

City of St. Helens
ORDINANCE NO. 3215

AN ORDINANCE TO AMEND THE CITY OF ST. HELENS COMPREHENSIVE PLAN MAP AND ZONING DISTRICT MAP TO EXPAND THE RIVERFRONT DISTRICT AS PART OF THE CITY'S WATERFRONT PLANNING EFFORTS; AND TO AMEND THE COMPREHENSIVE PLAN MAP AND ZONING DISTRICT MAP FROM HEAVY INDUSTRIAL TO PUBLIC LANDS FOR NOB HILL NATURE PARK; AND AMENDING THE ST. HELENS MUNICIPAL CODE CHAPTERS 17.08, 17.16, 17.20, 17.32, 17.36, 17.88, 17.116, 19.08, AND 19.12

WHEREAS, pursuant to St. Helens Municipal Code 17.20.020(1)(c) the Planning Director initiated legislative changes to amend the City of St. Helens Comprehensive Plan Map and Zoning District Map as depicted in **Attachments "A," "B," and "C"** attached hereto and made part of this reference, and to adopt text amendments to the Community Development Code (St. Helens Municipal Code Title 17) and the St. Helens Comprehensive Plan (St. Helens Municipal Code Title 19); and

WHEREAS, pursuant to the St. Helens Municipal Code and Oregon Revised Statutes, the City has provided notice to: the Oregon Department of Land Conservation and Development on February 8, 2017, potentially affected property owners listed in the Columbia County Tax Assessor records agencies on February 23, 2017, and the local newspaper of record on March 1, 2017; and

WHEREAS, the St. Helens Planning Commission did hold a duly noticed public hearing on March 14, 2017 and, following deliberation, made a recommendation of approval to the City Council; and

WHEREAS, the St. Helens City Council conducted a public hearing on April 5, 2017 and having the responsibility to approve, approve with modifications, or deny an application for a legislative change, has deliberated and found that based on the information in the record and the applicable criteria in the SHMC that the Comprehensive Plan Map amendments, Zoning District Map amendments, and text amendments to the Community Development Code (St. Helens Municipal Code Title 17) and the St. Helens Comprehensive Plan (St. Helens Municipal Code Title 19) be approved.

NOW, THEREFORE, THE CITY OF ST. HELENS DOES ORDAIN AS FOLLOWS:

Section 1. The above recitations are true and correct and are incorporated herein by reference.

Section 2. The City of St. Helens Comprehensive Plan Map is amended as depicted in **Attachment "A"** and made part of this reference.

Section 3. The City of St. Helens Zoning District Map is amended as depicted in **Attachments "B" and "C"** and made part of this reference.

Section 4. The City of St. Helens Municipal Code is hereby amended, attached hereto as **Attachment "D"** and made part of this reference.

Section 5. The City hereby adopts the St. Helens Waterfront Framework Plan as part of the Development Code, attached hereto as **Attachment "E"** and made part of this reference.

Section 6. In support of the amendments described herein, the Council hereby adopts the Findings of Fact and Conclusions of Law, attached hereto as **Attachment "F"** and made part of this reference.

Section 7. Severability. If any section, provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other sections, provisions, clauses or paragraphs of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be servable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 8. Provisions of this Ordinance shall be incorporated in the St. Helens Municipal Code and the word "ordinance" may be changed to "code," "article," "section," or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that Whereas clauses and boilerplate provisions need not be codified.

Section 9. The effective date of this Ordinance shall be 30 days after approval, in accordance with the City Charter and other applicable laws.

Read the first time: April 19, 2017
Read the second time: May 3, 2017

APPROVED AND ADOPTED this 3rd day of May, 2017 by the following vote:

Ayes: Locke, Carlson, Conn, Morten, Scholl

Nays: None



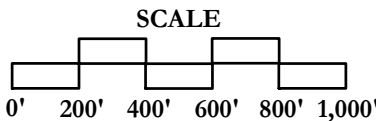
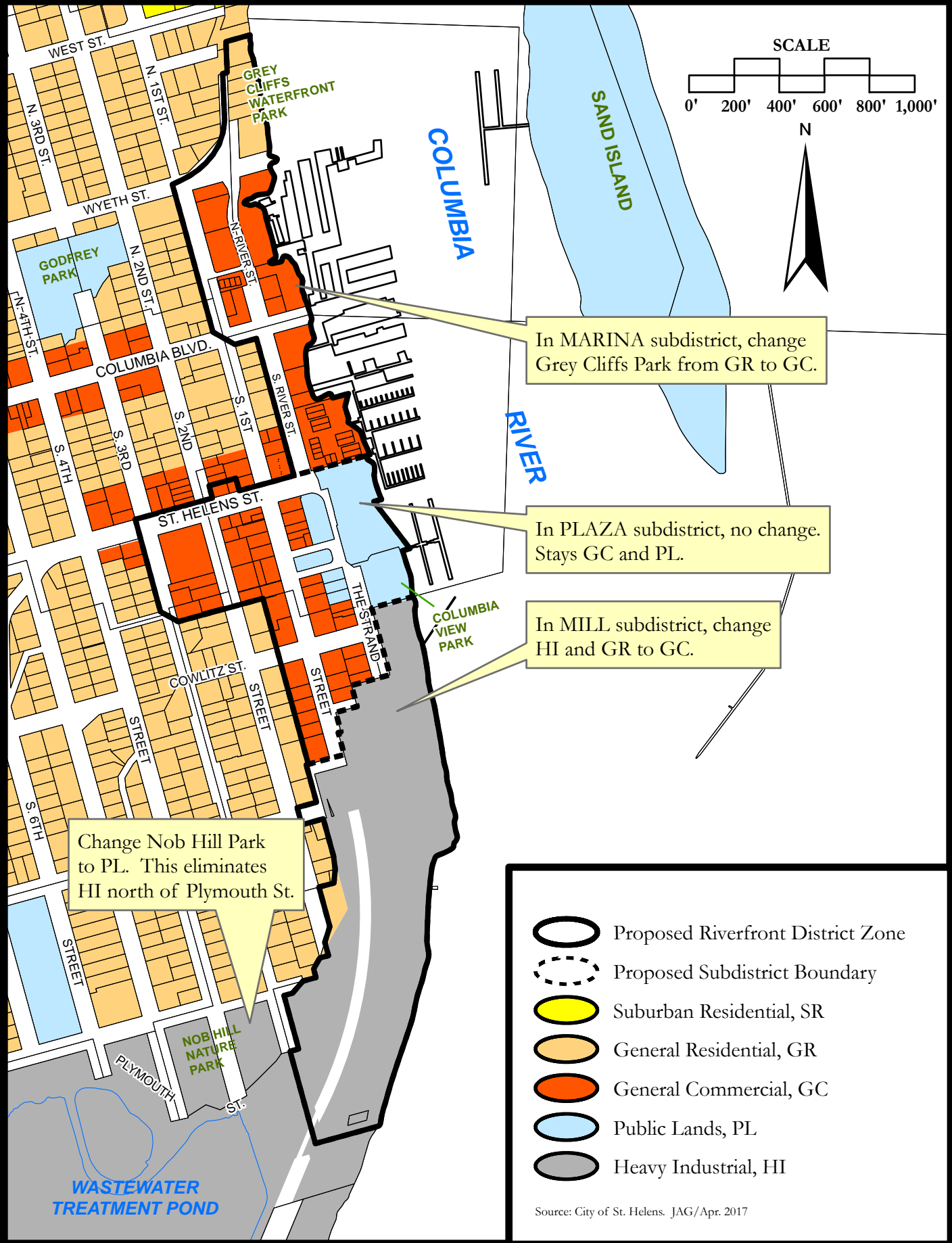
Rick Scholl, Mayor

ATTEST:



Kathy Payne, City Recorder

ORD NO. 3215 - ATTACHMENT "A" - COMPREHENSIVE PLAN



In MARINA subdistrict, change Grey Cliffs Park from GR to GC.

In PLAZA subdistrict, no change. Stays GC and PL.

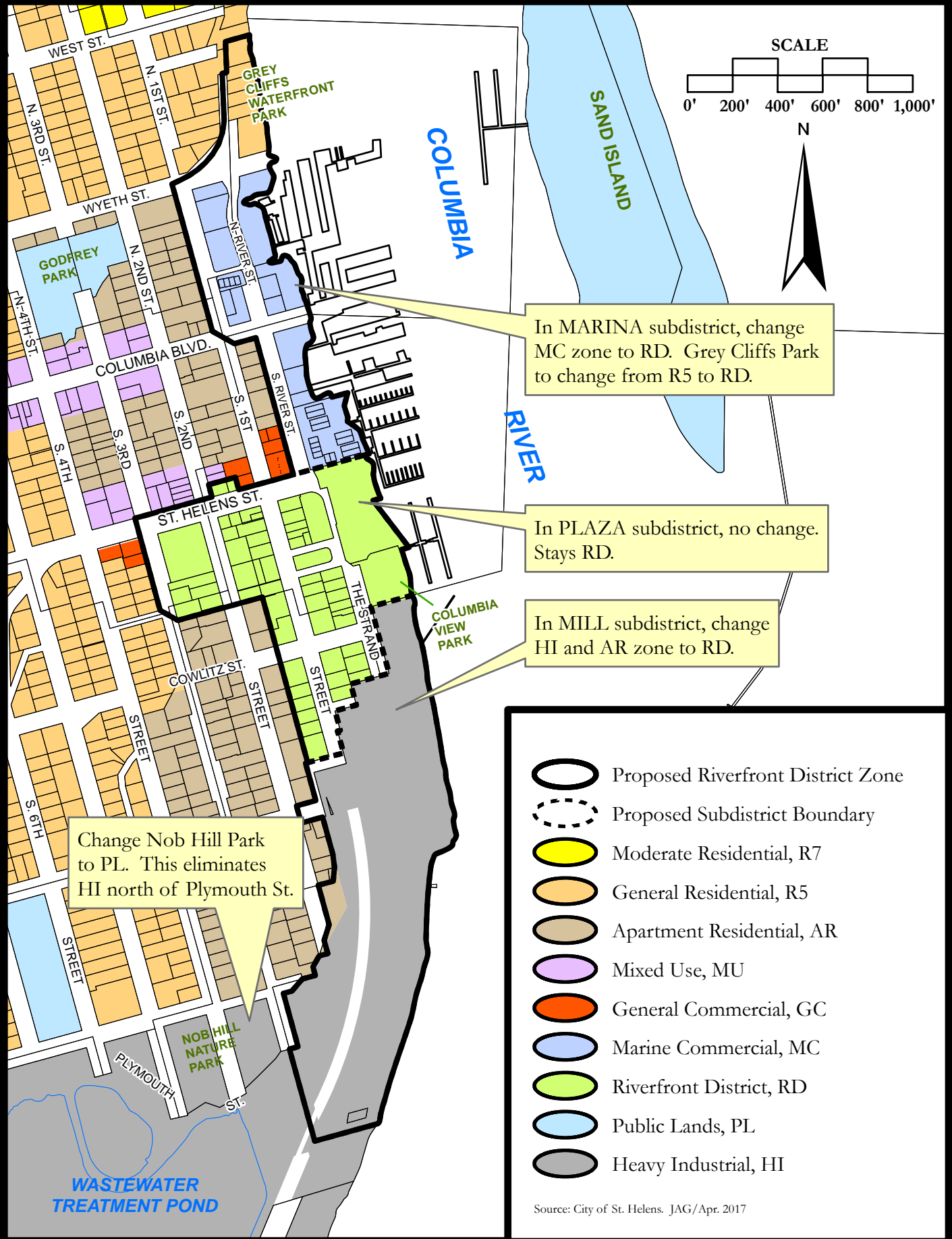
In MILL subdistrict, change HI and GR to GC.

Change Nob Hill Park to PL. This eliminates HI north of Plymouth St.

- Proposed Riverfront District Zone
- Proposed Subdistrict Boundary
- Suburban Residential, SR
- General Residential, GR
- General Commercial, GC
- Public Lands, PL
- Heavy Industrial, HI

Source: City of St. Helens. JAG/Apr. 2017

ORD NO. 3215 - ATTACHMENT "B" - ZONING



In MARINA subdistrict, change MC zone to RD. Grey Cliffs Park to change from R5 to RD.

In PLAZA subdistrict, no change. Stays RD.

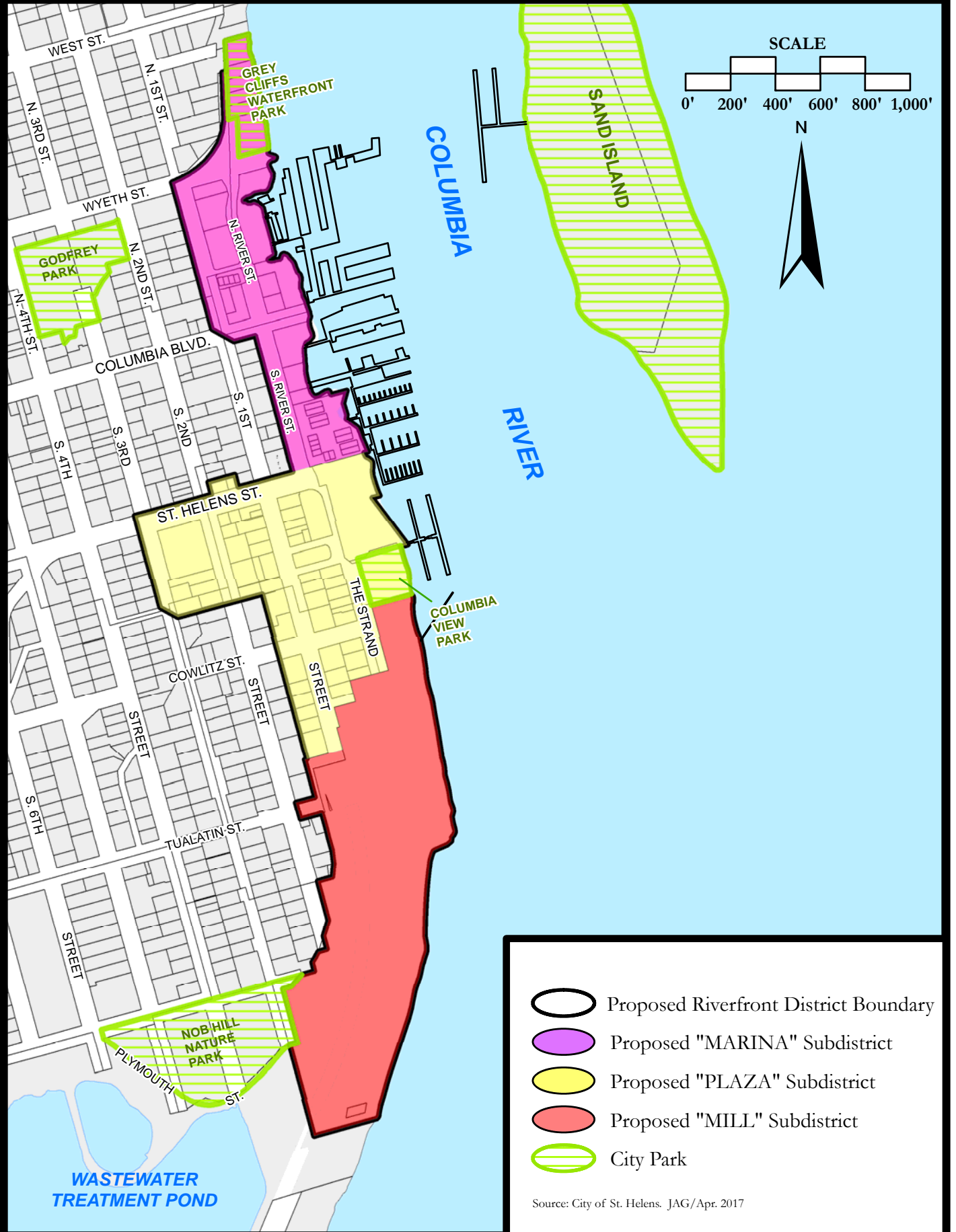
In MILL subdistrict, change HI and AR zone to RD.

Change Nob Hill Park to PL. This eliminates HI north of Plymouth St.

- Proposed Riverfront District Zone
- Proposed Subdistrict Boundary
- Moderate Residential, R7
- General Residential, R5
- Apartment Residential, AR
- Mixed Use, MU
- General Commercial, GC
- Marine Commercial, MC
- Riverfront District, RD
- Public Lands, PL
- Heavy Industrial, HI

Source: City of St. Helens. JAG/Apr. 2017

ORD NO. 3215 - ATTACHMENT "C" - SUB DISTRICTS



Proposed Riverfront District Boundary
 Proposed "MARINA" Subdistrict
 Proposed "PLAZA" Subdistrict
 Proposed "MILL" Subdistrict
 City Park

Source: City of St. Helens. JAG/Apr. 2017

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

CHAPTER 17.08 AMENDMENTS TO THE CODE AND ZONE DISTRICT MAPS

[...]

17.08.040 Quasi-judicial amendments and standards.

[...]

(1) Quasi-Judicial Amendments and Standards for Making Decisions.

(a) A recommendation or a decision to approve, approve with conditions, or to deny an application for a quasi-judicial amendment shall be based on all of the following standards.

(i) The applicable comprehensive plan policies and map designation; and that the change will not adversely affect the health, safety, and welfare of the community; and

(ii) The applicable Oregon Statewide Planning Goals adopted under ORS Chapter 197, until acknowledgment of the comprehensive plan and ordinances; ~~and~~

(iii) The standards applicable of any provision of this code or other applicable implementing ordinance; and

(iv) A proposed change to the St. Helens Zoning District Map that constitutes a spot zoning is prohibited. A proposed change to the St. Helens Comprehensive Plan Map that facilitates a spot zoning is prohibited.

[...]

CHAPTER 17.16 DEFINITIONS

[...]

“Animal hospital” means a place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use. See “animal sales and services, veterinary.”

“Animal kennel” means any structure or premises in which animals are kept, boarded, bred or trained for commercial gain. See “animal sales and services.”

“Animal sales and services” means establishments or places of business primarily engaged in animal-related sales and services. The following are animal sales and services use types:

“Animal sales and services, grooming” means grooming of dogs, cats, and similar small animals. Typical uses include dog bathing and clipping salons or pet grooming shops.

“Animal sales and services, kennels” means kennel services for dogs, cats, and similar small animals. Typical uses for a business venture include boarding kennels or dog training centers.

“Animal sales and services, retail” means pet stores that includes both live animals for sale and related retail items.

“Animal sales and services, veterinary (large animals)” means veterinary services for large animals. Typical uses include animal hospitals for large animals (horses, sheep) or veterinary hospitals for large animals. Small animals may be included as well.

“Animal sales and services, veterinary (small animals)” means veterinary services for small animals. Typical uses include pet clinics, dog and cat hospitals, or animal hospitals for small animals.

[...]

“Excavation” means the removal, placement, or replacement of earth or manmade materials as necessary to facilitate development of buildings and/or infrastructure, not including natural mineral resources development.

When a property or a portion of it is predominately composed of rock, removal of more rock than the minimum necessary to facilitate development shall be considered “mining and/or quarrying.”

[...]

“Mining and/or quarrying” means the extraction of minerals including: solids, such as sand, gravel, rock, coal and ores; liquids, such as crude petroleum; and gases, such as natural gases. The term also includes quarrying; well operation; milling, such as crushing, screening, washing and flotation; and other preparation customarily done at the mine site or as part of a mining activity.

Also, see “excavation.”

[...]

CHAPTER 17.20 PROCEDURES FOR DECISION-MAKING – LEGISLATIVE

[...]

17.20.120 The standards of the decision.

(1) The recommendation by the commission and the decision by the council shall be based on consideration of the following factors:

(a) The statewide planning goals and guidelines adopted under ORS Chapter 197,

including compliance with the Transportation Planning Rule, as described in SHMC 17.08.060;

- (b) Any federal or state statutes or guidelines found applicable;
- (c) The applicable comprehensive plan policies, procedures, appendices and maps; ~~and~~
- (d) The applicable provisions of the implementing ordinances; and
- (e) A proposed change to the St. Helens Zoning District Map that constitutes a spot zoning is prohibited. A proposed change to the St. Helens Comprehensive Plan Map that facilitates a spot zoning is prohibited.

[...]

CHAPTER 17.32 ZONES AND USES

Sections:

- 17.32.010 Classification of zones.
- 17.32.020 Zoning district map.
- 17.32.030 Determination of zoning boundaries.
- 17.32.040 Unlisted use – Authorization of similar use.
- 17.32.050 Suburban residential zone – R-10.
- 17.32.060 Moderate residential zone – R-7.
- 17.32.070 General residential zone – R-5.
- 17.32.080 Apartment residential zone – AR.
- 17.32.090 Mobile home residential zone – MHR.
- 17.32.095 Mixed use zone – MU.
- 17.32.100 Highway commercial – HC.
- 17.32.110 General commercial – GC.
- ~~17.32.120 Marine commercial – MC.~~
- 17.32.130 Light industrial – LI.
- 17.32.140 Heavy industrial – HI.
- 17.32.150 Public lands – PL.
- 17.32.160 Willamette Greenway – WG.
- 17.32.170 Riverfront district – RD.
- 17.32.171 Riverfront district – RD, Marina.
- 17.32.172 Riverfront district – RD, Plaza.
- 17.32.173 Riverfront district – RD, Mill.
- 17.32.1729 RD guidelines adopted.
- 17.32.17580 Houlton business district – HBD.
- ~~17.32.180 Waterfront redevelopment overlay district – WROD.~~

17.32.010 Classification of zones.

All areas within the corporate limits of the city of St. Helens are divided into zoning districts. The use of each tract and ownership of land within the corporate limits is limited to those uses permitted by the zoning classification applicable to each such tract as designated in the following table. The zoning districts within the city of St. Helens are hereby classified and designated as follows:

Suburban Residential	R-10
Moderate Residential	R-7
General Residential	R-5
Apartment Residential	AR
Mobile Home Residential	MHR
Mixed Use	MU
Highway Commercial	HC
General Commercial	GC
Marine Commercial	MC
Light Industrial	LI
Heavy Industrial	HI
Willamette Greenway	WG
Public Lands	PL
Riverfront District	RD
Houlton Business District	HBD

[...]

17.32.050 Suburban Residential Zone – R10

[...]

(5) ~~Additional Requirements.~~ All Chapters of the Development Code apply.

~~(a) Residential density transition, SHMC 17.56.040.~~

~~(b) Overlay districts chapters:~~

~~(i) 17.148, Planned Development,~~

~~(ii) 17.36, Historic Sites and Overlay District,~~

~~(iii) 17.44, Sensitive Lands, and~~

~~(iv) 17.48, Solar Access Requirements.~~

~~(c) Supplemental provisions chapters:~~

~~(i) 17.52, Environmental Performance Standards,~~

~~(ii) 17.56, Density Computations,~~

- ~~(iii) 17.60, Manufactured/Mobile Home Regulations,~~
- ~~(iv) 17.64, Additional Yard Setback Requirements and Exceptions,~~
- ~~(v) 17.68, Building Height Limitations—Exceptions,~~
- ~~(vi) 17.72, Landscaping and Screening,~~
- ~~(vii) 17.76, Visual Clearance Areas,~~
- ~~(viii) 17.80, Off-Street Parking and Loading Requirements,~~
- ~~(ix) 17.84, Access, Egress, and Circulation, and~~
- ~~(x) 17.88, Signs.~~
- ~~(d) Site development review, Chapter 17.96 SHMC.~~
- ~~(e) Development and administration chapters:~~
 - ~~(i) 17.100, Conditional Use,~~
 - ~~(ii) 17.104, Nonconforming Situations,~~
 - ~~(iii) 17.108, Variance,~~
 - ~~(iv) 17.116, Temporary Uses,~~
 - ~~(v) 17.120, Home Occupations,~~
 - ~~(vi) 17.124, Accessory Structures, and~~
 - ~~(vii) 17.132, Tree Removal.~~
- ~~(f) Land division chapters:~~
 - ~~(i) 17.136, Land Division—Subdivision,~~
 - ~~(ii) 17.140, Land Division—Land Partitioning—Lot Line Adjustment,~~
 - ~~(iii) 17.152, Street and Utility Improvement Standards, and~~
 - ~~(iv) 17.144, Expedited Land Divisions.~~

[...]

17.32.060 Moderate Residential Zone – R7

[...]

(3) Conditional Uses (See Chapter 17.100 SHMC). In an R-7 zone, the following conditional uses may be permitted upon application:

- (a) Auxiliary dwelling units.
- (b) Bed and breakfast, homestay, boarding house.
- (c) Children’s day care/day nursery.
- (d) Community recreation ~~including structures~~ facility.
- ~~(e) Cultural exhibits and library services.~~
- ~~(f) Duplex residential units.~~
- ~~(g) Neighborhood store/plaza.~~
- ~~(h) Elderly/convalescent home.~~
- ~~(i) Private park.~~
- ~~(j) Public facilities, major.~~
- ~~(k) Public safety facilities.~~
- ~~(l) Religious assembly.~~

[...]

(5) ~~Additional Requirements.~~ All Chapters of the Development Code apply.

- ~~(a) Residential density transition, SHMC-17.56.040.~~
- ~~(b) Overlay districts chapters:

 - ~~(i) 17.148, Planned Development,~~
 - ~~(ii) 17.36, Historic Sites and Overlay District,~~
 - ~~(iii) 17.44, Sensitive Lands, and~~
 - ~~(iv) 17.48, Solar Access Requirements.~~~~
- ~~(c) Supplemental provisions chapters:

 - ~~(i) 17.52, Environmental Performance Standards,~~
 - ~~(ii) 17.56, Density Computations,~~
 - ~~(iii) 17.60, Manufactured/Mobile Home Regulations,~~
 - ~~(iv) 17.64, Additional Yard Setback Requirements and Exceptions,~~
 - ~~(v) 17.68, Building Height Limitations—Exceptions,~~
 - ~~(vi) 17.72, Landscaping and Screening,~~
 - ~~(vii) 17.76, Visual Clearance Areas,~~
 - ~~(viii) 17.80, Off-Street Parking and Loading Requirements,~~
 - ~~(ix) 17.84, Access, Egress, and Circulation, and~~
 - ~~(x) 17.88, Signs.~~~~
- ~~(d) Site development review, Chapter 17.96 SHMC.~~
- ~~(e) Development and administration chapters:

 - ~~(i) 17.100, Conditional Use,~~
 - ~~(ii) 17.104, Nonconforming Situations,~~
 - ~~(iii) 17.108, Variance,~~
 - ~~(iv) 17.116, Temporary Uses,~~
 - ~~(v) 17.120, Home Occupations,~~
 - ~~(vi) 17.124, Accessory Structures, and~~
 - ~~(vii) 17.132, Tree Removal.~~~~
- ~~(f) Land division chapters:

 - ~~(i) 17.136, Land Division—Subdivision,~~
 - ~~(ii) 17.140, Land Division—Land Partitioning—Lot Line Adjustment,~~
 - ~~(iii) 17.152, Street and Utility Improvement Standards, and~~
 - ~~(iv) 17.144, Expedited Land Divisions.~~~~

[...]

17.32.070 General Residential Zone – R5

[...]

- (5) Additional Requirements. All Chapters of the Development Code apply.
 - ~~(a) Residential density transition, SHMC-17.56.040.~~
 - ~~(b) Overlay districts chapters:

 - ~~(i) 17.148, Planned Development,~~
 - ~~(ii) 17.36, Historic Sites and Overlay District,~~
 - ~~(iii) 17.44, Sensitive Lands, and~~
 - ~~(iv) 17.48, Solar Access Requirements.~~~~
 - ~~(c) Supplemental provisions chapters:~~

- (i) 17.52, Environmental Performance Standards,
 - (ii) 17.56, Density Computations,
 - (iii) 17.60, Manufactured/Mobile Home Regulations,
 - (iv) 17.64, Additional Yard Setback Requirements and Exceptions,
 - (v) 17.68, Building Height Limitations—Exceptions,
 - (vi) 17.72, Landscaping and Screening,
 - (vii) 17.76, Visual Clearance Areas,
 - (viii) 17.80, Off Street Parking and Loading Requirements,
 - (ix) 17.84, Access, Egress, and Circulation, and
 - (x) 17.88, Signs.
- (d) ~~Site development review, Chapter 17.96 SHMC.~~
- (e) ~~Development and administration chapters:~~
- (i) 17.100, Conditional Use,
 - (ii) 17.104, Nonconforming Situations,
 - (iii) 17.108, Variance,
 - (iv) 17.116, Temporary Uses,
 - (v) 17.120, Home Occupations,
 - (vi) 17.124, Accessory Structures, and
 - (vii) 17.132, Tree Removal.
- (f) ~~Land division chapters:~~
- (i) 17.136, Land Division—Subdivision,
 - (ii) 17.140, Land Division—Land Partitioning—Lot Line Adjustment,
 - (iii) 17.152, Street and Utility Improvement Standards, and
 - (iv) 17.144, Expedited Land Divisions.

[...]

17.32.080 Apartment Residential Zone – AR

[...]

- (5) Additional Requirements. All Chapters of the Development Code apply.
- (a) ~~Residential density transition, SHMC-17.56.040.~~
 - (b) ~~Overlay districts chapters:~~
 - (i) 17.148, Planned Development,
 - (ii) 17.36, Historic Sites and Overlay District,
 - (iii) 17.44, Sensitive Lands, and
 - (iv) 17.48, Solar Access Requirements.
 - (c) ~~Supplemental provisions chapters:~~
 - (i) 17.52, Environmental Performance Standards,
 - (ii) 17.56, Density Computations,
 - (iii) 17.60, Manufactured/Mobile Home Regulations,
 - (iv) 17.64, Additional Yard Setback Requirements and Exceptions,
 - (v) 17.68, Building Height Limitations—Exceptions,
 - (vi) 17.72, Landscaping and Screening,
 - (vii) 17.76, Visual Clearance Areas,

- (viii) ~~17.80, Off-Street Parking and Loading Requirements,~~
- (ix) ~~17.84, Access, Egress, and Circulation, and~~
- (x) ~~17.88, Signs.~~
- (d) ~~Site development review, Chapter 17.96 SHMC.~~
- (e) ~~Development and administration chapters:~~
 - (i) ~~17.100, Conditional Use,~~
 - (ii) ~~17.104, Nonconforming Situations,~~
 - (iii) ~~17.108, Variance,~~
 - (iv) ~~17.116, Temporary Uses,~~
 - (v) ~~17.120, Home Occupations,~~
 - (vi) ~~17.124, Accessory Structures, and~~
 - (vii) ~~17.132, Tree Removal.~~
- (f) ~~Land division chapters:~~
 - (i) ~~17.136, Land Division—Subdivision,~~
 - (ii) ~~17.140, Land Division—Land Partitioning—Lot Line Adjustment,~~
 - (iii) ~~17.152, Street and Utility Improvement Standards, and~~
 - (iv) ~~17.144, Expedited Land Divisions.~~

[...]

17.32.090 Mobile Home Residential Zone – MHR

[...]

- (5) Additional Requirements. All Chapters of the Development Code apply.
 - (a) ~~Residential density transition, SHMC-17.56.040.~~
 - (b) ~~Overlay districts chapters:~~
 - (i) ~~17.148, Planned Development,~~
 - (ii) ~~17.36, Historic Sites and Overlay District,~~
 - (iii) ~~17.44, Sensitive Lands, and~~
 - (iv) ~~17.48, Solar Access Requirements.~~
 - (c) ~~Supplemental provisions chapters:~~
 - (i) ~~17.52, Environmental Performance Standards,~~
 - (ii) ~~17.56, Density Computations,~~
 - (iii) ~~17.60, Manufactured/Mobile Home Regulations,~~
 - (iv) ~~17.64, Additional Yard Setback Requirements and Exceptions,~~
 - (v) ~~17.68, Building Height Limitations—Exceptions,~~
 - (vi) ~~17.72, Landscaping and Screening,~~
 - (vii) ~~17.76, Visual Clearance Areas,~~
 - (viii) ~~17.80, Off-Street Parking and Loading Requirements,~~
 - (ix) ~~17.84, Access, Egress, and Circulation, and~~
 - (x) ~~17.88, Signs.~~
 - (d) ~~Site development review, Chapter 17.96 SHMC.~~
 - (e) ~~Development and administration chapters:~~
 - (i) ~~17.100, Conditional Use,~~
 - (ii) ~~17.104, Nonconforming Situations,~~

- (iii) ~~17.108, Variance,~~
- (iv) ~~17.116, Temporary Uses,~~
- (v) ~~17.120, Home Occupations,~~
- (vi) ~~17.124, Accessory Structures, and~~
- (vii) ~~17.132, Tree Removal.~~
- (f) ~~Land division chapters:~~
 - (i) ~~17.136, Land Division – Subdivision,~~
 - (ii) ~~17.140, Land Division – Land Partitioning – Lot Line Adjustment,~~
 - (iii) ~~17.152, Street and Utility Improvement Standards, and~~
 - (iv) ~~17.144, Expedited Land Divisions.~~

[...]

17.32.095 Mixed Use Zone – MU

[...]

(2) **Uses Permitted Outright.** In an MU zone, the following uses are permitted outright subject to the provisions of this code and especially the chapter on site development review (Chapter 17.96 SHMC):

- (a) Animal sales and services: grooming, kennels, retail and veterinary (small animals).
- ~~(a)~~ (b) Car washes.
- ~~(b)~~ (c) Congregate housing.

[editor's note – re-lettering to continue through list of permitted uses]

[...]

(3) **Conditional Uses.** In the MU zone, the following conditional uses may be permitted upon application, subject to provision of Chapter 17.100 SHMC and other relevant sections of this code:

- (a) Auxiliary dwelling units.
- (b) Amusement services.
- ~~(c) Animal sales and services, grooming, kennels, and veterinary (small animals).~~
- ~~(d)~~ (c) Bar.
- ~~(e)~~ (d) Bed and breakfast facilities, homestay, and boarding house.

[editor's note – re-lettering to continue through list of conditional uses]

[...]

(5) **Additional Requirements.** All Chapters of the Development Code apply.

- ~~(a) Residential density transition, SHMC 17.56.040.~~
- ~~(b) Overlay districts chapters:~~
 - (i) ~~17.148, Planned Development,~~
 - (ii) ~~17.36, Historic Sites and Overlay District,~~

- (iii) ~~17.44, Sensitive Lands, and~~
- (iv) ~~17.48, Solar Access Requirements.~~
- (c) ~~Supplemental provisions chapters:~~
 - (i) ~~17.52, Environmental Performance Standards,~~
 - (ii) ~~17.56, Density Computations,~~
 - (iii) ~~17.60, Manufactured/Mobile Home Regulations,~~
 - (iv) ~~17.64, Additional Yard Setback Requirements and Exceptions,~~
 - (v) ~~17.68, Building Height Limitations—Exceptions,~~
 - (vi) ~~17.72, Landscaping and Screening,~~
 - (vii) ~~17.76, Visual Clearance Areas,~~
 - (viii) ~~17.80, Off-Street Parking and Loading Requirements,~~
 - (ix) ~~17.84, Access, Egress, and Circulation, and~~
 - (x) ~~17.88, Signs.~~
- (d) ~~Site development review, Chapter 17.96 SHMC.~~
- (e) ~~Development and administration chapters:~~
 - (i) ~~17.100, Conditional Use,~~
 - (ii) ~~17.104, Nonconforming Situations,~~
 - (iii) ~~17.108, Variance,~~
 - (iv) ~~17.116, Temporary Uses,~~
 - (v) ~~17.120, Home Occupations,~~
 - (vi) ~~17.124, Accessory Structures, and~~
 - (vii) ~~17.132, Tree Removal.~~
- (f) ~~Land division chapters:~~
 - (i) ~~17.136, Land Division—Subdivision,~~
 - (ii) ~~17.140, Land Division—Land Partitioning—Lot Line Adjustment,~~
 - (iii) ~~17.152, Street and Utility Improvement Standards, and~~
 - (iv) ~~17.144, Expedited Land Divisions.~~

[...]

17.32.100 Highway Commercial – HC

[...]

(2) Uses Permitted Outright. In an HC zone, the following uses are permitted outright subject to the provisions of this code and in particular the chapter on site development review (Chapter 17.96 SHMC):

(a) Animal sales and services: grooming, kennels, retail, veterinary (small animals), and veterinary (large animals).

~~(a)~~ (b) Boat, trailer and recreational vehicle equipment sales, service and repair.

~~(b)~~ (c) Building supply firms that conduct business completely within an enclosed building except for outdoor storage.

[editor's note – re-lettering to continue through list of permitted uses]

[...]

(3) Conditional Uses. In the HC zone, the following conditional uses may be permitted upon application, subject to provision of Chapter 17.100 SHMC and other relevant sections of this code:

- (a) Amusement services.
- ~~(b) Animal sales and services, grooming, kennels, and veterinary (small animals).~~
- ~~(c) (b) Dry cleaners and laundromats.~~
- ~~(d) (c) Dwelling units above outright permitted uses.~~

[editor's note – re-lettering to continue through list of conditional uses]

[...]

(5) Additional Requirements. All Chapters of the Development Code apply.

- ~~(a) Residential density transition, SHMC-17.56.040.~~
- ~~(b) Overlay districts chapters:
 - (i) 17.148, Planned Development,
 - (ii) 17.36, Historic Sites and Overlay District,
 - (iii) 17.44, Sensitive Lands, and~~
- ~~(c) Supplemental provisions chapters:
 - (i) 17.52, Environmental Performance Standards,
 - (ii) 17.56, Density Computations,
 - (iii) 17.60, Manufactured/Mobile Home Regulations,
 - (iv) 17.64, Additional Yard Setback Requirements and Exceptions,
 - (v) 17.68, Building Height Limitations—Exceptions,
 - (vi) 17.72, Landscaping and Screening,
 - (vii) 17.76, Visual Clearance Areas,
 - (viii) 17.80, Off Street Parking and Loading Requirements,
 - (ix) 17.84, Access, Egress, and Circulation, and
 - (x) 17.88, Signs.~~
- ~~(d) Site development review, Chapter 17.96 SHMC.~~
- ~~(e) Development and administration chapters:
 - (i) 17.100, Conditional Use,
 - (ii) 17.104, Nonconforming Situations,
 - (iii) 17.108, Variance,
 - (iv) 17.116, Temporary Uses,
 - (v) 17.120, Home Occupations,
 - (vi) 17.124, Accessory Structures, and
 - (vii) 17.132, Tree Removal.~~
- ~~(f) Land division chapters:
 - (i) 17.136, Land Division—Subdivision,
 - (ii) 17.140, Land Division—Land Partitioning—Lot Line Adjustment,
 - (iii) 17.152, Street and Utility Improvement Standards, and
 - (iv) 17.144, Expedited Land Divisions.~~

[...]

17.32.110 General Commercial – GC

[...]

(2) Uses Permitted Outright. In a GC zone, the following uses are permitted outright subject to the provisions of this code and especially the chapter on site development review (Chapter 17.96 SHMC):

(a) Animal sales and services: grooming, kennels, retail, veterinary (small animals), and veterinary (large animals).

~~(a)~~ (b) Car washes.

~~(b)~~ (c) Cultural and library services.

[editor's note – re-lettering to continue through list of permitted uses]

[...]

(3) Conditional Uses. In the GC zone, the following conditional uses may be permitted upon application, subject to provision of Chapter 17.100 SHMC and other relevant sections of this code:

(a) Amusement services.

~~(b) Animal sales and services, grooming, kennels, and veterinary (small animals).~~

~~(e)~~ (b) Bar.

~~(d)~~ (c) Bed and breakfast facilities, homestay, and boarding house.

[editor's note – re-lettering to continue through list of conditional uses]

[...]

(5) ~~Additional Requirements.~~ All Chapters of the Development Code apply.

~~(a) Residential density transition, SHMC 17.56.040.~~

~~(b) Overlay districts chapters:~~

~~(i) 17.148, Planned Development,~~

~~(ii) 17.36, Historic Sites and Overlay District,~~

~~(iii) 17.44, Sensitive Lands, and~~

~~(c) Supplemental provisions chapters:~~

~~(i) 17.52, Environmental Performance Standards,~~

~~(ii) 17.56, Density Computations,~~

~~(iii) 17.60, Manufactured/Mobile Home Regulations,~~

~~(iv) 17.64, Additional Yard Setback Requirements and Exceptions,~~

~~(v) 17.68, Building Height Limitations—Exceptions,~~

~~(vi) 17.72, Landscaping and Screening,~~

~~(vii) 17.76, Visual Clearance Areas,~~

~~(viii) 17.80, Off Street Parking and Loading Requirements,~~

~~(ix) 17.84, Access, Egress, and Circulation, and~~

~~(x) 17.88, Signs.~~

- (d) ~~Site development review, Chapter 17.96 SHMC.~~
- (e) ~~Development and administration chapters:~~
 - (i) ~~17.100, Conditional Use,~~
 - (ii) ~~17.104, Nonconforming Situations,~~
 - (iii) ~~17.108, Variance,~~
 - (iv) ~~17.116, Temporary Uses,~~
 - (v) ~~17.120, Home Occupations,~~
 - (vi) ~~17.124, Accessory Structures, and~~
 - (vii) ~~17.132, Tree Removal.~~
- (f) ~~Land division chapters:~~
 - (i) ~~17.136, Land Division — Subdivision,~~
 - (ii) ~~17.140, Land Division — Land Partitioning — Lot Line Adjustment,~~
 - (iii) ~~17.152, Street and Utility Improvement Standards, and~~
 - (iv) ~~17.144, Expedited Land Divisions.~~

[...]

~~17.32.120 Marine Commercial — MC~~

(1) ~~Purpose.~~ The MC zone is intended to encourage a wide range of water-related activities both commercial and residential.

(2) ~~Uses Permitted Outright.~~ In the MC zone the following uses are permitted outright subject to the provisions of this code and especially the site development review chapter (~~Chapter 17.96 SHMC~~):

- (a) ~~Boathouses.~~
- (b) ~~Boat launching or moorage facilities and marine boat charter services.~~
- (c) ~~Boat or marine equipment sales, service, storage, rental, or repair (including gas for marine vehicle use).~~
- (d) ~~Dwellings located above permitted uses (use AR standards, except yard requirements, which are based on the use at ground level below the dwelling or dwellings).~~
- (e) ~~Eating and drinking establishments including carry out.~~
- (f) ~~Home occupation in dwelling unit (per Chapter 17.120 SHMC).~~
- (g) ~~Hotels and motels.~~
- (h) ~~Houseboats.~~
- (i) ~~Parking lots.~~
- (j) ~~Public facility, minor.~~
- (k) ~~Public parks and public recreational facilities.~~
- (l) ~~Retail sale of sporting goods, groceries, and similar commodities required by marine recreationists.~~
- (m) ~~Retail sale of handiwork and tourist goods.~~
- (n) ~~Marine related club facility.~~

(3) ~~Conditional Uses.~~ In the MC zone the following uses may be permitted upon approval subject to the provisions of this code, especially those in Chapter 17.100 SHMC for conditional uses:

- (a) ~~Commercial amusement and recreational facilities.~~
- (b) ~~Multidwelling units (must comply with AR standards and other applicable sections of~~

this code).

- (c) Private parks.
- (d) Public facilities, major.
- (e) Travel trailer parks.

(4) Standards. In the MC zone the following standards shall apply:

(a) The maximum building height shall be determined on a case by case basis (see SHMC 17.68.040).

(b) Outdoor storage abutting or facing a lot in a residential zone shall comply with Chapter 17.72-SHMC.

(c) The maximum lot coverage including all impervious surfaces shall be 90 percent.

(d) The minimum landscaping shall be 10 percent of gross land area associated with the use.

(5) Additional Requirements.

(a) Residential density transition, SHMC 17.56.040.

(b) Overlay districts chapters:

- (i) 17.148, Planned Development,
- (ii) 17.36, Historic Sites and Overlay District,
- (iii) 17.44, Sensitive Lands, and
- (iv) 17.48, Solar Access Requirements.

(c) Supplemental provisions chapters:

- (i) 17.52, Environmental Performance Standards,
- (ii) 17.56, Density Computations,
- (iii) 17.60, Manufactured/Mobile Home Regulations,
- (iv) 17.64, Additional Yard Setback Requirements and Exceptions,
- (v) 17.68, Building Height Limitations—Exceptions,
- (vi) 17.72, Landscaping and Screening,
- (vii) 17.76, Visual Clearance Areas,
- (viii) 17.80, Off Street Parking and Loading Requirements,
- (ix) 17.84, Access, Egress, and Circulation, and
- (x) 17.88, Signs.

(d) Site development review, Chapter 17.96 SHMC.

(e) Development and administration chapters:

- (i) 17.100, Conditional Use,
- (ii) 17.104, Nonconforming Situations,
- (iii) 17.108, Variance,
- (iv) 17.116, Temporary Uses,
- (v) 17.120, Home Occupations,
- (vi) 17.124, Accessory Structures, and
- (vii) 17.132, Tree Removal.

(f) Land division chapters:

- (i) 17.136, Land Division—Subdivision,
- (ii) 17.140, Land Division—Land Partitioning—Lot Line Adjustment,
- (iii) 17.152, Street and Utility Improvement Standards, and
- (iv) 17.144, Expedited Land Divisions.

[...]

17.32.130 Light Industrial – LI

[...]

(2) Uses Permitted Outright. In the LI zone the following buildings and uses are permitted after compliance with the provisions of this section and others of this code:

(a) Agricultural supplies/sales, machinery sales and repairs but not slaughterhouses or tanneries.

(b) Animal sales and services: kennels, veterinary (small animals), and veterinary (large animals).

~~(b)~~ (c) Auction sales, services and repairs.

~~(e)~~ (d) Boat repairs.

[editor's note – re-lettering to continue through list of permitted uses]

[...]

(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.~~

~~(b)~~ (a) Bar.

~~(e)~~ (b) Child care facilities.

[editor's note – re-lettering to continue through list of conditional uses]

[...]

(4) Standards.

(a) The standards for the LI zone shall be determined by the proximity to residential zones and the anticipated off-site impacts. Further standards shall be in accordance with the following:

~~(a) Overlay districts chapters:~~

~~(i) 17.148, Planned Development,~~

~~(ii) 17.36, Historic Sites and Overlay District, and~~

~~(iii) 17.44, Sensitive Lands.~~

~~(b) Supplemental provisions chapters:~~

~~(i) 17.52, Environmental Performance Standards,~~

~~(ii) 17.56, Density Computations,~~

~~(iii) 17.60, Manufactured/Mobile Home Regulations,~~

~~(iv) 17.64, Additional Yard Setback Requirements and Exceptions,~~

~~(v) 17.68, Building Height Limitations—Exceptions,~~

~~(vi) 17.72, Landscaping and Screening,~~

~~(vii) 17.76, Visual Clearance Areas,~~

~~(viii) 17.80, Off-Street Parking and Loading Requirements,~~

~~(ix) 17.84, Access, Egress, and Circulation, and~~

- ~~(x) 17.88, Signs.~~
- ~~(c) Site development review, Chapter 17.96 SHMC.~~
- ~~(d) Development and administration chapters:

 - ~~(i) 17.100, Conditional Use,~~
 - ~~(ii) 17.104, Nonconforming Situations,~~
 - ~~(iii) 17.108, Variance,~~
 - ~~(iv) 17.116, Temporary Uses,~~
 - ~~(v) 17.120, Home Occupations,~~
 - ~~(vi) 17.124, Accessory Structures, and~~
 - ~~(vii) 17.132, Tree Removal.~~~~
- ~~(e) Land division chapters:

 - ~~(i) 17.136, Land Division — Subdivision,~~
 - ~~(ii) 17.140, Land Division — Land Partitioning — Lot Line Adjustment,~~
 - ~~(iii) 17.152, Street and Utility Improvement Standards, and~~
 - ~~(iv) 17.144, Expedited Land Divisions.~~~~
- ~~(f) (b) The maximum height within 100 feet of any residential zone shall be 35 feet.~~
- (5) All Chapters of the Development Code apply.

[...]

17.32.140 Heavy Industrial – HI

[...]

(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.

(f) The maximum height within 100 feet of any residential zone shall be 35 feet.

(5) Additional Requirements. All Chapters of the Development Code apply.

~~(a) Overlay districts chapters:~~

- ~~(i) 17.148, Planned Development,~~
- ~~(ii) 17.36, Historic Sites and Overlay District, and~~
- ~~(iii) 17.44, Sensitive Lands.~~

~~(b) Supplemental provisions chapters:~~

- ~~(i) 17.52, Environmental Performance Standards,~~
- ~~(ii) 17.56, Density Computations,~~
- ~~(iii) 17.60, Manufactured/Mobile Home Regulations,~~
- ~~(iv) 17.64, Additional Yard Setback Requirements and Exceptions,~~
- ~~(v) 17.68, Building Height Limitations—Exceptions,~~
- ~~(vi) 17.72, Landscaping and Screening,~~
- ~~(vii) 17.76, Visual Clearance Areas,~~
- ~~(viii) 17.80, Off-Street Parking and Loading Requirements,~~
- ~~(ix) 17.84, Access, Egress, and Circulation, and~~
- ~~(x) 17.88, Signs.~~

~~(c) Site development review, Chapter 17.96 SHMC.~~

~~(d) Development and administration chapters:~~

- ~~(i) 17.100, Conditional Use,~~
- ~~(ii) 17.104, Nonconforming Situations,~~
- ~~(iii) 17.108, Variance,~~
- ~~(iv) 17.116, Temporary Uses,~~
- ~~(v) 17.120, Home Occupations,~~
- ~~(vi) 17.124, Accessory Structures, and~~
- ~~(vii) 17.132, Tree Removal.~~

~~(e) Land division chapters:~~

- ~~(i) 17.136, Land Division—Subdivision,~~
- ~~(ii) 17.140, Land Division—Land Partitioning—Lot Line Adjustment,~~
- ~~(iii) 17.152, Street and Utility Improvement Standards, and~~
- ~~(iv) 17.144, Expedited Land Divisions.~~

~~(f) The maximum height within 100 feet of any residential zone shall be 35 feet.~~

[...]

17.32.150 Public Lands – PL

[...]

(5) Additional Requirements. All Chapters of the Development Code apply.

~~(a) Overlay districts chapters:~~

- ~~(i) 17.148, Planned Development,~~
- ~~(ii) 17.36, Historic Sites and Overlay District, and~~
- ~~(iii) 17.44, Sensitive Lands.~~

~~(b) Supplemental provisions chapters:~~

- (i) 17.52, Environmental Performance Standards,
 - (ii) 17.56, Density Computations,
 - (iii) 17.60, Manufactured/Mobile Home Regulations,
 - (iv) 17.64, Additional Yard Setback Requirements and Exceptions,
 - (v) 17.68, Building Height Limitations—Exceptions,
 - (vi) 17.72, Landscaping and Screening,
 - (vii) 17.76, Visual Clearance Areas,
 - (viii) 17.80, Off Street Parking and Loading Requirements,
 - (ix) 17.84, Access, Egress, and Circulation, and
 - (x) 17.88, Signs.
- (c) ~~Site development review, Chapter 17.96 SHMC.~~
- (d) ~~Development and administration chapters:~~
- (i) 17.100, Conditional Use,
 - (ii) 17.104, Nonconforming Situations,
 - (iii) 17.108, Variance,
 - (iv) 17.116, Temporary Uses,
 - (v) 17.120, Home Occupations,
 - (vi) 17.124, Accessory Structures, and
 - (vii) 17.132, Tree Removal.
- (e) ~~Land division chapters:~~
- (i) 17.136, Land Division—Subdivision,
 - (ii) 17.140, Land Division—Land Partitioning—Lot Line Adjustment,
 - (iii) 17.152, Street and Utility Improvement Standards, and
 - (iv) 17.144, Expedited Land Divisions.

[...]

17.32.170 Riverfront District – RD.

The Riverfront District represents the lands along the St. Helens waterfront that are not designated principally as industrial or residential. These lands provide a mix of uses and generally have greater public access and interaction with the Columbia River or Multnomah Channel. The Riverfront District is divided into sub-districts as follows and as depicted by Ordinance No. 3215, Attachment C:

<u>Marina</u>	<u>RD, Marina</u>	<u>SHMC 17.32.171</u>
<u>Plaza</u>	<u>RD, Plaza</u>	<u>SHMC 17.32.172</u>
<u>Mill</u>	<u>RD, Mill</u>	<u>SHMC 17.32.173</u>

17.32.171 Riverfront District – RD, Marina.

(1) Purpose. The Marina sub-district is intended to encourage a wide range of water-related activities both commercial and residential. This is the northernmost area of the Riverfront District and an area historically occupied by marinas and related uses.

(2) Uses Permitted Outright. In the Marina sub-district the following uses are permitted outright subject to the provisions of this code and especially the site development review chapter (Chapter 17.96 SHMC):

- (a) Boathouses.
- (b) Boat launching or moorage facilities and marine boat charter services.
- (c) Boat or marine equipment sales, service, storage, rental, or repair (including gas for marine vehicle use).
- (d) Dwellings located above permitted uses (use AR standards, except yard requirements, which are based on the use at ground level below the dwelling or dwellings).
- (e) Eating and drinking establishments including carry-out.
- (f) Home occupation in dwelling unit (per Chapter 17.120 SHMC).
- (g) Hotels and motels.
- (h) Houseboats.
- (i) Parking lots.
- (j) Public facility, minor.
- (k) Public parks and public recreational facilities.
- (l) Retail sale of sporting goods, groceries, and similar commodities required by marine recreationists.
- (m) Retail sale of handicraft and tourist goods.
- (n) Marine-related club facility.

(3) Conditional Uses. In the Marina sub-district the following uses may be permitted upon approval subject to the provisions of this code, especially those in Chapter 17.100 SHMC for conditional uses:

- (a) Commercial amusement and recreational facilities.
- (b) Multidwelling units (must comply with AR standards and other applicable sections of this code).
- (c) Private parks.
- (d) Public facilities, major.
- (e) Travel trailer parks.

(4) Standards. In the Marina sub-district the following standards shall apply:

- (a) The maximum building height shall be determined on a case by case basis (also see SHMC 17.68.040).
- (b) Outdoor storage abutting or facing a lot in a residential zone shall comply with Chapter 17.72 SHMC.
- (c) The maximum lot coverage including all impervious surfaces shall be 90 percent.
- (d) The minimum landscaping shall be 10 percent of gross land area associated with the use.

(5) All chapters of the Development Code apply except as modified herein.

17.32.172 Riverfront District – RD, Plaza.

(1) Purposes. The ~~RD zone~~ Plaza sub-district is intended to provide an innovative and

flexible zoning category that may be used to implement the St. Helens comprehensive plan economic goals and policies and the strategic plan goals and policies for economic development. The strategy is to provide opportunities for traditional neighborhood design and mixed residential and commercial uses in redeveloping riverfront district areas. The ~~RD-zone~~ Plaza sub-district is designed to preserve and revitalize older developed areas, by eliminating nonconformities, providing for more mixed use development in individual buildings, and other more flexible development regulations which acknowledge the developed nature of the properties involved. The ~~RD-zone~~ Plaza sub-district also allows for the establishment of special design and aesthetic standards for development, consistent with a community plan for redevelopment, preservation, and conservation. The location for the establishment of this ~~riverfront sub-district zone~~ shall be targeted for existing developed areas, such as the existing commercial downtown, which could benefit from revitalization in the form of specific long-range planning, mixed uses and innovative development options and community improvement programs. ~~The land use designations absorbed by the RD-zone include general commercial (GC), mixed use (MU), apartment residential (AR), and public lands (PL).~~ This area is the commercial core of historic St. Helens.

(2) Uses Permitted Outright. In the ~~RD-zone~~ Plaza sub-district, the following uses are permitted outright, subject to the modifications to development standards and conditions as specified herein and all other applicable provisions of this code as noted under additional requirements:

(a) Historic residential structures with or without any auxiliary dwelling unit per Chapter 17.128 SHMC.

(b) Residential Above Nonresidential Permitted Uses.

(i) Dwelling, single-family.

(ii) Dwelling, duplex.

(iii) Dwelling, townhouse.

(iv) Dwelling, multifamily.

(v) Other residential uses as per ORS Chapter 443.

(c) Public and institutional uses.

(d) Amphitheater public uses.

(e) Historical and cultural facilities and exhibits.

(f) Education and research facilities.

(g) Library services.

(h) Government administrative facilities/offices.

(i) Lodge, fraternal and civic assembly.

(j) Parking lots, public.

(k) Public facilities, minor.

(l) Public facilities, major.

(m) Public or private park.

(n) Public or private recreation facilities.

(o) Public or private schools/colleges.

(p) Public safety and support facilities.

(q) Artisan workshops.

(r) Art studios, galleries.

(s) Amusement services.

- (t) Bars.
- (u) Bed and breakfast facilities.
- (v) Business and personal services, such as barber shops, beauty shops, tailors, laundries, printing, and locksmiths.
- (w) Eating and drinking establishments – all (e.g., restaurant, diner, coffee shop).
- (x) Offices – all (e.g., medical, business or professional).
- (y) Financial institutions.
- (z) Hardware stores, without outdoor storage.
- (aa) Health and fitness clubs.
- (bb) Hotels or motels.
- (cc) Kiosks.
- ~~(dd) Pawn shops.~~
- ~~(ee) (dd) Pet shop and supplies.~~ Animal sales and services: grooming, and retail.
- ~~(ff) (ee) Repair and maintenance facilities/shops for permitted retail products.~~
- ~~(gg) (ff) Rental centers.~~
- ~~(hh) (gg) Residential storage facilities (in conjunction with three or more dwelling units).~~
- ~~(ii) (hh) Retail sales establishments—all.~~
- ~~(jj) (ii) Small equipment sales, rental and repairs facilities/shops, without outside storage.~~
- ~~(kk) (jj) Theaters, indoors.~~
- ~~(ll) (kk) Trade and skilled services without outdoor storage, such as plumbing, HVAC, electrical, and paint sales/services facilities/shops.~~
- ~~(mm) (ll) Type I and II home occupation in dwelling unit above nonresidential permitted uses.~~
- ~~(nn) Used product retail (e.g., antique dealers, secondhand dealers, flea markets).~~
- ~~(oo) Veterinary medical services, without outdoor facilities for animal housing.~~
- ~~(pp) (mm) Transient housing.~~
- ~~(qq) (nn) Watercraft sales, rental, charters, without outdoor storage.~~

(3) Conditional Uses. In the ~~RD zone~~ Plaza sub-district, the following conditional uses may be permitted upon application, subject to provision of Chapter 17.100 SHMC and other relevant sections of this code:

- (a) Animal sales and services: veterinary (small animals).
- ~~(a) (b) Auction sales, services and repairs.~~
- ~~(b) (c) Broadcast facilities without dishes over 36 inches or transmitter/receiver towers.~~
- ~~(c) (d) Bus and train stations/terminals.~~
- ~~(d) (e) Business with outdoor storage (those businesses permitted in permitted uses).~~
- ~~(e) (f) Child care facility/day nursery.~~
- ~~(f) Drive up businesses and services (including those associated with food sales, pharmacies and such).~~
- ~~(g) Funeral homes.~~
- ~~(h) (g) Hospitals, clinics, nursing homes, and convalescent homes.~~
- ~~(i) (h) Laundromats and dry cleaners.~~
- ~~(j) (i) Marijuana retailer and/or medical marijuana dispensary.~~
- ~~(k) (j) Religious assembly excluding cemeteries.~~
- ~~(l) (k) Parking lots/facilities, private.~~

(l) Pawn Shop.

(4) Standards Applicable to All Uses. In the ~~RD zone~~ Plaza sub-district, the following standards and special conditions shall apply and shall take precedence over any conflicting standards listed in this code:

(a) The maximum building height shall be 45 feet. Building height limitations of SHMC 17.68.040, Building height criteria for scenic resources, do not apply to ~~properties zoned RD~~.

(b) The maximum lot coverage including all impervious surfaces shall be 90 percent; provided, however, for new construction or existing legally constructed buildings seeking new or revised development approvals, lot coverage may be increased up to 100 percent by payment of a lot coverage fee established by resolution of the city council. The lot coverage fee shall be deposited into the riverfront district community capital improvement account to offset loss of landscaping in the RD zone.

(c) There is no minimum of lot size requirement.

(d) No minimum setback requirements applicable to all uses except for as required in Chapter 17.64 SHMC.

(e) The maximum front yard setback shall be zero feet. The maximum setback may be increased with the condition that 100 percent of the increased setback is used for pedestrian amenities with the building use, such as patio dining for restaurant, sidewalk cafe, plaza, or courtyard.

(f) Interior or Side Yard Setbacks. New buildings containing any nonresidential use abutting residential districts require one foot of setback for each foot of building wall height on the side abutting the residential zone, with a minimum setback of 10 feet. For yards abutting other nonresidential districts, no setback is required, subject to building code requirements. Note: Where the ~~RD zone~~ Plaza sub-district abuts a residential zone and the uses are more than 30 feet above the proposed commercial use, then the height of the topography counts as part of the setback, e.g., 35-foot bluff behind a commercial building is same as 35-foot setback on that side.

(g) Rear Yard Setbacks. New buildings containing nonresidential uses abutting residential districts require one foot of setback for each foot of building wall height with a minimum setback of 10 feet (see above note). For yards abutting other nonresidential districts, no rear setback is required, subject to building code requirements.

(h) The minimum lot width at the street and building line shall be 20 feet.

(i) The minimum lot depth shall be 50 feet.

(j) Minimum open space shall be 10 percent, except when the lot coverage fee is paid as per subsection (4)(b) of this section.

(k) No maximum building size.

(l) No additional or new on-site parking is required for sites with existing development footprint coverage in excess of 50 percent of the site area (change of use or remodeling without a change to the existing footprint of existing development are also exempt).

(m) Except for subsection (4)(l) of this section, new development shall meet required on-site parking requirements with credit, on one-for-one basis of parking spaces in rights-of-way abutting the site. On-street parking (in rights-of-way) shall be based upon parallel parking, or existing; fractions do not count. Moreover, parking standards shall be for normal sized vehicles, for the purpose of the parking credit.

(n) New development can buy out of on-site parking requirements by paying into the RD community capital improvement account (a fund shall be designated for future RD located parking facilities) in an amount set by city council in a resolution.

(5) Special Conditions Permitted and Conditional Uses.

~~(a) All new construction and any changes to the exterior of structures within this district shall maintain the character of the existing buildings so that the heritage character remains (e.g., new age architecture would not fit the heritage character while the lap siding look or brick look with cornices and old style windows and doors should fit the character of the area).~~

~~(b)~~ (a) Residential Uses.

(i) Except for historic residential structures (listed in city's comprehensive plan and/or registered and recognized by the state or federal government), residential use is prohibited on the first floor of any building in the ~~RD-zone~~ Plaza sub-district.

(ii) There is no minimum lot size requirement for residential use above permitted nonresidential uses.

(iii) Residential density above permitted uses shall be based on the standard of one dwelling unit for each full 500 interior square feet of non-residential use provided. Outdoor dining areas and similar permitted outdoor uses may only be included in the calculation when such areas are not located within a right-of-way.

~~(c)~~ (b) Outdoor storage of goods and materials must be screened.

~~(d)~~ (c) Outdoor display of goods and materials for retail establishments is permitted on private property in front of the retail establishment, provided such displays do not block safe ingress and egress from all entrances, including fire doors. In addition, outdoor display goods and materials shall be properly and safely stored inside during non-business hours. No outdoor display may block safe pedestrian or vehicular traffic. Outdoor displays shall not encroach in public rights-of-way, including streets, alleys or sidewalks, without express written permission of the city council.

~~(e)~~ (d) Kiosks may be allowed on public property, subject to the approval of a concession agreement with the city.

(6) Additional Requirements.

(a) Residential Density Transition. The residential density calculation and transition provisions of Chapter 17.56 SHMC shall not apply to the ~~RD-zone~~ Plaza sub-district for residential uses above permitted uses. Densities are determined for residential uses by the formula in subsection (5)~~(b)~~(a)(iii) of this section.

(b) Overlay District. Chapter 17.148 SHMC, Planned Development, shall not apply to the ~~RD-zone~~ Plaza sub-district.

(c) The visual clearance area requirements of Chapter 17.76 SHMC do not apply to the ~~RD-zone~~ Plaza sub-district.

(d) Chapter 17.40 SHMC, Wetland and Riparian Corridors, shall not apply to the Plaza sub-district. ~~The wetland and riparian corridor protective measures of Chapter 17.40 SHMC apply and are in full force and effect in the RD-zone except as modified herein:~~

~~(i) The provisions of this section control over the provisions of Chapter 17.40 SHMC.~~

~~(ii) Pursuant to SHMC 17.40.020(2), the director may waive the EA or statement requirements of the ordinance if the request is for a sensitive lands permit to place pedestrian paths, lighting fixtures or other amenities (such as public art), or other passive recreational~~

improvements on public land or on lands to be conveyed to a public entity.

(iii) The exemption in SHMC 17.40.035(1)(1) is clarified to specifically contemplate shoreline stabilization and hardening measures to protect state, city, county, or other publicly owned lands, or interests or lands or interests to be acquired by public entities. Such project may also include associated boardwalks or pedestrian paths or walks within the protection zone, provided said paths, boardwalks or walks utilize materials or are so constructed so as to reduce unnecessary impervious area.

(e) Chapter 17.44 SHMC, Sensitive Lands, applies to the RD zone, except as modified herein:

(i) The provisions of this section control over the provisions of Chapter 17.44 SHMC.

(ii) Pursuant to SHMC 17.40.020(2), the director may also waive the EA or statement requirements of the ordinance if the request is for a sensitive lands permit to place pedestrian paths, lighting fixtures or other amenities (such as public art), or other passive recreational improvements on public lands or on lands to be conveyed to a public entity.

(f) (e) Supplemental Provisions Chapters. These standards shall apply except as modified herein: All Chapters of the Development Code apply except as modified herein.

(i) Chapter 17.52 SHMC, Environmental Performance Standards;

(ii) Chapter 17.56 SHMC, Density Computations;

(iii) Chapter 17.60 SHMC, Manufactured/Mobile Home Regulations;

(iv) Chapter 17.64 SHMC, Additional Yard Setback Requirements and Exceptions;

(v) Chapter 17.68 SHMC, Building Height Limitations—Exceptions;

(vi) Chapter 17.72 SHMC, Landscaping and Screening;

(vii) Chapter 17.76 SHMC, Visual Clearance Areas;

(viii) Chapter 17.80 SHMC, Off Street Parking and Loading Requirements;

(ix) Chapter 17.84 SHMC, Access, Egress, and Circulation;

(x) Chapter 17.88 SHMC, Signs;

(xi) Chapter 17.96 SHMC, Site Development Review;

(xii) Chapter 17.100 SHMC, Conditional Use;

(xiii) Chapter 17.104 SHMC, Nonconforming Situations;

(xiv) Chapter 17.108 SHMC, Variance;

(xv) Chapter 17.116 SHMC, Temporary Uses;

(xvi) Chapter 17.120 SHMC, Home Occupations;

(xvii) Chapter 17.124 SHMC, Accessory Structures;

(xviii) Chapter 17.132 SHMC, Tree Removal;

(xix) Chapter 17.136 SHMC, Land Division—Subdivision;

(xx) Chapter 17.140 SHMC, Land Division—Land Partitioning—Lot Line

Adjustment;

(xxi) Chapter 17.144 SHMC, Expedited Land Divisions;

(xxii) Chapter 17.148 SHMC, Planned Development;

(xxiii) Chapter 17.152 SHMC, Street and Utility Improvement Standards;

(xxiv) Chapter 17.36 SHMC, Historic Sites and Overlay District.

(7) Architectural Character Review.

(a) In the ~~RD zone~~ Plaza sub-district, permanent exterior architectural changes to buildings (including new construction and signs) and freestanding signs that are not designated landmarks or historic resources of statewide significance as defined and otherwise governed by

Chapter 17.36 SHMC shall comply with the architectural design guidelines, attached to Ordinance No. 3164 as Attachment A, as amended, except:

- (i) For ordinary maintenance not requiring a building permit.
- (ii) Painting of buildings except when painting previously unpainted masonry or stone.

(b) The historic landmark commission as established by Chapter 17.36 SHMC shall advise the approving authority on the character of permanent exterior architectural changes to all buildings within the ~~RD zone~~ Plaza sub-district that are not designated landmarks or historic resources of statewide significance as defined and otherwise governed by Chapter 17.36 SHMC.

(c) The historic landmark commission shall make a recommendation to the approving authority as to whether the commission believes any proposed permanent exterior architectural changes to buildings, including new construction, per subsections (7)(a) and (b) of this section comply with the architectural design guidelines. Such recommendation shall be prior to any such applicable decision being made, including but not limited to limited land use decisions of the planning commission or director, and other authorizations of the director such as building permit approval.

17.32.173 Riverfront District – RD, Mill.

[editor's note – edits under the WROD per 17.32.180 below, go here]

[...]

17.32.1729 RD guidelines adopted.

(1) The city hereby adopts the architectural design guidelines for the ~~riverfront district~~ Plaza sub-district and Mill sub-district, attached to the ordinance codified in this section as Attachment A, as amended, and made part of this chapter by reference.

(2) The city hereby adopts the St. Helens Waterfront Framework Plan for the Mill sub-district, attached to the ordinance codified in this section as Attachment E, as amended, and made part of this chapter by reference.

17.32.17580 Houlton business district – HBD.

(1) Purposes. The HBD zone is intended to provide an innovative and flexible zoning category that may be used to implement the St. Helens comprehensive plan economic goals and policies and the strategic plan goals and policies for economic development. The strategy is to provide opportunities for traditional neighborhood design and mixed residential and commercial uses in the redeveloping Houlton area. The HBD zone is designed to preserve and revitalize older developed areas by eliminating certain nonconformities, providing for more mixed use development in individual buildings, and other more flexible development regulations which acknowledge the developed nature of the properties involved. The location for the establishment of the HBD zone shall be targeted for existing developed areas, such as the existing commercial uptown, which could benefit from revitalization in the form of specific long-range planning, mixed uses and innovative development options and community improvement programs. ~~The land use designations absorbed by the HBD zone include general commercial (GC) and mixed use (MU).~~ This is the commercial core of what was once a town known as Houlton that was

separate from St. Helens.

[...]

(2) Uses Permitted Outright. In the HBD zone, the following uses are permitted outright, subject to the modifications to development standards and conditions as specified herein and all other applicable provisions of this code as noted under additional requirements:

[...]

(e) Historical and cultural facilities and exhibits.

[...]

(ee) ~~Pet shop and supplies.~~ Animal sales and services: grooming, and retail.

[...]

~~(nn) Used product retail (e.g., antique dealers, secondhand dealers, flea markets).~~
~~(oo) Veterinary medical services, without outdoor facilities for animal housing.~~
~~(pp)~~ (nn) Transient housing.
~~(qq)~~ (oo) Watercraft sales, rental, charters, without outdoor storage.

[editor's note – re-lettering to continue through list of permitted uses]

[...]

(3) Conditional Uses. In the HBD zone, the following conditional uses may be permitted upon application, subject to provisions of Chapter 17.100 SHMC and other relevant sections of this code:

(a) Animal sales and services: veterinary (small animals).
~~(a)~~ (b) Auction sales, services and repairs.
~~(b)~~ (c) Broadcast facilities without dishes over 36 inches or transmitter/receiver towers

[editor's note – re-lettering to continue through list of conditional uses]

[...]

(6) Additional Requirements.

(a) Residential Density Transition. The residential density calculation and transition provisions of Chapter 17.56 SHMC shall not apply to the HBD zone for residential uses above permitted uses. Densities are determined for residential uses by the formula in subsection (5)(a) of this section.

(b) The visual clearance area requirements of Chapter 17.76 SHMC do not apply to the Houlton business district.

(c) Overlay district Chapter 17.148 SHMC, Planned Development, shall not apply to the HBD zone.

(d) ~~Supplemental Provisions Chapters. These standards shall apply except as modified herein.~~ All Chapters of the Development Code apply except as modified herein.

- ~~(i) Chapter 17.36 SHMC, Historic Sites and Overlay District;~~
- ~~(ii) Chapter 17.44 SHMC, Sensitive Lands;~~
- ~~(iii) Chapter 17.52 SHMC, Environmental Performance Standards;~~
- ~~(iv) Chapter 17.60 SHMC, Manufactured/Mobile Home Regulations;~~
- ~~(v) Chapter 17.64 SHMC, Additional Yard Setback Requirements and Exceptions;~~
- ~~(vi) Chapter 17.68 SHMC, Building Height Limitations—Exceptions;~~
- ~~(vii) Chapter 17.72 SHMC, Landscaping and Screening;~~
- ~~(viii) Chapter 17.80 SHMC, Off-Street Parking and Loading Requirements;~~
- ~~(ix) Chapter 17.84 SHMC, Access, Egress, and Circulation;~~
- ~~(x) Chapter 17.88 SHMC, Signs;~~
- ~~(xi) Chapter 17.96 SHMC, Site Development Review;~~
- ~~(xii) Chapter 17.100 SHMC, Conditional Use;~~
- ~~(xiii) Chapter 17.104 SHMC, Nonconforming Situations;~~
- ~~(xiv) Chapter 17.108 SHMC, Variance;~~
- ~~(xv) Chapter 17.116 SHMC, Temporary Uses;~~
- ~~(xvi) Chapter 17.120 SHMC, Home Occupations;~~
- ~~(xvii) Chapter 17.124 SHMC, Accessory Structures;~~
- ~~(xviii) Chapter 17.132 SHMC, Tree Removal;~~
- ~~(xix) Chapter 17.136 SHMC, Land Division—Subdivision;~~
- ~~(xx) Chapter 17.140 SHMC, Land Division—Land Partitioning—Lot Line~~

~~Adjustment;~~

- ~~(xxi) Chapter 17.144 SHMC, Expedited Land Divisions;~~
- ~~(xxii) Chapter 17.148 SHMC, Planned Development;~~
- ~~(xxiii) Chapter 17.152 SHMC, Street and Utility Improvement Standards.~~

[...]

17.32.180 Waterfront redevelopment overlay district—WROD.

[editor's note – edits under this WROD section, go to the new Mill sub-district under 17.32.173 above]

~~(1) Purpose. The waterfront redevelopment overlay district (WROD) is established to provide an alternative zoning and development option that may be used to implement the St. Helens comprehensive plan economic goals and policies, and the strategic plan goals and policies for economic development. The WROD allows for a traditional downtown neighborhood design including a horizontal and vertical mix of residential, commercial and limited industrial manufacturing uses, thereby providing for a variety of employment generating uses in close proximity to a mix of residential housing types. The WROD is available for use in existing underutilized industrial areas that are suitable for redevelopment. Appropriate locations for the establishment of the WROD include waterfront properties with an industrial designation. The WROD introduces a mix of commercial and residential uses into areas with industrial~~

~~designations while maintaining supplies of industrial-designated lands.~~

(1) Purpose. The Mill sub-district is to provide an alternative zoning and development option that may be used to allow for flexibility of possible land uses and standards while ensuring maximum public access along and to the waterfront to compliment other land uses that develop in the district. Development of this site is intended to provide a complimentary extension of the historic commercial core in use and form and facilitate transportation connections. This area was an important industrial site from the founding of St. Helens until the early part of the 21st century, when industrial development ceased with the Great Recession (2007-2009).

~~(2) Implementation. The provisions of the WROD can be implemented with an approved development agreement. A development agreement is a voluntarily negotiated agreement between the city and the property owner(s) consistent with ORS chapter 94 and any local implementing ordinance. The underlying zoning district and land use regulations of that zone remain in full force and effect unless and until the WROD is implemented with the approval of a development agreement. Upon such approval, the development agreement and WROD supersede the underlying zoning district and land use regulations normally applicable to development on the subject property.~~

~~Conversely, should the development agreement be terminated, revoked or otherwise become void prior to completion, the WROD is no longer in effect and the underlying zone and the land use regulations of that zone return. The following apply to development agreements pursuant to this section in addition to the requirements of ORS chapter 94, and other provisions of the city of St. Helens development code (SHMC Title 17), but is not intended to be an all-encompassing list, limiting the city's ability to set forth terms and conditions in the development agreement necessary to ensure the health, safety and welfare of its citizenry for said development:~~

~~(a) Development Plan. Development agreement shall include a development plan or plans that has/have been approved through a site development review and/or conditional use permit and that has/have been revised as necessary to comply with city standards and applicable conditions of approval. Applicant bears responsibility for the development plan(s).~~

~~(b) Legal Description. Development agreement shall include a legal description of the entire property subject to the agreement, which shall be prepared by a licensed surveyor. The legal description shall include the total area, all separately described parcels, easements, and other pertinent instruments or exceptions of record. Applicant bears responsibility for the legal description.~~

~~(c) Executed Title Certification. Development agreement shall include the names of the legal and equitable owner(s) of the property subject to the agreement and be signed by said legal and equitable owner(s). As such, an executed certification from an attorney or title company that the record title to the subject property is in the name of the person, persons, corporation or other entity entering into the agreement shall be submitted to the city. Applicant bears the responsibility for the executed title certification.~~

~~(d) Covenant of Unified Control. Development agreement shall include a covenant of unified control requiring all property subject to the agreement to be held under single (unified) ownership, which property shall not be transferred, conveyed, sold, or otherwise divided in any other unit other than its entirety. An executed covenant shall be recorded in the public records with the executed development agreement. Applicant bears the responsibility of the covenant of unified control. The covenant may provide for specified conveyances, including but not limited~~

to the following (but transfer of ownership of a portion of a property eligible for the WROD shall not occur without a completed land partition or subdivision):

(i) Conveyance of fully constructed lots or parcels, if any, to individual purchasers after approval of a final plat for the applicable lots or parcels when all applicable requirements contained in the agreement, including the timetable and special conditions, have been met.

(ii) If the development is designed and planned to be constructed in phases, conveyance of a phase, if the phase has complied with the applicable requirements contained in the agreement, including the timetable and special conditions. A phase may be conveyed separately, only after final plat approval for that phase.

(iii) Conveyance of other portions of the property, subject to the agreement, that will be used or maintained by governmental, environmental, charitable or other organizations or agencies for such purposes as the city council may deem appropriate after compliance with all applicable requirements of the agreement.

(e) ~~Timetable of Development.~~ Duration of the development agreement shall be consistent with the timetable of development, which is an exhibit of the agreement. The timetable of development shall include dates for individual or phased final plat approval(s) (if applicable), construction commencement, as well as phase and project completion. Applicant is responsible for submitting proposed timetable of development. The following provisions apply to the timetable of development:

(i) If not phased, development shall be completed within two years of approval of the agreement, including final plat approval (if applicable).

(ii) If phased, the actual construction time for any phase including final plat approval (if applicable) shall not exceed two years. No phase shall be completed out of order; each phase shall be completed consecutively.

(iii) Regardless of the number of proposed phases, no timetable for development shall exceed six years.

(iv) In the event an extension of the commencement date or completion date is sought, the amendment can be approved only if there is demonstrated compliance with all current laws and regulations.

(v) The deadlines as set forth in a development agreement are independent of and do not supersede those of the applicable land use applications (e.g., site development review, conditional use, land partition, and subdivision).

(vi) In the event the project has not complied with the construction commencement date, the development agreement shall cease to be effective and the development shall cease to be authorized.

(vii) Notwithstanding subsections (2)(e)(i) and (ii) of this section, one additional year may be added to each phase without modification to the development agreement provided the delay is a direct result of a government agency's, other than the city of St. Helens, review process, and clearly not a fault of the applicant.

(3) ~~Compliance with Other Standards.~~ All applicable regulations of the St. Helens Community Development Code (SHMC Title 17) and adopted engineering standards (SHMC Title 18) remain in full force and effect except as specifically modified in the applicable development agreement and WROD. In the case of a conflict with the requirements of this section, such conflicting requirements are superseded by those of this section and the approved development agreement to the extent of such conflict.

~~(4) Properties Eligible for the WROD. For a property to be eligible for the WROD, a legislative action pursuant to Chapter 17.20 SHMC, Procedures for Decision Making—Legislative, is required. The following properties are officially eligible for the WROD:~~

~~(a) Property identified as Tax Lot 100, Section 3, T4N—R1W, Willamette Meridian, Columbia County, Oregon (as of December 2008), said property being more particularly described and shown on the exhibit(s) of Ordinance No. 3107.~~

~~(5) (2) Uses Permitted Outright. The following uses are permitted outright, subject to all provisions of the SHMC including specifically the modifications to development standards and conditions specified in this section and the applicable approved development agreement. Moreover, the applicable provisions of Chapter 17.96 SHMC, Site Development Review, apply, except those modified by this chapter. Note: letters in parentheses [e.g., (a)] following the type of use refer to special conditions pursuant to subsection (9) of this section.~~

- ~~(a) Residential (a).~~
 - ~~(i) Single dwelling units, attached (five units maximum together).~~
 - ~~(ii) Multidwelling units.~~
- ~~(b) Residential above Nonresidential Permitted Uses (a).~~
 - ~~(i) Dwelling, single family.~~
 - ~~(ii) Congregate care facility.~~
 - ~~(iii) Single dwelling units, attached (five units maximum together).~~
 - ~~(iv) Multidwelling units.~~
 - ~~(v) Residential care facility.~~
 - ~~(vi) Timeshare.~~
- ~~(c) Public and Institutional Uses (b)-(e).~~
 - ~~(i) Amphitheater public uses.~~
 - ~~(ii) Historical and cultural facilities and exhibits.~~
 - ~~(iii) Education and research facilities.~~
 - ~~(iv) Library services.~~
 - ~~(v) Government administrative/office.~~
 - ~~(vi) Lodge, fraternal and civic assembly.~~
 - ~~(vii) Parking lots, public.~~
 - ~~(viii) Public facility, minor.~~
 - ~~(ix) Public facility, major.~~
 - ~~(x) Public or private park.~~
 - ~~(xi) Public or private recreation facilities.~~
 - ~~(xii) Public or private school/college.~~
 - ~~(xiii) Public safety and support facilities.~~
- ~~(d) Manufacturing (b)-(e).~~
 - ~~(i) Artisan workshop.~~
 - ~~(ii) Art studios, galleries.~~
 - ~~(iii) Laboratories and research facilities.~~
- ~~(e) Commercial (b)-(e).~~
 - ~~(i) Amusement services.~~
 - ~~(ii) Animal sales and services, without outdoor kennels; grooming, and retail.~~
 - ~~(iii) Medical facilities such as clinics, out-patient services, health care facility, etc.~~

- (iv) Bed and breakfast facilities.
- (v) Business and personal services, such as barber shops, beauty shops, tailors, laundries, printing, and locksmiths.
- (vi) Eating and drinking establishments – all (e.g., restaurant, diner, coffee shop).
- (vii) Financial institutions.
- (viii) Offices – all (e.g., medical, business or professional).
- (ix) Hardware store, without outdoor storage.
- (x) Health and fitness club.
- (xi) Hotels or motels.
- (xii) Kiosks ~~(d)~~.
- (xiii) Parking lots, ~~commercial~~ public.
- ~~(xiv) Pawn shop.~~
- ~~(xv) Pet shop/supplies.~~
- ~~(xvi)~~ (xiv) Plumbing, HVAC, electrical and paint sales and services, without outdoor storage.
- ~~(xvii)~~ (xv) Repair and maintenance of permitted retail products.
- ~~(xviii)~~ (xvi) Rental center.
- ~~(xix)~~ (xvii) Residential storage facility (in conjunction with three or more dwelling units).
- ~~(xx)~~ (xviii) Retail sales establishments—all.
- ~~(xxi)~~ (xix) Small equipment sales, rental and repairs, without outside storage.
- ~~(xxii)~~ (xx) Theaters, indoors.
- ~~(xxiii)~~ (xxi) Trade and skilled services.
- ~~(xxiv)~~ (xxii) Type I and II home occupation (per Chapter 17.120 SHMC).
- ~~(xxv)~~ (xxiii) Used product retail (e.g., antique dealer, secondhand dealer, and flea market).
- ~~(xxvi)~~ (xxiv) Veterinary medical services (with no kennel).
- (f) Marine Commercial ~~(b)~~ ~~(e)~~ ~~(d)~~.
 - (i) Houseboat(s), also known as floating homes.
 - (ii) Boathouse(s).
 - (iii) Boat launching, moorage facilities and marine boat charter services.
 - (iv) Boat or marine equipment sales, service, storage, rental or repair.
 - ~~(v) Retail sale of handiwork and tourist goods.~~
 - ~~(vi)~~ (v) Watercraft sales, rental, charters, without outdoor storage.
 - ~~(vii)~~ (vi) Bait and tackle shops.
 - ~~(viii)~~ (vii) Accessory marine related uses.
 - ~~(ix)~~ (viii) Marina.
 - ~~(x)~~ (ix) Docks.

~~(6)~~ (3) ~~In the WROD, T~~he following conditional uses may be permitted upon application, subject to the provisions of Chapter 17.100 SHMC, Conditional Use, and other relevant sections of this code, except those modified by this chapter. ~~Note: letters in parentheses [e.g., (a)] following the type of use refer to special conditions pursuant to subsection (9) of this section.~~

- (a) Animal sales and services: veterinary (small animals).
- ~~(a)~~ (b) Auction sales, services and repairs.
- ~~(b)~~ (c) Broadcast facilities without dishes over 36 inches in diameter or transmitter/receiver towers.

- ~~(e)~~ (d) Bus stations/terminals.
- ~~(d)~~ (e) Businesses with outdoor storage (for businesses that are permitted uses only) ~~(b)~~.
- ~~(e)~~ (f) Child care facility/day nursery.
- ~~(f)~~ Funeral homes.
- (g) Hospitals, nursing homes, and convalescent homes.
- (h) Postal services.
- (i) Communication services.
- (j) Laundromats and dry cleaners.
- (k) Religious assembly.
- (l) Boat building ~~(d)~~~~(e)~~.

~~(7)~~ (4) Standards Applicable to All Uses. The following standards and special conditions shall apply to all uses in the ~~WROD~~ Mill sub-district:

(a) The maximum building height ~~varies within the WROD~~ shall be 55 feet. The building height limitations of SHMC 17.68.040, Building height criteria for scenic resources, do not apply in the Mill sub-district. ~~in the WROD. Building height standards are specific to each property eligible for the WROD, pursuant to subsection (8) of this section.~~

(b) Landscaping Required. The minimum landscaping shall be 10 percent of the gross land area associated with use, except as required by Chapter 17.96 SHMC. The maximum lot coverage including all impervious surfaces shall be 90 percent.

~~(i) Screening shall be in accordance with Chapter 17.72 SHMC, Landscaping and Screening. Landscaping used for screening may be included in the required landscaping pursuant to subsection (7)(b)(iii) of this section.~~

~~(ii) See subsection (7)(i) of this section. Landscaping used for this purpose may be included in the required landscaping pursuant to subsection (7)(b)(iii) of this section.~~

~~(iii) Landscaping shall be provided in conjunction with each building, proportional to each building's size. The minimum landscape area required shall be based on the following calculation: (building width x building length x height) x 0.02. Location of landscaping is subject to city approval. Landscaping plants and materials used are subject to city approval and shall provide a minimum 50 percent coverage at maturity. Areas that will not be covered by landscaping vegetation shall include bark dust or similar nonvegetative ground cover.~~

~~(iv) Required landscaping pursuant to subsection (7)(b)(iii) of this section may be replaced on a one to one area basis, not to exceed 10 percent of the total minimum landscape area required, for any green roof utilized in a development.~~

(c) There is no minimum lot size requirement. Lots or parcels shall be of sufficient size to accommodate all applicable development standards for intended or potential land uses.

(d) No required yard (setbacks) from rights-of-way.

(e) Interior Setbacks. New buildings containing any nonresidential use abutting a residential zoning district require one foot of setback for each foot of wall height with a minimum setback of 10 feet. For yards abutting nonresidential districts, no interior setback is required, subject to building code requirements. Note: this setback may be reduced proportionately when the residential zoning district is topographically above the base level of new construction.

(f) The minimum lot width at the street and building line shall be 20 feet.

(g) The minimum lot depth shall be 50 feet.

(h) No maximum building size.

~~(i) Parking lots shall not front on S. 1st Street and The Strand. Parking lots with three or more spaces visible from public streets shall include landscaping in addition to the other landscape requirements of this chapter and the SHMC, such that there is a minimum area six feet wide and length as necessary to visually soften the entire parking lot from public streets. Minimum improvements within these landscaping areas shall be pursuant to SHMC 17.72.080(4).~~

~~(j) Required Usage Ratio. The following ratio shall apply to each development proposal. Net usable land (less nonbuildable areas such as wetlands, public park/dedicated public open space, and public rights of way) shall have a maximum residential to commercial use ratio of four to one or a commercial to residential use ratio of four to one. In no case shall a development have a usage ratio that favors residential or commercial use more than four to one. This usage ratio is based on the sum of use(s) in buildings(s) and those not in buildings. The use(s) within buildings is based gross floor area, whereas the use not in buildings is based on net usable land as previously described. For the purpose of this section, the term "commercial" includes the industrial and institutional uses possible in the WROD.~~

~~(8) Building height standards for each property eligible for the WROD shall be determined during the process where a property becomes eligible for the WROD pursuant to subsection (4) of this section. Building height standards for each property eligible for the WROD are as follows:~~

~~(a) For the property identified by subsection (4)(a) of this section, the maximum building height is based on the following height zones:~~

~~(i) The first height zone is the area west of the centerline of the S. 2nd Street right of way (if it was extended in a straight line as platted in the St. Helens Subdivision in a southeasterly direction), where the maximum building height shall be 70 feet (standard "building height" definition).~~

~~(ii) The second height zone is the area between the centerlines of the S. 2nd Street and S. 1st Street rights of way (if they were extended in a straight line as platted in the St. Helens Subdivision in a southeasterly direction), where the maximum building height shall be 70 feet above mean sea level.~~

~~(iii) The third height zone is the area between the centerlines of the S. 1st Street and The Strand rights of way (if they were extended in a straight line as platted in the St. Helens Subdivision in a southeasterly direction), where the maximum building height shall be 60 feet above mean sea level.~~

~~(iv) The fourth height zone is the area east of the centerline of the The Strand right of way (if it was extended in a straight line as platted in the St. Helens Subdivision in a southeasterly direction), where the maximum building height shall be 50 feet above mean sea level.~~

~~(v) Notwithstanding the other height zones pursuant to this subsection (8)(a), the area 75 feet upland from the top of bank of the Columbia River shall have a maximum building height of zero feet (standard "building height" definition).~~

~~(vi) The maximum building height on the Columbia River shall be 25 feet (standard "building height" definition).~~

~~(9) Special Conditions. In general, where letters appear enclosed in parentheses following a given permitted or conditionally permitted use of the WROD, the corresponding lettered~~

conditions below shall apply and constitute an approval criterion, clarification or restriction for the particular use listed.

~~(a) (i) There is no Mmaximum residential density is not based on the density computations of Chapter 17.56 SHMC, but rather the usage ratios of this chapter and design requirements (e.g., off-street parking, landscaping, access areas, etc.).~~

~~(b) (j) Outdoor storage of goods and materials as an independent use not in conjunction with another use is prohibited. Outdoor storage is allowed for conditional uses in this zone only when said storage is completely screened from the street and adjacent properties.~~

~~(e) (k) Outdoor display of goods and materials for retail establishments is permitted on private property in front of the retail establishment, provided such displays do not block safe ingress and egress from all entrances and exits including those specifically for emergency use, block safe pedestrian or vehicular circulation areas, block required parking areas, block emergency accessways, interfere with landscape areas such that those areas will be prone to damage, or otherwise create a hazard. In addition, outdoor display of goods and materials shall be properly and safely stored inside during nonbusiness hours. Moreover, outdoor displays shall not encroach in public rights-of-way, including but not limited to streets, alleys or sidewalks, without express written permission of the city council as reflected in an executed temporary license, release and hold harmless agreement. License agreements shall require safe, sturdy and secure outdoor displays and may be subject to an annual fee determined by resolution of the St. Helens city council.~~

~~(d) Water uses cannot exceed 50 percent of water rights area (shoreline) fronting a given property.~~

~~(e) The following criteria shall be in addition to the other approval standards necessary to approve, approve with conditions, or deny an application for a conditional use:~~

~~(i) Use shall include restrictions determined necessary to prevent conflicts with existing or potential nearby residential uses. Examples include but are not limited to restrictions addressing hours of operation, noise, vibration, external lighting and emissions (odor and particulates).~~

~~(ii) Use shall be located in an area determined by the commission to be the edge of non-industrial development for the foreseeable future.~~

~~(10) (5) Additional Requirements and Standards.~~

~~(a) In addition to other applicable standards, all development, division of land, lot line adjustment, replat and such subject to review by the city shall also comply with the St. Helens Waterfront Framework Plan, attached to Ordinance 3215 as Attachment E, as amended. Whenever the standards or requirements of the Waterfront Framework Plan are in conflict with other city codes, the approval authority may consider those of the Waterfront Framework Plan to be of the higher standard per SHMC 17.12.010.~~

~~(a) The residential density calculation and transition provisions of Chapter 17.56 SHMC shall not apply to the waterfront redevelopment overlay district. Rather, density is controlled in accordance with subsection (9)(a) of this section.~~

~~(b) The planned development overlay per Chapter 17.148 SHMC shall not apply to the waterfront redevelopment overlay district.~~

~~(c) The historic sites and overlay district provisions of Chapter 17.36 SHMC do not apply to the waterfront redevelopment overlay district.~~

~~(d) (b) The architectural character review provisions of riverfront district, RD zone,~~

pursuant to SHMC 17.32.1702(7) shall apply to the waterfront redevelopment overlay Mill sub-district district.

~~(e) The sensitive lands requirements of Chapter 17.40 SHMC apply to the waterfront redevelopment overlay district. Where development in or on the water fronting a development is for a public use or direct public benefit, then protection zone averaging provisions of that chapter are allowed.~~

~~(f) The visual clearance area requirements of Chapter 17.76 SHMC do not apply to the waterfront redevelopment overlay district.~~

~~(g) (c) Any new development within 100 feet of the top of bank/shoreline of the Columbia River shall include the lands between zero and 100 feet as part of the development. In addition, a bicycle/pedestrian facility shall be dedicated within this area for public use, of such width and design to sufficiently accommodate bicyclists and pedestrians as a multi use pathway, and in accordance with the applicable city standards. Such bicycle/pedestrian facility shall connect to an adjacent public right of way, another bicycle/pedestrian facility or public park for connectedness. As part of any development, division of land, lot line adjustment, replat and such, a minimum 50-foot width measured from the top of bank/shoreline of the Columbia River landward, shall be dedicated for public access. The approval authority shall deny any proposal that prevents public access along the waterfront. A width less than 50' may be considered when the approval authority finds the intent of the Waterfront Framework Plan can still be met. Dedication may be by easement or right-of-way dedication. This is in addition to the requirements of SHMC 17.152.110. If possible, it is recommended that the reservation for public shoreline access be a condition of property sale (e.g., when the city is the land owner) or other agreement outside of a permit or authorization of land use.~~

~~(d) All chapters or sections of the Development Code shall apply to the Mill sub-district, except the following, which do not apply:~~

~~(i) Chapter 17.56 SHMC, Density Computations;~~

~~(ii) Chapter 17.40 SHMC, Protective Measures for Significant Wetlands, Riparian Corridors, and Protection Zones;~~

~~(iii) Building height limitations of SHMC 17.68.040, Building height criteria for scenic resources;~~

~~(iv) Chapter 17.76 SHMC, Visual Clearance Areas; and~~

~~(iv) Chapter 17.148 SHMC, Planned Development.~~

~~(h) Supplemental Provisions Chapters.~~

~~(i) Chapter 17.40 SHMC, Protective Measures for Significant Wetlands, Riparian Corridors, and Protection Zones.~~

~~(ii) Chapter 17.44 SHMC, Sensitive Lands.~~

~~(iii) Chapter 17.46 SHMC, Floodplains and Floodways.~~

~~(iv) Chapter 17.52 SHMC, Environmental Performance Standards.~~

~~(v) Chapter 17.60 SHMC, Manufactured/Mobile Home Regulations.~~

~~(vi) Chapter 17.64 SHMC, Additional Yard Setback Requirements and Exceptions.~~

~~(vii) Chapter 17.72 SHMC, Landscaping and Screening.~~

~~(viii) Chapter 17.80 SHMC, Off Street Parking and Loading Requirements.~~

~~(ix) Chapter 17.84 SHMC, Access, Egress, and Circulation.~~

~~(x) Chapter 17.88 SHMC, Signs.~~

~~(xi) Chapter 17.92 SHMC, Mixed Solid Waste and Recyclables Storage in New Multi Unit Residential and Nonresidential Buildings.~~

- (i) ~~Site Development Review, Chapter 17.96 SHMC.~~
- (j) ~~Development and Administration Chapters.~~
 - (i) ~~Chapter 17.100 SHMC, Conditional Use.~~
 - (ii) ~~Chapter 17.104 SHMC, Nonconforming Situations.~~
 - (iii) ~~Chapter 17.108 SHMC, Variance.~~
 - (iv) ~~Chapter 17.116 SHMC, Temporary Uses.~~
 - (v) ~~Chapter 17.120 SHMC, Home Occupations.~~
 - (vi) ~~Chapter 17.124 SHMC, Accessory Structures.~~
 - (vii) ~~Chapter 17.132 SHMC, Tree Removal.~~
- (k) ~~Land Division Chapters.~~
 - (i) ~~Chapter 17.136 SHMC, Land Division – Subdivision.~~
 - (ii) ~~Chapter 17.140 SHMC, Land Division – Land Partitioning – Lot Line Adjustment.~~
 - (iii) ~~Chapter 17.144 SHMC, Expedited Land Divisions.~~
 - (iv) ~~Chapter 17.152 SHMC, Street and Utility Improvement Standards.~~

(e) To address the unique status of the Mill sub-district, the City and one or more property owners may modify or exempt development from the otherwise applicable provisions of the St. Helens Community Development Code pursuant to a statutory development agreement as provided in ORS Chapter 94, as amended, provided that the approval authority finds that the development complies with the St. Helens Waterfront Framework Plan, attached to Ordinance No. 3215, attachment E, as amended. A development agreement shall be reviewed as provided in Section 17.24.090. Chapter 17.46 SHMC, Floodplains and Floodways, shall not be modified or exempted.

[...]

CHAPTER 17.36 HISTORIC SITES AND OVERLAY DISTRICT

[...]

17.36.020 Historic Landmarks Commission

[...]

(6) The commission has the following powers and duties:

[...]

(i) The commission shall make recommendations for architecture character review pursuant to SHMC 17.32.170~~2~~(7) and 17.32.173(5)(b).

[...]

17.36.040 Criteria for alteration.

[...]

~~(4) If alteration of the historic resource is intended, a condition of approval shall be that, insofar as feasible and as funds are available, the Columbia County Museum shall obtain:~~

- ~~(a) A pictorial and graphic history of the resource; and~~
- ~~(b) Artifacts from the resource it deems worthy of preservation.~~

(4) Prior to alteration, current photographs and/or drawings of all elevations shall be provided to the City for its public records. Photographs and drawings shall be archival quality; proof of such shall be provided with the photographs and/or drawings.

[...]

17.36.050 Additional criteria and conditions for relocation or demolition.

[...]

~~(3) In approving an application for the demolition of a designated landmark or historic resource of statewide significance, the commission may impose the following conditions:~~

- ~~(a) Photographic, video, or drawn recordation of the property to be demolished; and/or~~
- ~~(b) Salvage and curation of significant elements; and/or~~
- ~~(c) Other reasonable mitigation measures.~~

(3) Prior to relocation or demolition, current photographs and/or drawings of all elevations shall be provided to the City for its public records. Photographs and drawings shall be archival quality; proof of such shall be provided with the photographs and/or drawings. In addition, the commission may require:

- (a) Salvage and curation of significant elements or artifacts; and/or
- (b) Other reasonable mitigation measures.

[...]

**CHAPTER 17.88
SIGNS**

[...]

17.88.060 Commercial/industrial sign district

In addition to the temporary and permanent signage allowed without permits, the following signage is allowed subject to the requirements of this chapter:

(1) Permitted Sign Types, Number, and Area. Signs within the commercial/industrial sign district are limited as follows and require the issuance of permits under SHMC 17.88.130.

[...]

(b) Pole Signs.

(i) For principal uses, one freestanding single- or double-faced pole sign shall be permitted on lots that have a minimum of 40 feet of street frontage and no pole sign can be closer together than 80 feet in addition to other limitations. Sign area shall not exceed 100 square feet for each sign face. Any shopping plaza cannot exceed 150 square feet per face and any shopping center cannot exceed 200 square feet per face and no sign can exceed twice per face size.

(ii) Notwithstanding subsection (1)(b)(i) of this section, pole signs shall not be allowed in the RD zoning district.

[...]

17.88.070 Architectural design review.

Signs within portions of the RD zoning district are subject to SHMC 17.32.1702(7) and 17.32.173(5)(b).

[...]

**CHAPTER 17.116
TEMPORARY USES**

Sections:

- 17.116.010 Purpose.
- 17.116.020 Administration and approval process.
- 17.116.030 Expiration of approval – Renewal.
- 17.116.040 Emergency situations.
- 17.116.050 Temporary use – Seasonal or special event.
- 17.116.060 Temporary use – Unforeseen/emergency situations.
- 17.116.065 Temporary use – Medical Hardship.
- 17.116.070 Standards for approval of a temporary sales office, model house, or temporary building.
- 17.116.080 Application submission requirements.

17.116.010 Purpose.

(1) The purpose of this chapter is to establish standards for the approval of ~~three~~ four types of temporary use:

- (a) Use that is seasonal or directed toward a specific event;
- (b) Use which is occasioned by an unforeseen event; ~~and~~
- (c) Medical hardship; and
- ~~(d)~~ (d) Sales offices and model homes in conjunction with the sale of homes.

(2) This chapter is not intended to be a way to circumvent the strict application of the use districts. Therefore, time limits are to be strictly enforced. This chapter is not intended to apply

to garage sales.

[...]

17.116.030 Expiration of approval – Renewal.

(1) Temporary use approval by the director shall be effective for a period of up to one year unless otherwise stipulated by the approval. Except, medical hardship temporary use shall only be effective for up to six months.

(2) The temporary use approval by the director shall lapse if:

(a) Substantial construction of the approved plan or onset of the approved activity has not begun within the approval period; and

(b) Construction or activity on the site is a departure from the approved plan.

(3) A temporary use approval may be renewed once by the director for a period not to exceed one year. Except, medical hardship renewal use shall only be effective for up to six months. Notice of the decision shall be provided to the applicant. The director's decision may be appealed by the applicant as provided by SHMC 17.24.310(1).

(4) A permit for temporary sales offices and model homes may be renewed on an annual basis in the same manner as if it were an original application as long as no more than 50 percent of the total number of dwelling units have been issued occupancy permits.

[...]

17.116.060 Temporary use – Unforeseen/emergency situations.

(1) Definitions. This type of temporary use is a use which is needed because of an unforeseen event such as fire, windstorm or flood, unexpected ~~health or~~ economic hardship, or due to an eviction resulting from condemnation or other proceedings.

(2) Types of Use Permitted.

(a) A mobile home or other temporary structure for a residential purpose in a residential zone;

(b) A mobile home or other temporary structure for a business purpose in a commercial or industrial zone; and

(c) Use of an existing dwelling or mobile or manufactured home during the construction period of a new residence on the same lot.

(3) Approval Criteria.

(a) Approval or approval with conditions shall be based on findings that one or more of the following criteria are satisfied:

(i) The need for use is the direct result of a casualty loss such as fire, windstorm, flood or other severe damage by the elements to a preexisting structure or facility previously occupied by the applicant on the premises for which the permit is sought;

~~(ii) The use of a mobile or manufactured home on a lot with an existing dwelling unit is necessary to provide adequate and immediate health care for a relative who needs close attention who would otherwise be required to receive needed attention from a hospital or care facility;~~

~~(iii)~~ (ii) The applicant has been evicted within 60 days of the date of the application

from a preexisting occupancy of the premises for which the permit is sought as a result of condemnation proceedings by a public authority, or eviction by abatement of nuisance proceedings, or by determination of a public body or court having jurisdiction that the continued occupancy of the facilities previously occupied constitutes a nuisance or is unsafe for continued use; or

~~(iv)~~ (iii) There has been a loss of leasehold occupancy rights by the applicant due to unforeseeable circumstances or other hardship beyond the foresight and control of the applicant;

(b) In addition to the criteria listed in subsection (3)(a) of this section, all of the following must be satisfied:

(i) There exists adequate and safe ingress and egress when combined with the other uses of the property, as required by Chapter 17.84 SHMC, Access, Egress, and Circulation; and Chapter 17.76 SHMC, Visual Clearance Areas;

(ii) There exists adequate parking for the customers of the temporary use as required by Chapter 17.80 SHMC, Off-Street Parking and Loading Requirements;

(iii) The use will not result in congestion on adequate streets;

(iv) The use will pose no hazard to pedestrians in the area of the use;

(v) The use will not create adverse off-site impacts including noise, odors, vibrations, glare or lights which will affect adjoining use in a manner which other use allowed outright in the zone would not affect adjoining use; and

(vi) The use can be adequately served by sewer or septic system and water, if applicable.

17.116.65 Temporary use – Medical hardship.

(1) The purpose of the temporary use medical hardship permit is to allow the convenient provisions of supervision and/or assistance with daily care to a person or persons with a demonstrated health hardship by allowing the use of a recreational vehicle for living purposes on a lot or parcel developed with a detached single-family dwelling.

(2) The director may approve or approve with conditions a temporary use medical hardship permit, provided the following criteria are satisfied:

(a) The person(s) needing daily care (dependent person) is/are the principle resident(s) of the detached single-family dwelling or recreational vehicle. For the purpose of this section daily care includes but is not limited to bathing, grooming, eating, medication management, walking and transportation. Daily care does not include financial management or the improvement or maintenance of the subject property.

(i) Proof of the need for daily care shall be demonstrated by a written statement dated within 60 days of the submittal of temporary use permit or renewal thereof, by a medical doctor certifying the dependent person(s) has a health hardship that necessitates someone to provide care in order for them to remain independent (i.e., non-institutional residence).

(ii) For the purpose of this section health hardship means a specific person's need for daily supervision due to cognitive impairment and/or a specific person's need for assistance with daily care as a result of age, physical impairment and/or poor health.

(b) The detached single-family dwelling or recreational vehicle not occupied by the person(s) needing daily care is occupied by the caregiver(s), who shall be specifically identified and named on the permit application.

(c) The temporary use of a recreational vehicle for living purposes shall not be a source

of rental income.

(d) There exists adequate and safe ingress and egress when combined with the other uses of the property, as required by Chapter 17.84 SHMC, Access, Egress, and Circulation; and Chapter 17.76 SHMC, Visual Clearance Areas.

(e) The off-street parking available is not reduced below the minimum required by Chapter 17.80 SHMC as a result of the recreational vehicle used for temporary living purposes.

(f) During the duration of the approved temporary use permit, the recreational vehicle may connect to public water and sanitary sewer, if available, provided all permits are obtained to do so and requirements for connecting are met. If the recreational vehicle will be connected to public sewer, connection to public water shall be required, if available.

(g) The recreational vehicle shall be located on the same property as the detached single-family dwelling and shall not be allowed in a street or public right-of-way.

(h) Only one recreation vehicle shall be allowed on a property for this purpose.

(3) The director may revoke a temporary use medical hardship permit if it is found to not comply with the criteria per this section, constitutes a health hazard, or is otherwise contrary to public health, safety and welfare.

[...]

CHAPTER 19.08 GENERAL GOALS AND POLICIES

[...]

19.08.060 Natural factors and local resources goals and policies.

[...]

(3) Policies. It is the policy of the city of St. Helens to:

[...]

(k) Subject proposed alteration of the city's historic resources to design review and historic documentation to encourage preservation of ~~the structure's~~ historical assets.

(l) Devise a program for attempting to preserve those historic resources that are threatened with demolition.

(m) Encourage adaptive reuse of historic resources.

~~(n)~~ (n) Utilize zoning, buffer zones, and design review procedures to protect noise-sensitive areas from noise-producing areas.

~~(o)~~ (o) Institute design review procedures to protect the area's archaeological resources.

~~(p)~~ (p) Comply with applicable state and federal environmental regulations.

~~(q)~~ (q) Revise all land development standards to encourage solar access, establish criteria for approval of energy facilities, remove obstacles to energy-efficient design, and require energy-efficient development when ownership is to be transferred to the city upon completion.

~~(r)~~ (r) Develop protection programs for the following St. Helens significant resources: wetlands, riparian corridors, wildlife habitats, groundwater resources, natural areas, wilderness

areas, mineral and aggregate resources, energy sources, and cultural areas.

[...]

CHAPTER 19.12 SPECIFIC LAND USE GOALS AND POLICIES

[...]

19.12.070 General commercial category goals and policies.

[...]

(1) Goals. To establish commercial areas which provide maximum service to the public and are properly integrated into the physical pattern of the city.

(2) Policies. It is the policy of the city of St. Helens to:

(a) Encourage new commercial development in and adjacent to existing, well-established business areas taking into account the following considerations:

(i) Making shopping more convenient for patrons,
(ii) Cutting down on street traffic,
(iii) Maximizing land through the joint use of vehicular access and parking at commercial centers, and

(iv) Encouraging locations that enjoy good automobile access and still minimize traffic hazards.

(b) Designate sufficient space for business so that predictable commercial growth can be accommodated and so that an adequate choice of sites exists.

(c) Ensure that all commercial enterprises maintain sufficient off-street parking to accommodate their patrons, workers and loading requirements.

(d) Emphasize and support existing town centers as business places. When areas are developed adjacent or next to existing town centers, ensure that the new development is compatible with and will complement existing development.

(e) Improve the general appearance, safety and convenience of commercial areas by encouraging greater attention to the design of buildings, parking, vehicle and pedestrian circulation, and landscaping through a site design review procedure.

(f) Preserve areas for business use by limiting incompatible uses within them.

(g) Encourage a variety of retail shopping activities to concentrate in the core commercial areas to enhance their attractiveness for a broad range of shoppers; additionally, encourage in this area the development of public spaces such as broad sidewalks, small squares, etc., to facilitate easy, safe, pleasant pedestrian circulation. When located along the waterfront, such public spaces shall facilitate public access to and enjoyment of the Columbia River and Multnomah Channel to the maximum extent possible.

(h) Encourage in-filling of vacant lands within commercial areas.

(i) Encourage redevelopment of waterfront property that is not designated industrial and can be integrated with existing nearby commercial or mixed use areas.



ORD NO. 3215
ATTACHMENT "E"

USEPA AREA-WIDE PLANNING PROJECT
Resolution 1765

December 2016



ACKNOWLEDGMENTS

CITY STAFF

John Walsh - City Administrator
Jennifer Dimsho - Assistant Planner
Jacob Graichen - City Planner
Sue Nelson - Public Works Engineering Director
Neal Sheppard - Public Works Operations Director

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WATERFRONT ADVISORY COMMITTEE

Randy Peterson - Mayor
Douglas Morten - City Council President
Keith Lock - City Council
Susan Conn - City Council
Ginny Carlson - City Council
Al Peterson - Planning Commission
Howard Blumenthal - Parks Commission
Diane Dillard - Arts Commission
Paula Miranda - Port of St. Helens
Chuck Daughtry - Columbia County Economic Team
Eric Porchinow - Cascade Tissue
Ashley Baggett - Public Health

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Columbia River Receptions and Events at Meriwether Place

CONSULTANT TEAM



MARINA WORKS



TABLE OF CONTENTS

EXECUTIVE SUMMARY.....	1
1 INTRODUCTION.....	2
1.1 Context	
1.2 Study Area	
2 OPPORTUNITIES AND CONSTRAINTS.....	7
2.1 Existing Conditions	
2.2 Developer Interviews	
2.3 Competitive Advantage	
3 PUBLIC INVOLVEMENT.....	12
3.1 What We Did	
3.2 Waterfront Advisory Committee	
3.3 Public Outreach	
4 A VISION FOR THE WATERFRONT.....	19
4.1 Vision Statement	
5 FRAMEWORK PLAN.....	21
5.1 What is a Framework Plan?	
5.2 Physical Framework	
5.3 Study Area	
5.4 Transportation Connections	
6 IMPLEMENTATION STRATEGY.....	37
6.1 Action 1: Attract a Developer	
6.2 Action 2: Address the Zoning Code	
6.3 Action 3: Fund Necessary Improvement Projects	

APPENDICES

- A. Project Sheets
- B. BWP Property Developable Parcel Score Table
- C. Alternative Development Approaches
- D. Funding Tools

EXECUTIVE SUMMARY

St. Helens, Oregon thrived as a leading exporter in the timber industry since the time of its founding in 1850. However, the decline of the timber industry and eventual closing of most mills in the 2000s created negative ripple effects throughout the community. Downtown St. Helens has failed to fully recover and is characterized by struggling businesses, vacant storefronts and a decline in residential development. City leaders and community members recognized the need for a change on the waterfront and have been actively developing a future vision for the waterfront, planning for new public amenities as well as employment opportunities.

The U.S. Environmental Protection Agency's (EPA) Area-Wide Planning (AWP) program, is the most-recent step in this community-driven effort to reshape the St. Helens waterfront. The AWP program has benefited from the planning and visioning completed through previous programs to focus on an action-oriented plan for that will guide implementation of the waterfront redevelopment. That action-oriented plan is this Framework Plan. It is the culmination of countless hours dedicated by City staff, members of the Waterfront Advisory Committee, and the St. Helens community.

The purpose of the St. Helens Waterfront Framework Plan is to provide an understanding of the opportunities these catalytic properties present and outline the major City-led investments that are necessary to spur the next phase of development. The planning process was supported by the enduring commitment of the St. Helens community. An average of over 100 people attended each public event. This plan seeks to capture and represent their collective preferences, which helped drive the recommendations made in this report. The Framework Plan creates certainty for developers by indicating where development can occur on the site, and defining the criteria that the City will use as it considers different development options. Lastly, this plan creates a clear path forward to implementing the Framework Plan and presents a detailed outline of projects that will guide the City through the steps toward redevelopment in the short- and long-term.

The immediate next step is for the St. Helens City Council to adopt this Framework Plan. The following actions summarize the pathway forward:

1. **Attract a Developer:** Success requires a private development partner. The recommended approach for development is to market the property, release a Request for Information or Qualifications to interested developers, and work with the selected developer to produce a Master Plan. Ideally, the Master Plan will lead to a Disposition and Development Agreement (DDA) that outlines roles and investment responsibilities for the development partner and the City.
2. **Address the Zoning Code:** Once the City has determined its preferred development approach, it should ensure that the zoning code enables that approach. Options available to the City range from small changes to reflect the Framework Plan to a full re-zone of the Veneer Property.
3. **Fund Necessary Improvement Projects:** To create certainty for development, the City should create a comprehensive funding program for the property's infrastructure that includes a combination of urban renewal, state grants, and public-private partnerships.



INTRODUCTION

1.1 CONTEXT

The City of St. Helens (city) is located at the confluence of the Multnomah Channel and the Columbia River, where it surveys the northern tip of Sauvie Island and across the water, toward Mt. Hood and Mt. St. Helens. Perhaps this is the same view Lewis and Clark marveled at during their stay with the Chinook Indians, who occupied the area in 1804. The city was founded in 1850 and thrived as a hub for the region's booming lumber industry. The waterfront blossomed with activity as numerous mills and manufacturing plants, specializing in the production of paper and wood products, were built. The waterfront and downtown areas provided places for the many workers and their families to live, work, and play.

Industry has been at the heart of the city's waterfront and its economy up until the remaining mills closed most or all of their operations in the early 2000s. As the jobs disappeared from the heart of the city, so did many of the people, and the historic downtown has grown quieter. The city has since been dedicated to reclaiming the waterfront

so that it may serve the community in new ways, paying homage to both the past and the future by creating new amenities that can attract both new employers and residents to St. Helens.

City leaders and community members recognized the need for a change on the waterfront when the Boise veneer plant finally closed after years of declining profitability. The City adopted a new overlay zone that would permit commercial and mixed-use development on the site of the former plant. The community has since been actively developing a future vision for the waterfront that includes new amenities for the community and focuses future industrial and employment development further south on the industrial land formerly occupied by the Boise White Paper mill.

The City government of St. Helens (City) has acquired approximately 225 acres of waterfront property along



Looking south down The Strand towards the former industrial uses on the Veneer Property (approx. 1910)

1.1 CONTEXT

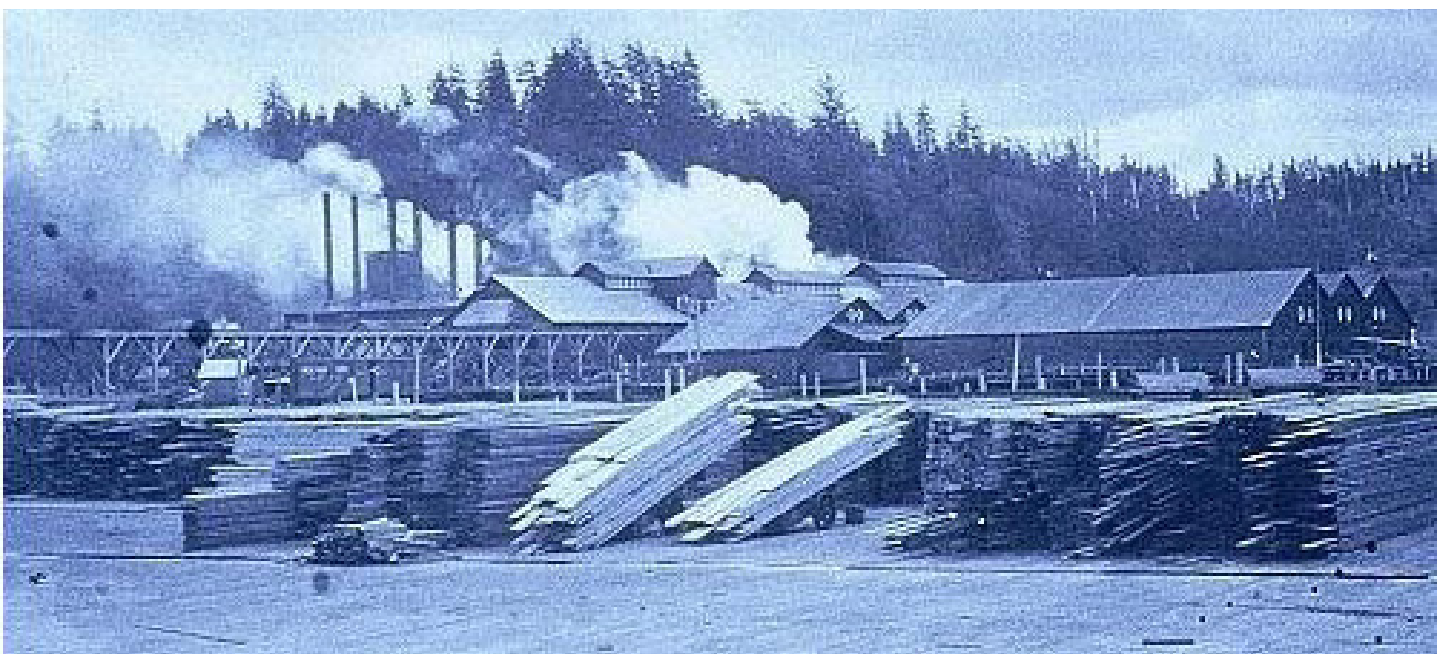
The U.S. Environmental Protection Agency (USEPA) Area-Wide Planning (AWP) program assists communities responding to local brownfield challenges, particularly where multiple brownfield properties are in close proximity; are connected by infrastructure; and limit the economic, environmental, and social prosperity of their surroundings.

the Multnomah Channel and the Columbia River. A key development opportunity is an approximate 25-acre property that is the former location of a plywood veneer plant, identified in this report as the Veneer Property. The Veneer Property’s unique waterfront location, volcanic views, and proximity to downtown create a rare opportunity to bring new, mixed development to St. Helens. To the south lies a second key industrial property that was formerly the location of the Boise White Paper, LLC main mill operation, referred to in this report as the Boise White Paper (BWP) Property. It is approximately 205 acres, only 10–20 acres of which are occupied today by Cascade Tissue. This expansive industrial area is located close to US 30 and the City owns 58 percent of the land area, presenting the City with a significant opportunity to attract new employers to the area.

Three core principles guided this project:

- **Public Access.** Redevelopment should connect to city neighborhoods, reconnect the people to the waterfront, and connect the city to the greater local region. Safe and secure access to the waterfront and other green space is imperative. Redevelopment should also encourage water-related uses and preserve adequate public space while allowing for flexible private enterprise.
- **Natural and Cultural Heritage.** This project is an opportunity to return the highest public benefit to the greatest number of citizens over multiple generations. Green and sustainable development will be encouraged, and planning should anticipate a dynamic and changing future climate. Redevelopment should coexist with the Riverfront District both visually and economically.
- **Sustainable Economic Development.** Redevelopment should focus on a mix of housing, commercial, and recreational uses to create a “working waterfront.” This mix of industry and amenities is optimal for creating a space to attract development and drive jobs back to the city.

This plan is organized as follows: opportunities and constraints (Section 2); a summary of public outreach (Section 3); a vision for the Veneer and BWP properties (Section 4); a discussion of the framework plan (Section 5); and an implementation strategy (Section 6).

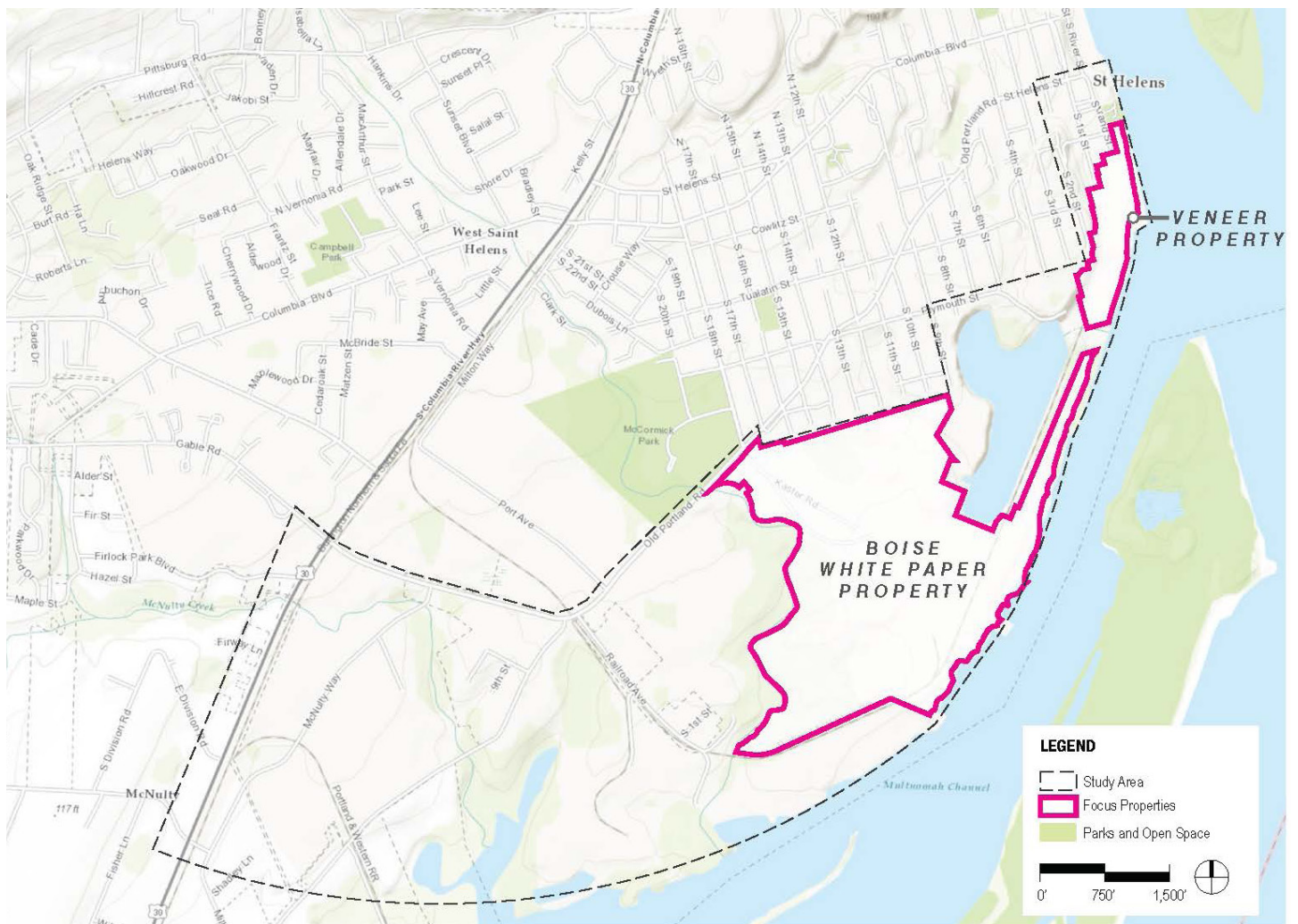


St. Helens Lumber Mill.

1.2 STUDY AREA

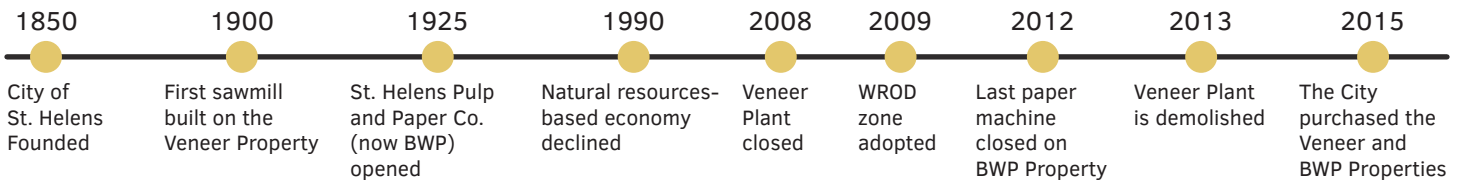
As shown in Figure 1-1, the study area includes a portion of the main street corridor, historic downtown, and two catalyst brownfield properties, Veneer Property and BWP Property, located on the city's waterfront adjacent to the historic downtown area. In this report, the primary focus is redevelopment of the Veneer Property. The study area provides the larger context for understanding how the local environment may help or hinder redevelopment of the Veneer Property. The BWP Property serves as a complementary catalyst property that will be able to support future industrial and employment development; it does not require the same level of planning, because its primary use is not expected to change. The Veneer Property presents an opportunity for St. Helens to build something new that is rooted in the community's identity and may grow to attract visitors, residents, and employers to the region.

FIGURE 1-1. STUDY AREA



1.2 STUDY AREA

PROPERTY HISTORY



PROJECT HISTORY

In 2014, the City participated in the prestigious American Institute of Architects Sustainable Design Assessment Team (SDAT) program. The SDAT program involved intensive workshops and outreach to both the public and local experts and stakeholders, culminating in a set of preliminary guiding principles. These guiding principles led the City to further engage and educate the community regarding the existing conditions, potential contamination issues, and potential future for the two focus properties.

In 2015, an Integrated Planning Grant (IPG) from Business Oregon extended future planning that focused on advancing the work of the SDAT program and preparing the City to implement a USEPA-funded AWP project. Specifically, the IPG project convened and engaged with an advisory group of community leaders and stakeholders, who confirmed and refined the vision and guiding principles for redevelopment of the waterfront, and broadly involved the community in the planning process through an open house. In 2015, the City obtained a U.S. Environmental Protection Agency (USEPA) Area-Wide Planning (AWP) grant to explore the redevelopment potential of City-owned parcels on the St. Helens Waterfront through a framework planning process.



The images on this page are renderings created during the SDAT process. Top right is a rendering of a marina with multi-use buildings. The middle is a rendering of residential mixed-use buildings. On the bottom left is a rendering of what a boardwalk would look like. In all cases, the border of the river is kept within the public realm, but development comes close to the water's edge benefiting from the prime real estate the property has to offer.



OPPORTUNITIES & CONSTRAINTS

2.1 EXISTING CONDITIONS

The project team analyzed the existing physical, cultural, economic, and environmental contexts of the study area between October 2015 and January 2016. This analysis provided an understanding of the existing conditions, opportunities, and constraints, and served as a foundation for the AWP process to guide future planning. The full Existing Conditions report is available on the Waterfront Redevelopment Project webpage located under the Planning Department. Table 2-1 summarizes the basic site characteristics for the Veneer and BWP Properties.

TABLE 2-1. VENEER AND PROPERTY CHARACTERISTICS

SITE CHARACTERISTIC	VENEER PROPERTY	BWP PROPERTY
Size	25 acres	205 acres
Number of Parcels	1	13
Zoning	Predominantly HI, some Apartment Residential, WROD overlay	Predominantly HI, some light industrial, Willamette Greenway overlay
Ownership	City of St. Helens	City of St. Helens
Existing Structures	None	~20
Environmental Contamination	Yes, in small, contained areas.	Yes, exact extent and degree is unknown.
Environmental Risk Management	Prospective Purchaser Agreement	Environmental Indemnification Agreement



Photograph looking south from downtown St. Helens, across the Veneer Property towards the BWP Property.

2.1 EXISTING CONDITIONS

The following tables summarize the opportunities and constraints identified on the Veneer and BWP Properties. Figure 2-1 provides a graphical depiction of the Veneer Property's opportunities and constraints.

TABLE 2-2. VENEER PROPERTY OPPORTUNITIES AND CONSTRAINTS

CORE VALUE	OPPORTUNITIES	CONSTRAINTS
Public Access	<ul style="list-style-type: none"> • Adjacent to Columbia View Park • Existing Street Grid at Pedestrian Scale • View Corridors • Trails • Boardwalk • Public Ownership • Community Interest and Existing Events 	<ul style="list-style-type: none"> • Distance from US 30 • Limited Connection to River
Natural and Cultural Heritage	<ul style="list-style-type: none"> • Riverfront Mountain Views • Community Support • Historic and Cultural Education 	<ul style="list-style-type: none"> • Artificial Fill
Sustainable Economic Development	<ul style="list-style-type: none"> • Proximity to the Columbia River Downtown • Prospective Purchasers Agreement • Bluff Development • Public Ownership • Existing in-water infrastructure (e.g., pilings) 	<ul style="list-style-type: none"> • Historic Infrastructure • 100-Year and 500-Year Floodplain • Waterfront Redevelopment Overlay District • Floodway Close to Shore • Riparian Overlay • Shallow Bedrock • Heavy Industrial Zoning • Restricted Areas • Large Amounts of Fill

TABLE 2-3. BWP PROPERTY OPPORTUNITIES AND CONSTRAINTS

CORE VALUE	OPPORTUNITIES	CONSTRAINTS
Public Access	<ul style="list-style-type: none"> • US 30 Connection • Planned Access Improvements • Public Ownership 	<ul style="list-style-type: none"> • Minimal Public Access • Problematic Intersections
Natural and Cultural Heritage	<ul style="list-style-type: none"> • Return of Legacy Industry • Proximity to the Columbia River 	<ul style="list-style-type: none"> • Artificial Fill
Sustainable Economic Development	<ul style="list-style-type: none"> • Match Jobs to Workforce • Create Live-Work Community • Environmental Indemnification • Existing In-Water Infrastructure (e.g., pilings) • No Floodway 	<ul style="list-style-type: none"> • Historic Infrastructure • Developable Parcels Unknown • Stormwater • Shallow Bedrock • Developer Uncertainty: 100-year floodplain, 500-year floodplain, and Milton Creek and associated riparian area

FIGURE 2-1. OPPORTUNITIES AND CONSTRAINTS



PUBLIC ACCESS

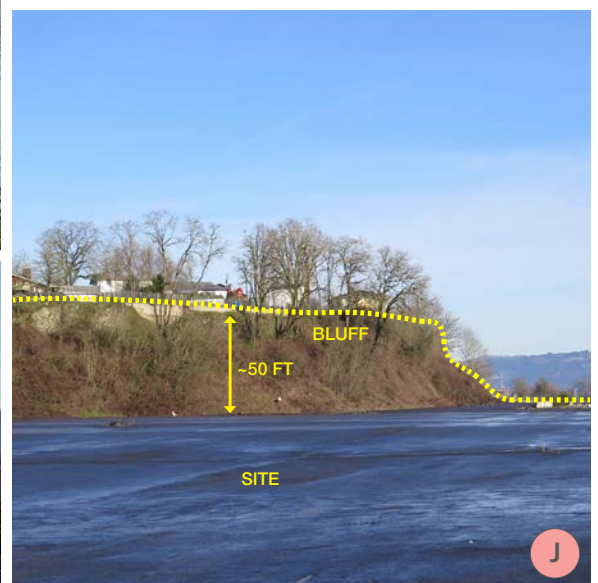
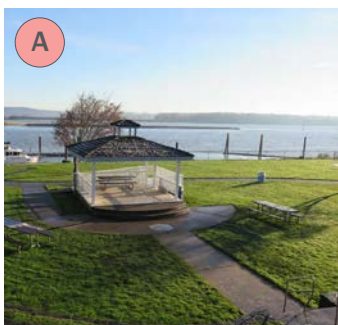
- A** CONNECTION TO EXISTING PARKS, OPEN SPACES, AND TRAILS
- B** DIRECT ACCESS FROM CITY STREETS
- C** OPPORTUNITY FOR NEW PUBLIC PATH ALONG WATER'S EDGE
- D** STEEP RIVERBANK LIMITS DIRECT WATER ACCESS
- E** HARD TO FIND FROM HWY 30, 3.5 MILES AWAY

NATURAL & CULTURAL HERITAGE

- F** VIEWS OF MT ST HELENS, MT ADAMS, AND MT HOOD
- G** CONNECTION TO HISTORIC DOWNTOWN CREATES REVITALIZATION OPPORTUNITY
- H** EXISTING WATER TRAILS CONNECT SITE TO SURROUNDING NATURAL AREAS

SUSTAINABLE ECONOMIC DEVELOPMENT

- I** DEEP WATER (~30 FT) CREATES OPPORTUNITY FOR RECREATION AND INDUSTRY
- J** STEEP BLUFF PROTECTS EXISTING VIEWS FROM POTENTIAL MULTI-STORY DEVELOPMENT
- K** ARTIFICIAL FILL ON SHALLOW BEDROCK CREATES CHALLENGE FOR DEVELOPMENT AND NATURAL RESTORATION
- L** 100-YEAR FLOODPLAIN MAY CONSTRAIN DEVELOPMENT
- M** RESTRICTED SOILS AND POTENTIAL GROUNDWATER CONTAMINATION



2.2 DEVELOPER INTERVIEWS

In spring 2016, members of the project team met with representatives of seven different real estate development firms to discuss development possibilities and issues regarding the St. Helens Veneer Property. There was general agreement among the developers of the value and scarcity of developable waterfront land. The property's beautiful views, connections to downtown, and relatively unconstrained development potential suggest it as an excellent location for waterfront residential development. All developers agreed that the biggest challenge for this property was the ability for St. Helens to prove that it can attract residents at high-enough incomes to support new construction. This suggests that the City will need to focus its efforts on marketing the city's economic development potential to attract new jobs.

Developers also noted that there are relatively few comparable developments nearby that serve as comparable development to meet underwriting criteria. Other themes that emerged were the importance of a vibrant downtown and the opportunity for the property to provide access to river users. Developers were in agreement that the City would need to provide a multi-pronged incentive toolkit and to expect that the property will develop in phases over many years. Several developers requested to stay informed on the development opportunity as it progresses.

A full summary of these meetings is available on the Waterfront Redevelopment Project webpage located under the Planning Department.

1.3 COMPETITIVE ADVANTAGE

The Veneer Property's competitive advantages are the conditions that make it more desirable for development compared to other locations.

- **Waterfront location and views.** The Veneer Property has sweeping views of the river, Mt. Hood, and Mount St. Helens, and is located adjacent to the historic downtown area.
- **City commitment to project success.** The City has acquired the land and continues to take the steps necessary to make it ready for development. The City remains committed to the community's vision for the waterfront and will provide incentives to attract a development partner who can help realize the vision.
- **Low cost of living.** St. Helens offers a small-town lifestyle within a relatively short commute to Portland-area employers and a lower cost of living. As housing costs in the Portland area increase, the City expects to see new residents appreciate the quality of life in St. Helens and seek a lower-cost home.
- **Water access.** Proximity to the water in a region where there is high demand for renting, mooring, and docking watercraft presents an opportunity to draw visitors not only from US 30 but also from the Columbia River. These visitors will support a vibrant mixed-use development on the Veneer Property and in the existing downtown that provides complementary amenities, such as a restaurant, a hotel, retail, and open space.



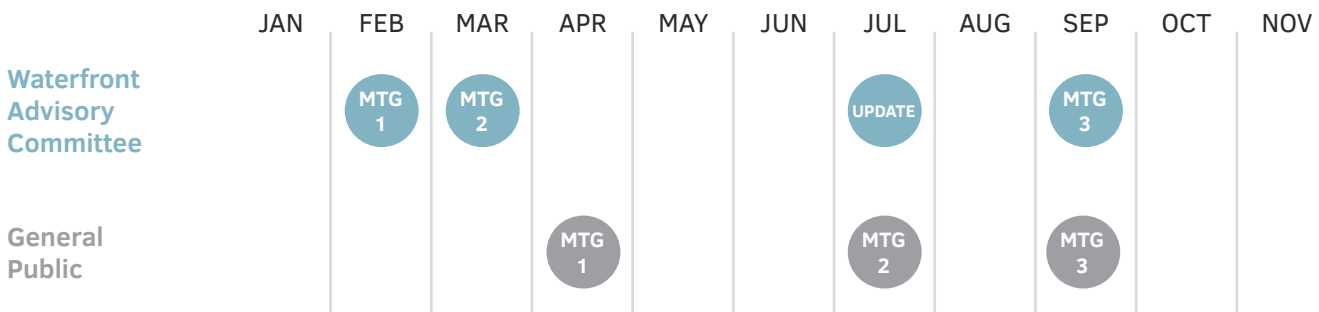
PUBLIC INVOLVEMENT

3.1 WHAT WE DID

Well before the SDAT planning effort in 2014, the St. Helens community has been actively involved in redevelopment of the waterfront. Beginning with the IPG project in 2015, the City established a Waterfront Advisory Committee (WAC) consisting of City Councilors and representatives from the Port of St. Helens; Parks Commission; Arts Commission; Planning Commission; and Public Health Foundation of Columbia County. This same committee was convened for the AWP process, meeting

four times between February and September 2016. The general public was also kept actively engaged in the process. Three public events were held between April and October 2016, each of which was attended by an average of over 100 people and included people who were becoming newly engaged in the project. Detailed meeting notes from the WAC meetings and public open houses are available on the Waterfront Redevelopment Project webpage located under the Planning Department.

FIGURE 2-1. CALENDAR OF COMMUNITY ENGAGEMENT EVENTS



Community members at the October 12, 2016 project completion celebration on the Vener Property.

3.2 WATERFRONT ADVISORY COMMITTEE

The WAC was established to serve as an advisory panel through planning and redevelopment of the waterfront properties. This committee held three meetings, including a workshop for developing the Framework Plan, review of the framework and demonstration plan options, and review of the implementation strategy. The Committee was composed of 12 members selected to represent a diversity of stakeholder interests with long-term commitment to the community, including business, regional economic development, parks, arts and culture, and public health.

The full meeting minutes are available on the City website, listed on the Waterfront Redevelopment Project webpage located under the Planning Department.

MEETING 1: INTERACTIVE PLANNING WORKSHOP

The purpose of this meeting was to welcome the WAC to the AWP project, review the findings of the existing conditions report, and walk the committee through the interactive planning exercise. The interactive planning exercise was designed to help the committee imagine and prioritize how buildings, streets, trails, and open space could be organized on the Veneer Property. The WAC was split into two groups, each of which produced several framework plan scenarios. Several themes emerged from this interactive planning exercise, including:

- Desire for a marina located at the south end of the property
- Concerns regarding building heights and maintaining views
- Preference for a connection between 1st Street and Plymouth Street
- Overall demand for a greenway meant for the public
- Resistance to placing private development on the waterfront edge
- Support for on-water development, such as a floating restaurant or pier.



WAC members use chips to brainstorm layouts for streets, open space, and uses on the Veneer Property.

3.2 WATERFRONT ADVISORY COMMITTEE

MEETING 2: FRAMEWORK PLAN OPTIONS

The purpose of this meeting was to review the outcomes from the previous meeting's interactive planning exercise, present alternative framework plans for the Veneer Property, and discuss the economic trade-offs of the different plans, as well as the feasibility of the marina. The WAC provided specific feedback on transportation and parking, uses and services, environmental concerns, and other observations in advance of the framework plan alternatives being presented to the public.

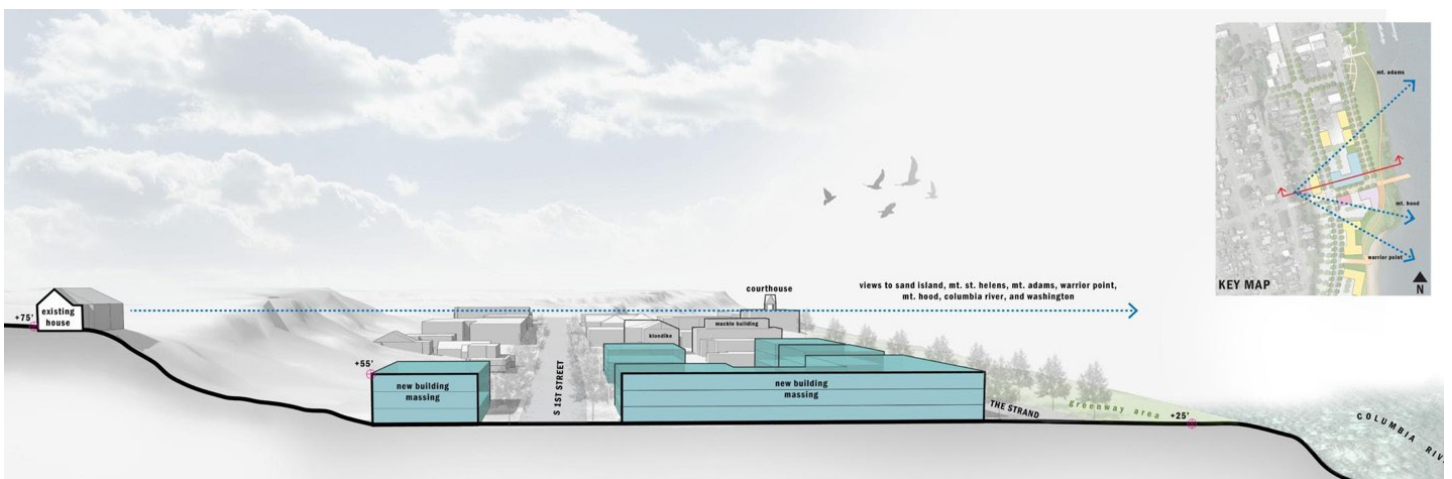
MEETING 3: IMPLEMENTATION STRATEGY

The purpose of this final meeting was to review the preferred framework and demonstration plans, and proposed implementation strategy to address any remaining concerns the committee had regarding the plans, as well as to review the project sheets, which provide an outline for how to move the Veneer Property toward and through redevelopment. Dwight Unti of Tokola Properties gave a presentation to the Committee to provide a developer's perspective on the existing opportunity that the waterfront presents, and what a developer will look for when he/she is interested in becoming involved in future development on the Veneer Property.

The Committee approved the preferred framework and demonstration plans, agreeing that the framework plan should be adopted by the City Council and that it explicitly state that the following elements be included:

- A connection between 1st Street and Plymouth through the property
- An extension of The Strand
- Pedestrian access ways through the property
- A greenway that is about 50 feet wide and a minimum of six acres
- A special waterfront-use area to allow for development fronting the water
- Development parcels that include a mix of uses

Lastly, the WAC confirmed which items are public-requirement must-haves versus preferences. This list was meant to serve as a starting point that may evolve over time, but can be included in a future Request For Information the City releases to developers.



The height of new development relative to the bluff was conveyed to the WAC utilizing the cross section above.

3.3 COMMUNITY ENGAGEMENT

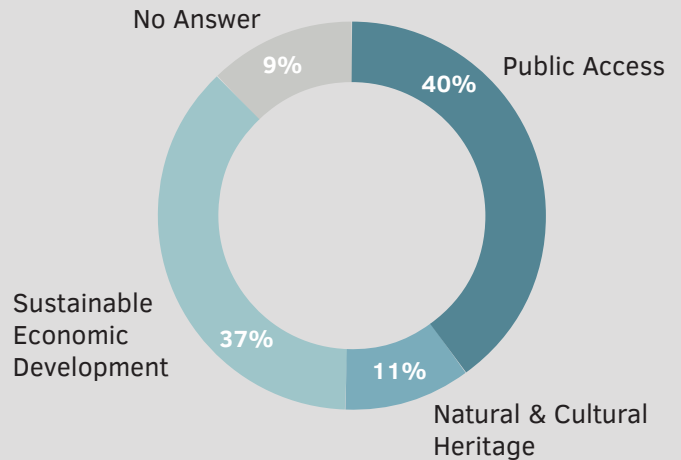
Engaging the St. Helens community was an integral part of this project. During the course of this AWP project, three public open-house events were held. Over 100 people attended each event, each time including people who had not previously been involved in the process. It was clear that the community felt passionate about how the waterfront should be redeveloped; their preferences are reflected in the final outcome. The notes from each public open house are available on the City website, listed on the Waterfront Redevelopment Project webpage located under the Planning Department.

OPEN HOUSE 1: INTRODUCTION TO THE AWP PROGRAM AND PRELIMINARY FRAMEWORK PLANS

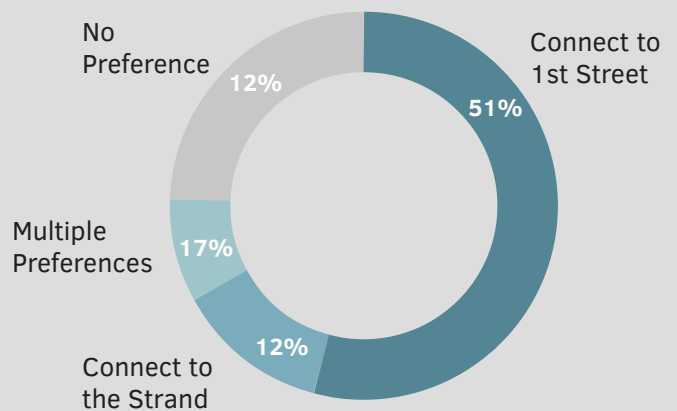
The first open house was held on April 27, 2016. The purpose of this event was to present the preliminary framework plan scenarios and receive feedback on the street layout, amount of open space, and types of uses. There were five stations through which attendees could circulate and talk to staff, including a review of the AWP process, a station for each framework plan scenario, and a station where participants could design their own framework plan scenario. Attendees were provided with fact sheets that they could reference during the open house and comment cards where they could provide feedback. A total of 75 comment cards were received.

FIGURE 2-2. COMMENT CARD FEEDBACK

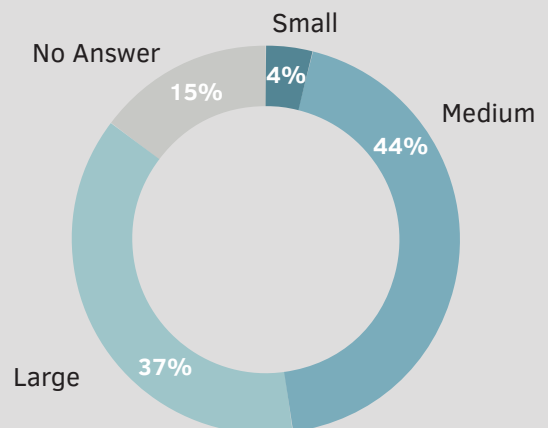
Which core value do you connect with most?



Which road alignment do you prefer?



How much open space should there be?



3.3 PUBLIC OUTREACH

OPEN HOUSE 2: PREFERRED FRAMEWORK PLAN

The second open house was held on July 6, 2016. The purpose of this event was to keep the community engaged in the redevelopment process and covered topics including the preferred framework plan, potential strategies for implementation, the festival street concept, branding, and repurposing the wastewater lagoon located between the Veneer and BWP properties. To facilitate small group conversations on these topics, staff set up six stations, including an overview of the AWP process; the preferred plan concept; implementation; streets; the public realm; and branding. There was also a station for a related but separate project on the repurposing of the wastewater lagoon located between the Veneer and BWP properties.



OPEN HOUSE 3: CELEBRATION

The final open house was held on October 12, 2016. Approximately 70 people attended the event. This event was a celebration of the effort put forward by the community, WAC, and City staff on the AWP project. Boards were set up showing the final preferred framework plan, demonstration plans, diagrams showing views of the river from the bluff given various building heights, and a rendering of future development. Additionally, information about the next steps in the redevelopment process was distributed, with an emphasis on the upcoming urban renewal planning process. Many of the attendees were excited about the work that had been done and happy that the City was actively working towards the next steps of the project.



Final public open house attendees show their support for the St. Helens Area-Wide Planning Waterfront Redevelopment Project.



A VISION FOR THE WATERFRONT

4.1 VISION STATEMENT

For centuries, people have come to the banks of the Columbia River at its confluence with the Multnomah Channel and the Lewis River. The fertile Sauvie Island was once home to thousands of Native Americans. It was here, where thickly forested slopes met a wild and wide river that the community of St. Helens began and grew. The city's riverfront was its lifeblood for decades, where timber and paper were processed and exported, where ships were built and salmon were pulled from the Columbia River. With economic and societal changes, over the years the riverfront has also changed. What was once a fully industrial, working place with very little opportunity to see or touch the river is becoming a more diverse riverfront, with greater environmental protection balanced with opportunities for new recreation, employment, and housing.

The vacant Veneer Property is the focus of this Framework Plan. With its direct connection to downtown St. Helens, it offers the potential for a **vibrant waterfront district** with amenities that can attract new residents and employers to St. Helens, as well as new residents. Both groups will enhance the community's tax base, generating further opportunities for current and future members of the St. Helens community. The St. Helens riverfront will seamlessly extend from downtown, with walkable, tree-lined streets. Along the Columbia River, where people have gathered for millennia, an expansive park with trails and recreation will once again provide the setting for the community to return to its river.



A rendering of the future St. Helens waterfront.



FRAMEWORK PLAN

5.1 WHAT IS A FRAMEWORK PLAN?

There are a number of potential future scenarios for redevelopment of the St. Helens riverfront. The Core Values stated in the Introduction play a fundamental role in establishing civic intent for the property's redevelopment. In the coming years, citizen advocates and City staff will closely observe the redevelopment process. A Framework Plan that creates both certainty and flexibility in the future with a general layout for the property. This Framework Plan is designed to establish non-negotiable plan elements described in the following sections.

This Framework Plan is a simple and general outline that will guide future, more detailed development plans, to be prepared by separate design and engineering teams as property improvements take place. The framework focuses on securing and cementing the most important public improvements that will form the basis for future public-private redevelopment: it shows general alignments for roads and public access ways, outlines areas for future development, and defines the large, contiguous area that will remain as a public park and greenway trail area along the water's edge. The Framework Plan will be adopted by the City Council and recognized in the City's development code, thereby regulating the essential improvements to the property and guiding future qualitative assessment of more detailed plans for individual properties and buildings.

A similar Framework Plan has not been prepared for the BWP Property to the south, because it is expected to continue its existing industrial operations.

The demonstration plans that follow the Framework Plan display different ways in which development under the Framework Plan could be realized in terms of building massing, development of the waterfront park and trail, and distribution of uses.

5.2 PHYSICAL FRAMEWORK

The physical design proposed for the Veneer Property is intended to provide some level of certainty to guide future City decisions, along with a more flexible approach, to the form and arrangement of development on a number of parcels.

LAND USES

A wide range of land uses is possible for the Veneer Property and is supported at a certain scale by market conditions, described earlier. For example, townhouses could be a potential use, but not in large numbers. Retail is another potential use, but recent market studies (ECONorthwest, 2015) suggest that no more than 12,000 square feet of retail can be supported, which is essentially one to two small structures. Page 24 shows images of potential development types at an appropriate scale, all of which were deemed appropriate by the WAC and the public.

VENEER: PHYSICAL LAYOUT

The plan offers a general framework for the property and outlines, with more certainty, some important plan elements. All of these elements will be further studied and refined as part of future design and engineering processes. These elements include:

- Extension of 1st Street south into the property, with a similar right-of-way (ROW) width of 80 feet.
- Connection of this 1st Street extension through the property to a future southern entrance to the property, where Plymouth Street currently terminates as also identified in the City's Transportation System Plan (2011).
- Extension of The Strand south into the property, at a ROW width of 70 feet.
- New east-west connection between the extensions of 1st Street and The Strand (known as 1st and Strand connector) with a ROW width of 70 feet. This new east-west portion of The Strand will be in direct alignment with the street grid in the Nob Hill neighborhood.
- An effective grid of streets or access ways radiating from 1st Street, providing regular gaps in development to allow public riverfront access and views. The southernmost access way should be aligned with a view of Mt. Hood from the property and from the adjacent bluffs.

FIGURE 5-1. FRAMEWORK PLAN



POTENTIAL DEVELOPMENT LAND USE TYPES



Light Industrial/Marine Commercial



Light Manufacturing/Brewery



Restaurant



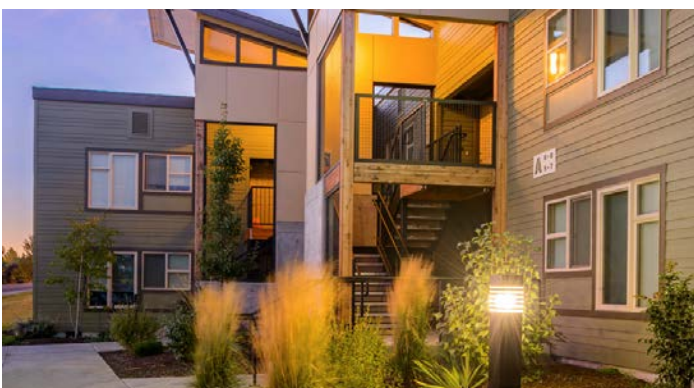
Mix of Uses



Civic/Institutional



Hotel



Apartments



Retail

5.2 PHYSICAL FRAMEWORK

- Realignment and improvement of the existing stairs that currently extend from the east end of Tualatin Street down toward 1st Street and the Veneer Property.
- Formation of large new development parcels accessed from this grid of new streets and access ways.
- Dedication of a significant new greenway open space along the entire length of the property's Columbia River frontage, with a minimum width of 50 feet and an approximate or minimum size of at least six acres.
- An extension or enlargement of the existing Columbia View Park to the south, creating a contiguous park that allows for growth in programmed activities at the park and potential growth of play areas or active sports.
- A continuous trail through this greenway, from Columbia View Park to the southern end of the Veneer Property at Frogmore Slough, with potential for further extension over an existing rail trestle to the BWP Property.
- Restoration of the riverbank associated with the new greenway.
- Protection and restoration of the steep slopes and cliffs that form the property's western boundary, including portions of Nob Hill Nature Park.
- Building footprints placed on the street edges (or frontage) of development parcels suggest a preferred urban design arrangement that echoes the more traditional urban form of downtown St. Helens and other Oregon towns, rather than an auto-oriented layout that sets buildings back away from the street edge.

Demonstration Plan A

This plan proposes a dramatic new urban open space on the riverfront, extending Columbia View Park south to the future street connecting The Strand and 1st Street. The scale and style of development that exists along The Strand and 1st Street continues onto the property, with small-scale buildings lining the street extensions and facing east of the Columbia River. At the 1st and Strand connector, a large development parcel on its north frontage is shown with a major institutional or civic use such as a museum, healthcare facility, or educational entity. Commercial or retail uses and a restaurant are suggested on the south side of the 1st and Strand connector, providing a level of urban activity and energy that can form the heart of the new neighborhood. The 1st and Strand connector terminates in a public plaza with a pier extending over the Columbia River. A trail along the riverbank intersects with this plaza and continues south, intersecting with public access ways at two locations with small plazas and overlooks the river's edge. At the south end of the property in this Demonstration Plan, a small marina is proposed with a brewery or restaurant on the upland property, including outdoor seating. On the east side of 1st Street, new uses are shown arranged to maximize view frontage to the river while providing additional surface parking to complement on-street parking and the surface lots west of 1st St.

Demonstration Plan B

This plan illustrates a slightly different configuration of uses on the property. New buildings line the extensions of 1st and The Strand. The 1st and Strand connector will still be an active core for the neighborhood, perhaps with more retail or commercial uses. In this plan, a new restaurant is shown on the east side of The Strand, providing a dramatic site surrounded by public access, including the extended greenway trail. In place of a pier, a large overlook plaza is shown at the end of The Strand. An option is shown for a Waterfront Special Use Area (see Figure 5.1) that proposes additional development east of the Strand, recognizing that these parcels will hold much potential appeal for certain destination uses, including a brewery, restaurant, café, or other commercial use. This type of use could also help create activity on

DEMONSTRATION PLANS

In addition to the fundamental infrastructure improvements proposed in the Framework Plan, this document includes two illustrative plans that provide examples or “demonstrations” of how future development is envisioned by the community. These demonstration plans include the following consistent components:

- Framework Street extensions are illustrated with trees and sidewalks to provide a sense of the character of these future streets.
- West of the 1st Street extension, surface parking lots are proposed with shade trees. This parking will be available to serve future development use to the east of 1st Street, and can be replaced with buildings if market conditions change in the future.
- Generally, new development is shown as simple building envelopes that are sized to reflect current real estate market trends for residential and commercial footprints.

FIGURE 5-2. DEMONSTRATION PLAN A



FIGURE 5-3. DEMONSTRATION PLAN B



5.2 PHYSICAL FRAMEWORK

the waterfront, a place to relax and enjoy the views, and could help to keep “eyes” on the expanded Columbia View Park, making it safer for the community. This Waterfront Special Use Area should include additional development regulations to ensure that future buildings provide ample public access as well as building and site design that are sensitive to such a visible location. The plan also shows a potential mix of uses between 1st Street and the greenway park, but in this demonstration, the buildings provide more frontage on 1st Street, with semi-public courtyards facing the river and effectively enlarging the size of the waterfront open space. At the property's south end, a Marina is also demonstrated, along with a destination use such as a hotel or restaurant.

STREET DESIGN

The two new street cross-sections in the Veneer Property are designed to create a pedestrian-friendly district, maximize safety, increase availability of parking for events, and facilitate public enjoyment of the waterfront and property as a whole. The extension of 1st Street will maintain its designation as a Collector (per the City's 2011 Transportation Systems Plan), and the extension of The Strand is proposed as a new “festival street,” with special paving and booth space that can be closed to vehicles during events.



All new streets should reflect Complete Street design principles: walkable, bikeable, and green.



Green parking lots with trees and stormwater planters.



Low-impact stormwater treatment along pedestrian accessway.



Pedestrian accessway.

5.2 PHYSICAL FRAMEWORK

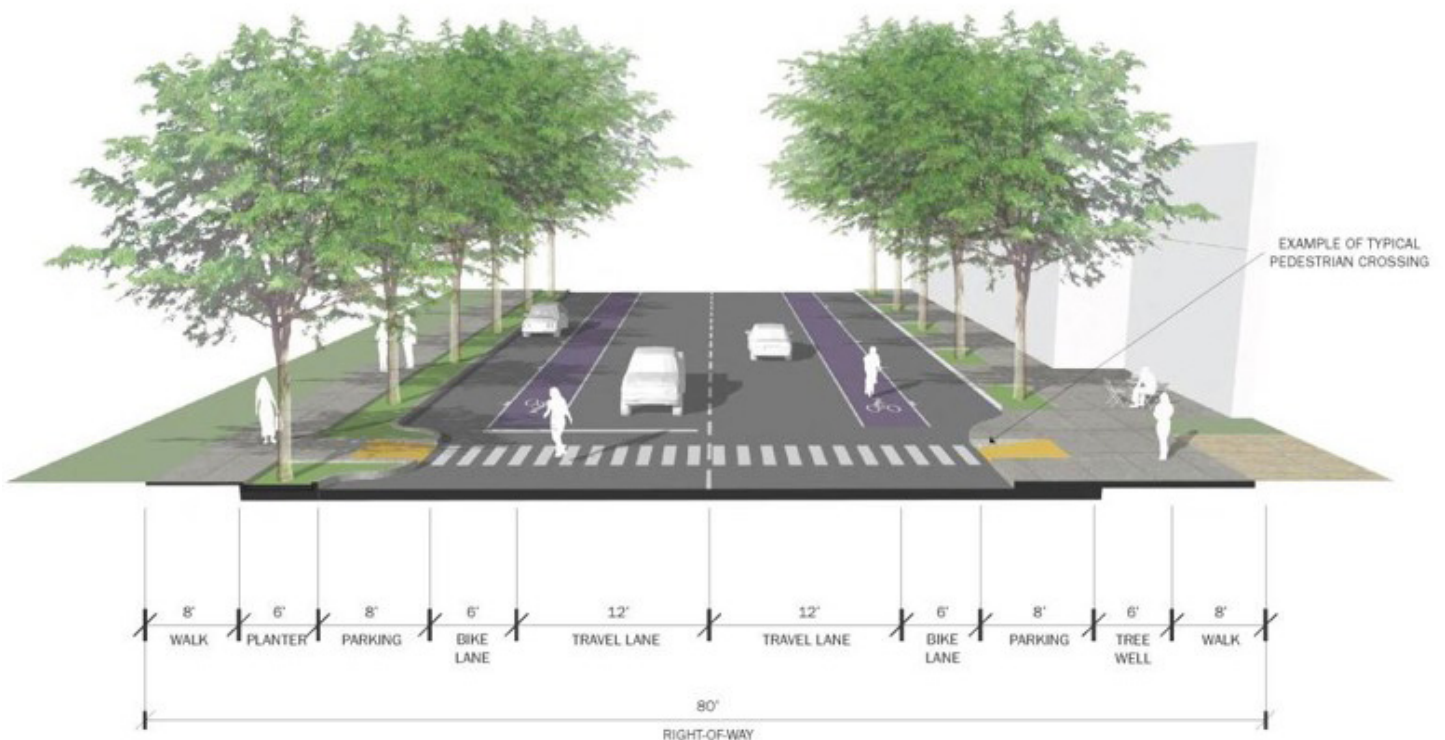
1st Street

The extension of the 1st Street collector is shown with a modified ROW width of 80 feet to allow for on-street parking and buffered bike lanes to maximize cyclist safety. On the west side of the street, continuous planter strips with street trees and stormwater treatment swales will create a green edge between the street and the surface parking lots proposed at the base of the bluff. On the east side, adjacent to future development, street trees can be planted in tree wells or with tree grates to create a more urban pedestrian environment and wider, effective sidewalk width.



FIGURE 5-4. 1ST STREET CROSS SECTION

S 1ST STREET CROSS-SECTION - BIKE LANES ADJACENT TO TRAVEL LANES



5.2 PHYSICAL FRAMEWORK

The Strand Festival Street

The Strand festival street cross-section shows a ROW width of 70 feet—20 feet wider than its Local Street designation—to allow for additional event space and amenities. The festival street includes two travel lanes and on-street parking on either side of the street: parallel parking on the west side and angled parking on the east side facing the new greenway and river view. This was designed based on community desire for space to park on rainy days and watch the river go by. These on-street parking spaces would also double as booth space for events such as markets, fairs, art walks, or other programming, as shown in Figure 5-5.

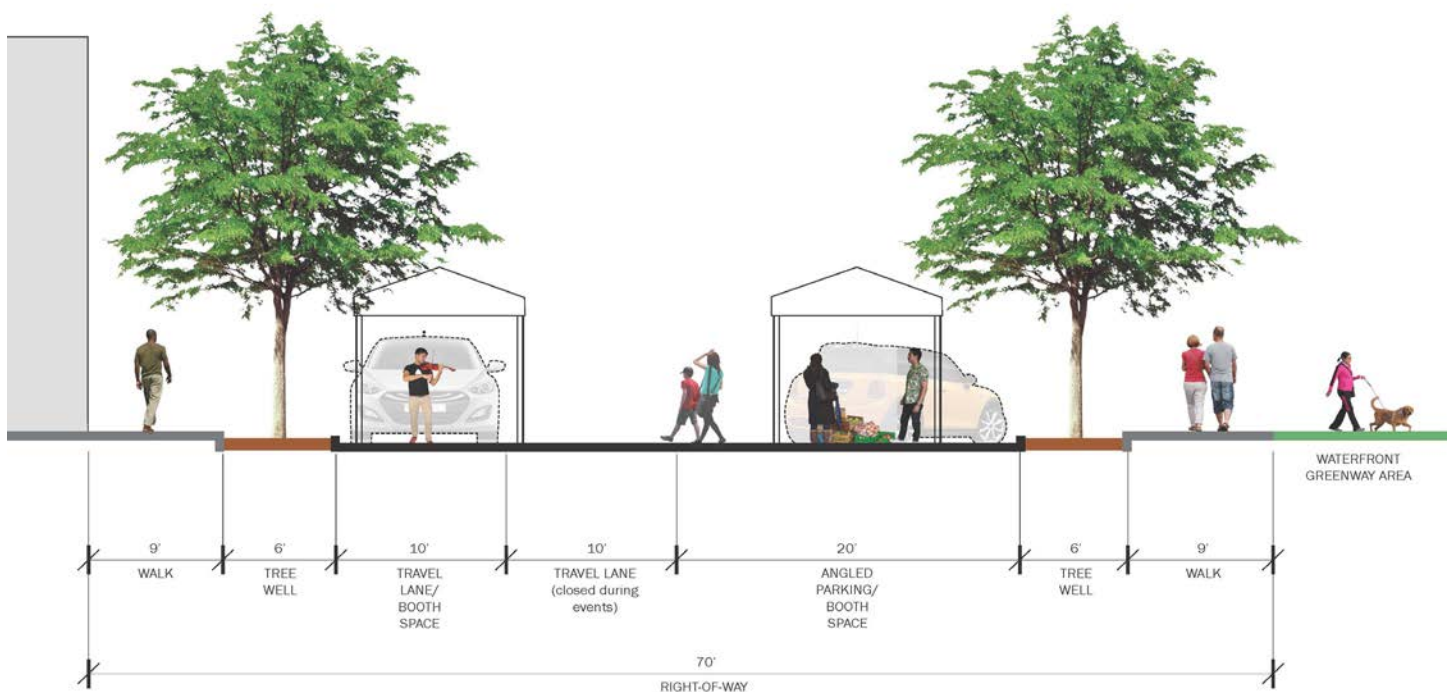


Above: A “festival street” extension of The Strand could be closed to vehicular traffic for special events or markets.



Left: Angled parking on the riverward side of The Strand festival street could provide a place to view the water on rainy days.

FIGURE 5-5. THE STRAND CROSS SECTION



5.2 PHYSICAL FRAMEWORK

GREENWAY DESIGN ELEMENTS

The new public waterfront greenway on the Veneer Property will provide at least six acres of continuous open space along the river's edge, emphasizing public access to the river as the highest priority for the property. The greenway area will provide opportunity for a range of different active and passive recreational space. This could include gardens, lawns, natural play structures, designated areas for dogs, and other amenities. Access to the water's edge will also be incorporated in the greenway design, whether through creation of a beach (if desired and feasible) or through smaller areas accessed by trails down from the top of the bank. Specific designs for the area will be determined with public input when the City implements the greenway project.

A new waterfront trail will be a central element to the new greenway area. It will connect to Columbia View Park at the north and lead to the southern end of the Veneer Property, where a future connection over the existing rail trestle can be made further south, onto the BWP

Property and beyond. The trail and its offshoots may vary in width and material, and will be punctuated by areas for amenities like seating, viewpoints, and overlooks at each east-west connection back to 1st Street. These connections or public access ways will be required as part of future development, and will be pedestrian streets with access for service and emergency vehicles only.

Along with human use of the waterfront, habitat for fish and wildlife will also be integral to complete improvements to the Veneer Property. Currently, passers-by can observe osprey nests at the south of the Veneer Property's waterfront. The water's edge should remain a viable habitat area for osprey and other wildlife. This can be accomplished through appropriate restoration of the riverbank to a native vegetation structure and by restoring shoreline habitat—for example, upland portions of the bank can be planted to improve the water quality of runoff, and the water's edge can be restructured to provide shaded, cool-water refuge for aquatic wildlife.



A rendering of a future greenway space along the Veneer Property waterfront.

5.2 PHYSICAL FRAMEWORK

MARINA

A number of boating-related uses have been suggested for the southern end of the Veneer Property to complement and energize proposed development. This location is relatively protected from prevailing northwest and eastern winds, and is not subject to currents from the main channel of the Columbia River, or the Willamette's Multnomah Channel. Although the site is not particularly suited to marine-related industrial uses, it could be developed to provide an amenity for residents of the new waterfront community, a better-protected, permanent moorage for other local residents, as well as new entertainment and service amenities for cruising boaters from other areas of the Portland marketplace.

The St. Helens regional boat moorage market seems to have nearly recovered from its pre-recession slump, with some slow growth occurring in mid-size (>30') and larger boats (>40'). Most of the moorage available in this stretch of the Columbia River and Multnomah Channel is old and tired. Newer facilities, such as McCuddy's Big Oak Marina (12 miles south of St. Helens), are generally exhibiting a higher demand than the older facilities. Initial

plans for the marina could focus on accommodating and attracting these larger vessels as permanent tenants, because there seems to be some unfulfilled demand for larger slips in the Portland regional market that are attractive to boaters with large investments in this lifestyle.

A new moorage facility in this location could generate strong synergy with upland source of entertainment (such as a brewery or restaurant). The combination could become a second focus for community activities, an attractive feature for marketing the new residential neighborhood and a drawing card for visitors arriving on land as well as water. The upland facility could be designed to include restrooms and showers for visiting boaters. It could also include a small supply shop and convenience market, a marine maintenance and detailing service, or other service-based businesses that would benefit from being on the water.

The next steps for implementing a marina on the Veneer Property are discussed on Project Sheet C7 in Appendix A.



The marina at Scappoose Bay.

5.2 PHYSICAL FRAMEWORK

BOISE WHITE PAPER: DEVELOPABLE PARCELS

Maintaining industrially zoned land is an important part of the city’s and the region’s economic development strategy. Since the City owns the BWP Property and several other parcels in the northwest portion of the study area, it is important to understand the opportunities that exist to market this land to potential employers. This preliminary analysis provides an overview of where there is concentrated potential for industrial

redevelopment in this area. The analysis looks at all of the industrial parcels that are vacant or underutilized, and that are in or adjacent to the study area. For this analysis, “underutilized” means that the ratio of improvement to land value is 50% or less. The analysis grades how developable the parcels are based on the factors described in Table 5-1. A higher score means there are fewer barriers to developing the parcel. This includes approximately 560 acres of industrial land, and a total of 65 parcels.

TABLE 5-1. BWP PROPERTY DEVELOPABLE PARCELS CRITERIA AND SCORING

FACTOR	GRADING	SCORES
Site Characteristics		
Acreage	Based on size of parcel; based on market demand for larger industrial parcels	2: 21+ acres 1: 6–20 acres 0: 0–5 acres
Ownership	Based on whether or not the parcel was already owned by the City	1: City-Owned 0: Other Owner
Vacant	Based on whether or not the parcel is currently vacant	1: Vacant 0: Not Vacant
Underutilized	Based on whether or not the parcel is currently underutilized	1: Underutilized 0: Not Underutilized
Transportation		
Proximity to US 30	Based on the parcel’s distance from US 30	2: < ¼ mi 1: ¼ – 1 mi 0: >1 mi
Utilities		
Water	Based on parcel’s proximity to existing water utilities	2: 0–250 ft
Sewer	Based on parcel’s proximity to existing sewer utilities	1: 251–1000 ft
Stormwater	Based on parcel’s proximity to existing stormwater utilities	0: 1000+ ft
Environmental		
Wetland	Based on whether or not the parcel was in a wetland area	
Floodplain	Based on whether or not the parcel was in the FEMA 100-year floodplain	1: No
Critical Habitat Area	Based on whether or not the parcel was in a critical habitat area	0: Yes
Contamination	Based on whether or not there is suspected or known contamination on the property	

5.2 PHYSICAL FRAMEWORK

The historic industrial use of this property, its separation from downtown, and its proximity to OR US 30 make the BWP property suited to accommodate future industrial development. The parcels within the BWP property were evaluated to determine how developable they are. The analysis included an assessment of the parcel conditions, proximity to US 30, access to utilities, and environmental constraints (the full score table is available in Appendix B).

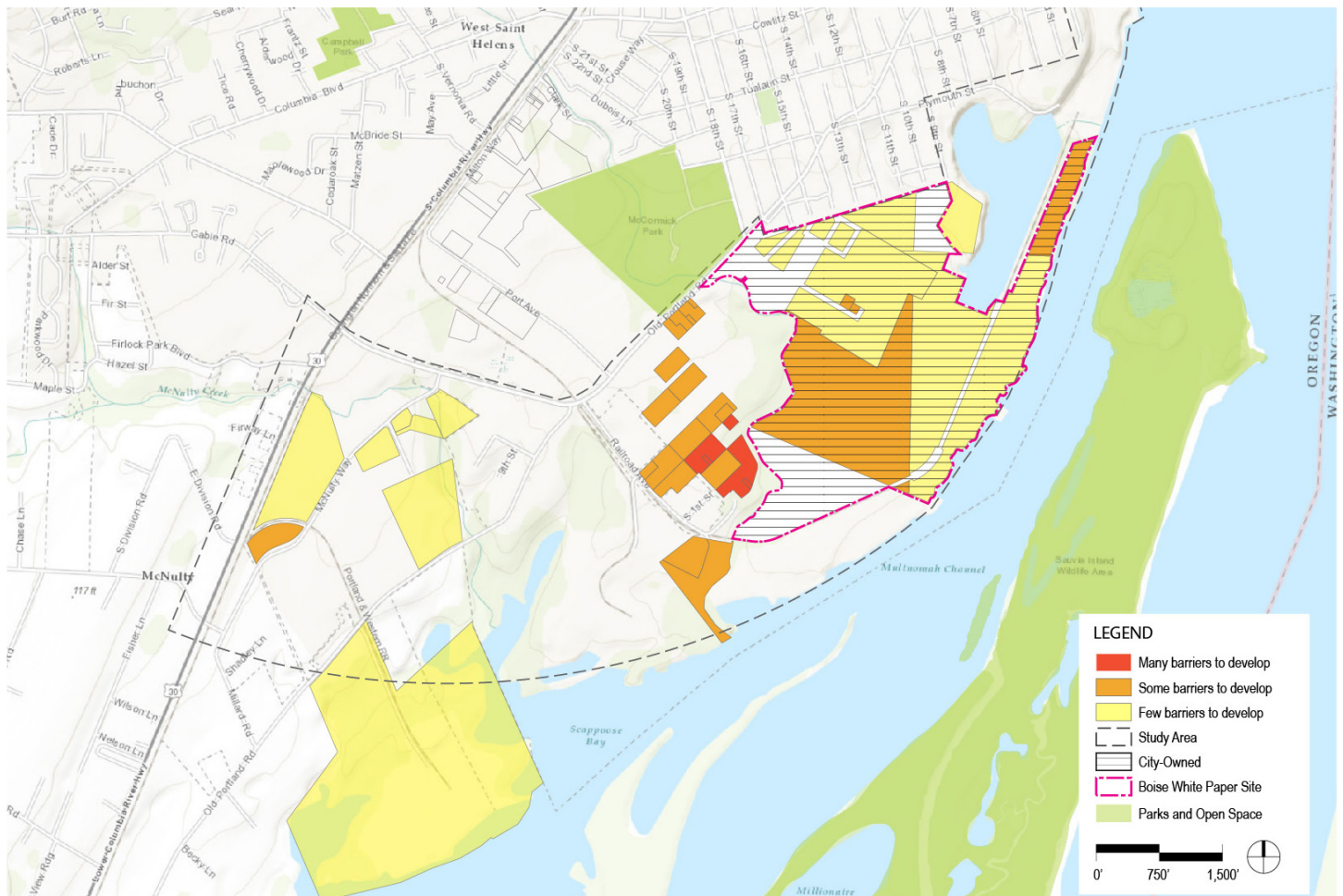
Figure 5-6 shows the scoring of the parcels. The primary findings from this analysis are:

- **Of the 13 City-owned parcels, 8 have few barriers to development.** This means that the City will need to use these findings to address the remaining barriers and make these properties more marketable. This might include aggregating properties that are too small for the industrial market, updating the

riparian designation in the St. Helens Municipal Code (SHMC), and improving transportation connectivity to parcels farther from US 30.

- **The average size of City-owned parcels is 21.4 acres.** Most of the City-owned parcels are large and would be attractive to future industrial employers. The smaller parcels the City owns are in close proximity and could be aggregated into a larger property that would be more attractive for redevelopment.
- **Many of the BWP Property parcels have known or suspected contamination.** The unknown degree of contamination is a deterrent for future development. It is important to communicate to potential developers the protections provided under the environmental indemnification in effect on the BWP Property parcels.

FIGURE 5-6. BOISE WHITE PAPER DEVELOPABLE PARCEL ANALYSIS



5.2 PHYSICAL FRAMEWORK

- **Many of the BWP Property parcels are in a wetland, riparian, and/or critical habitat area.** These designations will require a future developer to go through a sensitive lands analysis and may act as a disincentive. It would be beneficial for the City to re-evaluate these designations on properties that have had a long history of industrial use and no longer support these sensitive environmental conditions.
- **There are many developable parcels closer to US 30.** As shown in Figure 5-6, there are many developable parcels that are closer to US 30 than the City-owned parcels. To counteract this, the City will need to address any transportation issues that inhibit traffic flow through to its parcels and support these improvements with way-finding infrastructure. A marketing strategy should be developed to make the parcels more attractive to developers. City ownership can be an asset in that the City can offer incentives, such as an expedited permitting process for redevelopment of these parcels.

Further review may be required to determine if parcels are lots of record.

5.3 STUDY AREA

The study area was evaluated to determine what off-site improvements are needed to facilitate redevelopment of the waterfront. It is likely that the Veneer Property will be developed in phases, starting at the north end to create synergy between the new development and the existing downtown. To support development, the City can do the following:

- **Put out a Request for Information or Qualifications (RFI or RFQ) to prospective developers rather than a Request for Proposal (RFP).** Since the layout and type of development on the Veneer Property will remain flexible under the adopted Framework Plan, it makes more sense to put out an RFI or RFQ, which will allow the developer to create a vision for the property with the City and the community.
- **Compile a one-page sheet describing key existing conditions in the community.** This could include demographics, school enrollment, median household income, vacancy rates, etc., which will give potential developers a sense of the community context.
- **Consider the range of financial tools the City can leverage.** Some tools include an urban renewal district, a vertical-housing tax abatement zone, and a development permit fee-relief policy.
- **Show dedication to revitalization.** This plan includes a list of projects to support redevelopment. The City should complete pre-development projects (e.g., activating the downtown business association, the St. Helens Economic Development Corporation or SHEDCO) to show that the City and the community are dedicated to redevelopment.
- **Support residential development downtown.** Currently the downtown area has very little residential development, which minimizes the demand for retail and other amenities, especially after 5pm. Adding residential development means creating 24-hour demand in the downtown area, which will support the existing businesses and encourage more employers to relocate to downtown.
- **Prioritize employment in the appropriate areas.** Having a major employer in the area would create another reason for people to live downtown. However, this type of development is better suited to the BWP Property and surrounding vacant and underutilized properties. The Veneer Property is a unique community asset, and should be reserved as a public asset and a space for vibrant redevelopment.
- **Expand art and cultural activities in downtown.** This will help create a sense of place and demonstrate community pride.

5.4 TRANSPORTATION CONNECTIONS

In order for development to occur, it is imperative to improve transportation connections to and through the Vener Property and the downtown area for pedestrians, bicyclists, and automobiles. These physical improvements need to be coupled with a way-finding strategy so that people know to turn off the highway or pull up their boats to get to this area. The following projects are discussed in more detail on their individual project sheets in Appendix A, but are important transportation elements in the larger context of the study area (see Figure 5-7 below).

- **Old Portland Road/Gable Road.** A realignment of this intersection and installation of a traffic signal to encourage motorists to use McNulty Way rather than Old Portland Road to travel between US 30 and the St. Helens downtown and waterfront redevelopment area.
- **Old Portland Road/Plymouth Street.** A realignment of Old Portland Road, Plymouth Street, or installation of a three-, four-, or five-leg roundabout in order to better accommodate large delivery vehicles that frequently travel through this area and to provide better visibility.

- **Old Portland Road/Millard Road.** Increase the turning radius in the northeast corner of the intersection to accommodate the swept path of large vehicles turning from Old Portland Road onto Millard Road.
- **Plymouth Improvements.** The segment of Plymouth Street, located between S. 6th Street and the Vener Property, is relatively narrow due to embankments on the north and south sides of the roadway, as well as the waste-water treatment area and associated facilities on the south side of the roadway. Increased pedestrian activity and bicycle activity are anticipated along the roadway corridor as the Vener Property redevelops and connectivity to the downtown area is improved. Improvements could include a shoulder, a bicycle lane, a sidewalk, and landscaping.

Note that the new traffic signal and intersection improvements listed above are not currently listed in the City's 2011 Transportation Systems Plan or any addendum thereof.

FIGURE 5-7. TRANSPORTATION CONNECTION OPTIONS



COLUMBIA
VIEW
PARK

PHASE I



IMPLEMENTATION
STRATEGY

INTRODUCTION

The Framework Plan’s vision for an active and attractive mixed-use development along the waterfront cannot be achieved without the commitment of the City and private partners. The City must invest in the waterfront park, roads, and other infrastructure to provide the foundation for a great community. Private developers will invest in high-quality vertical development: the housing units, retail space, and other development that create a vibrant destination. This implementation strategy details how to move from the framework vision to reality, pay for infrastructure, and coordinate the efforts of many partners.

This implementation framework focuses on the Veneer Property but includes all of the larger programmatic and off-site improvements necessary to support waterfront redevelopment. It increases certainty for potential private-sector partners and developers by demonstrating that the City is committed to smart implementation, has carefully considered funding and phasing for infrastructure and development on the property, and has done what it can to set the table for a successful partnership.

The City does not have the resources to develop the Veneer Property on its own and will need partners that can participate in vertical development and make investments that help to promote the area as a whole. The City’s goal is to leverage limited city resources to

The Role of Public-Private Partnerships on the Veneer Property

A public-private partnership on the Veneer Property will allow the City to best support development on the property over time, through phased investments in infrastructure and open space that are coordinated with private development. The public sector will have the greatest leverage near the beginning of a market cycle (not at the peak, as it appears to be at the time of this Action Planning process), when construction costs are lowest and when developers are seeking new projects.

generate the largest positive impact for the community. Table 6-1 shows the roles for different partners in advancing the implementation of the framework plan.

These partners will work together in three main near-term actions: (1) Attract a Developer; (2) Clarify Development Regulations; (3) Develop a Funding Plan. The remainder of this section provides detail on these actions; project sheets in Appendix A provide more detail about these actions, as well as the specific infrastructure improvements that are needed on and off-site to support development.

TABLE 6-1. PARTNERS

PARTNER	ROLE
LEADS	
City of St. Helens	Coordinate all implementation actions; lead efforts to improve the waterfront and public sites; provide funding for infrastructure to support new private development; initiate and lead interactions with private developer(s).
Developer Partner	Bring private capital to invest in new waterfront development that aligns with the City’s vision; create a development master plan that refines the ideas for private development contained in this Framework Plan.
PARTNERS	
SHEDCO and Downtown Businesses	Implement the Main Street Program to promote the Riverfront District through business outreach and pursuit of grants. Attract and retain businesses in St. Helens.
Community Members	Provide input on connections to the property through the Nob Hill Neighborhood. Consider creation of a “Friends of the Waterfront” composed of local neighbors, businesses, and other champions for the waterfront.

6.1 ACTION 1: ATTRACT A DEVELOPER

Action Summary

The recommended approach for development is to market the property, release a Request for Information or Qualifications to interested developers, and to work with a selected developer to produce a Master Plan that leads to a Disposition and Development Agreement (DDA) that outlines roles and investment responsibilities for the development partner and the City.

See Appendix C for Alternative Development Approaches.

The size and scale of the property is such that any development approach will take several, and perhaps many years to fully implement and will require continued City management. Economic cycles will also affect the pace of development and the land-disposition process, the availability of tax revenues from new site development, and the risks associated with any City investment obligations. It will be critical that the City find a trusted, capable development partner and enter into a legally binding DDA to move this project forward.

RECOMMENDED APPROACH: DISPOSITION AND DEVELOPMENT AGREEMENT

Given the potential risks and considerable public expense of infrastructure to support developable parcels, we recommend that the City pursue a DDA as it moves forward with development. A DDA is a legally binding agreement that ties a developer to performance

requirements (which may include requirements for investments in infrastructure, development timelines, or other requirements) in exchange for the City agreeing to fund and otherwise support redevelopment.

DDAs are typically organized around a detailed property Master Plan that outlines building-level details and engineering specifications for roads and other infrastructure. The City would work with a developer to create a master plan for the initial phase(s) of development on the property, and would time investment in public infrastructure so that it supports and leverages private investment in buildings to ensure efficient and effective property development that aligns with the Framework Plan goals. This entails entering into a DDA with a developer to create a Master Plan for the property that will address phasing, specifics of “special-use areas,” use mix, etc., as well as identifying who will pay for which pieces of infrastructure with which tools. Steps include:

STEP 1: PROPERTY MARKETING

The City should initiate a set of informal property-marketing actions, including setting up a development opportunity website, developing materials that clearly communicate the opportunity available on the Veneer Property, drafting press releases on the planning work to-date, and hosting informal tours with developers.

STEP 2: DEVELOP A SOLICITATION THAT OUTLINES KEY PUBLIC OBJECTIVES FOR THE PROPERTY

The City has considerable, but not complete, influence over the eventual development form for private development on the property, and needs to be clear in its requirements and communications with development

TABLE 6-2. PUBLIC-SECTOR DEVELOPMENT OBJECTIVES

CORE VALUE	DEVELOPMENT OBJECTIVES	
	Public-Sector “Must-Haves”	Public-Sector “Preferences”
Public Access	<ul style="list-style-type: none"> Active open space along the waterfront for pedestrians and bikes 	<ul style="list-style-type: none"> Active access to water (i.e., marina, boat launch, beach)
Natural and Cultural Heritage	<ul style="list-style-type: none"> Improved natural function of the shoreline Multi-modal connectivity (to street grid and transportation network) 	<ul style="list-style-type: none"> Limited impact on view sheds
Sustainable Economic Development	<ul style="list-style-type: none"> Redevelopment supports existing businesses 	<ul style="list-style-type: none"> Mix of residential with some retail; possible residential-compatible employment uses

6.1 ACTION 1: ATTRACT A DEVELOPER

partners about what it must have and what it desires as a result of public participation in funding infrastructure and development on the property. Through the framework plan process, the City developed a set of key objectives that stemmed from outreach with residents, as shown in Table 6-2. The City will want to refer to these objectives as it considers its approach to attracting developer(s) to the property.

STEP 3: DISPOSITION AND DEVELOPMENT AGREEMENT

Public-private partnerships work best when the public partner is clear about its investment goals. The City has developed an initial set of expectations that it will consider as it evaluates potential private development proposals, shown in Table 6-2. These criteria respond to the overall guiding principles for the project and were developed in coordination with the WAC.

The DDA should include “claw-back” language that enables the City to ensure performance or to have beneficial property reversion rights.

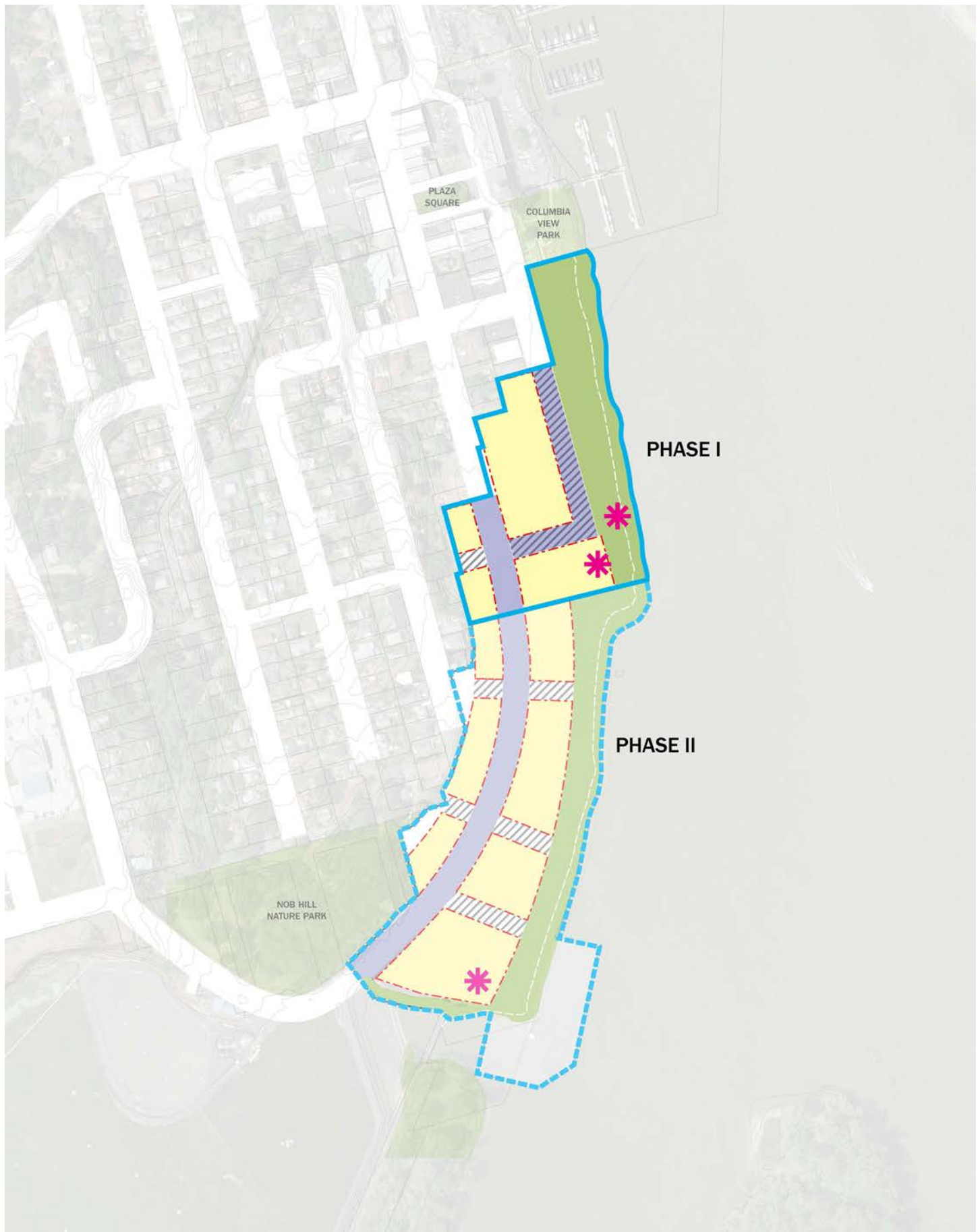
STEP 4: MAINTAIN FLEXIBILITY FOR FUTURE PHASES

The City is unlikely to see all private development move forward at once, given current development market conditions and the City’s ability to fund investments in infrastructure and open space. While the details of the phasing should be worked out in partnership with a selected developer, we have suggested a first phase for planning and budgeting purposes. Based on interviews with development professionals and outreach with residents and downtown business owners, the most logical place for the City to focus new development is closest to existing shops and civic uses in the Riverfront District.

- Phase 1: The first phase will most likely be north of the 1st and Strand connector, to build off existing momentum in downtown St. Helens. Phasing development will allow for initial projects to build off existing energy and investments.
- Phase 2: The area south of the 1st and Strand connector is likely to take longer to develop and will leverage the development created in Phase 1, as well as the investment in waterfront open space.
- Long-term: A long-term strategy for the waterfront includes repurposing the waste-treatment lagoon by filling it in. This creates the potential for additional development or public amenities on and near the property. One source of income for implementation could be tipping fees for fill.

The recommended development phasing is shown in Figure 6-1.

FIGURE 6-1. PHASING CONSIDERATIONS



6.2 ACTION 2: ADDRESS THE ZONING CODE

Action Summary

Once the City has determined its preferred development approach, it should ensure that the zoning code is best suited to enable that approach. Options available to the City range from small changes to reflect the Framework Plan to a full re-zone of the Veneer Property.

The City should ensure that its development code is flexible enough to accommodate a variety of development types while still ensuring an appropriate level of control over the outcomes and fulfilling the goals of the Framework Plan. Uncertainty, inconsistency, and complexity in the code can have negative, even fatal, outcomes on development prospects. Any changes to the zoning should yield a simple solution that references the Framework Plan and provides control to the City and flexibility to the developer.

DEVELOPMENT AND DDA

The Waterfront Redevelopment Overlay District (WROD) was established in 2009 (SHMC 17.32.180) to provide an alternative zoning and development option that may be used to implement City goals and policies for economic development on the Veneer Property at a time when the property was not under City control. The WROD relies on a DDA for implementation since it is a “floating zone,” which does not supersede the underlying Heavy Industrial (HI) zone until the DDA is approved. According to the WROD, “the development agreement shall include a development plan or plans that has/have been approved through a site development review and/or conditional use permit and that has/have been revised as necessary to comply with city standards and applicable conditions of approval. Applicant bears responsibility for the development plan(s).”

The WROD could be modified in a number of ways to help accommodate development envisioned through the Framework Plan. At a minimum, it would need to be amended to include reference to the goals and principles of this plan. Additional modifications could be made to reduce reliance on the standards and processes it currently enforces.

If the City opts for the recommended approach outlined in Action 1, the WROD can be used with minimal modifications. However, it is an imperfect tool to accomplish City goals because it maintains the underlying HI zone and includes many burdensome and complicated standards.

RECOMMENDED APPROACH: REZONE

In order to provide certainty, clarity and simplicity to the development process, it is recommended that the City remove the WROD and change the underlying HI zone to a new zone that is specifically for the Veneer Property and could be extended south in the future if the lagoon area were to be redeveloped. This new zone would reference the requirements of the Framework Plan and rely on a DDA for implementation. Development requirements not specifically laid out in the Framework Plan or laid out in the DDA will default to City Code. Rezoning will require a legislative process that would be necessary even if the City were only changing language in the existing zones. However, a full zone change will produce a simpler result and will reflect the true long-term expectations for the property’s redevelopment as a vibrant, mixed-use waterfront district.

6.3 ACTION 3: FUND NECESSARY IMPROVEMENT PROJECTS

Action Summary

To create certainty for development, the City should create a comprehensive funding program for the property's infrastructure that includes a combination of urban renewal, state grants, and public-private partnerships.

Based on the findings from the market analysis, investment in new mixed-use development may be difficult for a developer to finance. Limited new multifamily or mixed-use development has occurred in St. Helens in the past decade, and achievable rents in the current market are generally lower than necessary to support the cost of new construction. In that context, a key purpose of this implementation strategy is to increase certainty for developers regarding where and how private development can occur, and what funding tools are available to support investments in infrastructure and new vertical development.

The framework planning process included estimation of infrastructure costs to support redevelopment in Phase 1 and 2 on the Veneer Property, including utilities, road infrastructure, and open space. These costs are summarized in Table 7-3. The magnitude of the costs outlined below points to the need for multiple funding tools to support redevelopment, as no one funding tool will be able to pay for all of the costs. It also means that development will need to be phased and done in partnership with private developers.

As part of the framework planning process, the team explored a variety of possible funding tools (detailed in Appendix D).

TABLE 6-3. COST ESTIMATES

	PHASE 1		PHASE 2		TOTAL: LOW	TOTAL: HIGH
	Low	High	Low	High		
Site Preparation	\$300,000	\$400,000	\$200,000	\$300,000	\$500,000	\$700,000
Utilities	\$1,100,000	\$1,600,000	\$700,000	\$1,200,000	\$1,800,000	\$2,800,000
Open Space	\$800,000	\$1,400,000	\$4,700,000	\$7,700,000	\$5,500,000	\$9,100,000
Roads	\$1,400,000	\$1,600,000	\$800,000	\$900,000	\$2,200,000	\$2,500,000
Bank Enhancement	\$400,000	\$500,000	\$400,000	\$500,000	\$800,000	\$1,000,000
Off-site Roads	\$0	\$0	\$700,000	\$3,600,000	\$700,000	\$3,600,000
Habitat/Riparian Enhancements	TBD	TBD	TBD	TBD	TBD	TBD
Site Remediation	TBD	TBD	TBD	TBD	TBD	TBD
Ped/Bike Connections to Site	TBD	TBD	TBD	TBD	TBD	TBD
Development Incentives	TBD	TBD	TBD	TBD	TBD	TBD
Known Costs Total	\$4,000,000	\$5,500,000	\$7,500,000	\$14,200,000	\$11,500,000	\$19,700,000

6.3 ACTION 3: FUND NECESSARY IMPROVEMENT PROJECTS

RECOMMENDED FUNDING TOOLS

The Veneer Property currently has no utilities or transportation infrastructure. The City is exploring several possible funding sources to pay for the investments identified in the Framework Plan. The City is exploring the following funding source possibilities:

- **Urban Renewal.** This tool will likely be fundamental to the ability for the city to realize the Framework Plan vision in the near term, given the scope of the infrastructure improvements needed and the need to attract a development partner with targeted incentives. The City has not yet fully explored the feasibility of urban renewal in this area.
- **Grants.** There are several transportation and open-space grants that could help to fund key pieces of the infrastructure needed to support development on the Veneer Property.
- **Public-Private Partnership.** As part of a DDA and master plan, the City will negotiate the funding of individual components of the site plan with its development partner. These improvements could use tools such as a Local Improvement District to levy assessments on surrounding property owners that benefit from that improvement.
- **Tipping Fees from Lagoon Repurposing.** The City is evaluating the feasibility of repurposing its existing wastewater lagoon as an interim, confined disposal facility that would accept fill. Income generated through fee collection could be applied to public improvements on the Waterfront properties.

Appendix D provides detailed information on these possible funding tools.

6.4 PROJECTS

Table 6-4 provides a summary of the project sheet compiled in Appendix A. These projects are intended to guide the City to and through the redevelopment of the waterfront, and include both general programs as well as phase-specific projects. These are the next steps for the City and the St. Helens community to take to achieve the future they began envisioning with the SDAT in 2014.

Phasing Assumptions

- Short-term: 0-5 years, set the site up for development
- Development Phase 1: 5-10 years, north of The Strand
- Development Phase 2: 10+ years, south of The Strand

Cost Assumptions

- Low: Under \$200,000
- Med: \$201,000 - \$1,000,000
- High: \$1,000,000+

TABLE 6-4. PROJECT SHEET SUMMARY

	SHORT NAME	DESCRIPTION	PHASING	PARTNERS	TOTAL COST
PROGRAMS					
A1	Site marketing	Develop a marketing plan for site and Framework Plan to attract developers and investment.	Short-term	City	TBD
A2	Funding toolkit	Develop a toolkit to enable the City to 1) be receptive to development opportunities and 2) create ongoing relationships with Developers.	Short-term	City, TBD	TBD
A3	Entitlements	Dedicate the ROW for local street improvements, plat parcels based on greenway location. Develop a mixed-use/special zone for the Waterfront to implement development standards established in the Plan.	Short-term	City	Low
A4	Branding and Main Street Organization Support	Create and or support new main street activities in partnership with local community groups to attract residents and visitors to downtown.	Short-term	City, Chamber, SHEDCO/Main St. Program, Travel Oregon	TBD
A5	URA Creation	Adopt an urban renewal area to generate tax increment revenue to pay for area improvement projects.	Short-term	City, SHEDCO, etc.	TBD
A6	Expand storefront improvement program	Enhance the existing historic façade improvement program to create feeling of “investment” in area.	Short-term	City, SHEDCO, State Historic Preservation Office	TBD
A7	Repurpose Wastewater Lagoon	Turn lagoon into landfill to receive fill material from various sources to create new upland waterfront land for development and revenue generation.	Long-term	Multiple	\$30-\$40M
A8	Public Parking Management Strategy	The City will develop a parking management strategy that outlines policies and programs that result in more efficient use of parking resources.	P1	City	Low
PHASE 1 PROJECTS					
B1	Site Preparation	Grading, embankment and compaction, and erosion control on the entire site.	P1, P2	City, private developers	\$500-\$700K
B2	Site Remediation	Address localized hot spots on the site in coordination with development.	P1, P2	City, Boise Cascade	TBD

6.4 PROJECTS

TABLE 6-4. PROJECT SHEET SUMMARY (CONT.)

	SHORT NAME	DESCRIPTION	PHASING	PARTNERS	TOTAL COST
PHASE 1 PROJECTS					
B3	Sanitary Sewer Structure	Install phased sewer facilities to service new development, including force mains, gravity sewer lines, and two pump stations.	P1, P2	City, private developers	\$450-\$600K
B4	Stormwater Infrastructure	Install stormwater facilities in phases, including pipes and bioretention facilities.	P1, P2	City, private developers	\$300-600K
B5	Water Distribution Infrastructure	Install pipes and fire hydrants to service new development.	P1, P2	City, private developers	\$300-\$600K
B6	Franchise Utility Infrastructure	Install underground electrical power, gas, and communications utilities in coordination with new development	P1, P2	TBD	\$600K-\$1M
B7	Columbia View Park Expansion	Design and construct new 1.3 acre park as an extension of existing Columbia View Park.	P1, P2	City, Trust for Public Land, etc.	\$840K - \$1.4M
B8	South 1st and the Strand	Construct South 1st Street and The Strand in phases, including sidewalks, intersections, bike lanes.	P1, P2	City	P1: \$1.4-\$1.6M; P2: \$800-\$910K
PHASE 2 PROJECTS					
C1	Bank Enhancement	Grading, planting, and reinforcement of bank as needed to prevent erosion, restore habitat, support greenway trail and water access and create visual interest along waterfront.	ST, P1	City, DSL, ODFW, Bonneville Foundation?	Medium to High
C2	Riparian Corridor Enhancement	Create nearshore habitat in shallow offshore areas to create salmon habitat and support potential beach and other river access.	P2	City, ODFW, DSL	Medium to High
C3	Waterfront Greenway Trail / Park Design	Install greenway trail south of Columbia View, including design, associated furnishings, interpretation and connections to new neighborhood.	P2	City, private developers,	\$4-\$7 M
C4	Improve Bluff Habitat	Plant and restore the east edge of Nob Hill, as well as base of entire bluff, including any portions of Veneer site to be added to Nature Park.	P2	City, Friends of Nob Hill Nature Park (check)	TBD
C5	Tualatin Street Plaza	Design public plaza at intersection of Tualatin Street and the Strand. Consider future pier from this location in design.	P2	City	\$500K-\$700K
C6	Habitat Enhancement/ Public Access	Restore natural area between White Paper Lagoon and Multnomah Channel. Explore options for public access in natural area.	P2	City, County, Scappoose Bay Watershed	Medium
C7	Marina	Construct a marina on the south end of the Veneer Property, near the entrance to Frogmore Slough. The marina would be privately developed, owned and operated, but at least partly open to the public and available for public use and access.	P2	Private developer and operator, Department of State Lands, Oregon Marine Board	\$500K-\$1M

6.4 PROJECTS

TABLE 6-4. PROJECT SHEET SUMMARY (CONT.)

	SHORT NAME	DESCRIPTION	PHASING	PARTNERS	TOTAL COST
TRANSPORTATION CONNECTIONS					
D1	Improve trail connection to Nob Hill Nature Park from south of site	Explore alternatives for connecting waterfront greenway to existing trail connections to Nob Hill Nature Park; improve existing trail if necessary.	Short-term	City, Friends of Nob Hill Nature Park, OPHI	Low
D2	Trail connection over restored/renovated trestle to south	Extend trail from downtown to south of the site, providing access to natural areas along Multnomah Channel.	P2	City, County, City of Portland via Lagoon project?	Medium
D3	Realign and improve Tualatin Street stairway	Widen, rebuild and align existing staircase to new east-west ROW on Veneer site. Install signage/lighting. Tie to 1st St. construction.	TBD	City Partners: Friends and Neighbors of River View	Low to Medium
D4	Wayfinding Improvements	Help people find downtown retail and existing business district. Attract people on Hwy 30 to St. Helens downtown. Integrate corridor master planning effort and other efforts.	Short-term	City, SHEDCO, Main St program	TBD
D5	Old Portland/Gable Improvements	Improve the intersection to better accommodate traffic coming to the Veneer site.	P2	City	\$250K-\$1.7M
D6	Old Portland/Plymouth	Improve the intersection to better accommodate traffic and serve as a gateway to the site.	P2	City	\$320K-\$1.8M
D7	Old Portland/Millard	Reconstruct intersection to better accommodate large vehicles.	Short-term or P1	City	\$60-70K
D8	Plymouth	Improve bicyclist and pedestrian safety along Plymouth Street.	TBD	City	\$100K-\$300K
D9	Plymouth/6th	Install a signage to increase safety.	TBD	City	\$2,000

**CITY OF ST. HELENS PLANNING DEPARTMENT
FINDINGS OF FACT AND CONCLUSIONS OF LAW
CPZA.3.16**

APPLICANT: City of St. Helens

OWNER: Various

ZONING: Various

LOCATION: City-wide

PROPOSAL: Zoning Map Amendments; Comprehensive Map Amendments; Development Code Text Amendments; Comprehensive Plan Text Amendments.

Comprehensive Map and Text Amendments/Zoning Map Amendments

The 120-day rule (ORS 227.178) for final action for this land use decision is not applicable.

SITE INFORMATION / BACKGROUND

The City acquired approximately 230 acres of predominately industrial land in 2015 in order to facilitate redevelopment. This purchase included an approximately 25-acre parcel of mostly Heavy Industrial zoned waterfront property which was previously used as a veneer manufacturing plant. The remaining 200+ acres of Heavy Industrial zoned property, previously the location of a paper mill, is mostly underutilized, with manufacturing occurring only on a small portion of the site. The primary purpose of these comprehensive map, zoning map, and text amendments are implement the recommendations from the Waterfront Redevelopment Framework Plan (Resolution No. 1765) which focused on guiding redevelopment of the 25-acre parcel.

However, since this provided an opportunity for the city to examine the zoning and such of said 25-acre parcel, the city also looked at other non-industrial lands in the area (commercial/mixed use land north of the site and Nob Hill Nature Park west of the site). Other changes are proposed. For example, to continue the “Riverfront District” zoning title, a place name important to the City Council (per Resolution No. 1687) and a rezone and comprehensive plan map change of both Nob Hill Nature Park and Grey Cliffs Waterfront Park.

In addition, because this area includes most of the city’s historic resources, the city is taking this opportunity to examine some historic preservation policies.

Some code housekeeping are also included.

PUBLIC HEARING & NOTICE

Hearing dates are as follows: March 14, 2017 before the Planning Commission and April 5, 2017 before the City Council.

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject properties on February 23, 2017 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 M, 2017. Notice was sent to the Oregon Department of Land Conservation and Development on February 8, 2017.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

SHMC 17.20.120(1) – Standards for Legislative Decision

The recommendation by the commission and the decision by the council shall be based on consideration of the following factors:

- (a) The statewide planning goals and guidelines adopted under ORS Chapter 197;
- (b) Any federal or state statutes or guidelines found applicable;
- (c) The applicable comprehensive plan policies, procedures, appendices and maps; and
- (d) The applicable provisions of the implementing ordinances.

(a) Discussion: This criterion requires analysis of the applicable statewide planning goals. The applicable goals in this case are Goal 1, Goal 2, Goal 5, Goal 8, Goal 9, Goal 10, Goal 11, and Goal 12.

Statewide Planning Goal 1: Citizen Involvement.

Goal 1 requires the development of a citizen involvement program that is widespread, allows two-way communication, provides for citizen involvement through all planning phases, and is understandable, responsive, and funded.

Generally, Goal 1 is satisfied when a local government follows the public involvement procedures set out in the statutes and in its acknowledged comprehensive plan and land use regulations.

The City's Development Code is consistent with State law with regards to notification requirements. Pursuant to SHMC 17.20.080 at least one public hearing before the Planning Commission and City Council is required. Legal notice in a newspaper of general circulation is required too. Notice of this proposal was sent to surrounding property owners within 300 feet of the subject properties. The City has met these requirements and notified DLCDC of the proposal.

The public engagement for the development of the Framework Plan has been very comprehensive. In 2015, the City established a Waterfront Advisory Committee (WAC) composed of representatives and stakeholders from a wide range of organizations.

Throughout 2016, this group met four times throughout the Framework Plan development process and the meetings were open to the public. In addition to the WAC's involvement, three public events were held with participation from over 100 people at each event. Detailed WAC meeting materials, notes, and public event materials are available on the Waterfront Redevelopment Project webpage located under the Planning Department.

<http://www.ci.st-helens.or.us/planning/page/waterfront-redevelopment-project>
<http://www.ci.st-helens.or.us/planning/page/zoning-development-code-changes>

Given the public vetting for the plan, scheduled public hearings, and notice provided, Goal 1 is satisfied.

Statewide Planning Goal 2: Land Use Planning.

This goal requires that a land use planning process and policy framework be established as a basis for all decisions and actions relating to the use of land. All local governments and state agencies involved in the land use action must coordinate with each other. City, county, state and federal agency and special districts plans and actions related to land use must be consistent with the comprehensive plans of cities and counties and regional plans adopted under Oregon Revised Statutes (ORS) Chapter 268.

The City and State (i.e., DLCD) coordinated with regard to the adoption of this proposal. The City notified DLCD as required by state law prior to the public hearings to consider the proposal.

There are no known federal or regional documents that apply to this proposal. Comprehensive Plan consistency is addressed further below.

Given the inclusion of local, state, regional and federal documents, laws, participation and opportunity for feedback as applicable, Goal 2 is satisfied.

Statewide Planning Goal 5: Natural Resources, Scenic & Historic Areas, & Open Spaces

It is the purpose of this goal to protect natural resources and conserve scenic and historic areas and open spaces.

The Framework Plan addresses identifies future projects, such as the expansion of Columbia View Park and the development of a greenway along the Columbia River that will enhance the overall natural resource system, supporting the intent of Goal 5. Therefore, Goal 5 is satisfied.

Statewide Planning Goal 8: Recreational Needs

It is the purpose of this goal to satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of the necessary recreational facilities including destination resorts.

The provision of parks, trails, and water-related recreation facilities and amenities is a crucial aspect of the Framework Plan. Given that the development and implementation of the Framework Plan plays a keystone role in satisfying the recreational needs of citizens of the state, and visitors to the community, Goal 8 is satisfied.

Statewide Planning Goal 9: Economic Development

It is the purpose of this goal to provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

This goal is satisfied when it can be shown that the proposal will not negatively affect industrial or other employment land, as such lands are catalysts to economic development. The City's adopted Economic Opportunities Analysis (Ordinance No. 3101) notes a surplus of industrial lands in St. Helens. In addition, the City also adopted a Waterfront Redevelopment Overlay District Overlay District (Ordinance No. 3107) which included a determination in the findings that the 25-acre parcel was not needed for the City's industrial land base. Since this proposal will not compromise the City's industrial (and "employment land"), Goal 9 is satisfied.

Statewide Planning Goal 10: Housing

This goal is about meeting the housing needs of citizens of the state. Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

The Framework Plan recommends re-zoning of approximately 25 acres of Heavy Industrial zoned land to a mixed-use zone that will allow for the development of housing where it would have been not permitted otherwise. Therefore, the Framework Plan satisfies Goal 10 by allowing for the development of additional needed housing units.

In addition, housing was possible per the Waterfront Redevelopment Overlay District Overlay District (Ordinance No. 3107) which applies specifically to 25-acre parcel. Residential uses were possible per the overlay zone, which is mixed use in nature. However, the proposed rules are less restrictive in regards to density and other standards, increasing the possibility and regulatory flexibility for housing.

Statewide Planning Goal 11: Public Facilities and Services.

Goal 11 requires cities and counties to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. The goal requires that urban and rural development be "guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable and rural areas to be served."

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. Any additional uses that occur on the subject property can be accommodated by the City's municipal water system as infrastructure has substantial capacity available. Water infrastructure is in the area.

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. Thus, any potential uses that occur on the subject property can be accommodated by the City’s sanitary sewer system as infrastructure is in place or can be upgraded and there is substantial capacity available. Sanitary Sewer infrastructure is in the area.

Stormwater management is simplified as the area in question is along the shoreline of the Columbia River.

Statewide Planning Goal 12: Transportation

Goal 12 requires local governments to “provide and encourage a safe, convenient and economic transportation system.” Goal 12 is implemented through DLCD’s Transportation Planning Rule (TPR), OAR 660, Division 12. The TPR requires that where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures to assure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility.

Traffic impact is required to be analyzed as part of a plan amendment or zone change application, pursuant to Chapter 17.156 SHMC. See Section (d) for a more detailed discussion of the TPR and implementing ordinances.

The Framework Plan lays out the development parcels and the recommended street grid and street cross sections for the approximate 25-acre site. It also protects trail access along the river for non-motorized transportation. Therefore, the Framework Plan satisfies Goal 12 by planning for the implementation of a safe, convenient, and economic transportation system that considers multi-modal transportation options.

Finding: The Framework Plan satisfies the relevant statewide planning goals and guidelines adopted under ORS Chapter 197.

(b) Discussion: This criterion requires analysis of any applicable federal or state statutes or guidelines in regards to the residential zone change request.

Finding: There are no known applicable federal or state statutes or guidelines applicable to this zone change request.

(c) Discussion: This criterion requires analysis of applicable comprehensive plan policies, procedures, appendices, and maps. Organized by section, applicable Comprehensive Plan goals and policies include:

Discussion:

SHMC 19.08.020 Economic goals and policies states it is the policy of St. Helens to “make waterfront development a high priority” and to “develop the local tourist and recreation sectors

of the economy.” This proposal facilitates both of these policies by facilitating redevelopment of the waterfront and increasing the City’s recreational assets for tourism.

SHMC 19.08.030 Publics services and facilities goals and policies states it is the goal of St. Helens to “create and maintain ample places and facilities for recreation in St. Helens.”

SHMC 19.08.040 Transportation goals and policies states it is the goal of St. Helens to “increase appropriate walking and bicycling opportunities.”

19.08.060 Natural factors and local resources goals and policies states it is the goal of St. Helens to “To preserve for the *public benefit* outstanding scenic areas.”

To this end, a policy of the Comprehensive Plan states: “Balance development rights of property owners and protection of *public view* of the Columbia River, Scappoose Bay and Multnomah Channel.”

The approximate 25-acre property includes outstanding views of the confluence of the Columbia River and the Multnomah Channel, Sauvie Island, Mt. St. Helens, Mt. Adams, and Mt. Hood. The Waterfront Framework Plan (and the proposed amendments) includes provisions for public access along the shore. It also includes multiple wide public right-of-way that are more-or-less perpendicular to the shoreline, to help facilitate *public view* from other public places (park, right-of-way) along the east side. *Private views* are not identified as a goal or policy.

Efforts to ensure *public views* are included. Further, the City is the landowner of the 25-acre property, so there is no development rights issue; those rights belong to the applicant, the City.

This section also includes a policy to “encourage the preservation, restoration and functionality of open space corridors.” As longtime industrial land with an operating mill, the public has not been able to intimately enjoy the open space along this stretch of waterfront. The Waterfront Framework Plan and the related code amendments of this proposal, will create public waterfront access that City has never known in its developed lifetime.

Further, this proposal facilitates the recommendation to expand of Columbia View Park to the abutting 25-acre property, which has been identified by the public as a priority for expanding programmed event space and open space to recreate. This proposal also includes the protection of public access along the Columbia River for bicycle and pedestrian use.

The St. Helens Parks & Trails Master Plan (Ordinance No. 3191) identifies the Columbia View Park expansion and a riverfront trail connection as high priority projects on the 25-acre parcel. The Framework Plan facilitates development of both projects.

St. Helens Transportation Systems Plan (Ordinance No. 3150 and 3181). The Waterfront Framework Plan acknowledges transportation connections identified in this plan.

Finding (s): This proposal is aligned with the applicable Comprehensive Plan goals and policies.

(d) Discussion: Per Chapter 17.156 SHMC and Statewide Planning Goal 12, amendments such as proposed are to be evaluated to determine if it will impact the city's transportation system. A traffic impact analysis is required for this purpose. However, such a study is not required when the proposal will not result in a potential increase in vehicular trips.

The approximately 25-acre industrial property discussed in this report is the key property subject to land use change. This property is currently zoned Heavy Industrial, where mostly industrial uses are possible. However, in addition there is a floating zone specific to this property (SHMC 17.32.180). This zone known as the Waterfront Redevelopment Overlay District (WROD), already allows uses comparable to the proposed Riverfront District's Mill sub-district. The Mill sub-district is replacing the WROD. Thus, this proposal includes no significant change for potential vehicle trip generation.

Finding(s): These code amendments are not contrary to the City's implementing ordinances (e.g. SHMC Title 17, Community Development Code).

CONCLUSION & DECISION

Based upon the facts and findings herein, the City Council approves the proposed amendments with some modifications as recommended by the Planning Commission, except for the maximum building height allowed for the Riverfront District's Mill Sub-District, set at 55 feet per the Council.



Rick Scholl, Mayor

5-3-17

Date