

City of St. Helens
ORDINANCE NO. 3309

AN ORDINANCE TO AMEND THE CITY OF ST. HELENS ZONING DISTRICT MAP FOR CERTAIN PROPERTY AT 1771 COLUMBIA BOULEVARD FROM THE GENERAL COMMERCIAL, GC ZONE TO THE HOULTON BUSINESS DISTRICT, HBD ZONE

WHEREAS, the City of St. Helens initiated an amendment to the City of St. Helens Zoning District Map for property addressed as 1771 Columbia Boulevard and described as **Lots 1-3 and 20-22, Block 145, St. Helens** from the General Commercial, GC zone to the Houlton Business District, HBD zone; and

WHEREAS, the St. Helens Planning Commission did hold a duly noticed public hearing and did conclude to recommend such a change to the City Council; and

WHEREAS, the City Council did hold a duly noticed public hearing and did find that after due consideration of all the evidence in the record compared to the criteria, that they agreed with the application; and

WHEREAS, the Council has considered the findings of compliance with criteria and law applicable to the proposal.

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 Zoning District Map is amended to change the zoning district boundaries of the General Commercial, GC zone to the Houlton Business District, HBD zone for the property described herein.

Section 3. In support of the aforementioned Zone District Map Amendment, the Council hereby adopts the Findings of Fact and Conclusions of Law, attached hereto as **Attachment "A"** and made part of this reference.

Section 4. 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: May 21, 2025

Read the second time: June 4, 2025

APPROVED AND ADOPTED this 4th day of June, 2025, by the following vote:

Ayes:

Nays:

Jennifer Massey, Mayor

ATTEST:

Kathy Payne, City Recorder

**CITY OF ST. HELENS PLANNING DEPARTMENT
FINDINGS OF FACT AND CONCLUSIONS OF LAW
Zone Map Amendment ZA.1.25**

APPLICANT: City of St. Helens

OWNER: 1771 COLUMBIA BOULEVARD LLC

ZONING: Houlton Business District, HBD and General Commercial, GC

LOCATION: 1771 Columbia Boulevard; Lots 1-3 and 20-22, Block 145, St. Helens

PROPOSAL: Zone change to change portion of property zoned General Commercial, GC to Houlton Business District, HBD, making entire property HBD

SITE INFORMATION / BACKGROUND

The site is developed and was the site for PGE originally, but has had a variety of other uses since PGE left the site many years ago. The approximate northerly quarter of the subject property was zoned to **Houlton Business District, HBD** via Ordinance No. 3110 in 2009 (file ZA.3.08). This was a zone change initiated by the city for the greater Houlton area and included changing the entire subject property to HBD. So why was only one portion of the subject property changed?

C. 2008-2009 the property owner was considering multifamily development for the subject property and because the HBD zone at the time prohibited residential use on the ground level, the owner convinced the city to only change the northern quarter to HBD (i.e., the portion abutting Columbia Boulevard), with the remainder remaining General Commercial, GC. The zoning map has remained unchanged since.

There are two reasons why the city initiated this Zone Map Amendment in 2025:

First, in 2015, via Ordinance No. 3197 (file ZA.2.15) the prohibition of ground level residential use was removed and multidwelling units were added as a conditional use for the HBD zone. Thus, the reason for reducing the HBD zoned area for the subject property in 2009 has been fixed for about 10 years now. This Zone Map Amendment cleans up an odd outlier of zoning. In fact, at their April 2025 hearing, the Planning Commission noted that this looked like a spot zone, which city standards do not support. Thus, **regardless of the other reason (below), the Council should approve of this Zone Map Amendment.**

Second, the city has been exploring options for a new police station site for the last several years and the subject property has been a leading consideration for this. Police stations are possible in the HBD zone, but not the General Residential, GC zone. This is why the zoning of the subject property has been a topic of discussion and why this “zoning map clean up” is being initiated now, about 10 years after the zoning issue was fixed by being more flexible for residential use.

PUBLIC HEARING & NOTICE

Public hearing before the Planning Commission for *recommendation to the City Council*: April 8, 2025. Public hearing before the City Council: May 7, 2025.

Notice of this proposal was sent to the Oregon Department of Land Conservation and Development on March 3, 2025 through their PAPA Online Submittal website.

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on March 11, 2025 via first class mail. Notice was sent to agencies by mail or e-mail on the same date.

Notice was sent to the owner per ORS 227.186 on March 11, 2025.

Notice was published on March 21, 2025 in the Columbia County Spotlight newspaper.

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.
- (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.

(a) Findings: This criterion requires analysis of the applicable statewide planning goals. The applicable goals in this case are: Goal 1, Goal 9 and Goal 10.

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 regard 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. The city has met these requirements and notified DLCD of the proposal as required by State law.

Statewide Planning Goal 9: Economic Development.

This goal requires that cities and counties have enough land available to realize economic growth and development opportunities. Commercial and industrial development takes a variety of shapes and leads to economic activities that are vital to the health, welfare and prosperity of Oregon's citizens. To be ready for these opportunities, local governments perform Economic Opportunity Analyses based on a 20-year forecast of population and job growth.

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. One implementation tool the State has to demonstrate is the Economic Opportunities Analysis (EOA) pursuant to OAR 660-009-0015. The city has an EOA adopted in 2008 via Ordinance No. 3101, which identifies abundant industrial land and small shortage of commercial land.

The property already has a Comprehensive Plan designation of General Commercial, GC and both the General Commercial, GC zone and Houlton Business District zone, a zoning possible under this Comprehensive Plan designation. Commercial use is possible in either case. The proposal is neutral on its effect on employment lands.

Statewide Planning Goal 10: Housing.

Goal 10 requires 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.

This Goal must be addressed when residential lands or any land where needed housing is possible are potentially affected.

This Goal has a couple components: 1) **inventorying** of land for housing need, and 2) **demographic broad spectrum housing availability in both quantity and variety of type.**

Inventorying

St. Helens completed and adopted a Housing Needs Analysis (HNA) and Buildable Lands Inventory (BLI) in 2019 (Ordinance No. 3244). The results of the housing needs analysis indicates that the current St. Helens Urban Growth Boundary is sufficient to accommodate future housing needs, with a small deficiency (8 acres needed) of high-density land for multi-family development. Commercial/Mixed Use land can make up for the high-density land deficiency. Even though there are no guarantees Commercial/Mixed Use lands will be used for residential purposes, the following

residential developments on commercial/mixed use lands since the inventorying effort of the HNA are noteworthy:

- St. Helens Place Apartments at 700 Matzen Street. Originally approved by Conditional Use Permit CUP.2.18 in 2018, this 204-unit multidwelling project was completed in 2020.

Zone: General Commercial.

Total acres used: 7.72 out of 7.72 ac.

- Broadleaf Arbor developed by the Northwest Oregon Housing Authority (NOHA) and Community Development Partners at 2250 Gable Road. Originally approved by Conditional Use Permit CUP.3.19, this 239-unit multidwelling project was completed earlier this year. The site has wetlands that are preserved so only a portion of the property is developed.

Zone: General Commercial, GC.

Total acres used: approx. 13.7 ac. out of 16.7 ac.

This proposal proposes changing the portion of the subject property zoned General Commercial, GC to Houlton Business District, HBD. Both zoning districts allow multifamily development as a conditional use. This proposal is neutral from an inventory standpoint.

Demographic broad spectrum housing availability in both quantity and variety of type

This proposal supports this aspect of Goal 10 by increasing development options of the subject property. The General Commercial, GC zone allows some types of residential development and, generally, the Houlton Business District, HBD zone allows the types allowed in the GC zone and other residential use types not allowed in the GC zone such as detached single-family dwellings, duplexes and attached single-family dwellings. The quantity aspect is neutral, but the variety aspect is advanced.

However, it is also noteworthy that RV parks are possible in the GC zone, but not the HBD zone.

Land Need (net acres)	
Low Density*	240
Medium Density**	40
High Density	24
Manufactured Home Parks	5
Total	309
Buildable Land Inventory (net acres)	
Low Density	532
Medium Density	93
High Density	16
Manufactured Home Parks	45
Commercial/Mixed Use***	19
Total	705
UGB Land Surplus/Deficit (net acres)	
Low Density*	293
Medium Density**	53
High Density	(8)
Manufactured Home Parks	40
Commercial/Mixed Use	19
Total	397
Adequacy of UGB to meet housing need	adequate

* Includes detached units and mobile homes. ** Includes townhomes, plexes and group quarters.

Upper Left: Table showing the city's 2019 HNA findings. St. Helens has adequate land across most categories. The high-density deficit of 8 acres can be addressed in the commercial/mixed use land surplus and there are development projects since the HNA adoption that have done so, exceeding 8 acres.

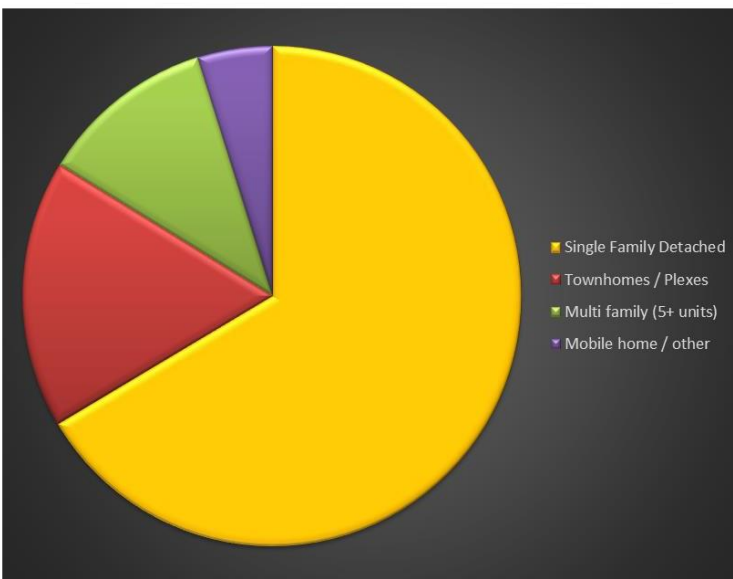
This proposal complies with the **inventorying** component of Goal 10.

* * *

Lower Left: This is Exhibit 5 from the city's HNA showing housing mix and tenancy for St. Helens between 2013 and 2017.

The proposal adds options for residential use as explained herein.

This proposal complies with the **broad spectrum housing availability** component of Goal 10.



Source: U.S. Census, American Community Survey, 2013-2017.

(b) Findings: This criterion requires analysis of any applicable federal or state statutes or guidelines.

Nothing applicable.

(c) Findings: This criterion requires analysis of applicable comprehensive plan policies, procedures, appendices and maps.

The General Commercial Comprehensive Plan designation allows for mixed use type zones, the HBD is such a zone.

(d) Findings: This criterion requires analysis of the applicable provisions of the implementing ordinances.

Not applicable.

(e) Findings: This criterion is intended to prevent spot zoning. “Spot zoning” is defined by Chapter 17.16 SHMC as:

“Spot zoning” means rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding uses and not for the purpose or effect of furthering the comprehensive plan.

Omitting the change from the General Commercial, GC zone to the Houlton Business District zone of the property in 2009 could be considered a created spot zone. At their April 8, 2025 hearing, the Planning Commission recognized this “island” of General Commercial, GC as a spot zone. This proposal remedies that. The Council finds that this proposal eliminates a spot zoning.

CONCLUSION & DECISION

Based upon the facts and findings herein, the City Council approves this Zone Map Amendment. The Council finds that this proposal eliminates a spot zoning.

Jennifer Massey, Mayor

Date