

**ORDINANCE NO. 1717**

**AN ORDINANCE AMENDING THE WEST LINN ZONING MAP FROM WILLAMETTE NEIGHBORHOOD MIXED-USE TRANSITIONAL TO R-2.1 FOR THE PROPERTY LOCATED AT 1791 BLANKENSHIP ROAD**

**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; and

**WHEREAS**, the City of West Linn Community Development Code (CDC) Chapter 99 provides approval criteria for quasi-judicial decision-making and Chapter 105 provides approval criteria for amendments to the CDC and maps; and

**WHEREAS**, the Applicant sought approval for a zoning map amendment at 1791 Blankenship Road (Clackamas County Assessor Map 2S-1E-35CB, Taxlot 2600) to change the zoning from Willamette Neighborhood Mixed-Use Transitional to R-2.1; and

**WHEREAS**, the zoning map amendment requires a modification to the West Linn Zoning Map, which requires a West Linn Planning Commission recommendation and the West Linn City Council to approve by ordinance; and

**WHEREAS**, the West Linn Planning Commission (PC) held a public hearing, which was noticed in accordance with City standards, on October 21, 2020, and unanimously recommended approval of the Applicants request ; and

**WHEREAS**, the West Linn City Council held a public hearing, which was noticed in accordance with City standards, on November 9, 2020, to consider the PC recommendation, receive public testimony, and evaluate the decision-making criteria; and

**WHEREAS**, the Council decision is based on the findings contained in these Whereas Clauses, together with the findings, conclusions, and substantial evidence found in the associated land use record file ZC-20-01, which is incorporated by this reference.

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

**SECTION 1. West Linn Zoning Map Amendment.** The West Linn Zoning Map shall be amended to show the Willamette Neighborhood Mixed-Use Transitional and R-2.1 boundaries as depicted in Exhibit A for the Property identified on Clackamas County Assessor Map 2S-1E-35CB, Taxlot 2600 (1791 Blankenship Road).

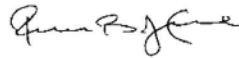
**SECTION 2. Severability.** The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

**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 30<sup>th</sup> day after its passage.

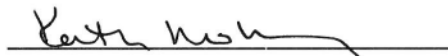
The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 33(c) of the City Charter on the 9th day of November 2020, and duly PASSED and ADOPTED this 16th day of November, 2020.



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RUSSELL B. AXELROD, MAYOR

ATTEST:

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KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

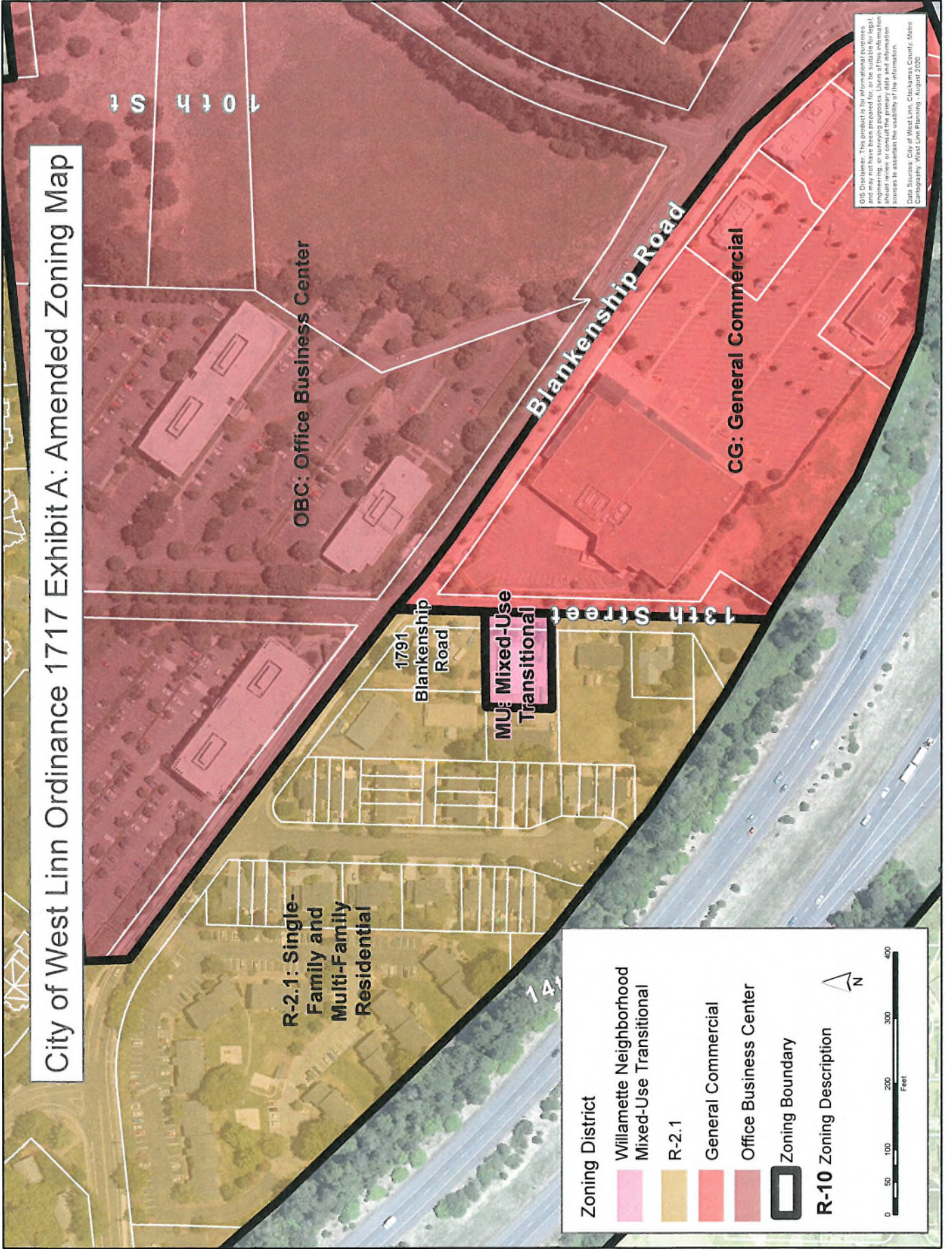
  

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CITY ATTORNEY



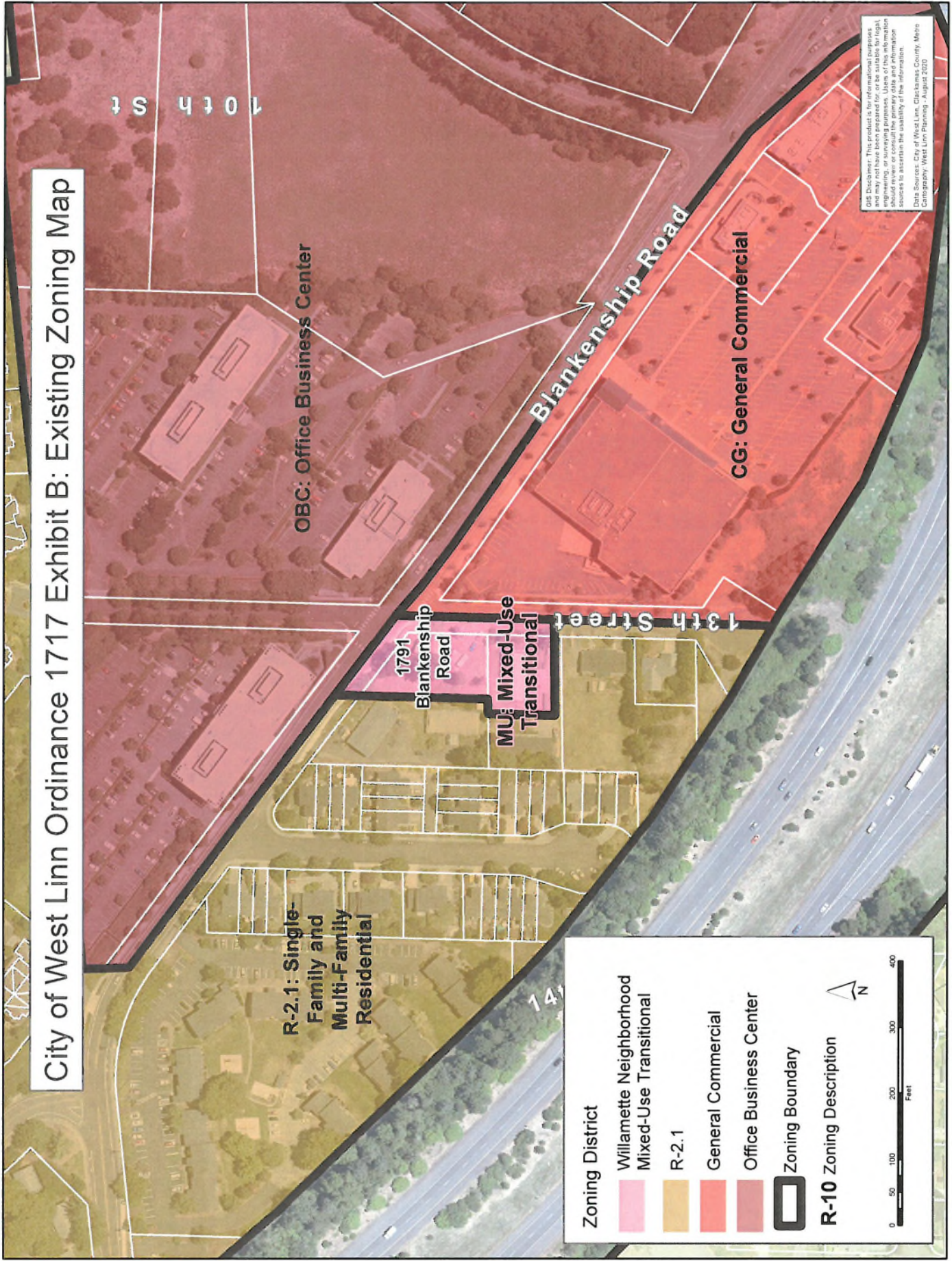
# City of West Linn Ordinance 1717 Exhibit A: Amended Zoning Map



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# City of West Linn Ordinance 1717 Exhibit B: Existing Zoning Map



**Zoning District**

- Willamette Neighborhood
- Mixed-Use Transitional
- R-2.1
- General Commercial
- Office Business Center

**Zoning Boundary**

**R-10 Zoning Description**

0 50 100 200 300 400  
Feet

North Arrow

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Map Source: City of West Linn, Clatsop County, Meira Cartography, West Linn Planning - August 2020