

City of St. Helens

Planning Commission

October 13, 2015

Agenda

1. **7:00 p.m. Call to Order and Flag Salute**
2. **Consent Agenda**
 - a. Planning Commission Minutes dated August 11, 2015 and September 8, 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. **Deliberations/Amended Decision** Conditional Use Permit at 31 Cowlitz St. – RP Oregon, Inc.
 - b. 7:20 p.m. Variance at 35732 Hankey Rd. – McCarter
5. **Architectural Review: Columbia County Courthouse Cell Modifications**
6. **Acceptance Agenda: Planning Administrator Site Design Review:**
 - a. Site Design Review (Minor) at 500 N Columbia River Hwy – Parking lot expansion
7. **Term Expiration Discussion**
8. **Planning Director Decisions:** (previously e-mailed to the Commission)
 - a. Sign Permit (Wall) at 1570 Columbia Blvd (Ark Real Estate) – Dewey's Sign Service
 - b. Home Occupation (Type I) at 821 Columbia Blvd. - Heating and cooling business
 - c. Sign Permit (Wall) x 2 at 299 S. Vernonia Rd. (O'Reilly) – Tube Art Group
 - d. Sign Permit at intersection of Elk Meadows Dr. and Hankey Rd – St. Helens Assets, LLC
 - e. Sign Permit (Banner) at 2100 block of Columbia Blvd. – Columbia River PUD Public Power Week
9. **Planning Department Activity Reports**
 - a. September 29, 2015
10. **For Your Information Items**
11. **Next Regular Meeting: November 10, 2015**

Adjournment

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City of St. Helens

Planning Commission Meeting

August 11, 2015

Minutes

Members Present:

Al Petersen, Chair
Dan Cary, Vice Chair
Sheila Semling, Commissioner
Audrey Webster, Commissioner
Kathryn Lawrence, Commissioner

Members Absent:

Greg Cohen, Commissioner
Russell Hubbard, Commissioner

Staff Present:

Jacob Graichen, City Planner
Jennifer Dimsho, Assistant Planner & Planning Secretary

Councilors Present:

Ginny Carlson, City Council Liaison

Others Present:

Oscar Nelson
Brenda Fielding
Mandy Sill
Jennifer Plahn
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.

□

Consent Agenda

Approval of Minutes

Commissioner Webster moved to approve the minutes of the July 14, 2015 Planning Commission meeting. Vice Chair Cary seconded the motion. Motion carried with all in favor. Chair Petersen did not vote as per operating rules.

□

Topics From The Floor

There were no topics from the floor.

□

Deliberations

Jennifer Plahn & Bing Theobald
Conditional Use Permit / CUP.3.15
365 S. Columbia River Hwy

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

Graichen said no additional testimony was submitted while the record was left open. The record closed on July 28, 2015 at 5 p.m. and deliberations may commence.

The Commission feels the four conditions as presented in the staff report are sufficient.

MOTION

Commissioner Semling moved to approve the Conditional Use Permit with conditions as written in the staff report. Commissioner Lawrence seconded. All in favor; none opposed; motion carries.

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

□

Public Hearing

Jennifer Plahn & Bing Theobald
Conditional Use Permit / CUP.4.15
1809 Columbia Blvd.

It is now 7:07 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 August 4, 2015 with attachments

Graichen discussed the recommended conditions of approval as presented in the staff report. He also noted that St. Helens business license law currently requires compliance with federal law. Marijuana is still an illegal substance per the federal controlled substance act. City Council is scheduled to discuss this issue at tomorrow night's meeting. If granted, the Conditional Use Permit is valid for a year and a half, with potential for a one year time extension. Graichen said this could potentially allow time for the business license issue to be worked out.

Vice Chair Cary asked if daycare facilities were included in the 1,000 foot buffer from schools. Graichen said if the daycare facility is licensed, yes.

IN FAVOR

Nelson, Oscar. Applicant Representative. Mr. Nelson has been running Sweet Relief in Astoria for over a year. The St. Helens location will be professionally run, similar to the highway location near Skinny's. The

garbage will be locked, similar to the other location. Refuse will not contain cannabis. They comply with the numerous mandatory state regulations imposed on marijuana dispensaries and are in constant communication with their state inspectors.

Chair Petersen asked about the southeastern internal door that leads to the adjacent building suite. Nelson said the state will require the door to be walled off or they will have to install security cameras inside their suite and in the adjacent suite. If the door is not a necessary exit, it will more than likely be walled off.

Vice Chair Cary asked from a market perspective, if this community could support two similar locations. Nelson said yes, the demographics support it. He said they will be able to develop a different atmosphere and character at each location over time, ultimately serving different niche markets.

IN OPPOSITION

No one spoke 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

Commissioner Webster asked about the second egress without stairs. Chair Petersen said the size of the suite is only 500 square feet with what looks like a suite of offices as the previous use. This means it likely only had an occupant load of five, which does not meet the threshold for requiring a second egress. They do have a second egress, but without the stairs, it is unsafe. Chair Petersen said he was unsure about the retail square footage threshold for requiring a second egress.

The Commission agrees if the applicant chooses to store the trash outside, there should be a condition that the refuse area be screened and large enough to accommodate all of the dumpsters for the building. Even though the proposal is only for one suite within the building, it is unlikely there would be an application for the entire building. To advance the goals of the Development Code, the Commission feels it is reasonable to require this applicant to enclose all dumpsters for the building.

The Commission decided to let the building official address whether or not stairs are needed out of the second egress.

MOTION

Vice Chair Cary moved to approve the conditional permit with an additional condition 2(c) to require a trash enclosure that is large enough to accommodate all occupants of the building. Commissioner Semling seconded. All in favor; none opposed; motion carries.

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

□

Public Hearing

RP Oregon, Inc.

Conditional Use Permit / CUP.5.15

31 Cowlitz St.

It is now 7:43 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 August 4, 2015 with attachments

Graichen discussed the recommended conditions of approval as noted in the staff report.

IN FAVOR

Terry, Lauren. Applicant. Terry discussed some of the security features at the proposed location. There will be alarms at the exit, entry, and back window. They will have 24/7 security monitors through at least eight cameras in the shop. They will be working with an experienced security system provider who has worked with many other medical marijuana dispensaries. Products will be stored in secure safes and commercial grade locks will be installed on every door. They will have ID verification on entry. The products will be leaving in opaque, child-safe containers. No processing or consumption of product will take place on or around the dispensary. They will get a sign permit for any future signs. Terry said they are aware of the close proximity to the park and will ensure a family-friendly business frontage. They will temper the glass to obscure the inside from the street. They have not determined their hours of operations yet, but they are flexible.

IN OPPOSITION

Fielding, Brenda. Fielding owns the building across the street from the Muckle Building. She thinks there is no way this business will be family friendly; it is a drug dealer. This development would counteract what the City is trying to accomplish with the Waterfront Redevelopment Project. Fielding said Columbia View Park is too close to this dispensary. Teenagers flood the park every summer and they will be able to easily have their 18-year old brother buy for them. Owning property on the waterfront, Fielding already feels like there is a parking issue, especially being a dead-end street. This business may be appropriate somewhere else, but it doesn't belong in Olde Towne, right on the waterfront. Fielding said we may not be able to keep marijuana businesses out of St. Helens, but asked the Commission, do we really want to use our prime real estate for this purpose?

REBUTTAL

Terry, Lauren, Applicant. Terry is from Roseburg, a small town in Oregon. She was voted Future First Citizen of her community and Junior Miss 2009. Terry feels we are in a time when society is redefining and learning more about this plant. Many of the marijuana patients have conditions where they can replace upwards of ten expensive and harmful prescription drugs that give them negative side effects and make it difficult to comfortably live life. They are able to replace these prescriptions with a more affordable, 100% natural product. She worked as a bud-tender for a respected dispensary in Portland called Pure Green. Terry said she watched fellow employees participate in Run for the Cure, donate money to Mercy Corps, and contribute canned foods every winter. She can't say that every dispensary cares about the community, but Terry said she isn't a drug dealer. She said she doesn't know what that means. She has worked in a

dispensary and worked as a medical provider, but to use such black and white terms like “drug dealer” is harmful. Terry said our state voted for marijuana to be recreationally available to more than just medical patients, so eventually their clientele will expand to buyers who are over 21 (not 18, as was mentioned). Terry said it’s important to remember we are living in a time where the majority of the population supports this.

END OF ORAL TESTIMONY

There was a request to continue the hearing or leave the record open. Fielding requested that the record be kept open for an additional seven days. Any person who testified may submit additional written testimony, argument, or evidence by 5 p.m. on August 18, 2015. The applicant agreed to the record being held open. The applicant may respond to any testimony received by 5 p.m. on August 25, 2015.

The applicant waived the opportunity to submit final written argument after the close of the record. The record will close August 25, 2015 at 5 p.m. Deliberations on the matter will commence at the regularly scheduled meeting on September 8, 2015 at 7 p.m.

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Public Hearing

City of St. Helens

Text Amendments / ZA.2.15

Houlton Business District and Citywide

It is now 8:10 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 August 4, 2015 with attachments

Graichen discussed the history of the Houlton Business District (HBD). During the building craze that preceded the Great Recession, there was concern that the HBD zone would be taken over by residential development demand. With some minor exceptions, the solution was to ban residential use on the first floor. Graichen noted several cases of homeowners trying unsuccessfully trying to sell their home and losing their grandfathered residential use after six months of discontinued use. The fear is that over time, this will contribute to blight in the HBD.

Graichen said the initial draft of the staff report recommended relaxing the HBD rule that was creating non-conforming residential properties after discontinued use for six months. This change would allow for the residential use to continue as a conforming use or be reinstated as a conforming use, regardless of the length of time the use has been discontinued. Graichen’s alternative recommendation would be to use the mixed use zone’s approach to residential uses as a model for the HBD zone. This recommendation would permit outright detached single-family dwellings, attached single-family dwellings, duplexes and dwellings above the first floor. It would conditionally allow multi-dwellings, dwellings on the same level as non-residential use, and auxiliary dwelling units.

Graichen explained the purpose of the recreational vehicle text amendments. This change will allow for better code enforcement of units that are being living in more than 14 days in a calendar year by expanding the rule from only the front yard to anywhere on the property. Graichen also recommends adding the use of

recreational vehicles for medical hardship, as allowed by Temporary Use Permit in St. Helens Municipal Code Chapter 17.116. Currently, St. Helens Municipal Code Section 17.116.060 (3)(a)(ii) only allows living in a mobile or manufactured home for medical hardships through Temporary Use Permit.

IN FAVOR

There was no testimony in favor.

IN OPPOSITION

There was no testimony in opposition.

DELIBERATIONS

Chair Petersen thinks that not allowing residential on the first floor in the HBD is contributing to blight. Graichen said the residence by Dari Delish has been for sale for years and they have had buyer interest, but not as a commercial property, only as a residence. Further, lenders do not want to lend on a non-conforming residence because it is too risky. These cases contribute to blight. Graichen also noted some of the residential homes in the HBD zone are older. They may not be officially designated, but if they had a residential use that was permitted outright, they would contribute indirectly to historic preservation, instead of decaying because of non-use.

Chair Petersen thinks forcing houses that turn their water off for six months to convert to commercial is crazy. There are already existing vacant storefronts, so he asked why would a residence want to spend thousands to convert? Commissioner Lawrence agrees. She feels that mixed use zoning will put life back into neighborhoods.

The Commission prefers the mixed use alternative. At the next meeting, Graichen will present the new language for the HBD mixed use proposal and the medical hardship exception to the 14-day limit for living in a recreation vehicle with a valid Temporary Use Permit.

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Planning Administrator Site Design Review

- a. Site Design Review at Lots 6-9, 21-24, Block 31, Old Portland Road - Outdoor Storage
- b. Site Design Review at SE corner of McNulty Way & Industrial Way - Warehouse
- c. Site Design Review *Amended* at Lots 6-9, 21-24, Block 31, Old Portland Road - Outdoor Storage

Vice Chair Cary clarified where exactly the development was occurring on at McNulty Way & Industrial Way. He delineated a wetland on the southern end of the property.

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

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Planning Director Decisions

- a. Site Design Review (Minor) at 454 Milton Way – T-Mobile

There were no comments.

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Planning Department Activity Reports

There were no comments.

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For Your Information Items

High definition aerial footage of the Waterfront Redevelopment Project area was shown to the Commission from the WeAreStHelens YouTube channel.

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There being no further business before the Planning Commission, the meeting was adjourned at 9:00 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 | | | | | | | |
| 10/13/15 | | | | | | | |
| 11/10/15 | | | | | | | |
| 12/08/15 | | | | | | | |

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.

□

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.

□

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 | | | | | | | |
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| 12/08/15 | | | | | | | |



CITY OF ST. HELENS PLANNING DEPARTMENT

MEMORANDUM

TO: Planning Commission & File Conditional Use Permit CUP.5.15
FROM: Jacob A. Graichen, AICP, City Planner
RE: Amended Decision for Conditional Use Permit CUP.5.15
DATE: September 21, 2015

The purpose of this memo is two-fold. First, an amended decision is necessary due to a vote and assumption of CUP approval error. Per SHMC 17.24.275, a request for an amended decision may be made by the Planning Director via letter to file (this memo), and an amended decision may be made based on error or incorrect information. The error is explained further below. Secondly, this memo is to inform the Commission.

An amended decision is required to be processed per 17.24.130 for Planning Commission decisions. This means, meeting legal notice requirements for the impending action. In this case, the action will be to re-do deliberations on this matter and notice will be provided for such.

The original public hearing for this matter took place on August 11, 2015. At that meeting the record was left open for additional written testimony and rebuttal. Such materials were received before the record closed. Note that the applicant waived the opportunity for final written argument. Deliberations on the matter took place on September 8, 2015.

Three Commissioners were absent on September 8, 2015. We had four members and a quorum, since per SHMC 2.08.070 a majority of the members appointed to the commission constitute a quorum. The vote (on motion) was as follows:

- 2 – “aya”
- 1 – “nay”
- 1 – abstention

The abstention was for a just reason; the commissioner was not at the August meeting and hadn't reviewed the record to make a fair decision. Otherwise, per the Commission's operating rules established by the Commission in January of 2000, the abstention could have been considered an affirmative vote.

The assumption (**and error**) at the September meeting was that because we had a majority of a quorum, the 2-1 vote was valid to approve the CUP. The City's laws governing the function of the Commission detail what constitutes a quorum, but are silent as to majority vote. The Oregon Attorney General's Public Records and Meeting Manual (November 2014) explains the number of concurring votes necessary to pass or reject a motion. The vote noted above was insufficient (i.e., only 2 concurring votes wasn't enough) and didn't meet the necessary majority vote.

The City erroneously sent notice of an approved Conditional Use Permit on September 10, 2015. We need to amend this decision by re-doing deliberations in order to have a procedurally correct motion and vote. As such, deliberations on the matter will once again take place on October 13, 2015 at 7pm.

The staff report and record will be re-sent to all commission members. **Everybody who will be at the Commission's October 13, 2015 meeting should review all materials provided to you and be prepared to participate in deliberations and voting on the matter.** You also have the option of listening to audio recordings if desired. If so, please contact staff.



CITY OF ST. HELENS PLANNING DEPARTMENT

MEMORANDUM

TO: Planning Commission
FROM: Jennifer Dimsho, Assistant Planner
RE: CUP.5.15 Deliberations
DATE: August 25, 2015

As a reminder, CUP.5.15 is a proposal for a medical marijuana dispensary in the Muckle Building at 31 Cowlitz Street.

At the August 11, 2015 Planning Commission meeting, there was a request to leave the record open for seven additional days, with an additional seven days to allow the applicant to rebut any written testimony received. Written testimony was received in opposition to the proposal. The applicant also submitted a written rebuttal. These additions to the record are attached for your review.

The record closed at 5 p.m. on August 25, 2015.

Deliberations on the matter will commence at 7 p.m. on August 25, 2015.

Jacob Graichen

From: Jacob Graichen
Sent: Friday, August 14, 2015 9:25 AM
To: 'Brenda Fielding'
Subject: RE: City letter- MJ store on waterfront

Brenda,

I have received your written testimony and will enter it into the record.

Jacob A. Graichen, AICP, City Planner
City of St. Helens, Oregon

From: Brenda Fielding [<mailto:gobrenda3@gmail.com>]
Sent: Friday, August 14, 2015 9:04 AM
To: Jacob Graichen
Subject: Fwd: City letter- MJ store on waterfront

RECEIVED
AUG 14 2015
CITY OF ST. HELENS

Good morning Jacob,

Here is the letter I wrote in response to the City Planning meeting on August 11, 2015 regarding the Marijuana dispensary on the waterfront.

I had until the 17th- I wasn't sure if I had to walk this in or not or if this attachment to the email will suffice. I like email because it shows the date. I would appreciate a verification that you received this.

Thank you
Brenda Fielding

RECEIVED

AUG 14 2015

Brenda Fielding

31057 Pond Dr, Scappoose OR Resident for 21 years. Property owner of St Helens properties including 30 Cowlitz.

CITY OF ST. HELENS

I would respectfully argue that the city should not allow a drug dealer to move into the waterfront for several reasons:

1. The cannabis store is far too close to the public park. This is a family park where the city advertizes and holds the 13 nights on the River every summer. The park is packed with teenagers and having a weed store so close would "invite" kids to be curious and want to try the drugs. Although the law says that people must be 21 years old to buy the product, lets get real and KNOW that kids will find someone to buy it for them. If the store is so close that it doesn't even require kids to have to drive to get there, I would project that there will be a rash of new users who will get started on the drug because it was so easy to buy right there on the waterfront.

2. The city is getting ready to pour 100 million dollars into the waterfront yet the marijuana store will cheapen this project. It won't look good to have a green cross or any other sign advertising drugs. This would especially be true from the river side or when families are strolling along the sidewalks after the project is finished.

3. As a property owner of a big building across from 31 Cowlitz, we just recently succeeded in evicting a known drug dealer from our building. What a relief. It wasn't just because he was doing something wrong but it was the people that he attracted. We had "users" everywhere all the time- at ALL hours of the day, hanging around in groups. It was very undesirable and unsightly. Once we were able to evict him, all those people dispersed. We no longer have groups hanging around outside our building. We no longer get a little worried when we have to walk past "scary" looking people. They are gone because he is gone. Now, it is so disheartening to think that the city may allow another drug dealer to move in across the street. Those some people will be back. Sure, they may not group up right in front of the store (due to a 100 foot law) but, much to our demise, they will take their newly bought drugs across the street and use them in front of our building again or in the public park or plaza. We are giving these same users, in addition to many more, legal opportunity to make the neighborhood a place where people don't want to walk by, pass, or just to enjoy the area. That's how the sidewalks on the outside of our building used to be, we have experienced it, and we dread that it will now resurface with the city's blessing.

4. Selling drugs still violates Federal drug laws. St Helens doesn't have to allow any dispensaries into the city. Just because the state won't incarcerate people for selling and using doesn't mean the city has to welcome drug shops with open arms.

5. The owners of all 3 Marijuana shops are from out of the area. This will suck millions of dollars out of St Helens. The dealers are from Portland and Astoria. They won't put a red cent back into the community. Especially when the city will be in

need of new drug rehab and addiction programs in the future. And I would argue that because of the 13 nights program with the amount of teenagers it attracts, and if the waterfront cannabis store is allowed, we may see a rise in high school dropouts and a decrease in high school graduates.

6. Crime happens when drugs happen. Robberies and thievery will increase. The citizens of St Helens already have had a terrible time with thieves and this may increase due to the fact that drugs cause poverty. When people are impoverished, they have a need to steal to satisfy their addiction.

7. Revenue. There is the argument that a new store will bring in new revenue. This argument would usually be a good one, except this type of business could scare off other sources of revenue from tourists. Believe me, we used to watch people come out of the Klondike and not cross the street until they were far away from the people clumped up in front of our building. Now that the users are gone, people walk in front of our building again. Please do not give these people a reason to come back.

We want to create a classy waterfront that brings in tourists and families. We have a priceless opportunity with our million dollar river view to do something spectacular. Does the city really want to allow the vices before we even start building the new project? If we bring in these marijuana stores, the city will be essentially bringing in a new battle to fight. When the drug users start grouping up all over the sidewalks again and starting clumping up in the park and the plaza, the city will not only have to fight this problem with more police enforcement but the waterfront will start gaining a reputation of a drug area. Families will be afraid to go there and tourists will be disgusted or "turned off" to never return again. These same people will spread the word that the waterfront is not a place families want to go. This Cannabis store alone could shoot St Helens right in the foot.

I pray that you will deny this request.

Brenda Fielding

RECEIVED
AUG 14 2015
CITY OF ST. HELENS

Hello Jacob and Jenny,

Below is my rebuttal for the opposition's comments. Let me know if I ought to drop a hard copy off as well.

Thank you,

Lauren Terry

laureyterry@gmail.com

Memo to St. Helens Planning Commission

Dated 8-24-15

Re: Conditional Use Application for Medical Marijuana Facility at 031 Cowlitz St.

This memo is in rebuttal to arguments presented by the adverse party (owner of neighboring Orcadia Hotel), and is structured to rebut their arguments in the same numerical order.

1. The city council has considered the nearby park and marina area, and the discussions concluded that there is adequate distance between the Muckle Building and the public park. It is naïve to assume that the presence of a marijuana store will increase the utilization of marijuana among teenagers. With strict ID verification and security requirements, there has been no significant rise in underage use as medical marijuana dispensaries are established. We are not “drug dealers,” it is a marijuana store regulated by the Oregon Health Authority, that is routinely inspected and monitored by the State. A marijuana store in this location contributes no more to underage use than a Bar would contribute to underage alcoholism. Both are legal so long as they follow the laws of the State.

2. The city’s investment in the adjacent property will succeed only if market rate rents are ultimately provided. Hopefully that also results in a vibrant shopping area within the downtown area. The city has already established a separation distance to avoid a concentration of marijuana establishments and this application fits that protocol. The owner of the Muckle Building has been inspired to help the Old Town area thrive ever since he laid eyes on the beautiful potential of that block. I am motivated to prove the professionalism of the new cannabis industry, and after seeing my hometown Roseburg sustain its downtown with new and emerging businesses, I am excited to see St. Helens bring itself into the future as well.

3. The argument that we are selling the same drugs as the ‘known drug dealer’ is disingenuous. We are selling marijuana in a very regulated and well managed new industry. I went door-to-door in Oldtown, getting to know my future neighbors and asking them how they felt about a marijuana dispensary in the Muckle Building (previously submitted to the Council in an earlier hearing). Two thirds of the business owners I spoke with didn’t mind a marijuana business nearby, and several of them mentioned the need for more activity on that block. Many neighboring businesses were uncomfortable with the state of the Orcadia, and complained about the people living out of their cars in front of the hotel and deterring tourists. We would take all necessary precautions to assure that our customers follow the law and wait to consume their medicine in their own abodes.

4. The citizens of Oregon voted for measure 91, (the recreational marijuana law). Columbia County voted yes in the majority. When I polled the neighboring shop owners downtown, the result of these was roughly 70% support. The most stated position was that if it brought people to downtown it was good for business.

5. The owner of the building at 31 Cowlitz is making an investment arguably much larger than that made by the adverse party. And she identifies in her argument that she doesn't live in St. Helens either. Is Wal-mart from St. Helens? Is it better to take money to Scappoose than to Portland? We are baffled by this argument, and the adverse party is making numerous assumptions about marijuana abuse based on opinion, not facts.

6. Crime happens when opportunity is limited or non-existent. The argument that all purchasers of marijuana are drug addicts has already been proven wrong. This argument was already considered during presentations to both the planning commission and the city council. People of all economic classes buy marijuana. It is far less likely that robbery will happen with marijuana legal than with marijuana available on the black market.

7. The opposition of the adverse party towards the legitimate presence of legal marijuana dispensaries is not new. They are the views of the same people who were against alcohol during prohibition. Perhaps we were better off during prohibition but crime was also better off. We also want to create a sophisticated waterfront that brings in tourists and families. There is no doubt that through public regulation and legalization of low impact drugs, the black market will be damaged irreparably, and the small-town communities that hold our state together will be stronger than ever.

Thank you for considering our additional arguments.

All the best,

Lauren Terry (on behalf of the applicant)



- At least one security camera
- Tempered glass on majority of front windows
- All products are packaged in opaque, child-proof packaging upon purchase
- No processing or consumption of product will take place on or around the dispensary

SUBMITTED BY APPLICANT
AT AUG. 11, 2015 PC HEARING
FILE: CND.5.15



Alarms at exit/entry - 24/7 security monitors through at least 8 cameras in shop
We'll be working with an experienced security system provider
Products to be stored in secure safes and commercial-grade locks on every door
ID verification, which is verified and logged each visit

SUBMITTED BY APPLICANT
AT AUG. 11, 2015 PC HEARING

CMP. 5.15



- At least one security camera; bars to be installed on window
- Alarm to be installed for door and window

SUBMITTED BY APPLICANT
AT AUG. 11, 2015 PC HEARING
CUP. 5.15

CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Conditional Use Permit CUP.5.15

DATE: August 4, 2015
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: RP Oregon, Inc.
OWNER: Tater Rental, LLC

ZONING: Riverfront District, RD
LOCATION: 31 Cowlitz Street (the Muckle Building); 4N1W-3BD-100
PROPOSAL: Establish a medical marijuana dispensary in an existing suite.

The 120-day rule (ORS 227.178) for final action for this land use decision is Oct. 22, 2015.

SITE INFORMATION / BACKGROUND

The site is fully developed with the historic Muckle Building. The building has been vacant for years but is being renovated for multiple uses, with non-residential on the first floor and residential units above, generally. One of the suites on the first floor is the proposed location of this proposal.

The location of this proposal is in a suite on the ground floor of the Muckle Building. This suite is located on the western side of the building along Cowlitz Street.



PUBLIC HEARING & NOTICE

Hearing dates are as follows: August 11, 2015 before the Planning Commission

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on July 21, 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 July 29, 2015.

AGENCY REFERRALS & COMMENTS

As of the date of this staff report, the only referral/comment of significance is from Columbia River Fire and Rescue. See attached letter dated July 30, 2015.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

SHMC 17.100.040(1) - CUP Approval standards and conditions

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

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

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

Finding(s): There is no evidence to the contrary. This site has been vacant for years, but has been under renovation recently. The bottom floor is intended to operate as a multiple suite/business property.

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

Finding(s): See analysis of SHMC 17.100.150(3)(p) below, specifically pertaining to marijuana retailers and/or medical marijuana dispensaries. Other than that, there is no evidence to the contrary.

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

Finding(s): There is no evidence that public facilities are inadequate for this proposal.

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

Finding(s): The property is zoned Riverfront District. "Marijuana retailer and/or medical marijuana dispensary" is listed as a conditionally permitted use in this zoning district.

See analysis of SHMC 17.100.150(3)(p) below, specifically pertaining to marijuana retailers and/or medical marijuana dispensaries.

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

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

Note that in the RD zone, signs are subject to that district's architectural design guidelines.

With regards to site development review standards, as the site is developed and there are no substantial proposed improvements to the site to accommodate the proposed use (e.g., new development), many aspects don't apply. The noteworthy aspects are as follows:

With regards to off-street parking, note that the RD zone includes an off-street parking provision as follows:

No additional or new on-site parking is required for sites with existing development footprint coverage in excess of 50 percent of the site area (change of use or remodeling without a change to the existing footprint of existing development is also exempt).

The Muckle Building's footprint takes up most of the area of the subject property (unquestionably >50%), thus, off-street parking requirements are generally exempt. In this case, there is no practical area for off-street parking on the subject property.

The site is also void of landscaping and there is little area available for such since the building's footprint takes up most of the site.

Note that street trees and a trash enclosure are already required before occupancy of the building per previous land use approvals (see files SDRm.3.15, SDRm.6.14, and SDR.2.11).

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

Discussion: The proposal does not appear to be contrary to any Comprehensive Plan policy.

SHMC 17.100.150(3)(p) – Additional requirements for conditional use types

(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 that lawfully exists at the time the Conditional Use Permit application is deemed complete.

(A) 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 proposed marijuana retailer and/or medical marijuana dispensary, to the closest property line of the property upon which the other uses specified in subsection (3)(p)(i) of this section is listed.

(ii) No marijuana retailer and/or medical marijuana dispensary shall be permitted to locate within 2,000 feet of any other marijuana retailer and/or medical marijuana dispensary that lawfully exists at the time the Conditional Use Permit application is deemed complete.

(A) 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 proposed marijuana retailer and/or medical marijuana dispensary, to the closest point of the structure or portion of structure containing the existing marijuana retailer and/or medical marijuana dispensary.

(B) If multiple Conditional Use Permit applications are submitted for locations within the distance specified in subsection (3)(p)(ii) of this section but are not yet legally established,

the valid Conditional Use Permit submitted first shall take precedence for the purpose of this subsection.

(iii) No marijuana retailer and/or medical marijuana dispensary shall be allowed as a temporary use and shall be located in a permanent building.

(iv) Any marijuana retailer and/or medical marijuana dispensary shall have refuse containers or refuse collection areas that are secure from entry outside the facility.

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

(i) This criterion requires a separation of 1,000 feet from child day care and schools from pre to high.

Finding(s): Using the prescribed method of measurement, the closest known day care or school as listed per SHMC 17.100.150(3)(p)(i), is at 560 Columbia Boulevard, a distance of approximately 2,070 feet.

(ii) This criterion requires a separation of 2,000 feet from other marijuana retailers and/or medical marijuana dispensaries.

Finding(s): There are no other known retailers or dispensaries within the St. Helens city boundary or St. Helens' urban growth area.

Using the prescribed method of measurement, there is a CUP application for the same use at 1809 Columbia Boulevard, a distance exceeding 4,000 feet. Thus, no distance conflict between the two applications. There is also a CUP application for 365 S. Columbia River Highway, which is even further away.

(iii) This criterion requires the use be located in a permanent building and not a temporary use.

Finding(s): The subject suite is part of a permanent building and a temporary use is not being sought.

(iv) This criterion requires refuse containers or refuse collection areas that are secure from entry outside the facility.

Finding(s): not addressed.

(v) This criterion requires compliance with applicable state and local laws.

Finding(s): This shall be a condition of approval in addition to overall compliance with the Development Code.

The City's business license law warrants discussion for informational purposes. The City addresses business licenses in Chapter 5.04 SHMC. This chapter requires a business license for most businesses conducting business within city limits. Here is a quick summary of this chapter:

- All business licenses are issued by the city recorder after a finding by the city administrator that the applicant has met all requirements of Chapter 5.04.
- There are certain license requirements that apply, including that businesses abide by all federal, state and local laws, zoning regulations, and provisions of Chapter 5.04.

- The City may deny or revoke a license for several reasons, which includes but is not limited to failing to meet the requirements of Chapter 5.04; or doing business in violation of Chapter 5.04, zoning regulations, or applicable federal, state, county or local law.

According to current federal law, Marijuana is not a legal substance.

The CUP and Business License are separate issues. The Commission has no authority over business licenses. Conditional Use Permits can remain valid for a year-and-a-half, with a potential one year extension (with an approved application for such). It's possible that within the validity time period of the CUP (up to 2.5 years), the business license issue gets resolved separately. If it doesn't the CUP conditions are not met and the approved use cannot commence (if the CUP is approved). In short, the business license clause matters for a use authorized by the CUP to operate, but isn't necessarily basis for CUP denial.

SHMC 17.100.040(3) - CUP Approval standards and conditions

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

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

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

Findings: <<as per the commission, if any>>

CONCLUSION & RECOMMENDATION

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

1. This **Conditional Use Permit** approval is valid for a limited time pursuant to SHMC 17.100.030.

2. The following shall be required prior to Certificate of Occupancy, final inspection (if no Certificate of Occupancy is required) by the City Building Official, or commencement of the proposal:
 - a. Proof that the facility is licensed by the appropriate State agencies shall be submitted to the City.
 - b. Any marijuana retailer and/or medical marijuana dispensary shall have refuse containers or refuse collection areas that are secure from entry outside the facility. Applicant shall submit plans for approval to the City for review and approval demonstrating how this will be addressed.
3. The proposal shall comply with the applicable state and local laws.
4. Owner/applicant is still responsible to comply with the City Development Code (SHMC Title 17). In addition, this approval does not exempt the requirements of or act as a substitute for review of other City departments (e.g., Building and Engineering) or other agencies.

Attachment(s): Site Plan
Floor plan
Building elevations
Letter from CRFR dated July 30, 2015



Columbia River Fire & Rescue

Fire Chief's Office

270 Columbia Blvd * St Helens, Oregon * 97051

Phone (503)-397-2990x101 * www.crfr.com * FAX (503)-397-3198

July 30, 2015

Jennifer Dimsho, Planning
City of St. Helens
265 Strand Street
St. Helens, OR 97051

RE: **RP Oregon, Inc.**
Conditional Use Permit / CUP.5.15
4N1W-3BD-100
31 Cowlitz St.

Dear Jennifer:

I have done a preliminary review of the above application to place a marijuana dispensary business in the old Muckle Building in downtown St. Helens. While I have strong reservations on placing this type of occupancy in the business section of historic downtown St. Helens, I am statutorily constrained to only comment on Fire Code issues. The two biggest areas of Fire Code concern are water supplies for firefighting purposes and adequate access to the building for fire apparatus. The existing hydrant system and the street access appear to meet the above-mentioned requirements of the Code. Access for firefighters around the sides of the building also appears to be adequate.

Additionally, the building has been under reconstruction for quite some time and I have not been able to evaluate the building in question for other code compliance issues. I will need more information from the applicant and /or a walk-through inspection with the Building Official on the specific use(s) planned for this building. Other items include:

- Exits from the building.
- Storage of materials, especially flammable/combustible materials.
- Has ventilation been addressed?
- Built-in fire detection - - sprinkler system and smoke alarms (if applicable).

Smaller items like signage and fire extinguisher locations can be addressed prior to final occupancy.

Regards,

Jay M. Tappan

Jay M. Tappan
Chief/Acting Fire Marshal

cc: file

GENERAL ARCHITECTURAL NOTES:

- THESE NOTES ARE GENERAL IN NATURE AND ARE INTENDED TO SET MINIMUM STANDARDS FOR CONSTRUCTION. THE DRAWINGS SHALL GOVERN OVER THE GENERAL NOTES TO THE EXTENT SHOWN. FOR SPECIFIC REQUIREMENTS FOR STRUCTURAL ELEMENTS, SEE THE STRUCTURAL NOTES PROVIDED BY THE ENGINEER OF RECORD.
- THE CONTRACTOR ACKNOWLEDGES THAT HE HAS SATISFIED HIMSELF AS TO BE THE NATURE AND LOCATION OF THE WORK. ANY FAILURE BY THE CONTRACTOR TO ACQUAINT HIMSELF WITH ALL THE AVAILABLE INFORMATION WILL NOT RELIEVE HIM OF SUCCESSFULLY PERFORMING THE WORK.
- THE CONTRACTOR WILL PAY FOR AND OBTAIN ALL OTHER NECESSARY PLAN CHECKS AND PERMITS AS REQUIRED. ALL OTHER FEES, CERTIFICATES OF INSPECTION AND OF OCCUPANCY AS REQUIRED BY THE AUTHORITY HAVING JURISDICTION, ARE THE RESPONSIBILITY OF THE CONTRACTOR.
- ALL WORK SHALL BE PERFORMED IN STRICT COMPLIANCE WITH THE FOLLOWING CODES (LATEST EDITION).
- OREGON SPECIALTY CODE.
- UNIFORM BUILDING, MECHANICAL, PLUMBING AND ELECTRICAL CODES.
- ACI, ASCE AND NDS.
- ALL INTERNATIONAL BUILDING CODE STANDARDS SPECIFIED.
- COMPLY WITH ALL APPLICABLE LOCAL SAFETY CODES AND SPECIFICALLY THE OCCUPATIONAL SAFETY AND HEALTH ACT FOR THE CONSTRUCTION INDUSTRY.
- PERFORM ALL WORK IN A FIRE SAFE MANNER AND SUPPLY AND MAINTAIN ADEQUATE FIRST AID AND FIRE FIGHTING EQUIPMENT CAPABLE OF EXTINGUISHING INCIDENT FIRES.
- MATERIALS SHALL BE SO STORED AS TO INSURE THE PRESERVATION OF THEIR QUALITY AND FITNESS FOR THE WORK. WHEN CONSIDERED NECESSARY, THEY SHALL BE PLACED ON A CLEAN HARD SURFACE, NOT ON THE GROUND, AND/OR THEY SHALL BE PLACED UNDER COVER.
- THE CONTRACTOR TO ARRANGE AND PAY FOR ALL CONSTRUCTION UTILITIES. CONTRACTOR SHALL ARRANGE WITH THE APPROPRIATE POWER COMPANY THE INSTALLATION OF TEMPORARY POWER SERVICE AND PROVIDE TEMPORARY SANITARY FACILITIES. CONTRACTOR SHALL ARRANGE FINAL READING OF TEMPORARY METERS AND PROVIDE THE OWNER WITH COPIES OF UTILITY COMPANY RECEIPTS UPON REQUEST AND REMOVE ALL TEMPORARY SERVICES UPON COMPLETION OF THE PROJECT.
- THE CONTRACTOR SHALL MAINTAIN THE SITE TO PREVENT THE ACCUMULATION OF DEBRIS. THE CONTRACTOR SHALL MAINTAIN GOOD HOUSEKEEPING PRACTICES THROUGHOUT THE PROJECT DURATION. ALL FLOORS AND PAVEMENTS TO BE VACUUM CLEANED OR SWEEP WITH A HARD BRUSH BROOM. CLEAN BUILDING SURFACES AND APPLIANCES FREE FROM LABELS, STAINS, AND SOIL OF ALL KINDS WHEREVER LOCATED. HARDWARE POLISH WITHOUT PAINT AND OR DIRT MARKS AND IN PERFECT OPERATION AND ADJUSTMENT. FIXTURES, GLASS AND PLASTIC CLEANED AND POLISHED WITH ALL LABELS REMOVED, FOR FINAL ACCEPTANCE BY THE OWNER. OR FOR CONDITIONS MUTUALLY AGREED UPON BEFOREHAND. DO ALL CLEANING OF THIS SITE AND BUILDING AREAS INCLUDED IN THE WORK NECESSARY TO PLACE IN CONDITION FOR FINAL ACCEPTANCE OF THE WORK BY THE OWNER.
- THE DRAWINGS REPRESENT THE FINISHED STRUCTURE. UNLESS OTHERWISE NOTED, THEY DO NOT INDICATE THE METHOD OF CONSTRUCTION. THE CONTRACTOR SHALL PROVIDE ALL METHODS AND EQUIPMENT NECESSARY TO PROTECT THE STRUCTURE, WORKMAN AND OTHER PERSONS, AND PROPERTY DURING CONSTRUCTION AND SHALL ENGAGE, AT HIS OWN EXPENSE, QUALIFIED PERSONS TO DETERMINE ALL NECESSARY PRECAUTIONARY MEASURES AND TO INSPECT SAME AT THE JOB SITE.
- MAINTAIN AT THE SITE COPIES OF BID DOCUMENTS, CONTRACT FORMS, PROJECT MANUAL, CONTRACT DRAWINGS, FIELD ORDERS, ADDENDA, CHANGE ORDERS, FIELD TEST RECORDS AND FIELD OBSERVATION REPORTS.

PLUMBING: (DESIGN BY OTHERS)

- PLUMBING SHALL BE IN ACCORDANCE WITH STATE AND LOCAL CODES THROUGHOUT.
- WATER HEATERS SHALL BE EQUIPPED WITH CODE APPROVED TEMPERATURE AND PRESSURE RELIEF VALVES AND SEISMIC RESTRAINT STRAPS. PROVIDE FLOOR DRAINS AND CONTAINMENT PANS FOR ELEVATED WATER HEATERS.
- COORDINATE WITH ELECTRICAL CONTRACTOR FOR ELECTRICAL REQUIREMENTS.

FIRE PROTECTION: (DESIGN BY OTHERS)

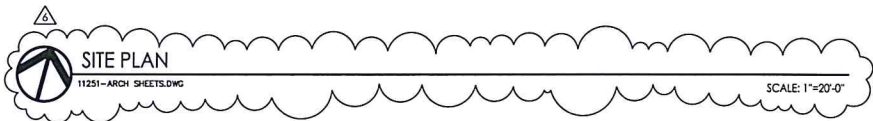
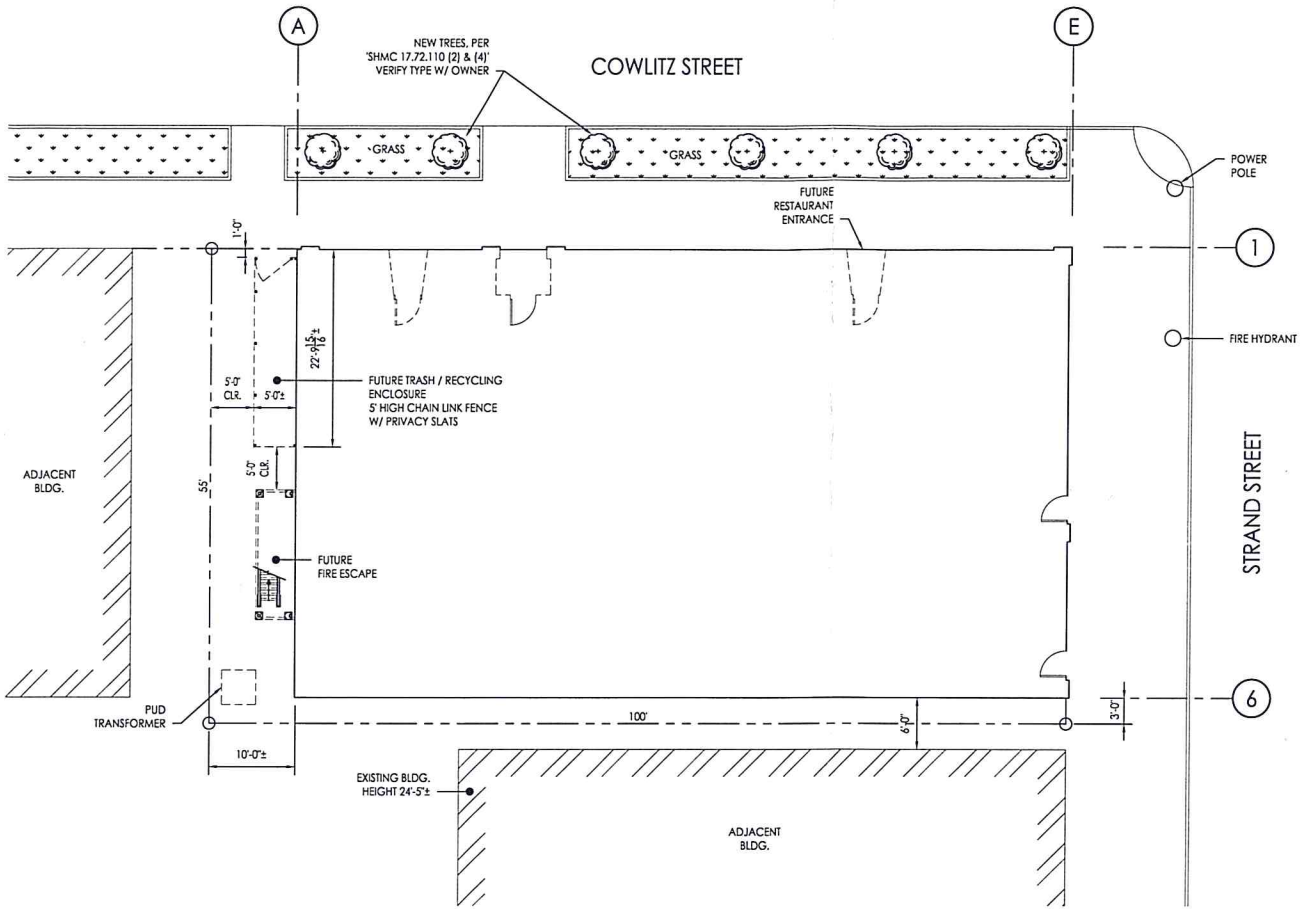
- FIRE PROTECTION PIPING AND COMPONENTS TO COMPLY WITH NATIONAL, STATE AND LOCAL CODES THROUGHOUT.

HEATING, VENTILATION, AIR CONDITIONING: (DESIGN BY OTHERS)

- ALL WORK SHALL CONFORM TO ALL APPLICABLE CODES, LAWS AND ORDINANCES.
- COMPLY WITH THE PROVISIONS OF U.B.C., TABLE 12-A AND OTHER AS INDICATED, FOR REQUIRED VENTILATION DESIGN CRITERIA.
- COORDINATE WITH ELECTRICAL CONTRACTOR FOR ELECTRICAL POWER AND CONTROL REQUIREMENTS.
- MOUNT THERMOSTATS AND OTHER CONTROL DEVICES BETWEEN 15 AND 48 INCHES ABOVE FLOOR LINE.
- PROVIDE OREGON NON-RESIDENTIAL ENERGY CALCULATIONS ON APPLICABLE FORM SHEETS.
- FREEZE PROTECTED AREAS ARE LIMITED TO 15 BTU/H.S.F. WITH A 45 DEGREES MAXIMUM THERMOSTAT SETTING.

ELECTRICAL: (DESIGN BY OTHERS)

- ELECTRICAL PLANS ARE DIAGRAMMATIC WITH INTENT TO SHOW ONLY POINT OF USE EQUIPMENT AND CONTROL. REQUIREMENTS ALL OTHER SYSTEM DESIGN BY OTHERS.
- WORK INCLUDED IN THESE SPECIFICATIONS AND ACCOMPANYING ELECTRICAL PLANS CONSISTS OF A COMPLETE INSTALLATION OF ALL INDICATED OR REQUIRED ELECTRICAL SYSTEMS.
- COORDINATE INSTALLATION OF TELEPHONE SERVICE WITH TELEPHONE COMPANY AND WITH OWNER.
- COMPLETE INSTALLATION IN STRICT ACCORDANCE WITH THE LATEST RULES AND CODES OF THE STATE AND LOCAL AUTHORITIES HAVING JURISDICTION AND TO THE REGULATIONS OF THE ELECTRIC AND TELEPHONE UTILITIES.
- TEST EACH SYSTEM FOR REQUIRED OPERATION. ALL SYSTEMS SHALL BE FREE OF GROUNDS OR FAULTS.
- ALL ELECTRICAL MATERIAL ITEMS TO BE U.L. APPROVED AND CONFORMING TO THE CODE.
- DESIGN AND PROVIDE SERVICE AND DISTRIBUTION SYSTEM TO EQUIPMENT INDICATED ON ELECTRICAL SCHEMATIC PLAN AND TO MECHANICAL CONTRACTOR'S HEATING, VENTILATING AND AIR CONDITIONING SYSTEM.
- MOUNT SWITCHES AT 48" ABOVE FLOOR TO DEVICE CENTERLINE, OUTLETS AT 15" TO CENTERLINE, UNLESS OTHERWISE INDICATED AT 48" TO CENTERLINE.
- LIGHT FIXTURES IN DIRECT CONTACT WITH INSULATION SHALL BE INSULATION COVERAGE (IC) RATED.
- PROVIDE (1) LIGHTING CONTROL FOR EACH 2000 SQUARE FEET MAXIMUM, OF SPACE ENCLOSED BY WALLS OR CEILING HEIGHT PARTITIONS, UNLESS EXCEPTIONS ARE NOTED.
- PROVIDE AUTOMATIC SHUT-OFF CONTROLS, OVERRIDING LOCAL SWITCHING, IN INTERIOR OFFICE AREAS LARGER THAN 2000 S.F.
- PROVIDE PHOTO-TIMER CONTROLS ON ALL EXTERIOR LIGHTING CIRCUITS, UNLESS OTHERWISE INDICATED.
- IF AREA(S) OF RESCUE ASSISTANCE ARE INDICATED, PROVIDE ILLUMINATED "AREA OF RESCUE ASSISTANCE" SIGN AND HOUSING DEVICES INC. "ADA-100" VISIBLE AND AUDIO WARNING INTERCOMUNICATIONS SYSTEM) OR OTHER AS APPROVED BY STATE OF OREGON, ADA ADMINISTRATOR.
- PROVIDE OREGON NON-RESIDENTIAL ENERGY CALCULATIONS ON APPLICABLE FORM SHEETS.



GENERAL ADA NOTES:

- THE INTERNATIONAL SYMBOL OF ACCESSIBILITY SIGN SHALL BE DISPLAYED AT ALL ACCESSIBLE RESTROOM FACILITIES AND AT ACCESSIBLE BUILDING ENTRANCES UNLESS ALL ENTRANCES ARE ACCESSIBLE. IN ACCESSIBLE ENTRANCES SHALL HAVE DIRECTIONAL SIGNS INDICATING THE ROUTE TO THE NEAREST ACCESSIBLE ENTRANCE.
- RECEPACLES ON WALLS SHALL BE MOUNTED NO LESS THAN 15" ABOVE THE FLOOR. EXCEPTION: HEIGHT LIMITATIONS DO NOT APPLY WHERE THE USE OF SPECIAL EQUIPMENT DICTATES OTHERWISE OR WHERE ELECTRICAL RECEPTACLES ARE NOT NORMALLY INTENDED FOR USE BY BUILDING OCCUPANTS.
- WHERE EMERGENCY WARNING SYSTEMS ARE PROVIDED, THEY SHALL INCLUDE BOTH AUDIBLE AND VISUAL ALARMS. THE VISUAL ALARMS SHALL BE LOCATED THROUGHOUT, INCLUDING RESTROOMS, AND PLACED 80" ABOVE THE FLOOR OR 6" BELOW CEILING, WHICHEVER IS LOWER.
- DOORS TO ALL ACCESSIBLE SPACES SHALL HAVE ACCESSIBLE HARDWARE (i.e. LEVER-OPERATED, PUSH-TYPE, U-SHAPED) MOUNTED NO HIGHER THAN 48" ABOVE THE FLOOR.
- FLOOR SURFACES SHALL BE STABLE, FIRM, AND SLIP-RESISTANT. CHANGES IN LEVEL BETWEEN 0.25" AND 0.5" SHALL BE BEVELED WITH A SLOPE NO GREATER THAN 1:2". CHANGES IN LEVEL GREATER THAN 0.5" REQUIRE RAMPS. CARPET PILE THICKNESS SHALL BE 0.5" MAX. GRATINGS IN FLOOR SHALL HAVE SPACES NO GREATER THAN 0.5" WIDE IN ONE DIRECTION. DOORWAY THRESHOLDS SHALL NOT EXCEED 0.5" IN HEIGHT.
- GRAB BARS REQUIRED FOR ACCESSIBILITY SHALL BE 1.25"-1.50" IN DIAMETER WITH 1.5" CLEAR SPACE BETWEEN THE BAR AND THE WALL.
- ACCESSIBLE WATER CLOSETS SHALL BE 17"-19" FROM FLOOR TO THE TOP OF THE SEAT. GRAB BARS SHALL BE 36" LONG MINIMUM WHEN LOCATED BEHIND WATER CLOSET AND 42" MINIMUM WHEN LOCATED ALONG SIDE OF WATER CLOSET, AND SHALL BE MOUNTED 33"-36" ABOVE THE FLOOR.
- ACCESSIBLE URINALS SHALL BE STALL-TYPE OR WALL HUNG WITH ELONGATED RIMS AT A MAXIMUM OF 17" ABOVE THE FLOOR.
- ACCESSIBLE LAVATORIES SHALL BE MOUNTED WITH THE RIM NO HIGHER THAN 34" ABOVE THE FLOOR AND A CLEARANCE OF AT LEAST 29" ABOVE THE FLOOR TO THE BOTTOM OF THE APRON.
- ACCESSIBLE SINKS SHALL BE MOUNTED WITH THE RIM NO HIGHER THAN 34" ABOVE THE FLOOR AND A CLEARANCE OF AT LEAST 27" HIGH, 30" WIDE, AND 19" DEEP UNDERNEATH SINK. THE SINK DEPTH SHALL BE 6.5" MAXIMUM.
- HOT WATER AND DRAIN PIPES UNDER ACCESSIBLE LAVATORIES AND SINKS SHALL BE INSULATED OR OTHERWISE CONFIGURED TO PROTECT AGAINST CONTACT. THERE SHALL BE NO SHARP OR ABRASIVE SURFACES UNDER ACCESSIBLE LAVATORIES AND SINKS.
- ACCESSIBLE LAVATORIES AND SINKS SHALL HAVE ACCESSIBLE FAUCETS (i.e. LEVER-OPERATED, PUSH-TYPE, ELECTRONICALLY CONTROLLED).
- WHERE MIRRORS ARE PROVIDED IN RESTROOM, AT LEAST ONE SHALL BE PROVIDED WITH THE BOTTOM EDGE OF THE REFLECTIVE SURFACE NO HIGHER THAN 40" ABOVE THE FLOOR.
- PROVIDE SOLID WOOD BLOCKING OR 12" X 20 GA. STL. STRAPPING WITHIN STUD SPACE AT ALL TOILET ROOM ACCESSORIES.
- WALLS WITHIN 24" OF URINALS AND WATER CLOSETS SHALL HAVE A SMOOTH, NOT ABSORBENT MATERIAL TO A HEIGHT OF 48" ABOVE THE FLOOR.

FINISH CARPENTRY:

GENERAL PROVISIONS

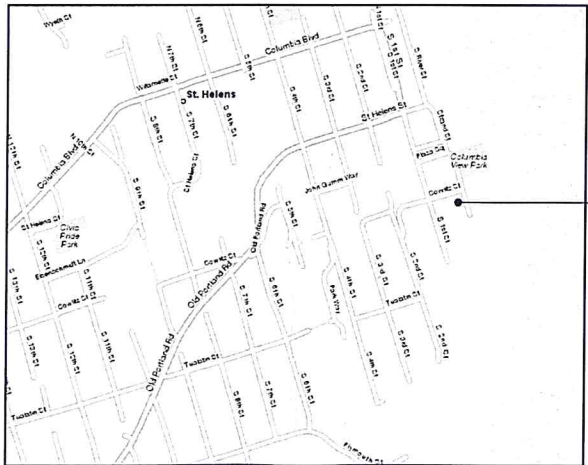
- SCOPE: FURNISH AND INSTALL EXPOSED WOOD TRIM, MILLWORK, CASEWORK, WOOD CABINETS, PLASTIC LAMINATES, AND WOOD SHELVING.
- NOTES:
 - MOISTURE CONTENT: FINISH WOODWORK MATERIALS SHALL BE KILN DRIED TO THE FOLLOWING MOISTURE CONTENT UNLESS OTHERWISE RECOMMENDED IN THE APPLICABLE "QUALITY STANDARDS" FOR REGIONAL CLIMATE CONDITIONS:
 - INTERIOR WOODWORK - 6% TO 11%
 - EXTERIOR WOODWORK - 9% TO 12%
 - FIELD MEASUREMENTS: ALL DIMENSIONS AFFECTING PREFABRICATED MILLWORK AND CASEWORK ITEMS SHALL BE FIELD VERIFIED PRIOR TO FABRICATION.
 - CONDITIONS: PROVIDE PROPER TEMPERATURE AND HUMIDITY REQUIREMENTS FOR WOODWORK INSTALLATION AREAS. INSTALL WOODWORK AFTER THE REQUIRED TEMPERATURE AND RELATIVE HUMIDITY HAVE BEEN STABILIZED IN INSTALLATION AREAS. MAINTAIN TEMPERATURE AND HUMIDITY CONDITIONS UNTIL ACCEPTANCE OF THE WORK BY THE OWNER.
- QUALITY CONTROL: WOODWORK SHALL COMPLY WITH ARCHITECTURAL WOOD WORK INSTITUTE (AWI) "QUALITY STANDARDS" EXCEPT WHERE OTHERWISE NOTED.
- SUBMISSIONS: SUBMIT FOUR (4) COPIES OF SHOP DRAWINGS OF ALL CABINETWORK AND MILLWORK ITEMS TO OWNER.

MATERIALS

- WOOD TRIM: FABRICATE WOOD TRIM TO DIMENSIONS, PROFILE AND DETAILS SHOWN. ROUTE OR GROOVE REVERSE SIDE OF TRIM MEMBERS WIDER THAN 4" TO BE APPLIED TO FLAT SURFACES EXCEPT FOR MEMBERS WITH ENDS EXPOSED IN THE FINISHED WORK. SECURE WITH FINISH NAILS STAGGERED AND COUNTER SINK, WITH PUTTY TO MATCH WOOD COLOR. MITER OUTSIDE CORNER AND CONTINUOUS JOINTS.
- WOOD PANELING: INSTALLATION PER MANUFACTURER'S INSTRUCTIONS.
- CABINETS, COUNTERTOPS, AND OTHER MILLWORK: COMPLY WITH AWI QUALITY STANDARDS FOR CUSTOM WORK.
- PLYWOOD: VERIFY WITH OWNER'S REPRESENTATIVE
 - WOOD TRIM: VERIFY WITH OWNER'S REPRESENTATIVE
 - PLASTIC LAMINATE: PROVIDE PLASTIC LAMINATE OF THE MANUFACTURER, COLOR, TEXTURE AND PATTERN AS CHOSEN BY OWNER'S REPRESENTATIVE.
- HARDWARE: ADJUSTABLE SHELF HARDWARE SHALL BE WALL MOUNTED SHELF STANDARDS WITH HEAVY DUTY BRACKETS AS SHOWN. VERIFY FINISH WITH OWNER'S REPRESENTATIVE.

DEFERED SUBMITTAL LIST:

- ELEVATOR
- FIRE SPRINKLER / FIRE ALARM
- MECHANICAL



SITE ADDRESS:
31 COWLITZ ST.

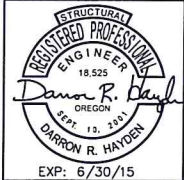
LEGAL DESCRIPTION:
TAX LOT: 9718
MAP NO. 401038D

LANDSCAPING:
NO LANDSCAPING REQUIRED

PARKING:
NO OFF STREET PARKING

SHEET INDEX:

| NO. | DESCRIPTION |
|------|-----------------------------|
| A1.0 | GENERAL NOTES, SITE PLAN |
| A1.1 | CODE SUMMARY / EGRESS PLANS |
| A1.2 | EXISTING FLOOR PLANS |
| A2.0 | PROPOSED GROUND FLOOR |
| A2.1 | PROPOSED 2nd. FLOOR PLAN |
| A2.2 | PROPOSED 3rd. FLOOR PLAN |
| A2.3 | ROOF PLAN |
| A3.0 | BUILDING ELEVATIONS |
| A4.0 | DETAILS |



HAYDEN
Consulting Engineers
STRUCTURAL ENGINEERING
12480 SW 68th. Ave., Tigard, Oregon 97223
Phone: (503) 968-9994 / Fax: (503) 968-8444
WWW.HAYDEN-ENGINEERS.COM

OWNER:

TATER RENTAL, LLC
OREGON CITY, OREGON

PROJECT:

MUCKLE BUILDING
31 COWLITZ STREET
SAINT HELENS, OREGON

SHEET CONTENT
SITE PLAN / VICINITY MAP
GENERAL NOTES

JOB No.

11251

DRAWN

CHECKED

DLM

DATE

06.25.13

REVISIONS

| NO. | DESCRIPTION | DATE |
|-----|--------------------------|------------|
| 1. | GROUND FLOOR TL | 01.29.2014 |
| 2. | PEN. HOUSE / FIRE ESC. | 08.11.2014 |
| 3. | REISSUE FOR PERMITTING | 10.24.2014 |
| 4. | STRUCT. ONLY | 08.11.2014 |
| 5. | STRUCT. ONLY | 12.02.2014 |
| 6. | PLAN CHECK / FIRE ESCAPE | 02.20.2015 |
| 7. | PLAN CHECK | 03.13.2015 |

SHEET

A1.0 OF 9



1 NORTH ELEVATION - EXISTING
A3.0 MUCKLE - ELEVATIONS.DWG

SCALE: 1/8"=1'-0"



2 EAST ELEVATION - EXISTING
A3.0 11251 - ARCH SHEETS.DWG

SCALE: 1/8"=1'-0"



3 NORTH ELEVATION - PROPOSED
A3.0 MUCKLE - ELEVATIONS.DWG

SCALE: 1/8"=1'-0"



4 EAST ELEVATION - PROPOSED
A3.0 MUCKLE - ELEVATIONS.DWG

SCALE: 1/8"=1'-0"



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OWNER:
TATER RENTAL, LLC
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PROJECT:
MUCKLE BUILDING
31 COWLITZ STREET
SAINT HELENS, OREGON

SHEET CONTENT
PROPOSED
ELEVATIONS

JOB No.
11251

DRAWN
DLM

CHECKED

DATE
06.25.13

REVISIONS
1. GROUND FLOOR T.I. 01.29.2014
2. PENT. HOUSE / FIRE ESC. 08.11.2014
3. REBID FOR PERMITTING 12.24.2014
4. STRUCT. ONLY 08.11.2014
5. STRUCT. ONLY 12.02.2014
6. PLAN CHECK / FIRE ESCAPE 02.20.2015
7. PLAN CHECK 03.13.2015

SHEET
A3.0 OF 9

CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Variance V.4.15

DATE: October 6, 2015
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: Katherine McCarter
OWNER: Kevin & Katherine McCarter

ZONING: Moderate Residential, R7
LOCATION: 4N1W-5AB-100

PROPOSAL: New street access (driveway approach) which differs from the City's standards

The 120-day rule (ORS 227.178) for final action for this land use decision is Jan. 21, 2016.

SITE INFORMATION / BACKGROUND

The site is improved with a single family dwelling. The property was obtained by the current property owner in March 2013. At that time, the subject property had one curb cut for driveway approach. Sidewalks were lacking, but a curb was present.

Elk Ridge Subdivision, further up Hankey Road, was required to install sidewalks along Hankey Road between Pittsburg Road and Elk Meadows Drive (file SUB.1.13). The approved constructions drawings for only show a driveway approach to be installed for the subject property for the existing curb cut.

A building permit (permit no. 13222) was submitted on September 10, 2015 and upon site inspection found that the proposed driveway approach had been installed prior to any city authorization of such. The applicant proposes a garage, etc. addition which is the basis for this Access Variance request.

The City's Transportation Systems Plan classifies Hankkey Road as a collector street.

PUBLIC HEARING & NOTICE

Hearing dates are as follows: October 13, 2015 before the Planning Commission

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on September 24, 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 September 30, 2015.

AGENCY REFERRALS & COMMENTS

As of the date of this staff report, no agency referrals/comments have been received that are pertinent to the analysis of this proposal.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

17.84.120 Variances to access standards.

In all zoning districts where access and egress drives cannot be readily designed to conform to code standards within a particular parcel, access with an adjoining property shall be considered. If access in conjunction with another parcel cannot reasonably be achieved, the commission may grant a variance to the access requirements of this chapter based on the standards set forth in SHMC 17.84.150. This does not apply to highway access.

Discussion: The proposed driveway approach differs from city law because:

- Per SHMC 17.84.040(5)&(6) spacing standard for driveways on collector classified streets (such as Hankey Road Road) is 100 feet as measured from the center of each driveway approach.

The approximate linear distance between the EXISTING driveway of the subject property and the closest driveway approach (not on the subject property), which is just south of the subject property, is 130 feet. The approximate distance from the PROPOSED driveway and the closest driveway approach is 48 feet.

The distance between the PROPOSED and EXISTING driveway of the subject property is approximately 82 feet.

Thus, the PROPOSED driveway doesn't meet the distance standards to the north and south.

- Per SHMC 17.84.040(8) only one access point is allowed per detached single family development lot. This could be the second driveway approach unless conditions imposed by the Commission require otherwise.

Findings:

17.84.150 Approval standards.

The commission may approve, approve with conditions, or deny a request for an access variance based on findings that:

- (1) It is not possible to share access;
- (2) There are no other alternative access points on the street in question or from another street;
- (3) The access separation requirements cannot be met;
- (4) There are unique or special conditions that make strict application of the standards impractical;

- (5) No engineering or construction solutions can be applied to mitigate the condition;
- (6) The request is the minimum variance required to provide adequate access;
- (7) The approved access or access approved with conditions will result in a safe access and will not result in the degradation of operational and safety integrity of the transportation system;
- (8) The visual clearance requirements of Chapter 17.76 SHMC will be met; and
- (9) No variance shall be granted where such hardship is self-created.

Findings:

(1) This criterion requires a finding that access cannot be shared.

- The commission needs to determine if this is met to approve the variance or approve it with conditions.
- See applicant narrative.
- Staff comment(s): Development patterns and topography make this a challenge.

(2) This criterion requires a finding that there are no other alternative access points.

- The commission needs to determine if this is met to approve the variance or approve it with conditions.
- See applicant narrative.
- Staff comment(s): The Commission should consider if the existing approach could be used to accommodate the proposed addition to the dwelling.

(3) This criterion requires a finding that the access separation requirements cannot be met.

- The commission needs to determine if this is met to approve the variance or approve it with conditions.
- See applicant narrative.
- Staff comment(s): The Commission should consider the use of the existing approach to accommodate the proposed addition to the dwelling. As explained above, the distance between the existing driveway on the subject property and the existing driveway just to the south of the subject property meets the minimum separation requirements. The proposed driveway would not meet the standard in both directions.

(4) This criterion requires a finding that there are unique or special circumstances that make strict application of the standards impractical.

- The commission needs to determine if this is met to approve the variance or approve it with conditions.
- See applicant narrative.

(5) This criterion requires a finding that there are no engineering or construction solutions that could be used instead of the access variance.

- The commission needs to determine if this is met to approve the variance or approve it with conditions.
- See applicant narrative.
- Staff comment(s): The Commission should consider the size of the subject property (1.74 acres) and the potential engineering/construction solutions that are possible on the property itself (not including any right-of-way) without impacting the public street.

(6) This criterion requires a finding that the required is the minimum variance necessary to provide adequate access.

- The commission needs to determine if this is met to approve the variance or approve it with conditions.
- See applicant narrative.
- Staff comment(s): The Commission could consider allowing the proposed approach but requiring the existing one to be removed.

Though note that the subject property has approximately 460 linear feet of street frontage (and is not a corner lot).

Also consider the requirement that Elk Ridge Subdivision is required to complete the sidewalk improvements as a condition of approval for Phase 6. And, since there is no on-street parking on Hankey Road the occupants of the subject property would need somewhere to access their property and park vehicles during construction.

However, if having two accesses is a concern of the Commission, and since the proposed approach has been installed already (without any city approval) a timeframe of completion could be imposed as a condition such as “Prior to final inspection for the proposed addition (allowed by a separate permitting process) to the dwelling or within one year of the date of this access variance approval, whichever occurs first, the existing driveway approach shall be replaced with standard curb/sidewalk.”

This way the applicant would be able to prioritize certain development activity such as getting the new driveway installation and any internal vehicle accesses to get automobiles onto the property but leave space for the proposed addition.

(7) This criterion requires a finding that the approved access, which can include conditions of approval, will result in safe access and not result in degradation of operational and safety integrity of the transportation system.

- The commission needs to determine if this is met to approve the variance or approve it with conditions.
- See applicant narrative.

- **Staff comment(s): In regards to vehicles**, note that SHMC 17.84.060(3) states that: “In no case shall the design of the service drive or drives require or facilitate the backward movement or other maneuvering of a vehicle within a street, other than an alley or local street.”

So let’s look at the proposed driveway as shown on the site plan. Does the commission think a driveway 30 feet in width as shown meets this standard, since Hankey is a collector street, where backward movements or maneuvering is supposed to be avoided by design? Does the Commission believe a “hammerhead” or similar design be incorporated to help minimize the potential of backing movements into the right-of-way?

In regards to pedestrians, one of the purposes of having access rules is to protect the function of the sidewalk for non-vehicular use. More driveway approaches can result in greater vehicle pedestrian conflict. This is important to consider since Hankey Road is likely to only have a sidewalk on one side and this is the only pedestrian access into the St. Helens urban area for a current potential of 100 homes and future potential of a few hundred (existing subdivision lots and potential lots).

(8) This criterion requires a finding that the visual clearance requirements of Chapter 17.76 SHMC will be met.

- The commission needs to determine if this is met to approve the variance or approve it with conditions.
- See applicant narrative.

(9) The criterion requires a finding that the hardship is not self-created.

- The commission needs to determine if this is met to approve the variance or approve it with conditions.
- See applicant narrative.

CONCLUSION & RECOMMENDATION

Based on the facts and findings herein, if the Planning Commission approves this Access Variance, staff recommends the following conditions:

1. This Variance approval shall be valid for one-and-one-half year (SHMC 17.84.140).
2. <<<If the Commission feels the existing driveway approach should be removed as a condition, then:>>>

“Prior to final inspection for the proposed addition (allowed by a separate permitting process) to the dwelling or within one year of the date of this access variance approval, whichever occurs first, the existing driveway approach shall be replaced with standard curb/sidewalk.”

3. <<<Does the commission want to require a driveway design that differs from the submitted site plan that will better minimize the potential of vehicular maneuvering and backing movements into the Hankey Road right-of-way?>>>

Attachment(s): Applicant's narrative
General proposal map
Site plan
Photo exhibits

To whom it may concern:

This letter is being written to request a variance to access standards. Please review the following nine sets of criteria for consideration:

- 1) The property currently fronts a county road which does not have shared access due to individual home dwellings on only one side of the street.
- 2) The county road is the only road adjacent to the property. There are no other back streets or alleys to access the property. There is currently a non-permanent gravel driveway located approximately fifty feet to the west of the house, however it is not feasible due to it being up hill from the house and the water from the hillside tends to collect on the surface.
- 3) The access separation requirements cannot be met due to the neighbor having a temporary driveway (gravel driveway) placed next to our property. It should be noted that the permanent driveway for the neighbor is located well over the required 100 foot minimum.
- 4) There are unique or special conditions that make strict application of the standards impractical: the home is 120 years old and cannot be relocated or moved. We are unable to have a driveway in front of the home because the home requires a porch to access the front door which takes up six feet of space. There is only 29 feet total from the house to the road and with a twenty foot set back this would only leave three feet for a driveway. There is also an electrical powerline that runs from the east side of the property to the house. The line is highest at the source which is on the east end of the property and can accommodate the proposed driveway. When the line gets closer to the house it gets lower impeding any thought of placing a driveway in front of the home and impeding our ability to pass under it at a safe distance.
- 5) There is no engineering or construction solutions to mitigate the condition.

- 6) The request is the minimum variance required as we are seeking easier access to our home with less disruption and construction to the value of our property.
- 7) The approved access or access approved with conditions will result in a safe access and will not result in the degradation or operational and safety integrity of the transportation system. Currently the gravel driveway fifty feet west provides a short visual range making it difficult to pull in or out of the driveway often impeding traffic coming down the hill. By relocating it farther to the east, the line of sight is much greater making it safer for all parties using the road. The county also approved and permitted the access approach on 4/01/15.
- 8) The visual requirements of chapter 17.76 SHMC will be met.
- 9) There is no hard ship that is self-created.

We appreciate your time and consideration for this variance request.

Sincerely,

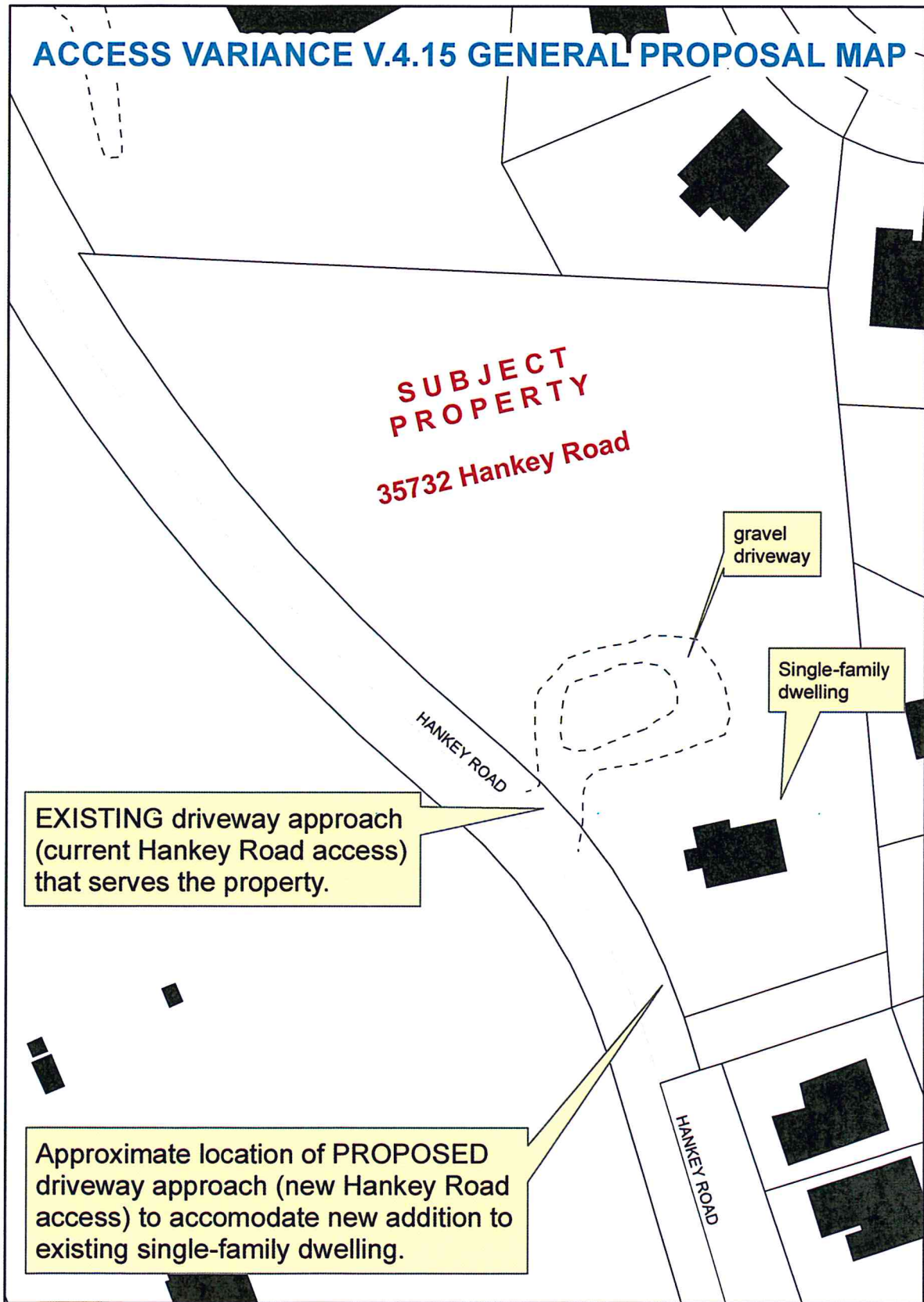
Kevin & Kathy McCarter

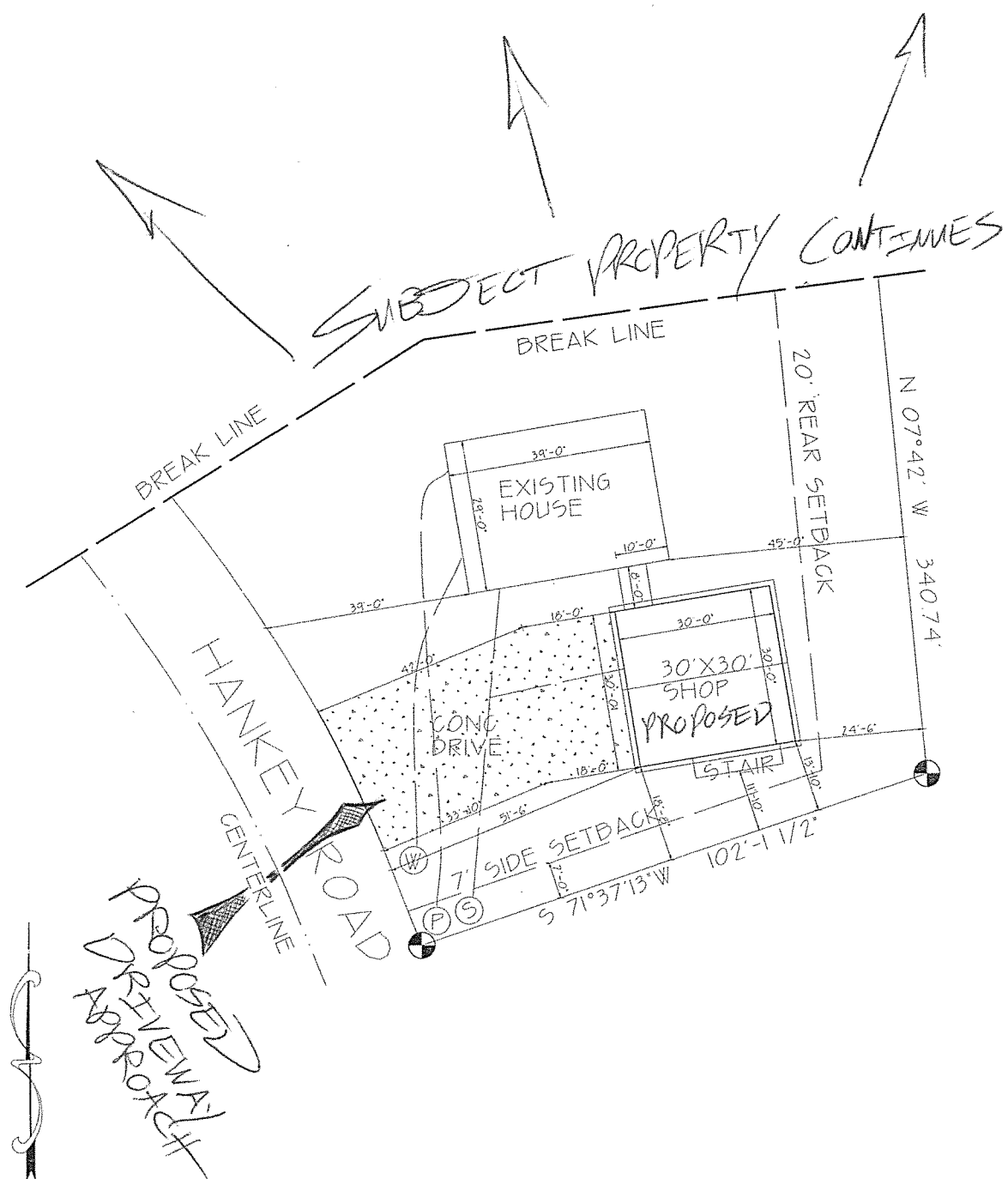
35732 Hankey Road

St. Helens, Or 97051

509-599-2724

ACCESS VARIANCE V.4.15 GENERAL PROPOSAL MAP





COPYRIGHT © DESIGN NW

SCALE:

1" = 30'

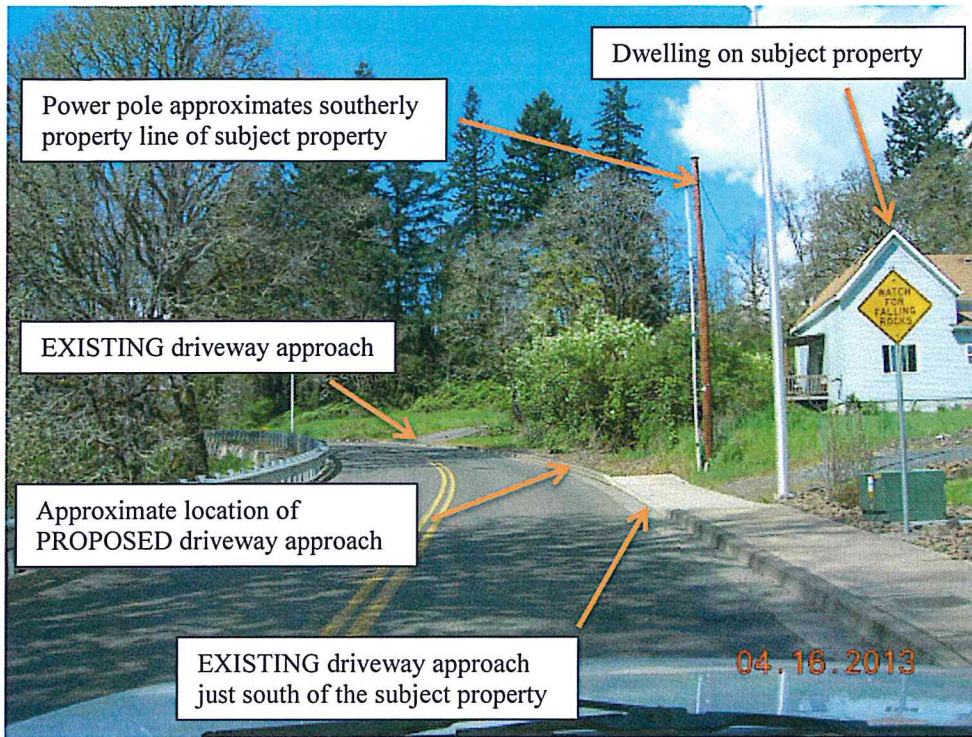
MCCARTER GARAGE

35732 HANKEY RD
ST. HELENS, OR 97051



DesignNW

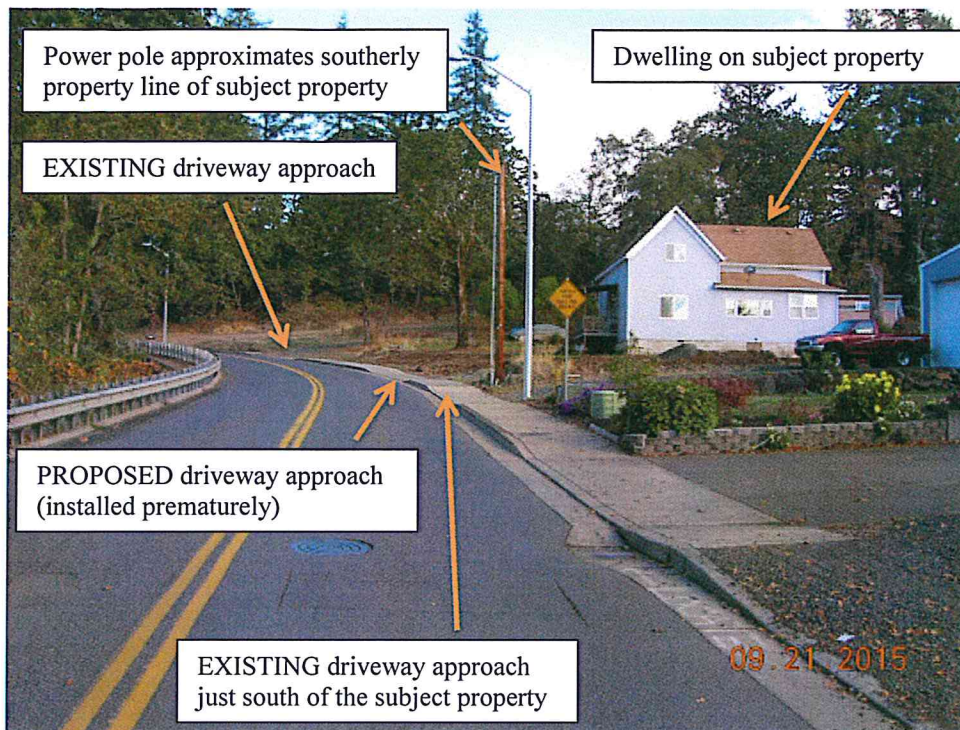
Custom Home Plans



ABOVE: Most of the subject property's Hankey Road frontage is visible in this photo from 2013. Note that sidewalks are absent (beyond the wood power pole), but there is curb along the entire road frontage.

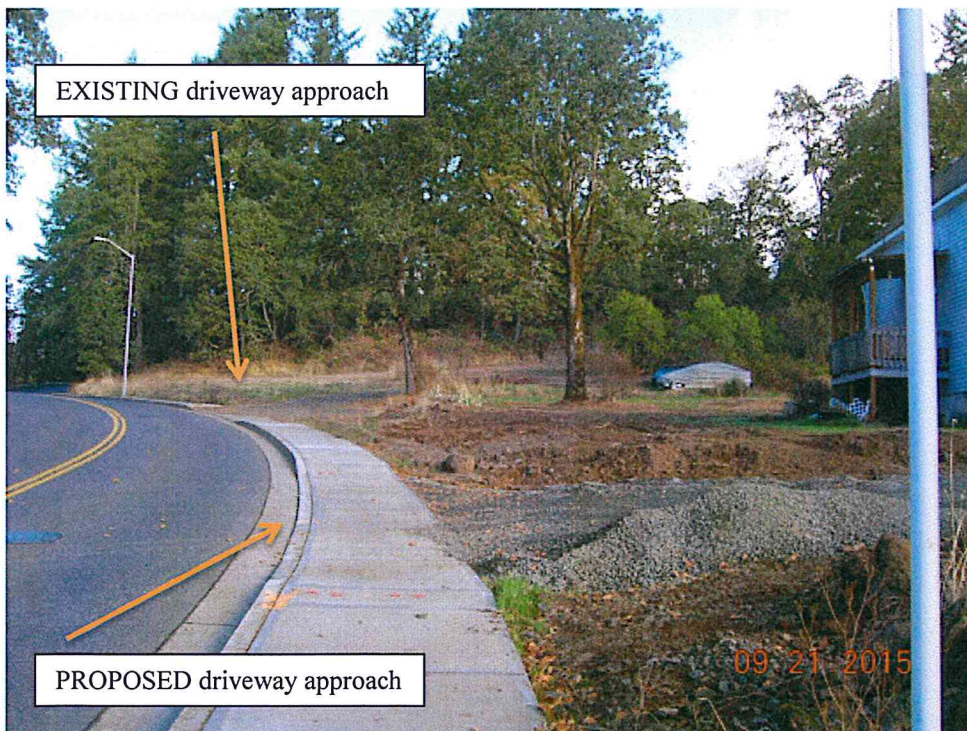
BELOW: The subject property's Hankey Road frontage north of the EXISTING driveway approach is visible in this photo from 2013. Note that sidewalks are absent, but there is curb along the entire road frontage.





ABOVE: Most of the subject property's Hankey Road frontage is visible in this photo from 2015. Some sidewalk has been installed as part of the requirements of the Elk Ridge Subdivision, Phase 6.

BELOW: Similar picture as above, but a closer look.





Close view of PROPOSED driveway approach. Note that this was installed prematurely.



Another close view of PROPOSED driveway approach.



Close view of EXISTING driveway approach, which has historically served the subject property.



CITY OF ST. HELENS PLANNING DEPARTMENT

MEMORANDUM

TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner
RE: Architectural Character Review for roof mounted antennae and related equipment atop the “new” section of the Columbia County Courthouse (230 Stand Street)
DATE: September 24, 2015

The proposal described herein requires a recommendation from the Commission as to its compliance with the Riverfront District’s Architectural Design Guidelines. Please review your copy of the guidelines when looking at this proposal and be prepared to discuss. The guidelines can also be found on the City website on the Planning Departments historic preservation page: <http://www.ci.st-helens.or.us/landuseplanning/departments/historic-preservation/>

Overview:

The City received a building permit (no. 13213) to install various communication antennae and related equipment atop the “new” section of the courthouse. Verizon has been looking for an area on the east side of town to install cellular infrastructure and has determined that the courthouse is suitable place.

Note that this roof mounted proposal is not a stand-alone cellular tower, which would include different regulations than described below.

Here is an overview of the applicable law:

Per SHMC 17.32.070(7), permanent exterior architectural changes to buildings (that are not official recognized historic resources) shall comply with the architectural design guidelines. The Historic Landmarks Commission shall make a recommendation to the approval authority as to whether the Commission believes the proposal complies with the Architectural Design Guidelines.

Per SHMC 17.72.110(2), rooftop service facilities and equipment shall be screened from view from adjacent streets and adjacent properties in one of the following ways:

- A parapet wall of adequate height;
- A screen around the equipment that is made of a primary exterior finish material used on other portions of the building; or
- Set back such that it is not visible from the public street(s) and adjacent properties.

Per SHMC 17.124.020(2) an example of an accessory structure are antenna towers/dishes. Per SHMC 17.124.030(1)(b) attached accessory structures (including attachment via roof) are considered building additions (and thus don’t require an Accessory Structure Permit).

Some things to note in the Architectural Design Guidelines:

The guidelines speak of using traditional building materials (texture, pattern, scale) similar to those in the Riverfront District and that colors should follow a traditional palette and reflect the district’s historic character. It also notes use of parapets and that new construction should not detract but further enhance the historic structures in the district.

The guidelines also note that alternative materials to the traditional stone or brick should appear similar in scape, proportion, texture and finish to those used traditionally. Durability should be considered too.

The guidelines address roof-mounted equipment by suggesting strategies to minimize visual impact by locating such far from the primary public way, away from the façade or if such cannot be feasibly placed as far out of view as possible, it should be screened from view using integrated architectural features, such as parapet walls.

Staff thoughts:

Generally, there is consensus that the “new” addition to the courthouse is not compatible with the bulk of buildings in the Riverfront District. Its style is alien to the surrounding area. The parapets and screen wall proposed are rather featureless but will help hide the antennae and related equipment which is out of the historic context. The proposed parapet will be approximately 14 feet tall and this could be an argument for visual imbalance, though the “old” courthouse is taller than the “new” courthouse addition and this may help offset the imbalance.

The antennae and equipment are on the side and edge of the building, but will be opposite the “old” courthouse and plaza where there may be greater visual sensitivity.

Rough sawn cedar siding painted to match the existing building siding is proposed. This should at least match that of the “new” courthouse. Cedar is also rot resistant and a durable wood choice.

Much of the related equipment will be placed atop a garage type protrusion on the far north side of the “new” courthouse. The roof line of this is already much lower than the main portion of the building and the screen wall would still be well below the principle roof line.

Staff has been discussing this proposal with Verizon representatives for months and it seems they have met the intent of the architectural guidelines.

Attached to this memo are several things provided by the applicant to help show the proposal. I expect that a representative will be present to help answer any questions the Commission may have.



The N. end of the “new” courthouse on the west side (side opposite the Columbia River). This is what it looks like today.



The N. end of the “new” courthouse on the east side (facing the Columbia River). This is what it looks like today.

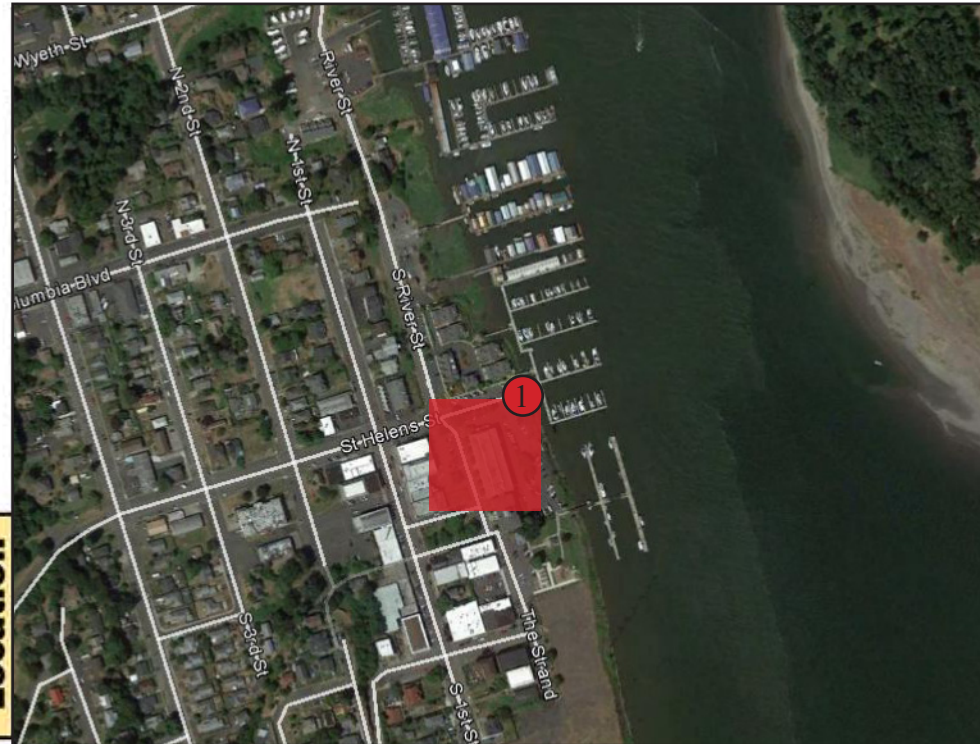
OR1 / BOTANICAL

**230 THE STRAND
ST HELENS, OR 97051**



April 20, 2015

View #: 1

**Location**

Existing



Proposed

The illustration above is a representation of the proposed project based on information provided by the client. Actual construction may vary dependent on approved construction plans and therefore PTS (Pacific Telecom Services) is not responsible for any post production design changes. Monotree disclaimer: (In the event that the proposed installation includes a monotree) The proposed installation is an artistic representation of a tree, and not intended to be an exact reproduction of an actual living tree. The final installation will have cables, cable ports, and various attachments, such as antennas, nuts, and bolts. While every effort will be made to disguise these components, they will not be readily apparent to the casual observer or passerby. However, upon close scrutiny, the true nature of the installation will be apparent.

Prepared by: ZLN

PTS
Pacific Telecom Services, LLC
3199 C Airport Loop Drive, Costa Mesa, CA 92626-3414

EV:
A

EV:
A

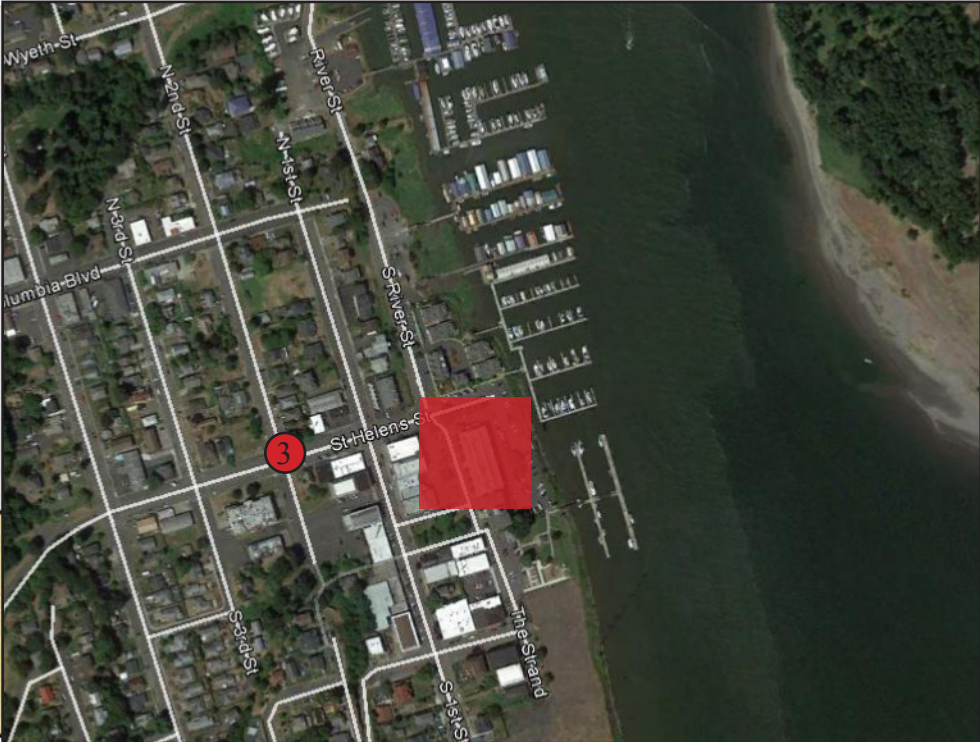
OR1 / BOTANICAL

230 THE STRAND
ST HELENS, OR 97051



April 20, 2015

Location



Existing



View #: 3

PROPOSED VERIZON PANEL ANTENNAS PROPOSED BEHIND FRP SHROUD

PROPOSED VERIZON EQUIPMENT PROPOSED BEHIND SCREEN WALL

Proposed



The illustration above is a representation of the proposed project based on information provided by the client. Actual construction may vary dependent on approved construction plans and therefore PTS (Pacific Telecom Services) is not responsible for any post production design changes. Monotree disclaimer: (In the event that the proposed installation includes a monotree) The proposed installation is an artistic representation of a tree, and not intended to be an exact reproduction of an actual living tree. The final installation will have cables, cable ports, and various attachments, such as antennas, nuts, and bolts. While every effort will be made to disguise these components, they will not be readily apparent to the casual observer or passerby. However, upon close scrutiny, the true nature of the installation will be apparent.

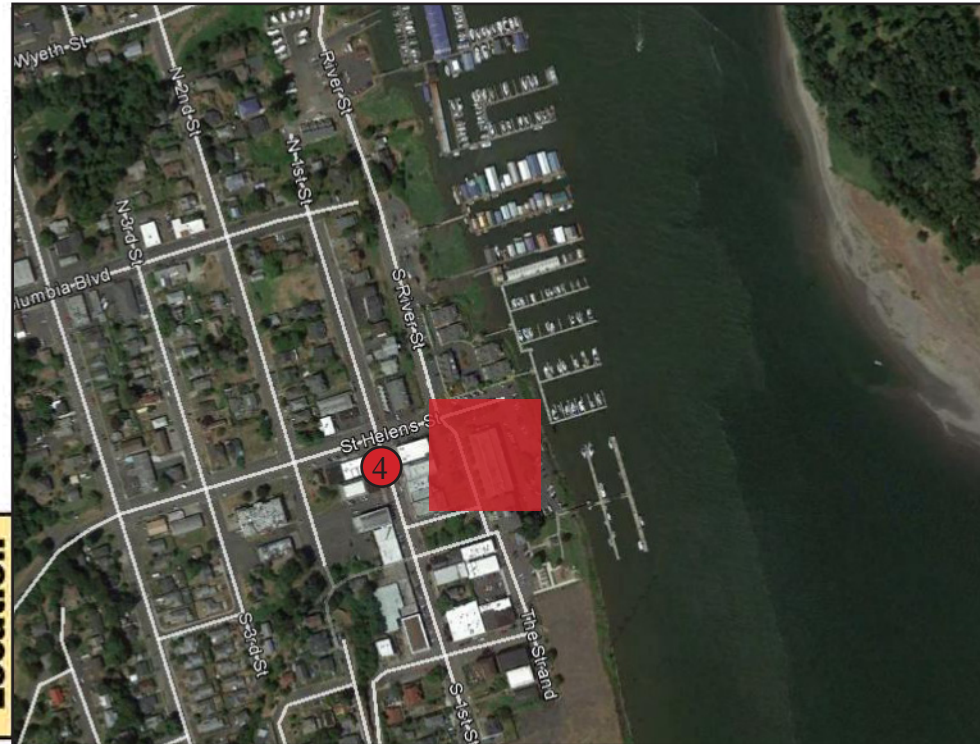
OR1 / BOTANICAL

**230 THE STRAND
ST HELENS, OR 97051**

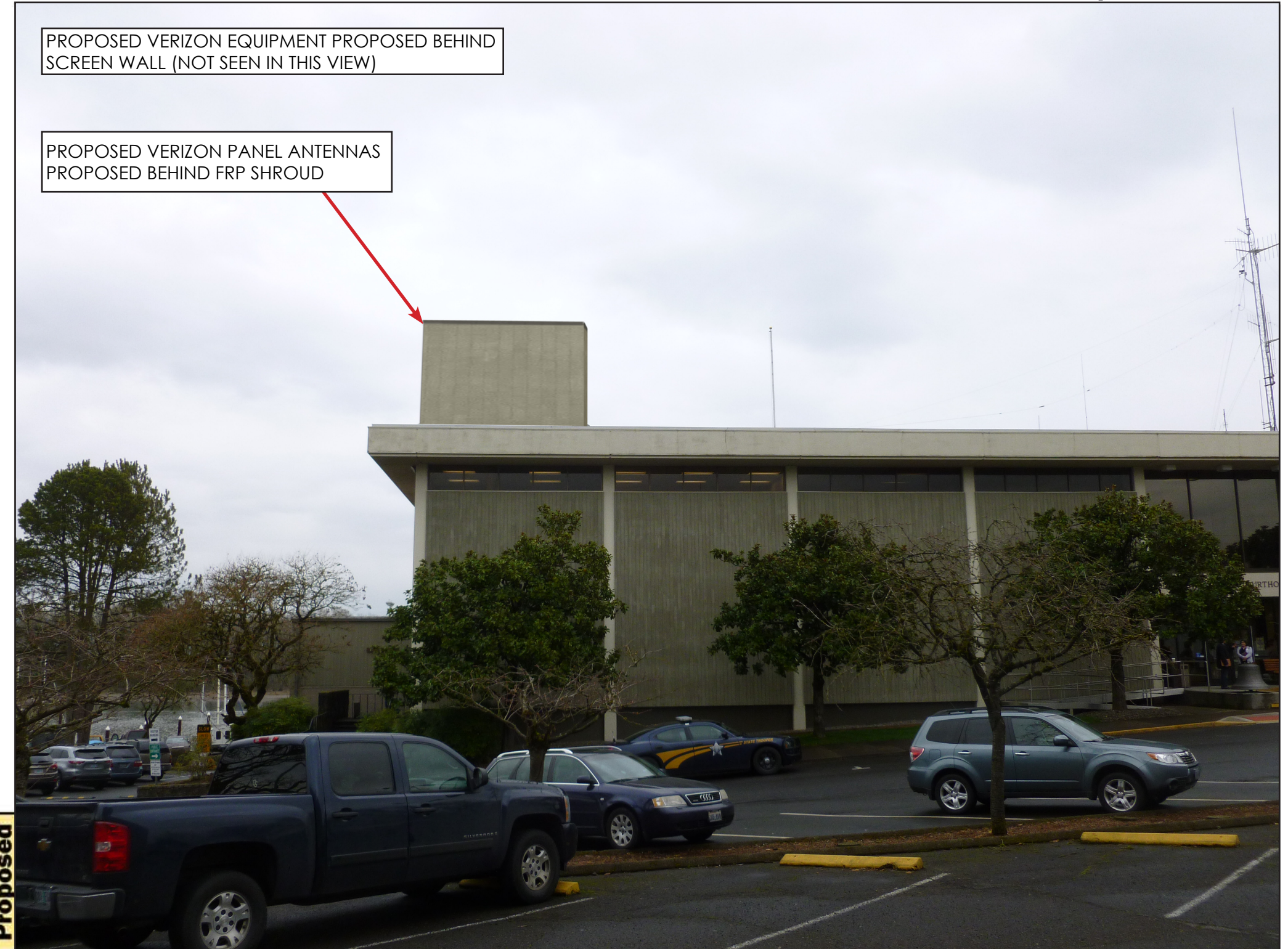


April 20, 2015

View #: 4

**Location**

Existing



Proposed

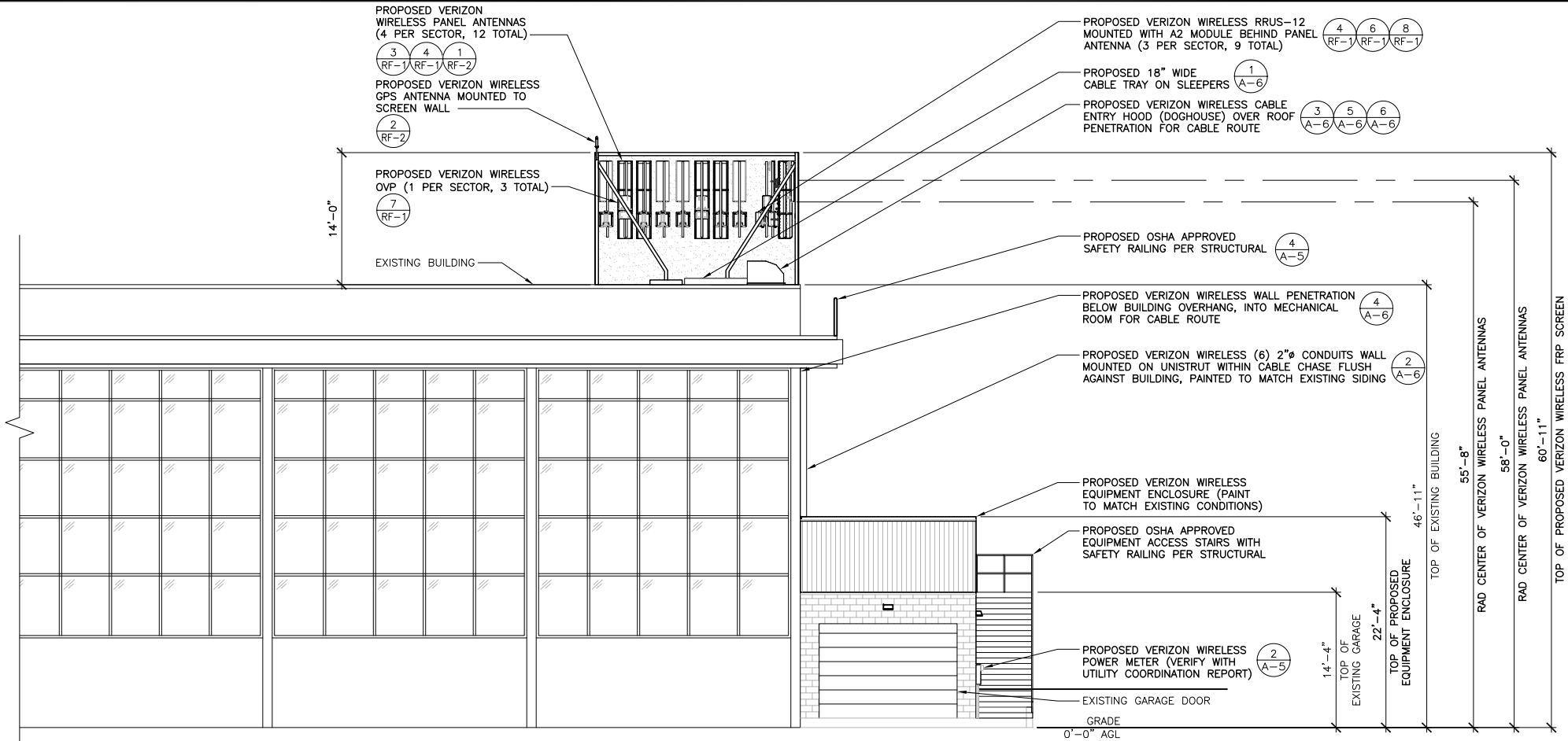
The illustration above is a representation of the proposed project based on information provided by the client. Actual construction may vary dependent on approved construction plans and therefore PTS (Pacific Telecom Services) is not responsible for any post production design changes. Monotree disclaimer: (In the event that the proposed installation includes a monotree) The proposed installation is an artistic representation of a tree, and not intended to be an exact reproduction of an actual living tree. The final installation will have cables, cable ports, and various attachments, such as antennas, nuts, and bolts. While every effort will be made to disguise these components, they will not be readily apparent to the casual observer or passerby. However, upon close scrutiny, the true nature of the installation will be apparent.

Prepared by: ZLN

PTS
Pacific Telecom Services, LLC
3199 C Airport Loop Drive, Costa Mesa, CA 92626-3414

EV:
A

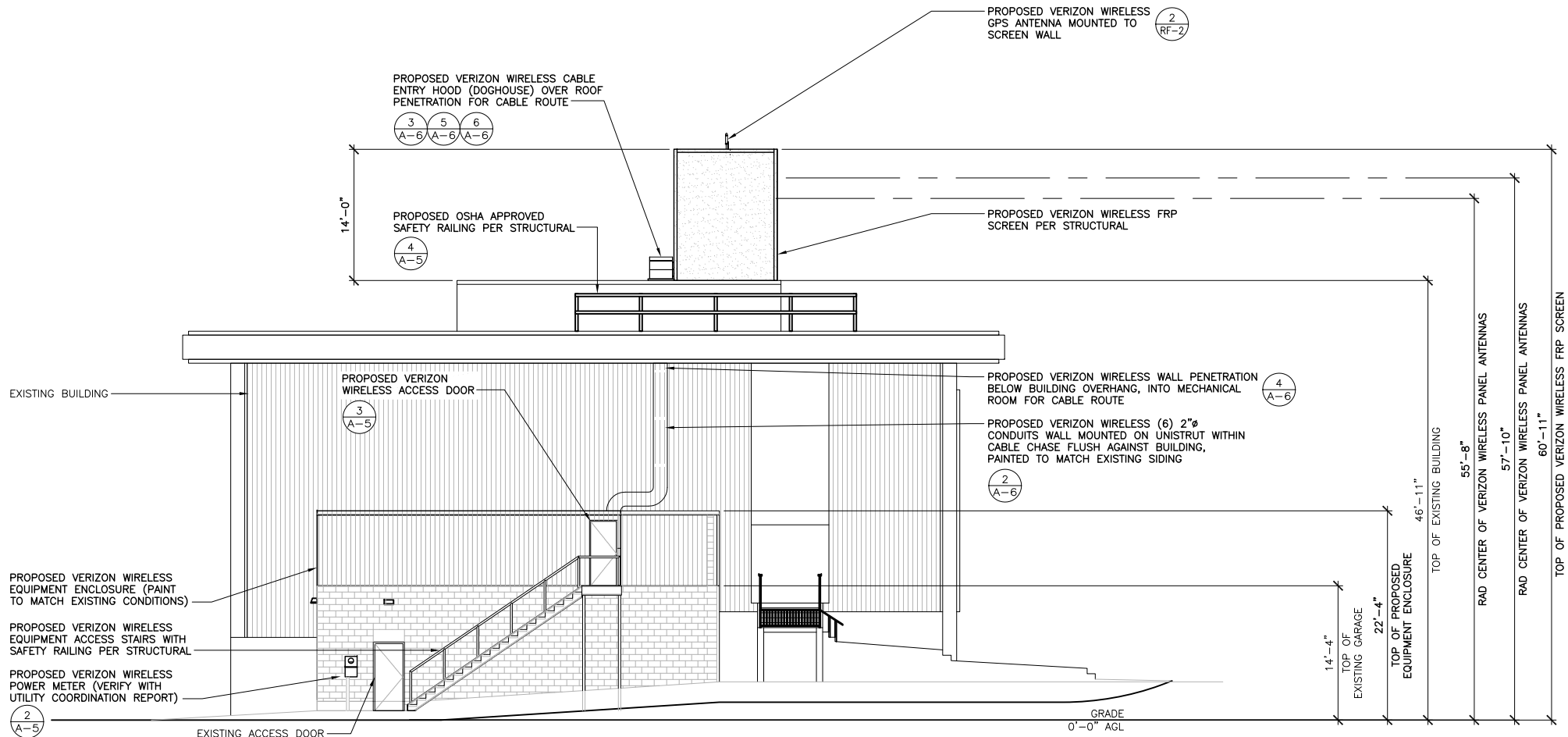
NOTE:
NEW SCREEN WALL AND DOGHOUSE
TO BE TEXTURED AND PAINTED TO
MATCH EXISTING BUILDING.



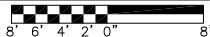
24"x36" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"



PROPOSED EAST ELEVATION 2



24"x36" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"



PROPOSED NORTH ELEVATION 1



LICENSURE:



ORI BOTANICAL

230 STRAND STREET
ST. HELENS, OR 97051

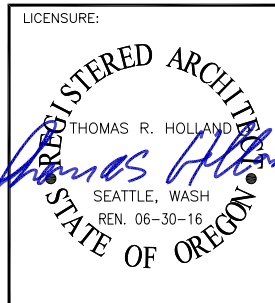
JURISDICTION:

| REVISIONS | | | | |
|-----------|----------|-------------------------------------|---------|--|
| NO. | DATE | DESCRIPTION | INITIAL | |
| A | 04/21/15 | PRELIMINARY CONSTRUCTION DRAWINGS | WJR | |
| O | 08/18/15 | FINAL CONSTRUCTION DRAWINGS | TJB | |
| 1 | 08/20/15 | REVISED FINAL CONSTRUCTION DRAWINGS | PD | |
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NOT FOR CONSTRUCTION UNLESS
LABELED AS CONSTRUCTION SET

SHEET TITLE
PROPOSED NORTH & EAST ELEVATION

SHEET NUMBER
A-4



230 STRAND STREET
ST. HELENS, OR 97051

JURISDICTION:

[illegible]

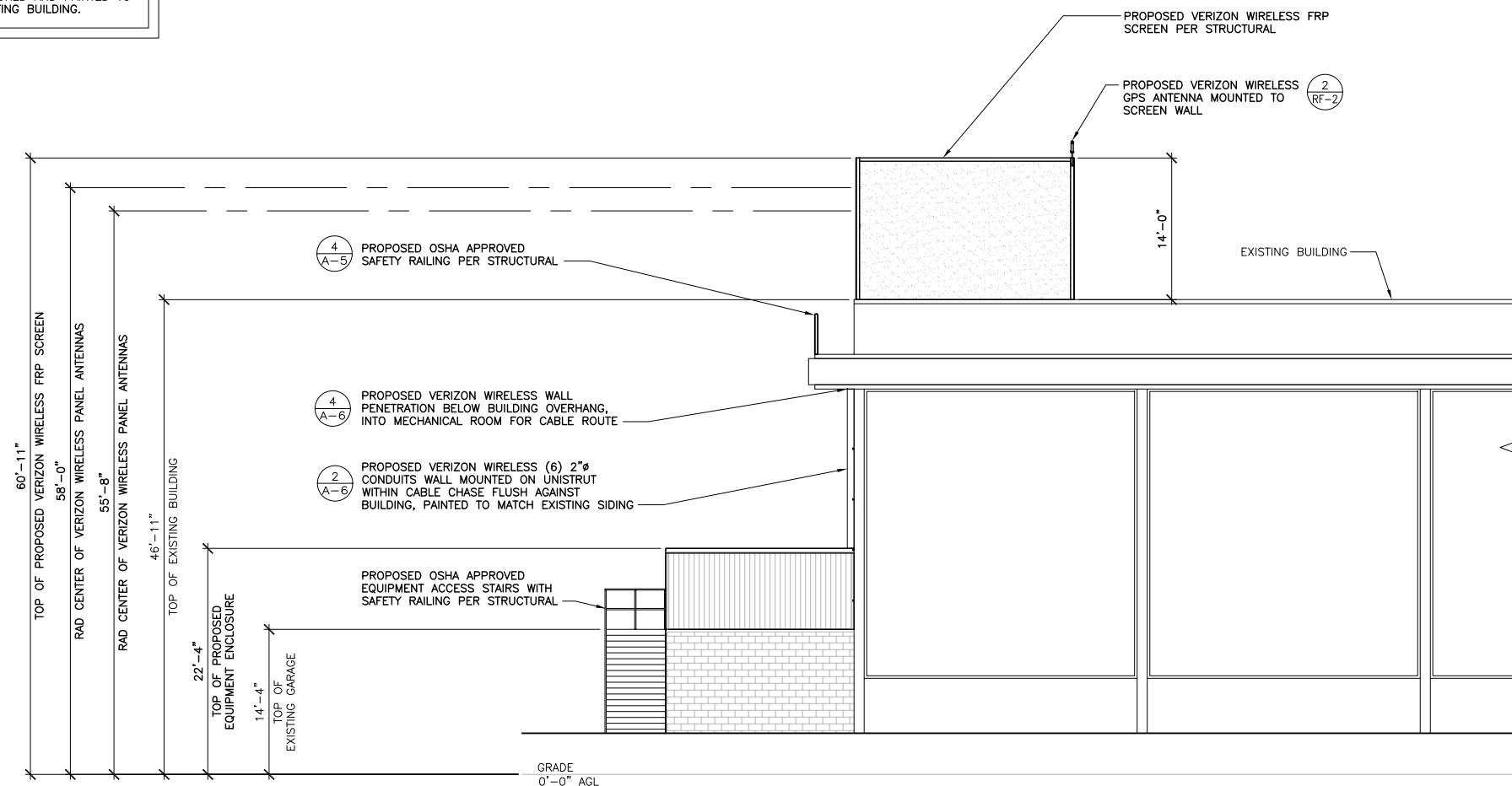
NOT FOR CONSTRUCTION UNLESS
LABELED AS CONSTRUCTION SET

SHEET TITLE
PROPOSED WEST ELEVATION

SHEET NUMBER

A-4.1

NOTE:
NEW SCREEN WALL AND DOGHOUSE
TO BE TEXTURED AND PAINTED TO
MATCH EXISTING BUILDING.



24"x36" SCALE: $1/8" = 1'-0"$
11"x17" SCALE: $1/16" = 1'-0"$

PROPOSED WEST ELEVATION

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CARRIER SERVICES IS STRICTLY PROHIBITED.

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF ST. HELENS, COLUMBIA COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A RAILROAD SPIKE AT THE CENTERLINE-CENTERLINE INTERSECTION OF ST. HELENS STREET AND FIRST STREET; THENCE ALONG THE CENTERLINE OF ST. HELENS STREET, NORTH 73°02'37" EAST 240.00 FEET TO A POINT; THENCE ALONG THE EAST LINE OF BLOCK 11 OF THE PLAT OF ST. HELENS AND THE NORTHERLY EXTENSION THEREOF, SOUTH 16°57'23" EAST 352.50 FEET TO A POINT ON THE EAST LINE OF LOT 17 WHICH BEARS NORTH 16°57'23" WEST 37.00 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE LEAVING SAID EAST LINE SOUTH 53°49'23" EAST 67.50 FEET TO THE TRUE POINT OF BEGINNING; THENCE ALONG THE NORTH LINE OF DOCUMENT NUMBER 92-1152, NORTH 73°02'37" EAST 79.05 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR."; THENCE LEAVING SAID NORTH 18°19'03" EAST 13.84 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR."; THENCE NORTH 41°59'12" EAST 15.52 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR."; THENCE NORTH 72°17'55" EAST 128.60 FEET TO A POINT ON THE ORDINARY HIGH WATER LINE OF THE COLUMBIA RIVER FROM WHICH A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR." BEARS SOUTH 72°17'55" WEST 23.69 FEET; THENCE ALONG SAID ORDINARY HIGH WATER LINE SOUTH 24°49'00" EAST 21.18 FEET TO THE NORTHEAST CORNER OF BOOK 238, PAGE 101; THENCE LEAVING SAID ORDINARY HIGH WATER LINE ALONG THE SOUTH LINE OF BOOK 194, PAGE 779, NORTH 73°02'37" EAST TO THE DEEP WATER LINE OF THE COLUMBIA RIVER; THENCE NORTHERLY ALONG SAID DEEP WATER LINE 245 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 14, BLOCK 11; THENCE ALONG SAID EASTERLY EXTENSION NORTH 73°02'37" EAST TO A POINT WHICH BEARS NORTH 73°02'37" EAST 254.00 FEET FROM THE NORTHEAST CORNER OF SAID LOT 14; THENCE ALONG THE EAST LINE OF BOOK 194, PAGE 779, NORTH 22°25'23" WEST 209.96 FEET TO A POINT; THENCE ALONG THE EASTERLY EXTENSION OF THE NORTH RIGHT OF WAY LINE OF ST. HELENS STREET, SOUTH 73°02'37" WEST 244.00 FEET TO A POINT; THENCE ALONG THE WEST LINE OF BOOK 194, PAGE 779, SOUTH 29°32'00" EAST 45.92 FEET TO A POINT; THENCE CONTINUING ALONG SAID WEST LINE SOUTH 16°57'23" EAST 50.18 FEET TO THE NORTHEAST CORNER OF BLOCK 11; THENCE ALONG THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID BLOCK 11, NORTH 73°02'37" EAST 31.50 FEET TO A POINT; THENCE ALONG A LINE OFFSET 31.50 FEET FROM THE EAST LINE OF SAID BLOCK 11, SOUTH 16°57'23" EAST 114.00 FEET TO A POINT; THENCE ALONG THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 14, BLOCK 11, SOUTH 73°02'37" WEST 1.50 FEET TO A POINT; THENCE ALONG A LINE OFFSET 30.00 FEET FROM THE EAST LINE OF BLOCK 11, SOUTH 16°57'23" EAST 57.00 FEET TO A POINT; THENCE ALONG THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 15, BLOCK 11, SOUTH 73°02'37" WEST 5.00 FEET TO A POINT; THENCE ALONG A LINE OFFSET 25.00 FEET FROM THE EAST LINE OF BLOCK 11, SOUTH 16°57'23" EAST 167.35 FEET TO A POINT; THENCE SOUTH 53°49'23" EAST 25.82 FEET TO THE TRUE POINT OF BEGINNING.

EASEMENTS

CORRESPONDS WITH ITEM NUMBER IN 'SCHEDULE B' OF TITLE REPORT.

THE FOLLOWING EASEMENTS FROM THE REFERENCED TITLE REPORT CONTAIN SUFFICIENT INFORMATION TO BE DEPICTED ON THE PLAN. OTHER EASEMENTS OR ENCUMBRANCES, IF ANY, MAY AFFECT THE PROPERTY, BUT LACK SUFFICIENT INFORMATION TO BE SHOWN.

6 MATTERS CONTAINED IN DEED, AS RECORDED IN VOLUME 29, PAGE 631, RECORDS OF COLUMBIA COUNTY - BOUNDARY OF DESCRIBED AREA SHOWN

LATITUDE/LONGITUDE POSITION

COORDINATE DATA AT PROPOSED ANTENNA LOCATION:
NAD 83
LAT - 45°51'50.03" N NAVD 88
LONG - 122°47'49.78" W ELEV.= 36.4 FEET



BENCHMARK IS "P446"
NGS GPS CORS STATION.
ELEV = 18.0

ELEVATION DERIVED USING GPS. ACCURACY MEETS OR EXCEEDS 1A STANDARDS AS DEFINED ON THE FAA ASAC INFORMATION SHEET 91:003.

NOTES

- 1) TITLE ISSUED BY TRICOR TITLE COMPANY, ORDER NO. 73815011805-TTCOL07, DATED FEBRUARY 25, 2015.
- 2) FIELD WORK CONDUCTED IN MARCH, 2015.
- 3) BASIS OF BEARING: OREGON COORDINATE SYSTEM, NORTH ZONE (NAD83).
- 4) UNDERGROUND UTILITIES SHOWN HEREON, IF ANY, WERE DELINEATED FROM SURFACE EVIDENCE AND/OR UTILITY COMPANY RECORDS. CRITICAL LOCATIONS SHOULD BE VERIFIED PRIOR TO DESIGN AND CONSTRUCTION.
- 5) FEMA DESIGNATION: ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), PANEL 456 OF 525, FIRM MAP NUMBER 41009C0456D, EFFECTIVE DATE NOVEMBER 26, 2010.

LEGEND

- SUBJECT BOUNDARY LINE
- RIGHT-OF-WAY CENTERLINE
- RIGHT-OF-WAY LINE
- ADJACENT BOUNDARY LINE
- SECTIONAL BREAKDOWN LINE
- OVERHEAD POWER LINE
- BURIED POWER LINE
- BURIED GAS LINE
- OVERHEAD TELEPHONE LINE
- BURIED TELEPHONE LINE
- BURIED WATER LINE
- BURIED SANITARY SEWER
- BURIED STORM DRAIN
- DITCH LINE/FLOW LINE
- ROCK RETAINING WALL
- VEGETATION LINE
- CHAIN LINK FENCE
- WOOD FENCE
- BARBED WIRE/WIRE FENCE

- TRANSFORMER
- LIGHT STANDARD
- POWER VAULT
- UTILITY BOX
- UTILITY POLE
- POLE GUY WIRE
- GAS VALVE
- GAS METER
- TELEPHONE VAULT
- TELEPHONE RISER
- FIRE HYDRANT
- GATE VALVE
- WATER METER
- FIRE STAND PIPE
- CATCH BASIN, TYPE I
- CATCH BASIN, TYPE II
- SIGN
- BOLLARD
- MAIL BOX
- SPOT ELEVATION

NOTE:
1) ALL ELEVATIONS SHOWN ARE ABOVE MEAN SEA LEVEL (AMSL) AND ARE REFERENCED TO THE NAVD88 DATUM.
2) ALL TOWER, TREE AND APPURTENANCE HEIGHTS ARE ABOVE GROUND LEVEL (AGL) AND ARE ACCURATE TO ± 0.5 FEET OR ± 1% OF TOTAL HEIGHT, WHICHEVER IS GREATER.

TREE LEGEND

- DECIDUOUS TREE
- AL=ALDER
- MP=MAPLE
- DS=DECIDUOUS
- MA=MADRONA
- OK=OAK
- CH=CHERRY
- EVERGREEN TREE
- CE=CEDAR
- DF=DOUGLAS FIR
- HE=HEMLOCK
- PI=PINE
- EVG=EVERGREEN

NOTE:
TREE DRIP LINES ARE NOT TO SCALE. TREE SYMBOLS REFERENCE TRUNK LOCATION ONLY. TRUNK DIAMETERS WERE APPROXIMATED AT 3.5' TO 4' ABOVE GROUND LEVEL. TREES SHOWN ARE FOR REFERENCE ONLY AND OTHER TREES AND VEGETATION MAY EXIST.

SITE INFORMATION

TAX LOT NUMBER 4N1W13BA7600
SITE ADDRESS 230 STRAND STREET
ST. HELENS, OR 97051
SITE CONTACT TODD CUNNINGHAM
PHONE NUMBER 503-397-7213
ZONING OTSH (CITY OF ST. HELENS)
TOTAL LOT AREA 103,000± S.F.(2.37± AC.)
PROJECT AREA TO BE DETERMINED

SURVEY REFERENCE

SURVEY, RECORDING NO. CS 5624, RECORDS OF COLUMBIA COUNTY.

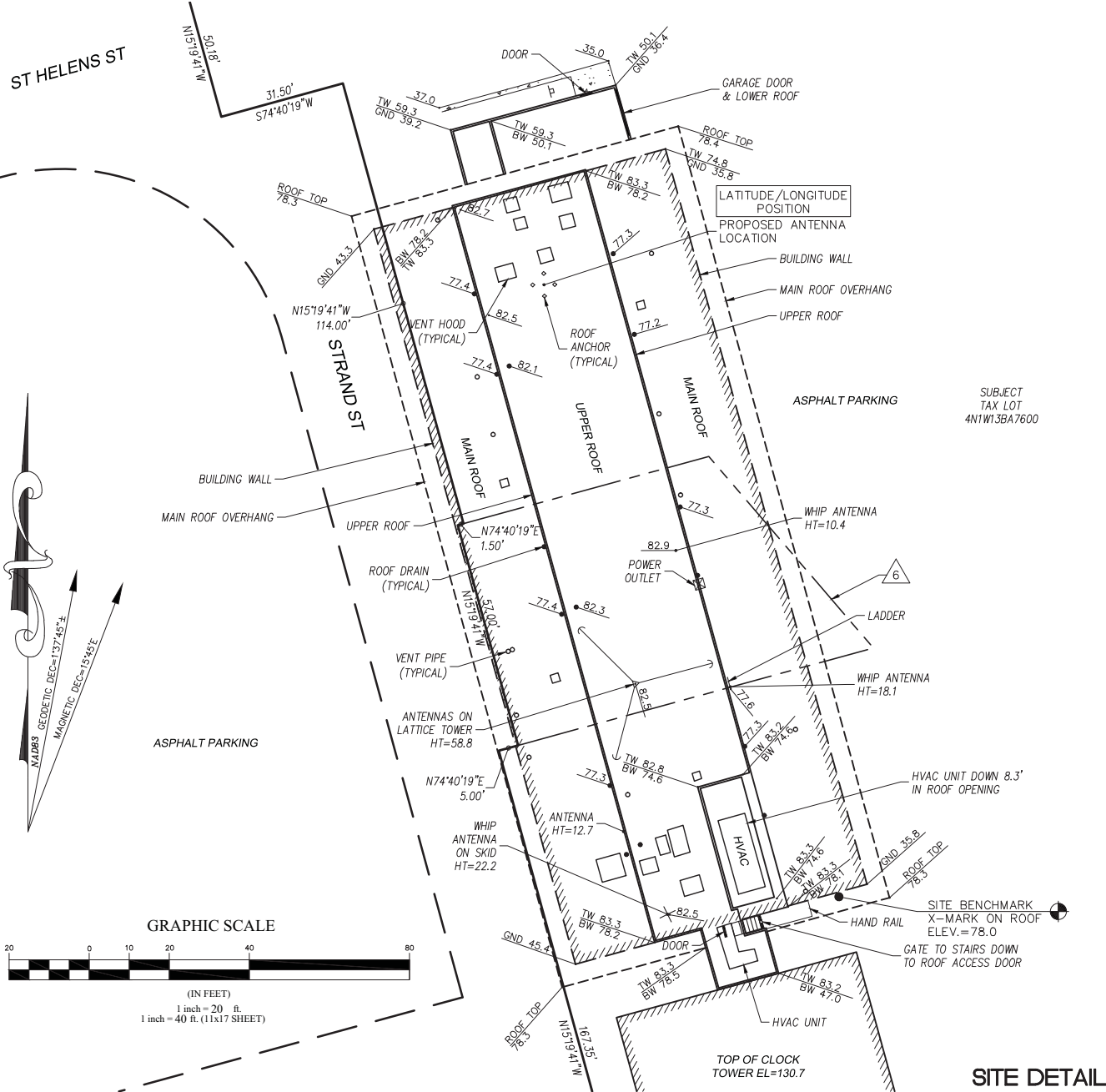
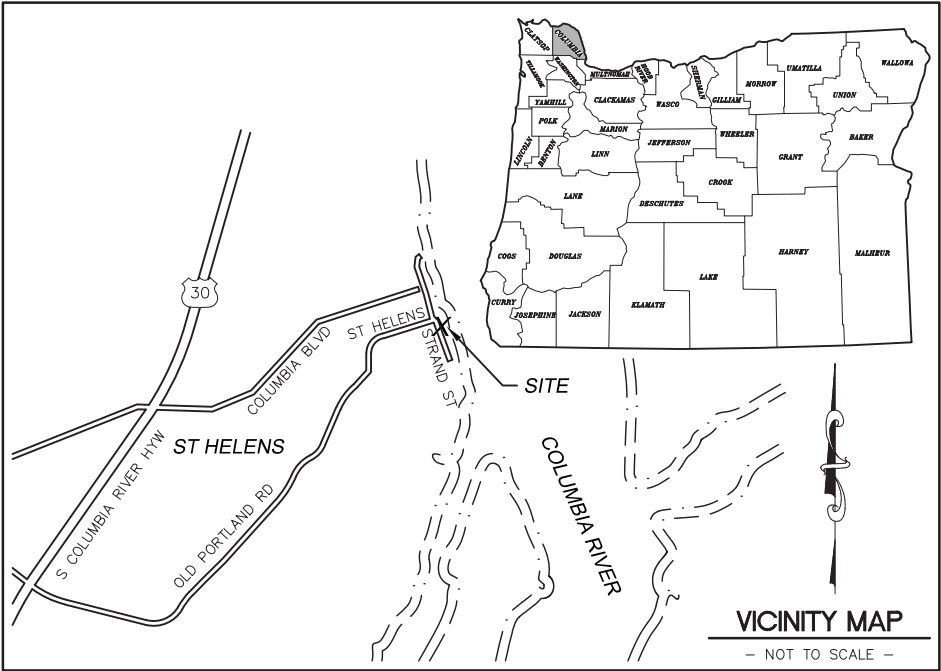
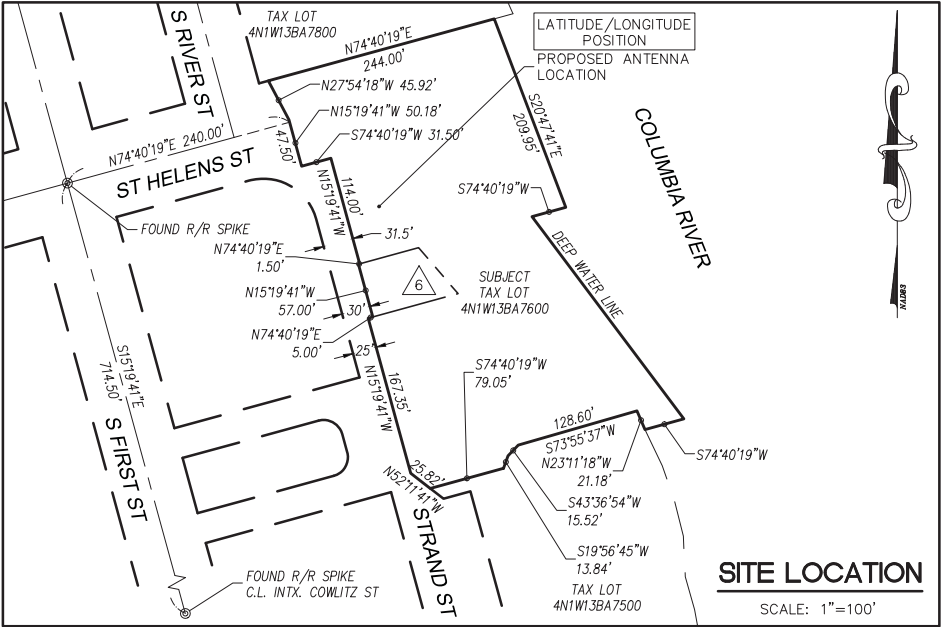
BOUNDARY DISCLAIMER

THIS PLAN DOES NOT REPRESENT A BOUNDARY SURVEY. SUBJECT AND ADJACENT PROPERTY LINES ARE DEPICTED USING FIELD-FOUND EVIDENCE AND RECORD INFORMATION.

CAUTION!

UNDERGROUND UTILITIES EXIST IN THE AREA AND UTILITY INFORMATION SHOWN MAY BE INCOMPLETE. STATE LAW REQUIRES THAT CONTRACTOR CONTACT THE ONE-CALL UTILITY LOCATE SERVICE AT LEAST 48 HOURS BEFORE STARTING ANY CONSTRUCTION.

1-800-424-5555



SITE DETAIL



PACIFIC TELECOM SERVICES, LLC
502 Second Avenue S., Suite 210
Seattle, WA. 98104
Phone: (206) 342-9000 Fax: (206) 903-8513



DUNCANSON Company, Inc.

145 SW 155th Street, Suite 102
Seattle, Washington 98166
Phone 206.244.4141
Fax 206.244.4455

SITE OR1 BOTANICAL

230 STRAND STREET
ST. HELENS, OR 97051
COLUMBIA COUNTY

THIS DRAWING WAS CREATED FOR THE EXCLUSIVE USE OF THE CLIENT NAMED HEREON, AND IS NOT TO BE USED IN WHOLE OR IN PART WITHOUT WRITTEN AUTHORIZATION FROM SAG CLIENT.

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| | |
|-------------|------------|
| F.LD. CREW: | JAR/CR |
| F.LD. BOOK: | 353/69 |
| DRAWN BY: | RLP |
| JOB #: | 99544.1123 |
| DATE: | 3/25/15 |

REVISIONS

| DATE | DESCRIPTION | BY |
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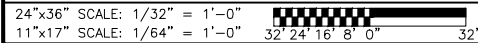
REGISTERED PROFESSIONAL LAND SURVEYOR

MAR 25, 2015
OREGON
MAY 10, 2011
JONATHAN MARLO BECKER
84870

RENEWS: 12/31/2015

SHEET TITLE
EXISTING SITE SURVEY
SEC 3, TWP 4 N, RNG 1 W, WM

SHEET NUMBER
SV1



A-1

NOTE:
NEW SCREEN WALL AND DOGHOUSE
TO BE TEXTURED AND PAINTED TO
MATCH EXISTING BUILDING.

EXISTING
PARKING LOT

PROPERTY LINE

PROPERTY LINE

PROPOSED VERIZON
WIRELESS EQUIPMENT
ENCLOSURE ACCESS DOOR

PROPOSED VERIZON WIRELESS
SAFETY RAILING MOUNTED ON
LOWER ROOF PARAPET

PROPOSED VERIZON
WIRELESS FRP SHROUD
ENCLOSURE PER STRUCTURAL

SECTOR 3
AZIMUTH 270°

PROPOSED VERIZON WIRELESS
PANEL ANTENNAS (4 PER
SECTOR, 12 TOTAL)

PROPOSED VERIZON WIRELESS
OVP (1 PER SECTOR, 3 TOTAL)

PROPOSED VERIZON WIRELESS
RRUS-12 MOUNTED BEHIND
PANEL ANTENNA WITH A2 MODULE
(3 PER SECTOR, 9 TOTAL)

32'-6"
VERIZON WIRELESS CARPORT EQUIPMENT ENCLOSURE

PROPOSED VERIZON WIRELESS
EQUIPMENT ACCESS STAIRS WITH
SAFETY RAILING PER STRUCTURAL

PROPOSED VERIZON WIRELESS EQUIPMENT
ENCLOSURE PER STRUCTURAL (PAINT TO
MATCH EXISTING CONDITIONS)

PROPOSED VERIZON WIRELESS
UTILITY H-FRAME WITH BREAKER,
TELCO BOX, AND CT CAN

PROPOSED VERIZON WIRELESS
EQUIPMENT CABINETS ON
CARPORT ROOFTOP PLATFORM

PROPOSED VERIZON WIRELESS CABLE
ENTRY HOOD (DOGHOUSE) OVER ROOF
PENETRATION FOR CABLE ROUTE

PROPOSED VERIZON WIRELESS 18"
WIDE CABLE TRAY ON SLEEPERS

EXISTING BUILDING HVAC (TYP)

PROPOSED VERIZON WIRELESS
GPS ANTENNA MOUNTED TO
SCREEN WALL

EXISTING BUILDING PENTHOUSE

EXISTING BUILDING OVER HANG

EXISTING
LOWER ROOF

EXISTING
UPPER ROOF



TRUE NORTH
North to be determined by
site survey (if possible).

24"x36" SCALE: 3/16" = 1'-0"
11"x17" SCALE: 3/32" = 1'-0"

ENLARGED SITE PLAN

1

verizonwireless



PTS
PACIFIC TELECOM SERVICES, LLC

LICENSURE:

REGISTERED ARCHITECT
THOMAS R. HOLLAND
SEATTLE, WASH
REN. 06-30-16
STATE OF OREGON

ORI BOTANICAL

230 STRAND STREET
ST. HELENS, OR 97051

JURISDICTION:

REVISIONS

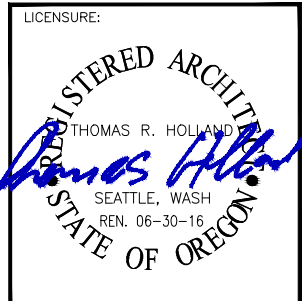
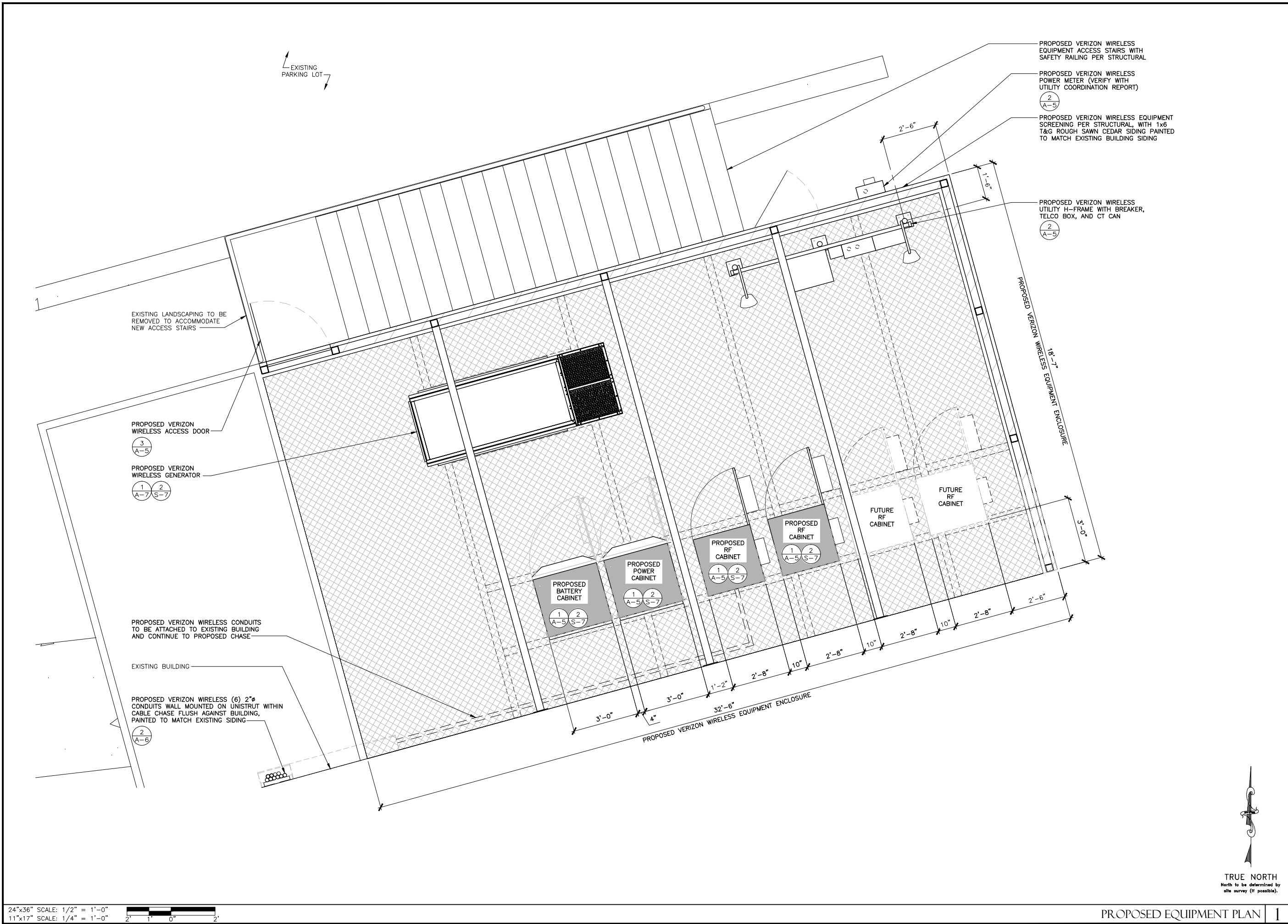
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| D | 08/18/15 | FINAL CONSTRUCTION DRAWINGS | TJB |
| 1 | 08/20/15 | REVISED FINAL CONSTRUCTION DRAWINGS | PD |
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NOT FOR CONSTRUCTION UNLESS
LABELED AS CONSTRUCTION SET

SHEET TITLE
ENLARGED SITE PLAN

SHEET NUMBER

A-2



ORI BOTANICAL
230 STRAND STREET
ST. HELENS, OR 97051

JURISDICTION:

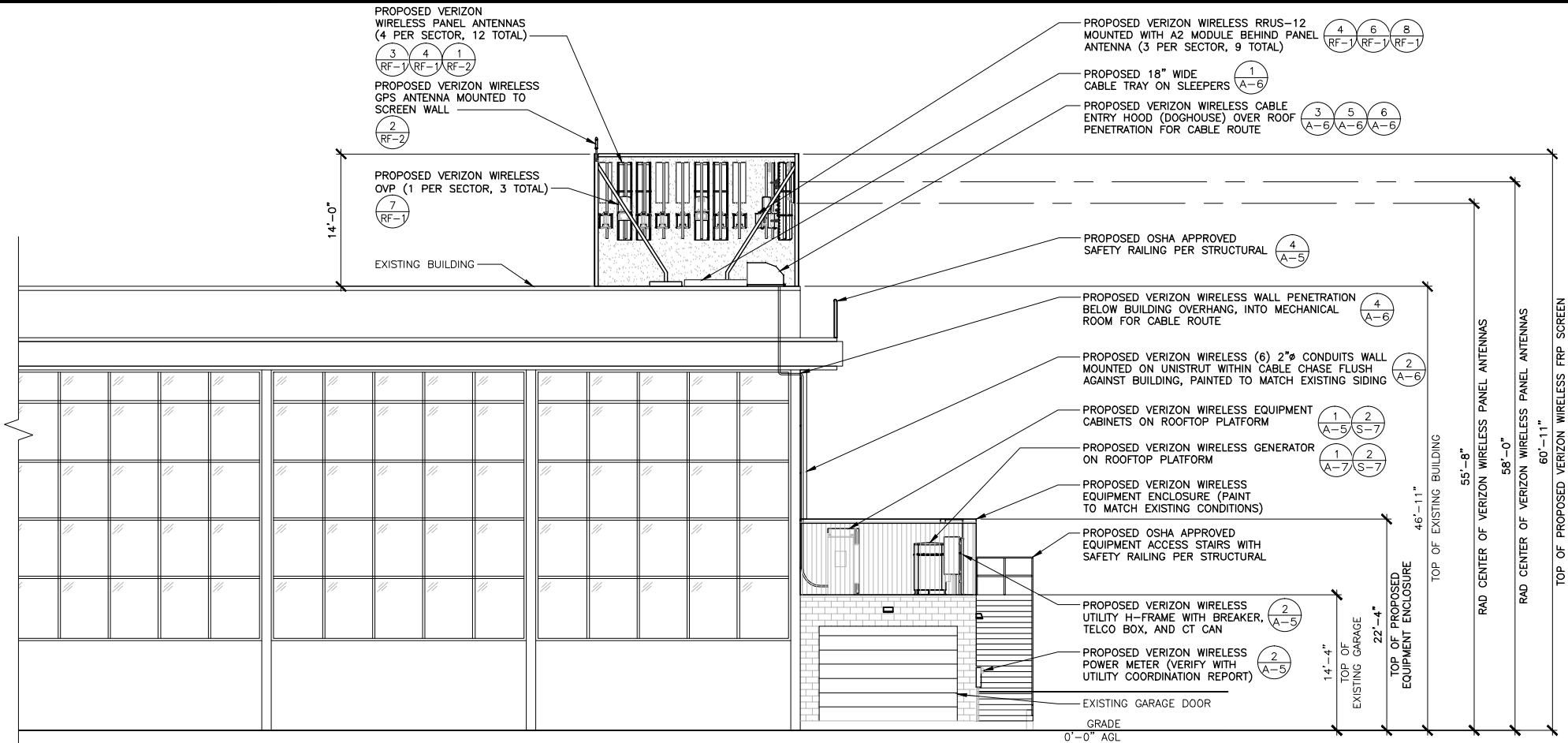
| REVISIONS | | | | |
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| NO. | DATE | DESCRIPTION | INITIAL | |
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| D | 08/18/15 | FINAL CONSTRUCTION DRAWINGS | TJB | |
| 1 | 08/20/15 | REVISED FINAL CONSTRUCTION DRAWINGS | PD | |
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NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET

SHEET TITLE
PROPOSED EQUIPMENT PLAN

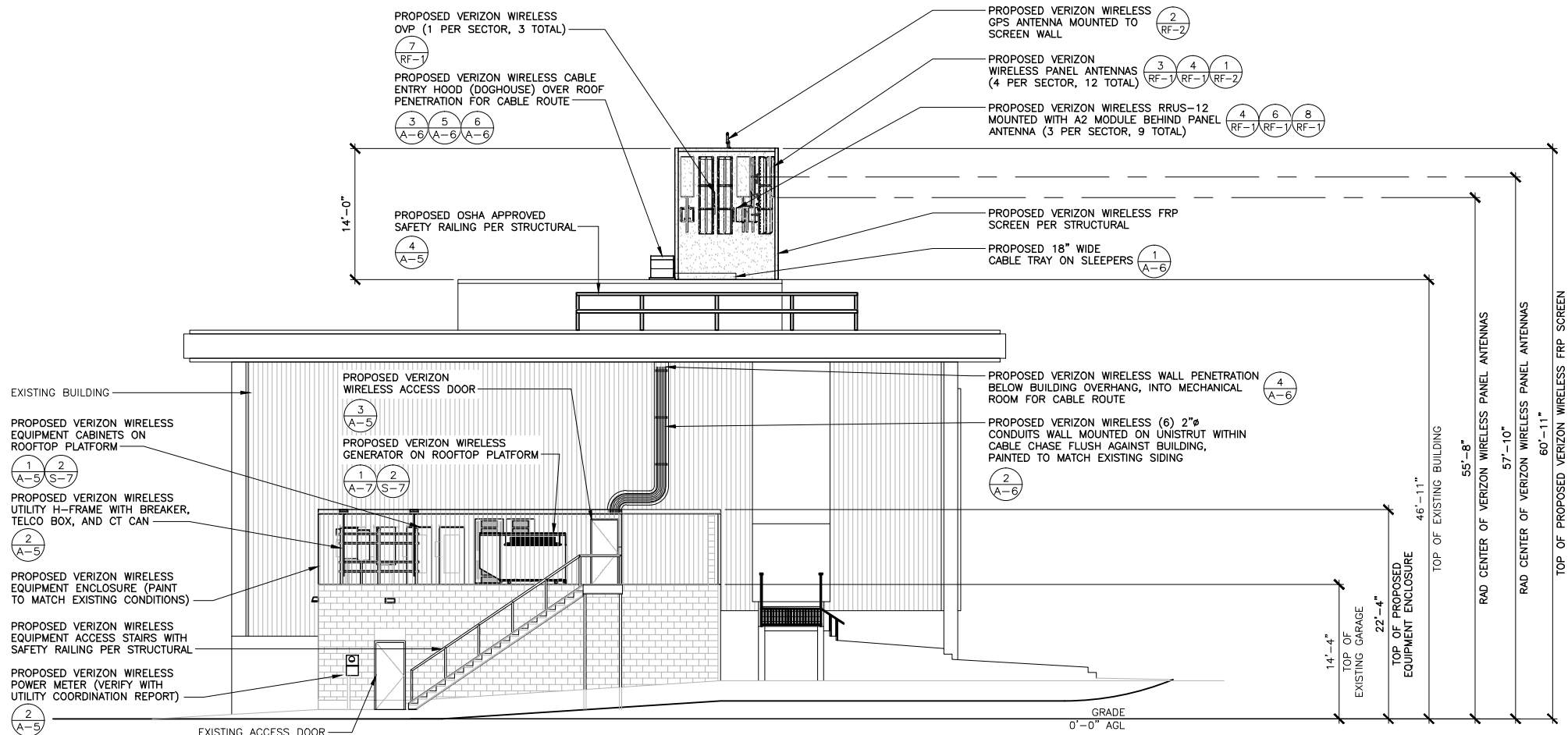
SHEET NUMBER
A-3

NOTE:
NEW SCREEN WALL AND DOGHOUSE
TO BE TEXTURED AND PAINTED TO
MATCH EXISTING BUILDING.



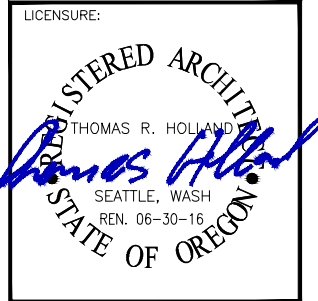
24"x36" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"
8' 6' 4' 2' 0' 8'

PROPOSED EAST ELEVATION 2



24"x36" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"
8' 6' 4' 2' 0' 8'

PROPOSED NORTH ELEVATION 1



ORI BOTANICAL
230 STRAND STREET
ST. HELENS, OR 97051

JURISDICTION:

| REVISIONS | | | | |
|-----------|----------|-------------------------------------|---------|--|
| NO. | DATE | DESCRIPTION | INITIAL | |
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NOT FOR CONSTRUCTION UNLESS
LABELED AS CONSTRUCTION SET

SHEET TITLE
PROPOSED NORTH & EAST ELEVATION

SHEET NUMBER
A-4

CITY OF ST. HELENS PLANNING DEPARTMENT ACTIVITY REPORT



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

Date: 09.29.2015

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

Conducted a pre-application meeting for a vacant parcel close to the Columbia Boulevard/Alderwood Drive intersection for a residential lot of record sensitive lands permit.

Assistant Planner and I gave Nan Laurence a briefing and tour of some key areas in St. Helens prior to the September 10th evening library program: A City's Center: Rethinking Downtown.

For years now, I have wanted to include more information on the land use planning page of the City's website. Now that we have an Assistant Planner, this can (in theory) slowly become a reality. Note the "How do I..." section on the land use planning page. In the long run, I hope this will save staff time, since common questions can be answered here.

Conducted a pre-application meeting in regards to a change of use proposal at 125 S. 13th Street (i.e., Elks Veterans Bunker).

The County is adopting rules in regards to marijuana uses in the County. As a potentially impacted property owner, the City received notice of the public hearing for this. **See attached.** A draft of the County's proposed land use rules for this can be found here:

<http://www.co.columbia.or.us/departments/land-development-services/lds-planning>

Assisted Chuck Daughtry, Executive Director CCET with some business recruitment outreach efforts.

DEVELOPMENT CODE ENFORCEMENT

Working with neighbors and the property owner on S. 15th Street regarding a shed issue (too close to property line). Hoping this will be remedied without official notice/enforcement action.

PLANNING COMMISSION (& *acting* HISTORIC LANDMARKS COMMISSION)

September 8, 2015 meeting (outcome): A Conditional Use Permit for 31 Cowlitz (Muckle Building) was approved. The Commission also recommended approved to the Council for the amendments to the Houlton Business District zone and some of the amendments related to recreational vehicles.

The Commission also recommended (4-0 vote) that the Council develop a wayfinding plan and that the funding source for such could be from tourism funds.

October 13, 2015 meeting (upcoming): Deliberations for the Conditional Use Permit for 31 Cowlitz (Muckle Building) need to be re-done due to procedural error. A public hearing will be held for an Access Variance for 35732 Hankey Road. The Commission will review a Verizon antennae proposal on the County Courthouse building for constancy with the Riverfront

District's Architectural Guidelines. Commissioner term expiration will be discussed. Other matters may be discussed.

HISTORIC PRESERVATION

Last year ([see attached memo](#)) the Oregon State Historic Preservation (SHPO) staff worked on a resurvey the St. Helens Downtown Historic District. I was contacted by them this month as the project is reaching a conclusion. More information about the results to come soon.

The Commission scored the applications for the city's Historic Preservation Rehabilitation Grant program.

GEOGRAPHIC INFORMATION SYSTEMS (GIS)

Routine data updates.

MAIN STREET PROGRAM

Anya Mouhca, this year's Main Street Program/Community Coordinator, started this month. We did some typical orientation stuff as for any new employee and as required by the RARE program.

I attended the SHEDCO Board of Directors meeting on September 24, 2015 at the Kozy Korner Diner.

ASSISTANT PLANNER—*In addition to routine tasks, the Assistant Planner has been working on:*
[See attached.](#)

NOTICE OF LAND USE ACTION

(Required by Measure 56, effective 1997)

This is to notify you that Columbia County Board of Commissioners is proposing land use regulations that will affect the permissible uses of your land. The proposed regulations pertain to the definitions, allowable zoning district locations, review processes, and applicable standards for commercial marijuana uses in unincorporated Columbia County. Our records indicate you own land in a zoning district that may be affected by proposed land use regulations relating to commercial marijuana uses.

On October 5, 2015, at 6:30 p.m., the Columbia County Planning Commission will hold a public hearing regarding the adoption of amendments to the text of the Columbia County Zoning Ordinance relating to marijuana uses. The hearing will be held in Room 351 on the Third Floor of the Columbia County Courthouse, 230 Strand Street, St. Helens, Oregon.

Columbia County has determined that adoption of these Text Amendments will affect the permissible uses of your property, and may change the value of your property by allowing marijuana uses. The proposed amendments are to the text of the Columbia County Zoning Ordinance are to the following Sections:

| | |
|--|---|
| Section 100 General Definitions | Section 670 Existing Commercial (EC) |
| Section 300 Primary Agricultural (PA-80) | Section 800 Highway Commercial (C-5) |
| Section 400 Forest/Agriculture (FA-80) | Section 820 General Commercial (C-3) |
| Section 500 Primary Forest (PF-80) | Section 910 Industrial Park (M-3) |
| Section 600 Rural Residential (RR-5) | Section 920 Light Industrial (M-2) |
| Section 620 Rural Residential (RR-2) | Section 930 Heavy Industrial (M-1) |
| Section 650 Rural Community (RC) | Section 1803 Special Use Standards Commercial Marijuana Uses |

The proposed amendments, if adopted, will specify marijuana uses that are allowed in the above listed zoning districts, by what review process and according to what standards. The proposed amendments are available for inspection at the Columbia County Courthouse located in the Land Development Services Department, 230 Strand Street, St. Helens, Oregon; or, by visiting our website at <http://www.co.columbia.or.us/departments/land-development-services/lds-planning>. A copy of the proposed amendments are available at a reasonable cost.

For additional information concerning these amendments, you may call Todd Dugdale at the Columbia County Department of Land Development Services, at (503)397-7207 or Glen Higgins at (503) 397 7217.



CITY OF ST. HELENS PLANNING DEPARTMENT

MEMORANDUM

TO: Historic Landmarks Commission; HLC Councilor; Community Development Councilor
FROM: Jacob A. Graichen, AICP, City Planner
RE: St. Helens Downtown Historic District resurvey later this year
DATE: January 7, 2014

Recently (as announced last fall) the Oregon Historic Preservation Office (SHPO) is taking efforts to improve public support for the state's oldest historic districts. In the 1970s to the early 1980s several historic districts were created throughout the state and these are now considered Oregon's "oldest" historic districts. The St. Helens Downtown Historic District was placed in the National Register of Historic Places by the Department of the Interior on October 25, 1984. As such, our sole historic district is one of the states "oldest."

The effort in the 1980s included a 10 month research project and the district encompassed approximately 134 structures within a 47.5 acre area. Much has changed in the nearly 30 year time span since that original effort with some buildings being removed or altered, yet the district inventory narrative remains the same. In other words, the historic district inventory is dated.

Kuri Gill with SHPO recently contacted me stating that SHPO was willing to provide the resurvey service for us because of the age of district formation and their goals to support Oregon's "oldest." As this is something the St. Helens Historic Landmarks Commission has been discussing since its inception in 2008, this was great news. Here are some of the details as explained to me yesterday by phone:

- This would be a reconnaissance level survey performed by SHPO staff. Typically, this involves two teams of about 3 people each and one day of field work. There seems to be some opportunity for Historic Landmarks Commissioners to assist or at least shadow the working groups, if desired.
- Following the field work, SHPO staff would do the book stuff back in Salem.
- This would occur sometime this summer, when the weather is more hospitable and when SHPO usually has intern assistance.
- We would not be obligated to officially update the district information with the National Register, though if we chose to, the process does not sound as complicated as it could be (e.g., if we were changing the boundaries of the district). This would enable official updates.
- This would go onto a historic sites database.
- This will not cost the city anything; though SHPO would request that we notify property owners in advance so help avoid surprise or suspicion as to why people are "staking out" their property, particularly for residential properties.

The timing may work out with regards to the CLG grants. Our current one ends in August 2014 so we will have this updated inventory in time to think about the next CLG grant cycle we qualify for. The anticipated grant application deadline for that grant cycle would be February 2015. At this point I don't have all the details, but wanted to give you a heads up and write what I know in memo form while the conversation with Kuri is fresh in my mind. I officially said yes to SHPO's offer yesterday as it appears we have nothing to loose. FYI.

Jacob Graichen

From: Jennifer Dimsho
Sent: Tuesday, September 22, 2015 9:49 AM
To: Jacob Graichen
Subject: September Planning Department Report

Here are my additions to the September Planning Department Report.

1. Researched National Endowment of the Arts – “Our Town” Grant for Gateway Sculpture Phase 2. Decided the crowdfunding website Kickstarter may be a better fundraising route. Researched other Kickstarter campaigns for civic art projects, attended Phase 2 PH and ACC meeting
2. Kiwanis Club Presentation RE: Waterfront Redevelopment (8/27)
3. Worked on FAQs (property lines, fences, vision clearance) for Land Use Planning website
4. Discussed pros & cons of fee collection, campsites, care-taker, etc. for Sand Island Marine Park with Public Works/Parks Dept.
5. Attended meeting at Maul Foster & Alongi to discuss timeline and refine the Work Plan for the EPA Brownfield Area-Wide Planning grant
6. Participated in orienting the SH Public Library guest speaker Nan Laurence for Oregon Humanities Conversation Project RE: Downtowns
7. Updated Waterfront Redevelopment Project website with new materials and content
8. New STIP deadline announced Nov. 20 – Prepared and submitted Pre-Proposal which included Corridor Master Plan attachments and planning-level cost estimates to our Region representative for the St. Helens Pedestrian and Transit Stop Improvement Package (Partnering with CC Rider). Researched changes in guidelines and began responding to Enhance Proposal narrative questions
9. Helped orient Anya, the new RARE AmeriCorps Community Coordinator
10. Wrote draft of Waterfront Redevelopment Project feature for the Fall Gazette
11. Coordinated PC scoring and selected final CLG Historic Preservation grant applicants. Sent top 4 applications off to SHPO for approval
12. McCormick Park Pedestrian Bridge drawings approved for fabrication/shipment

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