

ORDINANCE 1713

AN ORDINANCE RELATING TO THE AMENDMENT OF WEST LINN COMMUNITY DEVELOPMENT CODE CHAPTER 85 TO IMPLEMENT A MINIMUM PAVED WIDTH FOR PUBLIC STREETS IN NEW SUBDIVISION PROPOSALS

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 West Linn Planning Commission heard concerns from the community that 24-foot pavement widths in new subdivisions were problematic; and

WHEREAS, the Planning Commission and City Council held a work session in February 2019 and Council directed staff to require 28-foot pavement width as default in new subdivisions; and

WHEREAS, staff implemented Council direction through a policy memorandum issued in April 2019 until an amendment could be brought forward; and

WHEREAS, the Planning Commission and City Council held a work session in October 2019 and Council directed staff to codify the policy memorandum; and

WHEREAS, the Planning Commission held work sessions in February 2020, April 2020, and June 2020 to review draft code amendments and provide direction to City staff;

WHEREAS, the Planning Commission held a public hearing on August 5, 2020 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 85: General Provisions, Section 85.200.A(3) through 85.200.A(4) is amended to read as follows:

3. Street widths. Street widths shall depend upon ~~which~~ the classification of street ~~is~~ proposed. The classifications and required cross sections are established in the adopted TSP.

The following table identifies appropriate street width (curb to curb) in feet for various street classifications. The desirable width shall be required unless the applicant or ~~his or her~~ their engineer can

demonstrate that site conditions, topography, or site design require the reduced minimum width. For local streets, a 12-foot travel lane may only be used as a shared local street when the available right-of-way is too narrow to accommodate bike lanes and sidewalks.

City of West Linn Roadway Cross-Section Standards

Street Element	Characteristic	Width/Options
Vehicle Lane Widths (Typical widths)	Minor Arterial	11 – 12 feet
	Collector	10 – 12 feet
	Neighborhood Route	10 – 12 feet
	Local	10 – 12 feet
On-Street Parking	Minor Arterial	Limited (in designated commercial zones)
	Collector	Optional (8 feet typical width)
	Neighborhood Route	Optional (8 feet typical width)
	Local	Optional <u>*</u> (8 feet typical width)
Bicycle Lanes (Typical widths)	Arterial	5 feet
	Collector	5 feet
	Neighborhood Route	5 feet
Cycle Track	Minor Arterial (30 MPH or greater)	7 feet
	Collector (30 MPH or greater)	7 feet
Sidewalks (Typical widths)	Minor Arterial	6 feet, 10 – 12 feet in commercial zones
	Collector	6 feet, 8 feet in commercial zones
	Along Cycle Track	6 feet, 10 – 12 feet in commercial zones
	Neighborhood Route/Local	6 feet (4 – 5 feet in Willamette Historical District), 8 feet in commercial zones
Landscape Strips	Can be included on all streets	6 feet typical (5 feet for minor arterials)
Raised Medians	5-Lane	Optional
	3-Lane	Optional
	2-Lane	Consider if appropriate
Neighborhood Traffic Management	Arterials	None
	Collectors	None
	Neighborhood Route/Local	At the discretion of the City Engineer

City of West Linn Roadway Cross-Section Standards

Street Element	Characteristic	Width/Options
Transit	Minor Arterial/Collector	Appropriate
	Neighborhood Route	Only in special circumstances
	Local	Not recommended

*** The minimum paved width for both internal and adjacent Local streets in new subdivision proposals shall be 28-feet, unless reduced in CDC.85.200.A(4).**

4. The decision-making body shall consider the City Engineer’s recommendations on the desired right-of-way width, pavement width and ~~street geometry of the various street types~~ **for streets** within **or adjacent to** the subdivision, ~~after consideration by the City Engineer of, the following criteria:~~ **To approve a street design less than the desirable width in CDC 85.200.A(3), the applicant shall demonstrate with proper documentation that one of the following applies:**

a. The street design will help protect a Water Resource Area and complies with the submittal requirements and approval standards found in CDC Chapter 32.

b. The street design will help protect a Flood Management Area and complies with the submittal requirements and approval standards found in CDC Chapter 27.

c. The street design will help protect the Willamette River Greenway, Tualatin River Greenway, or a Habitat Conservation Area and complies with the submittal requirements and approval standards found in CDC Chapter 28.

d. The street design will help protect steep slopes and complies with the submittal requirements found in CDC 85.170(C) and approval standards found in CDC 85.200(E).

e. The street design will help protect a cluster of significant trees and complies with CDC 85.200.J(9).

~~a. The type of road as set forth in the Transportation Master Plan.~~

~~b. The anticipated traffic generation.~~

~~c. On-street parking requirements.~~

~~d. Sidewalk and bikeway requirements.~~

~~e. Requirements for placement of utilities.~~

~~f. Street lighting.~~

~~g. Drainage and slope impacts.~~

~~h. Street trees.~~

~~i. Planting and landscape areas.~~

~~j. Existing and future driveway grades.~~

~~k. Street geometry.~~

~~l. Street furniture needs, hydrants.~~

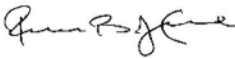
SECTION 2. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

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 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.

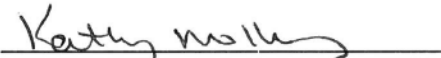
SECTION 4. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 2-5) need not be codified and the City Recorder or 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 14th day of September 2020, and duly PASSED and ADOPTED this 14th day of September 2020.



RUSSELL B. AXELROD, MAYOR



KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:



CITY ATTORNEY