



CITY OF
West Linn

**STAFF REPORT
FOR THE PLANNING COMMISSION**

FILE NUMBER: PLN-18-02

HEARING DATE: November 7, 2018

REQUEST: To consider a recommendation to City Council for adoption of proposed Comprehensive Plan Map amendments and Zoning Map amendments for properties along 8th Avenue in the Willamette Neighborhood.

APPROVAL CRITERIA: Community Development Code (CDC) Chapters 98 and 105

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TABLE OF CONTENTS

GENERAL INFORMATION 2

EXECUTIVE SUMMARY 3

RECOMMENDATION 3

PROJECT BACKGROUND 4

PUBLIC COMMENTS 4

ADDENDUM 5

EXHIBITS

PC – 1 AFFIDAVIT OF NOTICE AND MAILING PACKET 17

PC – 2 PROPOSED COMPREHENSIVE PLAN MAP AMENDMENT 23

PC – 3 PROPOSED ZONING MAP AMENDMENT 29

PC – 4 MU WORKING GROUP MEMO/RECOMMENDATION 35

GENERAL INFORMATION

- APPLICANT:** City of West Linn
- DESCRIPTION:** A proposal for Comprehensive Plan Map amendments and Zoning Map amendments for properties along 8th Avenue in the Willamette Neighborhood.
- APPROVAL CRITERIA:** Community Development Code (CDC) Chapter 98 provides administrative procedures for legislative amendments to the Comprehensive Plan and/or the Community Development Code. Section 98.100 of the CDC lists the factors upon which a decision shall be based. These are briefly described below and addressed in greater detail in a separate Section of this report:
1. The Statewide Planning Goals and rules adopted under ORS Chapter 197 and other applicable state statutes;
 2. Any federal or state statutes or rules found applicable;
 3. Applicable plans and rules adopted by the Metropolitan Service District (Metro);
 4. The applicable Comprehensive Plan policies and map; and,
 5. The applicable provisions of implementing ordinances.
- PUBLIC NOTICE:** Measure 56 notice was provided to impacted property owners on October 17, 2018. Legal notice was published in the West Linn Tidings on October 25, 2018 and provided to required public agencies and persons who requested notice in writing on October 17, 2018.
- 120-DAY RULE:** Not applicable to this legislative action.

EXECUTIVE SUMMARY

PLN-18-02 is a proposal to adopt West Linn Comprehensive Plan Map amendments and West Linn Zoning Map amendments. The proposal was recommended by the City Council appointed Willamette Neighborhood Mixed-Use Transitional Zone Working Group (MU Working Group) and includes rezoning properties adjacent to 8th Avenue in the Willamette Neighborhood. Fifteen properties currently zoned Mixed-Use Transitional or R-10: Single-Family Residential Detached are proposed to change to General Commercial zoning. Five properties currently zoned R-10: Single-Family Residential Detached are proposed to change to Mixed-Use Transitional zoning. The proposed amendments will ensure the maps are aligned with the purposes of the zones.

Staff is seeking a recommendation from the Planning Commission regarding PLN-18-02. This staff report details the background and intention of the proposed map amendments, addresses applicable criteria, and supports the proposed map amendments.

Generally, the proposed map amendments address City Council's direction to the MU Working Group to discuss and make a final recommendation on zone changes along 8th Avenue. The amendments were initiated by the City Council pursuant to CDC 98.035.

RECOMMENDATION

Staff recommends that the Planning Commission consider the proposed map amendments, if warranted, revise the amendments, and **RECOMMEND** approval of the amendments to the City Council.

PROJECT BACKGROUND

The Willamette Neighborhood Mixed-Use Transitional Zone Working Group (MU Working Group), appointed by the West Linn City Council in November 2017, has reached consensus on final recommendation related to rezoning properties along 8th Avenue. The City Council requested the MU Working Group hold an additional meeting for the purpose of making a final recommendation on potential zoning changes along 8th Avenue. The MU Working Group met on September 19, 2018. All property owners along 8th Avenue and all neighboring properties were invited to attend the meeting and join the discussion. The group reached consensus and made a final recommendation to City Council. The recommendation was based on what the group felt was clear agreement from previous discussions by the MU Working Group during four meetings in January to March 2018, its initial recommendations in April 2018, outreach to property owners, responses from property owners, and careful consideration of a number of topics discussed at the September 19th meeting, including impacts on single-family homeowners.

The recommendation includes rezoning the police station and all properties on the south side of 8th Avenue from Mixed-Use or R-10 Residential zoning to General Commercial zoning and five properties on the north side of 8th Avenue from R-10 Residential to Mixed-Use.

Rezone from Mixed-Use Transitional Zone to General Commercial

1600 14th Street (3S 1E 02BB 06200)
1684 12th Street (3S 1E 02BA 01000)
1693 12th Street (3S 1E 02BA 00500)
1841 8th Avenue (3S 1E 02BA 01100)
1975 8th Avenue (3S 1E 02BA 00400)
1995 8th Avenue (3S 1E 02BA 00300)
2005 8th Avenue (3S 1E 02BA 00200)
2015 8th Avenue (3S 1E 02BA 00100)

Rezone from R-10 to Mixed-Use Transitional Zone

1698 8th Avenue (3S 1E 02BB 00800)
1722 8th Avenue (3S 1E 02BB 00702)
1752 8th Avenue (3S 1E 02BB 00600)
1771 8th Avenue (3S 1E 02BB 00500)
1796 8th Avenue (3S 1E 02BB 00400)

Rezone from R-10 to General Commercial

1741 8th Avenue (3S 1E 02BA 01600)
1755 8th Avenue (3S 1E 02BA 01500)
1720 Willamette Falls Drive (3S 1E 02BA 01800)
1793 Willamette Falls Drive (3S 1E 02BA 01400)
1820 Willamette Falls Drive (3S 1E 02BA 01300)
1832 Willamette Falls Drive (3S 1E 02BA 01200)

Rezone from Mixed-Use Transitional/R-10 to General Commercial

1800 8th Avenue (2S 1E 35C 02200)

The proposed amendments were introduced and discussed at the October 15, 2018 joint work session between the City Council and Planning Commission.

PUBLIC COMMENTS

At the time this Staff Report was prepared, the City had received no written comment on the proposed amendments.

ADDENDUM
PLANNING COMMISSION STAFF REPORT
November 7, 2018

APPLICABLE CRITERIA AND COMMISSION FINDINGS

West Linn Community Development Code

Chapter 98 - Procedures for Decision Making: Legislative

CDC 98.035 Citizen Engagement in Legislative Changes

A. Purpose. The purpose of a legislative working group is to provide a forum to discuss different points of view on a proposed land use legislative change.

B. New and modified land use legislative changes to this code will be developed by a representative working group of citizens and assisted by planning staff, unless the City Council determines that a working group is not necessary.

1. After receiving direction from the City Council, the Committee for Citizen Involvement shall recommend a purpose, goals, and a list of appointees for each proposed working group to the City Council for approval.

Findings: The City Council found a working group was necessary as a discussion forum and directed the previously appointed Willamette Neighborhood Mixed-Use Transitional Zone Working Group (MU Working Group) to reconvene and make a final recommendation on zoning changes along 8th Avenue.

2. The working group will contain interested stakeholders, a member of the Planning Commission, and a staff representative.

Findings: The City Council appointed four neighborhood association members, a member from the City's Economic Development Committee, a member from the Historic Willamette Main Street Group, a member from the West Linn Chamber of Commerce, a property owner representative, a member of the Planning Commission, and staff representative.

3. The working group shall comply with WLMC 2.060 regarding the selection of officers and the other generally applicable citizen advisory group provisions.

Findings: The MU Working Group selected a chair and vice-chair at its first meeting as prescribed in WLMC 2.060. During group meetings, it complied with WLMC 2.060 and also agreed upon a set of meeting guidelines to ensure focused, civil, open, and equal opportunity discussions.

C. Conduct of working group meetings.

1. Staff will prepare a suggested draft of the proposed changes. This draft will provide a starting point for discussion and education.

2. The working group will use the draft as a starting point for discussion, but then reconcile the implications of the draft with the goals established by the Council for the working group.

3. After each working group meeting staff will incorporate approved changes and prepare an updated working draft.

Findings: Based on the MU Working Group recommendations for future consideration in April 2018, staff prepared three draft map amendment options for review at the group's September 19, 2018 meeting. The MU Working Group then used the draft options to discuss and find consensus on the final recommendation to send to City Council. Staff incorporated the changes for final review and signature by the MU Working Group Chair.

4. *All working group meetings will be public meetings with an opportunity for anyone in attendance to provide public comment. The meetings and minutes will be conducted in accordance with the Council Rules, West Linn Municipal Code, City Charter, and State law.*

Findings: The MU Working Group met five times, with attendance from property owners at every meeting. All meetings were open to the public. Each agenda included time for public comments, but the MU Working Group also encouraged any attendees to ask questions or provide comment during its discussions. All meetings were conducted in accordance to appropriate rules. All meetings were recorded and meeting summaries were provided for review, edits, and consensus.

5. *In the event a consensus cannot be reached on an issue, the working group will prepare alternatives. Each alternative and its rationale will be presented to the Planning Commission.*

Findings: The MU Working Group reached consensus on all of its recommendations.

6. *Prior to submission to the Planning Commission, proposed code changes will be submitted to the City Attorney for review. The review should be limited to the identification of areas where the proposed language conflicts with other parts of this code, State law or Federal law. As an alternative, legal counsel may attend and advise during the creation of the draft.*

Findings: The MU Working Group proposal does not contain any code amendments. The proposal is for Comprehensive Plan Map and Zoning Map amendments, which were forwarded to the City Attorney for review. No conflicts were found with other parts of the code or with state or federal laws.

D. *Presentation to the Planning Commission. When the working group reaches consensus that the code changes are ready, the proposed code changes will be presented by the Director to the Planning Commission pursuant to CDC [98.040\(A\)\(2\)](#). If the working group fails to reach a consensus on the code changes, all proposals will be presented to the Planning Commission. Pursuant to CDC [98.110\(A\)](#), the Planning Commission shall recommend approval, denial, or approval with modifications to the Council.*

Findings: Planning staff presented the MU Working Group proposed map amendments to a joint worksession meeting of the West Linn City Council and Planning Commission on October 15, 2018. At the meeting, staff was directed to bring the proposal to a public hearing before the Planning Commission. The public hearing will be held on November 7, 2018 and findings for CDC 98.040(A)(2) can be found below. The MU Working Group reached consensus on all of its recommendations.

CDC 98.040 Duties of Director

A. The Director shall:

1. *If appropriate, or if directed by the City Council or Planning Commission in their motion, consolidate several legislative proposals into a single file for consideration;*

Findings: The proposed legislative amendments to the West Linn Comprehensive Plan Map and Zoning Map have been consolidated into one file as allowed. The consolidation is appropriate as the proposed amendments will ensure the City's zoning designations remain aligned with the corresponding Comprehensive Map plan designations as required by state law.

2. Upon the initiation of a legislative change, pursuant to this chapter:

a. Give notice of the Planning Commission hearing as provided by CDC [98.070](#) and [98.080](#);

Findings: The Planning Commission public hearing will be held on November 7, 2018, with the City Council public hearing scheduled for December 10, 2018. Legislative notice was provided as required and documentation can be found in Exhibit PC-1. The Planning Director determined notice was necessary under ORS 227.186 and a Measure 56 Notice was mailed to impacted property owners on October 17, 2018.

b. Prepare a staff report that shall include:

1) The facts found relevant to the proposal and found by the Director to be true;

2) The Statewide planning goals and rules adopted under Chapter 197 ORS found to be applicable and the reasons why any other goal or rule is not applicable to the proposal except that goals 16 through 19 which are not applicable to the City of West Linn need not be addressed;

3) Any federal or State statutes or rules the Director found applicable;

4) Metro plans and rules the Director found to be applicable;

5) Those portions of the Comprehensive Plan found to be applicable, and if any portion of the plan appears to be reasonably related to the proposals and is not applied, the Director shall explain the reasons why such portions are not applicable;

6) Those portions of the implementing ordinances relevant to the proposal, and if the provisions are not considered, the Director shall explain the reasons why such portions of the ordinances were not considered; and

7) An analysis relating the facts found to be true by the Director to the applicable criteria and a statement of the alternatives; a recommendation for approval, denial, or approval with modifications; and at the Director's option, an alternative recommendation;

Findings: Relevant facts and associated analysis for applicable Statewide Planning Goals, federal and state statutes and rules, Metro plans and rules, West Linn Comprehensive Plan goals and policies, and West Linn Community Development Code criteria are found in the sections of the Staff Report below.

c. Make the staff report and all case file materials available 10 days prior to the scheduled date of the public hearing under CDC [98.070](#);

Findings: The staff report, proposed map amendments, and all other associated project materials were made available on October 25, 2018, thirteen days prior to the hearing.

d. Cause a public hearing to be held pursuant to CDC [98.070](#);

Findings: The West Linn Planning Commission is scheduled to hold the first evidentiary public hearing on November 7, 2018, with the West Linn City Council scheduled to hold its public hearing and make a final decision on December 10, 2018.

CDC 98.100 Standards for Decision

A. *The recommendation of the Planning Commission and the decision by the City Council shall be based on consideration of the following factors:*

1. *The Statewide planning goals and rules adopted under Chapter 197 ORS and other applicable State statutes;*

Statewide Planning Goal 1 – Citizen Involvement:

This goal outlines the citizen involvement requirement for the adoption of Comprehensive Plans and changes to the Comprehensive Plan and implementing documents.

Findings: The City has a citizen involvement program which has been acknowledged by the State. This legislative process to review the proposed amendments will require two public hearings (one before the Planning Commission on November 7th and one before City Council on December 10th) pursuant to CDC Chapter 98.

The Council appointed MU Working Group, who recommended the proposed amendments, met four times between January and April 2018. All meetings were open to the public and notice of the meetings were sent to impacted property owners. All four meetings were attended by property owners and they were given the opportunity to participate in the group discussions. All MU Working Group materials, including meeting recordings and summaries, were available throughout the process on the City's website. The MU Working Group reconvened in September 2018 to make a final recommendation on rezoning properties along 8th Avenue. All impacted property owners and neighboring property owners were invited to attend. Meeting materials were available on the project website. The City Council and Planning Commission also held a publicly noticed worksession to discuss this proposal on October 15, 2018. The worksession materials, including a link to the MU Working Group webpage, was available via the City's website. All of the aforementioned venues provided the opportunity for gathering feedback and comments.

As part of the legislative process, public notice requirements for both the Planning Commission and City Council public hearings were met (see Exhibit PC-1). The notice was sent to persons who requested notice, affected government agencies, neighborhood associations, and was published in the October 25, 2018 issue of the West Linn Tidings. The notice invited public input and included the phone number of a contact person to answer questions. The notice also included the address of the City's webpage where the draft of the proposed amendments can be viewed.

Statewide Planning Goal 2 – Land Use Planning:

This goal outlines the land use planning process and policy framework. The Comprehensive Plan was acknowledged by DLCD as being consistent with the statewide planning goals.

Findings: The City of West Linn has an acknowledged Comprehensive Plan and enabling ordinances. The impacted low density residential properties currently do not meet the Comprehensive Plan locational criteria and a change is warranted. The impacted mixed-use properties currently do not meet the purpose statement of the zone and a change is warranted to provide appropriate zoning. The amendments to the West Linn Comprehensive Plan and Zoning Maps will ensure the impacted properties are aligned with the policies of the Comprehensive Plan and purpose of the Community Development Code. The amendments are being processed in accordance to the City's adopted procedures, which requires any applicable statewide planning goals, federal or state statutes or regulations, Metro regulations or plans, comprehensive plan policies, and the City's implementing

ordinances be addressed as part of the decision-making process. The amendment is being processed as a post-acknowledgement plan amendment (PAPA) and noticing requirements have been met. All applicable review criteria have been addressed within this staff report; therefore, the requirements of Goal 2 have been met.

Statewide Planning Goal 5 – Natural Resources:

This goal requires the inventory and protection of natural resources, open spaces, historic sites and areas.

Findings: The City is currently in compliance with the State’s Goal 5 program and Metro’s Title 13: Nature in Neighborhoods program, which implements Goal 5. The map amendments do not alter the City’s acknowledged Goal 5 inventories or associated land use programs. No changes will occur to current natural resource protections. As a result, the amendments are in compliance with Goal 5 process requirements.

Statewide Planning Goal 6 – Air, Water, and Land Resource Quality:

To maintain and improve the quality of air, water, and land resources of the state.

Findings: The City is currently in compliance with Metro’s Title 3: Water Quality and Flood Management program, which implements Goal 6. The map amendments do not alter the City’s acknowledged land use programs regarding water quality and flood management protections. As a result, the amendments are in compliance with Goal 6.

Statewide Planning Goal 7 – Areas Subject to Natural Hazards:

To protect people and property from natural hazards.

Findings: The City is currently in compliance with Goal 7 and Metro’s Title 3: Water Quality and Flood Management program. The map amendments do not alter the City’s acknowledged Goal 7 land use programs. No changes will occur to current natural hazard protections. As a result, the amendments are in compliance with Goal 7.

Statewide Planning Goal 8 – Recreational Needs:

This goal requires the satisfaction of the recreational needs of the citizens of the state and visitors.

Findings: The proposed amendments do not address or alter any City recreational programs or land use requirements related to parks and recreation. The amendments are in compliance with Goal 8.

Statewide Planning Goal 9 – Economic Development:

To provide adequate opportunities for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.

Findings: The City is currently in compliance with Goal 9 and Metro’s Title 4: Industrial and Other Employment Areas. The amendments to the West Linn Comprehensive Plan Map and Zoning Map will not result in a loss of commercially zoned land. Only one 10,000 square foot property impacted by the proposal was identified as buildable in the 2016 West Linn Economic Opportunities Analysis. This property will change from mixed-use transitional zoning to general commercial zoning. The amendments do not alter the City’s compliance with Goal 9. None of the effected properties are shown on Metro’s Title 4 map.

Statewide Planning Goal 10 – Housing:

To provide adequate housing for the needs of the community, region and state.

Findings: The City is currently in compliance with Goal 10 and the Metropolitan Housing Rule (OAR 660-007/Division 7), and Metro’s Title 1: Housing Capacity. The amendments to the Comprehensive Plan Map and Zoning Map do not include any properties that are on the City’s residential buildable lands inventory. No changes to the City’s housing capacity are proposed. The amendments do not alter the City’s compliance with Goal 10 and are consistent with this goal.

Statewide Planning Goal 11 – Public Facilities and Services:

To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as framework for urban and rural development.

Findings: The City is currently in compliance with Goal 11 through its acknowledged Comprehensive Plan. This includes an adopted Public Facility Plan as required by Oregon Revised Statute 197.712 and Oregon Administrative Rule 660-011. The map amendments do not alter the City’s compliance with Goal 11 and are consistent with this goal.

Statewide Planning Goal 12 – Transportation:

To provide and encourage a safe, convenient, and economic transportation system.

Findings: The City is currently in compliance with Goal 12 and Metro’s Regional Transportation Plan through its acknowledged Comprehensive Plan and TSP as required by Oregon Administrative Rule 660-012 (Transportation Planning Rule (TPR)). The City conducted a TPR analysis and found no significant effect on a transportation facility. The amendments do not alter the City’s compliance with Goal 12 and are consistent with this goal.

Statewide Planning Goal 13 – Energy Conservation:

Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based on sound economic principles.

Findings: The City is currently in compliance with Goal 13 through its acknowledged Comprehensive Plan. The map amendments do not alter the City’s compliance with Goal 13 and are consistent with this goal.

Statewide Planning Goal 14 – Urbanization:

To provide for orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Findings: The City is currently in compliance with Goal 14 and Metro’s Title 11: Planning for New Urban Areas through its acknowledged Comprehensive Plan and land use regulations. The City also has a signed Urban Growth Management Agreement with Clackamas County as required by ORS 195.065. The map amendments do not alter the City’s compliance with Goal 14 and are consistent with this goal.

Statewide Planning Goal 15 – Willamette River Greenway:

To provide for keeping the land green along the banks of the river and providing for recreation access.

Findings: The City is currently in compliance with Goal 15 through its acknowledged Comprehensive Plan and land use regulations. The map amendments do not alter the City’s compliance with Goal 15 and are consistent with this goal.

Conclusion: Based on the analysis above, the Commission finds the proposed amendments are consistent with applicable Statewide Planning Goals.

2. *Any federal or State statutes or rules found applicable;*

Oregon Administrative Rule 660-012

Findings: The Land Conservation and Development Commission adopted Oregon Administrative Rule 660-012 (Transportation Planning Rule) to implement Statewide Planning Goal 12 and “to explain how local governments and state agencies responsible for transportation planning demonstrate compliance with other statewide planning goals.” Section 10 defines transportation planning, while Section 15 describes planning role requirements under the statewide planning goals. Section 16 describes coordination with federally required regional transportation plans in metropolitan areas. The development of the West Linn Transportation System Plan (TSP) complied with the above sections through collaboration with the Oregon Department of Transportation, the Oregon Department of Land Conservation and Development (DLCD), Metro, and Clackamas County to ensure consistency with associated transportation plans required by the Transportation Planning Rule.

In addition, the Transportation Planning Rule (TPR) outlines the process to evaluate plan and land use regulation amendments for significant effect on a transportation facility in Section 60. As required by the Oregon Department of Transportation (ODOT), the City performed a TPR analysis for the proposed Comprehensive Plan Map and Zoning Map amendments and found no significant effect on a transportation facility.

ODOT and the Department of Land Conservation and Development (DLCD), who administers the TPR, was provided ample opportunity to submit comments regarding compliance with the rule.

Oregon Highway Plan

Findings: The Oregon Highway Plan (OHP) delineates and expands all of the policies in the Oregon Transportation Plan related to the highway system. The development of the West Linn TSP complied with the OHP through collaboration with the Oregon Department of Transportation, the Oregon Department of Land Conservation and Development (DLCD), Metro, and Clackamas County to ensure consistency with associated transportation plans required by the Transportation Planning Rule. The City’s transportation policy is consistent with the policy direction of the OHP. The TPR analysis performed by the City found the Comprehensive Plan Map and Zoning Map amendments have no significant effect on a transportation facility. As a result, the adoption of the proposed amendments is in compliance with the OHP.

Conclusion: Based on the analysis above, the Commission finds the proposed amendments are consistent with applicable federal or state statutes or rules.

3. *Applicable plans and rules adopted by the Metropolitan Service District;*

The Metro Urban Growth Management Functional Plan

Findings: The City of West Linn is currently in compliance with the Metro Urban Growth Management Functional Plan (UGMFP). Metro staff was sent notice of the proposed amendment and provided the opportunity to comment. The proposed amendments will not impact compliance with requirements found in the UGMFP.

The Metro Regional Transportation System Plan

Findings: The development of the West Linn TSP was coordinated with staff from the Oregon Department of Transportation, the Oregon Department of Land Conservation and Development (DLCD), Metro, and Clackamas County to ensure consistency across jurisdictions' plans and was found in compliance with federal, state, and regional requirements. The proposed amendments will not impact compliance with the Regional Transportation System Plan.

Conclusion: Based on the analysis above, the Commission finds the proposed amendments are consistent with applicable plans and rules adopted by Metro.

4. *The applicable Comprehensive Plan policies and map;*

Goal 1: Citizen Involvement

Policy 2. Support neighborhood associations as a forum for discussion and advice on issues affecting the community.

Findings: The City Council appointed four neighborhood association members to the MU Working Group. Each member had the opportunity to relay information back to the associations for feedback and comment.

Policy 3. Encourage individuals to organize and work in groups to develop recommended programs or position on various issues.

Findings: The City Council appointed the members of the MU Working Group and assigned it the task of recommending potential zoning changes along 8th Avenue. The MU Working Group met four times from January to April 2018 and again in September 2018 and reached consensus on a final recommendation for zoning changes along 8th Avenue.

Policy 4. Provide timely and adequate notice of proposed land use matters to the public to ensure that all citizens have an opportunity to be heard on issues and actions that affect them.

Findings: As part of the legislative process, public notice of the Planning Commission and City Council public hearings was sent to persons who requested notice, affected government agencies, neighborhood associations, and was published in the October 25, 2018 issue of the West Linn Tidings. The notice invited public input and included the phone number of a contact person to answer questions. The notice also included the address of the City's webpage where the entire draft of the proposed amendment could be viewed.

The Council appointed MU Working Group, who recommended the proposed amendments, met four times between January and April 2018 and again in September 2018. All meetings were open to the public and notice of the meetings were sent to owners of all potentially impacted properties. All meetings were attended by property owners and they were given the opportunity to participate in the group discussions. All MU Working Group materials, including meeting recordings and summaries, were available throughout the process on the City's website. The City Council and Planning Commission also held a publicly noticed joint worksession to discuss this proposal on October 15, 2018. The worksession materials, including a link to the MU Working Group webpage, was available via the City's website. All of the aforementioned venues provided the opportunity for gathering feedback and comments.

Policy 5. Communicate with citizens through a variety of print and broadcast media early in and throughout the decision-making process.

Findings: Information was distributed throughout the process via the City website. The Council appointed MU Working Group, who recommended the proposed amendments, met four times between January and April 2018 and again in September 2018. All meetings were open to the public and notice of the meetings were sent to owners of all potentially impacted properties. All meetings were attended by property owners and they were given the opportunity to participate in the group discussions. All MU Working Group materials, including meeting recordings and summaries, were available throughout the process on the City's website. The City Council and Planning Commission also held a publicly noticed joint worksession to discuss this proposal on October 15, 2018. The worksession materials, including a link to the MU Working Group webpage, was available via the City's website. All of the aforementioned venues provided the opportunity for gathering feedback and comments.

As part of the legislative process, public notice of the Planning Commission and City Council public hearings was sent to persons who requested notice, affected government agencies, neighborhood associations, and was published in the October 25, 2018 issue of the West Linn Tidings. The notice invited public input and included the phone number of a contact person to answer questions. The notice also included the address of the City's webpage where the entire draft of the proposed amendment could be viewed. The aforementioned venues provided the opportunity for gathering feedback and comments.

Goal 2: Land Use Planning

Section 1: Residential Development

Policy 7. The following are criteria that shall be used when designating residential areas. This list is not exhaustive, but helps determine what types of residential densities are appropriate, given topographical constraints, available public facilities, etc.

a. Low density residential lands will meet the following criteria:

- i) Areas with limited capacity for development in terms of the existing facilities such as sewer, water, and drainage; and/or*
- ii) Areas having development limitations due to the topography, soil characteristics, drainage, high water table, and flooding.*

Finding: None of the 10 properties proposed for zoning changes from a Comprehensive Plan Map designation of low-density residential meet the criteria. All 10 properties have adequate sewer, water, and drainage capacity per the City Engineer and adopted utility master plans. Additionally, none of the 10 properties have slopes above 2.5 percent, nor do they have limitations due to soil, drainage, high

water table or flooding. The 10 properties are in close proximity to the commercial core of the Willamette Main Street area and are accessible by walking, biking, and public transit. Four of the properties currently have split zoning between low density residential and commercial. The amendments to the West Linn Comprehensive Plan Map and Zoning Map will correct the inconsistencies with Comprehensive Plan locational criteria.

Policy 8. Protect residentially zoned areas from the negative impacts of commercial, civic, and mixed-use development, and other potentially incompatible land uses.

Finding: The amendments to the West Linn Comprehensive Plan Map and Zoning Map will appropriately use the mixed-use zoning designation, as intended, to provide a transitional buffer between commercially zoned properties and residentially zoned properties. Currently, the properties zoned mixed-use are between two commercially zoned areas. These will be changed to commercial for consistency. The properties proposed for change from low density residential to mixed-use on the north side of 8th Avenue will provide the appropriate buffer for the residential properties and the commercial properties on the south side of 8th Avenue. Current adopted design standards, including landscaping and buffering, will continue to be required.

Section 3: Mixed-Use/Commercial Development

Policy 4. Design and locate existing or proposed commercial uses in a manner that:

b. Encourages the use of alternative transportation.

Finding: Seven of the nine properties proposed to change from mixed-use to commercial currently contain commercial uses. Four of the six properties proposed to change from low density residential to commercial currently have split zoning with the front half of the properties zoned commercial along Willamette Falls Drive. All of the properties are accessible by pedestrians and bicyclists, as well as being within one-eighth of a mile of a public transit line, thus encouraging commercial development that has access to alternative modes of transportation.

d. Encourages small businesses, retail establishments, and other employment activities.

Finding: Eighteen of the twenty properties proposed to change to mixed-use or commercial are less than 15,000 square feet and currently contain development. The small size of the properties and existing buildings will encourage reuse of the properties with smaller businesses and less impact on the neighborhood. New development, with limitations on lot coverage and parking requirements, will also predominately attract smaller businesses with less impact on the neighborhood.

Policy 5. Commercial rezoning that encourages strip commercial activity shall be prohibited.

Finding: Eighteen of the twenty properties proposed to change to mixed-use or commercial are less than 15,000 square feet and currently contain development. The small size of the properties and existing buildings will encourage reuse of the properties and not strip commercial activity. New development, with limitations on lot coverage and parking requirements, will also predominately attract smaller buildings and businesses and not strip development.

Section 5: Intergovernmental Coordination

Policy 1. Maintain effective coordination with other local governments, special districts, state and federal agencies, Metro, the West Linn-Wilsonville School District, and other governmental and quasi-public organizations.

Policy 4. Coordinate with Metro planning activities on all areas in which Metro has jurisdiction and as specified in Goal 14 of this Plan.

Finding: Notice was sent to West Linn-Wilsonville School District, Metro, Clackamas County, Oregon Department of Transportation, and all West Linn Neighborhood Associations. They were provided the opportunity to review and comment on the amendments proposed for adoption.

Goal 5: Open Spaces, Scenic and Historic Areas & Natural Resources

Finding: None of the goals or policies under Goals 5 apply to this application.

Goal 6: Air, Water & Land Resources Quality

Section 1: Air Quality

Policy 3. Reduce pollution from vehicle emissions by pursuing an energy efficient urban form that provides for connectivity and reduces the number of vehicle miles traveled.

Policy 5. Encourage employment, mixed-uses, and home occupations within West Linn to reduce commuting and reduce the distance traveled for shopping and other essential services.

Finding: The amendments to the West Linn Comprehensive Plan Map and Zoning Map will provide more opportunity for employment by changing nine mixed-use properties and six low density properties to commercial. Additionally, five low density properties will change to mixed-use, providing more flexibility for potential commercial use. All impacted properties are located in an established neighborhood with public transit access and the amendments could help to promote walking or bicycling to services or combining trips, instead of needing to drive elsewhere.

Goal 7: Areas Subject to Natural Disasters and Hazards

Goal 8: Parks and Recreation

Finding: None of the goals or policies under Goals 7 and 8 apply to this application.

Goal 9: Economic Development

Goal 3. Promote the efficient use of commercial and industrial land adequate to serve a range of employment opportunities in the City.

Policy 1. Preserve employment (commercial and industrial) land to ensure an appropriate mix of uses and jobs-housing balance.

Finding: The amendments to the West Linn Comprehensive Plan Map and Zoning Map will provide more opportunity for employment by changing nine mixed-use properties and six low density properties to commercial. Additionally, five low density properties will change to mixed-use, providing more flexibility for potential commercial use. The small sizes of the properties, 18 of the 20 are less than 15,000 square feet, and most of them being developed already, will promote a mix of uses in a

well-established commercial core of the City. Both the commercial and mixed-use properties allow a balance of jobs and housing.

Goal 10: Housing

Goal 1. Preserve the character and identity of established neighborhoods.

Finding: The amendments to the West Linn Comprehensive Plan Map and Zoning Map will appropriately use the mixed-use zoning designation, as intended, to provide a transitional buffer between commercially zoned properties and residentially zoned properties. Currently, the properties zoned mixed-use are primarily used for commercial purposes and will not alter the character or identity of the neighborhood. The properties proposed for change from low density residential to mixed-use on the north side of 8th Avenue will provide the appropriate buffer for the residential properties and the commercial properties on the south side of 8th Avenue. The mixed-use zoning will allow the current residential uses to continue to preserve the character and identity of the neighborhood.

Goal 11: Public Facilities and Services

Finding: None of the goals or policies under Goal 11 apply to this application.

Goal 12: Transportation

Goal 1. Provide a transportation system for the City of West Linn that:

- a. *Provides for maximum mobility while encouraging modes of transportation other than the automobile.*

Finding: The Transportation Planning Rule (TPR) outlines the process to evaluate plan and land use regulation amendments for significant effect on a transportation facility, including mobility. The City performed a TPR analysis for the proposed Comprehensive Plan Map and Zoning Map amendments and found no significant effect on a transportation facility. In addition, the map amendments are in an established commercial area with pedestrian, bicycle, and public transit access. More concentration of commercial uses in the area will encourage alternative modes of transportations.

Goal 13: Energy Conservation

Goal 14: Urbanizations

Goal 15: Willamette River Greenway

Finding: None of the goals or policies under Goals 13 through 15 apply to this application.

Conclusion: Based on the analysis above, the Commission finds the proposed amendments are consistent with applicable West Linn Comprehensive Plan policies and map.

5. The applicable provisions of the implementing ordinance.

Finding: Staff is not aware of additional applicable provisions, which are not found above, of the implementing ordinances related to the proposed amendment.

Conclusion: Based on the analysis above, the Commission finds the proposed amendments are consistent with applicable provisions of the implementing ordinance.

EXHIBIT PC-1 – AFFIDAVIT OF NOTICE AND MAILING PACKET

AFFIDAVIT OF NOTICE

We, the undersigned do hereby certify that, in the interest of the party (parties) initiating a proposed land use, the following took place on the dates indicated below:

GENERAL

File No. PLN-18-02 Applicant's Name City of West Linn
Development Name _____
Scheduled Meeting/Decision Date PC 11-7-18 and CC 10-10-18

NOTICE: Notices were sent at least 20 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. (check below)

TYPE A /

- A. The applicant (date) _____ (signed) _____
- B. Affected property owners (date) 10-17-18 (signed) S. Shroyer
- C. School District/Board (date) 10-17-18 (signed) S. Shroyer
- D. Other affected gov't. agencies (date) 10-17-18 (signed) S. Shroyer
- E. Affected neighborhood assns. (date) 10-17-18 (All) (signed) S. Shroyer
- F. All parties to an appeal or review (date) _____ (signed) _____

At least 10 days prior to the scheduled hearing or meeting, notice was published/posted:

Tidings (published date) 10-25-18 (signed) S. Shroyer
City's website (posted date) 10-17-18 (signed) S. Shroyer

SIGN

At least 10 days prior to the scheduled hearing, meeting or decision date, a sign was posted on the property per Section 99.080 of the Community Development Code.

(date) _____ (signed) _____

NOTICE: Notices were sent at least 14 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. (check below)

TYPE B _____

- A. The applicant (date) _____ (signed) _____
- B. Affected property owners (date) _____ (signed) _____
- C. School District/Board (date) _____ (signed) _____
- D. Other affected gov't. agencies (date) _____ (signed) _____
- E. Affected neighborhood assns. (date) _____ (signed) _____

Notice was posted on the City's website at least 10 days prior to the scheduled hearing or meeting.
Date: _____ (signed) _____

STAFF REPORT mailed to applicant, City Council/Planning Commission and any other applicable parties 10 days prior to the scheduled hearing.

(date) 10-25-2018 (signed) De S Wye

FINAL DECISION notice mailed to applicant, all other parties with standing, and, if zone change, the County surveyor's office.

(date) _____ (signed) _____

**CITY OF WEST LINN
PUBLIC HEARING PLN-18-02**

This is to notify you that the City of West Linn has proposed Comprehensive Plan Map and Zoning Map changes that may affect the permissible uses of your property.

On **November 7, 2018, at 6:30 p.m.** in the Council Chambers of City Hall, 22500 Salamo Road, the West Linn Planning Commission will hold a public hearing regarding the adoption of Ordinance Numbers 1688 and 1689. The City of West Linn has determined that adoption of these ordinances may affect the permissible uses of your property and may change the value of your property.

Ordinance Numbers 1688 and 1689 are available for inspection at the West Linn City Hall located at 22500 Salamo Road. Copies of Ordinance Numbers 1688 and 1689 are also available for purchase at a cost of \$0.25 a page after the first five pages. The information is also available on the West Linn website at <https://westlinnoregon.gov/planning/8th-avenue-rezone>. For additional information concerning Ordinance Numbers 1688 and 1689, you may call the West Linn Planning Department at 503-742-6060.

Ordinance Number 1688 proposes amendments to the West Linn Comprehensive Plan Map and Ordinance 1689 proposes amendments to the West Linn Zoning Map.

You are receiving this notice because you own property along 8th Avenue where the proposed map amendments are located. Some properties are proposed to be rezoned from R-10: Single-Family Residential Detached and Mixed-Use Transitional to General Commercial, while other properties are proposed to be rezoned from R-10: Single-Family Residential Detached to Mixed-Use Transitional.

The hearing will be conducted in accordance with the rules of CDC Section 98.120. Written testimony on this proposed action may be submitted prior to, or at the public hearing. Oral testimony may be presented at the public hearing. At the public hearing, the Planning Commission will receive a staff presentation, and invite both oral and written testimony. The Planning Commission may continue the public hearing to another meeting to obtain additional information, leave the record open, or close the public hearing and take action on the proposed amendments as provided by state law. Failure to raise an issue in person or by letter at some point prior to the close of the hearing, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue.

At least 10 days prior to the hearing, a copy of the proposed amendments and associated staff report will be available for inspection. In addition, the project file PLN-18-02 containing the proposed amendments and related information is available for review at the Planning Department.

Following the hearing, the Planning Commission will make a recommendation to the City Council. **The Council will make a final decision regarding the Planning Commission recommendation following its own public hearing on December 10, 2018 at 6:30 p.m., in the Council Chambers of City Hall, 22500 Salamo Road, West Linn.** For further information, please contact Darren Wyss, Associate Planner, at City Hall, 22500 Salamo Road, West Linn, OR 97068, phone 503-742-6064, or via e-mail at dwyss@westlinnoregon.gov.

City of West Linn – Proposed 8th Avenue Rezone
Affected Properties

Rezone from Mixed-Use Transitional Zone to General Commercial

1600 14th Street (3S 1E 02BB 06200)
1684 12th Street (3S 1E 02BA 01000)
1693 12th Street (3S 1E 02BA 00500)
1841 8th Avenue (3S 1E 02BA 01100)
1975 8th Avenue (3S 1E 02BA 00400)
1995 8th Avenue (3S 1E 02BA 00300)
2005 8th Avenue (3S 1E 02BA 00200)
2015 8th Avenue (3S 1E 02BA 00100)

Rezone from Mixed-Use Transitional/R-10 to General Commercial

1800 8th Avenue (2S 1E 35C 02200)

Rezone from R-10 to General Commercial

1741 8th Avenue (3S 1E 02BA 01600)
1755 8th Avenue (3S 1E 02BA 01500)
1720 Willamette Falls Drive (3S 1E 02BA 01800)
1793 Willamette Falls Drive (3S 1E 02BA 01400)
1820 Willamette Falls Drive (3S 1E 02BA 01300)
1832 Willamette Falls Drive (3S 1E 02BA 01200)

Rezone from R-10 to Mixed-Use Transitional Zone

1698 8th Avenue (3S 1E 02BB 00800)
1722 8th Avenue (3S 1E 02BB 00702)
1752 8th Avenue (3S 1E 02BB 00600)
1771 8th Avenue (3S 1E 02BB 00500)
1796 8th Avenue (3S 1E 02BB 00400)



CITY OF
West Linn

**CITY OF WEST LINN
NOTICE OF UPCOMING
PLANNING COMMISSION MEETING**

**PROJECT # PLN-18-02
MAIL: 10/17/18 TIDINGS: 10/25/18**

CITIZEN CONTACT INFORMATION

To lessen the bulk of agenda packets, land use application notice, and to address the worries of some City residents about testimony contact information and online application packets containing their names and addresses as a reflection of the mailing notice area, this sheet substitutes for the photocopy of the testimony forms and/or mailing labels. A copy is available upon request.

**CITY OF WEST LINN
PUBLIC HEARING PLN-18-02**

**TO ADOPT COMPREHENSIVE PLAN MAP AMENDMENTS AND ZONING MAP
AMENDMENTS FOR PROPERTIES ALONG 8TH AVENUE IN THE WILLAMETTE
NEIGHBORHOOD.**

The West Linn Planning Commission will hold a public hearing on **Wednesday, November 7, 2018 at 6:30 p.m.** in the Council Chambers of City Hall, 22500 Salamo Road, West Linn, to consider adoption of the Council appointed Mixed-Use Working Group recommendation for rezoning properties along 8th Avenue. Following the hearing, the Planning Commission will make a recommendation to the City Council. The Council will make a final decision regarding the Planning Commission recommendation following its own public hearing on **Monday, December 10, 2018 at 6:30 p.m.**, in the Council Chambers of City Hall, 22500 Salamo Road, West Linn.

The hearings will be conducted in accordance with the rules of CDC Section 98 and 105. Anyone wishing to present written testimony on this proposed action may do so prior to, or at the public hearings. Oral testimony may be presented at the public hearings. At the public hearing(s), the Planning Commission and City Council will receive a staff presentation, and invite both oral and written testimony. The Commission or Council may continue the public hearing to another meeting to obtain additional information, leave the record open, or close the public hearing and take action on the proposed amendments as provided by state law. Failure to raise an issue in person or by letter at some point prior to the close of the hearing, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue.

The recommendation includes amendments to West Linn Comprehensive Plan Map and West Linn Zoning Map for properties located along 8th Avenue. Some properties are proposed to be rezoned from R-10: Single-Family Residential Detached and Mixed-Use Transitional to General Commercial, while other properties are proposed to be rezoned from R-10: Single-Family Residential Detached to Mixed-Use Transitional.

At least 10 days prior to the hearing, a copy of the proposed amendments and associated staff report will be available for inspection or purchase at a cost of \$0.25 a page after the first five pages at the Planning Department, 22500 Salamo Road. The information is also available on the West Linn website at <https://westlinnoregon.gov/planning/8th-avenue-rezone>. For further information, please contact Darren Wyss, Associate Planner, at City Hall, 22500 Salamo Road, West Linn, OR 97068, phone (503)742-6064, or via e-mail at dwyss@westlinnoregon.gov.

Publish: West Linn Tidings, October 25, 2018

EXHIBIT PC-2 – PROPOSED COMPREHENSIVE PLAN MAP AMENDMENT

ORDINANCE NO. 1688

AN ORDINANCE RELATING TO THE AMENDMENT OF WEST LINN COMPREHENSIVE PLAN MAP TO IMPLEMENT THE RECOMMENDATION FROM THE CITY COUNCIL APPOINTED WILLAMETTE NEIGHBORHOOD MIXED-USE TRANSITIONAL ZONE WORKING GROUP

Annotated to show ~~deletions~~ and additions to the code sections being modified. Deletions are ~~bold lined through~~ and additions are bold underlined.

WHEREAS, Chapter II, Section 4, of the West Linn City Charter provides:

Powers of the City. The City shall have all powers which the Constitution, statutes and common law of the United States and of this State now or hereafter expressly or implied grant or allow the City, as fully as though this Charter specifically enumerated each of those powers;

WHEREAS, the City Council appointed the Willamette Neighborhood Mixed-Use Transitional Zone Working Group at its November 14, 2017 meeting and assigned specific purposes and goals; and

WHEREAS, the Willamette Neighborhood Mixed-Use Transitional Zone Working Group met four times between January and April 2018 to discuss, hear from property owners, and reach final consensus on a set of recommendations that included future consideration of zoning changes along 8th Avenue; and

WHEREAS, in August 2018, the City Council requested the Willamette Neighborhood Mixed-Use Transitional Zone Working Group reconvene and make a final recommendation on proposed zone changes along 8th Avenue; and

WHEREAS, the Willamette Neighborhood Mixed-Use Transitional Zone Working Group met on September 19, 2018 and reached consensus on recommended zone changes along 8th Avenue; and

WHEREAS, the City Council and Planning Commission held a joint worksession on October 15, 2018 to discuss the recommendation and provide direction to City staff; and

WHEREAS, the Planning Commission held a public hearing on November 7, 2018 where it voted unanimously to recommend the City Council adopt the proposed amendments;

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

SECTION 1. West Linn Comprehensive Plan Map Amendment. The West Linn Comprehensive Plan Map shall be amended as depicted in Exhibit A.

The following properties shall be included in the Commercial Map Plan Designation:

1600 14th Street (3S 1E 02BB 06200)
1684 12th Street (3S 1E 02BA 01000)
1693 12th Street (3S 1E 02BA 00500)
1841 8th Avenue (3S 1E 02BA 01100)
1975 8th Avenue (3S 1E 02BA 00400)
1995 8th Avenue (3S 1E 02BA 00300)
2005 8th Avenue (3S 1E 02BA 00200)
2015 8th Avenue (3S 1E 02BA 00100)
1800 8th Avenue (2S 1E 35C 02200)
1741 8th Avenue (3S 1E 02BA 01600)
1755 8th Avenue (3S 1E 02BA 01500)
1720 Willamette Falls Drive (3S 1E 02BA 01800)
1793 Willamette Falls Drive (3S 1E 02BA 01400)
1820 Willamette Falls Drive (3S 1E 02BA 01300)
1832 Willamette Falls Drive (3S 1E 02BA 01200)

The following properties shall be included in the Mixed-Use Map Plan Designation:

1698 8th Avenue (3S 1E 02BB 00800)
1722 8th Avenue (3S 1E 02BB 00702)
1752 8th Avenue (3S 1E 02BB 00600)
1771 8th Avenue (3S 1E 02BB 00500)
1796 8th Avenue (3S 1E 02BB 00400)

SECTION 2. 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 3. 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 of the ordinance 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 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 2-5) need not be codified and the City Recorder or his/her designee is authorized to correct any cross-references and any typographical errors.

SECTION 5. 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 _____, 2018, and duly PASSED and ADOPTED this _____ day of _____, 2018.

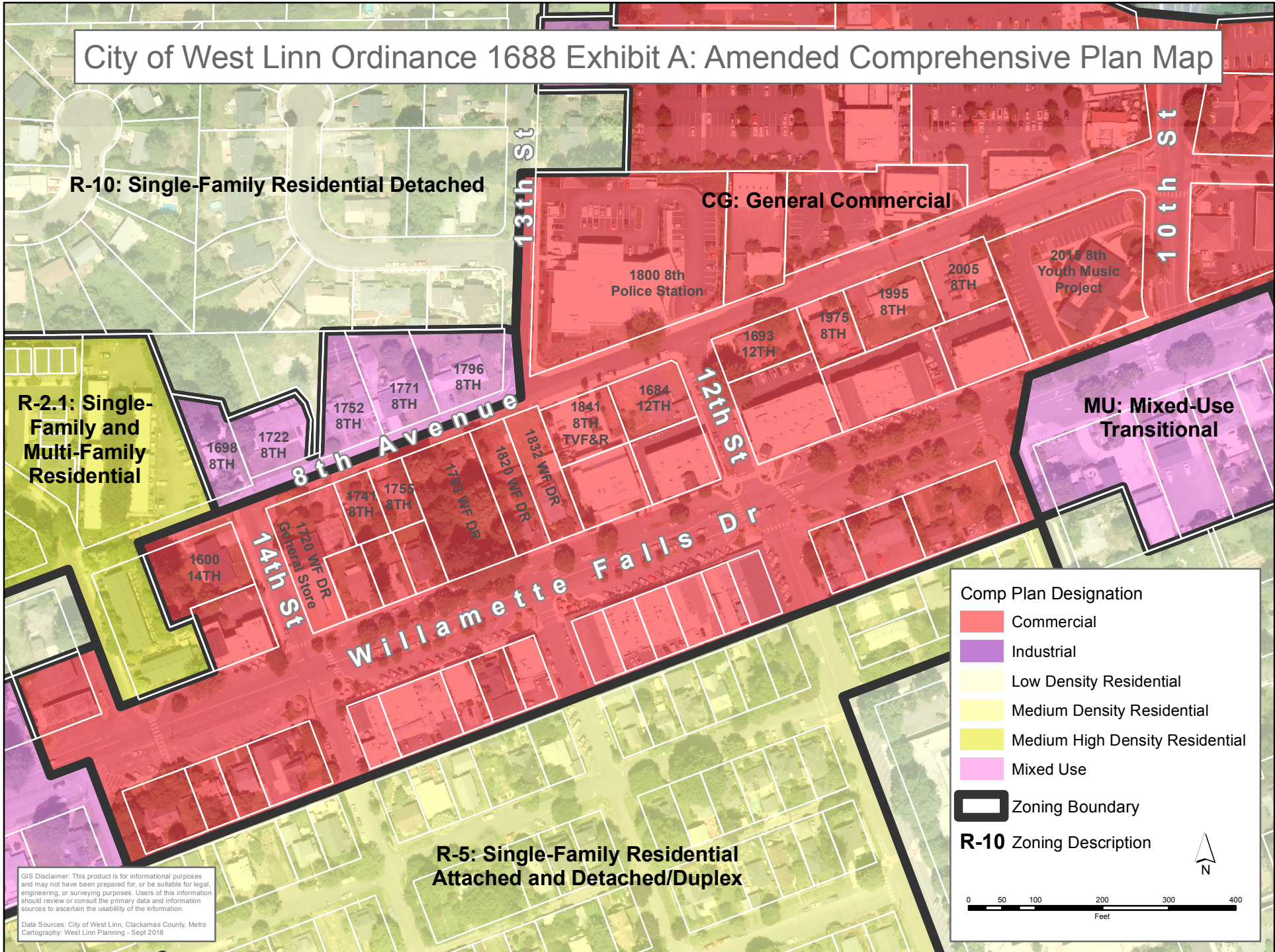
RUSSELL B. AXELROD, MAYOR

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

City of West Linn Ordinance 1688 Exhibit A: Amended Comprehensive Plan Map



R-10: Single-Family Residential Detached

CG: General Commercial

R-2.1: Single-Family and Multi-Family Residential

MU: Mixed-Use Transitional

R-5: Single-Family Residential Attached and Detached/Duplex


GIS Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Data Sources: City of West Linn, Clackamas County, Metro Cartography, West Linn Planning - Sept 2018

Comp Plan Designation

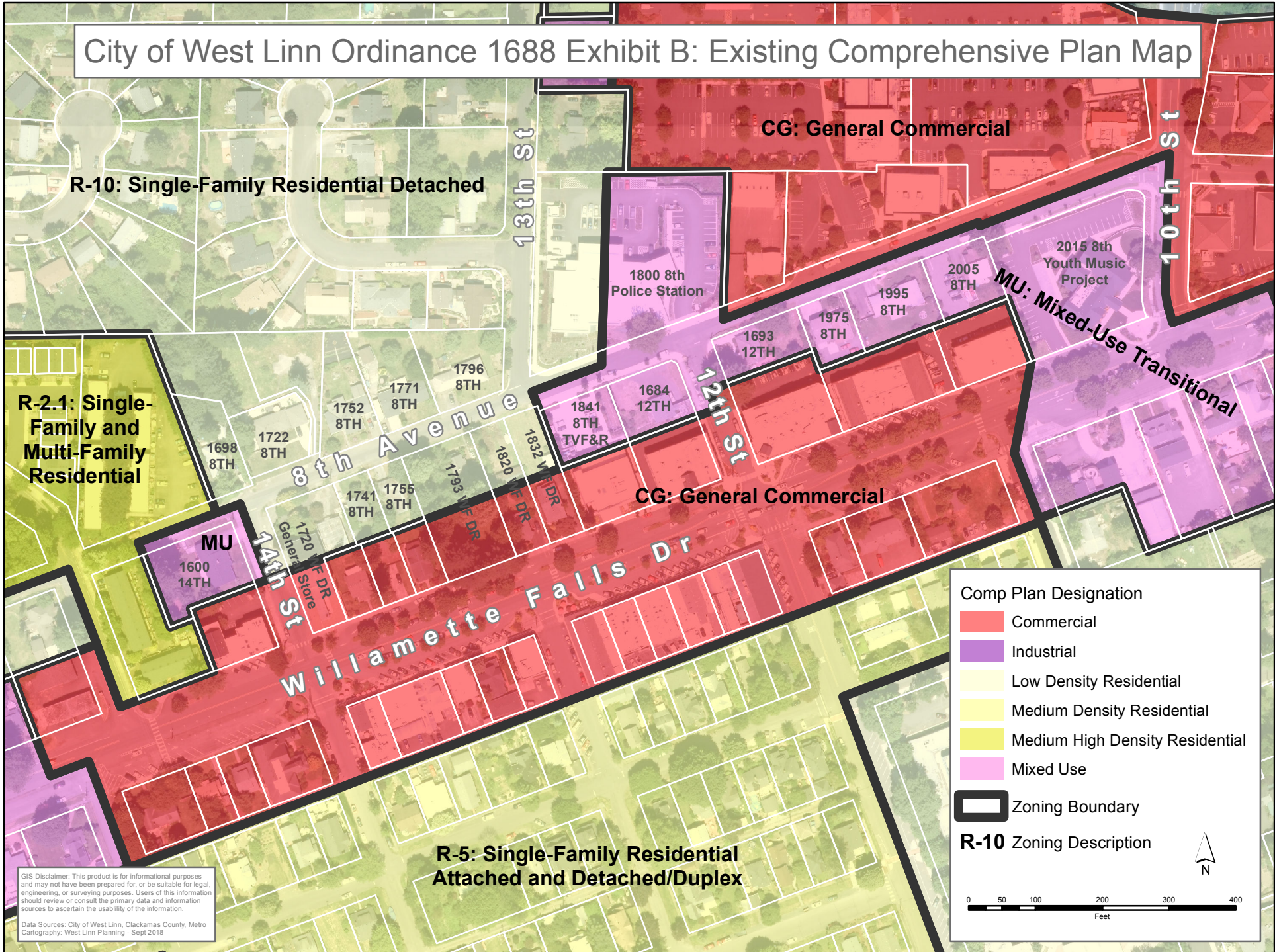
- Commercial
- Industrial
- Low Density Residential
- Medium Density Residential
- Medium High Density Residential
- Mixed Use
- Zoning Boundary

R-10 Zoning Description





City of West Linn Ordinance 1688 Exhibit B: Existing Comprehensive Plan Map



GIS Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Data Sources: City of West Linn, Clackamas County, Metro Cartography, West Linn Planning - Sept 2018

EXHIBIT PC-3 – PROPOSED ZONING MAP AMENDMENT

ORDINANCE NO. 1689

AN ORDINANCE RELATING TO THE AMENDMENT OF WEST LINN ZONING MAP TO IMPLEMENT THE RECOMMENDATION FROM THE CITY COUNCIL APPOINTED WILLAMETTE NEIGHBORHOOD MIXED-USE TRANSITIONAL ZONE WORKING GROUP

Annotated to show ~~deletions~~ and additions to the code sections being modified. Deletions are ~~bold lined through~~ and additions are bold underlined.

WHEREAS, Chapter II, Section 4, of the West Linn City Charter provides:

Powers of the City. The City shall have all powers which the Constitution, statutes and common law of the United States and of this State now or hereafter expressly or implied grant or allow the City, as fully as though this Charter specifically enumerated each of those powers;

WHEREAS, the City Council appointed the Willamette Neighborhood Mixed-Use Transitional Zone Working Group at its November 14, 2017 meeting and assigned specific purposes and goals; and

WHEREAS, the Willamette Neighborhood Mixed-Use Transitional Zone Working Group met four times between January and April 2018 to discuss, hear from property owners, and reach final consensus on a set of recommendations that included future consideration of zoning changes along 8th Avenue; and

WHEREAS, in August 2018, the City Council requested the Willamette Neighborhood Mixed-Use Transitional Zone Working Group reconvene and make a final recommendation on proposed zone changes along 8th Avenue; and

WHEREAS, the Willamette Neighborhood Mixed-Use Transitional Zone Working Group met on September 19, 2018 and reached consensus on recommended zone changes along 8th Avenue; and

WHEREAS, the City Council and Planning Commission held a joint worksession on October 15, 2018 to discuss the recommendation and provide direction to City staff; and

WHEREAS, the Planning Commission held a public hearing on November 7, 2018 where it voted unanimously to recommend the City Council adopt the proposed amendments;

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

SECTION 1. West Linn Zoning Map Amendment. The West Linn Zoning Map shall be amended as depicted in Exhibit A.

The following properties shall be included in the General Commercial Zone:

1600 14th Street (3S 1E 02BB 06200)
1684 12th Street (3S 1E 02BA 01000)
1693 12th Street (3S 1E 02BA 00500)
1841 8th Avenue (3S 1E 02BA 01100)
1975 8th Avenue (3S 1E 02BA 00400)
1995 8th Avenue (3S 1E 02BA 00300)
2005 8th Avenue (3S 1E 02BA 00200)
2015 8th Avenue (3S 1E 02BA 00100)
1800 8th Avenue (2S 1E 35C 02200)
1741 8th Avenue (3S 1E 02BA 01600)
1755 8th Avenue (3S 1E 02BA 01500)
1720 Willamette Falls Drive (3S 1E 02BA 01800)
1793 Willamette Falls Drive (3S 1E 02BA 01400)
1820 Willamette Falls Drive (3S 1E 02BA 01300)
1832 Willamette Falls Drive (3S 1E 02BA 01200)

The following properties shall be included in the Willamette Neighborhood Mixed-Use Transitional Zone:

1698 8th Avenue (3S 1E 02BB 00800)
1722 8th Avenue (3S 1E 02BB 00702)
1752 8th Avenue (3S 1E 02BB 00600)
1771 8th Avenue (3S 1E 02BB 00500)
1796 8th Avenue (3S 1E 02BB 00400)

SECTION 2. 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 3. 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 of the ordinance 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 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 2-5) need not be codified and the City Recorder or his/her designee is authorized to correct any cross-references and any typographical errors.

SECTION 5. 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 _____, 2018, and duly PASSED and ADOPTED this _____ day of _____, 2018.

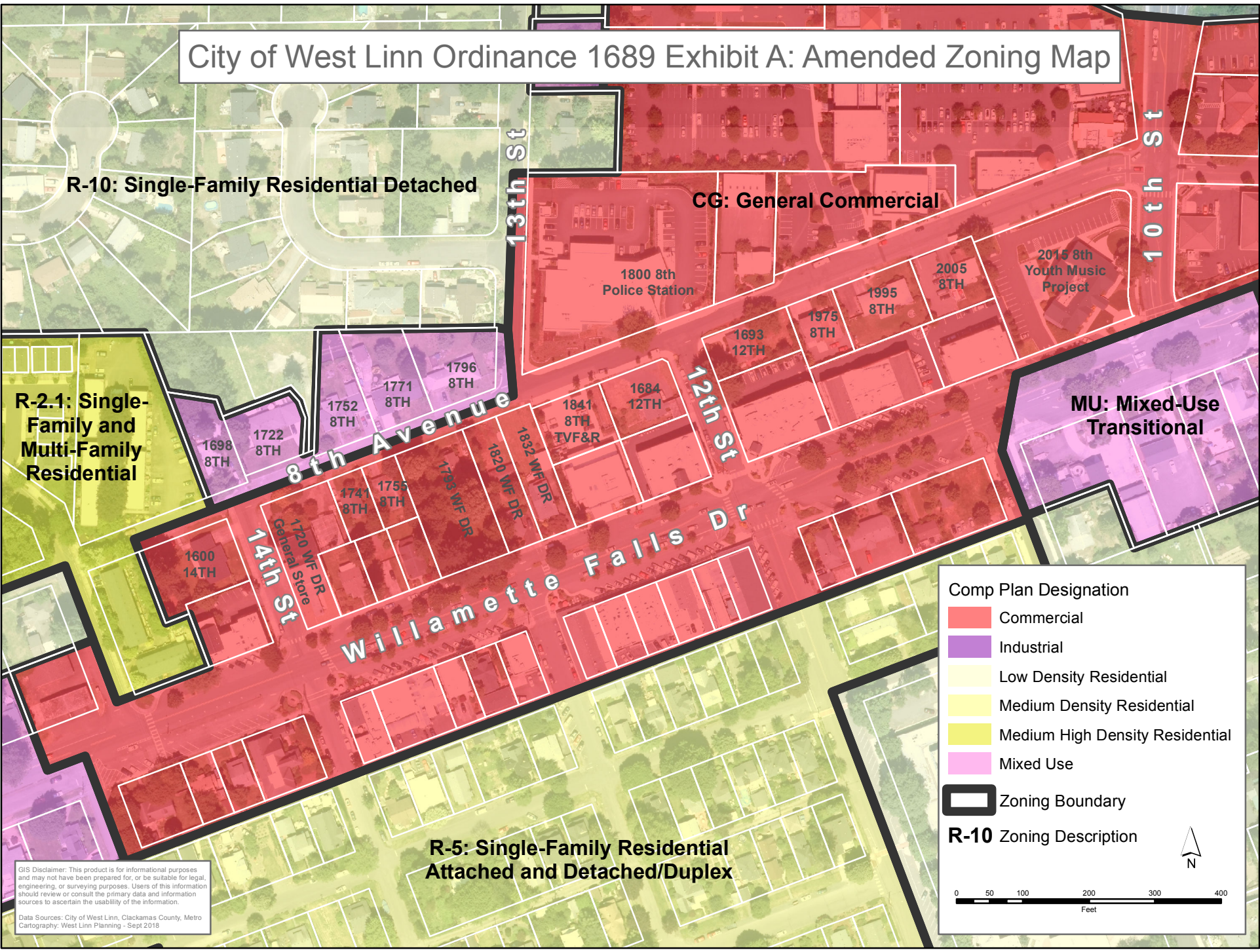
RUSSELL B. AXELROD, MAYOR

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

City of West Linn Ordinance 1689 Exhibit A: Amended Zoning Map



R-10: Single-Family Residential Detached

CG: General Commercial

R-2.1: Single-Family and Multi-Family Residential


MU: Mixed-Use Transitional

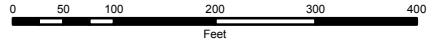
R-5: Single-Family Residential Attached and Detached/Duplex

Comp Plan Designation

- Commercial
- Industrial
- Low Density Residential
- Medium Density Residential
- Medium High Density Residential
- Mixed Use
- Zoning Boundary

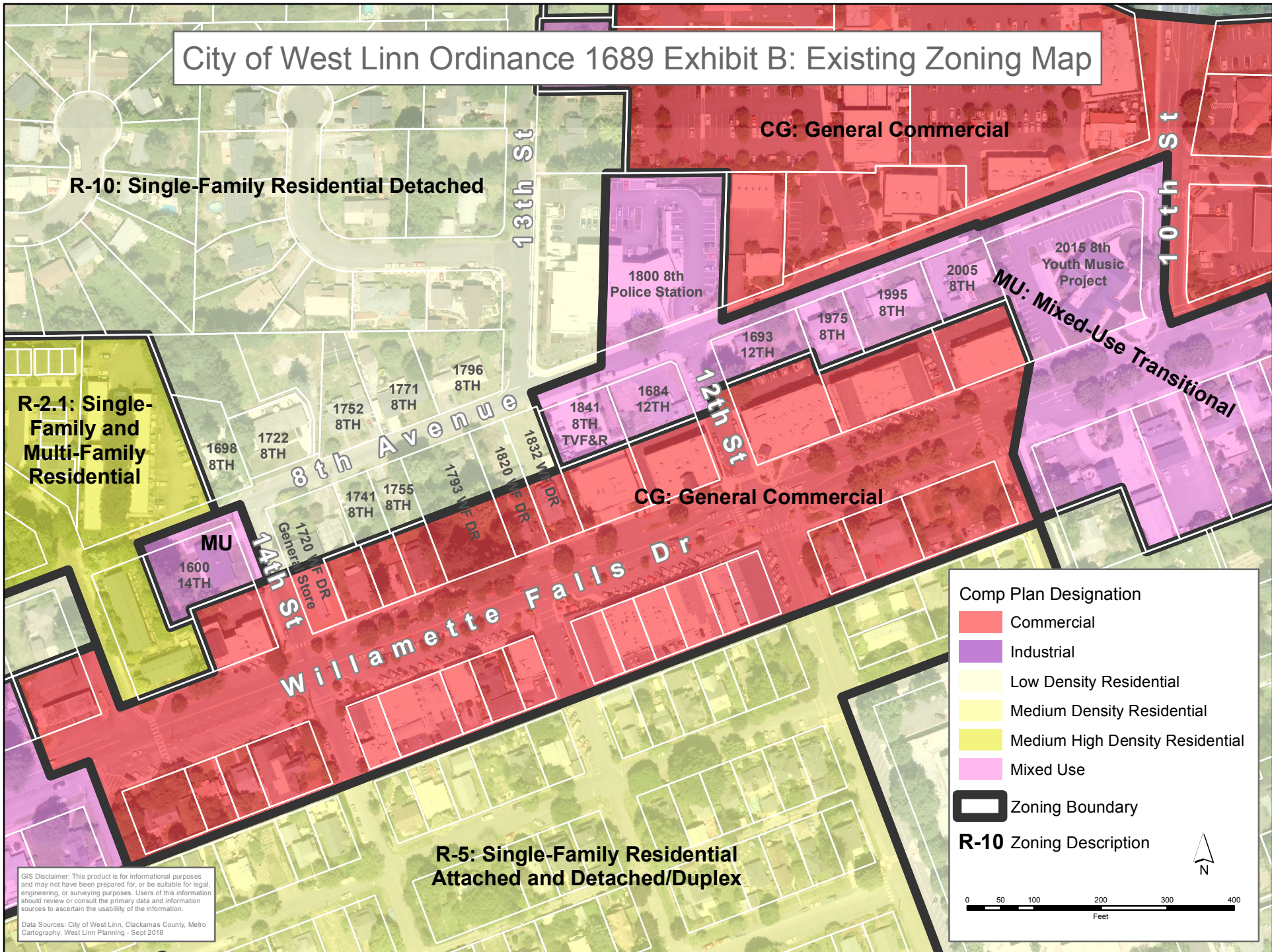
R-10 Zoning Description





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Data Sources: City of West Linn, Clackamas County, Metro Cartography, West Linn Planning - Sept 2018

City of West Linn Ordinance 1689 Exhibit B: Existing Zoning Map



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Data Sources: City of West Linn, Clackamas County, Metro Cartography, West Linn Planning - Sept 2018

EXHIBIT PC-4 – MU WORKING GROUP MEMO/RECOMMENDATION

Memorandum

Date: September 27, 2018

To: West Linn City Council and West Linn Planning Commission

From: Willamette Neighborhood Mixed-Use Transitional Zone Working Group

Subject: 8th Avenue Rezone Proposal – Final Recommendation

The Willamette Neighborhood Mixed-Use Transitional Zone Working Group (MU Working Group) met on September 19, 2018 for the purpose of making a final recommendation on rezoning properties along 8th Avenue. The meeting was requested by City Council to follow-up on two of the five recommendations for future consideration made in April 2018 by the MU Working Group:

- Consider rezoning the properties along 8th Avenue, between 10th and 13th Streets, from Mixed-Use to General Commercial as they don't meet the transitional purpose of the zone. Staff contacted the property owners for feedback and seven of the eight responded in support of a potential change.
- Consider rezoning the properties along 8th Avenue, between 13th and 14th Streets, from R-10: Single-Family Detached Residential to at least Mixed-Use, if not some to General Commercial as these properties actually meet the transitional purpose of the zone. Staff contacted the property owners for feedback and four of the six on the south side responded in support and one each responded in support and not in support out of the five properties on the north side of 8th Avenue.

Present at the meeting were four MU Working Group members and two property owners. Primary topics of discussion included: likelihood of redevelopment (size, current improvements, parking needs), properties with frontage on both Willamette Falls Drive and 8th Avenue, purpose of each zone, and potential impacts to single-family homeowners. Based on the group discussion and feedback received from property owners, both previously and at the meeting, the MU Working Group made a final recommendation to consider rezoning 8th Avenue as follows (please also see attached map):

Rezone from Mixed-Use Transitional Zone to General Commercial

1600 14 th Street	1975 8 th Avenue
1684 12 th Street	1995 8 th Avenue
1693 12 th Street	2005 8 th Avenue
1841 8 th Avenue (TVF&R Parking Lot)	2015 8 th Avenue

Rezone from Mixed-Use Transitional/R-10 to General Commercial

1800 8th Avenue (West Linn Police Station)

Rezone from R-10 to General Commercial

1741 8th Avenue

1755 8th Avenue

1720 Willamette Falls Drive*

1793 Willamette Falls Drive*

1820 Willamette Falls Drive*

1832 Willamette Falls Drive*

*Property contains frontage on both 8th Avenue and Willamette Falls Drive

Rezone from R-10 to Mixed-Use Transitional Zone

1698 8th Avenue

1722 8th Avenue

1752 8th Avenue

1771 8th Avenue

1796 8th Avenue

Since the City received no feedback from the property owners at 1741 and 1755 8th Avenue, the group agreed a change from R-10 to Mixed-Use Transitional Zone would be acceptable if the property owners objected to the proposed change to General Commercial. This decision was based on the properties containing single-family homes and the impact moving to the General Commercial zone.

On behalf of the MU Working Group, we would like to thank City Council for the opportunity to follow-up on previous discussions and develop this recommendation for consideration. We would also like to remind City Council of the group's other three recommendations for future consideration from April 2018 and hope they will get addressed in a timely manner.

- Evaluate more appropriate zoning for MU Zone properties separated from the historic commercial core (Properties 1-2, 3-4, and 27-30 on attached map) as they do not meet the transitional purpose of the zone. This could be undertaken at the same time as 8th Avenue.
- Consider changes to the dimensional/design standards for Chap. 59: MU Zone to make them more flexible for potential redevelopment of properties in the future. Some ideas for potential changes: allowing a zero lot line at the front yard and side yard abutting a street, move from maximum building size to lot coverage standard, making maximum FAR 0.45, eliminating maximum lot size, and removing the residential style design standards.
- Consider evaluating how parking is managed in the Willamette Main Street area, especially the on-site parking exemptions found in CDC Chapter 58: Willamette Falls Drive Commercial Design District.

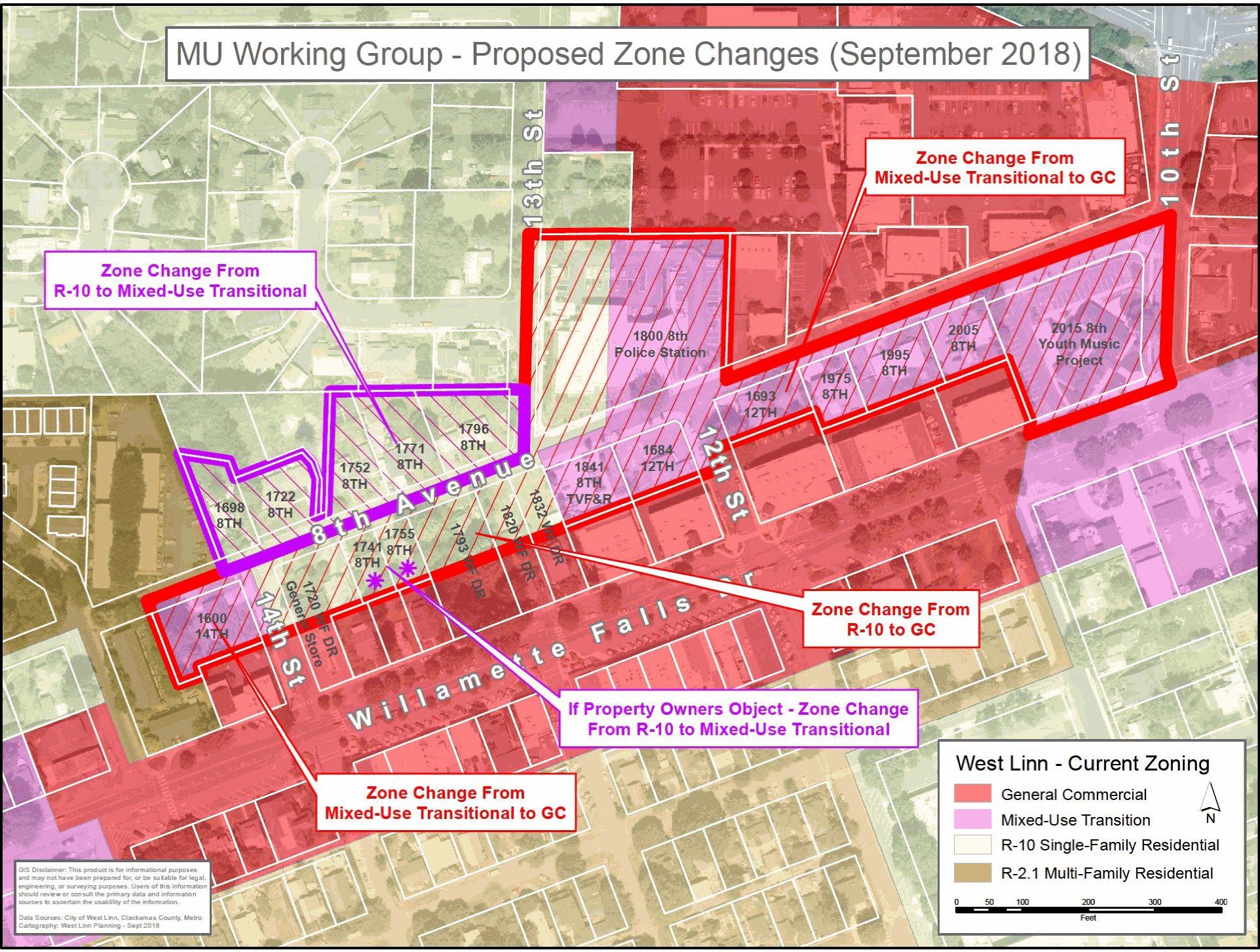
Respectfully,



Shannen Knight

Chair, MU Working Group

MU Working Group - Proposed Zone Changes (September 2018)



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 Data Sources: City of West Linn, Clackamas County, Metro Cartography: West Linn Planning - Sept 2018