



CITY OF ST. HELENS PLANNING DEPARTMENT

MEMORANDUM

TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner
RE: 2024 Development Code Amendments Workshop for February 2024 meeting
DATE: February 1, 2024

This is a continuation of the discussion from last month's meeting.

For this second work session we want to discuss and attain feedback on the following items:

1. Validity period specific to Planned Development Overlay zones.

Between at least 1978 till the latter 1990s, Planned Developments were approved by Conditional Use Permits. Since around 1999 they are approved by establishing an overlay zone which allows the Planned Development provisions to be applied, though it does not mandate such. With the overlay zone, a development proposal unitizing the advantages of the Planned Development provisions may (but may not) be proposed.

Per SHMC 17.148.020(6) Planned Development Overlay zones are to be identified on the city's official zoning map. Further, per SHMC 17.148.030(1), the planned development overlay zone does not expire.

Though the overlay zone is usually utilized, we have at least a couple examples where it has not. This is messy and the basis for granting such can change. As such, staff proposes a 10-year period to use an overlay zone or it becomes void and removed from the zoning map (**question for PC**).

This could apply to all or just new ones (**question for PC**).

At the meeting we can point out some that have not been used to help contemplate this matter.

2. Fence height.

Current rules allow for a fence not exceeding 4 feet in height in front yards except along front yards adjacent to arterial streets. Other sides may be up to 6 feet, including front yards along arterial streets. See SHMC 17.72.090. See attached street classification map.

Fences higher than prescribed require a Variance for residential use but can be greater than the normal maximum as a condition of approval to mitigate against a potential adverse issue for non-residential uses. The catalyst of this discussion is the residential application.

Staff proposes to increase the maximum 6 height to 7 feet (**question for PC**). This is based on years of fence inquiries, stories of neighbors not getting along (and not wanting to see each other), a common practice of have a foot of lattice atop a fence, and that the building code applies once its more than 7 feet.

Also note that barbed wire is possible but only atop a 6' fence (SHMC 8.12.120).

In the US population about 14.5 percent of men and 1% of woman are six feet or taller. Not common but also not "unicorn rare" either. This is a possible consideration.

3. Residential use on the first floor of buildings in the Riverfront District – Plaza zone. Currently residential use is not allowed on the first floor of this zone, which the core of the Riverfront District

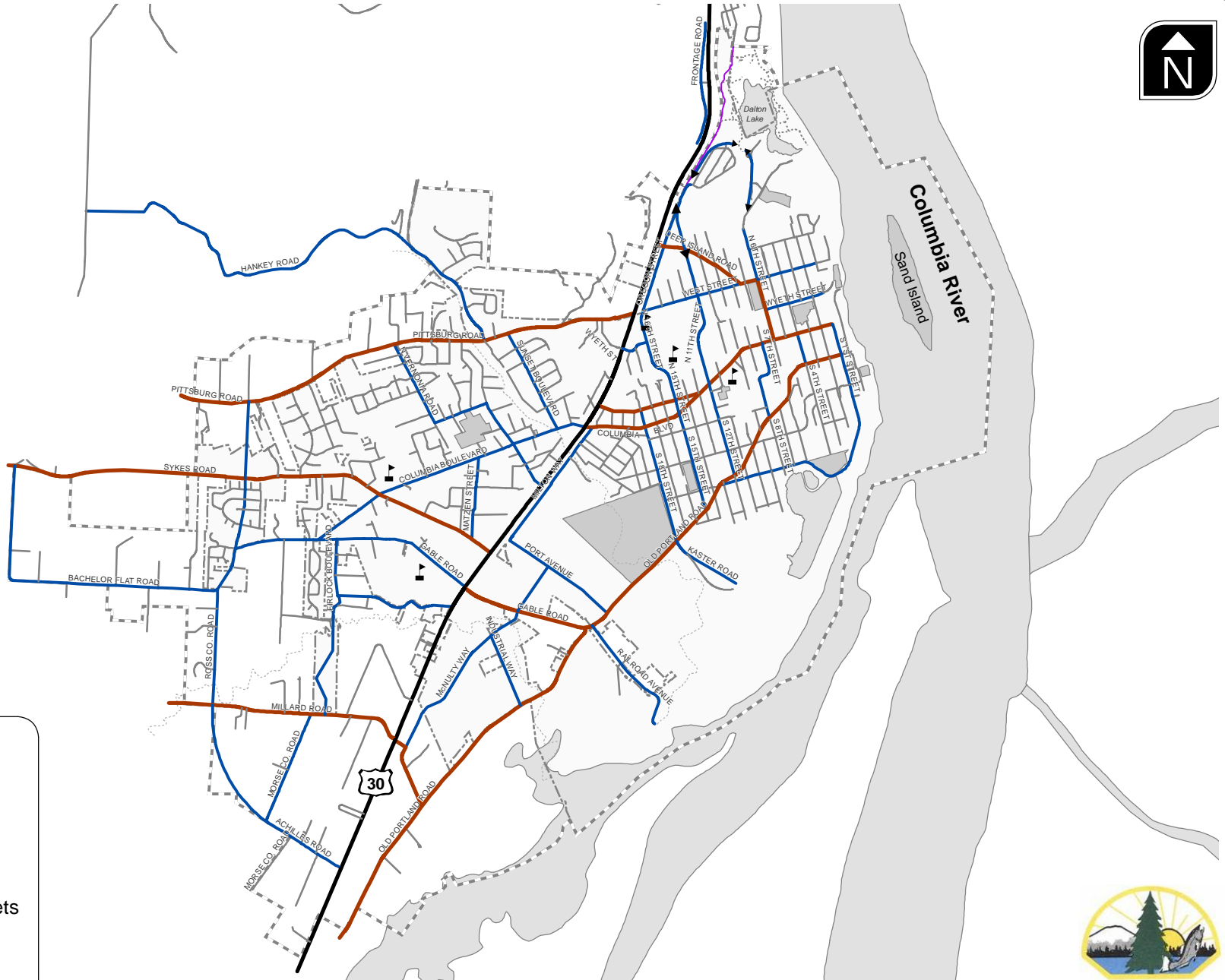
downtown area. At January's meeting, the Commission was receptive to allowing residential use behind non-residential. Because regulations pertaining to residential use needs to be clear and objective per State law, we need to define "behind" as well as some other things.

To start the discussion, staff proposes the following (**many questions for PC**):







- No dwelling unit or residential occupancy within 20 feet of the following streets and shall be behind a non-residential use in the same building at least 20 feet, with no portion of the residential occupancy abutting the wall(s) facing said streets.
 - S. 1st Street
 - The Strand
 - Right of way around the courthouse plaza
 - **Any other streets like St. Helens?**
- Restricted to one dwelling unit.
- Dwelling unit/residential occupancy shall not exceed 25% of the floor area of the first floor.
- Dwelling must be integral to the non-residential occupancy and shall not be a separate unit for rent/lease by a different tenant or owner of the associated non-residential occupancy.

This does create an avenue of possibility but also challenge. The least complicating thing to do would be to maintain the no residential use on ground floor.

Attached: Street classification map
Riverfront District, Plaza Subdistrict zoning area map



LEGEND

-  Schools
-  Major Arterials
-  Minor Arterials
-  Collector Streets
-  Local Streets
-  City Limits
-  City UGB

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**FUNCTIONAL CLASSIFICATION PLAN
ST. HELENS, OREGON**

Riverfront District Zone, Plaza Subdistrict Map

