

City of St. Helens

Planning Commission

July 11, 2017

Agenda

1. **7:00 p.m. Call to Order and Flag Salute**
2. **Consent Agenda**
 - a. Planning Commission Minutes dated June 13, 2017
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 & Variances (2) at 125 N. 17th Street, 124 and 134 N. 18th Street - Community Action Team, Inc.
 - b. 7:30 p.m. - Conditional Use Permit at 245 N. 7th Street - Relevant Building Company
 - c. 8:00 p.m. - Conditional Use Permit & Variances (2) at Columbia Blvd. & N. 12th Street - Hubbard Construction Corporation
5. **Acceptance Agenda: Planning Administrator Site Design Review:**
 - a. Site Design Review (Minor) at 144 Marshall Street - Paving graveled parking area
6. **Planning Director Decisions:** (previously e-mailed to the Commission)
 - a. Sign Permit (Banner) at 2100 Block of Columbia Blvd. - Columbia County Fair
 - b. Temporary Use Permit at 2295 Gable Rd. - Fireworks sales tent/stand
 - c. Partition at 2554 Columbia Blvd. - Coombs
 - d. Temporary Use Permit at 735 S. Columbia River Hwy - Fireworks sales tent/stand
 - e. Tree Removal Permit at 35121 Roberts Lane - Removal of a hazardous tree within a wetland
 - f. Accessory Structure Permit at 144 S. 4th Street - New storage shed
 - g. Home Occupation (Type I) at 58844 Parkwood Dr. - Home office for cleaning services
 - h. Lot Line Adjustment at 225 N. 3rd Street, 360 Wyeth Street, & 214 N. 4th Street - Reynolds Land Surveying, Inc.
7. **Planning Department Activity Reports**
 - a. June 30, 2017
8. **For Your Information Items**
9. **Next Regular Meeting: August 8, 2017**

Adjournment

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City of St. Helens

Planning Commission Meeting

June 13, 2017

Minutes

Members Present:

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

Staff Present:

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

Councilors Present:

Ginny Carlson, City Council Liaison
Keith Locke, City Councilor

Others Present:

Howard Blumenthal
Wayne & Brad Weigandt
Teresa & Sean Dillon
Andrew Niemi
Brad Hendrickson
Jud Cowell
Roy & Julie Wheeler
Matt Perkins

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

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Consent Agenda

Approval of Minutes

Commissioner Semling moved to approve the minutes of the May 9, 2017 Planning Commission meeting with the change that Commissioner Cohen was absent from the meeting. He was listed in both present and absent. Commissioner Webster seconded the motion. Motion carried with all in favor. Chair Petersen did not vote as per operating rules. Commissioner Cohen did not vote due to his absence from that meeting.

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Topics From The Floor

There were no topics from the floor.

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Public Hearing

Sean & Teresa Dillon

Variance / V.1.17

475 S. 2nd Street

It is now 7:01 p.m. and Chair Petersen opened the public hearing. There were no ex-parte contacts, conflicts of interest or bias in this matter.

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

- Staff report packet dated June 6, 2017 with attachments

Graichen introduced the proposal to the Commission and went through the recommended conditions of approval, as presented in the staff report. He added into the record a referral letter received from the Fire Marshal that requested the subject property install address numbers that meet fire code standards. Graichen said the deck is already built, but they had not yet received a building permit. The building permit application triggered the need for a variance to the front setback.

Vice Chair Cary asked where the road was positioned in the right-of-way. Graichen said the road is closer to the subject property because the right-of-way slopes into the bluff on the opposite side of the road from the subject property.

IN FAVOR

Dillon, Teresa. Applicant. Dillon explained that the intent of the variance is to maximize otherwise unused, front-of-house, outdoor space. Dillon explained that she is receiving a 20 percent reduction of the front setback without a variance, so the variance request is a four-foot front setback variance for an eight-foot deck. Dillon explained the special circumstances. She said her front yard is exceptionally small and sloped, making it virtually unusable. She also explained that the existing deck was built and permitted in 2013. A variance was not required, even though it extends 12 feet from the house. Dillon said the new deck will not encroach on air, light, and space of neighbors because there are no neighbors across the street. Dillon said the new deck above the garage will not affect the flow of car traffic because there is only one other house that uses 2nd Street to access their property because it is a dead-end street. Parking will not be affected by the deck. Dillon said there is an added egress out of their home, which adds personal safety. Dillon said the deck allows them to enjoy the space in the front of their house with the added safety of not being at vehicle level, which is especially helpful during popular events like 13 Nights on the River, Fourth of July, Spirit of Halloweentown, and the Christmas Ships. Dillon said the deck is the size proposed because a table and chairs would not work with anything smaller. Dillon said the deck is supported by many of her neighbors who have signed a letter stating that they are in favor. It included everyone on S. 2nd Street and within the 100-foot notice area. She added an additional list of supporters into the record. Dillon also added an exhibit that shows the sidewalk along S. 2nd Street into the record. After measuring, Dillon said the average setback in the area is 15 feet along S. 2nd Street. Dillon said this proposal is called a variance, but a 15-foot front setback is very typical for the neighborhood. Dillon said the builder of the deck is also here to speak if there are further questions.

IN OPPOSITION

No one spoke in opposition.

END OF ORAL TESTIMONY

There were no requests to continue the hearing or leave the record open.

FURTHER QUESTIONS OF STAFF

Chair Petersen asked if porches are allowed to encroach into the front setback. Graichen said yes, open porches that are not covered are allowed to encroach into the front setback, but it is limited. This exception does not apply in this case. Graichen also clarified that the building permit that was received in 2013 was like-for-like replacement of a deck assumed to be grandfathered.

CLOSE PUBLIC HEARING & RECORD

The applicant waived the opportunity to submit final written argument after the close of the record.

DELIBERATIONS

Vice Chair Cary said the deck makes the appearance of the property look better. Commissioner Webster agreed. Chair Petersen noted that on the added list of signatures that was added into the record, the adjacent neighbor was added. Chair Petersen said he could understand why the applicant is proposing this deck, since the river view is on this side of the house. Commissioner Webster thinks there is no reason not to allow this variance. The Commission agreed.

MOTION

Commissioner Semling moved to approve the variance permit. Commissioner Webster seconded. All in favor; none opposed; motion carries.

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

Public Hearing

Brad Weigandt

Conditional Use Permit / CUP.1.17

N. Vernonia Road

It is now 7:41 p.m. and Chair Petersen 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 June 6, 2017 with attachments

Graichen introduced the proposal to the Commission and went through the recommended conditions of approval, as presented in the staff report. He noted two referral letters that were received after the staff report was prepared. The Fire Marshal requested address numbers meet the fire code standards and that the driveway access and clearance standards be met. The City Engineer requested that the sanitary sewer line be physically located to ensure it is within the easement and if it is not, to require an adjustment to the easement to include the sewer line. The City Engineer also requested that storm infrastructure be directed towards existing storm drainage in N. Vernonia Road. Graichen discussed how

these referral comments can be incorporated into additional conditions. Graichen noted that a fee in lieu of frontage improvements is recommended by staff due to the lack of sidewalks in the surrounding area, but ultimately this is a decision of the Commission. The Commission can also decide whether or not to require street trees. Graichen noted that because N. Vernonia Road is a collector street, the driveways must prevent backward maneuvering. He also said the applicant needs to provide a revised site plan that delineates a maximum driveway approach of 24 feet and how the four non-tandem parking spaces would fit and function.

Vice Chair Cary noted that the trees are located over the sewer easement, which may cause long term issues with their root system.

IN FAVOR

Weigandt, Brad. Applicant. Weigandt said the site plan he originally submitted was a quick sketch and he had not worked out the specifics. He described a few methods he could use to provide the required four non-tandem parking spaces. Vice Chair Cary asked if there was a reason why he placed the building so close to N. Vernonia Road. Weigandt said no, he could easily pull the structure back and comply with the 20-foot rear setback. Weigandt said it is an 11,000 square foot lot, so there is plenty of space to re-position the dwelling to accommodate additional parking. Weigandt would prefer to pay the fee in lieu of sidewalks since there are no adjacent sidewalks. Weigandt said he is fine with what the Commission decides for street trees.

NEUTRAL

Perkins, Matt. 245 N. Vernonia Road. Perkins lives to the west of the proposal. Perkins is concerned about stormwater drainage because he does not want his basement to flood with the new development.

IN OPPOSITION

Wheeler, Julie. 240 N. Vernonia Rd. Wheeler lives across the street of the proposal. She is concerned about how cars will turn around. She notices a lot of traffic along Vernonia Road. She is also concerned about stormwater and drainage. This proposal might displace more water onto Campbell Park where it already floods. She does not see how the applicant could direct the stormwater towards Vernonia Road. Campbell Park ballfield users may hit stray balls onto the property. Wheeler is concerned about the loss of her view. She is from the country and the vacant greenspace across the street from her has been great.

REBUTTAL

Weigandt, Brad. Applicant. Weigandt said he could build a larger single-family home without the Conditional Use Permit process and it would cause a bigger stormwater nuisance. He will work with the City Engineer to come up with the best way to address runoff.

Vice Chair Cary asked how he knew there was no wetland on the property. Graichen said the local wetland inventory does not identify one, although there are some surrounding Campbell Park. Graichen noted there are surprise wetlands not identified on the inventory, but none had been noted here.

END OF ORAL TESTIMONY

There were no requests to continue the hearing or leave the record open.

FURTHER QUESTIONS OF STAFF

Graichen went through the recommended additional conditions that were not already included in the staff report. Under condition 2 (c), the existing public sanitary sewer main shall be physically located to ensure it is within the easement. If it is not, the City Engineer reserves the right to require an amended easement. Graichen recommended a new condition 9 to require that storm drainage from the building shall be directed towards the existing storm drainage in N. Vernonia Road. Lastly, Graichen recommended adding the Fire Marshal's requests: 3(c) to require that addresses are posted to fire marshal specifications, and 2(a) to require that the revised site plan be approved by the Fire Marshal per vision and clearance requirements.

CLOSE PUBLIC HEARING & RECORD

The applicant waived the opportunity to submit final written argument after the close of the record.

DELIBERATIONS

Commission Webster said the hammerheads always end up being additional parking. Graichen said human behavior is hard to control. Commissioner Webster asked if landscaping could help prevent this. Chair Petersen said it might. Vice Chair Cary said there is no other way for the applicant to access the property. A hammerhead is necessary. Commissioner Semling said if the applicant moves the building back further from the road, there will be more maneuvering room.

Chair Petersen asked if the Commission should require street trees. Commissioner Lawrence said she does not remember the neighborhood having a pattern of street trees already. Commissioner Hubbard said there is a lot of foot traffic along N. Vernonia Road. He said a sidewalk does not make sense, but the flow of foot traffic should not be blocked with landscaping. Commissioner Semling also noted that children cut through the adjacent property to get to the park. After viewing an aerial of the surrounding properties, the Commission decided to require street trees.

MOTION

Commissioner Cohen moved to approve the Conditional Use Permit with the additional conditions proposed by staff regarding sewer, storm, the two Fire Marshal requests, requiring street trees on the revised site plan, removal of the requirement to preserve the existing trees and/or replant trees, and a requirement for a fee in lieu of frontage improvements. Commissioner Webster seconded. All in favor; none opposed; motion carries.

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

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Public Hearing

Lower Columbia Engineering LLC

Conditional Use & Sensitive Lands Permit / CUP.2.17 & SL.2.17

104 & 114 N. River Street

It is now 8:30 p.m. and Chair Petersen 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 June 1, 2017 with attachments

Graichen introduced the proposal to the Commission. Graichen also provided a copy of the Fire Marshal and City Engineer referral comments to the Commission that were submitted after the staff report was prepared. He noted that the Commission previously reviewed a proposal for a four-plex in the same location, but ultimately the property owner decided to increase the number of RV spaces instead. Graichen said the proposal is a Conditional Use Permit and a Sensitive Lands Permit because the proposal is within the 100-year flood zone and within the Columbia River riparian area protection zone.

Vice Chair Cary asked if the berm will be used for open space. Graichen said yes, it is proposed as open space for the RV users. Grey Cliffs Park is also nearby.

Graichen went through the recommended conditions and the suggested additions to the conditions presented in the staff report. He recommended adding a condition that a physical barrier be added to the site plan to prevent vehicles from going out onto the berm. He also recommended adding a reference to the Fire Marshal's letter in condition 4.

Graichen said there are no recommended changes to the Sensitive Lands permit conditions. Graichen said the applicant is not proposing to encroach into any riparian area or wetland, but the City has protection zone requirements. Since the applicant is proposing development (RV space #6) in an area that has not already been impacted within the Columbia River upland protection zone, they must mitigate this new impact. To mitigate this impact, the applicant has proposed native plantings along the berm. Chair Petersen clarified that the mitigation has nothing to do with flood zone cut and fill requirements. Graichen said yes.

Commissioner Cohen asked about the City Engineer's comments regarding oil/water separation. Graichen said the oil-water separation requirement could be added to condition 2(b). Graichen said the applicant will likely address the retaining wall comment in their testimony.

Commissioner Cohen asked about the filling on space number six. Graichen said space six is encroaching into a non-impacted area, so the Commission needs to decide if this new impact is justified. Graichen said the code asks if the applicant has reasonable use of the property with or without the impact. It also asks if the impact is the minimum intrusion necessary. Vice Chair Cary said the proposed mitigation is already within the riparian protection zone, so all the applicant is doing is modifying it. It not a net gain of protected areas. Graichen said that is the question that the Commission needs to decide. Is space number six justified to the Commission?

IN FAVOR

Niemi, Andrew. Lower Columbia Engineering, LLC. Applicant. Niemi thanked Graichen for his thorough review. Niemi said the minimum 1,000 square feet per site is met if portions of the area surrounding the retaining wall are included. Although the retaining wall contains the RVs, it does not necessarily define the boundary of the full space. Therefore, he feels they are meeting the 1,000 square foot per site minimum.

Niemi described the three boundaries on the site plan: 1) the existing developed footprint (for the houses that were removed), 2) the ordinary high-water line, and 3) the wetland boundary. The proposal is staying outside of the wetland and the ordinary high water line. The mitigation that they are proposing is related to the local riparian upland protection zone that the City requires. Although the house footprint itself did not extend beyond the existing developed footprint, the impacted area likely extended to the retaining wall,

which was clearly man-made. Knowing this, they still thought it was important to mitigate appropriately by removing fill and planting native species along the berm at a one-to-one ratio.

Niemi said like the previous proposal, they are proposing parking for vehicles in between the RV spaces, which helps meet the 15 feet between the lots. Niemi said wheel stops could easily be provided at the end of each parking pad.

Regarding the City Engineer comment about elevation and fill needed to level the site at the driveway, Niemi said they would address this in the final plan. Niemi said the power poles will be placed underground and the vault will be avoided.

Vice Chair Cary asked if the wetlands and ordinary high water lines were determined by Stacy Benjamin. Niemi said yes. Vice Chair Cary asked if it was concurred by the Department of State Lands. Graichen said yes.

Commissioner Webster asked if they could leave the berm and not shave a portion of it away. Niemi said they are proposing cutting it back so that native plants will be more likely to survive. Niemi said the elevation is currently not conducive to plant survival.

Hendrickson, Brad. St Helens Marina, LLC. Property Owner. Hendrickson said that to the south of the property, there is a Columbia Boulevard right-of-way that extends to the Columbia River. Hendrickson proposed to use some of the excess dirt from his development to grade the right-of-way and put picnic tables for public use. He said this area would be a nice place for the public to be near the river.

IN OPPOSITION

No one spoke in opposition.

END OF ORAL TESTIMONY

There were no requests to continue the hearing or leave the record open.

CLOSE PUBLIC HEARING & RECORD

The applicant waived the opportunity to submit final written argument after the close of the record.

DELIBERATIONS

Chair Petersen asked the Commission if they felt space six is required. Vice Chair Cary said this proposal is providing mitigation by providing fish habitat and plantings, but ultimately, it is still a loss of protected area. Vice Chair Cary said the upland protection rules, as written, do not require mitigation along the entire riparian area's edge. Chair Petersen said they are proposing to enhance the riparian area, but they are also filling an area that is not currently impacted. Ultimately, the proposal is still a net loss of riparian area.

Commissioner Cohen asked how important this riparian area is for the Columbia River habitat. Vice Chair Cary explained that trees along riparian areas provide habitat for fish, clean the water, and regulate the temperature. Vice Chair Cary said currently, this area is not a very good habitat.

The Commission discussed whether or not five or six spaces was economically feasible for the developer and the minimum intensity for reasonable use of the property. Vice Chair Cary recommended moving the

parking space from the northernmost RV spot (space #6) to the parallel location along River Street to reduce the impact to the non-impacted area. The Commission agreed. Vice Chair Cary also recommended not cutting back the berm, but requiring mitigation along the entire peninsula with native woody species.

MOTION

Commissioner Lawrence moved to approve the Conditional Use Permit and the Sensitive Lands Permit with the following additional conditions:

- 1) Parking space along RV space #6 to be moved to a location along River Street
- 2) The area along the berm up to 22 feet mitigated with native riparian, woody species
- 3) Wheel stops on the parking pads
- 4) Oil/water catch basins
- 4) Reference of Fire Marshal letter

Commissioner Webster seconded. All in favor; none opposed; motion carries.

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

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Commissioner Cohen left the meeting.

Approval of Urban Renewal Plan & Report

Graichen said that state law requires the Planning Commission to find conformance of the Urban Renewal Plan with the St. Helens Comprehensive Plan. Graichen said that the chapter about the conformance with the Comprehensive Plan in the Urban Renewal Plan was very easy to write because of all of the planning work that has been adopted in the last several years. Chair Petersen said that the criticism of the first Urban Renewal Plan back in 2008 was that it was too aspirational and not specific enough. He said this time around there are cost estimates and very detailed project lists in adopted plans. Commissioner Webster agreed.

MOTION

Commissioner Semling moved that the Commission finds, based upon the information provided in the St. Helens Urban Renewal Plan, the St. Helens Urban Renewal Plan conforms to the St. Helens Comprehensive Plan. Commissioner Lawrence 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 373 S. Columbia River Hwy - Skinny's Texaco

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

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Planning Director Decisions

- a. Accessory Structure at 59463 Truman Lane - New storage shed
- b. Sign Permit (Banner) at 2100 Block of Columbia Blvd. - St. Helens Youth Football
Registration Sign-ups

There were no comments.

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Planning Department Activity Reports

There were no comments.

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For Your Information Items

There were no FYI items.

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There being no further business before the Planning Commission, the meeting was adjourned at 10:07 p.m.

Respectfully submitted,

Jennifer Dimsho
Planning Secretary

2017 Planning Commission Attendance Record

P=Present A=Absent Can=Cancelled

Date	Petersen	Hubbard	Lawrence	Cohen	Cary	Semling	Webster
01/10/17	P	P	A	P	P	P	P
02/14/17	P	P	P	P	A	P	P
03/14/17	P	P	A	P	P	P	P
04/11/17	P	P	P	P	P	P	P
05/09/17	P	P	P	A	P	P	P
06/13/17	P	P	P	P	P	P	P
07/11/17							
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11/14/17							
12/12/17							

**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Conditional Use Permit CUP.3.17, Variance V.2.17, and Variance V.3.17**

DATE: July 3, 2017
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: Community Action Team, Inc.
OWNER: Columbia County Self Help, Inc.

ZONING: Houlton Business District, HBD
LOCATION: 125 N. 17th Street, & 124 & 134 N. 18th Street; 4N1W-4BD-8200, 8300, and 8400; Lots 8, 9, 10, 13, 14, and 15, Block 145, St. Helens Subdivision
PROPOSAL: New 17-unit multi-dwelling complex, new office building on Lots 8 and 9. A Variance for a reduced front yard (setback) and a Variance to omit the private outdoor and shared outdoor recreational space normally required for multi-dwelling complexes.

The 120-day rule (ORS 227.178) for final action for this land use decision is Oct. 15, 2017.

SITE INFORMATION / BACKGROUND

The site consists of 6 lots as described by location above. 4 of those lots are improved by the Community Action Team, Inc. complex (a former church), improved parking area and an accessory building. The other two lots are developed with an existing detached single-family dwelling and associated accessory building.

The entire site abuts both N. 17th and N. 18th Streets, which are fully developed. N. 17th Street is a local street and N. 18th Street is a collector street per the City's Transportation Systems Plan.

PUBLIC HEARING & NOTICE

Hearing dates are as follows: July 11, 2017 before the Planning Commission

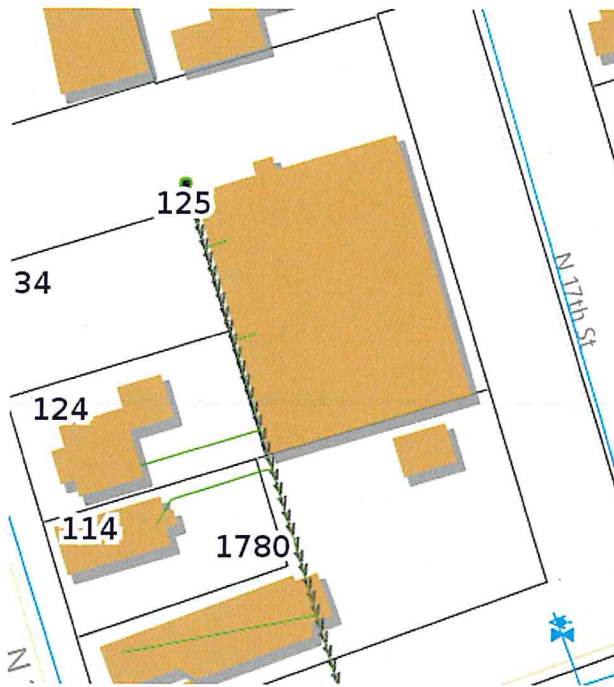
Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on June 21, 2017 via first class mail. Notice was sent to agencies by mail or e-mail on the same date. Notice was published in the The Chronicle on June 28, 2017.

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: I am in favor of this project. However, a concern is the access to the City's public sanitary sewer pipe that runs along the property line between 125 N. 17th and 134 N. 18th.

The existing building at 125 N. 17th is very close to or on the property line so having only a 10-ft setback from the property line for the proposed building will make it very difficult to access and perform repairs or maintenance to the public sewer main. Typically, a minimum of 15 feet is required for access. This section of the public main was rehabilitated with a cure-in-place liner in 2012 but this is no guarantee that repairs or other maintenance will not be needed.



It may be necessary to extend the public storm drain system from the N. 18th & Columbia Blvd. intersection up to the property to collect the runoff from the new structure.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

Conditional Use Permit—CUP.3.17

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.

Findings:

- (a) This CUP criterion requires that the site size and dimensions provide adequate area for the needs of the proposal.**

Does the Commission think the site size and dimensions appear adequate, provided the variances proposed are approved? Also considering other issues such as whether or not the multidwelling unit truly complies with the Site Development Review standards that applies to multidwelling proposals, which are not addressed by the Variances?

- (b) This CUP criterion requires that the characteristics of the site are suitable based on size, shape, location, topography, and natural features.**

Does the Commission think the site is suitable for the proposed use, given the variances proposed are approved? Also considering other issues such as whether or not the multidwelling unit truly complies with the Site Development Review standards that applies to multidwelling proposals, which are not addressed by the Variances?

- (c) This CUP criterion requires that all required public facilities have adequate capacity to serve the proposal.**

All public facilities should be able to serve the proposal.

- (d) This CUP criterion requires that the applicable requirements of the zoning district are met except as modified by the Development Code Conditional Use Permit (CUP) Chapter.**

The subject property is zoned **Houlton Business District, HBD**. Offices are a permitted use; the Conditional Use Permit process includes Site Design Review. The office building is thus included in this review.

Multidwelling units are a listed conditional use, thus this Conditional Use Permit. Per the HBD zone, such use is required to comply with the **Apartment Residential, AR** standards instead of most of the HBD standards.

Office building:

Max building height allowed is 45'; proposed height <27'. Max lot coverage, including all impervious surfaces is 90%; lot that this building will be on is 5,700 square feet (and also includes some of the residential building); plans show >570 square feet of landscape area. No minimum yard requirements (setbacks). Maximum front yard allowed is zero feet; covered entry of office building is on the N. 18th Street property line. There are no adjoining residential zones; no special setback required per this zone.

A shared parking plan is proposed; addressed below. But note that for this use abutting on-street parking may count towards the required off-street parking, as allowed in the HBD zone.

Multidwelling units:

Minimum lot size for 17 multidwelling units per the AR zone is 27,500 square feet. The two lots the complex is proposed to be on (with the proposed office building) are only 11,400 square feet total. However, the entire contiguous property (identified subject property) owned by Columbia County Self Help, Inc. is 34,100 square feet. The subject property lacks and dwelling units currently. The density is possible provided the subject property is bound with a land use restriction for density (e.g., disallowing residential development on the lots developed with the Columbia County Self Help/Community Action Team facility). Land use restriction documentation as approved by the City shall be recorded on the deeds of all properties involved. See attached email from Casey Mitchell dated April 5, 2017.

Minimum side yard (setback) required is 10 feet; 10 feet is proposed on the sides of the Lots where the proposed development will take place (i.e., Lots 8 and 9, Block 145).

Minimum rear yard (setback) required is 10 feet; such is proposed on the Lots to be developed (i.e., Lots 8 and 9, Block 145).

Max building height allowed is 45'; proposed height <27'.

Maximum building footprint allowed is 50%; the total building footprint proposed (residential and office building) on Lots 8 and 9, Block 145 is 40%.

Minimum landscaping for multidwellings is addressed in the Site Design Review chapter.

Vision clearance: Regardless of use, the vision clearance provisions of Chapter 17.76 SHMC do not apply in the HBD zone.

- (e) This CUP criterion requires that the Development Code's Sign (Chapter 17.88 SHMC) and Site Development Review (Chapter 17.96 SHMC) requirements are met.**

Any new sign will require a sign permit as applicable. There is one existing wall sign on the principle building facing N. 17th Street. Site Design Review aspects are addressed in the Site Design Review section of this report below.

- (f) This CUP criterion requires compliance with the applicable policies of the City's Comprehensive Plan.**

No conflict with the Comprehensive Plan has been identified.

* * * * *

Conditional Use Permit—CUP.3.17—Site Design Review aspects per SHMC 17.100.040(1)(e)

The requirements for Site Design Review reference other applicable chapters of the development code. As such, those chapters that apply to this proposal are addressed in order here:

17.72 – Landscaping and Screening → Required landscaping shall be installed prior to Certificate of Occupancy by the Building Official.

Because the subject property to be developed abuts at least 100' of a public or private street, street trees are required. The development is occurring along N. 18th Street, which has overhead power lines. As such, those trees shall be “small” per this Chapter.

Related to street trees is street classification. 18th Street south of St. Helens Street is classified as a collector. There is an old design curb-tight sidewalk along N. 18th Street along the subject property. If this remains as-is, the street trees would need to be planted behind the sidewalk. However, if the Commission requires the frontage improvements to be re-done to current standards, there would be a landscape strip between the sidewalk and curb, where the trees would go. The Commission needs to determine what frontage improvements are appropriate along N. 18th Street: keep the existing or require reconstruction to current standards.

Assuming no new off-street parking given the shared off-street parking concept proposed, no new landscaping as it pertains to parking lots is warranted, unless the Commission determines otherwise. See attached email from Casey Mitchell dated April 5, 2017.

Per SHMC 17.72.110(2) & (4):

(2) Screening of Service Facilities. Except for single-dwelling units and duplexes, service facilities such as gas meters and air conditioners which would otherwise be visible from a public street, customer or resident parking area, any public facility or any residential area shall be screened from view by placement of a solid wood fence or masonry wall between five and eight feet in height or evergreens already to correct height minimums. All refuse materials shall be contained within the screened area.

(4) Screening of Refuse Containers Required. Except for one- and two-unit dwellings, any refuse container or refuse collection area which would be visible from a public street, parking lot, residential or commercial area, or any public facility such as a school or park shall be screened or enclosed from view by placement of a solid wood fence, masonry wall or evergreen hedge.

Any exterior and visible service facility will need to be screened.

The plans show a screened trash and recycling area.

17.76 – Visual Clearance → This requires clear vision at intersections (including driveway/street intersections). The HBD zone exempts this chapter.

17.80 – Off-Street Parking and Loading Requirements → The applicant does not propose to include new off-street parking. Rather utilize the existing parking which is part of the Columbia County Self Help/Community Action Team complex. See attached email from Casey Mitchell dated April 5, 2017.

This is possible per SHMC 17.80.020(6):

(6) Shared Parking in Commercial Districts.

(a) Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same parking and loading spaces when the peak hours of operation do not overlap;

(b) Satisfactory legal evidence shall be presented to the director in the form of deeds, leases, or contracts to establish the joint use; and

(c) If a joint use arrangement is subsequently terminated, or if the uses change, the requirements of this code thereafter apply to each separately.

If the Commission concurs with this concept, assuming that peak off-street parking hours for proposed use and existing use don't conflict (residential v. non-residential), legal documentation will be required to be recorded on the applicable deeds. If the Commission does not concur with this concept, the Commission may need to deny the application.

The amount of off-street parking normally required for the proposal would be 24. One bike space per dwelling units is also normally required: 17.

So, let's look at what's available, remembering that in the HBD zone, abutting on-street parking counts towards the off-street parking requirements: On-street parking along the subject property's N. 18th Street frontage is approximately 5 spaces. The existing parking lot has approximately 30 off-street parking spaces. There are also approximately 11 on-street parking spaces adjacent to the subject property along N. 17th Street. There is a bike rack that could accommodate two bicycles near the principle building main entrance on N. 17th Street. **Thus, there are approximately 46 off-street parking spaces available and two bicycle parking spaces.**

If the existing facility was constructed today, about 30 off-street parking spaces would be required (1 space per 350 feet of services gross floor area). Also, 3 or 6 bicycle spaces would be required (based on if the use was viewed as commercial or civic).

So, if both the proposed and existing uses were constructed today at this location on vacant land, a total of approximately 54 off-street parking spaces would be required. There are approximately 46. 20-23 bicycle parking accommodations would be required. There are about 2.

The applicant shows 18 new bicycle parking spaces. They are supposed to be lockable; such details are not apparent.

17.84 – Access, Egress and Circulation → Vehicular access is not changing, given the shared parking as described above. If the Commission finds the shared parking doesn't work, this needs to be reevaluated.

For the proposed non-residential use, walkways shall extend from ground floor entrances to streets that provide access. The proposed office building essentially kisses the N. 18th Street sidewalk.

For multifamily use, each dwelling unit shall be connected by walkway to vehicular parking area, and any common open space and recreation area. The plan provides internal walkways. They connect to the N. 18th Street sidewalk, which connects to the shared parking area, but not directly to the shared parking area. Does the commission think there should be a direct path? There is an existing disabled vehicular parking space, of which the wheelchair access aisle could work as a path free from obstruction (around the NW side of the proposed building). In this case, adjacent improvement need to be included on a revised site plan for proper integration planning.



The disabled person parking space within the existing parking lot. The wheelchair access aisle is a logical internal connection for pedestrian passage.

The existing blue detached single-family dwelling to be removed for the proposal is visible in the background. The existing C.A.T. facility is barely visible to the left.

Walkways are required to be paved, at least 4' wide and comply with ADA standards.

17.88 – Signs → Any new sign requires a sign permit. There is an existing wall sign on the existing building facing N. 17th Street.

17.96 – Site Development Review → Approval standards per this Chapter are addressed under SHMC 17.96.180. It references several chapters of the Development Code, which are addressed elsewhere in this report. The other criteria (2) – (17) are addressed here:

(2) Relationship to the Natural and Physical Environment.

(a) Buildings shall be:

- (i) Located to preserve existing trees, topography, and natural drainage in accordance with other sections of this code;
- (ii) Located in areas not subject to ground slumping or sliding;
- (iii) Located to provide adequate distance between adjoining buildings for adequate light, air circulation, and fire fighting; and
- (iv) Oriented with consideration for sun and wind; and

(b) Trees having a six-inch DBH (as defined by Chapter 17.132 SHMC) or greater shall be preserved or replaced by new plantings of equal character;

Finding(s): The site is level and void of significant natural features, except three trees that area >6" DBH (one large oak, one large cedar and a smaller tree). Plans show attempt to preserve the two larger trees. Commission could require a tree preservation plan or assume street trees will be replaced the trees if they go away.

(3) Exterior Elevations. Along the vertical face of single-dwelling units – attached and multiple-dwelling unit structures, offsets shall occur at a minimum of every 30 feet by providing any two of the following:

- (a) Recesses (decks, patios, entrances, floor area, etc.) of a minimum depth of eight feet;
- (b) Extensions (decks, patios, entrances, floor area, etc.) of a minimum depth of eight feet, and maximum length of an overhang shall be 25 feet; and
- (c) Offsets or breaks in roof elevations of three or more feet in height;

Finding(s): This criterion specifically says that the recesses, extensions or offsets apply to the vertical face of buildings. The applicant feels the proposal meets the intent of the code as a grouping of building despite the code technically applying to each individual multidwelling building. If the Commission concurs, it should make specific findings so this cannot be easily exploited by other multifamily dwelling proposals. This is a classic question for the Commission: will this set a precedence? Other options include but not necessarily limited to requiring a Variance or application denial.

The Commission's interpretation and dealings with this is intimately timely. You have three public hearings for July 2017. Coincidentally all three are multidwelling unit proposals. This is the first scheduled (was first application received by the city for the July meeting) and you really need to think about this and all future proposals. Does the Commission want to find that this meets the *intent* of this provision—this is potential problematic; these standards are clear and objective. When start to stray from them, the clarity and objectivity wanes.

(4) Buffering, Screening, and Compatibility between Adjoining Uses (See Figure 13, Chapter [17.72](#) SHMC).

(a) Buffering shall be provided between different types of land uses (for example, between single dwelling units and multiple-dwelling units residential, and residential and commercial), and the following factors shall be considered in determining the adequacy of the type and extent of the buffer:

- (i) The purpose of the buffer, for example to decrease noise levels, absorb air pollution, filter dust, or to provide a visual barrier;
- (ii) The size of the buffer required to achieve the purpose in terms of width and height;
- (iii) The direction(s) from which buffering is needed;
- (iv) The required density of the buffering; and
- (v) Whether the viewer is stationary or mobile;

(b) On-site screening from view from adjoining properties of such things as service areas, storage areas, parking lots, and mechanical devices on rooftops (e.g., air cooling and heating systems) shall be provided and the following factors will be considered in determining the adequacy of the type and extent of the screening:

- (i) What needs to be screened;
- (ii) The direction from which it is needed;
- (iii) How dense the screen needs to be;
- (iv) Whether the viewer is stationary or mobile; and
- (v) Whether the screening needs to be year-round;

Finding(s): One could argue that the existing parking lot is a buffer along the north side, N. 18th Street is a buffer along the west side, and the principle existing building is a buffer and screen on the east side.

The use of the abutting property to the south is a detached single-family dwelling. A 10' yard (building setback) and 6' high sight-obscuring fence is proposed.

Does the Commission think anything else is warranted?

(5) Privacy and Noise.

(a) Structures which include residential dwelling units shall provide private outdoor areas for each ground floor unit which is screened from view by adjoining units as provided in subsection (6)(a) of this section;

(b) The buildings shall be oriented in a manner which protects private spaces on adjoining properties from view and noise;

(c) Residential buildings should be located on the portion of the site having the lowest noise levels; and

(d) On-site uses which create noise, lights, or glare shall be buffered from adjoining residential uses (see subsection (4) of this section);

Finding(s): The applicant requests a Variance to this requirement.

(6) Private Outdoor Area – Residential Use.

(a) Private open space such as a patio or balcony shall be provided and shall be designed for the exclusive use of individual units and shall be at least 48 square feet in size with a minimum width dimension of four feet, and:

(i) Balconies used for entrances or exits shall not be considered as open space except where such exits or entrances are for the sole use of the unit; and

(ii) Required open space may include roofed or enclosed structures such as a recreation center or covered picnic area;

(b) Wherever possible, private outdoor open spaces should be oriented toward the sun; and

(c) Private outdoor spaces shall be screened or designed to provide privacy for the users of the space;

Finding(s): The applicant requests a Variance to this requirement.

(7) Shared Outdoor Recreation Areas – Residential Use.

(a) In addition to the requirements of subsections (5) and (6) of this section, usable outdoor recreation space shall be provided in residential developments for the shared or common use of all the residents in the following amounts:

(i) Studio up to and including two-bedroom units, 200 square feet per unit; and

(ii) Three- or more bedroom units, 300 square feet per unit;

(b) The required recreation space may be provided as follows:

(i) It may be all outdoor space; or

(ii) It may be part outdoor space and part indoor space; for example, an outdoor tennis court and indoor recreation room;

(iii) It may be all public or common space; or

- (iv) It may be part common space and part private; for example, it could be an outdoor tennis court, indoor recreation room and balconies on each unit; and
- (v) Where balconies are added to units, the balconies shall not be less than 48 square feet;
- (c) Shared outdoor recreation space shall be readily observable for reasons of crime prevention and safety;

Finding(s): With 17 <3 bedroom units proposed, 3,400 square feet of shared outdoor recreation area is required. The proposed courtyard (approx. 2,600 square feet) but includes a rose garden, so even less is “useable” for outdoor recreation. The open space around the perimeter of the site is not designed/landscaped for recreational use.

The applicant requests a Variance to this requirement.

(8) Demarcation of Public, Semipublic, and Private Spaces – Crime Prevention.

- (a) The structures and site improvements shall be designed so that public areas such as streets or public gathering places, semipublic areas and private outdoor areas are clearly defined in order to establish persons having a right to be in the space, in order to provide for crime prevention and to establish maintenance responsibility; and
- (b) These areas may be defined by:
 - (i) A deck, patio, low wall, hedge, or draping vine;
 - (ii) A trellis or arbor;
 - (iii) A change in level;
 - (iv) A change in the texture of the path material;
 - (v) Sign; or
 - (vi) Landscaping;

Finding(s): Per the applicant, this is addressed by normal right-of-way and sidewalk.

(9) Crime Prevention and Safety.

- (a) Windows shall be located so that areas vulnerable to crime can be surveyed by the occupants;
- (b) Interior laundry and service areas shall be located in a way that they can be observed by others;
- (c) Mail boxes shall be located in lighted areas having vehicular or pedestrian traffic;
- (d) The exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime; and
- (e) Light fixtures shall be provided in areas having heavy pedestrian or vehicular traffic and in potentially dangerous areas such as parking lots, stairs, ramps, and abrupt grade changes:
 - (i) Fixtures shall be placed at a height so that light patterns overlap at a height of seven feet, which is sufficient to illuminate a person;

Finding(s): Site illumination is proposed. There are no interior laundry services shown. Mailbox location may change based on input from the Postmaster.

(10) Access and Circulation.

- (a) The number of allowed access points for a development shall be as provided in SHMC [17.84.070](#);
- (b) All circulation patterns within a development shall be designed to accommodate emergency vehicles; and

(c) Provisions shall be made for pedestrianways and bicycleways if such facilities are shown on an adopted plan;

Finding(s): No vehicular access changes are proposed, given the shared parking proposed. No pedestrian and bicycle pathway is indicated in any of the City's records through the site.

(11) Distance between Multiple-Family Residential Structure and Other.

(a) To provide privacy, light, air, and access to the multiple and attached residential dwellings within a development, the following separations shall apply:

(i) Buildings with windowed walls facing buildings with windowed walls shall have a 25-foot separation;

(ii) Buildings with windowed walls facing buildings with a blank wall shall have a 15-foot separation;

(iii) Buildings with opposing blank walls shall have a 10-foot separation;

(iv) Building separation shall also apply to buildings having projections such as balconies, bay windows, and room projections; and

(v) Buildings with courtyards shall maintain separation of opposing walls as listed in subsections (11)(a)(i), (ii) and (iii) of this section for walls in separate buildings;

(b) Where buildings exceed a horizontal dimension of 60 feet or exceed 30 feet in height, the minimum wall separation shall be one foot for each 15 feet of building length over 50 feet and two feet for each 10 feet of building height over 30 feet;

(c) Driveways, parking lots, and common or public walkways shall maintain the following separation for dwelling units within eight feet of the ground level:

(i) Driveways and parking lots shall be separated from windowed walls by at least eight feet; walkways running parallel to the face of the structures shall be separated by at least five feet; and

(ii) Driveways and parking lots shall be separated from living room windows by at least 10 feet; walkways running parallel to the face of the structure shall be separated by at least seven feet;

Finding(s): A 25' separation is required for buildings that face each other with windowed walls. Because the existing principle building has windowed walls and is nearly on the property line this is a significant issue to be addressed.



The wall of the existing principle building (C.A.T. facility) that faces the property proposed for this development. This elevation has windows (it's a windowed wall). It also appears to be on the property line.

If only 10' separation is required between the existing and proposed building, technically, the only way it could be allowed would be if these windows were removed and no windows were allowed on the wall of the multidwelling building facing this one, unless an exception was made (e.g., Variance).

Only 10' is proposed between the existing principle building (C.A.T.) complex and the larger multifamily dwelling building. Can the Commission think of any creative findings to allow this? Otherwise, options include, but are not limited to:

1. Denial
2. Require variance
3. Impose condition that all windows on the existing building be removed and prohibit windows on the elevation of the multidwelling building facing the existing. However, that may be contrary to building or fire codes.

Also, there is only 10' between the two proposed residential buildings, so no windows are allowed on either building where they face each other. If the walls were both blank (no windows) they would meet the 10' separation requirement.

No parking lot or driveway will be within 10' of a window, except maybe along N. 18th Street where a Variance is proposed.

As studio apartments, the living room is everything. A 7' separation shall be required from all walkways or no windows allowed. Some walkways are immediately against units with windowed walls.

(12) Parking. All parking and loading areas shall be designed in accordance with the requirements set forth in SHMC [17.80.050](#) and [17.80.090](#); Chapter [17.76](#) SHMC, Visual Clearance Areas; and Chapter [17.84](#) SHMC, Access, Egress, and Circulation;

Finding(s): These issues are addressed elsewhere herein.

(13) Landscaping.

(a) All landscaping shall be designed in accordance with the requirements set forth in Chapter [17.72](#) SHMC; and

(b) For residential use, in addition to the open space and recreation area requirements of subsections (6) and (7) of this section, a minimum of 15 percent of the gross area including parking, loading and service areas shall be landscaped;

Finding(s): 15% of the area is required for landscaping. 44.5% is propose for landscape area.

(14) Drainage. All drainage plans shall be designed in accordance with the criteria in the most current adopted St. Helens master drainage plan;

Finding(s): Drainage will need to be addressed per City Engineering and Building Department requirements.

(15) Provision for the Handicapped. All facilities for the handicapped shall be designed in accordance with the requirements pursuant to applicable federal, state and local law;

Finding(s): This will addressed by the Building Code.

(16) Signs. All sign placement and construction shall be designed in accordance with requirements set forth in Chapter [17.88](#) SHMC;

Finding(s): Any new or altered sign required a sign permit prior to installation or alteration.

(17) All of the provisions and regulations of the underlying zone shall apply unless modified by other sections of this code (e.g., the planned development, Chapter [17.148](#) SHMC; or a variance granted under Chapter [17.108](#) SHMC; etc.).

Finding(s): The zoning aspects are addressed elsewhere herein. Variances are proposed.

17.132 – Tree Removal → This chapter scrutinizes the loss of trees that are >12” DBH. There are two such trees on the subject property, that the applicant will attempt to preserve.

If both are removed 4 replacement trees are required. If just one, one replacement tree. Replacement ratio is based on 50% kept or >50% lost. The Commission can find that the street trees required fulfil the tree replacement, if the existing trees are lost.

17.152 – Street and Utility Improvement Standards → Streets that abut a development are required to be improved per City standards. In this case, N. 18th Street is improved with curb and sidewalk, but not to current collector street standards. **Does the Commission want to require reconstruction to those standards?**

If the Commission finds the existing frontage improvements are acceptable, there is a driveway approach along N. 18th Street, without a current purpose and without purpose based on the proposal. It needs to be replaced with a standards sidewalk/curb.



View of the subject property as seen from N. 18th Street.

Note the driveway approach visible just below the blue shed building (behind the blue house).

Will need to be replaced with standard curb/sidewalk, **if the Commission doesn't require reconstruction to current standards.**

Mailbox facility is required subject to approval by the Postmaster and City.

Easements and utilities. Per Book 180, Page 627, there is a blanket easement on Lots 8 and 9 for sewer and drain pipe(s) recorded in 1930. This blanket easement needs to be replaced. There is a sewer main between Lots 8-10 and 13-15 that needs a modern easement. **Note comments from City Engineering above.**

Lot 14, Block 145 is also mentioned in an earlier easement per Book 180, Page 607 (recorded 1930) for an undefined sewer and drain pipe(s) easement that covers a much broader area.

Lot 14, Block 145 is also mentioned in an easement per Book 180, Page 853 for sewer and drain pipe(s) along its west side. Needs to be replaced; no width description.

The sewer main appears to also be located on Lots 10 and 13, Block 145, so a new easement needs to include that too.

Per discussion with the City's Public Works Operations Director, because the sanitary sewer line is shallow (only a few feet), the City wouldn't necessarily need the normal 15' wide easement. The other thing to consider is that usually, the city doesn't allow easement encroachment, which includes building projections such as eaves and lighting. This issue will need to be worked out and may have an impact on the building location and/or form.

There is also a 4' square easement in the NW corner of Lot 8 for a telephone pole per Book 147, Page 784. Proposal doesn't appear to conflict with that.

Utilities shall be underground. There are overhead poles within the N. 18th Street right-of-way. In no case shall new poles be added for utility extensions.

17.156 – Traffic Impact Analysis (TIA) → The proposal is not of such magnitude to warrant a TIA.

* * * * *

Variance—V.2.17 (reduce front yard/setback of residential building from 20' to 7'9")

SHMC 17.108.050 (1) – Criteria for granting a Variance

- (a) The proposed variance will not be significantly detrimental in its consequence to the overall purposes of this code, be in conflict with the applicable policies of the comprehensive plan, to any other applicable policies and standards of this code, and be significantly detrimental in its consequence to other properties in the same zoning district or vicinity;
- (b) There are special circumstances that exist which are peculiar to the lot size or shape, topography or other circumstances over which the applicant has no control, and which are not applicable to other properties in the same zoning district;
- (c) The use proposed will be the same as permitted under this code and city standards will be maintained to the greatest extent that is reasonably possible while permitting some economic use of the land;
- (d) Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic landforms, or parks, will not be adversely affected any more than would occur if the development were located as specified in the code; and
- (e) The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship.

Discussion: Note that the Houlton Business District, HBD has a maximum front setback of 0 feet, thus promoting buildings along the right-of-way, typical of main street areas. However, the exception to this is residential uses, which have the standard 20' front yard of the City's residential zoning districts.

Findings:

(a) This criterion requires a finding that the variance will not be detrimental.

- The Commission needs to find this criterion is met to approve this Variance.
- **Staff comments:** Note that multidwelling projects (per Site Development Review standards) require certain distances from windows:

Driveways and parking lots shall be separated from living room windows by at least 10 feet; walkways running parallel to the face of the structure shall be separated by at least seven feet.

A distance of 7'9" maintains this separation from the sidewalk.

(b) The criterion requires a finding that there are special and unique circumstances.

- The Commission needs to find this criterion is met to approve this Variance.

(c) This criterion prohibits a use variance and requires a finding that the applicable standards are maintained to the greatest extent that is reasonably possible.

- The Commission needs to find this criterion is met to approve this Variance.
- **Staff comments:** A use Variance is not proposed. A distance of 7'9" still maintains the distance required of walkways running parallel to the face of structures with windows to the living room.

(d) This criterion requires a finding that existing physical and natural systems will not be adversely affected as a result of the requested Variance.

- The Commission needs to find this criterion is met to approve this Variance.

(e) This criterion requires a finding that the variance issue is not self-imposed and that the variance is the minimum necessary to alleviate the hardship.

- The Commission needs to find this criterion is met to approve this Variance.

* * * * *

Variance—V.3.17 (to omit the private outdoor and shared outdoor recreational space normally required for multi-dwelling complexes)

SHMC 17.108.050 (1) – Criteria for granting a Variance

- (a) The proposed variance will not be significantly detrimental in its consequence to the overall purposes of this code, be in conflict with the applicable policies of the comprehensive plan, to any other applicable policies and standards of this code, and be significantly detrimental in its consequence to other properties in the same zoning district or vicinity;
- (b) There are special circumstances that exist which are peculiar to the lot size or shape, topography or other circumstances over which the applicant has no control, and which are not applicable to other properties in the same zoning district;
- (c) The use proposed will be the same as permitted under this code and city standards will be maintained to the greatest extent that is reasonably possible while permitting some economic use of the land;
- (d) Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic landforms, or parks, will not be adversely affected any more than would occur if the development were located as specified in the code; and
- (e) The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship.

Discussion: Multidwelling complexes are required to have both shared and private recreation space per Site Development Review standards.

(a) This criterion requires a finding that the variance will not be detrimental.

- The Commission needs to find this criterion is met to approve this Variance.

(b) The criterion requires a finding that there are special and unique circumstances.

- The Commission needs to find this criterion is met to approve this Variance.

(c) This criterion prohibits a use variance and requires a finding that the applicable standards are maintained to the greatest extent that is reasonably possible.

- The Commission needs to find this criterion is met to approve this Variance.
- **Staff comments:** A use Variance is not proposed.

Note that per SHMC 17.108.080(3), private outdoor areas and shared recreation area requirements may be exempted or reduced, in part, if there is direct pedestrian access not exceeding ¼ mile to public open space or recreation areas that may be used by the residents of the development.

Both McCormick Park and Heinie Huemann Park, both City public parks, are within about 2,000 feet via the street network, which is mostly sidewalked. ¼ of a mile is 1,320 feet. 2,000 is about 38% of a mile. Public parks are fairly close, but not close enough to avoid a Variance.

(d) This criterion requires a finding that existing physical and natural systems will not be adversely affected as a result of the requested Variance.

- The Commission needs to find this criterion is met to approve this Variance.

(e) This criterion requires a finding that the variance issue is not self-imposed and that the variance is the minimum necessary to alleviate the hardship.

- The Commission needs to find this criterion is met to approve this Variance.

* * * * *

CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, if the Commission approves of this Conditional Use Permit (CUP.3.17) staff recommends the following conditions:

1. This **Conditional Use Permit** approval is valid for a limited time (to establish the use) pursuant to SHMC 17.100.030.
2. The following shall be required prior to development/building permit issuance:
 - a. A new easement for the Sanitary Sewer main within the subject property shall be recorded. Width and location of easement shall be adequate for access and repair given the depth of the utility. Documentation subject to City approval prior to recordation.
 - b. 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. Changes to building location and other amendments to accommodate the easement per condition 2.a. Note: building encroachment (including projections such as eaves) into utility easements is typically not allowed.
 - ii. Changes to landscape plans to comply the other plans revisions or otherwise comply with the Development Code. For example, applicant shall demonstrate street tree location compliance with SHMC 17.72.035. Things to demonstrate compliance, such as utility poles shall be included on the plans. Street trees along N. 18th Street shall be "Small" as per Chapter 17.72 SHMC.
 - iii. Direct walkway from the parking lot to the two Lots (Lots 8 and 9, Block 145) to be developed. For example, via the wheelchair access aisle of the existing disabled person parking space. <<or the commission could just live with using the public sidewalk for parking lot, multifamily dwelling/office building connectedness>>.Walkways are required to be paved, at least 4' wide and comply with ADA standards.

- iv. Joint mailbox facility in a location approved by the Postmaster and City. Location shall be lighted.
- v. Existing driveway approach along N. 18th Street shall be replaced with standard curb/sidewalk <<this condition is moot if Commission required entire frontage to be rebuilt to current collector standards>>.
- vi. How will bicycle parking spaces be lockable?
- vii. N. 18th Street frontage improvements per the City's current collector street standards <<if required by the Commission>>.
- viii. <<how does the Commission want to handle the exterior elevation requirement? Make a finding to allow as is, impose a condition for revised building plans here, require a Variance, or deny the application, or...>>
- ix. <<How does the Commission want to handle the required separation requirements per SHMC 17.96.180(11)? – see options noted in the body of this report. There is also the 10' between residential building where each wall would need to be void of windows. There are also walkways immediately along windowed walls to zero separation. Because the plans could change significantly as a result of this I recommend condition that says:

"All plans shall comply with the requirements of SHMC 17.96.180(11)..."

This can be tweaked if the Commission makes special findings, for example, for the area between the larger proposed multifamily building and the existing C.A.T. complex.>>
- x. <<if one or both variances are denied, will need additional conditions for compliance with those issues>>
- c. <<Does the Commission want to require a tree preservation plan for any existing tree to increase the odds of survival or just "hope" they can be preserved and if not, assume the required street trees will replace per code?>>
- d. Engineering/construction plans shall be submitted for review and approval for any public improvements such as utility extensions/modifications and street improvements.
- e. A drainage plan shall be reviewed and approved by City Engineering. It may be necessary to extend the public storm drain system from the N. 18th & Columbia Blvd. intersection up to the property to collect the runoff from the new structure.
- f. 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.

- g. Documents, subject to City review and approval, shall be recorded on the deeds of the subject property as follows:

Lots 10, 13, 14, and 15, Block 145 shall be combined for development purposes (this ensures the C.A.T. complex stays together).

Lots 8 and 9, Block 145 shall be combined for development purposes (this is necessary because these two lots share improvements and to avoid building code issues with “internal” property lines).

The deed(s) for combined Lots 10, 13, 14, and 15, Block 145 shall include a restriction that prohibits dwelling units/residential use for the benefit of Lots 8 and 9, Block 145.

All deed(s) for all Lots of the subject property shall include a shared parking agreement, which shall include provisions for shared maintenance responsibilities.

- 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:
 - a. All improvements necessary to address the requirements herein, and in accordance with approved plans, shall be in place.
- 4. Service facilities such as gas meters and air conditioners which would otherwise be visible from a public street, customer or resident parking area, any public facility or any residential area shall be screened, **regardless if such screening is absent on any plan reviewed by the City. This includes but is not limited to ground mounted, roof mounted or building mounted units.**
- 5. Any requirement of the Fire Marshall as it applies to this proposal shall be met. For example, addressing (plus floor and room numbers), new fire hydrant may be needed, may need FDC by hydrant).
- 6. Any new utilities shall be underground. Existing overhead utilities may remain above ground, but new poles are prohibited.
- 7. 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.

* * * * *

Based upon the facts and findings herein, if the Commission approves of this Variance (V.2.17) for reduce front yard/setback staff recommends the following conditions:

- 1. This Variance approval is valid for a limited time pursuant to SHMC 17.108.040.

2. This Variance shall apply to the proposed plan as submitted only or one with equal or less minimum required yard encroachment.

* * * * *

Based upon the facts and findings herein, if the Commission approves of this Variance (V.3.17) to omit the private outdoor and shared outdoor recreational space normally required for multi-dwelling complexes staff recommends the following conditions:

1. This Variance approval is valid for a limited time pursuant to SHMC 17.108.040.

Attachment(s): Applicant's narrative (8 pages)

Email from Casey Mitchell dated April 5, 2017 (w/ hand written notes by staff)

Aerial photo with subject property outlined

Tax Assessor Map excerpt showing the subject property Lot composition

Building illustration

Site Plan

Landscape Plan

Building elevations (3 pages)

Building floor plans (3 pages)

18th Street Apartments

St Helens, OR


Development Code Narrative

(based on Title 17 St. Helens Community Development Code)

Section 17.24: Procedures for Decision-Making – Quasi-Judicial

A Preapplication conference for this project was held February 2, 2017.
All required application materials have been submitted.

Section 17.32.172: Houlton Business District

- A conditional use application is being submitted for multi-dwelling units.
 - Proposed building height < 27'.
 - Proposed building coverage 40%.
 - No minimum lot size.
 - No minimum front yard setback for office portion of the project. Zero maximum setback. Office building complies.
 - No minimum side yard setback. 10' setback proposed.
 - No minimum rear yard setback. 10' setback proposed.
 - Proposed lot width 114'.
 - Proposed lot depth 100'.
 - Proposed open space 60%.
 - On-street parking can be counted for the office portion of the project.
 - Multi-dwelling units to comply with AR standards.
 - The project site combined with the remainder of the CAT property totals 34,200 sf. The project proposes 17 multi-dwelling units. 5,000 for 1st two + 1,500 x 15 = 27,500 sf lot size required.
 - A variance is requested for the 20' front yard setback.
 - No minimum lot width.
 - Proposed lot depth 100'.
 - Proposed side yard 10'.
 - Proposed rear yard 10'.
 - Proposed building height <27'.
 - Proposed building coverage 40%.
 - Proposed landscaping 60%.
- 

Section 17.72 Landscaping and Screening

A landscape plan is provided showing conformance with requirements. An irrigation plan will be provided as part of the permit drawings. Topsoil will be imported as necessary to insure adequate growing medium for all plantings. Erosion control measures will be provided to control run-off consisting of silt fences and bio-filter bags. All landscaping will be properly maintained and replaced when necessary. Five Street trees will be added along 18th. A new 6' high wood fence will be installed along the south property line screening from the existing house.

Section 17.80 Off-Street Parking and Loading Requirements

The existing parking lot on the CAT site will also serve as vehicular parking for this project. The owner (CAT) will maintain this project as a separate parcel but establish a written arrangement for shared parking use between this parcel and the parcel on which the parking is located. Office and residential uses are compatible for shared parking. The shared parking is adjacent to this project so distance is not an issue.

17 bicycle parking spaces are provided for 17 units.

1 bicycle space for the office portion 10% of 7.

Since all units are studios, 17 parking spaces are required for 17 units.

7 parking spaces are required for the office portion of the project, 2,404 sf / 350.

It is important to note that many of the anticipated tenants of this project are transitioning out of homelessness and will not have their own vehicles so the actual parking requirements are anticipated to be less than required.

Section 17.84 Access, Egress, and Circulation

Existing access points to the existing parking lot will remain and be utilized as the only vehicular accesses to the parking area. New concrete sidewalks connect all units, common area, and office space to each other and the public sidewalk for pedestrian and bicycle access.

Section 17.88 Signs

An externally illuminated wall mounted address and identification sign will be provided for the residential portion and a separate sign for the office portion. Signs will be designed later, conform to this code section and permitted separately.

Section 17.92 Mixed Solid Waste and Recyclables Storage

A trash area is provided on the side next to the office building. It is screened from the street by a wood fence. For 17 units 85 sf is required plus another 10 sf for the office portion. 198 sf is provide in the trash area with 10 roll out carts for trash and recycling. The area is enclosed on three sides but not covered.

Section 17.96 Site Development Review

17.96.090:

- Aerial photo showing existing conditions provided.
- Proposed site plan provided.
- The site is essentially flat and existing grades do not have any substantive effect on the project.
- A landscape plan is provided.
- Architectural elevations of all buildings and a rendering are provided.
- Signs for the project will be mounted on the buildings and submitted separately at a later date.
- Owner to provide all restrictions and covenants.

17.96.110

- A vicinity map is provided
- The site size and dimensions are shown on the site plan
- The site is essentially flat and existing grades are not shown. A complete site survey will be done as the project moves forward.
- Site drainage is not an issue and will be developed as part of the civil engineering drawing for the project.
- There are no sensitive lands.
- The only site feature of significance is the large tree on the north of the site. It is shown on the site plan and will be preserved if possible and feasible.
- The existing structures on the site will be removed.
- There are no unusual noise sources on or adjacent to the site that would affect the project or the neighboring projects.

17.96.120

- A site plan is provided showing the proposed development of the lot with the required information that is applicable to the project.
- A complete site survey will be done showing the existing conditions and utilities as well as proposed utilities and off-site improvements.

17.96.130

- The site is essentially flat and existing grades do not have a substantive effect on

the project. A complete site survey will be done as the project moves forward and site grading will be part of the civil engineering design drawings.

17.96.140

- Floor plans and elevations are provided for all buildings as well as a rendering showing the design concept.

17.96.150

- A landscape plan is provided. An irrigation plan will be provided as part of the permit drawings. Topsoil will be imported as necessary to insure adequate growing medium for all plantings. Erosion control measures will be provided to control run-off consisting of silt fences and bio-filter bags. All landscaping will be properly maintained and replaced when necessary. Fences and screenings are shown on the site plan.

17.96.160

- An externally illuminated wall mounted address and identification sign will be provided for the residential portion and a separate sign for the office portion. Signs will be designed later, conform to this code section and permitted separately.

17.96.180

- (2) The proposed buildings are arranged on site to be compatible with the existing street system, achieve the required density, accommodate the required functions, and create a livable environment for the people who will occupy the site. It is not yet determined if the two big trees on the site can be preserved or if they need to be removed. As the project moves forward the appropriate measures will be determined but preservation is the first choice.
- (3) The design of the project meets the intent of code section 17.96.010 (1) conserving and enhancing the appearance of the City and (2) promoting the health, safety, welfare, convenience, comfort and prosperity of the citizens through numerous means. The intent of this section is to create interesting building forms that are not uniform and monotonous. The concept of this design is three individual buildings grouped around a courtyard. One of the buildings is an office building and two are residential buildings. The two smaller buildings are on the street facing side of the site and the larger building at the back of the site. The two smaller buildings facing the street are less than 30' wide each and have a variety of elements such as a porch, two story and one story facades, variations in roof forms, colors, and materials. The two smaller buildings in front of the larger building in the back break up the façade of the building (refer to the rendering). All of the entries to the larger building face the street and courtyard, and 2nd floor walkway serves as both a shared sitting area and a cover for the ground floor walk which in turn also serves as a shared sitting area. The longer sides of the small residential building closest to the street have the entries to the

units and living room windows facing the courtyard. Part of this building is two stories and part is one story further breaking up the massing of the building. The exterior stair and elevated walkway also break up the massing on the courtyard side. The northwest side of this building faces the parking area and has a two story / one story façade to break up the elevation at the 30' length. The short sides of the long building in the back are less than 30' long, the side facing the street is broken up as described earlier and the back side faces the CAT building and is limited as to the amount of articulation that can be provided because of an easement that runs through the back of the property.

- (4) A new 6' high wood fence is proposed on the south property line to provide screening and privacy to the adjacent property. The other sides of the property are also owned by CAT and no additional screening is proposed.
- (5) Due to the nature of the anticipated tenants, private outdoor areas are not appropriate. A new fence on the south property line protects the privacy of the adjacent property. The noise levels on and around the property are not at a level that impacts the livability of the project.
- (6) The anticipated tenants of this project are transitioning out of homelessness. The project provides common outdoor areas in lieu of private outdoor space in order to promote a sense of community and shared support. The project is managed and supervised by CAT to assist the tenants in their transition.
- (7) The buildings are grouped around a central courtyard that serves as a common outdoor space for all tenants to gather, relax, and socialize. The site is not large enough for a large outdoor active use space but McCormick Park is located less than ½ mile from the project and offers many opportunities for outdoor activity.
- (8) The demarcation of public, semipublic, and private spaces is not really applicable for a project of the scale and use. The entire site is private property and not adjacent to public or semipublic spaces except the normal right of way and sidewalk.
- (9) The property will be well maintained, supervised, and operated by CAT to insure reasonable level of crime prevention and safety. The office building on site and adjacent site allows CAT staff to observe the entire property, the shared courtyard and apartment units. The site and buildings are appropriately illuminated for safety.
- (10) Adequate and appropriate site access is provided to the property.
- (11) A shared courtyard separates the buildings that is 39'-6" wide at the narrowest point. Units and office space face onto this courtyard. Units and office space that do not face the courtyard face the property line with 10' minimum separation or they face the street. The buildings are less than 30' high. The two buildings closest to the street are less than 60' long. The building in the back is

90' long and is 10' from the nearest building wall or property line. Buildings are separated from driveways and parking by at least 10' and living areas from public sidewalks by at least 7'

- (12) This project proposes no new parking and will utilize the existing CAT parking lot.
- (13) 44.5% of the site is landscaped and designed as required by code.
- (14) The civil engineering plans prepared for permit will conform to St. Helens master drainage plan.
- (15) All ground floor units will meet state and federal accessibility requirements and an accessible path of travel will be provide through all usable portions of the site.
- (16) Signs will be design to conform to sign regulations.

Section 17.100 Conditional Use

Refer to 17.96 responses for corresponding similar sections.

17.100.150

- The proposal complies with the HBD and AR zoning requirements with identified variances.
- Variance applications are submitted concurrently with the conditional use.

Section 17.108 Variance

The following variances are requested.

1. 20' front yard setback requirement.
 - HBD has a minimum and maximum front setback of 0 feet. The AR requirements are that residential has a 20' front setback. The proposal is that one residential unit has a 7'-9" front setback. This provides for a more efficient and practical site layout that provides desired residential density in a courtyard configuration and still accommodate the new CAT office building. The variance does not negatively impact safety or livability. The front of the residential unit closest to the street will by nicely landscaped to provide a buffer between the public sidewalk and the unit. The unit will be design to look like the front of the building and compliment the design of the office building on the other side of the courtyard.
 - (a) The request is not detrimental in that it provides a reasonable accommodation to the conflicting setback requirements of the HBD and AR zones. The building is brought closer to the street as is the intent of the HBD setback and maintains a buffer between the street and the unit

as is the intent of the AR setback.

- (b) The special circumstance is that there is a required density needed to make the project financially viable and the addition of the unit within the 20' setback is needed to make the project work.
- (c) The unit in question is an allowed use in the zone and compatible with the rest of the project.
- (d) The location of this unit has no negative impacts on existing physical and natural systems since the general HBD setback requirement is zero buildings are intended to be located in this area.
- (e) The unit is needed to achieve the density required for a financially viable project. The determination of required density is based on site capacity, financial viability, and livability.

2. Private outdoor area requirement. (2 and 3 are combined into one variance)

- The anticipated tenants for this project are transitioning out of homelessness. The project is relying on special funding to be feasible and budgetary resources are limited. The courtyard area is more appropriate for these tenants to create an atmosphere of shared community and support rather than private separated spaces. An area for gathering and socializing is a better use of the limited open space area there is to work with. This is not market rate or even work force housing and these units are simply for people who need to get out of homelessness and have a decent place to live in dignity. In addition, both the project site and project budget limit the amount of amenities that can be provided. The goal is to construct affordable housing that addresses a great need cost effectively without sacrificing livability.

3. Shared outdoor rec area. (2 and 3 are combined into one variance)

- The site is too small for any significant recreation activity. McCormick park is less than 1/2 mile away. The limited open area on the site is better used to create a more livable and attractive setting for the tenants transitioning out of homelessness. This is not market rate or even work force housing and these units are simply for people who need to get out of homelessness and have a decent place to live in dignity. The goal is to construct affordable housing that addresses a great need cost effectively without sacrificing livability.
- (a) The primary intent of the private outdoor area and outdoor rec area is for the livability of the tenants. The tenants are transitioning out of homelessness and having a home for these people is a great benefit to them and the community. They need a roof over their heads.
- (b) The site is small and not big enough to accommodate the space requirements for private outdoor spaces and shared rec spaces. The

existing site area is needed to provide housing for as many people as possible.

- (c) The use is the same as permitted under the code. Shared open space is provided in lieu of private open space.
- (d) This has no effect on existing physical and natural systems. McCormick Park has adequate size and amenities to serve the tenants of this project and the shared courtyard provides an adequate opportunity for an on-site outdoor experience.
- (e) The non-conformance with this requirement is based on the limited size of the site, the required density to make the project feasible, and the realistic needs of the prospective tenants of the project.

Section 17.132 Tree Removal

The goal is to preserve the two large trees if possible. Further study is necessary but if removal is required, approved replacement will be provided.

Section 17.152 Street and Utility Improvement Standards

A survey of existing conditions and utilities will be done and civil engineering drawings will be developed in collaboration with the City that identify required street and utility improvements.

Section 17.156 Traffic Impact Analysis

Due to the size of the project, this project is below the threshold requiring a TIA.



Jacob Graichen

LAND USE RESTRICTION PROPOSAL

From: Casey Mitchell <cmitchell1@cat-team.org>
Sent: Wednesday, April 05, 2017 12:40 PM
To: Jacob Graichen
Subject: FW: CAT 18th Street development

Jacob,
Here is the verbiage that Nancy put together that we believe will satisfy your needs as well as the lenders needs for this project. We are very interested if this will work for you.
Thank you
Casey Mitchell
503-366-6550

Columbia County Self-Help, an Oregon nonprofit corporation and 501(c)(3) charity ("CCSH") currently owns the lot that is the subject of this application for housing development. In addition, CCSH owns two lots that are adjacent to the housing lot. To satisfy density requirements, CCSH is joining in the application as to such two additional lots to allow housing density restrictions to be imposed on all three lots. As a result of the City's approval, it is anticipated that CCSH's two adjacent lots may not be further developed with housing in the future without City approval. In addition, CCSH is agreeing to certain shared parking requirements to be imposed on one of the adjacent non-housing lots to benefit the housing site. Such parking requirements will be included in a written agreement for the benefit of the housing site that will be subject to City approval prior to recording in the deed records.

The applicants propose to impose the density and parking restrictions on the lots as described above while keeping title to the three lots separate so that each maintains its status as a separate legal lot. Currently, mortgages from two different lenders encumber the two non-housing lots, and transferring title into the same ownership as the housing lot will be challenging, time consuming and expensive, if permitted at all. Furthermore, it is anticipated that another lender will be involved in the housing development, which will further complicate the transaction if legal lot of record status were lost.

in addition, to facilitate the financing for the housing lot, CCSH may transfer title to the housing lot to a limited liability company or limited partnership set up for such financing and development. (Setting up such single-asset entities is very common in affordable housing development.) Title to the non-housing lots would not be transferred but would remain separate, although subject to the density restrictions and, as to one non-housing lot, the shared parking requirements.

Nancy B. Murray, Attorney at Law
murraylaw@comcast.net
503-830-9884
For US Mail and Deliveries:
9220 SW Barbur Blvd, No. 119-123
Portland, OR 97219

NOTE: THIS IS NOT ACCURATE AS TO LOTS. THE SITE IS COMPOSED OF 6 LOTS. LOTS 10, 13, 14 & 15 MAKE UP THE EXISTING "CCSH" FACILITY. LOTS 8 & 9 ARE THE PROPOSED LOTS TO BE DEVELOPED



JUNE 29, 2017



St Helens

N 18th St

N 19th St





N. 17TH STREET

ADJACENT CAT PROPERTY
22,800 SF

SITE AREA TOTAL:	11,400 SF	
BLDG. COVERAGE:	4,895 SF	41%
PAVED AND CIRCULATION:	1,664 SF	14.5%
LANDSCAPING:	5,041 SF	44.5%

BUILDING 100 AREAS

FIRST FLOOR		
1 - 1 BR UNITS AT 389 SF	=	389 SF
1 - 1 BR UNITS AT 381 SF	=	381 SF
1 - 1 BR UNITS AT 443 SF	=	443 SF
3 UNITS	=	1,192 SF

SECOND FLOOR		
1 - 1 BR UNITS AT 389 SF	=	389 SF
1 - 1 BR UNITS AT 381 SF	=	381 SF
2 UNITS	=	776 SF
BUILDING TOTAL	=	1,968 SF

BUILDING 200 AREAS

FIRST FLOOR		
2 - 1 BR UNITS AT 389 SF	=	777 SF
2 - 1 BR UNITS AT 382 SF	=	763 SF
2 - 1 BR UNITS AT 381 SF	=	761 SF
6 UNITS	=	2,301 SF

SECOND FLOOR		
1 - 1 BR UNITS AT 389 SF	=	389 SF
1 - 1 BR UNITS AT 387 SF	=	387 SF
2 - 1 BR UNITS AT 382 SF	=	763 SF
2 - 1 BR UNITS AT 381 SF	=	762 SF
6 UNITS	=	2,301 SF
BUILDING TOTAL	=	4,602 SF

OFFICE BUILDING

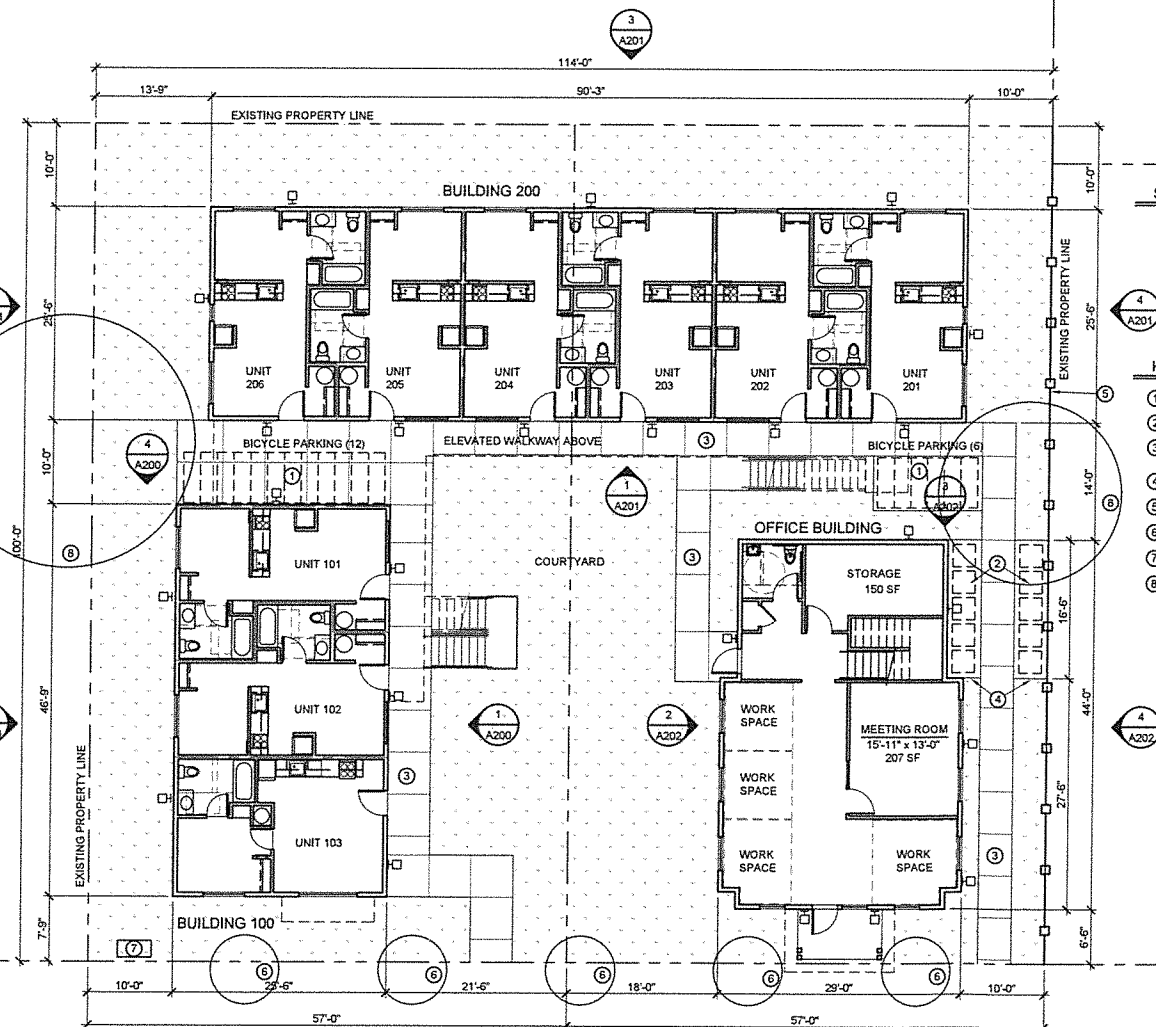
FIRST FLOOR		
TOTAL AREA	=	1,202 SF

SECOND FLOOR		
TOTAL AREA	=	1,115 SF

BUILDING TOTAL	=	2,317 SF
----------------	---	----------

BUILDING TOTALS

BUILDING 100 TOTAL:	=	1,968 SF
TOTAL UNITS 5		
BUILDING 200 TOTAL:	=	4,602 SF
TOTAL UNITS 12		
OFFICE BUILDING TOTAL	=	2,317 SF
GROSS BUILDING AREA	=	8,887 SF



SYMBOLS

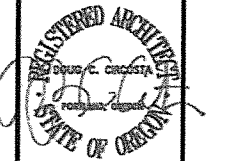
WALL MOUNTED LIGHT FIXTURE

KEY NOTES

- BICYCLE PARKING 2'-0" x 6'-0"
- TRASH/RECYCLING CARTS
- CONCRETE WALK WITH CONTROL JOINTS AT 5' OR WHERE SHOWN
- 6' HIGH WOOD SCREEN FENCE AT TRASH
- 6' HIGH WOOD FENCE AT PROPERTY LINE
- NEW SMALL STREET TREES AT 20' O.C.
- PROPOSED MAIL BOX LOCATION
- LARGE EXISTING TREE - TO BE PRESERVED IF POSSIBLE

1 SITE PLAN
A100 1" = 10'-0"

N. 18TH STREET



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Beaverton, OR 97007

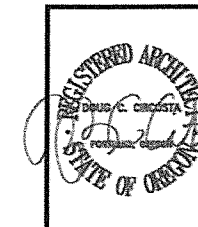
18TH STREET
APARTMENTS
134 N. 18TH STREET
ST HELENS, OREGON

job no.: 1703
date: 6/13/2017

SITE PLAN

A100

N. 17TH STREET



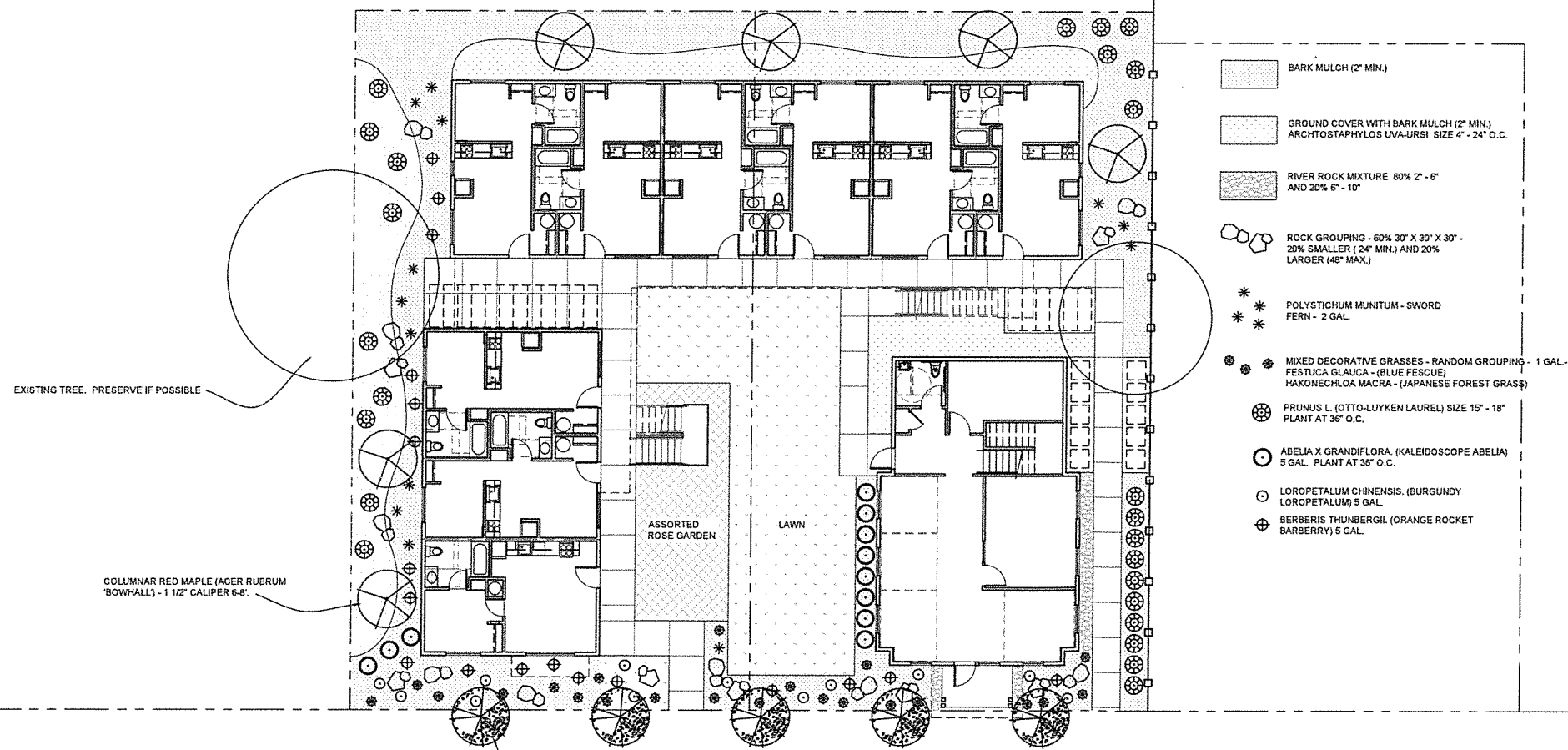
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134 N. 18TH STREET
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Job no.: 1703
date: 8/13/2017

LANDSCAPE
PLAN

L100



1 SITE PLAN
A100 1" = 10'-0"



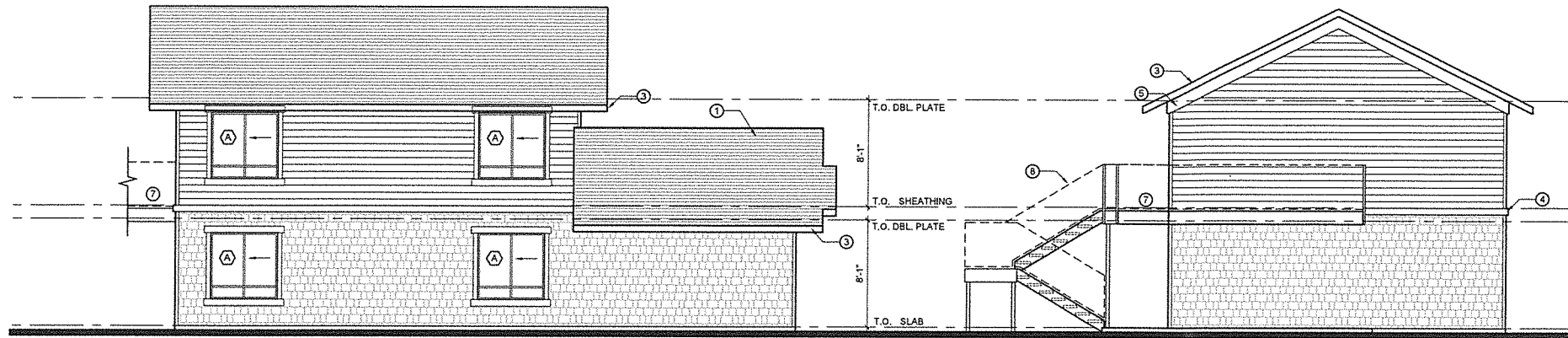
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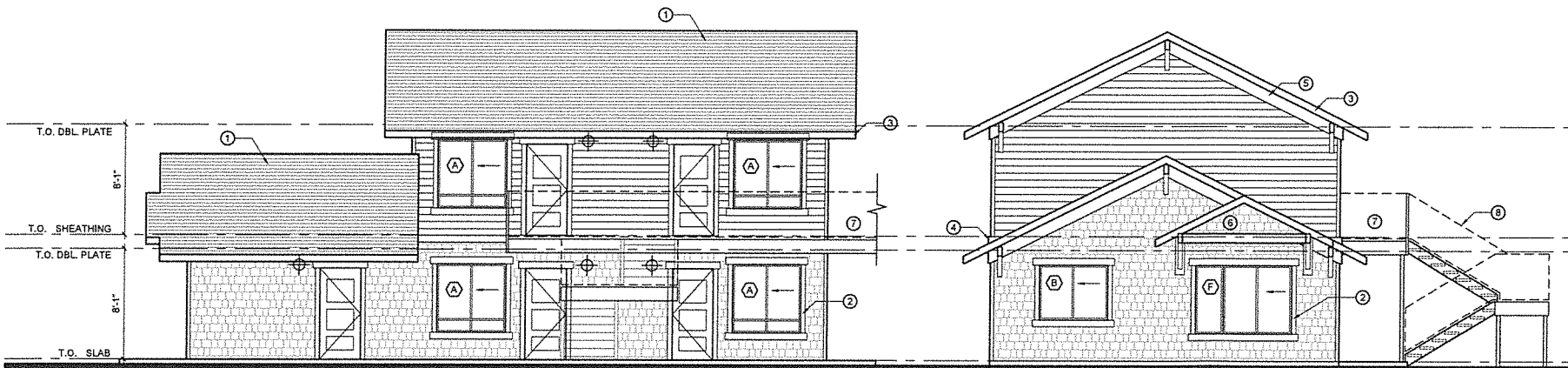
BUILDING
ELEVATIONS

A200



3 BUILDING ELEVATION
A200 3/16" = 1'-0"

4 BUILDING ELEVATION
A200 3/16" = 1'-0"



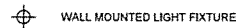
1 BUILDING ELEVATION
A200 3/16" = 1'-0"

2 BUILDING ELEVATION
A200 3/16" = 1'-0"

GENERAL NOTES

1. SEE ROOF PLAN AND BLDG. PLANS FOR GUTTER AND DOWNSPOUT LOCATIONS.

SYMBOL LEGEND



MATERIAL LEGEND

	FIBER CEMENT STRAIGHT EDGE SHINGLE PANEL - PAINTED
	FIBER CEMENT SMOOTH LAP SIDING 6" EXPOSURE - PAINTED
	FIBER CEMENT PANEL SIDING SMOOTH TEXTURE - PAINTED

KEY NOTES

- 1 ASPHALT SHINGLE ROOFING SYSTEM
2 5/4x4 TRIM - PAINTED (EXTEND 2" EA. SIDE AT WINDOWS AS SHOWN)
3 2x6 FASCIA - PAINTED
4 5/4x6 TRIM - PAINTED
5 5/4x10 TRIM - PAINTED
6 WOOD CORBEL - PAINTED
7 ELEVATED WALKWAY
8 GUARDRAIL

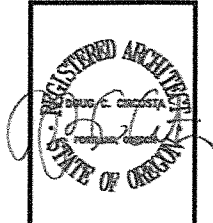
WINDOW TYPES

ALL WINDOWS TO BE DUAL PANE INSULATED VINYL WINDOW SYSTEM WITH MIN. 35 STC AND LOW-E GLAZING - SEE SHEET A-004 FOR ENERGY REQUIREMENTS. FRAME COLOR: WHITE. WINDOW HEAD HEIGHT TO BE 7'-0" ABOVE FFL (UNLESS NOTED OTHERWISE)

- (A) 5050 SLIDING WINDOW (MEETING ESCAPE AND RESCUE REQUIREMENTS)
(B) 5040 SLIDING WINDOW
(C) 2030 SINGLE HUNG WINDOW
(D) 4050 SLIDING WINDOW
(E) 3050 SLIDING WINDOW
(F) 4050 SLIDING WINDOW WITH 3050 FIXED PICTURE WINDOW
(G) 3040 SLIDING WINDOW

ALL GROUND FLOOR WINDOWS AND SLIDING GLASS DOORS TO BE PROVIDED WITH A SECONDARY SECURITY DEVICE - SECURITY BAR OR "CHARLEY" BAR.

- 1 TEMPERED GLAZING



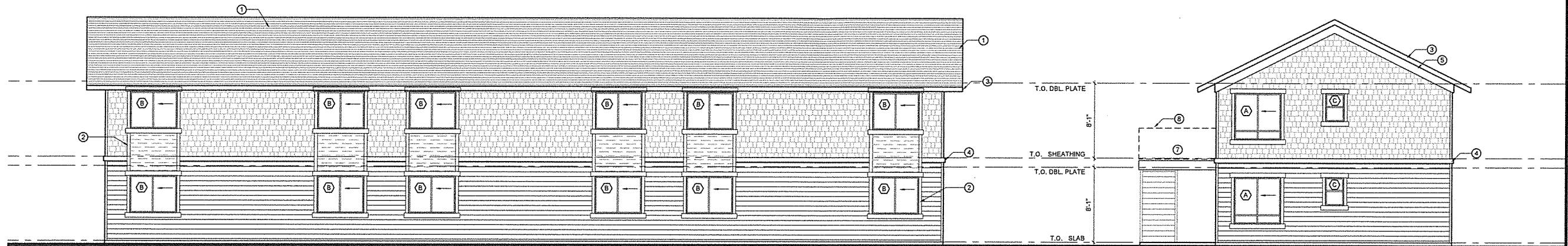
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job no.: 1703
date: 6/13/2017

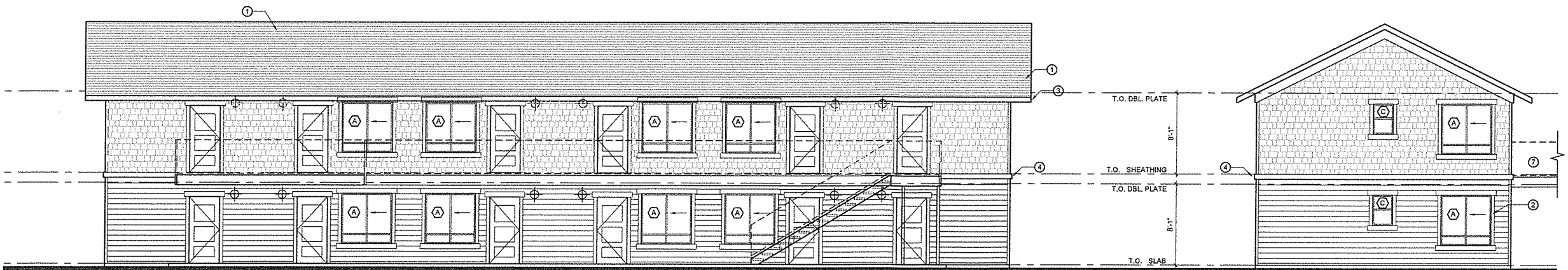
BUILDING
ELEVATIONS

A201



3 BUILDING ELEVATION
3/16" = 1'-0"

4 BUILDING ELEVATION
3/16" = 1'-0"



1 BUILDING ELEVATION
3/16" = 1'-0"

2 BUILDING ELEVATION
3/16" = 1'-0"



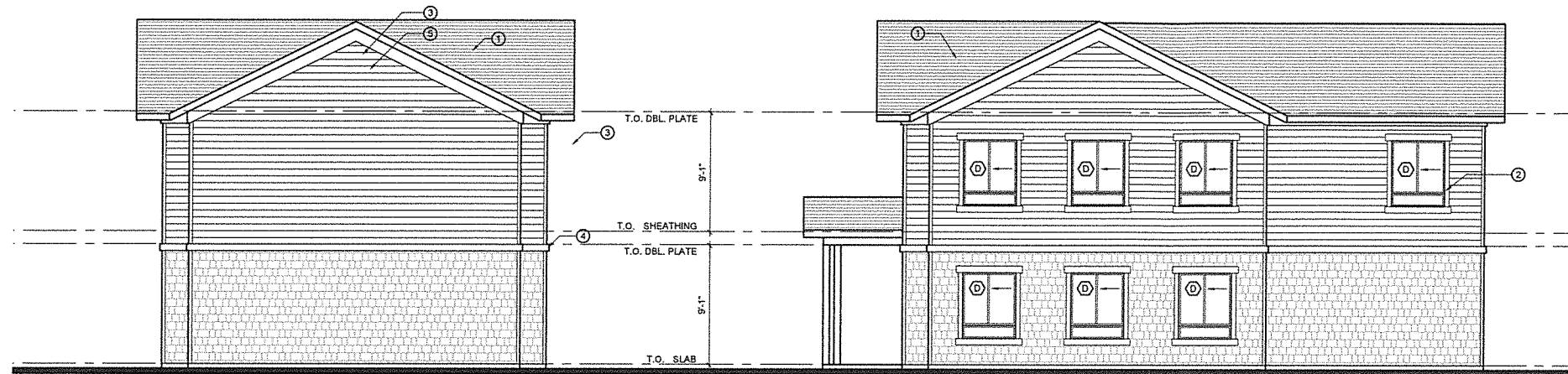
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ST HELENS, OREGON

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date: 6/13/2017

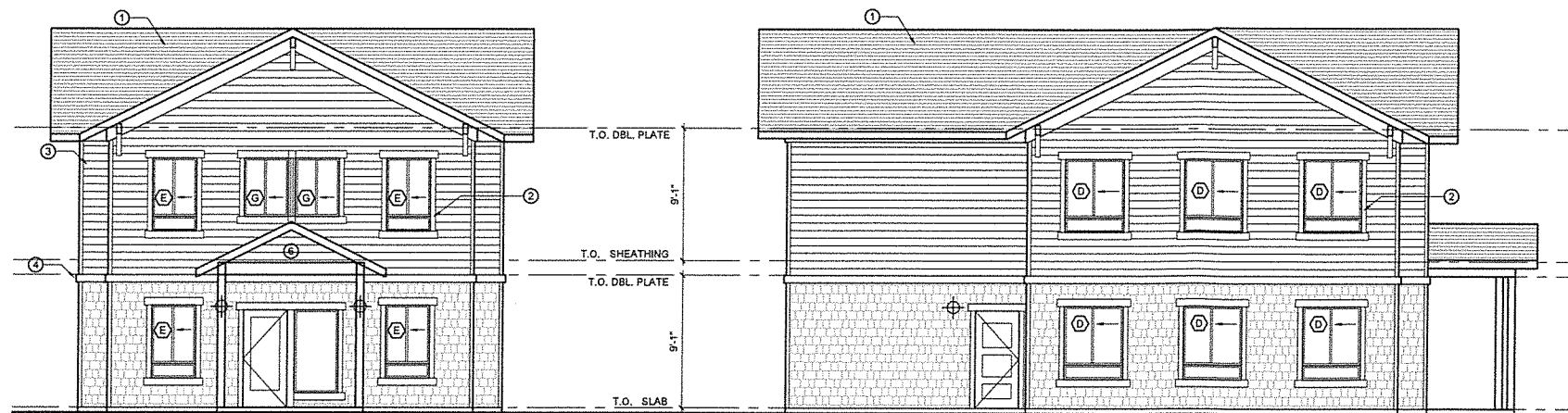
BUILDING
ELEVATIONS

A202



3 BUILDING ELEVATION
A202 3/16" = 1'-0"

4 BUILDING ELEVATION
A202 3/16" = 1'-0"



1 BUILDING ELEVATION
A202 3/16" = 1'-0"

2 BUILDING ELEVATION
A202 3/16" = 1'-0"

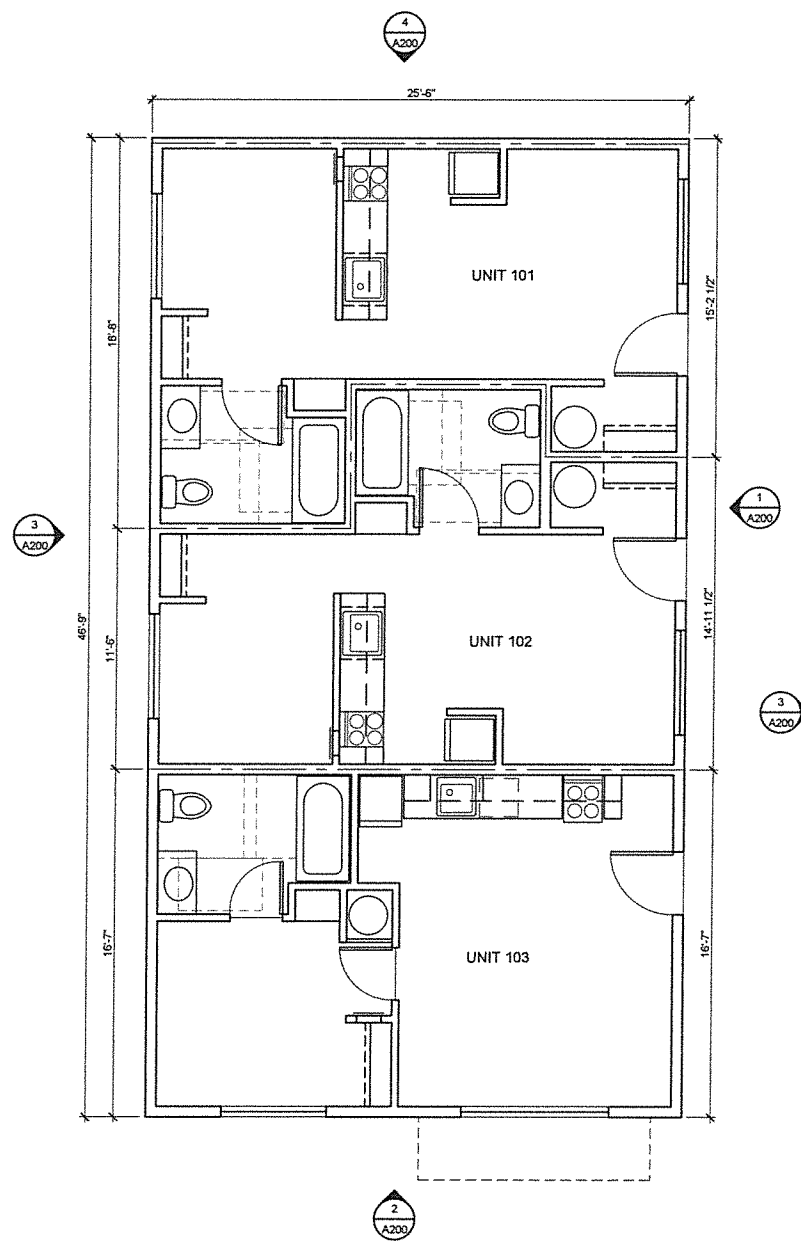
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18TH STREET
 APARTMENTS
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job no.: 1703
 date: 6/13/2017

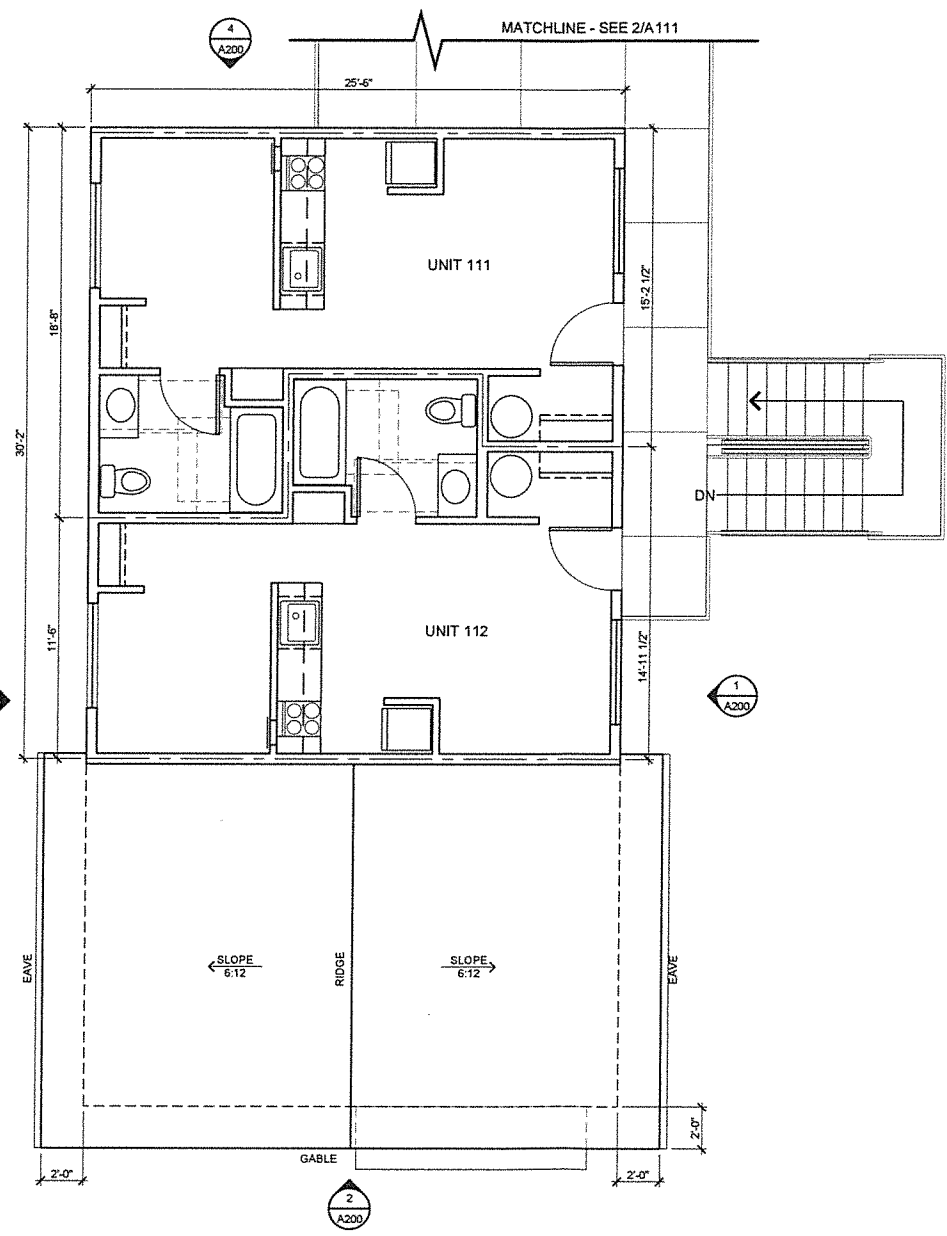
BUILDING 100
 FLOOR PLANS

A110



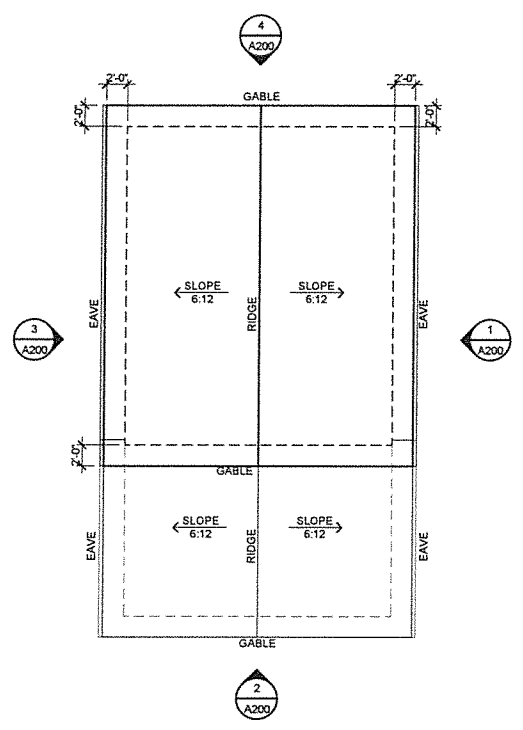
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BUILDING 100 - FIRST FLOOR PLAN
 1/4" = 1'-0"



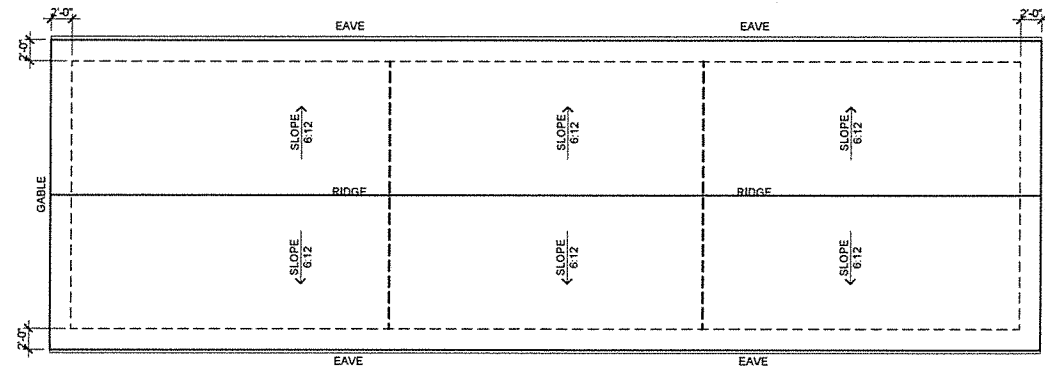
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BUILDING 100 - SECOND FLOOR PLAN
 1/4" = 1'-0"

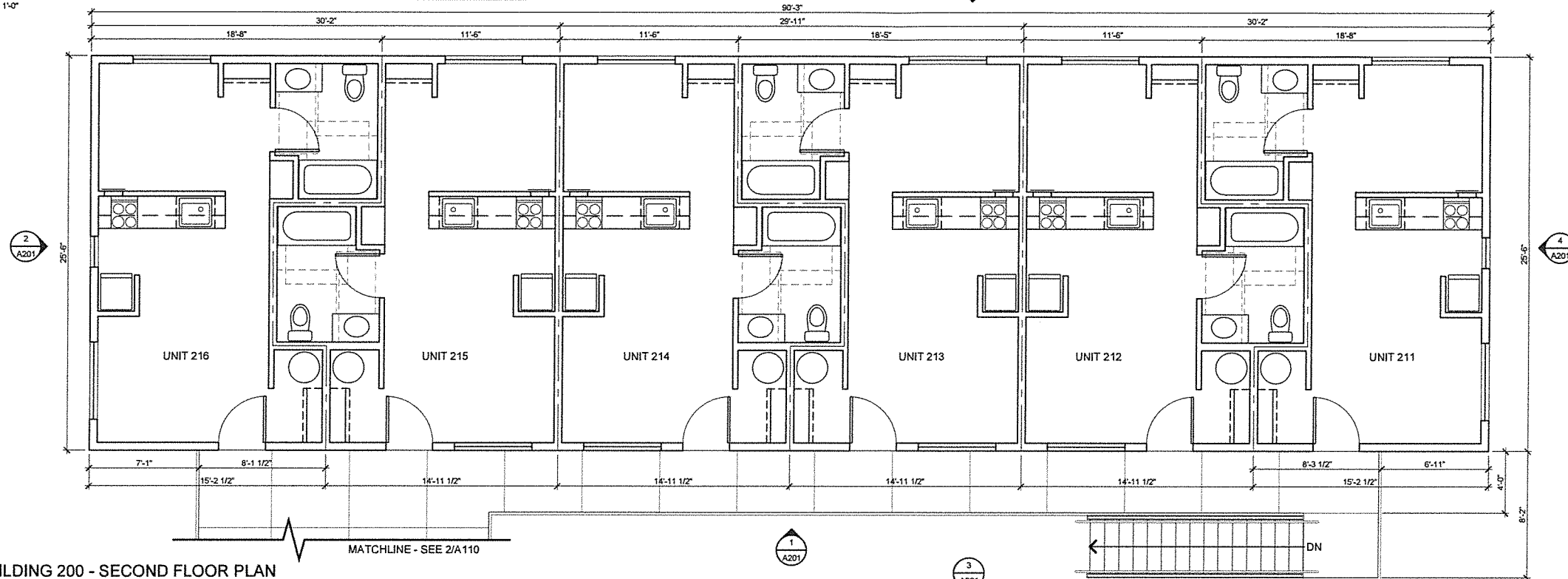


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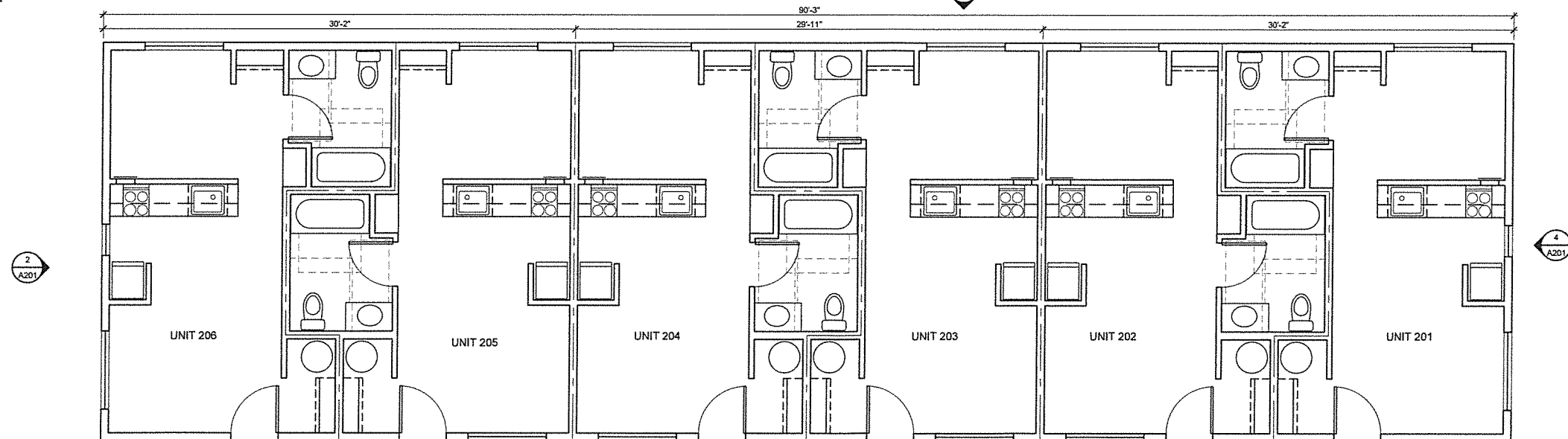
BUILDING 100 - ROOF PLAN
 1/8" = 1'-0"



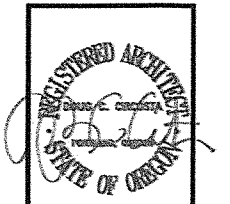
3 BUILDING 200 - ROOF PLAN
1/8" = 1'-0"



2 BUILDING 200 - SECOND FLOOR PLAN
1/4" = 1'-0"



1 BUILDING 200 - FIRST FLOOR PLAN
1/4" = 1'-0"



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**18TH STREET
APARTMENTS**
134 N. 18TH STREET
ST HELENS, OREGON

job no.: 1703
date: 6/13/2017

**BUILDING 200
FLOOR PLANS**

A111

REGISTERED ARCHITECT
DOUG C. CIRCOSTA
PORTLAND, OREGON

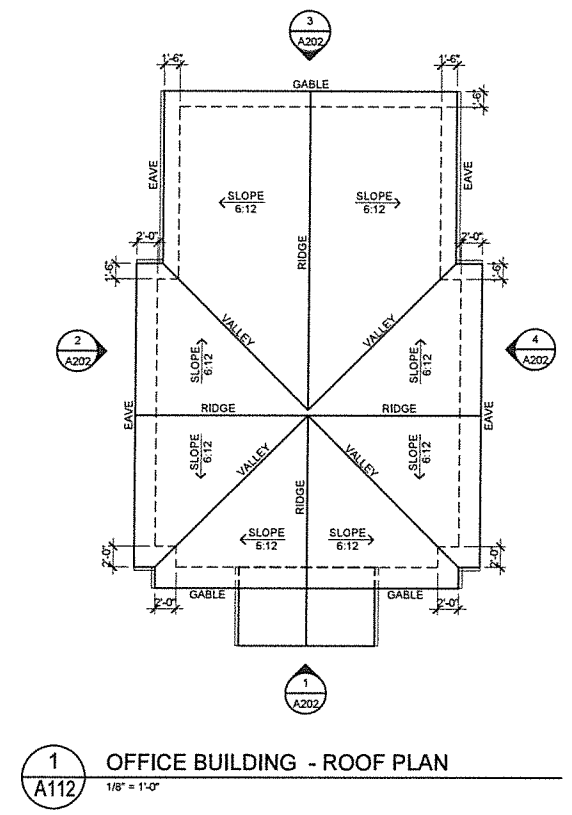
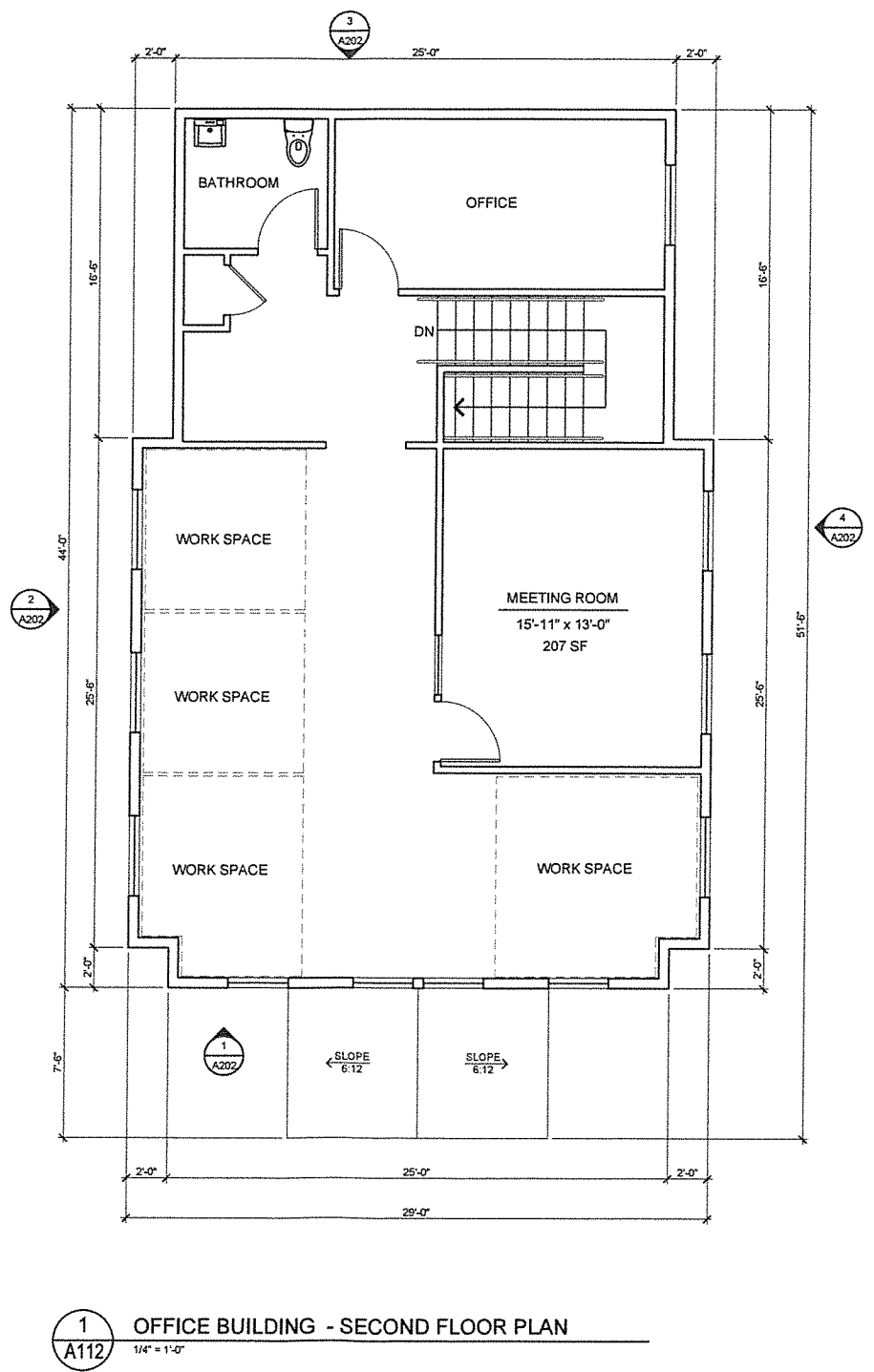
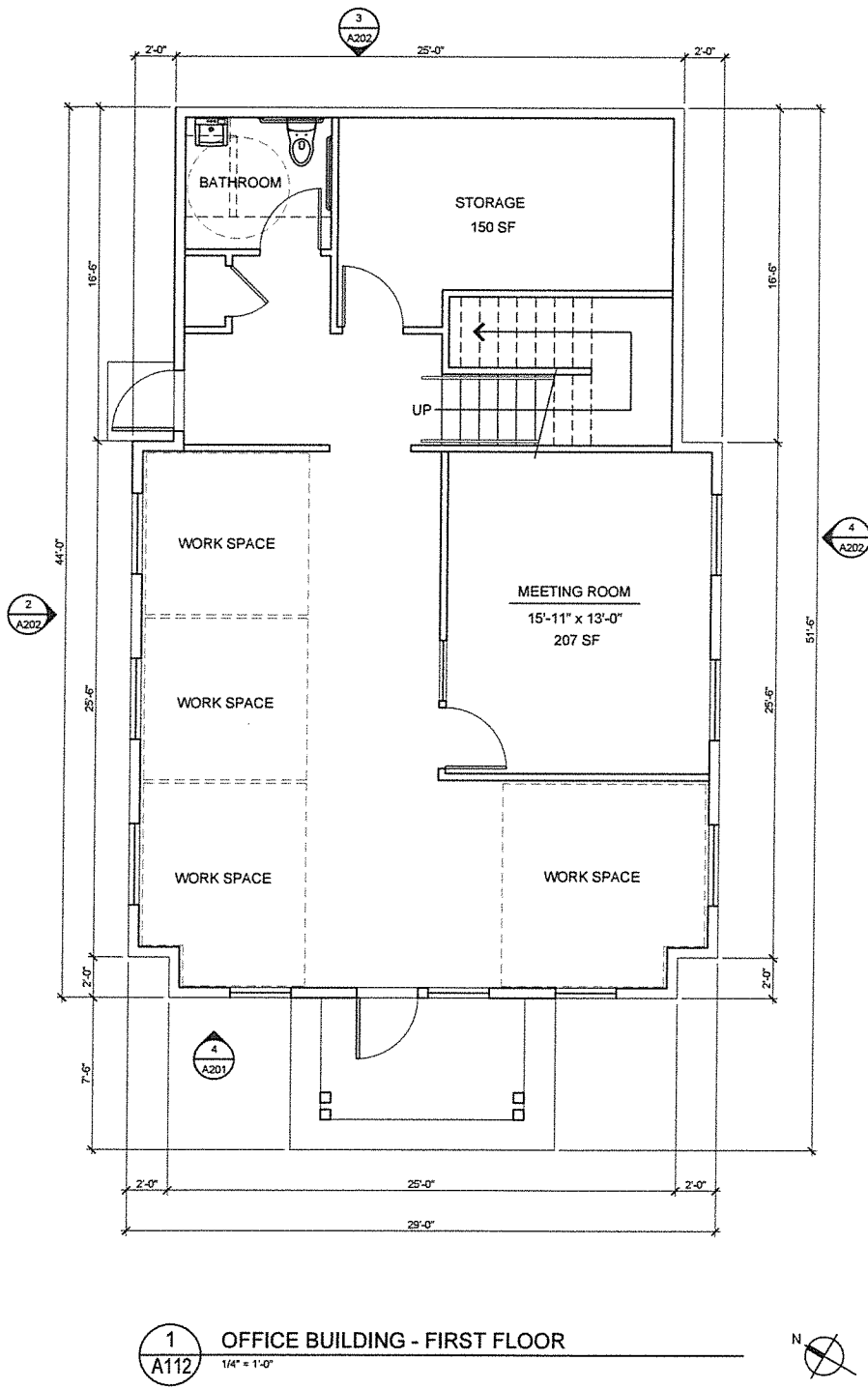
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18TH STREET
APARTMENTS
134 N. 18TH STREET
ST HELENS, OREGON

job no.: 1703
date: 6/13/2017

OFFICE BUILDING
FLOOR PLANS

A112



CITY OF ST. HELENS PLANNING DEPARTMENT STAFF REPORT

Conditional Use Permit CUP.4.17

DATE: July 3, 2017
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: Relevant Building Company
OWNER: City of St. Helens

ZONING: General Residential, R5

LOCATION: Undeveloped lots across N. 7th Street from the SW side of 6th Street Park (city public park); 5N1W-33DD-10700; 245 N. 7th Street

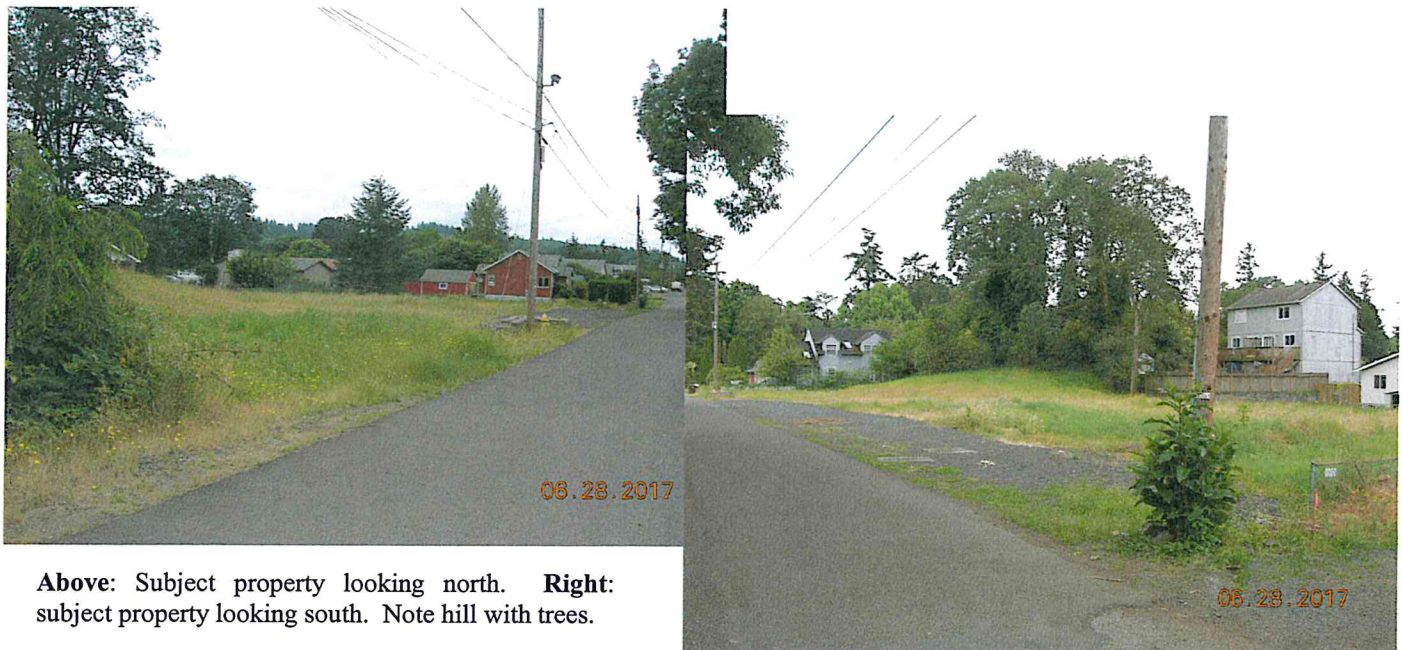
PROPOSAL: New 8-unit multi-dwelling complex with “extra-large” parking lot intended for public parking related to 6th Street Park

The 120-day rule (ORS 227.178) for final action for this land use decision is Oct. 19, 2017.

SITE INFORMATION / BACKGROUND

The site consists of 4 lots (Lots 16-19, Block 62, St. Helens Subdivision). It is undeveloped and mostly level except for a small hill in the SW corner of the site. The only trees on the property are on this hill.

The site abuts N. 7th Street which is improved but lacks any sidewalks or other street frontage improvements on the entire block. N. 7th Street at this location is a local classified street. N. 7th Street physically terminates about 120 feet south of the subject property. The surrounding area is mostly residential (detached single-family dwellings), except across N. 7th Street from the subject property is 6th Street Park (a City public park).



Above: Subject property looking north. **Right:** subject property looking south. Note hill with trees.

PUBLIC HEARING & NOTICE

Hearing dates are as follows: July 11, 2017 before the Planning Commission

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on June 22, 2017 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 June 28, 2017.

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: The availability of public parking needs to remain a priority, as this location is heavily used for parking for various activities in the adjacent park. As many parking spaces as possible along the frontage of the property should be maintained, including providing marked stalls to better indicate designated public parking. The proposed parking lot should be signed or marked to indicate the stall for the units and the stalls available for public parking.

There is an existing storm drain easement (per Book 140, Page 325, recorded in 1959) and system that cuts through the northerly portion of the proposed parking lot that will have to be accommodated. The system may include pipes and/or open surface drainage and catch basins or other structures. No new building structure shall be constructed over the top of existing public infrastructure. It is acceptable for an existing pipe to remain in place and be paved over, as long as the grading and paving do not damage or disturb the pipe. All existing drainage patterns and runoff from adjacent properties shall be accommodated in a way so that water is not trapped on the properties and the existing drainage patterns are preserved. This may require installation of new pipes and/or structures on private property.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

Conditional Use Permit—CUP.3.17

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.

Findings:

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

The site size and dimensions appear adequate.

(b) This CUP criterion requires that the characteristics of the site are suitable based on size, shape, location, topography, and natural features.

The site appears to be suitable for the proposed use.

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

All public facilities should be able to serve the proposal.

(d) This CUP criterion requires that the applicable requirements of the zoning district are met except as modified by the Development Code Conditional Use Permit (CUP) Chapter.

The subject property is zoned **General Residential, R5**. Multidwelling units are a listed conditional use, thus this Conditional Use Permit. The Conditional Use Permit process includes Site Design Review.

The minimum lot size for 8 multidwelling units is 20,800 square feet. The subject property is approximately 23,200 square feet. Because there are four lots involved from the St. Helens Subdivision and all are needed for the intended density, they need to be consolidated for development purposes.

Minimum front yard (setback) required is 20 feet; plans show 20' to the building but also show some type of projections (assumed patio/balcony) that projects 7 feet into the front yard. This is a violation of code. Per SHMC 17.64.050(3):

Open porches, decks, or balconies not more than 36 inches in height and not covered by a roof or canopy may extend or project into a required rear or side yard provided such natural yard area is not reduced to less than three feet and the deck is screened from abutting properties. Porches may extend into a required front yard not more than 36 inches.

Minimum side yard (setback) required is 10 feet; the proposal exceeds this.

Minimum rear yard (setback) required is 10 feet; the proposal exceeds this.

Max building height allowed is 35'. The proposed structure consists of two stories of conex boxes which typically range from 8.5 to 9.5 feet high. A height of 20-ish feet is anticipated.

Maximum building footprint allowed for multidwelling units is 50%; the total building footprint proposed is less than 50%.

Minimum landscaping for multidwellings is addressed in the Site Design Review chapter.

Vision clearance: Vision clearance appears to be met.

(e) This CUP criterion requires that the Development Code's Sign (Chapter 17.88 SHMC) and Site Development Review (Chapter 17.96 SHMC) requirements are met.

Any new sign will require a sign permit as applicable. As a vacant site, there are no signs. Site Design Review aspects are addressed in the Site Design Review section of this report below.

(f) This CUP criterion requires compliance with the applicable policies of the City's Comprehensive Plan.

No conflict with the Comprehensive Plan has been identified.

* * * * *

Conditional Use Permit—CUP.4.17—Site Design Review aspects per SHMC 17.100.040(1)(e)

The requirements for Site Design Review reference other applicable chapters of the development code. As such, those chapters that apply to this proposal are addressed in order here:

17.72 – Landscaping and Screening → Required landscaping shall be installed prior to Certificate of Occupancy by the Building Official.

Because the subject property to be developed abuts at least 100' of a public or private street, street trees are required. N. 7th Street has overhead power lines. As such, those trees shall be "small" per this Chapter.

Landscaping in relation to off-street parking area is as follows:

- Buffering is required in the R5 zone between parking lots with 4-50 spaces and single-family dwelling. A 10' buffer is required along with screening as per this Chapter.
- Parking lot screening: Per SHMC 17.72.110(1)(b), screening of parking areas larger than three spaces is required. Screening per this section is supposed to be via landscaping.

The parking area will be more than three spaces. Landscaping for screening shall be required with plants types that achieve a balance of low lying and vertical shrubbery and trees.

Also, a sight-obscuring screening shall be required along the north and west property line to prevent headlight glare from impacting the adjacent residential use.

- Interior parking lot landscaping: Per SHMC 17.72.140 parking areas with more than 20 spaces shall provide landscape islands with trees to break up rows of not more than seven contiguous parking spaces.

Off-street parking area is less than 20 spaces. But its close, so if changes result in 21 or more spaces, this will apply.

Per SHMC 17.72.110(2) & (4):

(2) Screening of Service Facilities. Except for single-dwelling units and duplexes, service facilities such as gas meters and air conditioners which would otherwise be visible from a public street, customer or resident parking area, any public facility or any residential area shall be screened from view by placement of a solid wood fence or masonry wall between five and eight feet in height or evergreens already to correct height minimums. All refuse materials shall be contained within the screened area.

(4) Screening of Refuse Containers Required. Except for one- and two-unit dwellings, any refuse container or refuse collection area which would be visible from a public street, parking lot, residential or commercial area, or any public facility such as a school or park shall be screened or enclosed from view by placement of a solid wood fence, masonry wall or evergreen hedge.

Any exterior and visible service facility will need to be screened.

The plans show a screened trash area.

17.76 – Visual Clearance → This requires clear vision at intersections (including driveway/street intersections). Vision clearance appears to be met.

17.80 – Off-Street Parking and Loading Requirements →

Number of off-street parking spaces required:

One bedroom multi-dwelling units, as proposed, require 1.5 spaces per dwelling units. With eight units, that's 12 required spaces.

Applicant shows 18 spaces, but they are mislabeled as to purpose. With 18 spaces, there is only a surplus of 6 spaces for public off-street parking.

Multidwelling units with more than 10 required off-street parking spaces are required to designate 15% of total required parking for visitors. 15% of 12 is 2.

Parking spaces will need to be individually designated for residents, visitors of the residents, and public spaces.

Bicycle parking is required with 1 lockable space per dwelling unit. Needs to be addressed on revised plans. The building elevation shows bike racks; jut not explicitly labeled on plans.

24' is required for two-way traffic circulation. Applicant shows this, along with proper parking space dimensions.

Off-street parking for the use proposed is supposed to be within 200' of the served building. It is within this distance from the proposed building and 6th Street Park.

All off-street parking spaces and maneuvering areas are required to be paved.

Parking spaces along the boundaries of a parking area or adjacent to landscape areas or walkways shall be provided with a wheel stop at least 4" high located 3' back from the parking stall.

17.84 – Access, Egress and Circulation → Street access is proposed from N. 7th Street. As a local classified street driveway spacing is not an issue.

The number of accesses is minimized as required by this Chapter for the proposed use: only one driveway approach is proposed.

For the proposed non-residential use, walkways shall extend from ground floor entrances to streets that provide access. Plans show this. If no sidewalk, required paths need to lead to the paved portion of the street without obstructions including but not limited to above-ground utilities and on-street parking.

For multifamily use, each dwelling unit shall be connected by walkway to vehicular parking area, and any common open space and recreation area. Plans show this.

Driveway approach width of 24' is acceptable.

Walkways are required to be paved, at least 4' wide and comply with ADA standards.

17.88 – Signs → Any new sign requires a sign permit. As a vacant site, there are no existing signs.

17.96 – Site Development Review → Approval standards per this Chapter are addressed under SHMC 17.96.180. It references several chapters of the Development Code, which are addressed elsewhere in this report. The other criteria (2) – (17) are addressed here:

(2) Relationship to the Natural and Physical Environment.

(a) Buildings shall be:

- (i) Located to preserve existing trees, topography, and natural drainage in accordance with other sections of this code;
- (ii) Located in areas not subject to ground slumping or sliding;
- (iii) Located to provide adequate distance between adjoining buildings for adequate light, air circulation, and fire fighting; and
- (iv) Oriented with consideration for sun and wind; and
- (b) Trees having a six-inch DBH (as defined by Chapter [17.132](#) SHMC) or greater shall be preserved or replaced by new plantings of equal character;

Finding(s): There are existing trees on a small hill in the SW corner of the site, which is not proposed to be impacted.

- (3) Exterior Elevations. Along the vertical face of single-dwelling units – attached and multiple-dwelling unit structures, offsets shall occur at a minimum of every 30 feet by providing any two of the following:
 - (a) Recesses (decks, patios, entrances, floor area, etc.) of a minimum depth of eight feet;
 - (b) Extensions (decks, patios, entrances, floor area, etc.) of a minimum depth of eight feet, and maximum length of an overhang shall be 25 feet; and
 - (c) Offsets or breaks in roof elevations of three or more feet in height;

Finding(s): Plans submitted do not appear to meet at least two of these standards. If the patio extensions were 8' instead of 7' and the offset between "conex units" was 8' instead of 4' it would. Revised plans shall comply. Or based on findings from earlier hearings of the night, does the Commission want to find that this meets the intent of this provision?—this is potential problematic; these standards are clear and objective. When start to stray from them, the clarity and objectivity wanes.

- (4) Buffering, Screening, and Compatibility between Adjoining Uses (See Figure 13, Chapter [17.72](#) SHMC).
 - (a) Buffering shall be provided between different types of land uses (for example, between single dwelling units and multiple-dwelling units residential, and residential and commercial), and the following factors shall be considered in determining the adequacy of the type and extent of the buffer:
 - (i) The purpose of the buffer, for example to decrease noise levels, absorb air pollution, filter dust, or to provide a visual barrier;
 - (ii) The size of the buffer required to achieve the purpose in terms of width and height;
 - (iii) The direction(s) from which buffering is needed;
 - (iv) The required density of the buffering; and
 - (v) Whether the viewer is stationary or mobile;
 - (b) On-site screening from view from adjoining properties of such things as service areas, storage areas, parking lots, and mechanical devices on rooftops (e.g., air cooling and heating systems) shall be provided and the following factors will be considered in determining the adequacy of the type and extent of the screening:
 - (i) What needs to be screened;
 - (ii) The direction from which it is needed;
 - (iii) How dense the screen needs to be;
 - (iv) Whether the viewer is stationary or mobile; and
 - (v) Whether the screening needs to be year-round;

Finding(s): Does the Commission think anything else is warranted in addition to what is required by Chapter 17.72 above?

(5) Privacy and Noise.

(a) Structures which include residential dwelling units shall provide private outdoor areas for each ground floor unit which is screened from view by adjoining units as provided in subsection (6)(a) of this section;

(b) The buildings shall be oriented in a manner which protects private spaces on adjoining properties from view and noise;

(c) Residential buildings should be located on the portion of the site having the lowest noise levels; and

(d) On-site uses which create noise, lights, or glare shall be buffered from adjoining residential uses (see subsection (4) of this section);

Finding(s): Per SHMC 17.108.080(3), the approval authority may grant an exception or deduction to private outdoor area and 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 the proposed use is permanent and 6th Street Park is across the street.

Private outdoor areas are proposed via patios, though there is no detailed method of screening. This is ok given the exception above.

(6) Private Outdoor Area – Residential Use.

(a) Private open space such as a patio or balcony shall be provided and shall be designed for the exclusive use of individual units and shall be at least 48 square feet in size with a minimum width dimension of four feet, and:

(i) Balconies used for entrances or exits shall not be considered as open space except where such exits or entrances are for the sole use of the unit; and

(ii) Required open space may include roofed or enclosed structures such as a recreation center or covered picnic area;

(b) Wherever possible, private outdoor open spaces should be oriented toward the sun; and

(c) Private outdoor spaces shall be screened or designed to provide privacy for the users of the space;

Finding(s): Per SHMC 17.108.080(3), the approval authority may grant an exception or deduction to private outdoor area and 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 the proposed use is permanent and 6th Street Park is across the street.

Nevertheless, private outdoor areas are proposed via balconies.

(7) Shared Outdoor Recreation Areas – Residential Use.

(a) In addition to the requirements of subsections (5) and (6) of this section, usable outdoor recreation space shall be provided in residential developments for the shared or common use of all the residents in the following amounts:

(i) Studio up to and including two-bedroom units, 200 square feet per unit; and

(ii) Three- or more bedroom units, 300 square feet per unit;

(b) The required recreation space may be provided as follows:

(i) It may be all outdoor space; or

(ii) It may be part outdoor space and part indoor space; for example, an outdoor tennis court and indoor recreation room;

(iii) It may be all public or common space; or

(iv) It may be part common space and part private; for example, it could be an outdoor tennis court, indoor recreation room and balconies on each unit; and

(v) Where balconies are added to units, the balconies shall not be less than 48 square feet;

(c) Shared outdoor recreation space shall be readily observable for reasons of crime prevention and safety;

Finding(s): Per SHMC 17.108.080(3), the approval authority may grant an exception or deduction to private outdoor area and 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 the proposed use is permanent and 6th Street Park is across the street.

In addition, significant open space is preserved on the south side of the site.

(8) Demarcation of Public, Semipublic, and Private Spaces – Crime Prevention.

(a) The structures and site improvements shall be designed so that public areas such as streets or public gathering places, semipublic areas and private outdoor areas are clearly defined in order to establish persons having a right to be in the space, in order to provide for crime prevention and to establish maintenance responsibility; and

(b) These areas may be defined by:

(i) A deck, patio, low wall, hedge, or draping vine;

(ii) A trellis or arbor;

(iii) A change in level;

(iv) A change in the texture of the path material;

(v) Sign; or

(vi) Landscaping;

Finding(s): Normal right-of-way and sidewalk should achieve this, except the combined public and private parking. Due to the mix of parking “types” (i.e., residents, visitors of residents, and public for the nearby park. Proper designation of spaces, in a form that is enduring (paint wears out too fast) is critical.

(9) Crime Prevention and Safety.

(a) Windows shall be located so that areas vulnerable to crime can be surveyed by the occupants;

(b) Interior laundry and service areas shall be located in a way that they can be observed by others;

(c) Mail boxes shall be located in lighted areas having vehicular or pedestrian traffic;

(d) The exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime; and

(e) Light fixtures shall be provided in areas having heavy pedestrian or vehicular traffic and in potentially dangerous areas such as parking lots, stairs, ramps, and abrupt grade changes:

(i) Fixtures shall be placed at a height so that light patterns overlap at a height of seven feet, which is sufficient to illuminate a person;

Finding(s): Site illumination shall be required for building entrances, stairways, and the site itself. Interior laundry area are shown to be hidden. No glare allowed into neighboring residences.

(10) Access and Circulation.

(a) The number of allowed access points for a development shall be as provided in SHMC 17.84.070;

(b) All circulation patterns within a development shall be designed to accommodate emergency vehicles; and

(c) Provisions shall be made for pedestrianways and bicycleways if such facilities are shown on an adopted plan;

Finding(s): Vehicular access is addressed above. Any requirement of the Fire Marshall shall be met. No pedestrian and bicycle pathway is indicated in any of the City's plans through the site.

(11) Distance between Multiple-Family Residential Structure and Other.

(a) To provide privacy, light, air, and access to the multiple and attached residential dwellings within a development, the following separations shall apply:

(i) Buildings with windowed walls facing buildings with windowed walls shall have a 25-foot separation;

(ii) Buildings with windowed walls facing buildings with a blank wall shall have a 15-foot separation;

(iii) Buildings with opposing blank walls shall have a 10-foot separation;

(iv) Building separation shall also apply to buildings having projections such as balconies, bay windows, and room projections; and

(v) Buildings with courtyards shall maintain separation of opposing walls as listed in subsections (11)(a)(i), (ii) and (iii) of this section for walls in separate buildings;

(b) Where buildings exceed a horizontal dimension of 60 feet or exceed 30 feet in height, the minimum wall separation shall be one foot for each 15 feet of building length over 50 feet and two feet for each 10 feet of building height over 30 feet;

(c) Driveways, parking lots, and common or public walkways shall maintain the following separation for dwelling units within eight feet of the ground level:

(i) Driveways and parking lots shall be separated from windowed walls by at least eight feet; walkways running parallel to the face of the structures shall be separated by at least five feet; and

(ii) Driveways and parking lots shall be separated from living room windows by at least 10 feet; walkways running parallel to the face of the structure shall be separated by at least seven feet;

Finding(s): The proposal is one building, which is about 64' long (parallel to street) and assumed under 30' high. There is no other building on a nearby property closer than 25 feet. So, no separation issues are apparent.

Final plans need to show that that separation from driveways, parking lots and walkways per the above is met.

(12) Parking. All parking and loading areas shall be designed in accordance with the requirements set forth in SHMC [17.80.050](#) and [17.80.090](#); Chapter [17.76](#) SHMC, Visual Clearance Areas; and Chapter [17.84](#) SHMC, Access, Egress, and Circulation;

Finding(s): These issues are addressed elsewhere herein.

(13) Landscaping.

(a) All landscaping shall be designed in accordance with the requirements set forth in Chapter [17.72](#) SHMC; and

(b) For residential use, in addition to the open space and recreation area requirements of subsections (6) and (7) of this section, a minimum of 15 percent of the gross area including parking, loading and service areas shall be landscaped;

Finding(s): 15% of the area is required for landscaping. This is easily met with this proposal.

(14) Drainage. All drainage plans shall be designed in accordance with the criteria in the most current adopted St. Helens master drainage plan;

Finding(s): Drainage will need to be addressed per City Engineering and Building Department requirements.

(15) Provision for the Handicapped. All facilities for the handicapped shall be designed in accordance with the requirements pursuant to applicable federal, state and local law;

Finding(s): This will addressed by the Building Code.

(16) Signs. All sign placement and construction shall be designed in accordance with requirements set forth in Chapter [17.88](#) SHMC;

Finding(s): Any new or altered sign required a sign permit prior to installation or alteration.

(17) All of the provisions and regulations of the underlying zone shall apply unless modified by other sections of this code (e.g., the planned development, Chapter [17.148](#) SHMC; or a variance granted under Chapter [17.108](#) SHMC; etc.).

Finding(s): The zoning aspects are addressed elsewhere herein.

17.132 – Tree Removal → This chapter scrutinizes the loss of trees that are >12” DBH. There are existing trees on a small hill in the SW corner of the site, which is not proposed to be impacted.

17.152 – Street and Utility Improvement Standards → Streets that abut a development are required to be improved per City standards.

N. 7th Street is improved but lacks any frontage improvements. This is a dead-end local street. Staff recommends the fee in lieu option per SHMC 17.152.060(6). A fee in lieu of required street frontage improvements of not less than 125% of the cost to perform the work based on the City's local street standards, as determined by the City Engineer, shall be paid to the City.

Mailbox facility is required subject to approval by the Postmaster and City.

Easements and utilities. There is a storm drainage easement (per Book 140, Page 325, recorded in 1959) on Lot 16, Block 62. This is the northerly 58' of the subject property and the location of the proposed parking lot. There is a storm drain mainline at this location now, which may have replaced the meandering line per the easement. No building is proposed over this easement, which would not be allowed.

Water and sanitary sewer are both available within the N. 7th Street right-of-way.

Per discussion with the Fire Marshall, the fire hydrant next to the site needs to be upgraded to current standards.

Utilities shall be underground. There are overhead poles within the Columbia Boulevard and N. 12th Street rights-of-way. In no case shall new poles be added for utility extensions.

17.156 – Traffic Impact Analysis (TIA) → The proposal is not of such magnitude to warrant a TIA.

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 (to establish the use) 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. Proper yard (setbacks). For example, plans violate front yard (setback) standards as explained in this report.
 - ii. Details of trash enclosure to comply with the Development Code.

iii. Parking space markings. Each space shall be marked/signed to designate use as follows:

- Multifamily dwelling residents—Minimum of 12 off-street parking spaces
- Visitors of multifamily dwelling residents—Minimum of 2 off-street parking spaces
- Public spaces for 6th Street Park—No minimum per the Development Code

Parking space marking/signage needs to be in a form that is enduring (paint alone wears too fast).

iv. Bicycle parking with 1 lockable space per dwelling unit as per the Development Code.

v. Parking spaces along the boundaries of a parking area or adjacent to landscape areas or walkways shall be provided with a wheel stop at least 4" high located 3' back from the parking stall.

vi. Walkways shall extend from ground floor entrances to streets that provide access. If no sidewalk, required paths need to lead to the paved portion of the street without obstructions including but not limited to above-ground utilities and on-street parking (areas for walkways shall be marked for no street parking). Walkways are required to be paved, at least 4' wide and comply with ADA standards.

vii. Building plans shall demonstrate compliance with SHMC 17.96.180(3) including narrative that specially explains how they comply. <<the Commission may want to discuss this based on how it views the first public hearing of the night>>

viii. A lighting plan shall be required that will sufficiently illuminate walkway, driveways and deter crime.

ix. All plans shall comply with the requirements of SHMC 17.96.180(11). Separation of windowed walls from walkways is probably the main issue in this case, at least based on the initially submitted site plan.

x. Joint mailbox facility in a location approved by the Postmaster and City. Location shall be lighted.

b. Landscape plan, in compliance with the Development Code, including but not limited to:

i. Street trees. Street tree location compliance with SHMC 17.72.035 shall be included. Things to demonstrate compliance, such as utility poles shall be included on the plans. Street trees shall be "Small" as per Chapter 17.72 SHMC.

- ii. Minimum 10' wide buffer with landscaping as per Chapter 17.72 SHMC between the parking lot and adjacent properties with detached single-family dwellings. Screening is required in addition to buffer.
 - iii. Perimeter of parking lot not buffered and screened per condition 2.b.ii shall include landscaping for "screening" with plant types that achieve a balance of low lying and vertical shrubbery and trees.
 - iv. Sight-obscuring screening shall be required in any location where headlight glare from parking lot use could be a nuisance to adjacent residential uses.
 - v. If parking lot changes such that it is 21 or more spaces, the provisions of SHMC 17.72.140 shall apply.
- c. Engineering/construction plans shall be submitted for review and approval for any public improvements such as utility extensions/modifications and street improvements.
 - d. A drainage plan shall be reviewed and approved by City Engineering. All existing drainage patterns and runoff from adjacent properties shall be accommodated in a way so that water is not trapped on the properties and the existing drainage patterns are preserved. This may require installation of new pipes and/or structures on private property.
 - e. 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.
 - f. Document, subject to City review and approval, shall be recorded on the deed of the subject property that consolidates (Lots 16-19, Block 62, St. Helens Subdivision) as one unit for development purposes.
 - g. A fee in lieu of required street frontage improvements of not less than 125% of the cost to perform the work based on the City's local street standards, as determined by the City Engineer, shall be paid to the City.
- 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:
 - a. All improvements necessary to address the requirements herein, and in accordance with approved plans, shall be in place.
 - 4. Service facilities such as gas meters and air conditioners which would otherwise be visible from a public street, customer or resident parking area, any public facility or any residential area shall be screened, **regardless if such screening is absent on any plan reviewed by the City. This includes but is not limited to ground mounted, roof mounted or building mounted units.**

5. All areas used for the parking or storage or maneuvering of any vehicle, boat, or trailer shall be improved with asphalt or concrete surfaces or other similar type materials approved by the city.
6. Any artificial lighting of off-street parking facilities shall be designed such that there will be no glare into nearby public rights-of-way or residences.
7. Any requirement of the Fire Marshall as it applies to this proposal shall be met. For example, addressing (plus floor and room numbers), and existing fire hydrant next to the subject property to be upgraded to current standards.
8. Any new utilities shall be underground. Existing overhead utilities may remain above ground, but new poles are prohibited.
9. 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): Plan set (12 pages)
Ground perspective
Aerial perspective



Site Location: St. Helens, Oregon
County: Columbia

Site Dimensions: 100' x 232'
Site SF: 23,200 SF



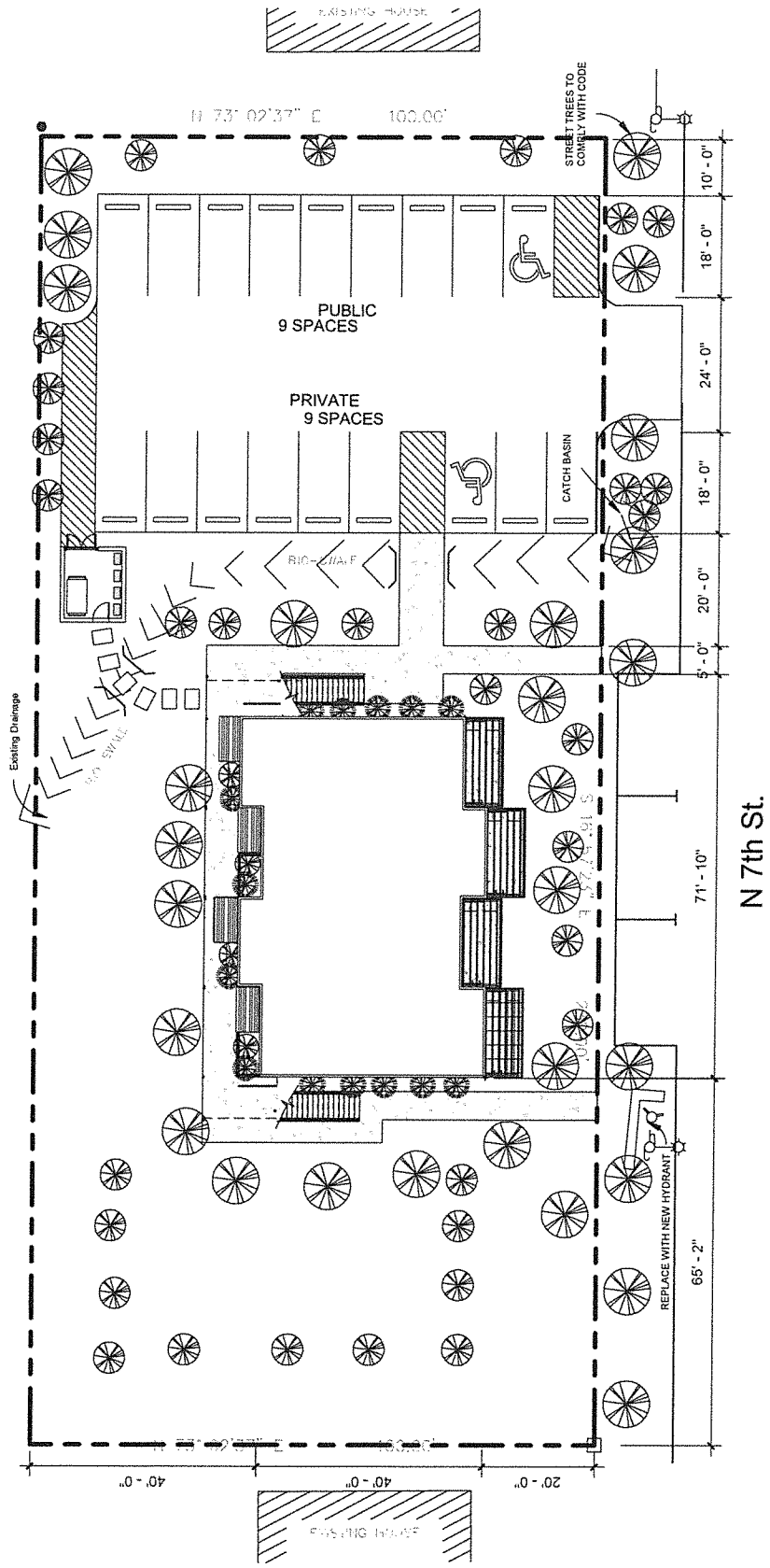
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DESIGN REVIEW
JUNE 2017

Exhibit A10.0

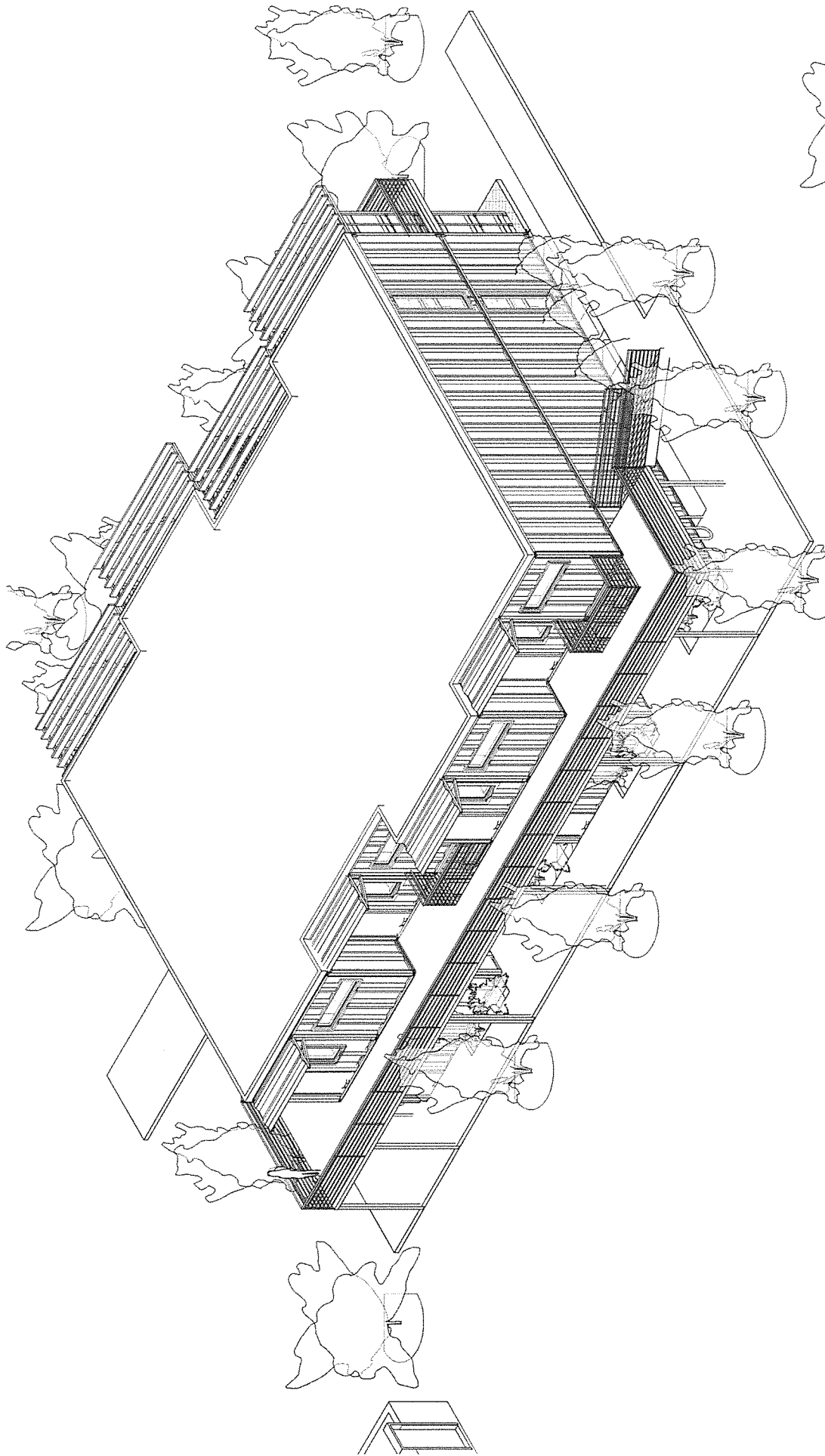


Overall Site Plan
SCALE 1" = 20'-0"

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Exhibit A10.1



Axon looking NE

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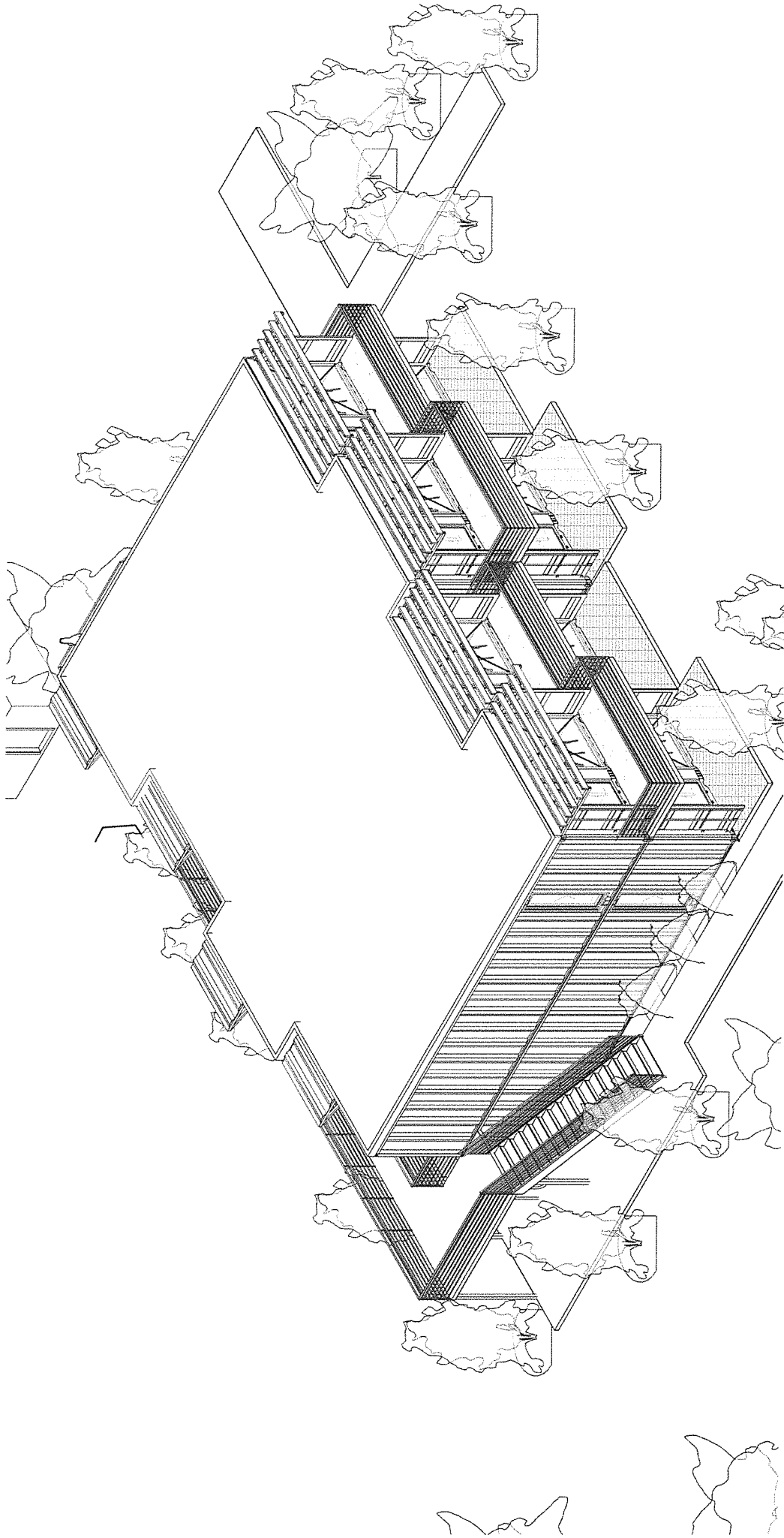
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Exhibit A10.2



Axon looking NW

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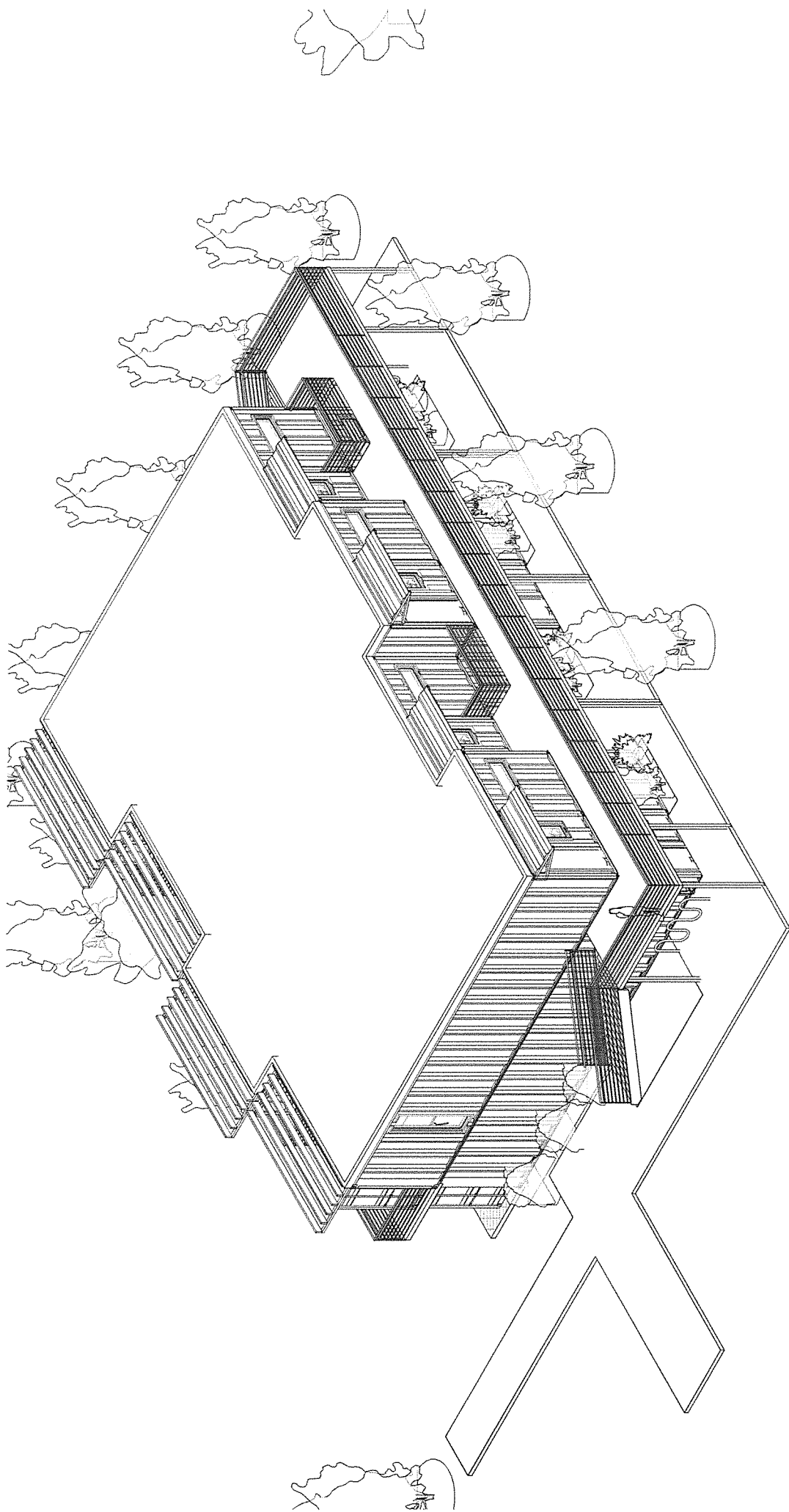
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Exhibit A10.3



Axon looking SE

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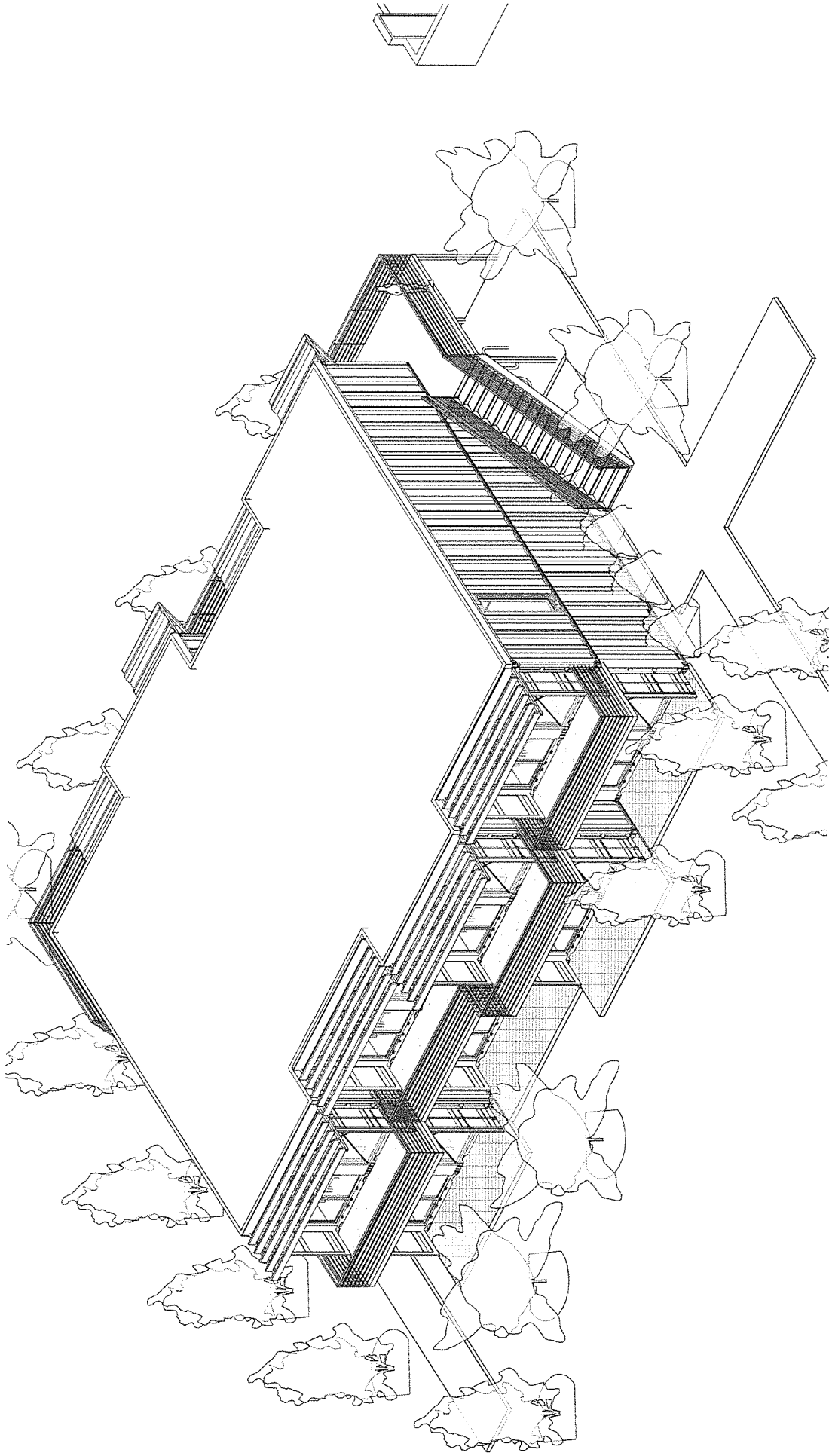
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Exhibit A10.4



Axon looking SW

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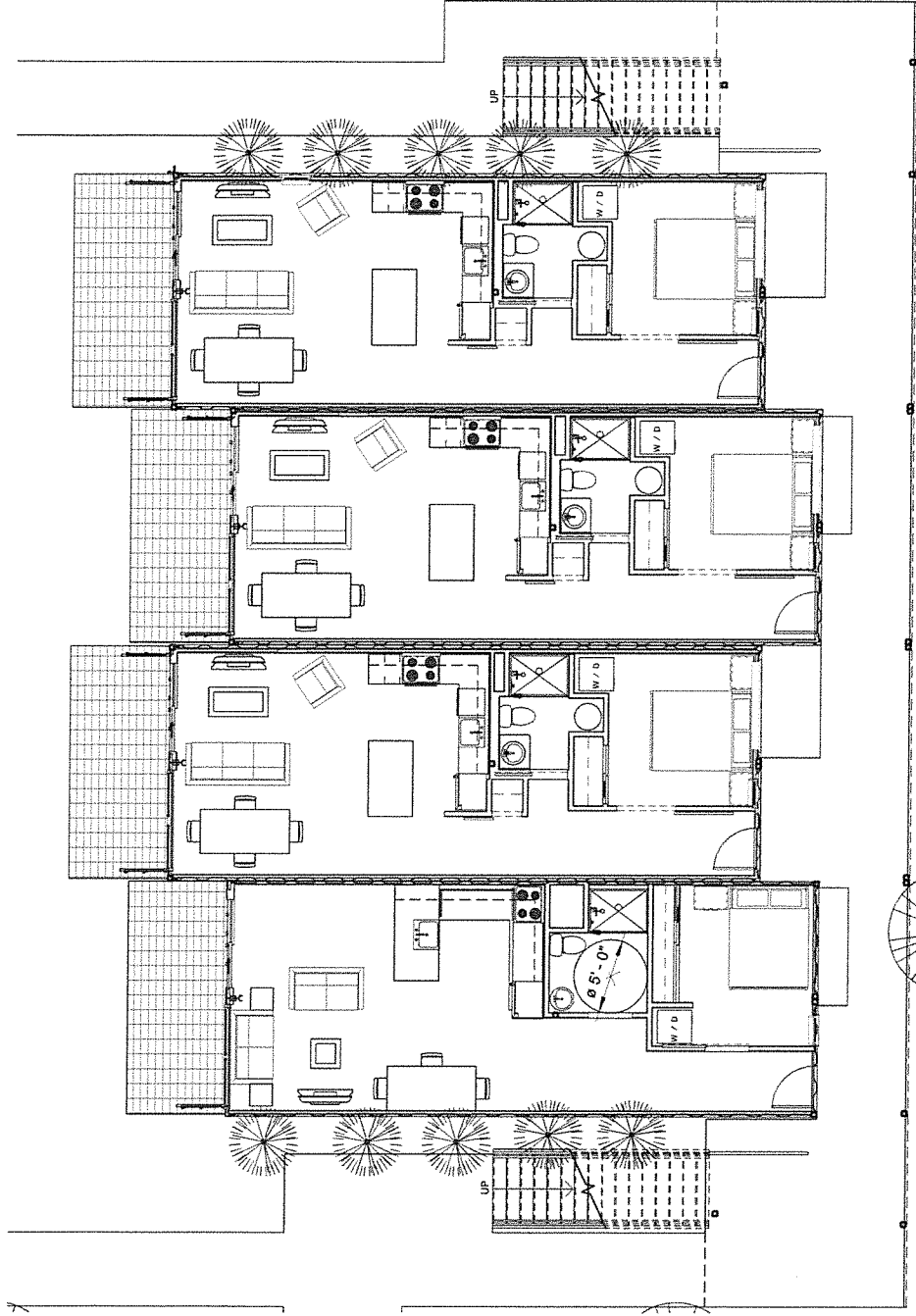
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Exhibit A10.5



Ground Floor Plan
SCALE 1/8" = 1'-0"

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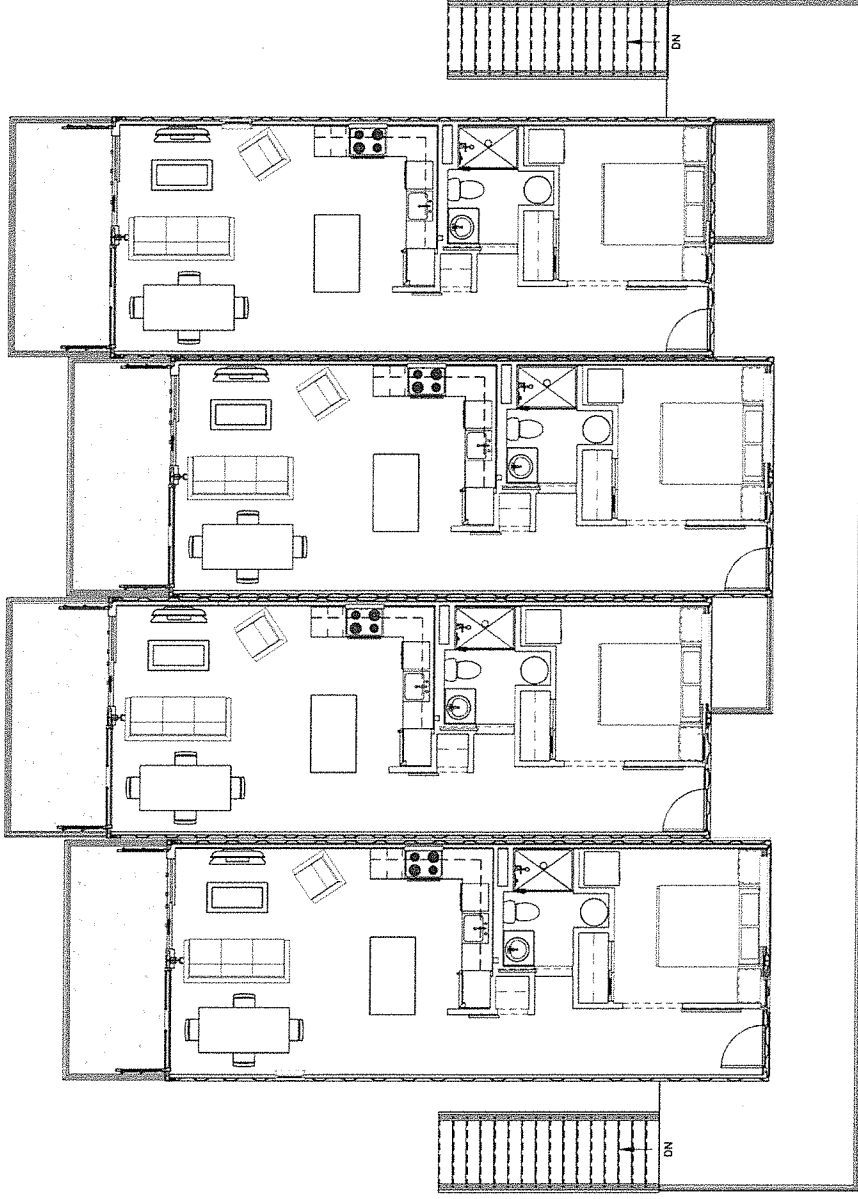
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Exhibit A10.6



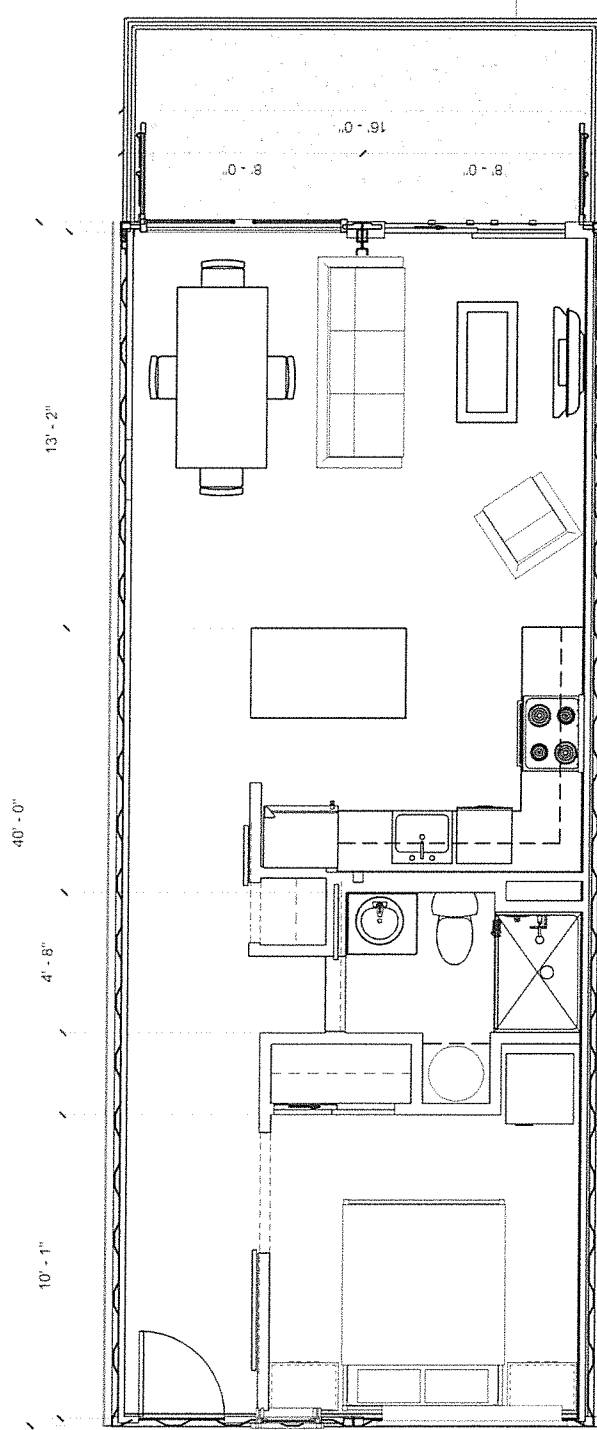
Second Floor Plan
SCALE 1/8" = 1'-0"

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Exhibit A10.7



Typical Unit - Enlarged Plan

SCALE 1/4" = 1'-0"

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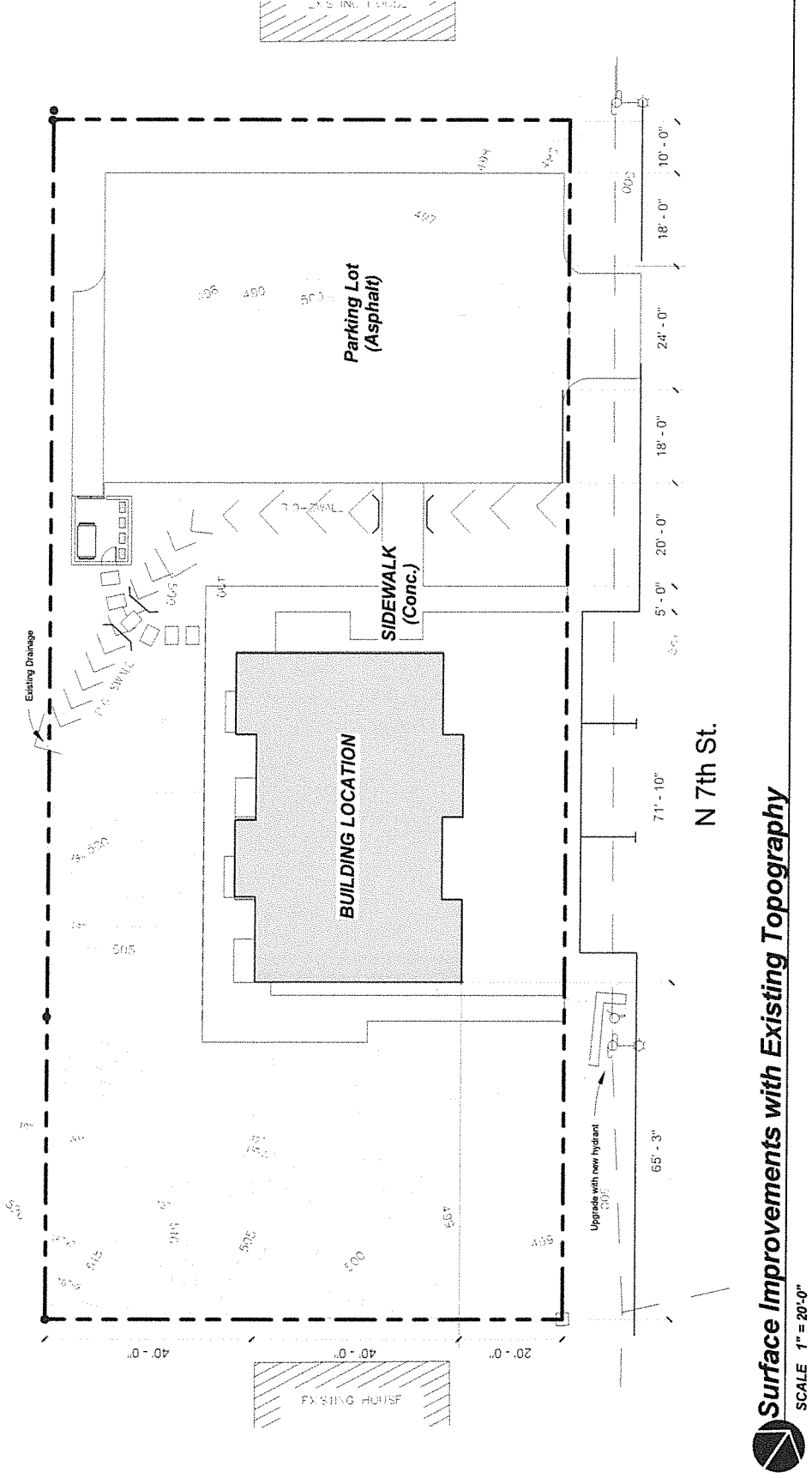
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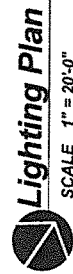
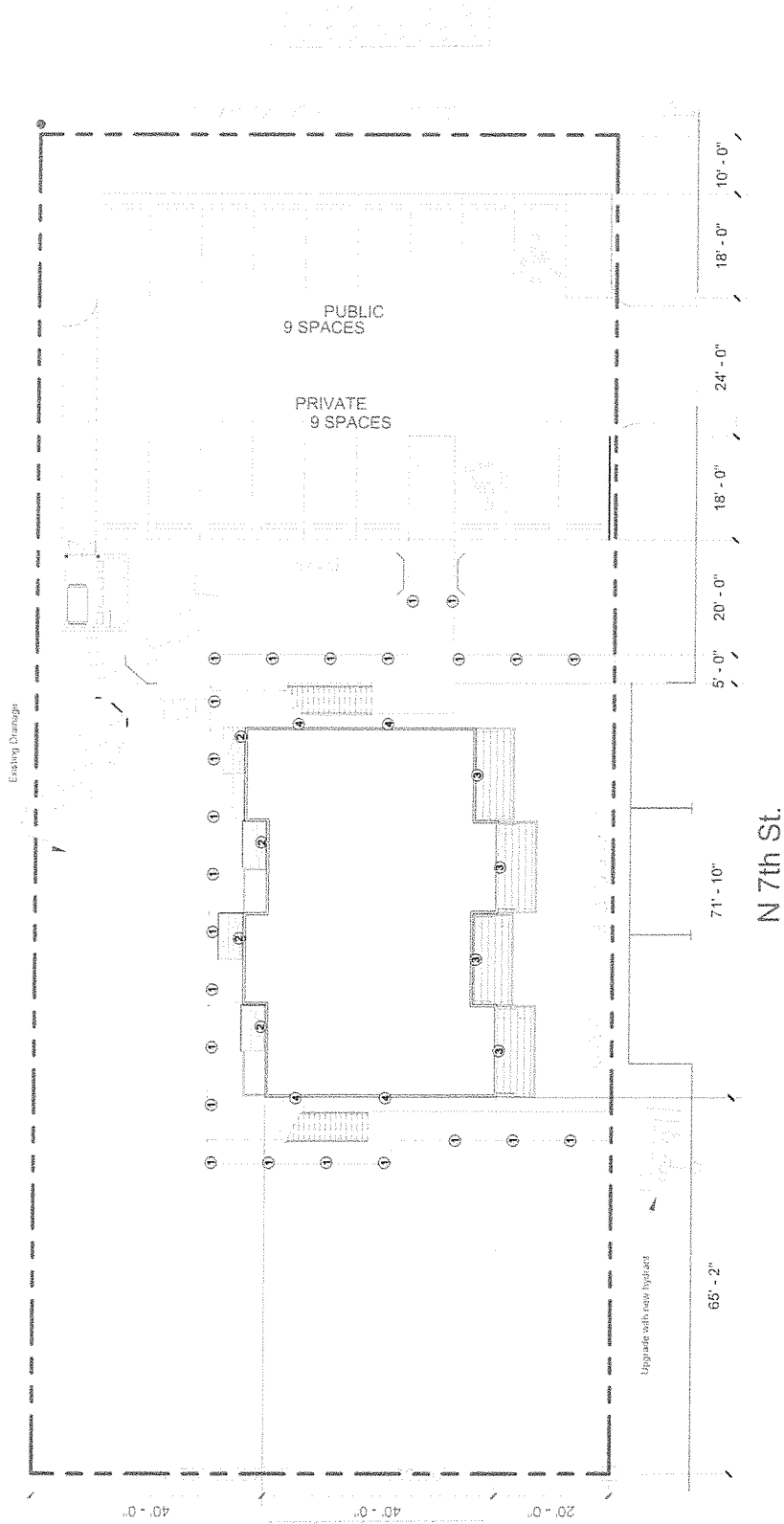


Surface Improvements with Existing Topography
 SCALE 1" = 20'-0"

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SCALE 1" = 20'-0"

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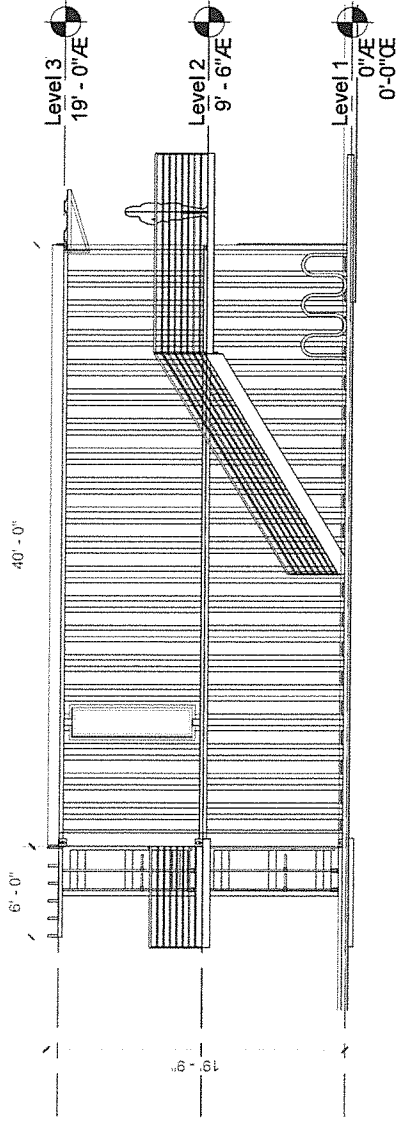
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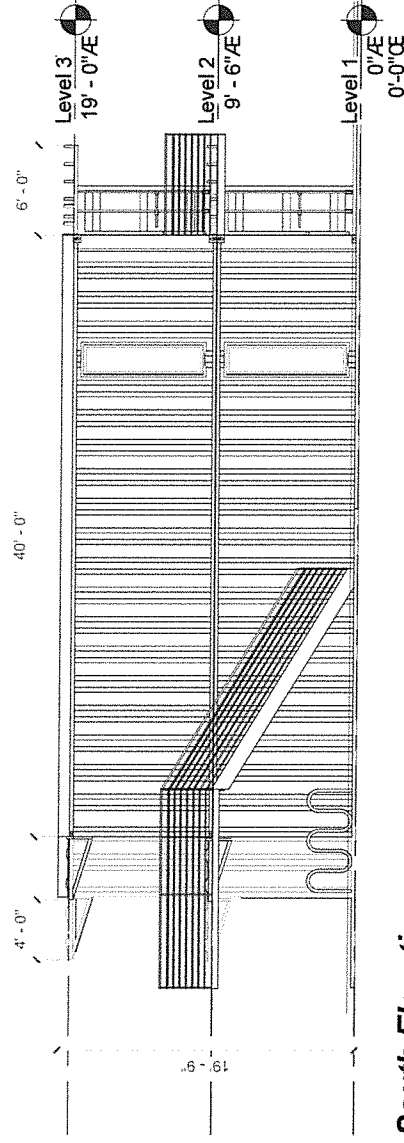
Lighting Fixture...	Key Name
---------------------	----------

1 - Landscape LED
2 - Entry Unit Sconce
3 - Rear Patio Sconce
4 - Galvanized Downlight



North Elevation

SCALE 1/8" = 1'-0"



South Elevation

SCALE 1/8" = 1'-0"

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**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Conditional Use Permit CUP.5.17, Variance V.4.17, and Variance V.5.17**

DATE: July 3, 2017
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: Hubbard Construction Corp.
OWNER: Russ and Mary Hubbard

ZONING: Mixed Use, MU

LOCATION: Undeveloped property at the NE corner of the Columbia Boulevard/N. 12th Street intersection; 4N1W-4AC-305

PROPOSAL: New 7-unit multi-dwelling complex with one commercial suite. A variance for a reduce front and side yard and a Variance for increased dwelling unit density.

The 120-day rule (ORS 227.178) for final action for this land use decision is Oct. 19, 2017.

SITE INFORMATION / BACKGROUND

The site is undeveloped and slopes downward northerly away from Columbia Boulevard. The site also abuts N. 12th Street. Both adjacent streets are developed, but N. 12th Street lacks any frontage improvements (sidewalk, curb, etc.). Columbia Boulevard is a minor arterial street and N. 12th is a collector street per the City's Transportation Systems Plan.



Above: The subject property looking south from N. 12th Street. **Right:** The subject property looking east from Columbia Boulevard. Note the cluster of utilities to the left.



PUBLIC HEARING & NOTICE

Hearing dates are as follows: July 11, 2017 before the Planning Commission

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on June 22, 2017 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 June 28, 2017.

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: The public storm drain system may need to be extended southerly on N. 12th Street to a point where it can provide service to the property. There is an existing easement (Book 206, Page 485 recorded 1976) for the sanitary sewer main located in the northeast corner of the property. If fill is placed around and/or over the existing sanitary sewer main and cleanout, necessary adjustments to the main and structure shall be done to maintain accessibility. Public Works may require an extension of the smaller 6-inch water distribution main in N. 12th Street to prevent direct service connections to the larger 14-inch transmission main located directly west of the property. Half street frontage improvements are recommended on N. 12th Street to meet current standards.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

Conditional Use Permit—CUP.3.17

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.

Findings:

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

There is some potential that final plans will show a tight-fit. But if the conditions per this report can be met, the site size and dimensions appear adequate, provided the variances proposed are approved.

(b) This CUP criterion requires that the characteristics of the site are suitable based on size, shape, location, topography, and natural features.

The site appears to be suitable for the proposed use, given the variances proposed are approved. The design of the site preserves some quasi natural area.

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

All public facilities should be able to serve the proposal.

(d) This CUP criterion requires that the applicable requirements of the zoning district are met except as modified by the Development Code Conditional Use Permit (CUP) Chapter.

The subject property is zoned **Mixed Use, MU**. The commercial suite is likely a permitted use (depending on the occupant); the Conditional Use Permit process includes Site Design Review. The commercial suite is thus included in this review.

Multidwelling units are a listed conditional use, thus this Conditional Use Permit. Per the MU zone, such use is required to comply with the **Apartment Residential, AR** standards.

The minimum lot size for 7 multidwelling units per the AR zone is 12,500 square feet. The subject property is 10,000 square feet in size, where a maximum of 5 multidwelling units is normally possible. **A Variance is proposed for the extra density requested.**

Minimum front yard (setback) required is 20 feet; zero is proposed. **A Variance is proposed for the reduced front yard**

Minimum side yard (setback) required is 10 feet; 10' is proposed along N. 12th Street but only 5' on the other side. **A Variance is proposed for the reduced side yard.**

Minimum rear yard (setback) required is 10 feet; the proposal exceeds this.

Max building height allowed is 35' (for the multidwelling complex per the AR zone); proposed height is very close. **Final plans need to comply with the maximum building height.**

Maximum building footprint allowed is 50%; the total building footprint proposed is less than 50%.

Minimum landscaping for multidwellings is addressed in the Site Design Review chapter.

Vision clearance: Vision clearance appears to be met as long as the edge of vehicular travel remains as it is currently. If it gets closer, reevaluation would be necessary.

- (e) This CUP criterion requires that the Development Code’s Sign (Chapter 17.88 SHMC) and Site Development Review (Chapter 17.96 SHMC) requirements are met.**

Any new sign will require a sign permit as applicable. As a vacant site, there are no signs. Site Design Review aspects are addressed in the Site Design Review section of this report below.

- (f) This CUP criterion requires compliance with the applicable policies of the City’s Comprehensive Plan.**

No conflict with the Comprehensive Plan has been identified.

* * * * *

Conditional Use Permit—CUP.3.17—Site Design Review aspects per SHMC 17.100.040(1)(e)

The requirements for Site Design Review reference other applicable chapters of the development code. As such, those chapters that apply to this proposal are addressed in order here:

17.72 – Landscaping and Screening → Required landscaping shall be installed prior to Certificate of Occupancy by the Building Official.

Because the subject property to be developed abuts at least 100’ of a public or private street, street trees are required. Both Columbia Boulevard and N. 12th Street have overhead power lines. As such, those trees shall be “small” per this Chapter.

Related to street trees is street classification. Columbia Boulevard is classified as a minor arterial. There is an old design curb-tight sidewalk along Columbia Boulevard along the subject property. If this remains as-is, the street trees would need to be planted behind the sidewalk. However, if the Commission requires the frontage improvements to be re-done to current standards, there would be a landscape strip between the sidewalk and curb, where the trees would go. The Commission needs to determine what frontage improvements are appropriate along Columbia Boulevard: keep the existing or require reconstruction to current standards.

Note that improvements along Columbia Boulevard would also need to comply with the St. Helens – US30 & Columbia Boulevard/St. Helens Street Corridor Master Plan (Ord. No. 3181). See attached excerpt from that plan.

There are no improvements along N. 12th Street. Those frontage improvements will need to comply with the City's standards for collector streets, as is possible given a cluster of utility infrastructure by the intersection.

Landscaping in relation to off-street parking area is as follows:

- Parking lot screening: Per SHMC 17.72.110(1)(b), screening of parking areas larger than three spaces is required. Screening per this section is supposed to be via landscaping.

The parking area will be more than three spaces. Landscaping for screening shall be required with plants types that achieve a balance of low lying and vertical shrubbery and trees.

Also, a sight-obscuring fence (which is proposed) shall be required along the north property line to prevent headlight glare from impacting the adjacent residential use.

- Interior parking lot landscaping: Per SHMC 17.72.140 parking areas with more than 20 spaces shall provide landscape islands with trees to break up rows of not more than seven contiguous parking spaces.

Off-street parking area is less than 20 spaces. The site is too small for that many spaces.

Per SHMC 17.72.110(2) & (4):

(2) Screening of Service Facilities. Except for single-dwelling units and duplexes, service facilities such as gas meters and air conditioners which would otherwise be visible from a public street, customer or resident parking area, any public facility or any residential area shall be screened from view by placement of a solid wood fence or masonry wall between five and eight feet in height or evergreens already to correct height minimums. All refuse materials shall be contained within the screened area.

(4) Screening of Refuse Containers Required. Except for one- and two-unit dwellings, any refuse container or refuse collection area which would be visible from a public street, parking lot, residential or commercial area, or any public facility such as a school or park shall be screened or enclosed from view by placement of a solid wood fence, masonry wall or evergreen hedge.

Any exterior and visible service facility will need to be screened.

The plans show a screened trash area.

17.76 – Visual Clearance → This requires clear vision at intersections (including driveway/street intersections). Vision clearance appears to be met as long as the edge of vehicular travel remains as it is currently. If it gets closer, reevaluation would be necessary.

17.80 – Off-Street Parking and Loading Requirements →

Number of off-street parking spaces required:

One bedroom multi-dwelling units, as proposed, require 1.5 spaces per dwelling units. With seven units, that's 10.5 or 11 required spaces (with fractions code requires number to be rounded up).

The parking for the commercial space depends on use. Assuming general retail, it would be 1 space per 400 square feet of gross floor area, but not less than 4 spaces. At approximately 500 square feet of useable space, that's 4 spaces (to meet the minimum).

Total normally required off-street parking spaces is thus 15.

Applicant shows 11 spaces, meeting the minimum residential requirement and proposes to use the shared parking provisions of the code per SHMC 17.80.020(6):

(6) Shared Parking in Commercial Districts.

(a) Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same parking and loading spaces when the peak hours of operation do not overlap;

(b) Satisfactory legal evidence shall be presented to the director in the form of deeds, leases, or contracts to establish the joint use; and

(c) If a joint use arrangement is subsequently terminated, or if the uses change, the requirements of this code thereafter apply to each separately.

Since commercial and residential use peak hours typically don't overlap this is possible, provided this is acceptable to the Planning Commission. Legal documentation wouldn't be required since this is all on the same property.

Bicycle parking is required with 1 space per dwelling unit and 10% of commercial space required. Needs to be addressed on revised plans.

24' is required for two-way traffic circulation. Applicant shows this, but more maneuvering area will be needed as noted below.

Off-street parking for the use proposed is supposed to be within 200' of the served building. Given lot size, this is easily met.

A note about the disabled person parking space. Oregon Structural Specialty Code requires that accessible parking spaces be located on the shortest practical accessible route of travel from adjacent parking to an accessible building entrance. This gets complicated based on a variety of factors. But having the space where proposed may not work. This is subject to Building Official review, but its location can have an impact on site design given the limited area available and irregular shape of the property.

All off-street parking spaces and maneuvering areas are required to be paved.

Parking spaces along the boundaries of a parking area or adjacent to landscape areas or walkways shall be provided with a wheel stop at least 4" high located 3' back from the parking stall.

17.84 – Access, Egress and Circulation → Street access is proposed from N. 12th Street. The distance measured from centerline between driveways and between driveways and streets is 100 feet. The site plan approximates this; will need to be verified with revised plans. Note that this chapter requires the location of access points within 200' of the subject property to be shown.

The Development Code forbids site design that results in backing or other vehicular maneuvering into streets other and local streets or alleys. Access is proposed from N. 12th Street, a collector. Applicant proposes angled parking to get everything to fit; plans shall include proof that this design will work (i.e., there is sufficient room for vehicle maneuvering for all vehicles to enter and exit front first). **See attached Minimum Turning Path for Passenger Car.**

For the proposed non-residential use, walkways shall extend from ground floor entrances to streets that provide access. This needs to be included on revised plans.

For multifamily use, each dwelling unit shall be connected by walkway to vehicular parking area, and any common open space and recreation area. This needs to be included on revised plans.

Walkways are required to be paved, at least 4' wide and comply with ADA standards.

17.88 – Signs → Any new sign requires a sign permit. As a vacant site, there are no existing signs.

17.96 – Site Development Review → Approval standards per this Chapter are addressed under SHMC 17.96.180. It references several chapters of the Development Code, which are addressed elsewhere in this report. The other criteria (2) – (17) are addressed here:

(2) Relationship to the Natural and Physical Environment.

(a) Buildings shall be:

- (i) Located to preserve existing trees, topography, and natural drainage in accordance with other sections of this code;
- (ii) Located in areas not subject to ground slumping or sliding;
- (iii) Located to provide adequate distance between adjoining buildings for adequate light, air circulation, and fire fighting; and
- (iv) Oriented with consideration for sun and wind; and

(b) Trees having a six-inch DBH (as defined by Chapter [17.132](#) SHMC) or greater shall be preserved or replaced by new plantings of equal character;

Finding(s): There are about 14 trees with at least 6" DBH. Applicant proposes to preserve about 3-4 trees in the NE corner of the site. Thus, per this section, landscaping trees would need to include at least 10-11 new trees.

(3) Exterior Elevations. Along the vertical face of single-dwelling units – attached and multiple-dwelling unit structures, offsets shall occur at a minimum of every 30 feet by providing any two of the following:

- (a) Recesses (decks, patios, entrances, floor area, etc.) of a minimum depth of eight feet;

- (b) Extensions (decks, patios, entrances, floor area, etc.) of a minimum depth of eight feet, and maximum length of an overhang shall be 25 feet; and
- (c) Offsets or breaks in roof elevations of three or more feet in height;

Finding(s): Plans submitted are not clear as to meeting at least two of these standards. The buildings are staggered with offsets exceeding 8', that's one of the standards. On the side opposite the street a 4' cantilevered deck is proposed. Two things to think about that: its only 4' and its on the side opposite the main thoroughfare (not as visible). Revised plans shall comply. Or based on findings from earlier hearings of the night, does the Commission want to find that this meets the intent of this provision—this is potential problematic; these standards are clear and objective. When start to stray from them, the clarity and objectivity wanes.

(4) Buffering, Screening, and Compatibility between Adjoining Uses (See Figure 13, Chapter [17.72](#) SHMC).

(a) Buffering shall be provided between different types of land uses (for example, between single dwelling units and multiple-dwelling units residential, and residential and commercial), and the following factors shall be considered in determining the adequacy of the type and extent of the buffer:

- (i) The purpose of the buffer, for example to decrease noise levels, absorb air pollution, filter dust, or to provide a visual barrier;
- (ii) The size of the buffer required to achieve the purpose in terms of width and height;
- (iii) The direction(s) from which buffering is needed;
- (iv) The required density of the buffering; and
- (v) Whether the viewer is stationary or mobile;

(b) On-site screening from view from adjoining properties of such things as service areas, storage areas, parking lots, and mechanical devices on rooftops (e.g., air cooling and heating systems) shall be provided and the following factors will be considered in determining the adequacy of the type and extent of the screening:

- (i) What needs to be screened;
- (ii) The direction from which it is needed;
- (iii) How dense the screen needs to be;
- (iv) Whether the viewer is stationary or mobile; and
- (v) Whether the screening needs to be year-round;

Finding(s): Required landscaping, proposed fencing (North side), preserved natural area (NE corner of site) and abutting streets, should provide adequate buffering.

Does the Commission think anything else is warranted? What about the reduced side yard (setback), if the Variance for such is granted?

(5) Privacy and Noise.

(a) Structures which include residential dwelling units shall provide private outdoor areas for each ground floor unit which is screened from view by adjoining units as provided in subsection (6)(a) of this section;

(b) The buildings shall be oriented in a manner which protects private spaces on adjoining properties from view and noise;

(c) Residential buildings should be located on the portion of the site having the lowest noise levels; and

(d) On-site uses which create noise, lights, or glare shall be buffered from adjoining residential uses (see subsection (4) of this section);

Finding(s): Per SHMC 17.108.080(3), the approval authority may grant an exception or deduction to private outdoor area and 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 the proposed use is permanent and Civic Pride park (a public City park) is only about 500 feet away via improved sidewalks and such.

Private outdoor areas are proposed via decks.

(6) Private Outdoor Area – Residential Use.

(a) Private open space such as a patio or balcony shall be provided and shall be designed for the exclusive use of individual units and shall be at least 48 square feet in size with a minimum width dimension of four feet, and:

(i) Balconies used for entrances or exits shall not be considered as open space except where such exits or entrances are for the sole use of the unit; and

(ii) Required open space may include roofed or enclosed structures such as a recreation center or covered picnic area;

(b) Wherever possible, private outdoor open spaces should be oriented toward the sun; and

(c) Private outdoor spaces shall be screened or designed to provide privacy for the users of the space;

Finding(s): Per SHMC 17.108.080(3), the approval authority may grant an exception or deduction to private outdoor area and 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 the proposed use is permanent and Civic Pride park (a public City park) is only about 500 feet away via improved sidewalks and such.

Private outdoor areas are proposed via decks.

(7) Shared Outdoor Recreation Areas – Residential Use.

(a) In addition to the requirements of subsections (5) and (6) of this section, usable outdoor recreation space shall be provided in residential developments for the shared or common use of all the residents in the following amounts:

(i) Studio up to and including two-bedroom units, 200 square feet per unit; and

(ii) Three- or more bedroom units, 300 square feet per unit;

(b) The required recreation space may be provided as follows:

(i) It may be all outdoor space; or

(ii) It may be part outdoor space and part indoor space; for example, an outdoor tennis court and indoor recreation room;

(iii) It may be all public or common space; or

(iv) It may be part common space and part private; for example, it could be an outdoor tennis court, indoor recreation room and balconies on each unit; and

(v) Where balconies are added to units, the balconies shall not be less than 48 square feet;

(c) Shared outdoor recreation space shall be readily observable for reasons of crime prevention and safety;

Finding(s): Per SHMC 17.108.080(3), the approval authority may grant an exception or deduction to private outdoor area and 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 the proposed use is permanent and Civic Pride park (a public City park) is only about 500 feet away via improved sidewalks and such.

There will be some natural area preserved, though how welcome for use it will be due to slope is unknown.

(8) Demarcation of Public, Semipublic, and Private Spaces – Crime Prevention.

(a) The structures and site improvements shall be designed so that public areas such as streets or public gathering places, semipublic areas and private outdoor areas are clearly defined in order to establish persons having a right to be in the space, in order to provide for crime prevention and to establish maintenance responsibility; and

(b) These areas may be defined by:

- (i) A deck, patio, low wall, hedge, or draping vine;
- (ii) A trellis or arbor;
- (iii) A change in level;
- (iv) A change in the texture of the path material;
- (v) Sign; or
- (vi) Landscaping;

Finding(s): Normal right-of-way and sidewalk should achieve this.

Due to the mixed-use aspect of the proposal, does the Commission think there should be more for the resident occupants of the complex to have better privacy from commercial customers and employees?

(9) Crime Prevention and Safety.

(a) Windows shall be located so that areas vulnerable to crime can be surveyed by the occupants;

(b) Interior laundry and service areas shall be located in a way that they can be observed by others;

(c) Mail boxes shall be located in lighted areas having vehicular or pedestrian traffic;

(d) The exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime; and

(e) Light fixtures shall be provided in areas having heavy pedestrian or vehicular traffic and in potentially dangerous areas such as parking lots, stairs, ramps, and abrupt grade changes:

(i) Fixtures shall be placed at a height so that light patterns overlap at a height of seven feet, which is sufficient to illuminate a person;

Finding(s): Site illumination shall be required for building entrances and the site itself. Interior laundry area are shown to be hidden.

(10) Access and Circulation.

(a) The number of allowed access points for a development shall be as provided in SHMC [17.84.070](#);

(b) All circulation patterns within a development shall be designed to accommodate emergency vehicles; and

(c) Provisions shall be made for pedestrianways and bicycleways if such facilities are shown on an adopted plan;

Finding(s): Vehicular access is addressed above. Any requirement of the Fire Marshall shall be met. No pedestrian and bicycle pathway is indicated in any of the City's plans through the site.

(11) Distance between Multiple-Family Residential Structure and Other.

(a) To provide privacy, light, air, and access to the multiple and attached residential dwellings within a development, the following separations shall apply:

(i) Buildings with windowed walls facing buildings with windowed walls shall have a 25-foot separation;

(ii) Buildings with windowed walls facing buildings with a blank wall shall have a 15-foot separation;

(iii) Buildings with opposing blank walls shall have a 10-foot separation;

(iv) Building separation shall also apply to buildings having projections such as balconies, bay windows, and room projections; and

(v) Buildings with courtyards shall maintain separation of opposing walls as listed in subsections (11)(a)(i), (ii) and (iii) of this section for walls in separate buildings;

(b) Where buildings exceed a horizontal dimension of 60 feet or exceed 30 feet in height, the minimum wall separation shall be one foot for each 15 feet of building length over 50 feet and two feet for each 10 feet of building height over 30 feet;

(c) Driveways, parking lots, and common or public walkways shall maintain the following separation for dwelling units within eight feet of the ground level:

(i) Driveways and parking lots shall be separated from windowed walls by at least eight feet; walkways running parallel to the face of the structures shall be separated by at least five feet; and

(ii) Driveways and parking lots shall be separated from living room windows by at least 10 feet; walkways running parallel to the face of the structure shall be separated by at least seven feet;

Finding(s): The proposal is one building, which is about 85' long and 55 feet high. Given this size the separation requirement increases by 2'. But there is no other building on a nearby property closer than 27 feet (distance is greater). So, no separation issues are apparent.

A Variance is requested to reduce the front yard from 20 to 0 feet. But even then, there would still be 10', at least from the current location of the sidewalk. **But this is assumed to be moot given the Variance.**

Then the main issue is distance from the north side of the building. Revised plans shall properly reflect this.

(12) Parking. All parking and loading areas shall be designed in accordance with the requirements set forth in SHMC [17.80.050](#) and [17.80.090](#); Chapter [17.76](#) SHMC, Visual Clearance Areas; and Chapter [17.84](#) SHMC, Access, Egress, and Circulation;

Finding(s): These issues are addressed elsewhere herein.

(13) Landscaping.

(a) All landscaping shall be designed in accordance with the requirements set forth in Chapter [17.72](#) SHMC; and

(b) For residential use, in addition to the open space and recreation area requirements of subsections (6) and (7) of this section, a minimum of 15 percent of the gross area including parking, loading and service areas shall be landscaped;

Finding(s): 15% of the area is required for landscaping. This appears achievable but will need to be reflected with revised plans.

(14) Drainage. All drainage plans shall be designed in accordance with the criteria in the most current adopted St. Helens master drainage plan;

Finding(s): Drainage will need to be addressed per City Engineering and Building Department requirements.

(15) Provision for the Handicapped. All facilities for the handicapped shall be designed in accordance with the requirements pursuant to applicable federal, state and local law;

Finding(s): This will be addressed by the Building Code.

(16) Signs. All sign placement and construction shall be designed in accordance with requirements set forth in Chapter [17.88](#) SHMC;

Finding(s): Any new or altered sign required a sign permit prior to installation or alteration.

(17) All of the provisions and regulations of the underlying zone shall apply unless modified by other sections of this code (e.g., the planned development, Chapter [17.148](#) SHMC; or a variance granted under Chapter [17.108](#) SHMC; etc.).

Finding(s): The zoning aspects are addressed elsewhere herein. Variances are proposed.

17.132 – Tree Removal → This chapter scrutinizes the loss of trees that are >12” DBH. There are six such trees on the subject property. The applicant intends to preserve three or four.

Replacement ratio is based on 50% kept or >50% lost. With at least 50% kept, the replacement ratio is 1:1. The tree replacement for the Site Development Review standards will also meet the replacement requirement for this chapter, in this case.

17.152 – Street and Utility Improvement Standards → Streets that abut a development are required to be improved per City standards. In this case, Columbia Boulevard is improved with curb and sidewalk, but not to current minor arterial street standards. In addition, this segment of Columbia Boulevard Note would also need to comply with the St. Helens – US30 & Columbia Boulevard/St. Helens Street Corridor Master Plan (Ord. No. 3181). **Does the Commission want to require reconstruction to those standards?**

N. 12th Street frontage shall be improved to collector street standards. Due to the extent of existing utility infrastructure, some modification to normal standards may be necessary.

Mailbox facility is required subject to approval by the Postmaster and City.

Street lighting. Street lights are required at least at each intersection, and/or per the St. Helens – US30 & Columbia Boulevard/St. Helens Street Corridor Master Plan (Ord. No. 3181).

The Commission could require lighting per this plan, if it requires frontage improvements along Columbia Boulevard. Note that the city is currently working on a wayfinding/branding plan hoping to determine a post style for both lights and wayfinding signage. The style hasn't been specifically determined as of the date of this report.

Easements and utilities. There is an easement in the NE corner of the site (Book 206, Page 485 recorded 1976) for sanitary sewer. Per City Engineering comments above, if fill is added to this area, modifications to the infrastructure will be required.

Per discussions with Public Works staff, a water line in N. 12th Street would need to be extended if a water meter (or meters) is/are desired along N. 12th. Water service off of a main in the Columbia Boulevard right-of-way is also an option.

Sewer may need to be extended depending on some factors such as the Building Code and how many services are desired (e.g., multiple services may warrant extension).

Storm water infrastructure may need to be extended due to new impervious area. Or a private system may be necessary. Drainage plan required.

All public infrastructure extensions require design by a registered professional engineer.

Utilities shall be underground. There are overhead poles within the Columbia Boulevard and N. 12th Street rights-of-way. In no case shall new poles be added for utility extensions.

17.156 – Traffic Impact Analysis (TIA) → The proposal is not of such magnitude to warrant a TIA.

* * * * *

Variance—V.4.17 (reduce front and side yard/setback of residential building, from 20' to zero feet, and 10' to 5', respectively)

SHMC 17.108.050 (1) – Criteria for granting a Variance

- (a) The proposed variance will not be significantly detrimental in its consequence to the overall purposes of this code, be in conflict with the applicable policies of the comprehensive plan, to any other applicable policies and standards of this code, and

be significantly detrimental in its consequence to other properties in the same zoning district or vicinity;

- (b) There are special circumstances that exist which are peculiar to the lot size or shape, topography or other circumstances over which the applicant has no control, and which are not applicable to other properties in the same zoning district;
- (c) The use proposed will be the same as permitted under this code and city standards will be maintained to the greatest extent that is reasonably possible while permitting some economic use of the land;
- (d) Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic landforms, or parks, will not be adversely affected any more than would occur if the development were located as specified in the code; and
- (e) The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship.

Discussion: In the Mixed Use, MU zoning district multidwelling complexes require yards (setbacks) per the Apartment Residential, AR zone, where the minimum front yard is 20 feet and the minimum side yard is 10 feet.

Findings:

(a) This criterion requires a finding that the variance will not be detrimental.

- The Commission needs to find this criterion is met to approve this Variance.
- **Staff comments:** Both adjoining rights-of-way are 80' wide. Though there is separation from the right-of-way line and the actual edge of sidewalk along Columbia Boulevard, the St. Helens – US30 & Columbia Boulevard/St. Helens Street Corridor Master Plan (Ord. No. 3181) includes cross sections with the sidewalk against the property line.

This is noteworthy given the Site Development Review separation requirement for multidwelling units, which requires at least 7' of separation from walkways parallel to the face of the structure with living room windows.

(b) The criterion requires a finding that there are special and unique circumstances.

- The Commission needs to find this criterion is met to approve this Variance.

(c) This criterion prohibits a use variance and requires a finding that the applicable standards are maintained to the greatest extent that is reasonably possible.

- The Commission needs to find this criterion is met to approve this Variance.
- **Staff comments:** A use Variance is not proposed.

(d) This criterion requires a finding that existing physical and natural systems will not be adversely affected as a result of the requested Variance.

- The Commission needs to find this criterion is met to approve this Variance.

(e) This criterion requires a finding that the variance issue is not self-imposed and that the variance is the minimum necessary to alleviate the hardship.

- The Commission needs to find this criterion is met to approve this Variance.

* * * * *

Variance—V.5.17 (allow two additional multifamily dwelling units above the amount normally allowed)

Discussion: In the Mixed Use, MU zoning district multidwelling complexes require density calculations per the Apartment Residential, AR zone. The AR zone allows one such unit per 1,500 square feet over the base of 5,000 square feet for the first two units.

The subject property is 10,000 square feet in size. Thus:

$$\begin{aligned} 10,000 - 5,000 \text{ (for first two units)} &= 5,000 \\ 5,000 / 1,500 &= 3.333 \\ 2 + 3.333 &= 5 \text{ units allowed} \end{aligned}$$

SHMC 17.108.050 (1) – Criteria for granting a Variance

- The proposed variance will not be significantly detrimental in its consequence to the overall purposes of this code, be in conflict with the applicable policies of the comprehensive plan, to any other applicable policies and standards of this code, and be significantly detrimental in its consequence to other properties in the same zoning district or vicinity;
- There are special circumstances that exist which are peculiar to the lot size or shape, topography or other circumstances over which the applicant has no control, and which are not applicable to other properties in the same zoning district;
- The use proposed will be the same as permitted under this code and city standards will be maintained to the greatest extent that is reasonably possible while permitting some economic use of the land;
- Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic landforms, or parks, will not be adversely affected any more than would occur if the development were located as specified in the code; and
- The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship.

Discussion: Multidwelling complexes are required to have both shared and private recreation space per Site Development Review standards.

(a) This criterion requires a finding that the variance will not be detrimental.

- The Commission needs to find this criterion is met to approve this Variance.

(b) The criterion requires a finding that there are special and unique circumstances.

- The Commission needs to find this criterion is met to approve this Variance.

(c) This criterion prohibits a use variance and requires a finding that the applicable standards are maintained to the greatest extent that is reasonably possible.

- The Commission needs to find this criterion is met to approve this Variance.
- **Staff comments:** A use Variance is not proposed.

N. 12th Street is a collector with a minimum required right-of-way width of 60 feet. If vacated as possible (but not guaranteed) by ORS Chapter 271.080 an additional 10' could be added to the property from the right-of-way. The property has about 130' of N. 12th Street frontage. This would add 1,300 square feet of land. The revised density calculation would be:

$$\begin{aligned} 11,300 - 5,000 \text{ (for first two units)} &= 6,300 \\ 6,300 / 1,500 &= 4.2 \\ 2 + 4.2 &= 6 \text{ units allowed} \end{aligned}$$

The Commission could determine that its only one extra unit assuming the extra N. 12th Street right-of-way (phantom area).

Because of the City's plans that utilize the entire Columbia Boulevard right-of-way (i.e., corridor plan as mentioned herein), the same "phantom area" concept wouldn't work there.

(d) This criterion requires a finding that existing physical and natural systems will not be adversely affected as a result of the requested Variance.

- The Commission needs to find this criterion is met to approve this Variance.

(e) This criterion requires a finding that the variance issue is not self-imposed and that the variance is the minimum necessary to alleviate the hardship.

- The Commission needs to find this criterion is met to approve this Variance.

* * * * *

CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, if the Commission approves of this Conditional Use Permit (CUP.5.17) staff recommends the following conditions:

1. This **Conditional Use Permit** approval is valid for a limited time (to establish the use) 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 shall comply with the building height provisions for Multidwellings in the MU zone (i.e., AR zoning standards).
 - ii. N. 12th Street frontage improvements per the City's collector street standards.
<<Also, if commission thinks Columbia Boulevard should be redeveloped to minor arterial and corridor plan standards, that'll need to be added too>>

<<if the Commission required Columbia Boulevard street frontage improvements to be re-done, you also need to think about street lighting per the corridor plan>>
 - iii. Sight-obscuring fence shall be required along the north property line to prevent headlight glare from impacting the adjacent residential use.
 - iv. Details of trash enclosure to comply with the Development Code.
 - v. Bicycle parking with 1 lockable space per dwelling unit as per the Development Code. Also, 1 space for the commercial suite.
 - vi. Disabled person parking space, in a form and location per the applicable Building Code.
 - vii. Parking spaces along the boundaries of a parking area or adjacent to landscape areas or walkways shall be provided with a wheel stop at least 4" high located 3' back from the parking stall.
 - viii. Distance between driveways and streets shall be verified for the proposed access on N. 12th Street.
 - ix. Plans shall include proof that this design will function to prevent backing or other vehicle maneuvering into N. 12th Street (i.e., there is sufficient room for vehicle maneuvering for all vehicles to enter and exit front first), by showing turning radius paths for standard size passenger vehicles.
 - x. For the proposed **non-residential use**, walkways shall extend from ground floor entrances to streets that provide access. For **multifamily use**, each dwelling unit

shall be connected by walkway to vehicular parking area, and any common open space and recreation area. Walkways are required to be paved, at least 4' wide and comply with ADA standards.

- xv. Building plans shall demonstrate compliance with SHMC 17.96.180(3) including narrative that specially explains how they comply. <<the Commission may want to discuss this based on how it views the first and second public hearings of the night>>
 - xii. A lighting plan shall be required that will sufficiently illuminate building entrances, walkways, driveways and deter crime.
 - xiii. All plans shall comply with the requirements of SHMC 17.96.180(11). Some exception to this is assumed in the front yard given Variance V.4.17. <<if the Commission approves that variance>>
 - xiv. Joint mailbox facility in a location approved by the Postmaster and City. Location shall be lighted.
 - xv. <<Due to the mixed-use aspect of the proposal, does the Commission think there should be more for the resident occupants of the complex to have better privacy from commercial customers and employees? Ref SHMC 17.96.180(8)>>
 - xvi. <<if the commission doesn't allow the shared parking, it could be a plan revision item, though, may be difficult to get all to fit if the density variance is granted>>.
 - xvii. <<If one or both variances are denied, will need additional conditions for compliance with those issues. Except, the commission may need to deny the proposal if the zero-front yard (setback) is not granted because the site plans would have to be significantly different>>
- b. Landscape plan, in compliance with the Development Code, including but not limited to:
- i. Street trees. Street tree location compliance with SHMC 17.72.035 shall be included. Things to demonstrate compliance, such as utility poles shall be included on the plans. Street trees shall be "Small" as per Chapter 17.72 SHMC along both streets.

Trees shall be planted per collector street standards along N. 12th Street. Trees may be planted behind the existing sidewalk along Columbia Boulevard. <<will need to change if commission requires Columbia Boulevard to be redeveloped to comply with minor arterial standards and corridor plans>
 - ii. Perimeter of parking lot not visually blocked by proposed buildings shall include landscaping for "screening" with plant types that achieve a balance of low lying and vertical shrubbery and trees.

- iii. Sight-obscuring screening shall be required in any location where headlight glare from parking lot use could be a nuisance to adjacent residential uses.
- iv. Assuming the 3-4 trees are preserved per initially proposed, landscape plans shall include 10-11 trees (street trees may count towards this requirement).
- v. Minimum 15% of subject property area shall be landscaped.
- c. Engineering/construction plans shall be submitted for review and approval for any public improvements such as utility extensions/modifications and street improvements.

There is an existing easement (Book 206, Page 485 recorded 1976) for the sanitary sewer main located in the northeast corner of the property. If fill is placed around and/or over the existing sanitary sewer main and cleanout, necessary adjustments to the main and structure shall be done to maintain accessibility.

A water line in N. 12th Street would need to be extended if a water meter (or meters) is/are desired along N. 12th.

- d. A drainage plan shall be reviewed and approved by City Engineering. The public storm drain system may need to be extended southerly on N. 12th Street to a point where it can provide service to the property.
 - e. 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:
 - a. All improvements necessary to address the requirements herein, and in accordance with approved plans, shall be in place.
 4. Service facilities such as gas meters and air conditioners which would otherwise be visible from a public street, customer or resident parking area, any public facility or any residential area shall be screened, **regardless if such screening is absent on any plan reviewed by the City. This includes but is not limited to ground mounted, roof mounted or building mounted units.**
 5. All areas used for the parking or storage or maneuvering of any vehicle, boat, or trailer shall be improved with asphalt or concrete surfaces or other similar type materials approved by the city.
 6. Any requirement of the Fire Marshall as it applies to this proposal shall be met. For example, addressing (plus floor and room numbers).

7. Any new utilities shall be underground. Existing overhead utilities may remain above ground, but new poles are prohibited.
8. 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.

* * * * *

Based upon the facts and findings herein, if the Commission approves of this Variance (V.4.17) for reduce front and side yard/setback staff recommends the following conditions:

1. This Variance approval is valid for a limited time pursuant to SHMC 17.108.040.
2. This Variance shall apply to the proposed plan as submitted only or one with equal or less minimum required yard encroachment.
3. <<does the Commission think there should be any screening/landscaping requirement for the reduced side yard?>>

* * * * *

Based upon the facts and findings herein, if the Commission approves of this Variance (V.5.17) to allow two additional multifamily dwelling units above the amount normally allowed staff recommends the following conditions:

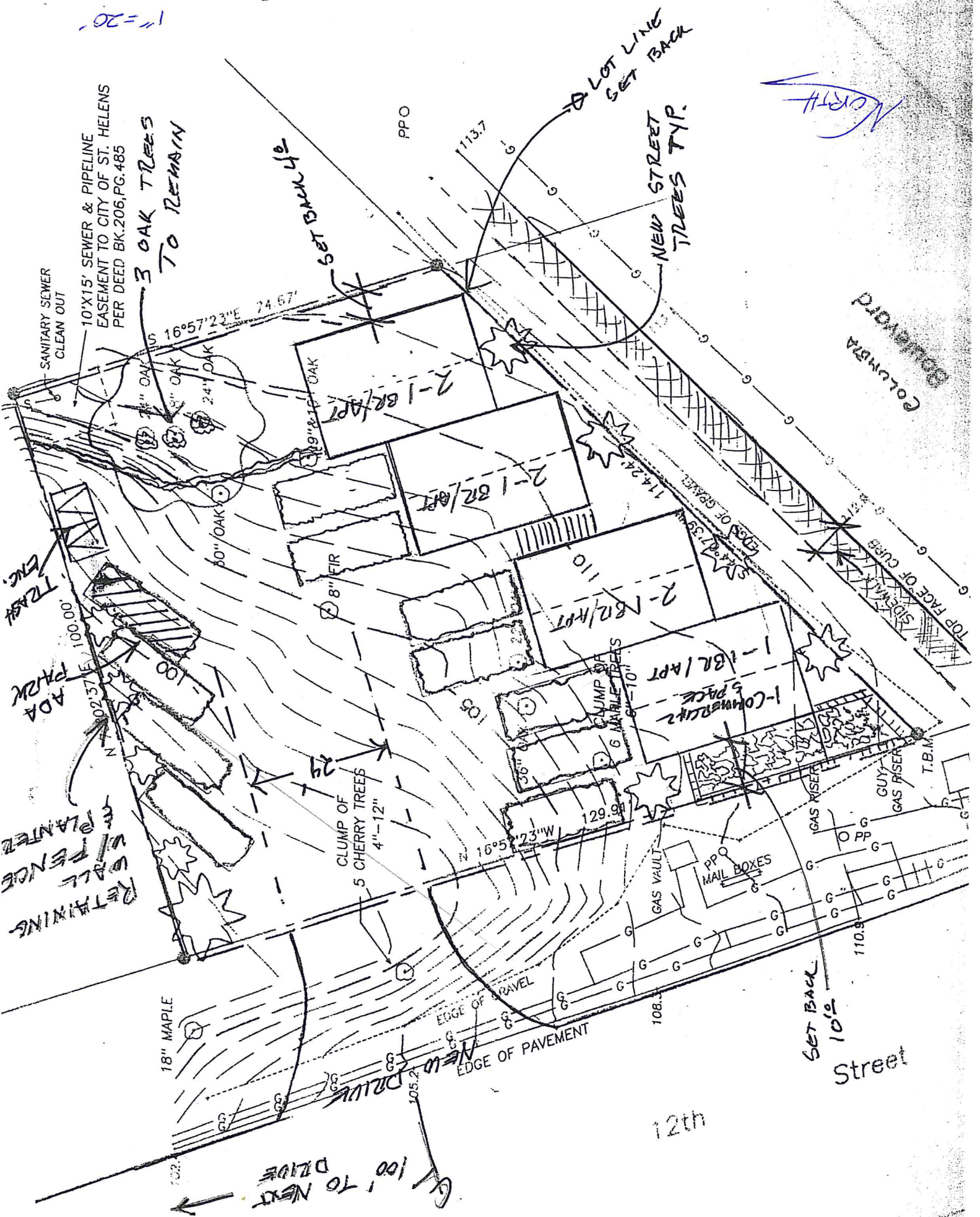
1. This Variance approval is valid for a limited time pursuant to SHMC 17.108.040.

Attachment(s): Site plan

US30 & Columbia Boulevard/St. Helens Street Corridor Master Plan (pg. 72)
Minimum turning path for passenger car design vehicle
Topographic survey of subject property
Lower floor plan
Upper floor plan
Building cross section plan
East elevation plan

SITE PLAN - NTS

1"=20'



10/15/15
10/15/15

SET BACK
10'
Street

12th

100' TO NEXT
DRIVE

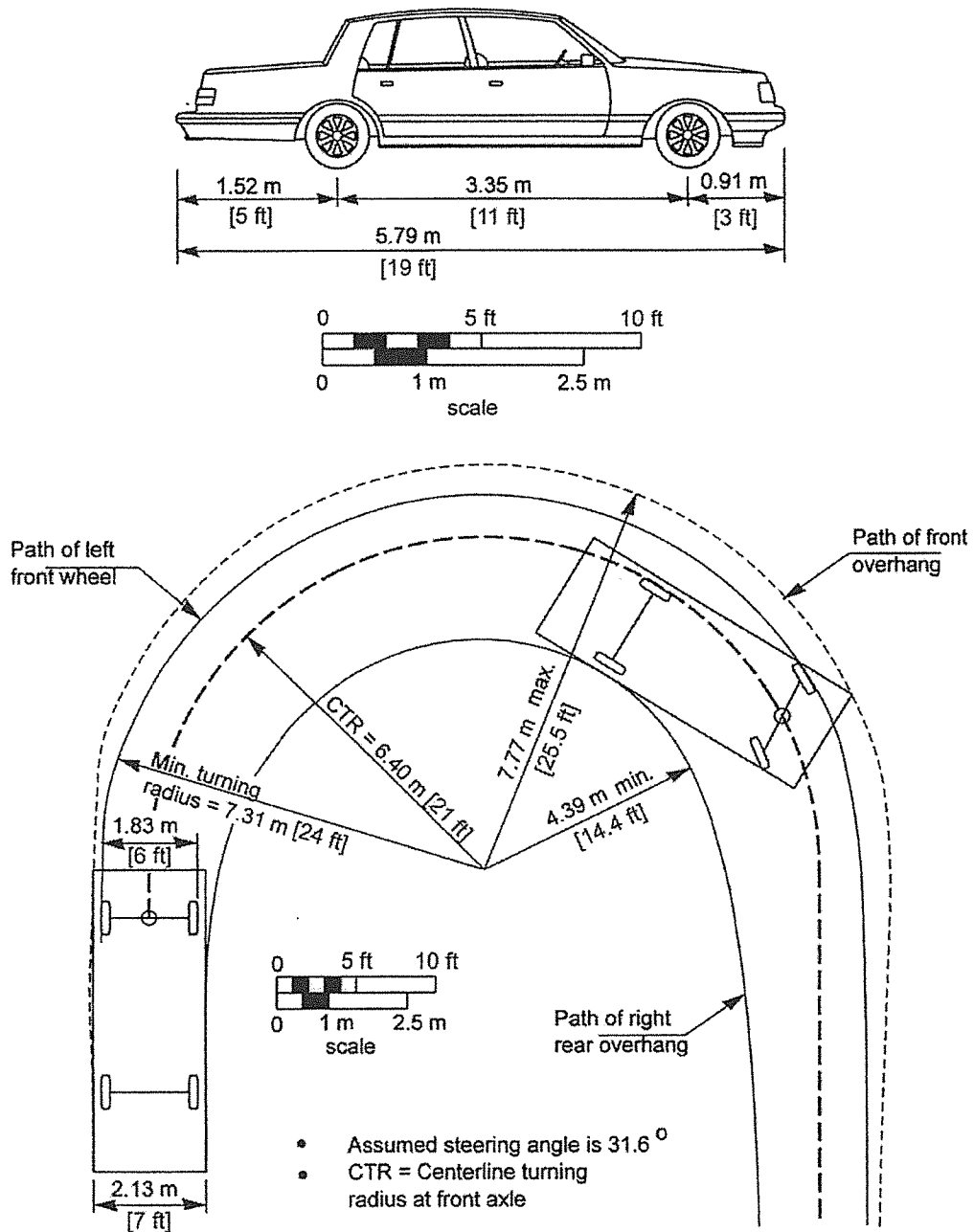
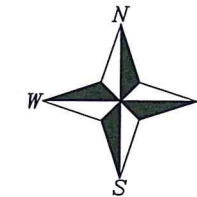


Exhibit 2-3. Minimum Turning Path for Passenger Car (P) Design Vehicle

Topographic Survey
For Russ Hubbard
Situating In Lots 3, 4 & 5, Block 96
City of St. Helens
In The N.E. 1/4 Of Section 4, T.4N., R.1W., W.M.
Columbia County, Oregon
February 4, 2017



Scale: 1"=20'

CF:16073H
SF:16073H
FB:116

REGISTERED
PROFESSIONAL
LAND SURVEYOR

D. E. Reynolds

OREGON
JULY 26, 1985
DAVID E. REYNOLDS
2157

RENEWAL DATE: 12-31-2018

Reynolds
Land Surveying, Inc.
32990 Stone Road
Warren, Oregon 97053
(503) 397-5516

Notes

Elevations are based on Oregon Dept. of Transportation Bench Mark "Helen", PID RD4218, a brass disc near the intersection of 6th Street and Plymouth Street in St. Helens, OR
Datum: NAVD 88

Underground utilities were marked via the Oregon Utility Notification Center, Ticket No. OR17014386.

—G— Denotes underground gas line as located via the Oregon Utility Notification Center.

—S— Denotes underground sanitary sewer line as located via the Oregon Utility Notification Center.

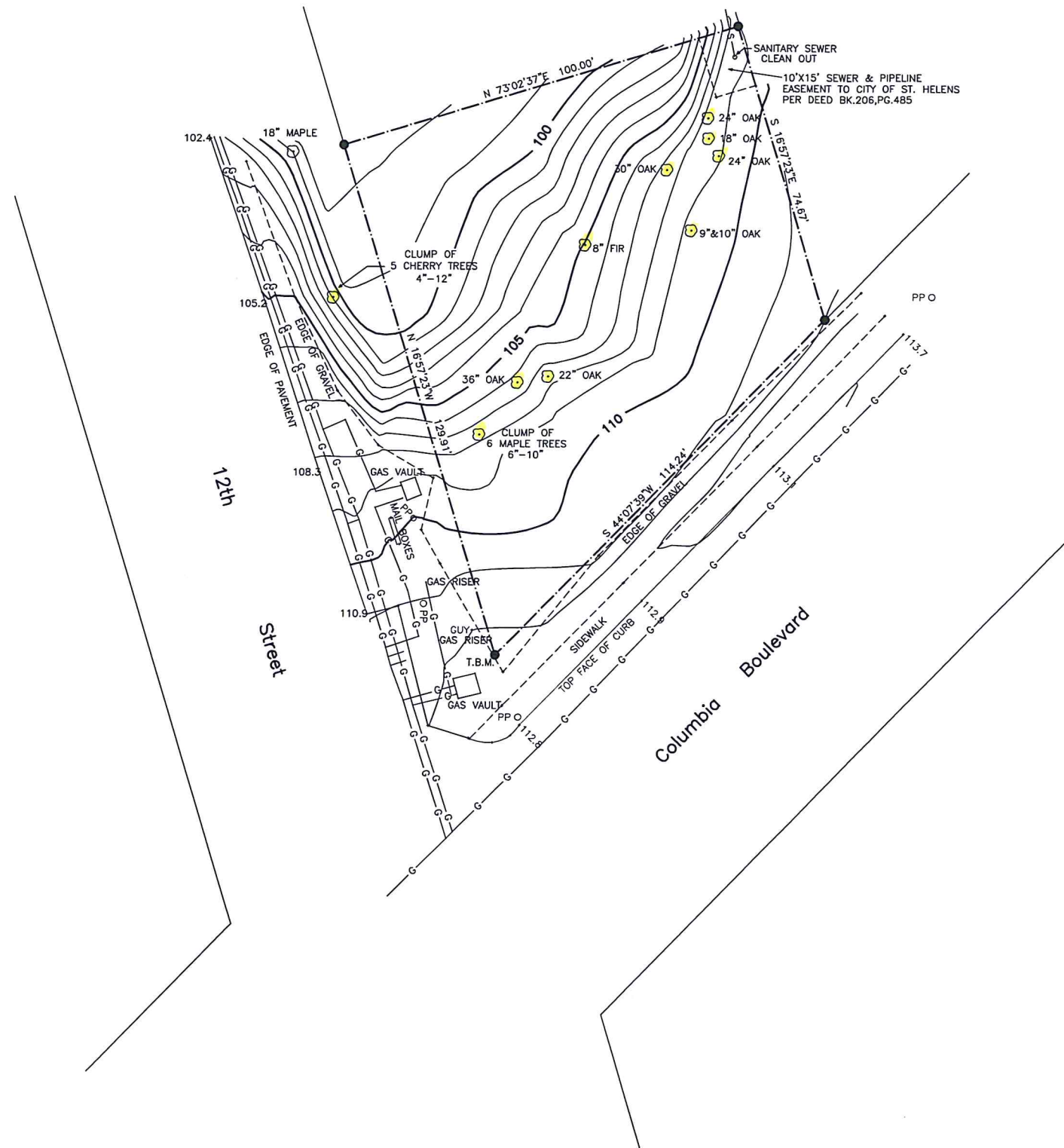
PPO Denotes Power Pole

GUY Denotes Guy Anchor

9" OAK □ Denotes tree with BDH size and species

● Denotes 5/8" iron rod with "REYNOLDS LAND SURVEYING INC" yellow plastic cap at boundary corners.

T.B.M. ● Denotes Temporary Bench Mark with an elevation of 112.41 at top of 5/8" iron rod with yellow plastic cap at most Southerly corner of the subject tract.



30' x 15.77'
5.83' x 4.15'
473.16
24.19

30' x 15' 9 1/4"
x 5' 10" x 4' 13 1/4"

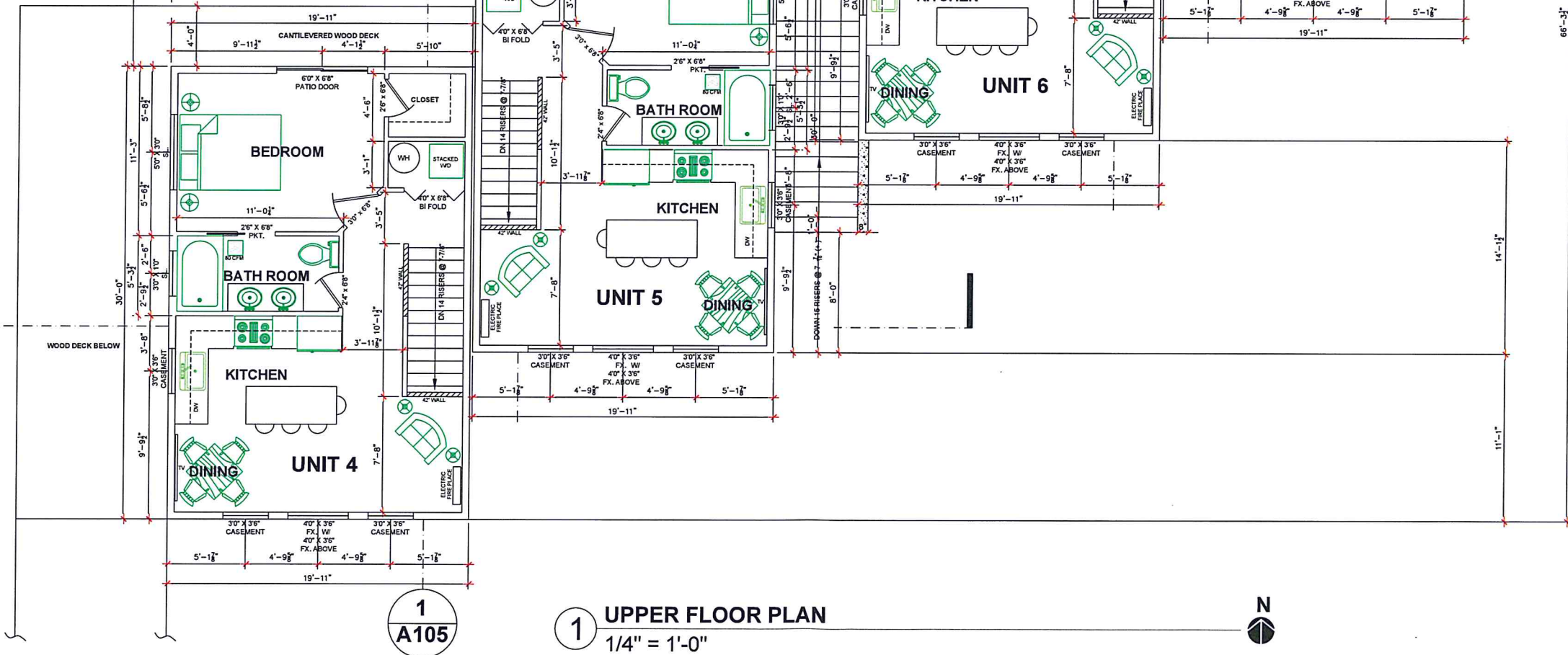
2
A105

1
A105

1 LOWER FLOOR PLAN
1/4" = 1'-0"



2
A105



1
A105

1 UPPER FLOOR PLAN
1/4" = 1'-0"





1 EAST VIEW
1/4" = 1'-0"

CITY OF ST. HELENS PLANNING DEPARTMENT ACTIVITY REPORT



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

Date: 06.30.2017

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

With an improved economy, the building season, and other efforts such as the new corridor plan, urban renewal and such, this has been one busy spring/summer so far!

Participated in a pre-application meeting with Columbia County for a potential storage use at 36058 Kelly Drive (property adjacent to CCMH).

Had a preliminary Q&A meeting with the Property Acquisition & Development Manager for the Oregon Beverage Recycling Cooperative to place a BottleDrop Express at Safeway. For more info about the Oregon Beverage Recycling Cooperative check out <https://www.obrc.com/>

Staff continues to answer questions related to the St. Helens Middle School replacement project, which we expect to see soon. This will be a future public hearing before the Planning Commission.

ST. HELENS RIVERFRONT CONNECTOR PLAN (TGM FILE NO. 2D-16)

Targeting the Council's July meeting for the IGA between the City and ODOT. This depends on ODOT having it ready by then. There has been communication between the two agencies about this date. Since the Council only meets once per month in July and August, waiting for the August meeting will put the project behind schedule.

DEVELOPMENT CODE ENFORCEMENT

The department responded to a fence complaint (formal written complaint submitted to the city) on the 300 block of N. 6th Street. Violation confirmed and correspondence to alert the property of it sent.

The department responded to a fence complaint (verbal inquiry/complaint) at the corner of Cowlitz and S. 2nd Street. Violation confirmed and correspondence to alert the property of it sent.

PLANNING COMMISSION (& *acting* HISTORIC LANDMARKS COMMISSION)

June 13, 2017 meeting (outcome): The Commission approved a Variance for a front yard (setback) reduction at 475 S. 2nd Street. The Commission approved a Conditional Use Permit for a duplex on a vacant lot along N. Vernonia Road adjacent to the north side of Campbell Park. The Commission approved a Conditional Use Permit for a 6-space travel trailer park amongst the St. Helens Marina complex where two houses were recently demolished at 104 and 114 N. River Street. Finally, the Commission reviewed the City's Urban Renewal Plan and Report and found that it complies with the Comprehensive Plan; this is a necessary part of the Urban Renewal adoption process before it goes to Council.

July 11, 2017 meeting (upcoming): The Commission has three public hearing scheduled. Each is a multifamily dwelling complex. Two include multiple Variances. One of for the Community Action Team's project at their N. 17th Street facility. Another is a private entity/City partnership on City owned property by 6th Street Park. The third is a private entity for the property across from the IGA grocer at the intersection of N. 12th Street and Columbia Boulevard.

HISTORIC PRESERVATION

We received a certificate from the National Parks Service in celebration of the 50th anniversary of the National Preservation Act of 1966 for being a Certified Local Government (CLG). We've been a CLG since 2009. **See attached letter and certificate (scanned).**

GEOGRAPHIC INFORMATION SYSTEMS (GIS)

Continue to work with the Oregon health Authority, Acute and Communicable Disease Prevention (ACDP) section in creating a statewide water system distribution data set. They first contacted us about this project about a year ago. The intent of the data is to help government public health organizations when there are reports of increased illness, water contamination concerns and to help with emergency planning.

MAIN STREET PROGRAM

St. Helens on the RARE wait list this year. This means that we are not the first in line for a 2017-2018 RARE participant (Main Street/Community Coordinator). The waiting list is like a 2nd tier. If an entity from the 1st tier can't find funding, then RARE pulls from the wait list (then we compete with everybody on that list). Otherwise, no participant for 2017-2018.

Since all Mainstreet program coordinators in the last six years had the overall goal of building capacity for SHEDCO with the ultimate goal of some degree of self-sufficiency, if we don't get anybody this year, it will be a real test of the effectiveness of the last 6 years.

UPCOMING LAND USE ISSUES BEFORE COUNCIL

Earlier this month Lower Columbia Engineering sent letters, on behalf of the St. Helens Marina to property owners asking for consent to apply for a right-of-way vacation of part of N. 1st Street near and within vicinity of the St. Helens Marina. This is a redo of a previous 2012/2013 effort that fell victim to legal technicalities. There is a good chance the Council will see this again this year. So please be aware if citizens ask you about it.

ASSOCIATE PLANNER—*In addition to routine tasks, the Associate Planner has been working on:*
See attached



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.
Washington, DC 20240

IN REPLY REFER TO:

Dear Certified Local Government Partner:

JUN - 1 2017

During 2016, the National Park Service designated 38 new communities from across the United States as Certified Local Governments (CLG). We are excited to report that 1,966 communities now participate in the CLG program! This is a significant milestone as it also recognizes the 50th anniversary of the National Historic Preservation Act of 1966, which created the CLG program with the 1980 amendments.

"We are proud that last year 38 new communities spanning the country from California to New York joined us in our commitment to historic preservation and protecting what makes their cities and towns special," said Associate Director Stephanie Toothman. "These Certified Local Governments now have access to unique resources to preserve the heritage of their communities and promote local economic growth through tourism to their historical areas."

In honor of this significant anniversary, the National Park Service would like to thank the communities who continue to make a commitment to historic preservation on a local level. Whether one of the early CLGs from 1985 when the program started, or one of our very new partners to join in 2016 we value your partnership in the Federal Preservation Program. The CLG program is a model of Federal, State, and local government cooperation.

Please accept this certificate as a token of our appreciation for your contributions to the Federal preservation partnership. From New York City to Starkville, Colorado, from county to township, each of you is key to America's ability to preserve, protect, and increase awareness of our unique cultural heritage found across the country.

Megan J. Brown
Chief
State, Tribal, Local, Plans & Grants
National Park Service



**In celebration of the 50th anniversary
of the National Historic Preservation Act of 1966,**
the National Park Service, Department of the Interior congratulates

St. Helens, Oregon

on being a Certified Local Government and partner in the Federal
preservation program since

January 21, 2009



Stephanie DoNunzio

Associate Director Cultural Resources
National Park Service

Jacob Graichen

From: Jennifer Dimsho
Sent: Tuesday, June 27, 2017 12:00 PM
To: Jacob Graichen
Subject: June Planning Department Report

Here are my additions to the June Planning Department Report.

GRANTS

1. Received the EPA Community-Wide Assessment Grant for 300k – Kickoff conference call June 14. Helped prepare draft Work Plan for final deadline of July 19 (Includes estimated project budget). Helped prepare all necessary federal forms to submit before Cooperative Agreement can begin.
2. McCormick Picnic Shelter Grant (16k grant, 30k project) – Prepared in-kind grant reporting paperwork for PW/Parks/Admin staff time documentation and before/after photos to submit for project reimbursement.
3. Travel Oregon Grant –Branding & Wayfinding Master Plan: Site tour with PW to ground-truth sign recommendations along US 30/HBD couplet and RD. Worked through minor color revisions of final signage design. Conference call with ODOT to confirm location and design intent complies with state rules. Reviewed Draft Master Plan. Updated Project Website. General grant admin.
4. PSU MURP Columbia View Park Project – Attended MURP student presentation to MURP students on June 5 at PSU. Attended final presentation to Council during WS and RS on June 7. Uploaded document to website. Updated Parks Commission on project via Sheri.
5. Local Government (CLG) Historic Preservation Grant. Award \$12,500 to help cover City Hall façade cleaning and repairs. Worked with PW and State Historic Preservation Office to ensure project would follow Secretary of the Interior’s Rehabilitation Standards. Prepared mid-project report due June 30. Received official notice to proceed after submitting NEPA requirements to SHPO. Tracked time.
6. Received OPRD Veterans Memorial Grant for \$46,770! Total project is \$68,400. Project to be completed by April 30, 2019. Scheduled project kickoff meeting at Lower Columbia Engineering with VFW July 14.
7. HEAL Cities Grant (5k award) – Submitted Progress Report (due June 15). Summarized project work thus far. Nob Hill Nature Park staircase and kiosk installation should occur between June 30 – September 30. Final project report is due October 13, 2017.
8. Oregon Parks & Recreation – Recreational Trails Program (RTP): Finalized 90.5k grant application for Grey Cliffs Park restroom and non-motorized boat launch project for “water trails” project. Added two letters of support and tweaked narrative based on feedback from the initial grant reviewer to make our application more competitive.
9. Worked with Police Department on COPS grant for a School Resource Officer. Grant award for 3 year program – approximately \$213.5k award. Deadline is July 7 for submission.

URBAN RENEWAL

10. Prepared for Planning Commission Review of the Plan on June 13. Attended and prepared for County Commissioner UR briefing on June 28 with John W. Prepared for City Council adoption on July 19 with proper PH Notice going into June UB via Shanna.

MISC

11. Community Action Team (CAT)’s Affordable Housing Work Group Meeting June 8. Special guest developer discussion on cluster housing.
12. Attended an Oregon Community Foundation Grants Workshop at the library on June 5. Received 10k grant for Salmon Tree Cycle.
13. Scheduled Certified Local Government Periodic Review/Site Visit with State Historic Preservation Office for July 17.

14. Completed League of Oregon Cities Development Fee Survey (June 30 deadline)
15. Discussed Waterfront Redevelopment Project with potential developer from RFQ solicitation

Jenny Dimsho

Associate Planner

City of St. Helens

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