



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

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Salem, Oregon 97301-2524

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Web Address: <http://www.oregon.gov/LCD>

### NOTICE OF ADOPTED AMENDMENT

May 23, 2006



TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of St. Helens Plan Amendment  
DLCD File Number 004-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

#### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: June 8, 2006**

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Gary Fish, DLCD Regional Representative  
Steven Santos, DLCD Economic Development Planning Specialist  
Skip Baker, City of St. Helens

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DEPT OF

MAY 19 2006

LAND CONSERVATION  
AND DEVELOPMENT

**NOTICE OF ADOPTION**

**Jurisdiction:** City of St. Helens

**Local File No.** Zone Map Amendments

**Date of Adoption:** May 17, 2006

**Date Mailed:** May 18, 2006

**Date of Notice of Proposed Amendment was mailed to DLCD:** Feb. 22, 2006

<input type="checkbox"/> Comp Plan Text Amendment	<input type="checkbox"/> Comp Plan Map Amendment
<input type="checkbox"/> Land Use Regulation Amendment	yes <input type="checkbox"/> Zoning Map Amendment
<input type="checkbox"/> New Land Use Regulation	<input type="checkbox"/> Other _____

**Summary of the adopted amendment:** Zone Map Amendment

**Describe how the adopted amendment differs from the proposed amendment.(If same, write same; if not applicable write, N/A).** same

**Plan Map Changed from:** \_none

**Zone Map Changed from:** \_Light Industrial to \_General Commercial.

**Location:** Columbia County Tax lots 410801100200, 300, & 301.

**Acres involved** \_19 acres.

**Specify density:** Previous \_0 DU per acre \_\_\_ New: 25 DU per acre \_\_\_\_\_

**Applicable Goals:** \_1,2,9,10,11,12,&14 \_\_\_\_\_ **Was an Exception Adopted?** \_\_\_no\_\_\_

**Did the DLCD receive notice of Proposed Amendment 45 days prior to final hearing?**

Yes \_\_\_X\_\_\_ NO \_\_\_\_\_  The Statewide Planning Goals do not apply.

The Emer. Circumstances Req'd Expedited

**Review.**

**Affected State or Federal Agencies, Governments or Special Districts:** Columbia County, St. Helens Rural Fire District, and St. Helens Rural School District.

**Local contact:** Skip Baker

**Phone No.** 503-397-6272

**Address:** P.O.Box 278

**City:** St. Helens, OR

**Zip code:** 97051

**Mail to:** Plan Amendment Specialist, DLCD, 635 Capitol St. NE., Ste. 150, Salem, OR. 97301

DLCD # 004-06  
(15029)

## ORDINANCE NO. 2998

### AN ORDINANCE TO AMEND THE ST HELENS ZONING MAP TO COMPLY WITH THE AMENDED COMPREHENSIVE PLAN MAP AND TO CHANGE LIGHT INDUSTRIAL LANDS TO GENERAL COMMERCIAL LANDS

**WHEREAS**, applicant has requested to amend the St. Helens Zone Map for parcels located northeast of the Gable Road and Highway 30 intersection from LI, Light Industrial, to GC, General Commercial zone; and

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

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

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

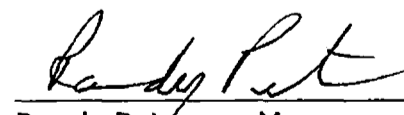
#### **NOW, THEREFORE, THE CITY OF ST. HELENS DOES ORDAIN AS FOLLOWS:**

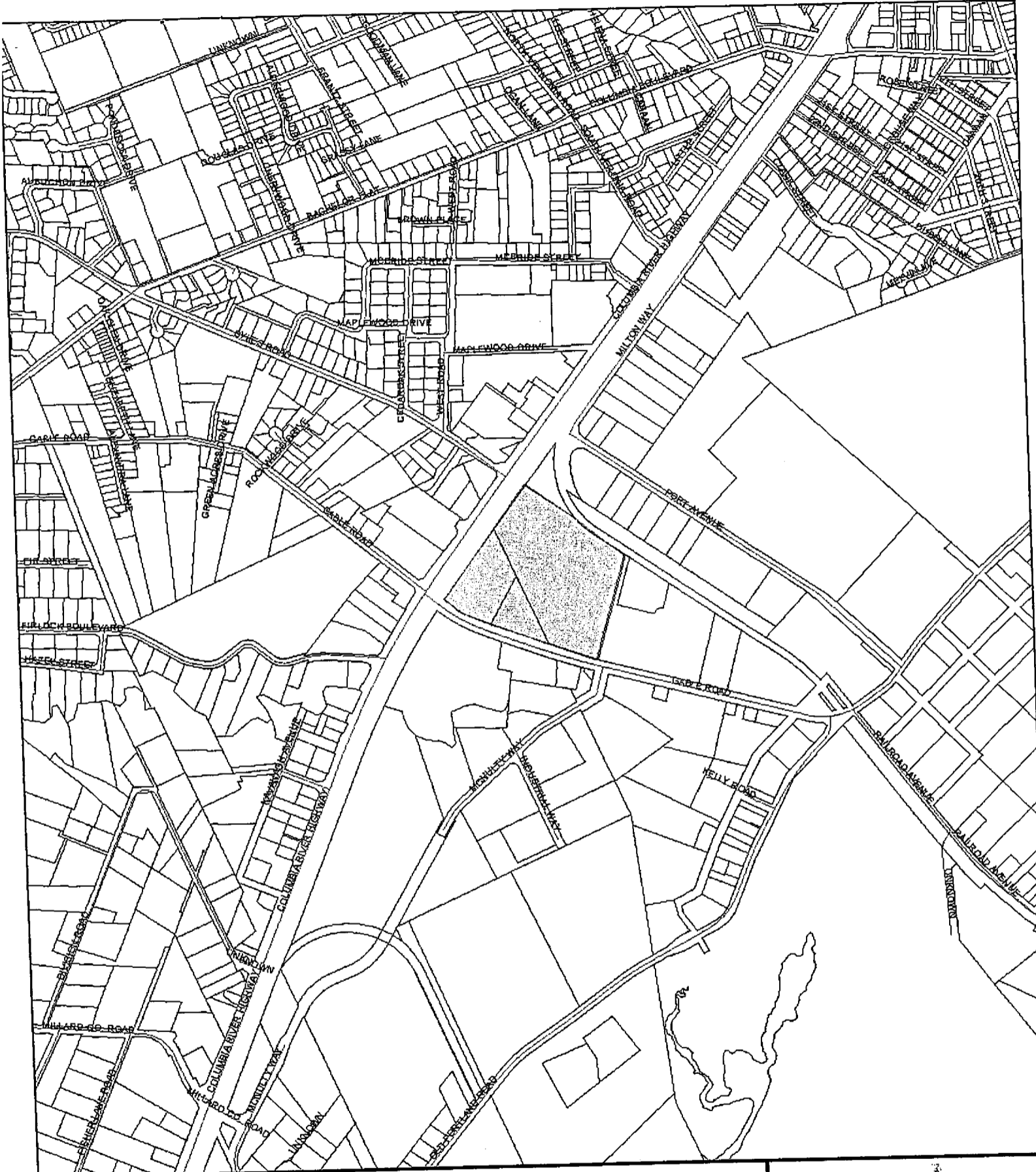
1. The above recitations are true and correct and are incorporated herein by this reference.
2. The St. Helens zone map is amended to change those three properties shown on Attachment A (Map) and also known as Tax Lots 200, 300, & 301 on Map 4108011 from LI, Light Industrial, to GC, General Commercial zones.
3. In support of the above map amendments, the Council hereby adopts the Findings of Fact and Conclusions of Law dated May 17, 2006.
4. The effective date of this Ordinance shall be 30 days after approval, in accordance with the City Charter and other applicable laws.

Read the first time:	May 3, 2006
Read the second time:	May 3, 2006
Read the third time:	May 17, 2006
Approved by the Mayor:	May 17, 2006

Attested by:

  
\_\_\_\_\_  
Brian D. Little, City Recorder

  
\_\_\_\_\_  
Randy Peterson, Mayor



4108-011-00200/300/301



Ordinance No. 2998

1 in. = 873.0 feet



Attachment A

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
Northeast corner Gable and Hwy 30 Zone Map Amendment

REQUEST:

To change approximately 19 acres of industrial zoned land to commercial.

PUBLIC HEARING:

A Public Hearing was held April 11, 2006 in front of the Planning Commission and was held April 19, 2006 in front of the City Council.

NOTICE OF PUBLIC HEARING:

A notice of this Public Hearing on this zoning amendment was sent to property owners within 300 feet of the lot involved in this request by first class mail. Notice was published in The Spotlight March 22, 2006. Notice was also sent to the Department of Land Conservation and Development on February 22, 2006.

REFERRALS were sent to the following:

1. St Helens City Engineer, Police, Parks, Building Official, Waste Water Treatment Plant Superintendent, and Public Works Manager.
2. Columbia County Land Development Services, Public Health Authority, Roadmaster, Planning Commission, and Board of Commissioners and County Surveyor.
3. St. Helens Rural Fire District.
4. St. Helens Rural School District
5. Columbia 911
6. Columbia River PUD, Qwest, PGE, and NW Natural
7. ODOT Region 1,

CRITERIA:

The recommendation by the Commission and the decision by the Council shall be based on consideration of the following factors:

1. The applicable Comprehensive Plan policies and map designations; and that the change will not adversely affect the health, safety, and welfare of the community; and
2. Statewide planning goals adopted under Oregon Revised Statutes Chapter 197, until acknowledgment of the Comprehensive Plan and ordinances;

3. The standards applicable of any provision of this Code or other applicable implementing ordinance; and

EVALUATION:

**1. The applicable Comprehensive Plan policies and map designations; and that the change will not adversely affect the health, safety, and welfare of the community;**

Finding: The Comprehensive Plan Map has been changed to reflect a community need for additional commercial lands.

Finding: There are sufficient public facilities for either industrial or commercial uses in this area.

Finding: All of the owners of these properties have approached the City to encourage these changes based upon enquiries made to them for commercial uses in these locations.

Finding: There have been no objections from the public during all of the notices and hearings held on the Comprehensive Plan Map changes from industrial to commercial designations.

**2. Statewide planning goals adopted under Oregon Revised Statutes Chapter 197, until acknowledgment of the Comprehensive Plan and ordinances**

Finding: Goal 1 is Citizen Involvement and the Code has numerous requirements for notice to the public as regards land use decisions and many opportunities for participation in the processes.

Finding: The Planning Commission is holding a public hearing to receive public input and then to make a recommendation to the City Council for their final decision.

Finding: The St. Helens Comprehensive has been approved by the State and is Acknowledged.

**3. The standards applicable of any provision of this Code or other applicable implementing ordinance; and**

Finding: The proposed changes are being accomplished in accordance with the processes set out in the current Development Code and in particular Chapter 1.060 which states the process necessary for changes to the Code.

Finding: Notice was sent to Department of Land Conservation and Development more than 45 days prior to the first evidentiary hearing and placed in the local newspaper more than 14 days prior to the hearing and sent to all property owners more than 20 days prior to the first hearing date.

The Planning Commission held a hearing and received no testimony from anyone. The

commission deliberated and recommends to the City Council to approve the zone map amendments as recommended in the Staff Report.

The City Council held a hearing and no additional testimony or evidence was presented at the hearing.

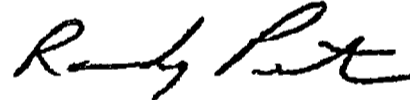
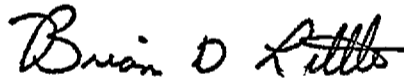
CONCLUSIONS:

1. The first criterion appears to be met as there are policies that apply and the request meets the intent or letter of the policies and there does not appear to be any harm to the health, safety or welfare of the community as regards this request.
2. The second criterion is met as the Comprehensive Plan is already acknowledged by the State.
3. The third criterion appears to be met as there does not appear to be any conflict with the standards applicable of any provision of the Community Development Code or other applicable implementing ordinance.

The City Council deliberated and found in favor of the application to amend the City's Zoning Map to change the zone designations for three properties from Light Industrial to General Commercial as shown on the attached map and specifically for Columbia County Tax Assessor Lots 410801100200, 300, & 301, about 19 acres in the northeast corner of Hwy 30/Railroad and Gable Road.

Attested by:

Signed by:



\_\_\_\_\_  
Brian D. Little, City Administrator

\_\_\_\_\_  
Randy Peterson, Mayor

5/17/06  
Date

5/17/06  
Date