



## CITY OF ST. HELENS PLANNING DEPARTMENT

# M E M O R A N D U M

**TO:** Planning Commission  
**FROM:** Jacob A. Graichen, AICP, City Planner  
**RE:** Planning Commission Proactive Item Submission Consideration  
**DATE:** January 3, 2023

In June 2022 the Planning Commission adopted the **Planning Commission Proactive Procedures, PCPR**. These have been provided to you previously and are included in the materials for new Commissioners. If you need a copy, please contact staff.

Commissioner Toschi submitted a Proactive Item packet—including four items—for Commission consideration. This was submitted via e-mail on November 8, 2022. This was sent to staff but also all Planning Commissioners and Councilor Birkle, which necessitates a question of the appropriateness of that action.

The PCPR talks about submittal to *staff* and that *staff* will put on a future agenda as appropriate. **Does the Commission think that providing this email to all (not just staff) before any formal staff review was appropriate especially before being formally put on any agenda given the rules adopted only six months ago?**

### Staff comments:

Staff provided comments to Commissioner Toschi via email on November 23, 2022, also acknowledging requested delay to the January meeting. Staff used the “track changes” tool of Microsoft® Word as a potential aid to revisions. The applicant acknowledged receipt of this email but never provided revisions as of the date of this memo.

The complete staff comments are attached for each proposed item.

One of the things the Commission needs to consider is jurisdiction and this is what I will focus on with this memo.

All items: The language under the “jurisdiction section” of the submitted documents is identical for all four items and just paraphrases the listed powers and duties under SHMC 2.08.080 rather than specifically answer the question as to why the Commission has jurisdiction.

The Commission may want to consider delaying discussion of this until more specificity is provided.

Architectural standards proactive item. Under the “reasons for” section it references developing and maintaining the Comprehensive Plan as an applicable power and duty. Though amendment to the Comprehensive Plan is a potential aspect of this, this does not hit the mark. One staff comment on this item was:

You are wanting to create policy to *implement* the Comprehensive Plan; this is not a Comp Plan proposal. You need to pick a better power and duty and explain how that applies. For example, if you go with 2.08.080(4) what does this specifically advance as identified in the Comp Plan?

Budget, debt., etc. proactive item. Unlike the other proposed proactive items, there is no attempt to connect the jurisdiction aspect under the “reasons for” section. One staff comment on this item was:

Jurisdiction basis needs to be defined here specifically to be able to sell this to the Commission.

Elimination of blight proactive item. Under the “reasons for” section it references developing and maintaining the Comprehensive Plan as an applicable power and duty. One staff comment on this item was:

This is not a Comp Plan proposal. You are not proposing to do anything to the Comp Plan. Need to identify an applicable basis.

Waterfront development proactive item. Under the “reasons for” section it references developing and maintaining the Comprehensive Plan as an applicable power and duty. One staff comment on this item was:

You are wanting to create policy to *implement* the Comprehensive Plan; this is not a Comp Plan proposal. You need to pick a better power and duty and explain how that applies. For example, if you go with 2.08.080(4) what does this specifically advance as identified in the Comp Plan?

Other comments:

Though these are four proactive submittals, some of the items could easily be broken into separate proactive items. So, there is a question of how broad an item should be.

HB 3115 is already an ongoing proactive item. Does it make sense to add new items while that is just getting started?

**\*\*Overall recommendation: reject discussion of these until the jurisdiction is specified, improved and more accurate. Revised proactive proposals should follow the same timeline of Section 1 of the PCPR as “last minute” revisions would be contrary to proper consideration based on the volume of material.\*\***

You may disagree as these are your rules. But a certain level of quality control is recommend as adopted procedures are intended to prevent chaos and help promote appropriateness.

Attached: November 8, 2022 email from Commissioner Toschi  
November 15, 2022 email from City Planner to Commissioner Toschi

Architectural standards proactive item (raw version + staff comments version)  
Budget, debt., etc. proactive item (raw version + staff comments version)  
Elimination of blight proactive item (raw version + staff comments version)  
Waterfront development proactive item (raw version + staff comments version)

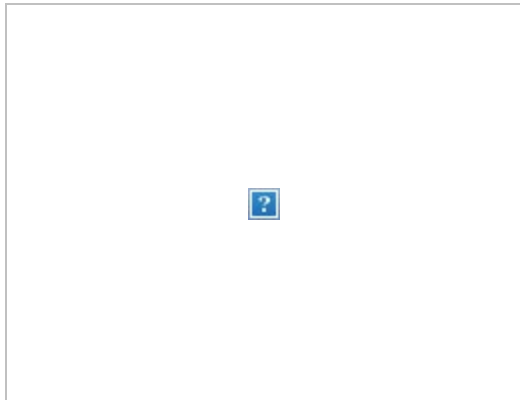
**From:** [Steven Toschi](#)  
**To:** [Dan Cary](#); [Russ Hubbard](#); [Jennifer Herbert-Pugsley](#); [Audrey Webster](#); [Sheila Semling](#); [semling63@gmail.com](mailto:semling63@gmail.com); [rmLOW](#)  
**Cc:** [Jacob Graichen](#); [Jennifer Dimsho](#); [Patrick Birkle](#); [Christina Sullivan](#)  
**Subject:** [External] Pro-Active Planning Commission Items  
**Date:** Tuesday, November 8, 2022 3:53:14 PM  
**Attachments:** [image001.png](#)  
[Architectural Standards Proactive Item.docx](#)  
[Budget, debt, infrastructure, Rentals and Gas Tax Proactive Item.docx](#)  
[Elimination of Blight Proactive Item.docx](#)  
[Waterfront Development Proactive Item.docx](#)

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Dear Planning Commission, Councilor Birkle, Mr. Graichen, Ms. Dimsho and Ms. Sullivan:

I'm enclosing several pro-active items for Planning Commission consideration at the December or January meetings. Probably January with the new group would be best. I've been thinking about these things for a while. I want to be on record regarding the Planning Commission moving forward with plans for the waterfront, with a consideration of a priority of appropriate housing for the area, revenue studies, among other subjects, before the election. Wherever I'm sitting, I'm hoping the Planning Commission will move forward with actively shaping the future of St. Helens. It my hope the Planning Commission will formulate plans, and become increasingly engaged to promote the economic vitality, health, and safety of the City and its citizens.

Respectfully,



STEVEN TOSCHI  
PLANNING COMMISSIONER  
(925) 963-2518  
[STOSCHI@TCDLEGAL.COM](mailto:STOSCHI@TCDLEGAL.COM)

***"A goal without a plan is nothing but a dream."*** — Jimmy Rhodes

**From:** [Jacob Graichen](#)  
**To:** [Steven Toschi](#)  
**Subject:** Proactive items emailed Nov. 8, 2022 - comments  
**Date:** Wednesday, November 23, 2022 4:50:00 PM  
**Attachments:** [Architectural Standards Proactive Item.docx](#)  
[Budget, debt, infrastructure, Rentals and Gas Tax Proactive Item.docx](#)  
[Elimination of Blight Proactive Item.docx](#)  
[Waterfront Development Proactive Item.docx](#)

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Dear proactive item applicant,

First, staff is in receipt of your email from Nov. 15, 2022 requesting delay to January.

Second, staff reviewed the proposals and we have provided some suggested edits and comments.

Please remember the specific provisions proving Planning Commission jurisdiction need to be identified.

**Jacob A. Graichen, AICP, City Planner**

City of St. Helens

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(503) 397-6272

CITY OF ST. HELENS PLANNING COMMISSION  
PROACTIVE ITEM SUBMISSION

Date Submitted: November 2, 2022

Submitted by: Steve Toschi, Planning Commissioner

Proposed Date for Meeting for Discussion: December 2022

Item Matter Number: 2022-? (subject to Staff numbering)

Title: Planning Commission Plans for Architectural Standards and Historic Preservation

Jurisdiction: The Planning Commission has jurisdiction under 2.08.080 (1) “Conduct studies appropriate to an understanding of area development and its significance to public interest,” (2) **Develop and maintain comprehensive plan proposals for recommendation to the city council,**” (3) Develop specific plans for selected areas or functions as indicated by studies and other evidence of community need and recommend plan adoption, if appropriate,” (4) Investigate and make recommendations regarding the implementation of the comprehensive plan as adopted by the City Council,” (6) Consult and advise with public agencies and private citizens on ways to carry out the comprehensive plan,” (10) “review and act on land use control ordinance change proposals,...and discretionary permits.” (12) “Recommend and make suggestions to the city council...concerning...betterment of housing and sanitation conditions and establishment of zones or districts limiting the use...of buildings and structures,” (13) Recommend to the city council...plans for regulations of the future growth of the city and beautification of the city in respect to its public and private buildings and works, streets, parks, grounds, and vacant lots and plans consistent with the future growth and development of the city in order to secure to the city and its inhabitants sanitation, proper services of all public utilities, harbor, shipping and transportation facilities.” (14) “Recommend to the city council...plans for promotion, development and regulation of industrial and economic needs of the community in respect to private and public enterprises engaged industrial pursuits.” And (18) Study and propose in general such measures as may be advisable for promotion of the public interest, health, morals, safety, comfort, convenience, and welfare of the city and the area six miles adjacent thereto within the urban growth boundary of the city.”

Reasons for Planning Commission Action: The Planning Commission has the Power and the Duty to “Develop and Maintain comprehensive plan proposals for recommendations to the City Council.” The Planning Commission has no plans for architectural standards in order to preserve the “look” and “historic feel” of St. Helens. The City has standards applicable to “mixed use” buildings. However, more specific standards are needed to address residential development. The Planning Commission can study ways to encourage historical property owners to rehabilitate their properties rather than tear them down.

Process of Study: The Planning Commission and Historic Preservation Commission will study and the Planning Commission will adopt, with recommendations to Council, architectural

standards for all properties from a street recommended by the PC to the Columbia River. Also, will ORS 227.186 may be triggered.

Timeline: Begin work as soon as possible.

Budget: Planning Department Staff will need to interface with the subcommittee.

CITY OF ST. HELENS PLANNING COMMISSION

PROACTIVE ITEM SUBMISSION

Date Submitted: November 2, 2022

Submitted by: Steve Toschi, Planning Commissioner

Proposed Date for Meeting for Discussion: ~~December 2022~~ Jan. 2023

Item Matter Number: 2022-? (subject to Staff numbering)

Title: Planning Commission Plans for Architectural Standards to buildings that are not Designated Landmarks and Historic Preservation

Jurisdiction: The Planning Commission has jurisdiction under 2.08.080 (1) "Conduct studies appropriate to an understanding of area development and its significance to public interest," (2) **Develop and maintain comprehensive plan proposals for recommendation to the city council,** (3) Develop specific plans for selected areas or functions as indicated by studies and other evidence of community need and recommend plan adoption, if appropriate," (4) Investigate and make recommendations regarding the implementation of the comprehensive plan as adopted by the City Council," (6) Consult and advise with public agencies and private citizens on ways to carry out the comprehensive plan," (10) "review and act on land use control ordinance change proposals,...and discretionary permits." (12) "Recommend and make suggestions to the city council...concerning...betterment of housing and sanitation conditions and establishment of zones or districts limiting the use...of buildings and structures," (13) Recommend to the city council...plans for regulations of the future growth of the city and beautification of the city in respect to its public and private buildings and works, streets, parks, grounds, and vacant lots and plans consistent with the future growth and development of the city in order to secure to the city and its inhabitants sanitation, proper services of all public utilities, harbor, shipping and transportation facilities." (14) "Recommend to the city council...plans for promotion, development and regulation of industrial and economic needs of the community in respect to private and public enterprises engaged industrial pursuits." And (18) Study and propose in general such measures as may be advisable for promotion of the public interest, health, morals, safety, comfort, convenience, and welfare of the city and the area six miles adjacent thereto within the urban growth boundary of the city."

Reasons for Planning Commission Action: The Planning Commission has the Power and the Duty to "Develop and Maintain comprehensive plan proposals for recommendations to the City Council." The Planning Commission has no plans for architectural standards in order to preserve the "look" and "historic feel" of St. Helens, except those that apply to the Riverfront District. ~~The City has standards applicable to "mixed-use" buildings.~~ However, more specific standards are needed to address residential development of a broader geographic area. The Planning Commission can study ways to encourage historical property owners to rehabilitate their properties rather than tear them down.

**Commented [JG1]:** This should be a separate proactive item.

**Commented [JG2]:** Why bold? This is not a comprehensive plan proposal.

**Commented [JG3]:** You are wanting to create policy to implement the Comprehensive Plan; this is not a Comp Plan proposal. You need to pick a better power and duty and explain how that applies. For example, if you go with 2.08.080(4) what does this specifically advance as identified in the Comp Plan?

**Commented [JG4]:** Incentives for historic preservation is a separate proactive item.

Process of Study: The Planning Commission and Historic Preservation Commission will study and the Planning Commission ~~will adopt, with~~make recommendations to Council ~~to adopt;~~ architectural standards for all properties ~~from a street recommended by the PC to the Columbia River~~within a geographic area to be determined. Also, ORS 197.307 will apply to these kinds of standards given anticipated extensive impact to residential properties, so ensuring clear and objective standards will be paramount, and will ORS 227.186 may be triggered as part of the adoption process.

Timeline: Begin work as soon as possible.

Budget: Planning Department Staff will need to interface with the subcommittee. Reports, notices, ordinances, and all of the things that pertain to Development Code amendments will apply. Workshops and other vetting prior to the adoption process is pertinent as well, so significant planning staff involvement is anticipated and due to likely conflicts with other work obligations and projects, an additional planning staff member is recommended. Or time could be allowed to evaluate the impacts of a potential economic downturn, which if it stifles growth, may provide the needed staff capacity.

In addition, depending on geographic extent and complexity of new standards, additional workload necessary to implement new standards also may justify additional staffing.



CITY OF ST. HELENS PLANNING COMMISSION  
PROACTIVE ITEM SUBMISSION

Date Submitted: November 2, 2022

Submitted by: Steve Toschi, Planning Commissioner

Proposed Date for Meeting for Discussion: December 2022 or January 2023

Item Matter Number: 2022-? (subject to Staff numbering)

Title: Study and Recommendations to Council re Debt, Budget, Gas Tax, Business License Tax and Infrastructure Spending

Jurisdiction: The Planning Commission has jurisdiction under 2.08.080 (1) "Conduct studies appropriate to an understanding of area development and its significance to public interest," (2) Develop and maintain comprehensive plan proposals for recommendation to the city council," (3) Develop specific plans for selected areas or functions as indicated by studies and other evidence of community need and recommend plan adoption, if appropriate," (4) Investigate and make recommendations regarding the implementation of the comprehensive plan as adopted by the City Council," (6) Consult and advise with public agencies and private citizens on ways to carry out the comprehensive plan," (10) "review and act on land use control ordinance change proposals,...and discretionary permits." (12) "Recommend and make suggestions to the city council...concerning...betterment of housing and sanitation conditions and establishment of zones or districts limiting the use...of buildings and structures," (13) Recommend to the city council...plans for regulations of the future growth of the city and beautification of the city in respect to its public and private buildings and works, streets, parks, grounds, and vacant lots and plans consistent with the future growth and development of the city in order to secure to the city and its inhabitants sanitation, proper services of all public utilities, harbor, shipping and transportation facilities." (14) "Recommend to the city council...plans for promotion, development and regulation of industrial and economic needs of the community in respect to private and public enterprises engaged industrial pursuits." And (18) Study and propose in general such measures as may be advisable for promotion of the public interest, health, morals, safety, comfort, convenience, and welfare of the city and the area six miles adjacent thereto within the urban growth boundary of the city."

Reasons for Planning Commission Action: Recently there was the departure of the Finance Director. The City's finances are beyond the understanding of any citizen, information is withheld from the public, and there is no way for the Planning Commission or any citizen to actually know the status of the City's finances. Review of budgets of the City for year 2022 verses year 2021 demonstrated an increase in the City Budget of \$40 million. The City has at least \$15,000,000 to spend on sewer infrastructure expansion in order to avoid raw sewage flowing down the streets of St. Helens and into people's homes. This is per a report by the City Public Works Department and the City Engineers office. The money to pay for these public improvements has not been allocated except by debt. The City will spend millions on road projects for needed infrastructure at Gable Road/Highway 30, and other areas of St. Helens. The

City is planning on borrowing another \$40 million with an additional \$20 million in debt service for “urban renewal.” Current budget planning for the waterfront should be understood by the Planning Commission, as should the City’s finances. The City of Scappoose recently voted for a gas tax. The City of St. Helens can obtain gas tax revenues from all sources buying gas within the City, thereby shifting revenue production to non-citizens buying gas here. The City has many landlords holding more than 10 rental properties. The City requires a business license to operate multiple units. Payment of a residential rental tax in return for a business license will generate considerable revenue.

**Process of Study:** The process will involve the Planning Commission being briefed by the City Finance Director (or someone within the City) concerning the City’s budget, debt, cash on hand, and how the debt will be paid over time. The Planning Commission may request to hire its own accountants to advise the Planning Commission in this regard. The Planning Commission will contact the City of Scappoose and get data from it regarding its gas tax. The Planning Commission will study how the gas tax will benefit the citizens of St. Helens and will propose methods to educate the citizens regarding the benefits. The Planning Commission will study how spending the gas tax money can aid the Public Works Department and defray debt concerning infrastructure work and public safety regarding City streets (including the possibility of using some funds for litigation to prevent vagrants and drugs addicts taking over portions of City streets). The study will also look to increased revenue from business licenses for the holders of rental property. The actual projected costs of the infrastructure needs over the next 10 years should be explored.

**Timeline:** The goal will be to progress the item to council for recommendation by June 2023 re the gas tax for inclusion on the November ballot. A recommendation for a tax on business licenses will be made before the end of 2023.

**Budget:** Planning Department Staff will have minimal involvement. Rachael Barry, or someone from the City that can help organize and coordinate people to provide information needed for the study will help. Money allocated for experts and their time may be requested. The City Finance Director (or someone) will need to spend time reporting to the Planning Commission. Perhaps \$20,000 to \$50,000 for a forensic accountant if needed.

CITY OF ST. HELENS PLANNING COMMISSION

PROACTIVE ITEM SUBMISSION

Date Submitted: November 2, 2022

Submitted by: Steve Toschi, Planning Commissioner

Proposed Date for Meeting for Discussion: December 2022 or January 2023

Item Matter Number: 2022-? (subject to Staff numbering)

Title: Study and Recommendations to Budget Committee and Council re Debt, Budget, Gas Tax, Business License Tax and Infrastructure Spending

Jurisdiction: The Planning Commission has jurisdiction under 2.08.080 (1) "Conduct studies appropriate to an understanding of area development and its significance to public interest," (2) Develop and maintain comprehensive plan proposals for recommendation to the city council," (3) Develop specific plans for selected areas or functions as indicated by studies and other evidence of community need and recommend plan adoption, if appropriate," (4) Investigate and make recommendations regarding the implementation of the comprehensive plan as adopted by the City Council," (6) Consult and advise with public agencies and private citizens on ways to carry out the comprehensive plan," (10) "review and act on land use control ordinance change proposals,...and discretionary permits." (12) "Recommend and make suggestions to the city council...concerning...betterment of housing and sanitation conditions and establishment of zones or districts limiting the use...of buildings and structures," (13) Recommend to the city council...plans for regulations of the future growth of the city and beautification of the city in respect to its public and private buildings and works, streets, parks, grounds, and vacant lots and plans consistent with the future growth and development of the city in order to secure to the city and its inhabitants sanitation, proper services of all public utilities, harbor, shipping and transportation facilities." (14) "Recommend to the city council...plans for promotion, development and regulation of industrial and economic needs of the community in respect to private and public enterprises engaged industrial pursuits." And (18) Study and propose in general such measures as may be advisable for promotion of the public interest, health, morals, safety, comfort, convenience, and welfare of the city and the area six miles adjacent thereto within the urban growth boundary of the city."

Reasons for Planning Commission Action: Recently there was the departure of the Finance Director. The City's finances are beyond the understanding of any citizen, information is withheld from the public, and there is no way for the Planning Commission or any citizen to actually know the status of the City's finances. Review of budgets of the City for year 2022 verses year 2021 demonstrated an increase in the City Budget of \$40 million. The City has at least \$15,000,000 to spend on sewer infrastructure expansion in order to avoid raw sewage flowing down the streets of St. Helens and into people's homes. This is per a report by the City Public Works Department and the City Engineers office. The money to pay for these public improvements has not been allocated except by debt. The City will spend millions on road projects for needed infrastructure at Gable Road/Highway 30, and other areas of St. Helens. The

**Commented [JG1]:** Jurisdiction basis needs to be defined here specifically to be able to sell this to the Commission

City is planning on borrowing another \$40 million with an additional \$20 million in debt service for “urban renewal.” Current budget planning for the waterfront should be understood by the Planning Commission, as should the City’s finances. The City of Scappoose recently voted for a gas tax. The City of St. Helens can obtain gas tax revenues from all sources buying gas within the City, thereby shifting revenue production to non-citizens buying gas here. The City has many landlords holding more than 10 rental properties. The City requires a business license to operate multiple units. Payment of a residential rental tax in return for a business license will generate considerable revenue.

Process of Study: The process will involve the Planning Commission being briefed by the City Finance Director (or someone within the City) concerning the City’s budget, debt, cash on hand, and how the debt will be paid over time. The Planning Commission may request to hire its own accountants to advise the Planning Commission in this regard. The Planning Commission will contact the City of Scappoose and get data from it regarding its gas tax. The Planning Commission will study how the gas tax will benefit the citizens of St. Helens and will propose methods to educate the citizens regarding the benefits. The Planning Commission will study how spending the gas tax money can aid the Public Works Department and defray debt concerning infrastructure work and public safety regarding City streets (including the possibility of using some funds for litigation to prevent vagrants and drugs addicts taking over portions of City streets). The study will also look to increased revenue from business licenses for the holders of rental property. The actual projected costs of the infrastructure needs over the next 10 years should be explored.

Timeline: The goal will be to progress the item to Council for recommendation by June 2023 re the gas tax for inclusion on the November ballot. A recommendation for a tax on business licenses will be made before the end of 2023.

Budget: Planning Department Staff will have minimal involvement. Rachael Barry, or someone from the City that can help organize and coordinate people to provide information needed for the study will help. Money allocated for experts and their time may be requested. The City Finance Director (or someone) will need to spend time reporting to the Planning Commission. Perhaps \$20,000 to \$50,000 for a forensic accountant if needed.

**Commented [JG2]:** Someone would have to administer contracts for accountants and other experts.

CITY OF ST. HELENS PLANNING COMMISSION  
PROACTIVE ITEM SUBMISSION

Date Submitted: November 2, 2022

Submitted by: Steve Toschi, Planning Commissioner

Proposed Date for Meeting for Discussion: December 2022

Item Matter Number: 2022-? (subject to Staff numbering)

Title: Planning Commission Plans for Elimination of Blight within the Urban Renewal Zone

Jurisdiction: The Planning Commission has jurisdiction under 2.08.080 (1) “Conduct studies appropriate to an understanding of area development and its significance to public interest,” (2) **Develop and maintain comprehensive plan proposals for recommendation to the city council,**” (3) Develop specific plans for selected areas or functions as indicated by studies and other evidence of community need and recommend plan adoption, if appropriate,” (4) Investigate and make recommendations regarding the implementation of the comprehensive plan as adopted by the City Council,” (6) Consult and advise with public agencies and private citizens on ways to carry out the comprehensive plan,” (10) “review and act on land use control ordinance change proposals,...and discretionary permits.” (12) “Recommend and make suggestions to the city council...concerning...betterment of housing and sanitation conditions and establishment of zones or districts limiting the use...of buildings and structures,” (13) Recommend to the city council...plans for regulations of the future growth of the city and beautification of the city in respect to its public and private buildings and works, streets, parks, grounds, and vacant lots and plans consistent with the future growth and development of the city in order to secure to the city and its inhabitants sanitation, proper services of all public utilities, harbor, shipping and transportation facilities.” (14) “Recommend to the city council...plans for promotion, development and regulation of industrial and economic needs of the community in respect to private and public enterprises engaged industrial pursuits.” And (18) Study and propose in general such measures as may be advisable for promotion of the public interest, health, morals, safety, comfort, convenience, and welfare of the city and the area six miles adjacent thereto within the urban growth boundary of the city.”

Reasons for Planning Commission Action: The Planning Commission has the Power and the Duty to “Develop and Maintain comprehensive plan proposals for recommendations to the City Council.” The Urban Renewal goals are for the elimination of blight, but the City has no specific laws or processes for condemning and acquiring property on the basis of “blight.” There are properties within the Urban Renewal District that are dilapidated and should be removed.

Process of Study: The Planning Commission and Historic Preservation Commission will study and the Planning Commission will adopt, with recommendations to Council and the Urban renewal agency concerning laws and procedures for the elimination of Blight.

Timeline: Begin work as soon as possible.

Budget: Planning Department Staff will need to interface with the subcommittee.

CITY OF ST. HELENS PLANNING COMMISSION  
PROACTIVE ITEM SUBMISSION

Date Submitted: November 2, 2022

Submitted by: Steve Toschi, Planning Commissioner

Proposed Date for Meeting for Discussion: ~~December 2022~~ Jan. 2023

Item Matter Number: 2022-? (subject to Staff numbering)

Title: Planning Commission Plans for Elimination of Blight within the Urban Renewal ~~Zone~~ area

Jurisdiction: The Planning Commission has jurisdiction under 2.08.080 (1) "Conduct studies appropriate to an understanding of area development and its significance to public interest," (2) **Develop and maintain comprehensive plan proposals for recommendation to the city council,** (3) Develop specific plans for selected areas or functions as indicated by studies and other evidence of community need and recommend plan adoption, if appropriate, (4) Investigate and make recommendations regarding the implementation of the comprehensive plan as adopted by the City Council," (6) Consult and advise with public agencies and private citizens on ways to carry out the comprehensive plan," (10) "review and act on land use control ordinance change proposals,...and discretionary permits." (12) "Recommend and make suggestions to the city council...concerning...betterment of housing and sanitation conditions and establishment of zones or districts limiting the use...of buildings and structures," (13) Recommend to the city council...plans for regulations of the future growth of the city and beautification of the city in respect to its public and private buildings and works, streets, parks, grounds, and vacant lots and plans consistent with the future growth and development of the city in order to secure to the city and its inhabitants sanitation, proper services of all public utilities, harbor, shipping and transportation facilities." (14) "Recommend to the city council...plans for promotion, development and regulation of industrial and economic needs of the community in respect to private and public enterprises engaged industrial pursuits." And (18) Study and propose in general such measures as may be advisable for promotion of the public interest, health, morals, safety, comfort, convenience, and welfare of the city and the area six miles adjacent thereto within the urban growth boundary of the city."

Reasons for Planning Commission Action: The Planning Commission has the Power and the Duty to "Develop and Maintain comprehensive plan proposals for recommendations to the City Council." The Urban Renewal goals are for the elimination of blight, but the City has no specific laws or processes for condemning and acquiring property on the basis of "blight." There are properties within the Urban Renewal District that are dilapidated and should be removed.

Process of Study: The Planning Commission and Historic Preservation Commission will study and the Planning Commission will ~~adopt, with~~ make recommendations to Council and the Urban renewal agency concerning laws and procedures for the elimination of Blight.

Timeline: Begin work as soon as possible.

**Commented [JG1]:** Why bold? This is not a comprehensive plan proposal.

**Commented [JG2]:** This is not a Comp Plan proposal. You are not proposing to do anything to the Comp Plan. Need to identify an applicable basis.

**Commented [JD3]:** Condemning and acquiring property is not the only method of elimination of blight. In fact, this is a last resort. This would require consultation with URA consultants (\$\$) to ensure we are in compliance with all required state statutes. Eminent domain/condemnation of property that requires relocation of an residences or businesses requires a relocation report which was not contemplated in the original UR Plan because the focus was on revitalization of the vacant waterfront property. Chapter 5 of the Urban Renewal Plan discusses Property Acquisition and Disposition. There are only 2 listed locations for possible acquisition in this chapter and both involve street intersection improvements around Old Portland Road/Plymouth. In addition, any property acquisition would have be done through a Minor Amendment of the URA, which also has specific statutes which govern the process. Recommending that the PC consider recommendations for condemnation/acquisition/relocation would require money to pay consultants to provide guidance to the URA members to ensure compliance with relevant state statutes. There is no \$\$ budgeted for this, and the priority of the URA and the community remains on the Waterfront Redevelopment Project. If the goal is reduction of blight, I would look into other methods, like façade improvement grant programs for business owners (which the URA has included in its budgeted items once the Waterfront Redevelopment Project is underway).

Budget: Planning Department Staff will need to interface with the subcommittee, at a minimum. Staff time from a TBD department will be necessary for vetting, as applicable, and adoption processes. This time could be substantial. If the city relies on Planning Department Staff for this, an additional Planning staff member is recommended. Or time could be allowed to evaluate the impacts of a potential economic downturn, which if it stifles growth, may provide the needed staff capacity over the course of several months. Otherwise, conflicts with other work obligations and projects are anticipated. If this impacts the Development Code, Planning Staff will need to be substantially involved.



CITY OF ST. HELENS PLANNING COMMISSION  
PROACTIVE ITEM SUBMISSION

Date Submitted: November 2, 2022

Submitted by: Steve Toschi, Planning Commissioner

Proposed Date for Meeting for Discussion: December 2022

Item Matter Number: 2022-? (subject to Staff numbering)

Title: Planning Commission Plans for Waterfront Development, Architectural Standards

Jurisdiction: The Planning Commission has jurisdiction under 2.08.080 (1) “Conduct studies appropriate to an understanding of area development and its significance to public interest,” (2) **Develop and maintain comprehensive plan proposals for recommendation to the city council,**” (3) Develop specific plans for selected areas or functions as indicated by studies and other evidence of community need and recommend plan adoption, if appropriate,” (4) Investigate and make recommendations regarding the implementation of the comprehensive plan as adopted by the City Council,” (6) Consult and advise with public agencies and private citizens on ways to carry out the comprehensive plan,” (10) “review and act on land use control ordinance change proposals,...and discretionary permits.” (12) “Recommend and make suggestions to the city council...concerning...betterment of housing and sanitation conditions and establishment of zones or districts limiting the use...of buildings and structures,” (13) Recommend to the city council...plans for regulations of the future growth of the city and beautification of the city in respect to its public and private buildings and works, streets, parks, grounds, and vacant lots and plans consistent with the future growth and development of the city in order to secure to the city and its inhabitants sanitation, proper services of all public utilities, harbor, shipping and transportation facilities.” (14) “Recommend to the city council...plans for promotion, development and regulation of industrial and economic needs of the community in respect to private and public enterprises engaged industrial pursuits.” And (18) Study and propose in general such measures as may be advisable for promotion of the public interest, health, morals, safety, comfort, convenience, and welfare of the city and the area six miles adjacent thereto within the urban growth boundary of the city.”

Reasons for Planning Commission Action: The Planning Commission has the Power and the Duty to “Develop and Maintain comprehensive plan proposals for recommendations to the City Council.” The Planning Commission has no plans for the waterfront. The City’s plans are quite unspecific and have no plans regarding: a) the best mix of “mixed use v housing,” b) ownership of property once developed, among others. The City approved the waterfront development in 2016. It’s 7 years later and St. Helens just broke ground for infrastructure. The dynamic needs to change. The City has the opportunity to forever change the course of its economic vitality if the waterfront can be developed in the short term in a way to attract people with middle to high income jobs that can “work from anywhere.” The old model of “get business here for people to work” is still good, but St. Helens, being a tourist riverfront community, has the opportunity to attract middle class to high income earners to live in St. Helens without having employers move

here as well. “Untethered” workers are looking to relocate to a community like St. Helens. There is a severe shortage of housing in St. Helens for this demand.

Process of Study: The Planning Commission will work with Staff and/or Public works to recommend areas where 100 – 200 individually owned high quality condominium and townhouse units can be built on the waterfront, location and size of parking garages, an apartment complex with 50 – 100 high quality units, filling the lagoon, building of a ferry terminal/small cruise ship terminal, and infrastructure. Recommend whether the City’s website will be changed such that the City is “seeking a developer to develop residential units targeted to ‘untethered’ workers and/or ‘mixed use development.’” The subcommittee will follow the progress of attracting a residential developer to develop quality units on the waterfront. This could be divided into two or three projects, one for the Ferry, and another for the parking structures, coordinated by the PC.

Timeline: Begin work as soon as possible. Start soliciting developers as soon as possible.

Budget: Planning Department Staff and Public Works will need to interface with the subcommittee. Staff and PC sub-committee members will explore with other cities how they were able to successfully implement waterfront development.

CITY OF ST. HELENS PLANNING COMMISSION  
PROACTIVE ITEM SUBMISSION

Date Submitted: November 2, 2022

Submitted by: Steve Toschi, Planning Commissioner

Proposed Date for Meeting for Discussion: ~~December 2022~~ Jan. 2023

Item Matter Number: 2022-? (subject to Staff numbering)

Title: **Planning Commission Plans for Waterfront Development, Architectural Standards**

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**Commented [JG1]:** This is not really a "plan." More like development recommendations/strategy.

**Commented [JG2]:** Why bold? This is not a Comp Plan proposal.

**Commented [JG3]:** You are wanting to create policy to implement the Comprehensive Plan; this is not a Comp Plan proposal. You need to pick a better power and duty and explain how that applies. For example, if you go with 2.08.080(4) what does this specifically advance as identified in the Comp Plan?

**Commented [JG4]:** No plans for what? Staff will disagree.

**Commented [JG5]:** What does this mean? What specifically happened in 2016? Demonstrate you truly know what you are talking about.

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Recommendations to the Council for how the Riverfront District’s Mill Sub-District can be developed (e.g. mix of use, ownership, etc). Potential changes to applicable existing plans and policies.

Timeline: Begin work as soon as possible. Start soliciting developers as soon as possible.

Budget: Planning Department Staff and Public Works will need to interface with the subcommittee. Staff and PC sub-committee members will explore with other cities how they were able to successfully implement waterfront development. This has the potential to need substantial Planning Department involvement and due to likely conflicts with other work obligations and projects, an additional planning staff member is recommended. Or time could be allowed to evaluate the impacts of a potential economic downturn, which if it stifles growth, may provide the needed staff capacity over the course of several months.

**Commented [JG6]:** This is way too individualized. Should be filtered down to recommended mix of use (residential v. non), ownership, etc. Your view of "100 - 200 units" is arbitrary. For example, a recommendation could be to potentially maximize residential use, focusing on higher end units. Stating a specific number should be avoided. Also, the lagoon area is not planned like the Mill Subdistrict, but that is a whole other exercise and really its own item.

**Commented [JG7]:** What you do with the Mill Subdistrict and the lagoon property are separate as one is zoned and planned and the other is still Industrial zoned.