



NOTICE OF A PROPOSED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.:
Received:

Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation **at least 35 days before the first evidentiary hearing.** (See [OAR 660-018-0020](#) for a post-acknowledgment plan amendment and [OAR 660-025-0080](#) for a periodic review task). The rules require that the notice include a completed copy of this form.

Jurisdiction: **City of West Linn**

Local file no.: **CDC-18-02**

Please check the type of change that best describes the proposal:

- Urban growth boundary (UGB) amendment** including more than 50 acres, by a city with a population greater than 2,500 within the UGB
- UGB amendment** over 100 acres by a metropolitan service district
- Urban reserve designation**, or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB
- Periodic review task** – Task no.:
- Any other change** to a comp plan or land use regulation (*e.g.*, a post-acknowledgement plan amendment)

Local contact person (name and title): **DARREN WYSS**
 Phone: 503-742-6064 E-mail: dwyss@westlinnoregon.gov
 Street address: 22500 Salamo Road City: West Linn Zip: 97068-

Briefly summarize the proposal in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

The proposal is to adopt an amendment to the definition of "mixed-use" in the West Linn Comprehensive Plan. The proposal will also adopt amendments to the West Linn Community Development Code Chapters 2, 19, and 59. A staff report will be available 10 days before the first public hearing.

Date of first evidentiary hearing: 06/06/2018

Date of final hearing: 07/09/2018

This is a revision to a previously submitted notice. Date of previous submittal:

Check all that apply:

- Comprehensive Plan text amendment(s)
- Comprehensive Plan map amendment(s) – Change from N/A to
Change from to
- New or amended land use regulation
- Zoning map amendment(s) – Change from N/A to
Change from to
- An exception to a statewide planning goal is proposed – goal(s) subject to exception:
- Acres affected by map amendment: 0

Location of property, if applicable (site address and T, R, Sec., TL):

List affected state or federal agencies, local governments and special districts: Metro, Clackamas County, and ODOT

NOTICE OF A PROPOSED CHANGE – SUBMITTAL INSTRUCTIONS

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal. The 35 days begins the day of the postmark if mailed, or, if submitted by means other than US Postal Service, on the day DLCD receives the proposal in its Salem office. **DLCD will not confirm receipt of a Notice of a Proposed Change unless requested.**

2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of a Proposed Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 1 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

This form is available here:

<http://www.oregon.gov/LCD/forms.shtml>

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to plan.amendments@state.or.us with the subject line "Notice of Proposed Amendment."

Submittals may also be uploaded to DLCD's FTP site at http://www.oregon.gov/LCD/Pages/papa_submittal.aspx.

E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 1 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of a Proposed Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0017 or plan.amendments@state.or.us.

6. **Text:** Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. **Staff report:** Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

8. **Local hearing notice:** Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.

9. **Maps:** Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. A paper map must be legible if printed on 8½" x 11" paper. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.

10. **Goal exceptions:** Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

¹ 660-018-0022 provides:

(1) When a local government determines that no goals, commission rules, or land use statutes apply to a particular proposed change, the notice of a proposed change is not required [a notice of adoption is still required, however]; and

(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review such that the local government cannot submit the proposed change consistent with the 35-day deadline, the local government may submit the proposed change to the department as soon as practicable. The submittal must include a description of the emergency circumstances.

<http://www.oregon.gov/LCD/Pages/forms.aspx>

If you have any questions or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0017 or e-mail plan.amendments@state.or.us.

Notice checklist. Include all that apply:

- Completed Form 1
- The text of the amendment (e.g., plan or code text changes, exception findings, justification for change)
- Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained
- A map of the affected area showing existing and proposed plan and zone designations
- A copy of the notice or a draft of the notice regarding a quasi-judicial land use hearing, if applicable
- Any other information necessary to advise DLCD of the effect of the proposal

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).