

CITY OF ST. HELENS PLANNING DEPARTMENT ACTIVITY REPORT



To: City Council
From: Jacob A. Graichen, AICP, City Planner
cc: Planning Commission

Date: 5.24.22

This report does not indicate all *current planning* activities over the past report period. These are tasks, processing and administration of the Development Code which are a weekly if not daily responsibility. The Planning Commission agenda, available on the City's website, is a good indicator of *current planning* activities. The number of building permits issued is another good indicator as many require Development Code review prior to Building Official review.

ASSOCIATE PLANNER/PROJECT MANAGER—*In addition to routine tasks, the Associate Planner/Community Development Project Manager has been working on: See attached.*

PLANNING ADMINISTRATION—PREAPPLICATIONS MEETINGS

Conducted a pre-application meeting for a potential reuse of the John Gumm School building for Columbia County's use.

PLANNING ADMINISTRATION—MISC.

Consultant with Winterbrook Planning reached out to me at the end of April for some information about our wetland rules. The County is looking at its rules, including how they function with other jurisdictions according to the consultant.

We received the initial subdivision application for the Comtscock property last month and had till May 11 to deem it complete. We were able to get the incomplete letter before the end of April, ahead of schedule. Revised materials submitted this month—this will be scheduled for July hearings.

Almost final inspection conducted for the conex box 8-plex along S. 7th Street by 6th Street Park. This started with a Conditional Use Permit in 2017; glad to see it finally wrapping up.

Popeyes Louisiana Kitchen final inspection for temporary occupancy conducted so they could open as intended on May 10th. Most items are complete; full completion anticipated by next month.

Conducted Planning Commissioner interviews, four total, for a recent vacancy resulting from a resignation.

Conducted final inspection for thermal wall around fuel tanks on a neighboring property (Wilcox and Flegel) of the new apartments under construction along Gable Road. Federal agency required this due to the funding source of the apartment project.

Oregon HB 4064 passed in March. This impacts how the city allows manufactured homes and prefabricated structures. For example, previously St. Helens had rules that requires manufactured homes to be multi-sectional, have a certain roof pitch and have exterior siding and roofing material “commonly used on residential dwellings.” Similar to past legislature regarding

duplexes, we more-or-less need to treat manufactures homes the same as stick-built dwellings from zoning/development code standpoint. Also, previous law did not include premanufactured homes. **This means someone can install a single-wide unit in the city, which has not been allowed for years (or decades).** Eventually, we will need to update our code.

Assisted with ODF verification of acres. The city's watershed property (well outside of city limits) is ok, but other properties within or close to the city have suspect details.

DEVELOPMENT CODE ENFORCEMENT

The December 2021 and February 2022 noted ACSP / Ogrotech (the occupant / owner) of the parcel divided from the St. Helens Industrial Business Park site (**1400 Kaster Road**) has a number of sheds subject to local permitting requirements. These sheds were installed specifically to obtain OLCC marijuana producer licenses. In February I was optimistic of progress, but since then that has turned to disappointment with no actual progress made. Thus, at the end of last month, I finally denied the permit. Once the appeal period was over, I notified OLCC—*see attached*.

On a related note, check this out about **1400 Kaster Road**:
<https://www.loopnet.com/Listing/1400-Kaster-Rd-Saint-Helens-OR/25426186/>.

PLANNING COMMISSION (& *acting* HISTORIC LANDMARKS COMMISSION)

May 10, 2022 meeting (outcome): Staff presented the semi-annual to the Council to the Commission, which ended up being a prolonged multi-faceted discussion item. To help keep the Commission informed, I hope to do this for every future semi-annual report. The commission also discussed its own annual report to the council and continued its discussion about proactive procedures. The proactive procedures should be completed within the next couple months. Related to the proactive procedures, henceforth, future Commission agendas will have “PROACTIVE ITEMS” as a default agenda item header.

Staff provided an overview of the right-of-way vacation the council approved prior to this meeting. The Commission affirmed the Planning Commission Interview Committee's candidate selection from the four applicants we had.

June 14, 2022 meeting (upcoming): The Commission will review a public right-of-way vacation at the intersection of N./S. 1st Street and Columbia Boulevard. Proactive initiative discussion will continue from the last few months. Perhaps more.

As the Historic Landmarks Commission, they will consider the architecture proposed for a new sanitary sewer pump station house on the city's waterfront property (veneer property).

GEOGRAPHIC INFORMATION SYSTEMS (GIS)

Quarterly updates this month. The county data we use to create our own taxlot and APO data for the e-permitting system did not work the first week of May, so had to delay this to the second week (when it finally did work), which was moderately vexing.

ST. HELENS INDUSTRIAL BUSINESS PARK PROPERTY

We are having more detailed conversations with PGE about creating a new parcel for their desired new sub-station to serve this property. PGE has noted that the new substation is necessary for any new use, including the proposed public safety facility.

MILLARD ROAD PROPERTY

Chase road easement agreement originated in 2009 with an 11-year window for development. We extended this for two years in 2020. Still no development. The extended two-year window ended in March. I've had a few conversations with the grantor over the last few months and they are open to an additional 2-year extension, retroactive to the end of March 2022. Finally initiated communication with legal counsel on this matter this month.

RIVERFRONT DISTRICT WATERFRONT PROPERTY

The Columbia View Park expansion and public infrastructure efforts continue, but the recent master developer selection process resulted in no developer onboard. Meeting deliberations where enough to scare the one interested entity away.

From: [Jennifer Dimsho](#)
To: [Jacob Graichen](#)
Subject: May Planning Department Report
Date: Tuesday, May 24, 2022 2:12:47 PM

Here are my additions to the May Planning Department Report.

GRANTS

1. **CDBG- Columbia Pacific Food Bank Project** – New completion deadline is 6/30. Final Occupancy is pending completion of Inspection Report items.
2. **Safe Routes to School - Columbia Blvd. Sidewalk Project** – Planning reviewed and provided comments on 60% design. Project check-in on 5/26. Quarterly Report due 6/1. Bidding is anticipated late Fall 2022 with construction in Spring/Summer 2023. Amendment approved to push completion deadline from November 2022 to February 2024.
3. **Business Oregon – Infrastructure Finance Authority** – Contract documents finalized. Will submit first reimbursement once design work is complete and Riverwalk/Streets & Utilities projects are out to bid.
4. **Certified Local Government – Historic Preservation Grant Program** – Roof work completed in April. Invoices paid. Final report and reimbursement received from SHPO!
5. **Technical Assistance Grant with the Oregon State Marine Board** - To assist with design and permitting of an in-water fishing dock and paddlecraft launch facility at Grey Cliffs Park. Council pubic forum on May 4 for final feedback. Feedback summarized submitted to OSMB to move forward.

PROJECTS & MISC

6. **Riverwalk Project (OPRD Grants x2)** – Columbia View Park expansion land use process completed! Playground re-design work is continuing and will be presented to Council/Parks & Rec. Comm soon. This work is now SDC eligible. Riverwalk Project and park design will proceeding to 60% design.
7. **Riverfront Streets/Utilities Design/Engineering** – Held a Joint PC/CC meeting to discuss 90% streets/utilities project update on 3/16. Pump station building design work is at 60%. SDR permit submitted for pump station building. To go before PC for architectural review on June 14.
8. **St. Helens Industrial Business Park (SHIBP) Public Infrastructure Design**– Work Order 1 approved - 30% design for Phase I infrastructure & permitting/grading work for Phase II. Held 2nd stakeholder meeting on 2/17 to discuss utility and transportation needs for Phase I infrastructure. Continuing PGE coordination for new substation. Kicking off Phase II grading work 4/27.
9. **Riverfront Redevelopment RFQ** – RFQ closed on 4/1 with 2 submittals received. Selection Committee to convene on 5/11 and 5/18 to review developer presentations. Atkins & Dame withdrew on 5/11. RkM withdrew on 5/23.
10. **Dig-E-Plan** – Building Department is rolling out a new digital plan review for building permits applications. Attended a 2-hour training to learn the new software tools and functionality. Continuing to review test records/processes.
11. **Nob Hill Nature Park Map** – Portland Community College student mapping project.

Assisting the GIS student who is preparing a map for posting at the kiosk.

Jenny Dimsho, AICP

Associate Planner / Community Development Project Manager

City of St. Helens

(503) 366-8207

jdimsho@sthelensoregon.gov



265 Strand Street
St. Helens, Oregon
97051

April 28, 2022

Oregon Liquor and Cannabis Commission
9079 SE McLoughlin Blvd.
Portland, OR 97222

Via Email: Marijuana.Licensing@oregon.gov

RE: Unlawful structures related to 10 OLCC licensed marijuana recreation producers listed here:

LICENSE NUMBER ▾	LICENSEE NAME ▾	BUSINESS NAME ▾	LICENSE TYPE ▾	ACTIVE ▾	COUNTY ▾	taxlot
020 101203720DD	OrGroTech LLC	OrGroTech	Recreational Producer	Yes	Columbia	112
020 101205525B6	OrGroTech LLC	OrGroTech	Recreational Producer	Yes	Columbia	103
020 1012058F630	OrGroTech LLC	OrGroTech	Recreational Producer	Yes	Columbia	104
020 10120598FEE	OrGroTech LLC	OrGroTech	Recreational Producer	Yes	Columbia	105
020 1012060D3A9	OrGroTech LLC	OrGroTech	Recreational Producer	Yes	Columbia	106
020 1012061E70F	OrGroTech LLC	OrGroTech	Recreational Producer	Yes	Columbia	107
020 1012062DE1B	OrGroTech LLC	OrGroTech	Recreational Producer	Yes	Columbia	108
020 10120649A31	OrGroTech LLC	OrGroTech	Recreational Producer	Yes	Columbia	109
020 1012065792B	OrGroTech LLC	OrGroTech	Recreational Producer	Yes	Columbia	110
020 1012066452E	OrGroTech LLC	OrGroTech	Recreational Producer	Yes	Columbia	111

Dear OLCC,

Attached to this letter is a notification of denial of a land use permit for 10 buildings, each associated with one of the recreation producer licenses identified above.

Please consider the unlawful state of these buildings, which were installed specifically to obtain OLCC licensing, in any future actions or considerations.

If you have any questions, please contact my office at the number below or by email:
jgraichen@sthelensoregon.gov.

Respectfully yours,

Jacob A. Graichen, AICP, City Planner



265 Strand Street
St. Helens, Oregon
97051

NOTICE OF ADMINISTRATOR'S LIMITED LAND USE DECISION
April 15, 2022

RE: Site Development Review, *minor* SDRm.4.22

Dear Applicant/Owner,

The City Planning Department has reviewed your application for a minor Site Development Review for installation of 10 approx. 80 square foot buildings placed throughout subject property with power connections at 1400 Kaster Road.

This decision may be appealed. The deadline for filing an appeal application with the required fee is **5pm the 10th day starting after the day of mailing this decision. If the 10th day falls on a legal holiday for the City or a weekend, the next business day for the City is the appeal deadline.**

Please note that this decision can be amended during the appeal period pursuant to St. Helens Municipal Code Section 17.24.275. For example, certain parties are notified of this decision and that could result in new information becoming available that warrants the City to amend the decision. **This decision is not final until the end of the appeal period for this decision or an amended decision thereof.**

If you have any questions, please contact this office.

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

File Number(s): Site Development Review, *minor* SDRm.4.22

Proposal: 10 approx. 80 square foot buildings placed throughout subject property with power connections. This proposal requires a *minor* Site Development Review.

Location: 1400 Kaster Road

Map/Taxlot(s): 4N1W-9-102/103/104/105/106/107/108/109/110/111/112

Applicant(s): Shaun Land for ACSP, LLC

Owner(s): ACSP, LLC

Zoning: Heavy Industrial, HI

* * * * *

CONCLUSION & DECISION

Based upon the facts and findings herein, the City Planning Administrator **DENIES** this *minor* Site Development Review.



Jacob A. Graichen, AICP, City Planner

APRIL 15, 2022

Date

* * * * *

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

Deemed Complete Info: This application was originally received on January 11, 2021. Staff identified missing information or other aspects that rendered the application incomplete and notified the applicant of the issue pursuant to SHMC 17.24.050 on February 2, 2021. The applicant refused to provide missing information, thus, the application was complete on the 31st day following receipt of the original application pursuant to SHMC 17.24.050(7). The city allowed additional time for the applicant to provide an adequate application and the applicant continued to fail to do so.

* * *

Permitting History: The site was formerly a part of the long-time paper mill on site, but starting in 2017, the subject property started to be used as its own principal use, including a land division to separate it for separate ownership purposes. Summary of land use permits as follows:

2017 – Site Development Review SDR.8.17, for building 1-3 for marijuana production and admin offices in building 1

2018 – Partition PT.1.18, to divide the property

2019 – Minor Site Development Review SDRm.7.19, for building 4 for marijuana processing

Summary: the subject property is a parcel as created by the land partition and includes four buildings that have been approved for use via land use permitting as listed. Use of any other preexisting building or the existence and placement of the 10 buildings that are the subject of this permit do not have land use approval.

* * *

SHMC 17.96.080 (3) – Minor Modification Site Development Review approval criteria

A minor modification shall be approved, approved with conditions or denied following the director's review based on the finding that:

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

* * *

The applicant failed to provide an adequate application for development and use of land. The city is unable to make findings as to compliance of law and thus must deny this request. Except, the proposal likely does not constitute a major modification. It is possible a public easement identified on the partition P.P. No. 2020-03 that cuts a swath through the property has been encroached upon. Future development of the subject property will need to include abatement of these violations if not already resolved by that time.

A significant portion of the subject property consists of the "South 80 Landfill" per DEQ records. This area was capped in the 1980s. There were monitoring wells that were installed; those and the landfill were decommissioned under the Solid Waste Disposal Site Closure Permit No. 1152. The landfill was closed by DEQ on May 31, 1988. Though preexisting buildings 2 and 3 sit atop this landfill, there is no known record of these building being permitted prior to the 2017 decision noted above. Given the fill, anything currently present would have been built no earlier than the mid-1980's. The City's land use records as listed in the 2017 decision, predate the landfill.

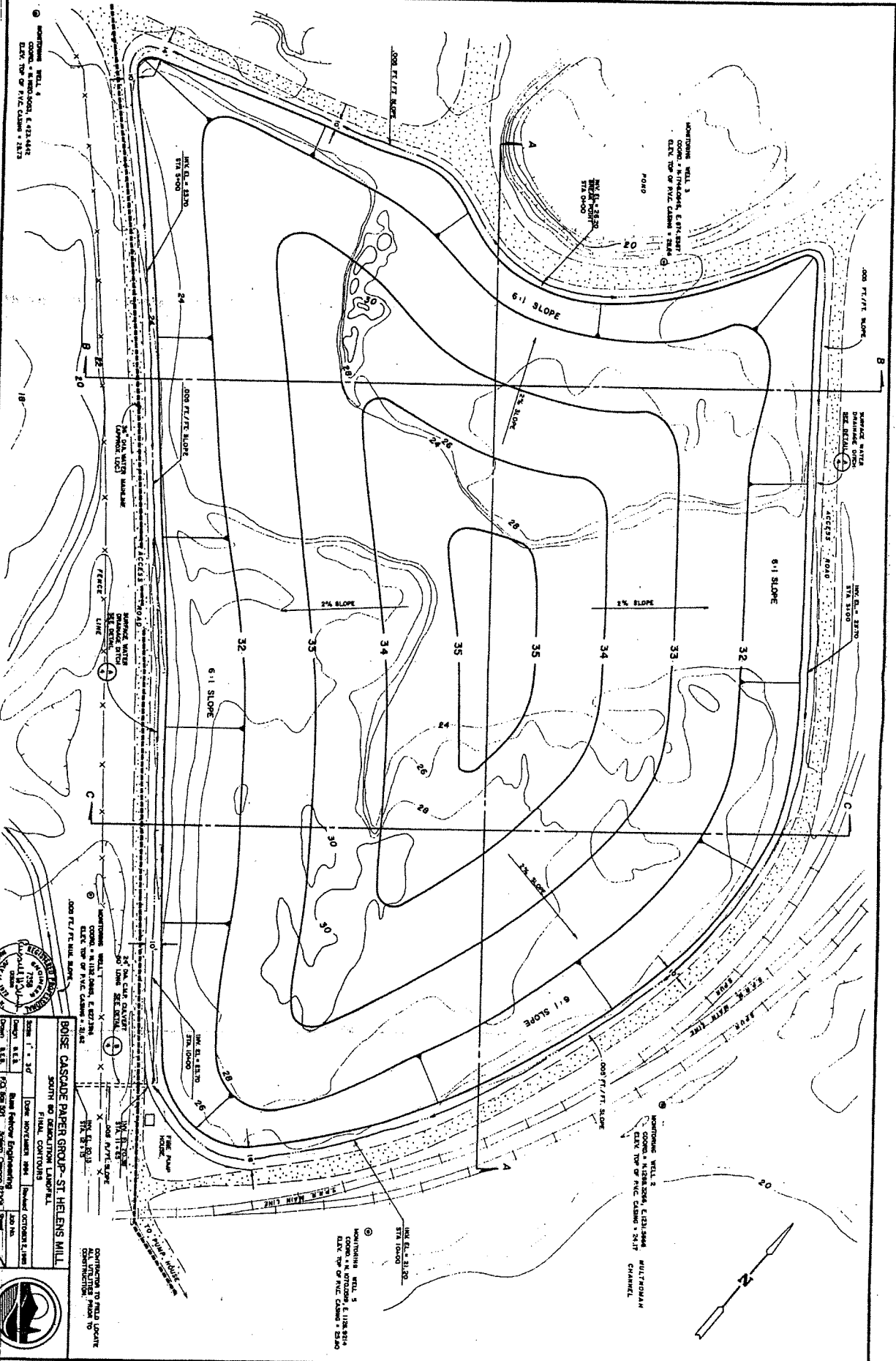
Note that Oregon DEQ was involved in the permitting of buildings 2 and 3 as part of the 2017 decision.

Many of the buildings that are the subject of this permit were placed atop the "South 80 Landfill" and included trenching into that area for electrical lines. The city is not aware of any consultation with the Oregon Department of Environmental Quality.



ABOVE: A couple of the ten proposed buildings (one for foreground and another in the background) are visible in this photo and show that they have been installed prior to any land use entitlement.

Trenching into the "South 80 Landfill" to provide power to the buildings visible in this photo.



MONITORING WELL 3
 CORNER - N 1/2 SEC 20, E 1/4 T 20N
 ELEV. TOP OF PVC Casing = 2142

MONITORING WELL 3
 CORNER - N 1/2 SEC 20, E 1/4 T 20N
 ELEV. TOP OF PVC Casing = 2142

MONITORING WELL 3
 CORNER - N 1/2 SEC 20, E 1/4 T 20N
 ELEV. TOP OF PVC Casing = 2142

MONITORING WELL 3
 CORNER - N 1/2 SEC 20, E 1/4 T 20N
 ELEV. TOP OF PVC Casing = 2142



BOISE CASCADE PAPER GROUP - ST. HELENS MILL	
Scale: 1" = 30'	Date: NOVEMBER 1999
Drawn: J.E.B.	Checked: J.E.B.
Project: St. Helens Mill	Sheet: 3
Boise Cascade Engineering 1000 S. 10th St. Boise, ID 83702 (208) 343-5100	



CONTINUING TO SHEET 4
 ALL UTILITIES SHOWN TO
 EXIST