CITY OF ST. HELENS PLANNING DEPARTMENT STAFF REPORT

Appeal AP.2.24 – AP.6.24 (CUP.2.24 & V.8.24 - V.11.24)

DATE: January 3, 2025 To: City Council

FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: Dan Hatfield

OWNER: LAGRAND TOWNHOMES LLC

ZONING: General Residential, R5

LOCATION: 5N1W-34CC-09200; NE corner of the Wyeth and N. 5th Streets intersection

PROPOSAL: Build a triplex on formerly developed lot with multiple Variances

SITE INFORMATION / BACKGROUND

The site was developed with a triplex that utilized on-street parking for decades. Around 2021 there was a fire that destroyed the building, and it was left in a state of disrepair until it was recently demolished. A demo permit to do this was applied for on August 29, 2024 (permit number 749-24-000287-DEMO).

The applicant applied for a Conditional Use Permit and four Variances to rebuild the triplex. It could not be rebuilt without these because it is considered a non-conforming use that was destroyed/discontinued. The Commission denied all of the requests and the matter has been appealed to the City Council.

PUBLIC HEARING & NOTICE

Public hearing before the City Council: January 15, 2025

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on December 20, 2024 via first class mail. Notice was sent to agencies by mail or e-mail on the same date.

Notice was published on January 3, 2025 in the Columbia County Spotlight newspaper.

APPLICATION COMPLETENES

This application was originally received on October 31, 2024. The 120-day rule (ORS 227.178) for final action for this land use decision is February 28, 2024.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

Important: this report is not a stand-alone document and is meant to be reviewed with the original decision (CUP.2.24 and V.8.24 through V.11.24) and other documents in the record.

This application consists of the following applications:

- Conditional Use Permit CUP.2.24—to allow multifamily development (3 or more dwelling units) on R5 zoned property
- Variance V.8.24—dwelling unit/minimum lot size
- Variance V.9.24—reduced yard along the Wyeth Street side of the property
- Variance V.10.24—off-street parking reduction
- Variance V.11.24—noncompliance with Exterior Elevation requirements for multidwellings

When considering your decision to affirm, reverse of modify the Planning Commission's decision please consider the question "does it fit" and the following:

Conditional Use Permit CUP.2.24. The Conditional Use Permit is dependent on the Variances because it's problematic without them. This is particularly true as the applicant desires the specific plan submitted. It may be best to consider the merits of each Variance first.

Note that for a duplex, no Conditional Use Permit or Site Development Review is necessary.

Variance V.8.24—dwelling unit/minimum lot size. Lot size needs to be 7,500 square feet for triplex, but it is only 5,800 square feet size. If this is denied, the CUP has to be denied and cannot be salvaged. The applicant could still build a duplex.

Variance V.9.24—reduced yard along the Wyeth Street side of the property. The minimum yard (setback) along Wyeth Street is 10 feet. About 4.5 feet is proposed. This doesn't necessarily kill the CUP by itself, however, the minimum yard (setback) on the side opposite from Wyeth is also ten feet. The combined yards of these two sides is less than 20' (10/2) so, if this is denied, the plan would need to be modified.

The Commission was unwilling to grant this Variance, alone, because there was no specific plan to utilize it. Speaking to the applicant about this, they said if they had to do a duplex, that they would use the same plans (footprint) for it. If this Variance is granted is should be specific to the plan (be it a duplex or triplex).

Variance V.10.24—off-street parking reduction. The applicant requests that all requisite six off street parking spaces (2 per unit) be allowed to be on-street along Wyeth Street. This was the circumstance with the triplex before it burned. If this is denied, how all parking can be accommodated within the subject property is not known, but just considering the 58' lot width and that parking spaces are minimum 18' long and two-way driveway width is 24', two rows of parking + the access adds up to 60 feet, and makes feasibility of this questionable. This is additionally complicated by buffering and screening requirements that take up additional area.

Note that if the applicant chose to build a duplex instead, only two off-street parking spaces are required. The applicant notes in their appeal application that if they cannot build a triplex, they would like this Variance to apply to a duplex.

Variance V.11.24— noncompliance with Exterior Elevation requirements for multidwellings. The elevation requirements for multidwelling development are:

Exterior Elevations:

Along the vertical face of single-dwelling units – attached and multiple-dwelling unit structures, offsets shall occur at a minimum of every 30 feet by providing any two of the following:

- (a) Recesses (decks, patios, entrances, floor area, etc.) of a minimum depth of eight feet;
- (b) Extensions (decks, patios, entrances, floor area, etc.) of a minimum depth of eight feet, and maximum length of an overhang shall be 25 feet; and
 - (c) Offsets or breaks in roof elevations of three or more feet in height;

This is not met, but the proposed building has some offsets, but not 8' ones and the roof line break is only one foot. This doesn't necessarily kill the CUP by itself, but significant plan modification would be necessary.

Note that these standards only apply to multidwelling development (3 or more dwelling units on a property). These standards do not apply to duplexes.

CONCLUSION & RECOMMENDATION

The Council can affirm, reverse or modify the Planning Commission's decision. If the Council approves everything we can use the draft conditions from the Commission's staff report; those conditions are included below. If partial approval and/or the Council determines other conditions are warranted, we can modify the conditions as needed.

If only some Variances are approved but not the CUP for multifamily, leaving the duplex as the option, the only conditions needed are those specific to the applicable Variance(s) approved. A condition about the approved Variances being specific to the plans provided is recommended and is added as condition #6 as a placeholder and example.

- 1. This Conditional Use Permit and Variance approval is valid for a limited time (to establish the use) pursuant to SHMC 17.100.030 and 17.108.040.
- 2. The following shall be required prior to any development or building permit issuance:
 - a. Final plans as submitted with any development or building permit(s) shall comply with the submitted application materials, with the following additions and/or corrections:
 - A. Buffering and screening along the north and east property lines. Buffering shall not inhibit the fire district's ability to access all sides of the structure.
 - B. As per condition 4.

- C. Lighting for/by the doors of each unit along Wyeth Street.
- D. If the walnut tree (assumed species) is proposed to be kept, a protection program by a certified arborist defining the standards and methods that will be used to protect the existing trees to be preserved is required. This shall be on or with the Building Permit plan set to ensure contractors and others follow the tree protection plan during site development. If not to be kept, there shall be at least two street trees for replacement purposes.
- E. Joint mailbox facilities shall be provided in all residential developments. Location is subject to city and postmaster approval. Input from the local postmaster will be required as part of final plans.
- b. Engineering construction plans shall be submitted for review and approval addressing all public improvements including but not limited to:
 - A. Street frontage improvements along Wyeth Street and N. 5th Street.
 - B. Street trees along N. 15th Street. Note if parking Variance is granted, street trees should be exempted along Wyeth Street and this should be noted in this condition.
 - C. On-street parking along Wyeth Street for at least 6 spaces, in improved (paved and marked/striped) form.
 - D. Sidewalk based on current standards and placed so it will not be closer than 8' from the windowed walls along Wyeth Street.
- 3. The following shall be required prior to Certificate of Occupancy by the City Building Official / final inspection:

All improvements necessary to address the requirements herein shall be in place.

- 4. Any refuse container or refuse collection area visible from a public street, parking lot, residential or commercial area, or any public facility (e.g., school or park) shall be screened or enclosed from view by a solid wood (or otherwise sight-obscuring) fence, masonry wall or evergreen hedge.
- 5. Owner/applicant and their successors are still responsible to comply with the City Development Code (SHMC Title 17).
- 6. The approved Variances shall apply to the plans presented and not to other plans.

[If the triplex is denied, an additional sentence can be added:]
Except the plans may be modified for the use as a duplex as long as the building footprint does not change.

Attachment(s): Photo pages from Planning Commission's staff report
Planning Commission's final decision (Findings and Conclusions)
Applicant narrative (both original and appeal)
Site Plan
Building Plans

Excerpt of Planning Commission staff report -- pages (2) with photos



Upper left: 2012 Google Earth street view of the subject property viewed from the Wyeth Street / N. 5th Street intersection.

Left: August 2024 photo of the same side of the building. Note the stake in the ground identifying a property corner.

Lower left: November 2024 photo from the same intersection following demolition efforts.



CUP.2.24, V.8.24, V.9.24, V.10.24 & V.11.2 & Staff Report



Upper left: June 2022 photo of the subject property from Wyeth Street, showing extent of fire damage.

Left: June 2022 photo of the subject property from N. 5th Street. **Lower left:** November 2024 photo of the subject property from N. 5th Street following demolition. Note the remaining retaining wall that was part of the original foundation. This wall parallels and is along Wyeth Street.

CUP.2.24, V.8.24, V.9.24, V.10.24 & V.11.2 & Staff Report

CITY OF ST. HELENS PLANNING DEPARTMENT FINDINGS OF FACT AND CONCLUSIONS OF LAW

Conditional Use Permit CUP.2.24 & Variances V.8.24 - V.11.24 (four Variances total)

APPLICANT: Dan Hatfield

OWNER:

LAGRAND TOWNHOMES LLC

ZONING:

General Residential, R5

LOCATION:

5N1W-34CC-09200; NE corner of the Wyeth and N. 5th Streets intersection

PROPOSAL:

Build a triplex on formerly developed lot with multiple Variances

SITE INFORMATION / BACKGROUND

The site was developed with a triplex that utilized on-street parking for decades. Around 2021 there was a fire that destroyed the building, and it was left in a state of disrepair until it was recently demolished; a demo permit to do this was applied for on August 29, 2024 (permit number 749-24-000287-DEMO).

The triplex was an existing non-conforming use as the lot is technically too small to allow three dwelling units and the structure (demolished except for a below grade wall along Wyeth Street) was non-conforming given its close proximity to Wyeth Street, at least. Chapter 17.104 SHMC governs nonconforming structures and when a nonconforming structure is destroyed by more than 60%, it shall not be reconstructed, except in conformity with the Development Code.

There is an exception to this per SHMC 17.104.040(1)(b)(ii):

Be occupied by detached single-dwelling unit(s) or a duplex as permitted outright in a residential zoning district, if located in a residential zoning district, the house may be rebuilt on the same size, or smaller, footprint if destroyed by fire or natural disasters over 60 percent of value (any changes to the footprint must meet all setbacks and other regulations of the zone).

However, the applicant does not propose a detached single-family dwelling or duplex. They proposed multi-family development (3 or more dwelling units), in which case this exception does not apply.

This Conditional Use Permit is accompanied by four Variances pertaining to: 1) minimum lot size and the density allowed, 2) reduced exterior side yard (setback) along Wyeth Street, 3) reduction of off-street parking to allow all parking to be street (off site) parking, and 4) relief from the exterior elevation requirements applicable to multifamily development per SHMC17.96.180(3).

Public Hearing & Notice

Public hearing before the Planning Commission: December 10, 2024

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on November 19, 2024 via first class mail. Notice was sent to agencies by mail or e-mail on the same date.

Notice was published on November 29, 2024 in the Columbia County Spotlight newspaper.

APPLICATION COMPLETENESS

This application was originally received on October 31, 2024. The 120-day rule (ORS 227.178) for final action for this land use decision is February 28, 2024.

AGENCY REFERRALS & COMMENTS

CRFR: After reviewing the proposed plans and driving by the site the fire district has the following:

- Due to multiple occupancy Fire Suppression/Sprinkler system.
- 360 degree fire access to the building. There are several properties that are very close in proximity to the building, for suppression and life safety access the fire district requires the ability to access all sides of the structure.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

Conditional Use Permit CUP.2.24

Zoning Compliance: The site is zoned R5.

Lot size needs to be 7,500 square feet for triplex. Lot is only 5,800 square feet size. **Need Variance**: see V.8.24. This was denied by the Commission.

Min front yard (from N 5th Street) is 20 feet. Site plan shows approximately 30'.

Min rear yard (opposite N 5th Street) is 10 feet. Site plan shows 15 feet.

Min exterior yard (corner lot) along Wyeth is 10 feet. Site plan shows 4.5 feet. **Need Variance**: see V.9.24. This was denied by the Commission.

Min side yard (opposite Wyeth) is 10' for multifamily structures. Site plan shows 12.5 feet.

Maximum building/structure coverage is 50% for multifamily development. ½ of the lot size is 2,900 square feet. The sole building proposed has a footprint of approximately 2,200 square feet.

Minimum landscaping required is 25%. Open space (unpaved/unbuilt area) exceeds 25%, , though because the parking variance was not granted, the actual open space cannot be determined.

Maximum building height is 35 feet. Total height does not exceed 30 feet.

* * *

Addition Yard Setback Regs & Exceptions: When there is a minimum yard requirement, such is in the case of the subject property, no building, structure or portion thereof, be placed within three feet of a property line.

The significance of this for this case is if the exterior side yard (setback) along Wyeth Street is allowed to be 4.5 feet via the Variance, the building includes a 1' eve, which would still be more than three feet and not conflicting with Chapter 17.64 SHMC. However, since the Commission denied the Variance for this, this issue is moot.

* * *

Landscaping/buffering/screening: Street trees can be required having more than 100 feet of street frontage. The reduced yard (setback) Variance along Wyeth will impact available space for trees; lack of available space is one of the exemptions for street trees requirements. However, this issue is moot because the Variance was denied.

Tree spacing will be based on tree size per 17.72.035(2)(a)-(c). Tree location shall also comply with requirements per 17.72.035(2)(d)-(l).

This chapter requires buffering. This applies in this case as follows:

• Site abuts R5 zoned properties occupied by detached single-family dwellings on two sides. The normal requirement is a minimum 10' of buffer plus screening.

The buffering and screening requirements shall be included on revised final plans. Note CRFR comments above; buffer should not conflict with emergency access.

This chapter requires screening (unrelated to buffering above). This applies in this case as follows:

Parking lots greater than three spaces is required to be screened. For screening in this case, the city usually requires landscaping along the perimeter that includes a balance of low lying and vertical shrubbery and trees. This could apply if the Conditional Use Permit was approved, but the parking Variance not approved. As neither was approved, this issue is moot.

Service facilities and equipment (e.g., HVAC and other mechanical unit) visible from a public street, customer or residential parking area, any public facility or residential area are required to

be screened whether they are ground, wall or roof mounted. In addition, rooftop facilities and equipment are required to be screened from street and adjacent properties.

This is not addressed at this time and will need to be addressed with final plans. Given denial, this issue is moot.

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<u>Visual Clearance</u>: Chapter 17.76 SHMC requires proper sight distances at intersections to reduce traffic hazard potential. The required area to maintain clear vision is greater for arterial streets.

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<u>Off-Street Parking/Loading</u>: Off street parking is normally required as new development. However, the applicant is requesting all parking spaces to be on-street. **Need Variance**: see V.10.24. This Variance was denied.

Normally, 2 spaces per 2-bedroom (or more) dwelling unit requires two spaces each, for a normal minimum requirement of six spaces.

A standard parking space is at least 9' x 18'. If on-street parking is allowed along Wyeth for the parking requirement, the "shoulder" is large enough.

Bicycle parking. Not required for triplexes.

Surface area. If the Commission approved the Variance for on-street parking, it should be paved; this area currently is not. However, as the Variance was not approved, this issue is moot.

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Access/egress/circulation:

Public street access. All vehicular access and egress per Chapter 17.84 SHMC is required to directly connect to a public or private street approved by the city for public use. Moreover, vehicular access is required to be within 50' of principle entrances.

The site abuts the following streets:

Street/Road Name	Public or Private	Street Class (TSP)	Jurisdiction	Improved?
Wyeth Street	Public	Collector	City of St. Helens	partial; street paved with old style sidewalk
N. 5 th Street	Public	Local	City of St. Helens	partial; street paved with bike lanes

The site utilizes these streets for access and the streets are within the statutory distance of the primary entrances.

Pedestrian access (interior walkways). Within all attached housing and multifamily developments, each residential dwelling shall be connected by walkway to the vehicular parking area, and common open space and recreation facilities.

Walkways connecting the front doors facing Wyeth Street to the sidewalk appear to be proposed.

Required walkways shall be paved with hard-surfaced materials such as concrete, asphalt, stone, brick, etc. Walkways shall be required to be lighted and/or signed as needed for safety purposes. Soft-surfaced public use pathways may be provided only if such pathways are provided in addition to required pathways.

Lights will be necessary, associated with each front door.

* * *

<u>Solid Waste/Recyclables</u>: Chapter 17.92 SHMC includes provisions for functional and adequate space for on-site storage and efficient collection of mixed solid waste and recyclables subject to pick up and removal by haulers. However, this does not apply to triplexes.

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Site Development Review: The applicable standards are as follows:

Note that because the subject property is well within a quarter mile via walkways to 6th Street Park, private and shared open space requirements can be exempt.

Per SHMC 17.96.180(3)—Exterior Elevations:

Along the vertical face of single-dwelling units – attached and multiple-dwelling unit structures, offsets shall occur at a minimum of every 30 feet by providing any two of the following:

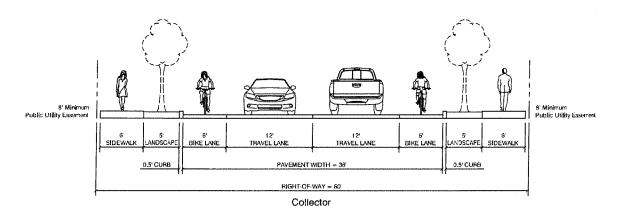
- (a) Recesses (decks, patios, entrances, floor area, etc.) of a minimum depth of eight feet;
- (b) Extensions (decks, patios, entrances, floor area, etc.) of a minimum depth of eight feet, and maximum length of an overhang shall be 25 feet; and
 - (c) Offsets or breaks in roof elevations of three or more feet in height;

This is not met; **Need Variance**: see V.10.24. The Commission denied this Variance.

Per SHMC 17.96.180(11)—Distance between Multiple-Family Residential Structure and Other:

- (c) Driveways, parking lots, and common or public walkways shall maintain the following separation for dwelling units within eight feet of the ground level:
- (i) Driveways and parking lots shall be separated from windowed walls by at least eight feet; walkways running parallel to the face of the structures shall be separated by at least five feet; and
- (ii) Driveways and parking lots shall be separated from living room windows by at least 10 feet; walkways running parallel to the face of the structure shall be separated by at least seven feet;

Non-living windowed room areas are along the Wyeth Street side of the building. Provided the existing sidewalk does not move (which is shown incorrectly on the preliminary plans as the sidewalk does not abut the property line), there should be 8' of separation, but maybe not 10 feet. Living room areas are proposed on the opposite side of the building from Wyeth Street.



Because new frontage improvements are possible, that should be examined. The normal cross section shown above has the sidewalk close to the property line. However, it also calls for a 60' wide right-of-way width, and the current width is 80' wide. The improved (asphalt) street is also more-or-less centered in the right-of-way (not skewed to one side). So, it is conceivable the extra right-of-way can accommodate the walkway separation and proposed on-street parking and shall be a condition of approval (if approved) to ensure design consideration.

* * *

Conditional Use: Pursuant to SHMC 17.100.040:

- (1) The planning commission shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the following criteria:
 - (a) The site size and dimensions provide adequate area for the needs of the proposed use;
- (b) The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and natural features;
 - (c) All required public facilities have adequate capacity to serve the proposal;
- (d) The applicable requirements of the zoning district are met except as modified by this chapter:
- (e) The supplementary requirements set forth in Chapter 17.88 SHMC, Signs; and Chapter 17.96 SHMC, Site Development Review, if applicable, are met; and
 - (f) The use will comply with the applicable policies of the comprehensive plan.

The Commission finds that the multiple Variances cannot be approved and as such the zoning district and other supplemental requirements of the Development Code cannot be met. This demonstrates that the site size and dimension are not adequate, and the site characteristics are unsuitable for the proposed use. Thus, the Commission denies this Variance request.

SHMC 17.100.150 has additional requirements for certain conditional use types. The proposal does not include any of these.

SHMC 17.100.040(3) provides "condition of approval guidance" as follows:

- (3) The planning commission may impose conditions on its approval of a conditional use, which it finds are necessary to ensure the use is compatible with other use in the vicinity. These conditions may include, but are not limited to, the following:
 - (a) Limiting the hours, days, place, and manner of operation;
- (b) Requiring design features which minimize environmental impacts such as noise, vibration, air pollution, glare, odor, and dust;
 - (c) Requiring additional setback areas, lot area, or lot depth or width;
 - (d) Limiting the building height, size or lot coverage, or location on the site;
 - (e) Designating the size, number, location, and design of vehicle access points;
 - (f) Requiring street right-of-way to be dedicated and the street to be improved;
 - (g) Requiring landscaping, screening, drainage and surfacing of parking and loading areas;
 - (h) Limiting the number, size, location, height, and lighting of signs;
 - (i) Limiting or setting standards for the location and intensity of outdoor lighting;
- (j) Requiring berming, screening or landscaping and the establishment of standards for their installation and maintenance;
 - (k) Requiring and designating the size, height, location, and materials for fences; and
- (I) Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, and drainage areas.

Because the Commission denies the proposal, there are no additional condition considerations.

* * *

Variance: See Variance section below.

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<u>Tree Removal/Preservation</u>: Chapter 17.132 SHMC addresses the preservation of trees with a diameter at breast height (DBH) >12 inches. Protection is preferred over removal per this Chapter and Site Development Review Chapter 17.96 SHMC.

There is one large tree within the subject property. Staff believes this a walnut tree, which is large for the minimal yard area and building proximity. It could be kept, though if removed, would need to be replaced by two trees.

If proposed to be kept, a protection program by a certified arborist defining the standards and methods that will be used to protect the existing trees to be preserved is required. This shall be on or with the Building Permit plan set to ensure contractors and others follow the tree protection plan during site development.

* * *

<u>Street/Right-of-Way Standards</u>: Both abutting streets are improved with paved travel lanes. Wyeth, a collector street, includes an old style 4' wide sidewalk on the side of the subject property and an approximate 18' wide gravel shoulder previously used as on-street parking

before the triplex was destroyed. N. 5^{th} Street includes designated bike lanes. Both streets are within 80' wide rights of way.

For frontage improvement considerations, the physical improvements can be required or a minimum 125% fee in lieu per code. Staff feels the physical improvements are warranted given the new construction, especially the Variance request to use of on-street parking. However, this proposal is denied.

* * *

<u>Mailboxes</u>: Per SHMC 17.152.030(22) joint mailbox facilities shall be provided in all residential developments. Location is subject to city and postmaster approval. Input from the local postmaster will be required as part of final plans.

* * *

Utility Standards:

Given the site was occupied by a triplex with prior connections to utilities, they are available and this does not pose an increased intensity of use compared to the recent past.

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Variances

- Variance V.8.24—dwelling unit/minimum lot size
- Variance V.9.24—reduced yard along the Wyeth Street side of the property
- Variance V.10.24—off-street parking reduction
- Variance V.11.24—noncompliance with Exterior Elevation requirements for multidwelling

CRITERIA:

SHMC 17.108.050 (1) – Criteria for granting a Variance

- (a) The proposed variance will not be significantly detrimental in its consequence to the overall purposes of this code, be in conflict with the applicable policies of the comprehensive plan, to any other applicable policies and standards of this code, and be significantly detrimental in its consequence to other properties in the same zoning district or vicinity;
- (b) There are special circumstances that exist which are peculiar to the lot size or shape, topography or other circumstances over which the applicant has no control, and which are not applicable to other properties in the same zoning district;
- (c) The use proposed will be the same as permitted under this code and city standards will be maintained to the greatest extent that is reasonably possible while permitting some economic use of the land;
- (d) Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic landforms, or parks, will not be adversely affected any more than would occur if the development were located as specified in the code; and

(e) The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship.

The Commission needs to find all these criteria (a) - (e) are met in order to approve the variance

FINDINGS:

(a) This criterion requires a finding that the variance will not be detrimental.

The Commission finds that the purpose of the code includes a key difference between single-family dwelling/duplexes use and multifamily (3 or more dwelling units) use. The lot size is too small for multifamily. Moreover, the purpose of the city's nonconforming regulations is to allow preexisting lawfully existing uses, but once those uses are gone, the new use is supposed to comply with law. This proposal does not comply with the Development Code. The proposed use does not fit the site.

The quantity of parking and potential visitors of the triplex, does not align with the neighborhood.

(b) The criterion requires a finding that there are special and unique circumstances.

The Commission is not convinced that there are special or unique circumstances. Even topography was not a justification for the reduced yard Variance along Wyeth Street, because there is no proposal to evaluate for the justification since the CUP and all Variances are denied.

(c) This criterion prohibits a use variance and requires a finding that the applicable standards are maintained to the greatest extent that is reasonably possible.

The Commission finds that this is a use Variance and must be denied. There is a difference between single-family dwelling/duplexes use and multifamily (3 or more dwelling units) uses, since they are listed separately in the R5 zoning district, as permitting and conditional use, respectively. Multifamily is not a possible use as the lot size is too small.

The Commission finds that the standards are not maintained to the greatest reasonable extent with zero off-street parking spaces; a 100% reduction as opposed to a partial reduction. This Variance must be denied.

Because the triplex cannot be approved, the reduced yard Variance along Wyeth Street for a different use (e.g., a duplex) cannot be approved because there is no approvable proposal to evaluate for the reduced yard. Whether or not a different use than proposed would need the Variance cannot be determined.

Because of aspects that result in denial of the Conditional Use Permit, the other Variances are most and must be denied.

(d) This criterion requires a finding that existing physical and natural systems will not be adversely affected as a result of the requested Variance.

Relying on a 100% off-street parking reduction for six spaces can have a detrimental effect on the street system, as well as cause parking congestion challenges for the neighborhood.

(e) This criterion requires a finding that the variance issue is not self-imposed and that the variance is the minimum necessary to alleviate the hardship.

The Commission finds that the lot size issue is self-imposed and the minimum necessary findings cannot be met.

* * * * *

CONCLUSION & DECISION

Based on the facts and findings herein, the Planning Commission denies this Conditional Use Permit and all Variances.

Dan Çary, Chairman, Planning Commission

Date

To: City of St. Helens

From: LaGrand Townhomes LLC

Dan Hatfield, Sr.

RE: 470 Wyeth St and N. 5th Street

This is the Reponses for land use application Variances to build triplex on the lot address 470 Wyeth Street.

Variance-minimum lot size and density:

The existing structure on the lot was built as triplex and therefore I should be able to build the same footage triplex. I did plan based on the existing foundation. Foundation is 5 feet from the property line. There won't be no porch.

Variance-minimum exterior side yard (along Wyeth)

The existing foundation is only 5 feet from the property line and I am using the existing foundation to build.

Variance – Minimum Side yard (opposite Wyeth)

I want to set 4 feet offset for the center unit. Ane the shed will be removed.

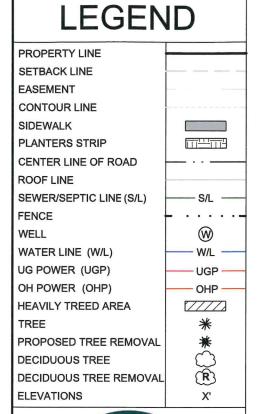
Variance - Off street parking

I am not able to put parking on the back or the side of the property. Street is 9 feet higher then the back of the property.

There are many buildings that have parking in the front of the property. For example, 4 plex on 1661 Wyeth street has parking in the front of the building and 4 plex on 1671 Wyeth also has parking in the front of the building. There are parkings in the front of the buildings throughout the Wyeth Street.

Grounds for Appeal: Include specific reference(s) to Development Code and/or comprehensive Plan provisions which form the basis for the appeal.

The Site had triplex on it already and I should be able to do the same. And off Street Parking was permitted for the previous building and I should be able to use the off street packing as well able to use the off street packing as well if I can not build a triplex them I would like to build Duplex and able to use the off Street Parking.





2311 SE 192ND AVE UNIT 103 CAMAS, WA 98607 360-521-6272

OWNER: HATFIELD	
CONTRACTOR:	

ADDRESS: 470 WYETH ST

CITY, STATE: ST HELENS, OR

MAP & TAX LOT: 5134-CC-09200

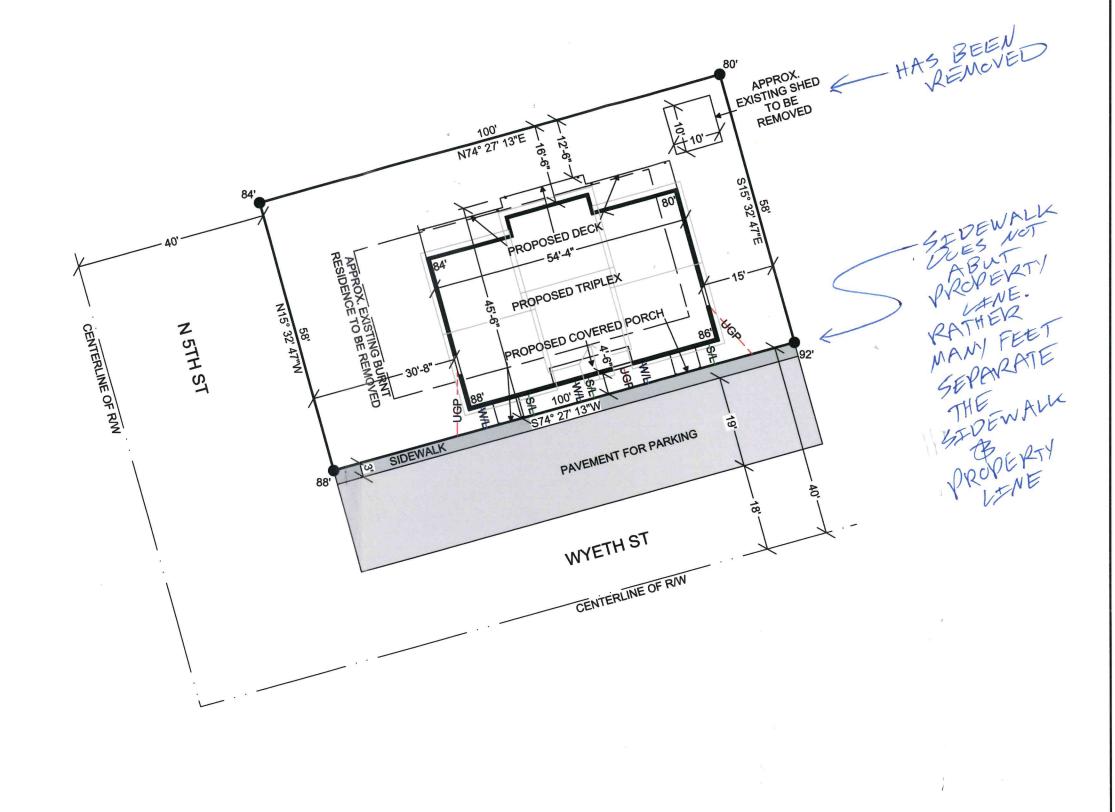
ACCOUNT NUMBER: 13940

SCALE: 1"=20'

DATE: 8/29/2024

SITE PLAN

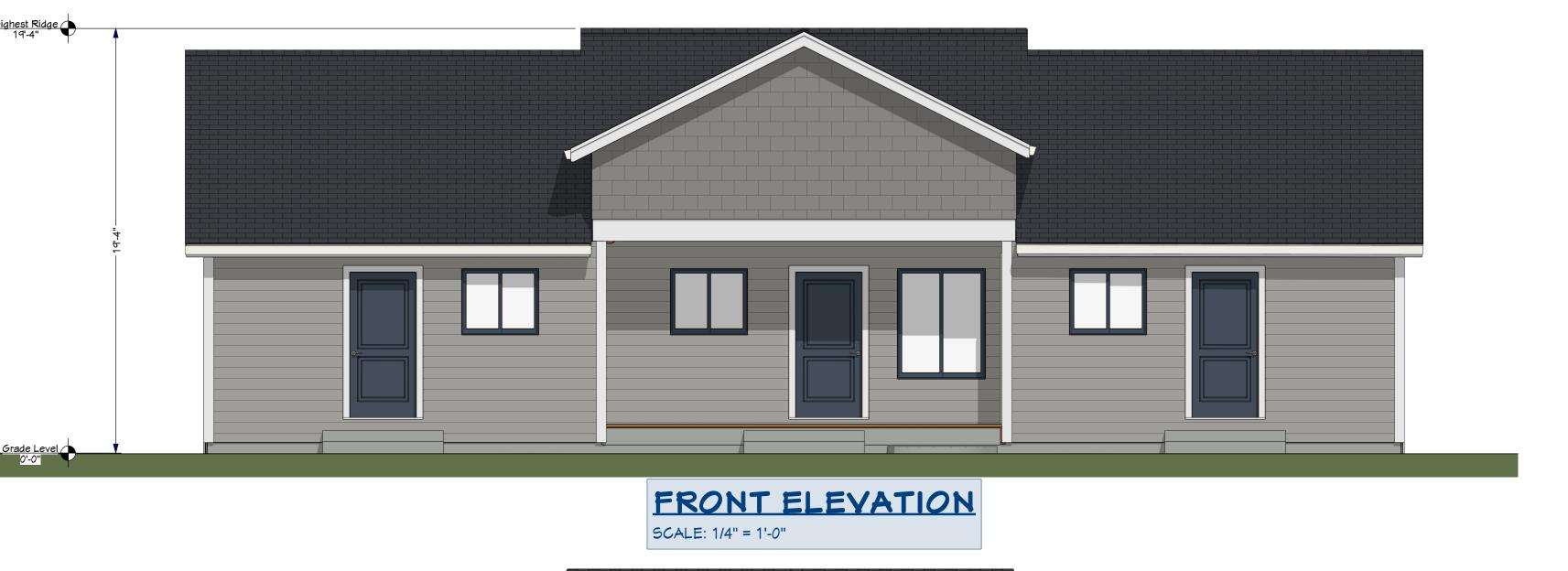




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FRONT CAMERA VIEW



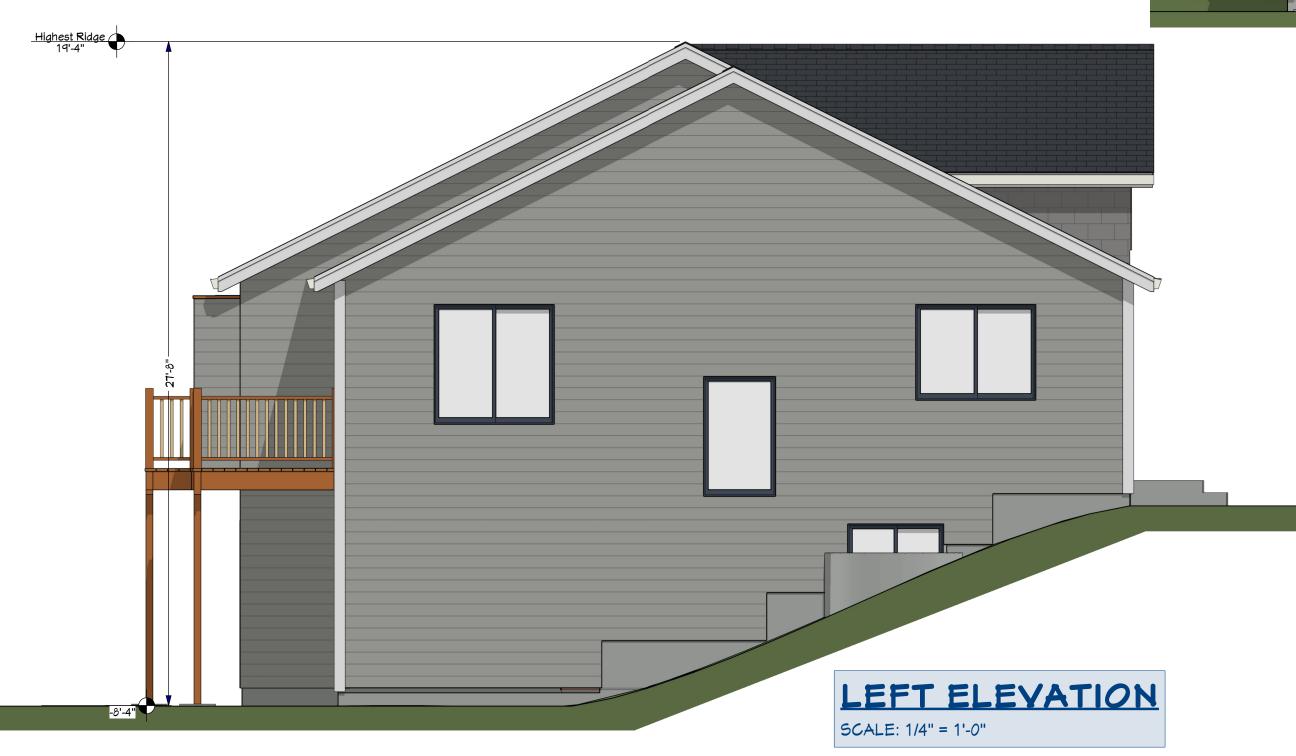


RIGHT ELEVATION

SCALE: 1/4" = 1'-0"

REAR ELEVATION

SCALE: 1/4" = 1'-0"



8

GUARD RAIL MOOD DECK GUARD RAIL GUARD RAIL 71 sq ft — 1**7**'-6 1/2" — 6X8 HDR - 13'-0 1/**2**" -MOOD DECK MOOD DECK 109 sq ft 109 sq ft 610 × 618 PD 610 × 618 PD 6X8 HDR 6X8 HDR LIVING 17'-0" × 12'-6" 8' CEILINGS LIVING LIVING 3'-10" 3'-10 1/2" 17'-0" × 12'-6" 17'-0" × 12'-6" 1/2 HIGH WALL 8' CEILINGS 8' CEILINGS **→** 3'-10 1/2" → 3'-10" - 3'-10" 3'-10 1/2" 1/2 HIGH MALL 1/2 HIGH WALL 50 CFM VASHER DRYERM ACCESS MASHER DRYER MASHER DRYER 5/0 BIFOLD 8' CEILINGS 8' CEILINGS 8' CEILINGS 4/0 × 5/0 RS 3/6 × 3/0 RS COVERED CONC. PORCH 75 sq ft DM 6X8 HDR 6X8 HDR PT 4X4 POST TYP. 3/6 × 3/0 RS 3/6 × 3/0 RS 4'-8"

GOVERNING DESIGN CODE:
2018 INTERNATIONAL BUILDING CODE
2018 INTERNATIONAL RESIDENTIAL CODE
SPECIFICATIONS AND CODES REFERENCED IN
THESE NOTES ARE THE VERSIONS MOST
RECENTLY ADOPTED BY THE PERMITTING
AUTHORITY, FIELD VERIFY DIMENSIONS AND
ELEVATIONS RELATIVE TO THE EXISTING
STRUCTURE PRIOR TO FABRICATION OF MATERIALS, FOR FUTURE CONSTRUCTION FIELD
VERIFY DIMENSIONS ON LOT WITH SETBACKS
AND ELEVATIONS RELATIVE TO HEIGHTS LIMITS.
PER COR'S OR PER LOCAL JURISDICTIONS.
APPLY, PLACE, ERECT OR INSTALL ALL
PRODUCTS AND MATERIALS IN ACCORDANCE
WITH THE MANUFACTURERS INSTRUCTION.
ADEQUATELY BRACING STRUCTURE AND
ALL STRUCTURAL COMPONENTS AGAINST WIND,
LATERAL EARTH AND SEISMIC FORCES UNTIL
THE PERMANENT LATERAL FORCE RESISTING
SYSTEMS HAVE BEEN INSTALLED. PROVIDE
BLOCKING BETWEEN STUDS (OR OTHER
MEANS OF BRACING) AT WOOD BEARING
WALLS TO PREVENT STUD BUCKLING PRIOR TO
INSTALLATION OF GYPSUM WALLBOARD.

LIFE SAFETY: LIFE SAFETY:

HALLWAYS MIN. WIDTH SHALL BE NOT LESS THAN 36 INCHES.

MEANS OF EGRESS:
EGRESS DOOR: NOT LESS THAN ONE EXIT
DOOR PER DWELLING UNIT, SIDE HINGED AND
SHALL PROVIDE A CLEAR WIDTH OF NOT LESS
THAN 32 INCHES WHERE MEASURED BETWEEN
THE FACE OF THE DOOR AND THE STOP, WITH
THE DOOR OPEN 90 DEGREES. THE CLEAR HEIGHT
OF THE DOOR OPENING SHALL NOT BE LESS
THAN 78 INCHES IN HEIGHT MEASURED FROM
THE TOP OF THE THRESHOLD TO THE BOTTOM
OF THE STOP. THE LANDING ON THE INTERIOR
SIDE OF THE REQUIRED EGRESS DOOR SHALL
NOT BE MORE THAN 1.5 INCHES LOWER THAN
THE TOP OF THE THRESHOLD. THE LANDING
OF THE EXTERIOR SIDE SHALL NOT BE MORE
THAN 1 3/4" BELOW THE TOP OF THRESHOLD
PROVIDING THE DOOR DOES NOT SWING OVER
THE LANDING OR FLOOR. SLOPE OF EXTERIOR
LANDING SHALL NOT EXCEED 2% (.025 UNITS VERT.
IN 12 UNITS HORIZONTAL)

SMOKE DETECTORS SHALL BE INSTALLED IN EACH SLEEPING ROOM AND CENTRALLY LOCATED IN ADJACENT CORRIDOR. SMOKE DETECTORS SHALL BE INSTALLED ON EACH FLOOR LEVEL AND IN BASEMENTS. DETECTORS SHALL SOUND ALARM AUDIBLE IN ALL SLEEPING AREAS AND SHALL BE EQUIPPED WITH BATTERY BACK-UP AND INTERCONNECTED AND HARD WIRED.

EGRESS:
EMERGENCY ESCAPE AND RESCUE OPENINGS:
BASEMENTS, HABITABLE ATTICS AND EVERY
SLEEPING ROOM SHALL HAVE AT LEAST ONE
EGRESS OPENING TO A PUBLIC WAY OR YARD
PROVIDING AN UNOBSTRUCTED PATH WIDTH OF
NOT LESS THAN 36 INCHES. SILL HEIGHT MAX
44 INCHES ABOVE THE FLOOR.
MIN. NET CLEAR OPENING OF 5.7 SQ FT.
MIN NET CLEAR HEIGHT OF 24 INCHES
MIN NET CLEAR WIDTH OF 20 INCHES
WINDOW WELL: 9 SQFT MIN.HORIZONTAL AREA
& MIN. 36" HORIZONTAL PROJECTION & WIDTH

POSTS & STUDS
6X6 POSTS OR (3) 2X6
4X6 POSTS OR (3) 2X4
4X4 POSTS OR (2) 2X4
TO BE DETERMINED BY
FRAMER UNLESS SPECIFIED
ON THE PLAN

HEADERS: 6X8 HDR MIN 7'-9' CEILINGS 4X10 HDR MIN. 8'-0" CEILINGS 4X10 HDR MIN 9'-0" CEILINGS

LUMBER GRADE:
ALL BEAMS, RAFTER, JOIST, HDRS, POST, AND STUDS ARE DF #2 U.N.O. ON PLAN. AND WOOD IN CONTACT WITH CONCRETE MUST BE PRESSURE TREATED.

MIN LOADS
FLOOR:
NON-SLEEPING ROOMS - LIVE 40 lbs PSF
SLEEPING ROOMS - LIVE 30 lbs PSF
DEAD 10lbs PSF
ROOF:
SNOW 25lbs PSF
DEAD 15lbs PSF
DECKS:
LIVE 60lbs PSF

1ST FLOOR PLAN REFER TO ENGINEERING FOR SPECS IF LATERAL ENGINEERING IS REQUIRED ACCORDING TO LOCAL BUILDING CODES AND/OR ZONING REGULATIONS

594 SF

594 SF

1188 SF 3564 SF

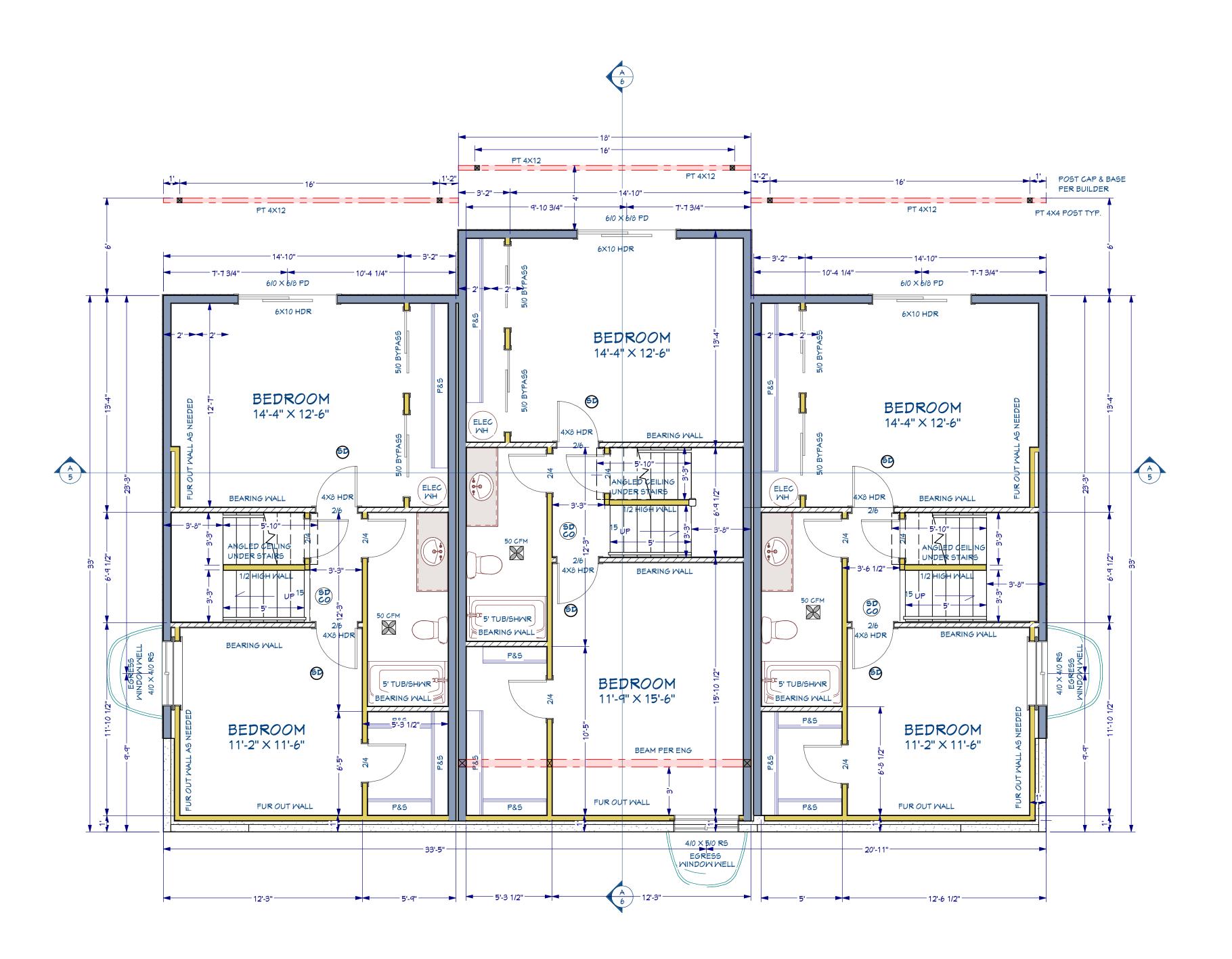
MAIN FLOOR LIVING AREA

TOTAL FLOOR AREA PER UNIT

DAYLIGHT BASEMENT

TOTAL FLOOR AREA

3



REFER TO ENGINEERING FOR SPECS IF LATERAL ENGINEERING IS REQUIRED ACCORDING TO LOCAL BUILDING CODES AND/OR ZONING REGULATIONS

LOWER FLOOR PLAN
SCALE: 1/4" = 1'-0"



HATFIELD TRIPLE.
H STREET, ST HELENS OR

8

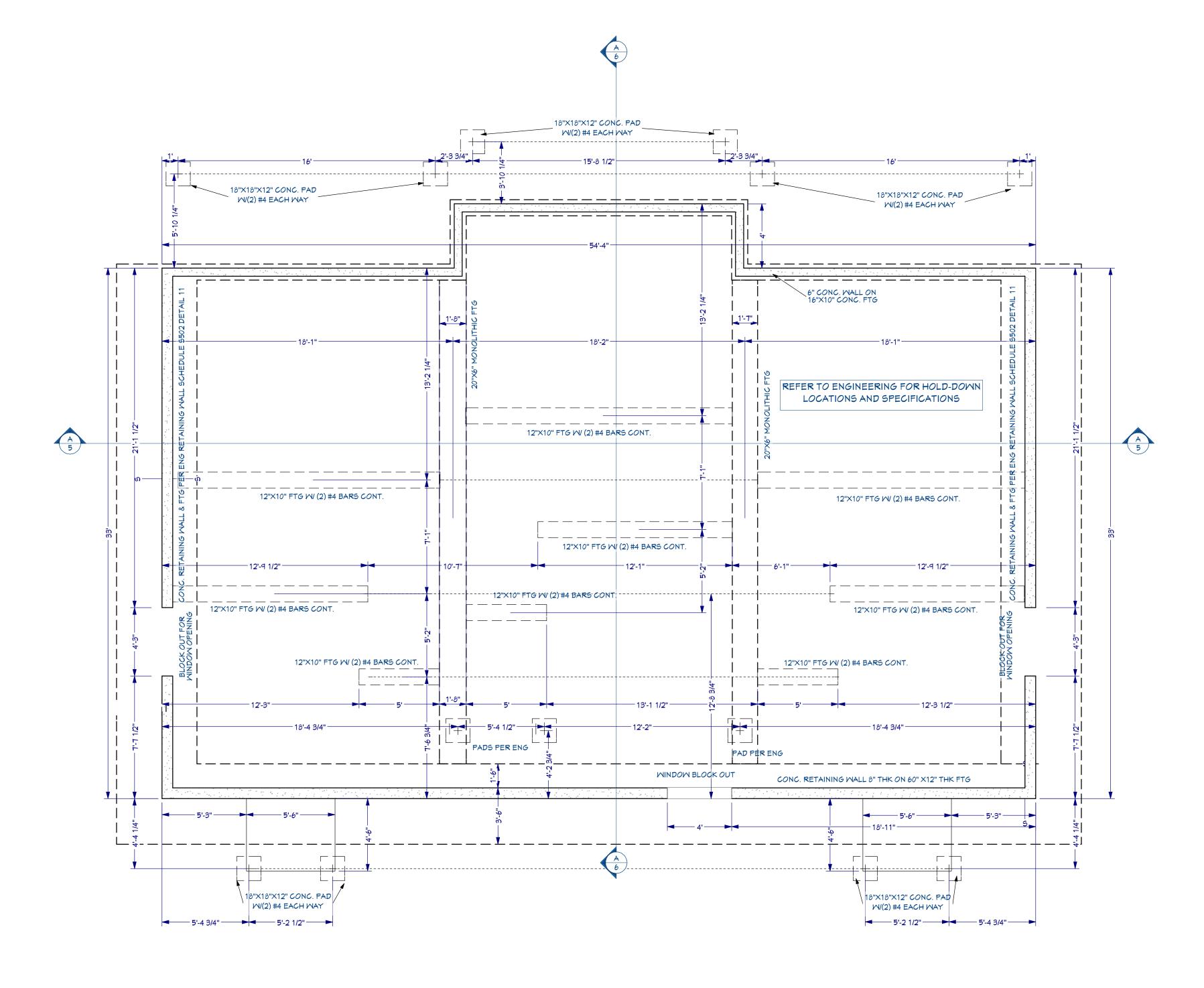
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THESE PLANS TO ANYONE.

FIN 9/10/2024 S
JOB# 21-337

X TRI-PLEX

4



GOVERNING DESIGN CODE 2018 INTERNATIONAL BUILDING CODE 2018 INTERNATIONAL RESIDENTIAL CODE FOLINDATIONS

FOUNDATIONS
FOUNDATIONS
FOUNDATION SIZES BASED ON AN ALLOWABLE SOIL BEARING
PRESSURE OF 1500 PSF DEAD AND LIVE LOADS COMBINED.
PLACE FOOTINGS ON FIRM UNDISTURBED ORIGINAL (VIRGIN)
SOIL, OR ON STRUCTURAL FILL AND SHALL BE UNDER FROST
LINE PER COUNTY CODE. UNLESS NOTED BY ENGINEER.

CONCRETE MIX DESIGNS
3000 PSI CONC. FOR SLAB, CONC. WALLS AND FOOTINGS
3500 PSI CONC. SLABS IN SEVERE WEATHERING CONDITIONS
ALL ON COMPACT FILL OR VIRGIN SOIL.
(SLABS MAY REQUIRE 6X10X10 GA. IN SOME JURISDICTIONS)

ANCHORS IN CONCRETE
PRESSURE TREATED WOOD SILL PLATES ANCHORED WITH
1/2 INCH DIAMETER ANCHOR BOLT SPACED NOT GREATER
THAN 6 FEET ON CENTER AND NOT FEWER THAN 2 BOLTS
PER SECTION. BOLTS MUST BE LOCATED NO GREATER
THAN 12 INCHES OR LESS THAN 7 BOLT DIAMETERS
FROM EACH END OF THE PLATE SECTION. BOLTS SHALL
EXTEND NOT LESS THAN 7 INCHES INTO CONCRETE. A
NUT AND WASHER SHALL BE TIGHTENED ON EACH BOLT.

EXPANSION ANCHORS INTO CONCRETE
EMBED EXPANSION ANCHORS 4 INCHES MIN IN CONCRETE

FTG & STEM WALL - CRAWL - WITH 20LB SNOW LOAD
PER IRC 403.1(1)
6" CONC WALL (4 FEET TALL MAX) ON 12" X 6" CONC. FTG.
SEE BASEMENT WALL DETAILS FOR HIGHER STEMWALLS
OR PER ENGINEER

2 STORY PER IRC 403.1(1)
6" CONC WALL (4 FEET TALL MAX) ON 16" X 6" CONC. FTG SEE BASEMENT WALL DETAILS FOR HIGHER STEMWALLS OR PER ENGINEER.

3 STORY PER IRC 403.1(1)

3 STORY PER IRC 403.1(1)
8" CONC. WALL (4 FEET TALL MAX) ON 23" X 8 1/2" CONC. FTG
SEE BASEMENT WALLS DETAILS FOR HIGHER STEMWALLS
OR PER ENGINEER.

REBAR
(2) #4 HORIZONTAL REBAR IN STEM WALL (1) WITHIN 12" FROM
THE TOP. (1) NEAR MIDPOINT CONTINUOUS. (2) HORIZONTAL
#4 REBAR IN FOOTING. 40X DIAMETER LAP @ SPLICES. STEM
WALLS HIGHER THAN 4" WILL REQUIRE DESIGN AS RETAINING
WALL OR CONSTRAINED BASEMENT WALL PER LOCAL
JURISDICTION OR ENGINEER.

#4 VERT @ MAX 48" O.C. WITH MIN 14 " EXTENSION INTO STEM WALL AT SPLICE WITH STD.HOOK CONTINUOUS FTG & REBAR THROUGH GARAGE OPENINGS

GRADE
GRADE SHALL FALL A MIN 6" WITHIN 1ST 10' OR FTG DRAIN REQ.
3" DIA MIN PERORATED PIPE W/ 3/4" MIN CRUSHED ROCK OR
GRAVEL & APPROVED FILTER MEMBRANE. SEE R405.1

BOTTOM OF FOOTINGS MUST BE 12" MIN. BELOW GRADE OR SHALL BE PLACED BELOW THE FROST LINE ESTABLISHED BY THE LOCAL JURISDICTION. USE WHICHEVER PROVIDES A DEEPER FOUNDATION. VERTICAL AND HORIZONTAL WALL REINFORCEMENTS SHALL BE PLACED NO CLOSER TO THE OUTSIDE FACE OF THE WALL THAN 1/2 THE WALL THICKNESS.

POST CONNECTIONS
TYPICAL 6X6 POSTS (IF IN CONTACT WITH WEATHER OR
CONC. USE PRESSURE TREATED). POST TO CONC. CONNECTION
USE SIMPSON CB66 POST BASE OR EQUAL. POST TO HDR OR
BEAM CONNECTION SIMPSON BC6 POST CAP OR EQUAL. POST
TO DECKING CONNECTION BC60 HALF BASE CAP OR EQUAL. FOR
6X6 POST CONNECTIONS SEE MFG FOR INSTALLATION DETAILS.

TYPICAL 4X4 POST (IF IN CONTACT WITH WEATHER OR CONC. USE PT). POST TO CONC. CONNECTION USE SIMPSON EPB44T POST BASE OR EQUAL. POST TO HDR OR BEAM CONNECTION, SIMPSON BC4 POST CAP OR EQUAL. POST TO DECKING CONNECTION SIMPSON BC40 HALF BASE CAP OR EQUAL. FOR 4X4 POST CONNECTIONS SEE MFG FOR INSTALLATION DETAILS.

BEAM POCKETS W/ 1/2" AIR SPACE ON 3 SIDES SIMPSON HOLDOWN STHD 14 OR PHD5 OR EQUAL PER ENG. SCREEN VENT PER CODE AREA/300SF MIN

LEDGERS:
WOOD CONNECTIONS 2X LEDGER W/ 5/8" X 5" LAG BOLTS
STAGGERED 16" O.C.
CONC. CONNECTION PT 2X LEDGER W/ 4" WEDGE ANCHOR
STAGGERED 16" - 24" O.C.

REFER TO ENGINEERING FOR SPECS IF LATERAL ENGINEERING IS REQUIRED ACCORDING TO LOCAL BUILDING CODES AND/OR ZONING REGULATIONS



2ND FLOOR FRAMING PLAN SCALE: 1/8" = 1'-0"

______ ______ _____ RIDGE 6:12 6:12

ROOF PLAN
SCALE: 1/8" = 1'-0"

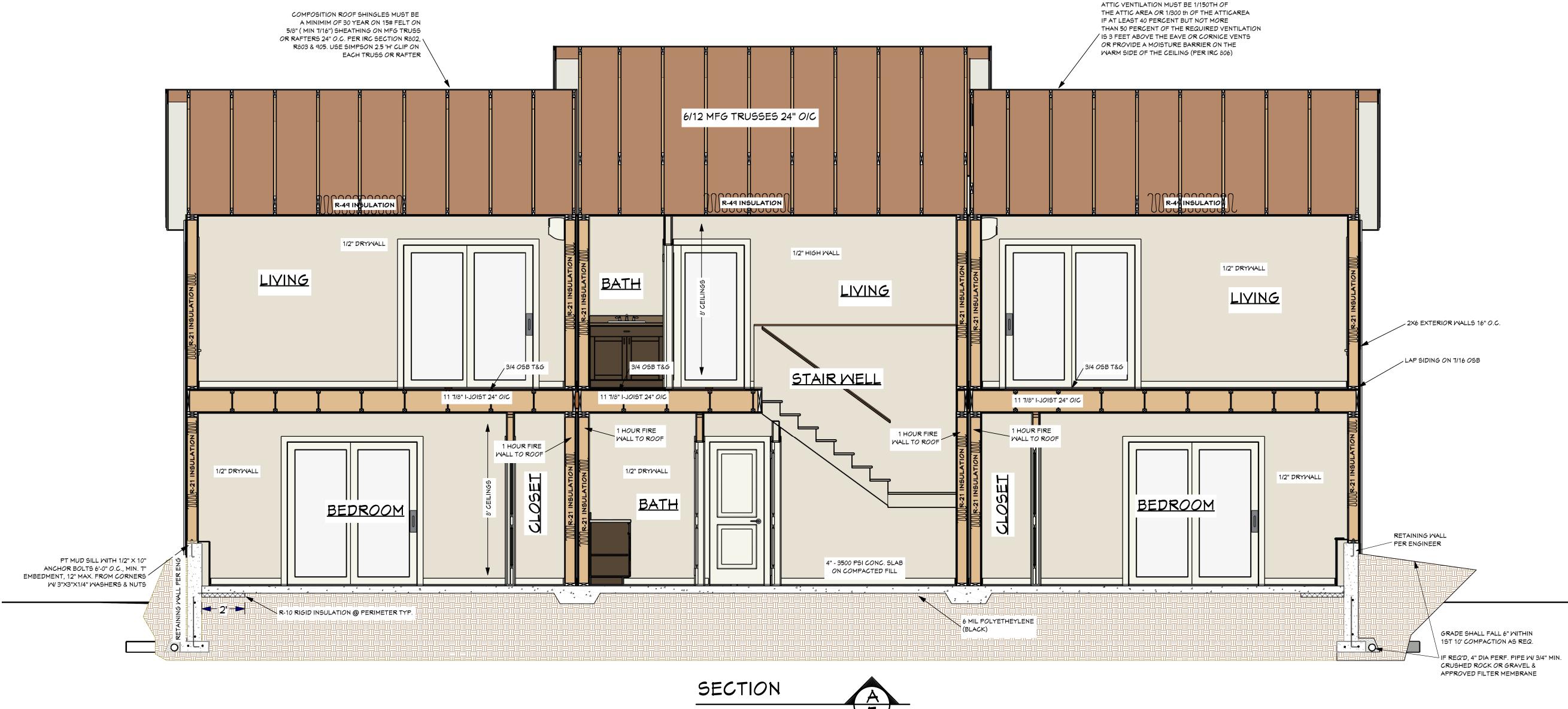
SEE MFG TRUSS LAYOUT DESIGN LOADS - GROUND SNOW LOAD TO BE DETERMINED BY IRC FIGURE R301.2(5) CS-SITE SPECIFIC CASE STUDY NEEDED BY LOCAL COUNTY CODES.

FRAMING LUMBER
LUMBER SPECIES: DOUGLAS FIR-LARCH GRADE LUMBER
LUMBER GRADES:
EXTERIOR WALL STUDS #2 OR BETTER
INTERIOR NON-BEARING WALL STUDS - STANDARD OR BETTER
INTERIOR BEARING WALL STUDS - #2 OR BETTER
JOISTS - #2 OR BETTER
BEAMS - #2 OR BETTER U.N.O.
POSTS - #2 OR BETTER U.N.O.
BLOCKING - STANDARD OR BETTER
SOLID BLOCKING USE SAME DEPTH AS MEMBERS ANY WOOD IN CONTACT WITH CONCRETE MUST BE PRESSURE TREATED (PER IRC R317.112) GLUE LAMINATED MEMBERS:
MEMBER SPECIES: USE WESTERN
MEMBER GRADE: (SIMPLE, MULTIPLE SPAN OR SPANS) USE 24F-V4
MATERIAL STANDARDS: ARCHITECTURAL GRADE APPEARANCE DO NOT USE 24F-1.8E UNLESS NOTED & APPROVED BY A QUALIFIED SUPPLIER OR STRUCTURAL ENGINEER. GLULAM COLUMNS: USE COMBINATION #3 DF PLYWOOD SHEATHING
ROOF SHEATHING: 7/16" MIN. INDEX 32/16
FLOOR SHEATHING: 3/4" MIN. INDEX 48/24 T&G
WALLS SHEATHING: 7/16 MIN. INDEX 32/16 ENGINEERED WOOD PRODUCTS MUST CONFORM WITH ALL APPLICABLE PROVISIONS OF THE IBC. WOOD PRODUCTS MANUFACTURER: TRUSS JOIST - TJI SERIES JOIST OR BOISE ENGINEERING - BCI SERIES JOISTS ASSEMBLIES AND HANGERS, AS REQUIRED TO PROVIDE A COMPLETE FLOOR OR ROOF STRUCTURAL SYSTEM PER I-JOIST MFG. RIM BOARD: 1 1/4" WIDE, 1.3E GRADE U.N.O OR APPROVED BY JOIST SUPPLIER OR STRUCTURAL ENGINEER. BEARING REQUIREMENTS FOR MECHANICAL UNITS:
JOIST SUPPLIER AND CONTRACTOR TO DOUBLE ALL JOISTS
MEMBER UNDER MECH. UNITS U.N.O. DO NOT NOTCH
OR DRILL STRUCTURAL MEMBER, EXCEPT AS APPROVED
BY STRUCTURAL ENGINEER. SIDING: SIDING TO BE DETERMINED BY OWNER/BUILDER. GARAGE / DWELLING SEPARATION:
ON THE GARAGE SIDE OF WALLS AND CEILING WITH A MIN.
1/2" GWB AND 5/8" TYPE "X" GWB AT CEILING WITH HABITABLE INSULATION R-VALUES:
2X4 WALLS R-15 MIN. 2X6 WALLS R-21 MIN.
ROOF CAVITIES: R-49 MIN.
VAULTED ROOF CAVITIES: R-38 MIN.
UNDER SLAB: R-10 RIGID MIN. 24" HORIZONTAL LENGTH MIN.
INSULATION, BAFFLES AT VENTS (PER IBC 1203.2)
FLOOR CAVITIES: R-38 MIN WITH 1" MIN. AIR SPACE FOR VENTING (PER IBC 1203.2) CRAWL SPACE:

18" MIN CLEARANCE FROM GRADE TO BOTTOM OF FLOOR JOIST AND MIN. 12" CLEARANCE TO BOTTOM OF GIRDERS OR BEAMS IN THE CRAWLSPACE. ROOF:
COMPOSITION ROOF SHINGLES MUST
BE A MINIMUM OF 30-YEAR ON 15# FELT
ON 1/2" (MIN. 7/16) SHEATHING ON MFG. TRUSS
OR RAFTERS 24" O.C.
SECTION R802, 803 & 905 USE SIMPSON 2.5H CLIP
ON EACH TRUSS OR RAFTER. ATTIC VENTILATION:
ATTIC VENTILATION:
ATTIC VENTILATION MUST BE 1/150th OF
THE ATTIC AREA OR 1/300th OF ATTIC AREA
IF AT LEAST 40 PERCENT BUT NOT MORE
THAN 50 PERCENT OF THE REQUIRED VENTILATION
IS 3 FEET ABOVE THE EAVE OR CORNICE VENTS
OR PROVIDE A MOISTURE BARRIER ON THE
WARM SIDE OF THE CEILING (PER IRC R806)

OVERHANGS:

OVERHANGS ARE TO BE DETERMINED BY OWNER/BUILDER GUTTERS:
GUTTERS ARE TO BE DETERMINED BY OWNER/BUILDER



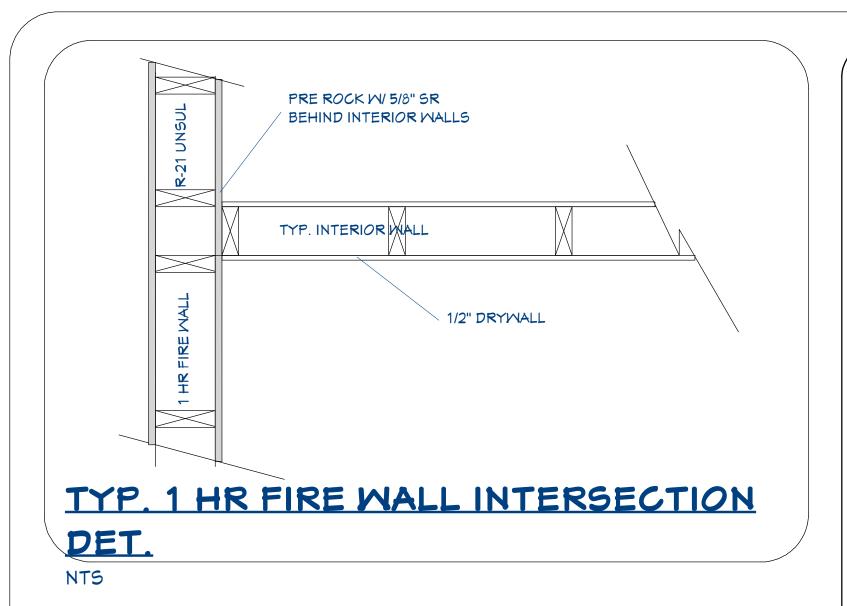
SCALE 3/8" = 1'-0"

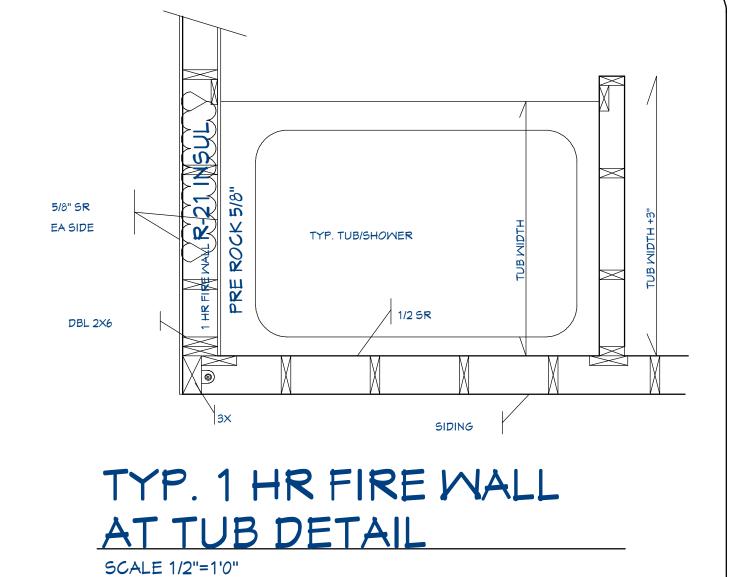
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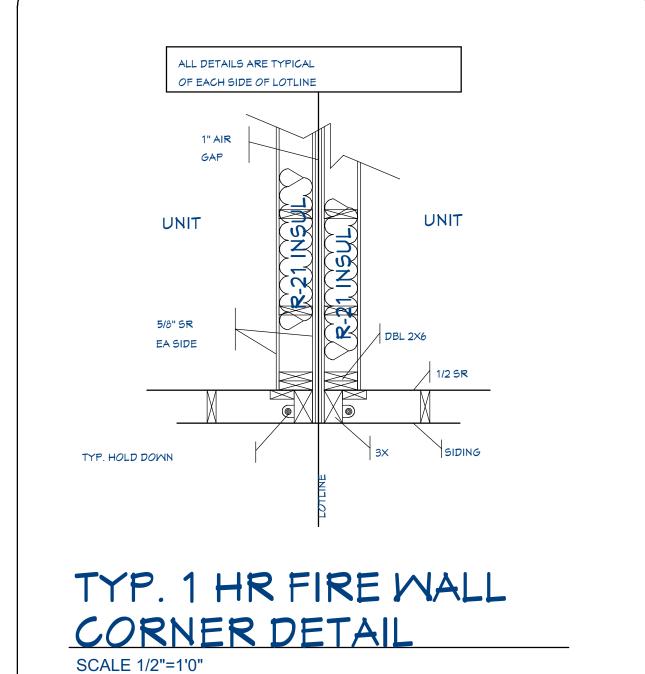


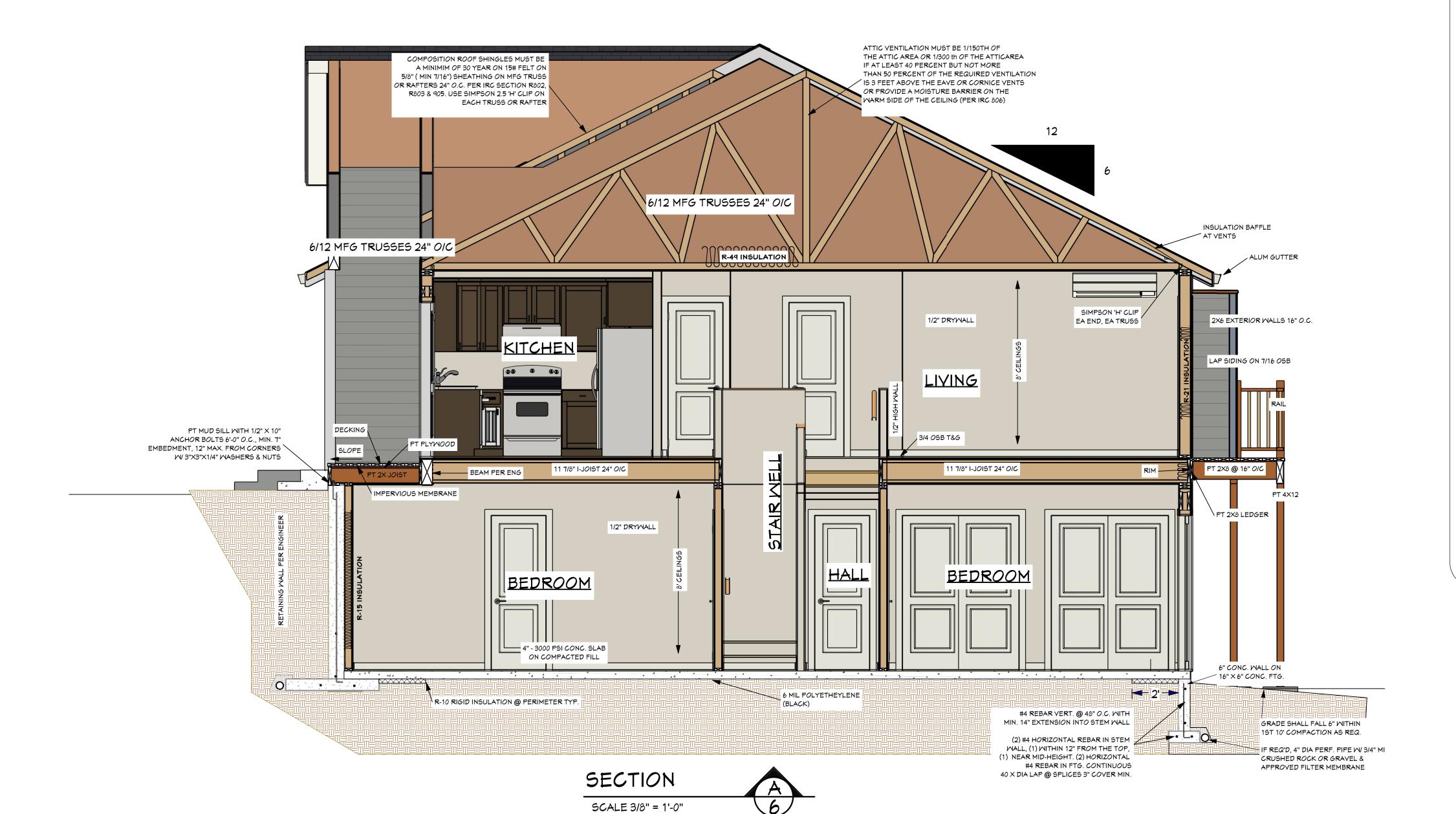
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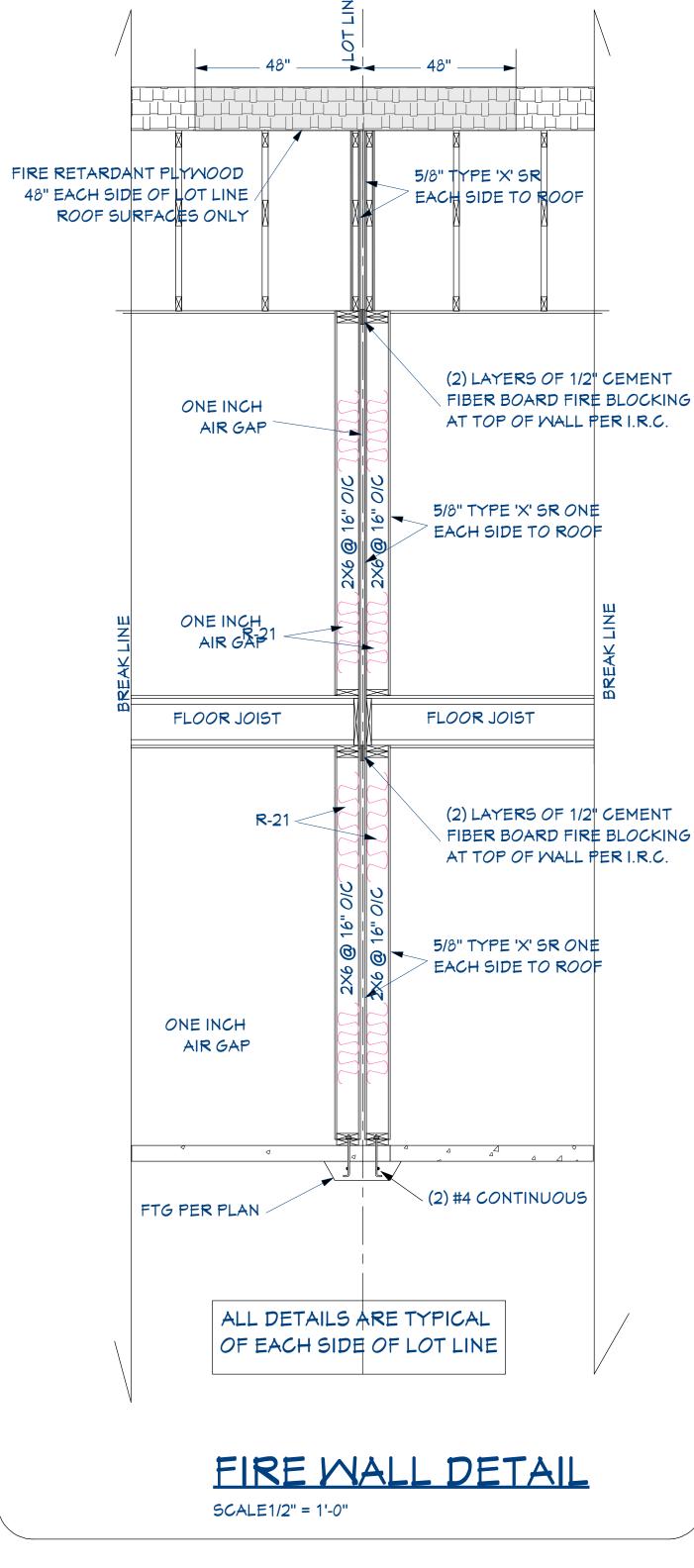
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EACH UNIT IS REQUIRED TO BE STRUCTURALLY INDEPENDENT FROM FOUNDATION LEVEL TO UNDERSIDE OF ROOF SHEATHING

AND HAVE FULL ONE-HOUR FIRE RESISTIVE WALL AT LOT LINE

