PLANNING COMMISSION
Meeting Notes July 16, 2025

Commissioners present:	Jason Evans, Joel Metlen, Gary Walvatne, David D. Jones, Kathryn Schulte-Hillen, and Tom Watton
Commissioners absent:	Kris Kachirisky
Councilor present:	Carol Bryck
Public testimony:	Terrance Shumaker, Nicole Jackson, and Russ Axelrod
Staff present:	Planning Manager Darren Wyss and Management Analyst Lynn Schroder

---

The meeting video is available on the **City website.**

1. **Call To Order and Roll Call**
   Chair Metlen called the meeting to order at 6:00pm. Planning Manager Wyss called the roll.

2. **Public Comment related to Items not on the Agenda**
   None.

3. **Approval of Meeting Notes: 05.21.2025 and 06.18.2025**
   Commissioner Evans moved to approve the meeting notes for 06.18.2025. Commissioner Walvatne seconded. **Ayes: Watton, Schulte-Hillen, Walvatne, Evans, and Metlen. Nays: None. Abstentions: Jones. The motion passed 5-0-1.**

   Commissioner Watton moved to approve the meeting notes for 05.21.2025. Commissioner Walvatne seconded. **Ayes: Schulte-Hillen, Walvatne, Watton, and Metlen. Nays: None. Abstentions: Jones and Evans. The motion passed 4-0-2.**

4. **Work Session: Proposed CDC Clean-Up Amendments**
   Planning Manager Wyss noted that some individuals may be present to testify on Topic Four of the proposed CDC amendments, which addresses the Limited Land Use decision-making process. The City recently received revised guidance from the Department of Land Conservation and Development that contradicts earlier communications. As a result, further consultation with the City Attorney's Office is necessary to fully evaluate the new direction and determine the most appropriate approach for updating the development code to comply with state requirements. Given this, Wyss recommended removing Topic Four from the current amendment package and proceeding with the proposed density-related code updates. The Planning Commission will discuss limited land use decisions at a future date after consulting the city attorney.

   Public testimony was provided by Russ Axelrod, Terrance Shumaker, and Nicole Jackson. Public testimony expressed concern about the proposed removal of the Planning Commission from key land use decisions. Speakers emphasized the importance of maintaining opportunities for public input and ensuring transparency in the development review process. Nicole Jackson testified that the process for street vacations should not be moved to the Municipal Code.

Wyss presented the staff report on the proposed density-related amendments to the West Linn Community Development Code (CDC), focusing on clarifications to minimum and maximum density calculations and lot configurations.

Topic One addresses the lack of clarity and consistency in how density is calculated under the current Community Development Code. At present, the definitions of “acres gross” and “acres net” appear in only one section of the code, contributing to confusion and inconsistent application. The proposed amendments would eliminate these terms and introduce a more widely used and consistent approach to defining and calculating density. Currently, there is no single, clear, and objective section that explains how to determine both maximum and minimum density. These changes aim to streamline the code language, enhance clarity, and ensure density requirements are applied uniformly across all development projects.

Commissioner Walvatne asked for clarification about how the proposed changes to definition of “acres net” and “acres gross” will be applied throughout the code. Wyss explained that changes in the definitions eliminate duplicative terms.

Commissioner Walvatne asked how the density changes effect trees. Wyss explained that the proposed amendments clarify how density is calculated. The process begins with the gross developable area, from which specific types of land—identified in the code as Type I and Type II lands—are subtracted. These include land dedicated for public parks, public rights-of-way, and proposed private streets. The result is the net developable area. The code currently allows, and will continue to allow, applicants to optionally subtract areas containing heritage trees, significant trees, or tree clusters from the net developable area if they choose. This optional deduction provides additional flexibility for preserving natural features within the development site.

Topic 2 seeks to clarify the Partition Minimum Density Exemption that has been interpreted by some applicants to mean that if a proposed partition includes only three parcels, the project is exempt from minimum density requirements—regardless of the maximum density allowed.

Topic 3 focuses on the layout of streets and lots/parcels during development to ensure that future changes or issues can be effectively managed. The CDC is not clear and objective regarding the referred lot shape. This has recently led to a variety of creative lot/parcel configurations. Consistent lot sizes and shapes contribute to cohesive neighborhood design and a stronger sense of community. The amendments address these concerns through provisions related to lot size, shape, and the alignment of side lot lines.

Commissioner Walvatne expressed interest in including a tree code update as part of the current code amendment package. In response, Wyss explained that while the tree code update is on the Planning Commission’s docket, it has not been prioritized by the City Council. He also noted that the update is expected to be a substantial, in-depth, and time-intensive process.

5. Work Session: West Linn Waterfront Vision Plan

Public testimony was provided by Russ Axelrod, Terrance Shumaker, and Nicole Jackson. Public comments reflect ongoing concerns about aspects of the proposed development and the transparency of the planning process.

Russ Axelrod testified that, in his view, the community engagement process for the Waterfront Vision Plan has failed in public involvement and community-based planning. He urged the City and Planning Commission to pause the current schedule for advancing the plan to City Council. He recommended

taking the time to engage more fully with the entire community and prepare a revised version of the plan in 2026.

Terrance Shumaker testified that a key concern with the Waterfront Vision Plan lies in the design of the final survey questions and flawed survey results, leading to potential bias. He stated that the community overwhelmingly stressed the need to preserve a wetland in the pond district and that community feedback was not represented in the Vision Plan. He urged prioritization of environmental cleanup before advancing development plans in sensitive areas.

Nicole Jackson testified that most public comments regarding the Pond District supported preserving it as a natural area with minimal development. However, this feedback appears to have been largely overlooked, with only a brief acknowledgment in the Community Engagement Summary. She stated that the plan proposes medium-density development in a critical natural resource area, including the floodplain—contradicting most community feedback, which favored preservation. She also noted that the final survey was flawed.

Wyss presented the final draft vision plan, highlighting the guiding principles and community engagement efforts that have taken place since 2016. The waterfront is divided into three distinct planning districts, each with its own characteristics and access challenges. The final vision plan seeks to revitalize the area by promoting diverse land uses and improving access to the river.

The city has engaged the community for ten years, with the feedback distilled and incorporated into the final draft vision plan. Community input played a key role in shaping the plan, with a strong emphasis on environmental stewardship and transportation enhancements.

The working group reached consensus to advance the vision plan to City Council, accompanied by five recommendations. Members emphasized the importance of incorporating affordable housing and integrating Smart Growth principles to guide future development. Ensuring strong access to and throughout the project area was highlighted as a critical component. There was also a recommendation to strengthen the language around the reuse of existing structures to better reflect sustainability goals. Some participants requested additional time for the community to provide further feedback. Working Group member Schultz expressed objections, specifically calling for more certainty around the future use of the property. The representative from the Confederated Tribes of Grand Ronde chose not to take a position on the plan.

Commissioner Evans clarified that the Waterfront Plan is just a vision plan and does not proposed changes to the development code. Wyss stated that the next phase would be to work with the community to consider rezoning of properties and changes to the development code that would align to the district visions. Evans pointed out that properties within the district can already be developed under the current zoning and development code, regardless of the proposed vision plan.

Commissioner Walvatne stated that the 2021 Willamette Falls Drive Concept Plan, which informed the Waterfront Plan, includes relocating the road onto the Mill Property. This new alignment would run directly behind five historic properties. He expressed concern that this could create an uncertain situation, potentially resulting in two roads: one in front and one behind the properties. Walvatne questioned how property owners would access their buildings under this configuration. He also noted that the 2021 concept plan plans for new round-about near the existing roundabout for the I205 exit. He noted having 2 roundabouts so close together would be like a roller coaster. He objected to moving WFD to the mill parking lot. He stated that the property owner should be developing the roadway, not the City. Lastly, he noted that the Willamette Falls Trust received $45 million from the Oregon

Legislature to purchase property on the West Linn side of the Willamette River. He expressed that the Willamette Falls Trust is leaving out the Confederated Tribe of the Grand Ronde. He stated that these issues need to be worked out before the Waterfront Vision Plan can move forward. He also expressed frustration that the City has not adopted roundabout design manual similar to Bend. He did not believe the plan reflected the community vision for the Pond District related to housing density.

Commissioner Jones asked how public and Commissioner comments would be addressed. He noted his concern about whether all public input is being fully represented. He underscored the need for more conversation—particularly around the accuracy of the survey, representation of public comments, and FEMA code updates to create better community support for the Waterfront Plan.

Wyss responded that the federal directive regarding FEMA code updates has changed and is currently in flux. As a result, the July 31, 2025 deadline is no longer applicable. However, the City still plans to move forward with implementing the updates this fall. The floodplain is currently located within the Willamette and Tualatin River Greenway overlay, as defined in the existing code. Under these regulations, any development in these areas must include restoration and mitigation measures to address potential impacts. The upcoming FEMA code updates will reinforce this by requiring no net loss of habitat. Applicants will be required to conduct a habitat assessment and demonstrate that their projects will not harm salmonid habitat. While these FEMA requirements are new, the intent largely aligns with the existing code—just addressed in a different section.

Regarding community engagement, Wyss noted that it is thoroughly documented in Appendix A. He noted that the final survey was meant to be a broad temperature check, not a scientific survey. He emphasized that the City has been engaging the public on this project for ten years. While the community could continue to "plan about the plan," he cautioned that ongoing discussions without action would prevent the City from moving forward with implementation.

Wyss stated that after ten years of outreach, the project has reached final stage of adoption. Out of a city of 27,000 residents, only five public comments were received, which he suggested indicates broad community acceptance—or at least an absence of significant opposition.

He emphasized that the plan is well-informed and supported by a recommendation from the working group. He clarified that the Planning Commission’s role is to provide a recommendation to the City Council, which will ultimately decide whether to adopt the plan.

Delaying adoption of the vision plan, he explained, would hinder efforts to revitalize the area in a way that promotes a diverse mix of land uses, enhances river and recreational access, and honors the area's heritage. Without the plan in place, properties remain subject to current zoning regulations which primarily designates the area for industrial use. Medium-density residential zoning exists at both the northern and southern ends of the site, along with a commercial zone located at the northern edge. Current land use designations hinder the site’s potential for more diverse and versatile land uses including river access.

Commissioner Watton acknowledged that achieving unanimous community support for the plan is not feasible but emphasized that this should not hinder progress. He cited the example of the Wizer Block development in Lake Oswego, which faced strong public opposition in the early 2000s. Despite that initial resistance, the project was ultimately completed and is now widely supported by the community.

Commissioner Evans echoed Commissioner Watton's statement, emphasizing that it is the Planning Commission's responsibility to evaluate whether the City has fulfilled its role in developing and presenting the plan. He stated that commissioners must ultimately consider whether the plan serves the best interests of the community. He stated that the City Council tasked staff with developing a vision plan, and staff has fulfilled that directive. The plan has now been presented to the Planning Commission for feedback, and he believes the Commission's role is to provide that input and help move the process forward.

Chair Metlen commented that, even though the document is a concept plan, there is inherent risk in using it as a foundation for decision-making without a thorough public process to vet key elements. He expressed concern that, without that process, some parts of the plan could be perceived as endorsements rather than preliminary ideas.

He pointed specifically to the section of the plan showing medium-density residential in the Ponds District. While it is labeled as being in the planning stage, he noted that it could easily be interpreted as a formal endorsement of future development—especially since the map itself shows that the area lies within the 100-year floodplain.

Metlen warned that this creates the expectation that development is not only possible but desired by the City, even though there are many regulations and constraints that may prevent it. He emphasized that the City may, in fact, be neutral on whether that development should occur, and cautioned that depicting it prematurely could be seen as a directive rather than a possibility.

Chair Metlen asked staff to respond to a comment regarding the need to change the Comprehensive Plan in the Ponds District. Wyss clarified that the Comprehensive Plan designation for the Pond District is already established and there is no intention to change either the current zoning or the Comprehensive Plan designation for existing residential zones. He further explained that the commenter's request to downzone property could raise potential legal concerns, including a possible takings issue. He stated that the City may need to include additional language regarding mixed-use development to strengthen the connection between the Comprehensive Plan and the potential changes to zoning and development codes.

6. Planning Commission Announcements

None.

7. Staff Announcements

Planning Manager Wyss reviewed the upcoming Planning Commission schedule.

8. Adjourn

Chair Metlen adjourned the meeting at approximately 8:10pm.

Schroder, Lynn

From: Russell Axelrod <rbaxelrod@yahoo.com>
Sent: Wednesday, July 16, 2025 11:22 AM
To: lshroder@westlinnoregon.gov
Cc: City Council; Planning Commission (Public); Wyss, Darren; #Committee - Citizen Involvement; Choi, Danielle
Subject: My comments/testimony for PC Agenda Items 4 and 5 at today's meeting
Attachments: Axelrod comments on PC Agenda Items 4 and 5_7-16-25 PC Mtg.pdf

Hi Lynn,

Could you please see that my comments (pdf attached) are added to the record and distributed to our Planning Commission (PC) members at your earliest convenience for the PC meeting tonight. I intend to provide public comment on these items at the PC meeting and will fill out forms then.

Thanks so much, and stay cool in this hot weather.

Russ Axelrod
Former Mayor and Planning Commissioner
19648 Wildwood Drive
West Linn, OR 97068
(503) 312-8464

July 16, 2025

To: West Linn Planning Commission Members

From: Russ Axelrod, Former Mayor, Planning Commissioner, and 34-year resident of West Linn

Cc: West Linn City Council Members

Subject: Concerns with Items 4 (Proposed CDC Clean-Up Amendments) and 5 (West Linn Waterfront Vision Plan) of the Planning Commission's July 16, 2025 Agenda

In the limited time available before your July 16 meeting, I'm offering brief comments underlying serious concerns with Agenda Items 4 and 5, and the public process associated with these separate, but related items of significant importance to our community.

Agenda Item 4 – Proposed CDC Clean-Up Amendments

The proposed CDC amendments are described by staff as being required in response to Senate Bill 1537 passed by the Oregon Legislature in 2024. The intent of SB1537 was to provide guidelines to cities to increase housing production, affordability, and choice where existing land use planning practices, and notably the 120-day application review process, was precluding such community development.

If any cities' existing land use practices are reasonably fair, equitable and not significantly contributing to their housing production, affordability and choice factors, cities can apply for exemptions to the mandatory provisions of SB1537. Several cities have so far applied for these exemptions, including at least Lake Oswego, North Bend, Milwaukie, Salem, Sandy, and Tualatin. From my limited review of the public record, it appears West Linn staff may have started an exemption petition, but failed to thoroughly and aggressively pursue the effort. If so, none of this information is explained in the staff documentation, and the PC has also (unfortunately) not been informed or engaged in this process.

West Linn does not have a problematic record in meeting the 120-day development application review and approval process. In addition, our planning review and approval process is not a critical factor limiting housing production, affordability, and choice. Arguably, the principal factor limiting alternative housing options in West Linn is land cost and other complicated market and financial factors not in West Linn's control, and all completely unrelated to our existing planning review and development process.

In these so-called "CDC Clean-Up Amendments," staff is proposing to remove the Planning Commission (PC) from all Class II Design Review and Permitting applications/projects – essentially eliminating the core and essential function of our PC, and eliminating our citizens' rights to shape our community in compliance with their best interests and West Linn's Comprehensive Plan. If these so-called "amendments" are allowed to move forward, all critical development and permitting projects in West Linn will be determined by the Planning Director with no more public hearings before the PC for citizen engagement and input in the project planning process. This is completely unacceptable proposal for West Linn residents and is equally troubling and offensive to our community for staff to try and pass such a profound change in the middle of summer when most folks are taking a break from their complicated lives, and to essentially hide the proposal by describing them as "CDC Clean-Up Amendments."

I urge the PC to put an end to this proposal here and now and for the PC to work closely with staff to develop the appropriate evidence and documentation, as necessary, to demonstrate a qualified exemption from such mandatory provisions of SB1537 that would eliminate the PC from Class II Design Review and Permitting applications.

Agenda Item 5 – West Linn Waterfront Vision Plan

The effort to Master Plan our Waterfront area was one of the principal goals I championed as Mayor in 2016. Staff did an excellent job pursuing an effective public engagement process before the Covid-19 pandemic shut things down for 2-3 years. I was grateful to see the process resurrected by the new Council, however, this later phase of this project managed by our Planning Director has been a complete failure from a public engagement and objective community planning perspective. The waterfront plan still contains key elements in direct conflict with our CDC and Comprehensive Plan (and notably critical environmental protection measures), is sometimes internally in conflict with its own design principles and framework (notably for the Ponds District), and is overwhelmingly in conflict with community sentiment for the Ponds District presented in the plan.

As one personal example of the recent failed process, I submitted two sets of comments to planning to be distributed to Working Group (WG) members in December 2024 and April 2025, and none of my comments were shared with all WG members. I have heard from other community members that their comments were also apparently not shared with all WG members.

In my April comments I noted to staff that not distributing public comments to WG members violates Item 14 of their own WG Guidelines, and still my comments and other public comments were filtered by staff and not distributed to WG members. This is totally unacceptable practice by our staff. It is important to this process that all community members are heard and all public comments are received and considered by WG members, and also retained in the public written record of the WG's conduct.

I submitted written comments because I found the online survey approach used by the city consultants too general and flawed, and completely ineffective at documenting and conveying important issues and details. I also wanted to be sure my comments would not get filtered from the WG or others in future decision-making. I realize the waterfront plan is intended to be more conceptual and subject to certain changes in the future; however, from my experience participating in and at times approving such plans for our City, it is critical to get the planning document as accurate as possible. This helps to prevent or limit community misunderstandings, minimize legal proceedings, and reduce stress for the community and staff in the future when actual land and project decisions are made and implemented.

Based on these WG failures, and the many public concerns with the existing draft plan, I urge the city and PC to pause the schedule for advancing the plan to Council, and take the time to engage with our community members to prepare a revised draft plan later in 2025 or 2026 depending on other priorities of the PC docket.

While many aspects of the draft plan are appropriate and fitting for West Linn's future, the PC will need to revise the current draft plan to address items not discussed or adequately vetted by WG members and to better reflect West Linn community comments, certain CDC criteria, and our Comprehensive Plan. At this stage at minimum, the following aspects of the plan should be addressed by the PC before a draft plan is submitted to Council:

1. Historic City Hall District. The plan should acknowledge the vision of the Willamette Falls & Landings Heritage Area Coalition (Coalition) to establish a 56-river mile region that includes West Linn's waterfront area as Oregon's first National Heritage Area (NHA), with Historic City Hall restored as a cultural center and gateway to the NHA in partnership with the City of West Linn. The U.S. National Parks Service has approved the Coalition's application meeting NHA criteria and for the non-profit Coalition to be the managing entity for the NHA.

2. Cultural Heritage District. The plan commits a large area of Moore's Island (currently owned by PGE) to "The Willamette Falls Inter-Tribal Public Access Project," when an actual project or plan for the property has not yet been developed, proposed, and vetted at any level by the WG or the West Linn community. The Oregon legislature recently awarded the Willamette Falls Trust (now a Columbia Basin Tribal based entity) $45m toward the future purchase of the island area, and the Trust has apparently envisioned (I believe perhaps internally?) a concept for Tribal use/access of the land in the future; however, there is much uncertainty about what all this means for possible future use and by whom? As a concept, I applaud the goal for enhancing public access to the Willamette River and Falls area; however, at this point there is no actual "Project" that has been proposed or vetted in the West Linn community to understand what this means and whom/where the land/area would be accessible to? I suggest the plan include further context and clarity on the intended future use of the property, and recognition of the public engagement and approval process any future project will be subject to in accordance with West Linn planning and development protocols.

3. Ponds District. The plan should remove the depiction of dense housing construction shown within the wetland and 100-yr floodplain along 5th street which is inappropriately presented in this manner by staff as an acceptable/desired land use for WG member Mr. Bob Schultz, owner of SDG-2 LLC. Such use conflicts with the plan framework to place the "natural and cultural assets" of the district "at its core." It also conflicts with the plans 'Design Principles for Environmental Stewardship' intended to "*ensure resiliency with land uses that can withstand flooding and are appropriate within the 100-yr floodplain*" and to "*safeguard natural and sensitive areas through wetland, habitat, and shoreline restoration.*" Staff's depiction of dense housing at this location in this manner as a defacto acceptable land use is offensive to the community and further violates aspects of West Linn's Comprehensive Plan and Community Development Code.

An initial application to partition land and vacate rights-of-ways for possible future development was withdrawn last February after significant community testimony in opposition to the project and its underlying concept for future land use. In addition, no development project for this location has actually been filed with the City, so it's depiction on the plan map as a project "currently in the planning stage" is technically and legally inaccurate, and further inappropriate and the depiction should be removed from the vision plan. I fully support the need for dense housing opportunities in the waterfront plan and area, but they must be located at the right location(s) and the wetland property is a completely unacceptable location for such housing. In addition, already more than 3,000 community members have expressed their opposition to this development concept.

In learning more about Mr. Schultz's intended housing project invasive to the wetlands, I also became aware of serious concerns with the status of the adjacent contaminated ponds area of this property, also owned by Mr. Schultz. These matters should be generally understood and of concern for any party/group tasked with recommending future land use(s) for our community's highly valued waterfront area. I have

worked professionally for more than 40 years on similar cleanup matters in Oregon and across the country. I have also since met with the DEQ on behalf of Friends of Willamette Wetlands (FOWW) to learn more about the project status, and recently discussed with DEQ potential leakage concerns at the waste pond and the fact that they have not followed State and Federal cleanup rules in their process which has allowed the situation and property/conditions to flounder (more than 10 years) and degrade with the potential to impact Bernert Creek and the Willamette River, and in the process also compromised city/community planning efforts. FOWW is committed to seeing that cleanup rules are followed and that the cleanup plan be properly assessed by completing a Feasibility Study (FS) and implementing cleanup before any further development of the ponds property/area is considered. In accordance with state and federal cleanup rules, the cleanup plan process/approach must also involve public engagement. Based on this understanding of technical issues and potential leakage of contamination from the ponds area recently, the PC should make a similar recommendation to Council.

4. Recommendation to ban casino operations. In my prior written comments to the WG that were never provided by staff, I recommended that our waterfront plan include a clear statement prohibiting any form of casino/gambling operations in the future. Given the complications associated with some Tribal entities around casino matters, and the potential uncertainty of State control of casino operations in Oregon in the future, I feel this clarification is appropriate for the West Linn community and neighboring cities. This represents another key comment not responded to by staff or WG members.

5. Other 'housekeeping' plans not vetted by WG members. There were several staff memos and other planning related documents included in recent agenda packets of the WG that did not appear to be discussed/considered at any meaningful level by WG members or by the public. Therefore, from a planning and public perspective the status of these items remains unclear and should be clarified by staff as they will also require review by the PC, and perhaps further public input, before approving the draft waterfront plan for Council review.

Schroder, Lynn

From: A Sight for Sport Eyes <sporteyes@yahoo.com>
Sent: Wednesday, July 16, 2025 1:49 PM
To: Planning Commission (Public)
Cc: City Council; Wyss, Darren; #Committee - Citizen Involvement; Choi, Danielle; lshroder@westlinnoregon.gov
Subject: RE: PC Agenda for this evening

I was forwarded these comments made by former Mayor Russel Axelrod as a member of the CCI (Committee for Community Involvement). I am speaking as an individual, not on behalf of the CCI. However, CCI did add a discussion of these code changes to our next meeting this coming Tuesday. (I will add that I am pleased that this part of the public process is working as I received these comments immediately without filtering because CCI members were CC'd on the email. This part of the public process is working.)

While reading the initial staff report on this, I just assumed that these were required changes by state law and thus did not offer any testimony at that time. It is very concerning to now hear that there is a way to essentially "opt out" of these requirements. This should at the very least been offered up to the Planning Commission as an option. I don't recall staff ever mentioning that there was this option, only that this was mandated. Again, this is very concerning to me and we will be discussing this transparency issue at the next CCI meeting.

Also added to the CCI agenda was the working group process for the Waterfront project. It was concerning to hear during the public testimony portion of the meeting that the citizen's letter to the working group was never actually given to the working group. At least that is how I understood the comments, and I believe Russ Axelrod alluded to this in his testimony. . Likewise, public testimony given during the survey was "summarized" instead of given in full . I understand summarizing in a report for brevity, but full comments should also be accessible to the working group members. This is why as a member of CCI, I asked this to be discussed in our next meeting as well

Likewise of concern is this "consensus" idea. The working group did not "vote" on what was being sent to council. Rather they just came to a consensus. There was clear dissension by some members of the working group against the plan as proposed. But with this "consensus" idea, I don't think that the PC or Council will have as clear of idea of that the decision wasn't unanimous. With a vote, you can clearly see that there were members that didn't agree. The Working Group thankfully ensured that in the staff report, this was clearly noted for you. If it was not for great leadership in that working group, the Planning Commission (and subsequently Council) may have not known that the members were in disagreement on some issues. As a result, CCI will be discussing if the working group process needs some tweaking as well.

The other thing that came out of that last Waterfront email is the lack of access the working group had to full public comments. This was another concern that the group smartly addressed insuring PC would have access to those full comments in the survey rather than the abbreviated ones they got. Hopefully what is in your packet is the full comments, though I still don't see any "letters" included that it sounds like both Russ Axelrod and others sent to the working group. Perhaps they were added in this table format but seems like the full letters should be included per the working group's instructions to staff. Just thought I'd point that out. Perhaps I'm just not seeing them.

Part of CCI's role is to be a "watchdog" on how the community input process goes in these big planning projects, and to review what went well and didn't go well for future recommendations. I feel like there were some failures in the public process on this Waterfront planning project that we can hopefully address for the future.

As always thank you for your service to our community. I cannot attend tonight but will listen to the replay tomorrow, and hopefully a representative of the Planning Commission can attend our CCI meeting Tuesday night to give input on our discussion.

Shannen Knight
West Linn

A Sight for Sport Eyes
1553 11th St.
West Linn, OR 97068
503-699-4160
888-223-2669
Fax: 888-240-6551
www.sporteyes.com

From: Russell Axelrod <rbaxelrod@yahoo.com>
Sent: Wednesday, July 16, 2025 11:22 AM
To: lshroder@westlinnoregon.gov
Cc: West Linn City Council <citycouncil@westlinnoregon.gov>; askthepc@westlinnoregon.gov; Darren Wyss <dwyss@westlinnoregon.gov>; citizensinvolvementcommittee@westlinnoregon.gov; Danielle Choi <dchoi@westlinnoregon.gov>
Subject: My comments/testimony for PC Agenda Items 4 and 5 at today's meeting

Hi Lynn,

Could you please see that my comments (pdf attached) are added to the record and distributed to our Planning Commission (PC) members at your earliest convenience for the PC meeting tonight. I intend to provide public comment on these items at the PC meeting and will fill out forms then.

Thanks so much, and stay cool in this hot weather.

Russ Axelrod
Former Mayor and Planning Commissioner
19648 Wildwood Drive
West Linn, OR 97068
(503) 312-8464

,

westlinnoregon.gov

Click to Connect!

Schroder, Lynn

From: Terence Shumaker <shumanfly20@gmail.com>
Sent: Wednesday, July 16, 2025 10:05 AM
To: Planning Commission (Public)
Subject: PC 7/16/25 meeting agenda items 4 & 5
Attachments: Planning Commission 7-16-25.docx

Planning Commission members,

I have attached written testimony for your 7/16/25 regular meeting, addressing concerns regarding agenda items 4 & 5.

I would hope that you have the time to read them prior to the meeting. I also plan to offer verbal testimony on both agenda items.

Thank you for your time and consideration.

Respectfully,

Terence Shumaker
shumanfly20@gmail.com
503-313-3910

Date: July 15, 2025

To: West Linn Planning Commission Members

From: Terence Shumaker, Former chair Sustainability Advisory Board, 11-year resident of West Linn

Cc: West Linn City Council Members

Re: Items 4 & 5 of Planning Commission July 16 meeting agenda

ITEM 4 – CDC Clean-Up Amendments

A key item in these proposed changes is the revision of CDC Chapter 85.070. You can see these in the July 9, 2025 memo from Darren Wyss, specifically on P. 5 of the Proposed CDC Amendments.

This change removes the Planning Commission from the deny/approval process on applications for a tentative plan for a subdivision. According to the information Darren Wyss provided in the previously linked document, this satisfies a state requirement of ORS 197.195 that says:

> "If a city or county does not incorporate its comprehensive plan provisions into its land use regulations, the comprehensive plan provisions may not be used as a basis for a decision by the city or county or on appeal from that decision."

My questions to you are:

1. In what city regulations or codes is the function of the Planning Commission given?
2. Isn't West Linn's planning, regulatory and permitting process based on solid ground and functioning as required by the state?
3. Does West Linn's land use regulations incorporate its comprehensive plan provisions?
4. If the answer is Yes, and those regulations specify giving the Planning Commission power to approve or deny subdivision proposals, then is the city in compliance with state law and retains the Planning Commission's responsibilities?
5. If the answer to #3 is No, can the city file an exemption petition in response to SB 1537 in order to be in compliance with state requirements?

At issue here is the possibility of removing the Planning Commission from the process of carefully examining subdivision proposals and permitting applications, hence removing an important level of public input on the issue of expanded new development in our city. Giving approval/denial authority to one person, the Planning Dept. Director (Darren Wyss), appears to set up the possibility of extreme conflict of interest, and influence of outside interests.

Eliminating the Planning Commission from structured planning review can lead to unintended consequences. This unnecessary and drastic change would galvanize opposition, eliminate public trust in the city, lead to legal action against the city, scare off developers, erase years of effort and resources and create long-lasting negative impacts on environmental quality and the quality of life of West Linn residents

The city needs to maintain the purpose and integrity of the Planning Commission to be an integral part of land use decisions and permitting applications, for that is their area of expertise. We also need to maintain the ability to receive and hear public comment on all issues related to land use. To surrender this important responsibility to a single person is not a wise decision. Therefore, I urge the PC to deny the "Proposed CDC Clean-Up Amendments."

ITEM 5 – West Linn Waterfront Vision Plan

A concerning issue with the survey results for the Waterfront Vision Plan is the survey questions themselves. The survey questions were classic double-barreled, meaning respondents must answer two questions with one answer. This is flawed because it assumes that a single answer will suffice for both parts of the question. This type of question leads to confusion because it lacks precision and can make it difficult for the respondent to provide a clear and accurate answer. This type of flawed question can also introduce bias, or assume a connection between unrelated topics.

For this reason alone, the survey results for the Waterfront Vision Plan are themselves flawed, and would be discarded by anyone with basic knowledge of creating surveys.

Overwhelming community feedback stressed the need to preserve the Ponds District as a natural area, in addition to seeing environmental cleanup of the ponds to help restore wetlands and species habitat. This is stated clearly on p. 15 of the West Linn Waterfront Master Plan – Community Engagement Summary. Wetland trails and viewing platforms is at the top of the list in all categories.

In spite of community concerns, there appears to be no confirmation of this majority concern, and clear protections are not reflected in the document. Why is this? I feel that this topic is related to the issues in agenda topic 4. By choosing the three development options specified in the plan, and removing ROW vacations, the city would ease the process to approve a highly destructive subdivision proposal soon to be released by SDG-2 LLC, the development company of Robert Schultz.

Most disturbing of all is that the three land use options shown on pages 27 – 28 of the Community Engagement Summary linked above, completely ignores the majority community preference for wetland trails and viewing platforms. Instead, all three options specify high-density residential in the west pond area. It is mysterious how city staff came up with these options based on the majority community feedback. What is also concerning is that the pond area in question that is owned by Robert Schultz, is the site of an inactive toxic waste lagoon that has not been maintained according to state and DEQ requirements. Coupled with the fact that the property lies within the 100-year floodplain, building on this site violates the plan's principles for environmental stewardship.

Research, studies and meetings with DEQ by the group Friends of Willamette Wetlands (FOWW), has revealed more than ten years of negligence in the maintenance and testing of the former Blue Heron waste lagoon, in addition to possible breaching of the lagoon levees by burrowing animals discovered in aerial surveys by the FOWW. This may have led to contamination of the wetlands by toxic chemicals, hence Bernert Creek and the Willamette River. A thorough study of this site, and cleanup of the toxic waste should be completed prior to any kind of development.

Therefore, I feel that the Planning Commission should demand a thorough review of the flaws in the plan, since in its present state it ignores public preferences, assumes high-density residential development in an area for which no proposal has been submitted, and ignores the inconsistencies and contradictions in the plan.

Schroder, Lynn

From: Jennifer Aberg <Jennifer.Aberg@VSP.com>
Sent: Wednesday, July 16, 2025 10:23 AM
To: Planning Commission (Public)
Cc: City Council; Aberg1jen@gmail.com; Jennifer Aberg
Subject: Planning Commission Public Comment - Jennifer Aberg
Attachments: Planning Commission Testimony 071625.docx

Hello,
Please find my written testimony for the planning commission meeting tonight 7/16/25.
Thank you,

Jennifer Aberg

Date: July 15, 2025

To: West Linn Planning Commission Members

Cc: West Linn City Council Members

Re: Items 4 & 5 of Planning Commission July 16 meeting agenda

Subject: Item 4 - Formal Objection to Bypass of Planning Commission Review

I am writing to formally express my strong opposition to the proposed amendments to the Community Development Code (CDC) that would remove the Planning Commission from its essential role in oversight by reviewing and providing recommendations on key development applications—including **Permitting**, **Subdivisions and Class II Design Reviews**.

This proposal represents a significant structural change rather than a mere "cleanup" of the code. It would fundamentally alter how decisions regarding design, planning, and permitting processes are made within West Linn. I respectfully urge you to reconsider this approach for the following reasons:

1. Public Oversight and Transparency Would Be Diminished

The Planning Commission currently serves as the primary avenue for consistent public participation in land use matters. Its hearings afford residents an opportunity to engage by asking questions, offering input, and suggesting modifications prior to final approvals. Eliminating this forum would curtail public involvement and erode trust in local governance.

2. Authority Would Shift to Unelected Staff with Limited Accountability

If implemented, the changes would allocate critical decision-making authority exclusively to staff, bypassing public deliberation and open hearings. The sole remedy for concerned residents—filing a formal appeal—is often impractical due to associated costs and complexities. This change would reduce meaningful citizen involvement and concentrate significant power among a limited group.

3. Removal Undermines a Proven and Effective System

Such extensive reorganization is typically reserved for jurisdictions facing dysfunctional planning mechanisms. In contrast, West Linn's Planning Commission remains engaged, active, and effective. There is no substantive justification for dismantling this valuable layer of oversight and community representation.

4. Process Lacks Sufficient Transparency and Accountability

Presenting this proposal as a minor "CDC cleanup measure" is misrepresentative given its potential impact. Any initiative to eliminate the Planning Commission's responsibilities should be fully disclosed, transparently explained, and subject to thorough public scrutiny.

I want to emphasize the importance of the **exemption offered under SB 1537**, which allows cities like West Linn to **retain Planning Commission involvement** in land use decisions.

It is concerning that this option was **not mentioned** in the prior public discussion or staff memo. Other cities, including Salem and Tualatin, have explored or applied for this exemption to protect local review processes. West Linn should do the same.

Please keep the Planning Commission's oversight intact and urge the City to pursue the SB 1537 exemption rather than bypass public involvement.

5. Undermining Local Democratic Principles and Community Values

Local planning should reflect the will and values of residents. Removing the Planning Commission would exclude citizen volunteers from participating in crucial decisions that shape our city's future. Such a move would diminish the community's influence on growth, development, and neighborhood character.

6. Contrary to Principles of Good Governance

Major modifications to land use procedures should not be concealed within technical amendments or expedited without proper discourse. Instead, they warrant transparent discussion, evidence-based justification, and robust public engagement.

Given these concerns, I respectfully request that the Commission reject any amendment that would bypass or eliminate its own role in land use decisions. At a minimum, I urge you to defer action on this proposal and conduct a transparent, inclusive process to evaluate its necessity and consequences.

Subject: Item 5 - Waterfront Vision Plan – Ponds District Concerns

I urge you to revise the Waterfront Vision Plan to **remove the depiction of dense housing within the wetland and 100-year floodplain along 5th Street.**

This proposal conflicts with the plan's own environmental stewardship goals to protect natural assets, ensure appropriate floodplain uses, and restore wetlands and habitat. Including dense housing here sends the wrong signal and violates West Linn's Comprehensive Plan and Community Development Code.

There is no current development application for this site—the last proposal was withdrawn after strong public opposition. Listing it as "in planning" is inaccurate and should be removed.

I also want to highlight **serious contamination concerns** in the adjacent ponds area, which have been unresolved for over a decade. Cleanup planning must follow state rules, include public engagement, and be completed before any development is considered.

Please recommend removing this inappropriate housing depiction and ensure cleanup planning is addressed first.

Thank you for your attention to these matters. I appreciate your dedication to maintaining an open, participatory, and transparent government for the residents of West Linn.

Sincerely,

Jennifer Aberg
35 Year Resident

Schroder, Lynn

From: Nicole Jackson <nicjac610@gmail.com>
Sent: Wednesday, July 16, 2025 11:57 AM
To: Schroder, Lynn
Cc: Planning Commission (Public); Wyss, Darren; #Committee - Citizen Involvement; City Council
Subject: Concerns/Testimony for Planning Commission Meeting - July 16, 2025
Attachments: Concerns for Planning Commission Meeting Agenda - July 16 2025.pdf

Hello Lynn,

Please see my attached written testimony below to be added to the record and shared with the Planning Commission members for the PC Meeting tonight.

I also hope to attend the meeting and provide public comment in person on both items #4 and #5 on the agenda.

Thank you,

Nicole Jackson
5185 Linn Lane
West Linn, OR 97068

Concerns for Planning Commission Meeting Agenda - July 16, 2025

Dear Planning Commissioners,

As a resident who was born and raised in West Linn, I ask you to please consider the following written concerns after my initial review and research on Agenda Items #4 and #5 for tonight's work session meeting. Due to limited time, these comments below may not fully encompass the concerns with each item. Additional details may be provided in the coming weeks to ensure the commission has a complete understanding of these concerns.

Agenda Item #4: Proposed CDC changes:

First, I wish to echo the remarks made by Russ Axelrod in his written testimony and urge the Planning Commission to pursue the exemption that is clearly outlined in SB 1537. As a citizen, I am quite concerned that city staff made no mention of this option at the previous meeting on June 18th, thus requiring members of the community to provide testimony to ensure all options are considered and the PC's role remains intact. Many surrounding cities have pursued the exemption under SB 1537, including Salem, Tualatin, and Milwaukie.

Additionally, I wish to express my concern for the proposed changes to street vacations. The current agenda lacks any details except for removing it from CDC 99.080. Unless I am misinterpreting this change, this action, combined with limited details, feels highly suspect after recent the Right-Of-Way Vacation application (VAC-24-01) in the Willamette Wetlands was revoked in March, due in part to 130 pages of written testimony from the community opposing the proposed ROW Vacation, citing prejudice to public interest, which is part of the approval criteria in ORS 271.120.

Agenda Item #5: West Linn Waterfront Vision Plan

It would be difficult to overemphasize the many concerns and flaws with the current draft of the Waterfront Vision Plan.

In **January 2025**, Friends of Willamette Wetlands provided an open letter to the Waterfront Working Group and City Council, highlighting both the concerns with the December 2024 "Final Review Survey" shared with the community and the existing issues with the Vision Plan that would **not** allow for clear, objective and accurate

feedback that would result in a “community vision” for the waterfront (this letter can be found in Comments on Final Draft Vision Plan from December 2024 to May 2025, pages 19-28/87). Further, the previous community feedback that has been summarized in the Community Engagement Summary for the Ponds District feels largely ignored and not adequately incorporated into the actual draft Vision Plan.

The **Community Engagement Summary** documents substantial community feedback highlighting a *strong consensus* of opinion for the Pond District (on pages 16-18). However, this is not accurately reflected in the Final Draft Vision Plan or the Final Review Survey.

- “The **overwhelming majority** of comments in this area were to retain and **enhance this as a natural area with minimal development**.” (page 16/37)
- “There was limited support for more intense development in the area because of the potential impact on natural areas and wetlands. There was **little support** and **significant opposition** to a hotel and **to residential development.** There were concerns that these uses would contribute **significant traffic to the narrow streets** in the area and would also need to be resilient to flooding in this area.” (page 16/37)

To reiterate the key concerns with the **December 2024 Final Review Survey:**

- The Final Review Survey consisted entirely of **“double-barreled”** survey questions, essentially addressing two topics in one question, but only allowing respondents to provide a single answer. This is an unacceptable format for surveying the community.
- Most notably, **Question 6** of the **Final Review Survey** combined two conflicting issues (the preservation of natural areas ***and*** development) into what ***should be*** two separate questions. Further, it only offers response options on a sliding scale from strongly agree to strongly disagree, with no ability to provide context for what a respondent may disagree with. Not only is this a poorly written survey question, but it is a flawed method of collecting responses that ***will not yield*** objective and meaningful results. If the City and Working Group want accurate community feedback, this survey question, along with the rest of the survey questions, would need to be rewritten into two questions. Therefore, a new survey of the community needs to be conducted.

To reiterate a few key flaws in the drafted **Waterfront Vision Plan:**

- In the visual depiction of the Pond District on page 36 of the **Final Draft Vision Plan** and in Question 7 of the Final Review Survey, the map key ***omits important elements***, including the Ecological Corridor and the 100 Year Floodplain boundary, *which prevents survey respondents from having an accurate depiction of the environment.* Further, West Linn's largest remaining wetland is **not properly delineated** nor does it note the Natural Hazards of the area, including landslide and earthquake risk. In fact, most of the properties included in the Vision Plan have the **highest number of Natural Hazards by property**. I encourage all of you to review the Level of Property Vulnerability Map on the City's website.
- The **Final Draft Vision Plan** includes a substantial number of contradictions and does not adequately incorporate feedback from the **Community Engagement Summary** to preserve the Ponds District as a natural area with minimal development. Notably:
    - The Environmental Stewardship guidelines include: "**Safeguard natural and sensitive areas** through wetland, habitat, and shoreline restoration," and, "Do not over program districts and **adversely impact natural areas and wildlife habitat**" (page 23/42).

      How will this be achieved when the map for the Ponds District includes placing a "Priority Development Area" for "Medium-Density Residential Currently in the Planning Stage" along West Linn's largest wetland and documented Beaver Habitat? *Undoubtedly, this development will adversely impact the natural areas and wildlife habitat.*

FEMA Model Code Adoption – Implementation Before Finalizing Waterfront Vision Plan

- At the **March 5, 2025** Planning Commission Meeting, the 2025 Planning Docket included the FEMA Model Code Adoption, to "adopt an updated flood hazard area code to ensure compliance with the Endangered Species Act regarding fish habitat. The city needs to adopt the FEMA model code **by July 31**. The PC will consider the FEMA updates in late spring" (page 1).

- At the **May 21, 2025** Planning Commission Meeting - Darren Wyss states in the meeting minutes "Due to a lack of agenda items, Wyss recommended canceling the June 4 meeting, as well as the July 2 meeting due to its proximity to the holiday." (page 3)
- Now, for the **July 16, 2025** Planning Commission Meeting, with a looming deadline of July 31 approaching, there is **no mention on the agenda to address the FEMA Model Code Adoption.**
    - FEMA Model Code Adoption should be addressed first ***before*** the Waterfront Vision Plan is finalized and adopted, as a large portion of the Vision Plan area is in the 100-year floodplain. The last thing we need is a natural disaster harming members of our community and our wildlife by ignoring the new Oregon FEMA requirements.
    - This is especially concerning given recent flooding events in Asheville and Texas Hill Country. We must be extremely cautious in how we develop flood-prone areas in our community.

Meaningful changes **must** be made to the Waterfront Vision Plan and the FEMA Model Code Adoption **must** be adopted into the CDC and reflected in the Vision Plan before final adoption by the Planning Commission and City Council. This has to be done to ensure the safety of our community, our natural resources and our wildlife.

While I realize these comments are lengthy, there are many important factors to address in addition to the ones listed above, including the current risks of the Blue Heron Settling Pond and the lack of progress on clean-up and remediation for over 10 years.

Thank you for your time in reading and considering my concerns outlined above. I hope to see the Planning Commission's role preserved by applying for an exemption in SB 1537 and I hope that with your guidance, the Waterfront Vision Plan can be reworked to better represent the community's aspirations for the area.

Sincerely,

Nicole Jackson
West Linn Resident

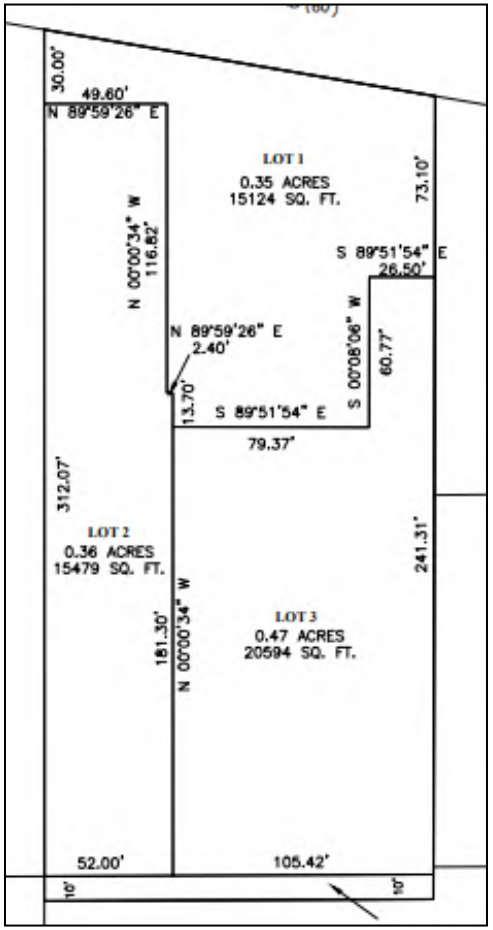
Planning Commission

Work Session
2025 CDC Clean Up Amendments

July 16, 2025

2025 CDC Clean Up Amendments

- PC Packet
  - Memo w/4 Topics
    - Min/Max Density Calculations
    - Partition Minimum Density Exemption
    - Newly Created Lots/Parcels
    - Limited Land Use Decisions
  - Changes Since Work Session 1
  - Proposed Code Amendments
    - CDC Chapters 2, 5, 55, 65, 85, and 99



Topic 1 – Min/Max Density Calculations

- CDC Lack of Clarity
  - Not found in one location
  - Not clear and objective
  - Not clearly defined
- Metro UGMFP Requirements
  - Min density standard for each zone (Title 1, Section 3.07.120(b))
  - Metro cities' code sections
- Exemptions
  - Middle housing projects
  - Middle housing land divisions
  - Planned Unit Development (PUD)
  - Partitions (see Topic 2)

REGIONAL FUNCTIONAL PLAN REQUIREMENTS

Title 1: Housing Capacity

3.07.110 Purpose and Intent

The Regional Framework Plan calls for a compact urban form and a "fair-share" approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring each city and county to maintain or increase its housing capacity except as provided in section 3.07.120. [Ord. 97-715B, Sec. 1. Ord. 02-969B, Sec. 1. Ord. 10-1244B, Sec. 2.]

3.07.120 Housing Capacity

(a) A city or county may reduce the minimum zoned capacity of the Central City or a Regional Center, Town Center, Corridor, Station Community or Main Street under subsection (d) or (e). A city or county may reduce its minimum zoned capacity in other locations under subsections (c), (d) or (e).

(b) Each city and county shall adopt a minimum dwelling unit density for each zone in which dwelling units are authorized except for zones that authorize mixed-use as defined in section 3.07.1010(gg). If a city or county has not adopted a minimum density for such a zone prior to March 16, 2011, the city or county shall adopt a minimum density that is at least 80 percent of the maximum density.

(c) A city or county may reduce its minimum zoned capacity by one of the following actions if it increases minimum zoned capacity by an equal or greater amount in other places where the increase is reasonably likely to be realized within the 20-year planning period of Metro's last capacity analysis under ORS 197.299:

(1) Reduce the minimum dwelling unit density, described in subsection (b), for one or more zones;

(2) Revise the development criteria or standards for one or more zones; or

(3) Change its zoning map such that the city's or county's minimum zoned capacity would be reduced.

Action to reduce minimum zoned capacity may be taken any time within two years after action to increase capacity.

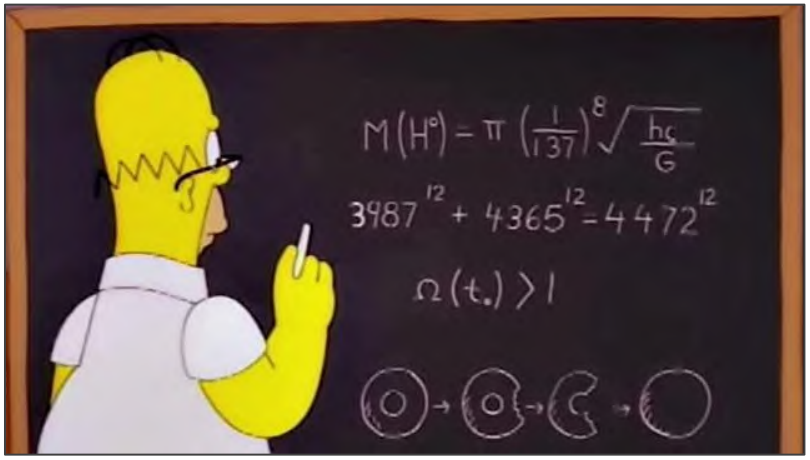
(d) A city or county may reduce the minimum zoned capacity of a zone without increasing minimum zoned capacity in another zone for one or more of the following purposes:

(1) To re-zone the area to allow industrial use under Title 4 of this chapter or an educational or medical facility similar in scale to those listed in section 3.07.1340(d)(5)(B)(i) of Title 13 of this chapter; or

(2) To protect natural resources pursuant to Titles 3 or 13 of this chapter.

Topic 1 – Proposed Code Amendments

- Chap. 2 – Definitions
  - Eliminate Acres, Gross and Acres, Net
  - Add Developable Gross Area
  - Add Developable Net Area
- Chap. 5 – General
  - Create “Measurements” section
  - Process to calculate Developable Net Area
    - Type I and II Lands, Park Land, Public ROW or Private Streets
    - Optional: Heritage/Significant Trees
  - Process to calculate Maximum Density
  - Process to calculate Minimum Density
- Chap. 24/55/85 – DR/Land Divisions
  - Clean up random references
  - Reference to CDC 05.025 for calculations



Topic 2 – Partition Minimum Density Exemption

- CDC Lack of Clarity
  - Differing interpretations
  - Not clear and objective
- Metro UGMFP Requirements
  - Reduce minimum zoned capacity of single lot/parcel with negligible effect (Title 1, Section 3.07.120(e))
- Potential Impact
  - 5-acre property
  - Maximum density = 24 lots
  - Minimum density = 17 lots
  - Language as written and argued by applicants could result in only 3 parcels

REGIONAL FUNCTIONAL PLAN REQUIREMENTS

Title 1: Housing Capacity

3.07.110 Purpose and Intent

The Regional Framework Plan calls for a compact urban form and a "fair-share" approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring each city and county to maintain or increase its housing capacity except as provided in section 3.07.120. [Ord. 97-715B, Sec. 1. Ord. 02-969B, Sec. 1. Ord. 10-1244B, Sec. 2.]

3.07.120 Housing Capacity

(a) A city or county may reduce the minimum zoned capacity of the Central City or a Regional Center, Town Center, Corridor, Station Community or Main Street under subsection (d) or (e). A city or county may reduce its minimum zoned capacity in other locations under subsections (c), (d) or (e).

(b) Each city and county shall adopt a minimum dwelling unit density for each zone in which dwelling units are authorized except for zones that authorize mixed-use as defined in section 3.07.1010(gg). If a city or county has not adopted a minimum density for such a zone prior to March 16, 2011, the city or county shall adopt a minimum density that is at least 80 percent of the maximum density.

(c) A city or county may reduce its minimum zoned capacity by one of the following actions if it increases minimum zoned capacity by an equal or greater amount in other places where the increase is reasonably likely to be realized within the 20-year planning period of Metro's last capacity analysis under ORS 197.299:

(1) Reduce the minimum dwelling unit density, described in subsection (b), for one or more zones;

(2) Revise the development criteria or standards for one or more zones; or

(3) Change its zoning map such that the city's or county's minimum zoned capacity would be reduced.

Action to reduce minimum zoned capacity may be taken any time within two years after action to increase capacity.

(d) A city or county may reduce the minimum zoned capacity of a zone without increasing minimum zoned capacity in another zone for one or more of the following purposes:

(1) To re-zone the area to allow industrial use under Title 4 of this chapter or an educational or medical facility similar in scale to those listed in section 3.07.1340(d)(5)(B)(i) of Title 13 of this chapter; or

(2) To protect natural resources pursuant to Titles 3 or 13 of this chapter.

Topic 2 – Proposed Code Amendments

- Chap. 85 – Land Divisions
  - Clarifies the exemption only applies after doing the minimum density calculation in Chapter 05.025
  - Exempts PUDs

CDC Chapter 85: Land Divisions – General Provisions

85.200 Approval Criteria

...

J. Supplemental provisions.

...

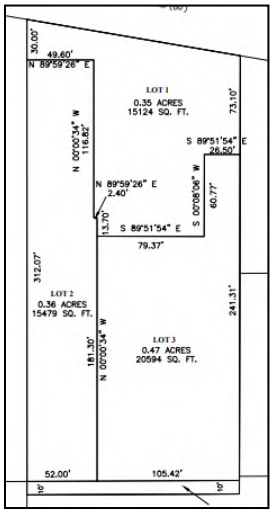
7. Density requirement. Density shall occur at 70 percent or more of the maximum density allowed by the underlying zoning **as calculated per CDC 05.025**.

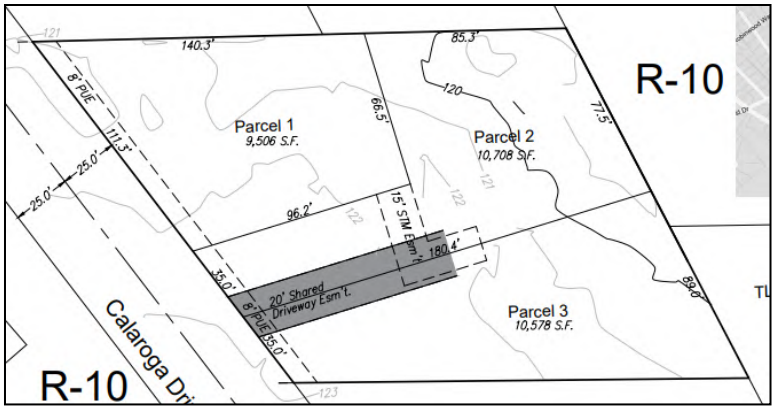
a. These provisions do not apply **to Planned Unit Developments where density is calculated per CDC Chapter 24**. ~~when density is transferred from Type I and II lands as defined in CDC 02.030. Development of Type I or II lands are exempt from these provisions~~.

b. Minimum density calculations per CDC 05.025 that result in ~~Land divisions of~~ three ~~lots~~ **parcels** or less are ~~also~~ exempt **and can divide into two parcels**.

Topic 3 – Shape of Newly Created Lots/Parcels

- CDC Lack of Clarity
  - Differing interpretations
  - Not clear and objective
- Consistent Size/Shape
  - Square/rectangular lots and parcels
  - Eliminate unnecessary irregular lines
  - Future development patterns
  - Extension of streets
  - Build community in neighborhoods
- Potential Impact
  - More consistent development patterns





Topic 3 – Proposed Code Amendments

- Chap. 2 – Definitions
  - Rectilinear
- Chap. 5 – General
  - Create “Measurements” section
  - Segmented Lot/Parcel Lines
    - Lateral changes
    - Measurement directions w/figures
- Chap. 85 – Land Divisions
  - Clean up language
  - Requires rectilinear lines unless not practicable (existing lines/street radius/natural features)
  - Reference to CDC 05.025 for calculations

Topic 4 – Limited Land Use Decisions

- CDC Compliance with Statute
  - New information from DLCD/HAPO
  - Need to discuss with City Attorney's office
  - Going to pull proposed decision-making proposed amendments out of package
  - Topics 1 to 3 will move forward to August 6th Public Hearing

WLWF Project

QUESTIONS OF STAFF?

Topic 4 – Proposed Code Amendments

- Chap. 55/65 – DR & Nonconforming Use
  - Remove references to a specific decision-maker (already found in Chap. 99)
- Chap. 85 – Land Divisions
  - Remove references to Planning Commission as decision-maker
  - Clean-up fee-in-lieu language
  - Process to calculate Maximum Density
  - Process to calculate Minimum Density
- Chap. 99 – Decision Making
  - Planning Director authority
    - DR of Permitted Use, Class I or II
    - Tentative subdivision plat (needs to be added to proposed amendments)
    - Nonconforming uses

Topic 4 – Proposed Code Amendments

- Chap. 99 – Decision Making
  - Planning Commission authority
    - Nonconforming structures clarification
    - Tentative subdivision plat (needs to be removed from proposed amendments)
    - DR of Conditional Use
- Additional Amendments
  - Historic DR Class II – HRB without hearing
  - Remove street vacations notice type (moving to Municipal Code)
  - Add new notice type “Limited Land Use Decisions” and point to statute
  - Clean-up notice type language for limited land use decisions

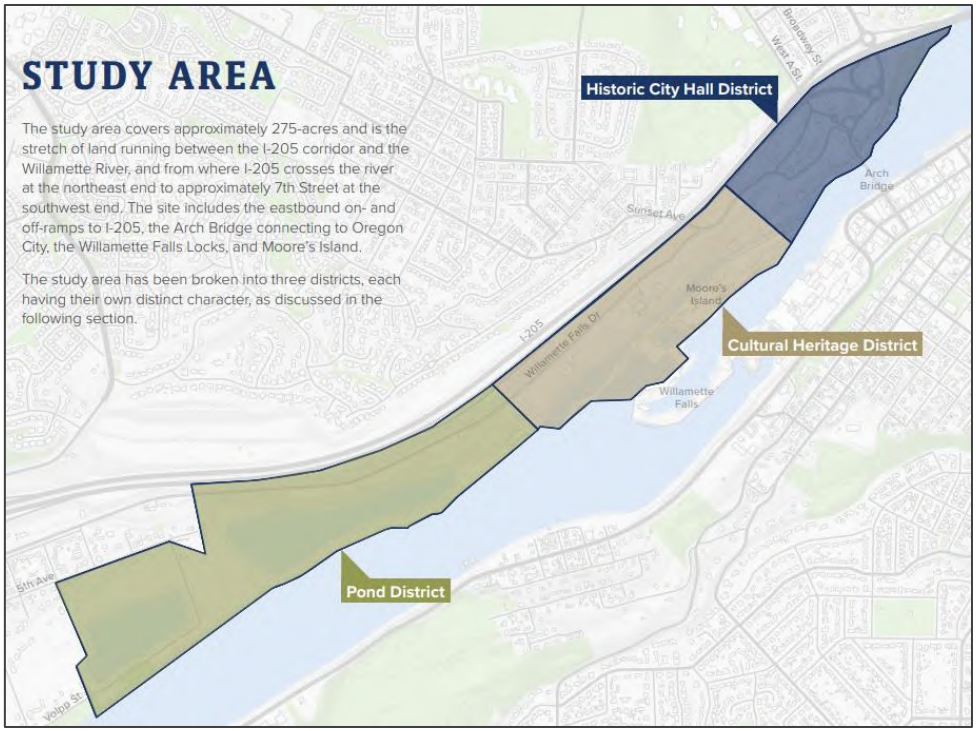
Planning Commission

Work Session
West Linn Waterfront Project

July 16, 2025

Work Session Materials

- Memorandum
  - Background
  - Guiding Principles
  - Survey Results
  - Working Group Recommendation
  - Link to Comments
  - Adoption Process
- Attachments
  - WLWF Vision Plan
  - Comment Matrix
  - WLWF Vision Plan Appendix A
  - WLWF Vision Plan Appendix B
  - Survey Results

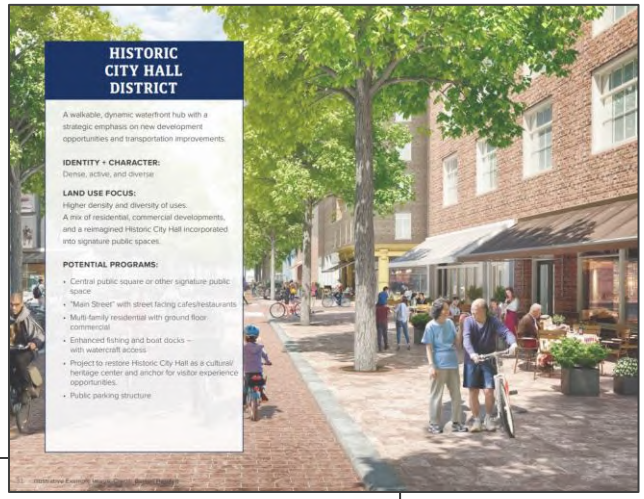


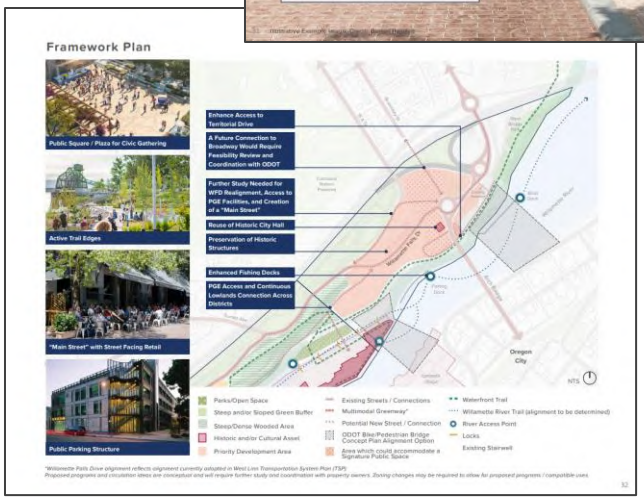
WLWF Project

- Engagement 2016-2019
  - Guiding Principles
  - 3 Planning Districts
    - Historic City Hall
    - Cultural Heritage
    - Pond District
  - Preferred Transportation Improvements
  - Preferred Land Uses
- WLWF Guiding Principles
  - Reinvestment Opportunities
  - Transportation Improvements
  - River Access
  - Historic Character

WLWF Project

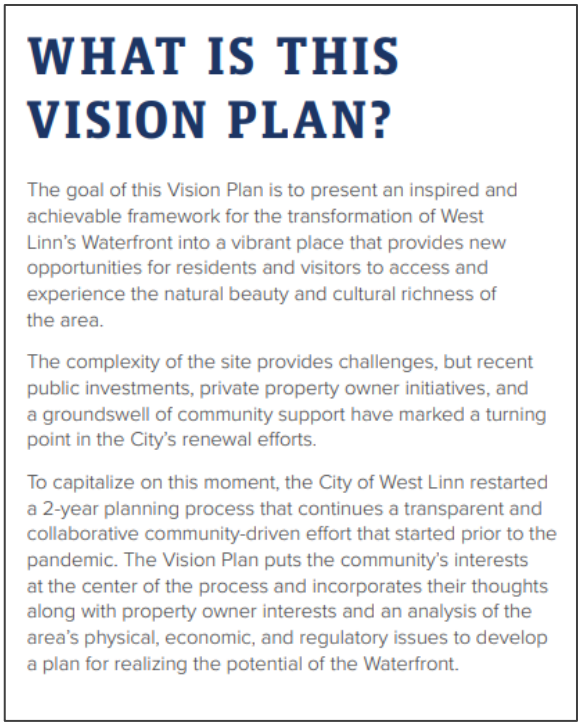
- Engagement 2023-2025
  - Draft Vision Plan (Jan. 2024)
    - Public Events
    - Civic Group Meetings
    - Online Survey
    - Working Group Meetings
  - Updated Vision Plan (Sept. 2024)
    - Public Events
    - Civic Group Meetings
    - Stakeholder Interviews
    - Property Owner Feedback
    - Working Group Meeting
  - Final Draft Vision Plan (Dec. 2024)
    - Online Survey
    - Civic Group Meetings
    - Working Group Meeting





WLWF Project

- Final Vision Plan (June 2025)
  - Final clean-up of text
  - Minor wording changes
- Working Group Recommendation – Move Forward to City Council
  - Consider including affordable housing
  - Consider including Smart Growth concepts
  - Access is critical component of project
  - Consider including stronger language for reuse of existing structures
  - Provide additional time for more feedback
  - WG Member Schultz objected – wants more certainty on future use of property
  - WG Member Conf. Tribes of the Grand Ronde did not take a position



WHAT IS THIS VISION PLAN?

The goal of this Vision Plan is to present an inspired and achievable framework for the transformation of West Linn's Waterfront into a vibrant place that provides new opportunities for residents and visitors to access and experience the natural beauty and cultural richness of the area.

The complexity of the site provides challenges, but recent public investments, private property owner initiatives, and a groundswell of community support have marked a turning point in the City's renewal efforts.

To capitalize on this moment, the City of West Linn restarted a 2-year planning process that continues a transparent and collaborative community-driven effort that started prior to the pandemic. The Vision Plan puts the community's interests at the center of the process and incorporates their thoughts along with property owner interests and an analysis of the area's physical, economic, and regulatory issues to develop a plan for realizing the potential of the Waterfront.

WLWF Vision Plan

- Acknowledgements
- Introduction
- Goals

GOALS

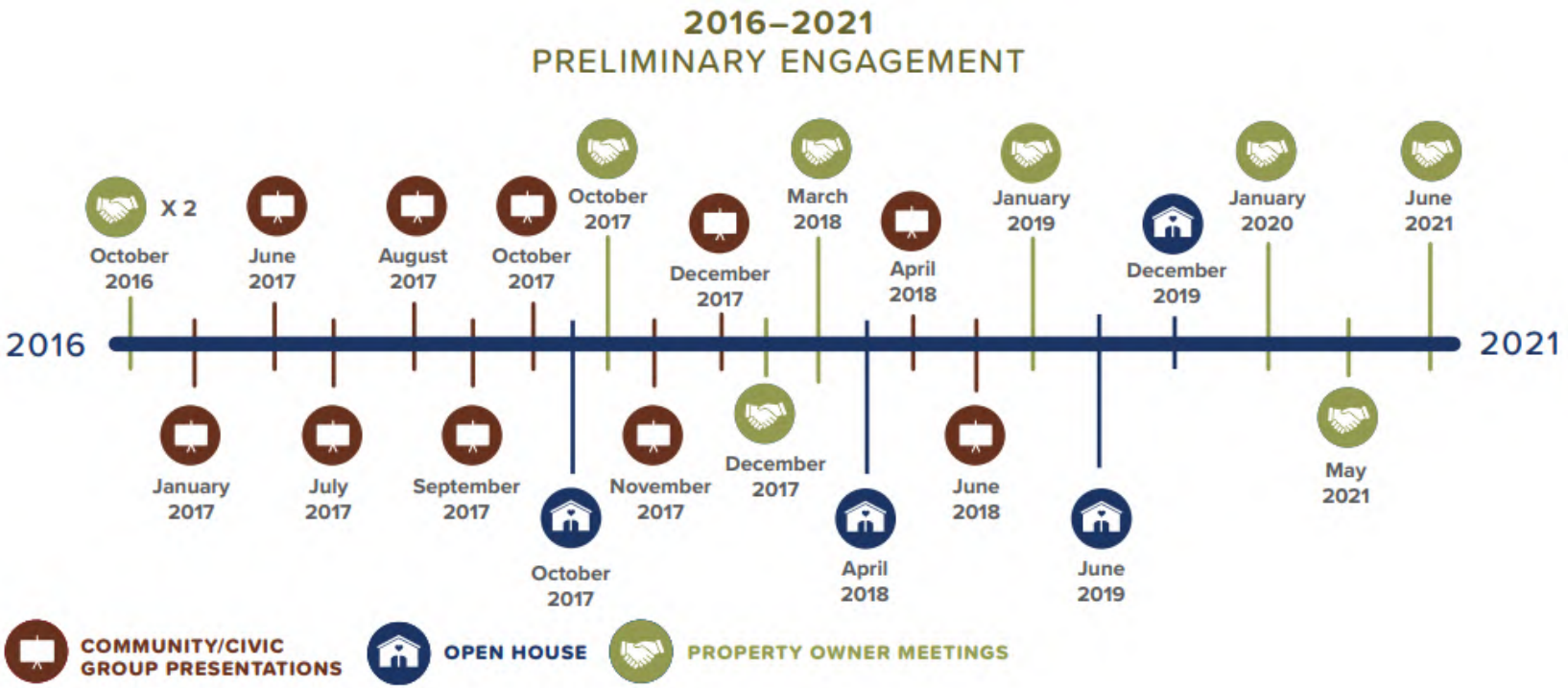
The Waterfront is a key piece in the economic development of West Linn. Building on decades of past planning efforts and public input, the desired outcome of the Waterfront Vision Plan is the creation of a revitalized area that provides a diverse mix of land uses, increases access to the river and recreational opportunities, and celebrates the Indigenous and industrial heritage of the site.

WLWF Vision Plan

- Process
- Study Area
- Aligned Projects and Planning Efforts

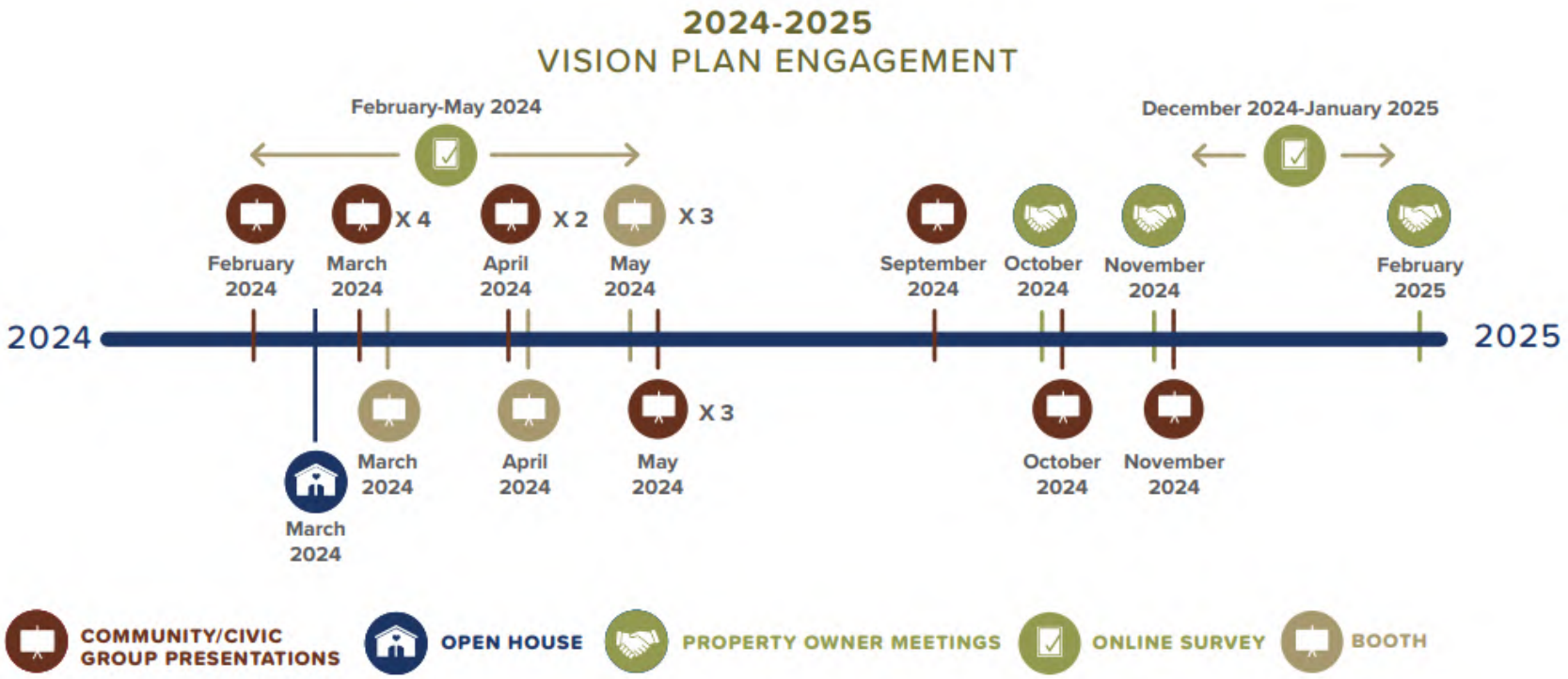
WLWF Vision Plan

- Engagement (more information in Appendix A)



WLWF Vision Plan

- Engagement (more information in Appendix A)



WLWF Vision Plan

Guiding Principles

REINVESTMENT OPPORTUNITIES

The area will maintain its long history as a working waterfront, while creating opportunities for reinvestment in the historic heart of the community.

KEY ELEMENTS

- Provide opportunities for reinvestment in the three planning districts.
- Accommodate access, parking, and security for Moore's Island and electric utility sites.
- Land use decisions support community vision and market principles.
- Set expectations and parameters through zoning and design guidelines.
- Encourage and enable private sector investment to build high quality places.
- Reuse of Historic City Hall as a gateway to the Waterfront area.
- Encourage rehabilitation and reuse of historic structures.
- Public and private owners work together on timing of land use transitions.

TRANSPORTATION IMPROVEMENTS

Through public and private investment, the Waterfront will safely accommodate pedestrians, bicyclists, motorists, and truck traffic through improved facilities and turning movements, while reducing conflicts and supporting land uses.

KEY ELEMENTS

- Coordinate land use, development, and transportation infrastructure needs.
- Livability and accessibility of nearby neighborhoods.
- Preserve access as needed to support commercial and power generation activities.
- Leverage public funds with private investment for safety and capacity improvements.
- Improved local access through the area.
- Creative solutions for multi-modal improvements including future consideration of regional transit corridors and river transportation.

RIVER ACCESS

The community and visitors will have enhanced visual and physical opportunities to enjoy the river and falls through trails, open spaces both natural and within the built environment, and aquatic recreation.

KEY ELEMENTS

- Public and private spaces woven together in a singular experience.
- Views of the Willamette River and Falls.
- Water quality and fish habitat protections.
- Continuous trail network.
- Physical access to the river's edge.
- Opportunities created by the reopening of the locks to river transportation.

HISTORIC CHARACTER

The community and visitors will experience a revitalized and vibrant waterfront, while experiencing and celebrating the working and historic industrial uses and important natural, historic, and cultural resources of the area.

KEY ELEMENTS

- Natural, historic, and cultural values are protected and embraced.
- Honor Native American Treaties and restore and respect Indigenous traditions along the Willamette River and Falls.
- Collaboration with other regional, state, and local efforts to recognize the history and heritage of the site.
- Collaboration with Willamette Falls Locks Authority to repair and reopen the Locks.
- Support business viability and vitality.
- Maximize economic connections to the Willamette Historic District.

WLWF Vision Plan

- Planning Framework
- Key Planning Issues
- Design Principles
  - Placemaking and Form
  - Mobility and Access
  - Environmental Stewardship

Historic City Hall District:

- Highest elevation with terraced views of the river, falls, and larger region.
- Location of Historic City Hall and other historically designated buildings.
- Most connected area with key entrances to the riverfront and connections to the Arch Bridge, I-205, and the Bolton and Sunset Neighborhoods.
- Location of bike/pedestrian bridge alignments studied by ODOT.
- Existing structures are a mix of commercial and single-family residential.
- Existing waterfront access with public fishing docks and a private boat dock.
- River access is available via steep slopes south of the bridge.
- West Bridge Park is on the north edge of the district and includes paths which lead to an accessible river edge.
- This area experiences traffic congestion. Changes will need to consider impacts to I-205 and Arch Bridge traffic to/from Oregon City.

Cultural Heritage District:

- Steep slopes up from the river leveling out in several places on the upper bench closer to Willamette Falls Drive.
- Significant potential for site adaptation to commemorate the industrial heritage of Moore's Island.
- PGE will continue operating its hydroelectric plant through its current license and will seek relicensing in 2035.
- Provides the closest access and best views of Willamette Falls.
- Culturally significant site for a number of Indigenous Tribes.
- Potential to align with development and programming on the east side of the river.
- Shoreline adjacent to the locks has limited accessibility to the water.
- Potential connections to bike/pedestrian bridge alignments studied by ODOT.
- Federal Energy Regulatory Commission (FERC) boundary protects power generating resources and public safety. Public access changes require FERC and stakeholder approval.

Pond District:

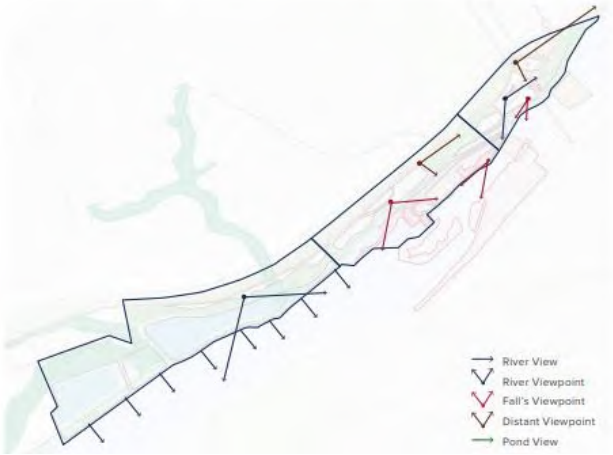
- Lowest elevation and significant portions of the site are in the floodplain.
- Relatively flat compared to other districts.
- Shoreline is easily reachable, with soft edges, generally gradual slopes.
- Location of two ecological corridors and creeks.
- Includes two settling ponds that would need remediation or other protective measures to convert to other uses.
- Provides closest views of the river at the lowest elevation.
- District has limited access and entry points and the existing street network is narrow and lacking sidewalks in many places.
- Current industrial zoning is inconsistent with the local neighborhood and environmental resources.
- Significant funding would be required for property purchase and ecological restoration of settling ponds.

WLWF Vision Plan

Design Principles

Placemaking and Form

- Ensure that public space appears public (this applies to streets, trails, and public spaces throughout).
- Preserve important sightlines to the river and falls and position new development and open spaces to maximize views. Establish clear gateways to create a sense of arrival and identity of a district or special place.
- Plan for a series of connected pathways and public open spaces that celebrate each district while connecting the Waterfront as a whole.
- Plan for new development on either side of Waterfront streets to be similar or complementary in design, function, and scale.



Mobility and Access

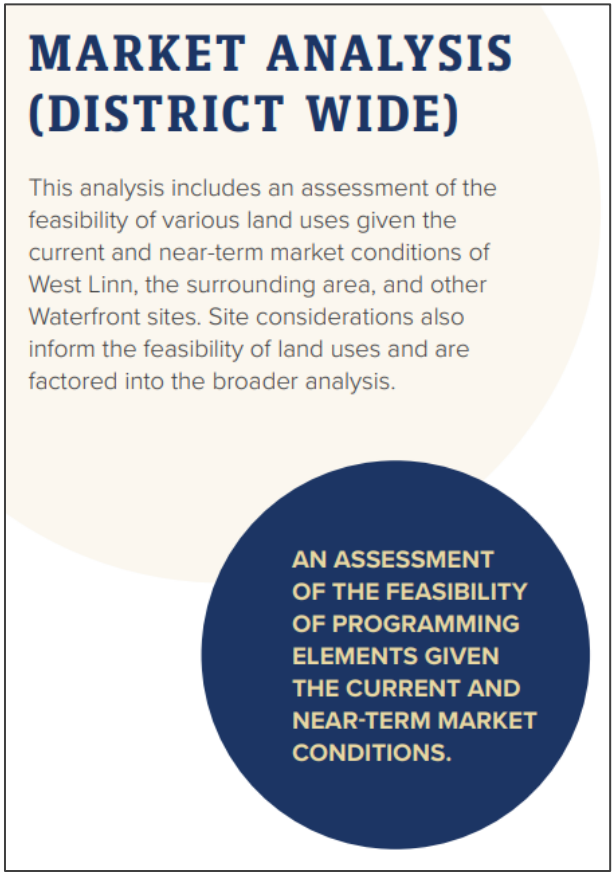
- Leverage the Willamette Falls Multimodal Greenway and the Waterfront Trail as the two primary circulation spines of the site upon which to build a larger circulation plan.
- Ensure the future street network allows access to critical functions and addresses regional and local traffic concerns.
- Establish shoreline access as integral to the overall circulation network.
- Utilize the opportunities created by the locks being reopened to allow travel up- and downstream of the falls.
- Provide transportation infrastructure that supports land use changes and development.

Environmental Stewardship

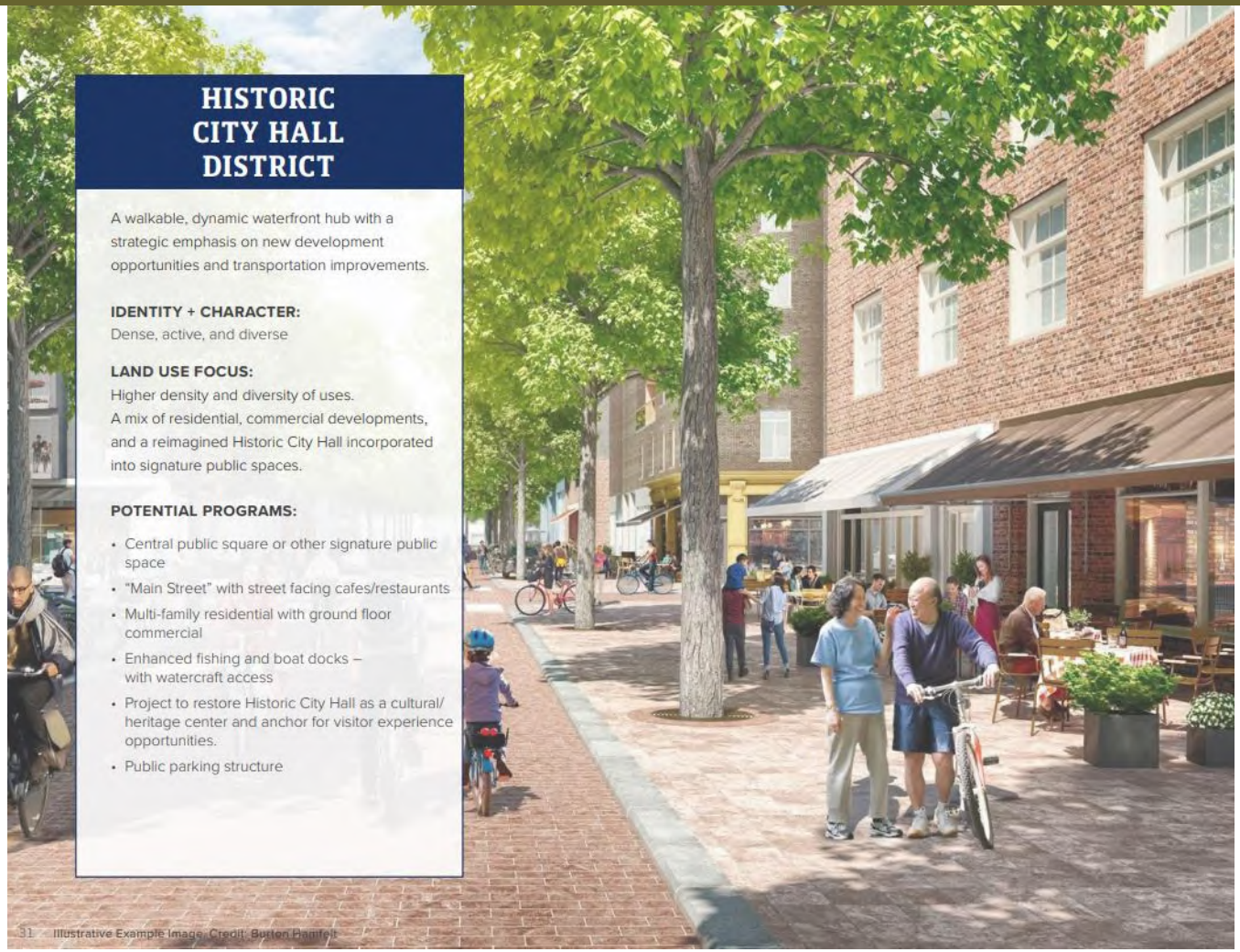
- Ensure resiliency with land uses that can withstand flooding and are appropriate within the 100-year flood plain.
- Design with topography to guide a strategy toward built form and avoid building in extremely steep areas.
- Safeguard natural and sensitive areas through wetland, habitat, and shoreline restoration and the reuse of materials where possible.
- Leverage the area between the trail and shoreline as a natural buffer zone to serve as a protective barrier and preserve ecological diversity.
- Balance development with opportunities to restore natural areas and wildlife habitat.

WLWF Vision Plan

- Market Analysis (Opportunities and Challenges)
  - Housing
  - Retail
  - Office
  - Industrial
  - Civic/Institutional
  - Hospitality



WLWF Vision Plan – City Hall District Planning



WLWF Vision Plan – City Hall District Planning

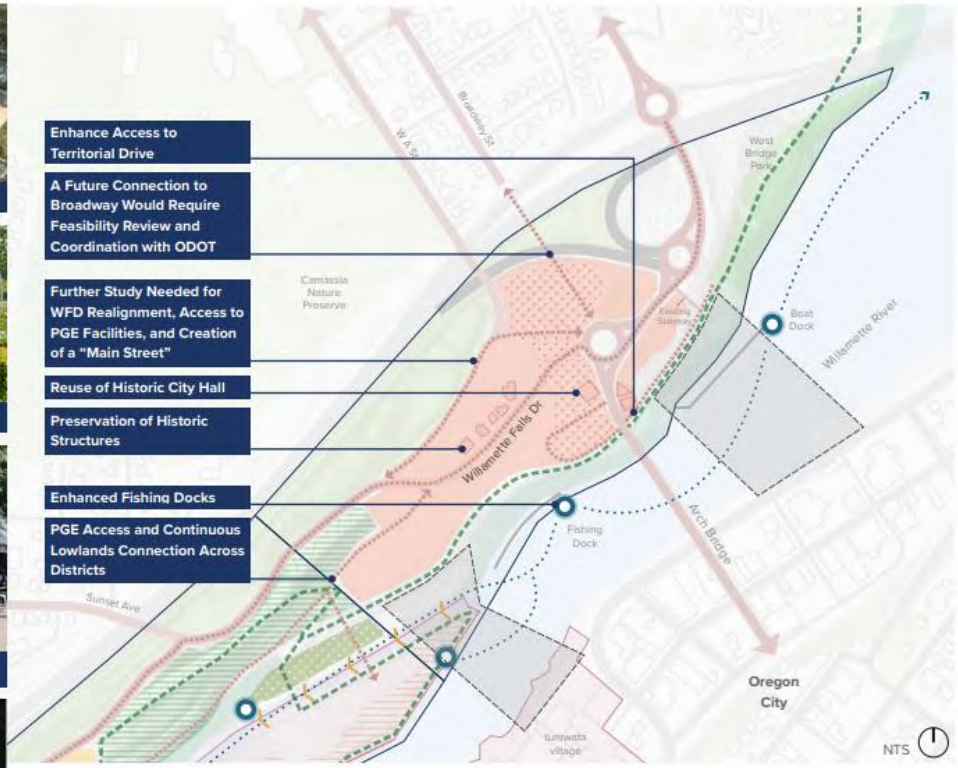
Framework Plan

Public Square / Plaza for Civic Gathering

Active Trail Edges

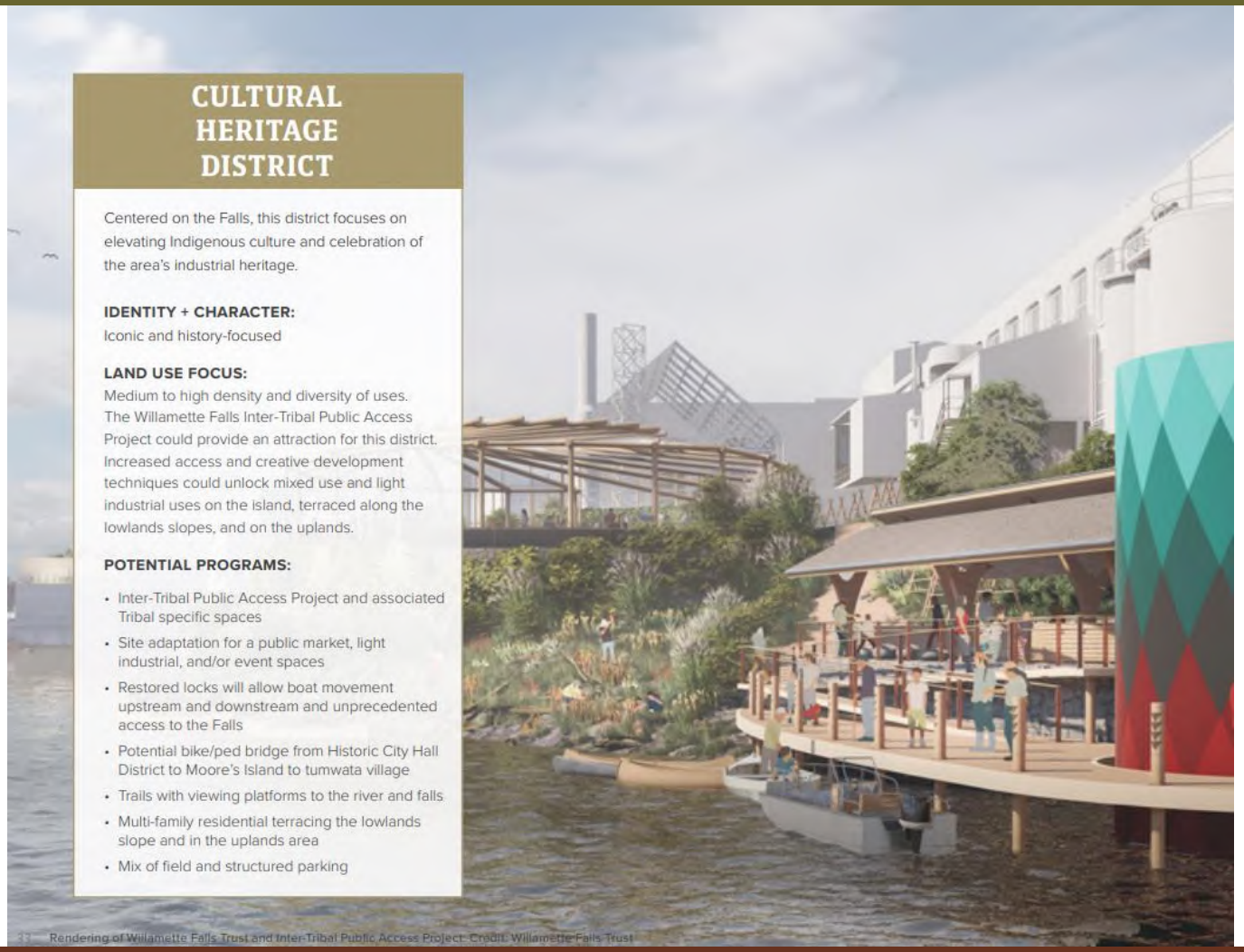
"Main Street" with Street Facing Retail

Public Parking Structure



*Willamette Falls Drive alignment reflects alignment currently adopted in West Linn Transportation System Plan (TSP).
Proposed programs and circulation ideas are conceptual and will require further study and coordination with property owners. Zoning changes may be required to allow for proposed programs / compatible uses.

WLWF Vision Plan – Cultural Heritage District Planning



Rendering of Willamette Falls Trust and Inter-Tribal Public Access Project. Credit: Willamette Falls Trust

WLWF Vision Plan – Cultural Heritage District Planning

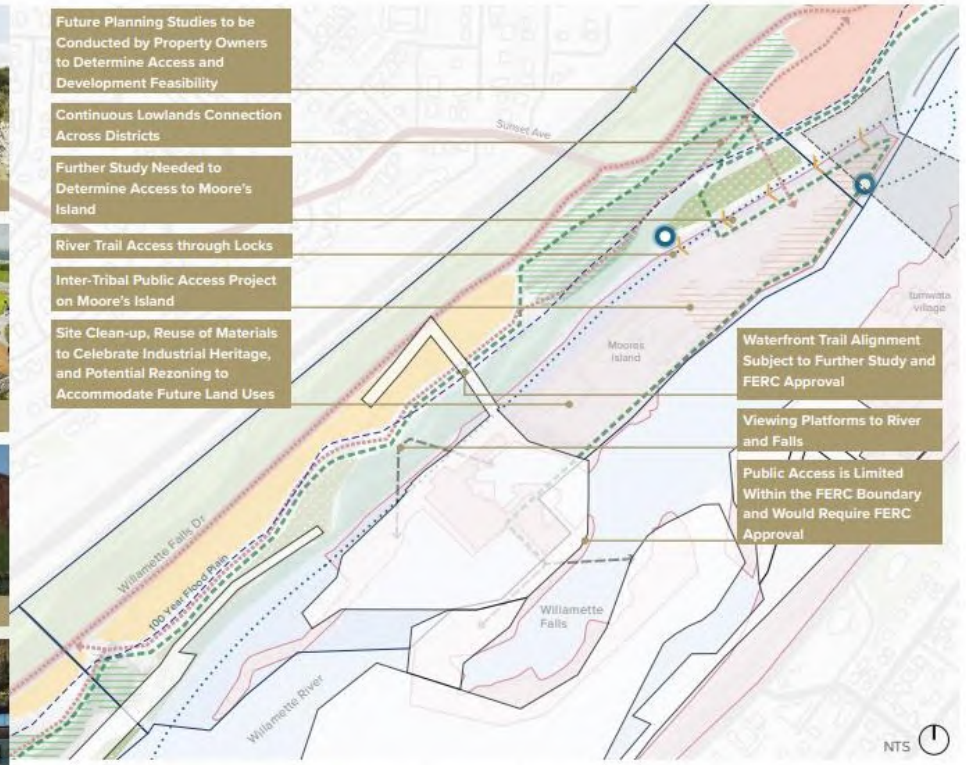
Framework Plan

Tribal Specific Spaces

Trails with Viewing Platforms

Market / Maker Spaces

Terraced, Muti-Family Residential



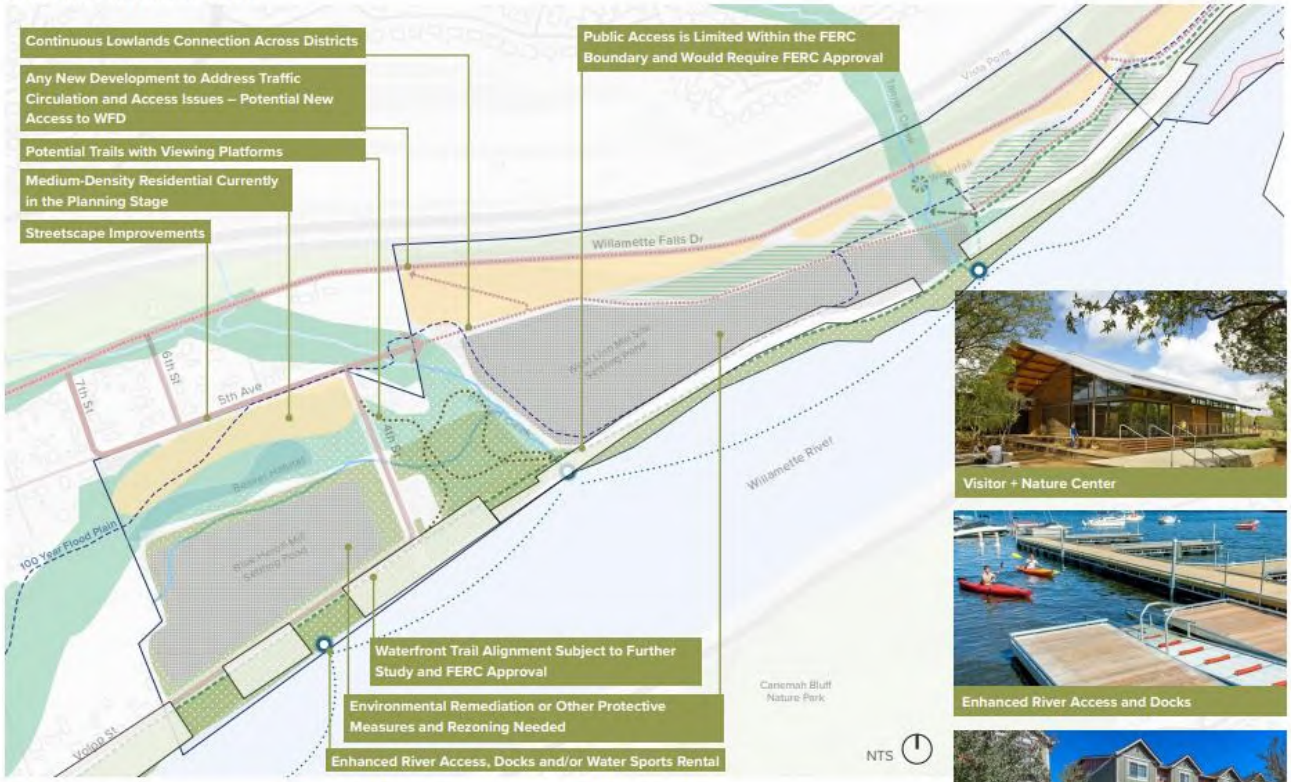
- Parks/Open Space
- Steep and/or Sloped Green Buffer
- Steep/Dense Wooded Area
- Historic and/or Cultural Asset
- Approximate area of Inter-Tribal Public Access Project
- Potential Development Area
- Existing Streets / Connections
- Multimodal Greenway**
- Potential New Street / Connection
- ODOT Bike/Pedestrian Bridge Concept Plan Alignment Option
- Waterfront Trail
- Willamette River Trail (alignment to be determined)
- River Access Point
- Locks
- FERC Boundary*

*The Federal Energy Regulatory Commission (FERC) sets a boundary to secure the power production functions of the T.W. Sullivan hydroelectric plant. There are restrictions on the access and uses allowed within the FERC boundary. Low-impact projects, such as trails, streets, and public access to the shoreline, may be acceptable; however, a more detailed assessment in consultation with FERC and PGE will be required.
**Willamette Falls Drive alignment reflects alignment currently adopted in West Linn Transportation System Plan (TSP).
Proposed programs and circulation ideas are conceptual and will require further study and coordination with property owners. Zoning changes may be required to allow for proposed programs / compatible uses.

WLWF Vision Plan – Pond District Planning

WLWF Vision Plan – Pond District Planning

Framework Plan



*The Federal Energy Regulatory Commission (FERC) sets a boundary to secure the power production functions of the T.W. Sullivan hydroelectric plant. There are restrictions on the access and uses allowed within the FERC boundary. Low-impact projects, such as trails, streets, and public access to the shoreline, may be acceptable; however, a more detailed assessment in consultation with FERC and PGE will be required.
**Willamette Falls Drive alignment reflects alignment currently adopted in West Linn Transportation System Plan (TSP).
Proposed programs and circulation ideas are conceptual and will require further study and coordination with property owners. Zoning changes may be required to allow for proposed programs / compatible uses.

WLWF Vision Plan – Housing Density + Parking

<10 UNITS PER NET ACRE

Typologies with densities below 10 units per acre result in an inefficient use of land, given the cost of development and are **likely not appropriate for the Waterfront**. These developments often require large areas of surface parking.

2124 Eleanor Road
Detached Single Family

City: West Linn	**State:** OR
Units: 1	**Year Built:** U/C (2025)
Acres: 0.17	**Du/acre:** 6
Construction: Wood Frame	**Stories:** 2

19th and Graf Apartment Homes
Low-Rise Garden Apartments

City: Bozeman	**State:** MT
Units: 195	**Year Built:** 2023
Acres: 26.30	**Du/acre:** 7
Construction: Wood Frame	**Stories:** 3

Greenwood Avenue Cottages
Cottage Cluster

City: Shoreline	**State:** WA
Units: 8	**Year Built:** 2001
Acres: 0.78	**Du/acre:** 10
Construction: Wood Frame	**Stories:** 2

10-30 UNITS PER ACRE

Housing densities and typologies that can accommodate between 10-30 units per acre are well-suited for the **Pond District** and balance an efficient layout with the preservation of a strong residential character. Garage, tuck-under, and clustered surface parking are common for these development types.

Minnehaha Meadows
Low-Rise Townhomes

City: Vancouver	**State:** WA
Units: 49	**Year Built:** 2020
Acres: 4.24	**Du/acre:** 12
Construction: Wood Frame	**Stories:** 2

Meritage at Mill Creek
Garage-Parked Townhomes

City: Mill Creek	**State:** WA
Units: 24	**Year Built:** 2009
Acres: 0.86	**Du/acre:** 28
Construction: Wood Frame	**Stories:** 3
Parking: Garage (front)	**Parking Ratio:** 1/unit

Canemah Cottages
Cottage Cluster

City: Oregon City	**State:** OR
Units: 7	**Year Built:** 2023
Acres: 0.46	**Du/acre:** 15
Construction: Wood Frame	**Stories:** 2

WLWF Vision Plan – Housing Density + Parking

>30 UNITS PER ACRE

Housing densities and typologies that can accommodate over 30 units per acre are well-suited for the **Historic City Hall and Cultural Heritage District,** efficiently utilizing space while incorporating paired programming to support a mix of uses and residential development. Structured, tuck-under, and concealed parking courtyards may be appropriate for these development types.

Abernethy Flats
Mixed Use: Housing over Retail

City: Portland
State: OR
Units: 35
Year Built: 2019
Acres: 0.23
Du/acre: 152
Construction: Wood Frame
Stories: 4

1719 N 185th Street
Housing over Parking

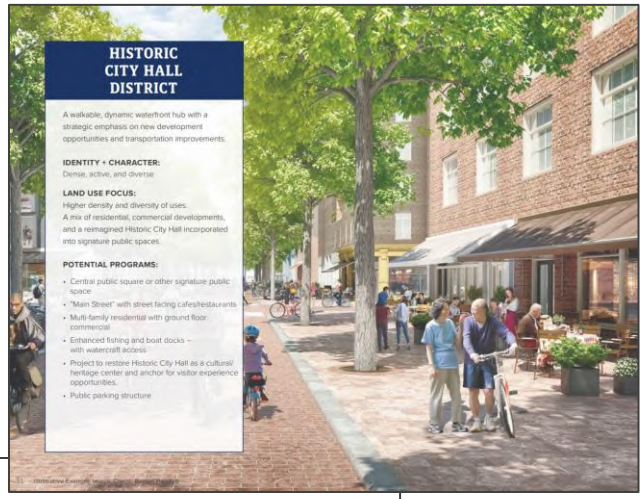
City: Shoreline
State: WA
Units: 12
Year Built: 2021
Acres: 0.16
Du/acre: 75
Construction: Wood Frame
Stories: 3

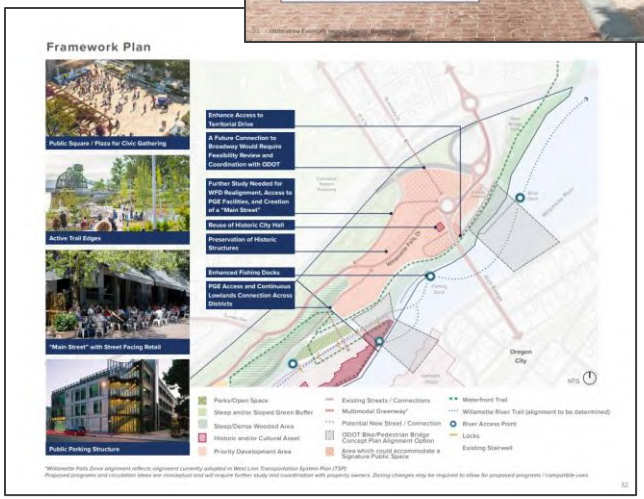
SE 11th & Tenino Apartments
Low-Rise Apartments

City: Portland
State: OR
Units: 38
Year Built: 2023
Acres: 0.23
Du/acre: 165
Construction: Wood Frame
Stories: 3

WLWF Project

- Engagement – Summer 2025
  - Working Group Meeting
    - Final Recommendation (July 10)
  - Open Houses
    - July 24th – Adult Community Center
    - July 31st – Library Community Room
  - Farmer's Market Outreach
    - July 23rd and August 13th
  - NA and Civic Group Presentations
- Tentative Adoption Schedule
  - PC Work Sessions (July 16th and August 20th)
  - PC Public Hearing (Sept. 17th)
  - CC Work Sessions (Oct. 6th and 20th)
  - CC Public Hearing (Nov. 10th)





WLWF Project

QUESTIONS OF STAFF?