

ORDINANCE NO. 1638

AN ORDINANCE AMENDING THE ZONING MAP TO REMOVE THE PROPERTY LOCATED AT 1344 14TH STREET FROM THE WILLAMETTE HISTORIC DISTRICT OVERLAY ZONE AND ADDING A HISTORIC RESOURCE MAP TO CHAPTER 25

WHEREAS, Community Development Code (“CDC”), Chapter 99 provides approval criteria for quasi-judicial decision making and Chapter 105 provides approval criteria for amendments to the CDC and maps; and,

WHEREAS, the Applicant sought removal of 1344 14th Street, West Linn, Oregon (“Property”), from the Willamette Historic District overlay zone (“Willamette Historic District”); and,

WHEREAS, the City provided quasi-judicial notice pursuant to CDC Chapter 99; and,

WHEREAS, the West Linn Historic Review Board held a public hearing on October 21, 2014, and June 9, 2015, and made a recommendation to deny removal of the Property from the Willamette Historic District; and

WHEREAS, the West Linn City Council held a remand hearing on May 11, 2015, and a public hearing on July 13, 2015, and adopted its Final Decision and Order on July 20, 2015; and

WHEREAS, the Final Decision and Order of the City Council removes the Property from the Willamette Historic District; and

WHEREAS, removal from the Willamette Historic District requires a modification to the Zoning Map, which must be done by ordinance;

NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AS FOLLOWS:

SECTION 1. New Section. Section 25.140 of the City of West Linn Community Development Code, incorporating Figure 1, which is attached to this Ordinance, is added as follows:

25.140 Historic Resource Map

The Historic Resource Map, shown in Figure 1 below, identifies the Willamette Historic District, as shown on the Zoning Map; the Willamette Falls Drive Commercial Design District, as identified in CDC 58.030(C); and the historic landmarks identified on the Zoning Map.

SECTION 2. Amendment. The Zoning Map shall be amended to remove the Willamette Historic District overlay zone from the Property both identified on Assessor’s Map 31E02BC, as Tax Lot 4500, and more particularly described in Exhibit A. The amendment to the Willamette Historic District boundary is depicted in Exhibit B.

SECTION 3. Amendment. The Community Development Code is amended to change the following terms wherever the terms appear throughout the Community Development Code from “Willamette Falls Drive Commercial Design Standards”; “Willamette Falls Drive Commercial District Design Standards”; “Willamette Falls Drive Commercial District”; and “Willamette Falls Drive Commercial District/Overlay Zone” to “Willamette Falls Drive Commercial Design District”.

SECTION 4. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 4-7) need not be codified and the City Recorder or his/her designee is authorized to correct any cross-references, inconsistent terminology, and any typographical errors.

SECTION 5. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 6. Savings. Notwithstanding this amendment/repeal, the City ordinances in existence at the time any criminal or civil enforcement actions were commenced, shall remain valid and in full force and effect for purposes of all cases filed or commenced during the times said ordinance(s) or portions thereof were operative. This section simply clarifies the existing situation that nothing in this Ordinance affects the validity of prosecutions commenced and continued under the laws in effect at the time the matters were originally filed.

SECTION 7. Effective Date. This ordinance shall take effect on the 30th day after its passage.

The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 33(c) of the City Charter on the ____ day of _____, 2015, and duly PASSED and ADOPTED this ____ day of _____, 2015.

RUSS AXELROD, MAYOR

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY