

**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Conditional Use Permit CUP.2.21 & Variance V.2.21**

DATE: June 30, 2021
TO: Planning Commission
FROM: Jennifer Dimsho, AICP, Associate Planner

APPLICANT: Lower Columbia Engineering, LLC
OWNER: Sunset Park Community Church

ZONING: Apartment Residential (AR)
LOCATION: 174 Sunset Boulevard; 4N1W-4BC-1300
PROPOSAL: Establish public facility (major) use on a property with an existing religious assembly use and daycare facility

The 120-day rule (ORS 227.178) for final action for this land use decision is **October 5, 2021**.

SITE INFORMATION

This 3.29-acre site is developed with a church (Sunset Park Community Church), a daycare with a large outdoor playground (Snoopeeland Child Development Center), and parking areas. The property abuts three streets: Sunset Boulevard, Shore Drive, and Bradley Street. Currently, the Bradley Street access is chained off to limit ingress/egress (pictured below), but this application proposes re-opening the approach with a new standard driveway apron. There are sidewalks along Sunset Boulevard, but not along Shore Drive or Bradley Street. The parking lot improvements along Shore Drive appear to extend about 10 feet into the public right-of-way of Shore Drive.



Shore Drive frontage looking west.



Bradley Street frontage looking north.

BACKGROUND

In 2003, Sunset Community Park Church applied for a Conditional Use Permit (CUP.5.03) for an approximately 3,200 sq. ft. addition with an office wing, a lobby, and a new entry. The daycare facility and outdoor playground had already been established at that time.

This proposal is to re-locate Columbia Health Services' 24' x 42' modular building (1,008 sq. ft.) which is currently located at 2370 Gable Road. The new proposed location is at the corner of Shore Drive and Bradley Street in the existing parking lot of the church and daycare facility. Columbia Health Services will provide the WIC program (Woman, Infants, and Children) to families from this location. WIC is a publicly funded national nutritional education program for families with pregnant women or children ages 0-5 years old. This use is considered a public facility (major), which is a Conditional Use in the Apartment Residential zone. In the AR zone, SHMC 17.32.080 (4) (j) states only one principal building is allowed per property, which is why the applicant is also applying for a variance.



Proposed location of the modular building. Snoopeeland daycare playground in the background.

PUBLIC HEARING & NOTICE

Public hearing before the Planning Commission: July 13, 2021

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property on June 24, 2021 via first class mail. Notice was sent to agencies by mail or e-mail on the same date.

Notice was published on June 30, 2021 in The Chronicle newspaper.

AGENCY REFERRALS & COMMENTS

As of the date of this staff report, no agency comments have been received.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

CONDITIONAL USE PERMIT CUP.2.21

SHMC 17.100.040(1) - CUP Approval standards and conditions

- (1) The planning commission shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the following criteria:
 - (a) The site size and dimensions provide adequate area for the needs of the proposed use;
 - (b) The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and natural features;
 - (c) All required public facilities have adequate capacity to serve the proposal;
 - (d) The applicable requirements of the zoning district are met except as modified by this chapter;
 - (e) The supplementary requirements set forth in Chapter [17.88](#) SHMC, Signs; and Chapter [17.96](#) SHMC, Site Development Review, if applicable, are met; and
 - (f) The use will comply with the applicable policies of the comprehensive plan.

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

Finding: The site is very large at 3.29 acres or 143,312 square feet. There are no indications that the site size and dimensions are not adequate for the placement of a 1,008 sq. ft. modular building. Off-street parking requirements and circulation are discussed later in the report.

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

Discussion: Since the site is already developed, there are limitations to the improvements that can be required with this proposal. Currently, the parking lot encroaches into the Shore Drive right-of-way, including into the required vision clearance area at the intersection of Bradley Street. This proposal will remove two parking spaces within the vision clearance area and replant the area with a landscape planter to help screen the parking lot. In addition, the access closest to the modular building will be improved with a new concrete driveway apron outside of the vision clearance area, which will help define the approach. It is wide enough to accommodate two-way traffic and circulation.

The applicant also notes that many of their clients (families with children) live in the surrounding residential areas and utilize the daycare services on the site.

Finding: With the proposed improvements, the site is suitable for the proposed use.

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

Finding: The proposal includes connection to City sewer via the church's private lateral and City water via the church's existing water meter. Any requirements of the Building Official and/or Fire Marshall shall be met. This includes, but is not limited to, any private lateral connections, occupancy change of the building if warranted, and any building improvements that may be required for this change. The abutting roadways are improved and have capacity to serve the site.

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

Discussion: A front setback of 20' is maintained on both frontages. The building will not exceed 35' in height, and buildings will not occupy more than 50 percent of the lot. Landscaping will not be reduced with the placement of this structure since it is being placed on an existing developed parking area.

"Public facility, major" is a conditionally permitted use in the Apartment Residential (AR) zone. Also in the AR zone, SHMC 17.32.080 (4) (j) states only one principal building is allowed per property, which is why the applicant is also applying for a variance.

"Office" use is not an allowed use in the AR zone. Therefore, a condition is needed which states using the modular building for a "public facility, major" use will not allow "office" use as a separate principal use not associated with religious assembly.

Finding: If Columbia Health Services no longer wishes to provide services out of the modular building, "office" use (as a separate principal use not associated with religious assembly), is not an allowed use of the modular building. Given approval of the variance (discussed later in the report) and the proposed condition, this criterion is met.

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

Findings: With regards to signs, any new sign or modified sign shall require a sign permit per Chapter 17.88 SHMC. The applicant indicates a mural may be placed on the modular building. Murals are not regulated as signage, unless there is a commercial message being conveyed.

With regards to site development review standards, as the site is already mostly developed, many aspects do not apply. The noteworthy aspects are as follows:

Per Chapter 17.72 Landscaping and screening, new developments fronting public streets more than 100' in length are required to plant street trees. The applicant is proposing street trees along Bradley Street, since Shore Drive is already completely paved to the street. Small trees (less than 25' in height at maturity) shall be used given the proximity of overhead power, and they shall be planted within 8' of the property line.

Since the parking lot is greater than three spaces, if it were brand new, it would be required to be screened. For screening in this case, the City usually requires landscaping along the perimeter that includes a balance of low lying and vertical shrubbery and trees. The street trees along

Bradley Street helps meet this requirement. In addition, the applicant is proposing replacing existing asphalt and two parking spaces at the corner of Bradley Street and Shore Drive with a landscape planter to help meet this requirement.

Service facilities, like air conditioners, that are visible from any public street or parking area, shall be screened from view by placement of a solid wood fence or wall between 5' and 8' in height, or landscaped to provide adequate screening. Photos of the modular building show a mounted HVAC unit on the northeast side of modular building. This facility and new service facilities, regardless if such screening is absent on any plan reviewed by the City, shall be screened according to SHMC 17.72.110 (2). This includes, but is not limited to, ground mounted, roof mounted or building mounted units.

Screening of refuse containers is required. It is unclear if this new use will share an existing refuse collection area for the church, and if so, if it is already screened. Any new or shared existing refuse collection area which would be visible from a public street or parking lot shall be screened or enclosed from view and shall meet the requirements of SHMC 17.92.060.

Regarding Chapter 17.76 Visual clearance areas, the applicant proposes removal of two existing parking spaces within the vision clearance area. However, the landscaped planter which will replace the spaces shall contain no planting exceeding 3' in height, except trees may be placed in this area, provided they are taller than 8' and all branches below 8' are removed.

Per Chapter 17.80 Off-street parking and loading requirements:

Dimension and type. Standard spaces are a minimum of 9' x 18'. This is shown. No compact spaces are shown. Existing parking lot striping has faded, especially in the area along Shore Drive near the modular building. Faded spaces shall be re-striped as approved in the plan.

Accessible (disabled person) spaces. Required to comply with State and Federal standards. One ADA space is required. It must be located on the shortest route to the accessible pedestrian entrance. This is shown.

Bicycle parking. One space for bike parking is required. A bike rack is shown on the site next to the building.

Number of off-street parking spaces required. The new use requires three spaces, including one ADA space, which are shown along the modular building. The religious assembly use requires one space per 50 sq. ft. of assembly area. With a 3,260 sq. ft. assembly area, 66 spaces are required. Daycare services require one space per 400 sq. ft. of gross floor area. With a 3,850 sq. ft. area, ten spaces are required. The proposal removes five off-street parking spaces with the placement of the modular building and the removal of two spaces within the vision clearance area. This leaves 91 spaces available on the site, while only a total of 76 spaces are required.

Aisle width. The aisle width remains at least 24' wide at the entrance to the parking lot and along the length of the proposed modular. This is wide enough for two-way traffic and the head-in parking that is proposed.

Surface area. All areas used for parking, storage or maneuvering of vehicles (including things towed by vehicles) shall be paved. The parking area is already paved.

Wheel stops. Wheel stops are required along the boundaries of a parking lot, adjacent to landscaping, and along pedestrian ways. There are proposed wheel stops along the new parking spaces. The two spaces which are proposed to be removed shall have the wheel stops removed.

Drainage. Any City Public Works requirements shall be met regarding stormwater runoff.

Per Chapter 17.84 Access, egress and circulation, the spacing from a public street to a private drive along a local street (Bradley Street) is 50' measured from the centerline of the proposed driveway and roadway. This is met with the new improved driveway approach.

Regarding interior walkways, walkways should extend from the entrance to the street (Bradley Street) which provides access. This area is already improved (paved) with a hard surface, but the route conflicts with the proposed parking spaces and the drive aisle. Walkways must be a minimum of 4' in width exclusive of vehicle overhangs, and other obstructions like mailboxes, bike racks, and sign posts.

Crime prevention. Based on exterior photos of the modular building, there are existing exterior lights at both entrances/exits to the building. The site is highly visible given the location on the corner of two streets. Additional lighting is not needed.

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

Finding: There are no known discrepancies between this proposal and the Comprehensive Plan.

SHMC 17.100.040(3) - CUP Approval standards and conditions

- (3) The planning commission may impose conditions on its approval of a conditional use, which it finds are necessary to ensure the use is compatible with other use in the vicinity. These conditions may include, but are not limited to, the following:
- (a) Limiting the hours, days, place, and manner of operation;
 - (b) Requiring design features which minimize environmental impacts such as noise, vibration, air pollution, glare, odor, and dust;
 - (c) Requiring additional setback areas, lot area, or lot depth or width;
 - (d) Limiting the building height, size or lot coverage, or location on the site;
 - (e) Designating the size, number, location, and design of vehicle access points;
 - (f) Requiring street right-of-way to be dedicated and the street to be improved;
 - (g) Requiring landscaping, screening, drainage and surfacing of parking and loading areas;
 - (h) Limiting the number, size, location, height, and lighting of signs;
 - (i) Limiting or setting standards for the location and intensity of outdoor lighting;
 - (j) Requiring berming, screening or landscaping and the establishment of standards for their installation and maintenance;
 - (k) Requiring and designating the size, height, location, and materials for fences; and
 - (l) Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, and drainage areas.

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

VARIANCE V.2.21

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 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.

The Commission needs to find all these criteria **(a)** – **(e)** are met in order to approve the variance.

FINDINGS:

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

- See applicant's narrative.
- Staff comment: In the AR zone, which surrounds the subject property on three sides, multi-dwelling structures are allowed to have more than one principal building, which is the case across the street on Shore Drive. The Commission could find that this helps make this proposal seem consistent with the surrounding properties.

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

- See applicant's narrative.
- Staff comment: This church property is a very large site, which lends itself to having multiple principal buildings, especially given the small size of the modular building. In addition, the Commission could find that the similar clientele between the daycare facility and the WIC program is a unique and special circumstance to this proposal.

(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.

- See applicant's narrative.

- Staff comments: The applicant is proposing improvements in proximity to the modular building that bring the already-developed site closer to compliance with access, landscaping, screening, and visual clearance standards.

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

- See applicant’s narrative.
- Staff comment: The applicant is not increasing the amount of impervious surface on the site. In fact, the vision clearance area will have two existing paved parking spaces removed and replaced with a landscaped area. In addition, street trees are proposed along Bradley Street, which will help screen the parking lot. Traffic circulation will be improved by establishing a standard driveway approach which meets spacing and width standards.

(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.

Finding: This variance is not self-imposed and is the minimum necessary to allow two principal buildings on the site.

CONCLUSION & RECOMMENDATION

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

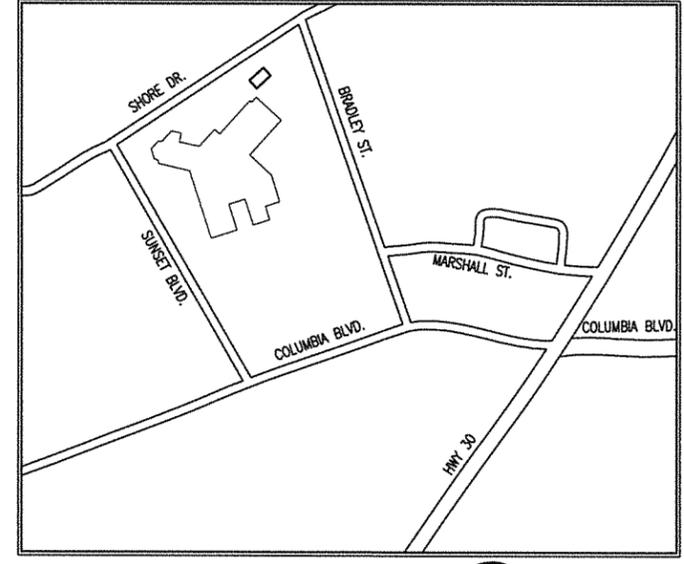
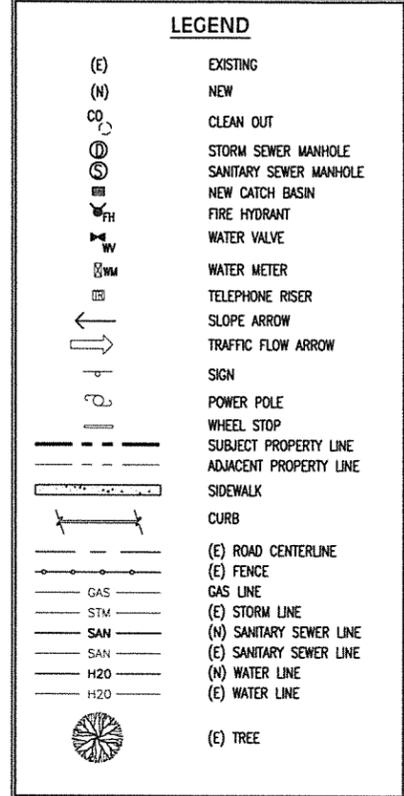
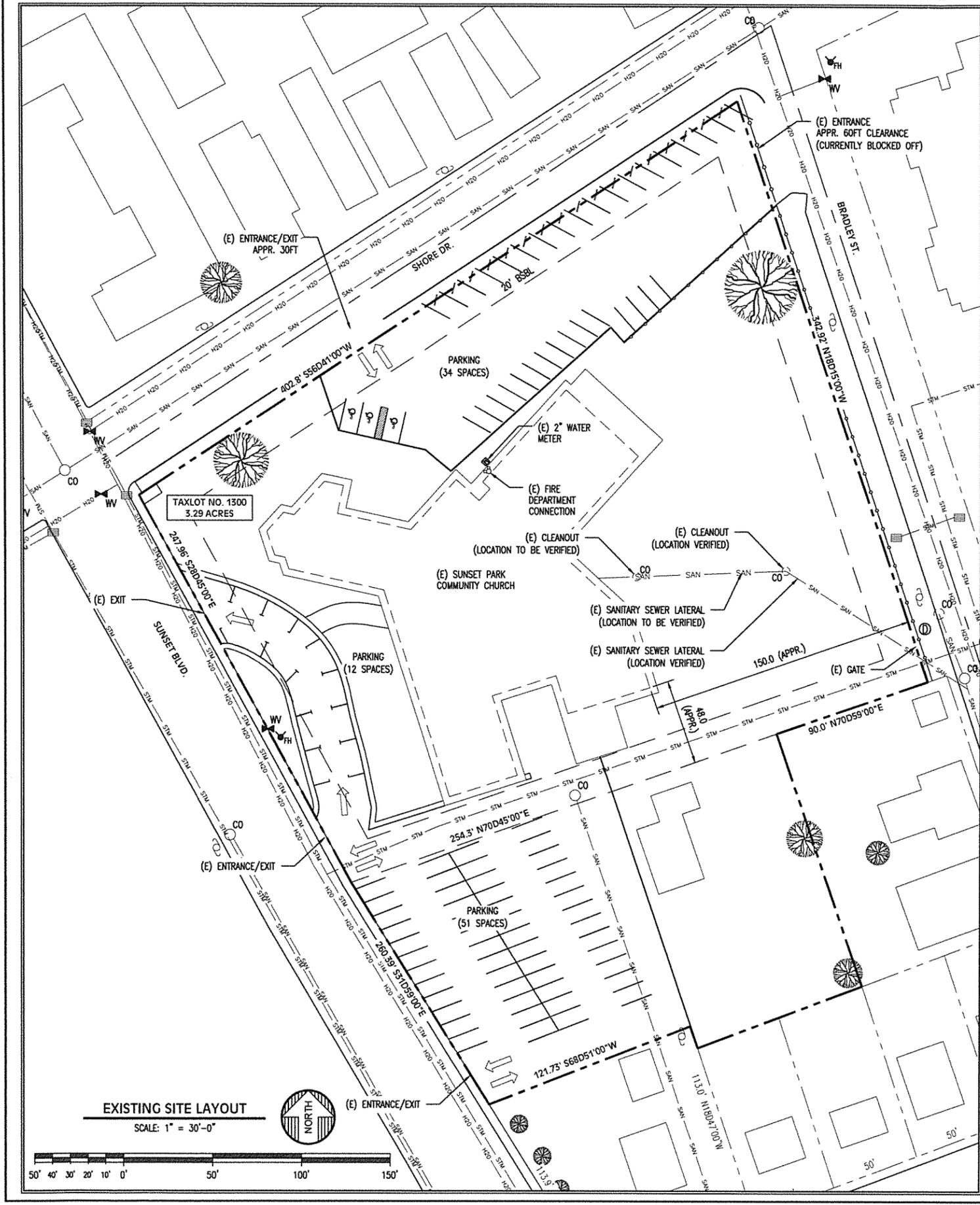
1. This **Conditional Use Permit** approval is valid for a limited time (to establish the use) pursuant to SHMC 17.100.030. This Conditional Use Permit approval is valid for 1.5 years. A 1-year extension is possible but requires an application and fee. If the approval is not vested within the initial 1.5 year period or an extension (if approved), this is no longer valid and a new application would be required if the proposal is still desired. See SHMC 17.100.030.
2. This **Variance** approval is valid for a limited time pursuant to SHMC 17.108.040.
3. The following shall be required **prior to** any development or building permit issuance:
 - a. Revised plans which reflect all requirements of conditions 4 (a) – 4(f).
4. The following shall be required **prior to** Certificate of Occupancy by the City Building Official, or commencement of the proposal:
 - a. Landscape planter within the vision clearance area shall contain no landscaping exceeding 3’ in height, except trees may be placed in this area provided they are taller than 8’ and all branches below 8’ are removed.

- b. Street trees along Bradley Street shall meet the requirements of the attached street tree memo, be of the “small” variety given the overhead utilities, and be planted within 8’ from the property line.
 - c. Pedestrian walkway of 4’ wide needed from entrance of the modular building to Bradley Street.
 - d. The HVAC unit on the northeast side of the building and any new service facilities, regardless if such screening is absent on any plan reviewed by the City, shall be screened according to SHMC 17.72.110 (2). This includes, but is not limited to, ground mounted, roof mounted or building mounted units.
 - e. Any refuse collection area which would be visible from a public street or parking lot shall be screened or enclosed from view and shall meet the requirements of SHMC 17.92.060.
 - f. Faded parking lot striping to be re-striped as approved in the plan, including removal of two spaces and their respective wheel stops at the intersection.
5. The disabled person parking space shall comply with local, State, and Federal standards (see attached standards).
 6. This Variance allows the building to be used as a “public facility, major.” “Office” use (as a separate principal use not associated with religious assembly) is **not** an allowed use of the modular building.
 7. Any **new** sign or modified sign shall require a sign permit per Chapter 17.88 SHMC.
 8. Any requirements of the Building Official and/or Fire Marshall shall be met. This includes, but his not limited to, any private lateral connections, occupancy change of the building if warranted, and any building improvements that may be required for this change.
 9. Any Public Works requirements regarding stormwater runoff shall be met.
 10. Owner/applicant and their successors are still responsible to comply with the City Development Code (SHMC Title 17), except for the Variance granted herein.

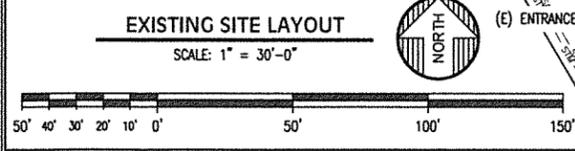
Attachments

- *Existing Conditions*
- *Site Plan*
- *Applicant’s Narrative & Building Photos (10)*
- *Street Tree Memo*
- *Standards for Accessible Spaces (August 2018)*

COLUMBIA HEALTH SERVICES MODULAR RELOCATION ST. HELENS, OR



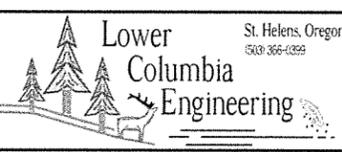
VICINITY MAP
SCALE: NTS



DATE: 02/18/2021
PRELIMINARY
NOT
FOR CONSTRUCTION

DATE: 04/28/2021
REVISED PRINT
VOID ALL PREVIOUS

REV.	REVISION RECORD	DATE
A	UPDATES PER 3/1/21 PRE-APP WITH CITY	03/02/21



PROJ. NO. 3145	EXISTING SITE PLAN
DWG. BY HBO	MODULAR RELOCATION
APPR. BY	COLUMBIA HEALTH SERVICES
FILE D-3145-C-1	DATE 01/18/21

SHEET
C-1



May 19, 2021
LCE Project No. 3145

Jacob Graichen
City of St. Helens
265 Strand Street
St. Helens, OR 97051

LAND USE APPLICATION NARRATIVE

This land use application is presented to the City of St Helens by Lower Columbia Engineering, LLC on behalf of Sherrie Ford at Columbia Health Services. The following narrative provides an overview of the proposed project, approval standards for a conditional use permit, approval standards for a variance, and photos of the structure's exterior elevations.

PROJECT OVERVIEW

It is proposed that the existing modular building that houses Columbia Health Services be relocated from its current location at 2370 Gable Road to 174 Sunset Blvd. (Taxlot No. 1300), a distance of approximately 1.5 miles north via Highway 30. The new site contains Sunset Park Community Church, including the daycare, Snoopeeland.

The modular is referred to within this document as the Annex, and is 24'x42', or 1,008sf. The proposed location is the northeastern region of the property which is currently paved for parking. The relocation will require:

- re-striping the existing northeastern parking lot;
- tying-into the existing 2" domestic water meter;
- installing a new sanitary sewer lateral from the Annex to the existing lateral servicing the church;
- removing wheel stops and constructing a new landscaping planter in the northeastern-most corner of the parking lot;
- installing a concrete driveway apron per City of St Helens standards; and,
- planting of street trees along Bradley Street.

These improvements are described in greater detail in the following narrative and the attached plans. Approval standards of the municipal code are shown in black with the responses in red.

17.100.040 CONDITIONAL USE APPROVAL STANDARDS AND CONDITIONS

The zoning of 174 Sunset Blvd. is defined as apartment residential. The Annex is being categorized as a Public Facility, Major and is allowed per conditional use according to the municipal code. Columbia Health Services will provide the WIC program (Woman,



Infants, Children) to families from this new location. WIC is a publicly funded national nutrition education program for families with pregnant women or children ages 0-5 years. Once per year, 1200-1500 clients will access the Annex for nutrition education, weigh, measure, and renewal of benefits. If CHS vacates the Annex in the future, the building will be transferred to the church for complementary use and would not be leased for external, general office use.

(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;

The Annex is 24'x42' or 1,008 SF. There is sufficient area in the parking lot for the building, the entrance from Bradley Street, and proper circulation (see proposed site plan, attached).

(b) The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and natural features;

The site has two proposed entrances (connecting to Shore Drive and Bradley Street), is already paved, is separated from the daycare with a fence, and has a subtle slope to facilitate drainage. In addition, the location is suitable because the daycare and the surrounding residential apartments serve many of the existing clients of CHS. CHS, Snoopeeland, and Sunset Park Community Church have similar objectives to offer services to children, youth, women, and families.

(c) All required public facilities have adequate capacity to serve the proposal;

Utilities: The existing water meter is a 2" meter with sufficient capacity to serve the church and CHS. The parking lot has existing stormwater infrastructure that will not be affected by the modular relocation. There is a sanitary sewer lateral extending from the southeast corner of the property, northwest across the existing field to the church. There are two cleanouts in the field, and it is proposed that a new sanitary sewer lateral be extended from the southern edge of the northeastern parking lot (where the modular is to be relocated) to a point just south of the existing southeast cleanout. Sufficient elevation change has been verified to provide the requisite slope defined by Oregon Plumbing Specialty Code (OPSC). Two new cleanouts will be installed along the new lateral to comply with OPSC.

Parking: The Annex will require 3 spaces, including 1 ADA van space. With approximately 3,260 SF of assembly area, the church requires 66 parking spaces per 17.80.030 2 (i). The proposed site would provide 94 spaces, which exceeds the requirement for parking. In addition to exceeding the number of required spaces, the



proposed Annex would operate on different peak hours than the church, with the peak operation of the church on Sundays and peak operation of CHS on weekdays. CHS will operate during similar hours as the daycare, however, the daycare only requires 10 spaces which is also exceeded by the 31 spaces provided in the northeastern parking lot that will service both the daycare and the Annex. Church personnel have confirmed that there is not currently a parking shortage during typical operations.

(d) The applicable requirements of the zoning district are met except as modified by this chapter;

A 20-ft building setback is observed on all street facing property lines, the building height of the Annex is less than the maximum height of 35ft, and lot coverage is less than 35%. The proposed relocation does not comply with requirement 17.32.080 4 (j) that prohibits more than one principal building per lot, therefore, approval criteria for a variance is summarized in a subsequent section.

(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

CHS will not be installing signage. The Annex may commission a mural to be painted on the side of the building that will face the daycare, however, the mural will not have text or marketing content.

(f) The use will comply with the applicable policies of the comprehensive plan.

(2) An enlargement or alteration of an existing conditional use shall be subject to the development review provisions set forth in Chapter 17.96 SHMC.

Not Applicable

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

(a) Limiting the hours, days, place, and manner of operation;

CHS currently operates Monday through Friday, 8:00am – 4:30pm.

(b) Requiring design features which minimize environmental impacts such as noise, vibration, air pollution, glare, odor, and dust;

Understood

(c) Requiring additional setback areas, lot area, or lot depth or width;

Understood



(d) Limiting the building height, size or lot coverage, or location on the site;

Understood

(e) Designating the size, number, location, and design of vehicle access points;

The proposed entrance/exit from Bradley Street is designed to conform with the standard ADA sidewalk approach shown in Detail 252.

(f) Requiring street right-of-way to be dedicated and the street to be improved;

Understood; A new standardized driveway apron is proposed to improve the entrance from Bradley Streets. Street trees are proposed to extend from the Bradley Street entrance southward to the southeastern property corner, terminating before the final power pole.

(g) Requiring landscaping, screening, drainage and surfacing of parking and loading areas;

Additional landscaping is proposed with a new landscape planter on the northeastern property corner to enforce visual clearance and increase infiltration. The new planter will take the space currently occupied by two parking spaces and will also define the width of the new entrance/exit.

(h) Limiting the number, size, location, height, and lighting of signs;

CHS will not be installing signage. The Annex may commission a mural to be painted on the side of the building that will face the daycare, however, the mural will not have text or marketing content.

(i) Limiting or setting standards for the location and intensity of outdoor lighting;

Existing street lights and parking area lights will service the Annex.

(j) Requiring berming, screening or landscaping and the establishment of standards for their installation and maintenance;

Medium sized street trees are proposed along the private side of Bradley Street to provide adequate screening. The trees will extend from the new entrance/exit to the power pole at the southeast corner of the property (see proposed site plan). A new landscape planter is proposed at the northeastern corner of the parking lot that will extend 30ft in either direction of the property corner to comply with visual clearance requirements.

(k) Requiring and designating the size, height, location, and materials for fences; and



Not applicable- chain link fence shown on the plan is existing.

(l) Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, and drainage areas. (Ord. 2875 § 1.140.040, 2003)

No tree removal is required by the proposed plan nor will any sensitive lands be impacted.

17.108.050 CRITERIA FOR GRANTING A VARIANCE

Variance is required to allow more than one principal building on Taxlot No. 1300. The proposed Annex would complement the objectives of the Church and Snoopeeland by providing services to women, infants, and children as well as general health resources to the community. While more than one principal building per taxlot is not permitted by 17.32.080 4 (j) (hence the variance), multiple principal buildings are allowed for multi-family developments under the same zoning.

(1) The commission shall approve, approve with conditions, or deny an application for a variance based on finding that the following criteria are satisfied:

(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;

Columbia Health Services will provide WIC services at this new location, offering nutrition education and benefits to women, infants, and children. These objectives align with the needs of the surrounding apartments and the objectives of Sunset Park Community Church and Snoopeeland Daycare.

(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;

The proposed location is already paved and has sufficient space for parking and circulation. It also has an existing entrance/exit that is currently blocked off but will be enhanced with a standard driveway apron to facilitate safe access and egress.

(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;

The objectives of CHS align well with those of the daycare and the church to promote community well-being and resources for women, infants, and families in general.



Improvements to the site will include new street trees and a standard driveway apron that will comply with city engineering standards and details. The public facilities, major category is permitted under conditional uses of apartment residential zoning.

- (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

The proposed building will be placed on existing impervious surface and will not create additional impervious surface. Neither will it be located over existing stormwater facilities. There will still be sufficient space within the area to facilitate normal traffic circulation and parking.

- (e) The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship.

There is sufficient space on the lot for an additional structure and the building setbacks, lot coverage, and impervious area constraints will not be exceeded.

(2) The commission shall approve, approve with modifications, or deny an application for an access variance in accordance with the criteria set forth in SHMC 17.84.150.

Understood

(3) The planning commission shall approve, approve with modifications, or deny an application for a subdivision variance subject to the criteria set forth in SHMC 17.136.120.

Understood

(4) The setback requirements in the applicable zone may be reduced up to 20 percent (a reduction of 20 percent of the required setback) and/or the lot coverage standards increased up to five percent (maximum specified lot coverage plus five percent) without a variance, provided the following standards are satisfied:

Not applicable

- (a) The reduction of the setback area or increase in lot coverage established by the applicable zoning district shall be necessary to allow for the enlargement or remodeling of an existing building, accessory structure, or auxiliary dwelling unit;
- (b) The increase in lot coverage established by the applicable zoning district may also allow for new accessory structures or auxiliary dwelling units;
- (c) The garage setback to the front property line satisfies the requirements of the applicable zoning district;



(d) The standards of Chapter 17.76 SHMC, Visual Clearance Areas, shall be satisfied;

(e) The proposed building, accessory structure, addition, or auxiliary dwelling unit shall not encroach upon any existing easements;

(f) When the proposed building or addition is within the rear yard, the setback adjacent to the rear property line shall be landscaped with sight-obscuring plantings in accordance with the standards set forth in SHMC 17.72.080, Buffering and screening requirements; and

(g) Setback, buffering and screening requirements that apply when commercial and industrial zones abut a residential zone shall be satisfied.

(5) Reasonable Accommodation.

Not applicable

(a) This development code has been developed to achieve the policy set out in ORS 197.663 to afford persons or groups of persons with disabilities an equal opportunity to use and enjoy housing within the city of St. Helens. Nevertheless, it may at times be necessary to make reasonable accommodations in land use and zoning policies or procedures to avoid discrimination against persons with disabilities.

(i) Upon request by an applicant, the director shall waive a requirement of this development code where the requested modification is reasonable and necessary to make a reasonable accommodation in compliance with the Federal Fair Housing Act. A requested modification shall be considered unreasonable when it would impose an undue burden or expense on the city or create a fundamental alteration in the zoning scheme. (Ord. 3232 § 2 (Att. A), 2018; Ord. 3189 § 2 (Att. A), 2015; Ord. 3032 § 1(5), 2007; Ord. 2875 § 1.144.050, 2003)



Lower Columbia Engineering
58640 McNulty Way
St. Helens, OR 97051
503.366.0399

PHOTOS OF EXTERIOR ELEVATIONS



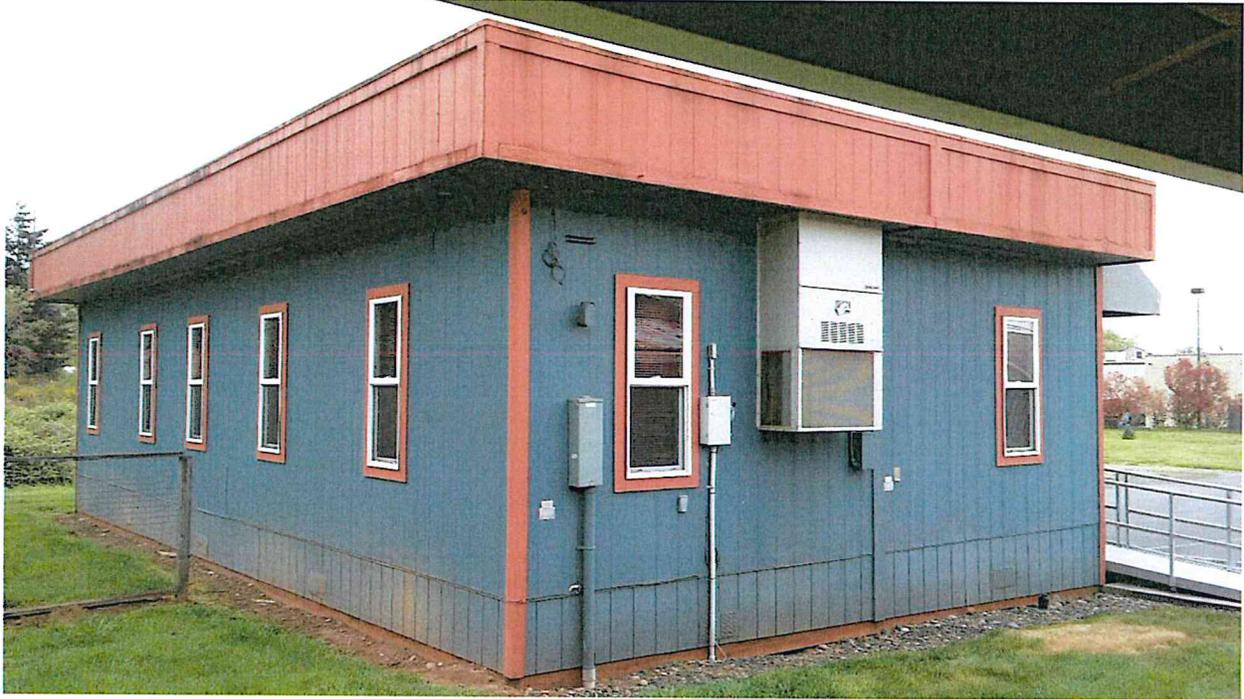


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CITY OF ST. HELENS PLANNING DEPARTMENT

MEMORANDUM

TO: Homebuilders developing newer subdivisions within the City of St. Helens
RE: Guidelines for street trees along local classified streets
DATE: March 2021

This memo is intended to summarize the City's requirements for street trees along local classified streets and to help homebuilders and similar developers understand and meet these requirements.

In subdivisions and other places where street trees are required along local classified streets, the street trees should be indicated on all site plans. **Site plan should reflect general location and intended species (or at the very least intended size category as noted below).** The City's recommended street tree list can be found in Chapter 17.76 of the St. Helens Municipal Code (SHMC). **If the tree plan will differ from that originally proposed, the changes, including species (change from original site plan or indication of species if not originally disclosed) need to be approved by the City prior to tree installation and final approval of the project.** Substantial changes will require a revised site plan.

The tree species used determines the quantity of trees needed as the type determines the minimum spacing. The City's approved street tree list breaks down species categories and respective spacing as follow:

<u>SIZE CATEGORY</u>	<u>SPACING REQUIREMENT</u>
• Small (<25 feet tall and <16 feet wide branching):	1 tree per 20 feet of street frontage
• Medium (25 to 40 feet tall, 16 to 35 feet wide branching):	1 tree per 30 feet of street frontage
• Large (>40 feet tall and >35 feet wide branching):	1 tree per 40 feet of street frontage

SPECIES SELECTION CONSIDERATIONS:

- If **overhead utility lines** are present along the street frontage, only trees from the "small" category mentioned above should be selected. Per Columbia River PUD, power friendly trees are those that grow no higher than 25' at maturity.
- In large developments, its best to use a variety of trees. This helps prevent a total loss of trees if a particular species succumbs to a disease, parasite or other species-specific health issue.

GENERAL CONSIDERATIONS:

- Generally, street trees should remain outside easements where the tree would be contrary to the purpose of the easement. For example, a tree planted in the middle of an access easement will hinder access and is not a proper street tree location. See below for PUE exception.
- When possible, street trees should be planted within the public right-of-way. This isn't always possible due to lack of available right-of-way area, especially for local classified streets. The development code does allow for street trees to be planted within dedicated landscape easements or public utility easements (PUE) which are usually parallel and adjacent to a public right-of-way.

If these easements will be used for street tree location, street trees should not be planted outside the easement on the side of the easement opposite from the street.

- Every precaution should be taken to avoid or minimize future utility/tree conflicts when considering tree locations. This includes sub-surface, at-surface, and above-ground utilities.
- Trees should be distributed along the property's street frontage as even as possible for optimal streetscape (the appearance or view of the street).

SPECIFIC CONSIDERATIONS:

- When planted, street trees are required to be a minimum caliper of two inches measured four feet from the ground.
- Street trees shall not be planted closer than 20 feet from a street intersection, nor closer than two feet from private driveways (measured at the back edge of the sidewalk), *fire hydrants, or utility poles in order to maintain visual clearance. Trees may be closer if the intersection is signalized, subject to City approval.

*A 3-foot clear space is required around the circumference of fire hydrants per Oregon Fire Code 507.5.5.

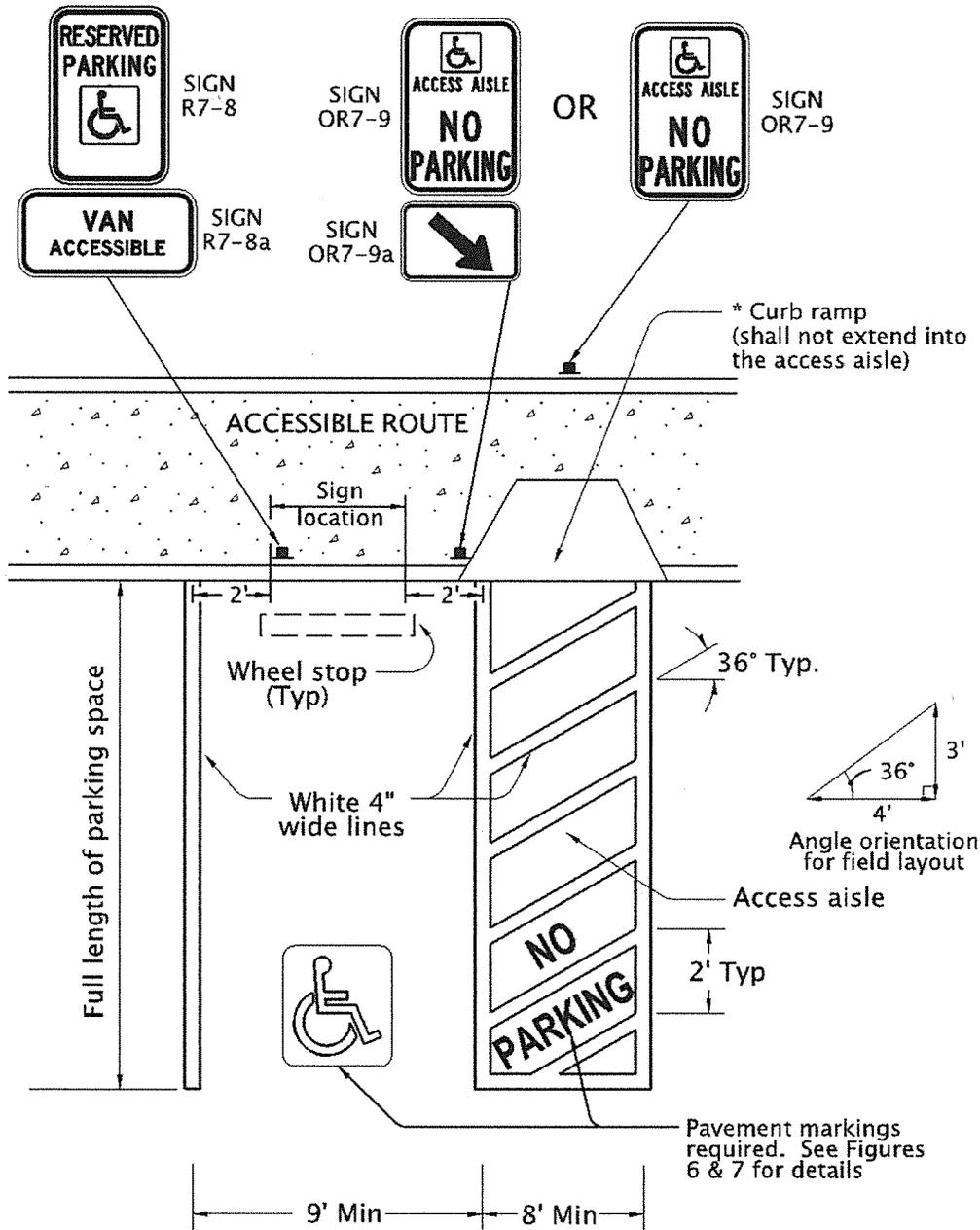
- Tree pits shall be located so as not to include services (water and gas meters, etc.) in the tree well. On-premises services (water and gas meters, etc.) shall not be installed within existing tree well areas.
- Street trees shall not be planted closer than 20 feet to light standards.
- Trees shall be planted at least two feet from the face of the curb. For example, if the curb is separated from the sidewalk. Usually local classified streets have curb-tight sidewalks.
- Where there are overhead power lines, the street tree species selected shall be of a type which, at full maturity, will not interfere with the lines (as described above).
- Trees shall not be planted within two feet of any permanent hard surface paving or walkway.

Additional details such as installation of utilities next to existing trees, recommended tree species and street classification can be found in Chapter 17.72 SHMC and the City of St. Helens Transportation Systems Plan. These documents can be view online via the City's website <http://www.ci.st-helens.or.us/> or at City Hall.

This memo is a guide only and does not act as a substitute for City law. If you have any questions, please contact The Planning Department at (503) 397-6272.

OREGON TRANSPORTATION COMMISSION
Standards for Accessible Parking Places
August 2018

MINIMUM STANDARD
SINGLE-ACCESSIBLE PARKING SPACE
(VAN-ACCESSIBLE DESIGNATION REQUIRED)



* Detectable warning surface required if curb ramp is located within public right-of-way

Figure 1