



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

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Salem, Oregon 97301-2524

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First Floor/Costal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

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

### NOTICE OF ADOPTED AMENDMENT

September 15, 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 007-06



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: September 29, 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  
Skip Baker, City of St. Helens

<paa> ya/



DEPT OF

SEP 11 2006

LAND CONSERVATION  
AND DEVELOPMENT

NOTICE OF ADOPTION

Jurisdiction: City of St. Helens

Local File No. Comp Plan Map Amend.

Date of Adoption: September 6, 2006

Date Mailed: Sept. 7, 2006

Date of Notice of Proposed Amendment was mailed to DLCD: May 22, 2006

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

Summary of the adopted amendment: Change land from SR, Rural Suburban to GR, General Residential

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: SR to GR

Zone Map Changed from: none.

Location: Columbia County Tax lots 410500000400.

Acres involved 4.28 acres.

Specify density: Previous 0 DU per acre New: 0 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 # 007-06 (15251)

## ORDINANCE NO. 3007

### AN ORDINANCE TO AMEND THE ST. HELENS COMPREHENSIVE PLAN MAP TO CHANGE DESIGNATION FROM SUBURBAN RESIDENTIAL TO GENERAL RESIDENTIAL

**WHEREAS**, applicant has requested to amend the St. Helens Comprehensive Plan Map for property located at the west end of Seal Road from SR, Suburban Residential to GR, General Residential designation; and

**WHEREAS**, the St. Helens Planning Commission did hold a duly noticed public hearing and did not recommend such a change to the City Council; and

**WHEREAS**, the City Council did hold a duly noticed public hearing and did find that after due consideration of all the evidence in the record compared to the criteria that they agreed with the applicant; 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 Comprehensive Plan Map is amended to change the designation from SR, Suburban Residential, to GR, General Residential.
3. In support of the above map amendments, the Council hereby adopts the Findings of Fact and Conclusions of Law dated September 6, 2006.
4. The effective date of this Ordinance shall be 30 days after approval, in accordance with the City Charter and other applicable laws.

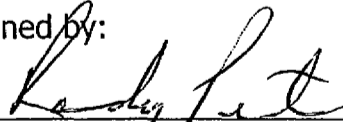
Read the first time:	August 16, 2006
Read the second time:	August 16, 2006
Read the third time:	September 6, 2006
Approved by the Mayor:	September 6, 2006

Attested by:



Brian D. Little, City Administrator

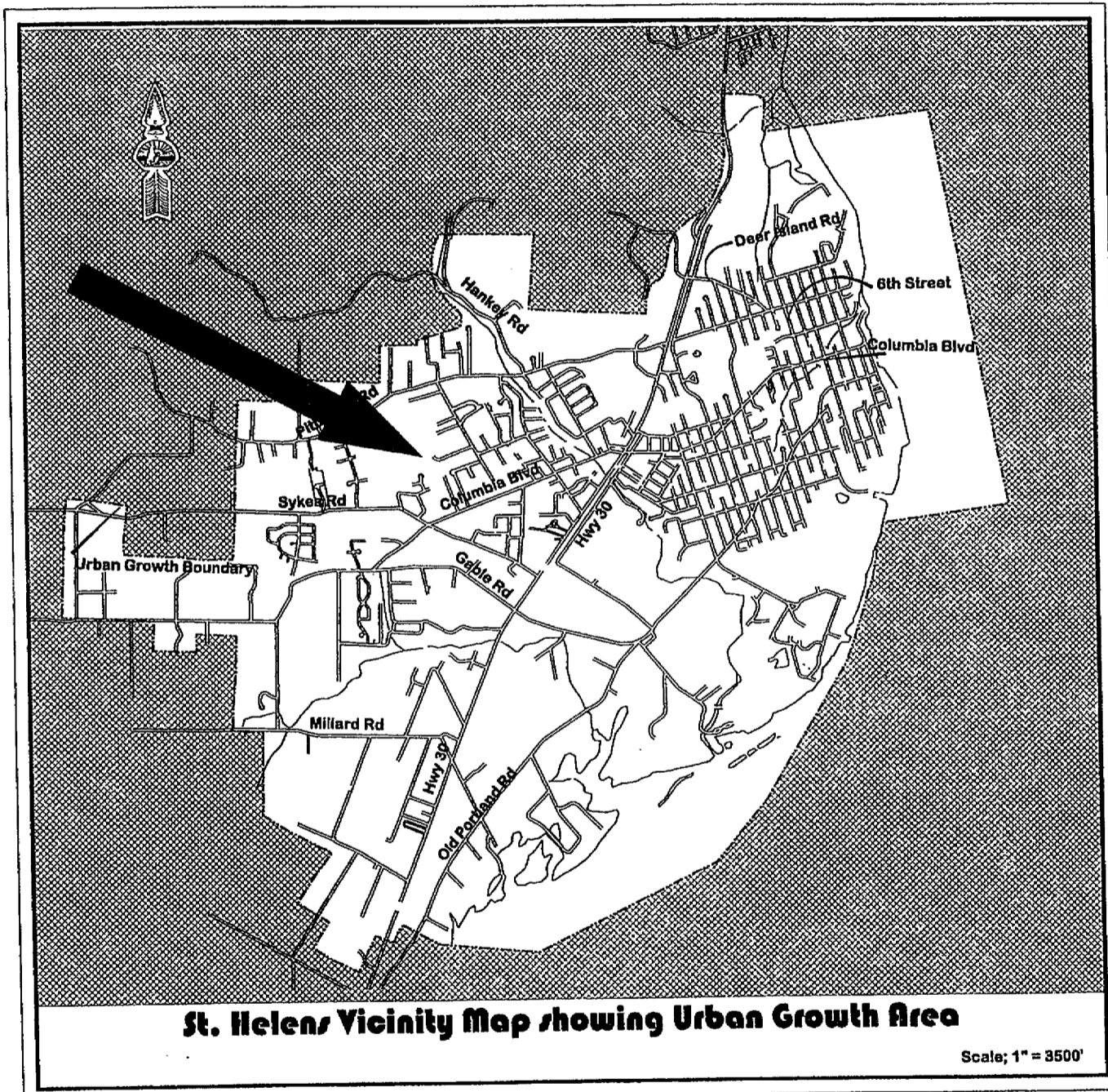
Signed by:



Randy Peterson, Mayor

# Subject Property

~ Approximate Location ~



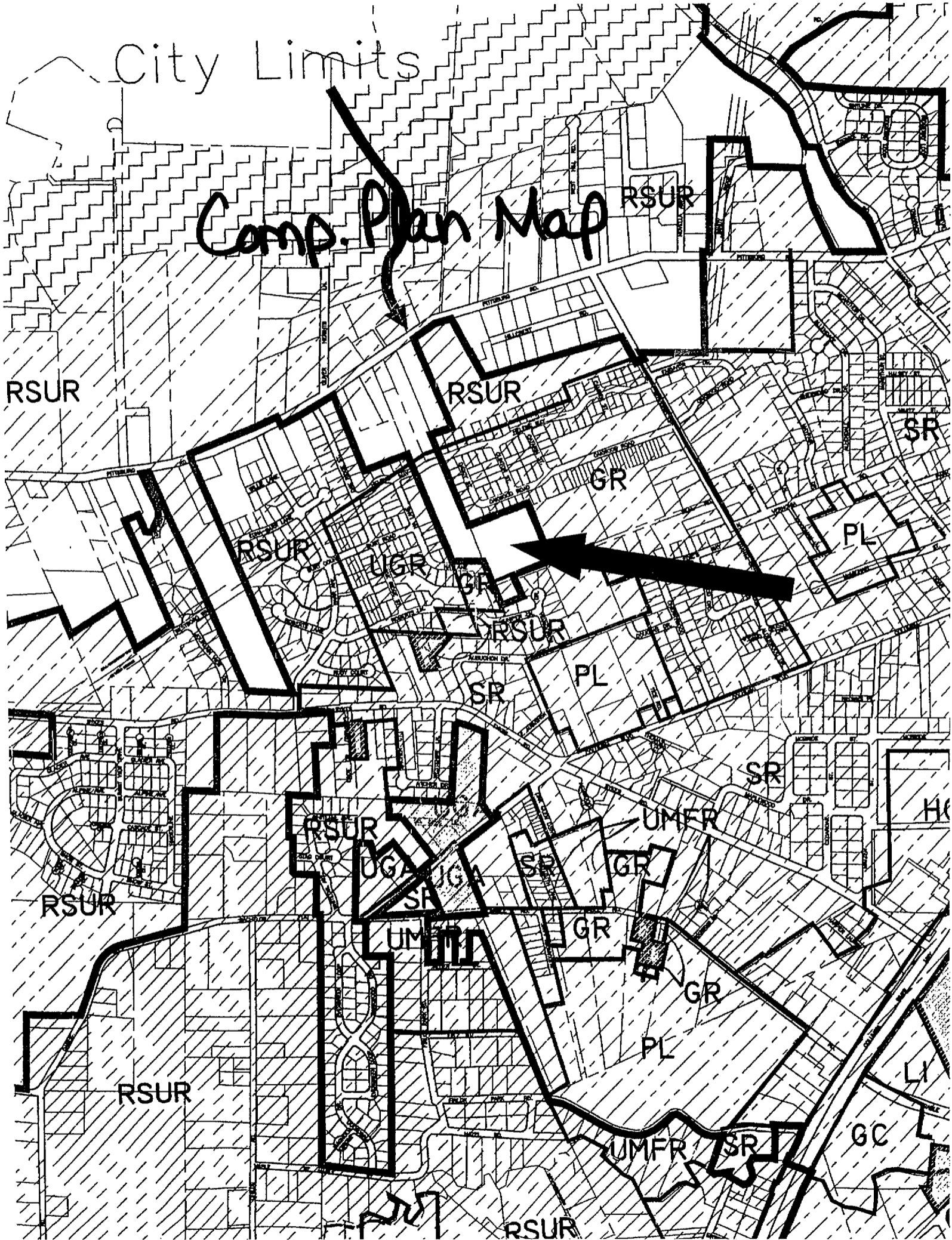


4105-000-00400



1 in. = 305.6 feet





City Limits

# Camp. Plan Map

RSUR

RSUR

RSUR

SR

GR

RSUR

UGR

PL

RSUR

SR

PL

SR

RSUR

UMFR

RSUR

UGA

UGA

SR

GR

HC

UMFR

GR

GR

RSUR

PL

UMFR

SR

GC

RSUR

# Zoning Map



FINDINGS OF FACT AND CONCLUSIONS OF LAW  
TECA CPMA1.06

REQUEST:

To change approximately 4.28 acres of RSUR to UGR.

PUBLIC HEARING:

A Public Hearing was held on July 11, 2006 in front of the Planning Commission and on July 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 June 21, 2006. Notice was also sent to the Department of Land Conservation and Development on May 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,

The School District stated that this change would possibly impact them.

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: See applicant's application.

Finding: 58% of the perimeter abuts R-5, General Residential and the remaining is R-7, Moderate Residential.

Finding: One of the policies of the Comprehensive Plan is to encourage the distribution of low income and/or multi-family housing throughout the City rather than limiting them to a few large concentrations.

Finding: The desired mix of housing is 20% R-5 and the current mix is 13% while the desired R-7 is 25% and the actual is 70%. (This includes RSUR lands which could also be R-10)

**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: Public hearings are scheduled to receive public input.

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 considered the evidence in the record and decided based upon the

staff report and criteria and evidence to recommend that the Comprehensive Plan Map for this site be amended to change the designation from RSUR, Rural Suburban Unincorporated Residential to Unincorporated General Residential.

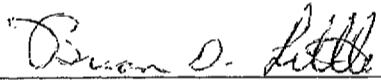
CONCLUSIONS:

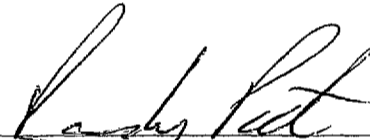
1. The first criterion appears to be met as there are policies that apply and the request meets the intent or letter of the policies and there does not appear to be any harm to the health, safety or welfare of the community as regards this request.
2. The second criterion is met as the Comprehensive 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 Council held a public hearing and received the staff report into the record. There was no testimony for or against the application. The Council considered the evidence in the record and the criteria and found in favor of the applicant to change the designation of the site from Rural Unincorporated Suburban Residential to Unincorporated General Residential.

Attested to:

Signed by:

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

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

9/6/06  
Date

9/6/06  
Date