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DEVELOPMENT	REVIEW	<b>APPLICA</b>	TION
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DEVELOPMENT REVIEW APPLI	CATION	
STAFF CONTACT PROJECT NO(S)		
Jennifer Arnold 34-17-02		
Non-Refundable Fee(s) 500 Refundable Deposit(s) 5200	TOTAL 5700-	
Type of Review (Please check all that apply):		
Annexation (ANX)  Appeal and Review (AP) *  Conditional Use (CUP)  Design Review (DR)  Easement Vacation  Extraterritorial Ext. of Utilities  Flood Management Area  Hillside Protection & Erosion Control  Home Occupation, Pre-Application, Sidewalk Use, Sign Review Permit, and Tem different or additional application forms, available on the City website or at City	Water Resource Area Protection/Single Lot (WAP) Water Resource Area Protection/Wetland (WAP) Willamette & Tualatin River Greenway (WRG) Zone Change	
Site Location/Address:	Assessor's Map No.:	
2015 19th st	Tax Lot(s): 1200	
	Total Land Area: 62, 754, 33 5.F.	
Brief Description of Proposal:	7	
New 5 lot subdivision		
Applicant Name: Silver Oak Cheron Homes	Phone: 503.757,0252	
Address: 15695 S. Coms Rd.	Email: adamhoesly @gmail.co	
Owner Name (required): M.1. M. 97045	DI.	
Owner Name (required): Mike McNamARA Address: 2015 1945	Phone: 503,320,1490	
City State Zip: West Linn, OR 97068	Email:	
Consultant Name: C/		
Consultant Name: Edmund Tawiah (please print)  Address: 5821 SE 82ND AVE Suite III	Phone: 503, 277, 8143	
City State Zip: Parland, OR 97266	etawiahetecengr. com	
1. All application fees are non-refundable (excluding deposit). Any overruns to depos	полительности по серения по серен	
<ol> <li>The owner/applicant or their representative should be present at all public hearings</li> <li>A denial or approval may be reversed on appeal. No permit will be in effect until th</li> <li>Three (3) complete hard-copy sets (single sided) of application materials must be some (1) complete set of digital application materials must also be submitted on CD if large sets of plans are required in application please submit only two sets.</li> </ol>	e appeal period has expired.	
No CD required / ** Only one hard-copy set needed	CONTRACTOR OF THE PROPERTY OF	
The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes comply with all code requirements applicable to my application. Acceptance of this application do to the Community Development Code and to other regulations adopted after the application is ap Approved applications and subsequent development is not vested under the provisions in place at	proved shall be enforced when that All amendments	

## **Application Narrative**

## SITE INFORMATION:

Site Address: 2015 19th Street (21E34DD tax lot 1200)

Site Area: 61,744 sq. ft.

Neighborhood: Willamette NA

Comp. Plan: Low Density Residential

Zoning: R-10 (Single Family Residential Detached / (10,000 square foot minimum lot size)

Applicable code: CDC Chapter 11: R-10 Zoning CDC Chapter 48: Access, Egress, and Circulation

CDC Chapter 85: Land Division

CDC Chapter 92: Required Improvements

CDC Chapter 99.060(E) and ORS 197.360-380: Expedited Land Division (ELD)

## **PROJECT DETAILS:**

The proposal is to develop a 5 lot subdivision with single-family homes at 2015 19th Street. The property currently has one single-family home that is proposed to remain on Lot 2. A maximum of four lots will take access from the proposed private drive, which will be paved, 20 feet wide. Each lot is required to have one off-street parking space. The lots are flagged to provide access to the public right-of-way.

#### 11.030 PERMITTED USES

1. Single-family detached residential unit is being proposed.

#### 11.040 ACCESSORY USES

Accessory uses are allowed in this zone as provided by Chapter 34 CDC.

## 11.050 USES AND DEVELOPMENT PERMITTED UNDER PRESCRIBED CONDITIONS

The following uses are allowed in this zone under prescribed conditions.

- 1. Home occupations, subject to the provisions of Chapter 37 CDC.
- 2. Sign, subject to the provisions of Chapter 52 CDC.
- 3. Temporary uses, subject to the provisions of Chapter 35 CDC.-Not being proposed
- 4. Water-dependent uses, subject to the provisions of Chapters 28 and 34 CDC.
- 5. Agricultural or horticultural use; Not being proposed

## 11.060 CONDITIONAL USES

The following are conditional uses which may be allowed in this zoning district subject to the provisions of Chapter 60 CDC, Conditional Uses.

- 1. Cultural exhibits and library services. Not being proposed
- 2. Lodge, fraternal, community center and civic assembly. Not being proposed
- 3. Public safety facilities. Not being proposed
- 4. Public support facilities. Not being proposed
- 5. Recycle collection center. Not being proposed



- 6. Religious institution. Not being proposed
- 7. Schools. Not being proposed
- 8. Senior center. Not being proposed
- 9. Utilities, major. Not being proposed
- 10. Transportation facilities (Type II). See CDC 60.090 for additional approval criteria. (Ord. 1172, 1985; Ord. 1377, 1995; Ord. 1378, 1995; Ord. 1411, 1998; Ord. 1565, 2008; Ord. 1584, 2008; Ord. 1604 § 7, 2011) **Not being proposed**

# 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. **Minimum lot size is 10,000 sf. Condition met.** 
  - 2. The minimum front lot line length or the minimum lot width at the front lot line shall be 35 feet. **Minimum front lot line length is OVER 35ft. Condition met.**
  - 3. The average minimum lot width shall be 50 feet. The average minimum lot width is 50ft. Condition is met.
- 4. Repealed by Ord. 1622.
- 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. **Site is not in Willamette Historic District.**
  - b. For an interior side yard, seven and one-half feet. **Interior side yard is 7.5ft. Condition is met**
  - c. For a side yard abutting a street, 15 feet. **Side yard abutting a street is 20ft. Condition is met.**
  - d. For a rear yard, 20 feet. Rear side yard is 20ft. Condition is met
  - 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. **Minimum building height will be 35ft.**
  - 7. The maximum lot coverage shall be 35 percent. **Maximum lot coverage is 35%. Condition met.**
  - 8. The minimum width of an accessway to a lot which does not abut a street or a flag lot shall be 15 feet. **All lots abut accessway. This condition is met.**
  - 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. This condition will be met in the architectural layout of the building

10. The sidewall provisions of Chapter 43 CDC shall apply. (Ord. 1175, 1986; Ord. 1298, 1991; Ord. 1377, 1995; Ord. 1538, 2006; Ord. 1614 § 2, 2013; Ord. 1622 § 24, 2014) This condition will be met in the architectural layout of the building

## 11.080 DIMENSIONAL REQUIREMENTS, CONDITIONAL USES

Except as may otherwise be established by this code, the appropriate lot or parcel size for a conditional use shall be determined by the approval authority at the time of consideration of the application based upon the criteria set forth in CDC 60.070(A) and (B). (Ord. 1636 § 9, 2014) 11.090 OTHER APPLICABLE DEVELOPMENT STANDARDS

- A. The following standards apply to all development including permitted uses:
- 1. Chapter 34 CDC, Accessory Structures, Accessory Dwelling Units, and Accessory Uses.
- 2. Chapter 35 CDC, Temporary Structures and Uses.
- 3. Chapter 38 CDC, Additional Yard Area Required; Exceptions to Yard Requirements; Storage in Yards; Projections into Yards.
- 4. Chapter 40 CDC, Building Height Limitations, Exceptions.
- 5. Chapter 41 CDC, Structures on Steep Lots, Exceptions.
- 6. Chapter 42 CDC, Clear Vision Areas.
- 7. Chapter 44 CDC, Fences.
- 8. Chapter 46 CDC, Off-Street Parking, Loading and Reservoir Areas.
- 9. Chapter 48 CDC, Access, Egress and Circulation.
- 10. Chapter 52 CDC, Signs.
- 11. Chapter 54 CDC, Landscaping.
  - B. The provisions of Chapter 55 CDC, Design Review, apply to all uses except detached single-family dwellings, residential homes and residential facilities. (Ord. 1590 § 1, 2009) This proposal is for a residential home of single-family dwellings.

## **48.025 ACCESS CONTROL**

- A. Purpose. The following access control standards apply to public, industrial, commercial and residential developments including land divisions. Access shall be managed to maintain an adequate level of service and to maintain the functional classification of roadways as required by the West Linn Transportation System Plan. This proposal is for a residential home of single-family dwellings and access control applies.
- 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.)
  - 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. With the exception of Lot in that has access to 19<sup>th</sup> Street, none of the lots can access the public street directly. Condition is met.
- 3. Access options. When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods (planned access shall be consistent with adopted public works standards and TSP). These methods are "options" to the developer/subdivider.
- a) Option 1. Access is from an existing or proposed alley or mid-block lane. If a property has access to an alley or lane, direct access to a public street is not permitted. **Access is not from a proposed alley or midblock.**
- b) Option 2. Access is from a private street or driveway connected to an adjoining property that has direct access to a public street (i.e., "shared driveway"). A public access easement covering the driveway shall be recorded in this case to assure access to the closest public street for all users of the private street/drive. This proposal is for private street and public access easement is shown over the entire drive abutting 19<sup>th</sup> Street.
- c) Option 3. Access is from a public street adjacent to the development lot or parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access spacing standards in subsection (B)(6) of this section. This condition is met as the existing access to the existing house will be closed off and rather have the existing house access the private street.

- 3. Subdivisions fronting onto an arterial street. New residential land divisions fronting onto an arterial street shall be required to provide alleys or secondary (local or collector) streets for access to individual lots. When alleys or secondary streets cannot be constructed due to topographic or other physical constraints, access may be provided by consolidating driveways for clusters of two or more lots (e.g., includes flag lots and mid-block lanes). A private street is being proposed. This condition is met.
- 5. Double-frontage lots. When a lot or parcel has frontage onto two or more streets, access shall be provided first from the street with the lowest classification. For example, access shall be provided from a local street before a collector or arterial street. When a lot or parcel has frontage opposite that of the adjacent lots or parcels, access shall be provided from the street with the lowest classification. **Only one street fronts the lots being proposed.**
- 6. Access spacing.
- a. The access spacing standards found in the adopted Transportation System Plan (TSP) shall be applicable to all newly established public street intersections and non-traversable medians. Deviation from the access spacing standards may be granted by the City Engineer if conditions are met as described in the access spacing variances section in the adopted TSP. **This access spacing condition is met.**
- b. Private drives and other access ways are subject to the requirements of CDC 48.060.
- 7. Number of access points. For single-family (detached and attached), two-family, and duplex housing types, one street access point is permitted per lot or parcel, when alley access cannot otherwise be provided; except that two access points may be permitted corner lots (i.e., no more than one access per street), subject to the access spacing standards in subsection (B)(6) of this section. The number of street access points for multiple family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required, in conformance with subsection (B)(8) of this section, in order to maintain the required access spacing, and minimize the number of access points. **Only one access point per lot is provided. This condition is met.**
- 8. Shared driveways. The number of driveway and private street intersections with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The City shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:
- a. Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent lot or parcel develops. "Developable" means that a lot or parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential). The access per flag pole of lots 2-5 satisfies this condition.

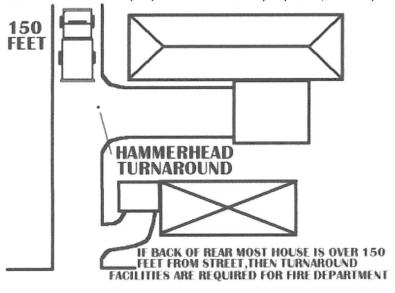
- b. Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.
- c. Exception. Shared driveways are not required when existing development patterns or physical constraints (e.g., topography, lot or parcel configuration, and similar conditions) prevent extending the street/driveway in the future. **No shared driveway in the proposal.**
- C. Street connectivity and formation of blocks required. In order to promote efficient vehicular and pedestrian circulation throughout the City, land divisions and large site developments shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:
- 1. Block length and perimeter. The maximum block length shall not exceed 800 feet or 1,800 feet along an arterial. **There is no possibility of street extension connectivity.**
- 2. Street standards. Public and private streets shall also conform to Chapter 92 CDC, Required Improvements, and to any other applicable sections of the West Linn Community Development Code and approved TSP. **Street is designed per West Linn standards.**
- 3. Exception. Exceptions to the above standards may be granted when blocks are divided by one or more pathway(s), in conformance with the provisions of CDC 85.200(C), Pedestrian and Bicycle Trails, or cases where extreme topographic (e.g., slope, creek, wetlands, etc.) conditions or compelling functional limitations preclude implementation, not just inconveniences or design challenges. (Ord. 1635 § 25, 2014; Ord. 1636 § 33, 2014; Ord. 1650 § 1 (Exh. A), 2016) 48.030 MINIMUM VEHICULAR REQUIREMENTS FOR RESIDENTIAL USES
  - A. Direct individual access from single-family dwellings and duplex lots to an arterial street, as designated in the transportation element of the Comprehensive Plan, is prohibited for lots or parcels created after the effective date of this code where an alternate access is either available or is expected to be available by imminent development application. Evidence of alternate or future access may include temporary cul-de-sacs, dedications or stubouts on adjacent lots or parcels, or tentative street layout plans submitted at one time by adjacent property owner/developer or by the owner/developer, or previous owner/developer, of the property in question. Access is not onto Arterial but a neighborhood street.

В.

In the event that alternate access is not available as determined by the Planning Director and City Engineer, access may be permitted after review of the following criteria:

- 1. Topography.
- 2. Traffic volume to be generated by development (i.e., trips per day).
- 3. Traffic volume presently carried by the street to be accessed.
- 4. Projected traffic volumes.
- 5. Safety considerations such as line of sight, number of accidents at that location, emergency vehicle access, and ability of vehicles to exit the site without backing into traffic.

- 6. The ability to consolidate access through the use of a joint driveway.
- 7. Additional review and access permits may be required by State or County agencies.
- 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. The proposed private street is 20ft.
  - 4. Maximum driveway grade shall be 15 percent. The 15 percent shall be measured along the centerline of the driveway only. Variations require approval of a Class II variance by the Planning Commission pursuant to Chapter 75 CDC. Regardless, the last 18 feet in front of the garage shall be under 12 percent grade as measured along the centerline of the driveway only. Grades elsewhere along the driveway shall not apply. **The driveway grades are less than 15%.**
- 4. The driveway shall include a minimum of 20 feet in length between the garage door and the back of sidewalk, or, if no sidewalk is proposed, to the paved portion of the right-of-way.



- C. When any portion of one or more homes is more than 150 feet from the adjacent right-of-way, the provisions of subsection B of this section shall apply in addition to the following provisions.
- 1. A turnaround may be required as prescribed by the Fire Chief. A hammer head type of turn-around is provided

- 2. Minimum vertical clearance for the driveway shall be 13 feet, six inches. **The minimum vertical clearance will be 13'-6"**
- 3. A minimum centerline turning radius of 45 feet is required unless waived by the Fire Chief.
- 4. There shall be sufficient horizontal clearance on either side of the driveway so that the total horizontal clearance is 20 feet.
- D. Access to five or more single-family homes shall be by a street built to full construction code standards. All streets shall be public. This full street provision may only be waived by variance.
- E. Access and/or service drives for multi-family dwellings shall be fully improved with hard surface pavement:
- 1. With a minimum of 24-foot width when accommodating two-way traffic; or
- 2. With a minimum of 15-foot width when accommodating one-way traffic. Horizontal clearance shall be two and one-half feet wide on either side of the driveway.
- 3. Minimum vertical clearance of 13 feet, six inches.
- 4. Appropriate turnaround facilities per Fire Chief's standards for emergency vehicles when the drive is over 150 feet long. Fire Department turnaround areas shall not exceed seven percent grade unless waived by the Fire Chief.
  - 5. The grade shall not exceed 10 percent on average, with a maximum of 15 percent.

    Maximum grade of the private street is 7.5%
- 6. A minimum centerline turning radius of 45 feet for the curve.
- F. Where on-site maneuvering and/or access drives are necessary to accommodate required parking, in no case shall said maneuvering and/or access drives be less than that required in Chapters 46 and 48 CDC.
- G. The number of driveways or curb cuts shall be minimized on arterials or collectors. Consolidation or joint use of existing driveways shall be required when feasible.
- H. In order to facilitate through traffic and improve neighborhood connections, it may be necessary to construct a public street through a multi-family site.
- Gated accessways to residential development other than a single-family home are prohibited. (Ord. 1408, 1998; Ord. 1463, 2000; Ord. 1513, 2005; Ord. 1584, 2008; Ord. 1590 § 1, 2009; Ord. 1636 § 34, 2014)

48.040 MINIMUM VEHICLE REQUIREMENTS FOR NON-RESIDENTIAL USES Access, egress, and circulation system for all non-residential uses shall not be less than the following:

- A. Service drives for non-residential uses shall be fully improved with hard surface pavement:
- 1. With a minimum of 24-foot width when accommodating two-way traffic; or
- 2. With a minimum of 15-foot width when accommodating one-way traffic. Horizontal clearance shall be two and one-half feet wide on either side of the driveway.
- Meet the requirements of CDC 48.030(E)(3) through (6).
- 4. Pickup window driveways may be 12 feet wide unless the Fire Chief determines additional width is required.

- B. All non-residential uses shall be served by one or more service drives as determined necessary to provide convenient and safe access to the property and designed according to CDC 48.030(A). In no case shall the design of the service drive or drives require or facilitate the backward movement or other maneuvering of a vehicle within a street, other than an alley.
- C. All on-site maneuvering and/or access drives shall be maintained pursuant to CDC 46.130.
- D. Gated accessways to non-residential uses are prohibited unless required for public safety or security. (Ord. 1408, 1998, Ord. 1463, 2000)

48.050 ONE-WAY VEHICULAR ACCESS POINTS

Where a proposed parking facility plan indicates only one-way traffic flow on the site, it shall be accommodated by a specific driveway serving the facility, and the entrance drive shall be situated closest to oncoming traffic, and the exit drive shall be situated farthest from oncoming traffic.

48.060 WIDTH AND LOCATION OF CURB CUTS AND ACCESS SEPARATION REQUIREMENTS

- A. Minimum curb cut width shall be 16 feet. Curb cut width are over 16ft
- B. Maximum curb cut width shall be 36 feet, except along Highway 43 in which case the maximum curb cut shall be 40 feet. For emergency service providers, including fire stations, the maximum shall be 50 feet.
- C. No curb cuts shall be allowed any closer to an intersecting street right-of-way line than the following:
- 1. On an arterial when intersected by another arterial, 150 feet.
- 2. On an arterial when intersected by a collector, 100 feet.
- 3. On an arterial when intersected by a local street, 100 feet.
- 4. On a collector when intersecting an arterial street, 100 feet.
- 5. On a collector when intersected by another collector or local street, 35 feet.
- 6. On a local street when intersecting any other street, 35 feet.
- D. There shall be a minimum distance between any two adjacent curb cuts on the same side of a public street, except for one-way entrances and exits, as follows:
- 1. On an arterial street, 150 feet.
- 2. On a collector street, 75 feet.
- 3. Between any two curb cuts on the same lot or parcel on a local street, 30 feet.
- E. A rolled curb may be installed in lieu of curb cuts and access separation requirements.
- F. Curb cuts shall be kept to the minimum, particularly on Highway 43. Consolidation of driveways is preferred. The standard on Highway 43 is one curb cut per business if consolidation of driveways is not possible.
- G. Adequate line of sight pursuant to engineering standards should be afforded at each driveway or accessway. (Ord. 1270, 1990; Ord. 1584, 2008; Ord. 1636 § 35, 2014) 48.070 PLANNING DIRECTOR'S AUTHORITY TO RESTRICT ACCESS APPEAL PROVISIONS
- A. In order to provide for increased traffic movement on congested streets and eliminate turning movement problems, the Planning Director and the City Engineer, or his or her designee, may restrict the location of driveways on said street and require the location of driveways on adjacent streets upon the finding that the proposed access would:
- 1. Provide inadequate access for emergency vehicles; or
- 2. Cause or increase hazardous conditions to exist which would constitute a clear and present danger to the public health safety and general welfare.

B. A decision by the Planning Director may be appealed to the Planning Commission as provided by CDC 99.240(B).

48.080 BICYCLE AND PEDESTRIAN CIRCULATION

- A. Within all multi-family developments (except two-family/duplex dwellings), each residential dwelling shall be connected to vehicular parking stalls, common open space, and recreation facilities by a pedestrian pathway system having a minimum width of six feet and constructed of an all-weather material. The pathway material shall be of a different color or composition from the driveway. (Bicycle routes adjacent to the travel lanes do not have to be of different color or composition.)
- B. Bicycle and pedestrian ways within a subdivision shall be constructed according to the provisions in CDC 85.200(A)(3).
- C. Bicycle and pedestrian ways at commercial or industrial sites shall be provided according to the provisions of Chapter 55 CDC, Design Review.

Conditions 95 and 92 applicable codes are addressed in the attached drawings.