

**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
VAC.1.26**

DATE: April 6, 2026
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner
PETITIONER: Keith Locke
PROPOSAL: Vacation of public right-of-way described as follows:

The East 30 feet (width) of the N. 1st Street (Columbia Street) right-of-way abutting Lots 1, 2, and the southerly 29 feet of Lot 3, Block 13, for a total length of 145 feet, City of St. Helens, Columbia County, Oregon.

The purpose of this vacation is to support redevelopment of the abutting property per the petitioner’s petition. It will increase the potential development footprint.

PUBLIC HEARING & NOTICE

Hearing date: May 20, 2026 before the City Council

Notice of this proposed street vacation was Published in the Columbia County Spotlight on <<TBD>> and <<TBD>>. Staff posted a copy of the notice at or near each end of the proposed street vacation areas on <<TBD>>.

Notice of the proposal was emailed to agencies on March 17, 2026.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

SHMC 2.08.080—Planning Commission Powers and Duties

Discussion: There are several listed duties and powers that include recommendations to the City Council with regards to property acquisition/disposition, public facility proposals, right-of-way plans, plats or deeds dedicating land to public use, and street design for example. Street vacation proposals can be construed as falling within one or more of these.

As such, at their April 14, 2026 meeting, the Commission considered this request and, based on <<majority or unanimous>> vote, recommends the following to the City Council:

The Planning Commission recommends that the City Council... TBD...

SHMC 17.32.030(5): Whenever any street is lawfully vacated, and when the lands within the boundaries thereof attach to and become a part of lands adjoining such street, the lands formerly within the vacated street shall automatically be subject to the same zoning district designation that is applicable to lands to which the street attaches.

SHMC 17.136.220—Vacation of Streets: All street vacations shall comply with the procedures and standards set forth in ORS Chapter 271 and applicable local regulations.

Discussion: The above two excerpts are the only places where vacations are specifically mentioned in the St. Helens Municipal Code. The Municipal Code does not set forth any additional approval criteria other than those per State law below.

Oregon Revised Statutes, ORS 271.120 – Street Vacation Approval Criteria

... the governing body shall hear the petition and objections and shall determine whether the consent of the owners of the requisite area has been obtained, whether notice has been duly given and **whether the public interest will be prejudiced by the vacation** of such plat or street or parts thereof. If such matters are determined in favor of the petition the governing body shall by ordinance make such determination a matter of record and vacate such plat or street; otherwise it shall deny the petition. The governing body may, upon hearing, grant the petition in part and deny it in part, and make such reservations, or either, as appear to be for the public interest.

Findings:

- **Have there been any objections or other comments submitted regarding this request?**

See City Engineering comments (attached).

- **Has the consent of the owners of the requisite area been obtained?**

Pursuant to ORS 271.080(2), the consent of the owners of all abutting property and not less than two-thirds in area of the real property affected area (i.e. an area 200 feet parallel to and on both sides of the portion of street r.o.w. to be vacated and 400 feet along its course beyond each terminus of the portion of street r.o.w. to be vacated) is required. **The applicant submitted documentation showing 100% consent of all property owners abutting the portion of street right-of-way to be vacated and 66.2% of the affected area.**

- **Has notice been duly given?**

Notice requirements are set forth by ORS 271.110. This requires published notice to occur once each week for two consecutive weeks prior to the hearing and posted notice within five days after the first date of published notice. The posting and first day of publication notice is required to be at least 14 days before the hearing. The notice requirements have been met (see PUBLIC HEARING & NOTICE above). *As this is a draft report to the Commission, the notice requirements are not met yet but will be for Council review.*

- **Will the public interest be prejudiced by the proposed street vacation?**

General Information

While the section of N. 1st Street is classified as a local street per the city’s Transportation Systems Plan, the adjacent Columbia Boulevard is classified as a minor arterial street and S. 1st Street as a collector street.

Currently within the section of affected right-of-way, there is an existing gravel “driveway” that serves a dwelling at 114 N. 1st Street. The roadway does not continue north much beyond the dwelling because of a steep cliff, where the elevation drops from approximately 40’ to 24’ over a span of less than 34 feet. This exceeds 47% slope. There is a city water main within the proposed vacated area and some dry utilities.

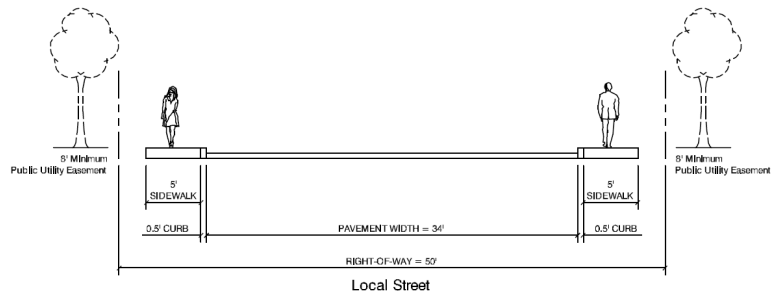
The applicant is requesting to vacate 30’ width of one side of N 1st Street, leaving 50’ width of right-of-way on the opposing side.

For those reviewing this proposal, a ROW vacation is not the mechanism to approve improvements in the ROW.

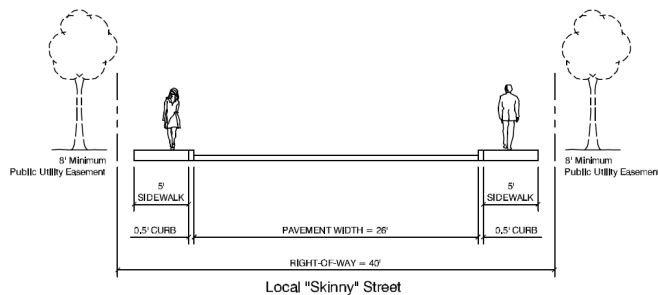
Minimum right-of-way (ROW) width

The portion of N 1st Street proposed for vacation is classified as a local street per the city’s Transportation Systems Plan. Local streets have a minimum right-of-way width of 50’. The existing actual right-of-way is 80’.

Usually, we would consider the minimum right-of-way width and ensure the minimum width is maintained from the centerline of the right-of-way. In other words, you would take the actual ROW width, subtract the minimum width needed based on the street classification, and divide the outcome by 2 to determine the amount of ROW that should be vacated.



Considering the local street standard, this would be 15’ because if 15’ was vacated on each side of the ROW, 50’ would remain. But in this case, 30’ is proposed entirely on one side.



Above: The local 50’ wide ROW standard and local skinny street 40’ wide standards as identified in the St. Helens Transportation Systems Plan.

average daily trip rate is 200 ADT or less. 200 ADT is approximately 20 single-family dwellings. Given the limited square footage of land which would access N. 1st Street from this location, the local *skinny street* standard could apply in this case. If the skinny street standard was applied in the center of the ROW, that would leave 20' on each side.

So, is a 30' wide vacation on one side ok from a street classification standpoint in this case?

The segment of N 1st Street is unique because topography and a sanitary sewer pump station building make future roadway connections unanticipated on the opposite (north) side of this section of N. 1st Street from Columbia Boulevard. However, the city's Corridor Master Plan (Ord. No. 3181 from 2015) identifies a non-vehicular connection to N. River Street, which takes advantage of a less steep slope on the west and opposite side as the proposed ROW vacation.

Leaving 50' of right-of-way skewed to the west side maintains the minimum right-of-way in a location that coincides with topography and building obstacles, and the city's non-vehicular transportation planning, described next in this report.

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Above: From the Corridor Master Plan adopted into the city’s Comprehensive Plan in 2015. The insert in the lower right corner shows the non-vehicular connection contemplated. **Below Left:** Photo from 2022 shows a retaining wall and fence in the center of the photo. There is approximately 30’ of public right-of-way on the right side of the retaining wall. This area was graded and paved around 2017 with the development of a triplex. The building on the left is a sanitary sewer pump station house. The proposed vacation area is generally behind this building above the slope. **Below right:** Photo from 2016 before the triplex was built, showing the area with more traversable topography and where the non-vehicular passageway may be developed.



However, the east side of the right-of-way is important when the centerlines are considered. Because of the layout of S 1st Street across Columbia Boulevard which utilizes the entire 80' width with two grade separated street segments, there are three centerlines:

- The centerline for above grade (frontage road) S. 1st Street
- The ROW centerline
- The centerline for the below grade (collector classified) S. 1st Street

How the segment of N 1st Street (N. of Columbia Blvd) is developed in relation to S 1st Street (S. of Columbia Boulevard) is important.

SHMC 17.152.030(7)(a) requires "T" intersections at collectors and arterials to be designed so that jogs of not less than 300' are created, measured from the centerline. So normally, streets would be directly aligned or no closer than 300' apart.

In this case, from the centerline perspective, because the collector half of S. 1st Street is the east half, that would be the priority for street alignment.



CENTERLINE CONSIDERATION

Trees

Trees located in the right-of-way are subject to public protection. Trees on private property have some protection for development proposals, though not to the degree as a public tree.

Utilities

City of St. Helens Sanitary Sewer. There is no public sanitary sewer infrastructure within the area proposed for ROW. However, distance from the pump station building is germane.

The proposed distance is 16 feet. Staff thinks it needs to be 20’.

City of St. Helens Water. There is a public water main within the area proposed for vacation. Engineering has noted that the water main must remain within public right-of-way, and would need to be relocated out of area proposed for vacation.

The city has more control over repairs, maintenance and improvements around utilities when within the right-of-way. Private improvements result in complexities when repairs are needed. Moreover, though the east (and older) half of St. Helen has sanitary sewer lines that are mid-block, that is not the case with water mains, which are normally in the ROW.

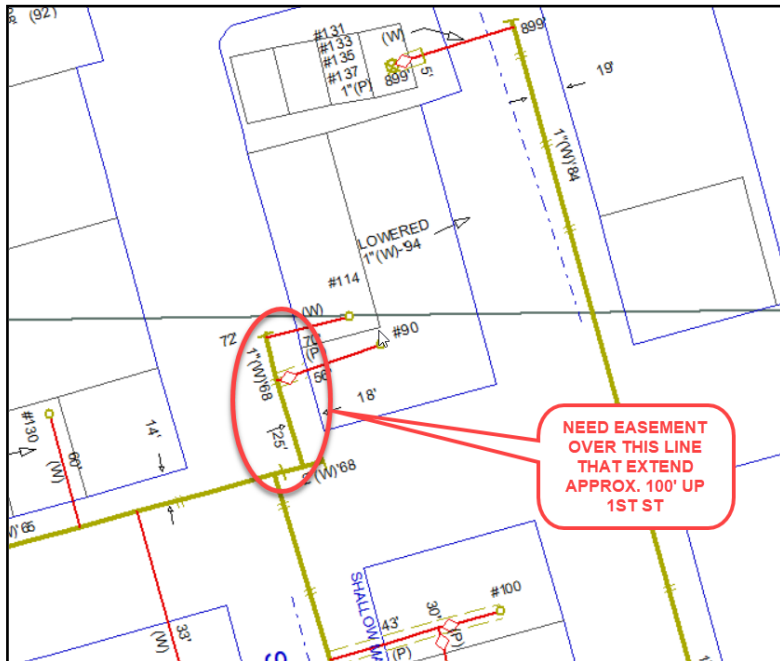
Water meter(s) may need to be relocated too.

Comcast. Comcast provided response to the proposal noting they are on a pole on the west side of N. 1st Street and as long as that is not removed, they don’t have any issues with the proposal.

LUMEN. LUMEN provide response and noted as long as it is not affecting existing ROW for the current services on the poles, LUMEN has no conflict. *Based on prior ROW vacation efforts, staff assumes the LUMEN lines are on the poles with overhead service within the proposed area for vacation.*

CRPUD. No comments received as of the date of this report. Staff needs to confirm with CRPUD that a public utility easement would be acceptable for their infrastructure within the proposed ROW to be vacate.

NW Natural. In 2022 NW Natural provided a map of their utilities in the area, noting the need for an easement in the vacation area.



CONCLUSION & RECOMMENDATION

Please remember, the criterion for consideration is if the public interest will be prejudiced for the proposed right-of-way to be dedicated. Arguments that private interest will be advanced don't count. Similarly, arguments that development provides tax base in the public interest also don't count because advancement of public interest is also not the question. As a summary:

- Will the public interest be negatively affected by the area proposed for ROW dedication?
Applicable. This is the criteria for consideration of this proposal.
- Will the area proposed for ROW dedication advance private interest?
Not applicable. May matter but not for the purpose of deciding on this proposal.
- Will the area proposed for ROW dedication advance public interest?
Not applicable. May matter but not for the purpose of deciding on this proposal.

Notwithstanding the centerline issue, there is an argument that the vacation could be granted in part (not in full) with relocation of the water line (and meters), a public utility easement for remaining utilities, maintaining at least 20' from the pump station building, and reserving an area for proper vehicle turn around.

However, street functionality is a paramount aspect of rights-of-way and centerline alignment needs are a public interest that should not be compromised.

Based upon the facts and findings herein, the Commission has at least two options:

1. Recommending denial to the City Council.
2. Recommending approval to the City Council of the vacation in part, with the following requirements:
 - a. Water line and any related water meters are relocated outside of any vacated area to remain within public right-of-way.
 - b. A public utility easement is reserved for the vacated area.
 - c. Sufficient right-of-way is reserved for a vehicular turn around.
 - d. Sufficient right-of-way is reserved so that the centerline of street improvements at Columbia Boulevard aligns with the "collector" (east) half of S. 1st Street.
 - e. Street improvements that include the vehicular turn around and centerline street alignment with S. 1st Street are completed on the east side of the subject section of N 1st Street including final approval by the city, and a legal description of the area to be vacated from a Professional Land Surveyor based on those improvements is provided to the city **within a certain amount of time from the date of City Council approval.**

The timeframe could be a year, for example, subject to discussion. It would be good if the Commission had a recommendation for this timeframe for the Council to consider. I would caution about recommending too long of a timeframe.

Attachments: Affected area and consent map (city staff created)
Existing conditions (from 2022 file, with markups for this 2026 proposal)
Application summary (from applicant)
Vacation exhibits V1 and V2 (from applicant)
City Engineering comments
Centerline Exhibit
2022 Aerial with utilities, etc.
2022 Aerial with topography (as a visual discussion aid)

VAC.1.26 AFFECTED AREA & CONSENT MARCH 2026



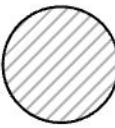
COLUMBIA RIVER

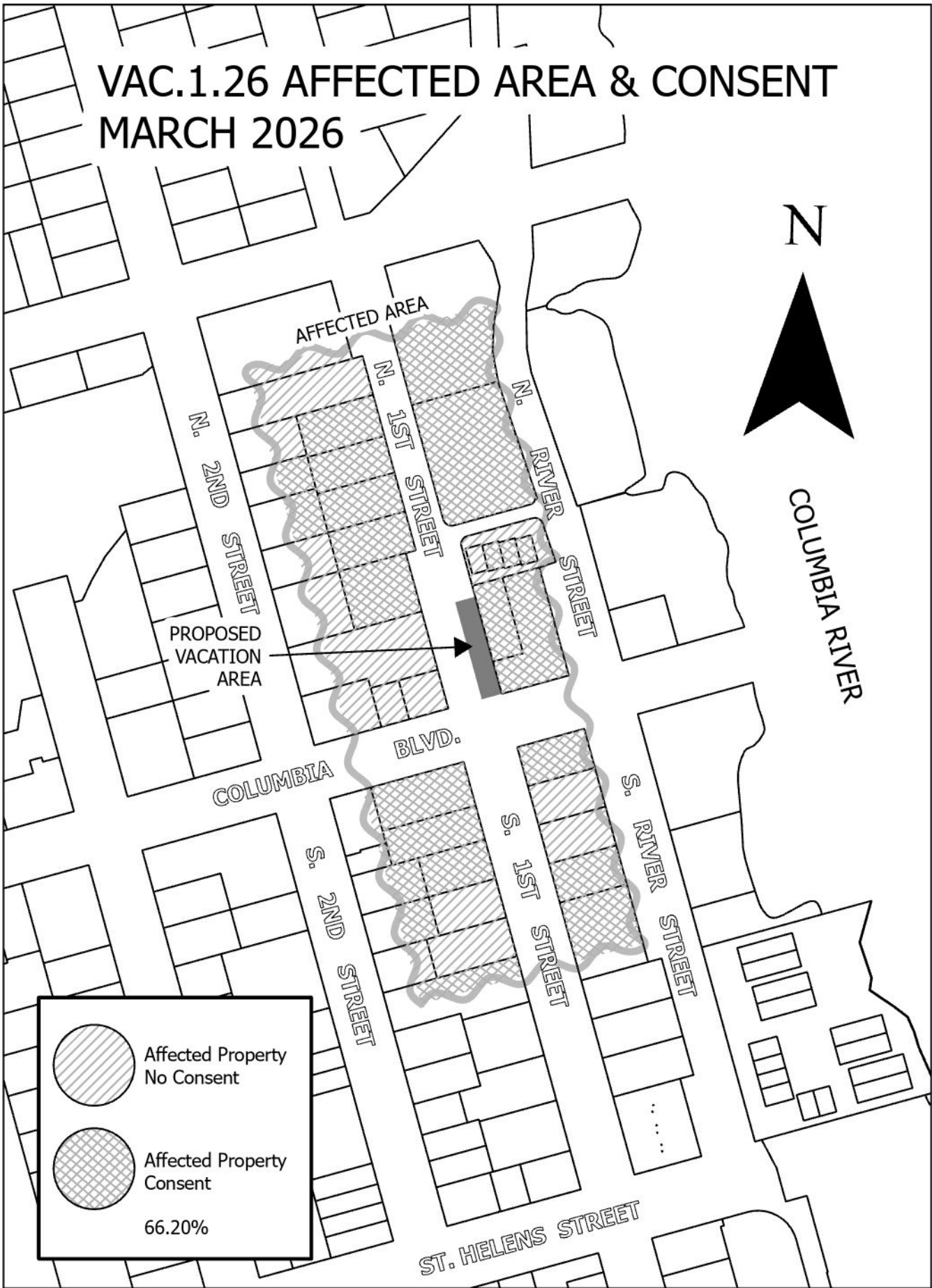
AFFECTED AREA

PROPOSED
VACATION
AREA

COLUMBIA
BLVD.

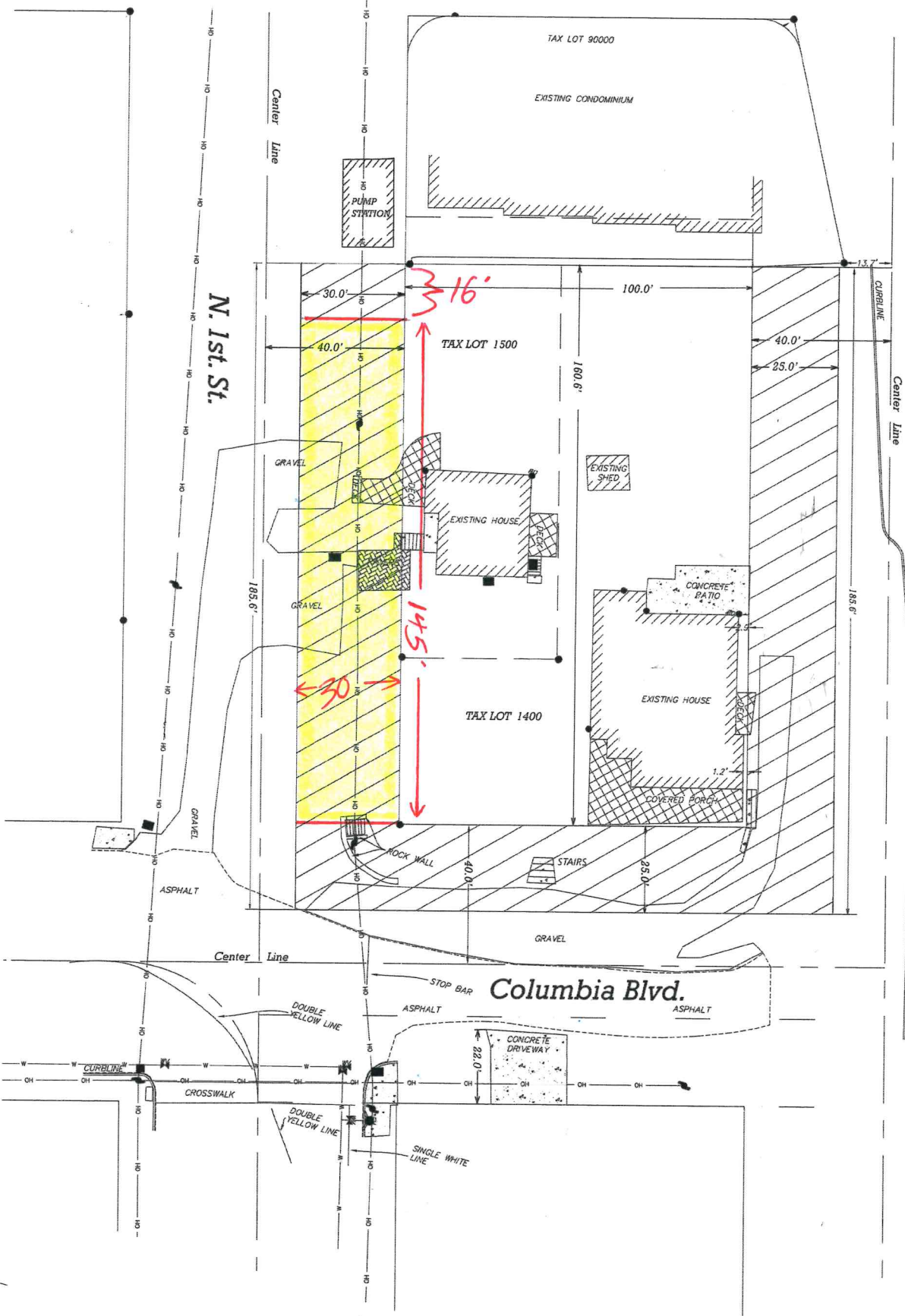
ST. HELENS STREET

	Affected Property No Consent
	Affected Property Consent
66.20%	



Locke Vacation Request

2022 EXISTING CONDITIONS

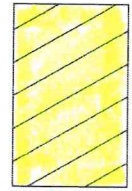


N. River St.

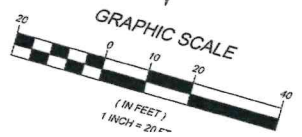
N. 1st St.

Columbia Blvd.

2026
Vacate
Area



PROPOSAL





Application Summary

To: City of St Helens
From: Robert Besler, on behalf of the Lockes and Columbia Overlook, LLC
Date: March 2, 2026
Subject: Summary of Right-of-Way Vacation Application
Project: Columbia Overlook (3579)

This letter is written to summarize the proposed Right-of-Way (ROW) Vacation Application within N 1st St.

Columbia Overlook LLC and property owners Keith and Laura Locke request the vacation of a portion of N 1st St ROW as described in the application and illustrated in the associated exhibits. This area measures 30' wide by 145' long and runs along lots 1400 and 1500 (90 Columbia Blvd and 114 N 1st St, respectively). This application is requested in order to support the redevelopment of these lots with the establishment of a new multifamily residence on these lots. The vacated area will primarily be used to meet the City's parking standards and allow proper access through the site.

We have had preliminary coordination with the City of St Helens about this development and understand that N 1st St will need to be developed in order to establish the multifamily residence in this area. As may be seen in exhibit V-2, the preliminary layout of N 1st St along the subject property's frontage will be developed to accommodate standard vehicle and pedestrian use through this area. The proposed 50' ROW width would be developed to a standard that mimics the Local "Skinny" and Collector Street standards while conforming to the established needs of this street. It should be noted that the existing topography of this ROW has a steep slope dropping approximately 23' along 40' of the ROW as one moves north of the proposed development. This steep slope is expected to limit any future roadway connectivity and development which will be further addressed with the project's land use and engineering applications. With the proposed preliminary roadway layout, we believe the ROW may continue to be used by the public as needed and designated. It will provide vehicular access to the new residence, provide established pedestrian/bike access and include landscape strips.

Originally, our expectation was to also request the vacation of a 5' wide strip along the western side of N 1st St, as noted in exhibit V-1 and in the original consent request letters. As the design was further engineered, this additional 5' wide vacation was deemed unnecessary and has thus been removed from this vacation application. All exhibits, including the illustrated "affected area" in V-3, have been updated to illustrate this. With this application we are also providing a general copy of the original consent request letters for reference and all the received consent letters have been enclosed as a combined PDF.

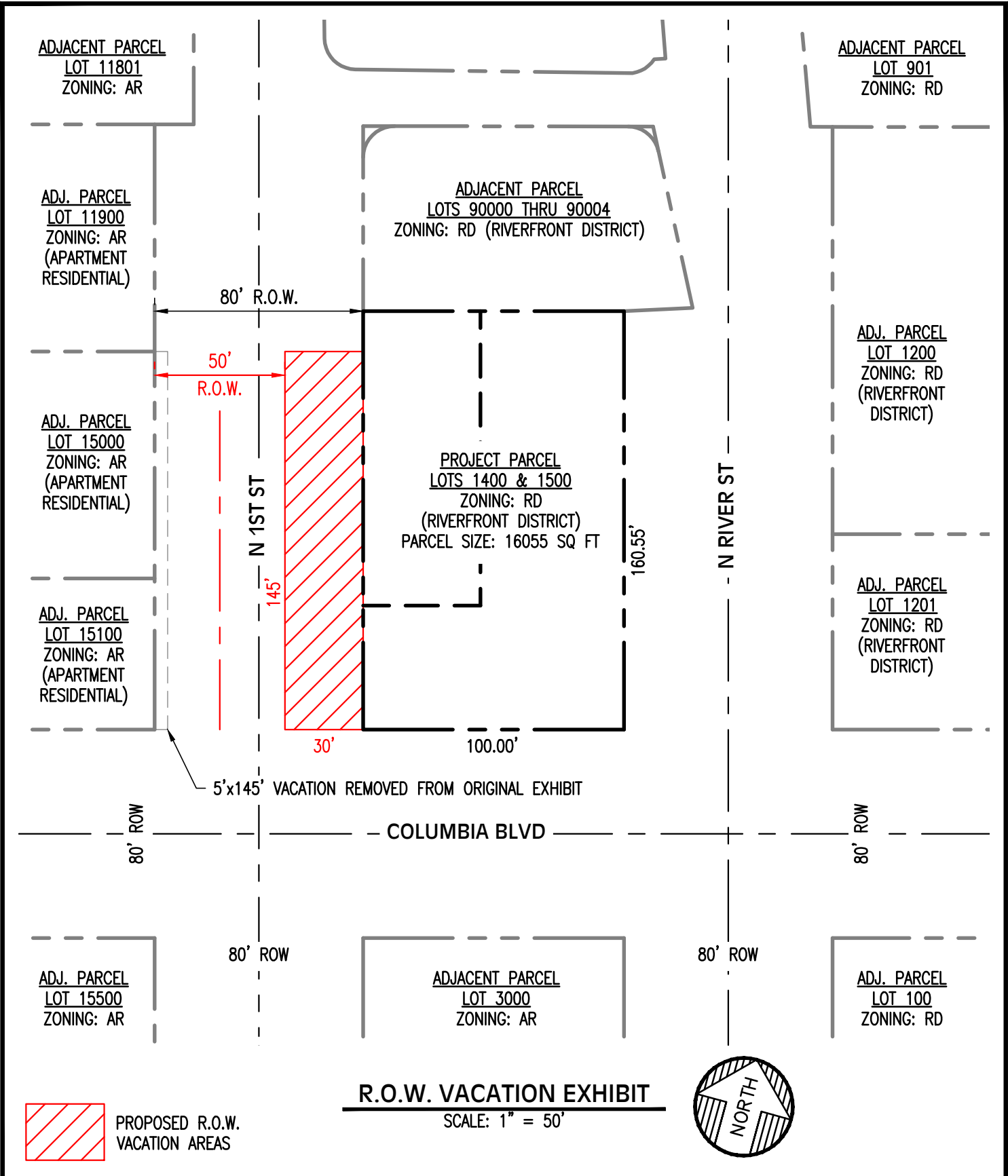
With this we believe this application for the vacation of a portion of N 1st St meets the City's standards and requirements and will provide the necessary room for this exciting project in St Helens.

Please don't hesitate to contact us with any questions regarding this project.


Sincerely,

Robert Besler

Robert Besler, P.E.
Project Engineer



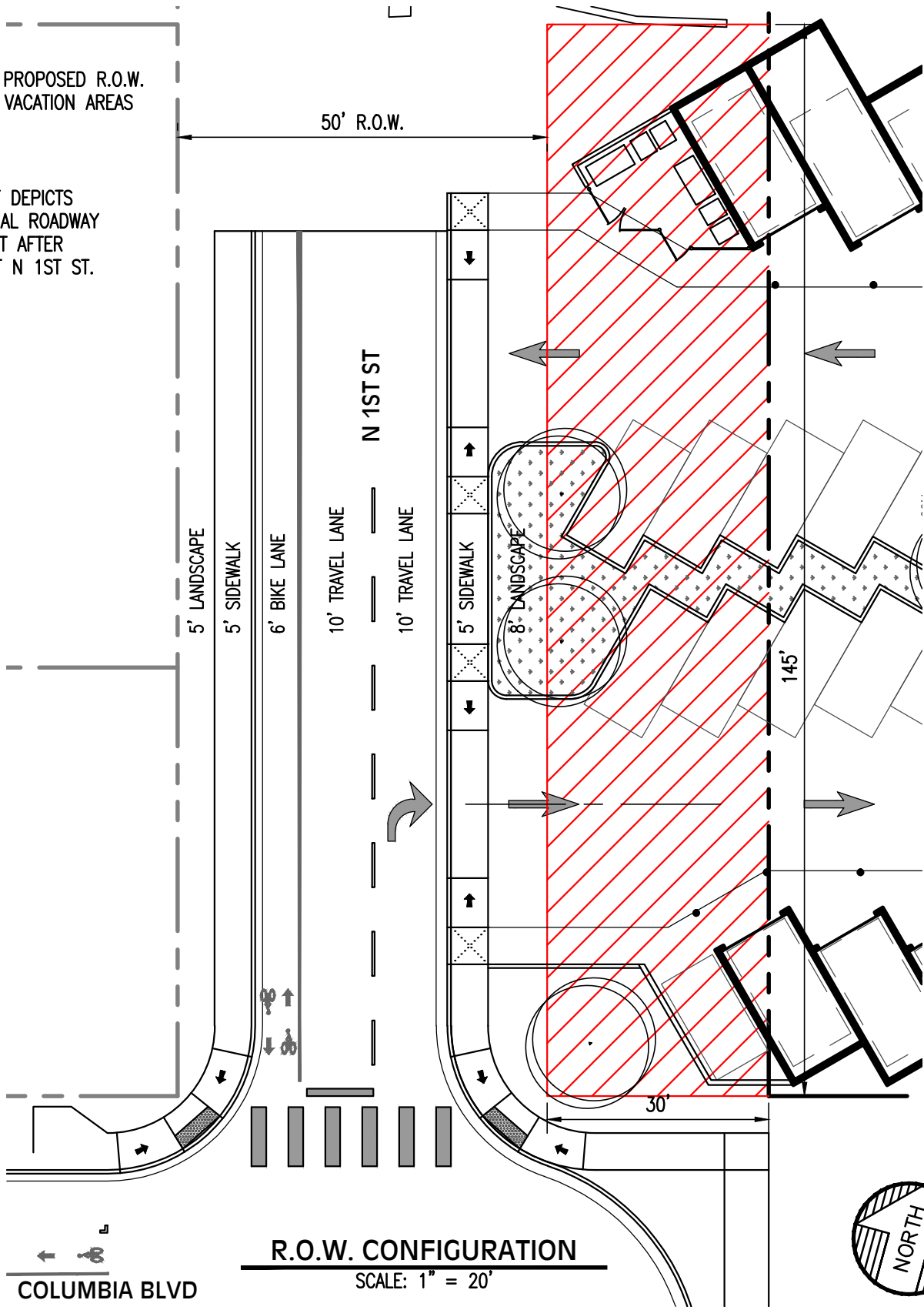
 PROPOSED R.O.W. VACATION AREAS

 <p>Lower Columbia Engineering</p> <p>St. Helens, Oregon (503) 366-0399</p>	PROJ. NO. 3579	RIGHT-OF-WAY VACATION EXHIBIT	
	DWG. BY BMK	COLUMBIA OVERLOOK	
	APPR. BY	COLUMBIA OVERLOOK LLC	
	FILE A-3579-VACATION-EXHIBIT-REV1	DATE 02/16/2026	SHEET V-1



PROPOSED R.O.W. VACATION AREAS

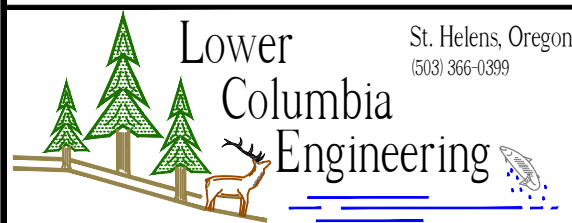
NOTE:
THIS EXHIBIT DEPICTS
THE POTENTIAL ROADWAY
DEVELOPMENT AFTER
VACATION OF N 1ST ST.



COLUMBIA BLVD

R.O.W. CONFIGURATION

SCALE: 1" = 20'



PROJ. NO.	3579	RIGHT-OF-WAY STREET CONFIGURATION EXHIBIT	
DWG. BY	BMK	COLUMBIA OVERLOOK	
APPR. BY		COLUMBIA OVERLOOK LLC	SHEET
FILE	A-3579-VACATION-EXHIBIT-REV1	DATE	02/16/2026
			V-2



PROPOSED R.O.W. VACATION AREAS

NOTE: THIS EXHIBIT DEPICTS THE POTENTIAL ROADWAY DEVELOPMENT AFTER VACATION OF N 1ST ST.

20-ft area behind the wall cannot be vacated. City must have at least 20 ft of access behind the wall for maintenance purposes.

Retaining Wall

50' R.O.W.

Turnaround required.

The proposed vacation forces the street into a staggered "T" intersection. SHMC 17.152.030(7)(a) requires a minimum of 300 ft between the centerline of the "T" intersection. The proposed vacation provides less than 30 feet between the centerlines of N 1st St and S 1st St and would create a non-conforming offset intersection.

A vehicle turnaround is required. See SHMC 17.152.030(11) for Cul-de-sacs. Minimum cul-de-sac radius requirement is 35' per SHMC 18.12.080(3). The end also presents a problem for vehicles if they did have to turn around after missing the one-way entrance to the parking lot. They would have to drive into the exit driveway.

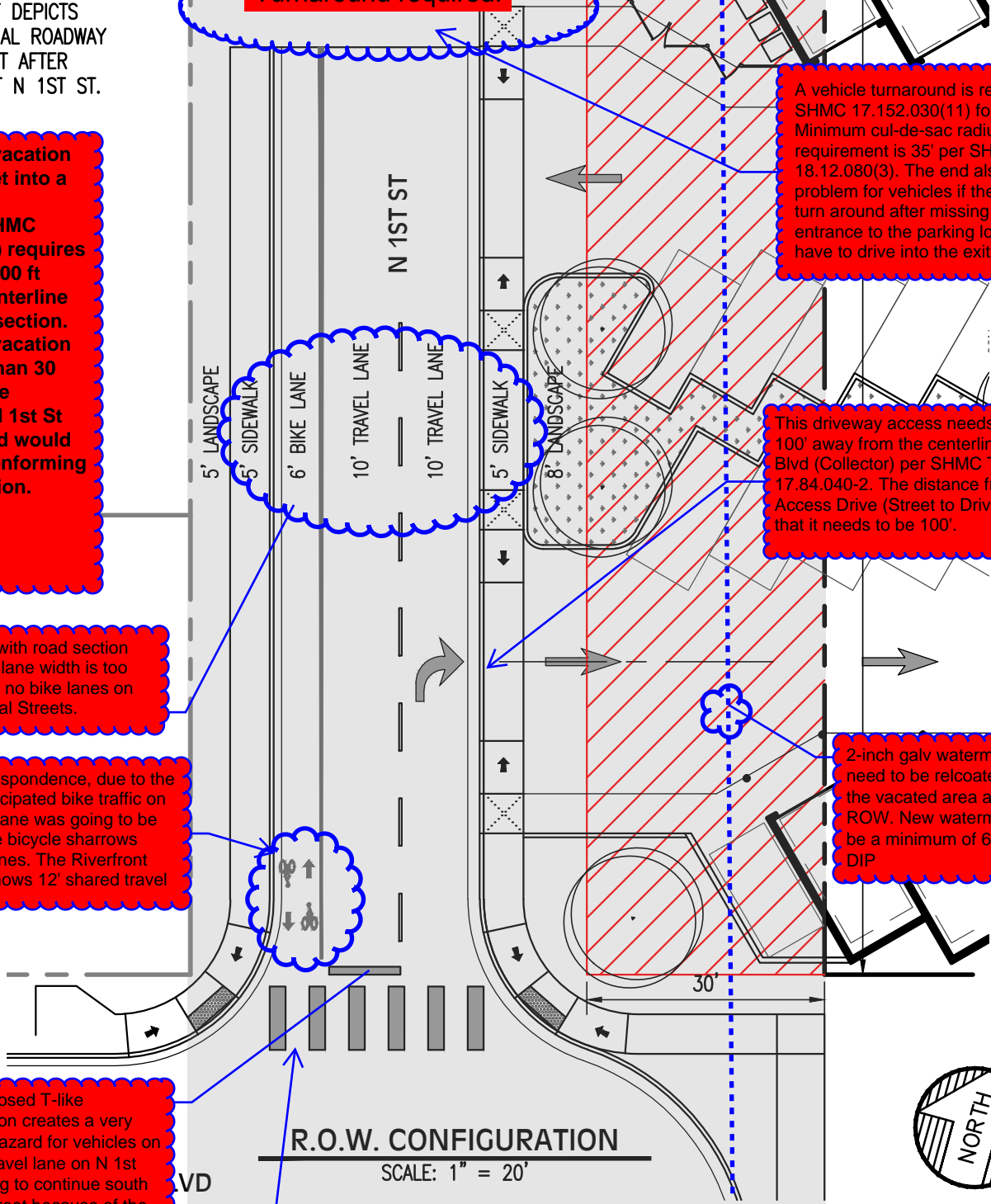
Does not comply with road section standards. Travel lane width is too narrow. There are no bike lanes on 50' ROWs for Local Streets.

This driveway access needs to be at least 100' away from the centerline of Columbia Blvd (Collector) per SHMC Table 17.84.040-2. The distance from Private Access Drive (Street to Driveway) shows that it needs to be 100'.

Per previous correspondence, due to the low amount of anticipated bike traffic on N 1st St, the bike lane was going to be removed and have bicycle sharrow within the travel lanes. The Riverfront Connector Plan shows 12' shared travel

2-inch galv watermain will need to be relocated out of the vacated area and into the ROW. New watermain must be a minimum of 6-inch dia DIP

The proposed T-like intersection creates a very serious hazard for vehicles on the SB travel lane on N 1st attempting to continue south on 1st Street because of the stagger.



R.O.W. CONFIGURATION

SCALE: 1" = 20'

St. Helens, Oregon
(503) 366-0899

PROJ. NO. 3579

RIGHT-OF-WAY STREET CONFIGURATION EXHIBIT

COLUMBIA OVERLOOK

COLUMBIA OVERLOOK LLC

SHEET

V-2

VACATION-EXHIBIT-REV1

DATE 02/16/2026

In addition to not meeting the minimum 300 ft distance between centerlines of S 1st and N 1st St, there is a potential site distance issue with the existing retaining wall along S 1st St. If traffic is limited to right turn only onto Columbia Blvd, it still has a potential site distance issue from the traffic coming northbound on S 1st St



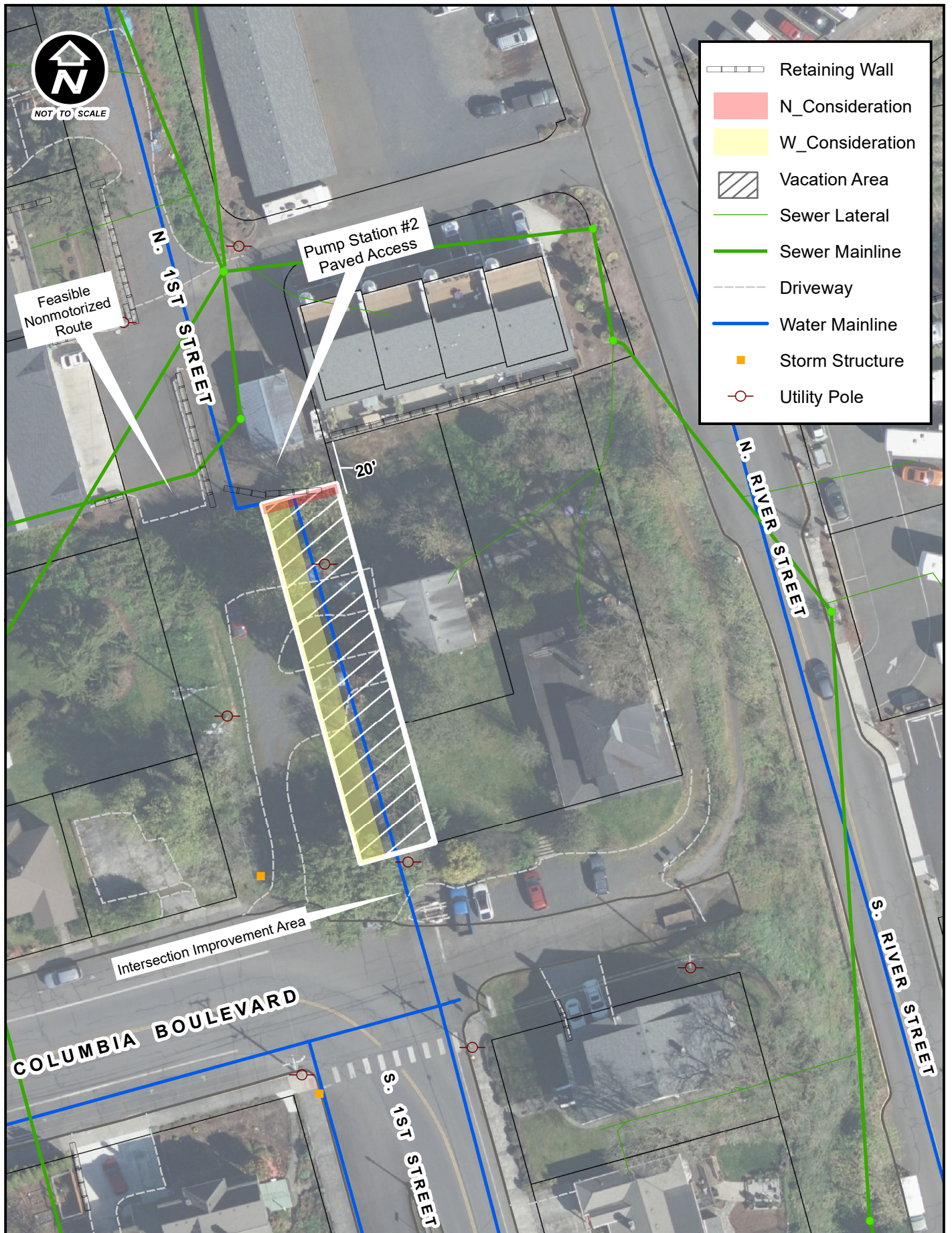


MARCH 2026

CENTERLINE CONSIDERATION

STREET R.O.W. VACATION (VAC.1.26)

N. 1st Street



2022 Aerial

