

City of St. Helens

Planning Commission

May 10, 2016

Agenda

1. **7:00 p.m. Call to Order and Flag Salute**
2. **Consent Agenda**
 - a. Planning Commission Minutes dated April 12, 2016
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. - Conditional Use Permit at 197 N. River Street – Lower Columbia Engineering, LLC
 - b. 7:30 p.m. - Conditional Use Permit & Access Variance at 134 N. River Street – Lower Columbia Engineering, LLC
 - c. 8:00 p.m. – Conditional Use Permit at 264 N. Columbia River Hwy – Edward Kim
5. **Planning Commission Annual Report to Council: June 1 at 1:30 p.m.**
6. **Planning Director Decisions:** (previously e-mailed to the Commission)
 - a. Sign Permit (Banner) at 2100 Block of Columbia Blvd. – Race Against Child Abuse
 - b. Sign Permit (Banner) at 2100 Block of Columbia Blvd. – Fly-In/Cruise-In Event
 - c. Sensitive Lands Permit at 134 N. River Street – Lower Columbia Engineering, LLC
 - d. Accessory Structure at 400 N. Vernonia Rd. - New storage shed
 - e. Home Occupation (Type I) at 425 N. 9th Street - Home office for an equine massage business
 - f. Sign Permit (Wall) at 31 Cowlitz Street – Tater Rental LLC
 - g. Accessory Structure at 35889 Pittsburg Rd. – New detached garage
7. **Planning Department Activity Reports**
 - a. April 25, 2016
8. **For Your Information Items**
9. **Next Regular Meeting: June 14, 2016**

Adjournment

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City of St. Helens

Planning Commission Meeting

April 12, 2016

Minutes

Members Present:

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

Members Absent:

None

Staff Present:

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

Councilors Present:

Ginny Carlson, City Council Liaison

Others Present:

Bill & Nathan Bradley	Harry Ottosen
Barry & Diane Garske	Wesley & Tammy Dawson
Andrew Niemi	Sarai & John Bradley
Steve Alexander	Landen & Laura Stroh
Leah & Lanea Tillotsa	Genet Smiens
Michelle Bates	Albert Newton
Todd Pentrack	Joanne & Robert Jackson
Peggy Batton	Tim Sharp
Shelby & Jesus Bennett	Dick Magneson
Bailey Trask	Matt Gatman
Cindy Borjas	Tess Bissell
Brigid Cassidy	Logan & Susan Mysinger
Mathew Sumner	Tiffany & Patrick Russell
Carlos & Maria Gamboa	Alex Sedivee
Agnes Petersen	Deb Burlen
Judy Feightner	Melody Killons
John & Clyde Barlow	William Gilbert
Sarah Warner	Chris & Kara Larson
Deborah Davis	Lori Bailey
Dana Mace	Zora Anderson
Francis Degraffenrod	Devin Tillotson
Anya Barber	Kayla Moilanen
Dennis Shaw	Heidi Meyer

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

Consent Agenda

Approval of Minutes

Commissioner Semling moved to approve the minutes of the March 8, 2016 Planning Commission meeting. Commissioner Webster seconded the motion. Motion carried with all in favor. Commissioner Cohen recused himself from voting due to his absence from that meeting. And Chair Cary did not vote as per operating rules.

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Topics From The Floor

There were no topics from the floor.

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Public Hearing

Resonate Church

Conditional Use Permit / CUP.2.16

220 S. 1st Street

It is now 7:02 p.m. and Chair Cary opened the public hearing. Vice Chair Al Petersen declared a conflict of interest in the matter because the property is owned in part by his mother. Vice Chair Petersen will not participate in this public hearing.

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

- Staff report packet dated March 29, 2016 with attachments

Graichen discussed the approval standards and recommended conditions of approval, as described in the staff report. He noted that increased parking demand could be perceived as a problem to surrounding businesses, but the applicant noted the timing for the parking demand is different between businesses and church services.

IN FAVOR

Bradley, Bill. Applicant. Bradley has lived and worked in Columbia County for over six years. He appreciates the opportunity to speak tonight. About five years ago, Bradley became a founding owner of Resonate. Their goal is to change lives by steering people to follow Jesus, especially young people. They were responding to a document produced by SHEDCO that stated the large demographic of people under the age of 35 in St. Helens. Two years ago, they became an official 501c(3) non-profit Church. They have always wanted to have a location downtown. Bradley entered into the record a letter with about 70 handwritten signatures and 200 emailed signatures in support of the proposal to the Commission. He also entered into the record a signed letter of support from Judge Grove.

Bradley feels Resonate Church can change the way people think, feel, and act by having a positive impact on the social and emotional challenges the St. Helens community faces. As far as economic impact, Bradley feels the increased foot traffic will help the downtown area immensely. For the parking issue, the majority of their congregation is gone before noon on Sundays. During the week, events occur after 6 p.m. and are much smaller than the Sunday service.

Bradley noted that over 120 years ago, a church was established in downtown St. Helens before even the

courthouse was established. In 1897, Christ Episcopal Church was established in front of this building at 260 S. 1st Street. He showed a historical photo of the church and noted the foot traffic. Bradley said back then, the people of power recognized the social and economic power of establishing a church in this location. He asked the Commission to do the same tonight and establish a church just four doors up at 220 S. 1st Street.

Chair Cary asked where Resonate Church meets now. Bradley said they rent the Columbia Theater for services and the office is his home. Before this, they used a building in Columbia City for about a year. They do not have a permanent location. Chair Cary asked how many people he anticipates to attend services. Bradley said the service will be at the Columbia Theater and 220 S. 1st Street will be used for child care and weeknight services. Bradley said they usually have about 10-40 people that use the 220 S. 1st Street location. Commissioner Cohen asked what kind of service will meet in 220 S. 1st Street. Bradley said there is a smaller hymnal service with about 20 to 25 people. Commissioner Semling asked about the smaller daytime service. Bradley said the people who attend the weekday services usually do not exceed ten people and they are offered for people who do not work during the day and cannot attend in the evening.

Petersen, Agnes. Property Owner. Petersen has been practicing law for 55 years above the proposed church location and fully supports approval of the application. She submitted a letter in support of the application into the record. The Commission had no further questions after reading the letter.

NEUTRAL

Garske, Barry. Garske had a question about the Conditional Use Permit living beyond the applicant. Graichen said that the land use permit is typically tied to the property, so if Resonate decided to leave, another church could use the approved Conditional Use Permit. However, Graichen noted the Commission could include a condition to limit approval only to the applicant. Garske asked why the applicant is exempt from additional parking. Graichen explained that because the location is in the Riverfront District, and the building exceeds 50% of the lot, no new off-street parking is required.

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.

FURTHER QUESTIONS OF STAFF

Commissioner Webster asked if the applicant had received permission to use the City's public parking lot. Bradley said no, but that he would pursue that further. Commissioner Webster asked about signage. Graichen explained that the applicant has been notified of the requirements. Commissioner Lawrence noticed the awnings need replaced. Graichen said that this property is a Certified Local Government Historic Preservation Grant Program recipient this year and they intend on replacing the awnings and doing additional facade repairs with those funds.

DELIBERATIONS

Commissioner Cohen said it seems pretty simple. Commissioner Semling said she would like to see refuse container screening in the back. Commissioner Cohen asked the Commission if they should include a condition to make approval just for Resonate Church. Commissioner Webster and Semling agree.

MOTION

Commissioner Cohen moved to approve the Conditional Use Permit as written with additional conditions that approval is solely for Resonate Church and that the applicant provide appropriate screening for refuse. Commissioner Webster seconded. All in favor; none opposed; motion carries.

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

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Public Hearing

**Lower Columbia Engineering, LLC
Site Design Review (Major) / SDR.1.16
134 N. River Street**

It is now 7:45 p.m. and Chair Cary opened the public hearing. There were no ex-parte contacts, conflicts of interest or bias in this matter.

Graichen entered the following items into the record:

- Staff report packet dated April 6, 2016 with attachments

Graichen explained that typically site design review permits are issued at the administrative level, but he has the authority to assign the Commission as the decision body. Graichen discussed the approval standards and the recommended conditions of approval, as described in the staff report.

Commissioner Cohen asked if the proposal would meet the minimum landscaping percentage (ten percent) if it were brand new. Graichen said it appears it may be less than the minimum, but suggested asking the applicant. Commissioner Lawrence asked if some of the landscaping could be done along the hillside behind the garages. Graichen said no because that is all public right-of-way. Commissioner Semling asked if parking islands could be included as landscaping. Graichen said yes, but then the total number of parking spaces will be reduced. Graichen explained that the Commission will have to decide the best way to balance the new landscaping requirements with the grandfathered aspects of the site and the anticipated parking demand.

Vice Chair Petersen asked if there was a condition for a sidewalk along River Street. Graichen said the adjacent condos were approved without a sidewalk because of topographical challenges and because there is one on the other side of River Street. Graichen said there is an existing asphalt "sidewalk" (of sorts), but no recommended condition for improving the sidewalk in the staff report.

IN FAVOR

Alexander, Steve. Lower Columbia Engineering, LLC. Applicant. Alexander said the proposal is for 13 new RV garages with a paved area directly in front of the new garages. He thought Jacob did a good job explaining the dichotomy between landscaping and parking in this area. With too much landscaping, the spaces are lost and in some cases, functionality of the lot may be lost. Alexander said he thinks they are really close to the ten percent minimum landscaping requirement. He described that users of the lot typically arrive with their truck and trailer, and travel over the rounded curb and asphalt area to park. The proposed landscaping will improve the visual quality of North River Street, while still keeping the functionality of the

existing lot intact. Alexander said if they were required to include landscaping islands on the west side, it would reduce the functionality of space and the number of parking spaces. He said the change of use in the actual property is small.

Chair Cary asked about the purpose of the garages. Alexander said it is a benefit for the tenants at the marina. Tenants living in floating homes will have a covered place to store their car or other belongings, just like a single family home garage.

Commissioner Cohen asked about sprinklers. Alexander said they will likely not be a requirement by the Building Official. Alexander said the parking plan is more hypothetical because it is just going to stay gravel and stay how it is currently used.

Niemi, Andrew. Lower Columbia Engineering, LLC. Applicant. Commissioner Semling asked what they intend to do about the sewer line. Niemi said there's a sewer line that runs diagonal on their property. Typically, they would be required to move the sewer line into the right-of-way. However the sewer line is about seven feet deep, and could potentially require the removal of a lot of bedrock to relocate the line. Niemi said another alternative is to replace the sewer line with ductile iron pipe, which is a more durable product. City Engineering would also require a maintenance agreement with the owner that states any structures built over the line will have to be removed and rebuilt at the owner's expense, should maintenance need to be done on the line. Niemi said, even if the garages had to be demolished, that would likely still be cheaper than being required to relocate the sewer line into the right-of-way. Chair Cary asked if they would still have an issue with shallow bedrock if they relocated the sewer line under the asphalt driving area, instead of into the right-of-way. Niemi said possibly. They will explore all options after land use approval, and work with City Engineering to make a final decision.

Vice Chair Petersen asked about the rules for storm water. Niemi said his opinion is that the existing gravel parking lot was already impervious area. They will be careful to ensure that they are not creating a stormwater nuisance to neighbors and the specific details will be addressed during the development process. Niemi said he feels this development is not a major storm water change from the previous use.

Vice Chair Petersen asked about how they calculated the approximate base value of provided parking spaces. It seemed odd to ignore that this area is used for boat trailers, not neatly lined cars. Niemi said this was done at the request of Jacob to find a base value of spaces to work from. They needed to see how many spaces they were affecting with the addition of the garages.

Commissioner Hubbard asked if they could put landscaping around the fuel tank. Niemi said that would be a very reasonable condition that they would be open to doing.

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.

FURTHER QUESTIONS OF STAFF

Commissioner Cohen asked if there are any known current problems with storm water from the parking lot. Graichen said he has not heard of any complaints. Graichen said condition 2(g) states that a drainage plan

shall be reviewed and approved by City Engineering.

Commissioner Webster said she has concerns about doors in the back and asked if they were required. Graichen said he didn't think it was a requirement from the building code, but they were something desired by the owner.

Councilor Carlson asked why only part of the parking lot is paved. Graichen said the code says areas used for parking should be paved, asphalt, or concrete but the gravel lot is grandfathered. Chair Cary thinks that for this proposal, the improvement is the covered garages, which do have pavement proposed for access.

DELIBERATIONS

Vice Chair Petersen said the Commission needs to consider the amount of the proposed construction and decide how much should be required to meet the intent of the code. He thinks the proposal to put landscaping on the other side of River Street is similar to wetland mitigation, and he does not necessarily have a problem with this concept. Vice Chair Petersen likes the idea of landscaping around the fuel tank and requiring landscaping closer to the proposed structures, even if it removes some of the parking spaces. Chair Cary said within the landscaping that is proposed, street trees along River Street should be required.

Commissioner Cohen thinks it should either be completely paved or completely unpaved. Commissioner Lawrence pointed out that gravel would be slightly more permeable when the area floods. Chair Cary said he has witnessed gravel acting completely impervious during rain storms.

The Commission went over each recommended condition of approval as written in the staff report. Vice Chair Petersen suggested altering condition 2(b) to require a minimum of ten percent landscaping of the new impervious surface, street trees along River Street (on the east side), and landscaping around the fuel tank. Graichen recommended leaving condition 2(e) regarding sewer as written, but allowing for another alternative, as approved by City Engineering.

MOTION

Vice Chair Petersen moved to approve the Site Design Review with modifications as discussed above to 2(b) regarding landscaping and 2(e) regarding sewer. Commissioner Semling seconded. All in favor; none opposed; motion carries.

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

□

Public Hearing

Ronald Schwirse

Variances (2) / V.2.16 & V.3.16

115 S. Vernonia Road

It is now 9:18 p.m. and Chair Cary opened the public hearing. There were no ex-parte contacts, conflicts of interest or bias in this matter.

Graichen entered the following items into the record:

- Staff report packet dated April 5, 2016 with attachments

Graichen explained that the applicant provided two proposals: A and B. He discussed the approval criteria for the setback and access variances and the recommended conditions of approval, as discussed in the staff report.

IN FAVOR

Schwirse, Ronald. Applicant. Schwirse said the structure moved farther north since last proposal to facilitate better vehicular movement. Schwirse noted that with this proposal the need for on-street parking on Vernonia Rd. and Columbia Blvd. will be eliminated, which is good because there is not enough room for vehicles to park there unless they are partly on the sidewalk. Schwirse said they are very close to meeting the 100 foot required access distance from the Vernonia Rd./Columbia Blvd. intersection with the proposed northern access driveway. He said they are only about 12 feet from the neighbor's driveway on Columbia Blvd., but there is hardly a place in St. Helens that meets those criteria.

Chair Cary asked which plan they prefer. Schwirse said Plan A is their ultimate preference. Schwirse said he pulled in a full-sized truck into both spaces, but he cannot back out. Plan A is preferred because he could easily pull out with his truck. It eliminates the backing up issue.

Vice Chair Petersen asked which approach (Vernonia Rd. or Columbia Blvd.) would be preferred if they did not approve Plan A. Schwirse said he guesses they would prefer Vernonia Rd., but the new owner would have to have a small car in order to back out. Vice Chair Petersen asked the applicant if they would be willing to accept one access on Columbia Blvd. Vice Chair Petersen explained that he knows they cannot meet *all* the rules, but he would like to try to meet *some* of the rules. He thinks abandoning the existing approach and granting a variance for the Columbia Blvd. approach makes the most sense. Schwirse asked the Commission what is more important, backing out onto a busy road, or having two approaches? Commissioner Webster pointed out that there is already an existing driveway along Vernonia Rd., and if the access was forced to Columbia Blvd., they would have to tear out the existing concrete.

Commissioner Semling asked if the applicant would be willing to cut down the approach on Columbia Blvd. from 24 feet to 12 feet. Schwirse said yes.

Barlow, John. Co-Applicant. Barlow said they removed the one foot setback due to testimony from the last proposal. Proposal A (with two access drives) was recommended by Commissioner Webster at the last meeting. Barlow responded to Vice Chair Petersen's proposal that if they were given the choice of just one access, they would chose Vernonia Rd. because it is already existing and would not impact their yard. Ultimately, Barlow emphasized that the pull through option (Plan A) is the safest to prevent backing movements. Barlow showed the Commission photos of the full-sized truck being pulled into both spaces of the carport.

Warner, Sarah. 144 Elm Street. Warner lives at the next street off of S. Vernonia Rd. She is disabled and uses her power chair along the sidewalks. She feels it is much safer when vehicles can pull out in a forward direction because it eliminates blinds spots. Columbia Blvd. is the main thoroughfare for small children to the elementary school. She prefers plan A because it prevents backing movements and keeps people from parking on the sidewalks. Aesthetically, she feels two approaches won't be detrimental to the streetscape. When people park on the sidewalk, she has no choice but to cross the street to get to the clear sidewalk or use an alternate route. She has personal experience backing out onto Vernonia Rd. and it is difficult.

Killons, Melody. 35014 Stag Ct. Killons works in daycare and walks with the kids to Campbell Park often. She is also on the school board and is a foster parent and has gone through the Columbia Blvd./Vernonia Rd. intersection more times on foot than in a car. Killons does not want people to back onto Columbia Blvd., especially with other existing visual barriers. She prefers the proposal where they will be able to exit the driveway facing forwards. For the sake of the kids, neighbors, and other walkers, she feels it is much safer to have vehicles exiting forward.

William, Gilbert. 314 N. 18th Street. Gilbert lived at the house which shares the driveway with the subject property for 12 years. He feels that if there has ever been a reason to grant an additional driveway access to a property, this is it. He used to back out of his driveway all the time onto Vernonia Rd., and the idea of being able to pull out facing forward is much more ideal. There is a ton of foot traffic from low income residents and children. It is not the multiple driveway accesses that causes the safety hazard, it is the traffic. Since you cannot reduce the traffic, he asked the Commission if they would rather see vehicles pull out forward or backwards. He asked the Commission to reduce the backing movements onto Vernonia Rd. and Columbia Blvd. Gilbert said the applicants have improved the previous home immensely. It was a terrible eyesore, and he hopes the Commission will grant the variance to provide a home to a nice family.

Meyer, Heidi. 52162 Rabinsky Rd., Scappoose. Meyer used to own a home on McMichael Street. She worked in emergency 911 dispatch in Columbia County for about 20 years. She has taken more calls from people getting into accidents in areas like this than she can count. Meyer recognizes that all the criteria cannot be met, but safety should be an absolute priority for the Commission in the decision. This is a unique property and should be looked at with safety in mind. Meyer feels the applicant is improving the community by renovating the rundown home. The Commission should approve this variance in support of the work the applicants are doing to improve the face of the community by renovating these old houses.

Barlow, Clyde. 114 N. Vernonia Rd. Barlow is a reverend who has lived across the street from the subject property for over 25 years. Getting out onto Vernonia Rd., especially backing out, has always been a problem. Plan A is the best option. Barlow admits he works for Schwirser, but he has also lived in this community for years. He is so grateful for the work that the applicants have put into fixing the home up.

Bissell, Tess. 2545 Columbia Blvd. Bissell has lived on Columbia Blvd. since 2003 and she watched the home get renovated from an eyesore to a beautiful home. She applauds the applicants for doing what they have done. She walks often to Sherlock's and does not want to be hit by someone backing up who did not see her. Since the Commission has the ability to approve a version that prevents backing movements, she feels they should.

IN OPPOSITION

Smith, Doug. 2505 Columbia Blvd. Smith has lived next door to the subject property for 38 years. There is a lot of vehicle and pedestrian traffic along Columbia Blvd. He has seen only four people get hit in the crosswalk during his time there. He feels just about everyone in St. Helens backs out of their driveways. He backs out of his driveway next door and you have to be careful, but he feels it is not any more unsafe than pulling out forwards. Everyone has to look for oncoming traffic and pedestrians. Smith feels the arborvitae screening the applicant is proposing will be an eyesore and it will grow much taller than is proposed. Smith also parks where they are proposing the driveway on Columbia Blvd. When his grandkids come over for a holiday or a birthday, he is concerned there won't be enough parking in front of his house. He respects what the applicant has done to improve the appearance of the home, but he's concerned about the height of the carport and he doesn't want to see arborvitae screening.

REBUTTAL

Schwirse, Ronald. Applicant. There is 28 feet between the proposed driveway and the Smith's driveway, so parking availability on the street is not an issue. What they up choosing to plant for screening is not up to the neighbor.

Barlow, John. Applicant. Barlow said his testimony was more in favor of the application than against. If this number is true, four people getting injured in 38 years is too many. What is the acceptable rate for people to get hurt? Zero tolerance for injury is the norm in heavy industry jobs.

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.

FURTHER QUESTIONS OF STAFF

Chair Cary asked about the 8 foot screening. Graichen said that since it was proposed with this variance, he would be okay granting the 8 feet. Vice Chair Petersen recommends 6 feet.

DELIBERATIONS

Commissioner Hubbard pointed out that both Plan A and B will have one car backing up if you own three cars or have guests that come over. Commissioner Lawrence prefers Plan A. It provides the best opportunity to view pedestrians and vehicles when entering the roadway. Chair Cary agrees. Commissioner Webster also feels the second access is necessary. Vice Chair Petersen is appreciative of the photos of the full-size truck driving into the proposed carport location and of the testimony received from the neighbors. Vice Chair Petersen feels Plan A is better, but he feels the 24 foot approach is too much. He thinks a reduction to 12 or 14 feet would be acceptable. The Commission also feels that the screening should be moved back 30 feet from Columbia Blvd. to allow for vision clearance.

Chair Cary asked about the eight foot screening proposal. Graichen said an eight foot fence can be approved with a variance, and since the eight foot proposal was submitted with the variance applications, it could be approved with this process if the Commission wants to do so. Vice Chair Petersen feels they should limit the fence height to six feet. Commission Webster agrees.

MOTION

Commissioner Cohen moved to approve the setback and access variance permits (Plan A) as written with the additional condition that the driveway approach along Columbia Blvd. be reduced to 12'6" (similar width as the existing neighboring driveway approach) and six foot screening (fence or landscaping) that complies with vision clearance rules. Commissioner Semling seconded. All in favor; none opposed; motion carries.

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

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Architectural Review: Muckle Building Signage

Graichen discussed the signage proposal, as described in the memo in the packet. He explained that the State Historic Preservation Office commented that the proposal should avoid a galvanized finish, so the applicant will use a charcoal gray instead. A light guard is included on the sign to ensure that there will be no light pollution.

Commissioner Cohen moved to approve the signage as proposed. Vice Chair Petersen seconded. All in favor; none opposed; motion carries.

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Acceptance Agenda: Planning Administrator Site Design Review

- a. Site Design Review (Minor) at 755 N Columbia River Highway – Northwest Self Storage
- b. Site Design Review (Scenic Resource) at corner of St. Helens St. & S 2nd St. – La Grande Townhomes, LLC
- c. Site Design Review (Minor) at 550 Milton Way – FDH-Velocitel
- d. Site Design Review (Scenic Resource) at 397 N. 1st St. – American Pride Constriction Services, LLC

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

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Planning Director Decisions

- a. Extension of Time (PT.1.15) at 2625 Sykes Rd. – Wirta, Stanton
- b. Home Occupation (Type II) at 364 S 4th Street – Home-based woodworking shop
- c. Partition at S. 2nd Street, Lot 18, Block 27 - Reynolds Land Surveying Inc.
- d. Sign Permit at 2298 Gable Rd. Suite 200 (Nail Salon) - Steve Nguyen

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 reminded the Commission that the Annual Appreciation Dinner for Boards and Commissions is this Thursday at 5:30 p.m.

Graichen said there is a Waterfront Redevelopment Open House on Tuesday, April 27, 2016 at Meriwether Place, 1070 Columbia Blvd. Doors open at 5:30 p.m. with a formal presentation 6 p.m.

Assistant Planner Dimsho reminded the Commission that Friday is the deadline for Commissioners to file

the online SEI form. A daily fine will begin accruing after the April 15 deadline.

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There being no further business before the Planning Commission, the meeting was adjourned at 10:50 p.m.

Respectfully submitted,

Jennifer Dimsho
Planning Secretary

DRAFT

2016 Planning Commission Attendance Record

P=Present A=Absent Can=Cancelled

Date	Petersen	Hubbard	Lawrence	Cohen	Cary	Semling	Webster
01/12/16	P	P	P	A	A	P	P
02/09/16	A	P	P	P	P	P	P
03/08/16	P	P	P	A	P	P	P
04/12/16	P	P	P	P	P	P	P
05/10/16							
06/14/16							
07/12/16							
08/09/16							
09/13/16							
10/11/16							
11/08/16							
12/13/16							

**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Conditional Use Permit CUP.3.16**

DATE: May 3, 2016
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: Lower Columbia Engineering, LLC
OWNER: St. Helens Marina, LLC

ZONING: Marine Commercial, MC
LOCATION: 5N1W-34CC-12900
PROPOSAL: Travel trailer park

The 120-day rule (ORS 227.178) for final action for this land use decision is August 18, 2016.

SITE INFORMATION / BACKGROUND

The site is currently developed with a detached single-family dwelling. This proposal would replace the dwelling. It is accessed via a gravel driveway within a large swath of public right-of-way (mostly Wyeth Street ROW) off of N. River Street. There are residential dwellings to the north and west, a public park and the St. Helens Marina to the west, and an existing travel trailer park adjacent to the south.

Due to topography, this proposal would be above grade from the existing travel trailer park.

PUBLIC HEARING & NOTICE

Hearing dates are as follows: May 10, 2016 before the Planning Commission

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on April 21, 2016 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 April 27, 2016.

AGENCY REFERRALS & COMMENTS

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

City Building Official: The proposed RV park will be reviewed for conformance with the requirements of OAR 918-650 and OESC Chapters 551 and 682.

City Engineering Technician: I have no issues with utilities on this proposal either. There are plenty of utilities available. I do have the following comments on the proposed design:

1) The proposed access to this site utilizes the existing Wyeth street right of way for pulling in and out of the spaces. It has long been the City's intent to develop the Wyeth street right-of-way for an emergency exit. If this is to be approved then a full street construction should be submitted and approved. Parking across the right of way should not be allowed and a better access to River Street should be proposed for two way traffic.

2) None of the Wyeth street right of way should be vacated since it will be needed to construct the new street from River Street to 2nd Street.

Columbia River Fire & Rescue: See letter dated April 26, 2016.

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): Based on the findings below, it appears the site can accommodate five spaces (not six as proposed) because the subject property at its narrowest is 140 feet long. Travel trailer spaces are supposed to be at least 25 feet in width. 25' x 6 spaces = 150' and 25' x 5 spaces = 125'

The size of travel trailers will need to be restricted based on the proposed means of access and limited area of maneuvering (to prevent backing movements from or to N. River Street), unless a second vehicular outlet is included.

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

Finding(s): The site can accommodate a Travel Trailer park, but the size of travel trailers will need to be restricted based on the proposed means of access (to prevent backing movements from or to N. River Street), unless a second vehicular outlet is included.

(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, other than the proposed public street improvements, of which there is inadequate information as to safe access (prevention of backing movements from or to N. River Street). Applicant needs to provide this information to determine the maximum RV/travel trailer size allowed to use the Wyeth Street right-of-way access, unless a second vehicular outlet is included.

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

Discussion: There are both zoning and CUP standards that apply. Findings are separated as such.

Zoning District Finding(s): The property is zoned Marine Commercial (MC). “Travel trailer park” is listed as a conditionally permitted use in this zoning district. The MZ zone includes the following standards:

- The maximum lot coverage including all impervious surfaces is 90%.
- The minimum landscaping required is 10% of the lot area.

The subject property is 9,008 square feet in size. The unpaved areas shown on the plans exceeds 10% of this. Thus, given obtainment of a Conditional Use Permit, the specific standards of the MC zone are satisfied.

Conditional Use Permit Finding(s): SHMC 17.100.150(3)(m) establishes the CUP Chapter’s specific requirements for travel trailer parks. The standards are in Arial font and the findings in Times New Roman.

Travel Trailer Parks. In addition to the standards of the zone in which they are located and other references in this code, travel trailer parks shall comply to the standards of this subsection. If there is a conflict between the two standards, the standards of this subsection shall govern.

(i) Trailer parks shall be located on well-drained sites, and shall be so located that their drainage shall not endanger any life or property. All such trailer parks should be located in areas free from marshes, swamps, or other potential breeding places for insects or rodents;

The site is above grade from the south and east and if designed correctly, should be well drained. A drainage plan will be required. There is no known area in the immediate vicinity of the site that is a particular breeding ground for insects or rodents.

- (ii) The area of the trailer park shall be large enough to handle: the designated number of trailer spaces, necessary streets and drives, off-street parking, service areas, recreation areas, and setbacks;

It appears that this is the case if the proposed trailer park only has 5 spaces. The applicant's plans demonstrate that 6 spaces are too much to comply with this criterion.

- (iii) Each trailer space shall contain a minimum of 1,200 square feet, except that at the option of the owner, the minimum size may be 1,000 square feet if an area of 100 square feet for each trailer space is provided for recreation. Each trailer space shall be a minimum of 25 feet in width, and shall abut on a drive with unobstructed access to a street. Such spaces shall be clearly defined. Trailers shall be located in such spaces with a minimum of 15 feet between trailers, or between a trailer and any building;

6 spaces are proposed. Spaces 1-5 meet these requirements. Space #6 is not 25 feet in width and use of Space #5 could easily obstruct access to Space #6. Space #6 does not meet this criterion.

- (iv) No trailer shall be located less than five feet from a side or rear property line;

Spaces 1-5 meet this. Space 6 doesn't.

- (v) No trailer shall be located less than 25 feet from any street or highway, or so that any part of such trailer will obstruct any drive or walkway;

Given a Class A Motorhome 40' in length in Spaces #1-5, each space is only 15' back from the right-of-way that provides access. It would be less with a 45' long 5th wheel trailer. The 25' rule isn't met specifically, but the spaces are designed such that the trailer wouldn't obstruct the right-of-way.

- (vi) No trailer shall remain in a trailer park unless a trailer space is available, and then only for a maximum of 30 consecutive days;

The length of time standard cannot be enforced due to ORS 197.493:

(1) A state agency or local government may not prohibit the placement or occupancy of a recreational vehicle, or impose any limit on the length of occupancy of a recreational vehicle, solely on the grounds that the occupancy is in a recreational vehicle, if the recreational vehicle is:

- (a) Located in a manufactured dwelling park, mobile home park or recreational vehicle park;
- (b) Occupied as a residential dwelling; and

(c) Lawfully connected to water and electrical supply systems and a sewage disposal system.

(2) Subsection (1) of this section does not limit the authority of a state agency or local government to impose other special conditions on the placement or occupancy of a recreational vehicle.

However, no travel trailer/recreational vehicle shall remain in the facility unless a space is available.

(vii) Access drives shall be provided to each trailer space, shall be continuous, shall connect with a street, and shall have a minimum width of 20 feet, with a minimum total width of 36 feet for exterior connections;

The applicant proposes to use a large swath of public right-of-way (mostly Wyeth Street ROW) for access. Said rights-of-way are for local streets and not identified on any currently adopted plan. However, there has been some effort in the past to connect River Street to 2nd Street (see attached) and this improvement would advance that.

(viii) Improved walkways, not less than two feet in width, shall be provided from each trailer space to service buildings;

No service buildings are specifically proposed. However, the public street improvements will need to include a walkway to N. River Street.

(ix) Access drives within the park shall be paved according to the city's developmental standards;

The applicant proposes to use a large swath of public right-of-way for access and the public street improvements will need to be paved. In addition, all areas used for parking or maneuvering of vehicles shall be paved.

(x) Off-street parking shall be provided with a minimum of one and one-half parking spaces for each trailer space. Minimum width access drives shall not be considered in fulfilling this requirement;

If 6 travel trailer spaces were allowed, 9 off-street parking spaces would be required.

If 5 travel trailer spaces were allowed, 8 off-street parking spaces would be required (Development Code requires that fractional space requirements be counted as a whole space; $5 \times 1.5 = 7.5$).

The potential issue in this case is that the parking is required to be off-street. Per SHMC 17.80.020(22) parking spaces in a public street or alley shall not be eligible as fulfilling any part of the parking requirements (with exceptions which don't apply here).

The applicant's plans show a 5' strip of setback and landscaping along the south side of the subject property with a remaining 53' of space to the north property (and right-of-way) line. A standard passenger vehicle parking space is 18' long. This leaves 35 feet of length for a travel trailer or recreational vehicle, some which can exceed 35 feet in length (e.g., a 40' long Class A motorhome or a 45' long 5th Wheel trailer). This can be met only if travel trailers or recreational vehicle lengths are limited to 35 feet. This shall be a condition of approval. In addition, a condition is necessary that signs are posted at the entry to the site (at N. River Street) which indicates this restriction.

(xi) Recreation areas which may be provided according to subsection (3)(m)(iii) of this section shall be suitably equipped, maintained and restricted to such uses. Such areas shall be protected from streets, drives and parking areas. The minimum size of each such recreation area shall be 2,500 square feet;

A large recreation area per this criterion is not proposed. However, per SHMC 17.108.080(3), the approval authority may grant an exception or deduction to shared recreational area requirements for a use that is permanent in nature if there is direct access by a pedestrian path not exceeding ¼ mile from the proposed development to public open space or recreation areas which may be used by residents of the development.

In this case, travel trailers and RVs are mobile but the travel trailer park is permanent in nature. Grey Cliffs Waterfront Park, a public park owned by the City is only a couple hundred feet away. So this except can apply, provided the public street improvements proposed include a walkway to N. River Street.

(xii) No permanent additions of any kind shall be built onto, nor become part of, any trailer. Skirting of trailers is permissible, but such skirting shall not attach the trailer to the ground;

This shall be a condition of approval.

(xiii) Permanent structures located within any trailer space shall be used for storage purposes only, shall have a maximum area of 25 square feet, shall be located not less than six feet from any trailer, and shall be subject to all applicable city building codes;

No permanent structure is proposed.

(xiv) Wheels of trailers shall not be removed, except temporarily when in need of repairs; the wheels or jacking system must be attached to the site only by quick disconnect type utilities and security devices; and

This shall be a condition of approval.

(xv) A sight-obscuring fence of not less than eight feet in height shall be provided along any lot line which abuts or faces a more restricted residential district;

It's possible that the R5 zoning to the north of the site could be consider a "more restricted zoning district" but it is well above grade from the subject property and an 8' high fence would be pointless.

(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. There are no signs on the subject property currently.

Site Development Review standards allows review of the relevant Chapters of the St. Helens Municipal Code. The applicable standards not mentioned above are as follows:

- **Sensitive lands.** Though much surrounding property to the south and east are within the area of special flood hazard (100 year floodplain), the subject property is not. The City's Local Wetlands Inventory shows wetland J-6, a Type II significant wetland, just to the west of the subject property. However, per Oregon Department of State Lands Wetland Delineation WD 2014-0047 that wetland is no longer present.
- **Landscaping and screening.** Street trees are required technically but this situation differs significantly from the norm given the rights-of-way and topography. To meet the streetscape requirement, the area between the proposed public street extension and the subject property should be vegetated and landscaped as streetscape plantings; trees shall be included. This shall be a condition of approval.

Screening of parking areas larger than three spaces is required. The landscaping areas along the perimeter of the site could include vegetation to act as a screen. A landscape plan shall be required which includes a balance of low-lying and vertical shrubbery and trees.

Screening of refuse containers/collection areas is required if visible from a public street, parking lot, residential area, commercial area or public facility. A trash enclosure area is included on the plans, however, its location would not be accessible to all users or the trash collector. The trash enclosure needs to be located such that is accessible by all and won't be blocked by parked vehicles or other permanent or temporary obstacles.

- **Site Design Review.** Lighting shall be included as appropriate to deter crime, and to illuminate required pedestrian ways, the new intersection of N. River and the proposed street improvement, while not resulting in glare to residences or motorists.
- **Street and Utility Improvement Standards.** The applicant proposes street improvements within the Wyeth Street (et. al.) right-of-way to accommodate access to the proposal. Given the unique circumstances of the site, improvements differing from the City's standards is proposed and could potentially be acceptable to the City. The improvements help advance a concept devised around 2002 connecting N. River Street to N. 2nd Street, providing this area with an outlet other than River Street (see attached). This is acceptable given approval of construction plans by City Engineering and:

- The inclusion of a pedestrian way and lighting as previously described that is physically separate from any vehicular way (such as a curbed sidewalk).
- Signage at the N. River Street intersection that indicates “no truck turnaround” or something similar.
- Signage at the N. River Street intersection that indicates the maximum vehicle/trailer size that can still be able to access the Travel Trailer Park from the new Wyeth Street improvement front-first and be able to turn around (even if all spaces are full) and exit onto N. River Street front-first. In other words, no backing movements from or into N. River Street should be necessary. Or, the street design can include an outlet onto another street (e.g., 1st or 2nd Street), with the necessary improvements to said street as approved by the City.
- A second means of non-vehicular egress from the site for emergency evacuation purposes. For example, this could be a path leading to the N. 1st Street right-of-way. The purpose of this is if there is a fire or other issue and the way to River Street is blocked, there is a way for people to move away from the site to avoid dangerous smoke, fumes, heat, etc.
- The street design shall allow a continuation to S. 2nd Street per the N. River Street to N. 2nd Street connection design concept from 2002. In other words, the design shall not deter the ability to extend the street. This includes but is not limited to prohibiting on-street parking as necessary.

All utilities servicing the site shall be underground.

The proposed Wyeth street improvements will help advance Trail #3, Wyeth Street Alternative, as identified in the City’s adopted Parks & Trails Master Plan.

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

Finding(s): The proposal does not appear to be contrary to any Comprehensive Plan policy.

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.

Finding(s): Any post type lighting needs to match the street lamps used along N. River Street to ensure design compatibility.

Anything else to be determined by the Commission.

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 development/building permit issuance:
 - a. Materials including but not necessarily limited to a site plan shall be submitted to the City for review and approval demonstrating compliance with all applicable provisions of the Development Code (SHMC Title 17) and in accordance with the conditions herein. This/these material(s) shall specifically address and be subject to the following:
 - i. Plans need to reflect the Wyeth Street right-of-way improvements as approved (see condition 2.b).
 - ii. Applicant shall provide plans or other documentation that shows the maximum size vehicle (with and without a trailer) that can reasonably utilize the proposed Wyeth Street access (as designed per condition 2.b) such that backing movements are not necessary into the Wyeth Street access from N. River Street or out of the Wyeth Street access into N. River Street.

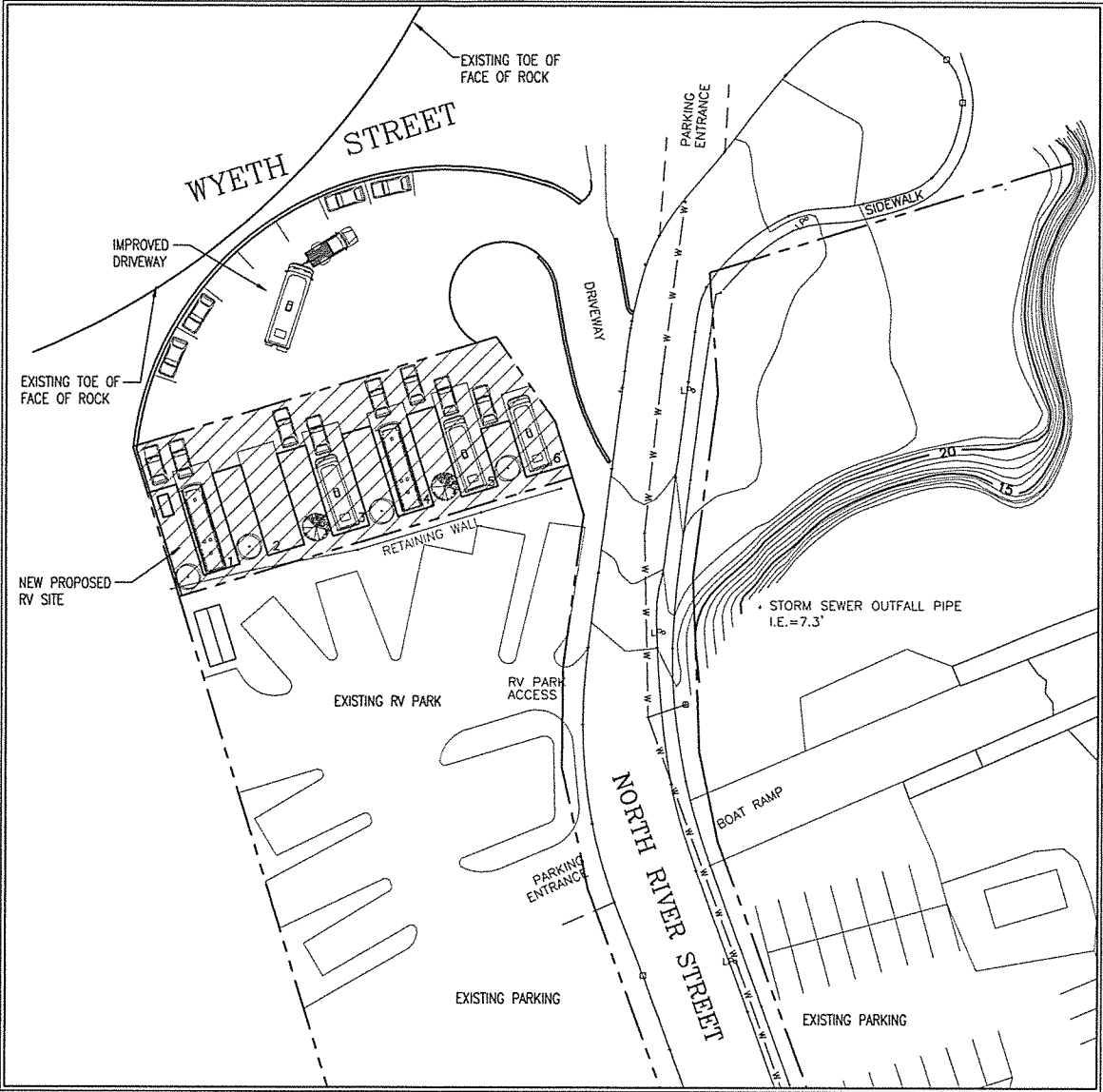
This condition may be exempted at the City's sole discretion, if the Wyeth Street improvements include a second outlet onto another street, provided the other street is improved to accommodate said use as approved by the City.

- iii. Only 5 travel trailer spaces shall be allowed.
 - iv. A landscape plan shall be required which includes a balance of low-lying and vertical shrubbery and trees along the perimeter of the travel trailer park. In addition, the public right-of-way area between the Wyeth Street access improvements and the subject property shall be vegetated and landscaped as streetscape plantings; trees shall be included. Landscape plan shall show this too.
 - v. Trash enclosure, as approved by the City, shall be located such that is accessible to all users and the trash collector without any temporary (e.g., parked vehicles) or permanent obstructions.
 - vi. A lighting plan as appropriate to deter crime if lighting required per condition 2.b.iii will not do such in certain areas.
- b. Engineering/construction plans shall be submitted for review and approval for all applicable improvements. In regards to the Wyeth Street (access to travel trailer/recreational vehicle park) improvements, plans shall meet the specifications as required by City Engineering/Public Works, and shall also include the following:
- i. A dedicated pedestrian way that is physically separate from any vehicular way (such as a curbed sidewalk) that connects the travel trailer park to N. River Street.
 - ii. Street signage in a location to be clearly visible by motorists in N. River Street as follows: 1) noting size restriction per condition 6; and 2) “no truck turnaround” or something similar.
- This condition may be exempted at the City’s sole discretion, if the Wyeth Street improvements include a second outlet onto another street, provided the other street is improved to accommodate said use as approved by the City.*
- iii. Lighting of pedestrian ways and the intersection of the proposed Wyeth Street improvements and the N. River Street intersection. Any post type lighting needs to match the street lights used along N. River Street.
 - iv. A second means of non-vehicular egress from the site for emergency evacuation purposes, which doesn’t rely on the Wyeth Street access to N. River Street.
 - v. The street design shall allow a continuation to S. 2nd Street per the N. River Street to N. 2nd Street connection design concept from 2002. In other words, the design shall not deter the ability to extend the street. This includes but is not limited to prohibiting on-street parking as necessary.
- c. A drainage plan shall be reviewed and approved by City Engineering, unless waived by City Engineering.

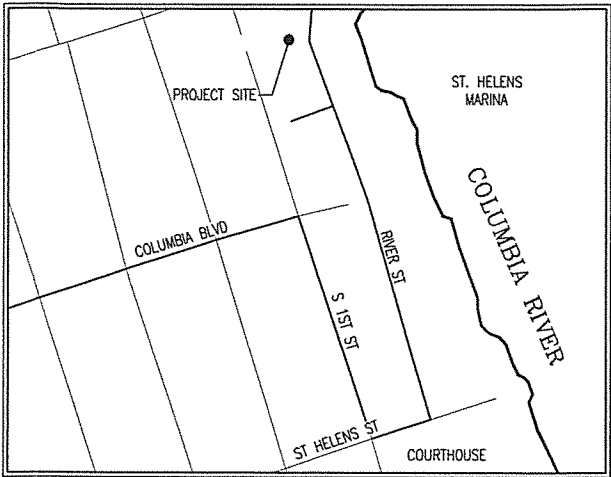
- d. An erosion control plan shall be reviewed and approved by City Engineering to prevent erosion of any new soil materials, unless waived by City Engineering.
3. The following shall be required prior to Certificate of Occupancy or final inspection (if no Certificate of Occupancy is required) by the City Building Official, or otherwise commencement of the proposal:
 - a. All improvements necessary to address the requirements herein, and in accordance with approved plans, shall be in place.
4. No travel trailer/recreational vehicle shall remain in the travel trailer park unless it is located in an approved travel trailer/recreational vehicle space.
5. All areas used for parking or maneuvering of vehicles shall be paved. This includes public right-of-way improvements.
6. Travel trailer/recreational vehicle size shall be limited to 35 feet in length or as per condition 2.a.ii, whichever is smaller. *However, if deemed necessary by the city for public, health safety and welfare, the city may restrict the size further at any time to ensure safe use of the Wyeth Street right-of-way access.*
7. No permanent additions of any kind shall be built onto, nor become part of, any trailer. Skirting of trailers is permissible, but such skirting shall not attach the trailer to the ground.
8. Wheels of trailers shall not be removed, except temporarily when in need of repairs; the wheels or jacking system must be attached to the site only by quick disconnect type utilities and security devices.
9. No lighting shall create glare for surrounding residences or create a hazard for motorists.
10. All utilities servicing the site shall be underground.
11. No plan submitted to the City for approval shall contradict another. For example, engineering/construction plans shall not contradict the approved site plan. Otherwise revisions as applicable shall be necessary to remedy the contradiction. Applicant is responsible to notify the engineering, planning and building departments, individually, of such changes.
12. 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):

- Submitted plans
- Submitted narrative
- Recreational vehicle Classifications (showing variety of sizes) (2 pgs)
- Columbia River Fire & Rescue letter dated April 26, 2016
- N. River Street to N 2nd Street conceptual design (2002) (2 pgs)
- Pictures attachment



PLOT PLAN
NOT TO SCALE



VICINITY MAP
SCALE: NTS

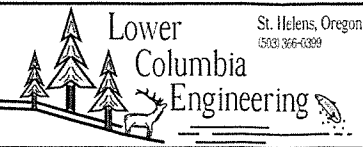


DRAWING INDEX

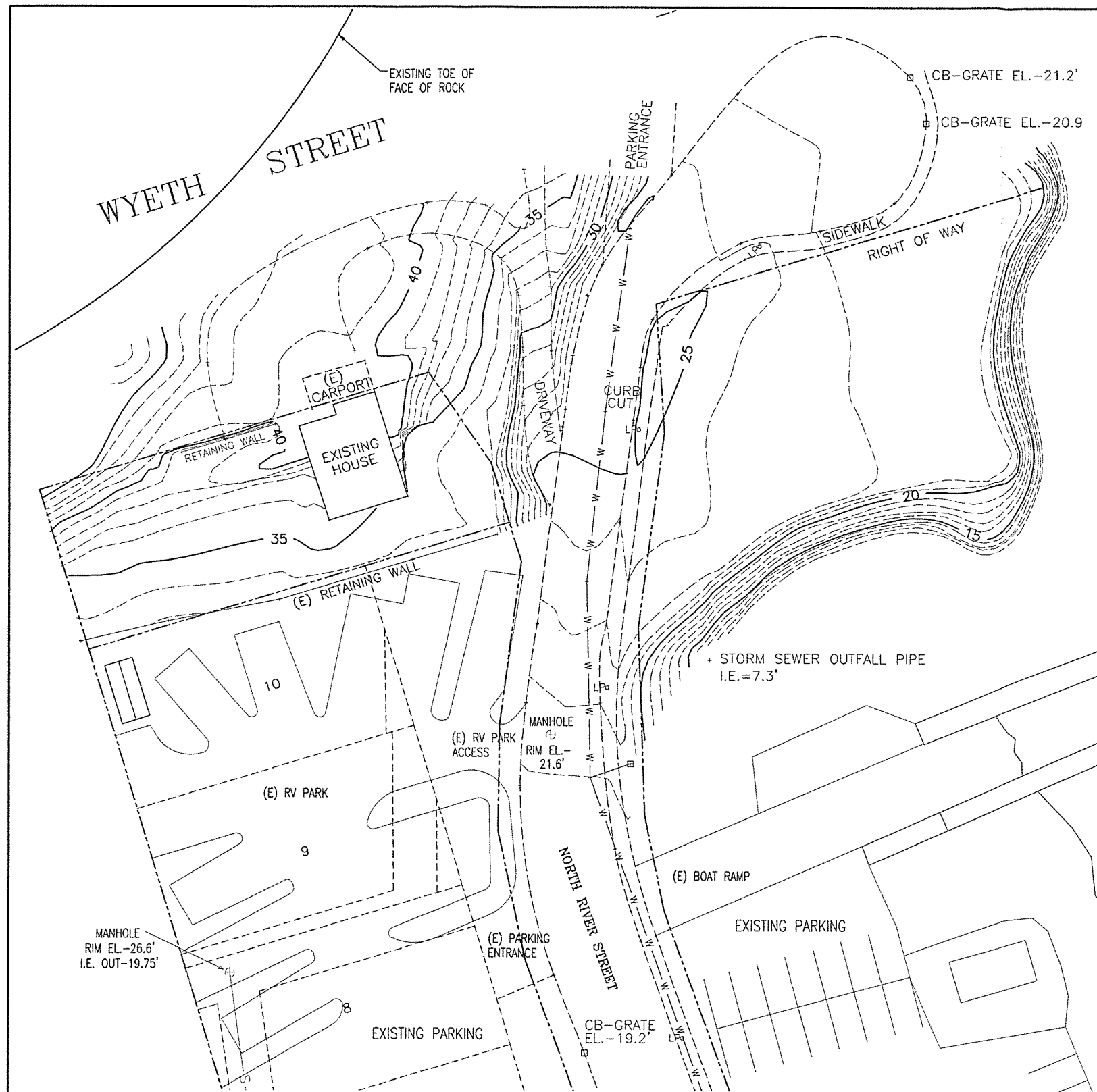
D-2371-1000-01	VICINITY MAP, PLOT PLAN & DRAWING INDEX
D-2371-1000-02	EXISTING CONDITIONS SITE PLAN
D-2371-1000-03	PROPOSED SITE PLAN
D-2371-1000-04	SITE DETAILS

DATE: 04/06/16
PRELIMINARY
NOT
FOR CONSTRUCTION

REV.	REVISION RECORD	DATE
A	REVISE PARKING LAYOUT	04/06/16



PROJ. NO.	2371	ST. HELENS MARINA
DWG. BY	MA	WYETH STREET RV PARK
APPR. BY		VICINITY MAP, PLOT PLAN & DRAWING INDEX
SCALE	NOTED	DATE 02/09/16 DWG. NO. D-2371-1000-01-A



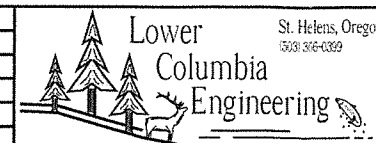
EXISTING CONDITIONS SITE PLAN

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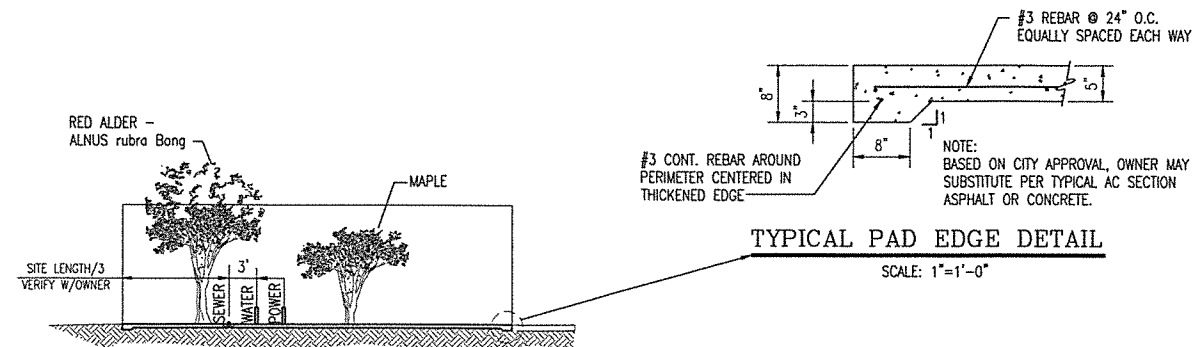


DATE: 04/06/16
PRELIMINARY
NOT
FOR CONSTRUCTION

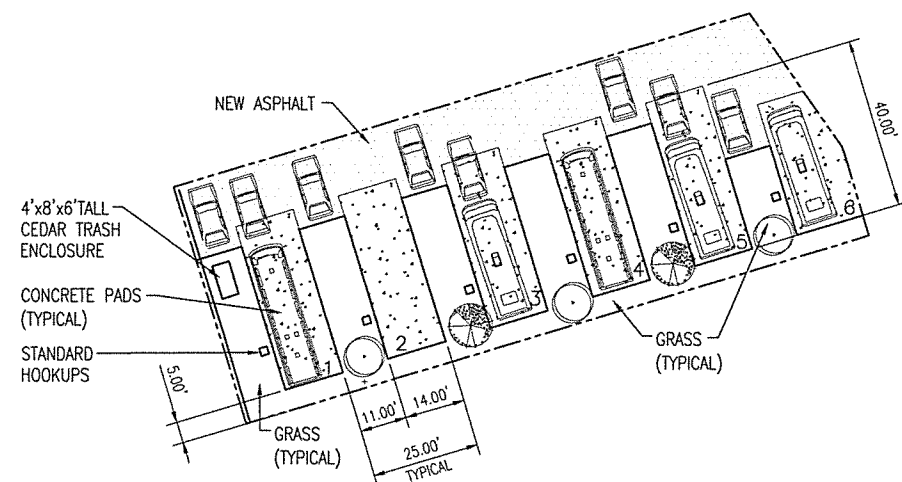
REV.	REVISION RECORD	DATE



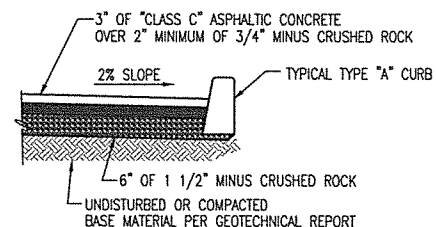
PROJ. NO.	2371	ST. HELENS MARINA
DWG. BY	SA	WYETH STREET RV PARK
APPR. BY		EXISTING CONDITIONS SITE PLAN
SCALE	NOTED	DATE 04/06/16
DWG. NO.	D-2371-1000-02	



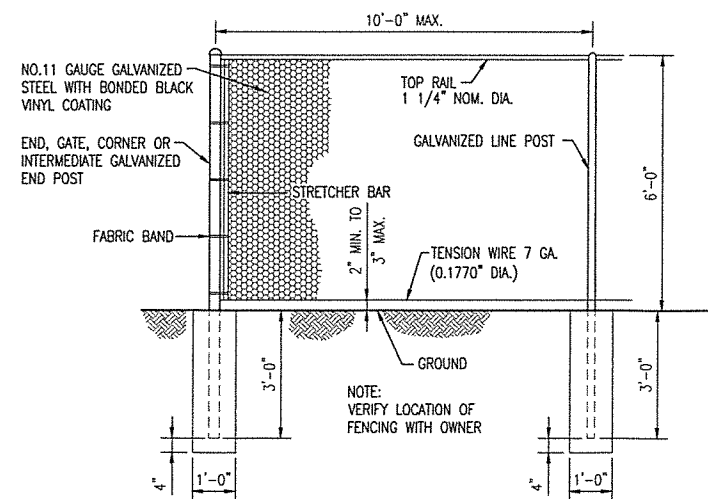
TYPICAL INTERIOR SITE PROFILE
SCALE: NTS



TYPICAL SITE LAYOUT
SCALE: 1"=20'-0"



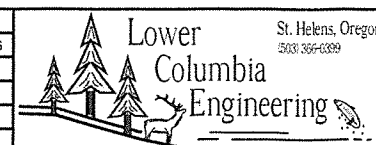
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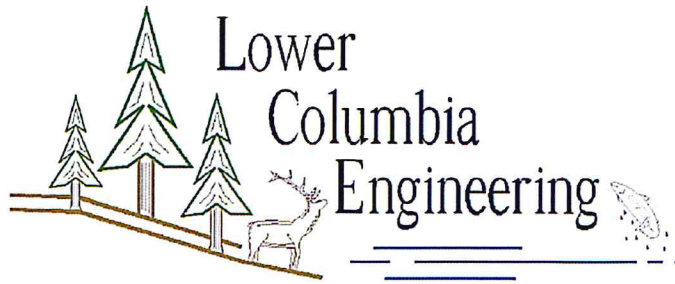
CHAIN LINK FENCE DETAIL
SCALE: NTS (AS REQUIRED)

DATE: 04/06/16
PRELIMINARY
NOT
FOR CONSTRUCTION

REV.	REVISION RECORD	DATE
A	REVISE PARKING LAYOUT	04/06/16



PROJ. NO.	2371	ST. HELENS MARINA
DWG. BY	SA	WYETH STREET RV PARK
APPR. BY		SITE DETAILS
SCALE	NOTED	DATE 04/06/16 DWG. NO. D-2371-1000-04-A



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St. Helens, OR 97051

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April 8, 2016

Jacob Graichen, AICP
City Planner
City of St. Helens
265 Strand Street
St. Helens, Oregon 97051

**Re: St. Helens Marina, LLC – Wyeth Street RV Park
Conditional Use Narrative**

Summary of Proposed Development

The proposed site is located on the northwest corner of the St. Helens Marina property. The Owner proposes to build (6) Recreational Vehicle (RV) sites on the lot. See attached Proposed Site Plan Drawing D-2371-1000-03.

Existing Conditions

The existing site is zoned Marine Commercial (MC). The site is located at 197 North River Street and within the City of St. Helens. There is an existing house on the site and an existing graveled driveway. The existing house will be demolished and the existing driveway and entrance improved as part of the RV Park project. See attached Existing Conditions Site Plan Drawing D-2371-1000-02.

Conditional Use Requested

SHMC Section 17.32.120 – Marine Commercial (MC), Subsection (3e) – Conditional Uses
Travel trailer parks are permitted.

Site Plan and Improvements

The attached Proposed Site Plan Drawing D-2371-1000-03 shows the location of the proposed RV sites, improved driveway entrance, landscaping and off-street parking (see off-street parking paragraph below). The proposed RV Park meets the criteria in SHMC Section 17.100.150(3)(m). The size and shape of the site is adequate for the needs of the proposed use. The shape and topography of the site lend themselves to the proposed use.

Grading

The site is relatively flat where the proposed RV sites will be located. There will be a 1% to 2% slope on the driveway and concrete RV pads.

RV Spaces and Recreation Area/Landscaping

There is at the very minimum 100 square feet of recreation space provided for each trailer on site. In addition there is a public park in immediate proximity of the RV Park. See SHMC Section

17.108.080(3)(a)-Exceptions to Site Development Review Standards. Due to the recreation spaces mentioned above, per SHMC 17.100.150(3)(m)(iii) the minimum trailer space may be 1000 square feet. All of the trailer spaces meet or exceed the minimum square footage. All trailer spaces meet the requirement of 25 feet in width.

Off-Street Parking

Per SHMC Section 17.100.150(3)(m)(x) a minimum of one and one-half parking spaces need to be provided for each trailer space. Eleven off-street parking spaces have been provided on the RV Park site for the six RV spaces. See Typical Site Layout Drawing D-2371-1000-04.

Utilities

All required public facilities have adequate capacity to serve the RV Park.

Sincerely,

A handwritten signature in cursive script that reads "Steve Alexander".

Steve Alexander

Attachments:

D-2371-1000-01 Vicinity Map, Plot Plan and Drawing Index

D-2371-1000-02 Existing Conditions Site Plan

D-2371-1000-03 Proposed Site Plan

D-2371-1000-04 Site Details

Reynolds Survey dated April 2, 2016

Pre-Construction Elevation Certificate

Flood Insurance Rate Map

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Recreational Vehicle Classifications



Type: Class A Motorhome

AVG Length: 25' to 40'

Typical Setup: Class A Motor homes are typically fully self contained. This means they have on board storage tanks for both fresh water and waste water. They also typically have large propane supplies, and also onboard generators. This makes these units great for extended stays at locations with no hookups.



Type: Class B Motorhome

AVG Length: 17' to 19'

Typical Setup: Class B Motor homes are street van with a raised roof. This class is the smallest class of motor home. Some of the newer models are self contained but typically the have a small galley with a potable toilet.



Type: Class C Motorhome

AVG Length: 20' to 30'

Typical Setup: Class C Motor homes are constructed on cutaway van chassis. They retain the front of the vans cab with both front doors. They typically offer all the amenities of a Class A, but most drivers find the Class B easier to maneuver.



Type: 5th Wheel Trailer

AVG Length: 32' to 45'

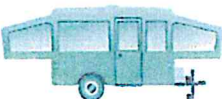
Typical Setup: 5th Wheels are some of the most desirable RV's. They offer all the amenities of typical RV's such as full kitchen, bathroom, master bedrooms, and some of the bigger models come with built in washer and dryers. Higher end models can have up to 3 slide outs making them the choice for most full time RVers. The only draw back is a 1 ton truck is required to pull the unit.



Type: Travel Trailer

AVG Length: 10' to 36'

Typical Setup: Travel trailers come in a variety of lengths. Some of the smaller models can be great for weekend campers due to the fact they can be pulled by a light truck and offer all the amenities of the bigger models. Some of the larger models offer a full galley, and bathroom. The size of the living quarters is governed by the overall length of the trailer. These trailers can sleep anywhere from 2 to 10 people depending on the size.



Type: Tent Trailer

AVG Length: 11'

Typical Setup: These models are great for beginners because of their lightweight. They are easily towed by mid-size cars or minivans. They typically have two double beds and the dining area converts in to a bed. They have a small 3 burners stove and an ice box, some models do have a refrigerator.



Type: Truck Campers

AVG Length: 8' to 11.5'

Typical Setup:

[Click Here To Sign Up For E-Statements](#)



Good Sam Club



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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

April 26, 2016

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

RE: **Lower Columbia Engineering, LLC**
Conditional Use Permit / CUP.3.16
5N1W-34CC-12900
197 North River Street

Dear Jennifer:

I have reviewed this conditional use application and note the following standard Fire Code-related items which are identical to Lower Columbia's other application (CUP/V 4.16) for a trailer park on North River Street.

- The existing hydrants on North River Street should be sufficient to supply the required fireflow for the trailer park, so additional hydrants will not be specified.
- Access from North River Street for our apparatus appears to be good and there is a large turnaround area at the end of the street.
- Everything else should be noted in the City development code and the Oregon Structural Code and applicable Administrative Rules.

Regards,

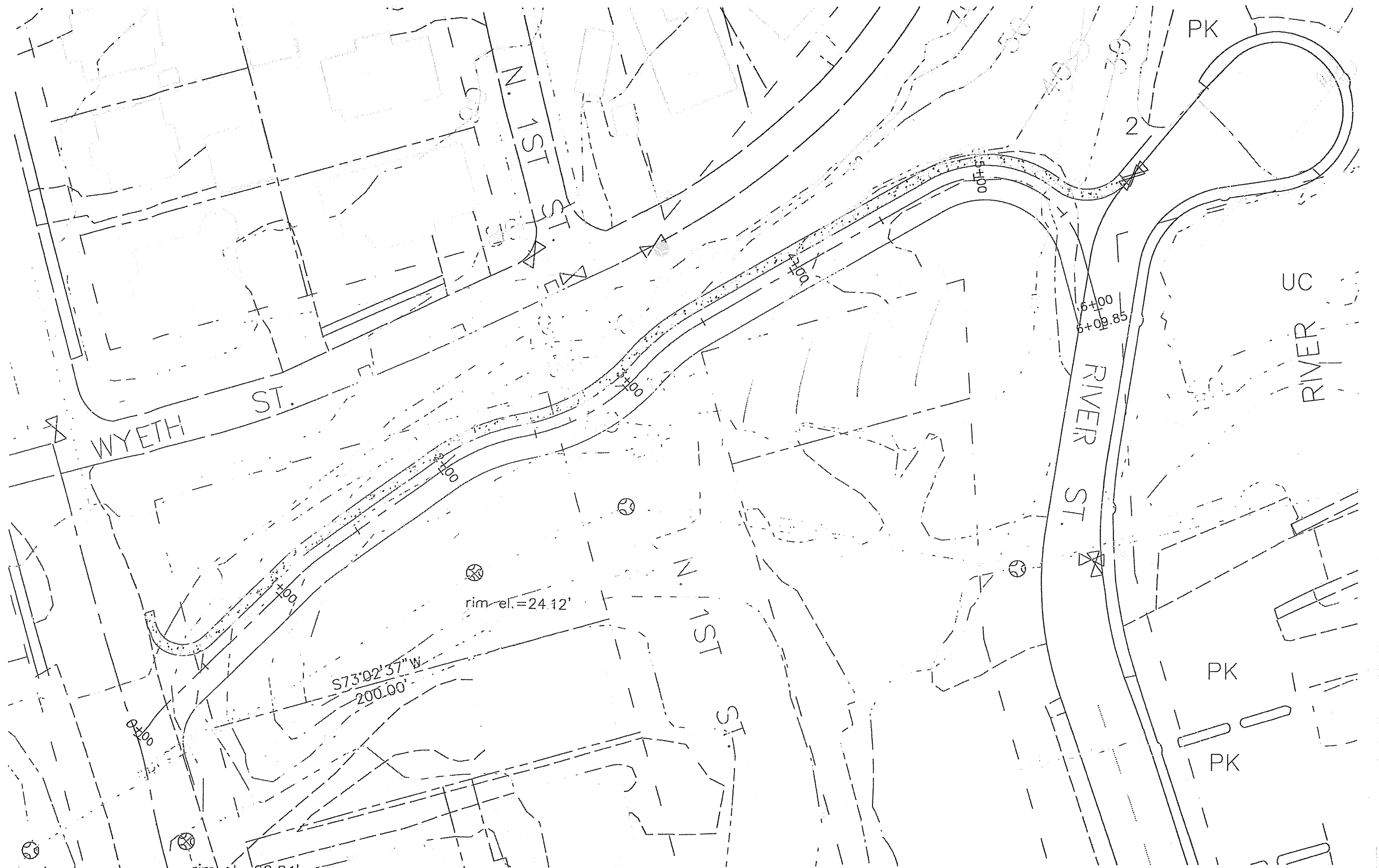
Jay M. Tappan

Jay M. Tappan
Chief/Acting Fire Marshal

cc: file









The subject property as seen from N. River Street. The detached single-family dwelling is proposed to be removed.



The subject property as seen from the upper and level portion.



The right-of-way that abuts the subject property (facing west). The existing dwelling is just to the left (outside the frame of this photo). The proposed street improvements would be sandwiched between the proposed travel trailer park and the rock bluff to the right.

**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT**

Conditional Use Permit CUP.4.16

Sensitive Lands Permit SL.2.16

Access Variance V.4.16

DATE: May 3, 2016
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: Lower Columbia Engineering, LLC
OWNER: St. Helens Marina, LLC

ZONING: Marine Commercial, MC

LOCATION: 5N1W-34CD-900

PROPOSAL: Travel trailer park (CUP) within an Area of Special Flood Hazard (100 year floodplain) and within the immediate proximity of the Columbia River (SL), and with a driveway approach that exceeds city standards (V).

The 120-day rule (ORS 227.178) for final action for this land use decision is August 18, 2016.

SITE INFORMATION / BACKGROUND

The subject site (just south of the N . River Street terminus and the Grey Cliffs Waterfront Park, and north of the St. Helens Marina boat ramp) is currently undeveloped, but has been used for dredge spoils and other interim passive uses, and most recently as a staging area for a construction operation. However, this specific area has never had a principle use, generally being idle open space of the St. Helens Marina.

The subject site for development is immediately adjacent to the banks of the Columbia River and is within a Special Flood Hazard Area (SFHA) as identified by FIRM Map No. 41009C0456D. The property is predominately covered by flood zone AE (100 year flood).

PUBLIC HEARING & NOTICE

Hearing dates are as follows: May 10, 2016 before the Planning Commission

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on April 21, 2016 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 April 27, 2016.

Given the immediate proximity to the Columbia River, staff also sent a Wetland Land Use Notification to the Oregon Department of State Lands on April 22, 2016.

AGENCY REFERRALS & COMMENTS

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

City Engineering Technician: There are no real concerns regarding utility services to this property. I do have some concerns about the following:

- 1) Impact to the traffic flow on River street while RV's are backing into the proposed RV parking spaces.
- 2) It appears that the proposed design does not have sufficient spacing in the driveway between the proposed pads.
- 3) Due to the angles of access to the pads on the south it may not be possible to park on the pads?
- 4) The pressing issue of emergency access to this area with only one way in and out.
- 5) This design may impact access to a possible ingress/egress through the existing Wyeth Street right-of-way.
- 6) There may be better designs. For instance "how about a drive thru to the cul-de-sac."

City Building Official: The proposed RV park will be reviewed for conformance with the requirements of OAR 918-650 and OESC Chapters 551 and 682.

**CONDITIONAL USE PERMIT
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): The applicant's plans are contrary to many provision of the Development Code and are inadequate as evidence to meet this criterion. In addition, large vehicles such as travel trailers and recreational vehicles shall not be allowed to utilize a public right-of-way for backing

movements, especially when there is only a sidewalk on one side of the street and the backing movements occur over that sidewalk. This proposal promotes unsafe conditions in addition to a disregard for the City's standards.

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

Finding(s): The applicant's plans are contrary to many provision of the Development Code. There is no proof that the site is suitable. This proposal forces backing movements onto N. River Street and over the sole sidewalk (only on one side of the street) that provides pedestrian access to the nearby public park. This proposal promotes unsafe circumstances.

(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.

Discussion: There are both zoning and CUP standards that apply. Findings are separated as such.

Zoning District Finding(s): The property is zoned Marine Commercial (MC). "Travel trailer park" is listed as a conditionally permitted use in this zoning district. The MZ zone includes the following standards:

- The maximum lot coverage including all impervious surfaces is 90%.
- The minimum landscaping required is 10% of the lot area.

The portion of subject property is approximately 16,000 square feet in size. The unpaved areas shown on the plans exceeds 10% of this. Thus, given obtainment of a Conditional Use Permit, the specific standards of the MC zone are satisfied.

Conditional Use Permit Finding(s): SHMC 17.100.150(3)(m) establishes the CUP Chapter's specific requirements for travel trailer parks. The standards are in Arial font and the findings in Times New Roman.

Travel Trailer Parks. In addition to the standards of the zone in which they are located and other references in this code, travel trailer parks shall comply to the standards of this subsection. If there is a conflict between the two standards, the standards of this subsection shall govern.

(i) Trailer parks shall be located on well-drained sites, and shall be so located that their drainage shall not endanger any life or property. All such trailer parks should be

located in areas free from marshes, swamps, or other potential breeding places for insects or rodents;

The site is next to the Columbia River and drainage shouldn't be a problem. There are some natural areas in the vicinity given the proximity to the River, but no evidence that insects or rodents will be a more of a problem at the specific site compared to other areas around the St. Helens Marina.

(ii) The area of the trailer park shall be large enough to handle: the designated number of trailer spaces, necessary streets and drives, off-street parking, service areas, recreation areas, and setbacks;

The design is insufficient. For example the designated number of proposed spaces is unrealistic and the vehicular access aisle is too narrow.

(iii) Each trailer space shall contain a minimum of 1,200 square feet, except that at the option of the owner, the minimum size may be 1,000 square feet if an area of 100 square feet for each trailer space is provided for recreation. Each trailer space shall be a minimum of 25 feet in width, and shall abut on a drive with unobstructed access to a street. Such spaces shall be clearly defined. Trailers shall be located in such spaces with a minimum of 15 feet between trailers, or between a trailer and any building;

The proposed plan does not meet this criterion. Spaces 3 and 4 are inadequately sized.

It is also questionable how the spaces are clearly defined being at an angle. Per the Building Official, the utility hookups are supposed to be on the driver's side (backing in). The plans are not consistent as to which side has area to place utility connections. Thus, promoting a lack of space definition.

Use of larger travel trailers/recreation vehicles such as a Class A Motorhome 40' in length or a 45' long 5th Wheel trailer would obstruct access to N. River Street.

(iv) No trailer shall be located less than five feet from a side or rear property line;

This could be met, but only if there was a size restriction. Otherwise, use of larger travel trailers (such as a Class A Motorhome 40' in length or a 45' long 5th Wheel) in spaces 1 and 6 would be too close to the subject properties N. River Street property line.

(v) No trailer shall be located less than 25 feet from any street or highway, or so that any part of such trailer will obstruct any drive or walkway;

Travel trailer spaces are located within less than 25 feet from N. River Street. The design promotes obstruction of the drive.

(vi) No trailer shall remain in a trailer park unless a trailer space is available, and then only for a maximum of 30 consecutive days;

The length of time standard cannot be enforced due to ORS 197.493:

(1) A state agency or local government may not prohibit the placement or occupancy of a recreational vehicle, or impose any limit on the length of occupancy of a recreational vehicle, solely on the grounds that the occupancy is in a recreational vehicle, if the recreational vehicle is:

(a) Located in a manufactured dwelling park, mobile home park or recreational vehicle park;

(b) Occupied as a residential dwelling; and

(c) Lawfully connected to water and electrical supply systems and a sewage disposal system.

(2) Subsection (1) of this section does not limit the authority of a state agency or local government to impose other special conditions on the placement or occupancy of a recreational vehicle.

However, no travel trailer/recreational vehicle shall remain in the facility unless a space is available.

(vii) Access drives shall be provided to each trailer space, shall be continuous, shall connect with a street, and shall have a minimum width of 20 feet, with a minimum total width of 36 feet for exterior connections;

The access drive is less than 20 feet. Its close 17 feet at the widest and 0 (or a negative number!!!) at the narrowest. The proposed driveway approach (exterior connection) is 64 feet in width and requires an Access Variance (see below).

(viii) Improved walkways, not less than two feet in width, shall be provided from each trailer space to service buildings;

No service buildings are specifically proposed.

(ix) Access drives within the park shall be paved according to the city's developmental standards;

This shall be a condition of approval.

(x) Off-street parking shall be provided with a minimum of one and one-half parking spaces for each trailer space. Minimum width access drives shall not be considered in fulfilling this requirement;

If 6 travel trailer spaces require 9 off-street parking spaces. This many spaces are shown, but some of these spaces encroach into the required vehicular access drive. The minimum required geometry for standard off-street parking spaces is 9 x 18 feet. The plans seem to ignore this.

In addition, Per SHMC 17.80.020(22) parking spaces in a public street or alley shall not be eligible as fulfilling any part of the parking requirements (with exceptions which don't apply here). Standard off-street parking spaces are 9 x 18 feet. At least one proposed space encroaches into the N. River Street right-of-way contrary to this provision.

(xi) Recreation areas which may be provided according to subsection (3)(m)(iii) of this section shall be suitably equipped, maintained and restricted to such uses. Such areas shall be protected from streets, drives and parking areas. The minimum size of each such recreation area shall be 2,500 square feet;

A large recreation area per this criterion is not proposed. However, per SHMC 17.108.080(3), the approval authority may grant an exception or deduction to shared recreational area requirements for a use that is permanent in nature if there is direct access by a pedestrian path, not exceeding ¼ mile from the proposed development to public open space or recreation areas which may be used by residents of the development.

In this case, travel trailers and RVs are mobile but the travel trailer park is permanent in nature. Grey Cliffs Waterfront Park, a public park owned by the City abuts the site to the north. There is an existing sidewalk along N. River Street to the park. This exception can apply.

(xii) No permanent additions of any kind shall be built onto, nor become part of, any trailer. Skirting of trailers is permissible, but such skirting shall not attach the trailer to the ground;

This shall be a condition of approval.

(xiii) Permanent structures located within any trailer space shall be used for storage purposes only, shall have a maximum area of 25 square feet, shall be located not less than six feet from any trailer, and shall be subject to all applicable city building codes;

No permanent structure is proposed.

(xiv) Wheels of trailers shall not be removed, except temporarily when in need of repairs; the wheels or jacking system must be attached to the site only by quick disconnect type utilities and security devices; and

This shall be a condition of approval.

(xv) A sight-obscuring fence of not less than eight feet in height shall be provided along any lot line which abuts or faces a more restricted residential district;

It's possible that the R5 zoning to the north of the site could be consider a "more restricted zoning district." However in this case, it is developed with a public park as opposed to residential development that may warrant a sight-obscuring fence.

Unless the Commission feels otherwise, no fence is required.

(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.

Site Development Review standards allows review of the relevant Chapters of the St. Helens Municipal Code. The applicable standards not mentioned above are as follows:

- **Sensitive lands.** Addressed below.
- **Landscaping and screening.** Street trees are required.

Screening of parking areas larger than three spaces is required. The landscaping areas along the perimeter of the site could include vegetation to act as a screen. A landscape plan shall be required which includes a balance of low-lying and vertical shrubbery and trees.

Screening of refuse containers/collection areas is required if visible from a public street, parking lot, residential area, commercial area or public facility. A trash enclosure area is included on the plans, however, its location would not be accessible to all users or the trash collector. The trash enclosure needs to be located such that is accessible by all and won't be blocked by parked vehicles or other permanent or temporary obstacles.

- **Visual clearance areas.** A visual clearance area is required at street/driveway intersections. This applies to permanent and mobile obstructions (such as automobiles and travel trailers/recreational vehicles) exceeding 3 feet in height as measured from the top of curb. Both passenger vehicle parking and travel trailer/recreational vehicle spaces are within this area. See Chapter 17.76 SHMC. This plan disregards these rules, which promotes unsafe conditions.
- **Site Design Review.** Lighting is required as appropriate to deter crime. In this case, there is existing street lighting (two lamps) along the subject property area. However, it appears that the proposal would displace at least one of those. Any existing street light impacted by this development shall be replaced as approved by the city.
- **Access, Egress and Circulation.** The normal maximum driveway approach width allowed would be 24' feet. However, SHMC 17.100.150(3)(m)(vii) *suggests* that a driveway approach for a travel trailer park should be at least 36 feet wide. The applicant proposes 64 feet; this requires an Access Variance.
- **Street and Utility Improvement Standards.** N. River Street along the subject property is already improved. Modifications are proposed and would require compliance with the City's standards for streets.

The northwest corner of the subject property is within street improvements. Right-of-way dedication shall be required.

All utilities servicing the site shall be underground.

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

Finding(s): The proposal is contrary to Comprehensive Plan policy because the Development Code implements the Comprehensive Plan, and the plans submitted are grossly contrary to many provisions of the Development Code.

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. A critical aspect is vehicular maneuvering. The applicant's design forces backing movements of large vehicles and trailers into N. River Street. Though a dead-end street, there is a public park at the end where the public can congregate. A design that necessitates backing movements of larger vehicles is a hazard, and thus not compatible with the uses in the area. Also note that along N. River Street, the only sidewalk is on the same side of the street as the subject property. Thus, the backing movements would occur over the sole public pedestrian path leading to a public park.

Findings: To be determined by the Commission. However, this proposal must be denied based on the plans submitted.

SENSITIVE LANDS APPLICABLE CRITERIA, ANALYSIS & FINDINGS

Type(s) of sensitive lands affected: Flood zone AE (100 year flood). In addition, the riparian area of the Columbia River is considered. Endangered Species Act (ESA) listed species and fish habitat are also potentially affected.

SHMC Chapter 17.40 – Wetlands and Riparian Areas

Discussion: Riparian areas are considered the area adjacent to a river, lake or stream, consisting of the area of transition from an aquatic ecosystem to a terrestrial ecosystem. This chapter normally requires an upland protection zone adjacent to all significant riparian corridors to protect their integrity, function and value. For the Columbia River, the required protection zone is 75 feet upland from the top of bank.

Finding(s): In this case, there is little vegetation or natural area on the flat portion of the site. Thus, because the area has already been impacted and there is no clear evidence the impact since these laws were adopted in 2003 was done illegally, especially given the high visibility of the site in the public eye, alteration of the site is possible given the intent of this Chapter provided the development doesn't harm the riparian area's integrity, function and value any more than was done prior to 2003.

Note that the City's riparian inventory ranked this area as low in water quality and function due to the extent of impervious surface (e.g., existing streets) and lack of woody riparian vegetation. One measure of potential riparian area is the potential tree height of the dominant tree species at maturity. This measure is used because it represents a distance in which a tree can still directly affect the water resource such as shade and organic material. There are currently no trees or woody vegetation.

As such, the proposal could be construed as not resulting in greater harm of the riparian area's integrity, function and value because of the lack of any significant vegetation (historic impact).

However, the Commission needs to consider the consequences of this development if allowed. To explain, permanent land improvement investment could result in a desire of the current or future property owner(s) to reinforce the shoreline to protect their investment. Note that staff observed bank erosion near the shoreline. Installation of a shoreline reinforcement would impact applicable sensitive lands. As such, vegetation to help stabilize the shoreline while also contributing to a riparian area possessing better integrity, function and value is a logical requirement.

There are three conditions to consider. 1) that the development of the travel trailer park stay above the water-ward slope (about 22' as shown on the submitted plans), 2) appropriate trees and other flora is included in the landscape plan (and designed by an appropriate environmental professional) to help stabilize the Columbia River shoreline and contribute to its natural riparian/protection zone function, and 3) a plan that prevents impacts to the Columbia River and its riparian area during construction. These shall be conditions of approval.

Or, prior to any approval, the Commission could require a technical analysis of the river bank (e.g., geotech/environmental impact report) to understand its erosion potential to evaluate the risk of approving a permanent development of this area of the subject property.

SHMC Chapter 17.44 – Sensitive Lands

Discussion: The regulations of this chapter are intended to implement the comprehensive plan and the city's floodplain management program as required by the National Flood Insurance Program, and help to preserve natural sensitive land areas from encroaching use. All development within a floodplain or floodway or that may directly impact a floodplain or floodway shall follow the rules as stated in Chapter 17.46 SHMC.

Sensitive Lands permitting at the local (City of St. Helens) level is also required if fish and wildlife habitat or state and federal threatened/endangered species habitats are impacted. The applicant has not provided sufficient detail at this point to determine if this is the case, so it cannot be addressed here. Per this Chapter impact to threatened/endangered species habitats requires review by the Planning Commission. This proposal could potentially impact essential salmonid habitat (for example, Chinook Salmon and other species of the Lower Columbia River are a listed species under the Endangered Species Act). Thus, if there is such impact subsequent and additional Sensitive Lands permitting with the City of St. Helens would be required in addition to any permitting required by State and Federal agencies.

Specific regulations pertaining to this proposal's location in the floodplain are addressed in the Chapter 17.46 SHMC.

SHMC Chapter 17.46 – Floodplains & Floodways

--SHMC 17.46.040(3)(c) – Information to be obtained and maintained:

(i) Where base flood elevation data is provided through the flood insurance study, FIRM, or as required in subsection (3)(b) of this section, obtain and record the actual (as-built) elevation (in relation to mean sea level based on the North American Vertical Datum of 1988 (NAVD 88)) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

(ii) For all new or substantially improved floodproofed structures where base flood elevation data is provided through the flood insurance study, FIRM, or as required in subsection (3)(b) of this section:

(A) Verify and record the actual elevation (in relation to mean sea level based on the North American Vertical Datum of 1988 (NAVD 88)) to which the structure was floodproofed, and

(B) Maintain the floodproofing certifications required in subsection (1)(b)(iii) of this section.

(iii) Maintain for public inspection all records pertaining to the provisions of this chapter.

Discussion: Applicant submitted a “pre-construction” Elevation Certificate (EC) as required by the City to determine the exact Base Flood Elevation of the site. **The BFE is 26.3’ (based on the NAVD 1988 elevation datum).** A new EC will be required when construction of the project is complete (this is noted on the EC itself).

No structure or basement is proposed. Floodproofing (floodproof certificate) would not apply as no structure is proposed.

Finding: Utility connections are proposed to serve recreational vehicles. An EC will be required to confirm proper elevation of those.

--SHMC 17.46.050(1) – Provisions for flood hazard reduction (applicable general standards)

General Standards. In all areas of special flood hazard, the following standards are required:

(a) Anchoring.

(i) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

(ii) All manufactured homes must likewise be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (reference FEMA’s “Manufactured Home Installation in Flood Hazard Areas” guidebook for additional techniques).

(b) Construction Materials and Methods.

(i) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

(ii) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

(iii) Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(c) Utilities.

(i) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system

(ii) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and

(iii) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding consistent with the Oregon Department of Environmental Quality.

Discussion: The above are requirements of the National Flood Insurance Policy and the City of St. Helens. Given the proximity of the Area of Special Flood Hazard to the development site on the subject property, these provisions are applicable. An on-site waste disposal system is not proposed. An on-site waste disposal system is only allowed in very limited circumstances in the City; this property or development does not fit within those circumstances.

This Sensitive Lands Permit pertains to the development of the travel trailer park and not recreational vehicles on site for 180 or more days, which would require further permitting beyond this. Applicable at this time are the utility connections for the travel trailer/recreational vehicle spaces and their proper design in the floodplain.

--SHMC 17.46.050(2) – Provisions for flood hazard reduction (applicable specific standards)

(c) Manufactured Homes.

(i) The ground area reserved for the placement of a manufactured dwelling shall be a minimum of 12 inches above BFE unless the foundation walls are designed to automatically equalize hydrostatic forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

(A) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;

(B) The bottom of all openings shall be no higher than one foot above grade; and

(C) Openings may be equipped with screens, louvers, or other coverings or devices; provided, that they permit the automatic entry and exit of floodwaters

(ii) The bottom of the longitudinal chassis frame beam in A zones shall be a minimum of 12 inches above BFE (see definition of "lowest floor" in the Manufactured Dwelling Specialty Code)

(iii) The manufactured dwelling shall be anchored to prevent flotation, collapse and lateral movement during the base flood. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques); and

(iv) Electrical crossover connections (see Manufactured Dwelling Specialty Code) shall be a minimum of 12 inches above BFE.

(d) Recreational Vehicles. Recreational vehicles placed on sites are required to either:

(i) Be on the site for fewer than 180 consecutive days;

(ii) Be fully licensed and ready for highway use, on its wheels or jacking system, be attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or

(iii) Meet the requirements of subsection (2)(c) of this section and the elevation and anchoring requirements for manufactured homes.

Discussion: In some parts of the nation campgrounds and recreational vehicle parks in the floodplain are evolving from camping and other short-term occupancies to permanent occupancies which can significantly increase risk to life and property and potential flood damages. The distinguishing feature between a recreational vehicle park and a manufactured home park is the permanency of the installations. Poured concrete pads, permanent utility hookups, mail delivery to the site, and permanently attached structures are characteristics of a permanent residence or a typical manufactured home park.

The best way to minimize flood damages is to ensure that recreational vehicle parks and campgrounds in the floodplain are limited to short-term occupancies, or, if they are not, to ensure that the units are adequately protected from flood damages through enforcement of floodplain management standards for manufactured homes.

A travel trailer park is proposed. Though no permanent buildings are proposed, recreational vehicles are considered "permanent" and subject to elevation and anchoring requirements if in place 180 or more days.

Finding(s): Conditions of approval shall apply to this proposal for recreational vehicles on site for fewer than 180 days. No recreational vehicle shall be allowed for 180 or more days without permitting as a manufactured home within the floodplain.

However, since the related permits don't comply with many standards, this sensitive lands permit cannot be approved.

ACCESS VARIANCE
APPLICABLE CRITERIA, ANALYSIS & FINDINGS

17.84.150 Approval standards (for access variances).

- (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 could make this a challenge. However, no Variance should be granted for a design that conflicts with multiple standards as this one does. **This application must be denied.**

(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): No Variance should be granted for a design that conflicts with multiple standards as this one does. **This application must be denied.**

(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): There is not a separation issue. However, no Variance should be granted for a design that conflicts with multiple standards as this one does. **This application must be denied.**

(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.
- Staff comment(s): The applicant argues there are unique circumstances while presenting a plan that is contrary to many provisions of law, including what appears to be too many travel trailer spaces than can practically fit (this is not intended to say that a travel trailer park is even possible on this site). **This application must be denied.**

(5) This criterion requires a finding that that 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): All the applicant does is propose a mountable curb. The solution to a more modest driveway approach width is proper site design. **This is not designed properly and must be denied.**

(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): A finding of adequate access cannot be made when the site design proposed is grossly inadequate. **This application must be denied.**

(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): This proposed driveway approach forces backing movements onto a street with only one sidewalk (on the same side as the subject property) of large travel

trailers and recreational vehicles. It will also result in obstruction of visual clearance areas per Chapter 17.76 SHMC. The Variance promotes unsafe conditions. **This application must be denied.**

(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.
- Staff comments: The proposal is a blatant disregard of this criterion. **This application must be denied.**

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

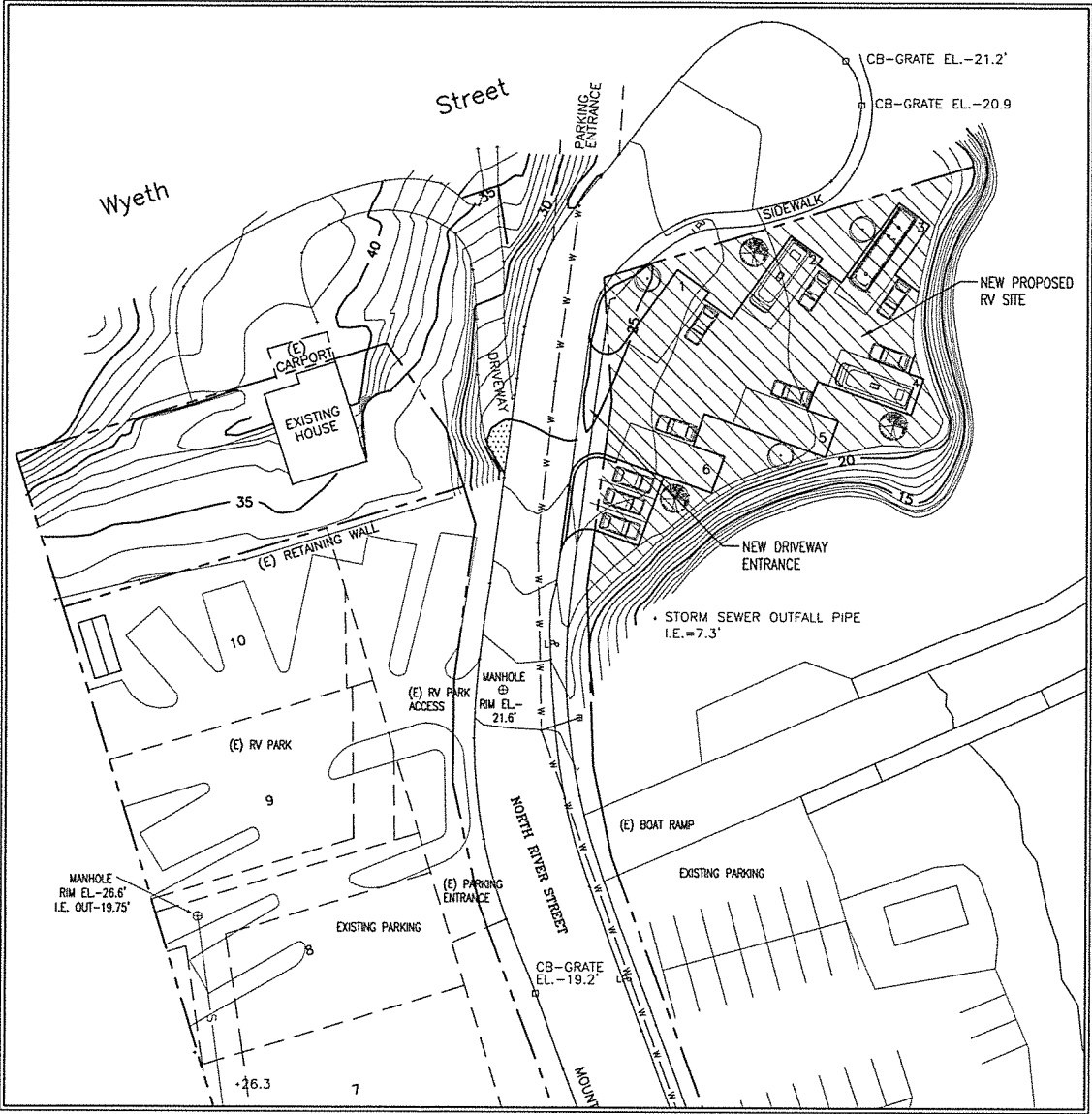
- The commission needs to determine if this is met to approve the variance or approve it with conditions.
- See applicant narrative.
- Staff comments: The hardship is self-created as a result of poor site design and ignoring multiple standards of the development code. **This application must be denied.**

CONCLUSION & RECOMMENDATION

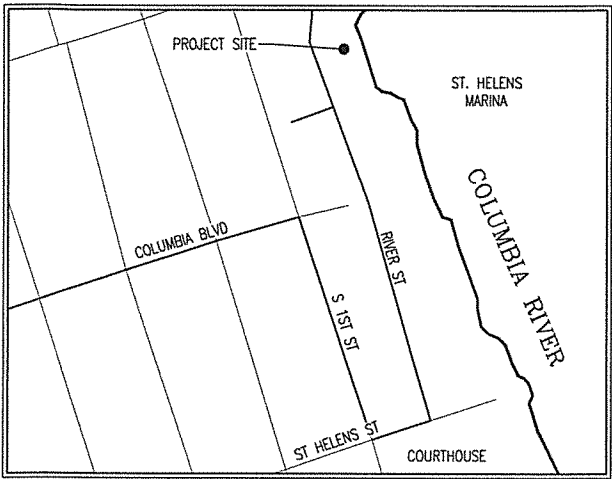
Based upon the facts and findings herein, staff recommends denial of this Conditional Use Permit, Sensitive Lands Permit, and Access Variance.

Attachment(s):

- Submitted plans
- Submitted CUP, Sensitive Lands, and Access Variance Narrative
- Recreational vehicle Classifications (showing variety of sizes)
- Columbia River Fire & Rescue letter dated April 26, 2016
- Oregon DSL Wetland Land Use Notification Response (DSL File No. WN2016-0164)
- Pictures attachment



PLOT PLAN
NOT TO SCALE



VICINITY MAP
SCALE: NTS



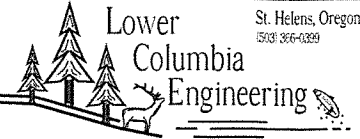
DRAWING INDEX

D-2355-1000-01	VICINITY MAP, PLOT PLAN & DRAWING INDEX
D-2355-1000-02	EXISTING CONDITIONS SITE PLAN
D-2355-1000-03	PROPOSED SITE PLAN
D-2355-1000-04	SITE DETAILS

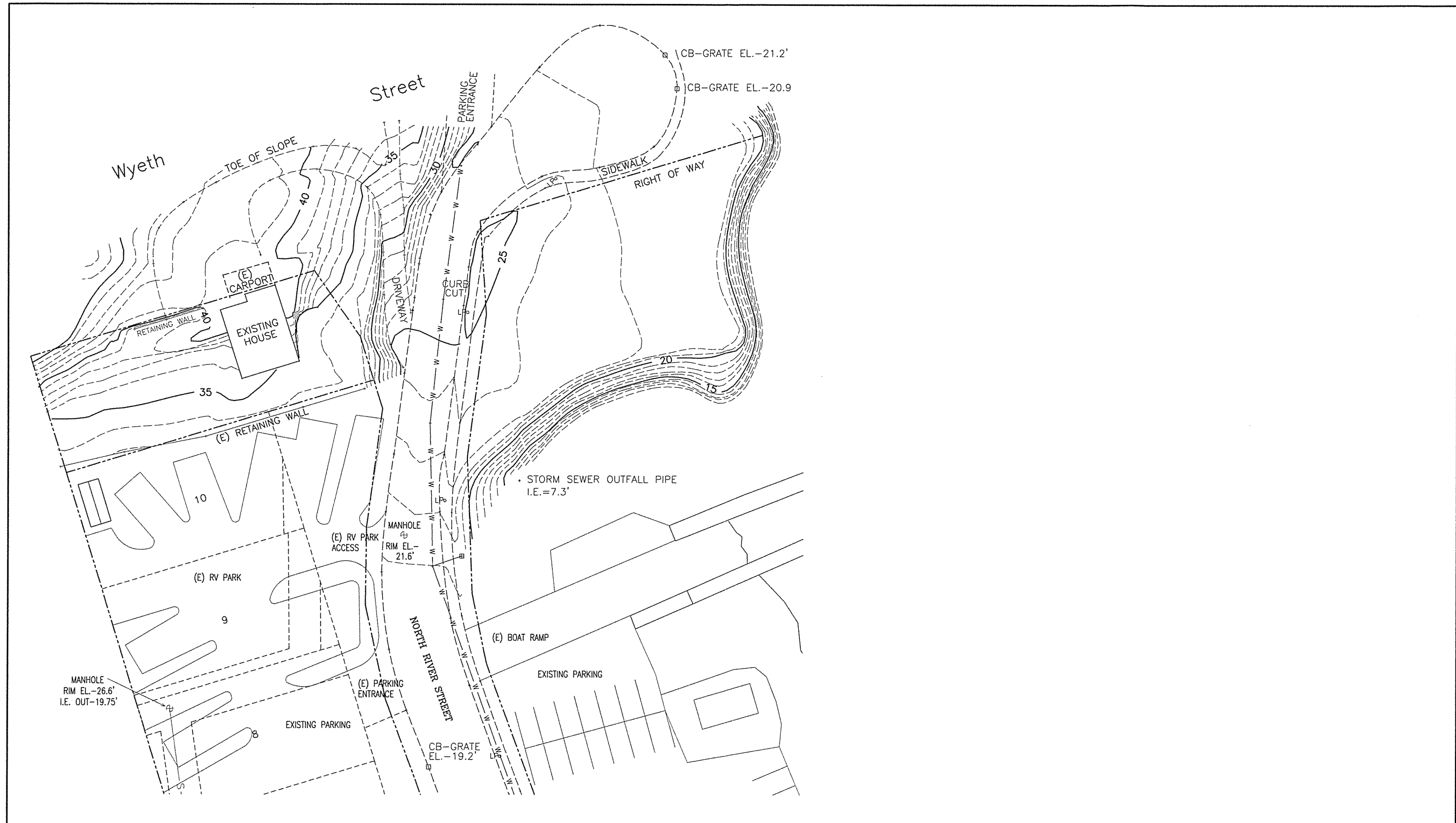
DATE: 04/20/16
REVISED PRINT
VOID ALL PREVIOUS

DATE: 04/05/16
PRELIMINARY
NOT
FOR CONSTRUCTION

REV.	REVISION RECORD	DATE
A	REVISE PARKING LAYOUT	04/06/16
B	ADD MOUNTABLE CURB AT DRIVEWAY ENTRANCE	04/20/16



PROJ. NO.	2355	ST. HELENS MARINA
DWG. BY	SA	RIVER STREET RV PARK
APPR. BY		VICINITY MAP, PLOT PLAN & DRAWING INDEX
SCALE	NOTED	DATE: 02/09/16
		DWG. NO. D-2355-1000-01-B

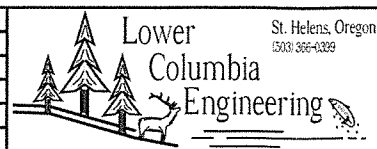


EXISTING CONDITIONS SITE PLAN
SCALE: 1"=20'-0"



DATE: 04/06/16
PRELIMINARY
NOT
FOR CONSTRUCTION

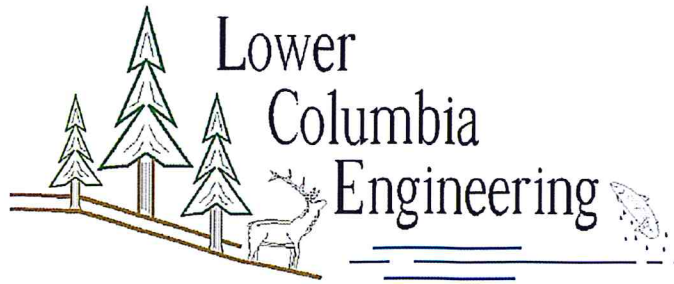
REV.	REVISION RECORD	DATE



PROJ. NO.	2355	ST. HELENS MARINA
DWG. BY	SA	RIVER STREET RV PARK
APPR. BY		EXISTING CONDITIONS SITE PLAN
SCALE	NOTED	DATE 04/06/16
DWG. NO.	D-2355-1000-02	

DATE: 04/06/16
PRELIMINARY
NOT
FOR CONSTRUCTION

PROJ. NO.	2355	ST. HELENS MARINA	
DWG. BY	SA	RIVER STREET RV PARK	
APPR. BY		SITE DETAILS	
SCALE	NOTED	DATE	DWG. NO.
		04/06/16	D-2355-1000-04-B



58640 McNulty Way
St. Helens, OR 97051

Phone: (503) 366-0399
www.lowercolumbiaengr.com

April 8, 2016

Jacob Graichen, AICP
City Planner
City of St. Helens
265 Strand Street
St. Helens, Oregon 97051

**Re: St. Helens Marina, LLC – River Street RV Park
Conditional Use Narrative**

Summary of Proposed Development

The proposed site is located adjacent to the St. Helens Marina. The Owner proposes to build (6) Recreational Vehicle (RV) sites on the lot. See attached Proposed Site Plan Drawing D-2355-1000-03.

Existing Conditions

The existing site is zoned Marine Commercial (MC). The site is located at 134 North River Street and within the City of St. Helens. The site consists of a graveled landing and an existing parking lot. See attached Existing Conditions Site Plan Drawing D-2355-1000-02.

Conditional Use Requested

SHMC Section 17.32.120 – Marine Commercial (MC), Subsection (3e) – Conditional Uses
Travel trailer parks are permitted.

Site Plan and Improvements

The attached Proposed Site Plan Drawing D-2355-1000-03 shows the location of the proposed RV sites, improved driveway entrance, landscaping and off-street parking (see off-street parking paragraph below). The proposed RV Park meets the criteria in SHMC Section 17.100.150(3)(m). The size and shape of the site is adequate for the needs of the proposed use. The shape and topography of the site lend themselves to the proposed use.

Grading

The site is relatively flat where the proposed RV sites will be located. There will be a 1% to 2% slope on the driveway and concrete RV pads.

RV Spaces and Recreation Area/Landscaping

There is at the very minimum 100 square feet of recreation space provided for each trailer on site. In addition there is a public park in immediate proximity of the RV Park. See SHMC Section 17.108.080(3)(a)-Exceptions to Site Development Review Standards. Due to the recreation spaces mentioned above, per SHMC 17.100.150(3)(m)(iii) the minimum trailer space may be 1000 square feet.

All of the trailer spaces meet or exceed the minimum square footage. All trailer spaces meet the requirement of 25 feet in width.

Off-Street Parking

Per SHMC Section 17.100.150(3)(m)(x) a minimum of one and one-half parking spaces need to be provided for each trailer space. Nine off-street parking spaces have been provided on the RV Park site for the six RV spaces. See Typical Site Layout Drawing D-2355-1000-04.

Utilities

All required public facilities have adequate capacity to serve the RV Park.

Sincerely,

A handwritten signature in cursive script that reads "Steve Alexander".

Steve Alexander

Attachments:

D-2355-1000-01 Vicinity Map, Plot Plan and Drawing Index

D-2355-1000-02 Existing Conditions Site Plan

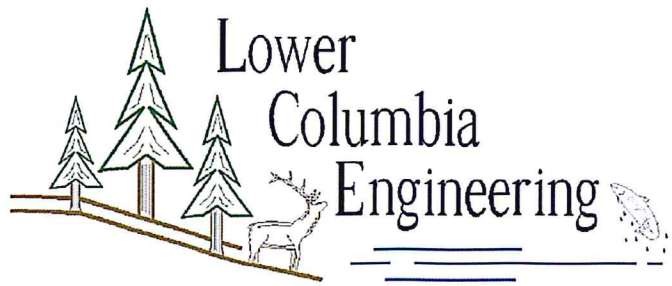
D-2355-1000-03 Proposed Site Plan

D-2355-1000-04 Site Details

Reynolds Survey dated April 2, 2016

Pre-Construction Elevation Certificate

Flood Insurance Rate Map



58640 McNulty Way
St. Helens, OR 97051

Phone: (503) 366-0399
www.lowercolumbiaengr.com

April 8, 2016

Jacob Graichen, AICP
City Planner
City of St. Helens
265 Strand Street
St. Helens, Oregon 97051

**Re: St. Helens Marina, LLC – River Street RV Park
Sensitive Lands Narrative**

Summary of Proposed Development

The proposed site is located at 134 North River Street. It is zoned Marine Commercial. There is an existing gravel landing and an existing parking lot on the site. The Owner proposes to build (6) Recreational Vehicle (RV) sites on the lot. See attached Proposed Site Plan Drawing D-2355-1000-03.

Proposed RV Sites in Flood Plain

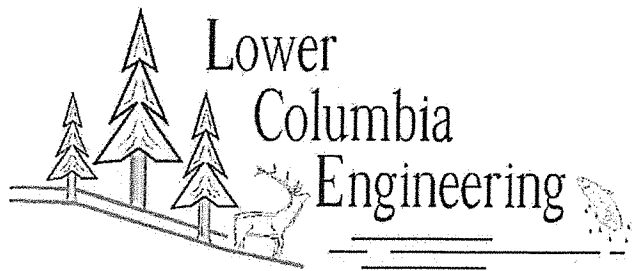
See attached Proposed Site Plan Drawing D-2355-1000-03 for RV site locations and see all attached plans as noted below. See attached Pre-Construction Elevation Certificate and Flood Insurance Rate Map. Please note that the base flood elevation is 26.3' NAVD 88, per FEMA FIS Columbia River Profile. It is the same base flood elevation on the new survey dated April 2, 2016 as the Elevation Certificate used for the Townhouses on the St. Helens Marina site.

Sincerely,

Steve Alexander

Attachments:

- D-2355-1000-01 Vicinity Map, Plot Plan and Drawing Index
- D-2355-1000-02 Existing Conditions Site Plan
- D-2355-1000-03 Proposed Site Plan
- D-2355-1000-04 Site Details
- Reynolds Survey dated April 2, 2016
- Pre-Construction Elevation Certificate
- Flood Insurance Rate Map



58640 McNulty Way
St. Helens, OR 97051

Phone: (503) 366-0399
www.lowercolumbiaengr.com

April 21, 2016

Jacob Graichen, AICP
City Planner
City of St. Helens
265 Strand Street
St. Helens, Oregon 97051

**Re: St. Helens Marina, LLC – River Street RV Park
Access Variance Criteria Narrative**

Summary of Proposed Development

The proposed site is located at 134 North River Street. It is zoned Marine Commercial. There is an existing gravel landing and an existing parking lot on the site. The Owner proposes to build (6) Recreational Vehicle (RV) sites on the lot. The existing driveway entrance will be expanded to 60 feet to safely accommodate the entrance and exit of RV's and off-street parking. A mountable curb is placed in the driveway entrance to reduce the perceived width of the driveway entrance and to promote pedestrian safety. See attached Proposed Site Plan Drawing D-2355-1000-03.

Requested Variance

1. A driveway entrance width of 60 feet.

Access Variance Criteria Narrative (based on SHMC Section 17.84.150(1)-(9))

(1) It is not possible to share access;

It is not possible to share access due to the physical location and constraints of the site. See Proposed Site Plan D-2355-1000-03.

(2) There are no other alternative access points on the street in question or from another street;

The only possible access point to the site is from North River Street on the west side of the property. This is due to the physical constraints of the site and the existing North River Street R.O.W. and cul-de sac. See Proposed Site Plan D-2355-1000-03.

(3) The access separation requirements cannot be met;

The existing driveway curb cut to the lot is not sufficiently wide to accommodate the RV park. The driveway entrance to North River Street needs to meet the **minimum** driveway width requirement of SHMC Section 17.100.150(3)(m)(vii), which is the standards for Travel Trailer Parks. It is also required in SHMC Section 17.100.150(3)(m) that "if there is a conflict between the two standards (referring to standards in other SHMC sections), the standards of this subsection shall govern".

- (4) *There are unique or special conditions that make strict application of the standards impractical;*

The proposed RV Park is at the north end of North River Street. It is sandwiched between the river/marina and North River Street. To the north of the site, there is an existing cul-de-sac at the termination of North River Street. The St. Helens Marina is to the east and south of the site and North River Street is to the west. The only access point is off North River Street. As mentioned in (3) above, the driveway entrance to North River Street needs to meet the **minimum** driveway width requirement of SHMC Section 17.100.150(3)(m)(vii), which is the standards for Travel Trailer Parks.

- (5) *No engineering or construction solutions can be applied to mitigate the condition;*

Mountable curbs will be utilized to provide physical barriers that increase pedestrian safety.

- (6) *The request is the minimum variance required to provide adequate access;*

The Owner proposes to reduce the width of the 60' driveway entrance by providing a mountable curb at the location shown on the Proposed Site Plan drawing D-2355-1000-03. The mountable curb will reduce the perceived driveway entrance width to the required minimum of 36', and will increase safety for both pedestrians and vehicles.

- (7) *The approved access or access approved with conditions will result in safe access and will not result in the degradation of operational and safety integrity of the transportation system;*

North River Street is considered a local residential street and has minimal traffic. The street terminates in a cul-de-sac which borders the north side of the proposed RV site. Due to the low traffic flow, low vehicle speeds and proximity to the cul-de-sac, entering and exiting the site does present a danger to vehicles or pedestrians.

- (8) *The visual clearance requirements of Chapter 17.76 SHMC will be met and;*

Due to the low traffic flow, low vehicle speeds, proximity to the cul-de-sac, entering and exiting the site does present a danger to vehicles or pedestrians.

- (9) *No variance shall be granted where such hardship is self-created;*

It is a hardship for the Owner to be required to conform to the standard driveway width. Per SHMC Section 17.100.150(3)(m)(vii), it is required that the RV Park entrance have a **minimum** total width of 36 feet at the connection to North River Street. **This section of the SHMC does not establish a maximum width to the exterior connection.** The additional width is the minimum which allows for the safe entrance and exiting of the RV's as well as allowing access to adequate parking required by SHMC Section 17.100.150(3)(m)(x).

Sincerely,



Steve Alexander

Attachments:

D-2355-1000-01 Vicinity Map, Plot Plan and Drawing Index
D-2355-1000-02 Existing Conditions Site Plan
D-2355-1000-03 Proposed Site Plan
D-2355-1000-04 Site Details
Reynolds Survey dated April 2, 2016
Pre-Construction Elevation Certificate
Flood Insurance Rate Map

COURTESY RV SERVICE



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Recreational Vehicle Classifications



Type: Class A Motorhome

AVG Length: 25' to 40'

Typical Setup: Class A Motor homes are typically fully self contained. This means they have on board storage tanks for both fresh water and waste water. They also typically have large propane supplies, and also onboard generators. This makes these units great for extended stays at locations with no hookups.



Type: Class B Motorhome

AVG Length: 17' to 19'

Typical Setup: Class B Motor homes are street van with a raised roof. This class is the smallest class of motor home. Some of the newer models are self contained but typically the have a small galley with a potable toilet.



Type: Class C Motorhome

AVG Length: 20' to 30'

Typical Setup: Class C Motor homes are constructed on cutaway van chassis. They retain the front of the vans cab with both front doors. They typically offer all the amenities of a Class A, but most drivers find the Class B easier to maneuver.



Type: 5th Wheel Trailer

AVG Length: 32' to 45'

Typical Setup: 5th Wheels are some of the most desirable RV's. They offer all the amenities of typical RV's such as full kitchen, bathroom, master bedrooms, and some of the bigger models come with built in washer and dryers. Higher end models can have up to 3 slide outs making them the choice for most full time RVers. The only draw back is a 1 ton truck is required to pull the unit.



Type: Travel Trailer

AVG Length: 10' to 36'

Typical Setup: Travel trailers come in a variety of lengths. Some of the smaller models can be great for weekend campers due to the fact they can be pulled by a light truck and offer all the amenities of the bigger models. Some of the larger models offer a full galley, and bathroom. The size of the living quarters is governed by the overall length of the trailer. These trailers can sleep anywhere from 2 to 10 people depending on the size.



Type: Tent Trailer

AVG Length: 11'

Typical Setup: These models are great for beginners because of their lightweight. They are easily towed by mid-size cars or minivans. They typically have two double beds and the dining area converts in to a bed. They have a small 3 burners stove and an ice box, some models do have a refrigerator.



Type: Truck Campers

AVG Length: 8' to 11.5'

Typical Setup:

[Click Here To Sign Up For E-Statements](#)



Good Sam Club



© 2016 Courtesy RV Service



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

April 26, 2016

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

RE: **Lower Columbia Engineering, LLC**
Conditional Use Permit & Variance (Access)/
CUP.4.16 & V.4.16
5N1W-34CD-900
134 N. River Street

Dear Jennifer:

I have reviewed this conditional use application and associated variance and note the following standard Fire Code-related items.

- The existing hydrants on North River Street should be sufficient to supply the required fireflow for the trailer park, so additional hydrants will not be specified.
- Access from North River Street for our apparatus appears to be good and there is a large turnaround area at the end of the street.
- Everything else should be noted in the City development code and the Oregon Structural Code and applicable Administrative Rules.

Regards,

Jay M. Tappan

Jay M. Tappan
Chief/Acting Fire Marshal

cc: file



WETLAND LAND USE NOTIFICATION RESPONSE
OREGON DEPARTMENT OF STATE LANDS
775 Summer Street NE, Suite 100, Salem, OR 97301-1279
Phone (503) 986-5200
www.oregonstatelands.us

DSL File Number: WN2016-0164

Cities and counties have a responsibility to notify the Department of State Lands (DSL) of certain activities proposed within wetlands mapped on the Statewide Wetlands Inventory. Jacob Graichen from city of St Helens submitted a WLUN pertaining to local case file #: CUP.4.16.

Activity location:

township: 05S	range: 01W	section: 34	quarter-quarter section: CD
tax lot(s): 900			
street address: 134 N River St			
city: St Helens		county: Columbia	
latitude: 45.867801		longitude: -122.798804	

Mapped wetland/waterway features:

- ☒ The national wetlands inventory shows a wetland/waterway on the property.
- ☒ The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.
- ☒ The property includes designated essential salmonid habitat.

Oregon Removal-Fill requirement (s):

- ☒ A state permit is required for any amount of fill, removal, and/or other ground alteration in essential salmonid habitat and within adjacent off-channel rearing or high-flow refugia habitat with a permanent or seasonal surface water connection to the stream.

Your activity:

- ☒ It appears that the proposed project may impact essential salmonid habitat and therefore requires a permit.

Contacts:

- ☒ For permit information and requirements contact DSL Resource Coordinator (see website for current list) http://www.oregonstatelands.us/DSL/contact_us_directory.shtml#Wetlands_Waterways
- ☒ For removal-fill permit and/or wetland delineation report fees go to http://www.oregon.gov/DSL/PERMITS/docs/rf_fees.pdf

- ☒ This is a preliminary jurisdictional determination and is advisory only.

Comments: Based on a review of the available information, it does not appear that there are jurisdictional wetlands or streams where the RV pads are planned. However, the Columbia River is Essential Salmonid Habitat. We recommend Best Management Practices for sediment and erosion control during the construction of the RV sites.

DSL will require a permit for any impact below Ordinary High Water.

We recommend hiring a professional consultant to determine the Ordinary High Water line and talking with Aquatic Resource Coordinator Richard Fitzgerald at (503) 986-5260 to determine if a permit will be needed for the proposed erosion control measures.

Response by: _____

Chaiter Stevenson

date: 05/02/2016



The subject property as seen from the Wyeth Street right-of-way (driveway to the existing dwelling at 197 N. River Street). Currently in use as a temporary construction staging site, this patch of earth appears to have had little undisturbed vegetation for years. This influences the applicability of the City's riparian/riparian protection zone standards.

Note the improved N. River Street, sidewalk and street lights in the foreground. The St. Helens Marina, Columbia River, and Sand Island can be seen in the background.



The south side of the area of the subject property. The St. Helens Marina boat ramp is to the right outside of the frame of this photograph.

N. River Street is just to the left outside of the frame of this photograph.



The shoreline side of the area of the subject property facing north (more-or-less). Note erosion of the bank; a concern if permanent improvements are established on the site.

**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Conditional Use Permit CUP.5.16**

DATE: May 3, 2016
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: Edward Kim
OWNER: same as applicant

ZONING: Houlton Business District, HBD
LOCATION: 264 N. Columbia River Hwy; 4N1W-4BD-2601 & 2600
PROPOSAL: Establish an indoor nursery (plants) in an existing building (on partially developed property). The intent is to produce marijuana.

The 120-day rule (ORS 227.178) for final action for this land use decision is August 18, 2016.

SITE INFORMATION / BACKGROUND

The subject property was acquired by the current property owner in October 2015 (with a deed correction in April 2016). The prior owner Aerie Landscape and Maintenance, Inc. (since 2001) apparently used the site for use incidental to its business.

The property's access is via ODOT Railroad right-of-way, which is accessed from St. Helens Street. There used to be direct highway access but that was removed by the Railroad authority several years ago. This is why the property has a Columbia River Highway address.

The property is partially improved with an existing building and mostly gravel area.

PUBLIC HEARING & NOTICE

Hearing dates are as follows: May 10, 2016 before the Planning Commission

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on April 21, 2016 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 April 27, 2016.

AGENCY REFERRALS & COMMENTS

Columbia River Fire & Rescue: See letter dated April 26, 2016 (attached).

City Engineering/Public Works: A wastewater management plan is required if the facility connects to City Sewer. For example, to see how waste and storm water is managed (and to prevent mixing of the two).

Columbia County Environmental Service Specialist: I have looked at this one. I did check with you guys [City Engineer and City Planner] about sewer availability and like you said it would require an easement to cross private property, so I went ahead and accepted an application. Bed rock is definitely an issue at this site and there was no way to install full system (tank and drainfield). I am not actually even sure that there is a "system" where it is indicated on their site plan—I only observed a tank. I did bring up the possibility of a holding tank, which could support a small commercial use like this. I have not received any plans for a permit as of yet, but I did encourage that they not totally count out connection to sewer if the neighbor is amenable to an easement.

If they do go septic, you may include a condition that they obtain a septic permit and a subsequent Certificate of Satisfactory Completion for sanitary purposes; I would be happy to provide a final sign off for your files. They also will need to submit some sort of disposal plan for excess nutrient or wastewater from the grow operation; they cannot discharge process wastewater into the septic system and they have to dispose in a certain way as identified by either DEQ or ODA. This material could be discharged into sewer though.

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): The existing building is approximately 3,000 square feet in total size. The building should be able to accommodate the indoor nursery use. There is an outdoor storage/parking area of a reasonable size too.

There is no evidence that the site's size and dimensions are inadequate.

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

Finding(s): Because the site has a large enclosed area already, being able to accommodate vehicles related to the nursery operation and such without disturbance to surrounding properties (e.g., unsightliness and right-of-way obstruction, is possible).

The property's sole access is via railroad right-of-way. The applicant provided some documentation showing their progress on obtaining legal access. Legal right of access shall be maintained for the entire duration of the use. This is a necessary condition of approval.

The building may need work done in accordance with the Building and/or Fire Codes to accommodate the proposal. Any requirements of the Building Official and/or Fire Marshall shall be met.

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

Finding(s): The site is served by City Water, which is adequate.

It is not currently served by City Sanitary Sewer, having an on-site system, allegedly. There is a City sanitary sewer main to the east, but an easement would be necessary to cross private property. Prior to occupancy, the site needs to be connected to the City's Sanitary Sewer system or have an approved on-site system. If the applicant chooses the later, they will need to obtain a septic permit and a subsequent Certificate of Satisfactory Completion for sanitary purposes from Columbia County and provide proof of such to the City.

In addition, they also will need to submit some sort of disposal plan for excess nutrient or wastewater from the grow operation; they cannot discharge process wastewater into the septic system and they have to dispose in a certain way as identified by the applicable State agency (e.g., Department of Environmental Quality or Oregon Department of Agriculture). Note that staff contacted ODA and confirmed that they are the responsible agency for the discharge of process wastewater for indoor marijuana producers outside of a public sanitary sewerage system. ODA also notes there is no permitting process for this at this time. ODA is in the process of developing best management practices to assist people in proper discharge process water handling.

If the applicant elects to connect to the Sanitary Sewer system a wastewater plan shall be required. Wastewater and storm water are required to be separate (i.e., different pipes). City Engineering and Public Works needs to understand how waste water will be managed to ensure no conflicts.

(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 subject property is zoned Houlton Business District, HBD.

The following are listed as conditional uses in the HBD zone:

- Business with outdoor storage (those businesses permitted in permitted uses).
- Nurseries and greenhouses.

Note that storage by itself is not a permitted or conditional use in the HBD zone.

The Conditional Use Permit Chapter 17.100 SHMC, does not list any use-specific provisions for nurseries/greenhouses.

In the HBD zone, a maximum of 90% lot coverage including all impervious surfaces is allowed. The site improvements are nowhere near this. This is an existing and dedicated landscaping area near the site's RR right-of-way access.

In regards to screening and such:

The HBD notes that outdoor storage is required to be screened.

Having a large currently partly enclosed area, use of the area for storage is expected as it relates to the proposed business. Since parking areas and outdoor storage are supposed to be screened (Chapter 17.72 SHMC), the fence shall include sight obstruction. The applicant proposes to install fencing for security and screening as identified on the plan. Continuous screening shall be a condition of approval.

(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. There is no existing signage.

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:

- Per Chapter 17.76 screening of refuse containers or refuse collection area is required. This use can potentially have need for large volume refuse collection. A trash area would be located within the proposed fenced "storage" area, if not the building itself. The screening requirement of the entire site will address this.
- Generally, the maximum height allowed for fences is 6 feet. However, for non-residential applications, a fence may be greater in height in order to mitigate against potential adverse effects (subject to approval by the Building Official). In this case, the applicant proposes a 6' fence with barbed wire atop. Security is an important aspect and thus, such increase in height can be permissible. Note that per SHMC 8.12.120 barbed wire is possible but only if atop a fence at least 6' in height.

- In regards to off-street parking there is ample area for the anticipated demand.

Per Oregon Administrative Rules OAR 845-025-1000 to 845-025-8590 there are a variety of marijuana related uses subject to OLCC licensing. As a plant nursery, this use would be considered a marijuana “producer” per these OARs. A “producer” cannot sell directly to citizens. This is relevant to off-street parking because off-street parking areas are usually required to be paved. However, per SHMC 17.80.050(10) gravel parking areas are possible for nonresidential and primarily nonpublic uses. As such additional parking area improvements needn’t be required, provided a condition of approval is included to emphasize that this approval is based a nonpublic use and that if the gravel surface results in problems per said section, paving would be required at that time.

- The Development Code requires one off-street parking space per 400 square feet of gross floor area, but not less than 4 spaces per establishment. At approximately 3,000 square feet, this equates to 8 spaces. This is relevant as to screening because screening of parking area larger than three spaces and loading areas larger than 400 square feet is required. The proposed sight-obscuring perimeter fence will address this.

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

Discussion: The Comprehensive Plan designation of the subject property is General Commercial. A policy of this designation per SHMC 19.12.070(2)(f) reads:

Preserve areas for business use by limiting incompatible uses within them.

This helps explain why storage is not a use allowed in commercial zoned property, because storage by itself can take up substantial commercial space better suited to an active business use.

Finding(s): Storage as a principle use is not allowed in the HBD and GC zoning districts. The Commission finds that the proposal complies with the applicable Comprehensive Plan policies, provided storage by itself is not allowed by this CUP.

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: Much land use policy has to do with eliminating or minimizing the impacts of one use to other non-compatible uses. There are nearby residential and commercial uses with the potential of additional ones.

Certain impacts of this proposal could have a direct result on other uses. For example, air borne disturbances such as odor or particulates may cause discomfort to some or worse for those with allergies, for example. Thus, a condition that prohibits such is important. With such a condition, the improvements to the building for the proposed use can be designed to prevent such off-site impacts.

Also since this proposal is for an indoor nursery, the Commission doesn't have the opportunity to review outdoor nursery impacts and potential mitigation. As such, this approval is for indoor nursery operation only.

Finding(s): Controlling odor and mandating an indoor nursery (as opposed to outdoor) operation are important conditions to include to help ensure the proposed use is compatible with other uses in the vicinity.

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 or final inspection (if no Certificate of Occupancy is required) by the City Building Official, or otherwise commencement of the proposal:
 - a. The site's handling of sanitary sewer shall be addressed. This can be achieved by connecting to the City's Sanitary Sewer system or installing an approved on-site system.

If the applicant chooses to and is able to connect to the City's sanitary sewer system, the connection shall be made with all required permits and authorizations obtained. In addition wastewater management plan shall be submitted to the city for review and approval.

If the applicant chooses to have an on-site system, they shall obtain a septic permit and a subsequent Certificate of Satisfactory Completion for sanitary purposes from Columbia County Land Development Services and provide proof of such to the City. In addition, the applicant shall provide a plan to demonstrate how they will comply with State of Oregon rules (Department of Environmental Quality / Oregon Department of Agriculture) and best management practices for the proper disposal of process wastewater, which would not be allowed in the on-site system.

- b. The applicant shall provide documentation that access via the railroad right-of-way is authorized by ODOT-Rail.
 - c. Improvements to achieve compliance with condition 4 shall be in place.
3. The applicant shall maintain legal access via railroad right-of-way.
 4. All outdoor activity (off-street parking, storage, etc.) shall be within a sight-obscuring (screened) area.
 5. This Conditional Use Permit is based on a use which does not allow or require public access. Any new or additional use that involves/invites public access will require a new land use permit as applicable.
 6. If there is documented evidence of adverse effects upon adjacent roadways, watercourses, or properties resultant from gravel use for the gravel parking areas proposed and allowed, use of that/those area(s) shall be improved with asphalt or concrete surfaces or similar type materials approved by the City.
 7. This Conditional Use Permit allows an indoor nursery only.
 8. **No air-borne off-site impact including but not limited to dust, particulates or odor shall be allowed outside of the property lines of the subject property.**
 9. This conditional use permit (CUP) does not allow storage as an independent land use on or within the subject property.
 10. Fence as proposed (topped with barbed wire) is allowed.
 11. Any new sign requires a sign permit prior to installation, pursuant to Chapter 17.88 SHMC.

12. 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 (e.g., CRFR).

Attachment(s): Applicant narrative

Site plan

Floor plan

Pictures attachment

Letter dated April 26, 2016 from Columbia River Fire & Rescue

Oregon Department of Agriculture "Oregon Cannabis" outreach sheet

Conditional Use Permit

Date: Friday, March 11, 2016

Project Address:

264 North Columbia River Hwy
St. Helens, OR 97051

Owner:

Oregon Greenery LLC

Contact: Kim Edward Jusung

Cell: 847.942.8761 Email: eckiekjs@gmail.com

Zoning: Houghton Business District (HBD)

Account Number: 10439

Property Class: 201

Existing Use: Light Industrial

Proposed Use: Nursery

City of St. Helens,

The project being proposed, located at 264 North Columbia River Hwy, consists of remodeling the interior of an existing warehouse to create 4 indoor nursery use rooms for the growth, production, and cultivation of recreational cannabis, as well as office and professional consultation use. There is no retail or open sales to be done on property, all product growing is proposed indoors. The subject property is approximately 1 half-acre in size.

The project is located in the Houghton Business District, and is located at the end of a dead end street easement with no public access presence or public parking. Property is adjacent to the Portland & Western Railroad and access to property is through an existing easement with right of access granted by Oregon Department of Transportation. The property is currently secured from vehicular access by chain link fence and gate. A portion of property frontage along easement road has existing landscaping provided. The existing landscaping is limited by property driveway access, and property owned by ODOT and P&W Railroad.

The interior changes consist of 4 rooms made of wood framing, fire rated gypsum wall board, and fiberglass reinforced plastic wall covering. The HVAC and electrical systems will be upgraded to support and maintain the growth and cultivation of the cannabis plant.

Odor control, screening and security are of the upmost importance to the property owner.

- Odor control will be accomplished using industry standards for air purification and the Owner will be looking to constantly upgrade purification units as technology improves. Initial air purification units will be purchased from Ozone Environmental Technologies including the *UVonairCD* models and *Phresh* carbon filters scaled to appropriate volume of space serviced. Carbon filters and air purifiers are used in-line with each other and are expected to substantially reduce odor and particulates from entering the surrounding atmosphere.
- Site Screening will be accomplished with the proposed installation of a 6' perimeter chain link fence along the perimeter of property with opaque slats to obscure site and building from surrounding areas. *and topped with barbed wires. (EK)*

- Security will be accomplished by a new chain link perimeter fence, as well as repair of existing driveway gate to improve ability to restrict public and unwanted access to site. A cctv security camera system will be installed to maintain site security while also providing added security to neighboring ODOT Railway storage yard. Cameras will be positioned to obtain surveillance to all areas of building and site.

Existing roof drainage system daylights to property and natural drainage of property is adequate for the site, no change to this system proposed. Existing waste water system consists of a septic holding tank and is not connected to city or county systems. Owner has had this system inspected and has found this system to be in disrepair. Existing septic holding tank will be replaced, maintained, emptied and serviced regularly.

Upgrades to building electrical panel and system, in-kind replacement of existing septic holding tank, and new HVAC systems will be deferred submittals but will be a part of overall intent of property improvements.

All required public facilities have adequate capacity to serve the proposed project once new work has been completed.

No signage is proposed for this property, although Owner is aware that a project address needs to be provided and maintained to be visible from road.

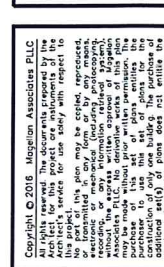
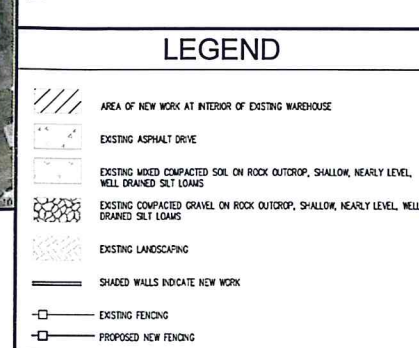
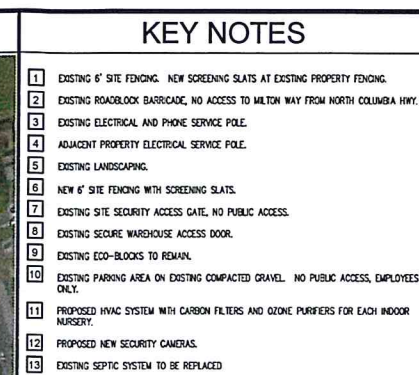
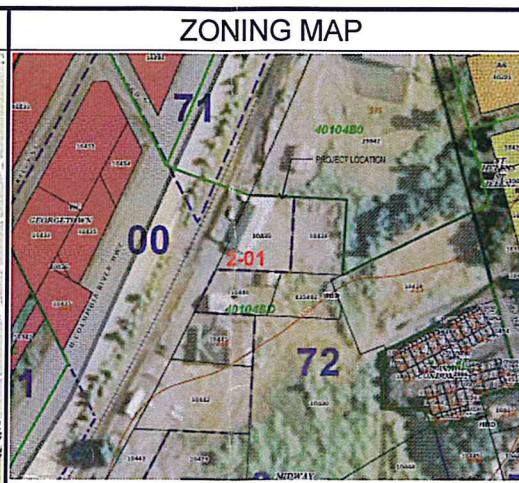
We believe that our proposed solutions to the issues at this site meet the intent of the zoning code and meet the requirements of the OSSC, SHMC, ORS and Oregon Measure 91 for fire/life safety for building permit.

Once a preliminary review of the existing zoning/intent of use/right of access/ intended upgrades, and steps taken by the Owner to adhere to all requirements set forth by the City of St. Helens, Columbia County, and State of Oregon has been completed; we request consideration to apply for building permits. At such a time as deemed appropriate, we would ask for approval to proceed with construction and inspections onsite.

Our team is available anytime via email/phone or to come to meet in person with any and all departments as necessary to expedite preliminary review of this project.

Sincerely,

Daniel Jamerson
dan@magellanarchitects.com
MAGELLAN ARCHITECTURE
8383 158th Ave NE, Suite 280
Redmond, WA 98052
Tel: (425) 885-4300
Fax: (425) 885-4303
www.magellanarchitects.com



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www.magellanchitects.com

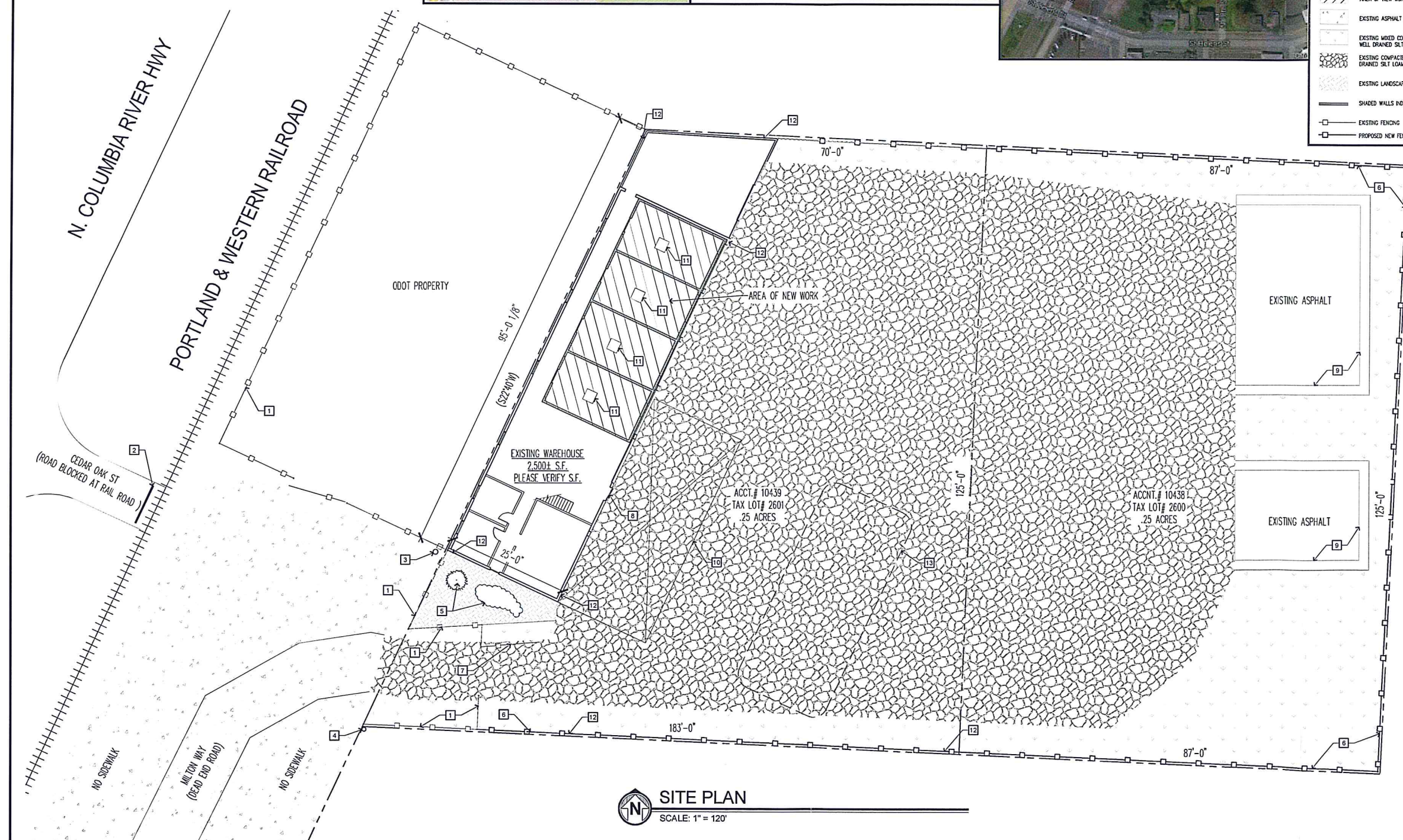
OREGON GREENERY LLC
WAREHOUSE REMODEL
PROPOSED INDOOR NURSERY FOR THE PRODUCTION OF CANNABIS
HOULTON BUSINESS DISTRICT
264 NORTH COLUMBIA RIVER HWY
ST. HELENS, OR 97051

REVISIONS		
NO.	DATE	BY
1		
2		
3		
4		
5		
6		

ISSUE DATES
DESIGN APPROVAL:
PERMIT SUBMITTAL:
PERMIT RECEIVED:
BID DOCS:
CONSTR. DOCS:

24"x36" SCALE:	AS NOTED
PLOT DATE:	03-23-2011
CAD FILE:	15-205_A1.dwg
JOB NUMBER:	15-205
CHECKED:	---
DRAWN:	---
STATUS:	SUBMIT FOR CHECK

A1.1





FLOOR PLAN

A2.0



The subject property (building to right) as seen from the RR right-of-way that provides access.

Note the barricade and stop sign to the right, a previous US30 access, closed by the railroad less than 10 years ago.

The fenced area in the foreground is within RR right-of-way and not part of the subject property.



The subject building. Access to the RR right-of-way is to the left.

Note that the existing fence lacks any sight obscuring features currently.



Within the subject property facing southeast, residential development (condos in this case) are visible from the subject property.

Note that the entire perimeter of the site doesn't current have fencing.



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

April 26, 2016

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

RE: **Edward Kim**
Conditional Use Permit / CUP.5.16
4N1W-4BD-2600 & 2601
264 N. Columbia River Hwy

Dear Jennifer:

I have done a preliminary review of the Kim application to place an indoor nursery in the specified building located at the end of Milton Way in St. Helens. This location appears to have adequate access for both fire apparatus access and water supply, but it would be good to know how much flow that hydrant will supply. It has been some time since I have been able to evaluate the building in question but I will work with the Building Official and the applicant on the project. Here are some of the areas I will be considering.

- Types of heat-producing appliances/ lamps and how they are arrayed.
- Storage of materials, especially flammable/combustible materials.
- Ventilation plan.
- Proposals for built-in fire detection (smoke alarms) as applicable.
- Electrical systems evaluation.
- Exiting details.
- Security provisions.

Smaller items like signage, lock box location, gate access, and fire extinguisher locations can be addressed prior to final occupancy.

Regards,

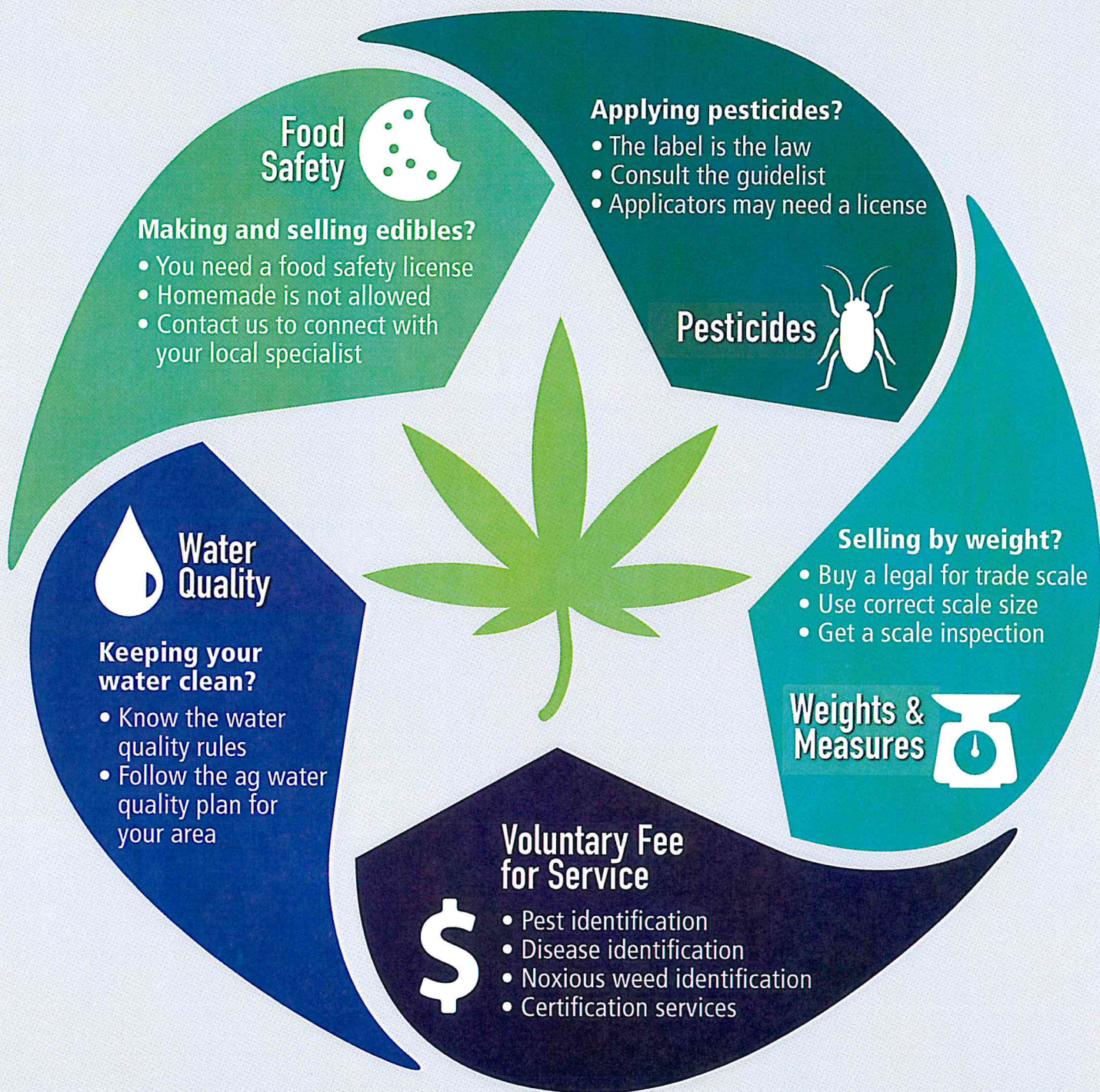
Jay M. Tappan

Jay M. Tappan
Chief/Acting Fire Marshal

cc: file

OREGON CANNABIS

Cultivate your business with the Oregon Department of Agriculture



The Oregon Department of Agriculture (ODA) administers many programs that affect agriculture producers and processors. These programs could apply to your cannabis business.



Oregon
Department
of Agriculture

More info online: bit.do/CannabisODA

Sunny Jones, Cannabis Policy Coordinator: 503-986-4565



CITY OF ST. HELENS PLANNING DEPARTMENT

MEMORANDUM

TO: City Council **DRAFT FOR PC REVIEW**
FROM: Jacob A. Graichen, AICP, City Planner
RE: Planning Commission Annual Report
DATE: May 2, 2016 **DRAFT FOR PC REVIEW**

This report covers Planning Commission activities from June 2015 through May 2016.

Number of meetings: 12

Number of public hearings (a continued hearing is counted separately): 20

Acceptance Agenda Items: 14

For administrative land use actions that are more significant (e.g., Site Design Review) the Commission motions to formally accept the decisions or otherwise. This is a check and balance of sorts.

Planning Director Decisions: 53

For lesser administrative land use actions (e.g., Home Occupations, Sign Permits, Temporary Use Permits), the items from the last month are included on the agenda to facilitate discussion and query usually for clarification purposes or to address concerns.

Discussion Items/Workshops: 5

Items included (in no particular order): CLG grant application and scoring; earth removal, trail development, and housekeeping text amendments, year-end summary report (calendar year); chair/vice chair selection; and the annual report to Council.

County Referral: 0

The Commission has the opportunity to comment on certain land use actions outside city limits, but inside the St. Helens Urban Growth Boundary.

Architectural review: 2

Certain proposals within the Riverfront District require architectural review.

Projects in process: The City's third Historic Preservation Rehabilitation Grant (funded by CLG funds) is in process.

Future projects/plans: The Commission is largely reactionary in that it reviews things as they come. Continuing to amend the code is likely. There may also be historic preservation matters that arise too.

What can the Council do to support the Commission?

- **Is there anything the Commission would like to recommend to Council?**

CITY OF ST. HELENS PLANNING DEPARTMENT ACTIVITY REPORT



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

Date: 4.25.2016

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

A lot of informal meetings about potential development proposals a reflection of spring (the season people typically start projects) and the improved post-Great Recession economy.

Staff is not going to pursue an amendment to the City's charter to remove the mandatory vote requirement for all annexations. This was discussed last December and January with the Planning Commission and City Council, respectively, but in March Senate Bill 1573 became effective which prevents consent annexations from going to a vote regardless of the provisions in a city's Charter.

Attended Maul Foster Alongi meeting on April 6 regarding waterfront development and April 13 regarding Urban Renewal at their Portland office.

For several years now we've known that eventually floodplain rules would be updated to include aspects of the Endangered Species Act. The long awaited next hallmark of that has finally occurred: NOAA Fisheries delivered to FEMA their final biological opinion on the NFIP implementation in Oregon. I don't know how soon the City will be required to update its development in floodplain standards, but all sources seem to indicate it's imminent. See **attached** one-pager from DLCD.

DEVELOPMENT CODE ENFORCEMENT

Assisted Code Enforcement Officer with a shed complaint at 164 N 13th Street. It's large enough to require a land use permit and doesn't comply with several aspects of the Development Code. There is questionable electric work done too. Enforcement letter sent.

A complaint about a trench to drain an area of the McCormick Park disc golf course was provided to the Oregon Division of State Lands (DSL). See **attached** letter. Thad Houk, Parks Supervisor, and I met with a DSL staff person on April 20th as part of DSL's investigation. Based on DSL's comments, it's probably not a violation for >50 cubic yards of material in a wetland area, but the trench is a violation of Essential Salmonid Habitat because it goes below the Ordinary High Water line of the creek. DSL said that the violation could be remedied by filling in the trench and replanting native vegetation. They will send some sort of agreement document and we'll need to show we've completed the remediation. Fortunately, it should be a relatively painless fix.

For a number of years now, I've been concerned with what appears to be a land use violation at 2135 Gable Road; an unauthorized scrapping establishment. This property is within the County,

and efforts with County staff to address it have been unsuccessful. We continue to get periodic complaints. **Attached** is the latest indicator—a letter from DEQ.

PLANNING COMMISSION (& *acting* HISTORIC LANDMARKS COMMISSION)

April 12, 2016 meeting (outcome): The Commission has three public hearings. They approved a Conditional Use Permit for the Resonate Church in the Riverfront District, a Site Design Review for a garage structure for the St. Helens Marina, and a couple a Variances related to a single-family dwelling remodel at 115 S. Vernonia Road.

The Commission also conducted an architectural review of a proposed entry sign for the Muckle Building (31 Cowlitz).

May 10, 2016 meeting (upcoming): The Commission will have three public hearings for Conditional Use Permit applications. One is for a marijuana production facility in the Houlton area and the other two are RV park expansions for the St. Helens Marina.

The Commission will also discuss its annual report to the Council.

GEOGRAPHIC INFORMATION SYSTEMS (GIS)

Routine updates.

Dealt with software maintenance for the City Planning and Engineering . Also software purchase for City Engineering.

MAIN STREET PROGRAM

Completed a 2nd quarterly assessment for the RARE program (a requirement for RARE participant supervisors).

Completed and submitted the required pre-application to RARE for the 2016-2017 RARE participant (to staff the Community Coordinator position).

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



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

www.oregon.gov/LCD



Oregon Seeks Common-Sense Approach to New Floodplain Development Expectations

**New Guidelines Should Support Healthy Salmon and Steelhead Populations,
Promote Resilient Communities, and Advance the Goals of
Oregon's Land Use Program.**

Managing development in flood prone areas protects people, property, and communities, and protects fish and wildlife habitat. This will become even more important as Oregon faces extreme weather events and other challenges that a changing climate brings.

On April 14th, 2016 the National Marine Fisheries Service (NMFS) delivered a Biological Opinion (BiOp) to the Federal Emergency Management Agency (FEMA). Based on the BiOp, FEMA will be setting new minimum requirements for local floodplain development ordinances based on federal requirements to protect endangered species. These changes will be incorporated into the National Flood Insurance Program (NFIP).

The federal NFIP provides flood insurance for homeowners and property owners generally. In Oregon, 260 cities and counties and three Indian tribes¹ participate in the NFIP.

The NFIP is administered by FEMA, which sets standards for local governments that participate in the NFIP, including requirements for local floodplain development regulations. DLCD assists local governments with implementation of those regulations.

How will the state assist local communities?

The state has a strong interest in how FEMA implements the NFIP. Oregon is working with FEMA to identify a common-sense approach to new floodplain development expectations, ones that support healthy salmon and steelhead populations, promote resilient communities, and advance the goals of Oregon's land use program.

Our activities will include:

- Workshops and presentations
- Guidance
- Model local ordinances
- Grants
- Technical assistance

For more information from the Department of Land Conservation and Development, please contact [Amanda Punton](#), Natural Resource Specialist, at (971) 673-0961 or [Chris Shirley](#), NFIP Coordinator, at (503) 934-0027.

For more information from the Federal Emergency Management Agency, please contact [John Graves](#), at (425) 487-4737.

¹ http://www.fema.gov/media-library-data/20130726-1915-25045-9744/or_nfip_pba_final_version_march_2013.txt



Oregon

Kate Brown, Governor

Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

www.oregon.gov/dsl

CERTIFIED MAIL

April 7, 2016

RF600/7700ENF

CITY OF ST HELENS

ATTN JACOB GRAICHEN

P.O. BOX 278

ST. HELENS OR 97051

Original Sent Certified

RECEIVED

APR 11 2016

CITY OF ST. HELENS

State Land Board

Kate Brown

Governor

Re: Notice of Complaint; DSL Enforcement File No. 7700-ENF

Jeanne P. Atkins
Secretary of State

Dear Responsible Parties:

Ted Wheeler
State Treasurer

The Oregon Department of State Lands (DSL) administers Oregon's Removal-Fill Law, which protects the state's wetlands and waterways. Any removal, filling, or alteration of 50 cubic yards or more of material within the bed and banks of the waters of this state requires a permit from DSL. Any removal, fill, or alteration of any amount of material within waters designated Essential Salmonid Habitat or a State Scenic Waterway requires a permit. Waters of this state include the Pacific Ocean, rivers, lakes, most ponds and wetlands, and other natural water bodies.

It has come to our attention that work, specifically trenching and draining, has recently occurred or is currently being conducted within or near a wetland on McCormick Park (Township 04N, Range 01W, Sections 4C and 9B, Tax Lots 100, 200 and 1200) located in Columbia County. Upon preliminary assessment, the activity appears to be subject to State Lands' jurisdiction.

Enclosed is a copy of our removal-fill permit brochure, which describes typical situations that require a state permit. Information also is available on the Department of State Lands' website: www.oregonstatelands.us, and in the state law governing removal and fill in state waters, ORS 196.800 - 196.990. A copy of the relevant administrative rules that govern our regulatory process will be provided upon your request.

Please contact me at (503) 986-5260 by April 20, 2016 to schedule a site visit. The Department looks forward to your cooperation in resolving this matter.

Sincerely,

for Richard Fitzgerald
Aquatic Resource Coordinator
Aquatic Resource Management
Oregon Department of State Lands

RF:tld

Enclosure

cc: Tom Murtagh, Oregon Dept. of Fish and Wildlife
Brian Zabel, US Army Corps of Engineers, Portland Office
Jared Fischer, 9020 SW Washington Square Road Ste 505, Portland, OR 97223
Cynthia Zemaitis, Columbia County, St. Helens, OR 97051



Oregon

Northwest Region

Kate Brown, Governor

Department of Environmental Quality

700 NE Multnomah Street, Suite 600
Portland, OR 97232
(503) 229-5263
FAX (503) 229-6945
TTY 711

April 25, 2016

Occupant
2135 Gable Rd
St. Helens, OR 97051

Re: Hazardous Waste Complaint 16-365
2135 Gable Rd, St. Helens Oregon

Dear Occupant:

DEQ has received a complaint regarding potential violations of Oregon's Hazardous Waste and Water Quality rules at property located at 2135 Gable Rd, St. Helens Oregon. **This letter does not accuse you of any wrongdoing. It is intended to alert you of possible violations.** The information in the complaint alleges that there are a large number of vehicles being dismantled, and there are releases and/or spills of oil, gasoline, hydraulic oil, and antifreeze on the property. It was also reported that an excavator was used to cover the spills. Local zoning ordinances may need to be addressed as well.

Grease and oils are defined by Oregon Administrative Rule 340-102-0011 as a possible hazardous waste. The rule requires that "A hazardous waste determination be done on each waste stream" and appropriate disposal methods be employed. Additionally Oregon Administrative Rule 340-142-0030 requires that any spill to the environment must be cleaned up immediately. All hazardous wastes must be characterized and disposed of properly. If these are products and have the potential to pollute the waters of the state, that is a separate violation.


Please be advised that improper containment of hazardous waste is considered to be a significant violation of Oregon environmental law and can be subject to civil penalties that can be assessed for each day of violation. Please ensure that these activities are utilizing proper containment and disposal according to federal standards.

This information has not been verified and the complainant information is held confidential according to Oregon's Public Records Law. We urge you to investigate any spilling or on site disposal of motor oil or other materials that has occurred. DEQ appreciates your cooperation in complying with these rules and protecting Oregon's environment.

If you have any questions regarding this letter, please feel free to call me at 503-229-5070. You are also eligible for a free technical assistance site visit to learn more about how to handle hazardous wastes. Information on laws, regulations, technical assistance and other hazardous waste management

information can be found at the Hazardous Waste Page of the Oregon DEQ Web page at <http://www.deq.state.or.us/lq/hw/index.htm> .

Sincerely,

A handwritten signature in blue ink, appearing to read 'Peter Anderson', with a stylized, cursive script.

Peter Anderson
Technical Advisor
DEQ Northwest Region

cc: City of St. Helens
Columbia County Zoning

Jacob Graichen

From: Jennifer Dimsho
Sent: Monday, April 18, 2016 10:13 AM
To: Jacob Graichen
Subject: April Department Report

Here are my additions to the April Planning Department Report.

GRANTS

1. OPRD Local Government Grant – Due April 29. Finished budget, prepared and submitted application materials for McCormick Park picnic shelter.
2. OPRD's Oregon Heritage Commission Museum Grant Program – Due April 29. Partnership with Columbia County Museum Association – Historic Walking Tour brochure and Google Map project – Finished budget, prepared letters of support, submitted application materials.
3. Travel Oregon's Tourism Matching Grants Program –Wayfinding Master Plan Project – First Deadline May 2 for RDMO/DMO feedback forms. Estimated project budget by reaching out to various firms.

EPA AWP

4. Outreach and preparation for April 27 Open House with MFA
5. Staff support during April 27 Open House
6. Uploaded updated waterfront website materials
7. Discussed incorporating a potential urban renewal agency study as part of the grant-funded implementation plan with EconW and MFA

MISC

8. Attended website design team meeting with aHa
9. Attended 3rd meeting for the 2016 Columbia County Year of Wellness on April 21
10. Created a parking inventory map for the Riverfront District
11. Project P.2's Kickstarter Sub-Comm meeting on April 13 - Continued work on rewards and Kickstarter page. Attended ACC meeting. Reviewed draft video from production team. Worked out fundraising finances. Submitted CCCC grant application.
12. Discussed alternative funding sources for parks maintenance. Attended Parks Commission meeting and discussed funding.

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