REV. | REVISION RECORD | DATE |
|------|--|----------|
| A | PER CLIENT REVIEW AND COMMENTS 9/26/19 | 9/27/19 |
| B | GENERAL UPDATES | 12/3/19 |
| C | REVISED PER CLIENT 12/9/19 EMAIL | 12/12/19 |



| | | |
|-----------|--------------|--|
| PROJ. NO. | 2899 | PROPOSED ADA RAMP ELEVATIONS & DETAILS |
| DWG. BY | CAT | 330 S FIRST STREET REMODEL |
| APPR. BY | | SALISBURY LAW OFFICE |
| FILE | D-2899-A-6-C | DATE 9/10/19 |

A-6



DATE: 3/13/2020
REVISED PRINT
VOID ALL PREVIOUS

DATE: 3/13/2020
ISSUED
FOR APPROVAL

Jenny Dimsho, AICP
Associate Planner
City of St. Helens

May 29, 2020

Dear Ms. Dimsho,

Thank you for the opportunity to clarify our plans for a remodel of 330 S. 1st Street, St Helens.

Our overall goal for the property moving forward is to retain the historical aesthetics of the house while providing the ADA ramp and upgrades required.

The plans for the replacement deck and ADA ramp will incorporate metal rails and supports, which will be powder coated or painted matte black, as would match our existing metal fence and railings at the front of the building (see Fig 1, below attached.) While our plans as submitted currently indicate a potential steel mesh as part of the railing design, our hope is to incorporate a final railing design that mimics the front yard metal fencing and is still to code, but regardless, all exposed metal will be painted in accordance with the historical guidelines.

The new doors at the deck are necessitated by the ADA access, since the current existing door is only 29" wide. The modern bifold type doors will have divided lights, which will echo the current windows (likely 2 lights wide, by 4 long), they will likely be a clad exterior painted white with historically & proportionally accurate white painted casing, with a wood painted interior. These will be **custom ordered doors made of wood**, and while I'm not certain of the exact product the contractor will advise using, it will be something comparable to the Marvin brand "Ultimate Bi-fold doors" (see <https://www.marvin.com/products/collections/signature/ultimate/bi-fold-door>) Please also see attached photos (Fig 2) that show our inspiration.

Our intent with the building is to modernize without losing any of the old house character. We welcome any further questions.

Sincerely,

Erin Salisbury
971-570-8844

Fig 1: Existing metal fence/railing at front of 330 S. 1st Street



Fig 2: Examples of wooden bi-fold doors in old style home context



2. BUILDING FAÇADE/ENTRY

Encourage a traditional look and feel in façade design to continue the sense of place.

The building façade and entryway is the most visible part of a building and it serves to enhance a structure's quality and character. The unique characteristics and architectural details of a façade contribute to the historic sense of place found in Olde Towne. While the uses that happen within a building can and do change, the overall appearance of the structure should not.



Retain original building materials, windows and doors whenever possible and practical. Ensuring that materials are utilized for their full life cycle helps reduce waste and conserve virgin materials and resources.

2.2 GENERAL GUIDANCE

Maintain traditional façade elements on existing structures and encourage their use on new buildings.

- The building should not be made to look older or “more historic” than it actually is. Building elements not present on an historic structure should not be added unless documentation can be provided demonstrating that elements were present in the building’s past.
- Use traditional building materials that have a similar texture, pattern, and scale as those found in Olde Towne.
- Building colors should follow a traditional palette and reflect the district’s historic character.
- Maintain the original window-to-building ratio found historically.

- Retaining the original craftsmanship provides an authenticity to the building that cannot be accomplished using modern building materials/ techniques. Building elements should be repaired instead of replaced, unless absolutely necessary. Traditional features should be repaired using materials/techniques as close to the original as possible.
- Restoring façade elements that have been covered or removed is strongly encouraged.
- In the instance that damage to the building makes repair implausible, elements shall be replaced with materials/features as similar to the original as possible (i.e., do not replace decorative wood kickplates with glass).
- **Retain and do not alter original windows and doors.**
- Preserve the decorative elements and functional integrity of historic doors and entryways.
- Do not remove/alter building entrance or recessed entry.
- Maintain building alignment at the front of the property line oriented toward the street.
- Do not cover, remove, or alter the shape and size of display, transom, or upper-story windows.
- Do not add new features or replace elements such as kickplates, doors, cornices, etc. using non- traditional techniques and/or materials.

2.3 EXISTING BUILDINGS

Preservation or restoration of original building façades and entryways is necessary to maintain the unique qualities and characteristics of Olde Towne, and to strengthen the integrity of the district.

- Ensure that the historic façade remains intact, well-maintained, and true to its origins in appearance of original façade elements and features.

6. MATERIAL & BUILDING COLORS

A traditional pallet of colors and materials are preferred.

Building materials of new structures and additions or alterations should contribute to the visual continuity of the district. The materials should appear similar to those seen traditionally to establish a sense of visual continuity.

Buildings consume a large portion of Earth's natural resources, including 40% of raw stone, gravel, and sand and 25% of virgin wood. Choosing more sustainable building materials can mitigate negative environmental impacts and conserve virgin materials and resources. Utilize salvaged building materials, look for products with recycled content, containing rapidly renewable materials, Forest Stewardship Council (FSC) certified wood, and/or locally harvested or extracted components.

6.2 GENERAL GUIDANCE

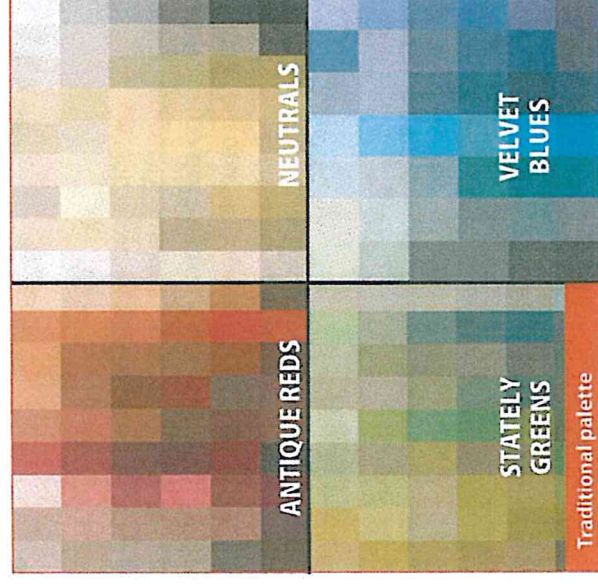
Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the historic district should be preserved.

- Match brick and mortar in color, profile and texture to that of the original building or to another neighboring historic building.
- Where possible, use materials indigenous to the region and/or manufactured or supplied locally.

6.3 EXISTING BUILDINGS

During rehabilitation of buildings, replace materials with similar material types to maintain original appearance of the structure.

- Brick that has not been painted should not be painted.
- Match stone coursing, finish and joints to original.
- Maintain historical architectural detailing at window heads, cornices, belt course, and corners.
- Generally, the use of plastic, bright-unfinished metal, unpainted wood, and false stone is inappropriate and discouraged.
- Retain and preserve original wall and siding materials when possible and appropriate.
- Avoid removing siding that is in good condition or that can be repaired in place.
- Remove only the siding that is deteriorated and must be replaced.
- To preserve the character, defining-features of the historic façade materials do not cover or obscure the original façade.
- If the original material has been covered, uncover it, if feasible.



CITY OF ST. HELENS PLANNING DEPARTMENT ACTIVITY REPORT



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

Date: 05.26.2020

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

Had a preliminary Q&A meeting for potential land development at Columbia Boulevard / Six Deeds Lane.

PLANNING ADMINISTRATION—MISC.

Attended a virtual meeting with DLCD regarding Oregon House Bill 2001. This bill requires “medium” sized cities (10,000 – 25,000 pop.) to treat duplexes as detached single family dwellings. We must have new code adopted by June 30, 2020, otherwise we must comply with the model code after that. The model code for “medium” size cities is anticipated to be adopted by the State in late July of this year. Note that the model code requires zero off-street parking for new duplexes. If we adopt our own code, we can require no more than two off-street parking spaces. More detail to come in the future.

The model code for “large” cities will come later (this Fall). This matter for St. Heles as we wanted to use some of that work to help with our housing goals. For example, cottage cluster provisions.

Helped the City's Government Affairs and Project Support Specialist with a legal description for Sand Island.

DEVELOPMENT CODE ENFORCEMENT

Some issues for a property along Milton Way (Pellham Cutting) have been resolved. Sent a notice of violation about a year ago. They have since applied for land use (file SDR.4.19) and grade/fill permits and finished what needed to be done. Now 100% resolved.

Starting to have RV issues again at a church on Gable Road.

Associate Planner continued to work with some violations S. 4th Street (by the John Gumm School). Progress is uncertain and this may turn into a citation, depending on what happens the next month.

We received a complaint for property on the corner of Old Portland Road and Construction Way. Hope to have time next month to consider the issues.

PLANNING COMMISSION (& acting HISTORIC LANDMARKS COMMISSION)

May 12, 2020 meeting (outcome): The Commission approved a 6 lot subdivision at Columbia Boulevard and N. 6th Street and a Conditional Use Permit to add a storage facility and other minor changes to the approved St. Helens Place Apartments along Matzen Street. They denied nine Variances to increase lot coverage of buildings/structures for Emerald Meadows Subdivision lots.

In addition to the public hearing notes above, they discussed and approved the recommendation from the Planning Commission Interview Committee to accept someone for a vacant position. They also discussed the annual report to Council; staff will present this to the Council.

June 9, 2020 meeting (upcoming): Two public hearings are scheduled: 1) a Conditional Use Permit for a new retail use/artisan workshop with outdoor storage at 254 N. Columbia River Highway, and 2) an appeal of a Partition decision at 160 Belton Road.

As the Historic Landmarks Commission, they will consider exterior additions/changes to an existing building at 330 S. 1st Street—if the applicant can get materials to staff in time—and the changes to the Bennett Building—if staff has time to prepare-- as they relate to the Riverfront District's architectural standards. The Bennet building issues was discussed at the Commission's February and March meetings too.

ST. HELENS INDUSTRIAL PARK PARTITION

This is the partition to carve off the ACSP (industrial agriculture business) on the former Boise White Paper site. Making progress on this; helped with legal document review this month.

ST. HELENS INDUSTRIAL PARK PLANNING

Met with consultants and reviewed the first draft parcellation framework plan. Worked with staff to provide comments on the work thus far.

MILLARD ROAD PROPERTY

We are ready to schedule zone change hearings. Looking at July and August for the Planning Commission and City Council public hearings.

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

Jennifer Dimsho

From: Jennifer Dimsho
Sent: Tuesday, May 26, 2020 9:50 AM
To: Jacob Graichen
Subject: May Planning Department Report

Here are my additions to the May Planning Department Report.

GRANTS

1. **DLCD's 2019-2021 Technical Assistance Program** – Grant contract with DLCD authorized to prepare a *Boise White Paper Industrial Site Master Plan* which will include a parcelization framework and an infrastructure finance planning for the former mill site. Call on 5/18 to review preliminary report. Prepared detailed City response to the draft Parcelization Plan.
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. Project on hold as we work on two OPRD and BUILD grant applications due in April/May.
3. **Oregon Community Foundation – Nike Impact Fund – 5th Street Trail Project** – Aside from signage, this project has been completed thanks to Public Works and the Columbia River Youth Corps! Once all invoices processed, I will see what funds of the grant remain, and work on getting appropriate signage with the remainder of the funds. Final project report due in June.
4. **Travel Oregon - Medium Grants Program (100k)** – Final project report/reimbursement due in July.
5. **EPA – CWA Grant Program** – Project to be closed out by September 2020. 50 Plaza Square . Follow up South 80 sampling week of 2/24. Draft report sent to EPA/DEQ. 50 Plaza Square report forthcoming. Final project to be completed by September 2020.
6. **CDBG- Columbia Pacific Food Bank Project** – Construction documents complete. Building Permit application submitted week of 3/24. Contractor procurement/bid document to be sent to legal counsel. Planned bid period is for June/July (revised because of pandemic).
7. **Certified Local Government – Historic Preservation Grant Program** - Columbia Theater work plan approved through SHPO and met NEPA requirements. Marquee/signage installation planned for week of May 24! Installation photos taken.
8. **Safe Routes to School - Columbia Blvd. Sidewalk Project** – Kicked off engineering with David Evans. Survey complete.
9. **UDOT BUILD Grant** – Submitted application for 8.6 million (2.1 million match) to complete the street network on the Riverfront Property. Worked with Kittelson & Associates for application materials assistance. Worked with Rachael and John to update 24 pages of narrative, budget, site plans, timeline, Cost-Benefit Analysis, and 22 letters of support.
10. **OPRD - Local Government Grant** – Submitted application for 500k as matching grant to fund the St. Helens Riverwalk Phase I which is approximately 350 feet of cantilevered boardwalk at 10' wide alongside an 8' concrete path, + 80' of concrete path at 12' wide. Project includes landscaping, shoreline restoration and riparian plantings, an overlook feature, interpretive signage, furnishings, guard railing, and lighting. Total project cost is approximately 1.5 million. City to contribute approximately 500k in-kind/cash funding. Application included 4 letters of support, 5 state/federal agency referral reviews, a site plan, narrative, budget and timeline. Presentation to OPRD board has been delayed until Fall 2020. Used Alta Planning & Design for site plan design, cross section, and budget assistance. Rachael and John assisted with grant narrative.
11. **OPRD - Land and Water Conservation Fund Grant** – Submitted an identical 500k request for the project listed above. OPRD grant review committee digital presentation on May 5/6.

MISC

12. I have been settling into limited office hours since the March 19. Generally, I am in the office 2 days a week and teleworking the remaining 3 days a week. We tested a ZOOM PC meeting, and we hosted 3 digital PC public hearings in May. I have been assisting Christina with the media notification and notice mailing process since going digital with meetings.
13. The Millard Road signalization ODOT project is moving forward with a project schedule. Jacob, Sue, and I have been working on incorporating the entrance sign into their design, or at a minimum, getting the sign materials and a location approved by ODOT/ODOT rail.
14. Working with Tiberius Solutions to update our URA revenue projections by listing potential private investments within the URA boundary. Thanks to Heidi for providing building permit value estimations for a number of these projects.
15. Attended Parks Commission digital meeting on May 11 to listen and provide input on a potential Master Plan update.

Thank you,

Jenny Dimsho, AICP
Associate Planner
City of St. Helens
(503) 366-8207
jdimsho@ci.st-helens.or.us