

City of St. Helens
Planning Commission
February 10, 2015
Agenda

1. **7:00 p.m. Call to Order and Flag Salute**
2. **Consent Agenda**
 - a. Planning Commission Minutes dated January 13, 2015
3. **Topics from the Floor:** Limited to 5 minutes per topic (Not on Public Hearing Agenda)
4. **Public Hearing Agenda:** (times are earliest start time)
 - a. 7:00 p.m. Variance at 2625 Sykes Rd. (Stanton Wirta)
5. **Marijuana and Land Use Discussion (Continued)**
 - a. Brianne Mares, Columbia County Mental Health
6. **Residential Lot Coverage Increase Discussion (Continued)**
7. **Reinan Street Vacation Discussion for Recommendation to Council**
8. **Acceptance Agenda: Planning Administrator Site Design Review**
 - a. Site Design Review (Major) at 299 S. Vernonia Rd. – O’Reilly Auto Enterprise, LLC
9. **Planning Director Decisions:** (previously e-mailed to the Commission)
 - a. Home Occupation (Type I) at 264 N. 5th St. – Home office
 - b. Sign Permit (Banner) at 2100 Block of Columbia Blvd. – Dianna Holmes
 - c. Sign Permit (Banner) at 2100 Block of Columbia Blvd. – Sacagawea Health Center
 - d. Sign Permit (Banner) at 2100 Block of Columbia Blvd. – Columbia County OHA
 - e. Sign Permit (Banner) at 2100 Block of Columbia Blvd. – Pacific NW Works
10. **Planning Department Activity Reports**
 - a. January 27, 2015
11. **For Your Information Items**
12. **Next Regular Meeting: March 10, 2015**

Adjournment

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City of St. Helens
Planning Commission Meeting
January 13, 2015
Minutes

Members Present: Al Petersen, Chair
Dan Cary, Vice Chair
Greg Cohen, Commissioner
Sheila Semling, Commissioner
Audrey Webster, Commissioner
Kathryn Lawrence, Commissioner
Russell Hubbard, Commissioner

Members Absent: None

Staff Present: Jacob Graichen, City Planner
Jennifer Dimsho, Assistant Planner
Crystal Farnsworth, Communications Officer

Councilors Present: Ginny Carlson, City Council Liaison

Others Present:

The Planning Commission meeting was called to order by Chair Al Petersen at 7:00 p.m. Chair Petersen led the flag salute.

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Consent Agenda

Approval of Minutes

Chair Petersen requested the following changes: 1) At the bottom of page 5, Chair Petersen should be switched with Commissioner Lawrence and the top of page 6, instead of Commissioner Lawrence, it should say Chair Petersen, 2) At the bottom of page 6 in the first sentence of the last paragraph, the word "could" should be replaced with the word "should", 3) Under For Your Information, the third line should say "increasing AR to 45 percent" not 55 percent [Secretary Note: It was verified that 55 percent is the correct percentage].

Commissioner Webster moved to approve the minutes of the December 9, 2015 Planning Commission meeting as corrected above. Commissioner Semling seconded the motion. Motion carried with all in favor. Vice Chair Cary recused himself from voting due to his absence from that meeting. And Chair Petersen did not vote as per operating rules.

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Topics From The Floor

There were no topics from the floor.

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Public Hearing

**Columbia River Fire & Rescue
Conditional Use Permit / CUP.1.14
58577 McNulty Way**

It is now 7:05 p.m. and Chair Petersen opened the public hearing. There were no ex-parte contacts, conflicts of interest or bias in this matter.

City Planner Jacob Graichen entered the following items into the record:

- Staff report packet dated January 6, 2015 with attachments

Graichen first discussed the history of the site, the applicable criteria, analysis, and potential conditions the Commission could consider as noted in the staff report. Graichen's staff recommendation is approval with the condition that use of the fire training prop not occur during any burn ban or "no burn day" as declared by an agency with applicable jurisdiction. Graichen also explained this condition was recommended by the applicant, Columbia River Fire & Rescue.

Commissioner Cohen asked if there is a requirement to notify the Department of Environmental Quality (DEQ). Graichen was unsure, but the applicant can address this. If it is needed, a condition of approval could also state that the applicant shall be responsible for receiving any necessary state or federal permits.

IN FAVOR

γ **Ron Youngberg, Columbia River Fire & Rescue:** To address the comments about DEQ, Youngberg said as a government agency, they are exempt from most DEQ regulations and this is one of them. He still encouraged Graichen to include that the applicant be responsible for obtaining any needed permits as a condition of approval. That way, the City will have no liability.

Chair Petersen asked how the training prop will work. Youngberg said basically, two storage containers are welded together in a tried-and-true configuration. In the upper container, a fire is built using a minimal amount of wood, and students monitor the fire behavior over time in the bottom container. Then the fire is put out, and they do it over again. It is strictly a fire behavior trainer to teach people what happens inside a building during a fire, not how to attack fires.

Commissioner Cohen asked how much of the smoke will escape. Youngberg said eventually, all of the smoke will escape from the facility. The whole process, from starting the fire to extinguishment, is probably less than 15 minutes. They have watched videos and seen other fire behavior props in real life. They don't believe the amount of smoke, given the size of their property, will cause an impact other than visually. It isn't similar to burning a fire all day. Commissioner Cohen asked if any chemicals, other than the wood, are used. Youngberg said no chemicals are used. Commissioner Cohen asked if the facility itself has a sprinkler system to put the fire out. Youngberg said no, they usually let the fire extinguish itself or sometimes use a hose to help.

Commissioner Semling asked if there was any way the smoke would reach Highway 30. Youngberg said based on other trainers and props, they do not anticipate smoke to travel to Highway 30. He said he is actually more worried about the wood smoke odor because it travels further than the smoke itself. Based on other training props they have seen, they do not anticipate the smoke traveling that far.

Commissioner Cohen asked where Walmart is compared to the prop location. Youngberg pointed very far off the map. Commissioner Cohen asked if there are any immediate neighbors. Youngberg said Columbia County 911 is their nearest neighbor. Commissioner Cohen asked how often they will use the facility. Youngberg said they will probably utilize the facility two to four times a year, slightly more at first because it will be new.

Commissioner Lawrence asked how likely smoke would inhibit drivers along the nearest road, McNulty Way. Youngberg believes it will not inhibit drivers hardly at all and if it did become a problem, they would cease operations. He also noted the prevailing winds tend to be north towards Highway 30, not south.

Commissioner Webster asked if there was any dissent from neighboring businesses. Graichen said surrounding property owners were notified and no comments were received.

IN OPPOSITION

There was no testimony in opposition.

END OF ORAL TESTIMONY

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

CLOSE PUBLIC HEARING & RECORD

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

DELIBERATIONS

Graichen stated the full wording of the condition the Commission had discussed earlier about the owner/developer's responsibility to obtain permits and such from federal, state and local authorities.

Chair Petersen pointed out the condition of approval in the staff report states the training prop will not occur during any burn ban or "no burn" days. However, there are only two weeks in the spring and two weeks in the fall that are recognized by the City as official burn days. If the applicant will be using the training prop four times a year, how will that work? Either an exception will have to be granted to the applicant or the condition will have to be re-worded. Graichen pointed out the City has an exception for fire training facilities. In that case, Chair Petersen recommended altering the condition in the staff report accordingly.

MOTION B

Commissioner Cohen moved to approve the Conditional Use Permit with additional conditions that the applicant be responsible for obtaining all necessary agency permits as worded by Graichen during deliberations and that the fire prop shall not be used during any burn bans or "no burn" days. Commissioner Semling seconded. All in favor; none opposed; motion carries.

Commissioner Cohen moved for Chair Petersen to sign the Findings and Conclusions once prepared. Vice Chair Cary seconded. All in favor; none opposed; motion carries.

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Public Hearing

**St. Helens Organics Recycling, LLC
Conditional Use Permit / CUP.2.14
1300 Kaster Road**

It is now 7:33 p.m. and Chair Petersen opened the public hearing. There were no ex-parte contacts, conflicts of interest or bias in this matter.

Jacob Graichen entered the following items into the record:

- Staff report packet dated January 6, 2015 with attachments

Graichen discussed the applicable criteria, analysis, and findings with the Commission. Graichen also discussed the possible conditions the Commission may require on approval. Graichen's recommendation is to approve the application with conditions as noted in the staff report.

Graichen discussed the anaerobic digester facility in Junction City, Oregon which is similar to this proposal. It is located in a much more rural area than St. Helens, but the closest residence to the Junction City facility is approximately 700 feet away, while the St. Helens proposal is about 2,000 feet away. There were no formal complaints filed against the Junction City facility according to the City, the County, and DEQ. Graichen also noted DEQ's permitting process will address odor control and includes a system to respond to public odor complaints. Graichen showed pictures of his site visit to the subject property to the Commission.

Vice Chair Cary asked where the nearest sewer hookup is for the applicant. Graichen said speaking very generally, it is near Old Portland Road and 16th Street.

Commissioner Cohen asked why landscaping was excluded from the staff report. Graichen said the earlier plans had mitigation efforts because the site was originally proposed closer to the Columbia River. With the final revision, it was far enough from the river that Graichen felt it didn't warrant landscaping. Although, Graichen did point out that landscaping could be used as a condition of approval to mitigate any impacts.

IN FAVOR

γ **Paul Woods, St. Helens Organics Recycling, LLC, Applicant.** Woods introduced himself and thanked Graichen for doing a great job introducing the project. Woods is the founder and owner of St. Helens Organics Recycling, LLC. He is a registered professional engineer with 28 years of professional experience. He has worked as a consultant, started his own successful consulting business, and worked in the public sector. He holds a Master's degree in Public Administration from Boise State University. He worked as the Associate Director of the Environmental Finance Center helping cities with water and wastewater compliance issues and finance issues and received an award from US Environmental Protection Agency for that work. He worked in the public sector, most recently as the Environmental Division Manager of the Public Works Department for the City of Boise, ID. In that role, he oversaw Boise's solid waste and recycling programs and their compliance with National Pollutant Discharge Elimination System (NPDES) permits for stormwater and wastewater.

The sole supplier of the materials for the proposed project is Republic Services. Republic Services is one of the largest waste and recycling companies in the US. There is a General Manager from Republic Services here, Derek Ruckman, who can answer any questions about the materials, the transportation of materials, how it is collected, etc. Republic Services operates the Coffin Butte Landfill, the Pacific Regional Compost facility, and they have a contract with the Columbia County transfer station. Food waste, in the absence of oxygen, wants to naturally break down and one of the byproducts is a greenhouse gas, methane, which is a major contributor to climate change. Doing something different with our organic waste is an opportunity to protect our environment and create energy in the process.

Another partner in this project is General Electric (GE): Power & Water Division and Mr. Chris Allen is the GE representative here tonight. GE is responsible for all of the technology that makes the applicant's facility work. GE Power & Water has an office in Portland and they are an important partner in this project.

Pharmer Engineering, based in Boise, ID is the engineering firm for the project. The president and founder, Bob Pharmer, is here tonight. Bob Pharmer has over 38 years of experience with anaerobic technology, including over 20 years of those as the aerobic digestion expert at CH2M Hill. He has designed anaerobic digestion facilities for both municipal applications and private food processing application.

Boise White Paper, LLC is a partner and the owner of the property. Rich Garber is here as a representative to answer questions about the lease agreement and how the project will interact with the existing operation, Cascade Tissue. Those are the partners that make up St. Helens Organics Recycling, LLC.

Next, Woods discussed the technology utilized for this project. The Commission was shown a map of the site which identified the different facilities where key steps of the process occur. Anaerobic digestion is the technology being used to take organic food waste and make methane. Anaerobic technology has been around since the late 1800s. In a closed container, a mixture of 10 percent solid and 90 percent liquid is introduced to bacteria and mixed well. The bacteria does not have to be re-introduced once it is cultivated. The bacteria break down the food waste and create methane as a byproduct. This methane gas collects in the headspace and is then drawn off. Woods is proposing to sell this methane to Cascade Tissue to use in their boiler instead of natural gas. It would only be about 25 percent of the total energy used to power Cascade Tissue. When the methane is collected, it goes through a process involving iron sponge technology. This is where methane gas travels over wood which has been impregnated with iron (called a wood/iron media) and removes the hydrogen sulfide, which oxidizes and attaches to the wood/iron media. This means when the methane is burned, it will not release sulfur into the air. The wood/iron media is changed out one to two times a year. The depleted wood/iron media is highly concentrated with sulfur, which can be used as a soil amendment.

Next, the material in the digester undergoes a de-watering process. At this point, the material has no odor because all of the volatile solids and odor-causing materials have been destroyed with the anaerobic bacteria. The de-watered material is very rich in nitrogen and phosphorus, which are key components of fertilizer. Woods is proposing to work with land owners who can utilize the material as fertilizer. Instead of having to mine phosphorus rock or create ammonium fertilizer, this facility will take the excess material to grow produce. The water collected from the de-watering process is what will be sent to the City's wastewater treatment plant. That summarizes the technology and process of anaerobic digestion.

When the material originally arrives, it looks like the food in your garbage can or food waste from Safeway or Albertsons. Examples include expired food/juice/milk, post-consumer scraps from restaurants, and grease trap waste. These all have tremendous potential for biogas generation. Republic Services trucks keep this material entirely contained and bring it to the site. When food waste first arrives, it is about 85 percent

water. Trucks will go across the scales that Cascade Tissue uses, back their truck into the de-packaging facility, the doors will close, and the material is dumped onto the floor. The waste is then loaded into a hopper device that shreds the materials to separate plastics from the food waste material. Once the material is in the hopper vessel, there is no potential for odor. The potential for odor is when the trucks dump the material onto the floor. There is no overnight storage or collecting of food waste. When it comes in, it is processed immediately. All air that leaves the de-packaging facility is pulled through a biofilter, which is a mix of compost and wood chips. Biofilters are an older technology that have been used effectively in a number of applications. Essentially it is a chamber with a series of cells where media absorb the odorous compounds, until each cell becomes completely saturated and has to be changed out. Part of the DEQ permitting process involves demonstrating a successful ratio of media to air in this biofilter. The big difference between this proposal and other composting facilities is that this proposal is all contained indoors, not outside in open air.

Commissioner Lawrence asked about the type of odor control that will be used at the de-packaging facility. Woods described the ducts that pull all air from the building like a vacuum into a series of pipes where it is introduced to the biofilter. Commissioner Lawrence asked how the 10 percent solid/90 percent liquid material gets from the de-packaging facility to the digesters. Woods said it is piped from the shredder device to the anaerobic digesters. It is completely contained and there is absolutely no air coming from the anaerobic digesters.

Commissioner Semling asked where the packaging material is stored and where it is taken. Woods said this material is stored inside the de-packaging facility and it is hauled off as a backhaul to either the Columbia County Transfer Station or directly to Coffin Butte Landfill. This material, because of quantity, only needs to be hauled off once or twice a week. The packaging material is incredibly clean. It has no traces of organic material because they put it through an intense washing process. The organic material is valuable and they want to use every bit of it to make biogas. Commissioner Semling asked if there was a plant similar to this in Boise, ID. Woods said no because the landfill costs are cheap. He wishes they had one. He thinks there will be many more of these facilities in the future because organic waste in landfills is a heavy contributor to greenhouse gas emissions.

Chair Peterson asked how much of the site is impervious. Woods said of the five acre piece they will lease, it is about 50 percent pervious, 50 percent impervious.

Commissioner Hubbard asked if they would be utilizing the rail line for shipments. Woods said that they have no immediate plans to use it. He said he hopes someday they could. The rail line is also currently used by Cascade Tissue, so it would be a joint access should the facility use it in the future.

Commissioner Cohen asked if there is a legal definition of organic waste and what it could contain. Woods said he was not aware of any legal definition. Commissioner Cohen asked Woods how *he* would define the material that he would accept at his facility. Woods said all they will take is food scraps or grease trap waste, which will occasionally contain plastics or paper packaging. If someone puts in a kitchen pan, they will be able to separate this out before the system comes to a halt. Vice Chair Cary asked if they would accept hospital or meat packaging waste. Woods said no, it is not a rendering facility.

Chair Petersen asked what the letters CHP stand for on the site map. Woods said that it stands for combined heat and power. In the event that they want to create electricity, biogas is converted to electricity using a large 12 or 16 cylinder engine. The heat for this process can be used to heat the digesters because anaerobic digesters require 95 degree Fahrenheit temperatures to function. Woods said they may also use Cascade Tissue's low-grade steam to heat the digesters.

Commissioner Cohen asked how much of the total material they take in ends up being excess solid waste. Woods said if they take in 60,000 tons of organic material in a year, it would produce 4,000 tons of solids that could be used as soil amendments. The main reason for that is the high water content of the material that comes in. Cohen asked how long that material would stay on site before it was transferred off site. Woods said those are parameters that DEQ will likely set, but they will work with growers to take the material continuously, so they will not end up stockpiling it. Commissioner Cohen asked where the material would be stored. Woods said they will store these materials in the enclosed solids handling facility identified on the site map. Vice Chair Cary asked if this material would have an odor. Woods said no, but if it did become an issue, they could install a similar air filtration system as the de-packaging facility.

Commissioner Cohen asked how much material they are initially projecting to take in. Woods said they are proposing about 20,000 tons per year and to grow over time to a maximum of 60,000 tons per year. Vice Chair Cary asked about the hours of operation. Woods said initially, they are anticipating to be open 5 days a week (with potential for 7 days a week in the future) and about 3 loads a day. This would be opening the door about 12 times a day. Commissioner Cohen asked what happens after the truck dumps the material. Woods said the trucks are washed with the doors shut and this water is collected and conveyed into the digester because it contains organic material that is usable.

Commissioner Cohen asked about the landscaping plan that was crossed out in the application. Woods said originally they were going to have a stormwater outfall facility on site, but instead they will be utilizing existing stormwater facilities on site. He is not opposed to landscaping requirements, but he was unsure where on the site it would be located.

Commissioner Lawrence noted their facility is very close to the Columbia River where there are a lot of important recreational and wildlife considerations. She asked if the applicant has a plan to prevent any possible contamination of the river with liquids from the operation. Woods said there will be no liquids or materials stored outside of the anaerobic digester facilities. The liquids will be completely contained. In terms of the de-watering liquids, that liquid will be pumped in a brand new pipeline that will go to the wastewater treatment plant. Woods does not yet know the route the pipeline will take because the concept is a new development in discussions with DEQ. Chair Petersen said the direction of the new pipeline indicated on the site plan is in a different direction than Graichen had indicated earlier. Woods said the direction was simply a concept at the time of the application. The actual route of the wastewater pipeline will be worked out in discussions with DEQ.

Commissioner Cohen asked how much time the facility will be down for maintenance and testing in one year's time. Woods said the facility will operate 90 percent of the year. For maintenance of the facility, they are designing components such as the biofilter with more capacity than they need, so they will not have to be closed often for maintenance. The digesters sometimes need solids cleaned out, but that is not something that occurs every year. Commissioner Cohen asked what would happen to the deliveries during the 10 percent downtime or in an emergency when they shut the facility down. Woods said the materials would not get stored on site, even during an unexpected closure. Republic Services currently composts this material and that is where it would go if they could not process it immediately at the facility.

Commissioner Webster asked how many employees the facility will have. Woods said they anticipate about 10 employees. Commissioner Lawrence asked if the facility would be manned 24 hours a day. Woods said they have plans for just one shift, but there are constant monitoring alarms and ways to operate the facility remotely when employees are not present. For example, if the digester stops conveying the biogas to the engine or the boiler, there is an emergency flare on the digester and the equipment quits feeding the

digester materials.

Vice Chair Cary asked if there was a risk of explosion with the methane gas leakage or exposure to air. Woods said that there is no threat. The entire facility will be constructed and operated to the National Fire Protection Association Code. There is a very small methane storage tank on the facility that contains 75 percent liquid with gas under very low pressure in the headspace that is drawn off. The tank is there for purposes of equalizing the flow of gas and only contains a one to two hours of gas, not days.

γ **Derek Ruckman, Republic Services.** Ruckman is the General Manager at Republic Services and would like to testify in favor of the applicant. Commissioner Lawrence asked if the trucks have an odor. Ruckman said they are industrial dump trucks that are sealed and tarped on the top. They are loaded from the top. They do not have leaks or odor issues today and they travel 70 miles per hour on the highway two or three times a day every day.

Commissioner Hubbard asked where they get their garbage. Ruckman said they own and operate a garbage solid waste hauling facility and have about 80 trucks in the North Willamette Valley. They collect every day from places like the Nines Hotel in downtown Portland, the Moda Center, and the Safeway distribution center. This garbage is taken to the Wilsonville transfer station, and from there it is loaded into dump trucks and taken to the processing facility. Commissioner Hubbard asked about grease trap waste. Ruckman said they do not handle liquids currently.

γ **Rich Garber, Boise White Paper, LLC, Property Owner.** Garber is the Environmental Director of Boise White Paper, LLC and has been with them for about 24 years, including about 4 years at the St. Helens site in the early 90s. Garber would like to testify on behalf of Boise White Paper, LLC in favor of the applicant. He thinks this is a very innovative project of the highest caliber. He has worked with Bob Pharmer of Pharmer Engineering as far back as 1996. When Pharmer was at CH2M Hill, they installed anaerobic technology at a Boise plant in Jackson, Alabama. This technology continues to function well and serve the paper mill today. Garber has been involved with the contract discussions between Cascade Tissue, GE, the City and others. In these discussions, Garber feels there is a lot of support for the project. The partners of this project are of the highest caliber. They are technically savvy, transparent, and full of integrity. Boise has been looking at different opportunities to re-purpose the site in the last 3-5 years and this is the finest group. He highly recommends the individuals and the companies involved in this project. From an environmental standpoint, odor was one of their first concerns. At every turn, the applicant has assured Boise and they can see their methodology for controlling odor is sound. In terms of overall community impact, Garber said this development will bring jobs and adds an innovative technology to the community. He can't think of a better group of individuals for a project team than what has been assembled and he highly recommends approval of this project.

Commissioner Cohen asked if he has visited any facility similar to this. Garber said he has not been to the Junction City facility, but he has visited the Netherlands in 1997 with Bob Pharmer to see the anaerobic technology to prepare for the facility in Jackson, Alabama. They have done a great job eliminating odors. Commissioner Cohen clarified that this is not a new technology. Garber said no, anaerobic technology has been around over 100 years and is utilized worldwide. Commissioner Cohen asked how the technology is doing at the plant in Jackson, Alabama. Garber said they have had it in place and demonstrating compliance since 2001 and Boise has been very satisfied. Commissioner Cohen asked if Boise would remain the owner. Garber said the applicant would have a lease the same as Cascade Tissue (through 2038).

γ **Diane Dillard, Resident.** Dillard worked at the Boise White Paper Mill for over 44 years. She worked with Garber for over 30 years and knows him to be ethical and honest. She believes this project is innovative and

this property needs to be repurposed. The community lost 644 jobs and this project will help the City recover. Dillard noted that if Cascade can get a better energy price, they may stay longer and possibly add jobs too. She feels this is a great addition to our community.

γ **Stephen Topaz, Resident.** Topaz says in New York City since 1890 or so, they have had facilities handle sewage in a way similar to the applicant's bacterial process. It generates all the electricity they need to handle the sewage, and there is no smell. Smells can also be covered industrially. Topaz also noted the de-packaging facility is a much smaller facility than others, so it would be relatively easy for them to keep the odor contained in their biofilter system. This facility also is great because it does not go through a thermal process, which means it is much more efficient at getting the energy out of the organic material. Topaz is only concerned about bacteria contamination. The applicant did not address the sterilization process or what would happen if something goes wrong with the bacteria. Other than that, Topaz would like to see this facility approved and expanded to even receive shipments by barge or train.

γ **Dorian Hayles, Resident.** Hayles would not like to testify in favor or against the applicant, but would like to ask a few questions of Woods. Where does the energy that is produced from the facility go? What do you do with the byproducts of the process? How do you plan to filter out the plastics that come with the organic waste? How much energy, compared to the state of Oregon or St. Helens, will this facility produce? What kinds of pollution, if any, will this facility produce? Hayles would also like to express that based on his small background in chemistry, the facility does not have a risk of explosion.

γ **Della Fawcett, Resident.** Fawcett would not like to testify in favor or against the applicant, but would like to ask a few questions of Woods. Will you be digging for infrastructure at the Boise site for buildings or tanks? Is there any way to use Hudson Services, the local waste management service? Local restaurants produce plenty of food waste to use in the facility. What is your hydrogen sulfide removal process and what happens to the waste from the removal process? Lastly, what is the size of the tank for gas storage?

γ **Chris Thomas, Resident.** Thomas has been in the solid waste industry for about 20 years and is an employee of Waste Connections, which is a parent company of Hudson Garbage Service. He would like to testify in favor of the project. He has seen the facility in Junction City and knows first-hand that it is a great process. He is supportive of the project in terms of energy recovery and as a local job creator. Thomas would like to ask Woods if local waste in the County or the City would be able to utilize the facility.

γ **Howard Blumenthal, Resident.** Blumenthal would like to testify in favor of the applicant, but there are some small issues worth addressing. He does not want any byproducts from the facility to throw the City's wastewater plant out of whack. He is also concerned about the intersection of Kaster Rd. and Old Portland Rd., which is an older intersection without crosswalks or sidewalks and has an older style stoplight. More people are walking and bicycling through this route and there has not been the same level of truck traffic since Boise closed. Sometimes that signal goes out for a few days because of its age. With the additional truck traffic to the Boise property, he would like the City to consider upgrading the intersection to be more pedestrian-friendly.

IN OPPOSITION

γ **Kristine Lambert, Resident.** Lambert just sold her property on Sykes Rd. and moved 2 blocks from McCormick Park, so she is quite concerned about this proposal. In 1987, Lambert was part of a coalition that went up against Columbia County, Metro, and Ogden Martin. They wanted to bring a multi-million dollar garbage burner facility to Columbia County. The facility was proposed to be state-of-the-art, bring jobs, etc. When Lambert asked why they wanted to bring the facility to Columbia County, they said that Portland's air

shed could not handle the pollution. Lambert found this hard to believe because the smell in Columbia County was so bad from Boise's wood pulp operation. Now, the only reason St. Helens smells decent is because the Boise facility stopped operations. She worries this operation will bring odor back. Lambert said when she talks to people in town about the facility, they feel there was not enough notification. Residents are under the impression that this would be a St. Helens project and when people hear the materials are from Portland, they say no way. Lambert is concerned about St. Helens being the "testing ground" for this new technology. The applicants do not live in St. Helens, but Lambert loves this area and does not want to have to move. If the City decides to approve this proposal, she asks that the citizens of Columbia County be allowed to vote on it. The development may sound good on paper, but if she were on this Commission, she would make sure it is flawless. Lambert cannot imagine a facility that brings in waste and does not have an odor. This development will decrease property values and reduce livability.

REBUTTAL

γ **Paul Woods, St. Helens Organics Recycling, LLC, Applicant.** Woods first responded to several questions that had already been addressed in his previous testimony. Next, Woods said they will be doing some limited digging. They will be doing some geo-technical analysis where the existing concrete slab is located and they may remove the slab to build a foundation. The area where the de-packaging facility will be located was previously dug up and filled, and the proposed facility is a slab on grade building that will not require much bearing pressure. All of the piping would require digging about 2-4 feet deep.

To respond to the questions about using Hudson Services, Woods said the reason they wanted to use one garbage service was for the ease of managing deliveries. Hudson Services may be utilized in the future, but only through the assistance of Republic Services.

Regarding the light at Kaster Rd. and Old Portland Rd., Republic Services will understand that intersection and will be as safe as possible. Safety is a key concern for them as well.

In terms of Oregon's energy production, Woods anticipates about 2.2 megawatts of power, which is not much compared to the state's energy production. If the methane gas is used by Cascade Tissue, there are no additional emissions than what is already occurring at the site right now. It will simply offset some of their natural gas usage. There are some emissions released when using the methane gas to create electricity. This process is also regulated by DEQ.

Woods is sympathetic about the concerns of smell from burning garbage. This facility will not be burning garbage. This facility will always be an anaerobic digestion facility. The facility mentioned in North Plains is a composting facility and this proposal is not that. In terms of the permitting process, this is the very beginning. Woods is happy to speak with any group or concerned citizens. This is only the first step in gaining permission to develop this facility and there will be many more opportunities to take comments. Odor is a concern of theirs too. If this facility stinks and is a bad example of the technology, the environment isn't served, the community is not served, and the companies involved in this proposal are not served. Woods stated odor will simply not be a part of this project.

γ **Bob Pharmer, Pharmer Engineering.** Pharmer is the founder and owner of Pharmer Engineering, which employs 16 people. He is an engineer who specializes in anaerobic treatment and has worked on installing anaerobic systems all over North America. He would like to answer a few questions that were asked about the anaerobic technology. The anaerobic digesters must be kept at the same temperature as humans because the bacteria live naturally in our colons. There are two types of bacteria that live together in the digesters: an acid-forming bacteria and a methane-forming bacteria. Once the digesters are up and

running, the two types of bacteria live in harmony, reproduce, and stay up and running for years. Pesticides and herbicides can kill the bacteria, but it is unlikely that the food scraps would contain these. Anaerobic digesters are in nearly every city in North America, Europe, and Oregon (Portland, Vancouver, Seattle, Bend, and Tacoma to name a few). The technology has been around for a long time and is proven to work well. Pharmer said this facility will contain the highest quality equipment they can buy in order to make it a dependable system.

Vice Chair Cary asked about the differing ratios of bacteria between the digesters. Pharmer said the liquid stays mixed as a homogeneous liquid and the digesters stay at a constant volume. If one gallon goes in, one gallon comes out. Chair Petersen asked if there are beaters or air pumps in the digesters. Pharmer said they pump gas from the bottom which bubbles to the top and mixes the liquid. Chair Petersen asked if the liquids in the digesters are pressurized and if so, how much pressure. Pharmer said it is about one-thirtieth PSI, which is very low pressure. They actually measure it in inches of water. When the gas is sent to the boiler at Cascade Tissue or the CHP generator, they increase the pressure of the gas to about 10 PSI. There is no high pressure gas on the facility.

Pharmer also pointed out a use like this will have to meet strict regulations from DEQ related to the air, solids, liquids, byproducts, etc. If it does not meet their regulations, the facility will shut down.

END OF ORAL TESTIMONY

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

CLOSE PUBLIC HEARING & RECORD

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

DELIBERATIONS

Commissioner Cohen said the applicant seems to have done their homework. He sees no real reason with significant backing to deny this permit. He wants to be very cautious as a Commission that all permits are obtained and that as many safeguards are in place to assure as little damage to the community as possible if something goes wrong.

Chair Petersen said digesters are being used in all kinds of situations, particularly in dairy farms because of the high methane production. He had a suspicion smell would be an issue. He has experienced very smelly composting facilities, but in this case, he thinks this technology is sound and will become much more prevalent. He discussed how this anaerobic technology is even being used at a Greek yogurt facility. The facility will be heavily regulated by DEQ and he feels the applicant will meet the odor criteria.

Vice Chair Cary feels it is beneficial to our city to have cutting edge technology located here. This proposal may even spur similar types of development in the same Boise property industrial node. He mentioned a new facility that makes plastics from methane. He feels the applicant has addressed odor and the location of the facility is ideal because it is very far from residents.

Commissioner Cohen asked if they should consider requesting the applicant pave more surfaces to protect the surrounding environment in the case of spillage. Chair Petersen noted the difficulty of looking at the site plan to determine where new paving is proposed and already exists. Graichen discussed the St. Helens Municipal Code (SHMC) requirements regarding paved surfaces, which includes the stipulation that any

areas with possible soil contamination can be required to be paved for protection. Vice Chair Cary said DEQ will likely regulate this. Graichen agreed the DEQ permitting process will address paving because they are concerned with the protection of groundwater.

Commissioner Cohen asked about a traffic impact analysis. Graichen said that this development did not require a full-blown traffic impact analysis, but a condition related to the design of the vehicle access points can be required. However, the signalization of the Old Portland Rd. and Kaster Rd. intersection will be fairly expensive and the condition must be proportional to the extent of the development. Striping pedestrian improvements may be a cheaper alternative to complete signalization. Chair Petersen said a traffic impact analysis will almost certainly conclude that the new development does not have a greater traffic impact than the previous use, therefore a traffic System Development Charge cannot be collected.

Vice Chair Cary said we do not know where the applicant's sewer lines will go and they may have to travel through wetlands. If this is the case, it would require a sensitive lands permit which is an administrative decision. However, Graichen said there could also be a condition that if a sensitive lands permit is required, a public hearing is needed. The Commission agreed this should be a condition.

Chair Petersen would like to see that pedestrian facilities at the Kaster Rd. intersection be a condition, if it is possible. Commissioner Webster noted that foot traffic through that intersection has increased because of Walmart. Chair Petersen said foot traffic has also increased because of the installation of the pedestrian bridges on Old Portland Rd. Councilor Carlson said she remembers this intersection when Boise had double tractor trailers going through it. For this proposal, they are just using much smaller dump trucks. However, she noted that kids catch the bus at this intersection in the dark at 7:15am. She would like to see this intersection with added lighting and improved landscaping. This improves safety of the area without getting into signalization or sidewalks.

Chair Petersen said the condition could say that the applicant shall restripe the intersection at Kaster Rd. to provide zebra-striped pedestrian crosswalks at the intersection of Kaster Rd./Old Portland Rd./18th Street based on the SHMC Engineering Standards. The Commission agreed.

Commissioner Semling asked if the Commission would have the chance to review the final site design after DEQ permits are granted. Graichen said the Conditional Use Permit process for St. Helens typically includes elements of the Site Design Review, but if the Commission wants to review the final site plan, it could be a condition. For example, the condition could say final site plan shall be approved by the City following a recommendation by the Planning Commission. The Commission concurred.

MOTION B

Commissioner Cohen moved to approve the Conditional Use Permit with the following additional conditions:

- 1) Intersection of Old Portland Rd. and Kaster Rd. shall be striped to meet city standards with pedestrian crossings on all sides.
- 2) Final site plan shall be approved by the City following recommendation by the Planning Commission.
- 3) Any sensitive lands permit related to this proposal shall require a public hearing.

Commissioner Webster seconded. All in favor; none opposed; motion carries.

Commissioner Semling moved for Chair Petersen to sign the Findings and Conclusions once prepared. Commissioner Cohen seconded. All in favor; none opposed; motion carries.

□

Chair/Vice Chair Discussion

Councilor Carlson said Council would like commissions to rotate through chair and vice chair so that no commission is heavily reliant on a single individual. However, Councilor Carlson said they also understand the Planning Commission needs a well prepared chair, so Council will follow the Commission's recommendation.

Commissioner Webster suggested Vice Chair Cary step up to chair and Chair Petersen could become vice chair. Chair Petersen has been chair for two years and would like a break, but he said he could do it one more year. After one year, he would prefer to step down. Commissioner Cohen would like to keep Chair Petersen as chair for one more year. Vice Chair Cary prefers this too.

Commissioner Cohen moved to keep Chair Petersen as chair and Vice Chair Cary as vice chair. Commissioner Webster seconded. All in favor; none opposed; motion carries.

□

Marijuana and Land Use Discussion (continued)

This topic is tabled for the next meeting. Graichen requested that the Commission review the memo included in the packet and a discussion will occur next month.

□

Residential Lot Coverage Increase Discussion

This topic is tabled until next meeting.

□

End of Year Summary Report

Graichen noted that although the numbers are lower than in the past, this year has been one of the toughest and busiest years he has had. The numbers can be a little misleading. There was no further discussion.

□

CLG Historic Preservation Grant Program

Assistant Planner Dimsho discussed the upcoming application for the Certified Local Governments (CLG) Historic Preservation Grant Program with the Commission.

Chair Petersen feels the application is set up to receive the most bang for our buck with the limited grant funds. The Commission agrees that staff should proceed as the memo states.

□

Planning Director Decisions

- a. Sign Permit (2) at 2298 Gable Rd. Suite 130 – Adam Skrzyszewski, Professional Permits
- b. Site Design Review (minor) at 31 Cowlitz St. – Norway Development

There were no comments.

□

Planning Department Activity Reports

There was no discussion.

□

There being no further business before the Planning Commission, the meeting was adjourned at 10:55 p.m.

Respectfully submitted,

Jennifer Dimsho
Planning Secretary

DRAFT

2015 Planning Commission Attendance Record

P=Present A=Absent Can=Cancelled

Date	Petersen	Hubbard	Lawrence	Cohen	Cary	Semling	Webster
01/13/15	P	P	P	P	P	P	P
02/10/15							
03/10/15							
04/14/15							
05/12/15							
06/09/15							
07/14/15							
08/11/15							
09/08/15							
10/13/15							
11/10/15							
12/08/15							

**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Variance V.1.15**

DATE: February 3, 2015
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: Stanton Wirta
OWNER: Stanton & Hope Wirta

ZONING: Moderate Residential, R7
LOCATION: 4N1W-5DC-8101
PROPOSAL: Variance to allow a lot width less than the minimum allowed

The 120-day rule (ORS 227.178) for final action for this land use decision is May 7, 2015.

SITE INFORMATION / BACKGROUND

The subject property is Parcel 2 of Partition Plat No. 1992-34. It is more or less flat and accessed via Sykes Road which is an improved road but lacks frontage improvements (e.g., sidewalk and curb). There is an existing accessory building on the property and some trees. Parcel 1 of P.P. No. 1992-34 is developed with a detached single family dwelling 2625 Sykes Road.

This Variance request is to allow a reduced lot width at the building line.

Note that per SHMC 17.140.130, variances related to land partitions shall be conducted in accordance with Chapter 17.108. This means this Variance and the related land partition are separate decisions. Related file: PT.1.15.

PUBLIC HEARING & NOTICE

Hearing dates are as follows:

February 10, 2015 before the Planning Commission

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on January 15, 2015 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 Jan. 21, 2015.

AGENCY REFERRALS & COMMENTS

As of the date of this staff report, the following agency referrals/comments have been received that are pertinent to the analysis of this proposal:

Columbia River Fire & Rescue: I have reviewed the variance request that will create three separate buildable lots and have no objections or proposed additional requirements. An existing hydrant is located on Sykes Road within 500 feet of the proposed new lots, and the proposed turnaround area appears to be suitable for fire access requirements. If you need more input from the Fire District please call me.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

SHMC 17.108.050 (1) – Criteria for granting a Variance

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

Discussion: The R7 zone has a few lot dimension requirements. This includes minimum lot width at the building line (60 feet), minimum lot width at the street (50 feet), and minimum lot depth (85 feet).

The subject parcel is proposed parcel 3 (the southwestern most parcel). That parcel meets the stated dimensional requirements, except the minimum width at the building line, which is approximately 55 feet. This is based on the dimensions of the parent parcel (Parcel 2 of P.P. No. 1992-34) and the desired partition layout of the applicant.

Findings:

(a) This criterion asks if there is a detrimental consequence as it relates to the overall purpose of the code, if the proposal would be in conflict with any Comprehensive Plan policies or any other aspects of law, or if it would result in detriment to other properties. See applicant's narrative. There is no obvious evidence of detriment resulting from this proposal. **The Commission needs to determine whether or not this finding is met.**

(b) This criterion asks if there are special circumstances to justify the variance that are beyond the control of the applicant and not applicable to other properties in the same zoning

district. See applicant's narrative. The parcel is irregularly shaped and the area which is the subject of this variance was not created as part of the 1992 partition, which separated a parcel on the opposite side of the parent parcel of P.P. No. 1992-34. The irregular shape is a preexisting circumstance that pre-dates the 1992 partition. **The Commission needs to determine whether or not this finding is met.**

(c) This criterion prohibits use variances and asks if City standards can be applied as much as possible, while permitting some economic use of land. A use variance is not proposed; such is prohibited. The applicant is asking for a subtle change in rules, specific to one issue only. **The Commission needs to determine whether or not this finding is met.**

(d) This criterion asks if grant this variance would result in an adverse impact to existing physical and natural systems. See applicant's narrative.

Note a drainage ditch indicted on P.P. No. 1992-34. Creating a parcel as proposed in the SW corner of the site increases the potential of a dwelling or other structure to be located in close proximity to this ditch.

P.P. No. 1992-34 references Deed Book 69, Page 292, from 1941, with regards to said drainage ditch. An excerpt from that document reads: "It is understood that the drainage ditch through the southerly part of the above described tract is to be kept open at all times and the right is reserved to go upon the premises for the purpose of cleaning out said drainage ditch whenever it is necessary." This doesn't specify any dimension or geometry as a more modern easement would. In addition, the ditch appears to have been covered.

The drainage is towards the back end of the proposed parcel, and a reasonable building envelope seems possible.

The Commission needs to determine whether or not this finding is met.

(e) This criterion asks if the hardship is self-imposed or not (it should not be for the purpose of approving a variance) and if the variance requested is the minimum variance which would alleviate the hardship. See applicant's narrative. Note that the subject property is approximately 31,144 square feet in size. The minimum lot size for detached single-family dwellings in the R7 zone is 7,000 square feet. Thus, based on area size alone up to four parcels are possible ($31,144/7,000 = 4.45$). However, the parcel is irregularly shaped and the area which is the subject of this variance was not created as part of the 1992 partition, which separated a parcel on the opposite (Sykes Road) side of the parent parcel of P.P. No. 1992-34.

Also, regarding the minimal aspect of this criterion, the applicant is asking that the width at the building line be approximately 55 feet. This is a reduction of 5 feet from the 60' standard that would normally apply. This equates to an approximate 8.3% change to the rule.

The Commission needs to determine whether or not this finding is met.

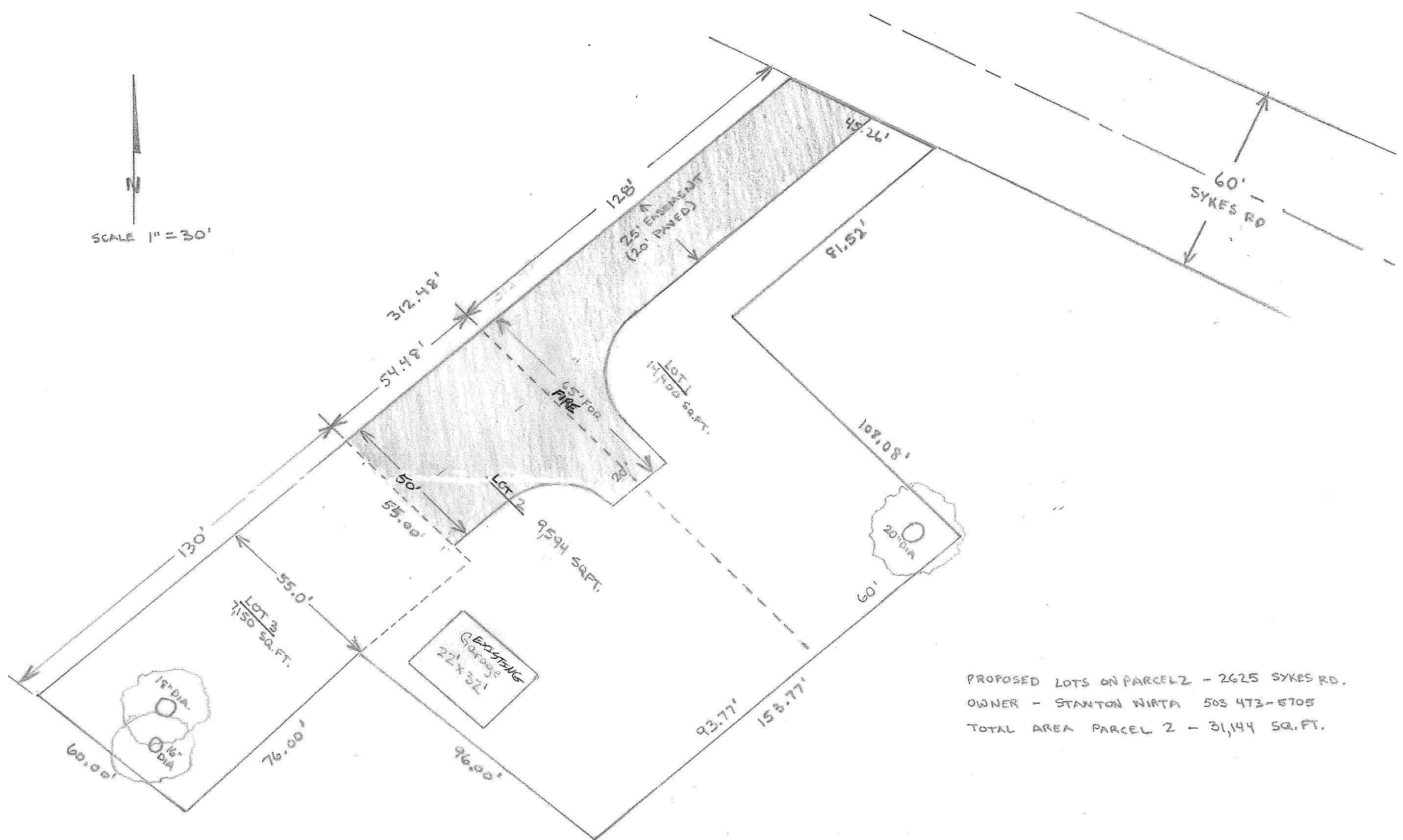
CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, staff recommends approval of this Variance, with the following condition:

This Variance approval is valid for a limited time pursuant to SHMC 17.108.040.

Attachment(s): Proposed preliminary plat
Partition Plat No. 1992-34
Applicant's narrative

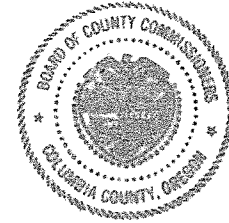
N
SCALE 1" = 30'



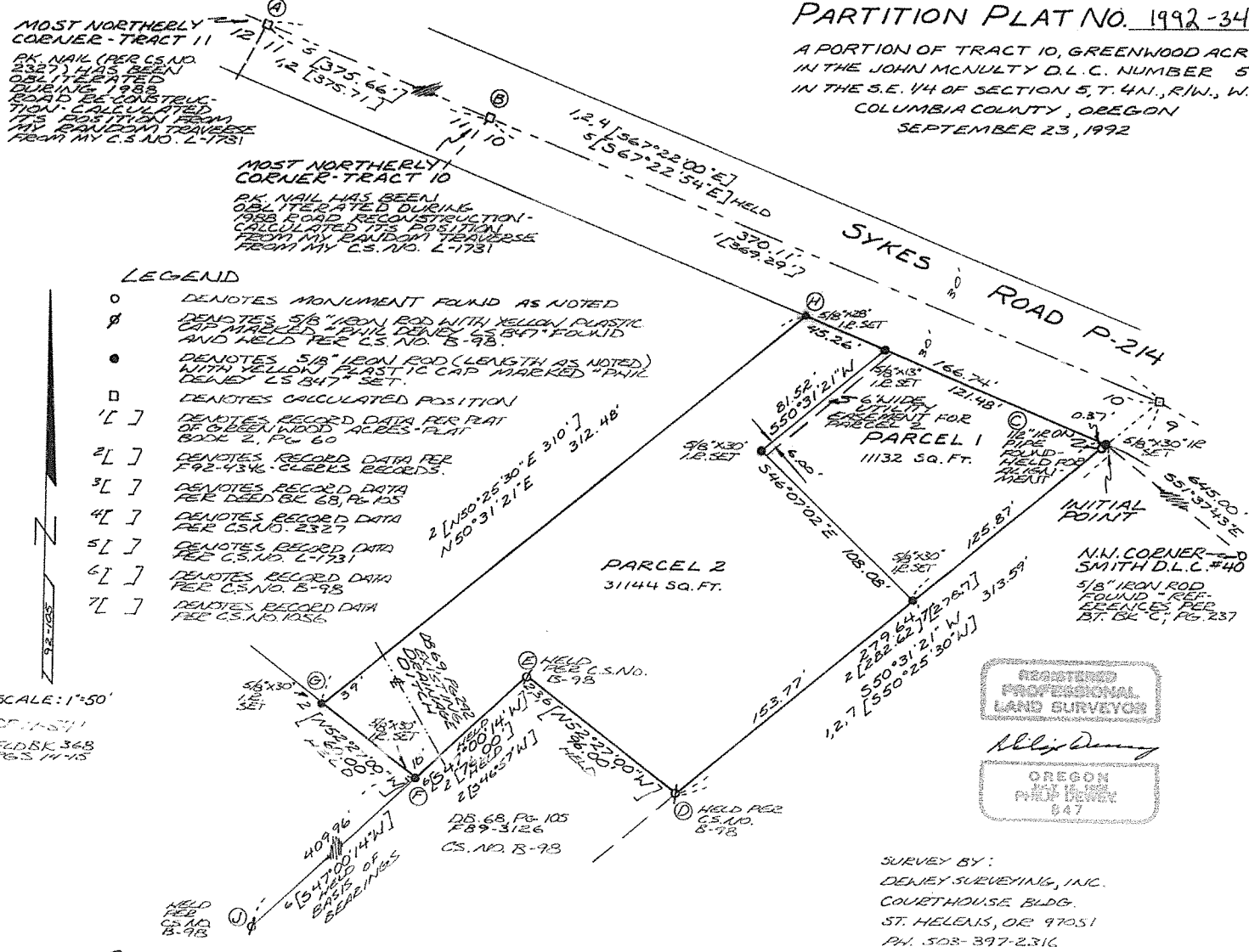
PROPOSED LOTS ON PARCEL 2 - 2625 SYKES RD.
 OWNER - STANTON WIRTA 503 473-5705
 TOTAL AREA PARCEL 2 - 31,144 SQ. FT.

PARTITION PLAT NO. 1992-34

A PORTION OF TRACT 10, GREENWOOD ACRES
IN THE JOHN MCNUITY D.L.C. NUMBER 50
IN THE S.E. 1/4 OF SECTION 5, T. 4N., R. 1W., W.M.
COLUMBIA COUNTY, OREGON
SEPTEMBER 23, 1992



A-287



- LEGEND**
- DENOTES MONUMENT FOUND AS NOTED
 - ⊕ DENOTES 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "P" DENOTES 5/8" IRON ROD AND HELD PER C.S. NO. B-98
 - DENOTES 5/8" IRON ROD (LENGTH AS NOTED) WITH YELLOW PLASTIC CAP MARKED "P" DENOTES 5/8" IRON ROD HELD PER C.S. NO. B-98
 - DENOTES CALCULATED POSITION
 - [] DENOTES RECORD DATA PER PLAT OF GREENWOOD ACRES PLAT BOOK 2, PG. 60
 - [2] DENOTES RECORD DATA PER F92-4346 - CLERK'S RECORDS.
 - [3] DENOTES RECORD DATA PER DEED BK. 68, PG. 105
 - [4] DENOTES RECORD DATA PER C.S. NO. 2327
 - [5] DENOTES RECORD DATA PER C.S. NO. L-1731
 - [6] DENOTES RECORD DATA PER C.S. NO. B-98
 - [7] DENOTES RECORD DATA PER C.S. NO. 1056

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO PARTITION THE TRACT OF LAND DESCRIBED IN F92-4346, COLUMBIA COUNTY RECORDS (A METES AND BOUNDS DESCRIPTION OF A PORTION OF TRACT 10 "GREENWOOD ACRES"). MONUMENTATION ALONG THE NORTH LINES OF TRACTS 8 THROUGH 14 HAS BEEN OBLITERATED BY EXTENSIVE ROAD RECONSTRUCTION DURING 1988. I CALCULATED THE POSITIONS OF THE MOST NORTHERLY CORNER OF TRACT 10 AND THE MOST NORTHERLY CORNER OF TRACT 11 FROM THE RANDOM POINTS FROM MY C.S. NO. L-1731. I CALCULATED THE POSITION OF THE MOST EASTERLY CORNER OF TRACT 10 BY PROJECTING LINE "A"-B" SOUTHEASTERLY TO ITS INTERSECTION WITH THE NORTHEASTERLY PROJECTION OF LINE "D"-C". I HELD MY 5/8" IRON ROD AT "D" PER C.S. NO. B-98 AND THE 1/2" IRON PIPE FOR ALIGNMENT AT "C" PER C.S. NO. 1056. I HELD THE SOUTHERLY RIGHT-OF-WAY LINE OF SYKES ROAD 30 FEET SOUTHERLY FROM THE NORTHERLY LINE OF TRACT 10 PER PLAT OF GREENWOOD ACRES. I HELD MY 5/8" IRON ROD AT "E" AND HELD MY 5/8" IRON ROD AT "J" FOR ALIGNMENT. THESE MONUMENT THE BOUNDARIES OF THE SENIOR DEED AS DESCRIBED IN DEED BK. 68, PG. 105 (F89-3126) PER C.S. NO. B-98. I HELD DEED (F92-4346) DISTANCE FROM "E" AND ESTABLISHED "F" ON LINE "E"-J". I HELD DEED (F92-4346) BEARING AND DISTANCE FROM "F" TO ESTABLISH "G". (THE BEARING IS PARALLEL WITH THE SOUTHERLY LINE OF TRACT 10.) I HELD LINE "G"-H" PARALLEL WITH LINE "C"-D" PER DEED (F92-4346) AND ESTABLISHED "H" ON THE SOUTHERLY RIGHT-OF-WAY LINE. BASIS OF BEARINGS IS C.S. NO. B-98. PARTITION CORNERS ARE MONUMENTED AS SHOWN HEREON.

NOTES:

THE PROPERTY IS SUBJECT TO CONDITIONS AND RESERVATIONS IN REGARD TO A DRAINAGE DITCH AS SET FORTH IN DEED BK. 69, PG. 212 THERE ARE NO GEODETIC CONTROL MONUMENTS WITHIN 1/2 MILE OF THIS PARTITION PLAT.

REGISTERED PROFESSIONAL LAND SURVEYOR
Philip Dewey
OREGON
PHILIP DEWEY
047

SURVEY BY:
DEWEY SURVEYING, INC.
COURTHOUSE BLDG.
ST. HELENS, ORE 97051
PH. 503-397-2316

SURVEYOR'S CERTIFICATE

I, PHILIP DEWEY, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HEREBY SAY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND REPRESENTED ON THE ATTACHED PARTITION MAP WITH THE BOUNDARIES BEING DESCRIBED AS FOLLOWS:

A PART OF TRACT 10, GREENWOOD ACRES IN SECTIONS 5, T. 4N., R. 1W., W.M., COLUMBIA COUNTY, OREGON A PLAT ON FILE AND OF RECORD IN THE COLUMBIA COUNTY CLERK'S OFFICE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAYLINE OF SYKES ROAD WITH THE SOUTHEASTERLY LINE OF SAID TRACT 10; THENCE 550°31'21"W ALONG THE SOUTHEASTERLY LINE OF SAID TRACT 10 A DISTANCE OF 279.64 FEET TO THE MOST EASTERLY CORNER OF THE THOMAS N. KINSEY ET UX TRACT AS DESCRIBED IN DEED BOOK 68, PAGE 105, COLUMBIA COUNTY RECORDS; THENCE N52°27'00"W, ALONG THE NORTHEASTERLY LINE OF SAID KINSEY ET UX TRACT, A DISTANCE OF 96.00 FEET TO THE MOST NORTHERLY CORNER THEREOF; THENCE S47°00'14"W, ALONG THE NORTHWESTERLY LINE OF SAID KINSEY ET UX TRACT A DISTANCE OF 76.00 FEET; THENCE N52°27'00"W A DISTANCE OF 60.00 FEET; THENCE N50°31'21"E, A DISTANCE OF 312.48 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF SYKES ROAD; THENCE S67°22'54"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF SYKES ROAD A DISTANCE OF 166.74 FEET TO THE POINT OF BEGINNING, CONTAINING 0.97 AC±

STATE OF OREGON S.S.
COUNTY OF COLUMBIA S.S.

I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS RECEIVED FOR RECORD ON THE 17th DAY OF November, 1992 AT 3:23 O'CLOCK P.M. FEE NO. 92-8258 AND RECORDED AS PARTITION PLAT NO. 1992-34 COLUMBIA COUNTY CLERK'S RECORDS

ELIZABETH E. HUSER, COLUMBIA COUNTY CLERK

BY: *P. Bendam, Deputy*

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, PAUL L. THAYER AND LAUREA THAYER, ARE THE OWNERS OF THE LAND REPRESENTED ON THE ANNEXED MAP AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE AND HAVE CAUSED THE SAME TO BE PARTITIONED AND SURVEYED INTO PARCELS AS SHOWN ON THE ANNEXED MAP, AND DO HEREBY DEDICATE THE EASEMENT SHOWN FOR THE PURPOSE SHOWN. THERE ARE NO WATER RIGHTS APPURTENANT TO THIS PROPERTY.

Paul L. Thayer
PAUL L. THAYER

Laurea Thayer
LAUREA THAYER

ACKNOWLEDGEMENT

STATE OF OREGON S.S.
COUNTY OF COLUMBIA S.S.

KNOW ALL PEOPLE BY THESE PRESENTS, ON THIS 23rd DAY OF October, 1992, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, PERSONALLY APPEARED PAUL L. THAYER AND LAUREA L. THAYER TO ME KNOWN TO BE THE IDENTICAL PERSONS DESCRIBED IN THE FOREGOING DECLARATION AND THAT SAID DECLARATION WAS EXECUTED FREELY AND VOLUNTARILY BY THEM.

Neil L. Johnston
NOTARY PUBLIC FOR THE STATE OF OREGON



APPROVALS

APPROVED THIS 26th DAY OF October, 1992

Barbara D. Little
PLANNING DIRECTOR
CITY OF ST. HELENS

APPROVED THIS 10th DAY OF November, 1992

Donald S. Adair
WASHINGTON COUNTY SURVEYOR

STANTON WIRTA 503 473-5705

VARIANCE FOR PROPOSED LOT OF PARCEL 2 2625 SYKES RD.

To address questions in code section 17.108.050

- a) This proposed variance will not be detrimental to the overall purposes of this code
- b) There are special circumstances peculiar to this lot 60' wide at rear of lot tapering to approx 55' wide to the middle of lot, and remaining at 55 to front.
- c) The use proposed will be the same as permitted under this code
- d) Existing physical and natural systems will not be affected
- e) This hardship is not self imposed, and the variance requested is the minimum which would alleviate the hardship

Stanton A. Wirta

1/7/15



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

TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner
RE: Land Use and Marijuana (discussion continued from December)
DATE: January 6, 2015

At the December 9, 2014 meeting, the Commission discussed a potential way of dealing with marijuana dispensaries and retail establishments.

Attached is a draft showing amendments to the Development Code that captures the Commission's December discussion.

To fully understand these changes, I recommend reading the attached with your copy of the Development Code.

Note that on page 5 of the attached, there are some things to think about/discuss, that came to mind after considering the Commission's discussion, impact in industrial lands, and ideas from other ordinances.

At the end of this memo is a map showing how this proposed law would limit marijuana business location.

underline words are added
~~words stricken~~ are deleted

CHAPTER 17.16 GENERAL LAND USE DEFINITIONS

17.16.010 General and land use definitions.

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

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

“Abandonment” means the relinquishment of property, or a cessation of the use of property, by the owner with the intention neither of transferring rights to the property to another owner nor of resuming the use of the property.

[...]

“Manufacturing” means an establishment engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of component parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics, resins or liquors. The term “manufacturing” covers all mechanical or chemical transformations, whether the new product is finished or semifinished as raw material in some other process. Manufacturing production usually is carried on for the wholesale market rather than for direct sales. (Processing on farms is not classified as manufacturing if the raw material is grown on the farm. The manufacturing is accessory to the major use of farming.)

“Marijuana” means all parts of the plant Cannabis family Moraceae, whether growing or not, other than marijuana extracts. Marijuana does not include industrial hemp or industrial hemp commodities or products.

“Marijuana extract” means a product obtained by separating resins from marijuana by solvent extraction, using solvents other than vegetable glycerin, such as butane, hexane, isopropyl alcohol, ethanol, and carbon dioxide.

“Marijuana items” means marijuana, marijuana products, and marijuana extracts.

“Marijuana products” means products that contain marijuana or marijuana extracts and are intended for human consumption.

“Marijuana retailer” means a person or facility that sells marijuana items to a consumer in this state as licensed by the Oregon Liquor Control Commission.

“Marina” means a facility providing moorage for boats and related repair and supply services.

“Medical marijuana dispensary” means any facility that dispenses marijuana items as registered by the Oregon Health Authority.

“Mini Mall.” See “shopping center” and “shopping plaza.”

[...]

CHAPTER 17.32 ZONES AND USES

[...]

17.32.130 Light Industrial – LI.

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

[...]

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

(a) Animal hospitals and dog kennels/pounds.

[...]

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

(k) Marijuana retailer and/or medical marijuana dispensary.

~~(l)~~ (l) Public and private recreational and amusement facilities.

~~(m)~~ (m) Public facilities, major.

~~(n)~~ (n) Public parks.

~~(o)~~ (o) Public safety and support facilities.

~~(p)~~ (p) Temporary asphalt batching (six-month maximum).

~~(q)~~ (q) Travel trailer parks.

~~(r)~~ (r) Wrecking and junkyards

[...]

17.32.140 Light Industrial – HI.

(1) Purpose. The heavy industrial or HI zone is intended to provide appropriate locations for

intensive manufacturing activities including fabrication, processing, or assembling of semifinished or finished products from raw materials, outdoor storage areas, and the storage of heavy equipment. It is also intended to provide locations for activities that need to be separated from more easily impacted activities such as schools, churches, etc.

[...]

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

(a) Caretaker dwelling.

[...]

(d) Marijuana retailer and/or medical marijuana dispensary.

~~(d)~~ (e) Manufacture, repair, etc., with some off-site impact.

~~(e)~~ (f) On-site retailing of product manufactured, processed, etc., on site.

~~(f)~~ (g) Permitted uses which require special permits from the Oregon Department of Environmental Quality.

~~(g)~~ (h) Public parks.

~~(h)~~ (i) Public facilities, major.

~~(i)~~ (j) Public safety and support facilities.

~~(j)~~ (k) Recycling collection center.

~~(k)~~ (l) Solid waste disposal site or transfer station.

~~(l)~~ (m) Special hazardous uses such as:

[...]

~~(m)~~ (n) Storage facilities such as personal lockers/garages and for recreational-type vehicles.

~~(n)~~ (o) Temporary asphalt batching (six months maximum).

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

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

[...]

CHAPTER 17.100 CONDITIONAL USE

[...]

17.100.040 Approval standards and conditions. **←No change proposed for this section (for Information purposes...**

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

[...]

17.100.150 Standard dimensional requirements for conditional use types.

- (1) A conditional use proposal shall comply with the standards of the zoning district in which it is located and the applicable provisions of this code, or as otherwise provided in standards that follow.
- (2) A conditional use permit shall not grant variances to the regulations otherwise prescribed by this code. A variance application may be filed in conjunction with the conditional use application and both applications may be heard at the same hearing.
- (3) The additional dimensional requirements and approval standards for conditional use are as follows:

[...]

(p) Marijuana retailer and/or medical marijuana dispensary.

(i) No marijuana retailer and/or medical marijuana dispensary shall be permitted to locate within 1,000 feet of any public or private: child care facility; preschool; elementary school; or junior, middle, or high school.

(ii) No marijuana retailer and/or medical marijuana dispensary shall be permitted to locate within 200 feet of any residential zoning district or public park.

(iii) Distance shall be measured in a straight line, without regard to intervening structures, objects or roads, from the closest point of the structure or portion of structure containing the use, to the closest portion of the residential district or property line upon which a use specified in subsection (3)(p)(i) or (ii) of this section is listed and currently exists.

(iv) Any marijuana retailer and/or medical marijuana dispensary shall comply with all applicable state laws.

End of draft code amendments, the following is food for thought...

- Should there be a land /building size limit because this would be a use atypical for an industrial zone? This could minimize industrial use conflicts and issues such as the building code (e.g., a marijuana retailer building would be a Mercantile (M) category per the Building Code, which wouldn't have much use for other industrial activities).

For example, a neighborhood store (as allowed by conditional use permit in residential zoning districts) has a maximum allowed gross floor area of 2,500 square feet.

- Since we don't know how OLCC will handle these, and these will be retail in a sense, should we be concerned about other goods sold. In other words, is this an avenue people could use to sell other non-marijuana-related goods like chips and drinks in an industrial area?

Maybe restrict to sale of "marijuana items" only?

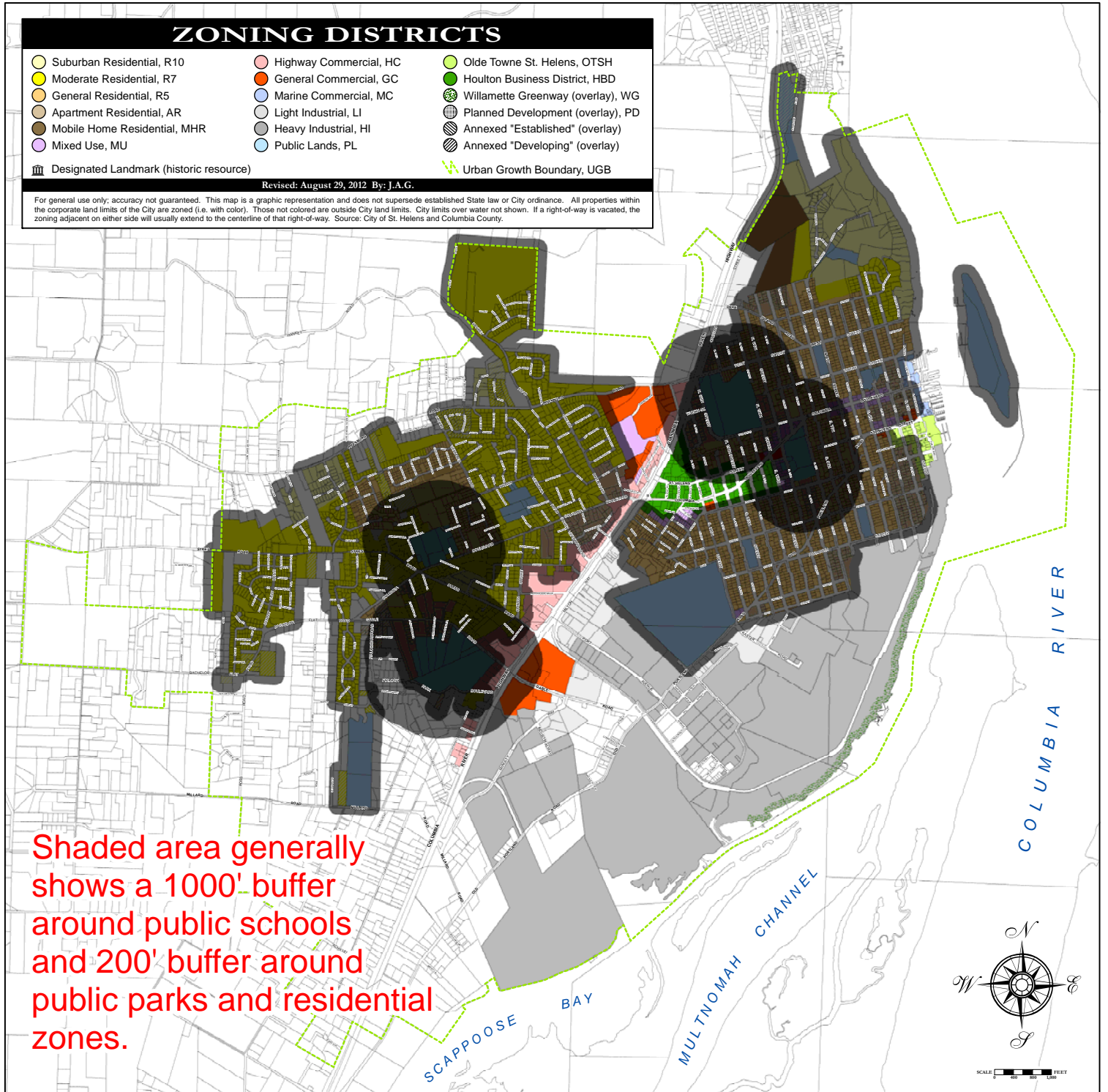
- To be clear, should we require that the facility be located in a permanent building?
- Should we prohibit outdoor storage of merchandise, raw materials, or other materials associated with the facility?
- Should be prohibit drive up use?
- Should we require secure disposal of marijuana remnants or by-products and require that such no be placed within the facility's exterior refuse containers?
- Anything else?

ZONING DISTRICTS

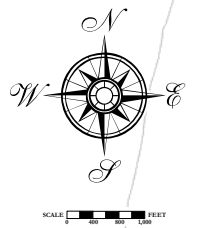
- | | | |
|--|--|---|
|  Suburban Residential, R10 |  Highway Commercial, HC |  Olde Towne St. Helens, OTSH |
|  Moderate Residential, R7 |  General Commercial, GC |  Houlton Business District, HBD |
|  General Residential, R5 |  Marine Commercial, MC |  Willamette Greenway (overlay), WG |
|  Apartment Residential, AR |  Light Industrial, LI |  Planned Development (overlay), PD |
|  Mobile Home Residential, MHR |  Heavy Industrial, HI |  Annexed "Established" (overlay) |
|  Mixed Use, MU |  Public Lands, PL |  Annexed "Developing" (overlay) |
|  Designated Landmark (historic resource) | |  Urban Growth Boundary, UGB |

Revised: August 29, 2012 By: J.A.G.

For general use only; accuracy not guaranteed. This map is a graphic representation and does not supersede established State law or City ordinance. All properties within the corporate land limits of the City are zoned (i.e. with color). Those not colored are outside City land limits. City limits over water not shown. If a right-of-way is vacated, the zoning adjacent on either side will usually extend to the centerline of that right-of-way. Source: City of St. Helens and Columbia County.



Shaded area generally shows a 1000' buffer around public schools and 200' buffer around public parks and residential zones.





CITY OF ST. HELENS PLANNING DEPARTMENT

M E M O R A N D U M

TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner
RE: Proposed lot coverage updates
DATE: January 6, 2014

Attached is a memo from March of 2014 that explains the City's lot coverage rules in residential zoning districts. I drafted this after being "challenged" for applying such rules to residential building permits.

The City has a variety of variety of rules to help ensure air, light and space between buildings. This includes minimum yards (setbacks), maximum building height, and lot coverage.

Lot coverage is basically how much of a lot or parcel can be covered by buildings.

As described in the attached memo, the maximum lot coverage for residential zones is either 35% or 50%.

Based on discussions from last year, it seems reasonable to increase these values to 40% and 55%, especially since the current numbers are over three decades old.

I hope to discuss this at the January meeting.



CITY OF ST. HELENS PLANNING DEPARTMENT

MEMORANDUM

TO: Who it may concern
FROM: Jacob A. Graichen, AICP, City Planner
RE: Lot coverage standards for City of St. Helens residential zoning districts
DATE: March 28, 2014

Per the current R10, R7, R5, AR, MHR (via R5), MU (residential use via R5 or AR) the lot coverage requirement is worded something like:

Buildings and **structures** shall not **occupy** more than XX percent of the lot area. The percentage varies depending on the zoning district but is either 35% or 50%.

History

The lot coverage language above is in the current development code dating back to 2003 (Ord 2875). It is also in the Development Code dating to 1999 (Ord 2785). Similar language was found in the 1991 version (Ord 2616) and 1978 Version (Ord 2288), though it mentioned only buildings and not structures.

This basic zoning regulation provision has been in place in the City of St. Helens regulations for decades.

Building and structure are specifically defined by the Development Code (Chapter 17.16 SHMC) as follows:

"Building" means any structure having a roof supported by columns or walls and intended to shelter, house, or enclose any individual, animal, process, equipment, goods, or materials of any kind or nature. An element of time is also included in this definition.

"Structure" means something constructed or built and having a fixed base on, or fixed connection to, the ground or another structure, and platforms, walks, and driveways more than 30 inches above grade and not over any basement or story below. Tents used for carports and/or other storage in excess of 15 consecutive days or 30 accumulative days in a calendar year shall be considered structures for purposes of this code.

Occupy is not specifically defined by the Development Code. Standard definitions related to this issue include:

Occupy: to take up (a place or extent in space)

Variances

There is relief for yard requirements up to 20% per 17.108.050(4), but it specifically notes that "the resulting lot coverage shall not exceed the maximum lot coverage of the base zone."

There is no specification as to lot coverage reduction. Request for such would be per general variance criteria.

Auxiliary Dwelling Units

Per SHMC 17.128.030(3)(g) ...the combined footprint of all detached structures may not exceed the lot coverage restriction of the zone.

Planned Developments

Per SHMC 17.148.080(1)(b) the site coverage provisions of the base zone shall apply.

Interpretation

The language of the code seems to have a staunch approach to lot coverage since in multiple places where other things or relief is allowed, lot coverage is noted as lacking flexibility.

Buildings and structures together is a broad definition. It's broad enough that foundation alone doesn't cover all potential coverage. Since I've been with St. Helens (2007) we have considered lot coverage to be **the outermost extent of a building or structure on a lot where it touches the ground**. It is my understanding that this is how this was applied before my time too.

For example, a carport without walls has four posts that support it. The coverage of the carport would be the area between the four posts. In the case of a home with a roofed alcove that has no wall between it and the outside, it would still count toward the lot coverage as it is structurally occupying that space. If there was no roof, such as a "U" shaped house, that area would not count towards lot coverage as there is no structural occupation.

Note that lot coverage does not differentiate between buildings or structures that require or don't require permits.

Official Action Applicability

Per SHMC 17.04.090 City officials are bound by the standards of the code and cannot approve something that is contrary to the code, including ensuring development falls within the prescribed lot coverage standards detailed above.

**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Vacation VAC.1.15**

DATE: February 2, 2015 – **DRAFT** for Planning Commission review
TO: City Council
FROM: Jacob A. Graichen, AICP, City Planner
PETITIONER: Jeff and Karen Reinan
PROPOSAL: Vacation of public right-of-way described as follows:

The west 15 feet of the South 4th Street right-of-way abutting Lots 12 and 13, Block 40, of the St. Helens Subdivision, City of St. Helens, Columbia County, Oregon.

The purpose of this vacation is to improve loan eligibility of the property per the petitioner’s petition. Banks will not loan on a building located in a street right-of-way, according to the petitioner.

PUBLIC HEARING & NOTICE

Hearing date: <<date>> before the City Council

Notice of this proposed street vacation was Published in the Chronicle on <<date>> and <<date>>. Staff posted a copy of the notice at or near each end of the proposed street vacation areas on <<date>>.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

SHMC 2.08.080—Planning Commission Powers and Duties

Discussion: There are several listed duties and powers that include recommendations to the City Council with regards to property acquisition/disposition, public facility proposals, right-of-way plans, plats or deeds dedicating land to public use, and street design for example. Street vacation proposals can be construed as falling within one or more of these.

As such, at their <<date>> meeting, the Commission considered this request and, based on <<majority or unanimous>> vote, recommends the following to the City Council:

The Planning Commission recommends that the City Council...

SHMC 17.32.030(5): Whenever any street is lawfully vacated, and when the lands within the boundaries thereof attach to and become a part of lands adjoining such street, the lands formerly within the vacated street shall automatically be subject to the same zoning district designation that is applicable to lands to which the street attaches.

SHMC 17.136.220—Vacation of Streets: All street vacations shall comply with the procedures and standards set forth in ORS Chapter 271 and applicable local regulations.

Discussion: The above two excerpts are the only places where vacations are specifically mentioned in the St. Helens Municipal Code. The Municipal Code does not set forth any additional approval criteria other than those per State law below.

Oregon Revised Statutes, ORS 271.120 – Street Vacation Approval Criteria

... the governing body shall hear the petition and objections and shall determine whether the consent of the owners of the requisite area has been obtained, whether notice has been duly given and whether the public interest will be prejudiced by the vacation of such plat or street or parts thereof. If such matters are determined in favor of the petition the governing body shall by ordinance make such determination a matter of record and vacate such plat or street; otherwise it shall deny the petition. The governing body may, upon hearing, grant the petition in part and deny it in part, and make such reservations, or either, as appear to be for the public interest.

Discussion:

- **Have there been any objections or other comments submitted regarding this request?**
<<text>>
- **Has the consent of the owners of the requisite area been obtained?**
Pursuant to ORS 271.080(2), the consent of the owners of all abutting property and not less than two-thirds in area of the real property affected area (i.e. an area 200 feet parallel to and on both sides of the portion of street r.o.w. to be vacated and 400 feet along its course beyond each terminus of the portion of street r.o.w. to be vacated) is required. **The applicant submitted documentation showing 100% consent of all property owners abutting the portion of street right-of-way to be vacated and approximately 69% of the affected area.**
- **Has notice been duly given?**
Notice requirements are set forth by ORS 271.110. This requires published notice to occur once each week for two consecutive weeks prior to the hearing and posted notice within five days after the first date of published notice. The posting and first day of publication notice is required to be at least 14 days before the hearing. **The notice requirements have been met (see PUBLIC HEARING & NOTICE above).**
- **Will the public interest be prejudiced by the proposed street vacation?**
The portion of S. 4th Street Street proposed to be vacated is classified as a local street per the City’s Transportation Systems Plan. Per SHMC 17.152.030, the minimum right-of-way width for a residential local classified street is 50 feet. The current right-of-way width is 80 feet. Loosing half of the “extra” 30 feet would still retain the minimum right-of-way.

There are no known public improvements located within the right-of-way proposed to be vacated. City utilities (water, sanitary sewer, and storm sewer) are elsewhere. Overhead power is located on the opposite side of the street.

S. 4th Street is improved though lacks sidewalks. Note also that the typical roadway width for a local classified street is 36 feet. The roadway in this case is as narrow as approximately 22 feet and more-or-less in the middle of the current 80' wide right-of-way. The street is not skewed to any side. This information is worth considering since the subject property (405 S. 4th Street) that's abuts the proposed vacation area is below grade from the improved streets. To explain, if the street was to be widened and sidewalks included, fill material and some type of retaining wall system is a possibility. In such a circumstance, some access to the other side of the retaining wall would be beneficial for access. Since the proposed vacation would move the property line (currently approximately 8 feet behind the front of the existing building) to about midway between the edge of road and front of the existing building, available room is a consideration. There is approximately 23 feet between the edge of road and the front of existing building.



Photo taken from the S. 4th Street R.O.W. looking north.



Photo taken from the S. 4th Street R.O.W. looking south. This is also the S. 4th Street/Tualatin Street intersection.



Photo taken from the S. 4th Street R.O.W. looking south. The visible portion of the building is within the R.O.W.

The arrow points to a stick in the ground, which is the approximate extent of the proposed 15' wide street vacation area.

About 8 feet of this side of the building is within the R.O.W.



Photo taken from the Tualatin Street R.O.W. looking southeast towards the subject property.

This area is accessible via Parkway Street.

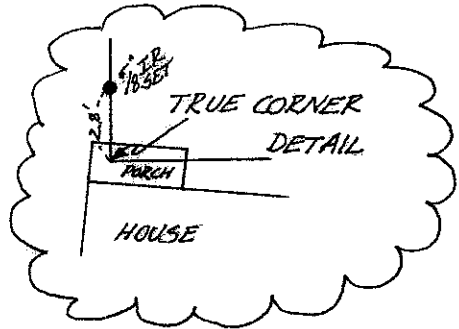
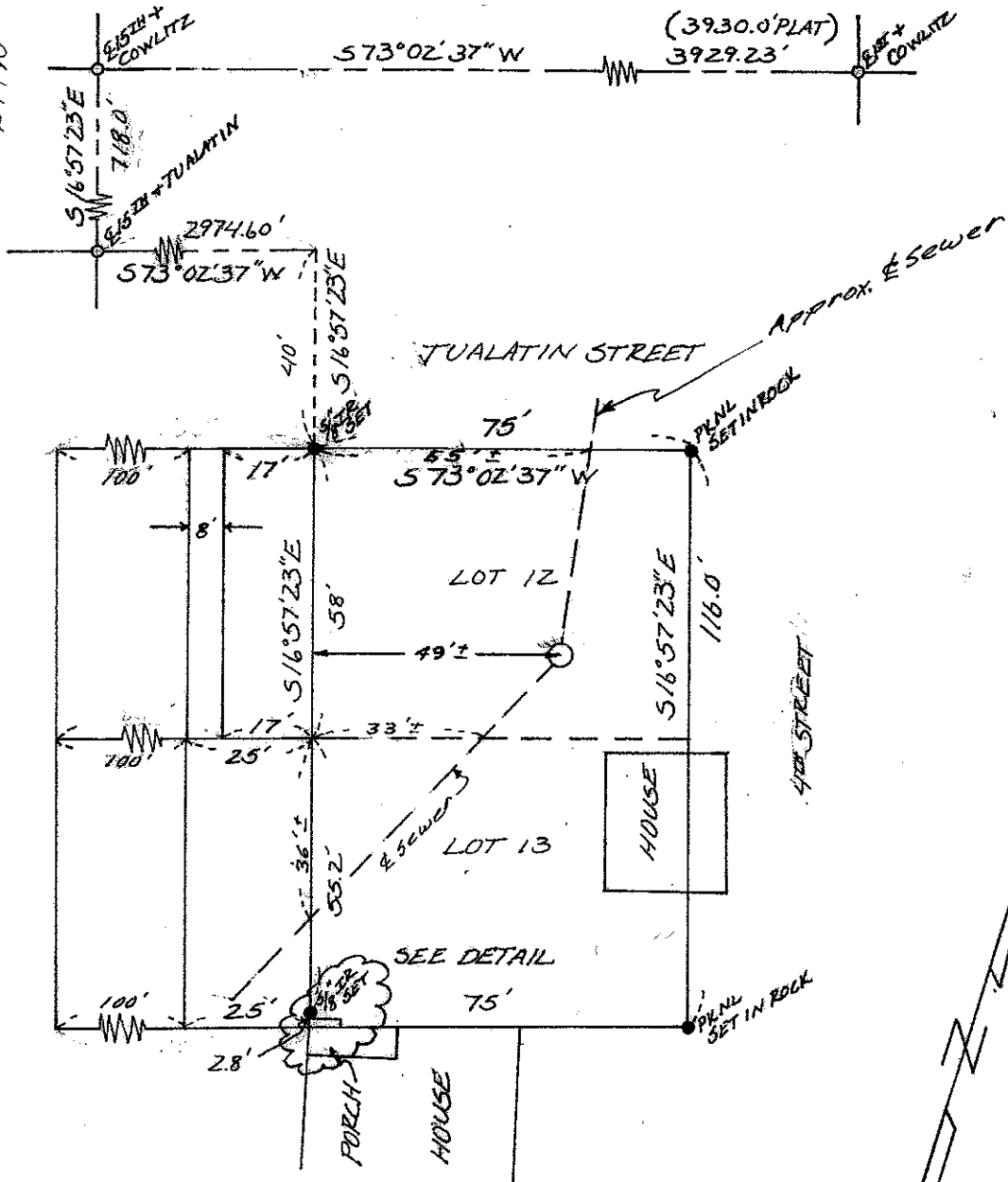
Finding: <<text>>

CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, staff recommends the City Council <<grant or deny>> the street vacation petition <<with the provision that...>.

Attached: Survey of the subject property from 1981
Consent map
Aerial map

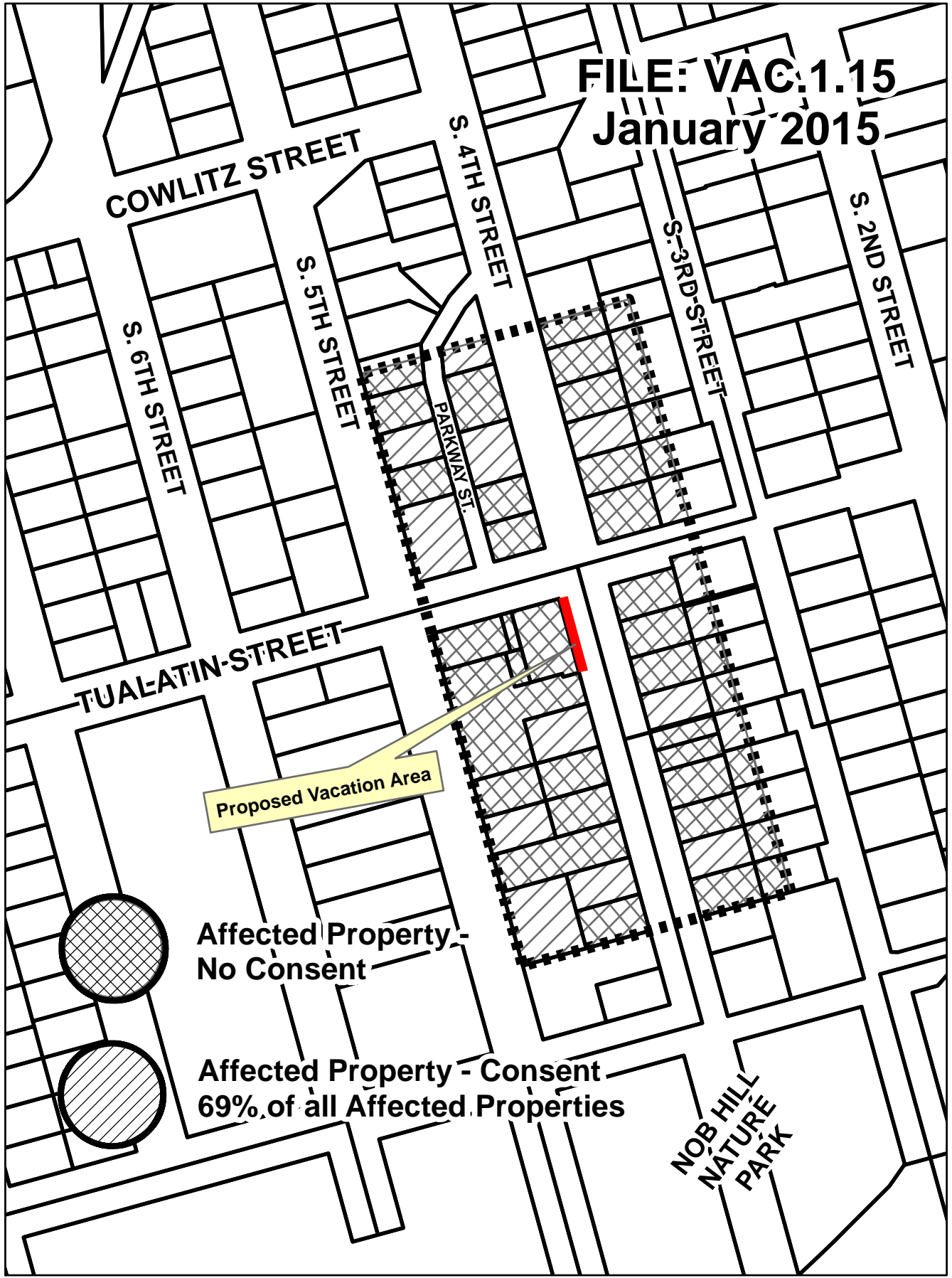
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<p>REGISTERED PROFESSIONAL LAND SURVEYOR</p> <p><i>Philip Dewey</i></p> <p>OREGON JULY 12, 1968 PHILIP DEWEY 847</p>	<p>BASIS OF BEARING _____</p> <p>REFERENCE MAP No. <u>WM 436</u></p> <p>REFERENCE MAP No. _____</p> <p>REFERENCE MAP No. _____</p> <p>WORK MAP No. _____</p> <p>FIELD BOOK <u>167</u> PAGE <u>15</u></p> <p>FIELD BOOK _____ PAGE _____</p> <p>DEED REF. D. B. _____ PAGE _____</p> <p>DEED REF. D. B. _____ PAGE _____</p>	<p>SURVEY FOR</p> <p><u>STEVE CUPP</u></p> <p>LOTS <u>12 + 13</u> BLOCK <u>40</u></p> <p>SUBDIVISION <u>ST. HELENS</u></p> <p>DONATION LAND CLAIM _____</p> <p>IN THE <u>NW</u> ¼ OF THE <u>SW</u> ¼ OF SECTION <u>3</u> T. <u>4</u> N., R. <u>1</u> W., W. M. COLUMBIA COUNTY, OREGON.</p> <p>DATE <u>APRIL 1981</u> Scale: 1" = <u>30</u> ft. <i>Revised 4-22-81</i></p>
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FILE: VAC.1.15
January 2015



Proposed Vacation Area

**Affected Property -
No Consent**

**Affected Property - Consent
69% of all Affected Properties**

**NOB HILL
NATURE
PARK**

VAC.1.15

BLUE: City Water Main

GREEN: City San. Sewer Main

PARKWAY ST.

TUALATIN STREET

SOUTH

4TH

STREET

Proposed vacation area.

2009 Aerial Photo
Map February 2015

CITY OF ST. HELENS PLANNING DEPARTMENT ACTIVITY REPORT



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

Date: 01.27.2015

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

Continued to work on Corridor Plan related tasks: adoption documents, final reporting and such. The grant cycle officially ends January 30, 2015. We met our grant match, mostly via staff time. Here is the approximate breakdown of staff time towards the grant from July 2013 to January 2015:

EMPLOYEE NAME & CLASSIFICATION	APPROX. HOURS
Jacob A. Graichen, City Planner	316.75
Crystal Farnsworth, Communications Officer	50
Kathy Payne, City Recorder	11.5
John Walsh, City Administrator	14.75
Sue Nelson, Interim Public Works Co-Director & Engineering Supervisor	24.25
Neal Sheppard, Interim Public Works Co-Director & Public Works Supervisor	14.75
Lisa Scholl, Administrative Assistant	7
Terry Moss, Police Chief	3
APPROXIMATE TOTAL LABOR HOURS	442

Conducted a pre-application meeting and received an application for a 3 parcel land partition and variance to lot dimension.

LUBA made a decision regarding the Sensitive Lands Permit case, originally denied by staff, and denied by the Planning Commission on appeal of the staff decision. In this case, S. St. Helens LLC v. City of St. Helens, an appeal of the Planning Commission decision, LUBA affirmed the Planning Commission's decision. This could be appealed to the Oregon Court of Appeals. The deadline is February 16, 2015.

Continued to work with applicant on Site Design Review for an auto parts retail store at the former KFC site. Working out some details before a final decision is issued.

DEVELOPMENT CODE ENFORCEMENT

We are getting complaints about the automotive service business at 1270 again.

Attended a pre-trial conference regarding the Garske case (34666 Snow Street) on Jan. 26, 2015 with other city staff. This was continued to April 7, 2015.

PLANNING COMMISSION (& acting HISTORIC LANDMARKS COMMISSION)

January 13, 2015 meeting (outcome): The Commission conducted a public hearing for two Conditional Use Permits: one for CRFR and the other for St. Helens Organic Recycling (SHOR). Both were approved. The Commission also briefly discussed the upcoming CLG grant cycle. Due to a long meeting, other discussion items were tabled from February.

February 10, 2015 meeting (upcoming): The Commission will have a public hearing for a Variance request related to a three-parcel land partition. The Commission will also discuss marijuana as it pertains to land use and potential increases to lot coverage standards.

GEOGRAPHIC INFORMATION SYSTEMS (GIS)

Software updates conducted. Data updates conducted.

MAIN STREET PROGRAM

Site visit with the RARE program Supervisor occurred this month. This is a routine aspect of hosting a RARE participant. This year, we are using RARE to staff the Main Street Coordinator Position.

ASSISTANT PLANNER—*In addition to routine tasks, the Assistant Planner has been working on:*

See attached.

Jacob Graichen

From: Jennifer Dimsho
Sent: Wednesday, January 21, 2015 1:37 PM
To: Jacob Graichen
Subject: January Planning Dept Report

Jacob,

It is a week early, but I'll be out Monday, and I wanted to send it over while it was on my mind. Here are the things I've been working on for the January Planning Department Report:

- **McCormick Park Bridge Project:** Met with DSL Resource Coordinator, Dan Cary, about state lands permitting process. Site visit with Stacy Benjamin of Wetland Solutions Northwest. Reviewed Stacy's proposal with Sue.
- **Parks and Trails Capital Improvement Plan:** Continued research and calculations for project cost estimates.
- **Port of St. Helens' Intergovernmental Partnership Program (IPP):** Worked with John to prepare grant application and refine project scope. Deadline is January 30, 2015.
- **Business Oregon Brownfields Integrated Planning Grant (IPG):** Met at Maul Foster & Alongi to discuss the scope of work for the 25k brownfields grant awarded back in Fall 2014.
- **Planning Secretary How To's:** Step-by-step guides for creating files and processing land use decisions.
- **Researched Grant Programs:** Including the NFWF's Urban Waters Restoration Program, the NEA's Art Works Program, OPRD's Local Governments Grant Program, and USDA's Rural Business Enterprise Grant.
- **Gazette Article:** Benefits of native plants/resources for native plants in Columbia County

Please let me know if you have any questions.

Jennifer Dimsho
Assistant Planner
City of St. Helens
(503) 366-8207
jdimsho@ci.st-helens.or.us