



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

04/13/2011

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of St. Helens Plan Amendment
DLCD File Number 006-10

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: Thursday, April 28, 2011

This amendment was submitted to DLCD for review 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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Jacob Graichen, City of St. Helens
Gloria Gardiner, DLCD Urban Planning Specialist
Anne Debbaut, DLCD Regional Representative

<paa> YA/



FORM 2

DLCD

Notice of Adoption

In person electronic mailed

DLCD
DIVISION OF LAND USE
PLANNING

APR 08 2011

1215 NE Oregon Street
Portland, Oregon 97232

For Office Use Only

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of St. Helens**

Local file number: **CP.1.10**

Date of Adoption: **April 6, 2011**

Date Mailed: **April 7, 2011**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 12/21/10

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

City of St. Helens 2010 Waterfront Development Prioritization Plan to be adopted as an addendum to the City's Comprehensive Plan.

Does the Adoption differ from proposal? No.

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. 006-10 (18659) [16597]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

ODOT (owner of Dalton Lake area)

Local Contact: **Jacob Graichen**

Phone: **(503) 366-8204** Extension: **n/a**

Address: **PO Box 278**

Fax Number: **503-397-4016**

City: **St. Helens**

Zip: **97051**

E-mail Address: **jacobg@ci.st-helens.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this Form 2 on light green paper if available.
3. Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD of the Adopted Amendment to:**

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see ORS 197.615).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see ORS 197.830 to 197.845).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see ORS 197.615).
10. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

City of St. Helens
ORDINANCE NO. 3148

AN ORDINANCE ADOPTING A WATERFRONT DEVELOPMENT PRIORITIZATION PLAN AS AN ADDENDUM TO THE CITY OF ST. HELENS COMPREHENSIVE PLAN

WHEREAS, pursuant to SHMC 17.20.020(1)(c) the Planning Director initiated a legislative change to the St. Helens Comprehensive Plan (St. Helens Municipal Code Title 19) to adopt a Waterfront Development Prioritization Plan as an addendum to the Comprehensive Plan; and

WHEREAS, the City Council acknowledges the importance of the waterfront to the City and adoption of this plan is supported by other long range planning documents already adopted by the City Council including the St. Helens Economic Development Plan (Resolution 1452), St. Helens Strategic Plan (Resolution 1417), and A Vision for St. Helens in the Year 2020 (Resolution 1238); and

WHEREAS, an ad hoc Waterfront Development Plan Update Committee was formed to develop this plan and following their approval, the plan was presented to other City commissions and committees and the general public for additional feedback and input; and

WHEREAS, pursuant to the SHMC and Oregon Revised Statutes, the City has provided notice to: the Oregon Department of Land Conservation and Development on December 21, 2010, potential affected agencies on January 12, 2011, and the local newspaper of record on January 19, 2011; and

WHEREAS, the St. Helens Planning Commission did hold a duly noticed public hearing on February 8, 2011 and, following deliberation, made a recommendation of approval to the City Council; and

WHEREAS, the St. Helens City Council conducted a public hearing on March 2, 2011 and having the responsibility to approve, approve with modifications, or deny an application for a legislative change, has deliberated and found that based on the information in the record and the applicable criteria in the SHMC that the proposed addendum be approved.

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

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

Section 2. The City hereby adopts the Waterfront Development Prioritization Plan, attached hereto as **Attachment "A"** and made part of this reference, as an addendum to the St. Helens Comprehensive Plan (St. Helens Municipal Code Title 19).

Section 3. In support of the plan addendum described herein, the Council hereby adopts the Findings of Fact and Conclusions of Law, attached hereto as **Attachment "B"** and made part of this reference.

Section 4. If any section, provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other sections, provisions, clauses or paragraphs of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be servable.

Section 5. Provisions of this Ordinance shall be incorporated in the St. Helens Municipal Code and the word "ordinance" may be changed to "code," "article," "section," or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that Whereas clauses and boilerplate

provisions need not be codified.

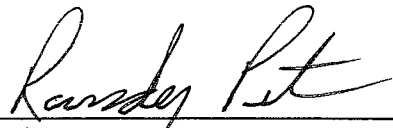
Section 6. The effective date of this Ordinance shall be 30 days after approval, in accordance with the City Charter and other applicable laws.

Read the first time: March 16, 2011
Read the second time: April 6, 2011

APPROVED AND ADOPTED this 6th day of April, 2011, by the following vote:

Ayes: Morten, Locke, Martyn, Peterson, Barlow

Nays: None



Randy Peterson, Mayor

ATTEST:



Kathy Payne, City Recorder

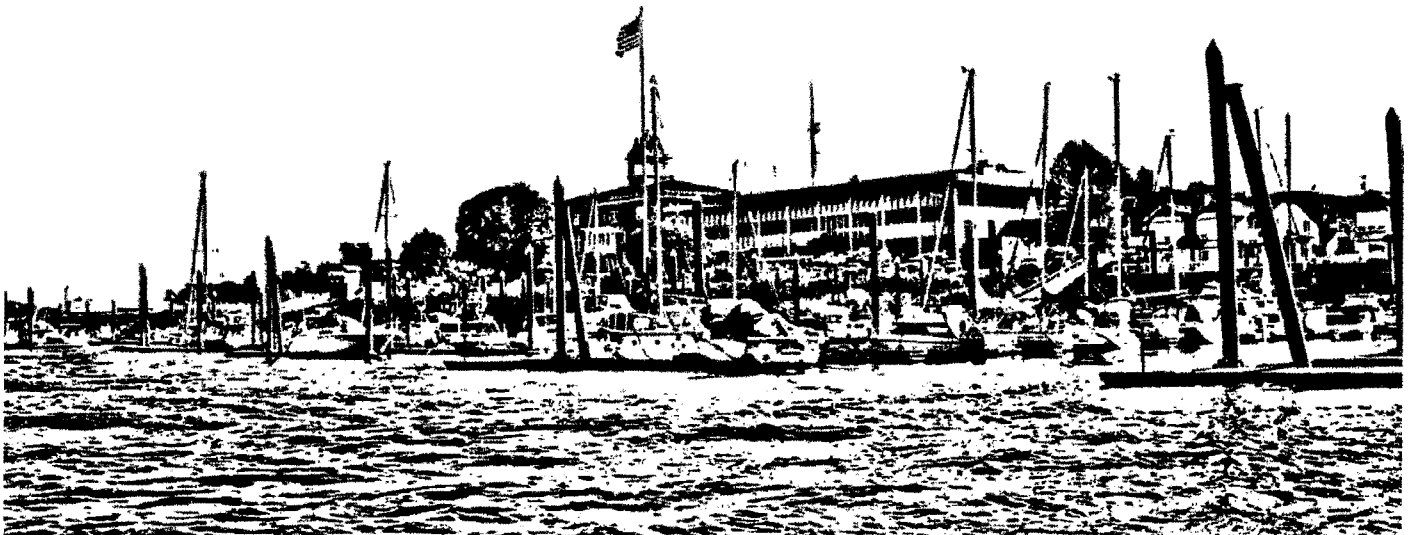
City of St. Helens

**WATERFRONT DEVELOPMENT
PRIORITIZATION PLAN**



December 2010

**Adopted
April 6, 2011
Ordinance 3148**



INTRODUCTION

The City of St. Helens was founded as a port town along the Columbia River in the mid 19th century. The river was a valuable route inland from the Pacific Ocean and industry flourished along the Olde Towne waterfront as a result. In its early days the City's waterfront was home to shipbuilding, sawmills, lumberyards, the export of locally quarried basalt, commercial fishing and other industry. Over time the activity along the waterfront shifted from industry to commerce and recreation, but is and will always be a valuable and unique asset to the community.

The City Council has recognized this for years. A waterfront plan was completed in 1984 and again, as a river access report for periodic review, in 1998. This 2010 plan is a continuation of those efforts.

The following people were key participants in this plan:

Waterfront Development Plan Update Committee:

Howard Blumenthal
Dana Niedermeyer
Brad Hendrickson

Diane Dillard
Janelle St. Pierre

Brian Lawrence
Janis Walters

Others:

Keith Locke, Council President
Pat Martyn, Councilor

Debbie Bailey, State of Oregon Department of Environmental Quality
Julie Wilson, PhD, Principle EnviroIssues

Skip Baker, Community Development Director
Jacob Graichen, AICP, City Planner

PROCESS

The Waterfront Development Plan Update Committee was formed in early 2009 and met monthly: from March 2009 to February 2010, and in May 2010. All meetings were open to the public, except June 2009 when the Waterfront Development Plan Update Committee conducted a boat tour of the St. Helens Urban Growth Boundary area waterfront. The Waterfront Development Plan Update Committee approved a draft plan in May 2010.

The City of St. Helens Planning Commission reviewed the plan informally (i.e. not as part of an adoption process) in July 2010. The City of St. Helens Parks Commission reviewed the plan in September 2010, which included a public hearing to solicit public input or comment. The City of St. Helens Bicycle & Pedestrian Committee reviewed the plan in September 2010. The City of St. Helens Tourism Committee reviewed the plan in October 2010. All these meetings were open to the public. All committees approved of the plan without changes, except the Bicycle &

Pedestrian Committee who suggested that all trails noted in the plan should be multiuse (i.e. bike and pedestrian).

ORGANIZATION

The Waterfront Development Plan Update Committee identified a theme of creating a “Living Riverfront” through waterfront development efforts. The intent is to promote a waterfront where the community can live, work, and play. The committee wanted to identify opportunities to increase access to and public use of the waterfront from Scappoose Bay Marina to Dalton Lake; such as developing additional parks, boat ramps, and waterfront trails. The committee also wanted to encourage that new development along the waterfront provides public benefit and enhances the character and economy of the community as a whole.

The committee made a list of the potentially desired waterfront improvements within the City’s Urban Growth Boundary and then ranked them as a **TOP (T)**, **HIGH (H)**, **MODERATE (M)**, or **LOW (L)** priority.

Generally, **TOP** priority proposals fall within a five year implementation time frame. Others fall within a 20 year timeframe as prioritized. This hierarchal organization is a guide not necessarily an absolute; they don’t necessarily have to be in order.

The following pages begin with **UNIVERSAL CONSIDERATIONS**, which are general in nature and may apply to any proposal. After that are the specific proposals from **TOP** priority to **LOW**. Finally, three maps are included to show the waterfront and help detail some of the proposals.

UNIVERSAL CONSIDERATIONS

The following considerations may apply to any of the waterfront improvements and proposals listed on the following pages depending on the direction of the City Council, the available resources to the City such as staff time and money, and the overall complexity of the proposal:

Implementation:

- If warranted, convene a project specific visioning group (which may be an existing committee or a new group composed of citizens and/or staff) to review the overall purpose and desires pertaining to the proposal.
- Develop a specific written description of the vision, with accompanying maps.
- Move this vision to a group (which may be an existing committee or a new group composed of citizens and/or staff) which will then identify specific steps that would need to be taken to complete the vision (land purchase or share agreements, permits, design, construction, etc), sequence of these steps, and associated preliminary cost estimates; outside assistance (landscape architect, planner, natural resource specialist, etc) may be needed at some point to complete this part of the work.
- Determine when and how the community at large needs to be involved and provide input.
- Identify process and timeline for completing the steps.
- Ensure that proposals are not in conflict with local laws, such as land use regulations.
- All trails should be multi-use (i.e. bike and pedestrian).

Funding

Once the vision has been developed and the staff person or group involved has convened to start to identify specific steps, begin to weave into the analysis/discussion potential partnerships, grants, or other funding sources that might be tapped to provide resources (dollars or in-kind assistance) to complete the project. Potential resources may be secured from:

- Lower Columbia River Estuary Partnership (dollars, volunteers)
- Audubon (dollars, volunteers)
- Federal/state grants (ODFW, USFW, Oregon Parks & Recreation Dept. etc.; ODOT may need some mitigation credits) (dollars)
- Scappoose Bay Watershed Council (dollars, volunteers)
- Resident professional(s) in the community (in-kind time commitment)
- Firms in the area that would do work pro bono or reduced rates for good PR (in-kind time commitment)
- Area schools (may be grants available to support course work “in the field” related to monitoring or environmental restoration work) (dollars, volunteers)
- Responsible parties still liable for site cleanup work in the community (dollars that may need to be spent by them for mitigation needs)
- Local business contribution (dollars)

After preliminary cost estimates have been developed, lay out a specific funding proposal with identified priorities and timeline.

#1^T DALTON LAKE AREA NATURE TRAIL ***Top Priority Waterfront Improvement***

Vision:

Create a nature trail around portions of Dalton Lake that provides recreational access and wildlife viewing opportunities while protecting sensitive areas around the lake. Ideally the trail should connect with existing trails and be accessible to local residents and visitors. Enhance recreational (e.g. walking, hiking and biking) and education (e.g. wildlife observation) opportunities for City residents, create a destination for visitors, and protect/restore natural resources to support this use.

Special Considerations:

- Identify geographic area of interest, and all parties with whom agreements (purchase or otherwise) would need to be made within this area of interest.
- Determine what features are wanted and where within the geographic area of interest.
- Consider assistance from a natural resource specialist to identify areas of special concern that the City may not want accessible to the general public (sensitive areas, threatened or endangered species, etc). Audubon Society is a good birding source.
- Consider limiting lake access to mitigate wildlife disturbance and access restrictions such as limiting the times of year for access or to certain users (e.g. bicyclists) to mitigate erosion.
- Consider impacts to surrounding property owners and land uses (e.g. visitor traffic and vehicle parking).
- Most of the Dalton Lake area has a Comprehensive Plan designation of “Open Space.” One of the Open Space designation policies is “upon annexation to the City, zone Dalton Lake as Open Space.” There is currently no Open Space zoning district; it will need to be drafted prior to or at the time of annexation, and the provisions of the Open Space zoning district should take this waterfront improvement proposal into account.
- Consider changing the Comprehensive Plan designation of the portions of the Dalton Lake area having a different designation to Open Space, OS for consistency. These areas are currently located within City Limits with a Suburban Residential, SR designation. The Open Space zoning district should be created (in text form) first. The zoning designation should then be change to Open Space for these areas either concurrently with the Comprehensive Plan change from SR to OS or sometime following this change.

#2^T DALTON LAKE AREA RIVER & BEACH ACCESS ***Top Priority Waterfront Improvement***

Vision:

Develop opportunities for beach access along the Columbia River connected to recreational trails around Dalton Lake. Enhance recreational (e.g. walking, hiking, biking and beach/river activities) and education (e.g. wildlife observation) opportunities for City residents, create a destination for visitors, and protect/restore natural resources to support this use.

Special Considerations:

- Identify geographic area of interest, and all parties with whom agreements (purchase or otherwise) would need to be made within this area of interest.
- Determine what features are wanted and where within the geographic area of interest.
- Most of the Dalton Lake area has a Comprehensive Plan designation of “Open Space.” One of the Open Space designation policies is “upon annexation to the City, zone Dalton Lake as Open Space.” There is currently no Open Space zoning district; it will need to be drafted prior to or at the time of annexation, and the provisions of the Open Space zoning district should take this waterfront improvement proposal into account.
- Consider changing the Comprehensive Plan designation of the portions of the Dalton Lake area having a different designation to Open Space, OS for consistency. These areas are currently located within City Limits with a Suburban Residential, SR designation. The Open Space zoning district should be created (in text form) first. The zoning designation should then be change to Open Space for these areas either concurrently with the Comprehensive Plan change from SR to OS or sometime following this change.

#3^T SAND ISLAND PARK IMPROVEMENTS
*Top Priority Waterfront Improvement***Vision:**

Determine the best way to utilize and manage the amenities of Sand Island to create a recreation destination and protect the integrity of the natural area. Enhance recreational (e.g. beach/river activities) and education (e.g. wildlife observation) opportunities for City residents, create a recreation destination, and protect/restore natural resources to support this use.

Special Considerations:

- Determine what amenities are desired on Sand Island, based on a defined purpose or vision and existing improvements. A map or other graphic materials should be used to convey this information.
- Consider establishing short term and long term priorities within the defined purpose or vision.
- Consider consultation from a professional ecologist/natural resource specialist/etc. to reconcile recreational desires with protection of the environment.
- Consider a park host on the island for park administration and to help maintain law and order.
- Consider the dual ownership of the island (i.e. City and Oregon Division of State Lands) to determine improvement location(s).

#4^H TOTAL WATERFRONT SHUTTLE SERVICE
*High Priority Waterfront Improvement***Vision:**

Enhance connectivity within the City (and its recreational venues), create an attractive amenity for visitors for exploring the City’s waterfront, and provide a sustainable and cost effective alternative to private vessel/vehicle use along the City’s waterfront.

Special Considerations:

- Identify the geographic area to be served by the waterfront shuttle, points of embarking and disembarking, and all parties with whom agreements (purchase or otherwise) would need to be made within this area of interest. See *Map 2*.
- In addition to points displayed on *Map 2*, consider areas outside the City's Urban Growth Boundary such as Columbia City, Trestle Beach (north of Columbia City) and the State of Washington across the Columbia River (as an alternate mode of regional travel). Accommodating such areas may be contingent on travel demand, however.
- Review the geographic area of interest and proposed access points, to validate the preliminary concept, and to develop preliminary and well-articulated objectives for the service
- Determine the type(s) of vessel(s) and level of service that meets these objectives
- Refine concept based on the above, accompanied by map(s) showing desired routes and other necessary visioning details.
- Identify more specific component needs to carry out the vision and steps that would need to be taken to complete the vision (land purchase or share agreements, docking features needed, vessel purchase options, vessel upkeep requirements, vessel staffing needs, permits, design, construction, etc.), sequence of these steps, and associated preliminary cost estimates. Outside assistance may be needed at some point to complete this part of the work.
- Consider the relationship of this proposal with others (e.g. "Sand Island Park improvements" and "Dalton Lake area river and beach access"). To explain, those improvements may have access to dollars for the waterfront shuttle, which could enhance the use of those newly improved features.
- Coordinate efforts with the State of Oregon Department of Environmental Quality (DEQ) for areas with potential ground contamination from historic industrial uses.

#5^H COLUMBIA COUNTY COURTHOUSE WATERFRONT
*High Priority Waterfront Improvement***Vision:**

Improve the view/appearance of the Columbia County Courthouse waterfront to enhance the Olde Towne "sense of place," thus increasing the interest of boaters and other river users to draw people to the City's waterfront/downtown commercial hub. In addition, ensure public access to the waterfront and connections to other amenities.

Special Considerations:

- Determine what changes are desired. Examples include but are not limited to: changing chain link fencing to something more aesthetically desirable, new landscaping of parking lot, and installation of a feature (e.g. statue) viewable from the river.
- Work with the County to achieve cooperation and desirable outcomes for both the City and County.
- Consider the historic significance of the courthouse; perhaps use features that help draw one's visual attention to the originally built courthouse, drawing attention away from the much larger and later built addition.

- Consider the necessary parking demand for downtown events as well as daily use and preserve the necessary parking and access.

#6^H TRAIL FROM COLUMBIA COUNTY COURTHOUSE TO FROGMORE SLOUGH *High Priority Waterfront Improvement*

Vision:

Create a trail system along the waterfront that will provide access to the river, and connect existing and potential waterfront parks and amenities. Enhance recreational (e.g. walking, hiking and biking) and education (e.g. wildlife observation) opportunities for City residents, create a destination, and enhance the Olde Towne's sense of place.

Special Considerations:

- Note: Frogmore Slough is a historic name for where the wastewater treatment pond is today.
- Currently there is one parcel (and owner) between Columbia View Park to the north and other City owned land for the wastewater treatment plant to the south. This property is underdeveloped industrial land. Either acquire access rights prior to development or as part of future development.
- The City has adopted a floating zoning district known as the Waterfront Redevelopment Overlay District, WROD (Ord. 3107). This includes provisions to include bicycle/pedestrian facilities to be dedicated for public use as a multi-use pathway. Any development that triggers this or similar regulations should consider this waterfront improvement proposal.
- Adopt new land use regulations as needed.
- Consider trail location in relation to existing improvements and possible hazards from any industrial or other development.
- Identify trail connection to Nob Hill Nature Park and adjacent neighborhoods.

#7^H GREY CLIFFS WATERFRONT PARK *High Priority Waterfront Improvement*

Vision:

Maintain and improve this existing public beach access, enhance waterfront amenities, provide recreational opportunities, and create a destination for all.

Special Considerations:

- Work with agencies governing shore and water development such as the Oregon Division of State Lands and United States Army Corps of Engineers.
- Consider day use improvements to park in conjunction with pier (e.g. picnic area).
- Consider increased traffic demand resulting from improvements in a currently constrained area with limited parking available in the immediate vicinity.
- Currently North River Street is the only improved street access to this park. Additional connectivity to this park should be considered as it is improved and draws more people.
- Though not indicated on *Map 2*, this is a *potential* stop for the waterfront shuttle.

#8^H WATERFRONT BEACH SAND ADDITIONS
High Priority Waterfront Improvement

Vision:

Increase beach areas—which are limited in the City—as a support and catalyst to other waterfront improvements.

Special Considerations:

- Work with agencies governing shore and water development such as the Oregon Division of State Lands and United States Army Corps of Engineers.
- Remember that shorelines and beaches are dynamic and always changing. Professional consultation should be considered to help avoid unintended off-site impacts.
- Potential areas include but are not limited to Sand Island, Grey Cliff Waterfront Park or any boat launch site (see *Map 2*).

#9^M BREAKWATER CONTROLS
Moderate Priority Waterfront Improvement

Vision:

To protect the integrity of the City's waterfront resources from erosion resulting in loss of beach and land. Areas noted as possibly benefiting from protection include but is not limited to Dalton Lake, Grey Cliff Waterfront Park, and Sand Island.

Special Considerations:

- Work with agencies governing shore and water development such as the Oregon Division of State Lands and United States Army Corps of Engineers.
- Remember that shorelines and beaches are dynamic and always changing. Professional consultation should be considered to help avoid unintended off-site impacts.
- Consider minimal impact breakwater controls such as floating devices to control cost and environmental impact.

#10^M MARITIME ATTRACTION
Moderate Priority Waterfront Improvement

Vision:

Create a local amenity for City residents and destination for visitors. Depending on location, the marine attraction may also enhance Olde Towne's sense of place.

Special Considerations:

- Identify geographic area of interest, and all parties with whom agreements (purchase or otherwise) would need to be made within this area of interest.
- Determine what is wanted and where within the geographic area of interest.

- Work with agencies governing shore and water development such as the Oregon Division of State Lands and United States Army Corps of Engineers, as applicable. Attraction needn't be on water however.
- Establish a partnership with private business that may want to locate on the waterfront and would add a unique aspect to the waterfront.
- Consider amenities or improvements that would be necessary to accommodate the demand created by the marine attraction (e.g. adequate parking and access).
- Examples include but are not limited to a floating restaurant, floating walkways, a floating museum (building or converted vessel), or marine vessel(s) of significance.

#11^M SCAPPOOSE BAY NATURE TRAIL *Moderate Priority Waterfront Improvement*

Vision:

Create recreational and educational opportunities starting at the Scappoose Bay Marina and heading downriver. A trail system could include features like wildlife viewing areas, public access for fishing, and connections to other parks and amenities.

Special Considerations:

- Identify geographic area of interest, and all parties with whom agreements (purchase or otherwise) would need to be made within this area of interest.
- Determine what is wanted and where within the geographic area of interest.
- Consider assistance from a natural resource specialist to identify areas of special concern that the City may not want accessible to the general public (sensitive areas, threatened or endangered species, etc). Audubon Society is a good birding source.
- Consider access limitations to mitigate wildlife disturbance and/or erosion.
- Consider impacts to surrounding property owners and land uses (e.g. vehicle parking).
- Consider that much of the area north of the Scappoose Bay Marina is planned for heavy industrial use, which may pose hazards to trail users and provides potential industrial development and tax base for the City. Trail location should be sensitive to these issues.
- Create a master plan for trails.
- Coordinate efforts with the State of Oregon Department of Environmental Quality (DEQ) for areas with potential ground contamination from historic industrial uses.

#12^M DEVELOP NEW WATERFRONT PARK *Moderate Priority Waterfront Improvement*

Vision:

Develop new waterfront park and public access at the end of Plymouth Street. Enhance recreational (as associated with a park) and education (e.g. wildlife observation) opportunities for City residents, create a destination for visitors, and protect/restore natural resources to support this use.

Special Considerations:

- Location is specific. See *Map 3*.
- Acquire land or make agreements for park use with property owner(s).
- Determine what amenities are desired for this park, based on a defined purpose or vision. A map or other graphic materials should be used to convey this information.
- Consider establishing short term and long term priorities within the defined purpose or vision.
- Consider consultation from a professional ecologist/natural resource specialist/etc. to reconcile recreational desires with protection of the environment.
- Coordinate efforts with the State of Oregon Department of Environmental Quality (DEQ) for areas with potential ground contamination from historic industrial uses.

#13^M IMPROVE APPEARANCE OF THE WASTE WATER TREATMENT PLANT PERIMETER
Moderate Priority Waterfront Improvement

Vision:

Enhance the appearance of the Wastewater Treatment Plant area perimeter along Plymouth and S. 6th Streets, as a gateway to the waterfront in this area.

Special Considerations:

- Location is specific. See *Map 3*.
- Identify specific areas where improvements should and can be done and all parties with whom agreements (purchase or otherwise) would need to be made.
- Consider establishing short term and long term priorities based on vision and feasibility.
- This may be done in conjunction with other waterfront improvements in this area such as the #12 proposal.

#14^M NEW BOAT RAMP AT THE END OF PLYMOUTH STREET
Moderate Priority Waterfront Improvement

Vision:

Enhance recreational (e.g. river activities) for City residents, create a recreation destination for visitors, and protect/restore natural resources to support this use.

Special Considerations:

- Work with agencies governing shore and water development such as the Oregon Division of State Lands and United States Army Corps of Engineers.
- Consider day use improvements to park in conjunction with boat ramp.
- Determine other improvements necessary to accommodate usage demand, such as parking.
- This may be done in conjunction with other projects such as the #12 improvement proposal.
- Some property in this area is already City owned, but land acquisition or agreements with private property owner(s) may be necessary.

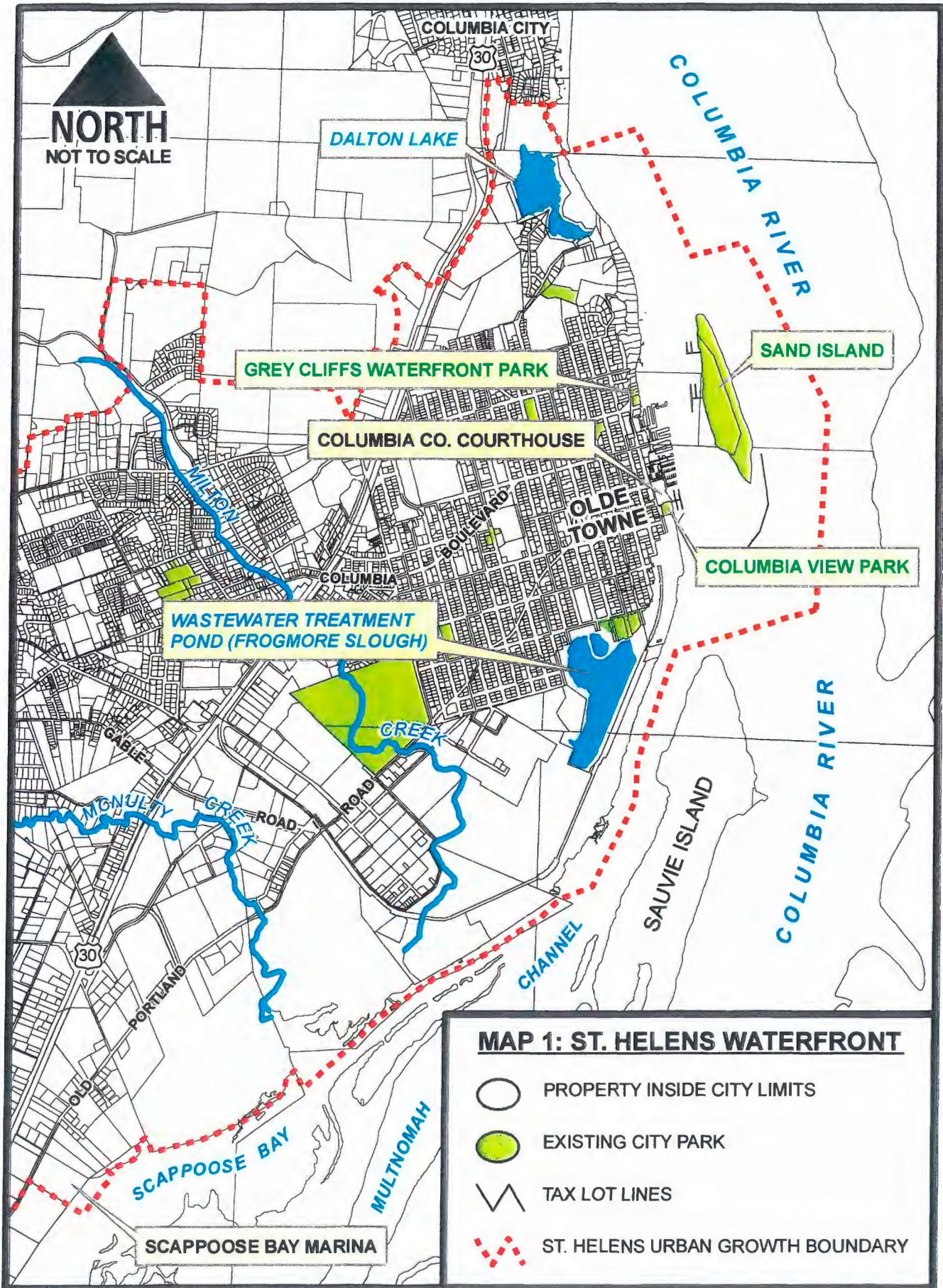
#15^L MILTON CREEK WATERFRONT ACCESS POINT
Low Priority Waterfront Improvement

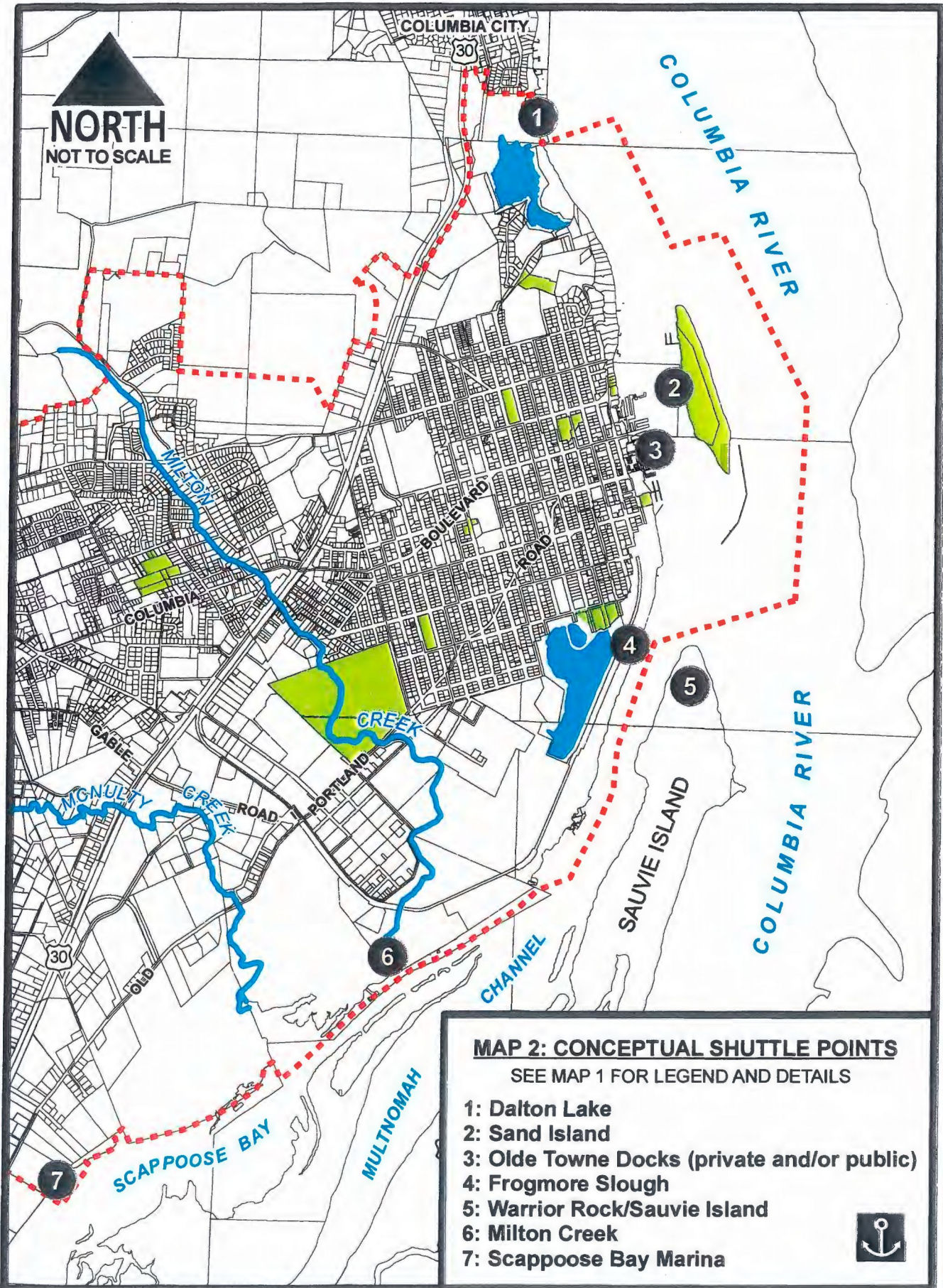
Vision:

Create a waterfront access point near the confluence of Milton Creek and Scappoose Bay with the potential for a boat ramp. Enhance recreational (e.g. river activities) for City residents, create a recreation destination for visitors, and protect/restore natural resources to support this use.

Special Considerations:

- Work with agencies governing shore and water development such as the Oregon Division of State Lands and United States Army Corps of Engineers.
- Consider day use improvements to park in conjunction with access point.
- Determine other improvements necessary to accommodate usage demand, such as parking.
- Land acquisition or agreements with private property owner(s) may be necessary.
- Coordinate efforts with the State of Oregon Department of Environmental Quality (DEQ) for areas with potential ground contamination from historic industrial uses.





NORTH
NOT TO SCALE

**BOISE
VENEER
PLANT**

**NOB HILL
PARK**

WASTEWATER TREATMENT PLANT

**WASTEWATER
TREATMENT POND
(FROGMORE SLOUGH)**

RAILROAD

**SPUR
PROPOSED WATERFRONT PARK**

CHANNEL

MULTNOMAH

MAP 3: WASTEWATER TREATMENT PLANT VICINITY

AERIAL PHOTO FROM 2009

**CITY OF ST. HELENS PLANNING DEPARTMENT
FINDINGS OF FACT AND CONCLUSIONS OF LAW
Comprehensive Plan Amendment CP.1.10**

APPLICANT: City of St. Helens

LOCATION: St. Helens urban growth area waterfront along the Columbia River, Multnomah Channel and Scappoose Bay

PROPOSAL: Adopt Waterfront Development Prioritization Plan (December 2010) as an addendum to the Comprehensive Plan

The 120-day rule (ORS 227.178) for final action for this land use decision is n/a.

PUBLIC HEARING & NOTICE

Hearing dates are as follows:

February 8, 2011 before the Planning Commission

March 2, 2011 before the City Council

At the February 8, 2011 public hearing, the Planning Commission unanimously recommended approval of this proposal to the City Council.

Notice was published in the The Chronicle on January 19, 2011. Notice was sent to the Oregon Department of Land Conservation and Development on December 21, 2010.

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.

(a) Discussion:

The statewide planning goals that technically apply or are related to this proposal are Goal 1, Goal 2, Goal 5, and Goal 8.

Statewide Planning Goal 1: Citizen Involvement.

Goal 1 requires opportunity for citizens to be involved in all phases of the planning process. 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 regards 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 DLCDC of the proposal.

The plan has been publicly vetted, having been developed with the help of an ad hoc committee and reviewed by other City committees. These details are noted in the plan.

Given the public vetting for the plan, scheduled public hearings, and notice provided, Goal 1 is satisfied.

Statewide Planning Goal 2: Land Use Planning.

The Statewide Planning Goal states that "All land use plans shall include identification of issues and problems, inventories and other factual information for each applicable statewide planning goal, evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy and environmental needs." Generally, Goal 2 requires that actions related to land use be consistent with acknowledged Comprehensive Plans and coordination with affected governments and agencies and be based on an adequate factual base.

This proposal involves an addendum to the Comprehensive Plan. It will expand the information and guidance of the Comprehensive Plan, which can be used as a basis for future land use decisions, plans (e.g. the Transportation Systems Plan currently being updated), and other actions (e.g. development and budgeting). It is supported by other long range planning documents previously adopted by the City, including:

- The St. Helens Comprehensive Plan: SHMC 19.08.020(3)(f), "develop the local tourist and recreation sectors of the economy."
- The St. Helens Strategic Plan (Resolution 1417): Pgs. 17-18 regarding tourism and recreation potential of the community and pg 30. regarding the need for a waterfront master plan.
- The St. Helens Economic Development Plan (Resolution 1452): Pg. 28 and 32 regarding redevelopment of the riverfront to create a destination.
- A Vision for St. Helens in the year 2020 (Resolution 1238): Pgs. 1 and 4 (Action #1) "revitalize waterfront development committee."

Goal 2 is satisfied.

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

This goal may not specifically apply at a technical level, but the plan does directly involve the City's marriage with significant natural resources and the amenities they can potentially provide: the Columbia River, Multnomah Channel and Scappoose Bay. It also promotes keeping certain areas—such as the Dalton Lake natural area—dedicated for protection from development contrary to its natural setting.

The proposal is not contrary to Goal 5.

Statewide Planning Goal 8: Recreational Needs

This plan is general in nature and coordination with other agencies, property owners and such will occur as each improvement in the plan is addressed. There are a couple of guidelines worth mentioning:

- Long range plans and action programs to meet recreational needs should be developed by each agency responsible for developing comprehensive plans.
- Planning and provision for recreation facilities and opportunities should give priority to areas, facilities and uses that:
 - (a) Meet recreational needs requirements for high density population centers,
 - (b) Meet recreational needs of persons of limited mobility and finances,
 - (c) Meet recreational needs requirements while providing the maximum conservation of energy both in the transportation of persons to the facility or area and in the recreational use itself,
 - (d) Minimize environmental deterioration,
 - (e) Are available to the public at nominal cost, and
 - (f) Meet needs of visitors to the state.
- Comprehensive plans should be designed to give a high priority to enhancing recreation opportunities on the public waters and shorelands of the state...

This plan deals with recreation in part. It deals with the Columbia River, Multnomah Channel and Scappoose Bay which are public bodies of water. Being within the City's urban growth area, the recreation opportunities suggested in this plan should be accessible to most if not all of the local population and visitors. In some examples, the plan acknowledges areas that will not require extensive redevelopment to implement such as the Dalton Lake natural area.

Goal 8 is satisfied.

Finding: These code amendments are not contrary to the Statewide Planning Goals and Guidelines adopted under ORS Chapter 197.

(b) Discussion/Finding: There are no known federal or state statutes or guidelines found applicable.

(c) Discussion: In addition to the explanation under Goal 2 above, pursuant to SHMC 19.12.120(2)(c), upon annexation Dalton Lake is to be zoned Open Space. This zoning district does not yet exist, but this plan helps provide direction as to the development (text) of that zoning district.

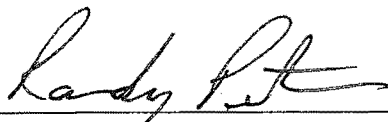
Finding: This addendum is not contrary to and is a part of the evolution of the City's Comprehensive Plan.

(d) Discussion: No implimentation ordinance will be directly affected.

Finding: This addendum is not contrary to the City's implementing ordinances, namely, the St. Helens Municipal Code.

CONCLUSION & DECISION

Based upon the facts and findings herein, the City Council approves of this Comprehensive Plan Addendum.



Randy Peterson, Mayor

4/6/11

Date

POSTNET barcode



City of St. Helens

PO Box 278
265 Strand Street
St. Helens, OR 97051

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPT OF LAND CONSERVATION & DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OR 97301-2540