

City of St. Helens
Planning Commission
January 13, 2015
Agenda

1. **7:00 p.m. Call to Order and Flag Salute**
2. **Consent Agenda**
 - a. Planning Commission Minutes dated December 9, 2014
3. **Topics from the Floor:** Limited to 5 minutes per topic (Not on Public Hearing Agenda)
4. **Public Hearing Agenda:** (times are earliest start time)
 - a. 7:00 p.m. Conditional Use Permit at 58577 McNulty Way – Columbia River Fire & Rescue
 - b. 7:30 p.m. Conditional Use Permit at 1300 Kaster Road – St. Helens Organics Recycling, LLC
5. **Chair/Vice Chair Discussion**
6. **Marijuana and Land Use Discussion** (continued)
7. **Residential Lot Coverage Increase Discussion**
8. **End of Year Summary Report**
9. **CLG Historic Preservation Grant Program:** Deadline February 28, 2015
10. **Planning Director Decisions:** (previously e-mailed to the Commission)
 - a. Sign Permit (2) at 2298 Gable Rd. Suite 130 – Adam Skrzyszewski, Professional Permits
 - b. Site Design Review (minor) at 31 Cowlitz St. – Norway Development
11. **Planning Department Activity Reports**
 - a. December 30, 2014
12. **For Your Information Items**
13. **Next Regular Meeting: February 10, 2015**

Adjournment

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City of St. Helens
Planning Commission Meeting
December 9, 2014
Minutes

Members Present: Al Petersen, Chair
Greg Cohen, Commissioner
Sheila Semling, Commissioner
Audrey Webster, Commissioner
Kathryn Lawrence, Commissioner
Russell Hubbard, Commissioner

Members Absent: Dan Cary, Vice Chair

Staff Present: Jacob Graichen, City Planner
Crystal Farnsworth, Planning Secretary
Jennifer Dimsho, Assistant Planner

Councilors Present: Ginny Carlson, City Council Liaison

Others Present: Robert DeSue
Jessie DeSue
Bryan Garver

The Planning Commission meeting was called to order by Chair Al Petersen at 7:00 p.m. Chair Petersen led the flag salute.

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Consent Agenda

Approval of Minutes

Commissioner Semling moved to approve the minutes of the November 4, 2014 Planning Commission meeting. Commissioner Cohen seconded the motion. Motion carried with all in favor. Chair Petersen did not vote as per operating rules.

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Topics From The Floor

There were no topics from the floor.

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Public Hearing
Rob and Jessie DeSue
Variance / V.3.14
270 Cowlitz Street

It is now 7:10 p.m. and Chair Petersen opened the public hearing. Chair Petersen declared an ex-parte contact because the applicant came to him for architectural services. Chair Petersen was unable to provide assistance during the requested timeframe, so the applicant then took the project to a different architect.

City Planner Jacob Graichen entered the following items into the record:

- Staff report packet dated December 1, 2014 with attachments

Graichen said the applicant is applying for a variance to allow for reduced side and rear yard setbacks. Graichen reviewed the site information, background, and applicable criteria with the Commission.

Commissioner Semling asked what the lot coverage percentage is. Graichen said there are two aspects of coverage for Apartment Residential (AR) zoning. First, the lot coverage, or the amount of buildings and structures on the lot, must not exceed 50 percent. This criteria is met. Second, a minimum of 25 percent of the lot must be landscaped, and the applicant also meets this standard. Graichen clarified the applicant is not asking to increase the footprint or lot coverage, so these are not issues.

Commissioner Lawrence is concerned about backyard privacy for the neighbor. She asked about window placement in the second story addition. Graichen said there was discussion with the Building Department about window placement and the applicant will address this concern in their testimony.

Commissioner Cohen asked if the building was within the federally designated National Historic District and Graichen said yes. However, Graichen said that because the property is not a designated landmark and it is not within the Olde Towne St. Helens zoning district, the Historic Landmarks Commission is not required to conduct an architectural review.

Commissioner Cohen asked if the existing retaining wall was on the subject property. Graichen said yes. Commissioner Cohen asked how much higher, if at all, the proposed height of the retaining wall would be. Graichen said the building addition would add a new peak to the building, but it will not be any higher than the existing building peak. The retaining wall will remain the same height.

Commissioner Cohen asked if the "jog" in the property line was on record as a part of their property or if they will need a lot line adjustment. Graichen said it does appear the "jog" has been in place for some time, but was unsure exactly when it went into effect. Cohen suggested that if there is not a lot line adjustment on record, perhaps one could be a required as a condition on approval. Chair Petersen requested Graichen check the deed to see if it is part of the property or if it is a lot line adjustment on record.

IN FAVOR

γ **Robert DeSue, Applicant.** DeSue said they have been living in their home since 2010 and they love the house and the area. He and his wife are trying to increase the square footage of their home, which is currently just under 1,300 sq. ft. They feel the best place to add a bedroom is above the garage and in exploring their options with architects and City Planner Graichen, they discovered that in order to do this, the existing structure under the proposed bedroom would need to be built stronger. To rebuild what is underneath, they must tear down the walls, and in order to rebuild the existing structure, they must receive

a variance because the existing structure is non-conforming. He believes the "jog" in the property line is on the deed and that it was existing when they bought the home.

Their home has restrictive qualities that do not allow them to expand, other than above the garage. Because of the underlying basalt, they have a shallow basement which does not allow for expansion. They prefer to make improvements to the house that fit with the quality of the existing home and neighborhood. His wife is expecting a child in January, and this is one of the main reasons they are pursuing the expansion and variance. They have also received support from their neighbors.

The left side of the addition will be a rated firewall with no windows. On the back side, there will be one fire-rated window. There is a cliff located behind his property on the back side of his neighbor's property. He and his neighbor walked the property line in the back together to discuss where the addition would be and where the sight lines and window would be. His neighbor also has a very tall row of arborvitae between the two properties. His neighbor in the back had no issues with the location of the window in the back overlooking the cliff. Commissioner Cohen asked how much square footage they are adding. They are adding approximately 300 sq. ft.

γ **Bryan Garver, Neighbor.** Garver is the neighbor to the east (left) of DeSue's property. He stated that the DeSue's have taken pride in the ownership of their home and in the improvements they have made to the house since moving in. He feels the proposed addition is aesthetically pleasing and a great improvement to the home. He said the DeSues have been great to live next door to and he would really like to keep them as neighbors. Chair Petersen asked if Garver was one of the neighbors who granted a maintenance easement. Garver said no, he did not have to.

IN OPPOSITION

γ None spoke in opposition.

REBUTTAL

γ There was no rebuttal.

END OF ORAL TESTIMONY

There were no requests to continue the hearing or leave the record open.

CLOSE PUBLIC HEARING & RECORD

The applicant waived the opportunity to submit final written argument after the close of the record.

DELIBERATIONS

Commissioner Cohen asked how the maintenance agreement works. Graichen explained the neighbor will grant the applicant's right to enter the designated area, which is a 5 ft. easement, for the purposes of maintaining the building. This maintenance agreement and 5 ft. easement remains a part of the property and continues in perpetuity.

Commissioner Cohen asked if the applicant is building outward. Graichen clarified that the existing footprint of the building will not be altered. The applicant is only building up, not out.

Chair Petersen said that he feels this is a reasonable addition to the property and the owner has done due diligence beyond what he is required to do. It is a nice looking solution to a difficult problem and the applicant is going through the right process to get it done.

MOTION

Commissioner Cohen moved to approve the variance with the additional condition that Graichen verify there is a “jog” in the property line on record for the sideyard. Commissioner Lawrence seconded. All in favor; none opposed; motion carries.

Commissioner Cohen moved for Chair Petersen to sign the findings and conclusions once prepared. Commissioner Webster seconded. All in favor; none opposed; motion carries.

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Historic Landmarks Review

a. Muckle Building Window Architectural Character Review

Graichen explained that the contractor for the Muckle Building construction work has convinced the owner to replace the existing display windows on the lower level so they look better and more reminiscent of the historic windows, as seen in the memo.

Commissioner Webster asked if they were changing the appearance of the upper windows. Graichen said the same transom windows will remain.

Commissioner Hubbard asked about the dotted lines on the windows in drawing SK1 and SK2. Chair Petersen clarified that the dotted lines represent the existing columns behind the windows. In drawing SK3, the proposed storefront windows box in the columns, add a heavier mullion where the actual columns are, and split the difference among the windows.

Commissioner Cohen asked if the applicant was required to use a certain type of glass in the windows and Graichen said this is a building code question. If the glass was to be tinted or have a metallic tint, then it would be an architectural design guideline question. Chair Petersen requested Graichen double-check the glass is not tinted because the drawings say the glass glaze is Solarban 60 Low-E, which can sometimes have a tint.

Commissioner Cohen asked what kind of historic guidance the Planning Commission has. Graichen reminded the Commission of the document titled *Architectural Design Guidelines for Olde Towne* (2012). The Commissioners, minus Chair Petersen, requested a hardcopy of these guidelines.

Commissioner Cohen made a motion to recommend Graichen approve the Muckle Building Window Architectural Character Review. Commissioner Lawrence second. All in favor; none opposed; motion carries.

Parklet Discussion

Graichen asked the Commission if a six-month rotating review could potentially be a hindrance to businesses wanting to invest in a high quality parklet structure, as seen in the memo. He also pointed out existing temporary use permits last for up to one year.

The Commission confirmed that their recommendation for temporary parklets, as proposed with the Corridor

Master Plan efforts, should remain six months.

Marijuana & Land Use Discussion

Graichen said at the November 5 City Council meeting, the Council requested the Commission make a recommendation as to the appropriate locations for marijuana dispensaries and retail outlets. To start, Graichen summarized state law regarding allowed locations for medical marijuana dispensaries. State law says dispensaries need to be in a commercial, industrial, or mixed-use zone. They must be 1,000 ft. from public or private elementary, secondary, or career schools attended by minors. They must have a 1,000 ft. separation between other dispensaries. The City may be more restrictive than this state law by adopting time, place, and manner regulations.

The Commission discussed the City of Ashland which adopted a law that restricts dispensaries from locating 200 ft. within a residential zone. They also discussed the City of Cave Junction which outright banned dispensaries by not granting applicants a business license because they do not comply with federal law.

Graichen said currently, the City has a moratorium that restricts medical marijuana dispensaries from locating in St. Helens until May 1, 2015. However, due to Measure 91, recreational marijuana retailers can locate in St. Helens beginning in January 2016. Measure 91 does not adopt time, place, and manner restrictions like medical dispensaries have, but it does say cities may adopt reasonable time, place, and manner regulations relating to the nuisance aspect of establishments that sell marijuana. Graichen recommended if the City is going to create local land use law to regulate their location, similar laws for both medical dispensaries and retail shops should be created. The Commission agreed.

Chair Petersen stated that we first need a new definition for a marijuana retailer. Graichen agreed and said it could be based on state definitions. Chair Petersen said that the problem with comparing marijuana retailers to liquor stores is that liquor stores are simply defined as a retail outlet. Once we create a new definition, we can include medical dispensaries and retailers together. Next, we can decide which zone the new definition belongs in and if there should be any additional buffers between zones.

Commissioner Cohen noted if we locate dispensaries and retailers within industrial zones, they are already away from schools and residential zones. He also would like retailers and dispensaries to be restricted 1,000 ft. from any location where children congregate. Commissioner Webster asked if the regulation could also restrict dispensaries and retailers from locating 200 ft. from residential zones. Graichen said yes.

Commissioners Cohen and Lawrence said the light and heavy industrial zones may be very suitable for locating retailers and dispensaries, especially with the additional 1,000 ft. from schools buffer. Commissioner Cohen asked if the City, instead of buffering schools, could buffer any location where children congregate. This way, parks, daycares, private, and public schools would all be included. Graichen said yes.

Graichen said the light industrial zone may be a better zone than the heavy industrial for retailers and dispensaries because heavy industrial is where a large portion of the City's tax base is located and often dirtier. Commissioner Cohen mentioned that the light industrial zone by McNulty Way is fairly close to residential areas but a buffer zone for residential zones could fix this. Chair Petersen pointed out if there were a 1,000 ft. buffer around McCormick Park, it would remove most of the available light industrial properties. Instead, Chair Petersen proposed a 200 ft. buffer around residential zones and parks, in addition to the 1,000 ft. buffer where children congregate, such as daycares and schools.

Chair Petersen asked about the distinction between light and heavy industrial zones. Commissioner

Lawrence doesn't think medical dispensaries or retailers will take up a large portion of the heavy industrial lands, so space should not be an issue. Commissioner Cohen pointed out that future industrial operations may be turned away if there are multiple marijuana retailers located nearby. He does not want to tie up valuable industrial property, even if it is a tiny corner parcel, and possibly keep a potential industry from locating in our City. Chair Petersen said most of the industrial lands are huge pieces of property and a marijuana retailer would not locate on such a large piece of property. If they are located on a large piece of property, and a big industry comes along, they would buy the property and throw them off.

Graichen mentioned the other uses allowed in heavy industrial and light industrial zones. Other aspects of the process include marijuana growing, wholesaling, and production, all of which are allowed on industrial properties. This means potentially all steps in marijuana processing could be accomplished within the heavy or light industrial zones, given that the OLCC licenses it.

Commissioner Lawrence said that beyond protecting areas where children congregate, she was not partial. Chair Petersen's recommendation is we should allow marijuana retailers and dispensaries in both heavy and light industrial zones, with a 1,000 ft. buffer from public and private schools and a 200 ft. buffer from parks and residential zones. All Commissioners agreed with this. Graichen said he would try to bring a written proposal to the next meeting. Commissioner Hubbard asked if the Commission would be required to review the marijuana retail applicants. Graichen said that a Conditional Use Permit process would fit well with this use and that would also allow the Commission to review each case individually.

System Development Charges (SDC) Discussion

Chair Petersen reviewed his SDC presentation which is included in the packet. His recommendation is to eliminate all SDCs east of Hwy. 30 along the St. Helens St./Columbia Blvd. couplet down to the historic riverfront district and to eliminate the water and sewer SDCs in all other areas east of Hwy. 30 (as seen on the map included in the packet). This proposal would encourage development in specific locations where the City wants development to occur and discounts developers who want to build in an area where most of the basic infrastructure, including water and sewer lines, have already been installed.

Commissioner Cohen applauds Chair Petersen's recommendation and asked if the businesses along Hwy. 30 should be included in the boundary of SDC elimination. Chair Petersen said Hwy. 30 already attracts new businesses because of the high visibility, so Hwy. 30 does not need additional incentives for developers to locate there.

Chair Petersen said the City does work with applicants to work out the best break in SDCs possible. However, Commissioner Cohen pointed out that we should not have rules that are made to be bent.

Commissioner Lawrence agrees that if a property already has fully developed infrastructure, we shouldn't charge fees as if the property has no existing infrastructure. She agrees that we should incentivize development because a functioning business is much better for the community than a vacant property. Chair Petersen explained if you have a developer who wants to build on the edge of city limits in an area that needs a sewer line, the developer will have to pay for the sewer line, in addition to SDCs, but he does get an SDC credit for the sewer infrastructure he paid for. Councilor Carlson pointed out when developers receive a reduction in fees, the perception among residents is they are footing the bill for the developer's discount. Commissioner Webster said residents foot the bill of the vacant buildings though, too.

Chair Petersen noted the City could focus on the "business friendly" environment that a targeted reduction in SDCs creates. Councilor Carlson mentioned SDCs were also reduced by half for a number of years, until

permanently changing the fee to the lower amount. Commissioner Cohen said that whether or not the SDCs are reduced by half or not, the costs are still unreasonably high. He said the perception about SDCs is negative because it has been selectively used by certain applicants and industries in the past. Everyone should be on the same playing field, it should be spelled out on the City's website, and then the negative perception will go away. Commissioner Lawrence agrees that there is a perception of favoritism within the City.

Commissioner Cohen moved to accept the recommendation made by Chair Petersen. Commissioner Webster seconded. All in favor; none opposed; motion carries. Graichen will return this recommendation to Engineering Supervisor Sue Nelson, involve the professional SDC consultants, and return the proposal back to Council.

Planning Director Decisions

- a. Sensitive Lands Permit (Lot 5, Block 3, Little's Sub.) – OHM Equity Partners, LLC
- b. Sensitive Lands Permit (Between Wyeth St. & Columbia Blvd. east of N. 4th St. to Columbia River) – City of St. Helens
- c. Sign Permit (Banner) at 2100 Block of Columbia Blvd. – Merchants Toy and Joy
- d. Home Occupation (Type I) at 170 West Street – Office for consulting business
- e. Home Occupation (Type II) at 354 N. 5th Street – Office for janitorial business
- f. Sign Permit (Banner) at 2100 Block of Columbia Blvd – St. Helens Police Dept.

There was no discussion.

Planning Department Activity Reports

There was no discussion.

For Your Information Items

Graichen brought up the possibility of increasing lot coverage percentages in the near future. For Apartment Residential (AR), it is a maximum of 50 percent coverage and for most other residential zones, it is 35 percent. In the past, the Commission discussed increasing AR to 55 percent coverage and for the other zones, an increase to 40 percent coverage. This would be a legislative amendment to the land use policy, so there will be hearings in the future, but he wanted to make sure the Commission was on board. The Commission requested further information to help clarify this proposal.

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There being no further business before the Planning Commission, the meeting was adjourned at 9:02 p.m.

Respectfully submitted,

Jennifer Dimsho
Assistant Planner

2014 Planning Commission Attendance Record

P=Present A=Absent Can=Cancelled

Date	Petersen	Vacant	Lawrence	Cohen	Cary	Semling	Webster
01/14/14	P		P	P	P	P	A
02/11/14	P		P	P	P	P	P
Date	Petersen	Hubbard	Lawrence	Cohen	Cary	Semling	Webster
03/11/14	Can	Can	Can	Can	Can	Can	Can
04/08/14	P	P	P	P	P	P	P
05/13/14	A	P	P	P	P	P	P
06/10/14	A	P	P	P	P	P	A
07/08/14	P	P	P	P	P	P	P
08/12/14	CAN	CAN	CAN	CAN	CAN	CAN	CAN
09/09/14	P	P	P	P	P	P	P
10/14/14	A	A	P	P	P	P	P
11/11/14	P	P	P	P	P	P	P
12/9/14	P	P	P	P	A	P	P

**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Conditional Use Permit CUP.1.14**

DATE: January 6, 2015
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: Columbia River Fire & Rescue (CRFR)
OWNER: same as applicant

ZONING: Heavy Industrial, HI
LOCATION: 4N1W-8A-200 and 4N1W-8AD-900
PROPOSAL: To allow burning of material as part of CRFR's existing training facility

The 120-day rule (ORS 227.178) for final action for this land use decision is April 2, 2015.

SITE INFORMATION / BACKGROUND

The subject property includes a joint maintenance facility and a training facility for fire/rescue training. In 1997, the St. Helens Rural Fire District applied for a Site Design Review to establish the training facility on the same property as the then existing joint maintenance facility. The training facility has since been built and operated for years.

At that time, off-site impacts didn't seem to be anticipated. One of the conditions of the 1997 Site Design Review stated: "If an off-site impact is anticipated, the proper authorities will be notified, at least 24 hours in advance." In the background section of that staff report it stated: "the Fire District does not expect to have off-site impacts normally." A letter dated September 11, 1997 from the City Planner (attached) talks about the use, how it fits within the uses allowed in the HI zone and states "...no or minimal off-site impacts are anticipated."

This proposal includes a live fire training prop, which will generate smoke since it involves burning combustible materials. Smoke is an off-site impact and appears to be greater than suggested in the 1997 Site Design Review.

PUBLIC HEARING & NOTICE

Hearing dates are as follows: January 13, 2015 before the Planning Commission

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on Dec. 18, 2014 via first class mail. Notice was sent to agencies by mail or e-mail on the same date. Notice was published in the The Chronicle on Dec. 24, 2014.

AGENCY REFERRALS & COMMENTS

As of the date of this staff report, the following agency referrals/comments have been received that are pertinent to the analysis of this proposal:

Columbia River Fire & Rescue: I have reviewed this conditional use application with reference to the Fire Code and find no safety issues pertaining to this type of training structure. By way of full disclosure, this prop is being proposed by our fire district training division and I have supported it for enhanced firefighting training and safety. If the City would like the Office of State Fire Marshal to review this CUP, please let me know and I will forward the application to the local deputy in Astoria.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

SHMC 17.100.040(1) - CUP Approval standards and conditions

(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.

Finding(s):

(a) This criterion requires that the site size and dimensions provide adequate area for the needs of the proposed use. This proposal doesn't change the intensity or coverage of the training facility. Rather, it addresses a new training prop that will generate smoke (an off-site impact). There is no evidence that the site size and dimensions are inadequate currently or will be with the smoke generating training prop.

(b) This criterion requires that the characteristics of the site be suitable for the proposed use. The training facility has been in operation for years with no evidence of lack of suitability. The proposal does not change the use of the site.

(c) This criterion requires that public facilities have adequate capacity to serve the proposal. The use is not proposed to change. There is no evidence it will have an impact on public facilities.

(d) This criterion requires that the requirements of the zoning district be met except as modified by the Conditional Use Permit (CUP) chapter. The CUP chapter has no specific provisions.

When originally proposed, city staff determined that the training facility was a similar use to other permitted uses in the HI zone. However, now the proposal increases the anticipated off-site impacts resulting from the use. Under current law, “*public facilities, major*” and “*public safety and support facilities*” are allowed by Conditional Use. The training facility falls under these categories. In addition, the HI zone makes a distinction between uses with or without off-site impacts. To explain, “*all manufacturing, repairing, compounding, research, assembly, fabricating, or processing activities without off-site impacts*” is allowed as a permitted use, but if such use(s) included off-site impacts it becomes a conditional use. As such, given the history of the site (proposed with minimal to no off-site impacts) and current land use law, this Conditional Use Permit is appropriate for the proposal.

(e) This criterion requires analysis of the sign chapter and site design review chapter. No signage is proposed with this proposal. Since the property is already developed and the proposal is not an intensification of use, there is no directly applicable site development review provision, except SHMC 17.96.180(4)(a) and the presence of sensitive lands (Chapter 17.44 SHMC).

SHMC 17.96.180(4)(a)

(4) Buffering, Screening, and Compatibility between Adjoining Uses (See Figure 13, Chapter 17.72 SHMC).

(a) Buffering shall be provided between different types of land uses (for example, between single-dwelling units and multiple-dwelling units residential, and residential and commercial), and the following factors shall be considered in determining the adequacy of the type and extent of the buffer:

- (i) The purpose of the buffer, for example to decrease noise levels, absorb air pollution, filter dust, or to provide a visual barrier;
- (ii) The size of the buffer required to achieve the purpose in terms of width and height;
- (iii) The direction(s) from which buffering is needed;
- (iv) The required density of the buffering; and
- (v) Whether the viewer is stationary or mobile

Buffering was not required in the 1997 decision and except to the north, hardscape was allowed more-or-less to the property line. Along the north side is the McNulty Creek riparian area, which provides natural buffering that is protected by the City’s riparian and wetland laws.

Surrounding zoning is Heavy Industrial on all sides, except for General Commercial to the north across McNulty Creek. There are undeveloped lands lying to the south and west; these are zoned Heavy Industrial. New buffering isn’t necessarily warranted, but is a potential consideration of the Planning Commission.

Chapter 17.44 SHMC

There is a natural drainage, riparian/wetland area and floodplain associated with McNulty Creek along the north side of the site. The proposed location of the live fire training prop avoids these sensitive areas. Thus, additional sensitive lands review or permitting is not necessary.

(f) This criterion requires compliance with the applicable policies of the Comprehensive Plan. The Commission should consider the following heavy industrial policy per SHMC 19.12.100(2)(f), which is related to the buffer consideration noted above:

Activities which have no off-site effects will be allowed in this area; heavy industrial activities with off-site noise, odor, air pollution or vibrating effects may be required to increase the setback from a property line.

SHMC 17.100.040(2) - CUP Approval standards and conditions

(2) An enlargement or alteration of an existing conditional use shall be subject to the development review provisions set forth in Chapter 17.96 SHMC.

Discussion: This is addressed above.

SHMC 17.100.040(3) - CUP Approval standards and conditions

(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
- (l) Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, and drainage areas.

Discussion: This list is for the Commission's consideration if any conditions are determined to be necessary for this proposal.

Note that CRFR recommends a condition that limits training related burning to those days that everybody else cannot burn. This has been included as a recommended condition below.

CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, staff recommends approval of this Conditional Use Permit with the following condition:

Burning operations using the Flashover Fire Training prop shall not occur during any burn ban or "no burn day" as declared by an agency (with applicable jurisdiction) having responsibility to determine when the general public can or cannot burn. This includes but is not limited to Columbia River Fire and Rescue and the Columbia County Fire Defense Board.

Attachment(s): letter from City Planner dated September 11, 1997
application materials

City of St. Helens

P.O. BOX 278 PHONE (503) 397-6272

St. Helens, Oregon
97051

September 11, 1997

SDR 18.97

Dear Property Owner:

This notice is being sent to you because you are listed in the County Assessor records as the owner of property within 100 feet of a property that is required a Site Design Review. This review is required when there is a change in use or new use. This use is in a Heavy Industrial zone which allows accessory uses and other uses. This application is for a fire fighting training area and is not listed in the City's Zoning Ordinance. Due to the nature of this type of use, the Industrial zone seems best suited for it. There is good separation from the public in general, although no or minimal off-site impacts are anticipated. The activities of flashing lights, fire fighting equipment and sometimes fires does not seem to fit the intent of commercial and residential zones.

The criteria are listed in the enclosed Planning Director's Review. The Planner has reviewed the application and tentatively found that the application meets the criteria. Anyone who does not agree or for any other reason wants this application to be decided by the Planning Commission may request such a public hearing by writing to the Planning Commission c/o Skip Baker, City Planner, P.O.Box 278, St. Helens, OR. 97051.

If there are no requests for a public hearing within 14 days of the date of this letter, then the tentative decision becomes final. A copy of the application is on file at City Hall for public review. If you have any questions, please contact me at 397-6272.

Sincerely,



Skip Baker,
City Planner

enclosure: Review, site map and location map.

COPY

DIVISION 13 - SPECIAL CONSTRUCTION

SECTION 13121 - PRE-ENGINEERED WRG PROPRIETARY STEEL FIRE TRAINING PROPS **MEETING ALL NFPA STANDARDS FOR LIVE FIRE TRAINING.**

PART 1 - GENERAL

1.4 REFERENCES

WRG Fire Training Simulation Systems, Inc. Video and catalog
web-site www.wrgfiretraining.us
Facility design and construction
Automated Live Fire Training Systems and Special Effects Simulators
13780 Galbreath Sherwood, OR., 97140, 502-793-8449 direct

American Iron and Steel Institute (AISI) Publication:
Specifications for the Design of Cold-Formed Steel Structural Members.
American Institute of Steel Construction
Manual of Steel Construction, Allowable Stress Design.
American Society for Testing and Materials Publications:
ASTM A-36 Standard Specification for carbon Structural Steel
ASTM A-653 Standard Specification for Steel Sheet, Zinc-Coated (Galvanized)
or Zinc-Iron Alloy-Coated (Galvannealed) by the Hot-Dip Process
ASTM A924 Standard Specification for General Requirements for Steel
Sheet, Metallic- Coated by the Hot-Dip Process

PART 2-DESCRIPTION

MODEL F/O2812 FLASHOVER FIRE TRAINER

2.1 PURPOSE:

The F/O2812 FLASHOVER Fire Trainer will be used exclusively to provide a safe and controlled training environment for Fire Fighters and Emergency Rescue Personnel. The F/O2812 is designed with controlled and monitored environments, which replicate actual emergency and rescue conditions, complimenting trained instructor presented hands on and classroom presentations. The F/O2812 is designed to meet the training guidelines and requirements specifically set forth within The National Fire Protection Associations standards for live fire training.

2.2 GENERAL:

1. The F/O2810 trainer is designed to replicate on a repeated basis, high temperature gaseous "Flash-Over" effects using typical Class A materials.
2. The trainer consists of two burn cells, a main high temp burn cell (Lower), used for the staging of students and instructors, and control of the fire damper, it is 28 feet long by 8 feet wide x 8 feet high.
3. The elevated "Upper" high temp burn cell is 9 feet long by 8 feet wide x 8 feet high. The upper burn cell is equipped with support legs for positive stability; it is bolted to the lower burn cell, and has in place a galvanized platform with safety chains at the rear swinging doors. The upper burn cell is accessed through rear swing doors allowing easy clean up and reloading of class A burn fuels.
4. Both burn cells are fire lined using the patent pending Fire Command Liner System designed specifically for Fire Service Training Structures, 10 warrantee.
5. The trainer is shipped in two pieces and is assembled on site. When assembled the trainer has two egress doorways one on either side of the trainer allowing access into and out of the lower 28 foot burn cell.
6. There is one manually controlled chimney damper for instructor operation.
7. There is a steel smoke curtain in the lower burn cell which is hinged.
8. The upper burn cell is equipped with tension chains and supports to allow loading of 4' x 8' particle board which when installed forms a secondary lining inside the upper burn cell.
9. The complete trainer is painted per owners color selection and has in place the required NFPA 1403 placards.

2.3 STRUCTURAL INTEGRITY AND STANDARD DESIGN CRITERIA:

The F/O2810 Trainer is structurally sound and impervious to high temperature live fire training and common emergency personnel tools used during training. The design incorporates a compartment fire scene which stores super heated gases and allows instructors to control a flashover effect.

2.4 CODE COMPLIANCE:

The WRG Live Fire Training System shall meet the;
NFPA standards for Live Fire Training Systems and Training Structures.

NO EXCEPTIONS.

If a variance is required for placement of the Training Structure, it will be the responsibility of the owners to obtain such variances.

2.5 MATERIALS AND FINISHES:

All materials shall be new and shall conform to applicable ASTM specifications. All materials used in the assembly of the Trainer at a minimum shall be High-Temp Boiler Plate or better.
NO PRIMER OR PAINTED SURFACES SHALL BE ALLOWED

2.25 DELIVERY, INSPECTION & STORAGE:

All components and accessories shall arrive via flat bed trailer. Damage to, or shortages noted during delivery must be noted on the freight bill and reported at once to the manufacturer. All claims for damages or shortages must be reported within 48 hours of delivery. Security and materials protection in storage is the responsibility of the receiving party. Materials packaged in small cartons must be stored in a secured area to prevent theft and/or damage by the elements. Materials stored outside must be stacked on pallets and covered with suitable waterproof coverings (not plastic).

2.26 WARRANTY:

F/O2810 fire trainer shall be warranted for one full year.

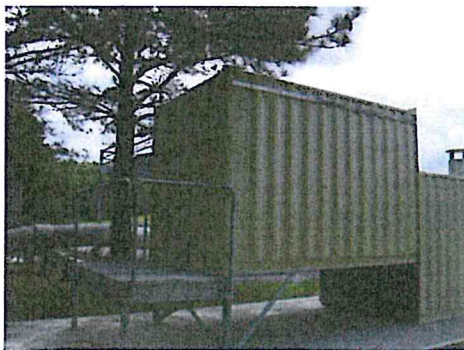
2.27.1 GENERAL:

Submit the following in accordance with the Conditions of the Contract and Specification Sections: Only Complete Turn Key Packages with a full train the trainer class will be accepted.

DELIVERED, SET UP, TWO TRAIN THE TRAINER DAYS

PRICING

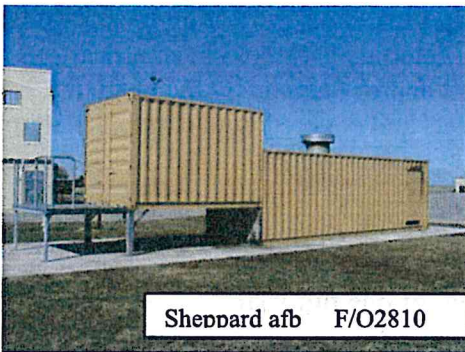
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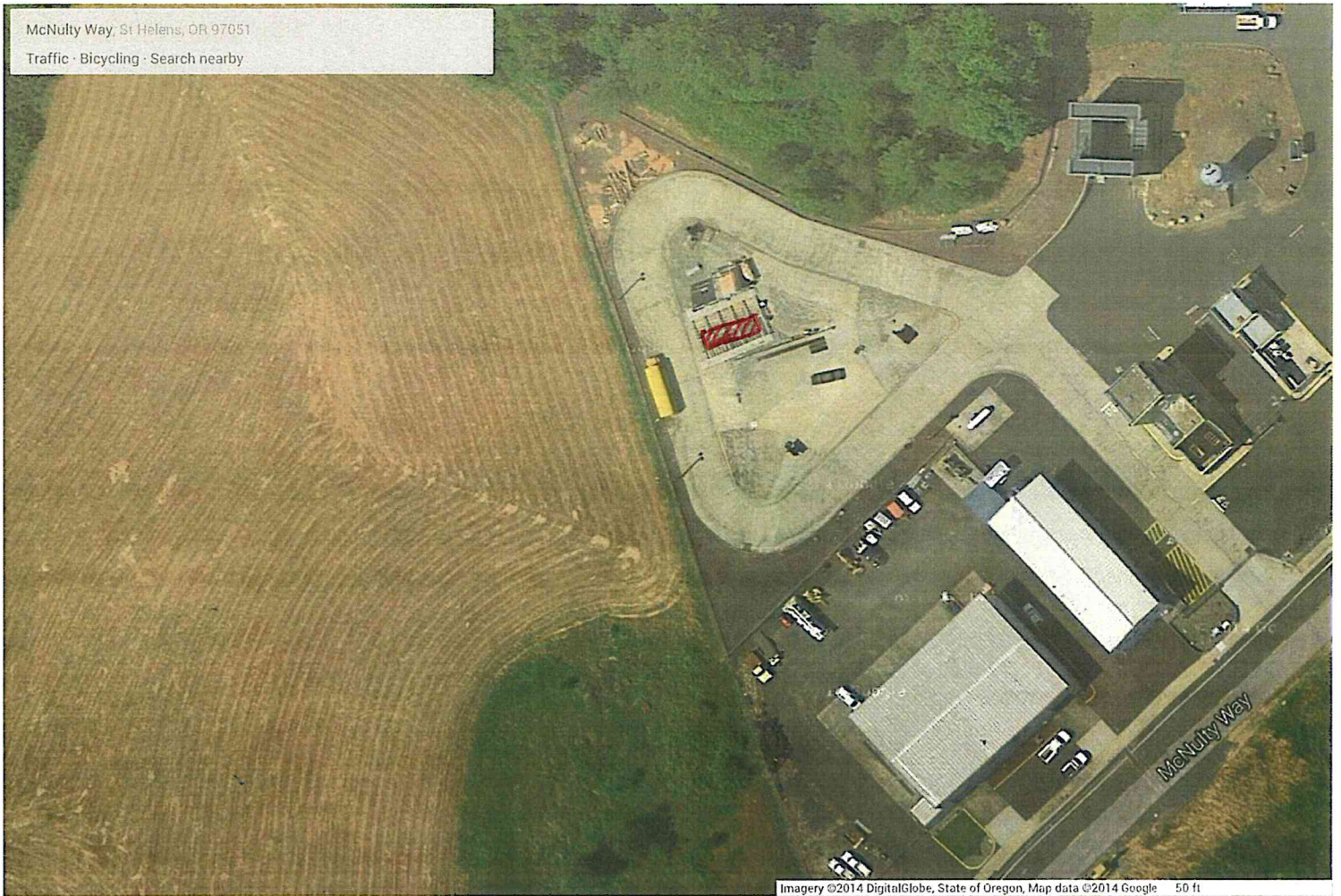
ANDREWS AFB BY WRG



ANDREWS AFB BY WRG



SHEPPARD AFB BY WRG



 — potential location of fire prop

**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Conditional Use Permit CUP.2.14**

DATE: January 6, 2015
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: St. Helens Organics Recycling (SHOR), LLC
OWNER: Boise White Paper, LLC

ZONING: Heavy Industrial, HI (some of the mill site is Light Industrial but not the specific location of this proposal)

LOCATION: 1300/1400 Kaster Road (Cascade Tissue mill site – formerly Boise paper mill site)

PROPOSAL: To establish a new organic waste recycling facility on an existing industrial site. The new facility will collect and convert organic waste to biogas through anaerobic digestion.

The 120-day rule (ORS 227.178) for final action for this land use decision is April 17, 2015.

SITE INFORMATION / BACKGROUND

The subject property is developed with a paper mill, which has been in operation for decades. Within the last couple years, the mill's operation has downsized, with the demolition of portions of the total industrial (mill) facility, and this proposal will take place within some of the currently underutilized areas within the industrial complex.

PUBLIC HEARING & NOTICE

Hearing dates are as follows: January 13, 2015 before the Planning Commission

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on Dec. 19, 2014 via first class mail. Notice was sent to agencies by mail or e-mail on the same date. Notice was published in the The Chronicle on Dec. 24, 2014.

AGENCY REFERRALS & COMMENTS

As of the date of this staff report, no agency referrals/comments have been received that are pertinent to the analysis of this proposal.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

SHMC 17.100.040(1) - CUP Approval standards and conditions

(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.

Finding(s):

(a) This criterion requires that the site size and dimensions provide adequate area for the needs of the proposed use.

The mill, in place for decades, has downsized recently. Much above ground industrial improvements were demolished, starting around 2012. This proposal will be sited within the improved industrial area of the (former) mill operation to coexist with the current (and smaller compared to past activity) paper mill operation. In addition, other amenities such as parking, site security, and process water will be shared. There is no evidence that the site is inadequate in regards to size and area.

(b) This criterion requires that the characteristics of the site be suitable for the proposed use.

The site is zoned Heavy Industrial and has been used for heavy industrial purposes for decades. Given the existing improvements of the site and where the proposed improvements will be located, the site will continue to operate in a heavy industrial nature. The existing improvements such as access, off-street parking and such are more than adequate to serve the proposal.

(c) This criterion requires that public facilities have adequate capacity to serve the proposal.

This is a new industrial use proposed at an existing and operating industrial site. Public facilities have adequately served the industrial site historically. Given the downsizing of the paper mill operation over the last couple years, this operation is not anticipated to add public facility use above that of past operations. However, looking at some key public facilities is still worthwhile:

- Roads/streets: The site is currently developed with internal accessways and the mill site is served by the surrounding public street network. Traffic impact is detailed in Chapter 17.156 SHMC. This chapter explains when a traffic impact analysis is warranted to evaluate a use's potential impact on the system. The applicant has provided information

from Kittelson & Associates, Inc. demonstrating that no traffic impact analysis is warranted.

- Sanitary Sewer. The City's wastewater treatment plant is situated on the north side of the subject property. With regards to capacity, the City's waste water treatment plant currently has the capacity (physically and as permitted by DEQ) to handle 50,000 pounds of Biochemical Oxygen Demand (BOD), which is the "loading" or potency of the wastewater received by the plant. The average daily BOD is well below this at only 1,500 pounds. Per the applicant, the anticipated loading from the proposal is between 1,000 to 3,000 pounds per day.

Though there isn't necessarily a capacity issue, the sanitary sewerage generated by this facility will need to get to the waste water treatment ponds. Currently, the paper mill's waste water goes directly into the secondary pond (and has done so since approximately 1971). The current National Pollutant Discharge Elimination System (NPDES) permit is for the discharge for craft pulp and paper mill, which SHOR does not fall under. This proposal cannot discharge directly into the secondary pond under the current NPDES permit.

As such, SHOR will need to connect to a sanitary sewer main so its waste water can go to the primary pond first (for the required primary treatment). Or a new NPDES as issued by DEQ will need to include SHOR's type of waste. This is a challenge as the current NPDES permit has been expired since approximately 2008 and cannot be amended. DEQ's lack of haste in this matter is an obstacle.

Though not insurmountable, conveyance of the SHOR's waste water may require installation of a sewer line to the nearest sewer main (2,000+ feet), as long as NPDES permitting prevents direct discharge, which the paper mill has utilized for decades.

- Water. The City's current water capacity is 6 million gallons/day and the peak flow, usually in the summer, is 3 to 4 million gallons/day. Additionally, the City has the capacity of approximately 10 million gallons to meet future demands. The applicant notes that process water will be shared with the paper mill operations, but does not quantify the anticipated use. However, given the City's capacity, no issue is anticipated.
- Storm water. Storm water capacity is not an issue as it ultimately ends up in the Columbia River (Multnomah Channel in this case). The site abuts the Multnomah Channel.

There is no evidence that suggests public facilities are not adequate for the proposal.

(d) This criterion requires that the requirements of the zoning district be met except as modified by the Conditional Use Permit (CUP) chapter.

The proposed use can fall within the following "uses" as listed in the HI zone:

- SHMC 17.32.140(3): Manufacture, repair, etc., with some off-site impact.

Such use is “permitted” if there will be no off-site impact. However, if the use will have an offsite impact a Conditional Use Permit is required. In this case, there is some potential off-site impact including but not necessarily limited to odor.

- SHMC 17.32.140(f): Permitted uses which require special permits from the Oregon Department of Environmental Quality

Following local approval, the applicant is required to obtain a permit from Oregon DEQ. Because a DEQ permit is required, that is enough to require a proposal to have an approved Conditional Use Permit to commence.

The CUP chapter has no specific provisions related to the proposed use.

The HI zoning district chapter includes development standards that evaluate anticipated off-site impacts and proximity to residential zones as follows:

(4) Standards. The standards for the HI zone shall be determined by the proximity to residential zones and the anticipated off-site impacts.

(a) No off-site impacts are permitted which exceed the standards of this code on lands permitting dwellings.

(b) The city noise ordinance and adopted DEQ regulations for locations near noise-sensitive uses such as dwellings, churches, schools and hospitals shall be the noise standard for off-site impacts.

(c) Vibrations that are continuous, frequent or repetitive and discernible to a person of normal sensibilities on nonindustrial zoned lands are prohibited except as listed below (continuous, frequent or repetitive vibrations shall not exceed 0.002g peak on nonindustrial lands):

(i) Vibrations from temporary construction and vehicles which leave the site, such as trucks, trains, and helicopters, are excluded. Vibrations from primarily on-site vehicles and equipment are included.

(ii) Vibrations of no more than five minutes in any one day shall not be deemed continuous, frequent or repetitive for this regulation.

(d) Glare shall not directly or indirectly from reflection cause illumination in excess of 0.5 foot candles on nonindustrial zoned lands. Glare is illumination caused by incandescent, fluorescent or arc lighting or from high temperature processes such as welding or metallurgical refining.

(e) No off-site impacts from odor, dust, smoke, gas or chemical contaminants shall exceed the applicable local, state or federal standards

There is residential zoning and a public park (McCormick Park) to the north of the site. Because the proposal will be sited in the core of the subject property which is already well buffered by distance and natural vegetation no additional condition is necessarily warranted, except that before commencement, a copy of the DEQ approved permit be provided to the City Planning Department in addition to any other permit required by other agencies.

The HI zone also restricts building height to 35’ if within 100 feet of a residential zone. There is no residential zone within 100’ of the proposed area to be developed for this proposal.

(e) This criterion requires analysis of the sign chapter and site design review chapter.

No new signage is proposed with this proposal.

Since the property is already developed and the proposal is being built within the existing mill site and complex itself using existing amenities such as parking, security (public v. non-public access), most of the issues review for site design review are adequate. Below are some aspects worth noting:

- The site abuts the Multnomah Channel. Per Chapter 17.40 SHMC, there is a 75' upland (from top of bank) protection zone from this stream. This proposal will take place on the side opposite of an existing railroad spur and remain about 200 feet or more from the shore line. No new riparian impacts are anticipated.
- There is floodplain located on the subject property (see FIRM Panel 41009C0456D, dated November 26, 2010). Because this proposal will take place on the side opposite of an existing railroad spur, it will also be outside of the floodplain or "area of special flood hazard" per Chapter 17.46 SHMC.
- Chapter 17.68 includes a maximum industrial building height of 75 feet, with limitations. Proposed buildings will be as high as about 30 feet and tanks and digester structures may be 40 feet in height. Given the large size of the site and absence of residential or mixed use zoning district in the near vicinity, this appears to be acceptable.
- The existing parking lot should accommodate the existing paper mill and the proposal. The employment numbers described in the applicant's traffic memo support this. Moreover, given use of existing site amenities and the location of improvements (within the core of the improved mill site), additional landscaping/buffering/screening is not warranted.

(f) This criterion requires compliance with the applicable policies of the Comprehensive Plan.

The Commission should consider the following heavy industrial policy per SHMC 19.12.100(2)(f), which is related to the buffer consideration noted above:

Activities which have no off-site effects will be allowed in this area; heavy industrial activities with off-site noise, odor, air pollution or vibrating effects may be required to increase the setback from a property line.

Note that this actual new development of this proposal will not be closer to a conflicting land use (e.g., residential use) than current paper mill activity.

SHMC 17.100.040(2) - CUP Approval standards and conditions

(2) An enlargement or alteration of an existing conditional use shall be subject to the development review provisions set forth in Chapter 17.96 SHMC.

Discussion: This is addressed above.

SHMC 17.100.040(3) - CUP Approval standards and conditions

(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
- (l) Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, and drainage areas.

Discussion: This list is for the Commission's consideration if any conditions are determined to be necessary for this proposal.

CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, staff recommends approval of this Conditional Use Permit with the following conditions:

1. This **Conditional Use Permit** approval is valid for a limited time pursuant to SHMC 17.100.030.
2. Prior to building permit issuance or commencement of the proposal, applicant shall provide the City copies of applicable permits from other agencies. For example, the required permit from the Oregon Department of Environmental Quality to establish the facility.
3. 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 land use approval shall not be interpreted as a waiver, modification, or grant of any State or Federal agency or other permits or authorizations.

Attachment(s): application materials

**St Helens Organics Recycling, LLC
St Helens, Oregon**

Conditional Use Permit Application

**Submitted to
City of St Helens**

December 19, 2014

Introduction

St Helens Organics Recycling, LLC (SHOR) is pleased to present this Conditional Use Permit Application for a new industrial activity to be conducted on a 5-acre leased parcel within the boundaries of the Boise White Paper mill site in St Helens, Oregon. The Boise White Paper site is a 100-acre parcel that has manufactured pulp and paper for close to 100 years. Cascades Tissue Group – Oregon which manufactures and produces tissue products, currently leases a significant portion of the site. The new proposed industrial activity will convert organic food waste and grease trap waste renewable energy and nutrient recovery. The proposed activity is compatible with the tissue operation and Cascades Tissue Group – Oregon will incorporate the new activity with its own operations.

The mission of SHOR is to be a leader in protecting the environment through landfill diversion, energy recovery and nutrient recycling. The United States Environmental Protection Agency estimates that organic waste (food waste) comprises approximately 26% of municipal solid waste and that atmospheric decomposition of this waste prior to landfill capture results in significant releases of methane gas to the atmosphere. Methane is a greenhouse gas that is 20 times more damaging than carbon dioxide. This project was developed to help protect the environment by providing recycling of organic waste material by converting the organic material into a biogas energy source while also creating a nutrient-rich soil amendment for agricultural re-use.

SHOR has three key partners in this project: Republic Services, a nationwide leader in solid waste management and recycling, Cascades Tissue Group – Oregon, and General Electric Water and Power Division.

Republic Services will be the sole supplier and broker of material delivered to the site. Republic Services currently holds a franchise agreement from Portland Metro and has agreed to work with other Portland Metro franchise entities to coordinate delivery of organic materials to the site. In addition to playing a major role in collection services within the Metro region, Republic Services owns and operates a transfer station in Wilsonville and the Coffin Butte Landfill and Pacific Region Compost facility in Corvallis. Republic is a leader in providing waste recycling and resource recovery solutions for millions of customers nationwide.

Cascades Tissue Group – Oregon (Cascades) is a major employer in St Helens through its tissue operations at the site. Cascades operates under a lease agreement that runs concurrent with the lease agreement for SHOR. Cascades and SHOR will share a number of site amenities including employee parking, site security, truck scales, process water, and other utilities. Cascades and SHOR are also looking to maximize potential partner opportunities in utilizing energy produced by SHOR.

General Electric Water and Power Division will be the technology supplier and will be a financial partner in the project. General Electric Water and Power Division is a

worldwide leader in power generation and water supply and will supply technology specifically designed to process food waste and convert it to biogas through anaerobic digestion technology.

Background

SHOR has identified the Portland-Vancouver metropolitan area as the target market for its services. SHOR has completed a site selection review of the area and selected the 5-acre parcel on the former Boise White Paper mill site in St Helens, Oregon for the following reasons:

1. The site is close in proximity to the Portland-Vancouver metropolitan market where this material is generated, thereby reducing the carbon footprint of handling organic material.
2. The site is accessible by State Highway 30, which is a 4 lane divided highway 25 miles northwest of Portland.
3. The site is also accessible by rail and the rail line that has a spur that currently exists and goes right to the site. The railway is owned and operated by Portland and Southern railway that is a local rail company that operates this railway down to Salem. The rail line is adjacent to two existing transfer stations in the Portland-Vancouver metro area.
4. The site has wastewater services that are a key element of project success. The wastewater treatment facility is jointly owned and operated by the mill and the city of St Helens. The facility has approximately 60,000 pounds per day of BOD treatment capacity that provides a cost effective and reliable long-term wastewater treatment service. The current combined loading of the wastewater treatment facility from both the City and the existing tenant at the site is only 3,000 pounds per day. The anticipated loading from SHOR's operation will be 1,000 to 3,000 pounds per day, which leaves plenty of capacity for growth and expansion.
5. The existence of a long-term tenant with significant electricity and natural gas needs is another advantage to the site. Cascades Tissue Group has a long-term lease to continue operations at the site making tissue. Cascades Tissue Group consumes a very large volume of electricity and natural gas per month and this consumption is consistent throughout the year and is an essential part of their operation. SHOR and Cascades Tissue are looking at ways to partner to use either biogas or electricity from the project as an offset for natural gas or electricity consumption..
6. The mill site is greater than 100 acres and has existed as a pulping and paper making operation for close to 100 years. The site has industrial zoning and the long-term lease to Cascades for industrial use is the last reason SHOR selected the site.

In addition to requiring a conditional use permit from the City of St Helens, the facility will require permitting and regulation by the Oregon Department of Environmental Quality under the new conversion technology regulations.

Project Components Narrative

The project will involve the delivery of source separated organic material (SSOM) or liquid organic wastes (LOW). These materials will be brought to the site by either rail or truck. All material will be fully contained from its point of origin until delivery to the site. All material brought to the site will be processed and introduced into the recycling system the same day of delivery. There will be no storage of unprocessed material on the site.

A vicinity map and overall site map are included as Figure C1.0. A detailed illustration of the project components is included as Figure C2.0.

Source Separated Organic Material Receiving Building

Source Separated Organic Material (SSOM), or food waste as it is commonly called, will remain fully containerized from its point of origin to the site. Once onsite the material is fully containerized until it is inside the Receiving Building. Once inside the Receiving Building, the doors will be closed and the material will be dumped on the tipping floor.

SSOM will be processed through mechanical equipment that will grind the material and remove the packaging material from the organic material. The organic material is already approximately 85% liquid and some additional make-up water will be added to make the material a pump-able liquid that will be pumped into a blend tank prior to being introduced into the enclosed anaerobic digesters.

The receiving building will have air handling to capture air within the building and remove odors through a bio-filter. All de-packaging of material will occur within hours of delivery and there will be no storage of source separated organic material in the building.

There will be wash water throughout the building to wash down surfaces and a floor drain collection system will convey wash water to the blend tanks for introduction into the anaerobic digestion system. Rejected packaging material will be stored in containers with lids and will be stored inside the building pending offsite disposal at a regulated disposal or recycling facility. The areas of truck travel will be paved to the receiving facility and the apron of the facility.

The dimensions and architectural drawing of the receiving building is illustrated in Figure A1.0.

LOW Holding Tank

Grease trap waste and other liquid waste from food processing operations (i.e. milk, juice) will be transported to the site in enclosed tanker trucks. This material will be

offloaded through hoses with cam-lock fittings directly into holding tanks. The holding are fully enclosed tanks with heat trace for cold weather operations and internal mixing components. Liquids from the LOW Holding Tanks will be pumped into blend tanks that combine materials from the SSOW de-packaging operations for introduction into the anaerobic digesters.

Blend Tank

There will be two approximately 250,000 gallon fully enclosed blend tanks to hold organic liquids that originate from the SSOM or LOW receiving facilities. Organic materials from the de-packaging process will be pumped to fully enclosed blend tank where the material will be equalized for consistent feeding to the anaerobic digesters. The height of the blend will not exceed 30 feet in height and the dimensions of the digester are illustrated on Figure A2.0.

Anaerobic Digesters

The facility will begin with two anaerobic digesters with two additional digesters to be added in the future when there is increased demand. The anaerobic digesters are fully enclosed tanks that host anaerobic bacteria that convert the organic liquids to methane. The methane is collected in the top headspace of the tank where it is withdrawn at a constant rate. The methane gas from the digesters will then be piped to a gas cleaning system and used as fuel for the Cascades boiler or to an engine to create electricity.

Liquids from the anaerobic digesters are removed at the same rate that new liquids are introduced to the tank. These liquids are then sent to a separator device where the water will be sent to the wastewater treatment facility. Solids from the separator will be conveyed into storage containers. The solids will be taken offsite for re-use as nutrient fertilizer.

The height of the anaerobic digesters will not exceed 40 feet in height and the dimensions of the digester are illustrated on Figure A2.0.

Biogas Cleaning and Supply Vessel

Biogas from the anaerobic digesters will be drawn by vacuum to biogas scrubbing that will use iron media to remove hydrogen sulfide from the biogas. The hydrogen sulfide removal technology is a widely used technology and the iron media is an inert material that is changed out from time to time. The treated biogas will then be pumped to a supply vessel that will deliver a constant volume of gas to either the biogas engines for conversion to electricity or to the Cascades Boiler System for use as an offset to natural gas.

Cogeneration Units

If the project delivers biogas to the Cascades boiler system, there will be no cogeneration units. If the biogas is converted to electricity, the electricity will either be sold to Cascades or sold to Portland General Electric. The cogeneration units will be reciprocating engines that convert mechanical power to electrical power. The units will operate in an enclosed structure.

Pump Buildings

There will be two buildings to house pumping facilities on the project. The digester pump building and biogas pump building locations are illustrated on Figure C3.0 and the dimensions are detailed in Figure A2.0.

Existing Site Conditions

The existing site conditions are illustrated in Figure C2.0. The site is approximately 5 acres in area. The site is generally flat and gently sloping towards the river. The 100 year flood plain boundary is illustrated on the map. There are no slopes in excess of 25%; no areas of unstable ground; no areas having a seasonal high water table; no areas having severe soil erosion potential and no areas having weak foundation soils. Within the 5-acre parcel there are no natural resource areas on the comprehensive plan map inventory data and there are no rock outcroppings nor are there any trees with six-inch caliper or greater measuring four feet from ground level.

There are no existing structures on the 5-acres site other than roadways and remnants of concrete foundations from past structures. The past foundation work may or may not be utilized as foundational support for future structures, it will depend upon the results of further tests to be done as part of the final design.

The adjacent mill site generates noise and conducts activity 24 hours per day, 7 days per week. The proposed use will not add noise beyond those already experienced at the property line of the mill site.

Site Plan

The Site Plan for the project is included as Figure C4.0 and has been prepared in accordance with St Helens municipal code section 17.100.90.

Grading Plan

A Grading Plan is provided as Figure C3.0

Architectural Drawings

Architectural drawings are provided as Figures A1.0, A2.0 and A3.0.

Landscape Plan

The only landscaping for the project will involve the planting of trees along the storm water detention pond. The preliminary location of the trees is illustrated in Figure C3.0. *SHW*

Sign Drawings

SHOR does not anticipate any beyond those that exist at the entrance to the property. The facility is not open to the general public and an entrance sign that could attach to the existing Cascades entrance sign should be sufficient.

Traffic Impacts

Kittelson and Associated has been retained by SHOR to conduct a traffic impact analysis that is included as Attachment 1. The conclusion of the analysis is that the project will not generate trips that will exceed the historical trips that occurred at the site and therefore a traffic impact analysis is not warranted for the project.

Storm Water Management

The project will provide for collection and conveyance of storm water to the existing storm water collection system. No new outfall will be created and the quantity of storm water will be no greater than the pre-existing condition. SHOR will minimize impervious surfaces in the final design of the facility to minimize storm water runoff.

Wetlands

The site will not impact any jurisdictional wetlands.

Floodplain and Endangered Species Impacts

The project will be outside of the boundaries of the 100-year floodplain for the site and there will be no impact on the floodplain nor endangered species impacts from the project.

Access and Circulation

Access to the site and circulation is illustrated in Figure C1.2

Employee and Visitor Parking

Employee parking and visitor parking will be incorporated into the existing employee and visitor parking for Cascades and is illustrated in Figure C1.3.

Utilities

There are sufficient utilities to serve the site. Water will be provided by either Cascades or the City of St Helens. Sewer service will be conveyed in a new dedicated line to the City of St Helens wastewater treatment system. Sewer fees will be charged under the existing agreement between Boise White Paper and the City of St Helens. Electricity will be provided by either Portland General Electric or Cascades. Telecommunications will be provided through agreement with Cascades.

Compliance with NFPA

All work associated with the project will comply with applicable standards under the National Fire Protection Association.

Attachment 1

Kittelson and Associates Traffic Analysis



KITTELSON & ASSOCIATES, INC.

TRANSPORTATION ENGINEERING / PLANNING

101 S Capitol Boulevard, Suite 301, Boise, ID 83702 • 208.338.2683 • 208.338.2685

December 17, 2014

Project #: 18483.0

Paul Woods
St. Helen's Organics Recycling LLC
3668 La Fontana Way
Boise, ID 83702

RE: Trip Generation Associated with the Proposed St. Helens Organics Recycling in St. Helen's, Oregon

Dear Paul,

This letter documents our review of the estimated trip generation associated with the proposed redevelopment of a portion of the Boise Cascade site for the St. Helens Organics Recycling facility. The facility will share the Boise Cascade mill site with the current Cascades (Cascade Tissue) operation.

SUMMARY OF FINDINGS

Based on the analysis, the proposed St. Helens Organics Recycling Facility will generate approximately 50 daily trips, of which approximately 8 trips would occur during the weekday a.m. peak hour and 10 trips during the weekday p.m. peak hour. The additional trips from the proposed development, combined with the current Cascades tissue facility, are still estimated to only generate approximately 25 percent of the trips previously associated with the property when occupied by the former Boise Cascade Paper Mill in the 1990's and 2000's. Assuming the existing Cascades facility operates at maximum capacity 24 hours a day and the St. Helens Organics facility has a second shift, the overall site trip generation would still remain approximately 20 percent less than the previous mill operation. Therefore, the proposed development does not increase trips above the previous mill operation and consequently should not require a traffic impact analysis. The following sections describe our review methodology, analysis, and findings in further detail.

PROJECT BACKGROUND

The proposed site is a portion of the Boise Cascade Paper Mill site, located at 1300 Kaster Road in St. Helens, Oregon. The mill operation in the 1990-2000 timeframe employed approximately 580 people across 3 shifts. After the closure of the Boise Cascade mill operation, a portion of the site has been use by Cascades which employees approximately 90 people across four shifts. St. Helens Organics Recycling is proposing to develop a food waste recycling facility that will employ approximately 10 people in a single shift.

FILENAME: H:\PROJFILE\18483 - ST HELENS ORGANICS RECYCLING

FACILITY\REPORT\FINAL\18483_STHELENSORGANICS_TRIPGENERATION-FINAL.DOCX

In compliance with St. Helens Municipal Code Section 17.156.030, the City shall require preparation of a traffic impact analysis if a proposed development is estimated to generate 250 average daily trips or more, or 25 or more weekday a.m. or p.m. peak hour trips.

PAST AND PROPOSED DEVELOPMENT

Based on the current and historic employee and truck data provided by St. Helens Organics Recycling, an estimate of the trips generated from the proposed site was prepared for the following scenarios:

- **Past Boise Cascade Operation:** This scenario is based on the estimated of the typical operation in the 1990's and 2000's. The peak was in 1980-1984 which had a higher number of employees.
- **Current Operation:** This is current Cascades activity on the site.
- **Current Plus Proposed:** This scenario includes the current Cascades facility and the proposed St. Helens Organic recycling operation.
- **Maximum Potential for Proposed Uses:** This scenario assumes the maximum activity that could potentially occur at the site with the Cascades facility and the St. Helens Organics. The data for the maximum scenarios were based on estimates by Cascades and St. Helens Organics of the maximum number of employees and shifts that might be possible in the long-term but are not currently planned.

Table 1 shows a comparison of the number of employees and the number of truck trips for each scenario.

Table 1. Employee and Truck Estimates

Scenario	Employees	Shifts	Estimated Employees during the Day Shift	Number of Trucks Delivery/Hauling Product
Past Data				
Boise Cascade Operation (Circa 2,000)	580	3	200	130/day
Current Operation				
2014 Current Cascades Operation	90	4	54	25/day
Current Plus Proposed				
2014 Current Cascades Operation	90	4	54	25/day
Proposed St. Helens Organics Recycling	10	1	10	13/day
Total	100		64	38/day
Maximum Potential for Proposed Uses				
Maximum Cascade Tissue Operation	390	3	100	85/day (Est)
Maximum St. Helens Organics Recycling	20	1	10	26/day (Est)
Total	410		110	111/day (Est)

As shown in Table 1, the historical employment at the Boise Cascade mill operation was approximately 580 employees spread over three shifts and approximately 130 trucks per day delivering or removing material from the site. It was further estimated that the day shift had approximately 200 employees.

The current Cascades tissue operation employs approximately 90 employees, with a majority (approximately 54) of those working the day shift, with approximately 25 trucks per day accessing the site. In the long-term Cascades estimates the potential to have approximately 390 employees (67 percent of the employees of the original Boise Cascade operation) spread over similar shifts. Potential truck activity was estimated to increase to approximately 85 trucks per day in the long-term at maximum capacity.

The proposed St. Helens Organics Recycling facility will have approximately 10 employees working a single day shift. In the long-term, a second shift could be added which would result in a maximum of 20 employees. The proposed facility will have 12 trucks per day delivering material and 1 truck per day leaving with waste which ultimately could be doubled assuming expansion to two shifts.

TRIP GENERATION

Based on the development estimates presented in the previous section, the daily and peak hour trips associate with each scenario were estimated. The trip generation rates were estimated in accordance with City of St Helens Municipal Code Section 17.156.020 which requires the latest edition of the trip generation manual published by the Institute of Transportation Engineers (ITE) to gauge average daily vehicle trips. Therefore, the Institute of Transportation Engineers' *Trip Generation, 9th Edition*¹ (ITE Manual) was used to calculate daily and peak hour trips.

Daily and peak hour trip rates were calculated based on employees that will be working at the site. Trip generation rates for the each of the development scenarios were estimated using employee data and the Manufacturing (ITE Code 140) land use. The ITE trip generation manual does not specifically include the past or current site uses. Therefore the land uses were reviewed to determine the closest land-use category. The "Manufacturing" land-use was chosen because it generally matched the types of operation versus Heavy Industrial and is based on many more data points.

Based on a review of the data in the ITE Manual, the fitted curves were used for the peak hour estimates. The average rate was used for the daily estimates due to the equation not being fitted well for facilities with smaller numbers of employees. It should be noted that the ITE data does not consider time periods for the shifts and therefore unique shift time periods might generate different peak hour results, although the trips should be comparable on a daily basis. A summary of estimated daily and weekday p.m. peak hour trip generation is provided in Table 2.

¹ Institute of Transportation Engineers. *Trip Generation Manual, 9th Edition*, Volume 2: Data, Washington, D.C. 2012.

Table 2. Trip Generation Rates of Previously Approved and Proposed Developments

Scenario	Land Use/ ITE Code	Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
			Total	In	Out	Total	In	Out
Past Boise Cascade Operation								
Past Boise Cascade	Manufacturing/ 140	1,240	240	175	65	230	100	130
Current Plus Proposed St. Helens Organics Recycling								
Cascades Trips	Manufacturing /140	200	50	35	15	55	25	30
St. Helens Organics Trips		50 ¹	8	6	2	10	4	6
Total Trips		245	58	41	17	65	29	36
Maximum Potential for Proposed Uses								
Cascades Trips	Manufacturing /140	830	170	125	45	170	75	95
St. Helens Organics Trips		100	14	10	4	17	7	10
Total Trips		930	184	135	49	187	82	105
Current Plus Project Versus Past Operation								
Total Trip Difference		-990	-182	-132	-48	-165	-71	-94
Maximum Potential Versus Past Operation								
Total Trip Difference		-405	-56	-40	-16	-43	-18	-25

Notes: ¹ The ITE formula was determined not to be accurate for such a small number of employees. Assumes 24 employee/visitor trips and 26 truck trips.

As shown in Table 2, the Past Boise Cascade operation is estimated to generate 1,235 daily trips of which 240 would occur during the weekday a.m. peak hour and 230 would occur during the weekday p.m. peak hour.

The current Cascades tissue operation is estimated to generate approximately 195 daily trips, of which approximately 50 would occur during the weekday a.m. peak and 55 occur during the weekday p.m. peak hour. At the maximum potential for Cascades, the daily trips increase to approximately 830 daily trips, of which 170 occur during both the weekday a.m. and p.m. peak hours.

The proposed St. Helens Organics development is projected to generate approximately 50 daily trips, of which approximately 8 trips would occur during the weekday a.m. peak hour and 10 trips during the weekday p.m. peak hour. At the maximum potential, the daily trips would increase to approximately 100, of which approximately 14 would occur during the weekday a.m. peak hour and 17 would occur during the p.m. peak hour.

Also shown in Table 2 is the reduction in trips with the proposed St. Helens Organics Recycling facility and the existing Cascades facility. The total trip generation by the existing Cascades operation and with development of the proposed recycling facility is estimated to be approximately 20 percent of daily trips and 25 percent of a.m. and p.m. peak hour trips generated by the Boise Cascade mill operation. Even if both were to be expanded to their maximum capacity, the trips will continue to be significantly less than the Boise Cascade mill operation.

CONCLUSION

Based on this evaluation, the proposed St. Helens Organics Recycling facility will generate approximately 50 daily trips, 8 weekday a.m. peak hour trips, and 10 p.m. peak hour trips. These trips, in addition to the trips from the current Cascades facility, will continue to result in significantly less trip generation relative to the previous Boise Cascade Paper Mill site. Even assuming both facilities operate at maximum capacity, the trip generation will remain less than the Boise Cascade operation during the 1990's and early 2000's. Therefore, based on this analysis, the proposed development does not increase the trip generation above the trip generation for the previous land-use and therefore a traffic impact study is not required under the St. Helens Municipal Code.

We trust that this evaluation addresses the trip generation for the proposed development. Please call us at 208-338-2683 if you have any questions or comments.

Sincerely,
KITTELSON & ASSOCIATES, INC.



John F. Ringert, P.E.
Principal Engineer



Brett Korporaal
Transportation Analyst

Organic Waste Recovery Facility

St. Helens, Oregon

Preliminary Design
Dec 2014

DRAWINGS INDEX

DRAWING NUMBER	DRAWING DESCRIPTION
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GENERAL

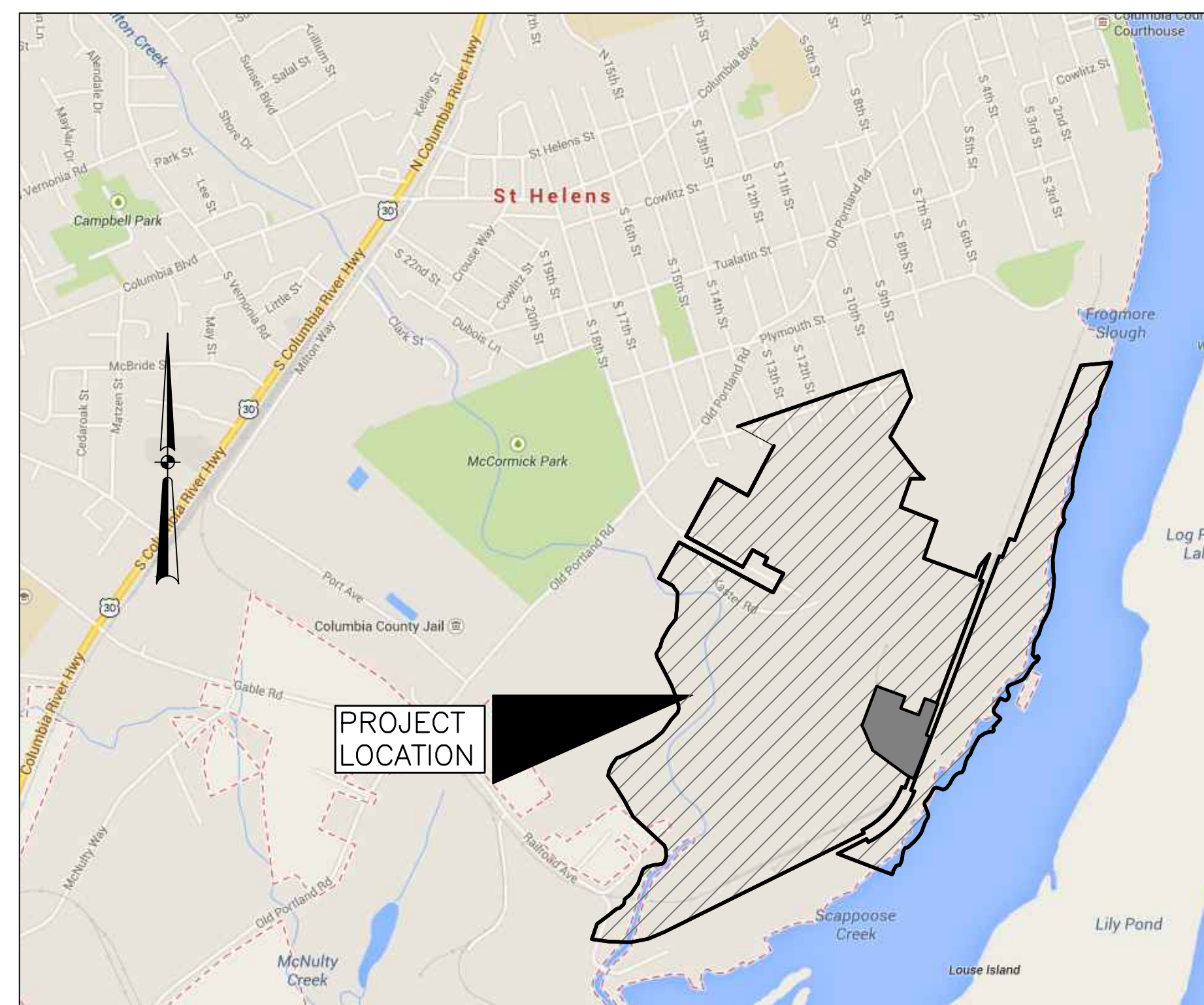
G-0	COVER SHEET & DRAWING INDEX
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CIVIL

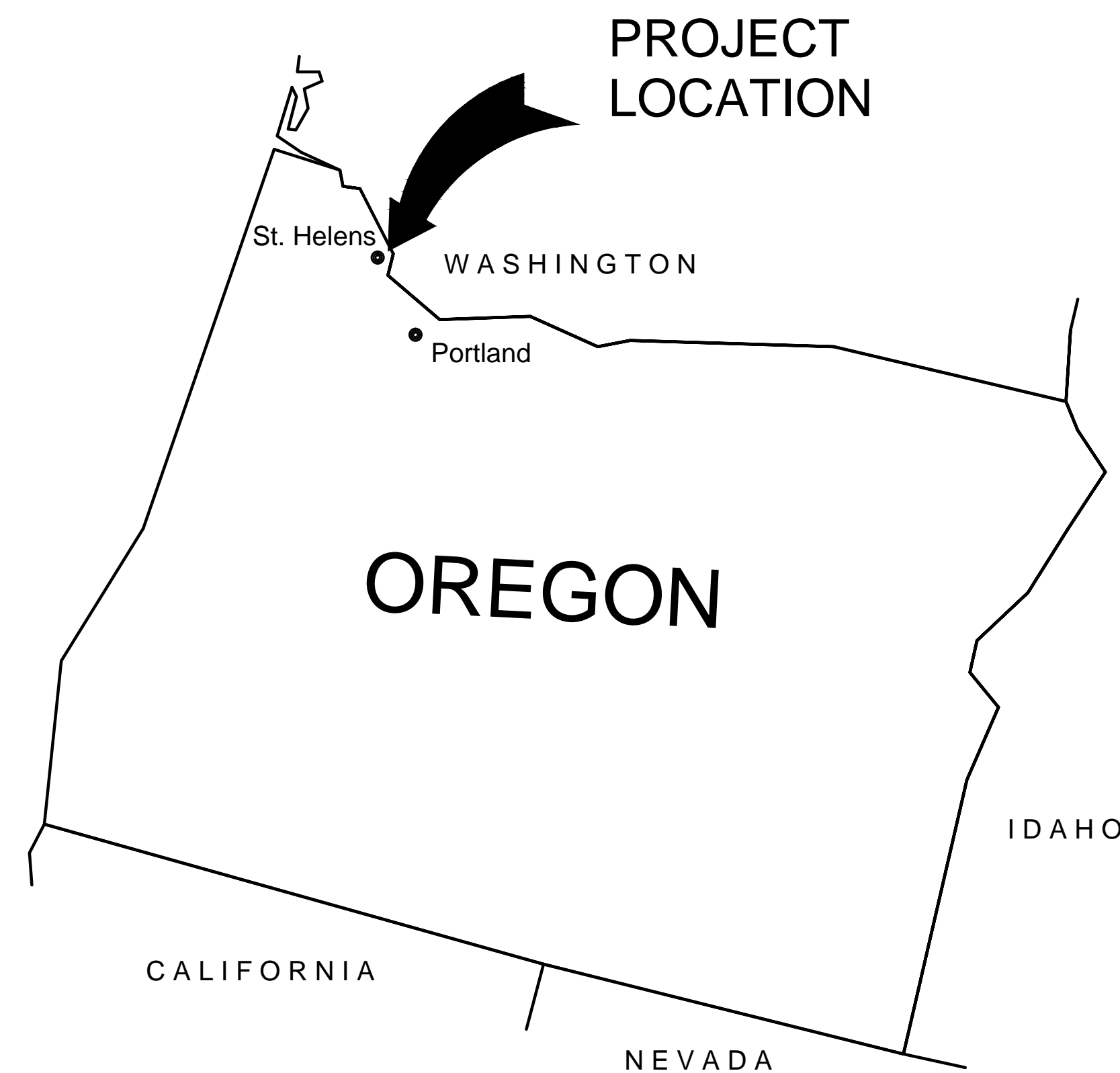
C1.0	VICINITY MAP
C1.1	LEASED PROPERTY SITE PLAN
C1.2	ACCESS ROUTE TO FUTURE FACILITY
C1.3	EMPLOYEE PARKING LOT
C2.0	EXISTING SITE CONDITIONS SITE PLAN
C3.0	SITE DRAINAGE / GRADING / FLOOD PLAIN
C4.0	SITE LAYOUT AND YARD PIPING PLAN

ARCHITECTURAL

A1.0	RECEIVING BUILDING ELEVATIONS
A2.0	DIGESTER, BLEND TANK, & PUMPING BLDG. ELEVATIONS
A3.0	SOLIDS HANDLING, BIOGAS BLDG., CHP BLDG. ELEVATIONS

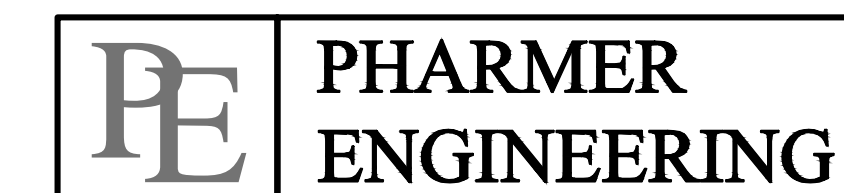


VICINITY MAP



LOCATION MAP

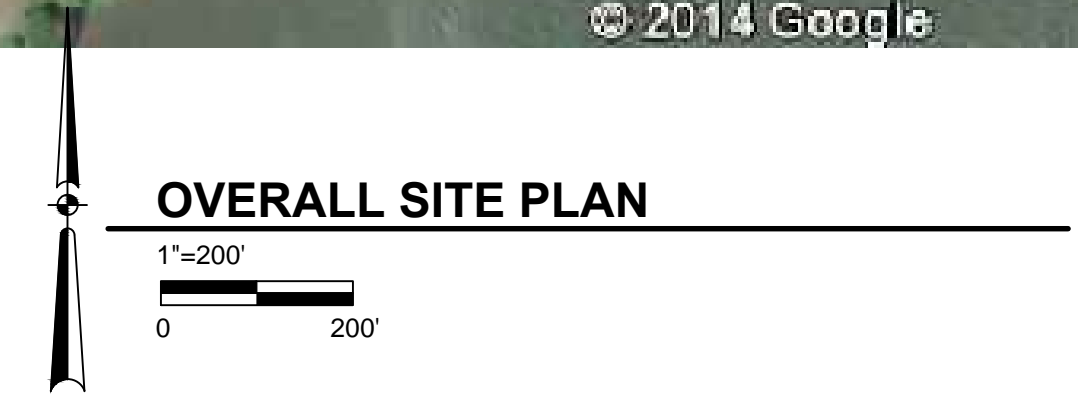
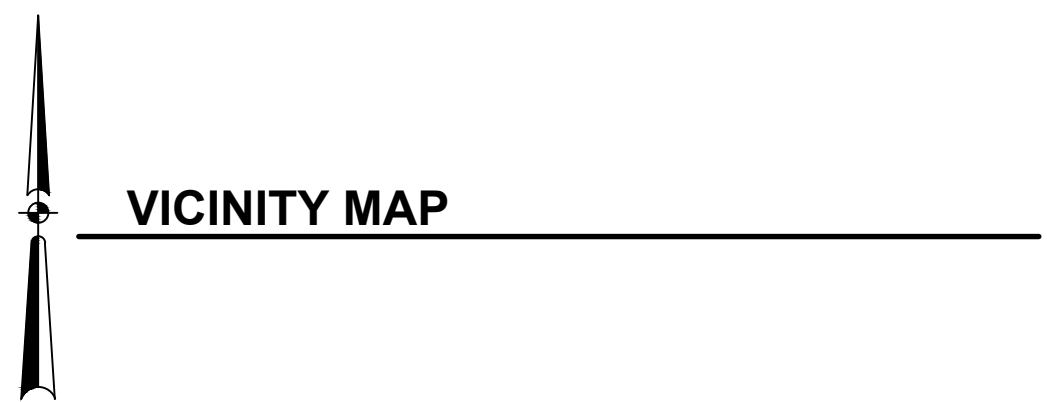
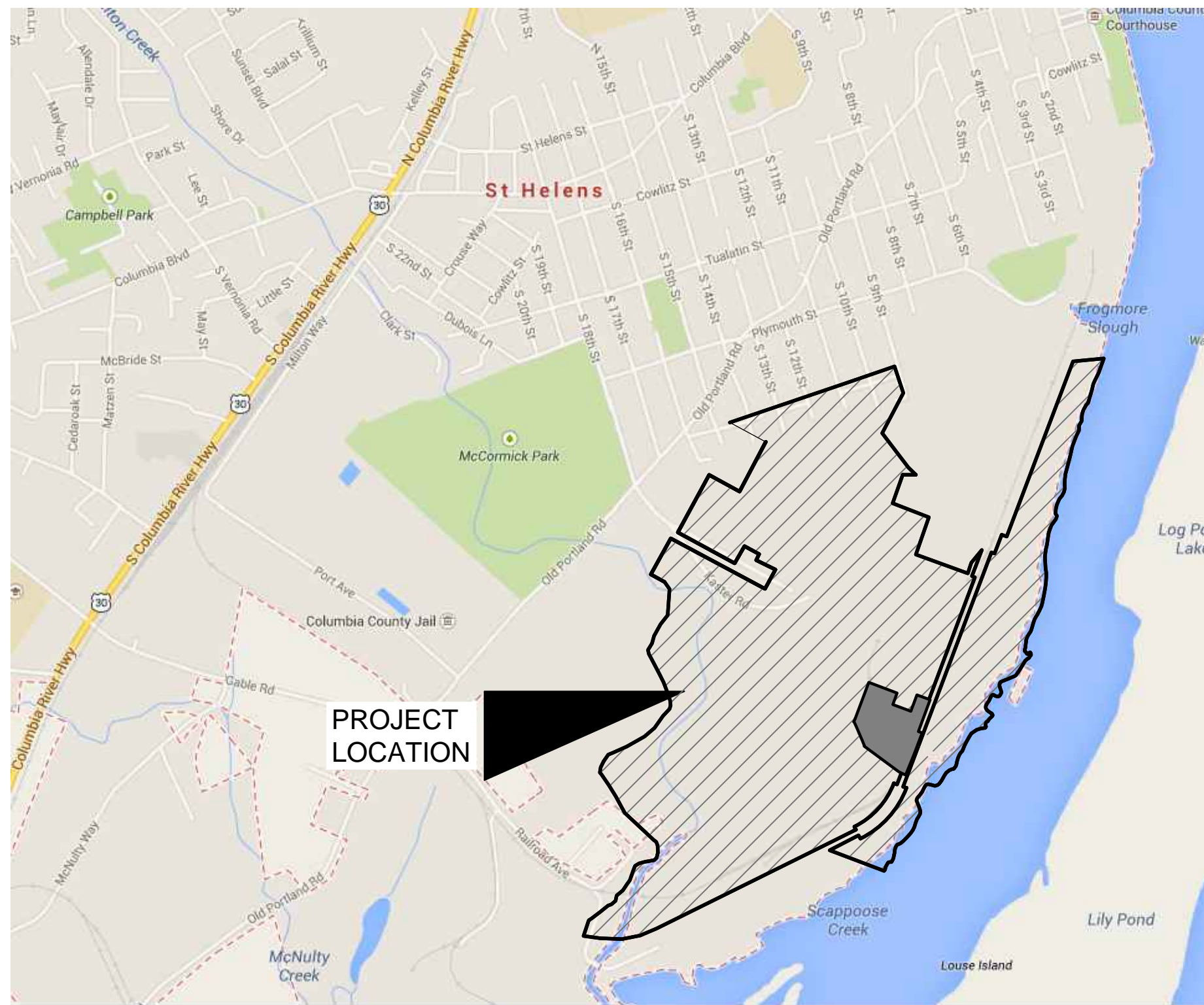
For Additional Information Regarding This Project,
Contact:




1998 W. Judith Lane
Boise, ID 83705
208.433.1900

PRELIMINARY

DO NOT USE FOR CONSTRUCTION



REV NUM	DESCRIPTION	DRWN BY	CHK'D BY	DATE

ATTENTION:

 IF THIS BAR DOES NOT MEASURE 1" @ 22x34 or 1/2" @ 11x17, THEN DRAWING IS NOT TO SCALE - SCALE ACCORDINGLY



DESIGNED:	RDP
DRAWN:	JRH
CHECKED:	-
APPROVED:	-
PROJECT DATE:	Oct. 2014
PROJECT NO.:	10387
SCALE:	AS NOTED

Organic Waste Recovery Facility
 St. Helens, Oregon
**VICINITY MAP -
 OVERALL SITE PLAN**

DRAWING NUMBER
C1.0
 REV
B

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LEASED PROPERTY SITE PLAN

1"=100'

= LEASED PROPERTY

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APPROVED:	-
PROJECT DATE:	Oct. 2014
PROJECT NO.:	10387
SCALE:	AS NOTED

Organic Waste Recovery Facility
 St. Helens, Oregon

LEASED PROPERTY SITE PLAN

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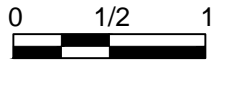
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PROJECT DATE:	Oct. 2014
PROJECT NO.:	10387
SCALE:	AS NOTED

Organic Waste Recovery Facility
 St. Helens, Oregon
ACCESS ROUTE TO FUTURE FACILITY

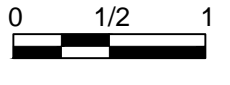
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PROJECT DATE:	Oct. 2014
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SCALE:	AS NOTED

Organic Waste Recovery Facility
 St. Helens, Oregon
EMPLOYEE PARKING LOT

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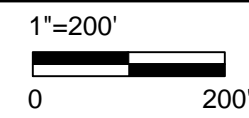
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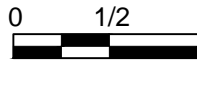


NOTE: 2FT CONTOURS

EXISTING CONDITIONS SITE PLAN



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PROJECT NO.:	10387
SCALE:	AS NOTED

Organic Waste Recovery Facility
 St. Helens, Oregon
**EXISTING CONDITIONS
 SITE PLAN**

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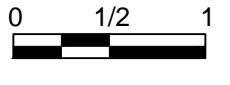
Organic Waste Recovery Facility
 St. Helens, Oregon
SITE DRAINAGE / GRADING FLOOD PLAN

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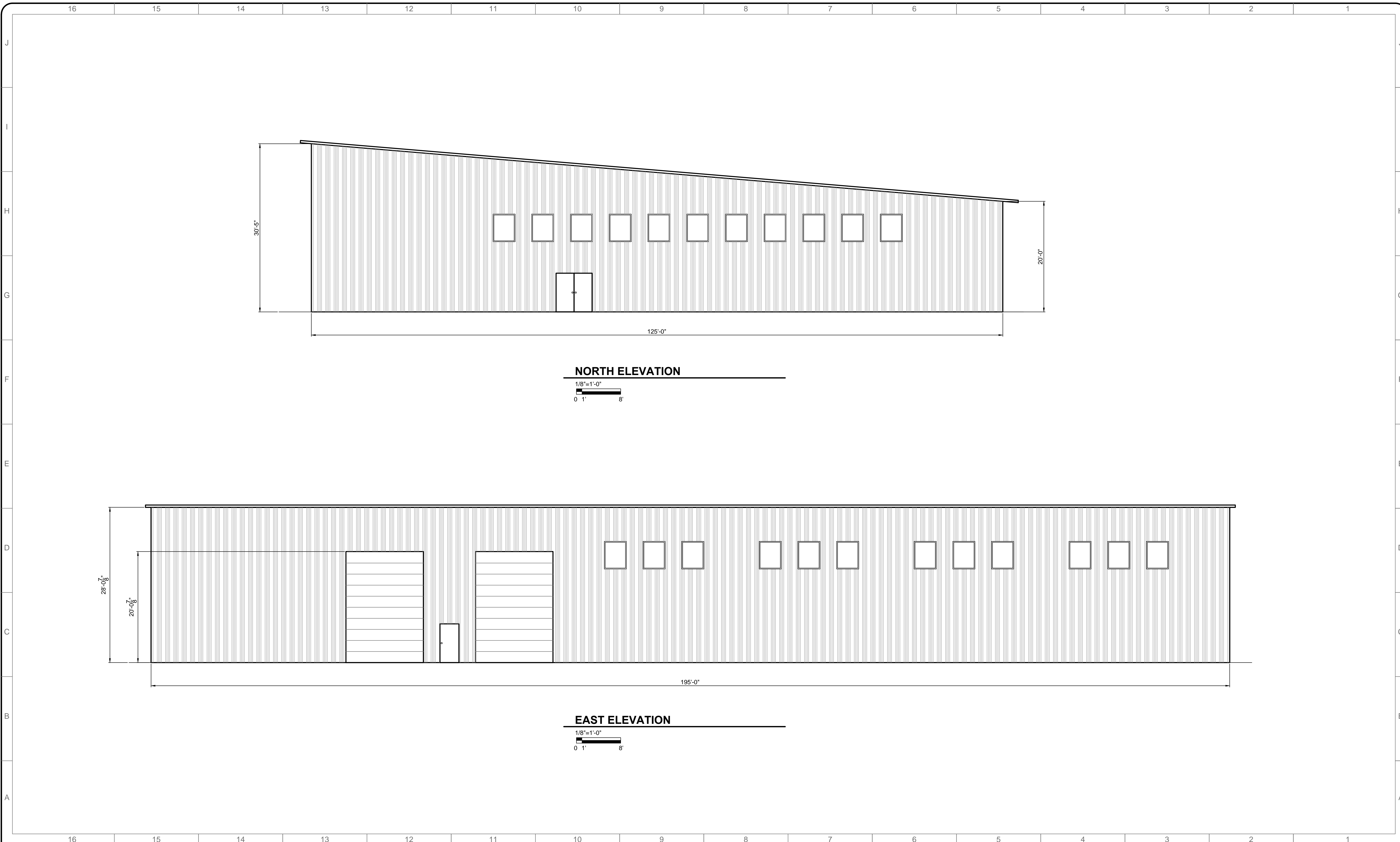


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PROJECT DATE:	Oct. 2014
PROJECT NO.:	10387
SCALE:	AS NOTED

Organic Waste Recovery Facility
 St. Helens, Oregon
SITE LAYOUT AND YARD PIPING PLAN

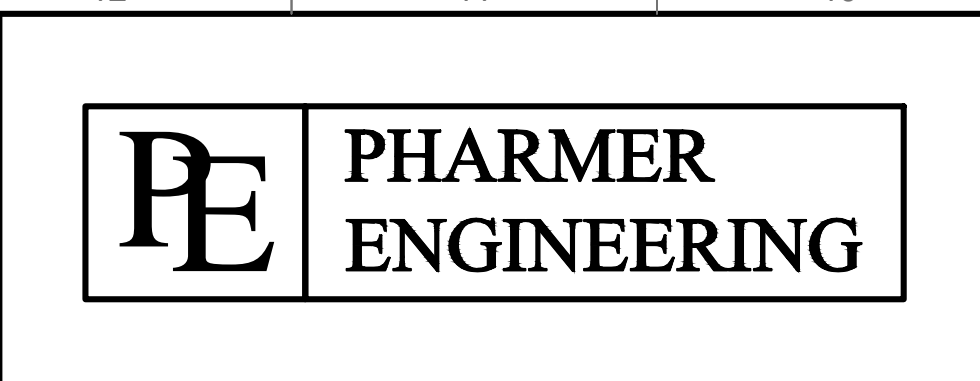
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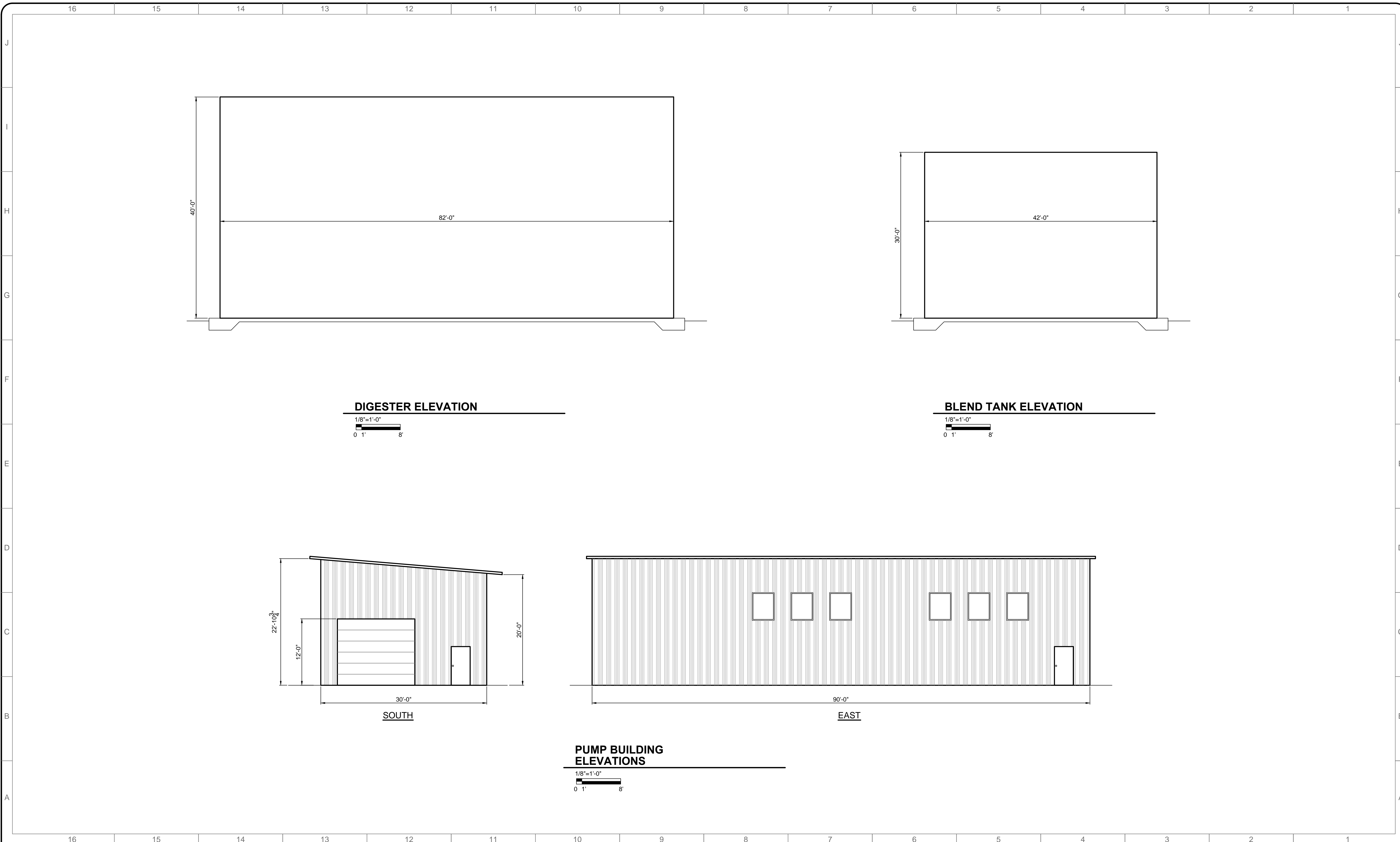
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Organic Waste Recovery Facility
 St. Helens, Oregon
RECEIVING BUILDING ELEVATIONS

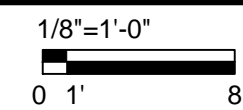
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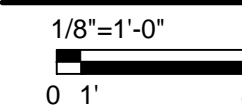
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DIGESTER ELEVATION



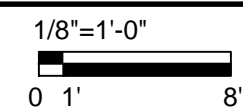
BLEND TANK ELEVATION



SOUTH

EAST

PUMP BUILDING ELEVATIONS



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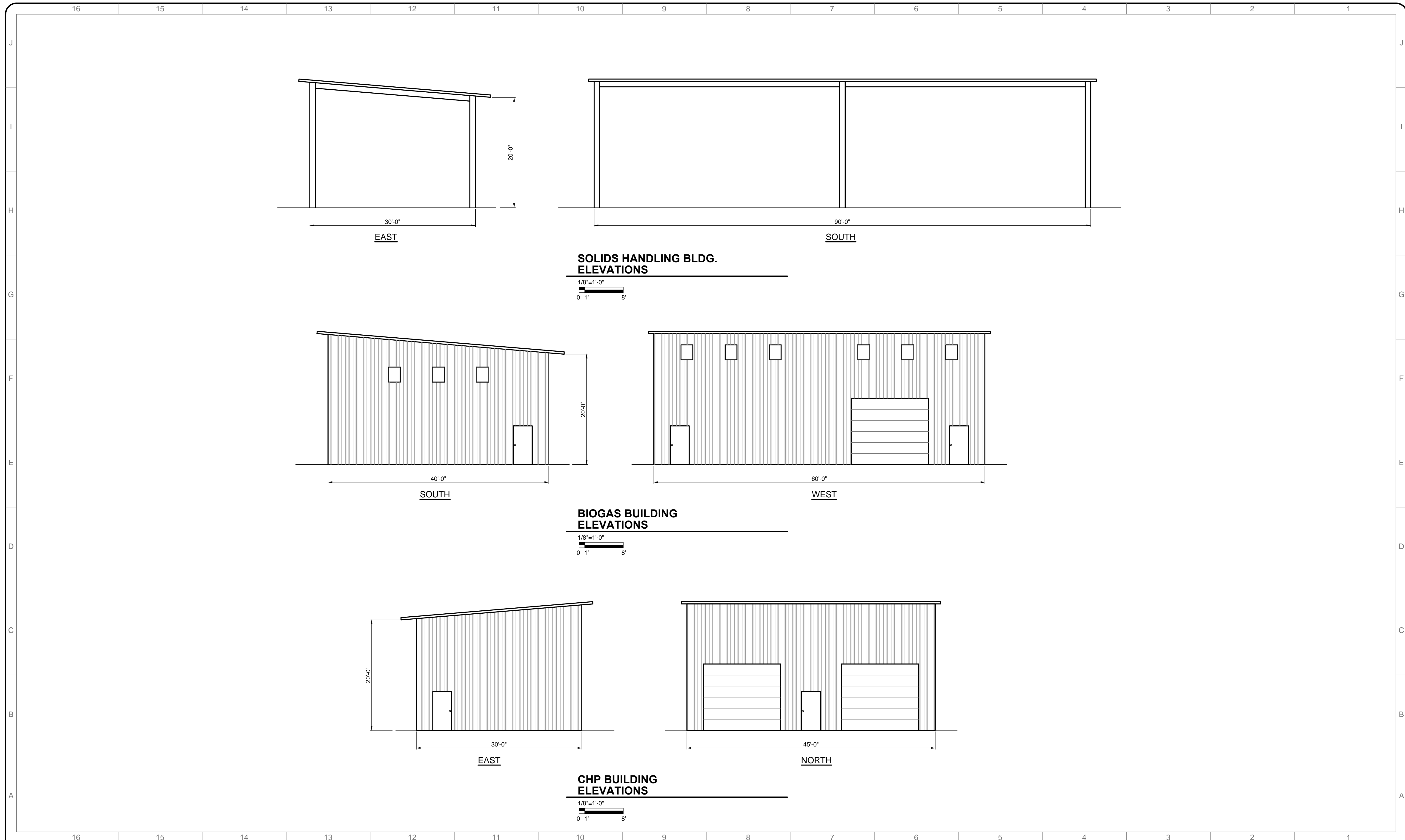
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Organic Waste Recovery Facility
 St. Helens, Oregon
DIGESTER, BLEND TANK, & PUMPING BLDG. ELEVATIONS

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Organic Waste Recovery Facility
 St. Helens, Oregon
SOLIDS HANDLING, BIOGAS BLDG., CHP BLDG. ELEVATIONS

DRAWING NUMBER
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PRELIMINARY - NOT FOR CONSTRUCTION



CITY OF ST. HELENS PLANNING DEPARTMENT
MEMORANDUM

TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner
RE: Land Use and Marijuana (discussion continued from December)
DATE: January 6, 2015

At our last meeting, the Commission discussed a potential way of dealing with marijuana dispensaries and retail establishments.

Attached is a draft showing amendments to the Development Code that captures the Commission's December discussion.

To fully understand these changes, I recommend reading the attached with your copy of the Development Code.

Note that on page 5 of the attached, there are some things to think about/discuss, that came to mind after considering the Commission's discussion, impact in industrial lands, and ideas from other ordinances.

At the end of this memo is a map showing how this proposed law would limit marijuana business location.

underline words are added
~~words stricken~~ are deleted

CHAPTER 17.16 GENERAL LAND USE DEFINITIONS

17.16.010 General and land use definitions.

Words used in this Development Code have their normal dictionary meaning unless they are listed below. Words listed below have the specific meaning stated, unless the context clearly indicates another meaning.

The definition of words with specific meaning in the Development Code are as follows:

“Abandonment” means the relinquishment of property, or a cessation of the use of property, by the owner with the intention neither of transferring rights to the property to another owner nor of resuming the use of the property.

[...]

“Manufacturing” means an establishment engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of component parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics, resins or liquors. The term “manufacturing” covers all mechanical or chemical transformations, whether the new product is finished or semifinished as raw material in some other process. Manufacturing production usually is carried on for the wholesale market rather than for direct sales. (Processing on farms is not classified as manufacturing if the raw material is grown on the farm. The manufacturing is accessory to the major use of farming.)

“Marijuana” means all parts of the plant Cannabis family Moraceae, whether growing or not, other than marijuana extracts. Marijuana does not include industrial hemp or industrial hemp commodities or products.

“Marijuana extract” means a product obtained by separating resins from marijuana by solvent extraction, using solvents other than vegetable glycerin, such as butane, hexane, isopropyl alcohol, ethanol, and carbon dioxide.

“Marijuana items” means marijuana, marijuana products, and marijuana extracts.

“Marijuana products” means products that contain marijuana or marijuana extracts and are intended for human consumption.

“Marijuana retailer” means a person or facility that sells marijuana items to a consumer in this state as licensed by the Oregon Liquor Control Commission.

“Marina” means a facility providing moorage for boats and related repair and supply services.

“Medical marijuana dispensary” means any facility that dispenses marijuana items as registered by the Oregon Health Authority.

“Mini Mall.” See “shopping center” and “shopping plaza.”

[...]

CHAPTER 17.32 ZONES AND USES

[...]

17.32.130 Light Industrial – LI.

(1) Purpose. The light industrial or LI zone is intended to provide appropriate locations for general industrial use including light manufacturing and related activities with few, if any, nuisance characteristics such as noise, glare, and smoke. It is to permit manufacturing, processing, assembling, packaging or treatment of products from previously prepared materials and to discourage residential use and limit commercial use.

[...]

(3) Conditional Uses. In the LI zone, in addition to the buildings and uses permitted outright, a conditional use permit can be granted for the following buildings and uses:

(a) Animal hospitals and dog kennels/pounds.

[...]

(j) Manufacturing, repairing, compounding, research, assembly, fabricating, processing or packing of resource materials with some off-site impacts.

(k) Marijuana retailer and/or medical marijuana dispensary.

~~(l)~~ (l) Public and private recreational and amusement facilities.

~~(m)~~ (m) Public facilities, major.

~~(n)~~ (n) Public parks.

~~(o)~~ (o) Public safety and support facilities.

~~(p)~~ (p) Temporary asphalt batching (six-month maximum).

~~(q)~~ (q) Travel trailer parks.

~~(r)~~ (r) Wrecking and junkyards

[...]

17.32.140 Light Industrial – HI.

(1) Purpose. The heavy industrial or HI zone is intended to provide appropriate locations for

intensive manufacturing activities including fabrication, processing, or assembling of semifinished or finished products from raw materials, outdoor storage areas, and the storage of heavy equipment. It is also intended to provide locations for activities that need to be separated from more easily impacted activities such as schools, churches, etc.

[...]

(3) Conditional Uses. In the HI zone, in addition to the buildings and uses permitted outright, a conditional use permit can be granted for the following buildings and uses:

(a) Caretaker dwelling.

[...]

(d) Marijuana retailer and/or medical marijuana dispensary.

~~(d)~~ (e) Manufacture, repair, etc., with some off-site impact.

~~(e)~~ (f) On-site retailing of product manufactured, processed, etc., on site.

~~(f)~~ (g) Permitted uses which require special permits from the Oregon Department of Environmental Quality.

~~(g)~~ (h) Public parks.

~~(h)~~ (i) Public facilities, major.

~~(i)~~ (j) Public safety and support facilities.

~~(j)~~ (k) Recycling collection center.

~~(k)~~ (l) Solid waste disposal site or transfer station.

~~(l)~~ (m) Special hazardous uses such as:

[...]

~~(m)~~ (n) Storage facilities such as personal lockers/garages and for recreational-type vehicles.

~~(n)~~ (o) Temporary asphalt batching (six months maximum).

~~(o)~~ (p) Travel trailer parks.

~~(p)~~ (q) Wrecking and junkyards.

[...]

CHAPTER 17.100 CONDITIONAL USE

[...]

17.100.040 Approval standards and conditions. **←No change proposed for this section (for Information purposes...**

(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.
- (2) An enlargement or alteration of an existing conditional use shall be subject to the development review provisions set forth in Chapter 17.96 SHMC.
- (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
 - (l) Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, and drainage areas.

[...]

17.100.150 Standard dimensional requirements for conditional use types.

- (1) A conditional use proposal shall comply with the standards of the zoning district in which it is located and the applicable provisions of this code, or as otherwise provided in standards that follow.
- (2) A conditional use permit shall not grant variances to the regulations otherwise prescribed by this code. A variance application may be filed in conjunction with the conditional use application and both applications may be heard at the same hearing.
- (3) The additional dimensional requirements and approval standards for conditional use are as follows:

[...]

(p) Marijuana retailer and/or medical marijuana dispensary.

(i) No marijuana retailer and/or medical marijuana dispensary shall be permitted to locate within 1,000 feet of any public or private: child care facility; preschool; elementary school; or junior, middle, or high school.

(ii) No marijuana retailer and/or medical marijuana dispensary shall be permitted to locate within 200 feet of any residential zoning district or public park.

(iii) Distance shall be measured in a straight line, without regard to intervening structures, objects or roads, from the closest point of the structure or portion of structure containing the use, to the closest portion of the residential district or property line upon which a use specified in subsection (3)(p)(i) or (ii) of this section is listed and currently exists.

(iv) Any marijuana retailer and/or medical marijuana dispensary shall comply with all applicable state laws.

End of draft code amendments, the following is food for thought...

- Should there be a land /building size limit because this would be a use atypical for an industrial zone? This could minimize industrial use conflicts and issues such as the building code (e.g., a marijuana retailer building would be a Mercantile (M) category per the Building Code, which wouldn't have much use for other industrial activities).

For example, a neighborhood store (as allowed by conditional use permit in residential zoning districts) has a maximum allowed gross floor area of 2,500 square feet.

- Since we don't know how OLCC will handle these, and these will be retail in a sense, should we be concerned about other goods sold. In other words, is this an avenue people could use to sell other non-marijuana-related goods like chips and drinks in an industrial area?

Maybe restrict to sale of "marijuana items" only?

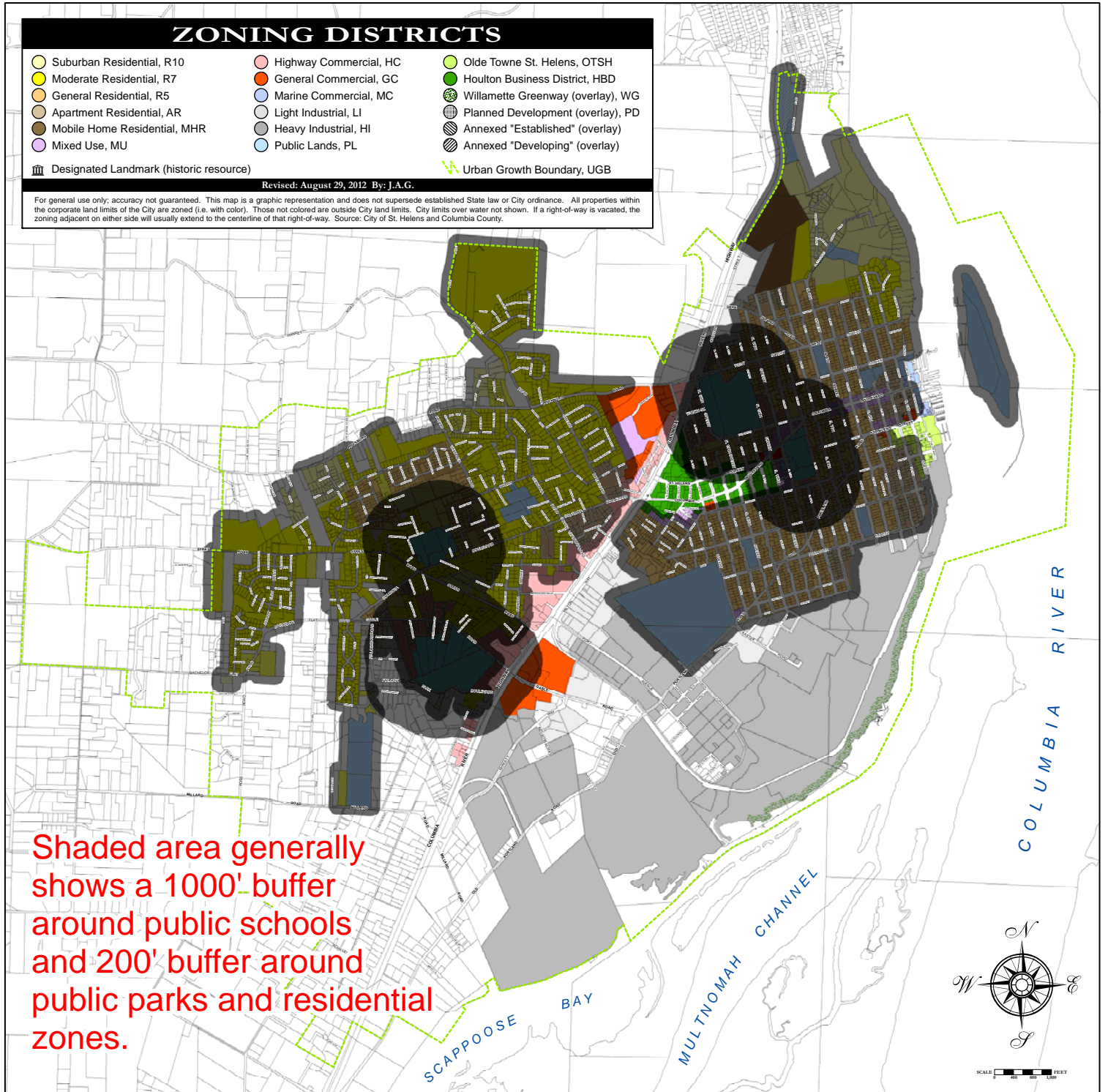
- To be clear, should we require that the facility be located in a permanent building?
- Should we prohibit outdoor storage of merchandise, raw materials, or other materials associated with the facility?
- Should be prohibit drive up use?
- Should we require secure disposal of marijuana remnants or by-products and require that such no be placed within the facility's exterior refuse containers?
- Anything else?

ZONING DISTRICTS

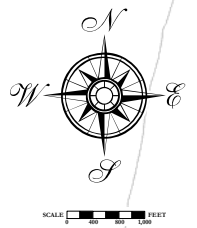
- | | | |
|---|------------------------|-----------------------------------|
| Suburban Residential, R10 | Highway Commercial, HC | Olde Towne St. Helens, OTSH |
| Moderate Residential, R7 | General Commercial, GC | Houlton Business District, HBD |
| General Residential, R5 | Marine Commercial, MC | Willamette Greenway (overlay), WG |
| Apartment Residential, AR | Light Industrial, LI | Planned Development (overlay), PD |
| Mobile Home Residential, MHR | Heavy Industrial, HI | Annexed "Established" (overlay) |
| Mixed Use, MU | Public Lands, PL | Annexed "Developing" (overlay) |
| Designated Landmark (historic resource) | | Urban Growth Boundary, UGB |

Revised: August 29, 2012 By: J.A.G.

For general use only; accuracy not guaranteed. This map is a graphic representation and does not supersede established State law or City ordinance. All properties within the corporate land limits of the City are zoned (i.e. with color). Those not colored are outside City land limits. City limits over water not shown. If a right-of-way is vacated, the zoning adjacent on either side will usually extend to the centerline of that right-of-way. Source: City of St. Helens and Columbia County.



Shaded area generally shows a 1000' buffer around public schools and 200' buffer around public parks and residential zones.





CITY OF ST. HELENS PLANNING DEPARTMENT

M E M O R A N D U M

TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner
RE: Proposed lot coverage updates
DATE: January 6, 2014

Attached is a memo from March of 2014 that explains the City's lot coverage rules in residential zoning districts. I drafted this after being "challenged" for applying such rules to residential building permits.

The City has a variety of variety of rules to help ensure air, light and space between buildings. This includes minimum yards (setbacks), maximum building height, and lot coverage.

Lot coverage is basically how much of a lot or parcel can be covered by buildings.

As described in the attached memo, the maximum lot coverage for residential zones is either 35% or 50%.

Based on discussions from last year, it seems reasonable to increase these values to 40% and 55%, especially since the current numbers are over three decades old.

I hope to discuss this at the January meeting.



CITY OF ST. HELENS PLANNING DEPARTMENT

MEMORANDUM

TO: Who it may concern
FROM: Jacob A. Graichen, AICP, City Planner
RE: Lot coverage standards for City of St. Helens residential zoning districts
DATE: March 28, 2014

Per the current R10, R7, R5, AR, MHR (via R5), MU (residential use via R5 or AR) the lot coverage requirement is worded something like:

Buildings and **structures** shall not **occupy** more than XX percent of the lot area. The percentage varies depending on the zoning district but is either 35% or 50%.

History

The lot coverage language above is in the current development code dating back to 2003 (Ord 2875). It is also in the Development Code dating to 1999 (Ord 2785). Similar language was found in the 1991 version (Ord 2616) and 1978 Version (Ord 2288), though it mentioned only buildings and not structures.

This basic zoning regulation provision has been in place in the City of St. Helens regulations for decades.

Building and structure are specifically defined by the Development Code (Chapter 17.16 SHMC) as follows:

"Building" means any structure having a roof supported by columns or walls and intended to shelter, house, or enclose any individual, animal, process, equipment, goods, or materials of any kind or nature. An element of time is also included in this definition.

"Structure" means something constructed or built and having a fixed base on, or fixed connection to, the ground or another structure, and platforms, walks, and driveways more than 30 inches above grade and not over any basement or story below. Tents used for carports and/or other storage in excess of 15 consecutive days or 30 accumulative days in a calendar year shall be considered structures for purposes of this code.

Occupy is not specifically defined by the Development Code. Standard definitions related to this issue include:

Occupy: to take up (a place or extent in space)

Variances

There is relief for yard requirements up to 20% per 17.108.050(4), but it specifically notes that "the resulting lot coverage shall not exceed the maximum lot coverage of the base zone."

There is no specification as to lot coverage reduction. Request for such would be per general variance criteria.

Auxiliary Dwelling Units

Per SHMC 17.128.030(3)(g) ...the combined footprint of all detached structures may not exceed the lot coverage restriction of the zone.

Planned Developments

Per SHMC 17.148.080(1)(b) the site coverage provisions of the base zone shall apply.

Interpretation

The language of the code seems to have a staunch approach to lot coverage since in multiple places where other things or relief is allowed, lot coverage is noted as lacking flexibility.

Buildings and structures together is a broad definition. It's broad enough that foundation alone doesn't cover all potential coverage. Since I've been with St. Helens (2007) we have considered lot coverage to be **the outermost extent of a building or structure on a lot where it touches the ground**. It is my understanding that this is how this was applied before my time too.

For example, a carport without walls has four posts that support it. The coverage of the carport would be the area between the four posts. In the case of a home with a roofed alcove that has no wall between it and the outside, it would still count toward the lot coverage as it is structurally occupying that space. If there was no roof, such as a "U" shaped house, that area would not count towards lot coverage as there is no structural occupation.

Note that lot coverage does not differentiate between buildings or structures that require or don't require permits.

Official Action Applicability

Per SHMC 17.04.090 City officials are bound by the standards of the code and cannot approve something that is contrary to the code, including ensuring development falls within the prescribed lot coverage standards detailed above.

Comparison of Land Use Actions by Year

Planning Commission Public Hearings & Planning Administrator Decisions

Land Use Action	2006	2007	2008	2009	2010	2011	2012	2013	2014
Accessory Structures	3	5	5	5	1	1	1	0	2
Amended Land Use Decision	0	0	0	0	0	1	2	5	0
Annexations (Processed)	5	5	2	7	1	1		0	2
Annexations (Submitted, Not Processed)						2	0	4	1
Appeals	1	1	1	0	0	1	0	2	0
Map/Text Ammendments	12	4	3	2	4	2	1	0	1
Conditional Use Permits	8	8	7	4	2	1	1	3	2
Conditional Use Permits/Minor	3	11	3	4	2	0	1	1	0
Development Agreement				1	0	0	0	0	0
Expedited Land Division	0	1	0	0	0	0	0	0	0
Extension of Time	4	3	3	2	2	0	0	0	1
Historic Site Review	1	0	0	4	0	0	0	0	0
Home Occupations, Type I	24	31	23	20	18	13	18	11	13
Home Occupations, Type II	6	3	8	6	6	5	9	5	6
Lot Line Adjustments	8	11	12	3	2	1	3	0	0
Non-Conforming Use	0	0	0	0	1	0	0	0	0
Partitions	9	21	8	2	0	0	0	0	0
Planned Developments	2	3	0	0	0	0	0	0	0
Revocation	0	0	0	0	0	0	0	0	0
Sensitive Lands Permit	2	3	1	0	0	1	2	3	2
Sign Permits	28	41	21	22	30	31	34	35	32
Sign Exception/Variance	0	0	0	0	0	0	0	1	0
Site Design Reviews	6	5	4	1	4	2	4	5	2
SDR Modifications	3	3	7	14	10	15	11	9	6
SDR Scenic Views	0	0	1	0	0	1	0	3	1
Subdivisions	6	4	1	1	0	0	1	2	0
Subdivision Final Plat Approval	5	7	1	1	0	0	0	1	1
Variances	6	3	3	0	1	3	4	5	3
Temporary Use Permits	5	4	4	7	7	10	7	2	3
Tree Removal Permit						1	0	0	0
Other Public Hearing Subjects (i.e. Periodic Review)	0	0	0	0	0	0	0	0	0
Columbia County Referrals	5	8	3	3	6	4	3	3	0
Total Land Use Actions	152	185	121	109	97	96	102	100	78

2014 Year End Summary
Planning Commission & Planning Administrator Land Use Actions
Planning Commission Work Sessions, Discussions & Interpretations

Accessory Structures	Annexations
<ol style="list-style-type: none"> 1. Robert Williams (S. 14th Street) 2. David Bonn (S. 9th Street) 	<ol style="list-style-type: none"> 1. James Julian (Pittsburg Rd)
Appeals	Comprehensive Plan/Zone Map Amendments
<ol style="list-style-type: none"> 1. 	<ol style="list-style-type: none"> 1. City of St. Helens (TSP/Street Corridor)
Conditional Use Permits	Conditional Use Permits (Minor Modifications)
<ol style="list-style-type: none"> 1. Columbia River Fire and Rescue (McNulty Way) 2. St. Helens Organics Recycling, LLC (Kaster Rd.) 	<ol style="list-style-type: none"> 1.
Extension of Time	Home Occupations, Type II
<ol style="list-style-type: none"> 1. St. Helens Assets LLC (Elk Ridge Estates) 	<ol style="list-style-type: none"> 1. Kevin & Michele McCausland (Burt Rd) 2. Mark & Natalie Otero (S. 14th Street) 3. Glenn Badertscher (N. 2nd Street) 4. Joan Youngberg (Seal Road) 5. Melinda Beville (N 2nd Street) 6. Sherene Kearsley (N. 5th Street)
Home Occupations, Type I	Tree Removal Permits
<ol style="list-style-type: none"> 1. Marsha McDonough (River Street) 2. Lina's Complete Cleaning Services (Hankey Rd) 3. Christina Elston (N 2nd Street) 4. Ashley Hood (Ridgeway Loop) 5. Michelle & Travis Riggs (Mayfair Drive) 6. Travis S. Goodrich (S. 7th Street) 7. Dustin Johnson (S 8th Street) 8. Antonia Doggett (S 3rd Street) 9. Christopher T. Agee (S 19th Street) 10. Charles Tietjens (N 9th Street) 11. Natasha Lea Parvey-Leskowich (Juniper Lane) 12. Dennis Minsent (West Street) 13. Loren S. Waterman (N 5th Street) 	<ol style="list-style-type: none"> 1.
Lot Line Adjustments	Partitions
<ol style="list-style-type: none"> 1. 	<ol style="list-style-type: none"> 1.

Sign Permits	Sensitive Lands Permit
<ol style="list-style-type: none"> 1. Jim Lichty (S. Columbia River Hwy) 2. Jim Lichty (S. Columbia River Hwy) 3. Dianna Holmes (Columbia Blvd) 4. Harvey Bilton (Columbia Blvd) 5. Amani Center (Columbia Blvd) 6. Kinnear Specialties (Industrial Way) 7. Alison Smyth (Columbia River Hwy) 8. Yankton Arthur Academy (Columbia Blvd) 9. Julie Keim (Columbia Blvd) 10. St. Helens Booster Club (Columbia Blvd) 11. Sacagawea Health Center (Eisenschmidt Lane) 12. Ye Ol' Grog Distillery (Industrial Way) 13. Columbia County Brewing (S. 15th Street) 14. Vancouver Sign (Columbia River Hwy) 15. Kiwanis Community Parade (Columbia Blvd) 16. Clark Signs (Sykes Road) 17. David Orr (Columbia Blvd) 18. David Orr (Columbia Blvd) 19. Columbia County Fairgrounds (Columbia Blvd) 20. Amani Center (Columbia Blvd) 21. Ramsay Signs (Columbia Blvd) 22. Dale Clark (S. Columbia River Hwy) 23. Dale Clark (S. Columbia River Hwy) 24. Clark Signs (S. Columbia River Hwy) 25. Clark Signs (S. Columbia River Hwy) 26. Clark Signs (S. Columbia River Hwy) 27. Aaron Martin (S. 1st Street) 28. Columbia River PUD (Columbia Blvd) 29. Toy n Joy (Columbia Blvd) 30. St. Helens Police Dept. (Columbia Blvd) 31. Professional Permits (Gable Road) 32. Professional Permits (Gable Road) 	<ol style="list-style-type: none"> 1. City of St. Helens (Btwn Wyeth & Col Blvd) 2. OHM Equity Partners LLC (Little Street)
Site Design Review (Major)	Unlisted Use
<ol style="list-style-type: none"> 1. Lower Columbia Engineering (Col. River Hwy) 2. Patrick Tasset of Esterly, Schneider & Assoc., Inc (S. Ve 	<ol style="list-style-type: none"> 1. 2.
Site Design Review (Minor)	Nonconforming Use Determination
<ol style="list-style-type: none"> 1. Port of St. Helens (Old Portland Rd) 2. Lexcom Development (Milton Way) 3. Adam Fortier (S 15th Street) 4. Crown Castle (Port Ave) 5. Electric Properties, LLC (Columbia Blvd) 6. Norway Development (Cowlitz St) 	<ol style="list-style-type: none"> 1. 2.

Variance		Temporary Use Permits	
1.	Dan Hatfield (Deer Island Rd)	1.	Lidia Jimenez (Columbia River Hwy)
2.	Ray & Jan Andrews (Wapiti Drive)	2.	Bethel Fellowship (Columbia River Hwy)
3.	Rob & Jesse DeSue (Cowlitz St.)	3.	St. Helens Band Patrons (Gable Road)
Historic Resource Reviews		Columbia County Referrals	
1.		1.	
Scenic Resource Review		Subdivision	
1.	Russ & Mary Hubbard (N River Street)	1.	
Subdivision (Final Plat)			
1.	Michael Rademacher (Elk Meadows Drive)	1.	



CITY OF ST. HELENS PLANNING DEPARTMENT

MEMORANDUM

TO: Planning Commission
FROM: Jennifer Dimsho, Assistant Planner
RE: 2015-2016 CLG Grant — St. Helens' Historic Preservation Rehabilitation Grant Program
DATE: January 6, 2015

Since becoming a Certified Local Government (CLG), the City has gone through three CLG grant cycles. The last two have been used for **St. Helens' Historic Preservation Rehabilitation Grant Program**. See link below for more information about past recipients.

The next CLG grant cycle is fast approaching. The deadline for submitting an application to the State Historic Preservation Office is **February 28, 2015**. Assistant Planner Dimsho will prepare the application for this grant program.

The last two years have brought us more applications than awards. Residents ask City Planner Graichen about the program periodically, so there appears to be continued interest. We received \$13,000 for the last cycle and anticipate receiving the same amount for FY 15/16.

Given the success of the last two cycles, staff proposes to do a similar process again. **For FY 15/16, staff proposes the City offer up to four (4) grant awards for a max of \$3,250 each**. This would be a competitive grant based on selection criteria used by the Commission to score applications. It requires a 50/50 match from the applicant (expense must be at least \$6,500 to receive the full \$3,250).

If you would like more information, the following link provides further information about the **Historic Preservation Rehabilitation Grant Program**, including past projects:

<http://www.ci.st-helens.or.us/landuseplanning/department/historic-preservation/>

CITY OF ST. HELENS PLANNING DEPARTMENT ACTIVITY REPORT



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

Date: 12.30.2014

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.

PLANNING ADMINISTRATION

Conducted pre-app for a potential land use permit for an industrial use proposed to be sited by Cascade Tissue at the former Boise white paper site.

Conducted a pre-app for a potential land use permit for an industrial building/use along McNulty Way on vacant property.

Worked on Corridor Plan related tasks as this project nears its conclusion, which is anticipated in January. Corridor Plan time consumption remains; much work is in store for January to wrap up this project.

Worked on Site Design Review for an auto parts retail store at the former KFC site.

Worked on a Conditional Use Permit for a change to CRFR's training center along McNulty Way.

Prepared Ordinance No. 3180 for Council consideration at the Dec. 17th regular session.

Prepared draft code amendments related to land use and marijuana for further discussion by the Planning Commission and others.

Prepared for and conducted public hearing before the City Council at the Dec. 17th regular session for proposed adoption of the Corridor Plan.

Sent final notice to the Dept. of Revenue for the two Annexations approved by the voters in November. Positive response attained.

Assistant Planner submitted an EPA grant application related to the Boise Veneer property.

DEVELOPMENT CODE ENFORCEMENT

Building Official and I investigated a complaint about people living in an RV in a commercial building. Potential violation was evident. We informed the people of the rules.

PLANNING COMMISSION (& acting HISTORIC LANDMARKS COMMISSION)

December 9, 2014 meeting (outcome): The Commission had a public hearing for a variance request, which was approved. The Commission also discussed proposed parklet regulation, Marijuana business as it related to land use, and System Development Charges. The commission affirmed their prior parklet recommendations, provided guidance on Marijuana businesses for potential future code changes, and concurred with the SDC recommendations as presented by the Commission Chair (see attached).

January 13, 2015 meeting (upcoming): The Commission has two scheduled public hearings for a pair of Conditional Use Permits. In addition, discussion about subject matter including but not limited to marijuana and land use, lot coverage is anticipated.

HISTORIC PRESERVATION

In receipt of special assessment information from SHPO, communicated with SHPO about local responsibility with this regard. In short, this pertains to local review of preservation plans for historic properties with tax breaks. More investigation needed to fully understand the City's role.

GEOGRAPHIC INFORMATION SYSTEMS (GIS)

Routine data updates conducted this month.

MAIN STREET PROGRAM

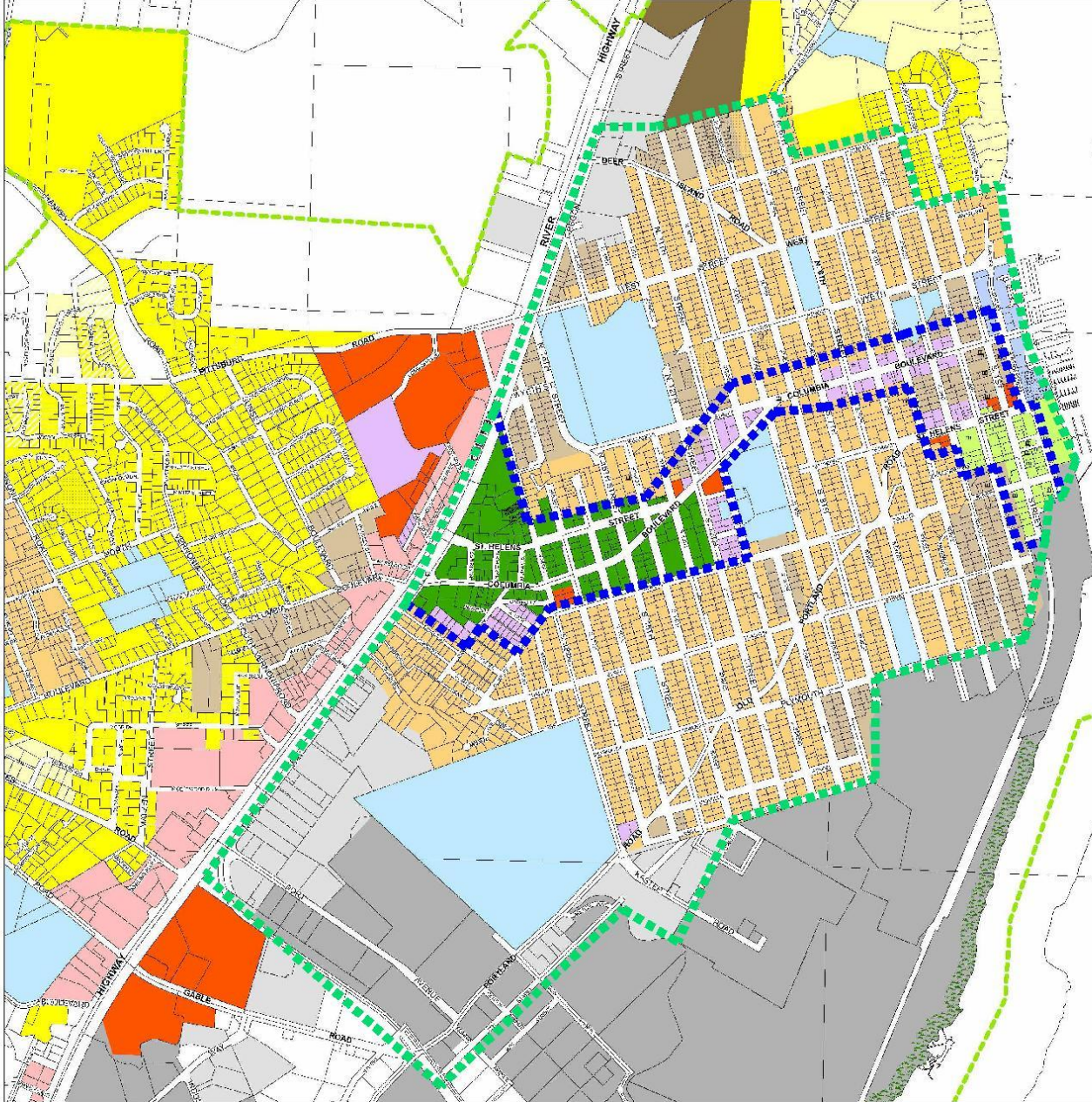
Main Street Program Coordinator completed and submitted the 2014 Exploring Downtown Annual Report as partial fulfillment of St. Helens' participation requirements in the Oregon Main Street Network.

Recommendation:

St Helens eliminates all Systems Development Fees in the areas East of Highway 30 in the traditional business districts of St Helens as shown on attached map.

and

St Helens eliminates the Water and Sewer SDC's in all other areas East of Highway 30 as shown on attached map.



Rational use of Systems Development Charges
TO ENCOURAGE DEVELOPMENT