

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

DATE: May 12, 2026
TO: City Council
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 May 1, 2026 and May 8, 2026. Staff posted a copy of the notice at or near each end of the proposed street vacation areas on May 6, 2026.

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 a majority vote, recommends the following to the City Council:

Recommending approval to the City Council of the vacation in part, with the following requirements:

- a. The revised legal description, decreasing the overall length by 4 feet along the north side of the proposed vacation area, shall be:

The East 30 feet (width) of the N. 1st Street (Columbia Street) right-of-way abutting Lots 1, 2, and the southerly 25 feet of Lot 3, Block 13, for a total length of 141 feet, City of St. Helens, Columbia County, Oregon.

- b. Water line and any related water meters are relocated outside of any vacated area to remain within public right-of-way.
- c. Sufficient right-of-way is reserved for a vehicular turn around.
- d. A public utility easement is reserved for the vacated area.
- e. Items b and c shall be finalized and approved by the city within three years from the date of the City Council decision, after which the vacating ordinance will be presented to the City Council.

Please note that the site distance issue for left turns exhibits where not included with the planning commission's staff report, and staff is still concerned about centerlines and sight visibility issues explained later in this report.

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).

- **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.

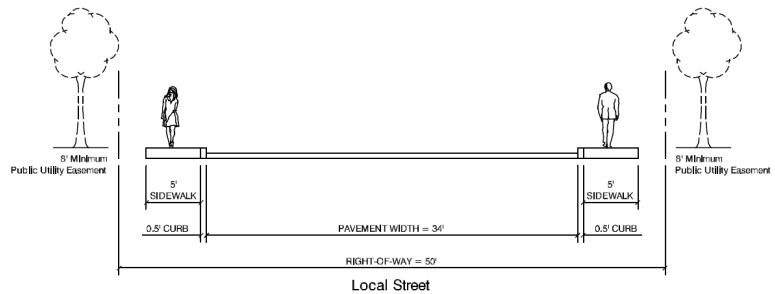
The applicant is requesting to vacate 30' width of one side of N 1st Street, leaving 50' width of right-of-way on the opposing side.

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

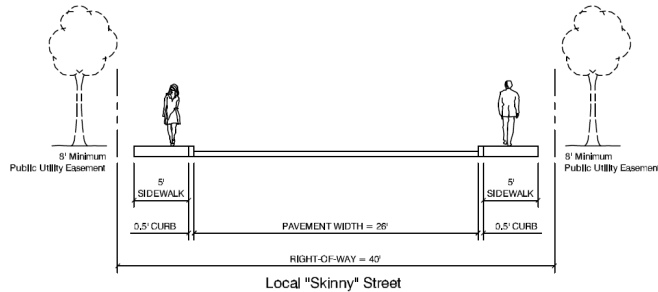
Minimum right-of-way (ROW) width

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 40' or 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.

The local *skinny street* standard (minimum 40' right-of-way width) can be used when providing access to land uses whose combined average daily trip rate is 200 ADT or less. 200 ADT is approximately 20 single-family dwellings. The zoning of the area allows multifamily development so that should be examined, generally. We can assess potential traffic using the potential density allowed by the Development Code and trip rates based on the 11th Edition ITE Trip Generation Manual:

| Property | Area | Potential use/density | Average Daily Trips |
|---------------------------------|--------------------|---------------------------|----------------------------|
| 5N1W-34CD-01400 & 1500 | Approx 16,000 s.f. | Multi-family – 10 units | 10 x 6.74 ADT = 67.2 trips |
| 4N1W-3BB-15000 (east half only) | Approx 8,700 s.f. | Multi-family – 5 units | 5 x 6.74 ADT = 33.7 trips |
| 4N1W-3BB-15100 | Approx 3400 s.f. | Duplex – 2 attached units | 7.20 x 2 ADT = 14.4 trips |

Based on the above, we can assume that the section of street proposed for partial vacation has the potential of approximately 115.3 vehicle trips. With the granted vacation as proposed, this would increase a bit but still be below 200 ADT. As such, 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.

And though this proposal (30' on one side) could reduce the amount of area that could be vacated on the opposite side of this section of N. 1st Street, the applicant originally proposed a 5' wide strip of vacation on the opposite side, but withdrew that request for formal review, as both of the abutting property owners did not want it. Both of those owners spoke to staff about this. That this happened helps counter arguments of greediness for this proposal.

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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 and line of sight 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.

This is important from a transportation safety standpoint as the 30' wide proposal forces the street to shift west, which will result in vehicular left turn shortcomings due to limited line of sight issues.

See attached exhibits:

- Left turn lane exhibit—Vacation Area as Proposed



CENTERLINE CONSIDERATION

- Left turn lane exhibit—Vacation Area as Potentially Modified

If the entire 30' width is vacated vehicles existing the street segment to continue southerly to the downtown core will be forced to make a left turn movement. Visibility of the collector portion of S. 1st Street could be better.

Where sight visibility becomes significantly compromised is for those on Columbia Boulevard wanting to make a left turn onto N. 1st Street because of the road split and retaining wall.

In both cases, if a street was focused on the east side, the existing vehicles wanting to go to the downtown core, could have no left turn movements and in both cases, left turning vehicles could see down the collector portion of Columbia Boulevard maximizing safety.

This matters because the segment of N. 1st Street in question, though a dead end and not active now, has the potential to be significantly more active with close to 115 average daily vehicle trips (ADT) as explained above, and right of way should be preserved for anticipated future need, which could be decades if not longer. ROW decisions have long term implications, which extend beyond any individual staff or politician's career.



Left: Approximate location of vehicles leaving the section of S. 1st Street, if vacated as proposed. If the 30' is allowed to be vacated, those existing the site wishing to go south to the downtown core will be forced to make left turn and "S" movements.



Right: Approximate location for turn onto S. 1st Street as seen from inside vehicle If the 30' is allowed to be vacated, those wishing to turn left into the site will have limited visibility of oncoming traffic due to the elevated frontage road and the retaining wall on N. 1st Street. **This may be the most significant hazard this proposal creates.**

If the Council disagrees with the sightline concerns of staff, you may grant the 30' and staff will work with what is available. This could mean having the street as close to the vacated ROW edge as possible (i.e., the sidewalk abuts the property line with no open space in between and no on-street parking), or a design that restricts or prohibits left-hand turns.

This is discussed more in the recommendations below.

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.

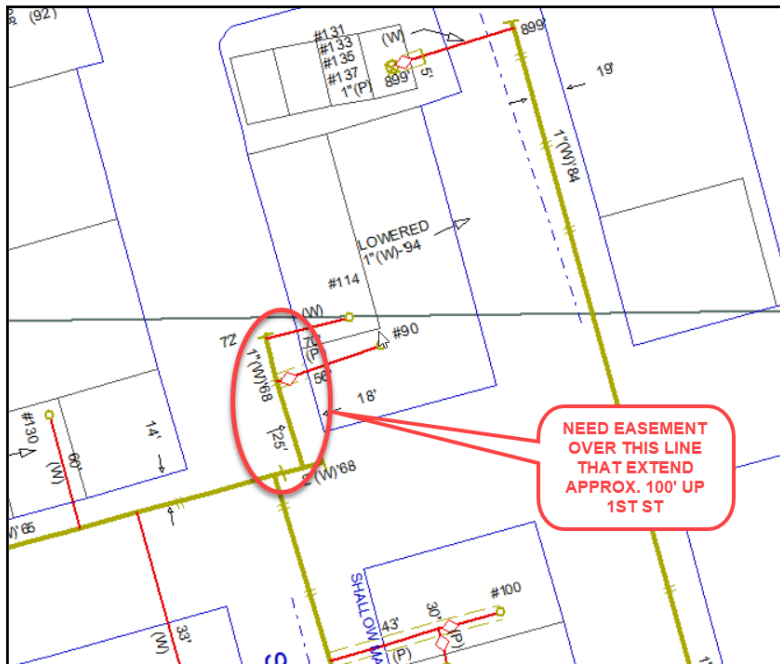
Water meter(s) may need to be relocated too.

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. City confirmed with CRPUD that a Public Utility Easement would be acceptable for vacated areas

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 vacated. In other words, will the loss of the right-of-way not be in the public interest.**

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. These are not bad things; they simply do not apply to this decision. 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.

The Planning Commission recommends 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' instead of 16' from the north side, and reserving an area for proper vehicle turn around. This leaves a 50' wide right-of-way, which is the normal minimum width for local classified streets.

However, that 50' width would be skewed to the west side, creating a misalignment of N. 1st Street to the collector east half of S. 1st Street. This creates sight-line obstacles along an important thoroughfare and potential safety shortcomings.

Though the subject street section sees little traffic now, only providing access to one dwelling with trip rate of 10 average daily trips, a potential increase to 115 average daily trips can change the operational functionality and safety sometime in the future. ROW vacation decisions have long term implications, so the future must be considered.

As such, the proposed misalignment could be construed as prejudicing the public interest.

If the Council is concerned about this and wishes for better alignment and optimal sight lines for motorists and other users of the streets, staff recommends amending the Commission's recommendation as follows (underlined text is new):

- a. The revised legal description, decreasing the overall length by 4 feet along the north side of the proposed vacation area, shall be:

The East 30 feet (width) of the N. 1st Street (Columbia Street) right-of-way abutting Lots 1, 2, and the southerly 25 feet of Lot 3, Block 13, for a total length of 141 feet, City of St. Helens, Columbia County, Oregon.

Except as further reduced based on item c. A revised legal description from a Professional Land Surveyor shall be required.

- b. Water line and any related water meters are relocated outside of any vacated area to remain within public right-of-way.
- c. Sufficient right-of-way is reserved for a vehicular turn around and so that the centerline of street improvements at Columbia Boulevard aligns with the "collector" (east) half of S. 1st Street.
- d. A public utility easement is reserved for the vacated area.
- e. A revised legal description per Item a shall be provided to the city, and Items b and c shall be finalized and approved by the city within three years from the date of the City Council decision, after which the vacating ordinance will be presented to the City Council.

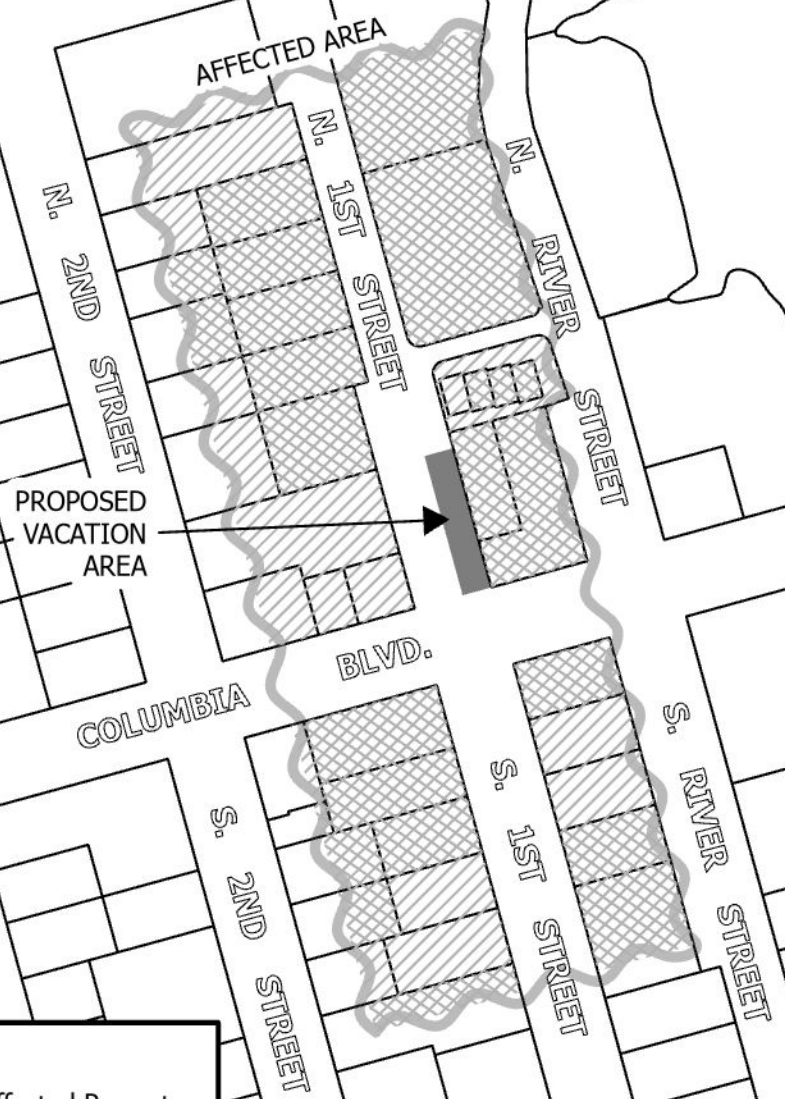
If the Council accepts the street conditions this vacation will create, you may accept the Planning Commission's recommendation noted on pages 1-2.

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
TSP Figure 7-1 Functional Classification Plan
Centerline Exhibit
Left turn lane exhibit—Vacation Area as Proposed
Left turn lane exhibit—Vacation Area as Potentially Modified
2022 Aerial with utilities, etc.
2022 Aerial with topography (as a visual discussion aid)

VAC.1.26 AFFECTED AREA & CONSENT MARCH 2026



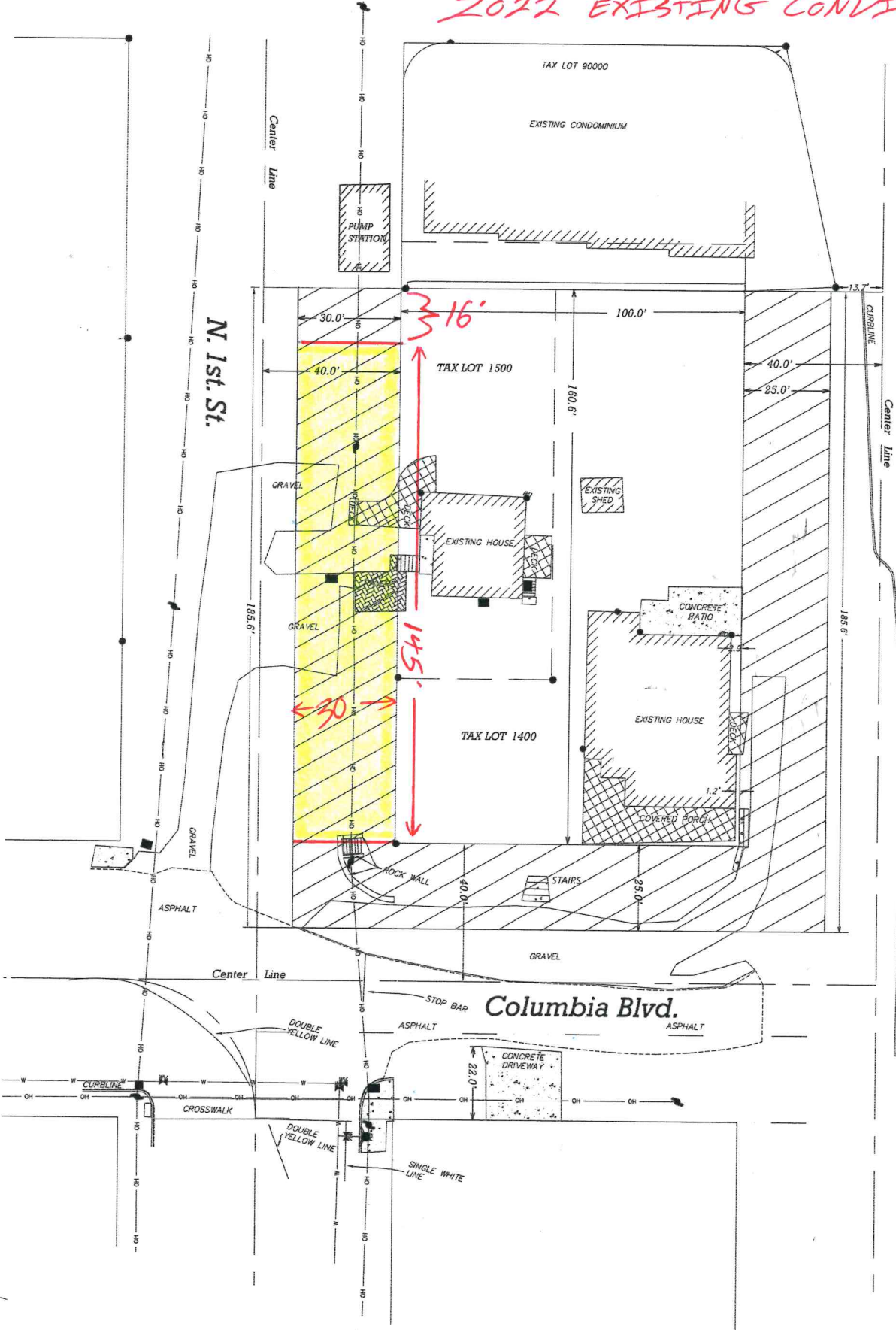
COLUMBIA RIVER



| | |
|---|---------------------------------|
|  | Affected Property No Consent |
|  | Affected Property Consent |
| 66.20% | |

Locke Vacation Request

2022 EXISTING CONDITIONS

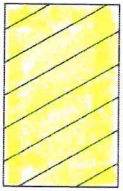


N. River St.

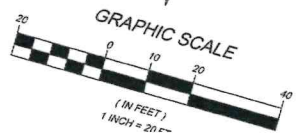
N. 1st St.

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.

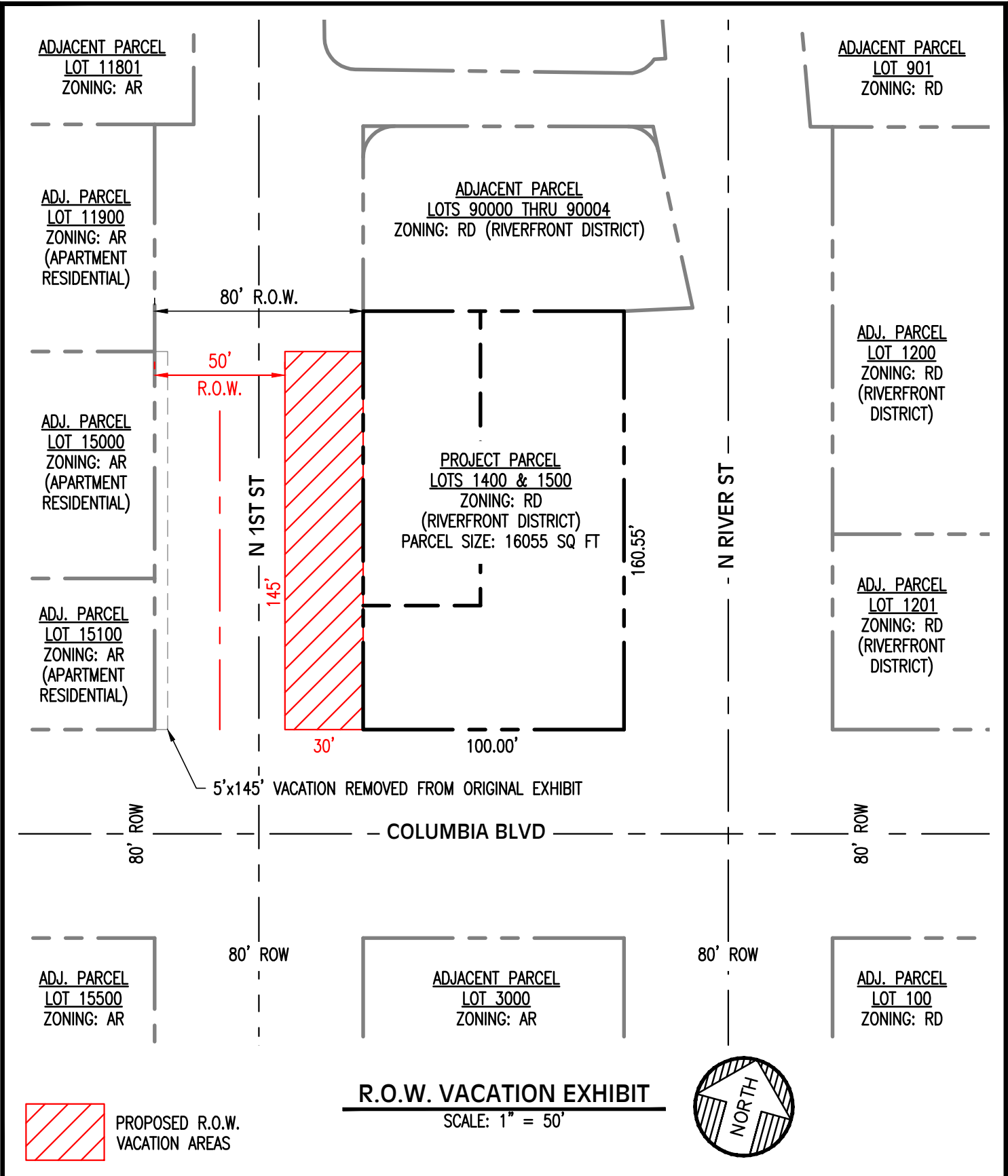
With this we believe this application for the vacation of a portion of N 1st St meets the City's standards and requirements and will provide the necessary room for this exciting project in St Helens.

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

Sincerely,

Robert Besler

Robert Besler, P.E.
Project Engineer



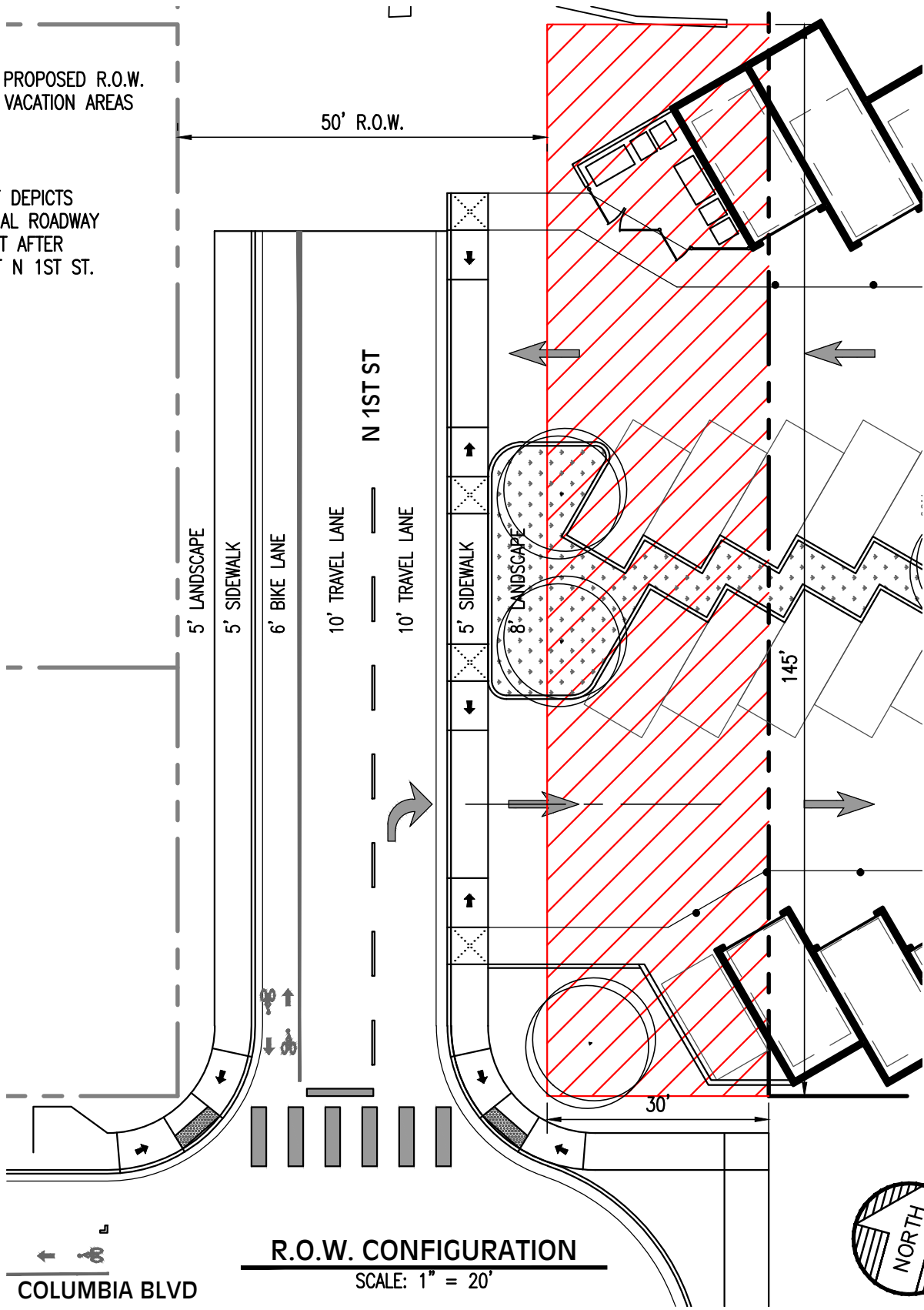
PROPOSED R.O.W. VACATION AREAS

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



PROPOSED R.O.W. VACATION AREAS

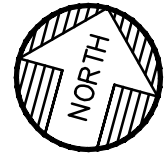
NOTE:
THIS EXHIBIT DEPICTS
THE POTENTIAL ROADWAY
DEVELOPMENT AFTER
VACATION OF N 1ST ST.



COLUMBIA BLVD

R.O.W. CONFIGURATION

SCALE: 1" = 20'



Lower
Columbia
Engineering

St. Helens, Oregon
(503) 366-0399

| | | | |
|-----------|------------------------------|---|------------|
| 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.

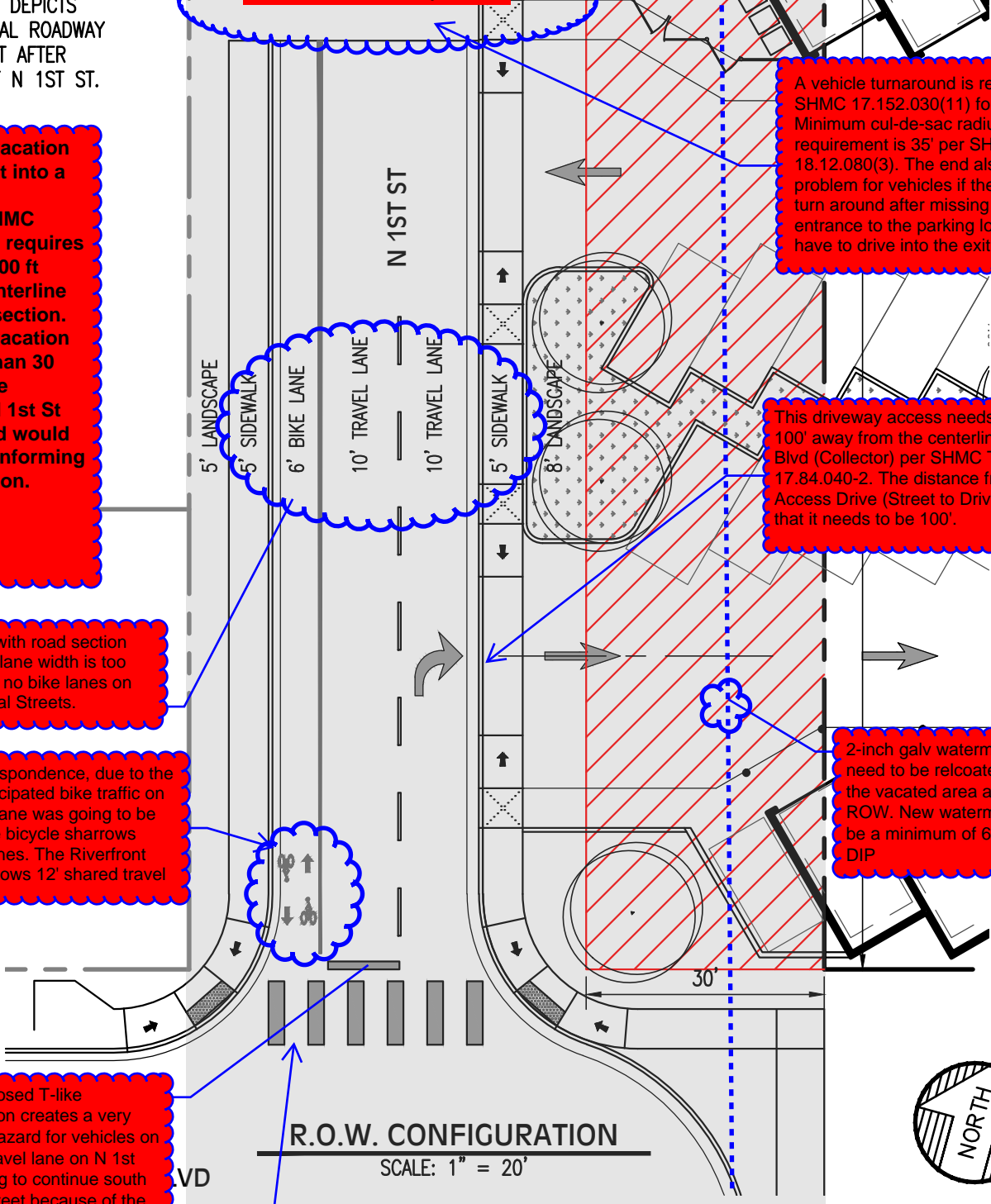
This driveway access needs to be at least 100' away from the centerline of Columbia Blvd (Collector) per SHMC Table 17.84.040-2. The distance from Private Access Drive (Street to Driveway) shows that it needs to be 100'.

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

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

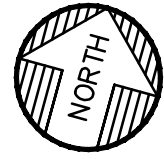
2-inch galv watermain will need to be relocated out of the vacated area and into the ROW. New watermain must be a minimum of 6-inch dia DIP

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

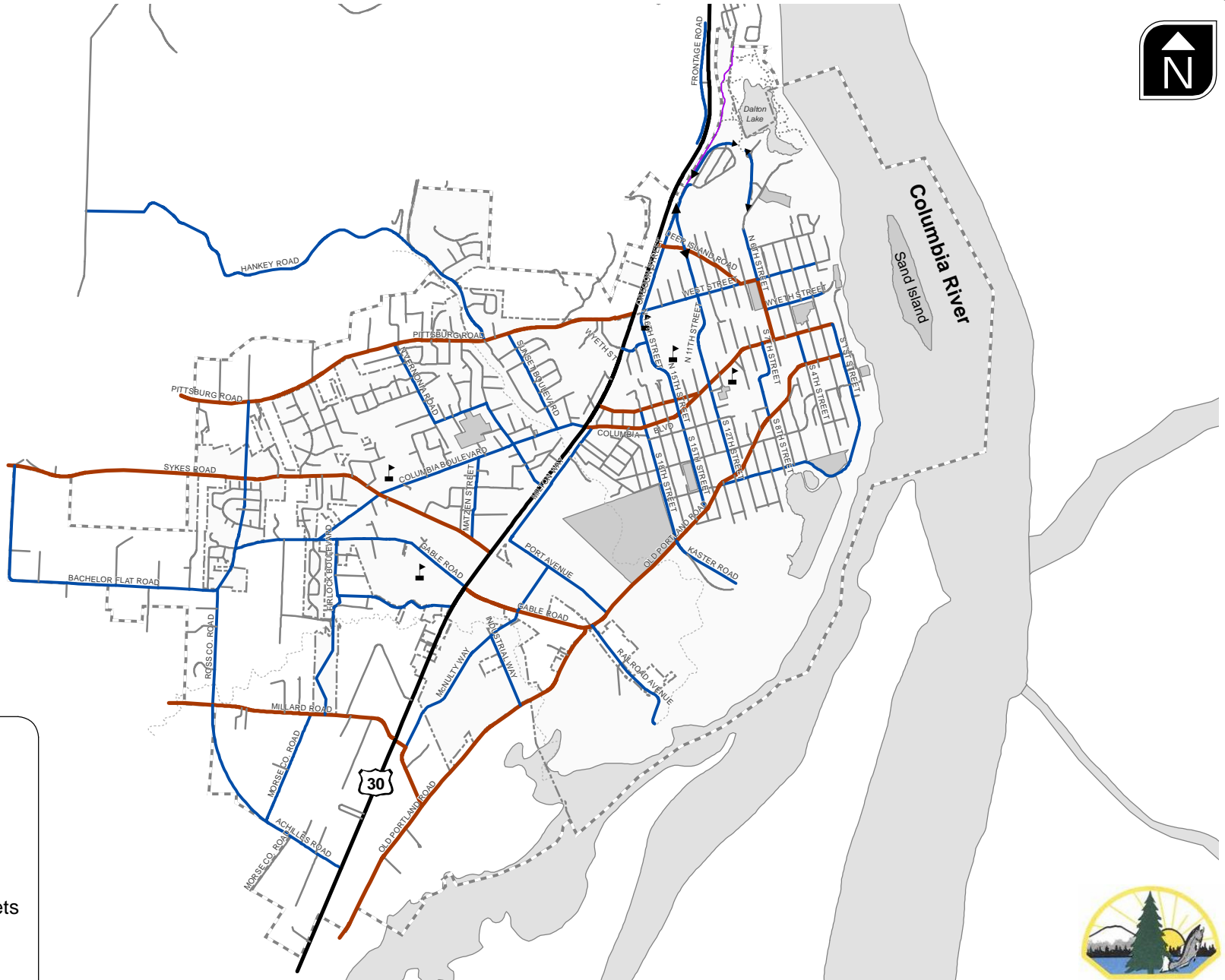
V-2

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





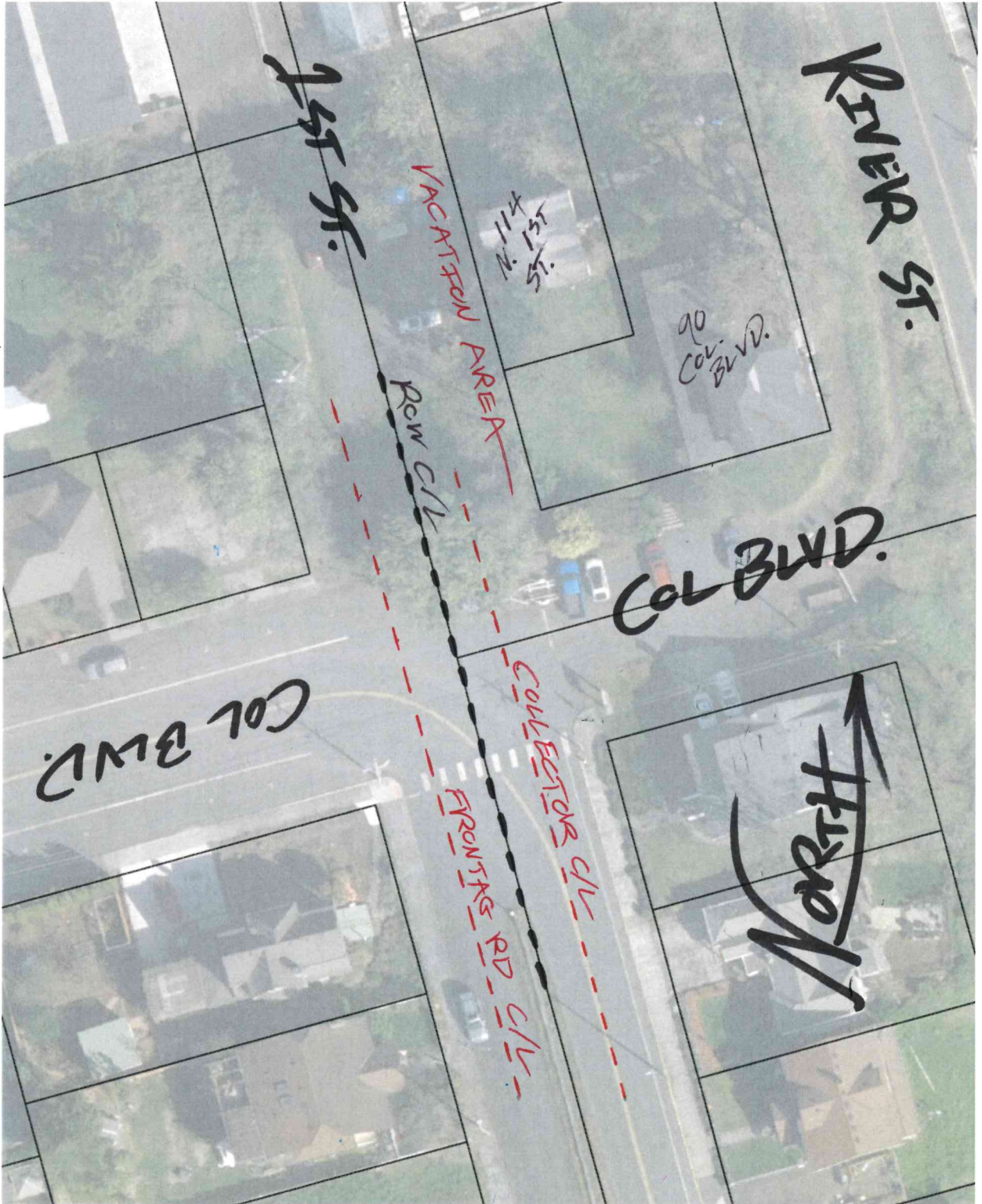
LEGEND

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



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

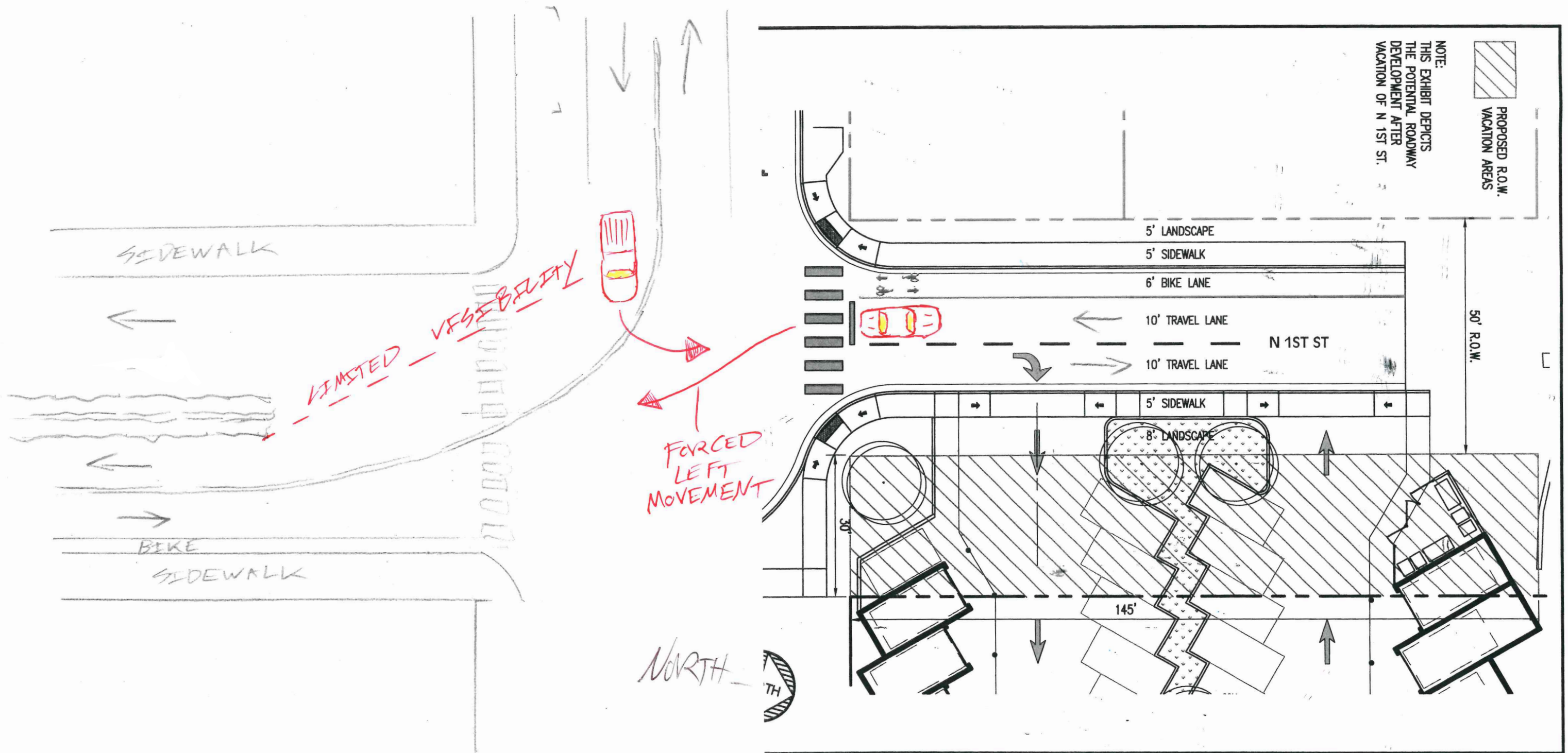
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MARCH 2026

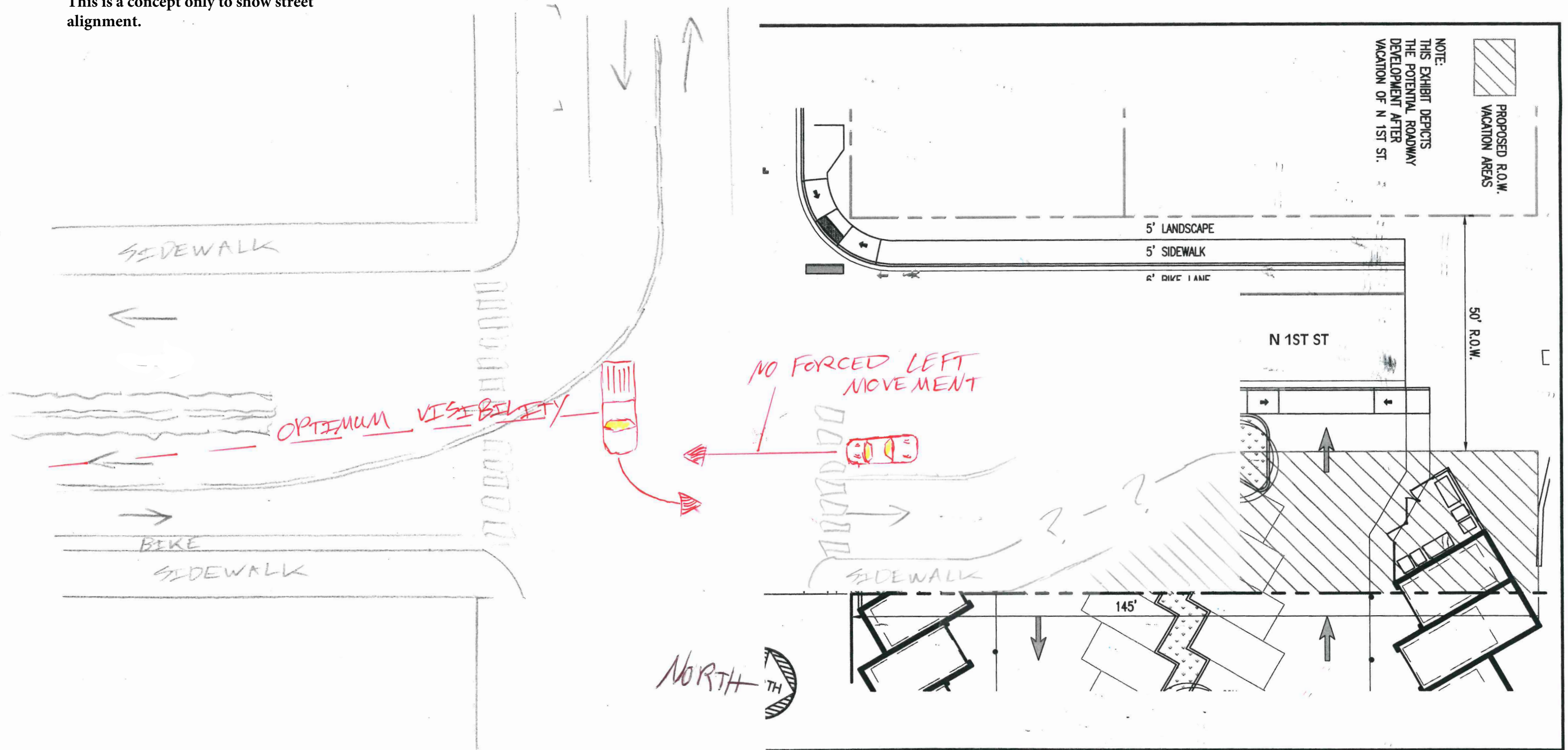
CENTERLINE CONSIDERATION

VAC.1.26
Left Turn Exhibit
Vacation Area as Proposed



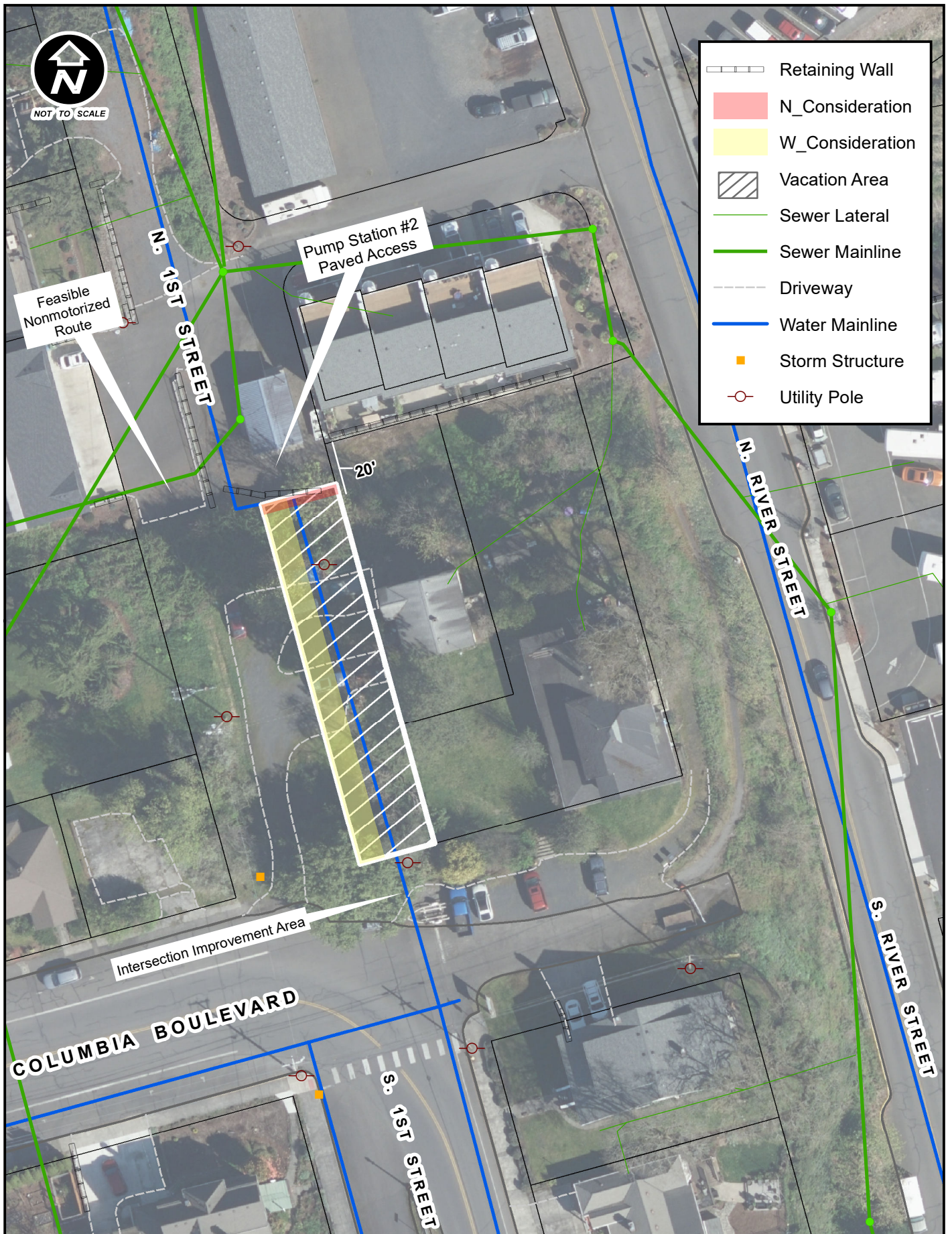
VAC.1.26
Left Turn Exhibit
Vacation Area as Potentially Modified

This is a concept only to show street alignment.



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

N. 1st Street



2022 Aerial

