

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

**Lot Line Adjustment LLA.1.26 & Conditional Use Permit (minor modification) CUPm.2.26**

**DATE:** April 6, 2026  
**TO:** Planning Commission  
**FROM:** Jacob A. Graichen, AICP, City Planner

**APPLICANT:** James Keepers Jr. and Melinda L. Keepers  
**OWNER:** James Keepers Jr. and Melinda L. Keepers  
Meadowbrook Homeowners Association, Inc.

**ZONING:** Moderate Residential, R7 with the Planned Development, PD overlay  
**LOCATION:** 34959 Roberts Lane; 4N1W-6DA-1500 & 2000  
**PROPOSAL:** Modification of planned development to reduce the area of an open space tract (Tract H) for the benefit (enlargement) of Lot 29 of the Meadowbrook Planned Community, Phase 2

**SITE INFORMATION / BACKGROUND**

A lot line adjustment review is required where any adjustment to a property line by the relocation of a common boundary is requested. In this case, because an open space tract as part of a planned development is proposed to be reduced as a consequence of this request, a minor modification Conditional Use Permit referred to the Commission is necessary.

Meadowbrook history and basis for the LLA and CUPm referred to the Commission is detailed further below under the **APPLICABLE CRITERIA, ANALYSIS & FINDINGS** section.

**PUBLIC HEARING & NOTICE**

**Public hearing** before the Planning Commission: April 14, 2026

**Notice** of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on March 24, 2026 via first class mail. Notice was sent to agencies by mail or e-mail on the same date.

**Notice** was published on April 3, 2026 in the Columbia County Spotlight newspaper.

**APPLICATION COMPLETENESS**

This application was originally received and deemed complete on February 20, 2026. The 120-day rule (ORS 227.178) for final action for this land use decision is June 20, 2026.

**AGENCY REFERRALS & COMMENTS**

None.

## APPLICABLE CRITERIA, ANALYSIS & FINDINGS

**The Planned Development factors need to be reviewed first as they relate to the Lot Line Adjustment approval criteria and is the reason this has been referred to the Planning Commission.**

Meadowbrook Planned Community, Phase 1 was platted in 1996, based on a 1995 approval from the Planning Commission, which was a revised approval from a 1993 decision.

The subject properties, Lot 29 and Tract H were created as part of the Meadowbrook Planned Community, Phases 2 in 1996 and 3 in 1998, respectively.

These decisions were based on the standards of Ordinance no. 2616 adopted in 1991, where Planned Developments were listed as conditional uses under several zoning districts. It also reads "...additionally subject to the city's Planned Unit Development Ordinance." That ordinance was no. 2256 adopted in 1978 and included specific open space standards as follows:

- Minimum 40% of project area to be devoted to open space.
- Minimum 10% of the project area must be usable open space, which is area accessible to all available residents and does not include bodies of water, slopes exceeding 35%, or parking areas.

In 1999 new Planned Development standards were adopted via Ordinance No. 2785. The current law, via Ordinance No. 2875 adopted in 2003, appears to be more-or-less the same as no. 2785. The current standards require an overlay zone to allow a development plan using the development code flexibilities that results in the planned development. The current standards includes purpose statements per SHMC 17.148.010(4) and (5) as follows:

- (4) To preserve to the greatest extent possible the existing landscape features and amenities through the use of a planning procedure that can relate the type and design of a development to a particular site; and
- (5) To encourage development that recognizes the relationship between buildings, their use, open space, and accessways and thereby maximizes the opportunities for innovative and diversified living environments.

Further, per SHMC 17.148.120(3)(g) there is a minimum 20% landscaped area requirement for residential development.

Back to Meadowbrook.

A Conditional Use Permit (CUP.4.02) was applied for in 2002 to adopt (or expand) the PD Overlay Zone to expand the boundaries of the Meadowbrook Planned Community and to add lots and decrease open space area. The application notes an original 14.7% open space requirement to be reduce to 10.1%. This ultimately resulted in Ordinance. No. 2883, adopted in

2003. This 2002 decision appears to remedy some previous mistakes made allowing lots in areas originally supposed to be open space and outside of the PD boundaries.

Both Lot Line Adjustments (LLA) and Minor Modification Conditional Use Permits (CUPm) are normally administrative decisions. The LLA is to adjust the common boundary and the CUPm is to allow a reduction of open space, which must go to the Planning Commission per 17.148.020(7)(a)(iii). A minor modification to the CUP is possible if the open space reduction is less than 10% of existing usable open space (see SHMC 17.100.050 and 17.100.060). Per 17.24.090(2) the Planning Director may refer any application for review to the Planning Commission; the Director is obligated to do so in this case given 17.148.020(7)(a)(iii).

Now to focus on open space.

Note that some open space reduction occurred as part of Lot Line Adjustment LLA.1.20 & Conditional Use Permit (minor modification) CUPm.1.20, which was similar to this proposal.

The area within the perimeter of the Meadowbrook Planned Community is approximately 1,076,600 square feet. The area currently owned by the HOA is 119,967 square feet. There are three areas generally: 1) area under and adjacent to a BPA power easement, 2) area around city owned property (detention pond), and 3) area across Barr Avenue from Ruby Court.

These open space areas appear “usable” as intended by Ordinance No. 2256.  $119,967/1,076,600 = 0.1114$  or 11.14%. There appears to be a small surplus compared to the assumptions from the 2002 decision and after the 2020 LLA/CUPm mentioned above.

The current proposal would reduce Tract H, one of the open space tracts, by approximately 1,850 square feet. This would result in two separate portions of Tract H, with a 10’ wide portion between the adjusted area and Barr Avenue. This strip is a stream that is culverted under Barr Avenue, with an area of about 2,900 that will no longer be contiguous with the bulk of Tract H and will have questionable accessibility.

If these areas are included in the calculation the equation would be as follows:

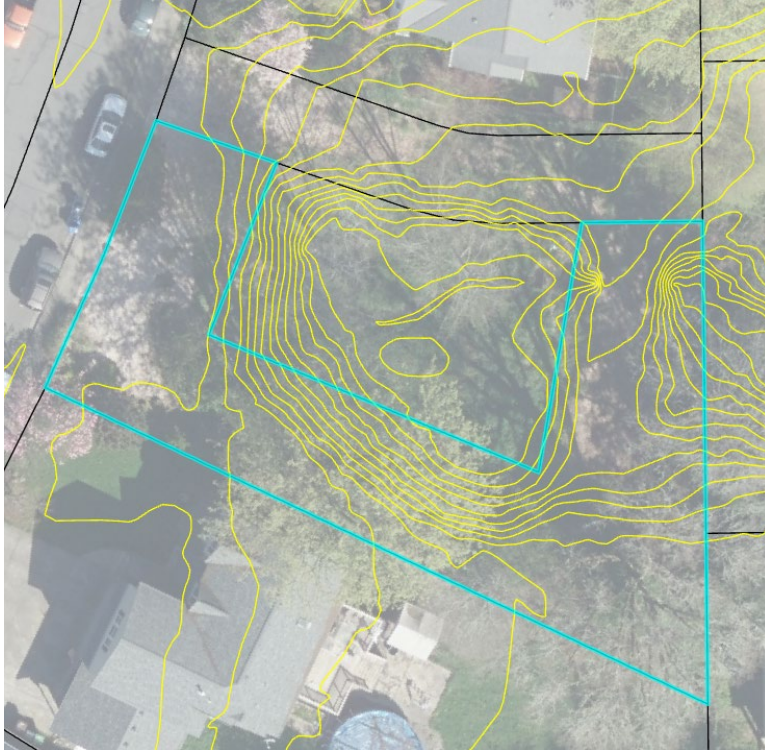
- Reduction of Tract H for Lot 29 enlargement:

$$(119,967 - 1,850)/1,076,600 = 0.1097 \text{ or about } 10.97\%$$

- Reduction of Tract H for Lot 29 enlargement, including deduction of the non-contiguous strip of Tract H following the proposed Lot Line Adjustment:

$$[119,967 - (1,850 + 2,900)]/1,076,600 = 0.1070 \text{ or about } 10.70\%$$

This allows an extra just under 1% of contingency to make up for areas within the open space tracts that may not be as usable. For example, Tract C of Phase 3:



The portion of Tract C owned by the HOA is outlined in blue. The other portion is under City of St. Helens ownership. Yellow lines are 1' contour intervals, showing much of the area with slopes exceeding 35%.

The HOA area is about 7,877 square feet in size and staff estimates about 4,000 square feet of that (along the west and south sides) is useable, being outside of steep slopes.

Thus, we should deduct another 3,877 of open space.

- Reduction of Tract H for Lot 29 enlargement, including deduction of the non-contiguous strip of Tract H following the proposed Lot Line Adjustment, and deduction of “unusable” portion of Tract C:

$$[119,967 - (1,850 + 2,900 + 3,877)] / 1,076,600 = 0.1034 \text{ or about } 10.34\%$$

Based on some additional examination of the open space, compared to the 2020 effort (LLA.1.20 & CUPm.1.20), it appears the minimum 10% will be maintained.

For the 2020 effort, the applicant, who was the Meadowbrook Homeowners Association, Inc., noted that the HOA will conduct a vote as required by the CC&Rs to approve and allow the transfer of property. Section 7.2.3 of the CC&R’s addresses the sale of common property, which states that 75% vote of approval is required amongst HOA membership. **Staff recommends that the Commission finds this should be a condition of approval, especially since it will provide additional assurance that the HOA is satisfied with the loss of open space.**

\* \* \* \* \*

**Minor modifications of Conditional Use Permits require review pursuant to the standards of SHMC 17.100.060(3):**

(3) A minor modification shall be approved, approved with conditions or denied following the director’s review based on the findings that:

- (a) No code provisions will be violated; and
- (b) The modification is not a major modification.

**Finding(s):** (a) As this proposal relates to Planned Developments is described above. Another consideration is the city's sensitive land regulations.

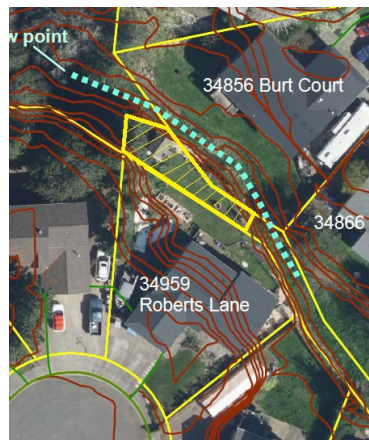
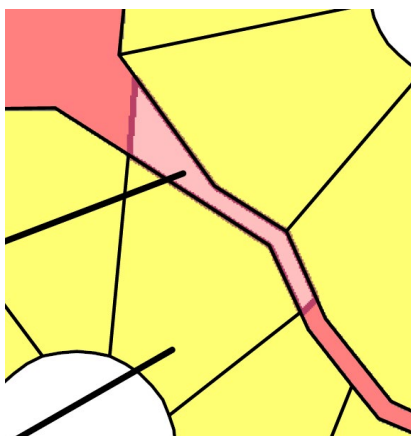
The issue that prompted the land owner to consider this LLA/CUPm started with a Sensitive Lands Permit (file SL.9.22).

The southerly portion of Tract H that is the subject of this proposal generally contains a stream that is now identified by the city as wetland MC-1, which is a "type I" wetland per Chapter 17.40 of the St. Helens Development Code. This wetland has a 75' upland protection zone, the area of which is protected as a wetland itself. However, the protection zone rules did not exist when Meadowbrook was created; the city's wetland rules as they are today were originally adopted in December 2003.

Though much smaller than current requirements, Tract H includes the stream portion of this sensitive land, except by the subject property. See **attached** July 2022 Meadowbrooke Subdivision Wetland MC-1 Violations Map.

**The tract / wetland issue may be the most important consideration for the Commission for the proposal.** SHMC 17.40.050(2) wetlands and protection zones are supposed to be within preservation tracts and not part of actual lots. Ideally, the entire stream would be within Tract H, however, along the subject property it is not.

**Consistent with the 10' wide tract to the east of the subject property should areas proposed for adjustment exclude a 10' wide swath centered on the stream? Though not perfect because the stream is partially located on 34856 Burt Court, this would at least honor the code under the circumstances. If this was required, a surveyor would need to identify the center of the creek to exclude the proper 10' width. However, streams fluctuate and what may be the center today could change over time. So, that said, is this something the Commission is comfortable with?**



**Far left:** The lighter red (pink) shade shows the proposed adjusted area.  
**Left:** This is an example of what a modified adjusted area would look like is a 10' wide area is reserved for where the stream is at. **If the Planning Commission approves a modified proposal like this, some additional field/survey work will be necessary.**

**Another consideration is the shed structure within the tract. It is small, only about 8' x 11' (based on aerial photo measurements) and thus, wouldn't require an Accessory Structure Permit.**

However, it would not be allowed within the tract and if built after December 2003 would be inconsistent with the city's sensitive lands rules.

Using the city's online mapping: <https://sh.metroplanning.com/> it is visible as early as 2018.



**Upper left: 2016. Above: 2018** with the shed visible. There is no doubt is was installed well after December 2003. **Left: The shed in 2022.** Being close to the stream, if the Commission approves this but with maintaining tract area around the stream (e.g., 10' as described above), the shed may need to be move or removed as, at the very least, it should not be within an open space tract.

(b) The proposal is a minor modification based on a loss of less than 10% of existing open space.

\* \* \* \* \*

**Lot Line Adjustments require review pursuant to the standards of SHMC 17.140.050 and 17.140.060.**

**SHMC 17.140.050 – Special provisions for parcels created through the partition process:**

**(1) Lot Dimensions.** Lot size, width, shape and orientation shall be appropriate for the location of the development and for the type of use contemplated, and:

(a) No lot shall be dimensioned to contain part of an existing or proposed public right-of-way;

(b) The depth of all lots shall not exceed two and one-half times the average width, unless the parcel is less than one and one-half times the minimum lot size of the applicable zoning district; and

(c) Depth and width of properties zoned for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use proposed.

**Finding(s):** (a) No existing or proposed right-of-way is affected.

(b) The required depth to width ratio requirement will not be compromised.

(c) The properties are not commercial or industrial. This criterion is moot.

**(2) Through Lots.** Through lots shall be avoided except where they are essential to provide separation of residential development from major traffic arterials or to overcome specific disadvantages of topography and orientation, and:

(a) A planting buffer at least 10 feet wide is required abutting the arterial rights-of-way; and

(b) All through lots shall provide the required front yard setback on each street.

**Finding(s):** No through lot is involved or created.

**(3) Large Lots.** In dividing tracts into large lots or parcels which at some future time are likely to be redivided, the approving authority may require that the lots be of such size and shape, and be so divided into building sites, and contain such site restrictions as will provide for the extension and opening of streets at intervals which will permit a subsequent division of any tract into lots or parcels of smaller size, and:

(a) The land division shall be denied if the proposed large development lot does not provide for the future division of the lots and future extension of public facilities.

**Finding(s):** Lot 29 is currently 7,125 square feet in size. The most it will increase, if approved as proposed, is approximately 1,900 square feet and not enough to facilitate future division.

**(4) Fire Protection.** The fire district may require the installation of a fire hydrant where the length of an accessway would have a detrimental effect on firefighting capabilities.

**Finding(s):** No accessway involved. Both Barr Avenue and Burt Road provide access.

**(5) Reciprocal Easements.** Where a common drive is to be provided to serve more than one lot, a reciprocal easement which will ensure access and maintenance rights shall be recorded with the approved partition map.

**Finding(s):** No common access is proposed or warranted.

**(6) Accessway.** Any accessway shall comply with the standards set forth in Chapter 17.84 SHMC, Access, Egress, and Circulation.

**Finding(s):** No accessway is involve.

**(7)** The streets and roads are laid out so as to conform to the plats of subdivisions and maps of partitions already approved for adjoining property as to width, general direction and in all other respects unless the city determines it is in the public interest to modify the street or road pattern.

**Finding(s):** This proposal has no street layout impact.

**SHMC 17.140.060(1) – Lot Line Adjustment approval standards:**

**(a)** An additional parcel is not created by the lot line adjustment, and the existing parcel reduced in size by the adjustments is not reduced below the minimum lot size established by the zoning district;

**Finding(s):** This action does not create a new parcel. As described above, the minimum useable open space for Meadowbrook is anticipated to be maintained.

**(b)** By reducing the lot size, the lot or structure(s) on the lot will not be in violation of the site development or zoning district regulations for that district;

**Finding(s):** Lot 29 is proposed to be increased. No lot or parcel is proposed for reduction.

**(c)** The resulting parcels are in conformity with the dimensional standards of the zoning district; and

**Finding(s):** Lot 29 will still maintain the minimum standards.

**(d)** The lots involved were legally created.

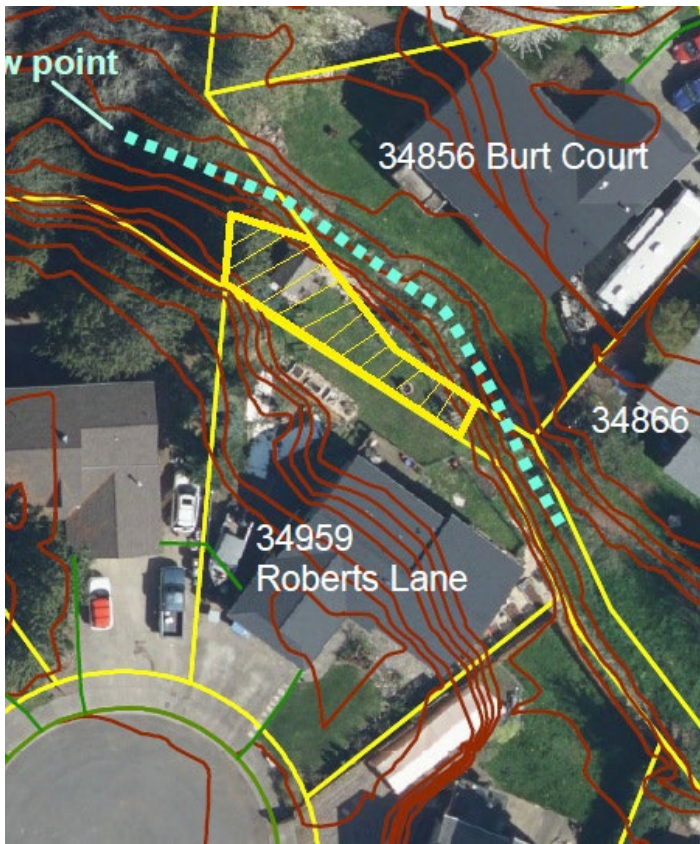
**Finding(s):** Lot 29 and Tract H were legally created as part of the Meadowbrook Planned Community effort; recorded with the applicable plats.

\* \* \* \* \*

**CONCLUSION & RECOMMENDATION**

**Based on the facts and findings herein, if the Planning Commission approves this proposal, staff recommends the following conditions:**

1. Approval of this **Lot Line Adjustment** shall be effective for a period of twelve (12) months from the date of approval pursuant to SHMC 17.140.035. This approval shall be void if the Lot Line Adjustment is not properly recorded with Columbia County within this time period or is a departure from the approved plan (pending per Condition 3).
2. **This Lot Line Adjustment is not effective until it is recorded with Columbia County, including a survey filed with the County Surveyor and the appropriate deed records updates with the County Clerk.** The applicant/owner is responsible for recording the LLA and all documentation required by the County, and City as described herein, to properly record the Lot Line Adjustment.
3. **Prior to recording this Lot Line Adjustment,** the following shall be required:
  - a. Documentation proving the Meadowbrook Homeowners Association approves of the sale of the portion of Tract H shall be provided to the City Planning Department.
  - b. A surveyor shall develop a legal description and exhibit, subject to city review, that reserves a minimum of 10' from the centerline of the stream within Tract H per this example:



- c. The location of the shed shall be identified based on the survey, and if located within the proposed adjusted area of the remaining Tract H, shall be removed or moved to a lawful location not within the Tract H.
4. The applicant/developer shall provide a copy of all documentation used to record this Lot Line Adjustment with Columbia County to the City.
5. This Lot Line Adjustment shall comply with the approved plan (pending per Condition 3), application and staff report (this document).
6. The applicant/owner shall comply with all local, state and federal laws.

**Attachment(s):** Meadowbrook Ownership map (March 2026)  
Proposal plan  
July 2022 Meadowbrook Subdivision Wetland MC-1 Violations map



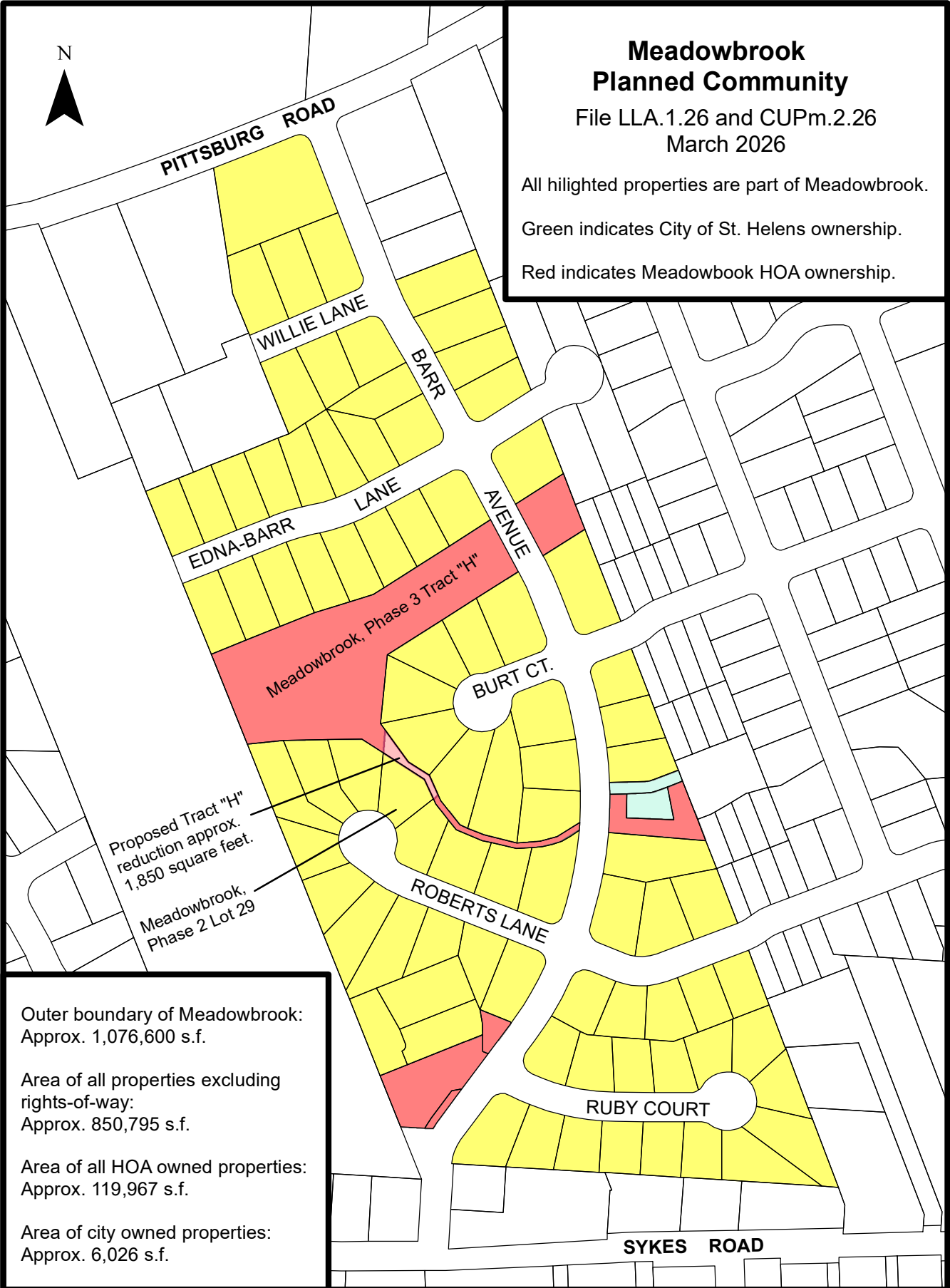
## Meadowbrook Planned Community

File LLA.1.26 and CUPm.2.26  
March 2026

All highlighted properties are part of Meadowbrook.

Green indicates City of St. Helens ownership.

Red indicates Meadowbrook HOA ownership.



Outer boundary of Meadowbrook:  
Approx. 1,076,600 s.f.

Area of all properties excluding  
rights-of-way:  
Approx. 850,795 s.f.

Area of all HOA owned properties:  
Approx. 119,967 s.f.

Area of city owned properties:  
Approx. 6,026 s.f.

MEADOWBROCK  
PHASE 3  
TRACT "H"  
MEADOWBROCK HOA, INC.

PROPOSAL TO  
TRANSFER  
THIS PORTION  
OF TRACT "H"  
TO LOT 29  
APPROX.  
1,900 sq ft

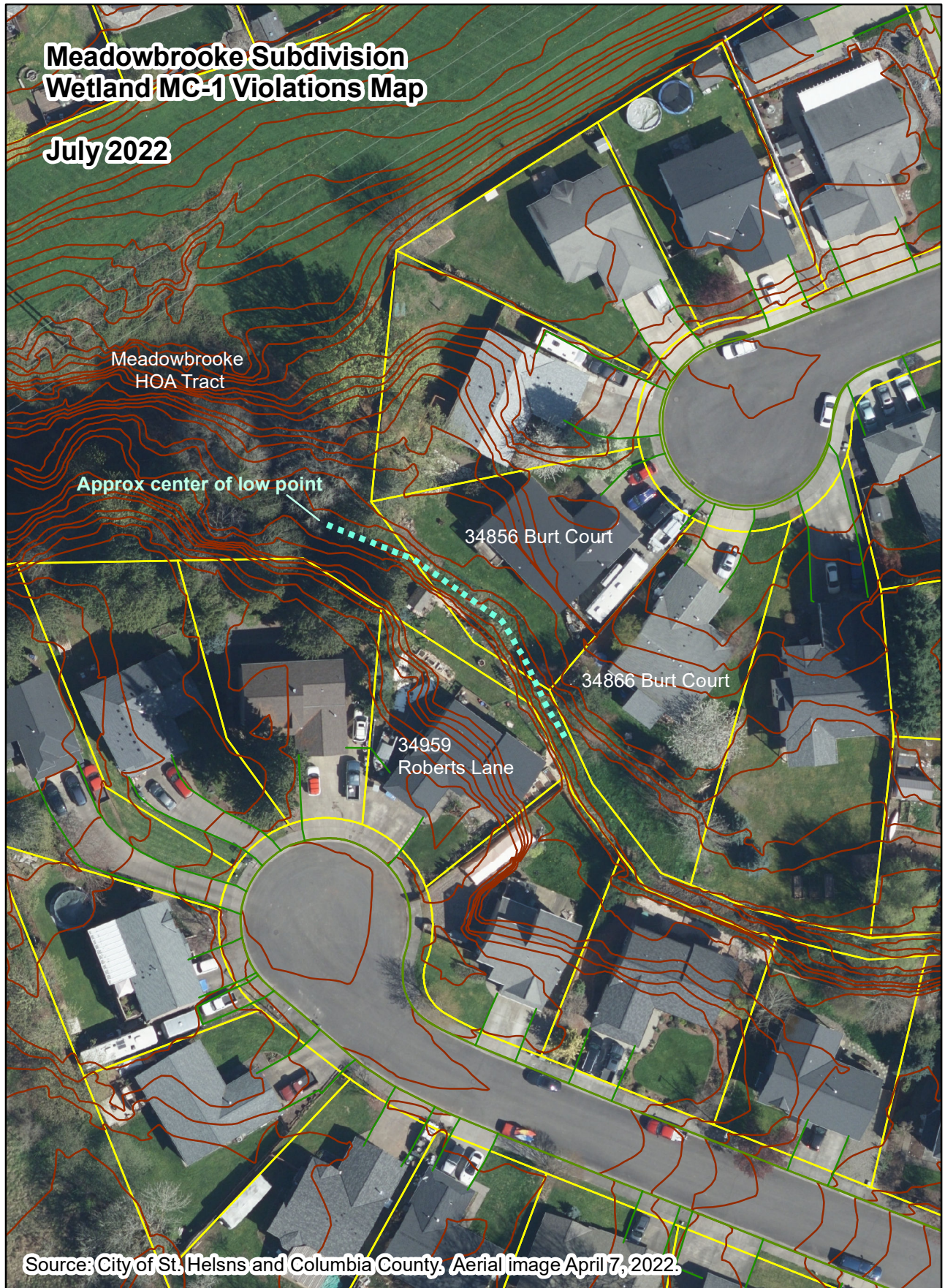
MEADOWBROCK  
PHASE 2  
LOT 29  
JAMES &  
MELINDA  
KEEPERS

ROBERTS  
LANE

TRACT "H"

**Meadowbrooke Subdivision  
Wetland MC-1 Violations Map**

**July 2022**



Source: City of St. Helens and Columbia County. Aerial image April 7, 2022.