

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

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

Members Absent: Kathryn Lawrence, Commissioner

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

Councilors Present: Ginny Carlson, City Council Liaison

Others Present: Mark Cooper
Shane Welliver

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

Commissioner Semling moved to approve the minutes of the November 10, 2015 Planning Commission meeting. Vice Chair Cary seconded the motion. Motion carried with all in favor. And Chair Petersen did not vote as per operating rules.

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Topics From The Floor

Mark Cooper lives at 125 N. 13th Street. He discussed the service station at 13th St. and Columbia Blvd (previously Outlaw Exhaust). When this muffler business was originally proposed, he was notified of the proposal. The proposal had a site plan with the proposed parking areas and landscaping, but none of it was followed. There are always derelict vehicles that remain on the property. They work very loudly past 5 p.m. and sometimes past 9 p.m. Cooper said he could understand the noise if they worked 8 a.m. - 6 p.m., but 9 p.m. is late for loud, automotive noise right next to a neighborhood. It has changed ownership many times over the years. He thinks it is going to change ownership again and would like his comments to be on the record for any new proposal.

City Planner Jacob Graichen explained the business was approved through a Conditional Use Permit. In the past meeting minutes, the Commission agreed during deliberations there was not enough public testimony to justify limiting hours of operation. Graichen said over the years there have been many code enforcement issues, like unscreened tire storage and parking within the landscaping strip. The issues with vision clearance are difficult to fix because the right-of-way is large and it is an odd-shaped lot. With a new proposal, the Commission and staff will be more cautious with the parking plan to ensure adequate vision clearance.

The Commission thanked Cooper for getting his testimony on the record.

Acceptance Agenda: Planning Administrator Site Design Review:

- a. Site Design Review at 200 Port Ave. – Port of St. Helens

Graichen said the Site Design Review decision at 200 Port Ave. is being appealed to the City Council, so the Commission does not need a motion to accept the acceptance agenda.

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Findings of Fact & Conclusions of Law:

- a. Conditional Use Permit at 1771 Columbia Blvd. – Jennifer Plahn

Graichen discussed the draft Findings of Fact & Conclusions of Law which were included in the packet. Chair Petersen said the Comprehensive Plan Goal related to General Commercial zones was not included in the findings, only the policy was. Graichen said he could incorporate the Comprehensive Plan General Commercial Goal 19.12.70 (1) text into finding (f).

Chair Petersen mentioned that the “determination of similar use” was alluded to at the bottom of page four, but it didn’t say outright that the Commission was utilizing this determination. The Commission decided that this would not be necessary.

MOTION

Commissioner Cohen moved to approve the Findings of Fact & Conclusions of Law with the addition of the Comprehensive Plan General Commercial Goal 19.12.70 (1) into finding (f). Webster seconded. All in favor; none opposed; motion carries.

Vice Chair Cary moved to have Chair Petersen sign the Findings of Fact & Conclusions of Law once prepared. Commissioner Webster seconded. All in favor; none opposed; motion carries.

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Earth Removal, Trail Development, & Housekeeping Text Amendments Discussion

Graichen said there will be a formal review of the text amendments and a public hearing at the January meeting for a recommendation to the Council. He discussed the text amendments memo, which was included in the packet.

Chair Petersen asked if the proposed trails map included local street routes. Assistant Planner Jennifer Dimsho clarified that the proposed trail routes did not consider local streets. Instead they included off-street routes on undeveloped private land, public land or within undeveloped right-of-way.

Graichen explained that the requirement for trail right-of-way (and possible construction cost) would occur during an application for a subdivision, land partition, site development review, or conditional use permit. He also noted this requirement would be subject to current case law and constitutional limits.

Commissioner Cohen does not want the required trail development to be an unfair financial burden on developers. Graichen said it is much easier to argue for trail right-of-way dedication or construction for large developments, like subdivisions. Commissioner Cohen said it makes sense to have this requirement for major developments like subdivisions, but a single family dwelling should not have to put aside thousands for a trail through their property. On the other hand, Vice Chair Cary noted that trail development is historically underfunded, so if smaller developments had to chip in, funding a new trail may be much easier. Commissioner Cohen just wants the process to be fair.

Commissioner Hubbard asked if all new development would have to pay for trail construction. Dimsho said no, only the developers who have property that include proposed trails on the map included in Chapter 6 of the Parks & Trails Master Plan would be subject to the rules.

Chair Petersen suggested defining trails as a public improvement in the engineering standards (similar to street trees) so that they can be bonded. Graichen said he would look into Title 18 Engineering Standards to see if any additional text changes would be necessary to allow trails to be bonded public improvements.

Commissioner Webster made a small word change to the sign amendment to help with clarity. Graichen will incorporate her suggestion into the text amendment.

Commissioner Cohen asked about the earth removal changes. Graichen discussed how the changes relate to lessons learned from the Earth Removal Land Use Board of Appeals (LUBA) case last year. Graichen explained that the text changes were suggested and approved by the City attorney.

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Planning Director Decisions

- a. Sign Permit (Wall) at 445 Port Ave. – Comcast
- b. Temporary Use Permit at 1300 Kaster Rd. – Cascade Tissue Group
- c. Home Occupation (Type I) at 370 N. Vernonia Rd. - Mobile automobile service
- d. Home Occupation (Type I) at 59555 Clinton St. - Cleaning service
- e. Sign Permit (Banner) at 2100 Block of Columbia Blvd. – St. Helens Police Donut Day
- f. Home Occupation (Type I) at 205 S. 4th Street – Tree service
- g. Sign Permit at 244 N 14th Street – Crest Apartments II Limited Partnership
- h. Sign Permit at 345 N 16th Street – Woodland Trail Apartments Limited
- i. Sign Permit at 184 Bradley Street – Norcrest II Limited Partnership

There were no comments.

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Planning Department Activity Reports

There were no comments.

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For Your Information Items

Graichen said in 1997, there was a petition to require a vote by the general public for annexations in the City's Charter. Scappoose eliminated a similar requirement with the reasoning that the voting process wastes time, money, and annexations have never been turned down. Graichen said he tends to agree with these reasons. There are very few cities that have this voting requirement in their charters. He explained that this is not necessarily a land use issue, but sometimes City Council likes to know what the Planning Commission thinks about certain issues.

Commissioner Semling could understand requiring a vote if the Planning Commission did not review annexations, but since they do, it seems excessive.

Commissioner Cohen said the petition to make annexations require a vote was triggered by fears of potential annexation of parts of Columbia City in the 90s. He explained that residents did not want to grow too quickly. Chair Petersen said the petition may have also been related to the McNulty Water District debate.

Vice Chair Cary said his family never votes on the annexations because they don't really understand what they are anyways.

Commissioner Cohen feels that the City has outgrown the need for a general vote on annexations, but there should be ample public outreach if the voting power is to be eliminated. The Commission agrees.

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There being no further business before the Planning Commission, the meeting was adjourned at 8:03 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	P	P	P	P	P	P	P
11/10/15	P	P	P	P	P	P	P
12/08/15	P	P	A	P	P	P	P