

**ORDINANCE NO. 1748**

**AN ORDINANCE RELATING TO THE AMENDMENT OF WEST LINN COMPREHENSIVE PLAN MAP  
TO IMPLEMENT THE REQUIREMENTS OF OREGON HOUSE BILL 2003**

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; and

**WHEREAS**, in 2019, in response to the state's housing crisis, the Oregon Legislature enacted House Bill 2003 to require communities to address needed housing; and

**WHEREAS**, the 2021 West Linn Housing Capacity Analysis showed the City was five-acres deficient in multi-family residential zoned buildable land to accommodate projected housing needs in the future; and

**WHEREAS**, Oregon Revised Statute 197.297 requires the City to rectify the deficiency of multi-family residential zoned buildable land as part of House Bill 2003 implementation; and

**WHEREAS**, the West Linn Planning Commission held three work sessions on April 5, 2023, June 21, 2023, and July 19, 2023 to discuss proposed House Bill 2003 amendments, including the proposed West Linn Comprehensive Plan Map amendments; and

**WHEREAS**, the property owner was consulted and supports the amendments; and

**WHEREAS**, the West Linn Planning Commission held a public hearing, which was noticed in accordance with City standards, on August 16, 2023, and recommended approval of the proposed West Linn Comprehensive Plan Map amendments; and

**WHEREAS**, the West Linn City Council held a public hearing, which was noticed in accordance with City standards, on October 9, 2023, to consider the Planning Commission recommendation, receive public testimony, and evaluate the decision-making criteria; and

**WHEREAS**, the Council's decision is based on the findings contained in these Whereas Clauses, together with findings, conclusions, and substantial evidence found in the associated land use record file PLN-23-01, which is incorporated by this reference.

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

**SECTION 1. West Linn Comprehensive Plan Map Amendment.** The West Linn Comprehensive Plan Map shall be amended as depicted in Exhibit A.

The following properties shall be included in the Medium-High Density Residential Plan Designation: 1200 Tamarisk Drive (2S 1E 34A 00600 and 2S 1E 34A 00700)

**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.

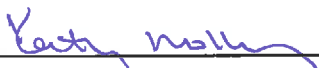
**SECTION 4. Codification.** Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 2-4) 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 30<sup>th</sup> day after its passage.

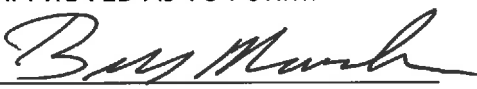
The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 33(c) of the City Charter on the 9<sup>th</sup> day of October 2023, and duly PASSED and ADOPTED this 9<sup>th</sup> day of October, 2023.

  
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RORY BIALOSTOSKY, MAYOR

ATTEST:

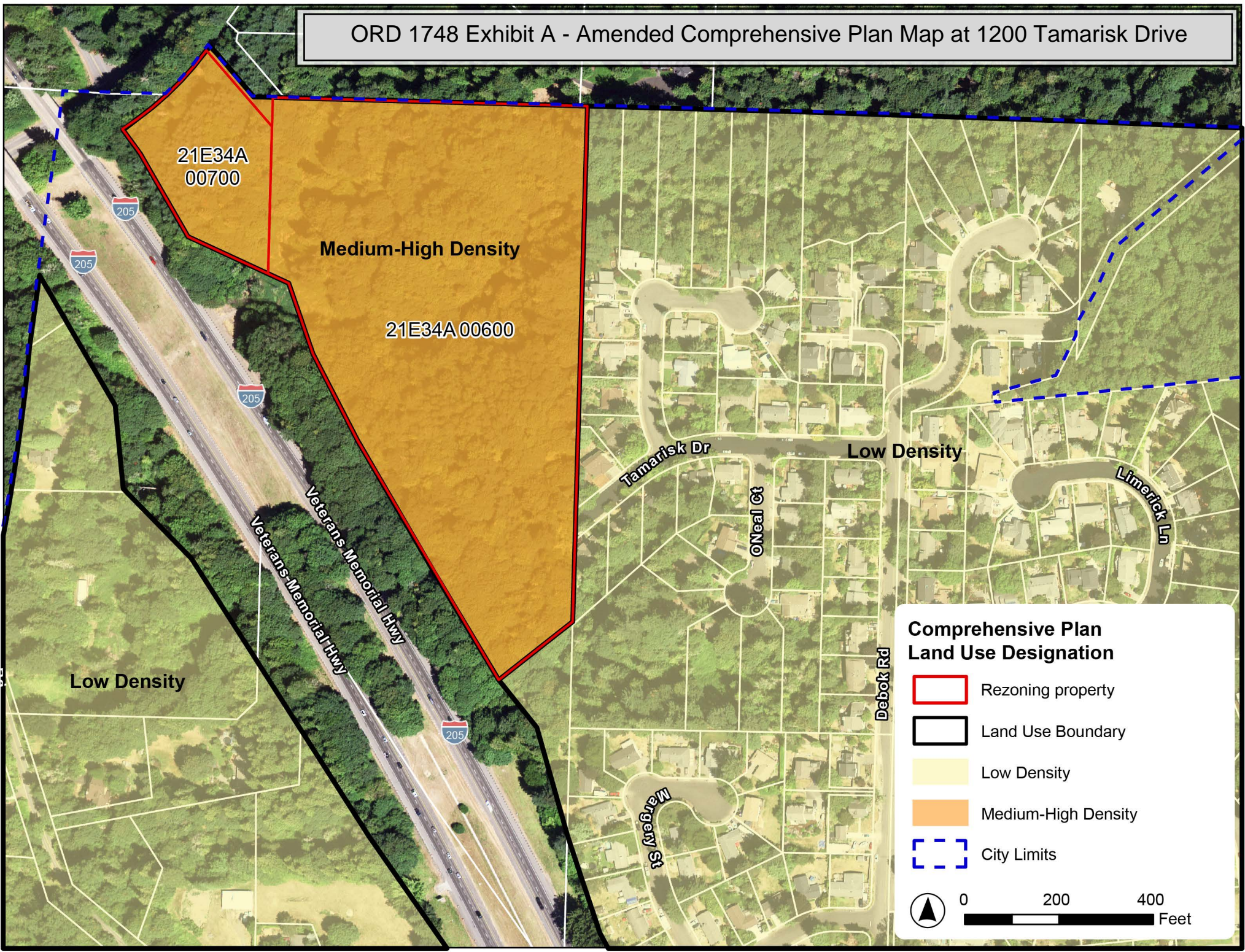
  
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KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

  
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CITY ATTORNEY



ORD 1748 Exhibit A - Amended Comprehensive Plan Map at 1200 Tamarisk Drive





ORD 1748 Exhibit A - Existing Comprehensive Plan Map at 1200 Tamarisk Drive

