



CITY OF
West Linn
 PLANNING AND DEVELOPMENT

**STAFF REPORT
 PLANNING MANAGER DECISION**

DATE: May 31, 2017

FILE NO.: MIP-16-04/LLA-17-03

REQUEST: Lot Line Adjustment (LLA) and an Amendment to a Minor Partition at 2405 and 2415 Dillow Drive.

PLANNER: Peter Spir, Associate Planner

Planning Manager PS

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GENERAL INFORMATION

OWNER/

APPLICANT: ICON Construction and Development LLC
1980 Willamette Falls Drive
West Linn, OR 97068

CONSULTANT: Rick Givens, 18680 Sunblaze Drive, Oregon City, OR 97045

SITE LOCATION: 2405 and 2415 Dillow Drive

SITE SIZE: 41,742 square feet total for both lots

LEGAL

DESCRIPTION: Assessor's Map 21E 24DC Tax Lot 7300 (2415 Dillow Drive) and 7400 (2405 Dillow Drive)

COMP PLAN

DESIGNATION: Low-Density Residential

ZONING: R-10, Single-Family Residential Detached (10,000 sq. ft. min. lot size)

APPROVAL

CRITERIA: Community Development Code (CDC) Chapter 11: Single-Family Residential Detached, R-10; Chapter 85: Land Division, Chapter 92: Required Improvements; Chapter 99: Procedures for Decision Making: Quasi-Judicial.

120-DAY RULE: The application became complete on May 3, 2017. The 120-day period therefore ends on August 31, 2017.

EXECUTIVE SUMMARY

This application is to amend an earlier approval of a three lot minor partition (MIP-16-04) which was incorrectly noticed in that it did not properly describe the full property boundary which includes 2405 Dillow Drive (tax lot 7400). New expanded notice was sent out to include the three property owners who did not receive notice earlier. There are no amendments or modifications proposed to the initial minor partition plan. The number of lots and their dimensions will remain exactly the same.

To amend the minor partition approval, the amendment procedures of 85.085 "SUBDIVISION/PARTITION AMENDMENT TRIGGER" apply. In addition, the approval criteria of

85.200 "LAND DIVISION" is revisited. The application also includes a lot line adjustment. The lot line adjustment (LLA) involves two lots (2405 and 2415 Dillow Drive), which are both owned by the applicant.

The LLA, which facilitates the minor partition, will increase the size of 2415 Dillow Drive / tax lot 7300 to 31,474 square feet. 2405 Dillow Drive / tax lot 7400 will be reduced in size to 10,268 square feet. No additional lots are being created by the LLA. All lots will exceed the minimum lot size, and all other dimensional standards, for the underlying R-10 zone. The proposed LLA meets the applicable standards of the land division chapter (CDC Chapter 85).

To consolidate the amended minor partition with the lot line adjustment application, the provisions of CDC 99.070 "CONSOLIDATION OF PROCEEDINGS" are applicable.

PUBLIC COMMENTS: No public comments have been received as of May 30, 2017.

DECISION

The Planning Manager (designee) approves this application (Amended MIP-16-04 and LLA-17-03), based on: 1) the findings submitted by the applicant, which are incorporated by this reference, 2) supplementary staff findings included in the Addendum below, and 3) the addition of conditions of approval below. With these findings, the applicable approval criteria are met. The conditions are as follows:

1. **Site Plan.** With the exception of modifications required by these conditions, the final plat shall conform to the submitted Tentative Plan, revised date of 3-2-2017, (Figure 5(A) of this report).
2. **Engineering Standards.** All public improvements and facilities including street improvements, utilities, grading, onsite storm water design, street lighting, street trees, easements, and easement locations are subject to the Public Works Director's review, modification, and approval. The applicant shall provide an updated utility and public improvements plan for review and approval by the Public Works Director that addresses the required changes identified in the attached Staff Findings. All improvements must be designed, constructed, and completed prior to final plat approval. The Director of Public Works may allow a fee in lieu of improvements as indicated.
3. **Street Improvements.** The applicant shall provide street and utility improvements and street trees, per the submitted Tentative Plan and Tentative Improvement Plan, revised date of 3-2-2017 (Figures 5(A) and 5(B) of this report).

4. **Mutual access and utility easement.** The 15 foot wide mutual access and utility easement shall be recorded benefitting Parcels 2 and 3. The final plat shall include the Clackamas County recording number of the easement.
5. **Fire Flow Test.** Prior to approval of the final plat, the applicant shall perform a fire flow test and submit a letter from Tualatin Valley Fire and Rescue showing adequate fire flow is present.
6. **Rain Garden.** The rain gardens for Parcels 2 and 3 shall be relocated so that overflow discharge is better accommodated/infiltrated on site. The locations shall be approved by the City Engineer.
7. **Lot Line Adjustment.** The lot line adjustment shall conform to the plan shown in Figure 6 of this report and shall be recorded prior to, or concurrent with the partition plat, either as a separate document, or in the same document, as permitted by the Clackamas County Surveyor's Office.

The provisions of the Community Development Code Chapter 99 have been met.

Peter Spir

PETER SPIR, Associate Planner

May 31, 2017

DATE

Appeals to this decision must be filed with the West Linn Planning Department within 14 days of mailing date. Cost is \$400. An appeal to City Council of a decision by the Planning Manager shall be heard on the record. The appeal must be filed by an individual who has established standing by submitting comments prior to the decision date. Approval will lapse 3 years from effective approval date if the final plat is not recorded.

Mailed this 31th day of May 2017.

Therefore, the 14-day appeal period ends at 4 p.m., on June 14, 2017.

ADDENDUM
APPROVAL CRITERIA AND FINDINGS
Amended MIP-16-04/LLA-17-03

This decision adopts the findings for approval contained within the applicant's submittal, with the following exceptions and additions:

Chapter 11
SINGLE-FAMILY RESIDENTIAL DETACHED, R-10

11.030 PERMITTED USES

The following are uses permitted outright in this zoning district

1. Single-family detached residential unit.

(....)

11.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS

Except as may be otherwise provided by the provisions of this code, the following are the requirements for uses within this zone:

1. The minimum lot size shall be 10,000 square feet for a single-family detached unit.
2. The minimum front lot line length or the minimum lot width at the front lot line shall be 35 feet.
3. The average minimum lot width shall be 50 feet.

Staff Response 1: For the amended minor partition, three parcels are proposed: each one to accommodate one single family detached residential unit, which is a permitted use. (See Figure 5A of this report.) All parcels will exceed the 10,000 square foot minimum lot size. The 65 foot wide lot frontage on Dillow Drive for Parcel 1 exceeds the minimum width of 35 feet. The frontages for Parcels 2 and 3 are each eight feet wide which meets the minimum flag lot stem width per CDC 85.200 (B) (7). The proposed lot average widths range from 65 to 98.4 feet which exceeds the required 50 foot average minimum lot width. The criteria is met.

The findings for the LLA are as follows: the minimum lot size in the R-10 zone is 10,000 square feet. 2415 Dillow Drive comprises 23,866 square feet prior to the LLA and 31,474 square feet after the LLA. (See Figure 6 of this report.) 2405 Dillow Drive comprises 20,893 square feet prior to the LLA and 10,268 square feet after the LLA. Both lots will exceed the minimum lot size.

After the LLA, both lots will exceed the minimum front lot line width of 35 feet and the average minimum lot width of 50 feet. Specifically, 2415 Dillow Drive will have a front lot

line width of 81.4 feet and average width of 94 feet. 2405 Dillow Drive will have a front lot line and average width of 81.46 feet. The criteria is met.

5. Except as specified in CDC [25.070](#)(C) (1) through (4) for the Willamette Historic District, the minimum yard dimensions or minimum building setback area from the lot line shall be:
 - a. For the front yard, 20 feet; except for steeply sloped lots where the provisions of CDC [41.010](#) shall apply.
 - b. For an interior side yard, seven and one-half feet.
 - c. For a side yard abutting a street, 15 feet.
 - d. For a rear yard, 20 feet.
6. The maximum building height shall be 35 feet, except for steeply sloped lots in which case the provisions of Chapter [41](#) CDC shall apply.
7. The maximum lot coverage shall be 35 percent.
8. The minimum width of an accessway to a lot which does not abut a street or a flag lot shall be 15 feet.
9. The floor area ratio shall be 0.45. Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of 0.30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a non-conforming structures permit under Chapter [66](#) CDC.
10. The sidewall provisions of Chapter [43](#) CDC shall apply.

Staff Response 2: For the amended minor partition, at the time that building permits are applied for, the front, side and rear setbacks, building height, lot coverage, FAR and sidewall transition requirements will be reviewed for compliance with these standards. The criteria is met.

For the LLA, the new lot line will not compromise the setbacks, FAR or lot coverage of the existing house on tax lot 2400. The criteria is met.

CHAPTER 48

ACCESS, EGRESS AND CIRCULATION

Staff Finding 3: This chapter, and associated staff findings, only relate to the minor partition, not the LLA.

48.025 ACCESS CONTROL

B. Access Control Standards

1. *Traffic impact analysis requirements. The City or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (See also CDC 55.125, Traffic Impact Analysis.)*

Staff Finding 4: No traffic impact analysis (TIA) is required since none of the criteria of 85.170(B) (2) are met. For example, an Average Daily Trip count (ADT) of 250 is required before a TIA is needed. The applicant gets trip generation credit for the house, demolished by permit in 2016, which has generated traffic since 1952. The addition of two new homes should only generate a combined ADT of 19.14 trips per day according to the Institute of Traffic Engineers (ITE) trip generation tables at 9.57 trips per household. (The ADT for three homes would be only 28.7 trips: well below the 250 required for a traffic study.) This criterion is satisfied.

2. *The City or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system. Access to and from off-street parking areas shall not permit backing onto a public street.*

Staff Finding 5: There is one existing driveways accessing this property off Dillow Drive. The applicant will use that existing driveway location to serve the proposed house on Parcel 1 and construct a new shared driveway to serve the rear parcels. A mutual access and utility easement, for the benefit of Parcels 2 and 3, will be required to overlay the shared driveway per Condition of Approval 4. This criterion is met.

(...)

48.030 MINIMUM VEHICULAR REQUIREMENTS FOR RESIDENTIAL USES

B. *When any portion of any house is less than 150 feet from the adjacent right-of-way, access to the home is as follows:*

1. *One single-family residence, including residences with an accessory dwelling unit as defined in CDC 02.030, shall provide 10 feet of unobstructed horizontal clearance. Dual-track or other driveway designs that minimize the total area of impervious driveway surface are encouraged.*

2. *Two to four single-family residential homes equals a 14- to 20-foot-wide paved or all-weather surface. Width shall depend upon adequacy of line of sight and number of homes.*

Staff Finding 6: The applicant proposes individual driveways for Parcel 1 and a shared driveway for Parcels 2 and 3. The driveway for Parcel 1 will meet the minimum 10 foot driveway width at the time the building permits are applied for. The shared driveway for Parcels 2 and 3 will meet the minimum 14-20 foot driveway width at the time the building permits are applied for. This criterion is satisfied.

CHAPTER 55 DESIGN REVIEW

55.100 APPROVAL STANDARDS – CLASS II DESIGN REVIEW

Staff Finding 7: This chapter, and associated staff findings, only relates to the minor partition and is only applicable to significant trees as cross referenced by CDC 85.200(J) (9).

B. Relationship to the natural and physical environment.

1. The buildings and other site elements shall be designed and located so that all heritage trees, as defined in the municipal code, shall be saved. Diseased heritage trees, as determined by the City Arborist, may be removed at his/her direction.
2. All heritage trees, as defined in the municipal code, all trees and clusters of trees (“cluster” is defined as three or more trees with overlapping driplines; however, native oaks need not have an overlapping dripline) that are considered significant by the City Arborist, either individually or in consultation with certified arborists or similarly qualified professionals, based on accepted arboricultural standards including consideration of their size, type, location, health, long term survivability, and/or numbers, shall be protected pursuant to the criteria of subsections (B)(2)(a) through (f) of this section. (....)

Staff Finding 8: There are no heritage or significant trees on the subject property. This criteria only applies to on-site trees. (Whereas the criteria does not apply, there is a significant tree on the property to the east whose canopy overhangs Parcel 3. The applicant has stated that he will build outside the dripline of that tree.)

Non-residential and residential projects on Type I and II lands shall protect all heritage trees and all significant trees and tree clusters by limiting development in the protected area. (....)

Staff Finding 9: There are no Type I or II lands on this site. This criteria does not apply.

- a. Non-residential and residential projects on non-Type I and II lands shall set aside up to 20 percent of the protected areas for significant trees and tree clusters, plus any heritage trees. (....)

Staff Finding 10: There are no heritage or significant trees on the subject property. This criteria only applies to on-site trees. Whereas the criteria does not apply, there is a significant Black Walnut tree on the property to the east whose canopy overhangs Parcel 3. The applicant’s submittal states that he will build outside the dripline of that tree.

85.085 SUBDIVISION/PARTITION AMENDMENT TRIGGER

Amendments to subdivision/partitions shall be required when 10 percent or more of the housing type changes (e.g., from single-family units to multi-family units) from the tentatively approved plan, or when there is more than a 10 percent change in the number of units, or when the layout of streets and lots significantly changes.

Staff Response 11: (This subsection and associated staff finding only relates to the minor partition.) The original minor partition application assumed that the LLA had been completed so the minor partition perimeter boundary line was drawn to include all of tax lot 7300 and the north half of tax lot 7400. This allowed for the creation of parcel 3 as shown on the plat. In fact, the LLA had not been completed so parcel 3 was still a part of tax lot 7400.

This amended minor partition application seeks to acknowledge that fact. With the concurrent lot line adjustment, the error can be corrected.

Whereas partition and subdivision amendments typically involve a change in the number of lots or the shape of the lots, there will be no changes between what was shown to the public and staff in the initial version and what is proposed in this amended version.

The boundary of the amended minor partition is the same as the boundary of the initial minor partition. No additional lots are proposed. All lots are dimensioned exactly as they were proposed initially. All access is the same. All dedications and required street and utility improvements are the same. None of the findings for the original minor partition application will be modified by the amended application. All of the conditions of approval for the minor partition will remain the same.

There is no approval criteria that relates to the proposed amendment. Instead, it is the submittal requirement of 85.160 SUBMITTAL REQUIREMENTS FOR TENTATIVE PLAN that is most relevant to an incorrect boundary delineation:

4. Location of the proposed division of land, with a tie to the City coordinate system, where established, and a description sufficient to define its location and boundaries, and a legal description of the tract boundaries.

With the concurrent LLA, this application correctly identifies the partition boundary. The criteria is met.

CHAPTER 85

GENERAL PROVISIONS (LAND DIVISION)

Staff Finding 12: This chapter, and associated staff findings, only relates to the minor partition with the exception of 85.210 “Lot Line Adjustments”.

85.200 APPROVAL CRITERIA

No tentative subdivision or partition plan shall be approved unless adequate public facilities will be available to provide service to the partition or subdivision area prior to final plat approval and the Planning Commission or Planning Director, as applicable, finds that the following standards have been satisfied, or can be satisfied by condition of approval.

Staff Finding 6:

A. Streets.

1. *General. The location, width and grade of streets shall be considered in their relation to existing and planned streets (...) Internal streets are the responsibility of the developer. All streets bordering the development site are to be developed by the developer with, typically, half-street improvements or to City standards prescribed by the Public Works Director. (...)*

Staff Finding 13: The minor partition proposal does not include the creation of any new streets. Half street improvements are required for all frontage on Dillow Drive. The criteria is met by condition of approval 2 and 3. Additionally, the applicant has voluntarily proposed to install half street improvements for the frontage of 2405 Dillow Drive which abuts the subject property.

2. *Right-of-way and roadway widths.*

3. *Street widths. Street widths shall depend upon which classification of street is proposed. The classifications and required cross sections are established in Chapter 8 of the adopted TSP. (...)*

4. *The decision-making body shall consider the Public Works Director’s recommendations on the desired right-of-way width, pavement width and street geometry of the various street types within the subdivision after consideration by the Public Works Director of the following criteria: (...)*

Staff Finding 14: The current Dillow Drive right of way (ROW) is 45 feet wide. The applicant is proposing a three foot wide ROW dedication which would bring it to a width of 48 feet, consistent with the 2016 West Linn Transportation System Plan’s (TSP) Local Street Cross Section ROW width of 48 feet. The criteria is met.

The TSP’s Roadway Functional Classification for Dillow Drive is a local street. Dillow Drive’s paved width is 23.5 feet. That width exceeds the TSP standard which requires that each travel lane shall have a minimum width of 10 feet. The criteria is met.

The applicant will provide half street improvements for all Dillow Drive frontage. The criteria is met by condition of approval 2 and 3. Additionally, the applicant has voluntarily proposed to install half street improvements for the frontage of 2405 Dillow Drive which abuts the subject property.

(...)

10. *Additional right-of-way for existing streets. Wherever existing street rights-of-way adjacent to or within a tract are of inadequate widths based upon the standards of this chapter, additional right-of-way shall be provided at the time of subdivision or partition.*

Staff Finding 15: The current Dillow Drive right of way (ROW) is 45 feet wide. The applicant is proposing a three foot wide ROW dedication which would bring it to a width of 48 feet, consistent with the 2016 West Linn Transportation System Plan's (TSP) Local Street Cross Section ROW width of 48 feet. The criteria is met.

(...)

16. *Sidewalks. Sidewalks shall be installed per CDC [92.010\(H\)](#), Sidewalks. The residential sidewalk width is six feet plus planter strip...or to match existing sidewalks or right-of-way limitations.*

17. *Planter strip. The planter strip is between the curb and sidewalk providing space for a grassed or landscaped area and street trees. The planter strip shall be at least 6 feet wide...or in response to right-of-way limitations.*

Staff Finding 16: The applicant will provide half street improvements, including a sidewalk and planter strip, for all Dillow Drive frontage. The criteria is met by condition of approval 2 and 3. Additionally, the applicant has voluntarily proposed to install half street improvements for the frontage of 2405 Dillow Drive which abuts the subject property.

(...)

19. *All lots in a subdivision shall have access to a public street. Lots created by partition may have access to a public street via an access easement pursuant to the standards and limitations set forth for such accessways in Chapter [48](#) CDC.*

Staff Finding 17: The applicant proposes access to Dillow Drive, directly, as in the case of Parcel 1, and via flag lot stems, with an overlying access easement, for Parcels 2 and 3. This criterion is met.

(...)

22. *Based upon the determination of the City Manager or the Manager's designee, the applicant shall construct or cause to be constructed, or contribute a proportionate share of the costs, for all necessary off-site improvements identified by the transportation analysis commissioned to address CDC [85.170\(B\)\(2\)](#) that are required to mitigate impacts from the proposed subdivision.*

Staff Finding 18: No off-site improvements are required; however, the applicant has voluntarily proposed to install half street improvements for the frontage of 2405 Dillow Drive

which abuts the subject property. No nexus and proportionality analysis is required. This criteria does not apply.

C. Pedestrian and bicycle trails.
(...)

Staff Finding 19: The 2016 Transportation System Plan (TSP) does not identify Dillow Drive in the Pedestrian or Bike Plans. (See Figures 7 and 9 of the TSP.) The half street design will include a sidewalk for the frontage. The criteria is met.

- E. Grading. Grading of building sites shall conform to the following standards unless physical conditions demonstrate the propriety of other standards:
1. All cuts and fills shall comply with the excavation and grading provisions of the Uniform Building Code and the following (...)

Staff Finding 20: All on-site grading will include erosion control measures. At the time of building permit applications, additional geotechnical studies may be required by the Building Official. The criteria is met.

F. Water.

1. A plan for domestic water supply lines or related water service facilities shall be prepared consistent with the adopted Comprehensive Water System Plan, plan update, March 1987, and subsequent superseding revisions or updates.
 2. Adequate location and sizing of the water lines.
- (....)

Staff Finding 21: There is a six-inch water line in Dillow Drive ROW. Private laterals from this line will serve the lots. The Public Works Director has confirmed the water system has sufficient water volume and pressure to serve the two additional parcels. A fire marshal for Tualatin Valley Fire and Rescue (TVFR) reviewed the location of the existing hydrant at 2435 Dillow Drive (72 feet from the subject property) and determined that no additional hydrants are required. Prior to approval of the final plat, the applicant shall perform a fire flow test and submit a letter from Tualatin Valley Fire and Rescue showing adequate fire flow is present. The criteria are met by condition of approval 5.

G. Sewer.

1. A plan prepared by a licensed engineer shall show how the proposal is consistent with the Sanitary Sewer Master Plan (July 1989). Agreement with that plan must demonstrate how the sanitary sewer proposal will be accomplished and how it is gravity-efficient. The sewer system must be in the correct basin and should allow for full gravity service. (....)

Staff Finding 22: The Public Works Director has confirmed that there is sufficient sanitary system and sewage treatment facility capacity. The applicant proposes to install private

laterals from the public sanitary sewer line in the Dillow Drive ROW to serve the three parcels. The criteria are met.

J. Supplemental Provisions

1. *Wetland and natural drainageways.*

Staff Finding 23: There are no WRAs on the property. The criteria does not apply.

2. *Willamette and Tualatin Greenways. The Willamette and Tualatin River Greenways shall be protected as required by Chapter [28](#) CDC, Willamette and Tualatin River Protection.*

Staff Finding 24: The property is not within the Willamette River Greenway and there are no HCAs on the property. The criteria does not apply.

85.200 (J)...

3. *Street trees. Street trees are required as identified in the appropriate section of the municipal code and Chapter [54](#) CDC.*

4. *Lighting. All subdivision street or alley lights shall meet West Linn Public Works Design Standards.*

Staff Finding 25: The applicant will provide two street trees on Dillow Drive.

There is an existing street light at the intersection of Dillow Drive and Lowry Drive adjacent to this site. No additional lighting is required. The criteria is met.

(...)

6. *Underground utilities.*

All utilities, such as electrical, telephone, and television cable, that may at times be above ground or overhead shall be buried underground in the case of new development. The exception would be in those cases where the area is substantially built out and adjacent properties have above-ground utilities and where the development site's frontage is under 200 feet and the site is less than one acre. (...)

Staff Finding 26: The subject property is exempt from this requirement in that it has less than 200 feet of frontage, is less than an acre and the area is substantially built out. The criteria does not apply.

(...)

9. *Heritage trees/significant tree and tree cluster protection.*

All heritage trees, as defined in the Municipal Code, shall be saved. Diseased heritage trees, as determined by the City Arborist, may be removed at his/her direction. All non-heritage trees and clusters of trees (three or more trees with overlapping dripline; however, native oaks need not

have an overlapping dripline) that are considered significant by virtue of their size, type, location, health, or numbers shall be saved pursuant to CDC 55.100(B)(2).

Staff Finding 27: There are no heritage or significant trees on the subject property. This criteria only applies to on-site trees. Whereas the criteria does not apply, there is a significant tree on the property to the east whose canopy overhangs Parcel 3. The applicant has stated that he will build outside the dripline of that tree. The criteria is met.

V. CHAPTER 92, REQUIRED IMPROVEMENTS

92.010 PUBLIC IMPROVEMENTS FOR ALL DEVELOPMENT

The following improvements shall be installed at the expense of the developer and meet all City codes and standards:

E. Surface drainage and storm sewer system. A registered civil engineer shall prepare a plan and statement which shall be supported by factual data and comply with the standards for the improvement of public and private drainage systems located in the West Linn Public Works Design Standards. (...)

Staff Finding 28: The Public Works Director requires storm water facilities consistent with the City's Public Works Standards. The applicant shall provide an updated utility plan for review and approval by the Public Works Director. Also, to address concerns from Craig Patterson about chronic surface rainwater impacting his property which is downhill from the site, condition of approval 6 will require the rain gardens for Parcels 2 and 3 to be relocated so that overflow discharge is better accommodated/infiltrated on site. The locations shall be approved by the City Engineer. The criteria is met by condition of approval 2, 3 and 6.

85.210 PROPERTY LINE ADJUSTMENTS – APPROVAL STANDARDS

A. The Director shall approve or deny a request for a property line adjustment based on the criteria stated below:

1. An additional lot or parcel shall not be created by the line adjustment.

Staff Response 29: This LLA involves two lots. (See Figure 6 of this report.) No additional lots are to be created by this LLA. The criteria is met.

2. The existing property shall not be reduced in size by the adjustments below the minimum lot or parcel size established by the approved zoning for that district.

Staff Response 30: Both lots will exceed the R-10 minimum lot size: 2415 Dillow Drive will be 32,474 square feet and 2405 Dillow Drive will be 10,268 square feet.

The criteria is met.

3. *Reducing the lot or parcel size shall not violate the site development regulations for that district. For example, the property line adjustment shall not result in an overall loss of density below 70 percent except as allowed by CDC [85.200\(J\)](#) (7).*

Staff Response 31: Reducing the lot size of 2405 Dillow Drive will preserve the minimum lot size of 10,000 square feet, per the R-10 zone, and will not compromise site development regulations or adversely modify its setbacks or dimensions. The “70 percent density rule” of 85.200(J) (7) does not apply since no increase or decrease in number of lots is proposed. The criteria is met.

4. *The property line adjustment is as defined by ORS Chapter [92](#).*

92.192 Property line adjustment; zoning ordinances; lot or parcel size. (1) Except as provided in this section, a unit of land that is reduced in size by a property line adjustment approved by a city or county must comply with applicable zoning ordinances after the adjustment. (...)

Staff Response 32: The provisions of ORS 92 are met by this LLA application. ORS 92.010 Definitions for ORS 92.010 to 92.192 defines LLA or property line adjustment as follows:

(12) “Property line adjustment” means a relocation or elimination of all or a portion of the common property line between abutting properties that does not create an additional lot or parcel.

This LLA meets the ORS definition in that the existing lot lines are being relocated and no additional parcel is created. All lots meet the standards of the underlying R-10 zone (CDC Chapter 11). The criteria is met.

5. *The lot line adjustment will not affect existing easements or existing utilities unless an easement vacation is obtained, replacement easements are dedicated or any required utility relocations are paid for by the applicant.*

Staff Response 33: There are no existing easements along the common lot line between the two lots.

6. *Any appeal must be filed in accordance with CDC [99.240](#).*

Staff Response 34: This provision only applies to appeals. No appeal is proposed so this provision is not applicable.

B. *The provisions of CDC [85.070](#) shall also apply to lot line adjustments.*

Staff Response 35: The provisions of CDC section 85.070 “ADMINISTRATION AND APPROVAL PROCESS” are satisfied by this application and by the applicant’s proof of ownership. The application is being processed in agreement with the provisions of CDC Chapter 99. The criteria is met.

99.070 CONSOLIDATION OF PROCEEDINGS

A. When an applicant requests more than one approval, and more than one approval authority is required to decide the applications, the proceedings shall be consolidated so that one approval authority shall decide all applications in one proceeding. In such cases, the hearings shall be held by the approval authority having original jurisdiction over one of the applications under CDC [99.060](#), in the following order of preference: City Council, Planning Commission or Historic Review Board, or the Planning Director.

Staff Response 36: The lot line adjustment and the amendment to a minor partition are being processed under the consolidation procedures. The Planning Manager is the designated approval authority of both applications. The criteria is met.

FIGURE 1: LOCATION/CURRENT LOT LAYOUT
(address/tax lot number shown)



FIGURE 2: ZONING

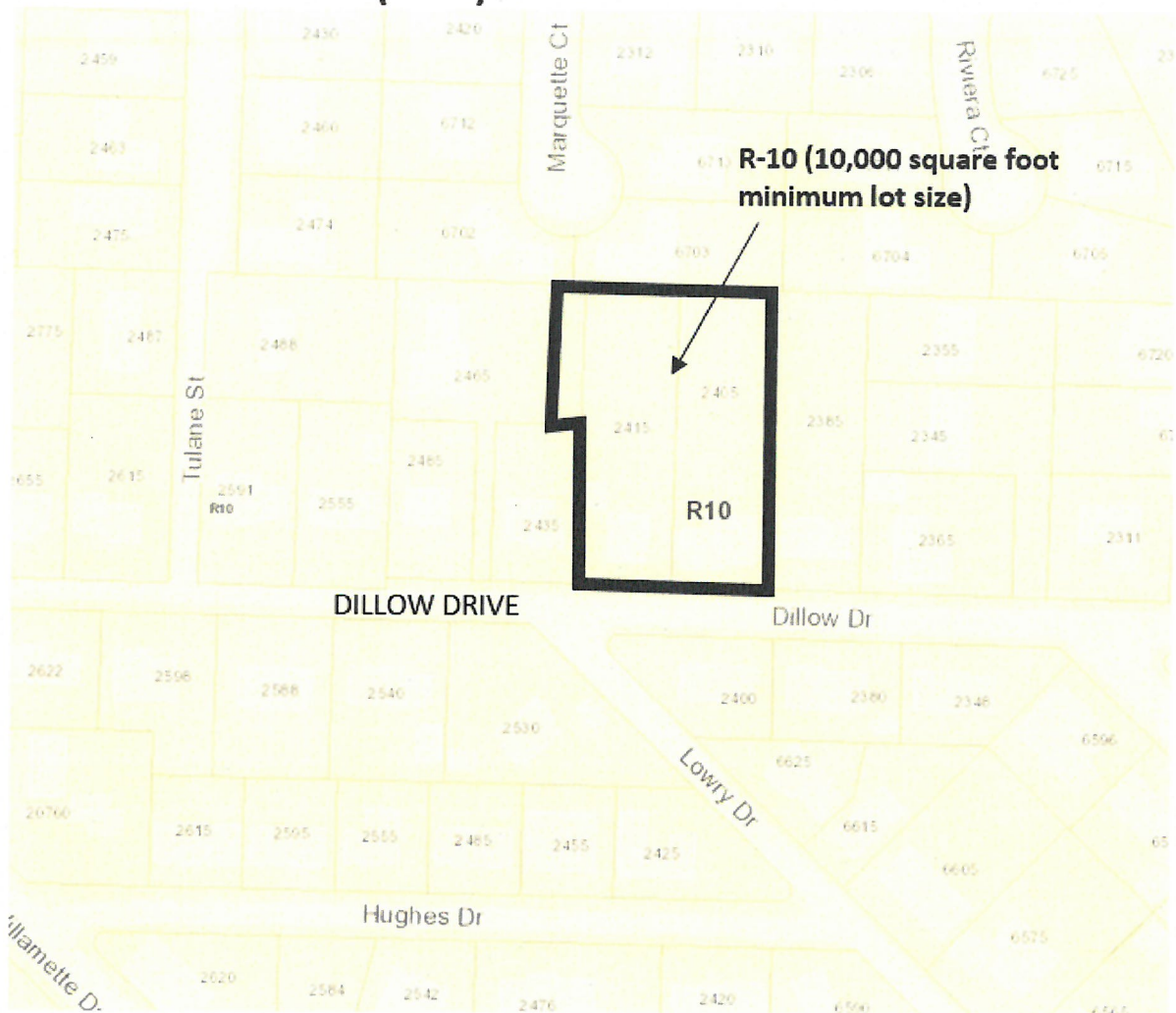


FIGURE 3: STEEP SLOPES (none at site)

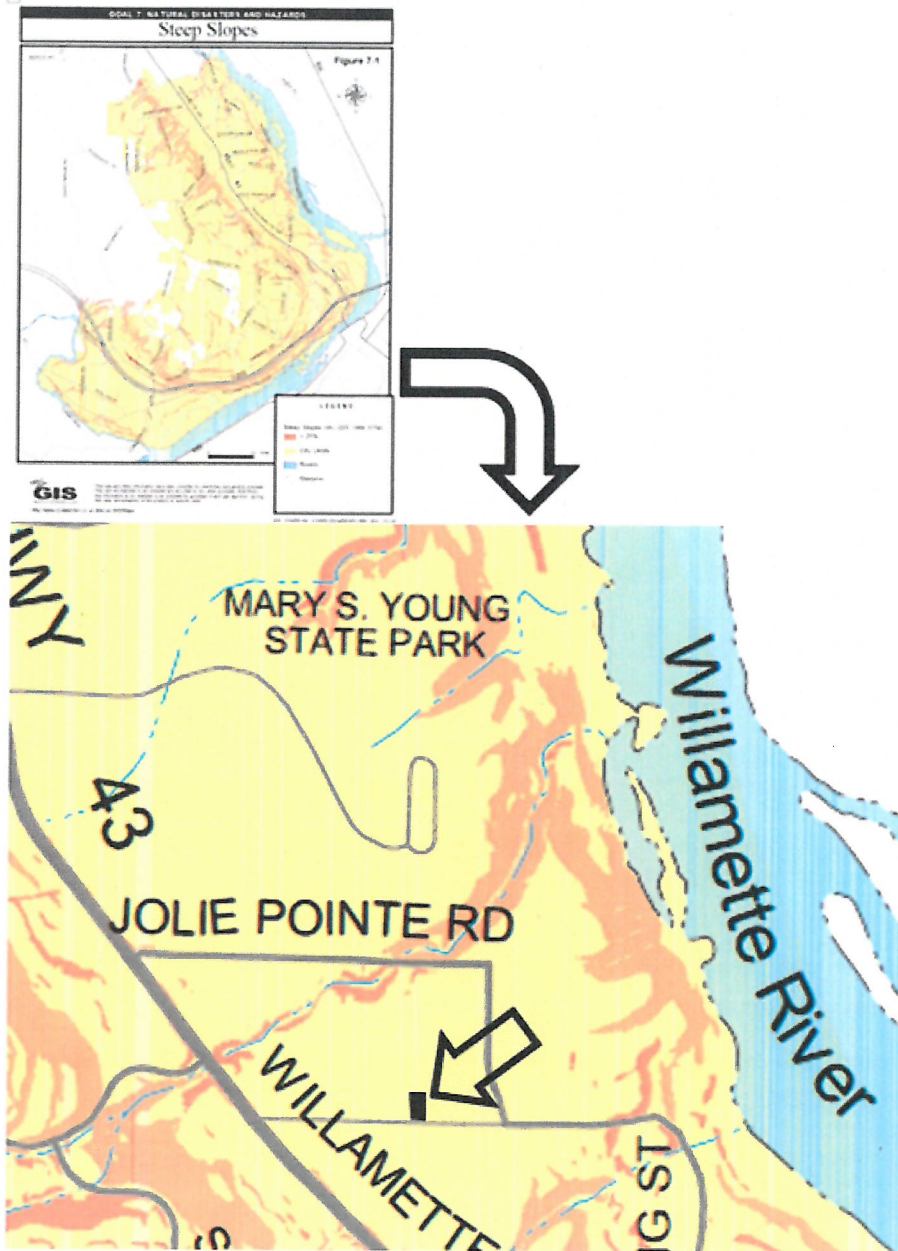


FIGURE 4: METRO HABITAT CONSERVATION AREA MAP (no HCA at site)

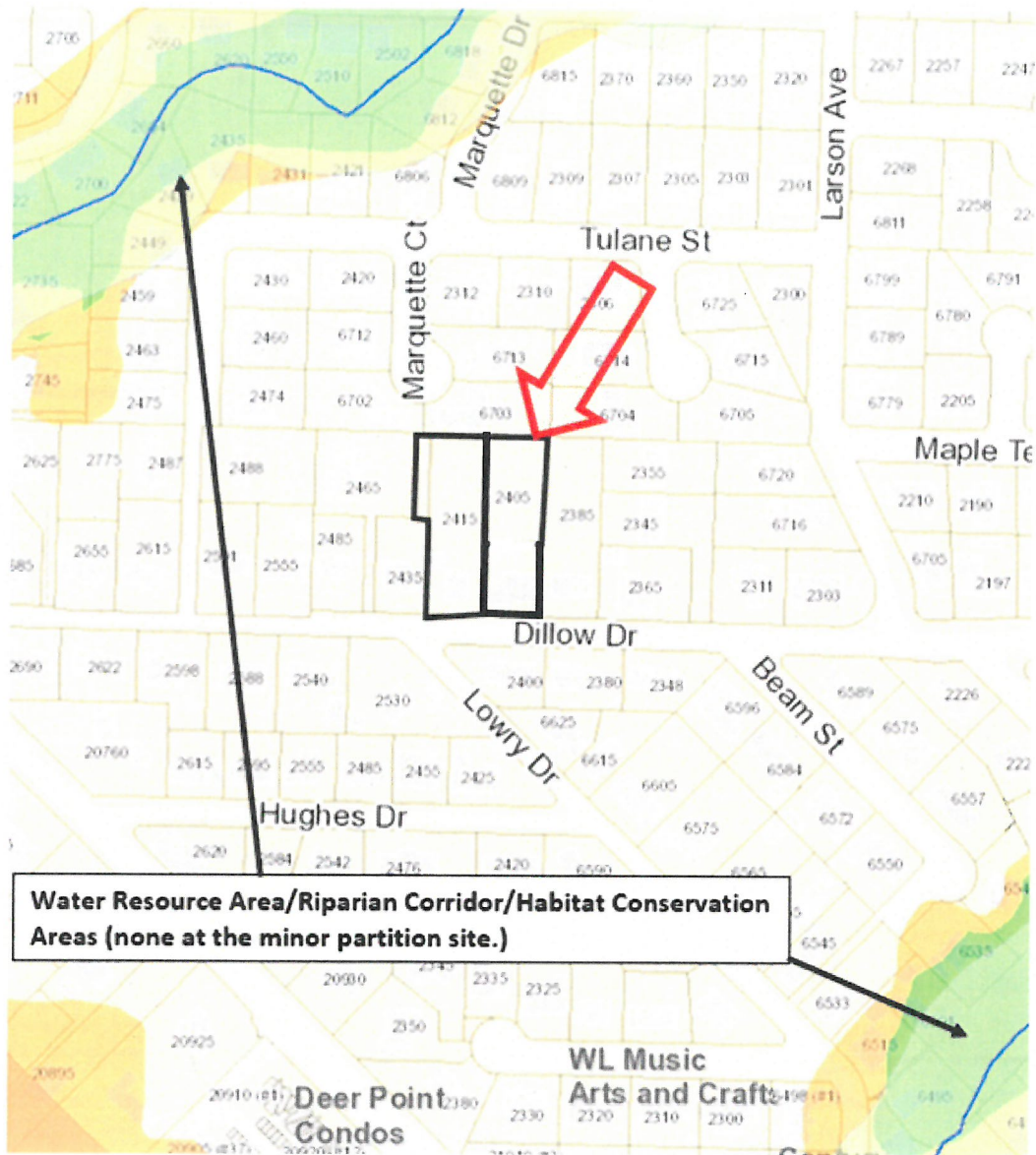
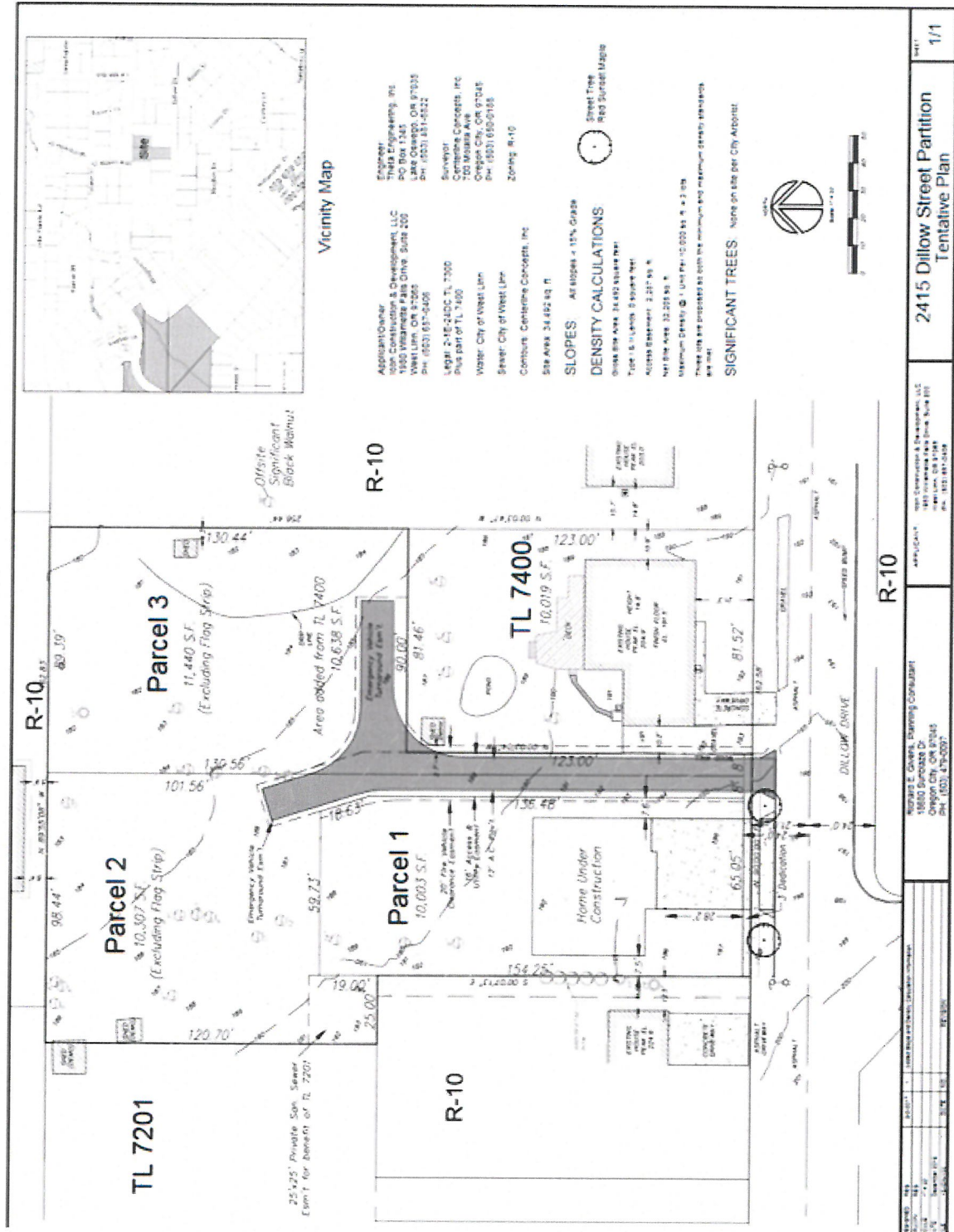


FIGURE 5(A): Tentative Plan, revised date of 3-2-2017



Applicant/Owner
 Iron Constructors & Development, LLC
 1900 Industrial Park Drive, Suite 200
 Vancouver, WA 98686
 PH: (509) 837-0408

Engineer
 T&D Engineering, Inc.
 1300 NE 145th Ave, Suite 100
 Vancouver, WA 98685
 PH: (509) 831-8522

Surveyor
 T&D Mapping Concepts, Inc.
 2600 Main Street
 Oregon City, OR 97146
 PH: (503) 650-0165

Legal
 2-16-2400 TL 7200
 Plus part of TL 7400

Water
 City of West Linn

Sewer
 City of West Linn

Combs
 Centaline Concepts, Inc.
 528 Ave 34 465 04 N

Zoning
 R-10

SLOPES
 All slopes < 15% Grade

DENSITY CALCULATIONS
 Gross Site Area: 34,450 Square Feet
 Total S.F. Lot(s): 33,907 S.F.
 Access Easement: 2,217 S.F.
 Net Site Area: 32,290 S.F.
 Maximum Density: 1 Unit per 10,000 S.F. = 3 Units

These units are provided as both the minimum and maximum density standards are met.

SIGNIFICANT TREES
 None on site per City Approval.

2415 Dillow Street Partition Tentative Plan		1/1
Applicant: Iron Constructors & Development, LLC 1900 Industrial Park Drive, Suite 200 Vancouver, WA 98686 PH: (509) 837-0408		
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Zoning: R-10		
SLOPES: All slopes < 15% Grade		
DENSITY CALCULATIONS: Gross Site Area: 34,450 Square Feet Total S.F. Lot(s): 33,907 S.F. Access Easement: 2,217 S.F. Net Site Area: 32,290 S.F. Maximum Density: 1 Unit per 10,000 S.F. = 3 Units		
These units are provided as both the minimum and maximum density standards are met.		
SIGNIFICANT TREES: None on site per City Approval.		
Vicinity Map		
North Arrow and Graphic Scale		

FIGURE 5(B): Tentative Plan, revised date of 3-2-2017 (Enlarged)

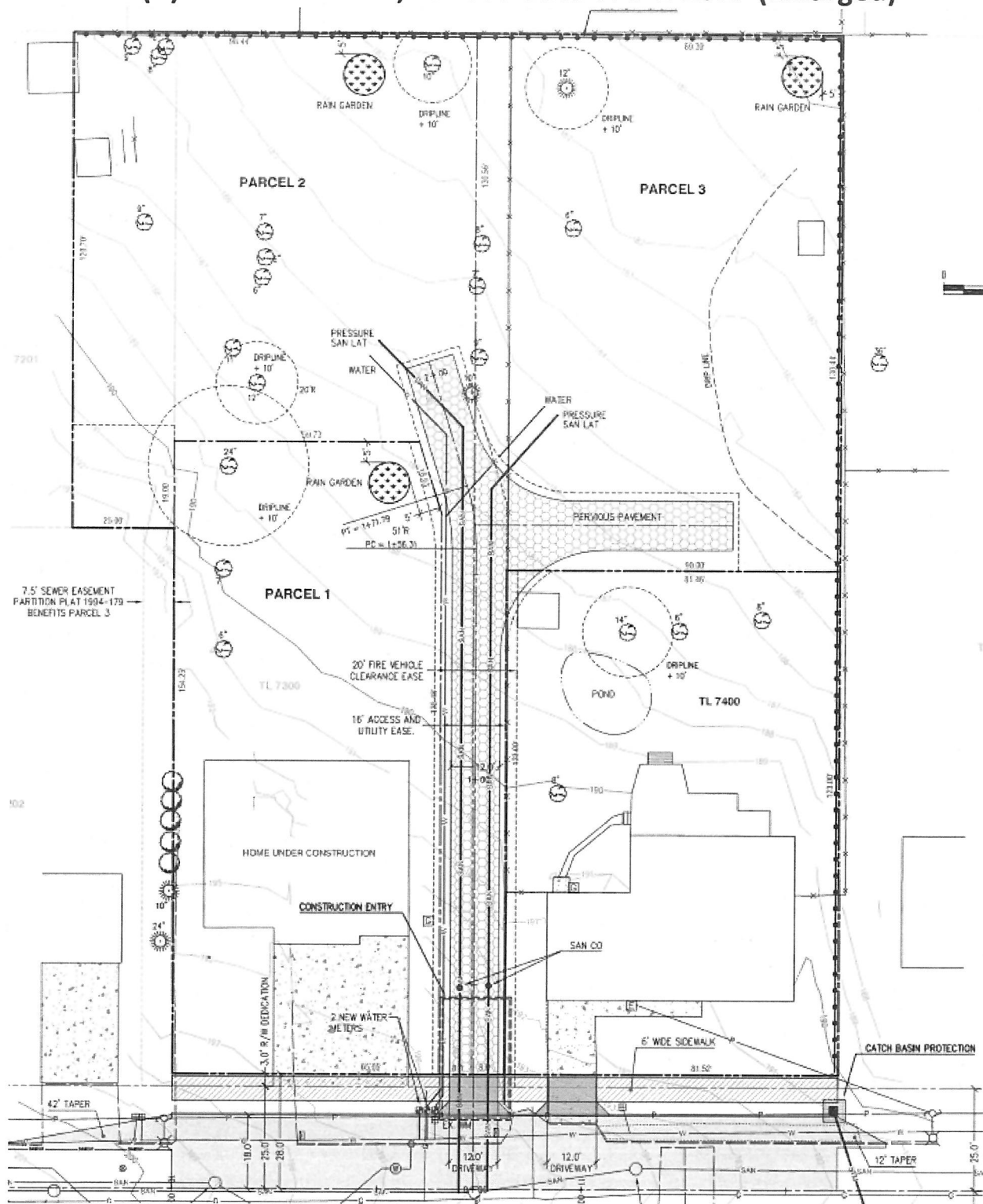


FIGURE 6: PROPOSED LLA

