

CITY OF ST. HELENS PLANNING DEPARTMENT ACTIVITY REPORT



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

Date: 09.25.2023

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 new development of a parcel located off Industrial Way near the intersection of McNulty Way/Industrial Way. The Amani Center is exploring a new location.

PLANNING ADMINISTRATION—MISC.

Conducted final inspection for building H of the Broadleaf Arbor (Gable Road apartments) development. D (community building), E, F and G (multi-family buildings) inspected previously. H is the 5th of ten buildings. Conducted a pre inspection with the project manager for next building (Building I) as we are at the halfway point and looking at getting the “back half” of the site 100% complete. Gable Road improvements are underway, but not subject to completion for the “back half,” but we have expressed the importance of them progressing at this point. They anticipate all being done by end of November.

Conducted Planning Commission interviews for our vacancy resulting from resignation and that person was appointed by the Council.

With Russ Hubbard selected to fill the city council vacancy, we'll need to do another round of outreach and interviews, for the new vacancy on the Commission.

We have two annexations that will probably be processed later this year or next year. Both are related to connection to city utility. bit of time spent related to these this month.

With changeover of long-time staff at Columbia County Land Development Services and the recent adoption of an e-permitting system, I had a discussion with their office manager about how we handle connection to a city utility for properties outside of city limits. Technology and people have changed, and staying coordinated on this is important to prevent future mishaps.

A fairly common issue of people using street turn-around for parking or storage came up again recently, this time for Mikayla Lane on the south side of Campbell Park. [See attached.](#)

Some of our older files are kept in a storage area accessible from an outdoor doorway. This outdoor area is secure and popular for storing stuff related to events and such. Sometimes, the door gets blocked. Thanks to our Safety Committee, a sign was posted on the door to help get the point across. I wrote this on the door years ago with a permanent marker but that faded.



DEVELOPMENT CODE ENFORCEMENT

There was a complaint about a fence in the Old Portland Road tight-of-way at 7th Street. Issue resolved.

Local post office called about a beehive issue on S. 2nd Street. One of their mail carriers is allergic to bee stings. After some unsuccessful discussions with the applicant, USPS contacted the city. Upon observation, the hives were clearly visible from the public street and, thus, not in compliance with honeybee keeping code.

PLANNING COMMISSION (& *acting* HISTORIC LANDMARKS COMMISSION)

September 12, 2023 meeting (outcome): The Commission held three public hearings. They approved a Variance associated with a Lot Line Adjustment, recommend denial (to the Council) of a zoning and comprehensive plan map change for the CCMH property, and denied the Conditional Use Permit, et al. for the proposed Police station at Old Portland Road/Kaster Road.

As the Historic Landmarks Commission, they reviewed the latest changes proposed for 71 Cowlitz Street (Klondike Tavern) as tabled from the August meeting.

October 10, 2023 meeting (upcoming): As of the date of this report, there is nothing significant scheduled for this meeting. Potential one to cancel or for the Commission to use as a work session.

From: [Jennifer Dimsho](#)
To: [Jacob Graichen](#)
Subject: September Planning Department Report
Date: Monday, September 25, 2023 10:17:24 AM
Attachments: [image001.png](#)

Here are my additions to the September Planning Department Report.

GRANTS

- 1. Safe Routes to School - Columbia Blvd. Sidewalk & County Culvert Project –**
Construction with TFT began July 17, starting at the culvert near Gable Road. Trees have been removed. Culvert is installed. Grading work and retaining work is ongoing. Flashing beacon and signage near elementary school installed. Submitted quarterly progress report due on 9/6.
- 2. Business Oregon – Infrastructure Finance Authority –** Low-interest loan for Streets & Utilities Project and Columbia View Park improvements that are not covered by grants and Parks SDCs. 1st Reimbursement request processed (which included over 30 invoices). Working with finance and URA revenue projection consultant to support amendment request for additional funding for undergrounding.
- 3. Riverwalk Project (OPRD Grants x2) –** Project bidding closed on 9/19. I coordinated issuing 3 addendums during bidding. All bids came back around \$5 million, which is higher than we had budgeted/estimated. Working on a solution to focus on the Riverwalk Project and which is mostly grant funded.
- 4. Community Development Block Grants (CDBG) –** \$2.5 million grant award to fund design/engineering/permitting for the City's Sanitary Sewer Improvement Project. This project covers 3 sanitary sewer basins which were identified as deficient and priorities for improvement in the adopted Wastewater Master Plan. Contracts are expected in August. Construction will be funded by a \$16.4 million loan (with up to \$4.5 million in loan forgiveness) from DEQ's revolving loan fund. 1st draw requirements completed. Grant administration RFQ closed and we received 3 qualified candidates. Selected contractor on 9/25 and prepared a PSA for approval on 10/4. Engineering is working on Design/Engineering RFP to issue soon.
- 5. Certified Local Government Historic Preservation Grant Program –** Received our contract for 17k. Commission scored 4 applicants and selected top-scoring applicant at 135 S. 3rd Street. Prepared package of project material for the state to begin review process which could take up to 75 days. State had additional follow up questions about meeting the standards for rehabilitation, applicant is working on answers /clarifications.
- 6. DLCD Technical Assistance Program –** Submitted request for 60k to cover the cost of a new Economic Opportunities Analysis (EOA), including a Resolution from City Council and a letter of support from Columbia Economic Team. Grant was due 9/29.
- 7. Veterans Memorial Grant Program -** 33k award for an expansion at McCormick Park Veterans Memorial. Project includes 7 branch of service monuments and corresponding flags. The project includes matching funds of \$28,130 through in-kind labor and donations. Granite slabs are being prepared. Electrician and mason have provided quotes. Project costs (mostly the mason) are higher than expected, but we're working on a solution. Public Works has poured the walkway and footings and is prepared to pour the 7

concrete pedestals but needs dry weather.

8. **ODOT Community Paths Program** - Received 300k to study a trail route refinement project (30% design) from St. Helens to Scappoose. Contracts are expected in October. Award is \$300k, with a match of around 42k split between Scappoose, the County, and us. ODOT anticipates grant contracts in November/December.
9. **SHPO Oregon Heritage grant Program** - Grant program opened to cover the design and cost of materials for the Warrior Rock Lighthouse replica and signage (Grant max is 20k). Construction could be completed in-house as a match requirement by Public Works staff. Received a letter of support from the County Commissioners and the Columbia County Museum Association. Working on budget, timeline, grant narrative in early October. Grant cycle closes on 10/12.
10. **Travel Oregon Grant Program** - Submitted a 100k grant request to fund ADA components of the Riverwalk Project (Grant was due 9/15). Included a letter of support from our Regional Destination Management Organization (RDMO) which is CET, narrative responses, project budget, grant timeline, and permitting and planning attachments.

PROJECTS & MISC

11. **Riverfront Streets/Utilities Project** – Attending weekly check-ins. Pump station nearly complete. Bluff trail construction is moving along. Stormwater improvements south of Columbia View park complete. Rough grade of traffic circle near Cowlitz/Strand underway. Water line under construction. Undergrounding at 1st Street and St. Helens Street design ongoing.
12. **St. Helens Industrial Business Park (SHIBP) Public Infrastructure Design** – 30% design for Phase I infrastructure & permitting/grading work for Phase II with Mackenzie. Mackenzie provided preliminary PT for PGE parcel. City will facilitate partition process, PGE will prepare other land use applications.
13. **Oregon Population Forecast Program Survey** - Worked with Jacob to prepare narrative/qualitative responses to this survey which are due in November. PSU divides the state into 4 regions and each region receives a forecast every 4 years with a 50-year horizon. The previous report was from 2020-2070. The next report will be for 2024.
14. **Council Meeting Coverage** - While Lisa and Kathy were attending a statewide conference, I covered the City Council meeting ZOOM/recording on 9/20.
15. **Professional Development** - Attended a few relevant webinars this month and registered for two conferences in October (Mainstreet Conference & OAPA).

Jenny Dimsho, AICP | Community Development Project Manager

City of St. Helens | Planning Department
265 Strand Street, St. Helens, OR 97051 | www.sthelensoregon.gov
P: (503) 366-8207 | jdimsho@sthelensoregon.gov





265 Strand Street
St. Helens, Oregon
97051

September 25, 2023

RE: Mikayla Lane history and parking

Dear owner of property along Mikayla Lane in St. Helens,

Current improvements:

Mikayla Lane is a public street within a 30' wide right-of-way and a related public access easement for a required turnaround for this dead-end street. It includes a 24' wide roadway with sidewalk on the west side only.

See **attached** Abbey Lane Plat (final plat) with the public right-of-way and turnaround highlighted. This is the recorded plat that created the lots, right-of-way and public access easement for turnaround. This was recorded with the County Clerk on December 7, 2006.

History:

Notice of the subdivision proposal dated July 19, 2004, identified a 5-lot subdivision with a dead-end street with less than the standard dimensions and sizes. See **attached**.

The original proposal, as attached to the notice, showed a street between Columbia Boulevard and Campbell Park with no turnaround. See **attached**.

Subdivisions normally get reviewed by the city's Planning Commission.

The Planning Commission held a public hearing on the matter on August 10, 2004, per this notice. The staff report for that hearing dated August 2, 2004, notes that: the Fire District indicated that the subdivision would have to comply with Fire Code requirements, dead end streets over 150 feet in length require a turnaround, and no turnaround was proposed. Excerpt of this report is **attached** with these statements marked. The lesser road standards requested by the developer are also described.

The hearing was continued to a later date, on October 12, 2004. The Commission's decision following this hearing as signed on November 9, 2004, shows that a sidewalk on the west side was required (condition "i"), that a turnaround be located between lots 3 and 4 (condition "m"), a recommendation that no parking designations be included for the street and turnaround (condition "n"), and that the 30' wide right-of-way was ok. See **attached** excerpt of the final decision signed November 9, 2004.

Note that Lots 3 and 4 are those lots now addressed as 121 and 111 Mikayla Lane.

In 2006, the developer applied to modify the approve preliminary plat from four lots to five. I think the requirements from 2004 resulted in a four-lot proposal, even though five were originally intended.

Identical conditions from the 2004 decision as referenced above were included in the 2006 decision. See **attached** excerpt of the final decision signed April 11, 2006.

It appears the subdivision was constructed in 2006. Typically, construction starts after the preliminary plat is approved and before the final plat (the first attachment) is recorded. Construction is supposed to comply with the conditions of the preliminary plat decision. Construction cannot happen until construction plans are approved.

Attached is a street plan sheet from the construction plans. No driveways are shown because they are private improvements constructed when each lot is developed with a home (after the subdivision is constructed). But the turnaround is shown because it was part of the public street improvements as required for this subdivision.

Current standards:

Fire Code requires a turnaround when a street is longer than 150 feet.

The minimum road width for fire apparatus access is 20 feet per Fire Code, though this increases to 26 feet when there is a fire hydrant along the street. Because automobiles are normally wider than 4 feet, any on-street parking on Mikayla Lane, even on just one side of the street would be an obstruction for emergency vehicle response since it is only 24 feet wide between curbs.

Street signage is usually the responsibility of the developer. Though, because initial development was long ago, any new curb painting or street signage to make up for any deficiency would be the purview of Public Works.

Enforcement of designated no parking areas is up to the Police Department (which includes Code Enforcement).

Chapter 10.04 of the St. Helens Municipal Code addresses parking regulations.

The code can be found online: <https://www.codepublishing.com/OR/StHelens/>

The definition of “street” per this Chapter is as follows:

“Street” means every public way, road, street, thoroughfare and place, including bridges, viaducts and other structures within the boundaries of this state, open, used or intended for use of the general public for vehicles or vehicular traffic as a matter of right.

Though interpretation would ultimately fall to the Police, this definition is broad and because the turnaround is within a public access easement as identified on the final plat and based on the history of approval of the subdivision it is unquestionably for vehicular purposes, the turnaround area appears to fall in the same “street” category as the rest of Mikayla Lane.

Section 10.04.150 of the St. Helens Municipal Code includes prohibited parking or standing regulations, where parking by a yellow curb or contrary to posted signage and similar matters are identified.

Conclusion:

Markings and/or signage to prevent parking or obstruction of this narrow road can be justified based on the original decision, current regulations and the city's overall purpose of protecting public health safety and welfare. Specifics of how this is done, if anything new is warranted, would be up to Public Works.

Enforcement of parking or obstruction violations is possible but may need proper markings and/or signage and depends on the resources of the Police Department.

I hope this increases the understanding of how Mikayla Lane is supposed to function and the resources available.

Respectfully yours,



Jacob A. Graichen, AICP, City Planner

Attached: Abby Lane Subdivision plat (final plat) with notes
Notice of hearing dated July 19, 2004
Preliminary plat (c. 2004)
August 2, 2004 staff report (excerpt)
Findings and Conclusions (F&C) as signed November 9, 2004
Findings and Conclusions (F&C) as signed April 11, 2006
Street plan sheet from the construction plans (c. 2006)

cc: Councilor, Planning Commission liaison

Final Plat (with notes)

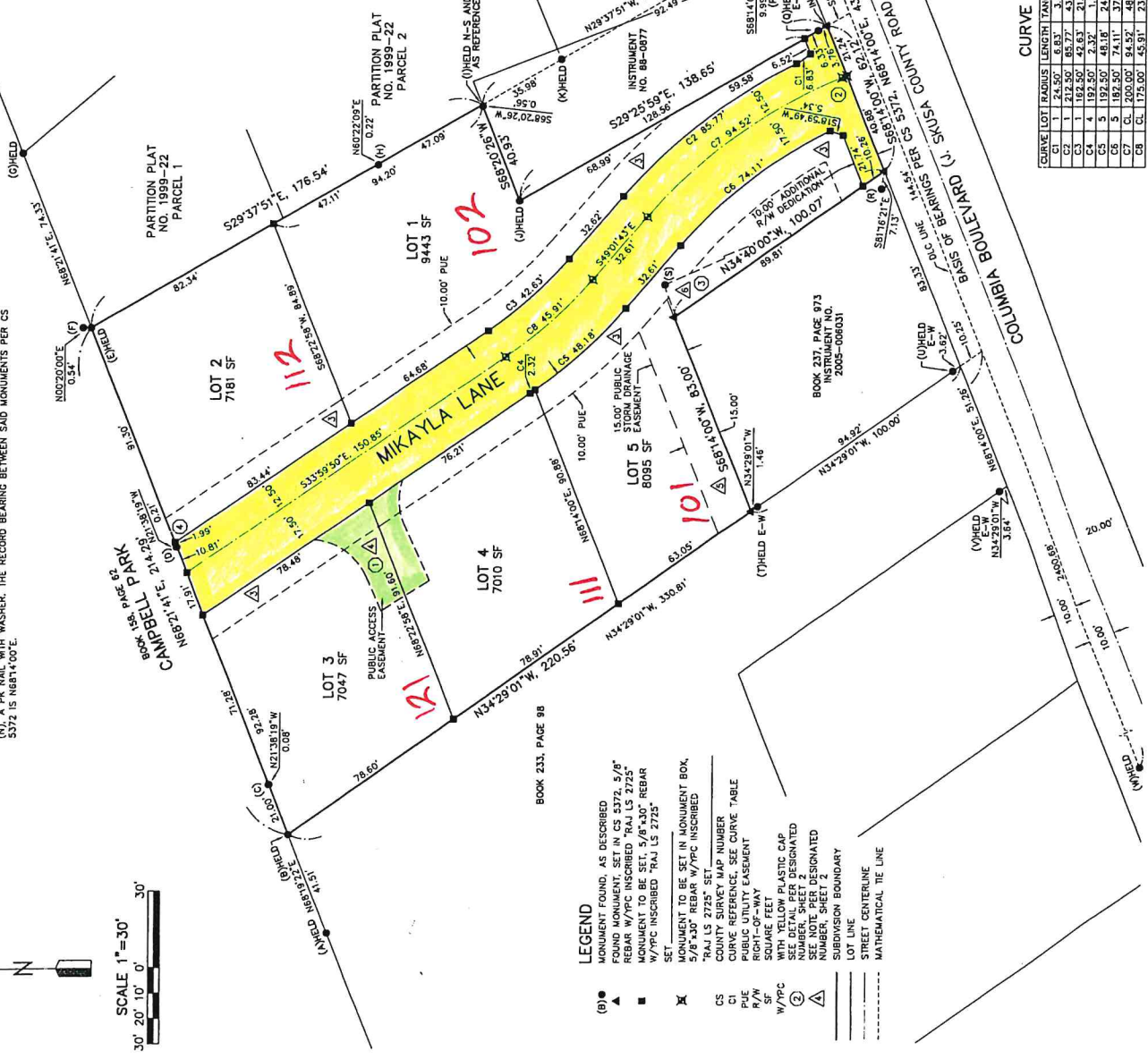
PLAT BOOK 7 PAGE 3 B-65-A
ABBEY LANE

PLAT OF THE LAND DESCRIBED IN COUNTY CLERK'S INSTRUMENT NO. 2006-005288, LOCATED IN THE SE 1/4 OF SECTION 5, T4N, R1W, WM, IN THE CITY OF ST. HELENS, COLUMBIA COUNTY, OREGON SURVEYED NOVEMBER 21, 2006

DESCRIPTIONS OF FOUND MONUMENTS

- (A) 5/8" REBAR W/PC INSCRIBED "SWANEY-DUNCAN", LOCATED 10.00' FROM THE NORTH LINE OF THE SUBJECT PROPERTY.
- (B) 1/2" IRON PIPE 0.1" DOWN, SET IN (I), HELD FOR TRUE CORNER.
- (C) 5/8" REBAR 0.7" DOWN, SET IN (5), LOCATED 10.00' FROM THE NORTH LINE OF THE SUBJECT PROPERTY.
- (D) 5/8" REBAR 0.3" DOWN, SET IN (5), LOCATED 10.00' FROM THE NORTH LINE OF THE SUBJECT PROPERTY.
- (E) 5/8" REBAR W/PC INSCRIBED "REYNOLDS LAND SURVEYING, INC.", FLUSH, ORIGIN UNKNOWN, HELD FOR TRUE CORNER.
- (F) 5/8" REBAR 0.1" UP, BELIEVED SET IN (4), LOCATED 10.00' FROM TRUE CORNER.
- (G) 1-1/2" IRON PIPE 0.6" DOWN, SET IN (3), HELD TO DETERMINE THE NORTHERLY EAST LINE OF THE SUBJECT PROPERTY.
- (H) 5/8" REBAR 0.3" UP, BEAT, SURVEYED SPIN HOLE AT GROUND ELEVATION, ORIGIN UNKNOWN, LOCATED 10.00' FROM THE EAST LINE OF THE SUBJECT PROPERTY.
- (I) 5/8" REBAR W/PC INSCRIBED "SWANEY-DUNCAN", FLUSH, SET IN (4), HELD NORTH-SOUTH FOR THE TRUE CORNER.
- (J) 5/8" REBAR W/PC INSCRIBED "SWANEY-DUNCAN", FLUSH, SET IN (4), HELD EAST-WEST CORNER.
- (K) 5/8" REBAR W/PC INSCRIBED "SWANEY-DUNCAN", 0.4" UP, SET IN (4), HELD EAST-WEST CORNER.
- (L) 5/8" REBAR, FLUSH, SET IN (1), HELD EAST-WEST TO DETERMINE THE NORTHERLY WEST LINE OF THE SUBJECT PROPERTY, LOCATED N34°29'01"W, 3.62' FROM THE R/W OF COLUMBIA BLVD.
- (M) 2" IRON PIPE 0.4" DOWN, SET IN (2), HELD EAST-WEST AS A CHECK ON THIS SURVEY, LOCATED N34°29'01"W, 3.64' FROM THE R/W OF COLUMBIA BLVD.
- (N) BRASS DISK IN MONUMENT BOX, INSCRIBED "S.W. COR. A. BROYLES D.L.C. #37, DESIGNATED AS COUNTY GPS STATION NO. 30. ELEVATION 122.164', HELD TO DETERMINE THE R/W OF COLUMBIA BLVD.

NARRATIVE
 THE PURPOSE OF THIS SURVEY IS TO DIVIDE THE LAND DESCRIBED IN THE SURVEYORS RECORD INTO LOTS AND TO SET MONUMENTS TO BE SHOWN ON THE ATTACHED MAP. BEARINGS ARE BASED ON MONUMENTS (W), A BRASS DISK, AND (N), A PK NAIL WITH WASHER, THE RECORD BEARING BETWEEN SAID MONUMENTS PER CS 3372 IS N68°14'00"E.



REGISTERED PROFESSIONAL LAND SURVEYOR
 JULY 23, 1985
 ROBERT ALAN JOHNSON
 #2725
 EXPIRES 6/30/07

ROBERT ALAN JOHNSON, LS 2725,
 CERTIFIED PLAT PREPARED USING
 PREPARED USING HEWLETT-
 PACKARD PRODUCT #C4844A ON
 HUMAN MADE POLYESTER FILM

JOHNSON LAND SURVEYING, INC.
 10185 SW HOODVIEW DR., TIGARD, OR 97224
 (503)639-7919, FAX (503)670-9050
 survey@johnson.net

CURVE LOT	FLUSH	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	1	24.50'	85.77'	43.48'	N37°27'54"W	123°07'37"
C2	1	162.50'	42.63'	21.44'	N41°30'46"W	150°01'53"
C3	4	192.50'	2.39'	1.16'	S34°20'32"E	0°41'23"
C4	5	192.50'	48.19'	24.22'	S41°51'29"E	154°20'29"
C5	1	162.50'	74.34'	37.61'	N37°27'54"W	123°07'37"
C6	CL	175.00'	45.91'	23.09'	N41°30'46"W	150°01'53"

- LEGEND**
- (B) MONUMENT FOUND, AS DESCRIBED
 - ▲ MONUMENT SET IN CS 3372, 5/8" REBAR W/PC INSCRIBED "RAJ, LS 2725"
 - MONUMENT TO BE SET IN (A) REBAR W/PC INSCRIBED "RAJ, LS 2725"
 - SET
 - MONUMENT TO BE SET IN MONUMENT BOX, 5/8" X 3/4" REBAR W/PC INSCRIBED "RAJ, LS 2725"
 - COUNTY SURVEY MAP NUMBER
 - CURVE REFERENCE, SEE CURVE TABLE
 - PUBLIC UTILITY EASEMENT
 - SQUARE FEET
 - WITH YELLOW PLASTIC CAP
 - SEE DETAIL PER DESIGNATED NUMBER, SHEET 2
 - SEE NOTE SHEET 2
 - SUBDIVISION BOUNDARY
 - LOT LINE
 - STREET CENTERLINE
 - MATHEMATICAL TIE LINE

Notice of Hearing
dated July 19, 2004

City of St. Helens
P.O. BOX 278 PHONE (503) 397-6272
St. Helens, Oregon
97051

July 19, 2004

Sub 5.04

Dear Property Owner:

You are being notified of a Planning Commission public hearing because you are listed in the County Assessor records as the owner of property within 300 feet of a proposed subdivision to be called Parmeter Subdivision. It will be located at approximately 2584 Columbia Blvd. The Columbia County Tax Assessor lot is 410504102500.

The proposed development is in an R-7 zone. The proposal is for 5 lots on approximately 1.29 acres to be developed in one phase. The developer proposes to develop the dead end street with less than standard dimensions and sizes. The proposed Subdivision will be reviewed against the requirements of the City's Community Development Code and in particular per the following criteria:

1. The proposed preliminary plat complies with the City's comprehensive plan, the applicable sections of the Code, and other applicable ordinances and regulations; and
2. The proposed plat name is not duplicative or otherwise satisfies the provision of ORS Chapter 92; and
3. 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; and
4. An explanation has been provided for all common improvements.
5. Lot dimensions shall comply with the zone.
6. Through lot shall comply with special requirements for landscaping and setbacks.
7. Large lots shall have a shadow plat.
8. There are special circumstances or conditions affecting the property which are unusual and peculiar to the land as compared to other lands similarly situated.
9. The variance is necessary for the proper design or function of the subdivision.
10. The granting of the variance will not be detrimental to the public health, safety, and welfare or injurious to the rights of other owners of property.
11. The variance is necessary for the preservation and enjoyment of a substantial property right because of an extraordinary hardship which would result from strict compliance with the regulations of the Code.

The hearing is scheduled for 7:10 p.m. on Tuesday, August 10, 2004 in the St. Helens City Council Chambers located at 265 Strand. All interested persons are invited to attend and offer testimony. Failure to provide oral or written testimony may impact your rights to appeal. Written testimony should be submitted prior to the hearing. Note that these guidelines are required by ORS Chapters 92, 197 and 227 and should not preclude an interested party from

seeking legal aide in fully determining your rights in these matters.

If any special physical or language accommodations are required, please notify City Hall well in advance of the hearing.

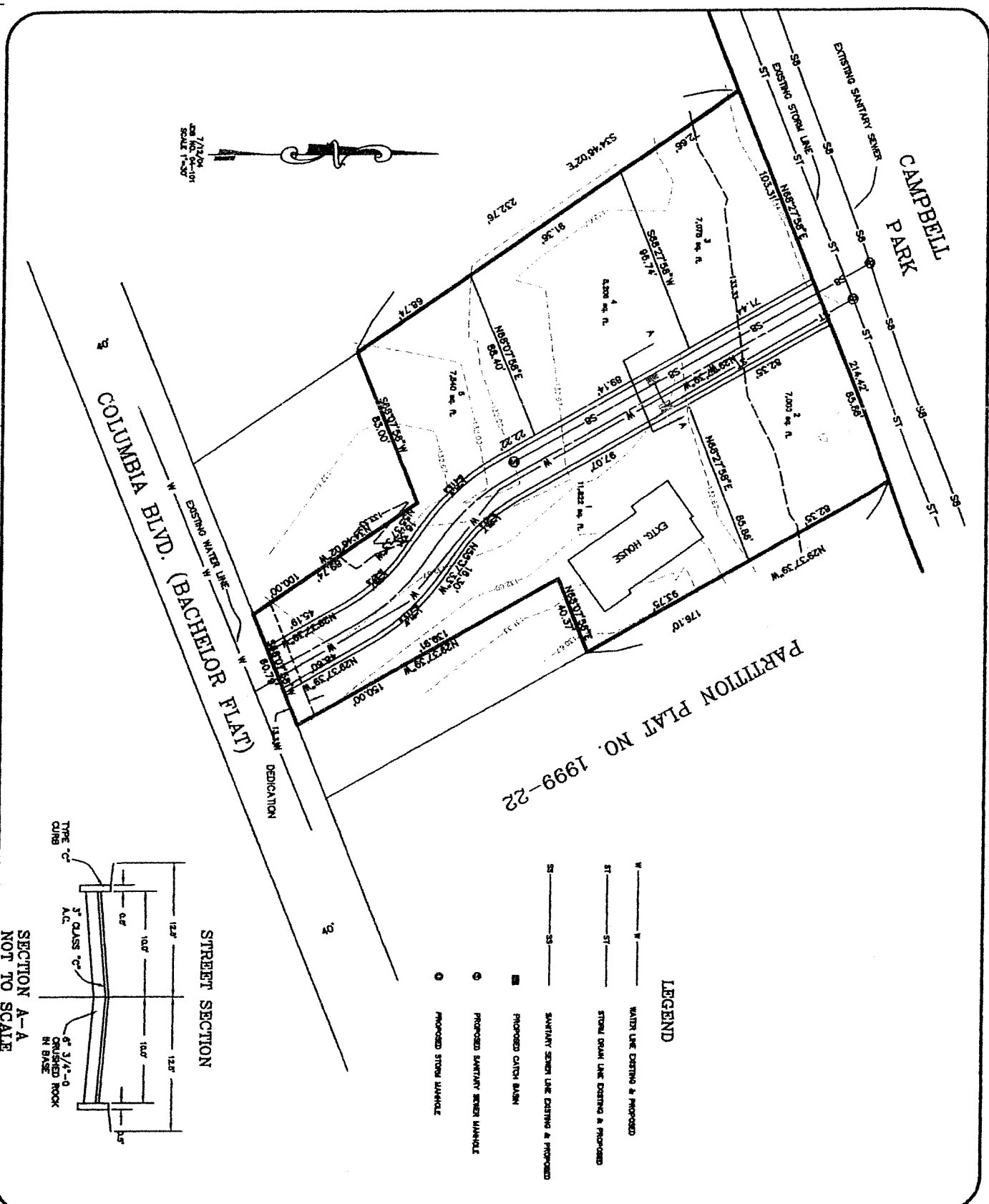
A copy of the application (Parmeter Sub 5.04) is on file at City Hall for public review. If you have any questions, please contact me at 503-397-6272.

Sincerely,

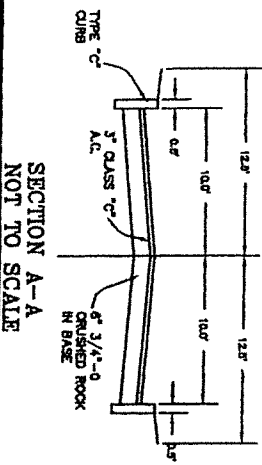
A handwritten signature in black ink, appearing to read 'Skip Baker', written in a cursive style.

Skip Baker,
Planning Administrator

enclosures: Map of site and preliminary plat.



PARTITION PLAT NO. 1999-22



- LEGEND**
- W ——— W ——— WATER LINE EXISTING & PROPOSED
 - ST ——— ST ——— STORM DRAIN LINE EXISTING & PROPOSED
 - SS ——— SS ——— SANITARY SEWER LINE EXISTING & PROPOSED
 - PROPOSED CATCH BASIN
 - PROPOSED SANITARY SEWER MANHOLE
 - PROPOSED STORM MANHOLE

BE BURTON ENGINEERING AND SURVEYING

10121 NE GLISAN ST., PORTLAND, OR 97220
PHONE: (503)251-2947 FAX: (503)251-3714

PROJECT NUMBER: 1 OF 1

PROJECT: PROPOSED 5 LOT SUBDIVISION "PARMETER" LOCATED IN THE NE 1/4 OF THE SE 1/4 SEC. 5, T4N, R1W, W.M. CITY OF ST. HELENS, COLUMBIA COUNTY, OREGON TL 2500, MAP 4 1 5 4 1

FOR: NORMAN J. PARMETER

SCALE: HOR: 1"=30' VERT: 1"=5'

DATE: 7/12/04

DRAWN BY: CMB

DESIGN BY: WJB

Staff Report, dated August 2, 2004 (excerpt)

PLANNING STAFF REPORT
Parmeter Subdivision Preliminary Plat

TO: Planning Commission DATE: August 2, 2004
FROM: Skip Baker,
City Planner HEARING DATE: August 10, 2004
SUBJECT: Parmeter Subdivision LEGAL NOTICE: July 19, 2004
Preliminary Plat to property owners within 300' and
in the local newspaper July 28, 2004.

APPLICANT: Burton Engineering

OWNER: Norman Parmeter

** ** * * * * * ** ** * * * * * ** ** * * * * * ** ** * * * * * ** ** * * * * *

REQUEST:

Approval of a preliminary plat for a 5 lot subdivision in R-7, Moderate Residential zone.

INFORMATION:

1. Location- The subject property (site) is tax lot 2500 on Columbia County tax assessor map 41541. It contains approximately 1.18 acres of land.
2. Field Inspection- The site topography basically flat.
3. Comprehensive Plan- The Comprehensive Plan designates this site as Suburban Residential.
4. Zoning- The zoning of the property is R-7, Moderate Residential.
5. Access- The site is served by Columbia Blvd. It is a city arterial street and has generally a 40 foot right-of-way in front of this site.
6. Services- There is water and sanitary services available nearby and the capacity of the plants is more than adequate per the Engineering Department. Downstream pipe capacity will need to be evaluated by the applicant
7. Layout- The applicant proposes to construct 20 foot local streets in a 25 foot right of way.
8. Referral Replies- Copies of the preliminary plat and request for comments were sent to:

- A. St. Helens Public Works, Waste Water Treatment Plant. Police, Parks, Engineering, and Building Departments.
- B. St. Helens Rural Fire Department
- C. Columbia County Road Department
- D. Columbia 911 Communications District
- E. Columbia County Board of Commissioners, Land Development Services, and Surveyor.
- F. St. Helens Rural School District No. 502
- G. St. Helens Postmaster
- H. Qwest and NW Natural Gas Companies
- I. Columbia River PUD

↙ The Fire District has indicated that the subdivision will have to comply with Fire Code requirements. The St. Helens School District says it does not have the capability to handle more students.

EVALUATION:

Subdivision Criteria:

1. The proposed preliminary plat complies with the City's Comprehensive Plan, the applicable sections of the Development Code, and other applicable ordinances and regulations.

The City's Comprehensive Plan has been acknowledged by the State of Oregon. There are no known conflicts with the City's Comprehensive Plan. This proposed subdivision is located in an R-7 zone. The applicant has submitted a drawing of the proposed plat showing the lot sizes and dimensions.

Finding: The applicant has not submitted a tree plan.

Finding: The application is for 5 single dwelling unit lots and the normal allowed based upon the size of the property is 5.87.


Finding: All lots have 50 foot frontages on a street and have the width for 60 feet at the building line and are 85 feet or more in depth and exceed 7,000 square feet in area.

Finding: Lots in this zone must be at least 7,000 square feet in area, at least 50 feet wide at the street frontage, at least 60 feet wide at the building line and at least 85 feet deep.

Finding: Solar Access basic requirements are met for 3 lots. The remaining 2 lots are proposed to comply using the Performance Options A & B or Exemptions under the Adjustments to Design Standards A & B.


Finding: Columbia Blvd. is a minor arterial in the St. Helens Transportation Plan and Community Development Code.

Finding: Minor arterial standards are 40 feet of pavement and 60 feet of right of way and 6 foot sidewalks.

Finding: Local dead end streets not exceeding 400 feet in length are permitted with at least 36 feet in right of way width and 24 feet of pavement and five foot sidewalks on both sides of the street. Dead end streets over 150 feet in length require a turn around. 

Finding: The proposed street is shown at 20 feet of pavement in a 25 foot wide right of way with no sidewalks nor turn-around.

Finding: The applicant/owner prefers a private street.

Finding: The proposed street is a dead end street of about 330 feet in length with the max allowed at 400 feet. No turn-around is proposed. 

Finding: Campbell Park is next to this proposed development.

Finding: There is a wetland protection zone along the west property line of the proposed development that has not been addressed but looks to be of marginal if any impact on the proposed development.

This criteria is generally met except for a tree plan, Solar Access requirements, local street standards and Columbia Blvd. standards.

2. The proposed plat name is not duplicative or otherwise satisfies the provisions of ORS Chapter 92[.090(1)].

No other subdivision has this name in St. Helens, therefore this criteria is met.

3. The streets and roads are laid out so as to conform to the plat of subdivision 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: There are no streets abutting this property from other subdivisions.

Finding: There is one street on the south side of Columbia Blvd. and about 160 feet west of the proposed street.

This criteria is generally met.

4. An explanation has been provided for all common improvements.

Findings and Conditions, signed November 9, 2004 (excerpt)

Finding: There is access available through Campbell Park as the gravel driveway about the north end of the proposed development and street.

This criteria appears to have been met.

11. The variance is necessary for the preservation and enjoyment of a substantial property right because of an extraordinary hardship which would result from strict compliance with the regulations of the Code.

Finding: The hardship is the shape of the property and in particular the width.

This criteria appears to have been met.

CONCLUSIONS

The criteria is not met for Columbia Blvd. street standards but appears to have been met for a subdivision variance to the local street standards with a 30 foot wide right of way. The tree plan can be approved separately by the Planning Director.

The Planning Commission closed the hearing, deliberated, and after due consideration to the record, reports, evidence and testimony found in favor of the applicant to allow a four lot subdivision with a variance for the street right of way with the following additional conditions of approval:

- a. Street lighting must comply with the standards used by the local electricity supplier and all street lighting fixtures and installation shall be to the developer's account.
- b. Street signage is required in accordance with normal traffic regulations.
- c. Street trees, in accordance with the Code are required along the local streets.
- d. The street name needs more coordination with the emergency agencies as none has been suggested in the preliminary plat.
- e. Solar Access requirements need to be stated in the deeds where applicable.
- f. Owner/Developer shall be solely responsible for obtaining all approvals, permits, licenses, and authorizations from the responsible Federal, State and local authorities, or other entities, necessary to perform land clearing, construction and improvement of the subject property in the location and manner contemplated by Owner/Developer. city has no duty, responsibility or liability for requesting, obtaining, ensuring, or verifying Owner/Developer compliance with the applicable state and federal agency permit or other approval requirements. This conditional land use approval shall not be interpreted as a waiver, modification, or grant of any state or federal agency or other permits or

authorizations. Prior to any land clearing and/or physical construction of subdivision improvement, (other than survey work and environmental testing) on the subject property, Owner/Developer shall execute a sworn statement, under penalty of perjury and false swearing, that Owner/Developer has obtained all required, Federal, State and local authorizations, permits and approvals for the construction of the proposed development.

g. Off-site improvements to abutting streets shall be per the Engineering Standards manual.

h. Drainage of water onto adjacent properties must be in accordance with the standard engineering practices for drainage.

→ i. Add a sidewalk on the west side and none on the east side.

j. Submit a tree plan if there are any trees on the property that are over 6 inches in diameter and a tree mitigation plan if any trees over 12 inches in diameter are to be removed..

k. Install a control device for the north end of the street abutting the park and place a one foot street plug deeded to the City.

l. Change the tree lots on the west side to become two 10,000 (approximately) square feet lots.

↙ m. The turnaround is to be relocated to between lots 3 and 4 on the westside of the street.

↙ n. The Planning Commission recommends to the City/Staff that no parking designations be clearly designated and enforced along the turnaround and on one side of the street.

↙ o. The variance is approved to reduce the right of way from 36 feet to 30 feet for the local street.

William D. Amos
William Amos, Chairman

11-9-04
Date

Findings and Conclusions, signed April 11, 2006 (excerpt)

CONCLUSIONS

The criteria is not met for the solar access requirements and no other circumstances have changed since the original preliminary plat was approved. The Solar Access requirements are proposed to be met by deed restrictions/conditions and the tree plan can be approved separately by the Planning Director.

If the Planning Commission approves this modified preliminary plat, it could consider the following additional conditions of approval:

- a. Street lighting must comply with the standards used by the local electricity supplier and all street lighting fixtures and installation shall be to the developer's account.
- b. Street signage is required in accordance with normal traffic regulations.
- c. Street trees, in accordance with the Code are required along the local streets.
- d. The street name needs more coordination with the emergency agencies as none has been suggested in the preliminary plat.
- e. Solar Access requirements need to be stated in the deeds where applicable.
- f. Owner/Developer shall be solely responsible for obtaining all approvals, permits, licenses, and authorizations from the responsible Federal, State and local authorities, or other entities, necessary to perform land clearing, construction and improvement of the subject property in the location and manner contemplated by Owner/Developer. city has no duty, responsibility or liability for requesting, obtaining, ensuring, or verifying Owner/Developer compliance with the applicable state and federal agency permit or other approval requirements. This conditional land use approval shall not be interpreted as a waiver, modification, or grant of any state or federal agency or other permits or authorizations. Prior to any land clearing and/or physical construction of subdivision improvement, (other than survey work and environmental testing) on the subject property, Owner/Developer shall execute a sworn statement, under penalty of perjury and false swearing, that Owner/Developer has obtained all required, Federal, State and local authorizations, permits and approvals for the construction of the proposed development.
- g. Off-site improvements to abutting streets shall be per the Engineering Standards manual.
- h. Drainage of water onto adjacent properties must be in accordance with the standard engineering practices for drainage.
- I. Add a sidewalk on the west side and none on the east side.

- j. Submit a tree plan if there are any trees on the property that are over 6 inches in diameter and a tree mitigation plan if any trees over 12 inches in diameter are to be removed..
- k. Install a control device for the north end of the street abutting the park and place a one foot street plug deeded to the City.
- l. The turnaround is to be relocated to between lots 3 and 4 on the westside of the street.
- m. The Planning Commission recommends to the City/Staff that no parking designations be clearly designated and enforced along the turnaround and on one side of the street.
- n. The variance is approved to reduce the right of way from 36 feet to 30 feet for the local street.

The Planning Commission held a public hearing, accepted the staff report and testimony and other written evidence into the record, deliberated and based upon the criteria and evidence in the record found in favor for the applicant with the additional recommended conditions of approval.

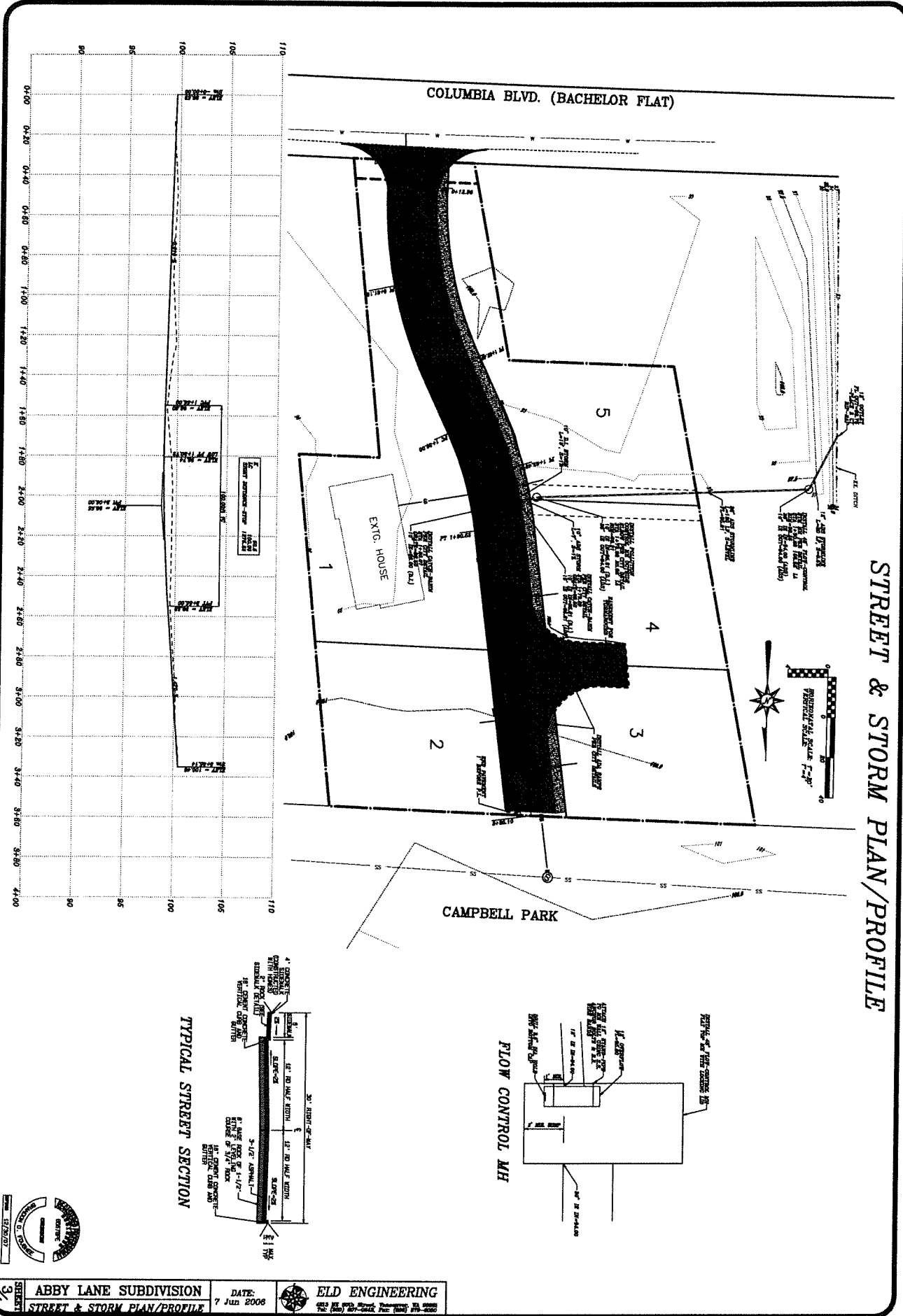
Approved by:

William J. Amos
William Amos, Chair Planning Commission

11 APRIL 2006
Date

Construction Plans - Street Plan sheet

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STREET & STORM PLAN/PROFILE

