

# **City of St. Helens**

## **Planning Commission**

### **January 12, 2016**

### **Agenda**

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1. **7:00 p.m. Call to Order and Flag Salute**
2. **Consent Agenda**
  - a. Planning Commission Minutes December 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. - Annexation at 35092 Pittsburg Rd. - James Julian
  - b. 7:30 p.m. - Text Amendments - City-wide - City of St. Helens
5. **Acceptance Agenda: Planning Administrator Site Design Review:**
  - a. Site Design Review at 1965 Old Portland Road – Indoor nursery, greenhouse
6. **End of Year Summary Report**
7. **Planning Director Decisions:** (previously e-mailed to the Commission)
  - a. Partition at Lot 17, Block 5, N. 13<sup>th</sup> Street - LaGrand Townhomes, LLC
  - b. Home Occupation (Type I) at 324 N 11<sup>th</sup> St. Unit C – Home office for lawn service
  - c. Home Occupation (Type I) at 2545 Columbia Blvd #5 – Home office for cleaning service
9. **Planning Department Activity Reports**
  - a. December 29, 2015
10. **For Your Information Items**
11. **Next Regular Meeting: February 9, 2016**

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### **Adjournment**

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# 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.

□

#### **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.

□

#### **Topics From The Floor**

Mark Cooper lives at 125 N. 13<sup>th</sup> Street. He discussed the service station at 13<sup>th</sup> 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.

□

### **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.

□

### **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.

## **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. 4<sup>th</sup> Street – Tree service
- g. Sign Permit at 244 N 14<sup>th</sup> Street – Crest Apartments II Limited Partnership
- h. Sign Permit at 345 N 16<sup>th</sup> Street – Woodland Trail Apartments Limited
- i. Sign Permit at 184 Bradley Street – Norcrest II Limited Partnership

There were no comments.

## **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.

□

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

**CITY OF ST. HELENS PLANNING DEPARTMENT**  
**STAFF REPORT**  
**Annexation A.1.14**

**DATE:** December 15, 2015  
**TO:** Planning Commission  
**FROM:** Jacob A. Graichen, AICP, City Planner  
Jennifer Dimsho, Assistant Planner

**APPLICANT:** James Julian  
**OWNER:** James Julian & Sandra Horan

**ZONING:** Columbia County's Single-Family Residential, R-10  
**LOCATION:** 4N1W-5BC-7600; 35092 Pittsburg Rd.  
**PROPOSAL:** The property owner filed consent to annex to allow connection to the City's sanitary sewer system

**The 120-day rule (ORS 227.178) for final action for this land use decision is** n/a [Clark v. City of Albany, 142 Or App 207, 921 P2d 406 (1996)].

**SITE INFORMATION / BACKGROUND**

The subject property lies on the south side of Pittsburg Rd. between N. Vernonia Rd. and Oak Ridge St. The site is about 1.8 acres, developed with a detached single family dwelling and a detached garage built around 1935. It has street access to Pittsburg Rd. on the north and frontage along Helens Way to the south.

On Pittsburg Rd, the property lacks right-of-way frontage improvements such as sidewalk, curb and streetscape. On Helens Way, both the street and the street frontage are only partially developed, with about 25 to 30 feet of undeveloped Helens Way right-of-way and only a curb along part of the subject property. There is also a Bonneville Power Administration easement for a transmission line through the southern portion of the property.

**PUBLIC HEARING & NOTICE**

Hearing dates are as follows:

January 12, 2016 before the Planning Commission  
February 3, 2016 before the City Council

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on December 23, 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 December 30, 2015. Notice was sent to the Oregon Department of Land Conservation and Development on December 8, 2015 via e-mail.

## APPLICABLE CRITERIA, ANALYSIS & FINDINGS

### SHMC 17.08.040 (1) – Quasi-judicial amendment and standards criteria

- (a) A recommendation or a decision to approve, approve with conditions, or to deny an application for a quasi-judicial amendment shall be based on all of the following standards:
  - (i) The applicable comprehensive plan policies and map designation; and that the change will not adversely affect the health, safety, and welfare of the community; and
  - (ii) The applicable Oregon Statewide Planning Goals adopted under ORS Chapter 197, until acknowledgment of the comprehensive plan and ordinances; and
  - (iii) The standards applicable of any provision of this code or other applicable implementing ordinance.
- (b) Consideration may also be given to:
  - (i) Any applicable evidence of change in the neighborhood or community or a mistake or inconsistency in the comprehensive plan or zoning map as it relates to the property which is the subject of the development application.

**Discussion:** (a)(i) The Comprehensive Plan designation for the subject property is Rural Suburban Unincorporated Residential, RSUR. Applicable designation and zoning district for annexation are discussed later.

There is no known conflict with the general Comprehensive Plan policies identified in Chapter 19.08 SHMC. Note that SHMC 19.08.030 discusses public services and facilities and includes utility provisions (e.g., water and sewer) as well as services such as police and library. In sum, all services are intertwined; the consent to annexation allows connection to City sewer to support existing and future development on the subject property, and, once annexed, all other City services/facilities. By this process, the proposal complies with this aspect of the Comprehensive Plan.

There is no known conflict with the specific Comprehensive Plan policies identified in Chapter 19.12 SHMC.

There is no known conflict with the addendums to the Comprehensive Plan which includes Economic Opportunities Analysis (Ord. No. 3101), Waterfront Prioritization Plan (Ord. No. 3148), the Transportation Systems Plan (Ord. No. 3150), the Corridor Master Plan (Ord. No. 3181), and the Parks & Trails Master Plan (Ord. No. 3191).

Finally, there is no evidence that this proposal will be contrary to the health, safety and welfare of the community.

(a)(ii) The City's Comprehensive Plan has been adopted by the State, thus, the applicable Oregon Statewide Planning Goals adopted under ORS Chapter 197 do not need to be analyzed per this section.

(a)(iii) Other provisions applicable to this proposal are discussed elsewhere herein. In addition, Section 3 of the City's Charter states that "annexation, delayed or otherwise, to the City of St. Helens, may only be approved by a prior majority vote among the electorate."



**(b)** There is no evidence of a change in neighborhood, or mistake or inconstancy in the Comprehensive Plan or Zoning Map.

**Finding:** The quasi-judicial amendment and standards criteria are met.

### **SHMC 17.08.060 – Transportation planning rule compliance**

- (1) Review of Applications for Effect on Transportation Facilities. A proposed comprehensive plan amendment, zone change or land use regulation change, whether initiated by the city or by a private interest, shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-012-0060 (the Transportation Planning Rule (“TPR”). “Significant” means the proposal would:
  - (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
  - (b) Change standards implementing a functional classification system; or
  - (c) As measured at the end of the planning period identified in the adopted transportation system plan:
    - (i) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
    - (ii) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP; or
    - (iii) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.
- (2) Amendments That Affect Transportation Facilities. Comprehensive plan amendments, zone changes or land use regulations that significantly affect a transportation facility shall ensure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the TSP. This shall be accomplished by one or a combination of the following:
  - (a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.
  - (b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of OAR 660-012-0060.
  - (c) Altering land use designations, densities, or design requirements to reduce demand for vehicle travel and meet travel needs through other modes of transportation.
  - (d) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.
- (3) Traffic Impact Analysis. A traffic impact analysis shall be submitted with a plan amendment or zone change application, as applicable, pursuant to Chapter [17.156](#) SHMC.

**Discussion:** This section reflects State law regarding the Transportation Planning Rule (TPR): Transportation Planning Rule (TPR), OAR 660, Division 12. The TPR requires that where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures to assure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility. *Current zoning of the property is Columbia County’s R-10 and the City zoning options given annexation is R7 or R10. Both zoning districts are residential and allow some non residential uses (e.g., churches/religious assembly).*

Generally, when comparing potential land use impact on transportation facilities, the *reasonable worst case scenario* for the existing and proposed designation/zone are considered. The potential land uses are very similar for both the City and County; the City's zoning is comparable with the County's with regards to the possible intensity of uses allowed and potential vehicular trips generated. Thus, this proposal will not affect an existing or planned transportation facility.

**Finding:** No transportation facility will be significantly affected by this proposal. No traffic impact analysis is warranted.

#### **SHMC 17.28.030 (1) – Annexation criteria**

- (a) Adequate public facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area; and
- (b) Comply with comprehensive plan amendment standards and zoning ordinance amendment standards and not be in conflict with applicable comprehensive plan policies and implementing ordinances; and
- (c) Complies with state laws; and
- (d) Abutting roads must meet city standards or property owner will be required to sign and record an irrevocable consent to local improvement district; and
- (e) Property exceeding 10 acres in gross size must show a need on the part of the city for such land if it is designated residential (e.g., less than five years' supply of like designated lands in current city limits).

**Discussion:** (a) Currently, the site is not connected to either City water or McNulty PUD water. The City's water system is within the Pittsburg Road right-of-way, adjacent to the subject property. City law states "all water users in the city whose closest property line is within 160 feet of a city water main shall be connected to the city water system." In this case, the property is well within 160 feet of a water main.

The City's current water capacity is 6 million gallons/day and the peak flow, usually in the summer, is 3 to 4 million gallons/day. Additionally, the City has the capacity of approximately 10 million gallons to meet future demands. Any additional uses that occur on the subject property can be accommodated by the City's municipal water system as infrastructure has substantial capacity available.

Connection to the City's sanitary sewer is the catalyst for this annexation. In early February 2014, the applicant paid all necessary connection fees to connect to the City's sewer system. By late February 2014, Columbia County certified that the property had decommissioned the existing septic tank.

With regards to capacity, the City's waste water treatment plant currently has the capacity (physically and as permitted by DEQ) to handle 50,000 pounds of Biochemical Oxygen Demand (BOD), which is the "loading" or potency of the wastewater received by the plant. The average daily BOD is well below this at only 1,500 pounds. Thus, any potential uses that occur on the subject property can be accommodated by the City's sanitary sewer system as infrastructure is in place or can be upgraded and there is substantial capacity available.

As described above, this proposal poses no significant affect on a transportation facility.

Adequate public facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area.

**(b)** The existing land use of the subject property is a detached single-family dwelling. This land use would be permitted in the city zoning district (R10 or R7) that takes effect once annexation is completed.

There is no known conflict with the Comprehensive Plan and implementing ordinances.

**(c) With regards to Oregon Revised Statutes (ORS), city annexations of territory must be undertaken consistent with ORS 222.111 to 222.183.**

Pursuant to ORS 222.111(1), a City may only annex territory that is not within another City, and the territory must either be contiguous to the annexing City or be separated from the City only by a body of water or public right-of-way. The subject property is not within another City's jurisdiction and City of St. Helens corporate limits lies on three sides of the subject property.

Although undertaking an annexation is authorized by state law, the manner in which a city proceeds with annexation is also dictated in the city charter. ORS 222.111(1) references a city's charter as well as other ORS. St. Helens' Charter requirements pertaining to annexations are noted above.

Per ORS 222.111(2) an annexation may be initiated by the owner of real property or the city council. This annexation request was initiated by the property owners.

Further, ORS 222.125 requires that that all property owners of the subject property to be annexed and at least half of the electors residing on the property consent in writing to the annexation. These documents were submitted with the annexation application.

**ORS 197.175(1) suggests that all annexations are subject to the statewide planning goals.** The statewide planning goals that could technically apply or relate to this proposal are Goals 1, 2, 11 and 12.

- ***Statewide Planning Goal 1: Citizen Involvement.***  
*Goal 1 requires the development of a citizen involvement program that is widespread, allows two-way communication, provides for citizen involvement through all planning phases, and is understandable, responsive, and funded.*

Generally, Goal 1 is satisfied when a local government follows the public involvement procedures set out in the statutes and in its acknowledged comprehensive plan and land use regulations.

The City's Development Code is consistent with State law with regards to notification requirements. Pursuant to SHMC 17.20.080 at least one public hearing before the Planning Commission and City Council is required. Legal notice in a newspaper of general circulation is also required. The City has met these requirements and notified DLCD of the proposal.

- ***Statewide Planning Goal 2: Land Use Planning.***

*This goal requires that a land use planning process and policy framework be established as a basis for all decisions and actions relating to the use of land. All local governments and state agencies involved in the land use action must coordinate with each other. City, county, state and federal agency and special districts plans and actions related to land use must be consistent with the comprehensive plans of cities and counties and regional plans adopted under Oregon Revised Statutes (ORS) Chapter 268.*

Generally, Goal 2 requires that actions related to land use be consistent with acknowledged Comprehensive Plans and coordination with affected governments and agencies and be based on an adequate factual base. The City has an adopted Comprehensive Plan, compliance of this proposal which is addressed herein. Moreover, explanation and proof of coordination with affected agencies and factual base are described herein, as well, including inventory, needs, etc.

- ***Statewide Planning Goal 11: Public Facilities and Services.***

*Goal 11 requires cities and counties to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. The goal requires that urban and rural development be "guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable and rural areas to be served."*

City water and sewer capacities are adequate to serve the subject property. This is explained above. Moreover, there is no evidence that adequate infrastructure cannot be made available to serve the annexed area if redeveloped. The existing development is adequately served.

- ***Statewide Planning Goal 12: Transportation.***

*Goal 12 requires cities, counties, metropolitan planning organizations, and ODOT to provide and encourage a "safe, convenient and economic transportation system." This is accomplished through development of Transportation System Plans based on inventories of local, regional and state transportation needs. Goal 12 is implemented through OAR 660, Division 12, also known as the Transportation Planning Rule ("TPR"). The TPR contains numerous requirements governing transportation planning and project development.*

Traffic impacts and the City's provisions that address the TPR are explained above. This proposal will not significantly affect an existing or planned transportation facility.

**(d)** The subject property abuts two streets: Pittsburg Road and St. Helens Way. Pittsburg Road is improved (asphalt) but lacks frontage improvements such as sidewalk and curb along the subject property's frontage. City standards require such improvements.

The Helens Way right-of-way adjacent to the subject property is only partially improved. There is about 25 to 30 feet of unimproved right-of-way with a vehicle blockade between the two developed portions of Helens Way. The Helens Way street frontage is also only partially developed, with only a curb along part of the property. City standards require such improvements.

***However, this property is not the subject of a current development land use review, which provides the legal nexus and proportionality to require such improvements.*** As such, the only option is for the property owner to be required to sign and record an irrevocable consent to local improvement district, though, the applicant could improve the frontages if desired.

The City's Transportation Systems Plan designates Pittsburg Road as a Minor Arterial and if improved, would be subject to Minor Arterial standards. The existing right-of-way width is about 30 feet from centerline and is sufficient for this classification of street, thus, if the property is improved or divided, right-of-way dedication would not be necessary for Pittsburg Road. Helens Way is designated as a Local Street and is subject to Local Street standards. The existing right-of-way width varies, with the narrowest width at only approximately 32 feet wide. Thus, if the property is improved or divided, right-of-way dedication would likely be required to meet the 50 foot minimum width standard for Local Streets.

(e) The subject property is designated residential but is only approximately 1.8 acres in size. Thus a needs analysis is not necessary.

**Finding:** The annexation approval criteria are met for this proposal.

#### **SHMC 17.28.030 (2) – Annexation criteria**

The plan designation and the zoning designation placed on the property shall be the city's zoning district which most closely implements the city's comprehensive plan map designation.

**Discussion:** The Comprehensive Plan designation is currently Rural Suburban Unincorporated Residential, RSUR. Upon annexation, the Comprehensive Plan designation would thus be (incorporated) Suburban Residential, SR. Given the subject property's size (<2 ac.), there are two zoning options:

- 1) Suburban Residential, R10
- 2) Moderate Residential, R7

**Finding:** The subject property shall be designated Suburban Residential, SR and zoned Suburban Residential, R10 or Moderate Residential, R7 upon annexation depending on the determinations of the Commission and Council.

#### **SHMC 17.112.020 – Established & Developed Area Classification criteria**

- (1) Established Area.
  - (a) An "established area" is an area where the land is not classified as buildable land under OAR 660-08-0005;

- (b) An established area may include some small tracts of vacant land (tracts less than an acre in size) provided the tracts are surrounded by land which is not classified as buildable land; and
  - (c) An area shown on a zone map or overlay map as an established area.
- (2) Developing Area. A “developing area” is an area which is included in the city’s buildable land inventory under the provisions of OAR except as provided by subsection (1)(b) of this section.

**Discussion:** OAR 660-008-0005 generally defines “Buildable Land” as vacant residential property not constrained by natural hazards or resources, and typically not publicly owned. There are no inventoried or known natural hazards on the subject property. It is also privately owned and underdeveloped (i.e., a greater density is possible). As such, the subject property can be classified as a “developing area.”

**Finding:** The subject property should be designated as “developing” in accordance with SHMC 17.112.

### **CONCLUSION & RECOMMENDATION**

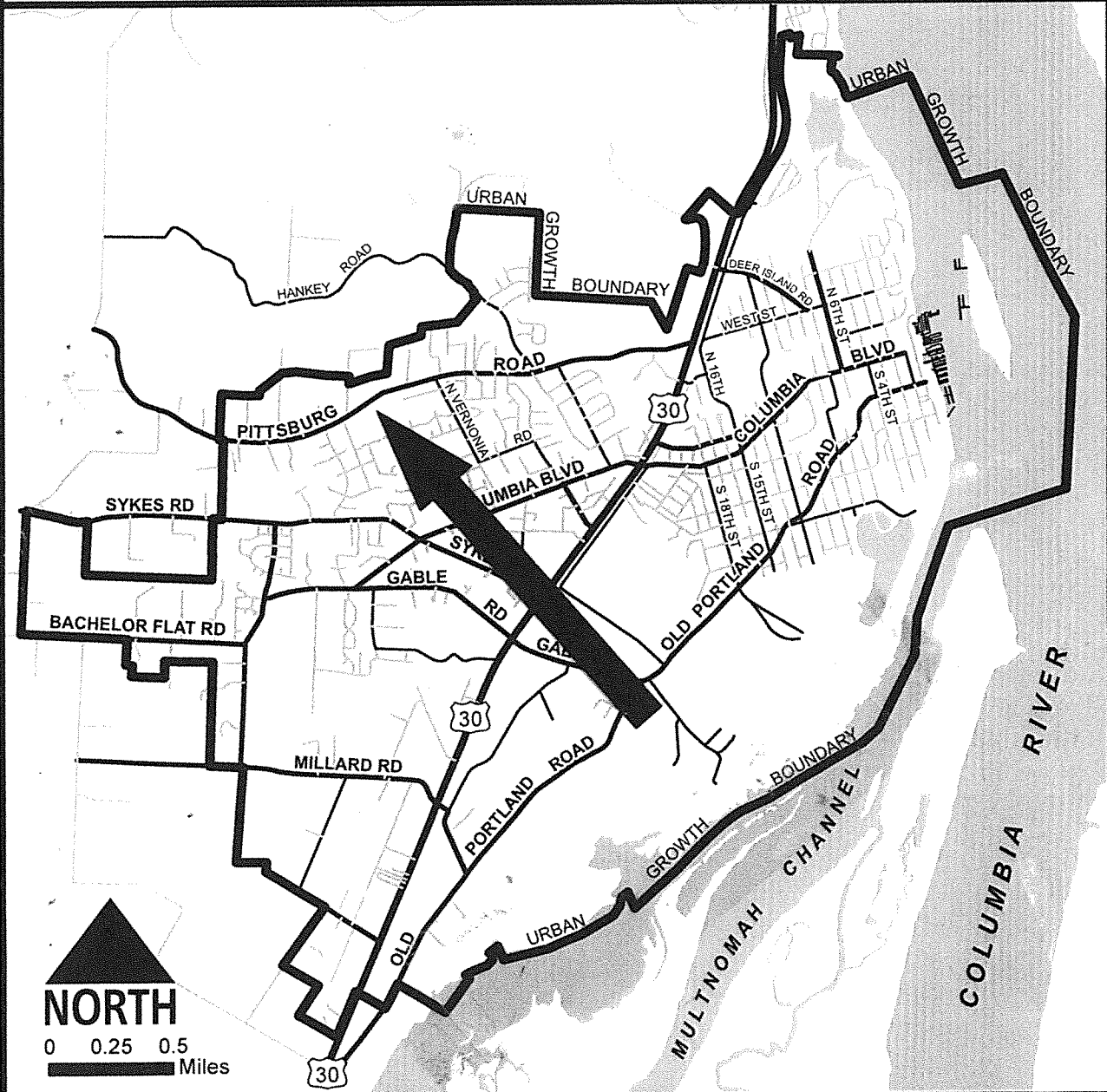
**Based upon the facts and findings herein, staff recommends approval of this annexation and that upon annexation, the subject property have a Comprehensive Plan designation of Suburban Residential, SR, and be zoned Suburban Residential (R10) or Moderate Residential (R7) and designated as “developing.”**

**\*\*This annexation will also be subject to voter approval subsequent to this land use process.\*\***

**Attachment(s):** Area Map  
Aerial Map  
Legal Description Map  
Legal Description  
Comparison of R10 and R7 Zones Table

# SUBJECT PROPERTY

~ Approximate Location ~

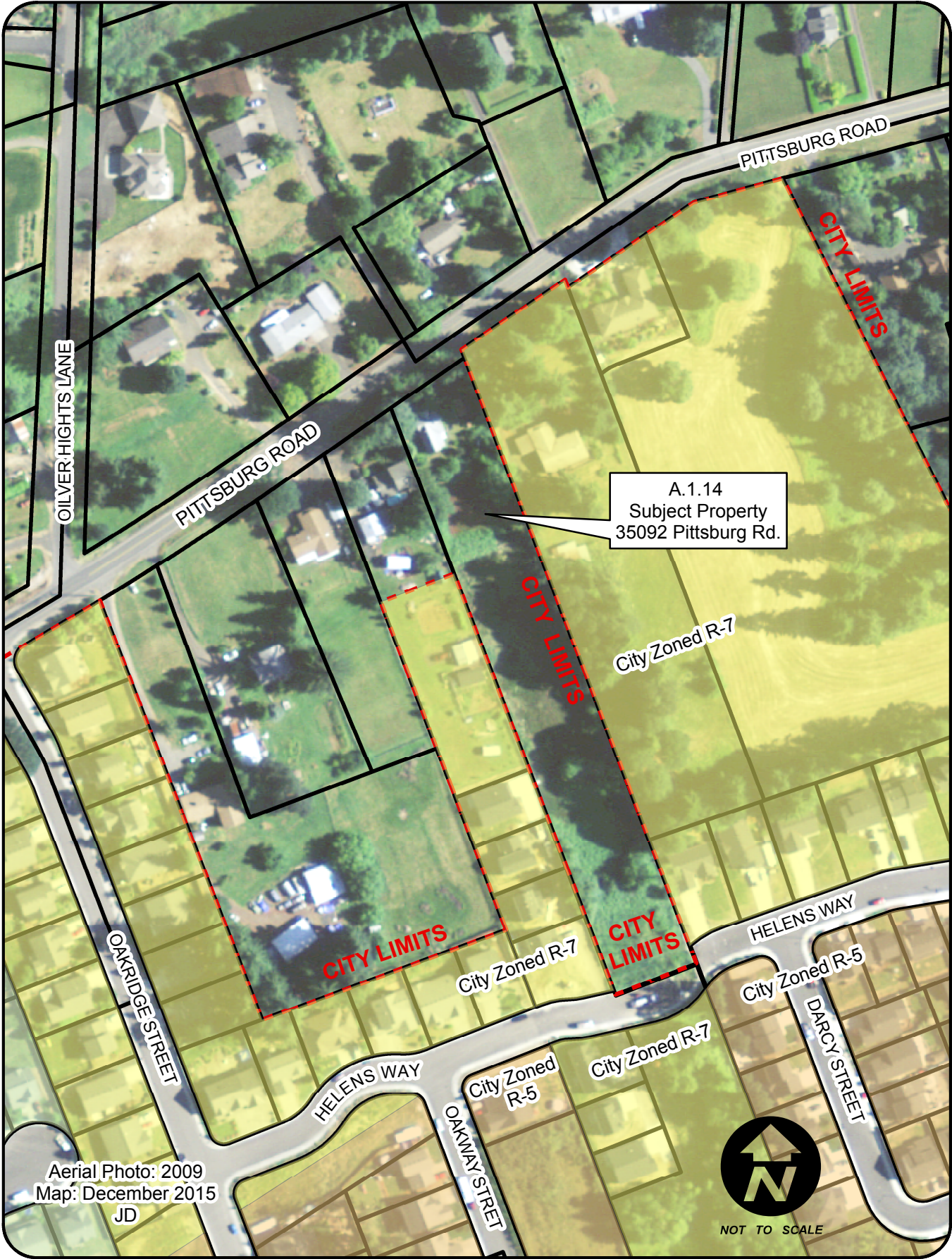


City of St. Helens Urban Growth Boundary Area Vicinity

jag/Dec. 2013



# Annexation A.1.14 Aerial Map





2-0

2-01

CS# 99-14  
CS# 841

20

1991-

14

DARCY

5100 \ /

## Legal Description

Beginning at the Northwest corner of Partition Plat No. 1991-14, Columbia County, Oregon;

Thence South  $22^{\circ}38'00''$ E 10.27 feet to the **True Point of Beginning**;

Thence South  $22^{\circ}38'00''$ E 799.51 feet;

Thence South  $67^{\circ}22'00''$ W 106.6 feet;

Thence North  $22^{\circ}38'00''$ W 777.01 feet to the south side of the Pittsburg—St. Helens Road (County Road No. 94) right-of-way;

Thence North  $53^{\circ}19'49''$ E along said Southerly right-of-way line 109.5 feet to the **True Point of Beginning**.

<b>Zoning District:</b>	<b><u>R10</u></b>	<b><u>R7</u></b>
<b>Density:</b>	low	med
<b>Minimum Lot Size (square ft):</b>	10,000	7,000
<b>Lot Dimensions:</b>	large	med
<b>Max Lot Coverage:</b>	35%	35%
<b>Max Building Height:</b>	35'	35'

**PERMITTED USES:**

Home Child Care	Y	Y
Home Occupations	Y	Y
Public Facility, Minor	Y	Y
Public Park	Y	Y
Residential Facility	Y	N
Residential Home	Y	Y
Single Family Dwelling, Detached	Y	Y

**CONDITIONAL USES:**

Auxiliary Dwelling Units	Y	Y
Bed & Breakfast, Homestay, Boarding House	Y	N
Children's Day Care/Day Nursery	Y	Y
Cultural Exhibits & Library Services	Y	N
Community Recreation Including Structures	N	Y
Duplex	N	Y
Neighborhood Store/Plaza	N	Y
Elderly/Convalescent Home (Care Facility)	Y	Y
Private Park	Y	Y
Public Facility, Major	Y	Y
Public Safety Facility	Y	Y
Religious Assembly	Y	Y

This table is not a substitute for the Development Code and is for general comparison only. January 2014

**CITY OF ST. HELENS PLANNING DEPARTMENT  
STAFF REPORT  
St. Helens Comprehensive Plan Amendments ZA.3.15**

**DATE:** December 22, 2015  
**TO:** Planning Commission  
**FROM:** Jacob Graichen, City Planner  
Jennifer Dimsho, Assistant Planner  
**APPLICANT:** City of St. Helens  
**PROPOSAL:** Amendments to the development code regarding clarifying uses in the HI zone, general housekeeping amendments, and amendments to help facilitate off-street trail development in accordance with the recently adopted Parks & Trails Master Plan.

**The 120-day rule (ORS 227.178) for final action for this land use decision is not applicable.**

**BACKGROUND**

**These code amendments can be broken down into three parts.**

One aspect clarifies definitions and use in the HI zone as it applies to excavation, mining and natural mineral resources development. It also addresses dated Oregon Revised Statue reference.

Another aspect will help facilitate the development of the trail proposals identified in Chapter 6 of the Parks and Trails Master Plan (“the Plan”). The Plan was adopted in January 2015 and updated the 1999 Parks Master Plan. It was the first Master Plan in St. Helens to examine the existing trail inventory and propose trail route recommendations.

The other aspect are general “housekeeping” amendments.

**PUBLIC HEARING & NOTICE**

Hearing dates are as follows: January 12, 2016 before the Planning Commission and January 20, 2016 before the City Council.

Notice was published in the The Chronicle on December 30, 2015. Notice was sent to the Oregon Department of Land Conservation and Development (DLCD) on December 8, 2015. Notice was sent to agencies by mail or e-mail on December 23, 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

### SHMC 17.20.120(1) – Standards for Legislative Decision

The recommendation by the commission and the decision by the council shall be based on consideration of the following factors:

- (a) The statewide planning goals and guidelines adopted under ORS Chapter 197, including compliance with the Transportation Planning Rule, as described in SHMC 17.08.060;
- (b) Any federal or state statutes or guidelines found applicable;
- (c) The applicable comprehensive plan policies, procedures, appendices and maps; and
- (d) The applicable provisions of the implementing ordinances.

#### (a) Discussion:

The statewide planning goals that technically apply or are related to this proposal are Goal 1, Goal 2, Goal 5, Goal 8, and Goal 11.

#### **Finding: Statewide Planning Goal 1: Citizen Involvement.**

*This goal requires the development of a citizen involvement program that is widespread, allows two-way communication, provides for citizen involvement through all planning phases, and is understandable, responsive, and funded.*

Generally, Goal 1 is satisfied when a local government follows the public involvement procedures set out in the statutes and in its acknowledged comprehensive plan and land use regulations.

The City's Development Code is consistent with State law with regards to notification requirements. Pursuant to SHMC 17.20.080 at least one public hearing before the Planning Commission and City Council is required. Legal notice in a newspaper of general circulation is required too. The City has met these requirements and notified DLCD of the proposal.

The public engagement process for the Parks and Trails Master Plan was very comprehensive. There were over 15 input gathering sessions that began in October 2013 with the Parks Commission, the Bicycle and Pedestrian Commission, and the Planning Commission, all of which were open to the public. Current park and trail levels of satisfaction were collected through a month-long, online survey, the results of which are memorialized in the Needs Assessment in Chapter 5. A well-attended Parks and Trails Public Forum was held on April 16, 2014 where residents were given a presentation of draft park and trail proposals and had the option to record their feedback publicly or complete a hardcopy comment worksheet. Additional park and trail feedback was gathered from various service groups, clubs, and one-on-one interviews throughout the planning process. More details about the public engagement process is listed in the Needs Assessment of Chapter 5 of the Parks and Trails Master Plan.

Given the substantial amount of public vetting for the Plan, scheduled public hearings, and notice provided, Goal 1 is satisfied.

**Finding: Statewide Planning Goal 2: Land Use Planning.**

*This goal requires that a land use planning process and policy framework be established as a basis for all decisions and actions relating to the use of land. All local governments and state agencies involved in the land use action must coordinate with each other. City, county, state and federal agency and special districts plans and actions related to land use must be consistent with the comprehensive plans of cities and counties and regional plans adopted under Oregon Revised Statutes (ORS) Chapter 268.*

The City and State (i.e., DLCD) coordinated with regard to the adoption of this proposal.

County-wide data and priorities from the Statewide Comprehensive Outdoor Recreation Plan (SCORP) 2013-2017 created by the Oregon Parks and Recreation Department (OPRD) were addressed in Chapter 5 of the Plan. City of St. Helens Comprehensive Plan consistency is addressed further below. There are no other known federal or regional documents that apply to this proposal.

Given the inclusion of local, state, regional and federal documents, laws, participation and opportunity for feedback as applicable, Goal 2 is satisfied.

**Finding: Statewide Planning Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces.**

*It is the purpose of this goal to protect natural resources and conserve scenic and historic areas and open spaces.*

Natural resource areas play an important role in the balance of an active and passive parks and recreation system. Many city parks contain natural areas that afford a passive recreational experience. There are also natural areas, such as Dalton Lake Recreation Area that play a critical role in the overall park system. The Parks and Trails Master Plan addresses these areas and identifies future projects that will enhance the overall natural resource system, supporting the intent of Goal 5. Therefore, Goal 5 is satisfied.

**Finding: Statewide Planning Goal 8: Recreational Needs**

*It is the purpose of this goal to satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of the necessary recreational facilities including destination resorts.*

The Parks and Trail Master Plan's purpose is to establish the long-term framework for enhancing the livability of the community for residents, employees, and visitors for the next 10-15 years. The provision of parks, trails, and recreation facilities and amenities is a crucial aspect of the Plan. Given that the development and implementation of the Plan plays a keystone role in satisfying the recreational needs of citizens of the state, and visitors to the community, Goal 8 is satisfied.

**Finding: Statewide Planning Goal 11: Public Facilities and Services**

*It is the purpose of this goal to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

Ensuring proposals for parks and recreation amenities are located at equal intervals and are easily accessible for all residents throughout the community has been an important consideration throughout the planning process. Namely, an identified need for parkland on the west side of US Highway 30 has been addressed through park project recommendations. Further, incorporating a Trails Master Plan into the Parks Master Plan has ensured the trail network proposals are efficiently arranged, taking into consideration the location of existing parks and future park projects. For these reasons, Goal 11 is satisfied.

**The proposed amendments to the St. Helens Comprehensive Plan are either consistent with the intent of the Statewide Goals, or the Goals are not applicable because the plan does not affect issues addressed by the Goal.**

**(b) Discussion:** This criterion requires analysis of any applicable federal or state statutes or guidelines. There are no applicable federal statutes.

In regards to the Parks and Trails Master Plan, the applicable state guideline is the 2013-2017 Oregon Statewide Comprehensive Outdoor Recreation Plan (SCORP). The SCORP is Oregon's five-year plan for outdoor recreation. It also provides guidance for Oregon Parks and Recreation Department (OPRD) grant programs. The OPRD supports the implementation of key statewide and local planning recommendations through partnerships and OPRD-administered grant programs.

In regards to other aspects of the proposed code amendments the definition of "surface mining," which references and outdated ORS citation is being eliminated as unnecessary.

**Finding:** County-wide data and priorities from the 2013-2017 SCORP were addressed in Chapter 5 of the Parks and Trails Master Plan. Specifically, Columbia County's top ranked recreation needs for the future as assessed by the SCORP's public involvement process are public access sites to waterways, soft surface walking trails and paths, and children's playgrounds made of natural materials. All these priorities are incorporated in the Plan's list of high priority park and trail projects.

**(c) Discussion:** This criterion requires analysis of applicable comprehensive plan policies, procedures, appendices, and maps. Organized by section, applicable Comprehensive Plan policies include:

**Finding: SHMC 19.08.040 Transit Policies**

(3)(g) *Plan and develop street routes to help alleviate Hwy 30's traffic load*

(3)(j) *Develop a plan for walking trails*

(3)(k) *Maintain, implement and update the bikeway plan*

The Parks and Trails Master Plan (an adopted addendum to the Comprehensive Plan) includes 18 mostly off-street trail route proposals totaling 10.17 miles, 3 bicycle and 3 pedestrian fitness routes that utilize existing pedestrian infrastructure, and a trail classification system with design trail feature examples. Full implementation of the on-street and off-street trail proposals may help to reduce US Highway 30's traffic load, by reducing the number of local trips that require a car. The Plan satisfies these criteria.

**Finding: SHMC 19.08.060 Natural Factors and Local Resources Policies**

- (3)(a) *Participate in resource management planning through participation in collective federal, State, and regional agency planning programs.*
- (3)(b) *Consider airshed and water resources capacities in reviewing all plans, ordinance and permits for land development actions.*
- (3)(e) *Encourage the preservation of those forest lands between Columbia City and St. Helens.*
- (3)(f) *Encourage the preservation, restoration, and functionality of the open space corridors or rezone to open space zone the following lands:*
  - (i) *The canyon-area adjoining Godfrey Park.*
  - (ii) *The unimproved gullies and creekbed systems.*
  - (iii) *The lands along significant riparian corridors and connecting wetlands.*
- (3)(g) *Direct development away from the Willamette River Greenway to the maximum extent possible; provided, however, lands committed to the urban uses within the Greenway shall be allowed to continue, and to intensify provided the activity is water-related or water-dependent. The City shall prohibit new non-water related or non-water dependent uses from within 150 feet of the Willamette River Greenway.*

Parks, open space designations, and hiking trails offer a way to preserve and restore the functionality of natural areas, while also offering substantial public benefit. Open space and natural areas provide opportunities for passive recreation and a place to gain a deeper appreciation for nature. The construction of low-impact hiking trails can guarantee that an open space corridor, like the unimproved gullies and valleys on the east side of Hwy 30 remain natural and will not be lost to future development. Likewise, developing Dalton Lake Recreation Area as a nature park as the plan suggests, will “encourage the preservation of the forested lands between Columbia City and St. Helens” and will encourage further restoration because of its nature park designation. The Plan satisfies these criteria.

**CONCLUSION & RECOMMENDATION**

**Based upon the facts and findings herein, staff recommends approval of the proposed text amendment to the Development Code.**

**Attachment(s):** Proposed text amendments  
Excerpt from Parks & Trails Master Plan (Chapter 6.3)



## CHAPTER 17.16 GENERAL AND LAND USE DEFINITIONS

### 17.16.010 General and land use definitions.

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

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

[...]

~~“Excavation” means removal or recovery by any means whatsoever of soil, rock, minerals, mineral substances, or organic substances other than vegetation, from water or land on or beneath the surface thereof, or beneath the land surface, whether exposed or submerged.~~

Excavation. The removal, placement, or replacement of earth or manmade materials as necessary to facilitate development of buildings and/or infrastructure, not including natural mineral resources development.

[...]

~~“Mining and/or quarrying” means the~~ The extraction of minerals including: solids, such as sand, gravel, rock, coal and ores; liquids, such as crude petroleum; and gases, such as natural gases. The term also includes quarrying; well operation; milling, such as crushing, screening, washing and flotation; and other preparation customarily done at the mine site or as part of a mining activity. See ~~“surface mining.”~~

[...]

~~Surface Mining. As per ORS 517.755(14)(a):~~

~~Surface Mining includes all or any part of the process of mining minerals by the removal of overburden and the extraction of natural mineral deposits thereby exposed by any method by which more than 5,000 cubic yards of minerals are extracted or by which at least one acre of land is affected within a period of 12 consecutive calendar months, including open-pit mining operations, auger mining operations, processing, surface impacts of underground mining, production of surface mining refuse and the construction of adjacent or off-site borrow pits (except those constructed for use as access roads).~~

[...]

## CHAPTER 17.24 PROCEDURES FOR DECISION-MAKING – QUASI-JUDICIAL

[...]

### **17.24.120 Notice of decision by the director.**

(1) Notice of the director's decision on an application pursuant to SHMC 17.24.090 shall be given by the director in the following manner:

(a) Within 10 working days of signing the proposed decision, notice shall be sent by mail to:

(i) The applicant and all owners or contract purchasers of record of the property which is the subject of the application for the following types of director decisions:

(A) Minor modifications to site design reviews ~~or conditional use permits~~;

(B) Nonconforming status;

(C) Sign permits;

(ii) All surrounding property owners of record of property within the applicable notice area of the property for the following types of director decisions:

(A) ~~Lot line adjustments, h~~Home occupations – Type I, unlisted uses: abutting properties;

(B) Lot line adjustments, Mmajor site design reviews, minor modifications to conditional use permits, home occupations – Type II, sensitive lands, temporary uses, accessory structures: 100 feet;

(C) Land partitions: 200 feet;

(D) Expedited land divisions: 300 feet.

(iii) For home occupations – Type II, see SHMC 17.120.060.

~~(iii)~~ (iv) Any governmental agency which is entitled to notice under an intergovernmental agreement entered into with the city which includes provision for such notice. For subject sites located adjacent to a state roadway or where proposals may have an impact on a state facility, notice of the decision shall be sent to ODOT; and

~~(iv)~~ (v) Any person who requests, in writing, and pays the required fee established by the council.

[...]

## CHAPTER 17.32 ZONES AND USES

[...]

### **17.32.140 Heavy Industrial – HI.**

[...]

(2) Uses Permitted Outright. In the HI zone the following buildings and uses are permitted after compliance with the provisions of this section and others of this code:

[...]

(i) Natural mineral resources development including necessary building, apparatus and appurtenances for rock, sand, gravel and mineral extraction and dredging, processing and stockpiling and all types of mineral recovery or mining, excluding smelters and ore reduction.

[...]

## **CHAPTER 17.88 SIGNS**

[...]

17.88.060 Commercial/industrial sign district.

[...]

(2) Maximum Sign Height.

[...]

(c) Pole signs permitted in the commercial/industrial sign district shall not exceed 24 feet in height ~~on the west side of Columbia River Highway (Highway 30) and, except such signs located along Milton Way between Port Avenue and Milton Creek shall not exceed 45 feet in height on the east side of Columbia River Highway (Highway 30) between Gable Road and Milton Creek Bridge on Milton Way.~~

[...]

## **CHAPTER 17.152 STREET AND UTILITY IMPROVEMENT STANDARDS**

[...]

### **17.152.175 Bikeways and off-street trails**

(1) Developments adjoining or containing proposed bikeways and off-street trails identified ~~on the adopted pedestrian/bikeway plan~~ within adopted City plans which include but are not limited to the Transportation Systems Plan (2011) and the Parks and Trails Master Plan (2015) shall include provisions for the future extension of such bikeways and off-street trails through the dedication of easements or rights-of-way (subject to constitutional limitations).

(2) Development permits issued for planned unit developments, conditional use permits, subdivisions, and other developments which will principally benefit from such bikeways and/or

off-street trails shall be conditioned to include the cost or construction of bikeway and/or off-street trail improvements (subject to constitutional limitations).

(3) Minimum width for bikeways within the roadway is six feet per bicycle travel lane. Minimum width for two-way bikeways separated from the road is eight feet.

(4) Minimum off-street trail width is determined by the trail function and classification from Chapter 6 of the Parks and Trails Master Plan attached to Ordinance No. 3191 as Attachment A.

## **CHAPTER 18.32 BICYCLE/PEDESTRIAN FACILITIES**

### **18.32.010 General requirements**

[...]

(2) Bicycle facilities shall be constructed along routes identified ~~on~~ in the adopted ~~pedestrian/bikeway plan~~ Comprehensive Plan and all related amendments.

[...]

### 6.33 TRAIL ROUTE PROPOSALS

A total of 10.17 miles of off-street trail routes that work to connect neighborhoods to the waterfront, parks, and local businesses are listed below. To help visualize the complete network of trail route proposals, a table of the proposals is below, followed by a map of the proposals on the next page. The Trail # corresponds to the # on the Trail Proposal Map found on the page following the table. The Trail Name is strictly for reference purposes and can be changed as the routes are developed further. The trail classifications and corresponding design guidelines are discussed in the previous section.

#### TRAIL ROUTE PROPOSALS








Trail #	Trail Name	Trail Classification	Comment	Length (Miles)
1	5th St. Trail	Hiking trail	Connects Columbia Blvd to trails in Nob Hill Nature Park	0.69
2	St. Helens Riverfront Trail	Regional trail	Connects Nob Hill Nature Park trails to Columbia View Park along waterfront	0.6
3	Wyeth St. Alternative	Local access trail	Small pedestrian connection from 2nd St. to stairs at Grey Cliffs Park	0.11
4	4th St. Gardens Trail	Local access trail	Connects Columbia Blvd. to the Botanical Gardens, passes by Godfrey Park	0.59
5	McCormick Trail Extension	Local access trail	Connects McCormick Park trails to Milton Way	0.18
6	Milton Creek Trail	Regional trail	Follows Milton Creek from McCormick Park to the riverfront	2.58
7	East St. Trail	Local access trail	Connects McCormick Park trails to Nob Hill Nature Park trails	0.83
8	Old Portland Rd. Scappoose Trail	Regional trail	Connects City of St. Helens to City of Scappoose and the Crown Zellerbach Trail	1.6
9	Pittsburg Rd. to Sykes Rd.	Local access trail	Connects Pittsburg Rd. to Sykes Rd.	0.35
10	Dalton Lake Trail Connection	Local access trail	Connects neighborhood on Madrona Ct. to Dalton Lake trails	0.04
11	Millard Rd. Trail	Local access trail	Connects Millard Rd. to a footbridge over McNulty Creek to Marle St.	0.37

## TRAIL ROUTE PROPOSALS

Trail #	Trail Name	Trail Classification	Comment	Length (Miles)
12	West Columbia Blvd. Extension	Local access trail	Small pedestrian connection from Columbia Blvd. to River St.	0.06
13	Columbia Riverfront Boardwalk	Boardwalk*	Boardwalk over river from Grey Cliffs Park to Columbia View Park	0.4
14	West Campbell Park Connection	Local access trail	Connects Oak Ridge Estates Neighborhood to Campbell Park	0.67
15	North Vernonia Trail	Local access trail	Connects neighborhood to Campbell Park. No sidewalks on N. Vernonia	0.16
16	Gable Rd. to Sykes Rd.	Local access trail	Connects Gable Rd. to Sykes Rd. HS Students walk through private property here frequently	0.13
17	East Campbell Park Connection	Local access trail	Crosses Milton Creek and connects neighborhood to Campbell Park	.46
18	West Columbia Blvd. Extension	Hiking trail	Extends Columbia Blvd. through canyon and right-of-way to N. 15 <sup>th</sup> St. Route may be difficult topography/wetlands	.35
<b>Total Miles</b>				<b>10.17</b>

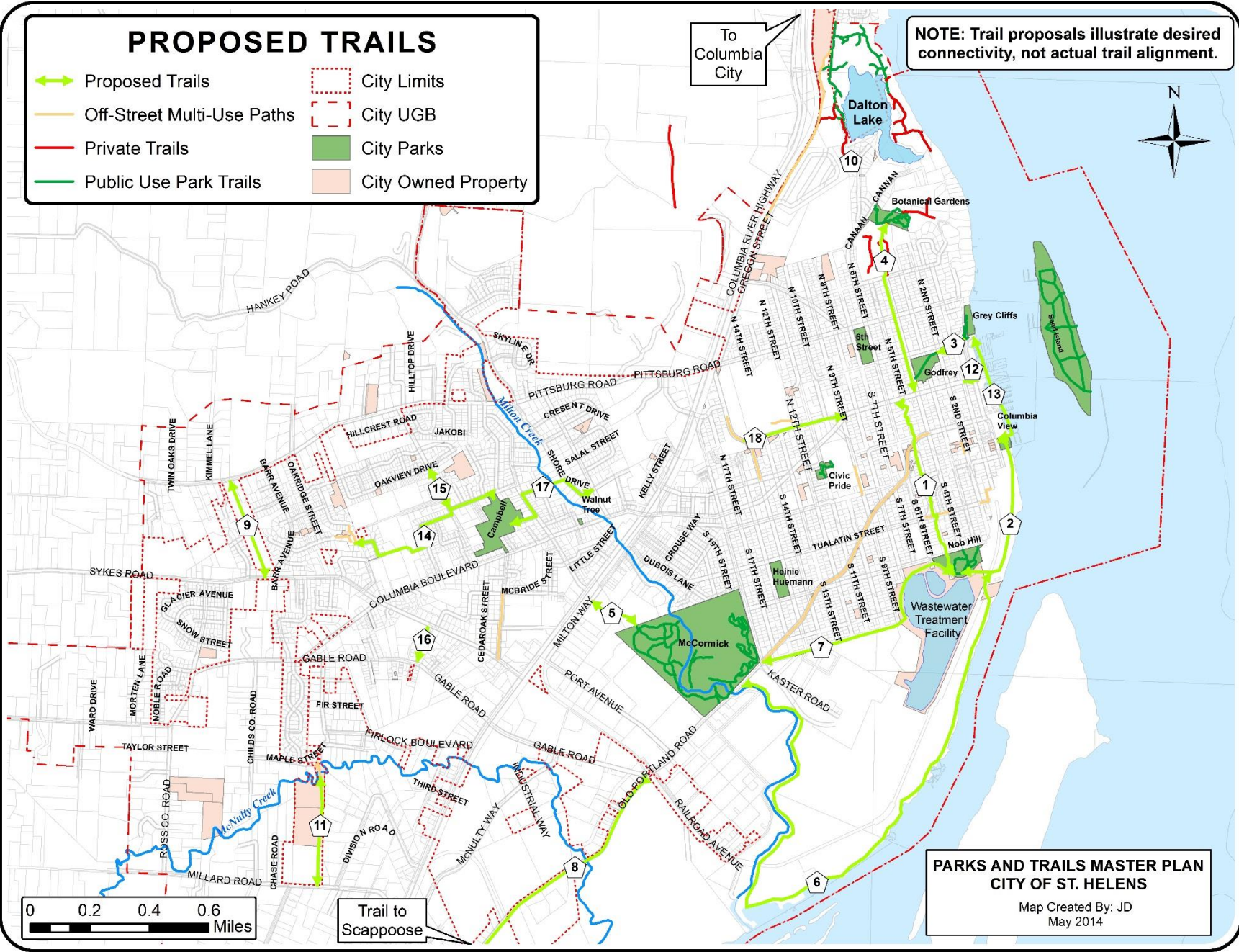
\*Boardwalk is not an actual trail classification, but because the route is over water, it stands alone in its design requirements.

# PROPOSED TRAILS

- |  |   |
|--|---|
|  Proposed Trails            |  City Limits         |
|  Off-Street Multi-Use Paths |  City UGB            |
|  Private Trails             |  City Parks          |
|  Public Use Park Trails     |  City Owned Property |

To  
Columbia  
City

NOTE: Trail proposals illustrate desired connectivity, not actual trail alignment.



**PARKS AND TRAILS MASTER PLAN  
CITY OF ST. HELENS**  
Map Created By: JD  
May 2014

# Comparison of Land Use Actions by Year

Planning Commission Public Hearings & Planning Administrator Decisions

Land Use Action	2007	2008	2009	2010	2011	2012	2013	2014	2015
Accessory Structures	5	5	5	1	1	1	0	2	3
Amended Land Use Decision	0	0	0	0	1	2	5	0	2
Annexations (Processed)	5	2	7	1	1		0	2	0
Annexations (Submitted, Not Processed)					2	0	4	1	0
Appeals	1	1	0	0	1	0	2	0	1
Map/Text Ammendments	4	3	2	4	2	1	0	1	4
Conditional Use Permits	8	7	4	2	1	1	3	2	6
Conditional Use Permits/Minor Modif.	11	3	4	2	0	1	1	0	0
Development Agreement			1	0	0	0	0	0	0
Expedited Land Division	1	0	0	0	0	0	0	0	0
Extension of Time	3	3	2	2	0	0	0	1	2
Historic Site Review	0	0	4	0	0	0	0	0	0
Home Occupations, Type I	31	23	20	18	13	18	11	13	9
Home Occupations, Type II	3	8	6	6	5	9	5	6	1
Lot Line Adjustments	11	12	3	2	1	3	0	0	0
Non-Conforming Use Determination	0	0	0	1	0	0	0	0	0
Partitions	21	8	2	0	0	0	0	0	2
Planned Developments	3	0	0	0	0	0	0	0	0
Revocation	0	0	0	0	0	0	0	0	0
Sensitive Lands Permit	3	1	0	0	1	2	3	2	0
Sign Permits	41	21	22	30	31	34	35	32	35
Sign Exception/Variance	0	0	0	0	0	0	1	0	0
Site Design Reviews	5	4	1	4	2	4	5	2	6
SDR Modifications	3	7	14	10	15	11	9	6	5
SDR Scenic Views	0	1	0	0	1	0	3	1	1
Subdivisions	4	1	1	0	0	1	2	0	0
Subdivision Final Plat Approval	7	1	1	0	0	0	1	1	0
Variances	3	3	0	1	3	4	5	3	4
Temporary Use Permits	4	4	7	7	10	7	2	3	4
Tree Removal Permit					1	0	0	0	0
Other Public Hearing Subjects (i.e. Periodic Review)	0	0	0	0	0	0	0	0	0
Columbia County Referrals	8	3	3	6	4	3	3	0	0
<b>Total Land Use Actions</b>	<b>185</b>	<b>121</b>	<b>109</b>	<b>97</b>	<b>96</b>	<b>102</b>	<b>100</b>	<b>78</b>	<b>85</b>



**2015 Year End Summary**  
**Planning Commission & Planning Administrator Land Use Actions**  
**Planning Commission Work Sessions, Discussions & Interpretations**

<b>Accessory Structures</b>		<b>Annexations</b>	
1. David & Susan Branch (River Way)			
2. St. Frederic Catholic Church (S. 13th St.)			
3. George & Elaine Kraemer (Glacier Ave)			
<b>Appeals</b>		<b>Comprehensive Plan/Zone Map Amendments</b>	
1. Port of St. Helens (200 Port Ave.)		1. City of St. Helens (Various)	
		2. City of St. Helens (Various)	
		3. City of St. Helens (Various)	
		4. City of St. Helens (Various)	
<b>Conditional Use Permits</b>		<b>Conditional Use Permits (Minor Modifications)</b>	
1. Kathy Sanchez (Columbia Blvd.)			
2. Creation Station Learning Center (Firway Ln.)			
3. Jennifer Plahn & Bing Theobald (Col River Hwy)			
4. Jennifer Plahn & Bing Theobald (Columbia Blvd)			
5. Oregon Flower Shop (Cowlitz Street)			
6. Jennifer Plahn (Columbia Blvd.)			
<b>Extension of Time</b>		<b>Home Occupations, Type II</b>	
1. St. Helens Assets, LLC (Elk Ridge Estates)		1. Michael Ogden (Alexandra Ln)	
2. John Tull (Columbia River Hwy TUP Renewal)			
<b>Home Occupations, Type I</b>		<b>Tree Removal Permits</b>	
1. Kathy & Richard Hoffman (Sykes Rd.)			
2. Theresa Holt (Maplewood Dr.)			
3. Gabriel Murdock (Gable Rd.)			
4. Ryan Holmes (Columbia Blvd.)			
5. Dan Dunmire (Vernonia Rd.)			
6. Barbara Vance (Clinton St.)			
7. Charles Hildrith (4th St.)			
8. Ruben & Jennifer Meabe (11th St.)			
9. Michelle Gabrielli (Columbia Blvd.)			
<b>Lot Line Adjustments</b>		<b>Partitions</b>	
		1. Stanton Wirta (Sykes Rd.)	
		2. LaGrand Townhomes, LLC (13th St.)	
<b>Sign Permits</b>		<b>Sensitive Lands Permit</b>	
1. Dianna Holmes (Columbia Blvd.)			
2. Sacagawea Health Center (Columbia Blvd.)			
3. Columbia County OHA (Columbia Blvd.)			

4. Pacific NW Works (Columbia Blvd.)
5. Dewey's Sign Service (Columbia River Hwy)
6. Amani Center (Columbia River Hwy)
7. Sunrise Signs, Inc. (Columbia River Hwy)
8. pb2 architecture + engineering (Gable Rd.)
9. pb2 architecture + engineering (Gable Rd.)
10. pb2 architecture + engineering (Gable Rd.)
11. pb2 architecture + engineering (Gable Rd.)
12. pb2 architecture + engineering (Gable Rd.)
13. St. Helens Booster Club (Columbia Blvd.)
14. SHHS Celebrating Success Parents Comm (Columbia Blvd.)
15. Rogue Multi-Sport, LLC (Industrial Way)
16. Dale Clark (Columbia River Hwy)
17. Dale Clark (Columbia River Hwy)
18. St. Helens Kiwanis Club (Columbia Blvd.)
19. Amani Center (Columbia River Hwy)
20. Columbia County Fairgrounds (Columbia Blvd.)
21. Community Action Team (Columbia Blvd.)
22. Clark Signs (Columbia Blvd.)
23. Clark Signs (Columbia Blvd.)
24. St. Helens Assets, LLC (Elk Meadows Dr)
25. Dewey's Sign Service (Columbia Blvd.)
26. Tube Art Group (Vernonia Rd.)
27. Tube Art Group (Vernonia Rd.)
28. Columbia River PUD (Columbia Blvd.)
29. CRFR - Toy & Joy (Columbia Blvd.)
30. Tube Art Group (Vernonia Rd.)
31. Comcast (Port Ave.)
32. Big River Apartments, LLC (14th St.)
33. Big River Apartments, LLC (16th St.)
34. Big River Apartments, LLC (Bradley St.)
35. St. Helens Police Department (Columbia Blvd.)

Site Design Review (Major)	Unlisted Use
<ol style="list-style-type: none"> <li>1. Eric Dahlgren (McNulty Way)</li> <li>2. Adam Fortier (Old Portland Rd)</li> <li>3. Port of St. Helens (Old Portland Rd)</li> <li>4. Elk's Veterans Bunker (S 13th St.)</li> <li>5. Port of St. Helens (Port Ave.)</li> <li>6. Craft Six, LLC (Old Portland Rd.)</li> </ol>	
Site Design Review (Minor)	Nonconforming Use Determination
<ol style="list-style-type: none"> <li>1. Columbia County Habitat for Humanity (Little St.)</li> <li>2. pb2 architecture + engineering (Gable Rd.)</li> <li>3. Tater Rental, LLC (Cowlitz St.)</li> <li>4. T-Mobile (Milton Way)</li> <li>5. John Luttrell (N Columbia River Hwy)</li> </ol>	

Variance	Temporary Use Permits
1. Stanton Wirta (Sykes Rd.) 2. David & Susan Branch (River Way) 3. Tater Rental, LLC (Cowlitz St.) 4. Katherine McCarter (Hankey Rd.)	1. Brenda Meza (Columbia River Hwy) 2. Clyde Barlow (Columbia River Hwy) 3. TNT Fireworks (Gable Road) 4. Cascade Tissue Group (Kaster Rd)
Historic Resource Reviews	Columbia County Referrals
Scenic Resource Review	Subdivision
1. Kimita Jahan (N. 1st St.)	
Subdivision (Final Plat)	

# **CITY OF ST. HELENS PLANNING DEPARTMENT ACTIVITY REPORT**



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

**Date**12.29.2015

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**

Planning staff attended the legal issues for planners workshop this month.

We added a new addition to the "How do I..." section on the Planning Department's web page. Now there is a link that discusses property lines, since that is a common question. Other subjects will be added as time allows.

Assisted with a city sewer easement fix near 245 N. Vernonia Road. An easement for such from the 1980's lacked a legal description of the easement.

Prepared initial stuff to discuss annexations and the City Charter's requirement for a mandatory electorate vote with the Council in January.

## **DEVELOPMENT CODE ENFORCEMENT**

Resolved a minor sign violation in a residential area: Mill Street/Ava Court. This was based on a complaint received in September of this year.

## **PLANNING COMMISSION (& *acting* HISTORIC LANDMARKS COMMISSION)**

December 8, 2015 meeting (outcome): The Commission reviewed and approved, with minor modification, the findings and final decision for a Conditional Use Permit denial at 1771 Columbia Boulevard. The Commission reviewed the preliminary draft of the latest batch of code amendments prior to their public hearing on the matter in January. The Commission also discussed annexations and the City's charter requirement for a vote by the electorate. The Commission agreed that such provision could be removed; this will be a matter for future Council discussion.

January 12, 2015 meeting (upcoming): Two public hearings are scheduled. One if for the latest batch of Development Code amendments. The other is for an annexation at 35092 Pittsburg Road. The Council will see both of these following Planning Commission review and recommendation.

## **GEOGRAPHIC INFORMATION SYSTEMS (GIS)**

Assisted the City Administrator with State of Oregon Dept. of State Lands Submerged and Submersible Land Lease legal descriptions and map exhibit. GIS was an important tool for this exercise. This is related to the recently acquired Boise veneer and white paper properties.

## **MAIN STREET PROGRAM**

I attended the SHEDCO Board of Directors meeting on December 17, 2015 at the Chamber of Commerce.

At this meeting, Sheri Stuart, of the Oregon Main Street Program, presented a local program evaluation following a self-assessment, community interviews, review of SHEDCO's materials (documents prepared over the years), and such. Generally it was positive and the details are beyond this department report. However, one troubling phenomenon were comments from community interviews where people think SHEDCO was responsible for the Halloweentown event. Community members blame them for some of the perceived mishaps of the event. I discussed this with the City Communication Officer with the hope that this myth can be dispelled with next year's Halloweentown outreach, so SHEDCO does not get an unwarranted black eye in 2016.

#### **UPCOMING LAND USE ISSUES BEFORE COUNCIL**

There are two land use appeals the Council will see early next year. One is an administrative decision with the Port of St. Helens as the appellant. The other is a Planning Commission decision regarding a Conditional Use Permit.

#### **STREET VACATION MATERIALS REQUESTED**

When someone desires to vacate a public right-of-way, they need to begin by getting certain applications materials/information furnished by myself.

This month, a St. Helens Marina representative picked up such materials to vacate some of the N. 1<sup>st</sup> Street ROW fronting within the vicinity of the St. Helens Marina.

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

## Jacob Graichen

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**From:** Jennifer Dimsho  
**Sent:** Friday, December 18, 2015 3:28 PM  
**To:** Jacob Graichen  
**Subject:** December Planning Department Report

Here are my additions for the December Planning Department Report.

1. Arts & Cultural Commission (ACC): Gateway Sculpture Phase 2 Project – Hosted meeting with sub-committee to edit the project “elevator speech”, non-profit organization outreach email, launch promotion ideas, delegate tasks, and discuss general project updates.
2. Submitted the EPA Community-Wide Assessment (CWA) Grant Application (Deadline: Dec. 18) using the grants.gov system. Included 15-page application narrative, four required attachments, and letters of support from 18 local and state agencies
3. Attended meeting at MFA to review Task #1 of the AWP work plan (Existing Conditions) and discussed upcoming AWP timeline
4. Sat in on EconW interviews with key stakeholders scheduled for Port of St. Helens Intergovernmental Partnership Program (IPP) economic impact transportation study
5. Worked on notice requirements for upcoming text amendments public hearing notice requirements (file ZA.3.15)
6. Worked on annexation staff report and public hearing notice requirements (file A.1.14)
7. Attended Parks Commission to give PT Master Plans to members who were absent last meeting and discuss potential park improvements
8. Reviewed the Draft 2015-2024 Oregon Statewide Trails Recreation Plan and the ODOT Bicycle & Pedestrian Plan (Public comment period open for both)
9. Began initial RFP review of Columbia Community Health Grant RFP for Jail Diversion Programming
10. Reviewed the Oregon Parks & Recreation Local Government Grant Announcement/RFP – Brainstormed potential projects

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