

**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Development Code Amendments ZA.1.24**

DATE: November 22, 2024
TO: City Council
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: City of St. Helens

PROPOSAL: Amend the following Chapters of the St. Helens Municipal Code: **17.16** general and land use definitions, **17.32** zones and uses, **17.60** manufactured/mobile home regulations, **17.80** off-street parking and loading requirements, and **17.96** site development review.

BACKGROUND

The primary catalyst of these amendments is the adopted **2019 Housing Needs Analysis**, which included a recommendation to allow “cottage clusters,” which are essentially multiple detached homes on a single property. Due to development activity (i.e., staff work load) in the city, staff has not been able to focus on or advance this effort this until November 2023.

Since 2019, there has been state legislation that has added to the code amendment need, and amendments to address them have been included. Related state legislation includes **House Bill 4064 (2022)** changing how cities can regulate manufactured homes and prefabricates structures, and **House Bill 3395 (2023)** adding single room occupancies (SROs) to the list of “needed housing” in the ORS and requiring local governments to allow them. Plus, some other related amendments.

PUBLIC HEARING & NOTICE

Public hearing before the Planning Commission for *recommendation to the City Council*: November 12, 2024. Public hearing before the City Council: December 4, 2024.

Notice of this proposal was sent to the Oregon Department of Land Conservation and Development on October 7, 2024 through their PAPA Online Submittal website.

Notice of this proposal was sent to property owners of land zoned residential, mixed use or commercial (R10, R7, R5, AR, MHR, MU, GC, RD-Marina, RD-Plaza, RD-Mill, and HBD) between October 8th and 15th, 2024. This notice was sent to approximately 5,200 different properties (taxlots) to satisfy any requirements per ORS 227.186 in addition to providing information to citizens. The city issued a press release about this mass mailer and did a Facebook social media post on October 9, 2024.

Notice was sent to agencies by mail or e-mail on October 14, 2024.

Notice was published on October 25, 2024 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 and Goal 10. Aspects of Goal 5 are also noteworthy.

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.

Several public meetings have taken place discussing 2024 Development Code amendments, including those proposed by this file ZA.1.24 and a separate file CPZA.1.24, which preceded this one. These public meetings include:

- Planning Commission meeting—January 9, 2024
- Planning Commission meeting—February 23, 2024
- City Council/Planning Commission joint meeting—March 13, 2024
- Planning Commission meeting—April 9, 2024
- Planning Commission meeting—May 14, 2024
- City Council work session—June 5, 2024

Staff began preparing for this in November 2023, which resulted in meetings to discuss the various issues for every month of 2024 through June, when the City Council authorized the legislative matter to proceed on June 5, 2024.

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

This goal is about protecting natural resources and conserving scenic and historic areas and open spaces to promote a healthy environment and natural landscape that contributes to Oregon's livability. This includes inventorying resources and determining the appropriate level of protection.

The applicability of this goal pertaining to this proposal is narrow, only dealing with historic resources and where manufactured homes or prefabricated structures may be placed.

The city has an adopted inventory of designated landmarks (official historic resources), most recently updated by Ordinance No. 3250 in 2020. Moreover, the St. Helens Downtown Historic District was added to the National Register of Historic Places in 1984.

This proposal prohibits manufactured homes or prefabricated structures within a historic district or abutting a property with an historic landmark.

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.

Housing is a major component of this proposal. Moreover, this Goal must be addressed as 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 does not change any zoning of specific properties, and the city's adopted land-wise need for housing is met.

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

This proposal supports this aspect of Goal 10 by increasing development options. For example:

- This proposal adds single room occupancy type development to all residential zonings and the MU, RD, HBD and GC zoning districts.
- This proposal expands how multidwelling development (3 or more dwelling units on a lot) can take shape by allowing units to be detached in groups less than three per building. This makes cottage cluster type development (i.e. a several detached dwellings on single lot) possible, for example. **In fact, detached housing for 3+ units will be allowed for first time in St. Helens since inception of zoning in 1953.**

Detached multifamily development will be possible in the R5, AR, MHR, MU, and HBD zones.

- This proposal eliminates the prohibition of single-wide manufactured homes and adds prefabricated structures to be allowed.

- The city's regulations for manufactured home parks are being improved as to separation of buildings and what is allowed to occupy a manufactured home park space.

| | |
|---|------------|
| 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 |

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.

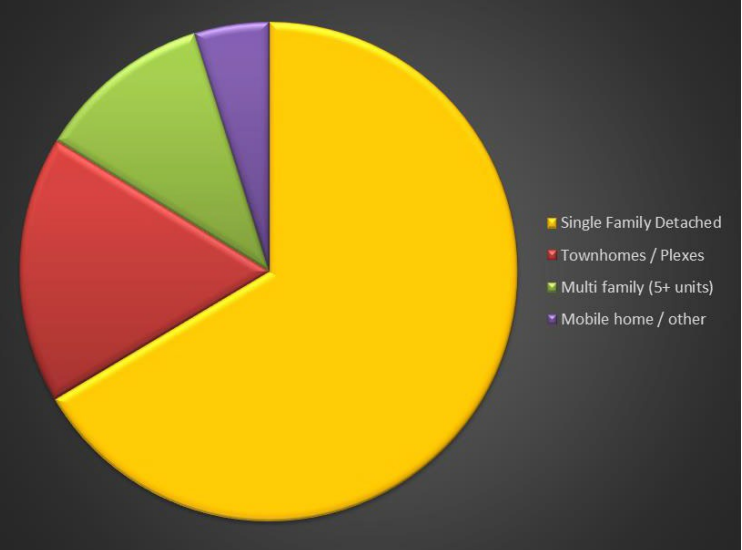
* * *

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 by adding single-room occupancy and detached multifamily development options in St. Helens' zoning.

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

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



Source: U.S. Census, American Community Survey, 2013-2017.
ZA.1.24 Staff Report

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

Much of the proposal is in response to state legislation. This includes:

- **House Bill 4064 (2022)** changes how cities can regulate manufactured homes and prefabricates structures. For example, the long-time prohibition of single-wide manufactured homes can no longer be enforced and premanufactured structures are a new thing. Code updates are intended to comply with current state law.

We can prohibit old residential trailers (constructed before January 1, 1962) or mobile homes (constructed between January 1, 1962 and June 15, 1976) outside of manufactured homes parks, but have to allow them within. On a related note, ORS 197.493 requires that RVs be allowed in manufactured homes parks, just like they would be allowed in RV parks.

This adds definitions to Chapter 17.16 SHMC, tweaks SHMC 17.32.090—the only zone that allows manufactured/mobile home parks—and amends Chapter 17.60, where there are provisions to help protect historic resources. Manufactured homes are not allowed within a historic district or abutting a property with a designated landmark (locally significant historic property). Noteworthy change to SHMC 17.96.020.

- **House Bill 3395 (2023)** adds single room occupancies (SROs) to the list of “needed housing” in the ORS and requires local governments to allow them. SROs are attached living units that are not complete dwelling units given shared kitchen or lavatory facilities.

This adds a definition to Chapter 17.16 SHMC, and amends most zoning districts that allow typical residential uses, establishes one off-street parking space requirement per unit (same standard that applies to a studio apartment) and notes the applicability of Chapter 17.96 SHMC, the reference thereto being in the zoning district sections.

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

For these findings, the comprehensive plan addendums will be examined followed by policies.

Comprehensive Plan Addendums:

The addendums to the Comprehensive Plan include the **Economic Opportunities Analysis** (Ord. No. 3101), **Waterfront Prioritization Plan** (Ord. No. 3148), **Transportation Systems Plan** (Ord. No. 3150), **Corridor Master Plan** (Ord. No 3181), **Parks & Trails Master Plan**

(Ord. No. 3191), **Riverfront Connector Plan** (Ord. No. 3241), and **Housing Needs Analysis** (Ord. No. 3244).

The applicable addendum is the **Housing Needs Analysis** (HNA). One of the recommended policies included development of a cottage cluster code, which this proposal does by allowing detached multi-family development.

The city was already thinking about this when it adopted Ordinance No. 3264 in 2021. That ordinance addressed duplexes in the context of the HNA recommendation of allowing duplexes in R7 zoned lands and Oregon House Bill 2001 (2019), which created an entitlement for duplexes property that allows a detached single-family dwelling. The city amended its ordinance to allow two detached units as an outright permitted use in addition to duplexes. The city also adopted an interior yard standard to establish a minimum distance between buildings, reviewing the model code for large cities (OAR 660-046 Exhibit B – Large Cities Middle Housing Model Code) as a guide.

Much of this proposal is a “part 2” to the 2021 adopted amendments for residential uses.

Comprehensive Plan Policies

There is no known conflict with the general Comprehensive Plan policies identified in Chapter 19.08 SHMC or the specific policies of Chapter 19.12 SHMC.

(d) Findings: This criterion requires analysis of the applicable provisions of the implementing ordinances. This proposal updates the city’s implementation ordinances as embodied in the Development Code.

(e) Findings: This criterion is intended to prevent spot zoning, which does not apply in this case.

CONCLUSION & RECOMMENDATION

Based upon the facts and findings herein, the Planning Commission unanimously recommends approval of these text amendments.

Attachment(s): Memo to City Council dated May 28, 2024 regarding 2024 Development Code Amendments (*without attachments*). *Note that some of the amendments described in this memo are addressed with a separate application—CPZA.1.24. This ZA.1.24 file, addresses the residential related amendments, generally.*

Notice of public hearing as mailed to property owners in October 2024.
Includes summary of changes by zoning district.

Table of Long-Term Residential Uses by Zoning District – 2024 Code Amendment Proposal

Draft code amendments dated August 26, 2024 *(no edits from version presented to the Planning Commission at their November 13, 2024 public hearing)*

Public hearing presentation slides



CITY OF ST. HELENS PLANNING DEPARTMENT

MEMORANDUM

TO: City Council
FROM: Jacob A. Graichen, AICP, City Planner
RE: 2024 Development Code Amendments
DATE: May 28, 2024 (edits in red November 4, 2024)

Per SHMC 17.20.020(2)(b) the City Council must approve the concept for a legislative application to proceed. Code amendments are a legislative action.

Disclaimer: this memo is an aid but not a substitute for review of the actual text amendments proposed.

Basis for code amendments

1. **St. Helens Housing Needs Analysis (2019)** included a recommendation to allow cottage clusters, which is essentially multiple detached homes on a single property. Ordinance 3264 (2021) eliminated single family zoning allows two detached units where duplexes are allowed and established building separation requirements, neither of which was significantly controversial. This proposal takes this a step further by allowing multifamily development (3 or more units) in some cases to be detached, which would allow cottage cluster type development.

This also includes related changes to dwelling units in mixed use buildings, such as units above non-residential uses, on the same level as non-residential uses and those on ground level, depending on the zoning district.

This adds/amends many definitions in Chapter 17.16 SHMC, amends any zoning district that allows multifamily development (i.e., allows 3 or more dwelling units on a lot), and amends Site Development Review Chapter 17.96 SHMC, where the distinction between multifamily development (3 or more units on a lot) and multifamily structure (3 or more units in a building) become important.

Discussed:

- Planning Commission meeting on January 9, 2024, overall.
- Planning Commission meeting on February 23, 2024, specifically pertaining to the Plaza subdistrict of the Riverfront District zone.
- City Council/Planning Commission joint meeting on March 13, 2024, high level with some zoning/code history.
- Planning Commission meeting on April 9, 2024, review of draft code.
- Planning Commission meeting on May 14, 2024, review of draft code, continued.

Note that at the March 13, 2024 joint meeting, the Mayor suggested detached SROs, with separate SRO units and a separate kitchen (i.e., different buildings). Speaking to the Building Official the next day, he noted each building would need to meet energy code and accessibility would apply between buildings. This was discussed with the Planning Commission at their April 9, 2024 meeting, and the Commission was not in favor of it given low probability of such provisions being used and staff's concerns about extra complexity for these amendments.

2. **Measure 109 (2020)**, legalizing psilocybin for mental health purposes in the State of Oregon. As allowed by the measure, the city imposed a two-year moratorium, which is implemented by SHMC 5.08.010:

The establishment of psilocybin product manufacturers licensed under ORS 475A.290 and psilocybin service centers licensed under ORS 475A.305 is prohibited in the city of St. Helens.

This ordinance is repealed on December 31, 2024 and at the December 13, 2023 joint City Council / Planning Commission meeting, there was enough concern from those in attendance for staff to establish at least making psilocybin service centers—the place where people can obtain and consume psilocybin products—a conditional use in most commercial or mixed use zones, except for the Riverfront District.

This adds a definition to Chapter 17.16 and amends mixed use and commercial zones. Note that a psilocybin service center would not be allowed in the Riverfront District. This also adds the use to Chapter 17.100 regarding Conditional Uses and prohibits psilocybin manufacturing in conjunction with a service center.

Discussed:

- Joint City Council/Planning Commission meeting on December 13, 2023.
- City Council/Planning Commission joint meeting on March 13, 2024, high level.
- Planning Commission meeting on April 9, 2024, review of draft code.
- Planning Commission meeting on May 14, 2024, review of draft code, continued.

3. **House Bill 4064 (2022)** changes how cities can regulate manufactured homes and prefabricates structures. For example, the long-time prohibition of single-wide manufactured homes can no longer be enforced and premanufactured structures are a new thing. Code updates to comply with current law.

We can prohibit old residential trailers (constructed before January 1, 1962) or mobile homes (constructed between January 1, 1962 and June 15, 1976) outside of manufactured homes parks, but have to allow them within. On a related note, ORS 197.493 requires that RVs be allowed in manufactured homes parks, just like they would be allowed in RV parks.

This adds definitions to Chapter 17.16 SHMC, tweaks SHMC 17.32.090—the only zone that allows manufactured/mobile home parks—and amends Chapter 17.60, where there are provisions to help protect historic resources. Manufactured homes are not allowed within a historic district or abutting a property with a designated landmark (locally significant historic property). Noteworthy change to SHMC 17.96.020.

Discussed:

- City Council/Planning Commission joint meeting on March 13, 2024, high level.
- Planning Commission meeting on April 9, 2024, review of draft code.
- Planning Commission meeting on May 14, 2024, review of draft code, continued.

4. **House Bill 3109 (2021)** updates the states childcare facility law. For many years, there has been restrictions on local governments on how certain childcare is allowed in homes in residential area and this bill creates additional restrictions outside of residential areas, impacting other zonings.

Oregon law requires child-caring agencies to be licensed. Children's Care Licensing sets the licensing requirements for agencies that operate in Oregon and makes sure that agencies meet the requirements before receiving a license. There are two types: family child care home, which must be allowed and treated similarly to any single dwelling, and child care center which must be allowed in commercial and light industrial areas, generally.

This adds/amends definitions to Chapter 17.16 SHMC, and amends most zoning districts. Permit exemption clarified in SHMC 17.96.020 (Site Development Review) and added to SHMC 17.120.020 (Home Occupations).

Discussed:

- City Council/Planning Commission joint meeting on March 13, 2024, high level.
 - Planning Commission meeting on April 9, 2024, review of draft code.
 - Planning Commission meeting on May 14, 2024, review of draft code, continued.
5. Reexamination of **validity periods** for land use permits resulted in changes to be more consistent across the spectrum of land use permit types. See separate memo on this dated January 19, 2024 ~~attached~~.

In addition, the proposal includes a 10-year time period to utilize a planned development overlay before it expires. Any existing overlay would expire 10 years after January 1, 2025.

Discussed:

- Planning Commission meeting on January 9, 2024, overall.
 - Planning Commission meeting on February 13, 2024, focusing on planned developments overlay zones
 - City Council/Planning Commission joint meeting on March 13, 2024, high level.
 - Planning Commission meeting on April 9, 2024, review of draft code.
 - Planning Commission meeting on May 14, 2024, review of draft code, continued.
6. **House Bill 4064 (2023)** adds single room occupancies (SROs) to the list of “needed housing” in the ORS and requires local governments to allow them. SROs are attached living units that are not complete dwelling units given shared kitchen or lavatory facilities.

This adds a definition to Chapter 17.16 SHMC, and amends most zoning districts that allow typical residential uses, establishes one off-street parking space requirement per unit (same standard that applies to a studio apartment) and note the applicability of Chapter 17.96 SHMC, the reference thereto being in the zoning district sections.

Discussed:

- Planning Commission meeting on January 9, 2024, overall.
 - City Council/Planning Commission joint meeting on March 13, 2024, high level.
 - Planning Commission meeting on April 9, 2024, review of draft code.
 - Planning Commission meeting on May 14, 2024, review of draft code, continued.
7. Housekeeping/scrivener’s errors. Notable things are:
- a. Improved definition of boathouse.
 - b. Clarification of Time Extension application notification requirements. Code is silent on this matter currently.
 - c. Removal of “catering to motorists” language in the MU, HC and GC zones due to its lack a clarity and impracticality of implementation.
 - d. Prior to alteration of official historic resources in Chapter 17.36, photographs or drawings of the pre-altered state are required. With the museum going digital, it makes sense to add the digital option.
 - e. Parking for public safety facility is being updated to include the area for public use.
 - f. Fixing provision that allows setback reduction and lot coverage increased for building additions/remodels with expansions, such that a building needs to exist for 5 years before the code relief is possible.

Discussed:

- City Council/Planning Commission joint meeting on March 13, 2024, but only mention of “catering to motorist” language.
- Planning Commission meeting on April 9, 2024, review of draft code.
- Planning Commission meeting on May 14, 2024, review of draft code, continued. *Note that 7.f was discussed for the first time at this meeting.*

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Changes by zoning district.

Suburban Residential – R-10

- Home child care redefined in permitted uses.
- Single room occupancy (4-6 units) added to permitted uses.
- Child day care center redefined in conditional uses.

Moderate Residential – R-7

- Home child care redefined in permitted uses.
- Single room occupancy (4-6 units) added to permitted uses.
- Child day care center redefined in conditional uses.

General Residential – R5

- Home child care redefined in permitted uses.
- Single room occupancy (4-6 units) added to permitted uses.
- Child day care center redefined in conditional uses.
- Multidwelling development (3 or more dwelling units) clarified as being attached or detached housing in conditional uses. Detached housing for 3+ units will be allowed for first time in St. Helens since inception of zoning in 1953.
- Single room occupancy (>6 units) added to conditional uses and same standards that apply to multifamily development (3 or more dwelling units) applies to this.

Apartment Residential – AR

- Home child care redefined in permitted uses.
- Multidwelling development (3 or more dwelling units) clarified as being attached or detached housing in permitted uses. Detached housing for 3+ units will be allowed for first time in St. Helens since inception of zoning in 1953.
- Single room occupancy (4-6 units) added to permitted uses.
- Child day care center redefined in conditional uses.
- Single room occupancy (>6 units) added to ~~conditional~~ permitted uses and same standards that apply to multifamily development (3 or more dwelling units) applies to this.

Mobile Home Residential – MHR

- Home child care redefined in permitted uses.
- Mobile home park redefined in permitted uses.
- Single room occupancy (4-6 units) added to permitted uses.
- Child day care center redefined in conditional uses.
- Multidwelling development (3 or more dwelling units) clarified as being attached or detached housing in conditional uses. Detached housing for 3+ units will be allowed for first time in St. Helens since inception of zoning in 1953.
- Single room occupancy (>6 units) added to conditional uses and same standards that apply to multifamily development (3 or more dwelling units) applies to this.

- Within manufactured home parks, there is a 10' separation requirement between all buildings. This is being softened to allow accessory structures to be 6'. Also changing "separation" to "interior yard" which was the new building separation standard established by Ordinance No. 3264 in 2021.

Mixed Use – MU

- Child care center added to permitted uses (child day care center redefined and moved from conditional uses).
- Clarification that units above permitted uses (1-2 dwelling units) is attached housing and to distinguish from multifamily (3 or more dwelling units) in permitted uses.
- Home child care redefined in permitted uses.
- Removal of "catering to motorists" language for retail establishments in permitted uses.
- Single room occupancy (4-6 units) added to permitted uses. May be stand alone or units above permitted uses, but not on same level as non-residential use.
- Clarification that dwelling on same level as non-residential use applies to attached and detached housing in conditional uses.
- Clarification that multidwelling development (3 or more dwelling units) may attached or detached, except must be attached when above permitted uses in conditional uses. Detached housing for 3+ units will be allowed for first time in St. Helens since inception of zoning in 1953.
- Psilocybin service center added to conditional uses.
- Single room occupancy (>6 units) added to conditional uses. May be stand alone or units above permitted uses, but not on same level as non-residential use. Referencing the AR standards, the same standards that apply to multifamily development (3 or more dwelling units) applies to this.

Highway Commercial – HC

- Child care center added to permitted uses.
- Family child care home added to permitted uses.
- Removal of "catering to motorists" language for offices and retail establishments in permitted uses. This also results in removal of retail not catering to motorists in from the conditional uses.
- Further defining the limitations of dwelling units above permitted uses, that the maximum amount is 2 units and that such must be attached housing with no dwelling on the same level as a non-residential use. This is a conditional use.
- Psilocybin service center added to conditional uses.

General Commercial – GC

- Child care center added to permitted uses (child day care center redefined and moved from conditional uses).
- Clarification that units above permitted uses (1-2 dwelling units) is attached housing and to distinguish from multifamily (3 or more dwelling units) in permitted uses.
- Family child care home added to permitted uses.
- Removal of "catering to motorists" language for retail establishments in permitted uses.
- Further defining multidwelling development as a conditional use. Can only be attached housing (no cottage cluster type development) but may be on same level as nonresidential use.
- Psilocybin service center added to conditional uses.
- Single room occupancy (4 or more units) added to conditional uses. May be stand alone or units above permitted uses, but not on same level as non-residential use. Referencing the AR standards, the same standards that apply to multifamily development (3 or more dwelling units) applies to this.

Light Industrial – LI

- Child care center added to permitted uses (child day care center redefined and moved from conditional uses).

Heavy Industrial – HI
Public Lands – PL

- In all zoning districts that have “travel trailer park” as a listed use, that use is being renamed to “recreational vehicle park.” This affects other zones but is just a wording change, requested by the Planning Commission when reviewing early drafts of the codes amendments. This is the only reason the HI and PL zones are included in this batch of code amendments.

Riverfront District – RD, Marina Subdistrict

- Child care center added to permitted uses.
- Clarification that units above permitted uses (1-2 dwelling units) is attached housing and to distinguish from multifamily (3 or more dwelling units) in conditional uses.
- Family child care home added to permitted uses.
- Further defining multidwelling development as a conditional use. Can only be attached housing (no cottage cluster type development) and shall not be on same level as nonresidential use.
- Single room occupancy (4 or more units) added to conditional uses. May be stand alone or units above permitted uses, but not on same level as non-residential use. Referencing the AR standards, the same standards that apply to multifamily development (3 or more dwelling units) applies to this.

Riverfront District – RD, Plaza Subdistrict

- No change to prohibition of residential use on ground floor, except for official historic buildings.
- Clarification that units above permitted uses is attached housing and, a dwelling unit on the same level as nonresidential use is a conditional use.
- Single room occupancy (4 or more units) added to permitted uses. Shall be units above permitted uses and not on same level as non-residential use. Uses the same standard specific to this zoning district for density as dwelling units (i.e., per 500 s.f. of non-residential use area) and the same standards that apply to multifamily development (3 or more dwelling units) applies to this.
- Family child care home and child care center added to permitted uses. Child care removed from conditional uses.

Riverfront District – RD, Mill Subdistrict

- Clarification that multidwelling development (3 or more dwelling units) must be attached housing (no cottage clusters) in permitted uses.
- Single room occupancy (4 or more units) added to permitted uses, including residences above nonresidential uses. Not allowed on same level as non-residential use and the same standards that apply to multidwelling development (3 or more dwelling units) applies.
- Family child care home added to permitted uses.
- Child care center added to permitted uses (child day care center redefined and moved from conditional uses).
- Dwelling (attached housing only) on same level as non-residential use added to conditional uses.

Houlton Business District – HBD

- Clarification that units above permitted uses (1-2 dwelling units) is attached housing and to distinguish from multifamily (3 or more dwelling units) in permitted uses.
- Single room occupancy (4-6 units) added to permitted uses.

- Child care center added to permitted uses (child day care center redefined and moved from conditional uses.
- Family child care home added to permitted uses.
- Clarification that dwellings on the same level as non-residential use applies to both detached or attached housing in conditional uses.
- Clarification that multidwelling development (3 or more dwelling units on a lot) may be attached or detached housing, except is attached housing when above non-residential use in conditional uses. Detached housing for 3+ units will be allowed for first time in St. Helens since inception of zoning in 1953. Also, when above non-residential use, the density is based on the AR zone standards, a change from per 500 square feet of non-residential area.
- Psilocybin service center added to conditional uses.
- Single room occupancy (>6 units) added to conditional uses. May be stand alone or units above permitted uses, but not on same level as non-residential use. Referencing the AR standards, the same standards that apply to multifamily development (3 or more dwelling units) applies to this.

* * * * *

Special notice considerations per ORS 227.186

Special notice considerations per ORS 227.186: For the single-room occupancy could be argued that none required as no new restriction to previously allowed uses given single-room occupancy not addressed at all in code. It could also be argued that under current code, it is just single dwelling with many rooms. Will be best to send notice to prevent legal challenge.

Also, the commercial and mixed use zoned are being better defined as to attached and detached housing, which could also trigger the notice.

And, affected planned development overlay properties are zoned residential, and the code established 10-year time period is a certain basis for special notice.

This impacts the following zoning districts:

R-10, R-7, R-5, AR, MHR, MU, GC, RD-Marina, RD-Plaza, Rd-Mill (city owned), and HBD.

The **HC** zone is silent as to density and it being defined and restricted to two units, this notice applies to this zone for this reason, differing from the above.

The Light Industrial zoning district is also impacted by these code amendments but only related to the child care use amendments, which results in lesser regulatory burden. No special notice needed for the **LI** zone.

The **HI** and **PL** zones are included but only because of a name change of “travel trailer park” to “recreational vehicle park” with no significant regulatory change. No special notice needed.

In summary, all affected zoning districts will require special notice except the LI, HI and PL zones.

* * * * *

Attached:

- ~~Memo to Planning Commission and City Council dated January 19, 2024 regarding land use decision validity periods~~
- ~~Table of Long Term Residential Uses by Zoning District – 2024 Code Amendment Proposal~~
- ~~Draft code amendments dated May 17, 2024~~

NOTICE OF PUBLIC HEARINGS

THIS IS TO NOTIFY YOU THAT THE CITY OF ST. HELENS IS PROPOSING TO AMEND AND UPDATE ITS DEVELOPMENT CODE AND THAT THESE ACTIONS MAY AFFECT THE PERMISSIBLE USES OF YOUR LAND.

The primary catalyst of these amendments is the city's adopted **2019 Housing Needs Analysis** and state legislation: **House Bill 4064 (2022)** and **House Bill 3395 (2023)**. **This is described more below, and changes based on the zoning district are summarized herein.** The city has determined that the proposed amendments to the Zoning Ordinance may affect the value of your property. You are receiving this notice if you own property within St. Helens' city limits zoned R10, R7, R5, AR, MHR, MU, GC, RD-Marina, RD-Plaza, RD-Mill, or HBD.

In 1998, Oregon voters passed a law known as Ballot Measure 56. It requires notices like this one to be mailed to landowners when a change in land use laws may limit or prohibit use of property. The law requires the city to use certain wording in such notices, even though it may not describe the likely effects from the change in land use laws very well. The law requires the notices to note potential change in property value. St. Helens has not determined how these amendments might affect the value of your property, if at all.

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City of St. Helens Planning Commission on Tuesday, November 12, 2024 at or after 6:05 PM and before the City Council on Wednesday, December 4, 2024 at or after 6:15 PM in the City Council Chambers, located in the City Hall building at 265 Strand Street, St. Helens, OR. Access into City Hall for these hearings will be from the plaza side entrance.

Zoom will also be available to participate. Virtual access information to join the hearing will be available on the applicable agenda. Agendas can be found on the City's website: <https://www.sthelensoregon.gov/meetings>.

The purpose of these hearings is to consider an application as follows:

File No: ZA.1.24

Applicant: City of St. Helens

Request: Amendments to the St. Helens Development Code in response to the city's 2019 Housing Needs Analysis to allow "cottage clusters," which are essentially multiple detached homes on a single property. These amendments are also in response to House Bill 4064 (2022) changing how cities can regulate manufactured homes and prefabricates structures, and House Bill 3395 (2023) adding single room occupancies (SROs) to the list of "needed housing" in the ORS and requiring local governments to allow them. Plus, some other related amendments.

Testimony from the public in either oral or written form is invited. The hearings will be conducted in accordance with those procedures found in the City Development Code (SHMC Title 17) Chapter 17.20 and any rules of procedure adopted by the City Council. The Planning Commission is authorized to make a recommendation to the City Council who is authorized to approve, deny, or approve this application with conditions, based on the on the legislative standards per SHMC 17.20.120. The City's code can be found online: <https://www.codepublishing.com/OR/StHelens/>.

Failure to raise an issue, including constitutional or other issues relating to any proposed conditions of approval, at a hearing, in person, or by letter, or failure to raise an issue accompanied by statements or evidence sufficient to afford the approving authority an opportunity to respond to the issue precludes appeal to the applicable appellate jurisdiction (e.g., the Land Use Board of Appeals, LUBA) on that issue, and precludes an action for damages in circuit court.

The application file is located at City Hall (265 Strand Street, St. Helens, OR) and all documents in the file are available for inspection. A copy of the staff report will be available for review at least seven (7) calendar days prior to each hearing. There is no cost to inspect the file or staff report; copies are available at a reasonable cost. The report for this application will also be available on the City's website at <https://www.sthelensoregon.gov/meetings>.

Questions should be directed to the City Planning Department by phone: 503-397-6272, e-mail: jgraichen@sthelensoregon.gov, mail: 265 Strand Street, St. Helens, OR 97051, or in person at City Hall.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to City Hall at 503-397-6272.

We cannot accept electronic testimony via hard drive or other external device at the public hearing due to potential risks to the city's network. If you plan on submitting electronic testimony, presentations, etc., please coordinate this with staff in advance. Any written testimony provided at the public hearing should be in hard copy form.



Development Code Amendments ZA.1.24 Summary of changes by zoning district

Suburban Residential – R-10

- Single room occupancy (4-6 units) added to permitted uses.

Moderate Residential – R-7

- Single room occupancy (4-6 units) added to permitted uses.

General Residential – R5

- Single room occupancy (4-6 units) added to permitted uses.
- Multidwelling development (3 or more dwelling units) clarified as being attached or detached housing in conditional uses. Detached housing for 3+ units will be allowed for first time in St. Helens since inception of zoning in 1953.
- Single room occupancy (>6 units) added to conditional uses and same standards that apply to multifamily development (3 or more dwelling units) applies to this.

Apartment Residential – AR

- Multidwelling development (3 or more dwelling units) clarified as being attached or detached housing in permitted uses. Detached housing for 3+ units will be allowed for first time in St. Helens since inception of zoning in 1953.
- Single room occupancy (4-6 units) added to permitted uses.
- Single room occupancy (>6 units) added to permitted uses and same standards that apply to multifamily development (3 or more dwelling units) applies to this.

Mobile Home Residential – MHR

- Single room occupancy (4-6 units) added to permitted uses.
- Multidwelling development (3 or more dwelling units) clarified as being attached or detached housing in conditional uses. Detached housing for 3+ units will be allowed for first time in St. Helens since inception of zoning in 1953.
- Single room occupancy (>6 units) added to conditional uses and same standards that apply to multifamily development (3 or more dwelling units) applies to this.
- Within manufactured home parks, there is a 10' separation requirement between all buildings. This is being softened to allow accessory structures to be 6'. Also changing "separation" to "interior yard" which was the new building separation standard established by Ordinance No. 3264 in 2021.

Mixed Use – MU

- Clarification that units above permitted uses (1-2 dwelling units) is attached housing and to distinguish from multifamily (3 or more dwelling units) in permitted uses.
- Removal of “catering to motorists” language for retail establishments in permitted uses.
- Single room occupancy (4-6 units) added to permitted uses. May be stand alone or units above permitted uses, but not on same level as non-residential use.
- Clarification that dwelling on same level as non-residential use applies to attached and detached housing in conditional uses.
- Clarification that multidwelling development (3 or more dwelling units) may attached or detached, except must be attached when above permitted uses in conditional uses. Detached housing for 3+ units will be allowed for first time in St. Helens since inception of zoning in 1953.
- Single room occupancy (>6 units) added to conditional uses. May be stand alone or units above permitted uses, but not on same level as non-residential use. Referencing the AR standards, the same standards that apply to multifamily development (3 or more dwelling units) applies to this.

Highway Commercial – HC

- Removal of “catering to motorists” language for offices and retail establishments in permitted uses. This also results in removal of retail not catering to motorists from the conditional uses.
- Further defining the limitations of dwelling units above permitted uses, that the maximum amount is 2 units and that such must be attached housing with no dwelling on the same level as a non-residential use. This is a conditional use.

General Commercial – GC

- Clarification that units above permitted uses (1-2 dwelling units) is attached housing and to distinguish from multifamily (3 or more dwelling units) in permitted uses.
- Removal of “catering to motorists” language for retail establishments in permitted uses.
- Further defining multidwelling development as a conditional use. Can only be attached housing (no cottage cluster type development) but may be on same level as nonresidential use.
- Single room occupancy (4 or more units) added to conditional uses. May be stand alone or units above permitted uses, but not on same level as non-residential use. Referencing the AR standards, the same standards that apply to multifamily development (3 or more dwelling units) applies to this.

Riverfront District – RD, Marina Subdistrict

- Clarification that units above permitted uses (1-2 dwelling units) is attached housing and to distinguish from multifamily (3 or more dwelling units) in conditional uses.
- Further defining multidwelling development as a conditional use. Can only be attached housing (no cottage cluster type development) and shall not be on same level as nonresidential use.
- Single room occupancy (4 or more units) added to conditional uses. May be stand alone or units above permitted uses, but not on same level as non-residential use. Referencing the AR standards, the same standards that apply to multifamily development (3 or more dwelling units) applies to this.

Riverfront District – RD, Plaza Subdistrict

- No change to prohibition of residential use on ground floor, except for official historic buildings.
- Clarification that units above permitted uses is attached housing and, a dwelling unit on the same level as nonresidential use is a conditional use.
- Single room occupancy (4 or more units) added to permitted uses. Shall be units above permitted uses and not on same level as non-residential use. Uses the same standard specific to this zoning district for density as dwelling units (i.e., per 500 s.f. of non-residential use area) and the same standards that apply to multifamily development (3 or more dwelling units) applies to this.

Riverfront District – RD, Mill Subdistrict

- Clarification that multidwelling development (3 or more dwelling units) must be attached housing (no cottage clusters) in permitted uses.
- Single room occupancy (4 or more units) added to permitted uses, including residences above nonresidential uses. Not allowed on same level as non-residential use and the same standards that apply to multidwelling development (3 or more dwelling units) applies.
- Dwelling (attached housing only) on same level as non-residential use added to conditional uses.

Houlton Business District – HBD

- Clarification that units above permitted uses (1-2 dwelling units) is attached housing and to distinguish from multifamily (3 or more dwelling units) in permitted uses.
- Single room occupancy (4-6 units) added to permitted uses.
- Clarification that dwellings on the same level as non-residential use applies to both detached or attached housing in conditional uses.
- Clarification that multidwelling development (3 or more dwelling units on a lot) may be attached or detached housing, except is attached housing when above non-residential use in conditional uses. Detached housing for 3+ units will be allowed for first time in St. Helens since inception of zoning in 1953. Also, when above non-residential use, the density is based on the AR zone standards, a change from per 500 square feet of non-residential area.
- Single room occupancy (>6 units) added to conditional uses. May be stand alone or units above permitted uses, but not on same level as non-residential use. Referencing the AR standards, the same standards that apply to multifamily development (3 or more dwelling units) applies to this.

Long Term Residential Uses by Zoning District – 2024 Code Amendment Proposal

| Zone Use | R10 | R7 | R5 | AR | MHR | MU | RD, Marina | RD, Plaza | RD, Mill | HBD | GC | HC | LI | HI | PL |
|---|-----------|-----------|-------------------|-------------------|-------------------|--------------------|--------------------|----------------------------------|--------------------|--------------------|--------------------|-------|-----|-----|-----|
| 1-2 Units Attached/Detached | P/P | P/P | P/P | P/P | P/P | P/P | N/N | N/N ¹ | N/N | P/P | N/N | N/N | N/N | N/N | N/N |
| 3+ Units Attached/Detached (Proposed) | N/N | N/N | C/N (C/C) | P/N (P/P) | C/N (C/C) | C/N (C/C) | C/N | N/N | P/N | C/N (C/C) | C/N | N/N | N/N | N/N | N/N |
| 1-2 Units Upper Floors ² (Proposed) | N | N | N | N | N | S (P) | S (P) | P | P | S (P) | S (P) | S (C) | N | N | N |
| 3+ Units Upper Floors ² (Proposed) | N | N | N | N | N | S (C) | S (C) | P | P | S (C) | S (C) | S (N) | N | N | N |
| Single Room Occupancy (Proposed) | S (P 4-6) | S (P 4-6) | S (P 4-6) (C > 6) | S (P 4-6) (P > 6) | S (P 4-6) (C > 6) | S (P 4-6) (C > 6) | S (C ≥ 4) | S (P ≥ 4) Upper Only) | S (P ≥ 4) | S (P 4-6) (C > 6) | S (C ≥ 4) | S (N) | N | N | N |
| Unit, Same Level as Non-Residential (Proposed) (DU-Attached/Detached) | N | N | N | N | N | C (C/C DU) (N SRO) | S (N/N DU) (N SRO) | S (C ³ /N DU) (N SRO) | S (C/N DU) (N SRO) | C (C/C DU) (N SRO) | S (C/N DU) (N SRO) | S (N) | N | N | N |
| Attached SFD | N | N | P | P | N | P | N | N | P | P | N | N | N | N | N |
| M Home Park | N | N | N | N | P | N | N | N | N | N | N | N | N | N | N |
| RV Park | N | N | N | N | C | C | C | N | N | N | C | C | C | C | C |
| Houseboat | N | N | N | N | N | N | P | N | P | N | N | N | N | N | N |
| Caretaker | N | N | N | N | N | N | N | N | N | N | N | N | C | C | N |

¹ Except for historic residential structures ³ Except not allowed on first floor

² Attached housing all zones

P - Permitted
N - Not Allowed

C - Conditional Use
S - Silent

DU - Dwelling Unit
SRO - Single Room Occupancy

Zoning Districts

R-10: Suburban residential

R7: Moderate residential

R5: General residential

AR: Apartment residential

MHR: Mobile home residential

MU: Mixed use

RD: Riverfront district (Marina, Plaza, and Mill subdistrict)

HBD: Houlton business district

GC: General commercial

HC: Highway commercial

LI: Light industrial

HI: Heavy industrial

PL: Public lands

The official zoning map can be found here: <https://www.sthelensoregon.gov/planning/page/zoning-maps-gis>

Zoning information can also be found here: <http://webgis.metroplanning.com/sainthelensgis/sainthelensgis.html>

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 17.16 GENERAL AND LAND USE DEFINITIONS

[...]

17.16.010 General and land use definitions.

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

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

[...]

“Dwelling: multidwelling units, ~~apartment~~ (multifamily)” means three or more dwelling units on a single lot or development site. It is considered attached housing when a structure containing contains at least three dwelling units in any vertical or horizontal arrangement located on a single lot (e.g., town house, triplex, apartments and condominiums). It is considered detached housing when dwelling units are in structures detached from one another. If there are other uses or occupancies on the same lot or development site, such as a mixed use building, it is still considered a multidwelling unit development or use in addition to the others.

[...]

“Manufactured dwelling” means a residential trailer, mobile home, or manufactured home, but not including any building or structure ~~subject constructed~~ to conform to the State of Oregon structural specialty code adopted pursuant to ORS 455.100 through 455.450 or the low-rise residential dwelling code or any unit identified as a recreational vehicle by the manufacturer.

[...]

“Multidwelling structure” or “multidwelling unit structure” means a structure containing at least three dwelling units in any vertical or horizontal arrangement. If there are other uses or occupancies within the same structure, it is still considered a multidwelling structure in addition to the others.

[...]

“Prefabricated structure” means a structure, as defined in ORS 455.010, that is relocatable, more than eight and one-half feet wide and designed for use as a single-family dwelling. It is a building or subassembly that has been in whole or substantial part manufactured or assembled

using closed construction at an off-site location to be wholly or partially assembled on-site. It does not mean a **manufactured dwelling** or small home as defined in Section 2, Chapter 401, Oregon Laws 2019.

[...]

“Recreational vehicle park” means a park where four or more recreational vehicles and/or travel trailers are located within 50 feet of one another on a lot, tract, or parcel under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or for the rental or use of facilities.

[...]

“Residential trailer” means a structure constructed for movement on public streets that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed before January 1, 1962.

[...]

“Single room occupancy” means a residential development with no fewer than four attached units that are independently rented and lockable and provide living and sleeping space for the exclusive use of an occupant, but require that the occupant share sanitary and/or food preparation facilities with other units in the occupancy.

[...]

“Travel trailer” means a portable vehicular structure not built to the **UBC State Building Code**, Manufactured Housing Construction and Safety Standards Code, or the Mobile Home Design and Construction Standard, designed for travel, recreational camping or vacation purposes, either having its own motor power or mounted onto or drawn by another vehicle, fully licensed and ready for highway use, and including but not limited to travel and camping trailers, truck campers, and motor homes. Also see “recreational vehicle.”

~~“Travel trailer park” means a park where four or more travel trailers are located within 50 feet of one another on a lot, tract, or parcel under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or for the rental or use of facilities.~~

[...]

CHAPTER 17.32 ZONES AND USES

[...]

17.32.050 Suburban residential zone – R-10.

[...]

(2) Uses Permitted Outright. In an R-10 zone, the following uses are permitted outright:

[...]

(g) Single-dwelling unit, detached. Up to two may be allowed per lot, parcel, or otherwise lawfully established unit of land per ORS Chapter 92.

(h) Single room occupancy, maximum of six units.

[...]

17.32.060 Moderate residential zone – R7.

[...]

(2) Uses Permitted Outright. In an R-7 zone, the following uses are permitted outright:

[...]

(g) Single-dwelling unit, detached. Up to two may be allowed per lot, parcel, or otherwise lawfully established unit of land per ORS Chapter 92.

(h) Single room occupancy, maximum of six units.

[...]

17.32.070 General residential zone – R-5.

[...]

(2) Uses Permitted Outright. In an R-5 zone, the following uses are permitted outright:

[...]

(h) Single-dwelling unit, detached. Up to two may be allowed per lot, parcel, or otherwise lawfully established unit of land per ORS Chapter 92.

(i) Single room occupancy, maximum of six units.

(3) Conditional Uses (See Chapter 17.100 SHMC). In an R-5 zone, the following conditional uses may be permitted upon application:

[...]

(e) Neighborhood store/plaza.

(f) Multidwelling units, which may be attached housing and/or detached housing.

(g) Elderly/convalescent home.

- (h) Private park.
- (i) Public facilities, major.
- (j) Public safety facilities.
- (k) Religious assembly.
- (l) Residential facility.
- (k) Single room occupancy with more than six units.

(4) Standards. In the R-5 zone, the following standards shall apply:

(a) For dwellings, the minimum lot size shall be 5,000 square feet for the single-dwelling unit, detached, and duplex uses and 2,500 square feet for each single-dwelling unit, attached (maximum of five units together). For multidwelling units, use 5,000 square feet as base plus 2,500 square feet for each multidwelling unit thereafter. For single room occupancy, the minimum lot size for up to six units is 5,000 square feet, and based on the same minimum lot size for multidwelling units, as determined by the number of units, for more than six single room occupancy units.

(b) The maximum building height shall be 35 feet except as required in SHMC 17.68.040.

(c) The minimum lot width at the building line and street shall be 50 feet for detached units, ~~and~~ duplexes, and single room occupancy. For attached single-dwelling units the width shall be at least 25 feet wide each. No minimum for multidwelling unit lots. For flag lots the width at the street shall be a minimum of 20 feet.

[...]

(g) No side yard shall be less than five feet wide for single-dwelling, detached, duplexes, ~~and~~ single-dwelling, attached structures, and single room occupancy structures with no more than six units and 10 feet for multidwelling structures and single room occupancy structures with more than six units. Corner lots shall have a minimum exterior side yard of 10 feet.

(h) The minimum rear yard depth shall be 10 feet.

(i) The minimum interior yard shall be six feet. Multidwelling units and single room occupancy structures with more than six units shall also comply with SHMC 17.96.180(11).

(j) The minimum front and side yards or other setbacks as stated herein shall be increased where such yard or setbacks abut a street having insufficient right-of-way widths to serve the area; in such cases, the planning commission shall determine the necessary setback requirements.

(k) Buildings and structures shall not occupy more than 40 percent of the lot area except for single attached, ~~and~~ multidwelling units, and single room occupancy structures with more than six units which can be up to 50 percent.

(l) No lot, parcel, or otherwise lawfully established unit of land per ORS Chapter 92 shall have more than one principal building constructed thereon, except for multidwelling ~~structures~~ units, single room occupancy with more than six units, and as otherwise allowed in this section.

(m) The minimum landscaping for dwellings other than multidwelling ~~s~~ units and single room occupancy with more than six units shall be 25 percent of the lot area.

(5) All chapters of the Development Code apply.

(a) See Chapter 17.64 SHMC for additional yard requirements and exceptions.

(b) SHMC 17.96.180 includes many site development standards specific to multidwelling

units. The same standards that apply to multidwelling unit development and multidwelling structures per SHMC 17.96.180 shall apply to single room occupancy development with more than six units.

[...]

17.32.080 Apartment residential zone – AR.

[...]

(2) Uses Permitted Outright. In an AR zone, the following uses are permitted outright:

[...]

- (d) Multidwelling units, which may be attached housing and/or detached housing.
- (e) Public facility, minor.
- (f) Public park.
- (g) Residential facility.
- (h) Residential home.
- (i) Single-dwelling unit, attached residential units (five units maximum together).
- (j) Single-dwelling unit, detached residential units. Up to two may be allowed per lot, parcel, or otherwise lawfully established unit of land per ORS Chapter 92.
- (k) Single room occupancy, maximum of six units.
- (l) Single room occupancy with more than six units.

[...]

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

- (a) For dwellings the minimum lot size shall be 4,000 square feet for single-dwelling, detached units and duplexes ~~uses~~; 1,600 square feet minimum lot size for single-dwelling, attached units each (maximum of five units together); and 1,500 square feet minimum lot size for each multidwelling unit over the base of 4,000 square feet for the first two units (with no maximum). For single room occupancy, the minimum lot size for up to six units is 4,000 square feet and based on the same minimum lot size for multidwelling units, as determined by the number of units, for more than six single room occupancy units
- (b) The minimum front yard shall be 20 feet.
- (c) For single-dwelling, detached units, ~~and~~ duplexes, and single room occupancy the minimum lot width at the street and building line shall be 40 feet and no minimum for multidwelling unit lots; for flag lots and single attached dwelling units the minimum lot width at the street is 20 feet.
- (d) The minimum lot depth shall be 85 feet, except single-dwelling units, attached shall be 80 feet.
- (e) No side yard shall be less than five feet wide for single-dwelling, detached, duplexes, ~~and~~ single-dwelling, attached structures, and single room occupancy structures with no more than six units and 10 feet for multidwelling structures and single room occupancy structures with more than six units. Corner lots shall have a minimum exterior side yard of 10 feet.

(f) The minimum rear yard depth shall be 10 feet.

(g) The minimum interior yard shall be six feet. Multidwelling units and single room occupancy structures with more than six units shall also comply with SHMC 17.96.180(11).

[...]

(k) No lot, parcel, or otherwise lawfully established unit of land per ORS Chapter 92 shall have more than one principal building constructed thereon, except for multidwelling ~~structures~~ units, single room occupancy with more than six units, and as otherwise allowed in this section.

(l) The minimum landscaping shall be 25 percent of the lot area except for multidwelling ~~units structures~~ and single room occupancy with more than six units.

(5) All chapters of the Development Code apply.

(a) See Chapter 17.64 SHMC for additional yard requirements and exceptions.

(b) SHMC 17.96.180 includes many site development standards specific to multidwelling units. The same standards that apply to multidwelling unit development and multidwelling structures per SHMC 17.96.180 shall apply to single room occupancy development with more than six units.

[...]

17.32.090 Mobile home residential zone – MHR.

[...]

(2) Uses Permitted Outright. In the MHR zone, the following uses are permitted outright:

[...]

(d) Manufactured dwelling (~~M~~mobile home) parks.

(e) Public parks.

(f) Public facility, minor.

(g) Residential home.

(h) Single-dwelling unit, detached. Up to two may be allowed per lot, parcel, or otherwise lawfully established unit of land per ORS Chapter 92.

(i) Single room occupancy, maximum of six units.

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

[...]

(e) Multidwelling units, which may be attached housing and/or detached housing.

(f) Private park.

(g) Public facilities, major.

- (h) Public or private school or college.
- (i) Recreational vehicle park.
- ~~(j)~~ (j) Religious assembly.
- ~~(k)~~ (k) Residential facility.
- ~~(l)~~ (l) Sanitarium, rest home, senior or convalescent care facilities.
- (m) Single room occupancy with more than six units.
- ~~(n) Travel trailer parks.~~

[...]

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):

[...]—[EDITOR’S NOTE: ~~(g)~~ (g) and on is assumed based on file CPZA.1.24]

~~(g)~~ (g) Dwellings: single detached or attached, duplexes, and dwellings above permitted uses if no more than two dwelling units and is attached housing. If more than two dwelling units above permitted uses, see SHMC 17.32.095(3) for multidwelling units.

[...]—[EDITOR’S NOTE: ~~(v)~~ (v) and on is assumed based on file CPZA.1.24]

- ~~(v)~~ (v) Retail sales establishments, ~~not specifically catering to motorists.~~
- (w) Single room occupancy, maximum of six units. May be stand alone or units above permitted uses but shall not be on the same level as nonresidential use.
- ~~(x)~~ (x) Studios.
- ~~(y)~~ (y) Theaters, except drive-ins.

(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:

[...]—[EDITOR’S NOTE: ~~(h)~~ (h) and on is assumed based on file CPZA.1.24]

- ~~(h)~~ (h) Dwellings on same level as nonresidential use. This applies to both attached housing and detached housing.
- ~~(i)~~ (i) Funeral homes.
- ~~(j)~~ (j) Hospitals and senior or convalescent care facilities.
- ~~(k)~~ (k) Laundromats and dry cleaners.
- ~~(l)~~ (l) Lodge, fraternal and civic assembly.
- ~~(m)~~ (m) Lodging facilities or rooming house.
- ~~(n)~~ (n) Marijuana retailer and/or medical marijuana dispensary.

~~(p)~~ (o) Multidwelling units, which may be attached housing and/or detached housing, except dwelling units above permitted uses shall be attached housing.

[...]

(x) Recreation facilities (public or private).

(y) Recreational vehicle park.

~~(y)~~ (z) Religious assembly, including cemeteries.

~~(z)~~ (aa) Residential facility.

~~(aa)~~ (bb) Shopping centers.

(cc) Single room occupancy with more than six units. May be stand alone or units above permitted uses but shall not be on same level as nonresidential use.

~~(bb)~~ Travel trailer parks.

~~(ee)~~ (dd) Vehicle repair, service, and sales.

[...]

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

[...]

(e) Multidwelling units, ~~and~~ dwelling units and single room occupancy units above permitted uses, and single room occupancy with more than six units must shall comply with AR standards and other applicable sections of this code. Except, for structures with units above permitted uses, the yard (setback) that applies is based on the use of the first (ground level) floor.

(f) Single-dwelling units, attached or detached, ~~and~~ duplexes, and single room occupancy, maximum of six units shall comply with R-5 standards.

[...]

17.32.100 Highway Commercial – HC.

[...]

(3) Conditional Uses. In the HC 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:

[...]

(c) Dwelling units above ~~outright~~ permitted uses provided the number of dwelling units does not exceed two on a single lot or development site, is attached housing, and no dwelling unit is on same level as nonresidential use.

[...]—[EDITOR'S NOTE: ~~(h)~~ (i) and on is assumed based on file CPZA.1.24]

- ~~(j)~~ (j) Recreation facilities.
- (k) Recreational vehicle park.

[...]

- ~~(n) Travel trailer parks.~~

[...]

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):

[...]—[EDITOR’S NOTE: ~~(d)~~ (e) is assumed based on file CPZA.1.24]

~~(d)~~ (e) Dwellings above permitted uses ~~(use AR standards)~~ provided the number of dwelling units does not exceed two on a single lot or development site, is attached housing, and no dwelling unit is on same level as nonresidential use. If more than two dwelling units above permitted uses, see SHMC 17.32.110(3) for multidwelling units.

[...]

(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:

[...]—[EDITOR’S NOTE: ~~(p)~~ (o) is assumed based on file CPZA.1.24]

~~(p)~~ (o) Multidwelling units including dwelling units above permitted uses. Only attached housing is allowed and dwelling units may be on same level as nonresidential use.

[...]

- (w) Recreation facilities.
- (x) Recreational vehicle park.
- ~~(x)~~ (y) Religious assembly, including cemeteries.
- ~~(y)~~ (z) Residential facility.
- ~~(z)~~ (aa) Shopping centers and plazas.
- (bb) Single room occupancy (four or more units). May be stand alone or units above permitted uses but shall not be on same level as nonresidential use.
- ~~(aa) Travel trailer parks.~~

~~(bb)~~ (cc) Vehicle repair, service, and sales.

[...]

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

[...]

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

(d) Multidwelling units, dwelling units and single room occupancy units above permitted uses, and single room occupancy (four or more units) must shall comply with AR standards and other applicable sections of this code. Except, for structures with units above permitted uses, the yard (setback) that applies is based on the use of the first (ground level) floor and and the same standards that apply to multidwelling unit development and multidwelling structures per SHMC 17.96.180 shall apply to single room occupancy development with four or more units (instead of six or more units per the AR zone).

[...]

17.32.130 Light Industrial – LI.

[...]

(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:

[...]—[EDITOR’S NOTE: ~~(m)~~ (l) is assumed based on file CPZA.1.24]

~~(m)~~ (l) Public safety and support facilities.

(m) Recreational vehicle park.

(n) Temporary asphalt batching (six-month maximum).

~~(o) Travel trailer parks.~~

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

[...]

17.32.140 Heavy Industrial – HI.

[...]

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

[...]

(j) Public safety and support facilities.

(k) Recreational vehicle park.

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

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

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

(i) Two thousand gallons or more of flammable (Class I or II) materials.

(ii) Fifty gallons or more of unstable liquids, fireworks, blasting agents or explosives.

(iii) Magazines, Class II (Class I magazines are not permitted).

(iv) Five hundred pounds or more or 200 gallons or more of hazardous chemicals, including corrosive liquids, flammable solids, highly toxic materials, oxidizing materials, poisonous gases and any amount of radioactive materials.

(v) Unstable (reactive) chemicals, including organic peroxides and nitromethane.

(vi) Fifty pounds or more of ammonium nitrate.

(vii) Two thousand or more gallons of liquefied petroleum gases.

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

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

~~(p) Travel trailer parks.~~

(q) Wrecking and junkyards.

[...]

17.32.150 Public lands – PL.

[...]

(3) Conditional Uses. In the PL zone the following uses are permitted if approved under the conditional use chapter (Chapter 17.100 SHMC) and other applicable provisions of this code:

(a) Public facilities, major.

(b) Public support and safety facilities.

(c) ~~Travel trailer~~ Recreational vehicle park in public parks of over four acres in size to include a buffer of 20 feet where abutting a residential zone.

(d) Hospitals.

[...]

17.32.171 Riverfront district – RD, marina.

[...]

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

[...]—[EDITOR'S NOTE: ~~(d)~~ (e) is assumed based on file CPZA.1.24]

~~(d)~~ (e) 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).~~
Dwellings above permitted uses provided the number of dwelling units does not exceed two on a single lot or development site, is attached housing, and no dwelling unit is on same level as nonresidential use. If more than two dwelling units above permitted uses, see SHMC 17.32.171(3) for multidwelling units.

[...]

(3) Conditional Uses. In the marina subdistrict 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)~~ including dwelling units above permitted uses. Only attached housing is allowed and no dwelling unit shall be on same level as nonresidential use.
- (c) Private parks.
- (d) Public facilities, major.
- (e) ~~Travel trailer~~ Recreational vehicle parks.
- (f) Single room occupancy (four or more units). May be stand alone or units above permitted uses but shall not be on same level as nonresidential use.

[...]

(4) Standards. In the marina subdistrict 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), except when the AR zone standards apply that includes building height standards.
- (b) Outdoor storage abutting or facing a lot in a residential zone shall comply with Chapter 17.72 SHMC.
- (d) The minimum landscaping shall be 10 percent of gross land area associated with the use.
- (e) Multidwelling units, dwelling units and single room occupancy units above permitted uses, and single room occupancy (four or more units) shall comply with AR zone standards and other applicable sections of this code. Except, for structures with units above permitted uses, the yard (setback) that applies is based on the use of the first (ground level) floor and the same standards that apply to multidwelling unit development and multidwelling structures per SHMC 17.96.180 shall apply to single room occupancy development with four or more units (instead of six or more units per the AR zone).

[...]

17.32.172 Riverfront district – RD, plaza.

[...]

(2) Uses Permitted Outright. In the plaza subdistrict, 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. This is listed here separate from other residential uses given subsection (5)(a)(i) of this section. This does not mean historic residential structures are prohibited in other zones per SHMC 17.32.040(3)(a).

(b) Residential above Nonresidential Permitted Uses, provided it is attached housing, and no dwelling unit is on same level as nonresidential use.

(i) Dwelling, single-family, duplex or multidwelling units.

~~(ii) Dwelling, duplex.~~

~~(iii) Dwelling, townhouse.~~

~~(iv) Dwelling, multifamily.~~

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

[...]

(ii) Retail sales establishments.

(jj) Single room occupancy (four or more units). Shall be units above permitted uses and shall not be on same level as nonresidential use.

~~(jj)~~ (kk) Small equipment sales, rental and repairs facilities/shops, without outside storage.

~~(kk)~~ (ll) Theaters, indoors.

~~(ll)~~ (mm) Trade and skilled services without outdoor storage, such as plumbing, HVAC, electrical, and paint sales/services facilities/shops.

~~(mm) Type I and II home occupation in dwelling unit above nonresidential permitted uses.~~

~~(nn) Transient housing.~~

~~(oo)~~ (nn) Watercraft sales, rental, charters, without outdoor storage.

[...]

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

[...]—[EDITOR'S NOTE: (f) is based on text amendments of file CPZA.1.24]

(e) Business with outdoor storage (those businesses permitted in permitted uses).

(f) ~~Hospitals, clinics, nursing homes, and convalescent homes~~ Dwellings on same level as nonresidential use, provided it is attached housing and there is no conflict with SHMC 17.32.172(5)(a)(i) prohibiting residential use on the first floor of buildings.

- ~~(f)~~ (g) Hospitals, clinics, nursing homes, and convalescent homes.
- ~~(g)~~ (h) Laundromats and dry cleaners.

[EDITOR'S NOTE: re-lettering to continue through list of conditional uses]

[...]

(5) Special Conditions Permitted and Conditional Uses.

(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 plaza subdistrict.

(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 or single room occupancy 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.

(iv) The same standards that apply to multidwelling unit development and multidwelling structures per SHMC 17.96.180 shall apply to single room occupancy development with four or more units.

[...]

17.32.173 Riverfront district – RD, mill.

[...]—[EDITOR'S NOTE: (2)(a)(iii) to be edited based on text amendments of file CPZA.1.24]

(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. Moreover, the applicable provisions of Chapter 17.96 SHMC, Site Development Review, apply, except those modified by this chapter.

(a) Residential.

(i) Single dwelling units, attached.

(ii) Multidwelling units provided it is attached housing.

(iii) Single room occupancy (four or more units). Shall not be on same level as nonresidential use and the same standards that apply to multidwelling unit development and multidwelling structures per SHMC 17.96.180 shall apply.

~~(iii)~~ (iv) Family child care home in lawfully existing dwelling.

(b) Residential above Nonresidential Permitted Uses, provided it is attached housing, and no dwelling unit is on same level as nonresidential use.

(i) Dwelling, single-family, duplex or multidwelling units.

(ii) Congregate ~~care facility~~ housing.

(iii) ~~Single dwelling units, attached~~ Single room occupancy (four or more units).

Shall not be on same level as nonresidential use and the same standards that apply to multidwelling unit development and multidwelling structures per SHMC 17.96.180 shall apply.

(iv) ~~Multidwelling units~~ Other residential uses as per ORS Chapter 443.

[...]

(3) The 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:

[...]—[EDITOR'S NOTE: ~~(k)~~ (k) is assumed based on file CPZA.1.24]

~~(k)~~ (k) Boat building.

(l) Dwellings on same level as nonresidential use, provided it is attached housing.

[...]

17.32.180 Houlton business district – HBD.

[...]

(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:

(a) Dwellings: single detached or attached, duplexes, and dwellings above permitted uses if no more than two dwelling units and is attached housing. If more than two dwelling units above permitted uses, see SHMC 17.32.180(3) for multidwelling units.

[...]—[EDITOR'S NOTE: ~~(uu)~~ (uu) is assumed next in sequence for end of permitted uses list based on file CPZA.1.24]

(uu) Single room occupancy, maximum of six units. May be stand alone or units above permitted uses but shall not be on same level as nonresidential use.

[...]

(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:

[...]—[EDITOR'S NOTE: ~~(g)~~ (g) and on is assumed based on file CPZA.1.24]

~~(g)~~ (g) Dwellings on same level as nonresidential use. This applies to both attached housing and detached housing.

~~(h)~~ (h) Funeral homes.

~~(i)~~ (i) Hospitals, clinics, nursing homes, and convalescent homes.

- ~~(k)~~ (j) Laundromats and dry cleaners.
- ~~(l)~~ (k) Marijuana retailer and/or medical marijuana dispensary.
- ~~(m)~~ (l) Multidwelling units, which may be attached housing and/or detached housing, except dwelling units above permitted uses shall be attached housing.

[...]—[EDITOR’S NOTE: sequence beginning with (p) and on is assumed based on file CPZA.1.24]

(p) Single room occupancy with more than six units. May be stand alone or units above permitted uses but shall not be on same level as nonresidential use.

- ~~(q)~~ (q) Parking lots/facilities, private.
- ~~(r)~~ (r) Nurseries and greenhouses.
- ~~(s)~~ (s) Vehicle repair, service, and sales.

[...]

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

[...]

(m) Notwithstanding the standards of subsections (4)(a) through (l) of this section, these residential uses are subject to the following:

- (i) Single-dwelling units, attached or detached, ~~and~~ duplexes, and single room occupancy, maximum of six units shall comply with the R-5 standards; and
- (ii) Multidwelling units, dwelling units and single room occupancy units above permitted uses, and single room occupancy with more than six units shall comply with AR standards and other applicable sections of this code. Except, for structures with dwelling units above permitted uses, the yard (setback) that applies is based on the use of the first (ground level) floor.

(5) Special Conditions Permitted and Conditional Uses.

~~(a) Residential density above permitted uses shall be based on the standard of one dwelling unit for each full 500 interior square feet of nonresidential 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.~~

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

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

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

~~(d) (c)~~ All chapters of the Development Code apply except as modified herein.

[...]

CHAPTER 17.60
MANUFACTURED/MOBILE HOME AND PREFABRICATED STRUCTURE
REGULATIONS

[...]

17.60.020 Manufactured/mobile home park standards.

[...]

(6) Each unit shall be provided with a water, sewer, and electrical connection. The electrical connection shall provide for 110- and 220-volt service.

~~(7) No manufactured/mobile home, accessory building, or other structure shall be closer than 10 feet from another mobile home, accessory building, or other garage/carport structure. There shall be a minimum of 10-foot interior yard between all manufactured dwellings or other alternatives per SHMC 17.60.040(2) and any other principal buildings. Accessory structures shall have a minimum 6-foot interior yard.~~

(8) On any individual space no building shall be any closer than 20 feet from a street and no less than 10 feet from the rear of each space.

[...]

17.60.030 Manufactured homes and prefabricated structures on individual building lots.

The establishment, location, and use of manufactured homes and prefabricated structures as scattered site residences shall be permitted in any zone permitting ~~installation of a dwelling unit~~ site-built detached single-family dwellings subject to requirements and limitations applying generally to such residential uses in the district, and provided such homes shall meet the following requirements and limitations:

~~(1) The manufactured home shall be multisectional and enclose a space of not less than 1,000~~

square feet;

~~(2) The manufactured home shall be placed on an excavated and backfilled foundation and enclosed at the perimeter such that the finished first floor of the manufactured home is located not more than 12 inches above grade (except on sloped lots);~~

~~(3) The manufactured home shall be securely anchored to the foundation system in accordance with the requirements of the State Building Codes Agency for Manufactured Structures;~~

~~(4) The manufactured home shall have a pitched roof with a slope of at least three feet in height for each 12 feet in width;~~

~~(5) The manufactured home shall have exterior siding and roofing which in material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the city as determined by the Building Division. This requirement shall not be interpreted to mean that the city is responsible for enforcing codes, covenants, and restrictions of any homeowners or other association;~~

~~(6) The manufactured home shall have an exterior thermal envelope in substantial compliance with performance standards equivalent to the performance standards required of single-family dwellings constructed under the State Building Code as defined in ORS 455.010, as determined by the Building Division; and~~

~~(7) Have minimum of two on-site parking spaces.~~

(1) As necessary to comply with a protective measure adopted pursuant to a statewide land use planning goal;

(2) That the manufacturer certify that the manufactured home or prefabricated structure has an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the Low-Rise Residential Dwelling Code as defined in ORS 455.010;

(3) No manufactured home or prefabricated structure shall be allowed within a historic district or abutting a property with a designated landmark as listed in the Comprehensive Plan and per Chapter 17.36 SHMC; and

(4) This does not apply to residential trailers (constructed before January 1, 1962) or mobile homes (constructed between January 1, 1962 and June 15, 1976), which shall be prohibited on individual lots, but may be allowed within manufactured/mobile home parks per SHMC 17.60.040.

[...]

17.60.040 ~~Nonconforming mobile homes~~ Additional provisions for manufactured/mobile home parks.

(1) Manufactured/mMobile home parks existing at the adoption of the ordinance codified in this code not meeting the standards set forth in this code shall be considered nonconforming and are subject to the standards set forth in SHMC 17.104.040(2), except for replacement of an occupied manufactured/mobile home space per (2) of this section may be allowed, provided the occupied manufactured/mobile home space is lawfully existing.

~~(2) Replacement of nonconforming mobile homes in such parks when they are moved or destroyed must conform with the standards of SHMC 17.60.030.~~ A manufactured/mobile home park space may be occupied by a manufactured dwelling (residential trailer, mobile home, or manufactured home), prefabricated structure, or travel trailer (recreational vehicle). All shall be

treated as structures for the purpose of the requirements of SHMC 17.60.020.

[...]

CHAPTER 17.80 OFF-STREET PARKING AND LOADING REQUIREMENTS

[...]

17.80.020 General provisions.

[...]

(7) Visitor Parking in Multidwelling Unit Residential Districts.

(a) Multidwelling units and single room occupancy units with more than 10 required parking spaces shall provide parking for the use of guests of residents (visitors) of the complex; and

(b) Visitor parking shall consist of 15 percent of the total required parking spaces and shall be centrally located within or evenly distributed throughout the development. Required bicycle parking facilities shall also be centrally located within or evenly distributed throughout the development.

[...]

(15) Bicycle Parking.

(a) One lockable bicycle parking space shall be provided within a rack for the following:
(i) Four or more dwelling units or single room occupancy units in one building: one space per dwelling unit or single room occupancy unit;

[...]

17.80.030 Minimum off-street parking requirements.

Note: some use classifications listed below indicate additional bicycle parking requirements beyond the requirements of SHMC 17.80.020(15).

(1) Residential.

[...]

(f) Manufactured dwelling/mobile home park – Two off-street spaces for each dwelling unit/park space.

(g) Multiple dwelling (also see SHMC 17.80.020(7)):

(i) Studio – One space for each unit.

(ii) One bedroom – One and one-half spaces for each unit.

(iii) More than one bedroom per unit – Two spaces for each.

(h) Single-dwelling units, attached – Two off-street spaces for each dwelling unit.

(i) Single-dwelling units, detached – Two off-street spaces for each dwelling unit or pair of dwelling units as allowed by the zoning district. No more than two spaces are required for one detached single-family dwelling on a single lot, or two detached single-family dwellings on a single lot.

(j) Single room occupancy – One off-street space for each unit.

[...]

**CHAPTER 17.96
SITE DEVELOPMENT REVIEW**

[...]

17.96.020 Applicability of provisions.

Site development review shall be applicable to all new developments and major modification of existing developments, as provided in SHMC 17.96.070, except it shall not apply to:

(1) Single-dwelling units, duplexes, manufactured homes and prefabricated structures on an individual building lot, parcel or, or otherwise lawfully established unit of land per ORS Chapter 92;

(2) ~~Manufactured homes on individual lots~~ Occupancy of lawfully existing manufactured/mobile home park space by manufactured dwelling or other alternative per SHMC 17.60.040(2);

~~(3) A duplex, which is not being reviewed as part of any other development;~~

~~(4)~~ (3) Minor modifications as provided in SHMC 17.96.080;

[EDITOR'S NOTE: re-numbering to continue through list of conditional uses]

[...]

17.96.070 Major modifications to approved plans or existing development.

[...]

(2) The director shall determine that a major modification(s) will result if one or more of the following changes are proposed. There will be:

(a) An increase in dwelling unit or single room occupancy unit density, or lot coverage for residential development;

(b) A change in the ratio or number of different types of dwelling units or single room occupancy units;

[...]

17.96.180 Approval standards.

[...]

(7) Shared Outdoor Recreation Areas – Residential Use.

(a) In addition to the requirements of subsections (5) and (6) of this section, usable outdoor recreation space shall be provided in residential developments for the shared or common use of all the residents in the following amounts:

(i) Studio (including single room occupancy units) up to and including two-bedroom units, 200 square feet per unit; and

(ii) Three- or more bedroom units, 300 square feet per unit;

[...]

(11) Distance between ~~Multiple-Family Residential Structure and Other~~ principal buildings and structures of multidwelling unit development.

(a) To provide privacy, light, air, and access to the multiple detached and/or attached residential dwellings within a development, the following separations shall apply:

(i) ~~Buildings~~ “Multidwelling structures” with windowed walls facing buildings with windowed walls shall have a 25-foot separation;

(ii) ~~Buildings~~ “Multidwelling structures” with windowed walls facing buildings with a blank wall shall have a 15-foot separation;

(iii) ~~Buildings~~ “Multidwelling structures” with opposing blank walls shall have a 10-foot separation;

(iv) ~~Building~~ “Multidwelling structure” separation shall also apply to ~~buildings~~ those having projections such as balconies, bay windows, and room projections (measurement is from said projections); and

(v) ~~Buildings~~ “Multidwelling structures” with courtyards shall maintain separation of opposing walls as listed in subsections (11)(a)(i), (ii) and (iii) of this section for walls in separate buildings;

(b) In addition to (a), as applicable, Wwhere any principal buildings exceed a horizontal dimension of 60 feet or exceed 30 feet in height, the minimum ~~wall-separation~~ interior yard shall be one foot for each 15 feet of building length over 50 feet and two feet for each 10 feet of building height over 30 feet, or the minimum interior yard of the zoning district, whichever is larger;

(c) Driveways, parking lots, and common or public walkways shall maintain the following separation for any dwelling units within eight feet of the ground level:

(i) Driveways and parking lots shall be separated from windowed walls by at least eight feet; walkways running parallel to the face of the structures shall be separated by at least five feet; and

(ii) Driveways and parking lots shall be separated from living room windows by at least 10 feet; walkways running parallel to the face of the structure shall be separated by at least seven feet;

2024 Development Code Amendments – ZA.1.24

- St. Helens Housing Needs Analysis (2019) – residential code amendments “part 2”
- Measure 109 (2020) – psilocybin
- House Bill 4064 (2022) – manufactured and prefabricated structures
- House Bill 3109 (2021) – childcare facilities
- House Bill 4064 (2023) – single room occupancies
- Validity periods of land use permits
- Housekeeping

CPZA.1.24
(NOT THIS
HEARING)



Attached Housing

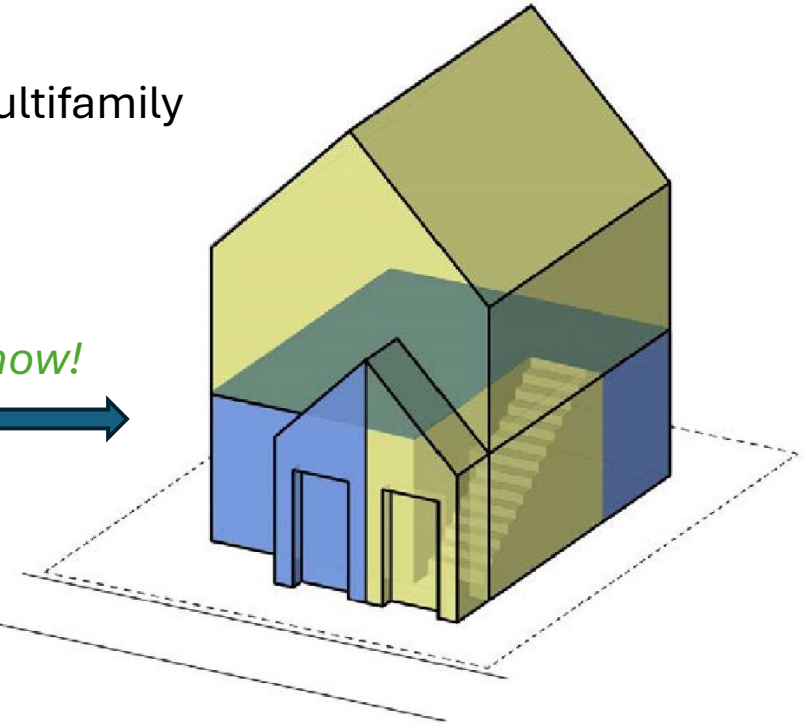
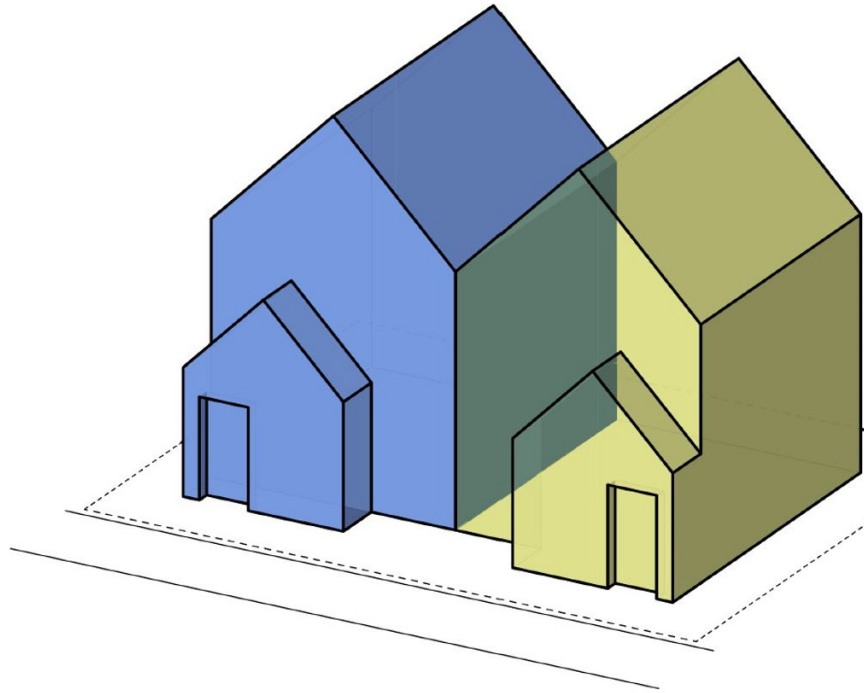
1953 – Today as Duplex or *Multifamily

1999 – 2018 as ADU w/ CUP

2018 – 2021 as ADU w/ SDR

2021 – Today ADU as Duplex

And duplexes less restricted now!



Detached Housing

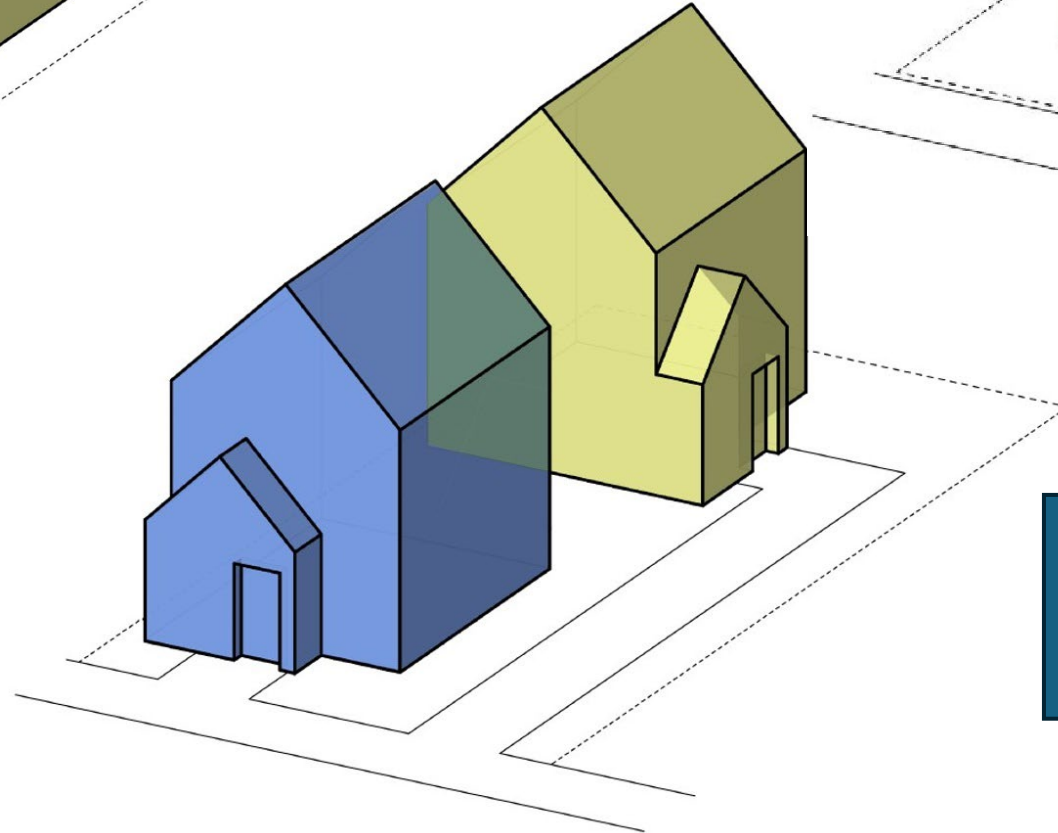
1953 – 1999 **Not allowed**

1999 – 2018 as ADU w/ CUP

2018 – 2021 as ADU w/ SDR

2021 – Today ADU as Duplex

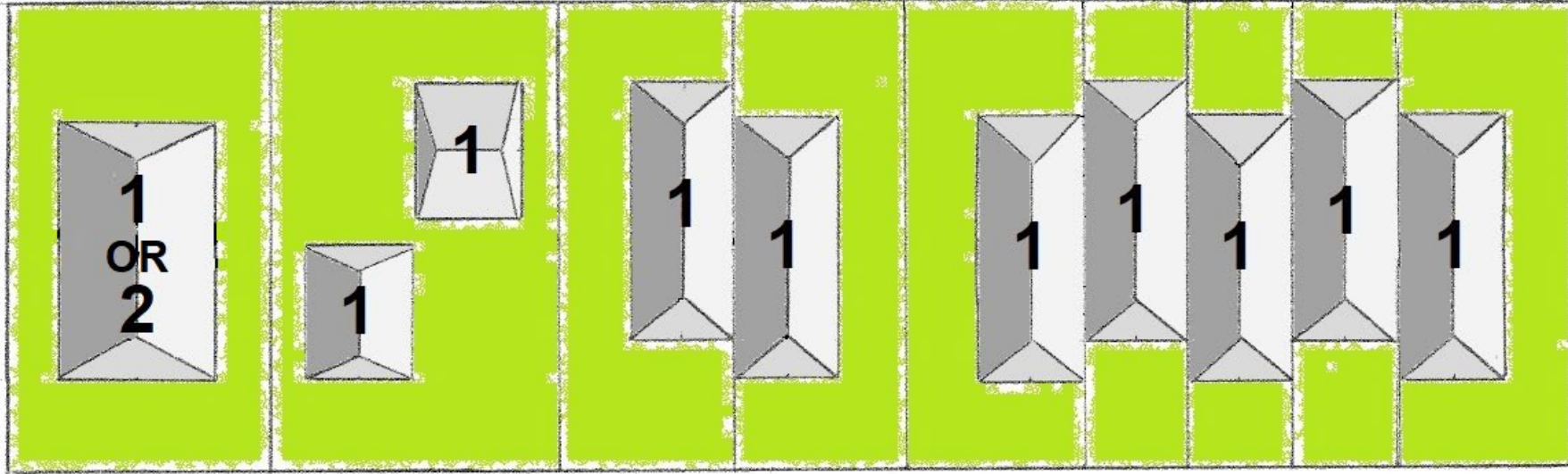
*But doesn't really apply to
multifamily... yet...



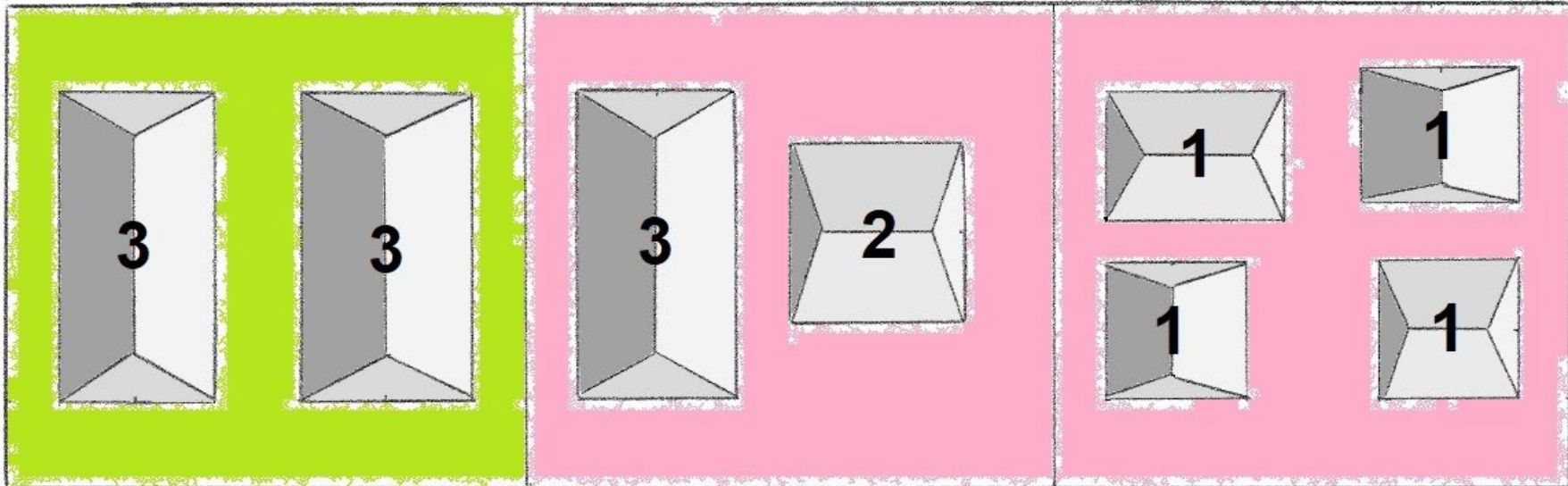
***Multifamily** means 3 or more dwelling units on a property

DETACHED SFD/DUPLEX

ATTACHED SINGLE FAMILY DWELLING (SFD)



ANY STREET



MULTIFAMILY

MUTIFAMILY???

MUTIFAMILY???

valid.

PART II

SECTION 13. DEFINITIONS: The following words and phrases when used in this ordinance shall have meanings respectively ascribed to them in this section, excepting in those instances where the context clearly indicates a different meaning.

Words used in the present tense include the future, the singular number, includes the plural; and the plural the singular, the word lot includes the word plot and word building includes the word structure.

DWELLINGS, SINGLE FAMILY: A single family dwelling is a building used or arranged for use as the home or abode of but one family in which not more than four boarders or lodgers are accommodated.

DWELLINGS, TWO FAMIL: A two family dwelling is a building used or arranged for use as the home or abode of but two families, living independently of each other, and in which not more than four boarders or lodgers shall be accommodated by each family.

DWELLING, MULTIPLE FAMILY: A multiple family dwelling is a building used or arranged for use as the home or abode of three or more families, living independently of each other and doing their own cooking in said building and shall include flats and apartments.

SRO?



SRO?

Manufactured Home



*Built to current HUD standards
(Source: Oregon Manufactured
Housing Association)*

Mobile Home



*Built in early 1970s
(Source: RMLS)*

Residential Trailer



*Built before 1962
(Source: Thomas's Pics, CC BY 2.0
<<https://creativecommons.org/licenses/by/2.0>>, via Wikimedia Commons)*

Manufactured Homes

← Multi-Section

versus

Single-Wide →

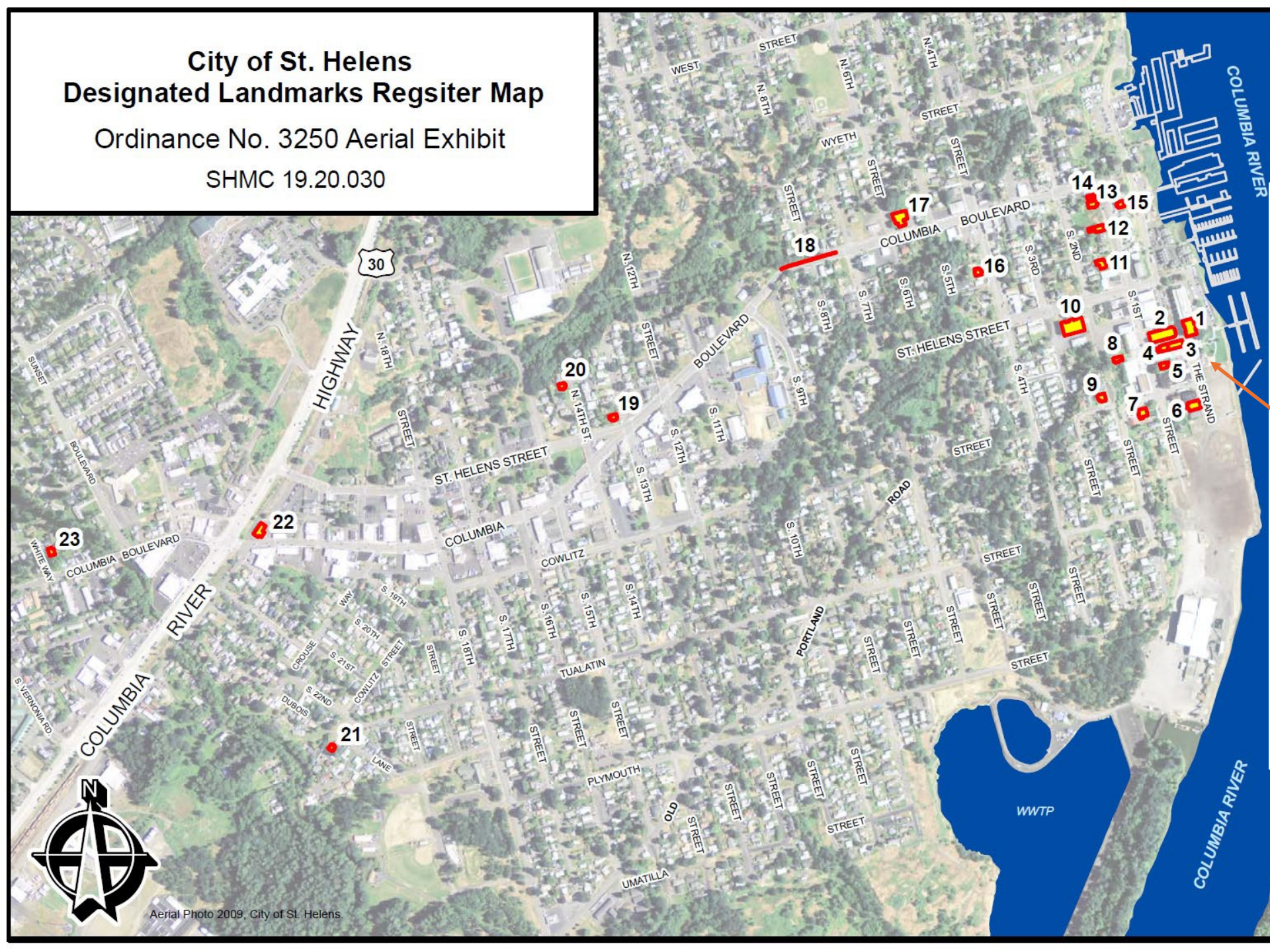




City of St. Helens Designated Landmarks Register Map

Ordinance No. 3250 Aerial Exhibit

SHMC 19.20.030



ST. HELENS DOWNTOWN HISTORIC DISTRICT

| | |
|----------------------------------|--|
| Primary Significant | Vacant or outside Historic District |
| Secondary Significant | Historic District Boundary |
| Historic, Non-contributing | Riverfront District (RD) Zoning District Plaza Subdistrict |
| Compatible, Non-contributing | Designated Landmark |
| Non-compatible, Non-contributing | |

Feb 2019 / jgg

St. Helens Downtown Historic District boundary and designations as filed on the National Register of Historic Places in 1984. The National Register documentation has not been updated since. RD Zoning District and Designated Landmarks are per the City of St. Helens and not part of the National Register. Source: Columbia County, City of St. Helens, and National Register of Historic Places.

NORTH
SCALE
200 FEET



Aerial Photo 2009, City of St. Helens.

Long Term Residential Uses by Zoning District – 2024 Code Amendment Proposal

| Zone Use | R10 | R7 | R5 | AR | MHR | MU | RD, Marina | RD, Plaza | RD, Mill | HBD | GC | HC | LI | HI | PL |
|--|--------------|--------------|-------------------------|-------------------------|-------------------------|-----------------------------|-----------------------------|---|-----------------------------|-----------------------------|-----------------------------|----------|-----|-----|-----|
| 1-2 Units Attached/Detached | P/P | P/P | P/P | P/P | P/P | P/P | N/N | N/N ¹ | N/N | P/P | N/N | N/N | N/N | N/N | N/N |
| 3+ Units Attached/Detached <i>(Proposed)</i> | N/N | N/N | C/N (C/C) | P/N (P/P) | C/N (C/C) | C/N (C/C) | C/N | N/N | P/N | C/N (C/C) | C/N | N/N | N/N | N/N | N/N |
| 1-2 Units Upper Floors ² <i>(Proposed)</i> | N | N | N | N | N | S (P) | S (P) | P | P | S (P) | S (C) | S (C) | N | N | N |
| 3+ Units Upper Floors ² <i>(Proposed)</i> | N | N | N | N | N | S (C) | S (C) | P | P | S (C) | S (N) | S (N) | N | N | N |
| Single Room Occupancy <i>(Proposed)</i> | S (P 4-6) | S (P 4-6) | S (P 4-6) (C > 6) | S (P 4-6) (P > 6) | S (P 4-6) (C > 6) | S (P 4-6) (C > 6) | S (C ≥ 4) | S (P ≥ 4 Upper Only) | S (P ≥ 4) | S (P 4-6) (C > 6) | S (C ≥ 4) | S (N) | N | N | N |
| Unit, Same Level as Non-Residential <i>(Proposed)</i> (DU-Attached/Detached) | N | N | N | N | N | C (C/C) DU (N SRO) | S (N/N) DU (N SRO) | S (C ³ /N) DU (N SRO) | S (C/N) DU (N SRO) | C (C/C) DU (N SRO) | S (C/N) DU (N SRO) | S (N) | N | N | N |
| Attached SFD | N | N | P | P | N | P | N | N | P | P | N | N | N | N | N |
| M Home Park | N | N | N | N | P | N | N | N | N | N | N | N | N | N | N |
| RV Park | N | N | N | N | C | C | C | N | N | N | C | C | C | C | C |
| Houseboat | N | N | N | N | N | N | P | N | P | N | N | N | N | N | N |
| Caretaker | N | N | N | N | N | N | N | N | N | N | N | N | C | C | N |

¹ Except for historic residential structures ³ Except not allowed on first floor

² Attached housing all zones

P - Permitted
N - Not Allowed

C - Conditional Use
S - Silent

DU - Dwelling Unit
SRO - Single Room Occupancy

Special notice per ORS 227.186?

Due to SRO and more defined attached/detached housing parameters:
R-10, R-7, R-5, AR, MHR, MU, GC, RD-Marina, RD-Plaza, Rd-Mill (city owned), and HBD

Due to clarification of density, at least:
HC

Approx 5,200 notices sent. Every property within St. Helens' city limits not dark or light grey (Industrial) or blue (public lands).

