

City of St. Helens
Planning Commission Meeting
September 8, 2015
Minutes

Members Present: Al Petersen, Chair
Greg Cohen, Commissioner
Audrey Webster, Commissioner
Russell Hubbard, Commissioner

Members Absent: Sheila Semling, Commissioner
Kathryn Lawrence, Commissioner
Dan Cary, Vice Chair

Staff Present: Jacob Graichen, City Planner
Jennifer Dimsho, Assistant Planner & Planning Secretary

Councilors Present: Ginny Carlson, City Council Liaison

Others Present: Lauren Terry
Carl Coffman

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

There were not enough Commissioners present at the August 11, 2015 Planning Commission meeting to vote on approval.

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Topics From The Floor

Chair Peterson discussed the upcoming event at the St. Helens Public Library. They are hosting an Oregon Humanities Conversation Project called "A City's Center" on September 10 at 7:00 p.m.

He also discussed the upcoming Arts & Cultural Commission public hearing on September 22 at 5:30 p.m. for phase two of the Gateway Sculpture Project.

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Deliberations

RP Oregon, Inc.

Conditional Use Permit / CUP.5.15

31 Cowlitz St.

Commissioner Cohen was not in attendance during the public hearing last meeting, but he read the minutes and listened to the audio recording of public hearing testimony. He does not have any ex-parte contact, conflict of interest, or bias in this matter. No one in the audience objected to his ability to make a fair decision.

Commissioner Hubbard was also not in attendance last meeting, so he recused himself from voting.

Graichen discussed the additional testimony and rebuttal which were submitted to the record and included in the packet. The record closed on August 25, 2015 at 5 p.m. and deliberations may commence.

Chair Petersen asked Graichen to clarify the City Council's decision regarding marijuana retail buffers. Graichen clarified that the 200 foot buffer from parks and residential areas was removed. The 1,000 foot buffer from schools remained and an additional 2,000 foot buffer between dispensaries and retailers was added.

Commissioner Cohen asked if the Commission could consider additional conditions. Graichen went over the potential conditions the Commission could include, as described in the staff report on page five. He noted that for the previous marijuana-related conditional use permits, the only additional condition the Commission included was regarding the trash enclosure.

Commissioner Cohen has a problem with the proximity to Columbia View Park. He admits he did not read the City Council minutes to find out why they eliminated the parks buffer, but he doesn't feel this type of use should be so close to a heavily utilized recreation area where children congregate. Chair Petersen agreed and recalled that this location was just barely outside of the original 200 foot parks buffer. He also noted that the park could potentially expand onto the new waterfront property, which would make the location clearly within the old buffer. Chair Petersen thought it was unfortunate that City Council did not adopt the parks buffer, but the Commission's task is to comply with the regulations City Council decides.

Councilor Carlson clarified that City Council was afraid that the residential and park buffers were too prohibitive. In order to address the concerns about a heavily saturated market, they implemented the 2,000 foot buffer between dispensaries and retailers. Commissioner Cohen still feels this use doesn't belong near where children congregate in parks. Councilor Carlson said just like the regulations imposed on alcohol, someone cannot buy marijuana and go to the park to publicly smoke it. City Council also passed a smoke-free parks ordinance that includes tobacco and marijuana products. Graichen suggested that there may be conditions the Commission could consider that would minimize the impact to the park.

Chair Petersen feels the conditional use application conforms to the rules given to the Commission by the City Council and the Development Code. However, he thinks the Commission should make a recommendation to City Council to reconsider a parks buffer. Commissioner Webster agrees.

MOTION

Commissioner Webster moved to approve the conditional use permit with the conditions as presented. Commissioner Cohen seconded. Commissioner Hubbard abstained. Commissioner Webster voted in favor;

Commissioner Cohen opposed; motion ties. Chair Petersen voted in favor; motion carries.

[Secretary Note: After the meeting, it was determined that the motion could not pass due to majority vote rules (i.e. there was a lack of majority vote). To rectify this error, deliberations will be continued at the October 13, 2015 meeting as an Amended Decision.]

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

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Deliberations

City of St. Helens

Text Amendments / ZA.2.15

Houlton Business District and City-wide

Graichen discussed the revised text amendments as presented in the memo. The text amendments use the Mixed Use (MU) zone's approach to residential uses as a model for the Houlton Business District (HBD) zone. This proposal would permit outright detached single-family dwellings, attached single-family dwellings, duplexes and dwellings above the first floor in the HBD zone, and conditionally allow multi-dwellings, dwellings on the same level as non-residential use, and auxiliary dwelling units.

Commissioner Webster asked what the difference was between residential facility and residential home on pages one and two. Graichen said residential facilities and residential homes are licensed treatment facilities registered by the Department of Human Services. The difference between the two relates to the number of people being cared for.

Chair Petersen asked the Commission if they feel that the commercial properties in the HBD zone need to be protected from single-family residential development. Commissioner Cohen doesn't fear losing commercial properties to single-family residential development. He supports the mixed-use model because he feels it will only help expand property owners' ability to use their property.

Commissioner Hubbard agrees. He said any way to make it easier to build mixed-use structures that contain both commercial and residential is good for developers.

MOTION_A

Commissioner Webster moved to recommend that the City Council adopt the HBD text amendments as presented by staff. Commissioner Hubbard seconded. All in favor; none opposed; motion carries.

Graichen discussed the city-wide text amendments related to recreational vehicle (RV) parking as presented in the memo. The first portion of the amendment will eliminate a loophole that code enforcement staff requested. The second portion of the amendment will add an option to apply for a Temporary Use Permit to allow temporary residence in an RV with proper documentation from their primary care physician for medical hardship. Currently the St. Helens Municipal Code Section 17.116.060 (3)(a)(ii) only allows living in a mobile or manufactured home for medical hardship through a Temporary Use Permit. He has never had a request from residents to live in a mobile or manufactured home because of a medical hardship, but over the years, he has received multiple requests for RVs.

Commissioner Cohen asked how long the Temporary Use Permit would be valid. Graichen said one year with an option for a renewal provided adequate documentation from a doctor. Commissioner Cohen asked if there was a limitation to the size of the RV. Graichen said not explicitly, but the performance standards of the Temporary Use Permit require adequate, safe ingress and egress and that no hazards are posed to pedestrians.

Councilor Carlson asked if the Temporary Use Permit would specify how many people could live in the RV. She knows of three properties off-hand with RVs parked and people living in them. She's concerned with situations where an RV would allow upwards of twelve people (a full family inside the house and in the RV) to live on one lot. Graichen said the Temporary Use Permit, as written, would not limit the number of people.

Commissioner Cohen said there is already a proliferation of RVs parked on small lots where they barely fit on the driveway or in the side-yard, especially on the west side of St. Helens. He is also concerned with the plumbing and cooking facilities.

Graichen said the proposal is in two parts: 1) stiffening the regulations on RV parking as requested by law enforcement and 2) the medical hardship Temporary Use Permit. Commissioner Cohen would like to divide their recommendation into two sections in order to better research the potential outcomes of allowing temporary lodging in RVs for medical hardship.

Chair Petersen noted that section 2(a) in Chapter 17.116.060 "Temporary Use - Unforeseen/emergency situations" already includes a mobile home or other temporary structure for residential use. To him, it seems like the text change is just clarifying what temporary structures are being allowed. Commissioner Cohen said people are already using RVs as homes. He would like to take more time to look at the issue of temporary use of RVs as residences on private property, but he has no problem with approving the changes to Chapter 17.80 Off-Street Parking and Loading Requirements as law enforcement requested.

MOTION_B

Commissioner Cohen moved to recommend that City Council adopt the text amendments to Chapter 17.80 Off-Street Parking and Loading Requirements as presented. Commissioner Webster seconded. All in favor; none opposed; motion carries.

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CLG Historic Preservation Grant Application Review and Scoring

Chair Petersen was asked to describe the scoring criteria developed for the CLG Historic Preservation Grants. He was on the Historic Landmarks Commission when this criterion was developed. Chair Petersen has a conflict of interest, so he abstained from further discussion.

Commissioner Cohen suggested we wait for a quorum to score the applicants. Rather than delay the grant timeline, the Commission decided that scoring the applications at home and returning the scores to Assistant Planner Dimsho would be a more timely solution than waiting until the next meeting. Dimsho will email the Commission with instructions and a deadline for returning scores.

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Planning Administrator Site Design Review

- a. Site Design Review at 58144 Old Portland Rd. - Vacant building renovations

Commissioner Cohen moved to approve the acceptance agenda. Commissioner Webster seconded. All in favor; none opposed; motion carries.

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Planning Director Decisions

- a. Sign Permit (Banner) at 2100 Block of Columbia Blvd - Community Action Team c/o St. Helens Head Start
- b. Accessory Structure at 58967 Glacier Ave. - New 198 sq. ft. shed
- c. Sign Permit (Wall) at 155 S. Columbia River Hwy (Ace Hardware) - Clark Signs
- d. Sign Permit (Wall) at 371 Columbia Blvd. (Kozy Korner) – Clark Signs

There were no comments.

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Planning Department Activity Reports

There were no comments.

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For Your Information Items

Chair Petersen requested that the Commission recommend that City Council use dollars to conduct a wayfinding signage plan. As an example, he discussed the signage plan from Silverton, Oregon.

Commissioner Cohen moved to recommended that City Council develop a St. Helens wayfinding signage plan. Commissioner Webster seconded. All in favor; none opposed; motion carries.

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There being no further business before the Planning Commission, the meeting was adjourned at 8:41 p.m.

Respectfully submitted,

Jennifer Dimsho
Planning Secretary

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	P	P	P	P	P	P	P
03/10/15	P	P	A	P	P	P	P
04/14/15	CAN	CAN	CAN	CAN	CAN	CAN	CAN
05/12/15	P	P	P	P	P	P	P
06/09/15	P	P	P	P	P	P	P
07/14/15	A	P	P	P	P	P	P
08/11/15	P	A	P	A	P	P	P
09/08/15	P	P	A	P	A	A	P
10/13/15							
11/10/15							
12/08/15							