



CITY OF
West Linn

**STAFF REPORT
FOR THE PLANNING COMMISSION**

FILE NUMBER: CDC-18-02

HEARING DATE: June 6, 2018

REQUEST: To consider a recommendation to City Council for adoption of proposed text amendments to the West Linn Comprehensive Plan Glossary and the West Linn Community Development Code Chapters 2, 19, and 59.

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

STAFF REPORT PREPARED BY: Darren Wyss, Associate Planner

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GENERAL INFORMATION

- APPLICANT:** City of West Linn
- DESCRIPTION:** A proposal for text amendments to the West Linn Comprehensive Plan Glossary and the West Linn Community Development Code Chapters 2, 19, and 59.
- 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:** Legal notice was published in the West Linn Tidings on May 17, 2018 and provided to required public agencies and persons who requested notice in writing on May 17, 2018.
- 120-DAY RULE:** Not applicable to this legislative action.

EXECUTIVE SUMMARY

CDC-18-02 is a proposed amendment to the West Linn Comprehensive Plan Glossary and amendments to West Linn Community Development Code (CDC) Chapters 2, 19, and 59. The proposal was recommended by the City Council appointed Willamette Neighborhood Mixed-Use Transitional Zone Working Group (MU Working Group). The MU Working Group was created with a goal of updating the permitted/conditional use lists in CDC Chapter 59 to reflect current business culture and categories (terminology or categories of uses) and to facilitate compatible mixed use, commercial and residential uses. Updated lists will support community and economic goals and will assure appropriate transition between the Historic Willamette commercial core and surrounding Willamette neighborhood.

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

Generally, the proposed amendments address City Council's direction to the MU Working Group to review and propose amendments to make the mixed-use zone align better with the community's economic development goals. The amendments were initiated by the City Council pursuant to CDC 98.035.

RECOMMENDATION

Staff recommends that the Planning Commission consider the proposed 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 a final recommendation related to the two purposes assigned by City Council:

1. To review and update as necessary the list of permitted and conditional uses in the Willamette Neighborhood Transitional Zone (Chapter 59: MU Zone).
2. Consider a definition of mixed-use.

The MU Working Group met four times from early January to late March 2018. The meetings were well organized and the discussions efficient and effective. A good number of property owners attended the meetings, which was not only helpful to them, but assisted the group in further understanding the current limitations of the zone. The full text of recommendations for the two purposes are found in Exhibit PC-2 and PC-3, but here is a brief description of what is ready to proceed through the legislative process:

- Minor amendment to definition of “mixed-use” that is located in the West Linn Comprehensive Plan and add this amended definition to the West Linn Community Development Code (CDC) Chapter 2: Definitions.
- Amendments to the Permitted, Accessory, Permitted with Prescribed Conditions, and Conditional Uses found in CDC Chapter 59: MU Zone.
- Minor amendments to four current use definitions, and the addition of one new use definition, into CDC Chapter 2: Definitions.
- Addition of a new accessory use in CDC Chapter 19: General Commercial Zone to provide consistency with the recommendation to CDC Chapter 59: MU Zone.

In addition, the MU Working Group discussed other changes related to Chapter 59: MU Zone. These discussions were a natural extension of the group’s purpose and intended to identify additional measures to improve the function and economic potential of the zone. The topics were tied to the location of all 30 properties currently in the MU Zone, the transitional purpose of the zone, and the design/dimensional restrictions in the zone. These can be found in Exhibit PC-3.

The proposed amendments were introduced and discussed at a May 2, 2018 work session of the 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
June 6, 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 Committee for Citizen Involvement (CCI) to recommend a purpose, goals, and list of appointees. From September to October 2017, the CCI acted upon Council direction and made a recommendation. City Council considered the CCI recommendation on November 14, 2017 and appointed the Willamette Neighborhood Mixed-Use Transitional Zone Working Group (MU Working Group) with assigned goal and purposes.

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. Over the group's four meeting, 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: Following an initial discussion with the MU Working Group, staff prepared a draft of proposed changes for review. The MU Working Group then used the draft to discuss and find consensus on the proposal or any needed changes, and request additional needed information from staff. Staff incorporated any changes, provided requested information, and the MU Working Group then used the same process again to get to its final consensus on proposed amendments to forward to the Planning Commission. The MU Working Group was diligent to ensure the proposed amendments met the purposes and goal assigned by City Council.

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 four times, with attendance from mixed-use zone 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 proposed amendments 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 amendments to the Planning Commission at a worksession on May 2, 2018. The public hearing will be held on June 6, 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 and Community Development Code have been consolidated into one file as allowed. The consolidation is appropriate as all proposed amendments are the result of recommendations made by the Council appointed MU Working Group and are necessary to have consistent definitions between the two land use documents.

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 June 6, 2018, with the City Council public hearing scheduled for July 9, 2018. Legislative notice was provided as required and documentation can be found in Exhibit PC-1. The Planning Director determined no notice was necessary under ORS 227.186 as the proposed amendments do not limit or prohibit uses previously allowed, and actually expand allowed uses within the mixed-use and general commercial zones.

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 amendment, and all other associated project materials were made available on May 24, 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 June 6, 2018, with the West Linn City Council scheduled to hold its public hearing and make a final decision on July 9, 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 June 6th and one before City Council on July 9th) 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 owners of all 30 properties zoned mixed-use in the city. 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 Planning Commission also held a publicly noticed worksession to discuss this proposal on May 2, 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 May 17, 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 amendment to the West Linn Comprehensive Plan is to update the definition of mixed-use development to be more contemporary. The amendments to the West Linn Community Development Code are being undertaken to update the City's acknowledged land use planning program to be consistent with current conditions and citizen values. The amendments will provide updated definitions and provide more flexibility to mixed-use zoned properties by moving a number of currently conditional uses to outright permitted uses. 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 amendment does 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 amendment does 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 amendment does 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 amendment to the West Linn Comprehensive Plan is to update the definition of mixed-use development to be more contemporary. The amendments to the West Linn Community Development Code are being undertaken to update the City's acknowledged land use planning program to be consistent with current conditions and citizen values. The amendments will provide updated definitions and provide more flexibility to mixed-use zoned properties by moving a number of currently

conditional uses to outright permitted uses. 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. No changes to permitted residential uses in the effected zones 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 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). 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 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 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 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;*

Findings: Staff is not aware of any applicable state or federal regulations that are impacted by the proposed draft ordinance. The City has an acknowledged Comprehensive Plan and associated land use regulations that comply with applicable state statutes and administrative rules. The Oregon Department of Land Conservation and Development, Metro, and Clackamas County were sent notice of the proposed amendments and provided the opportunity to comment. The amendments do not alter the City’s compliance with any state or federal statutes or rules.

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 change will not impact compliance with requirements found in the UGMFP.

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 two purposes:

1. To review and update as necessary the list of permitted and conditional uses in the Willamette Neighborhood Mixed Use Transitional Zone (MU Zone - Chapter 59).
2. Consider a definition of mixed use.

The MU Working Group met four times from January to April 2018 and reached consensus on a set of recommendations, including the proposed amendments found in Exhibits PC-2 and PC-3.

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 May 17, 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. All meetings were open to the public and notice of the meetings were sent to owners of all 30 properties zoned mixed-use in the city. 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 Planning Commission also held a publicly noticed worksession to discuss this proposal on May 2, 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. All meetings were open to the public and notice of the meetings were sent to owners of all 30 properties zoned mixed-use in the city. 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 Planning Commission also held a publicly noticed worksession to discuss this proposal on May 2, 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 May 17, 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 8. Protect residentially zoned areas from the negative impacts of commercial, civic, and mixed-use development, and other potentially incompatible land uses.

Finding: The amendment to the West Linn Comprehensive Plan is to update the definition of mixed-use development to be more contemporary. The amendments to the West Linn Community Development Code will provide updated definitions and provide more flexibility to mixed-use zoned properties by moving a number of currently conditional uses to outright permitted uses. The MU Working Group discussed the appropriate commercial uses to provide a transition to the residential neighborhoods and only proposed uses it felt would be of minimal impact. This included considering the amount of visits, parking, and external noise that each type of use could potentially produce. Current adopted design standards, including landscaping and buffering, will continue to be required.

Section 3: Mixed-Use/Commercial Development

Goal 1. Develop/redevelop commercial areas as mixed-use/commercial districts that blend housing and commercial uses to: enhance the community's identity; encourage strong neighborhoods; increase housing choices; promote socioeconomic diversity; promote alternative modes of transportation; promote civic uses; and improve community interaction and involvement.

Goal 4. Protect surrounding residential areas from adverse effects of commercial development in terms of loss of privacy, noise, lights, and glare.

Goal 5. Require mixed-use/commercial centers and uses to be aesthetically attractive and landscaped.

Goal 7. Require standards for mixed-use areas that create livable areas that fit in with existing neighborhood character.

Finding: The MU Working Group was appointed by City Council for two purposes:

3. To review and update as necessary the list of permitted and conditional uses in the Willamette Neighborhood Mixed Use Transitional Zone (MU Zone - Chapter 59).
4. Consider a definition of mixed use.

The goal assigned by City Council for the groups was:

“Updated lists are needed to reflect current business culture and categories (terminology or categories of uses) and to facilitate compatible mixed use, commercial and residential uses. Updated lists will support community and economic goals and will assure appropriate transition between the Historic Willamette commercial core and surrounding Willamette neighborhood.”

The amendment to the West Linn Comprehensive Plan is to update the definition of mixed-use development to be more contemporary. The amendments to the West Linn Community Development Code will provide updated definitions and provide more flexibility to mixed-use zoned properties by

moving a number of currently conditional uses to outright permitted uses. The MU Working Group discussed the appropriate commercial uses to provide a transition to the residential neighborhoods and only proposed uses it felt would be of minimal impact. This included considering the amount of visits, parking, and external noise that each type of use could potentially produce. Current adopted design standards, including landscaping and buffering, will continue to be required.

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, 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 Community Development Code will provide updated definitions and provide more flexibility to mixed-use zoned properties by moving a number of currently conditional uses to outright permitted uses. The intended effect of the proposal is to make it easier for certain commercial uses to conduct business on the 30 properties zoned mixed-use. All 30 properties are located in established, walkable neighborhoods and the amendments could help to promote walking to services 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. Encourage businesses that enhance the community; provide wanted goods and services; and pay living wages. Small, locally-owned businesses with strong ties to the community are especially desired.

Goal 5. Make the most efficient use of our existing commercial and industrial lands.

Policy 11. Encourage the economic vitality of the four existing commercial areas.

Finding: The amendment to the West Linn Comprehensive Plan is to update the definition of mixed-use development to be more contemporary. The amendments to the West Linn Community Development Code will provide updated definitions and provide more flexibility to mixed-use zoned properties by moving a number of currently conditional uses to outright permitted uses. The intended effect of the proposal is to make it easier for certain commercial uses to conduct business on the 30 properties zoned mixed-use. All 30 properties are located in the Willamette Neighborhood and commercial area. The majority of mixed-use properties are less than 10,000 square feet and contain single-family homes. The proposal will promote the efficient use of existing mixed-use zoned land and have the potential for promoting small, locally-owned businesses as these properties could transition to affordable start-up locations.

Goal 10: Housing

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

Finding: The amendments to the West Linn Community Development Code will provide updated definitions and provide more flexibility to mixed-use zoned properties by moving a number of currently conditional uses to outright permitted uses. The MU Working Group discussed the appropriate commercial uses to provide a transition to the residential neighborhoods and only proposed uses it felt would be of minimal impact. This included considering the amount of visits, parking, and external noise that each type of use could potentially produce. Current adopted design standards, including landscaping and buffering, will continue to be required.

Goal 11: Public Facilities and Services

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

Goal 12: Transportation

Transportation Demand Management

Policy 4. Reduce vehicle miles traveled through mixed-use development in planned centers and regulations that encourage home-based businesses that are compatible with residential areas.

Finding: The amendments to the West Linn Community Development Code will provide updated definitions and provide more flexibility to mixed-use zoned properties by moving a number of currently conditional uses to outright permitted uses. The intended effect of the proposal is to make it easier for certain commercial uses to conduct business on the 30 properties zoned mixed-use. All 30 properties are located in established, walkable neighborhoods and the amendments could help to promote walking to services instead of needing to drive elsewhere.

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 amendment is consistent with applicable West Linn Comprehensive Plan policies and map.

5. The applicable provisions of the implementing ordinance.

Finding: Staff is not aware of any 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 amendment is 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. CDC-18-02 Applicant's Name COWL
Development Name _____
Scheduled Meeting/Decision Date PC 6-6-18 CC 7-9-18

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) 5-17-18 (signed) S. Shroyer
- C. School District/Board (date) 5-17-18 (signed) S. Shroyer
- D. Other affected gov't. agencies (date) 5-17-18 (signed) S. Shroyer
- E. Affected neighborhood assns. (date) 5-17-18 AU (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) 5-17-18 (signed) S. Shroyer
City's website (posted date) 5-17-18 (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) 5-24-2018 (signed) Jim Salyer

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 CDC-18-02**

**TO ADOPT TEXT AMEMNDMENTS TO COMPREHENSIVE PLAN GLOSSARY; AND
COMMUNITY DEVELOPMENT CODE CHAPTERS 2, 19 AND 59.**

The West Linn Planning Commission will hold a public hearing on **Wednesday, June 6, 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 recommendations. 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, July 9, 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 recommendations include amendments to West Linn Comprehensive Plan definition for mixed-use and amendments to Community Development Code definitions, the addition of one more permitted use in the general commercial zone, and reconfiguring the conditional and permitted uses in the mixed-use zone.

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/willamette-neighborhood-mixed-use-transitional-zone-changes>

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, May 17, 2018



CITY OF West Linn

**CITY OF WEST LINN
NOTICE OF UPCOMING
PLANNING COMMISSION AND CITY COUNCIL
PUBLIC HEARING**

**PROJECT # CDC-18-02
MAIL: 5/17/18 TIDINGS: 5/17/18**

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.

EXHIBIT PC-2 – PROPOSED COMPREHENSIVE PLAN AMENDMENT

ORDINANCE NO. XXXX

AN ORDINANCE RELATING TO THE AMENDMENT OF WEST LINN COMPREHENSIVE PLAN INTRODUCTION GLOSSARY TO IMPLEMENT THE RECOMMENDATIONS 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 held a worksession with the Economic Development Committee and Planning Commission on July 17, 2017 and discussed the need to evaluate the permitted and conditional uses in the Willamette Neighborhood Mixed-Use Transitional Zone; and

WHEREAS, the City Council directed the Community Development Department to prioritize an evaluation of the Willamette Neighborhood Mixed-Use Transitional Zone and work with the Citizen Involvement Committee to recommend a working group per Community Development Code Chapter 98.035; and

WHEREAS, the Citizen Involvement Committee discussed the working group at meetings in September and October 2017 and forwarded its recommendation to City Council; and

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 to forward to the Planning Commission; and

WHEREAS, the Planning Commission held a worksession on May 2, 2018 and a public hearing on June 6, 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. Amendment. West Linn Comprehensive Plan Introduction, Glossary, is amended to read as follows:

INTRODUCTION

...

GLOSSARY

For the purpose of the Comprehensive Plan, the following terms or words are defined as follows:

...

Mixed-Use Development. A combination of different types of uses **that are complementary and integrated**. This ~~most frequently~~ refers to allowing ~~homes~~ **residential** and businesses to be located in the same area (e.g. apartments over shops or other businesses or apartments adjacent to grocery stores or other commercial establishments).

...

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

EXHIBIT PC-3 – PROPOSED COMMUNITY DEVELOPMENT CODE AMENDMENTS

ORDINANCE NO. XXXX

AN ORDINANCE RELATING TO THE AMENDMENT OF WEST LINN COMMUNITY DEVELOPMENT CODE CHAPTERS 2, 19, AND 59 TO IMPLEMENT THE RECOMMENDATIONS 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 held a worksession with the Economic Development Committee and Planning Commission on July 17, 2017 and discussed the need to evaluate the permitted and conditional uses in the Willamette Neighborhood Mixed-Use Transitional Zone; and

WHEREAS, the City Council directed the Community Development Department to prioritize an evaluation of the Willamette Neighborhood Mixed-Use Transitional Zone and work with the Citizen Involvement Committee to recommend a working group per Community Development Code Chapter 98.035; and

WHEREAS, the Citizen Involvement Committee discussed the working group at meetings in September and October 2017 and forwarded its recommendation to City Council; and

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 to forward to the Planning Commission; and

WHEREAS, the Planning Commission held a worksession on May 2, 2018 and a public hearing on June 6, 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. Amendment. West Linn Community Development Code Chapter 2: Definitions, Section 2.030, Specific Words and Terms, is amended to read as follows:

2.030 SPECIFIC WORDS AND TERMS

...

Business support services. Establishments primarily engaged in the provision of service, **including instructional**, of a clerical, employment, protective, or minor processing nature to firms rather than individuals and where the storage of goods other than samples is prohibited. Typical uses include: secretarial services, telephone answering services, or blueprint services.

...

Convenience sales and personal services. Small neighborhood-oriented retail businesses (retail commercial and personal services) which provide for the daily needs of nearby residents. It includes uses such as grocery stores, drug stores, laundromats, **and** dry cleaners, ~~barber shops and beauty salons.~~

...

Hotel/motel. Establishments primarily engaged in the provision of lodging on a temporary basis with incidental food, drink, and other sales and services intended for the convenience of guests. Typical uses include hotels, motels, or bed and breakfast houses.

...

Manufacture or repackaging of goods for on-site sale. Small-scale manufacturing use, limited to 5,000 square feet of building area, and commonly associated with general retail services where products are sold on-site.

...

Mixed-use development. A combination of different types of uses that are complementary and integrated. This refers to allowing residential and businesses to be located in the same area (e.g. apartments over shops or other businesses or apartments adjacent to grocery stores or other commercial establishments).

...

Personal service facilities. Establishments primarily engaged in the provision of informational, instructional, personal improvement, and similar services ~~of a non-professional nature. Typical uses include:~~ **It includes uses such as** photography studios, **barbershops, salons,** ~~driving schools and trade schools, or~~ **and fitness studios** ~~reducing salons.~~

...

SECTION 2. Amendment. West Linn Community Development Code Chapter 19: General Commercial, Section 19.040, Accessory Uses, is amended to read as follows:

19.040 ACCESSORY USES

~~Repealed by Ord. 1622.~~

1. Manufacture or repackaging of goods for on-site sale.

SECTION 3. Amendment. West Linn Community Development Code Chapter 59: Willamette Neighborhood Mixed-Use Transitional Zone, Section 59.030, Permitted Uses, is amended to read as follows:

59.030 PERMITTED USES

The following are uses permitted outright in this zone:

1. Single-family detached dwelling;
2. Multi-family dwelling;
3. Common-wall single-family dwellings above a permitted use;
4. Residential use of the second floor or a portion of the ground floor of a permitted use;
5. Residential home;
6. Family day care;
7. Bed and breakfast lodging.

8. Animal sales and services, grooming.

9. Business support services.

10. Cultural exhibits and library services.

11. General retail services.

12. Medical and dental services.

13. Personal service facilities.

14. Professional and administrative services.

15. Transportation facilities (Type I).

16. Utility, minor.

SECTION 4. Amendment. West Linn Community Development Code Chapter 59: Willamette Neighborhood Mixed-Use Transitional Zone, Section 59.040, Accessory Uses, is amended to read as follows:

59.040 ACCESSORY USES

1. Accessory uses are allowed in this zone as provided by Chapter [34](#) CDC.

2. Manufacture or repackaging of goods for on-site sale.

SECTION 5. Amendment. West Linn Community Development Code Chapter 59: Willamette Neighborhood Mixed-Use Transitional Zone, Section 59.050, Uses and Development Permitted Under Prescribed Conditions, is amended to read as follows:

59.050 USES AND DEVELOPMENT PERMITTED UNDER PRESCRIBED CONDITIONS

The following uses are allowed in this zone under prescribed conditions:

1. Signs, subject to the following provisions:

...

2. Temporary use, subject to the provisions of Chapter [35](#) CDC.

3. Home occupations, subject to the provisions of Chapter [37](#) CDC.

4. Consumer repair services, as prescribed with no exterior storage.

5. Animal sales and services: veterinary (small animals), as prescribed with no exterior runs or storage.

6. Financial and insurance, as prescribed with no drive-through service.

7. Building maintenance services, as prescribed with no exterior storage.

8. Wireless communication facilities, subject to the provisions of Chapter [57](#) CDC.

SECTION 6. Amendment. West Linn Community Development Code Chapter 59: Willamette Neighborhood Mixed-Use Transitional Zone, Section 59.060, Conditional Uses, is amended to read as follows:

59.060 CONDITIONAL USES

Only the following conditional uses are allowed in this zone subject to the provisions of Chapter [60](#) CDC, Conditional Uses:

1. Children's day care center.

2. Community **building center for civic or cultural events.**

~~3. Small appliance repair services.~~

~~4. Governmental offices.~~

~~5~~ **3.** Religious institution.

~~6~~ **4.** Senior or community center.

~~7~~ **5.** Public support and public safety facilities, including public parking lots.

- ~~8~~ **6.** Nursery.
- ~~9~~ **7.** Parks and open space.
- ~~10.~~ Boutiques.
- ~~11.~~ Small Business equipment sales and service.
- ~~12.~~ Craft shops.
- ~~13.~~ Cultural exhibits and library services.
- ~~14~~ **8.** Eating and drinking establishments.
- ~~15.~~ Retail sales and service, except no drive through service.
- ~~16.~~ Professional and administrative services.
- ~~17.~~ Medical or dental offices or clinics.
- ~~18.~~ Financial, insurance, and real estate services, except no drive through service.
- 9. Food and beverage retail sales.**
- 11. Hotel/motel.**
- 12. Construction sales and services.**
- 13. Parking Facilities.**

SECTION 7. 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 8. 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 9. 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 10. 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

EXHIBIT PC-4 – MU WORKING GROUP MEMO/RECOMMENDATION

Memorandum

Date: April 16, 2018

To: West Linn Planning Commission

From: Willamette Neighborhood Mixed-Use Transitional Zone Working Group

Subject: Final Recommendations

The Willamette Neighborhood Mixed-Use Transitional Zone Working Group (MU Working Group), appointed by the West Linn City Council on November 7, 2017, has reached consensus on a final recommendation related to the two purposes assigned by City Council:

1. To review and update as necessary the list of permitted and conditional uses in the Willamette Neighborhood Transitional Zone (Chapter 59: MU Zone).
2. Consider a definition of mixed-use.

The MU Working Group met four times from early January to late March 2018. The meetings were well organized and the discussions efficient and effective. A good number of property owners attended the meetings, which was not only helpful to them, but assisted the group in further understanding the current limitations of the zone. The full text of recommendations for the two purposes are attached, but here is a brief description of what is ready to proceed through the legislative process:

- Minor amendment to definition of “mixed-use” that is located in the West Linn Comprehensive Plan and add this amended definition to the West Linn Community Development Code (CDC) Chapter 2: Definitions.
- Amendments to the Permitted, Accessory, Permitted with Prescribed Conditions, and Conditional Uses found in CDC Chapter 59: MU Zone.
- Minor amendments to four current use definitions, and the addition of one new use definition, into CDC Chapter 2: Definitions.
- Addition of a new accessory use in CDC Chapter 19: General Commercial Zone to provide consistency with the recommendation to CDC Chapter 59: MU Zone.

In addition, the MU Working Group discussed other changes related to Chapter 59: MU Zone. These discussions were a natural extension of the group’s purpose and intended to identify additional measures to improve the function and economic potential of the zone. The topics were tied to the location of all 30 properties currently in the MU Zone, the transitional purpose of the zone, and the design/dimensional restrictions in the zone.

Based on the discussions, the MU Working Group reached consensus on a set of recommendations for future consideration by City Council. The group proposes these recommendations be added to the planning docket for further evaluation and potential changes in the near future. They are as follows:

- 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.
- 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.

On behalf of the MU Working Group, we would like to thank City Council for the opportunity to develop these recommendations for consideration.

Respectfully,



Shannen Knight
Chair, MU Working Group

MU Working Group
City of West Linn

March 22, 2018 Final Recommendation for Immediate Changes

CDC CHAPTER 59: WILLAMETTE NEIGHBORHOOD MIXED-USE TRANSITIONAL ZONE

59.030 PERMITTED USES

The following are uses permitted outright in this zone:

1. Single-family detached dwelling;
2. Multi-family dwelling;
3. Common-wall single-family dwellings above a permitted use;
4. Residential use of the second floor or a portion of the ground floor of a permitted use;
5. Residential home;
6. Family day care;
7. Bed and breakfast lodging.

8. Animal sales and services, grooming.

9. Business support services.

10. Cultural exhibits and library services.

11. General retail services.

12. Medical and dental services.

13. Personal service facilities.

14. Professional and administrative services.

15. Transportation facilities (Type I).

16. Utility, minor.

59.040 ACCESSORY USES

1. Accessory uses are allowed in this zone as provided by Chapter [34](#) CDC.

2. Manufacture or repackaging of goods for on-site sale.

59.050 USES AND DEVELOPMENT PERMITTED UNDER PRESCRIBED CONDITIONS

The following uses are allowed in this zone under prescribed conditions:

1. Signs, subject to the following provisions:

...

2. Temporary use, subject to the provisions of Chapter [35](#) CDC.

3. Home occupations, subject to the provisions of Chapter [37](#) CDC.
- 4. Consumer repair services, as prescribed with no exterior storage.**
- 5. Animal sales and services: veterinary (small animals), as prescribed with no exterior runs or storage.**
- 6. Financial and insurance, as prescribed with no drive-through service.**
- 7. Building maintenance services, as prescribed with no exterior storage.**
- 8. Wireless communication facilities, subject to the provisions of Chapter [57](#) CDC.**

59.060 CONDITIONAL USES

Only the following conditional uses are allowed in this zone subject to the provisions of Chapter [60](#) CDC, Conditional Uses:

1. Children's day care center.
2. Community **building** center for civic or cultural events.
- ~~3. Small appliance repair services.~~
- ~~4. Governmental offices.~~
- ~~5~~ **3.** Religious institution.
- ~~6~~ **4.** Senior or community center.
- ~~7~~ **5.** Public support and public safety facilities, including public parking lots.
- ~~8~~ **6.** Nursery.
- ~~9~~ **7.** Parks and open space.
- ~~10. Boutiques.~~
- ~~11. Small Business equipment sales and service.~~
- ~~12. Craft shops.~~
- ~~13. Cultural exhibits and library services.~~
- ~~14~~ **8.** Eating and drinking establishments.
- ~~15. Retail sales and service, except no drive-through service.~~
- ~~16. Professional and administrative services.~~
- ~~17. Medical or dental offices or clinics.~~
- ~~18. Financial, insurance, and real estate services, except no drive-through service.~~
- 9. Food and beverage retail sales.**
- 11. Hotel/motel.**
- 12. Construction sales and services.**
- 13. Parking Facilities.**

CDC CHAPTER 19: GENERAL COMMERCIAL, GC

19.040 ACCESSORY USES

~~Repealed by Ord. 1622.~~

1. Manufacture or repackaging of goods for on-site sale.

CDC CHAPTER 2: DEFINITIONS

Business support services. Establishments primarily engaged in the provision of service, **including instructional**, of a clerical, employment, protective, or minor processing nature to firms rather than individuals and where the storage of goods other than samples is prohibited. Typical uses include: secretarial services, telephone answering services, or blueprint services.

Convenience sales and personal services. Small neighborhood-oriented retail businesses (retail commercial and personal services) which provide for the daily needs of nearby residents. It includes uses such as grocery stores, drug stores, laundromats, **and** dry cleaners, ~~barber shops and beauty salons.~~

Hotel/motel. Establishments primarily engaged in the provision of lodging on a temporary basis with incidental food, drink, and other sales and services intended for the convenience of guests. ~~Typical uses include hotels, motels, or bed and breakfast houses.~~

Manufacture or repackaging of goods for on-site sale. Small-scale manufacturing use, limited to 5,000 square feet of building area, and commonly associated with general retail services where products are sold on-site.

Mixed-use development. A combination of different types of uses that are complementary and integrated. This refers to allowing residential and businesses to be located in the same area (e.g. apartments over shops or other businesses or apartments adjacent to grocery stores or other commercial establishments).

Personal service facilities. Establishments primarily engaged in the provision of informational, instructional, personal improvement, and similar services ~~of a non-professional nature. Typical uses include:~~ **It includes uses such as** photography studios, **barbershops, salons,** ~~driving schools and trade schools, or~~ **and fitness studios** ~~reducing salons.~~

WEST LINN COMPREHENSIVE PLAN INTRODUCTION: GLOSSARY

Mixed-use development. A combination of different types of uses **that are complementary and integrated**. This ~~most frequently~~ refers to allowing ~~homes~~ **residential** and businesses to be located in the same area (e.g. apartments over shops or other businesses or apartments adjacent to grocery stores or other commercial establishments).

