



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

<b>FOR DLCD USE</b>
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.: **PLN-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](mailto: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 amend the City's adopted Comprehensive Plan Map and the City's adopted Zoning Map. The City Council appointed Willamette Neighborhood Mixed-Use Transitional Zone Working Group recommended these changes as the current location of mixed-use zoning along 8<sup>th</sup> Avenue does not meet the locational criteria of the zone. This action will correct that mistake. Staff report will be available 10 days before first public hearing.**

Date of first evidentiary hearing: 11/07/2018  
 Date of final hearing: 12/10/2018

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 Mixed-Use & Low Density Res to Commercial  
Change from Low Density Residential to Mixed-Use
- New or amended land use regulation
- Zoning map amendment(s) – Change from Mixed-Use & R-10 to General Commercial  
Change from R-10 Residential to Mixed-Use
- An exception to a statewide planning goal is proposed – goal(s) subject to exception:
- Acres affected by map amendment: 7

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

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

# NOTICE OF A PROPOSED CHANGE – SUBMITTAL INSTRUCTIONS

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1. Except under certain circumstances,<sup>1</sup> 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](mailto: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](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](mailto: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.

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<sup>1</sup> 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.

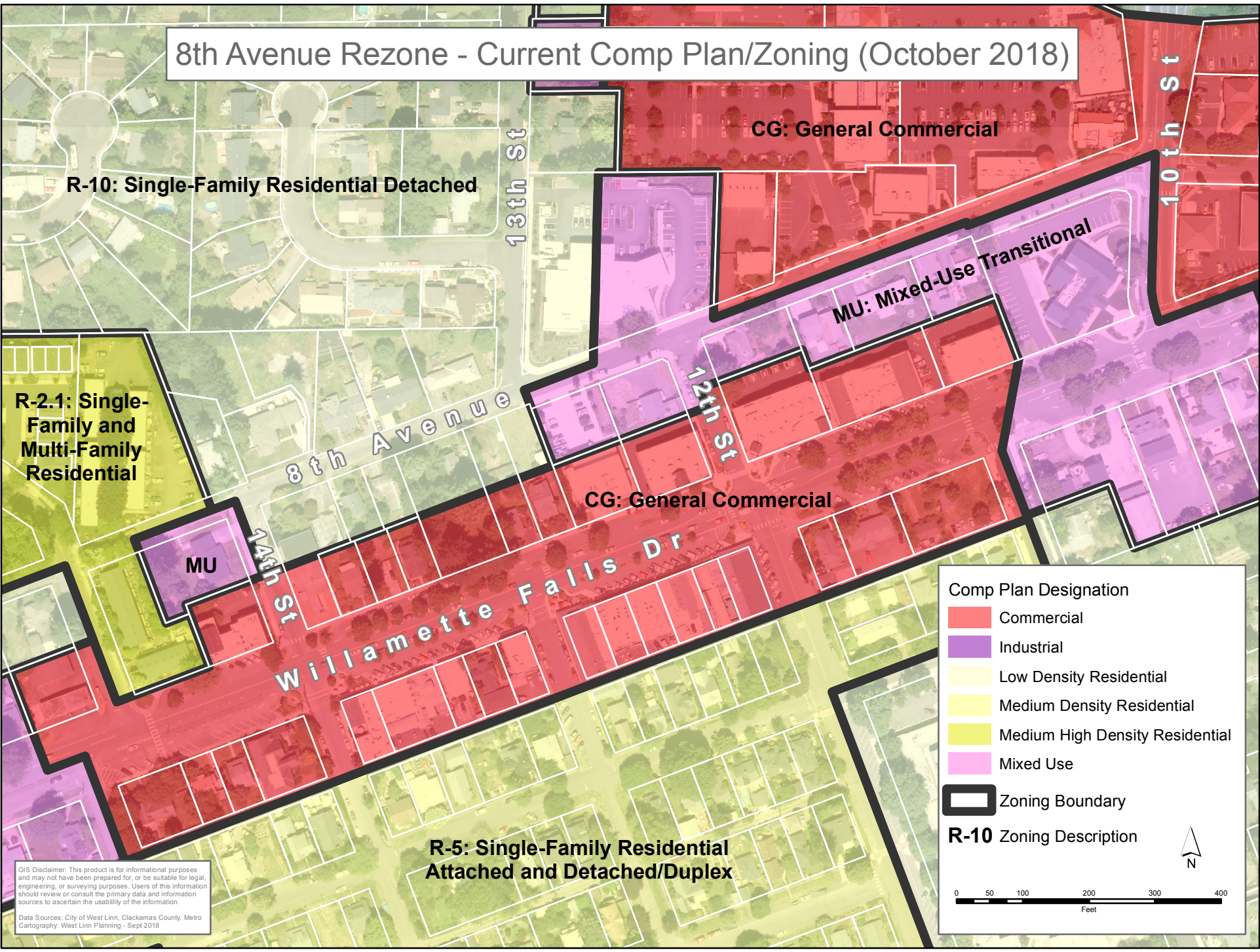
<http://www.oregon.gov/LCD/Pages/forms.aspx>

**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](mailto: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

# 8th Avenue Rezone - Current Comp Plan/Zoning (October 2018)



**R-10: Single-Family Residential Detached**

**CG: General Commercial**

**MU: Mixed-Use Transitional**

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

**CG: General Commercial**

**MU**

**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**

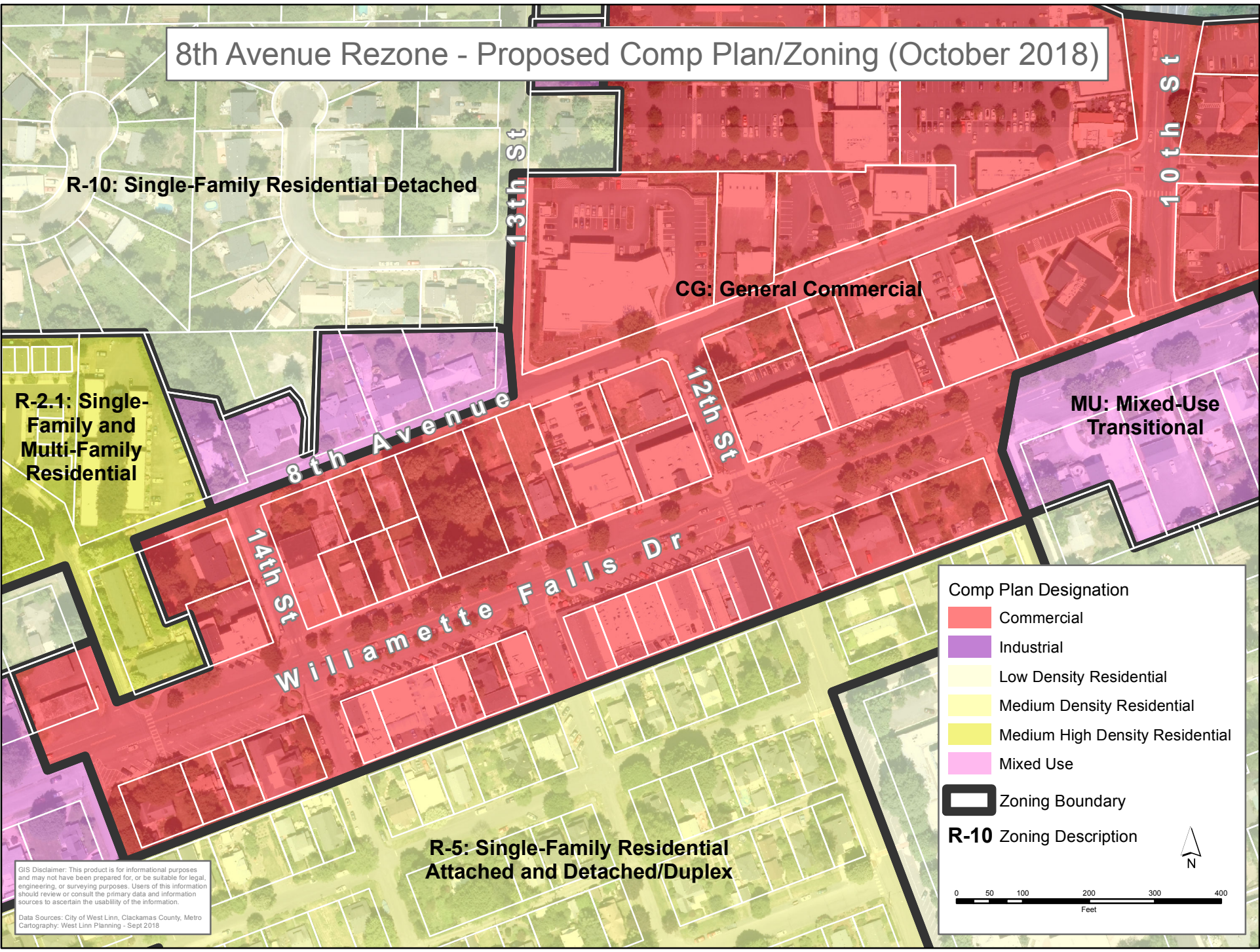
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GIS Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources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

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

# 8th Avenue Rezone - Proposed Comp Plan/Zoning (October 2018)



**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 – Proposed 8<sup>th</sup> Avenue Rezone  
Affected Properties

Rezone from Mixed-Use Transitional Zone to General Commercial

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

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

1800 8<sup>th</sup> Avenue (2S 1E 35C 02200)

Rezone from R-10 to General Commercial

1741 8<sup>th</sup> Avenue (3S 1E 02BA 01600)  
1755 8<sup>th</sup> 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 8<sup>th</sup> Avenue (3S 1E 02BB 00800)  
1722 8<sup>th</sup> Avenue (3S 1E 02BB 00702)  
1752 8<sup>th</sup> Avenue (3S 1E 02BB 00600)  
1771 8<sup>th</sup> Avenue (3S 1E 02BB 00500)  
1796 8<sup>th</sup> Avenue (3S 1E 02BB 00400)

## 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: 8<sup>th</sup> Avenue Rezone Proposal – Final Recommendation

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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 8<sup>th</sup> 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 8<sup>th</sup> Avenue, between 10<sup>th</sup> and 13<sup>th</sup> 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 8<sup>th</sup> Avenue, between 13<sup>th</sup> and 14<sup>th</sup> 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 8<sup>th</sup> 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 8<sup>th</sup> 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 8<sup>th</sup> Avenue as follows (please also see attached map):

Rezone from Mixed-Use Transitional Zone to General Commercial

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

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

1800 8<sup>th</sup> Avenue (West Linn Police Station)

Rezone from R-10 to General Commercial

1741 8<sup>th</sup> Avenue

1755 8<sup>th</sup> Avenue

1720 Willamette Falls Drive\*

1793 Willamette Falls Drive\*

1820 Willamette Falls Drive\*

1832 Willamette Falls Drive\*

\*Property contains frontage on both 8<sup>th</sup> Avenue and Willamette Falls Drive

Rezone from R-10 to Mixed-Use Transitional Zone

1698 8<sup>th</sup> Avenue

1722 8<sup>th</sup> Avenue

1752 8<sup>th</sup> Avenue

1771 8<sup>th</sup> Avenue

1796 8<sup>th</sup> Avenue

Since the City received no feedback from the property owners at 1741 and 1755 8<sup>th</sup> 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 8<sup>th</sup> 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,

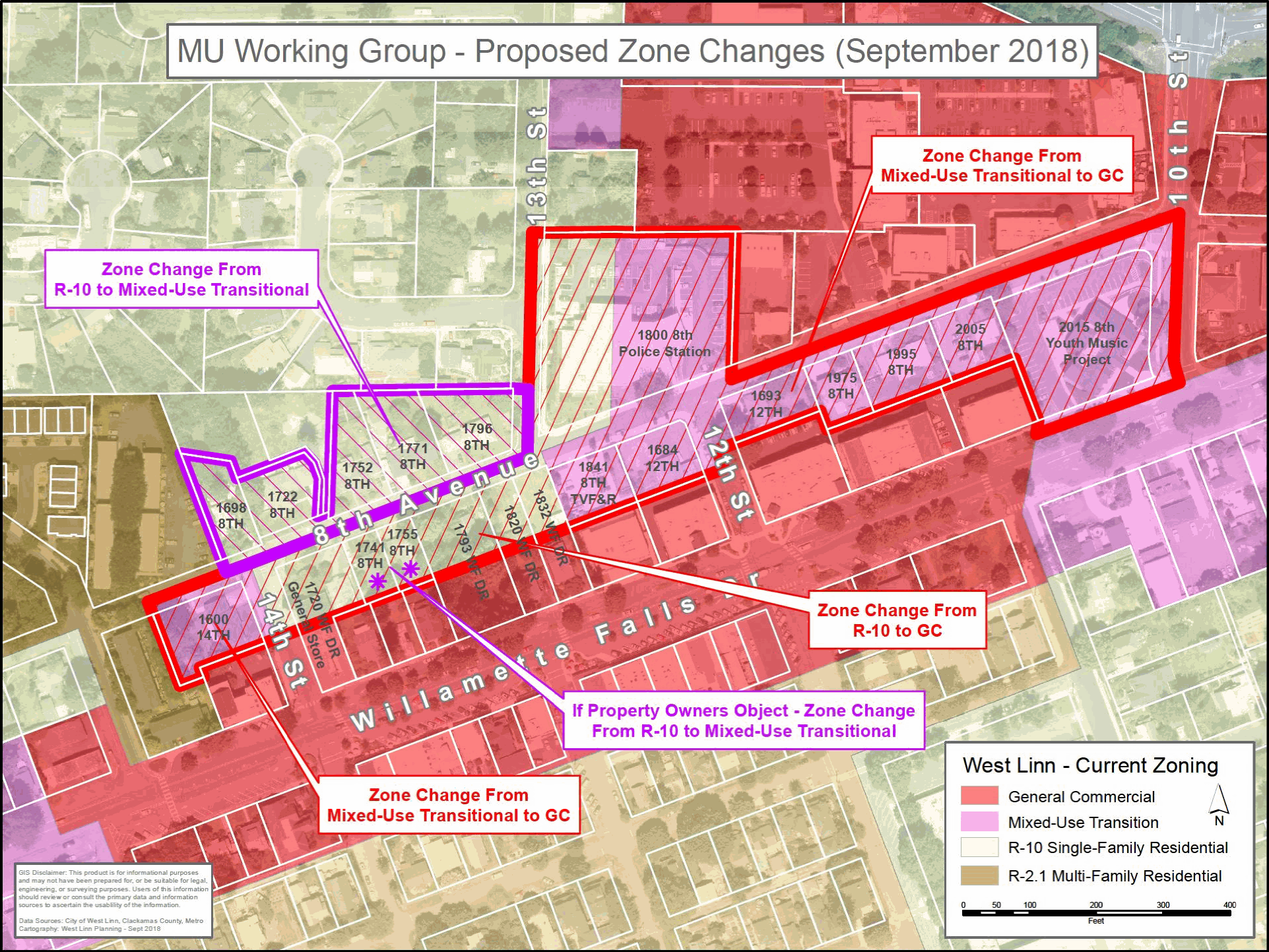


Shannen Knight

Chair, MU Working Group



# MU Working Group - Proposed Zone Changes (September 2018)



**Zone Change From R-10 to Mixed-Use Transitional**

**Zone Change From Mixed-Use Transitional to GC**

**Zone Change From R-10 to GC**

**If Property Owners Object - Zone Change From R-10 to Mixed-Use Transitional**

**Zone Change From Mixed-Use Transitional to GC**

**West Linn - Current Zoning**

- General Commercial
- Mixed-Use Transition
- R-10 Single-Family Residential
- R-2.1 Multi-Family Residential

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