

**ORDINANCE NO. 1749**

**AN ORDINANCE RELATING TO THE AMENDMENT OF WEST LINN ZONING 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 City identified two properties that were never zoned after annexation in 1998 and two properties with zoning that does not align with the West Linn Comprehensive Plan Map designation; 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 Zoning Map amendments; and

**WHEREAS**, the property owners were consulted and support the zoning 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 Zoning Map Amendment.** The West Linn Zoning Map shall be amended as depicted in Exhibit A.

The following properties shall be included in the R-2.1, Residential Zone:  
1200 Tamarisk Drive (2S 1E 34A 00600 and 2S 1E 34A 00700)

The following properties shall be included in the R-7, Residential Zone:  
3637/3939 Parker Road (2S 1E 25CB 03500 and 2S 1E 25CB 03600)

The following properties shall be included in the R-4.5, Residential Zone:  
4100 Norfolk Street (2S 1E 36BA 08100) and 4192 Sussex Street (2S 1E 36BA 08000)

**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.

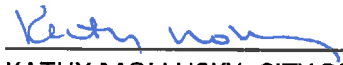
**SECTION 4. Codification.** Provisions of this Ordinance shall be incorporated in the City Code and the word “ordinance” may be changed to “code”, “article”, “section”, “chapter” or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas 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 9th 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

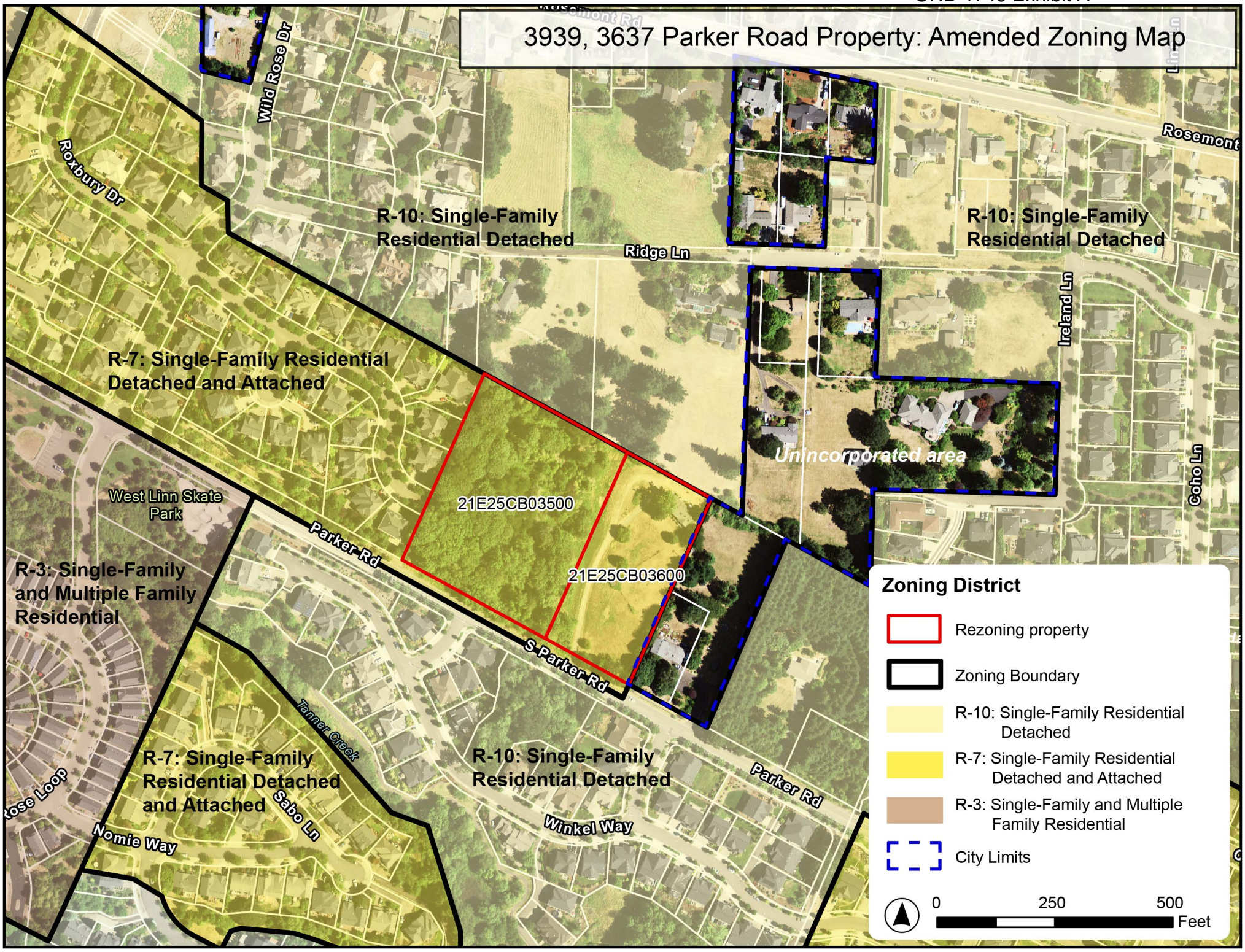
ATTEST:

  
\_\_\_\_\_  
KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

  
\_\_\_\_\_  
CITY ATTORNEY

# 3939, 3637 Parker Road Property: Amended Zoning Map

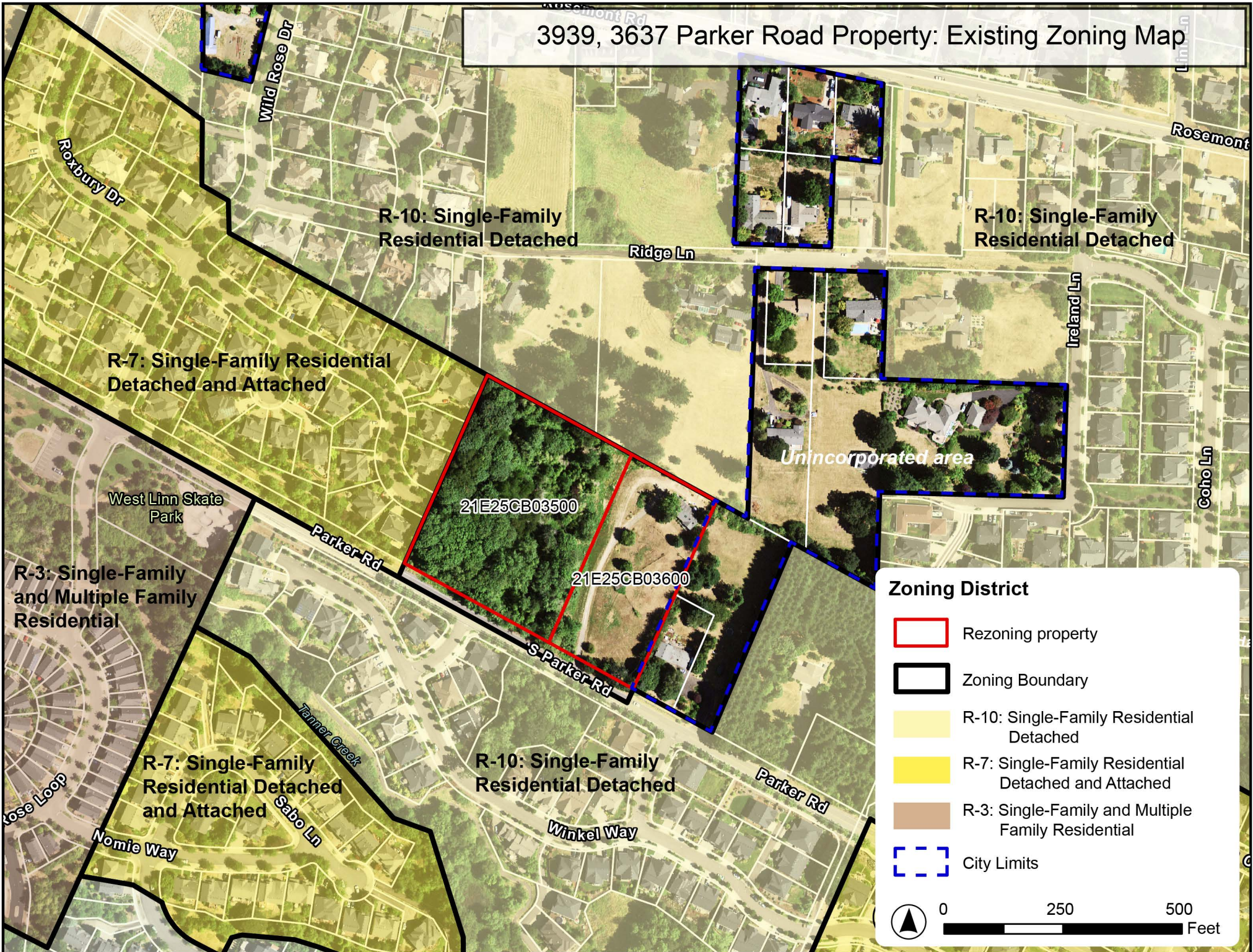


**Zoning District**

- Rezoning property
- Zoning Boundary
- R-10: Single-Family Residential Detached
- R-7: Single-Family Residential Detached and Attached
- R-3: Single-Family and Multiple Family Residential
- City Limits

0 250 500 Feet

# 3939, 3637 Parker Road Property: Existing Zoning Map



R-10: Single-Family Residential Detached

R-10: Single-Family Residential Detached

R-7: Single-Family Residential Detached and Attached

Unincorporated area

R-3: Single-Family and Multiple Family Residential

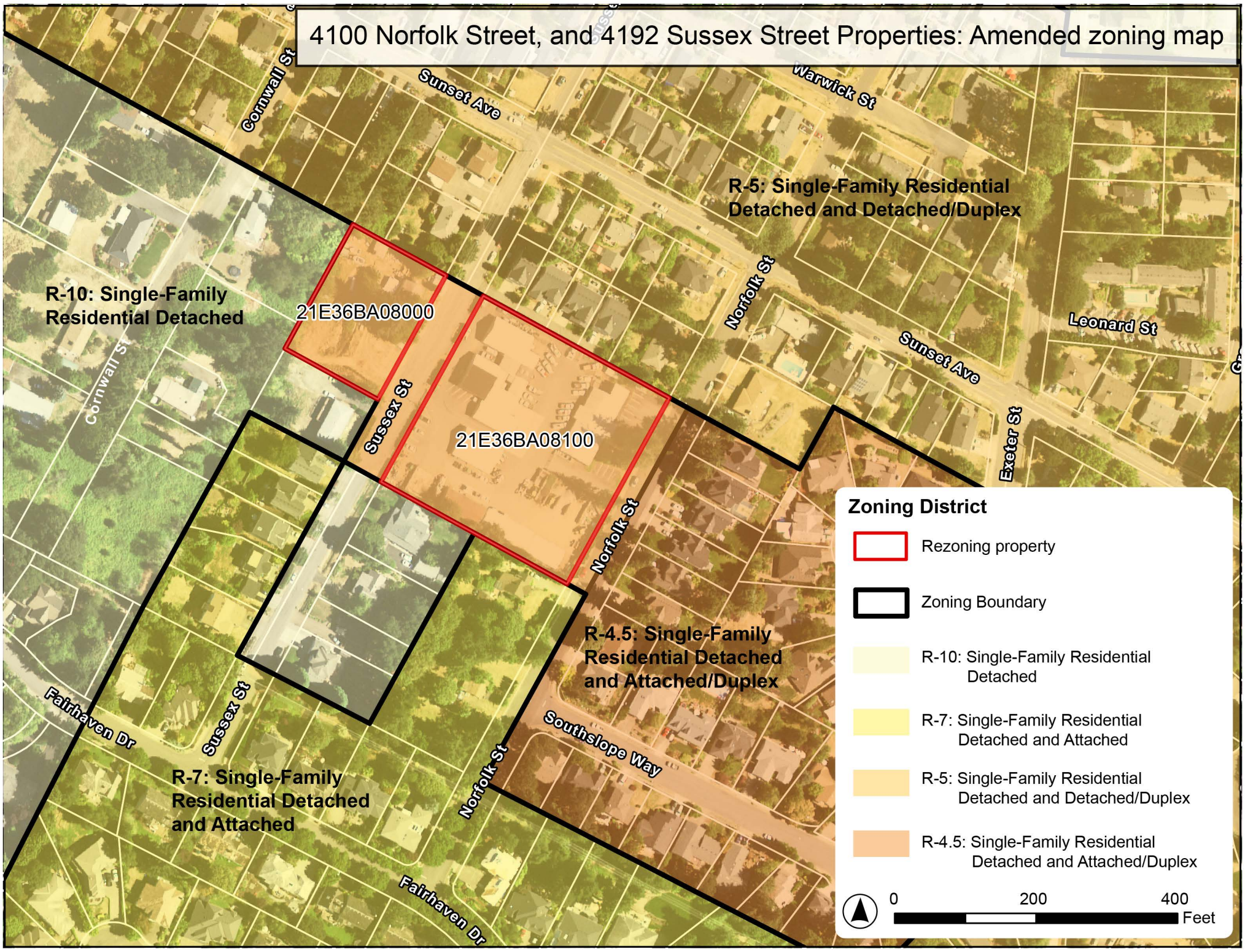
R-7: Single-Family Residential Detached and Attached

R-10: Single-Family Residential Detached

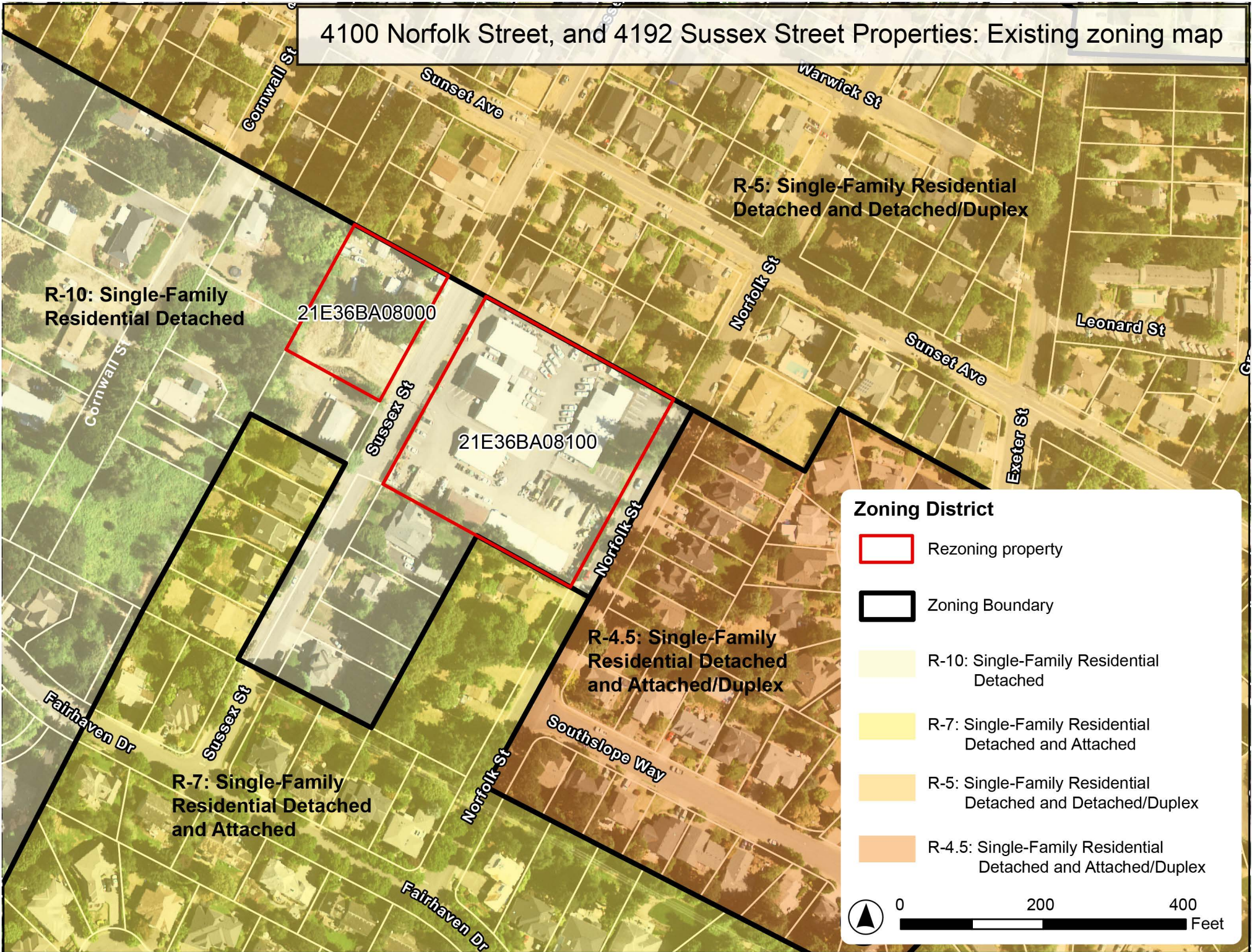
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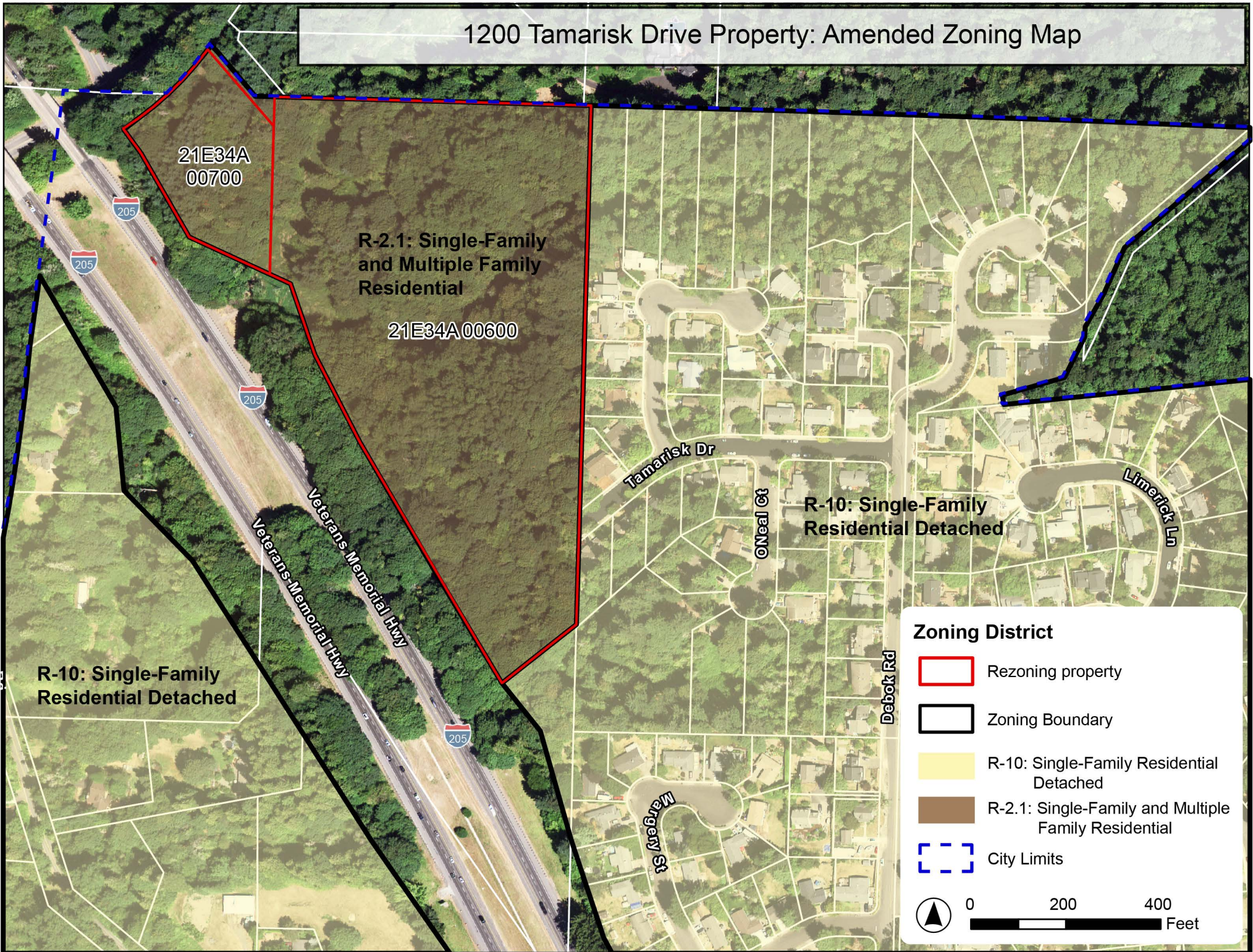
4100 Norfolk Street, and 4192 Sussex Street Properties: Amended zoning map








# 4100 Norfolk Street, and 4192 Sussex Street Properties: Existing zoning map




# 1200 Tamarisk Drive Property: Amended Zoning Map



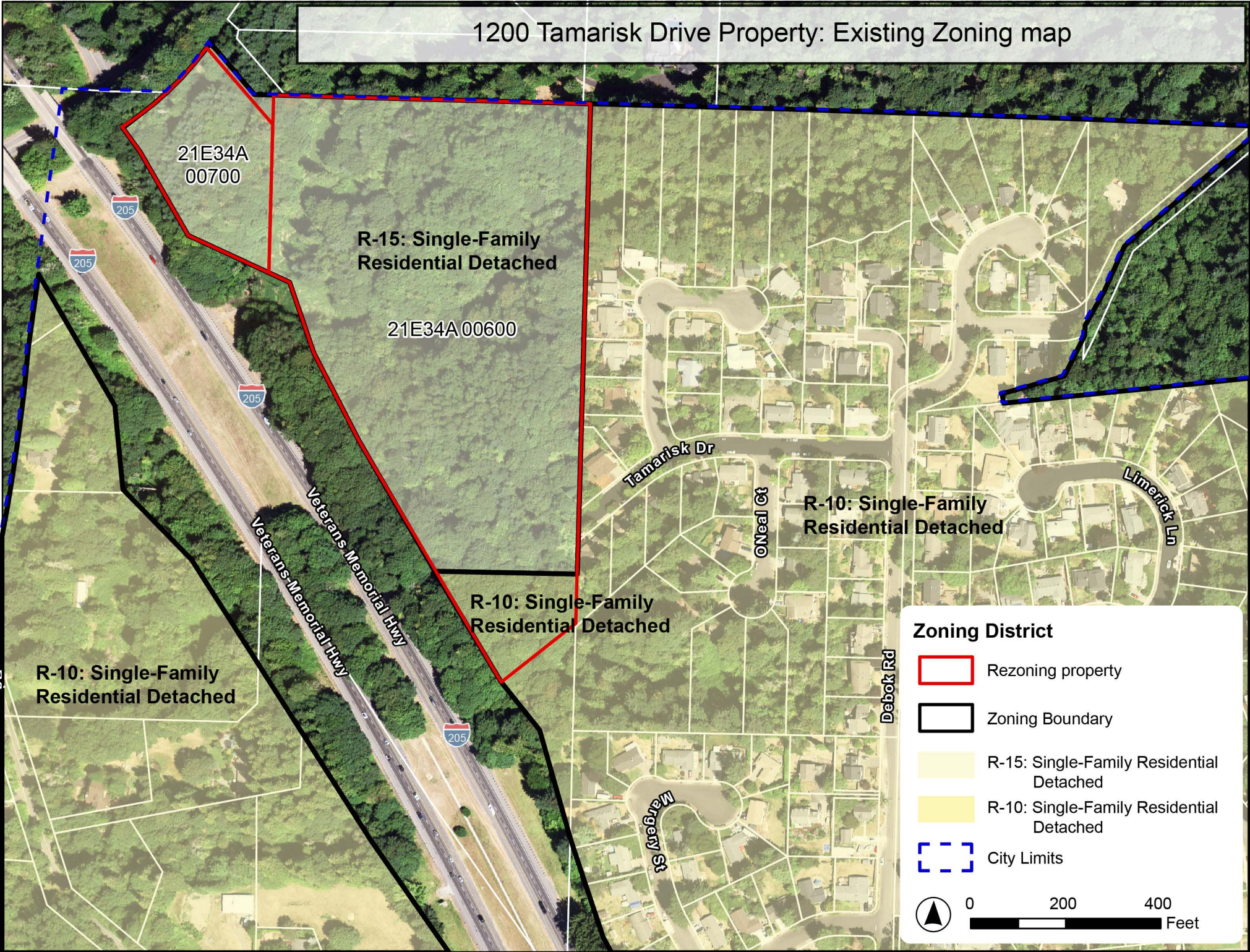
**Zoning District**

-  Rezoning property
-  Zoning Boundary
-  R-10: Single-Family Residential Detached
-  R-2.1: Single-Family and Multiple Family Residential
-  City Limits






 0 200 400 Feet



1200 Tamarisk Drive Property: Existing Zoning map



**Zoning District**

-  Rezoning property
-  Zoning Boundary
-  R-15: Single-Family Residential Detached
-  R-10: Single-Family Residential Detached
-  City Limits

