

City of St. Helens
ORDINANCE NO. 3323

AN ORDINANCE AMENDING THE ST. HELENS MUNICIPAL CODE CHAPTERS 2.08
AND 17.36, AND CREATING CHAPTER 2.10 REGARDING THE PLANNING
COMMISSION AND HISTORIC LANDMARKS COMMISSION OPERATIONAL
REGULATIONS

WHEREAS, the Planning Commission considered its operational regulations and after refinement, made recommendations to the City Council; and

WHEREAS, given the Planning Commissions efforts, staff took the opportunity to make other housekeeping changes related to the Planning Commission and Historic Landmarks Commission.

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

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

Section 2. The City of St. Helens Municipal Code is hereby amended, attached hereto as **Attachment "A"** and made part of this reference.

Section 3. 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 4. 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 5. 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 1, 2026
Read the second time: April 15, 2026

APPROVED AND ADOPTED this 15th day of April, 2026 by the following vote:

Ayes:
Nays:
Abstain:

Jennifer Massey, Mayor

ATTEST:

Kathy Payne, City Recorder

underlined words are added
~~words-stricken~~ are deleted

[...] means skipping text as it reads in the code (e.g., to focus on text being edited in this document)

CHAPTER 2.08 PLANNING COMMISSION

[...]

2.08.020 Membership.

The commission may consist of up to seven members. The councilmember(s) in charge of planning shall be entitled to sit with the commission and take part in its discussions, but shall not have the right to vote. The following regulations shall also apply to the planning commission:

[...]

~~(2) No more than two voting members shall be engaged principally in the buying, selling, or developing of real estate for profit as individuals, or by members of any partnership, or officers or employees of any corporation that is engaged principally in the buying, selling, or developing of real estate for profit.~~ No more than two voting members shall be engaged in the same kind of occupation, business, trade or profession.

[...]

2.08.040 Vacancies and removal.

~~Appointments to fill vacancies shall be for the remainder of the unexpired term. A member may be removed by the city council after a hearing for misconduct or nonperformance of duty. A member who is absent from three consecutive meetings without an excuse as approved by the planning commission is rebuttably presumed to be in nonperformance of duty, and the city council shall declare the position vacant unless finding otherwise following the hearing.~~

(1) Filling vacancies.

(a) Appointments of a Commissioner shall follow the guidelines and procedures adopted by the City Council; and

(b) Appointments to fill vacancies shall be for the remainder of the unexpired term.

(2) Removal. An appointed Commissioner may be removed from their position by the City Council if at a hearing the Council finds the Commissioner has engaged in misconduct and/or nonperformance of duty.

(a) A hearing may be initiated by the City Council;

(b) The Commission may request a hearing be initiated by the City Council by an approved motion for such;

(c) If the City Council removes a Commissioner, that position shall become vacant

immediately; and

(d) For the purpose of this Section, nonperformance of duty includes but is not limited to a Commissioner being absent for a regularly scheduled monthly meeting pursuant to SHMC 2.08.070(1) at least four times in a one-calendar-year period.

2.08.050 Presiding members.

At its first meeting of each calendar year, the commission shall elect a ~~chairman~~ chairperson and ~~vice-chairman~~ vice-chairperson to serve one-year terms. The chair and vice-chair shall not hold consecutive yearly terms unless the Commission finds it is in the public interest to do so.

[...]

2.08.070 Meetings.

(1) The commission shall meet at least once a month. Meetings of the commission shall be open to the public. Meetings other than at regularly scheduled times may be announced at a prior meeting and thereby be made a part of the meeting records. Upon the request and concurrence of the majority of the commission, the ~~chairman~~ may call a previously unannounced special meeting of the commission for a time not earlier than 24 hours after the notice is given. Notice of a previously unannounced meeting shall be telephoned to the newspaper, posted at the St. Helens City Hall and, to the extent feasible, provided to interested persons at least 24 hours prior to the meeting. Notice shall comply with the Development Code, as applicable.

(2) Rules of Operation.

(a) A majority of the members appointed to the planning commission shall constitute a quorum. A vacancy is not considered an appointed position when determining a majority quorum.

(b) The ~~chairman~~'s role is to facilitate discussion. As such, the ~~chairman~~ or the commissioner presiding over the meeting in the ~~chairman~~'s absence only votes in the following circumstances:

(i) To break a tie vote; or
(ii) When there are not enough concurring votes to meet the minimum number required to make a decision per the table below.

(c) When the ~~chairman~~ is absent or must abstain from a meeting's agenda item, the vice chair shall preside over the meeting or the particular agenda item. When neither the ~~chairman~~ or vice chair can participate, the commission shall elect a commissioner to serve as temporary ~~chairman~~.

[...]

CHAPTER 2.10 HISTORIC LANDMARK COMMISSION

2.10.010 Membership.

(1) The mayor with council concurrence shall appoint a Historic Landmark Commission, hereinafter the commission, of at least three but not to exceed five members with a demonstrated positive interest, knowledge, or competence in historic preservation to carry out the provisions of this chapter. A majority of the members shall reside within the corporate boundaries of the city of St. Helens. Members shall serve without compensation, but are eligible for reimbursement of expenses related to their service.

Alternatively, the Planning Commission per Chapter 2.08 SHMC may serve as the historic landmarks commission when thus appointed, provided the appointed members of the planning commission have a demonstrated positive interest, knowledge, or competence in historic preservation to carry out the provisions of Chapter 17.36 SHMC.

(2) Initial appointments to the commission (originally three members) shall be for terms of one, two, and three years. Subsequent or new terms of appointment shall be for three years or, in the case of a replacement, for the remainder of the unexpired term. Members shall be eligible for reappointment.

2.10.020 Meetings.

(1) A simple majority of the seated members shall constitute a quorum to conduct official business.

(2) A chair and vice-chair shall be elected annually by and from the seated membership. Officers are eligible for reelection.

(3) The commission shall meet at least twice a year, and as required to conduct business in a timely fashion. Notice of the meetings shall be in accordance with applicable state and local law. Minutes, applications, staff reports, findings, and decisions of the commission shall be maintained as public records in accordance with applicable state law.

2.10.030 Powers and duties.

The commission has the following powers and duties:

(1) The commission may adopt and amend by-laws, subject to approval by the city of St. Helens council, to regulate its internal operations.

(2) For purposes consistent with this chapter and subject to the approval of the city council, the commission may seek, accept, and expend public appropriations; seek, accept, and expend grant and gift funds; cooperate with public and private entities; and employ clerical and expert assistance.

(3) The commission may undertake to inform the citizens of, and visitors to, the city of St. Helens regarding the community's history and prehistory; promote research into its history and prehistory; collect and make available materials on the preservation of historic resources; provide information on state and federal preservation programs; document historic resources prior to their alteration, demolition, or relocation and archive that documentation; assist the owners of historic resources in securing funding for the preservation of their properties; and recommend public incentives and code amendments to the city council.

(4) The commission may develop and publish, or adopt, written and graphic guideline and example materials to clarify the criteria in this chapter and to assist applicants in developing complete and viable applications.

(5) Employing the procedures and criteria in SHMC 17.36.025, the commission shall

periodically identify and evaluate the historic resources of the city of St. Helens and maintain an inventory of historic resources. At such time as surveys are being conducted, owners of the subject properties shall be notified and invited to provide comment and input.

(6) Employing the procedures and criteria in SHMC 17.36.030, the commission shall recommend to the city council revisions (i.e., adding or deleting properties) to the Designated Landmarks Register and/or comprehensive plan as needed.

(7) Employing the applicable procedures and criteria of Chapter 17.36 SHMC, the commission shall review and act upon applications for the alteration, relocation, or demolition of designated landmarks and historic resources of statewide significance.

(8) The commission shall advise and make policy recommendations to the city council and the planning commission on matters relating to historic preservation; and shall make an annual report, in writing, to the city council on its activities and expenditures during the preceding 12 months, and its projected activities and expenditures for the following 12 months.

(9) The commission shall make recommendations for architecture character review pursuant to SHMC 17.32.172(7) and 17.32.173(5)(b).

[...]

CHAPTER 17.36 HISTORIC SITES AND OVERLAY DISTRICT

[...]

~~17.36.020 Historic landmark commission.~~

~~(1) The mayor with council concurrence shall appoint a historic landmark commission, hereinafter the commission, of at least three but not to exceed five members with a demonstrated positive interest, knowledge, or competence in historic preservation to carry out the provisions of this chapter. A majority of the members shall reside within the corporate boundaries of the city of St. Helens. Members shall serve without compensation, but are eligible for reimbursement of expenses related to their service.~~

~~Alternatively, the planning commission may serve as the historic landmarks commission when thus appointed, provided the appointed members of the planning commission have a demonstrated positive interest, knowledge, or competence in historic preservation to carry out the provisions of this chapter.~~

~~(2) Initial appointments to the commission (originally three members) shall be for terms of one, two, and three years. Subsequent or new terms of appointment shall be for three years or, in the case of a replacement, for the remainder of the unexpired term. Members shall be eligible for reappointment.~~

~~(3) A simple majority of the seated members shall constitute a quorum to conduct official business.~~

~~(4) A chair and vice chair shall be elected annually by and from the seated membership. Officers are eligible for reelection.~~

~~(5) The commission shall meet at least twice a year, and as required to conduct business in a timely fashion. Notice of the meetings shall be in accordance with applicable state law. Minutes, applications, staff reports, findings, and decisions of the commission shall be maintained as~~

~~public records in accordance with applicable state law.~~

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

~~(a) The commission may adopt and amend by laws, subject to approval by the city of St. Helens council, to regulate its internal operations.~~

~~(b) For purposes consistent with this chapter and subject to the approval of the city council, the commission may seek, accept, and expend public appropriations; seek, accept, and expend grant and gift funds; cooperate with public and private entities; and employ clerical and expert assistance.~~

~~(c) The commission may undertake to inform the citizens of, and visitors to, the city of St. Helens regarding the community's history and prehistory; promote research into its history and prehistory; collect and make available materials on the preservation of historic resources; provide information on state and federal preservation programs; document historic resources prior to their alteration, demolition, or relocation and archive that documentation; assist the owners of historic resources in securing funding for the preservation of their properties; and recommend public incentives and code amendments to the city council.~~

~~(d) The commission may develop and publish, or adopt, written and graphic guideline and example materials to clarify the criteria in this chapter and to assist applicants in developing complete and viable applications.~~

~~(e) Employing the procedures and criteria in SHMC 17.36.025, the commission shall periodically identify and evaluate the historic resources of the city of St. Helens and maintain an inventory of historic resources. At such time as surveys are being conducted, owners of the subject properties shall be notified and invited to provide comment and input.~~

~~(f) Employing the procedures and criteria in SHMC 17.36.030, the commission shall recommend to the city council revisions (i.e., adding or deleting properties) to the Designated Landmarks Register and/or comprehensive plan as needed.~~

~~(g) Employing the applicable procedures and criteria of this chapter, the commission shall review and act upon applications for the alteration, relocation, or demolition of designated landmarks and historic resources of statewide significance.~~

~~(h) The commission shall advise and make policy recommendations to the city council and the planning commission on matters relating to historic preservation; and shall make an annual report, in writing, to the city council on its activities and expenditures during the preceding 12 months, and its projected activities and expenditures for the following 12 months.~~

~~(i) The commission shall make recommendations for architecture character review pursuant to SHMC 17.32.172(7) and 17.32.173(5)(b).~~