

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT <i>Peter Spier</i>	PROJECT NO(S).	<i>MIP-17-06</i>
NON-REFUNDABLE FEE(S)	REFUNDABLE DEPOSIT(S) <i>2800</i>	TOTAL <i>2,800</i>

Type of Review (Please check all that apply):

- | | | |
|--|--|--|
| <input type="checkbox"/> Annexation (ANX) | <input type="checkbox"/> Historic Review | <input type="checkbox"/> Subdivision (SUB) |
| <input type="checkbox"/> Appeal and Review (AP) * | <input type="checkbox"/> Legislative Plan or Change | <input type="checkbox"/> Temporary Uses * |
| <input type="checkbox"/> Conditional Use (CUP) | <input type="checkbox"/> Lot Line Adjustment (LLA) */** | <input type="checkbox"/> Time Extension * |
| <input type="checkbox"/> Design Review (DR) | <input checked="" type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan) | <input type="checkbox"/> Variance (VAR) |
| <input type="checkbox"/> Easement Vacation | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP) |
| <input type="checkbox"/> Extraterritorial Ext. of Utilities | <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Water Resource Area Protection/Wetland (WAP) |
| <input type="checkbox"/> Final Plat or Plan (FP) | <input type="checkbox"/> Pre-Application Conference (PA) */** | <input type="checkbox"/> Willamette & Tualatin River Greenway (WRG) |
| <input type="checkbox"/> Flood Management Area | <input type="checkbox"/> Street Vacation | <input type="checkbox"/> Zone Change |
| <input type="checkbox"/> Hillside Protection & Erosion Control | | |

Home Occupation, Pre-Application, Sidewalk Use, Sign Review Permit, and Temporary Sign Permit applications require different or additional application forms, available on the City website or at City Hall.

Site Location/Address: 18902 WALLING CIRCLE WEST LINN, OR 97068	Assessor's Map No.: 21E23AA
	Tax Lot(s): 2200
	Total Land Area: 0.62 ACRES

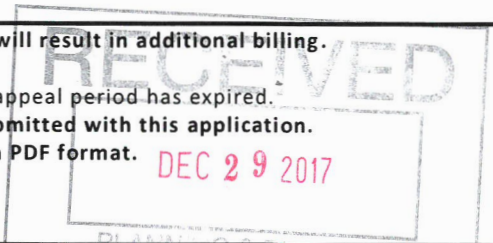
Brief Description of Proposal: PRELIMINARY PLAT APPROVAL FOR A 2-PARCEL PARTITION IN THE R-10 ZONE

Applicant Name: XUAN CEN CHENG <small>(please print)</small> Address: 18902 WALLING CIRCLE City State Zip: WEST LINN, OR 97068	Phone: 971-325-1603 Email: CHENG_XC2006@HOTMAIL.COM
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Owner Name (required): TZER EN CHENG <small>(please print)</small> Address: 18902 WALLING CIRCLE City State Zip: WEST LINN, OR 97068	Phone: 971-777-4816 Email: ERIC8000TW@YAHOO.COM
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Consultant Name: NW ENGINEERS, MATT NEWMAN <small>(please print)</small> Address: 3409 NE JOHN OLSEN AVE City State Zip: HILLSBORO, OR 97124	Phone: 503-601-4401 Email: MATTN@NW-ENG.COM
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- All application fees are non-refundable (excluding deposit). **Any overruns to deposit will result in additional billing.**
- The owner/applicant or their representative should be present at all public hearings.
- A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
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One (1) complete set of digital application materials must also be submitted on CD in PDF format.
If large sets of plans are required in application please submit only two sets.



* No CD required / ** Only one hard-copy set needed

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. All amendments to the Community Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

	12-06-2017		12-06-2017
Applicant's signature	Date	Owner's signature (required)	Date



NW Engineers, LLC
3409 NW John Olsen Place
Hillsboro, OR 97124
Phone (503) 601-4401
Fax (503) 601-4402
Website www.nw-eng.com

APPLICANT'S STATEMENT

For

"Walling Circle 2-Parcel Partition"

REQUEST

Preliminary Plat Approval for a 2-Parcel Partition
in the R-10 Zone

APPLICANT/OWNER

Tzer En Cheng
18902 Walling Circle
West Linn, Oregon 97068

APPLICANT'S REPRESENTATIVE

Matt Newman
NW Engineers, LLC
3409 NW John Olsen Place
Hillsboro, OR 97124

LEGAL DESCRIPTION

Tax Map 21E 23AA
Tax Lot 2200
West Linn, Oregon

“PRELIMINARY PLAT APPROVAL FOR A 2-PARCEL PARTITION IN THE R-10 ZONE”

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DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
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NON-REFUNDABLE FEE(S)	REFUNDABLE DEPOSIT(S)	TOTAL

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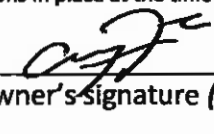
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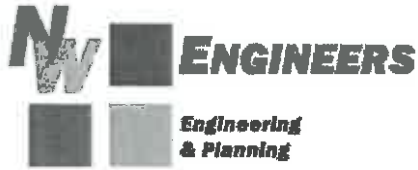
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	12-06-2017		12-06-2017
Applicant's signature	Date	Owner's signature (required)	Date



NW Engineers, LLC
3409 NE John Olsen Avenue
Hillsboro, OR 97124
Phone (503) 601-4401
Fax (503) 601-4402
Website www.nw-eng.com

December 18, 2017

APPLICANT'S STATEMENT

**APPLICANT/
OWNER:**

Tzer En Cheng
18902 Walling Circle
West Linn, Oregon 97068

**APPLICANT'S
REPRESENTATIVE:**

Matthew Newman
NW Engineers, LLC
3409 NE John Oisen Avenue
Hillsboro, Oregon 97124

REQUEST:

Preliminary Plat Approval for a 2-Parcel Minor Partition
in the R-10 District

**SITE LEGAL
DESCRIPTION:**

Tax Lot 2200, Tax Map 21E 23AA,
West Linn, Oregon

**SIZE:
(DEVELOPMENT SITE)**

0.62 Acres +/-

LOCATION:

18902 Walling Circle
West Linn, Oregon 97068

LAND- USE DISTRICT:

R-10 (Residential, 4.35 Units Per Acre)

COMMUNITY PLAN:

Robinwood Neighborhood Plan

I. APPLICABLE REGULATIONS

- A. West Linn Comprehensive Plan
- B. Robinwood Neighborhood Plan
- C. West Linn Community Development Code:

Chapter 11	Single-Family Residential Detached, R-10
Chapter 48	Access, Egress and Circulation
Chapter 85	General Provisions
Chapter 92	Required Improvements
Chapter 99	Pre-Application

II. AFFECTED JURISDICTIONS

Domestic Water:	City of West Linn
Fire Protection:	Tualatin Valley Fire and Rescue
Electric:	Portland General Electric
Police Protection:	City of West Linn
School District:	West Linn-Wilsonville, 3J
Sewer:	Tri-City Service District
Streets:	City of West Linn

III. BACKGROUND:

The applicant/owner, Tzer En Cheng, is requesting preliminary plat approval for a 2-parcel Minor Partition for a property designated R-10, and located in the Robinwood Neighborhood Plan area. The subject property is 0.62 acres +/- and is identified by the Clackamas County Assessor as Tax Lot 2200 of Tax Map 21E 23AA. The site is currently developed with a single-family detached dwelling.

Under the R-10 District, the subject site may be developed at a maximum density of 4.35 units/acre with a minimum lot size of 10,000 sq. ft., permitting the development of 2 units (0.62 acres x 4.35 = 2.7 or 2 units since the site is less than 30,000 sf in area. The 2 proposed single-family are (Parcel 1) 10,227 sq. ft. and (Parcel 2 – Flag Lot) 17,524 sq. ft. in area (16,260 sq. ft. net), meeting the maximum density and minimum lot size standards. The attached plans also indicate that the proposed lots meet the minimum lot width of 35-ft. at the front lot line, and meet the average lot width standard of 50-ft. (see Exhibit 4).

As indicated by the attached Existing Conditions Plan (Exhibit 3), existing utilities and transportation facilities are located in the vicinity of the site. The subject site is a through-lot with access from Walling Circle but also fronting on Willamette Drive. The existing dwelling on proposed Parcel 1 is currently connected to public utilities within the Walling Circle right-of-way. To serve Parcel 2, the applicant is proposing to connect to existing water and sewer main lines within Walling Circle (sanitary sewer with private grinder system). Stormwater will be treated on-site then conveyed to the existing ditch in Willamette Drive. No access from Willamette Drive is proposed since it is a State Highway. Walling Circle is classified as a Local Street and is currently improved with an asphalt surface approximately 22-ft. wide. To

meet Local Street standards, the applicant is proposing to pay a fee-in-lieu of installing required street frontage improvements.

Exhibit 3 indicates that the site slopes from Walling Circle to Willamette Drive at the slope of approximately 10%, from 210-ft. msl to 191-ft. msl. There are a number of trees on the site which are shown on the existing conditions plans and discussed in the Arborist Report (Exhibit 8). There are 41 trees on-site, 21 of which are proposed to be removed. None of these trees are identified as significant. There are four potentially significant trees on-site and one off-site which are proposed to be retained.

Properties to the south, north and west are fully developed single-family lots that are zoned R-10. Properties on the east side of Willamette Drive are located GC zone.

A signed copy of the development review application form, preliminary development plans, and other supporting documentation has been included with this application packet. The applicant's exhibits and narrative demonstrate that the proposed land use request meets the criteria outlined by the West Linn Community Development Code.

IV. FINDINGS

A. WEST LINN COMPREHENSIVE PLAN

COMMENT:

Except where required by the West Linn Community Development Code, this application is not required to address the city's goals and policies related to the development of land, since the West Linn Comprehensive Plan is implemented by the Code.

B. ROBINWOOD NEIGHBORHOOD PLAN

COMMENT:

Except where required by the West Linn Community Development Code, this application is not required to address the city's goals and policies related to the development of land, since the Robinwood Neighborhood Plan is implemented by the Code.

C. WEST LINN COMMUNITY DEVELOPMENT CODE

Chapter 11 SINGLE-FAMILY RESIDENTIAL DETACHED, R-10

Section 11.030: PERMITTED USES

The following are uses permitted outright in this zoning district:

- 1. Single-family detached residential unit.**

COMMENT:

The attached plans indicate that the applicant is proposing a 2-parcel Minor Partition of the subject site. Proposed Parcel 1 contains an existing single-family detached residential unit. The applicant is intending to develop an additional single-family detached dwelling on proposed Parcel 2. Therefore, both the existing and proposed uses are permitted within the R-10 District.

Section 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.
4. Repealed by Ord. 1622.

COMMENT:

The attached Preliminary Plat indicates that proposed Parcel 1 is 10,227-sq. ft. and Parcel 2 – a flag lot - is 17,524 sq. ft., meeting the minimum lot size standard of 10,000 square feet. Parcel 1 provides approximately 98-ft. of frontage on Walling Circle and Parcel 2 provides 14-ft. of frontage at the flag pole, meeting the minimum front lot line length standard of 35-feet. The attached Preliminary Plat demonstrates that both of the proposed parcels have an average minimum lot width which exceeds the 50-ft. standard (see Exhibit 4).

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.

COMMENT:

The attached Preliminary Site Plan identifies minimum setbacks for the R-10 District (see Exhibit 5). The subject site is not located within the Willamette Historic District.

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.

COMMENT:

The attached Preliminary Site Plan demonstrates that the existing dwelling on Parcel 1 complies the above standard. With a lot area of 10,227 sq. ft., the maximum floor area of the existing house could be up to 4,800 sq. ft., more than twice the current area of the house. The attached Preliminary Site Plan indicates that a future home on Parcel 2 also can meet the required lot coverage standards. The applicant is not proposing to vary the maximum height or lot coverage standards for Parcel 2.

10. The sidewall provisions of Chapter 43 CDC shall apply.

COMMENT:

As required, the sidewall standards of Chapter 43 will be met when building permits are requested for a future dwelling on Parcel 2.

Section 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.

COMMENT:

At this time, the applicant is requesting approval of a Minor Partition land use application to divide the subject site into two parcels. When building permits are submitted for construction of a dwelling or other site improvements on proposed Parcel 2, the development will be reviewed for compliance with all applicable standards. However, Chapter 48 is addressed below.

- B. The provisions of Chapter 55 CDC, Design Review, apply to all uses except detached single-family dwellings, residential homes and residential facilities.

COMMENT:

Since a detached single-family dwelling will be developed on Parcel 2, the provisions of Chapter 55 do not apply.

**Chapter 48
ACCESS, EGRESS AND CIRCULATION**

48.020 APPLICABILITY AND GENERAL PROVISIONS

- A. The provisions of this chapter do not apply where the provisions of the Transportation System Plan or land division chapter are applicable and set forth differing standards.
- B. All lots shall have access from a public street or from a platted private street approved under the land division chapter.

COMMENT:

The proposed minor partition currently has direct access from Walling Circle, a public street

- C. No building or other permit shall be issued until scaled plans are presented to the City and approved by the City as provided by this chapter, and show how the access, egress, and circulation requirements are to be fulfilled. Access to State or County roads may require review, approval, and permits from the appropriate authority.
- D. Should the owner or occupant of a lot, parcel or building enlarge or change the use to which the lot, parcel or building is put, resulting in increasing any of the requirements of this chapter, it shall be unlawful and a violation of this code to begin or maintain such altered use until the provisions of this chapter have been met, and, if required, until the appropriate approval authority under Chapter 99 CDC has approved the change.
- E. Owners of two or more uses, structures, lots, parcels, or units of land may agree to utilize jointly the same access and egress when the combined access and egress of both uses, structures, or parcels of land satisfies the requirements as designated in this code; provided, that satisfactory legal evidence is presented to the City Attorney in the form of deeds, easements, leases, or contracts to establish joint use. Copies of said instrument shall be placed on permanent file with the City Recorder.
- F. Property owners shall not be compelled to access their homes via platted stems of flag lots if other driveways and easements are available and approved by the City Engineer. (Ord. 1584, 2008; Ord. 1636 § 32, 2014)

COMMENT:

Proposed access from Parcel 2 via the flag-pole is shown on the attached plans. A 5-ft. access and utility easement on Parcel 1 for the benefit of Parcel 2 is shown on the attached preliminary plat providing a total access and utility width of 20-ft.

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.)

COMMENT:

A traffic study for this project is unnecessary since Walling Circle is a local street with limited vehicle trips and only one additional home is proposed.

- 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.**

COMMENT:

The proposed access from Walling Circle will operated safely since there is adequate sight distance from the proposed entrance (or can be improved with vegetation removal within the right-of-way.

- 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.**
 - 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.**
 - 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.**

COMMENT:

Direct from Walling Circle from is proposed from the existing residence on Parcel 1 and proposed residence on Parcel 2.

- 4. 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).**

COMMENT:

This section is not applicable since only a Minor Partition is requested.

- 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.**

COMMENT:

Access is not proposed from Willamette Drive.

6. Access spacing.

- a. **The access spacing standards found in Chapter 8 of the adopted Transportation System Plan (TSP) shall be applicable to all newly established public street intersections and non-traversable medians.**
- b. **Private drives and other access ways are subject to the requirements of CDC 48.060.**

COMMENT:

This section is not applicable since no new streets or private drives are proposed.

- 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.**

COMMENT:

One access is proposed for each parcel: (1) existing access to Parcel 1 on the south side of the site; and (2) proposed access from the Parcel 2 flag pole on the north side of the site.

- 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).**
 - 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.**

COMMENT:

A shared access is not possible or necessary due to the location of the existing garage.

- 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.**
 - 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.**
 - 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.**

COMMENT:

An Exception to the street connectivity standards of this section is requested due to topographic constraints on the site and access restrictions on Willamette Drive. It is not feasible to provide a street or pathway through the site.

48.30 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.**

COMMENT:

This section is not applicable. Walling Circle is a local street.

- 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.**

COMMENT:

The proposed driveway access is 12-ft. in width since it is within the Parcel 2 flag-pole.

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.**
3. **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.**
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.**

COMMENT:

As shown on Exhibit 6, the driveway grade will be less than 10% and the length of the driveway will be approximately 80-ft. from the back of a future sidewalk.

- 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.**
- 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:**

COMMENT:

These sections are not applicable. The existing residence on Parcel 1 and proposed residence on Parcel 1 are less than 150-ft. from Walling Circle. Only one additional single family residence is proposed.

- 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.**

- I. **Gated accessways to residential development other than a single-family home are prohibited.**

COMMENT:

These sections are not applicable.

48.040 MINIMUM VEHICLE REQUIREMENTS FOR NON-RESIDENTIAL USES

48.050 ONE-WAY VEHICULAR ACCESS POINTS

COMMENT:

These sections are not applicable.

48.060 WIDTH AND LOCATION OF CURB CUTS AND ACCESS SEPARATION REQUIREMENTS

- A. **Minimum curb cut width shall be 16 feet.**
- 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.**

COMMENT:

Although there are no curbs on Walling Circle, the future curb cut for Parcel 2 is 16-ft.

- 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.**

COMMENT:

The proposed access from Parcel 2 is much greater than the minimum 35-ft. for local streets.

- 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.

COMMENT:

Spacing between the existing and proposed access is approximately 45-ft., exceeding the minimum 30-ft. standards for local streets.

- 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.

COMMENT:

These sections are not applicable.

- G. Adequate line of sight pursuant to engineering standards should be afforded at each driveway or accessway.

COMMENT:

Adequate sight distance exists or can be improved with vegetation removal within the right-of-way from the existing and proposed accesses to Walling Circle.

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 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).

COMMENT:

Although unlikely in this instance, the Director has authority to restrict access.

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.**

COMMENT:

This section is not applicable since only a single family residential Minor Partition is requested.

Chapter 85: GENERAL PROVISIONS

Section 85.150: APPLICATION – TENTATIVE PLAN

- A. The applicant shall submit a completed application which shall include:
 - 1. The completed application form(s).**
 - 2. Copies of the tentative plan and supplemental drawings shall include one copy at the original scale plus one copy reduced in paper size not greater than 11 inches by 17 inches. The applicant shall also submit one copy of the complete application in a digital format acceptable to the City. When the application submittal is determined to be complete, additional copies may be required as determined by the Community Development Department.**
 - 3. A narrative explaining all aspects of land division per CDC 85.200.****
- B. The applicant shall pay the requisite fee.**

COMMENT:

As required, the applicant has submitted copies of the tentative plat, supplemental drawings, and a narrative addressing applicable code criteria in accordance with the abovementioned standards. A full-sized copy of the plan is included, along with 11 x 17 copies and a digital version of the plan.

Section 85.160: SUBMITTAL REQUIREMENTS FOR TENTATIVE PLAN

- A. A City-wide map shall identify the site. A vicinity map covering one-quarter-mile radius from the development site shall be provided in the application showing existing subdivisions, streets, and unsubdivided land ownerships adjacent to the proposed subdivision and showing how proposed streets and utilities may be extended to connect to existing streets and utilities.**

COMMENT:

The submitted Cover Sheet includes a Vicinity Map and Location Map meeting the standards of this section (see Exhibit 1).

- B. The tentative subdivision plan shall be prepared by a registered civil engineer and/or a licensed land surveyor. A stamp and signature of the engineer or surveyor shall be included on the tentative subdivision plan. A tentative minor partition plan (three lots or less) is only required to be drawn to scale and does not have to be prepared by an engineer or surveyor.**

COMMENT:

A Preliminary Plat has been submitted for the Minor Partition (see Exhibit 4). The site was surveyed by a licensed surveyor and the tentative plan was prepared by a licensed engineer.

- C. The tentative plan of a subdivision or partition shall be drawn at a scale not smaller than one inch equals 100 feet, or, for areas over 100 acres, one inch equals 200 feet.**
- D. The following general information shall be shown on the tentative plan of subdivision or partition:**
 - 1. Proposed name of the subdivision and streets; these names shall not duplicate nor resemble the name of any other subdivision or street in the City and shall be determined by the City Manager or designee. Street names should be easily spelled, pronounced, and of limited length. All new street names must, to the greatest extent possible, respect and be representative of the surrounding geography and existing street names. Street names should consider any prominent historical City figures or neighborhood themes that exist. Subdivision street names may not reference names of the builder or developer.**
 - 2. Date, north arrow, scale of drawing, and graphic bar scale.**

3. **Appropriate identification clearly stating the drawing as a tentative plan.**
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.**
5. **Names and addresses of the owner, developer, and engineer or surveyor.**

COMMENT:

The attached Preliminary Plat and Preliminary Site Plan have been scaled to meet the requirements of this section. All of the required general information listed above has been included on the preliminary plans (see Exhibits 4 and 5).

- E. **The following existing conditions shall be shown on the tentative plan of a subdivision or partition:**
 1. **The location, widths, and names of all existing or platted streets and rights-of-way within or adjacent to the tract (within 50 feet), together with easements and other important features such as section lines, donation land claim corners, section corners, City boundary lines, and monuments.**
 2. **Contour lines related to the U.S. Geological Survey datum or some other established benchmark, or other datum approved by the Planning Director and having the following minimum intervals:**
 - a. **Two-foot contour intervals for ground slopes less than 20 percent.**
 - b. **Five-foot contour intervals for ground slopes exceeding 20 percent.**
 3. **The location of any control points that are the basis for the applicant's mapping.**
 4. **The location, by survey, and direction of all watercourses and areas subject to periodic inundation or storm drainageway overflow or flooding, including boundaries of flood hazard areas as established by the U.S. Army Corps of Engineers or the City zoning ordinance.**
 5. **Natural features such as rock outcroppings, wetlands tied by survey, wooded areas, heritage trees, and isolated trees (six-inch diameter at five feet above grade)**

identified by size, type, and location. All significant trees and tree clusters identified by the City Arborist using the criteria of CDC 55.100(B)(2), and all heritage trees, shall be delineated. Trees on non-Type I and II lands shall have their "dripline plus 10 feet" protected area calculated per CDC 55.100(B)(2) and expressed in square feet, and also as a percentage of total non-Type I and II area.

6. Existing uses of the property, including location of all existing structures. Label all structures to remain on the property after platting.
7. Identify the size and location of existing sewers, water mains, culverts, drain pipes, gas, electric, and other utility lines within the site, and in the adjoining streets and property.
8. Zoning on and adjacent to the tract.
9. Existing uses to remain on the adjoining property and their scaled location.
10. The location of any existing bicycle or pedestrian ways.
11. The location of adjacent transit stops.

COMMENT:

The attached Existing Conditions Plan demonstrates that the applicant has provided all of the required information listed above (see Exhibit 3). The applicant's Arborist located 4 potentially Significant trees on-site and one off-site. None are proposed to be removed (See Exhibit 8).

- F. The following proposed Improvements shall be shown on the tentative plan or supplemental drawings:
 1. The street – street location, proposed name, right-of-way width, and approximate radius of curves of each proposed street and street grades. Proposed street names shall comply with the street naming method explained in CDC 85.200(A)(12).
 2. The type, method, and location of any erosion prevention and sediment control measures and/or facilities in accordance with the most current version of Clackamas County's Erosion/Sedimentation Control Plans Technical Guidance Handbook, which are necessary to prevent and control visible or measurable erosion as determined by the following criteria:

- a. Deposition of soil, sand, dirt, dust, mud, rock, gravel, refuse, or any other organic or inorganic material exceeding one cubic foot in volume in a public right-of-way or public property, or into the City surface water management system either by direct deposit, dropping, discharge, or as a result of erosion; or
- b. Flow of water over bare soils, turbid or sediment-laden flows, or evidence of on-site erosion such as rivulets or bare soil slopes, where the flow of water is not filtered or captured on the development site; or
- c. Earth slides, mud flows, land slumping, slope failure, or other earth movement that is likely to leave the property of origin.

Additional on-site measures may later be required if original measures prove to be inadequate in meeting these attainment standards. For the purposes of this code, "one cubic foot in volume" is defined to include the volume of material, wet or dry, at the time of deposition and includes any water of a discolored or turbid nature.

COMMENT:

The applicant is not proposing to install street frontage improvements, remove significant trees, or is proposing other on-site grading activities with this Minor Partition application. As required, when building permits are requested for development of a dwelling and associated site improvements on Parcel 2, a grading plan will be submitted meeting the standards of this section.

3. Any proposed infrastructure improvements that address those identified in the City Transportation System Plan.
4. Any proposed bicycle or pedestrian paths. The location of proposed transit stops.

COMMENT:

The attached Preliminary Site Plan indicates that the applicant is not proposing to install frontage improvements along Walling Circle. The applicant is proposing to provide a fee-in-lieu of installing roadway improvements to meet City Transportation System Plan standards. The subject site is not located on a transit route, and the applicant is not proposing bicycle or pedestrian paths with the development.

5. Any easement(s) – location, width, and purpose of the easement(s).
6. The configuration including location and approximate dimensions and area of each lot or parcel, and in the case of a subdivision, the proposed lot and block number.

COMMENT:

As required, the attached Preliminary Plat provides dimensions and areas for each proposed parcel (see Exhibit 4). The attached plan also indicates that the applicant is proposing to establish a 5-ft. access and utility easement on Parcel 1 for the benefit of Parcel 2 (total width 20-ft.).

7. A street tree planting plan and schedule approved by the Parks Department.
8. Any land area to be dedicated to the City or put in common ownership.
9. Phase boundaries shall be shown.

COMMENT:

The applicant is proposing to provide a fee-in-lieu of installing required street frontage improvements on Walling Circle. The applicant is not proposing to establish common ownership land, dedicate land to the City, or create a phased development.

Section 85.170: SUPPLEMENTAL SUBMITTAL REQUIREMENTS FOR TENTATIVE SUBDIVISION OR PARTITION PLAN

The following information shall be submitted to supplement the tentative subdivision plan:

A. General.

1. Narrative stating how the plan meets each of the applicable approval criteria and each subsection below.
2. Statement or affidavit of ownership of the tract (County Assessor's map and tax lot number).
3. A legal description of the tract.

COMMENT:

The applicant and owner of the subject site is Tzer En Cheng. A property deed and legal description has been attached to this application (Exhibit 13). The applicant describes how the tentative partition plan meets all of the approval criteria in the submitted narrative.

4. If the project is intended to be phased, then such a proposal shall be submitted at this time with drawing and explanation as to when each phase will occur and which lots will be in each phase.
5. Where the land to be subdivided or partitioned contains only a part of the contiguous land owned by the developer, the Commission or Planning Director, as applicable, shall require a master plan of the remaining portion illustrating how the remainder of the property may suitably be subdivided.

COMMENT:

As mentioned above, the applicant is not proposing a phased development with this Minor Partition. Development of the site will result in complete parcelization so no further development is possible.

6. Where the proposed subdivision site includes hillsides, as defined in CDC 02.030 Type I and II lands, or any lands identified as a hazard site in the West Linn Comprehensive Inventory Plan Report, the requirements for erosion control as described in CDC 85.160(F)(2) shall be addressed in a narrative.

COMMENT:

As demonstrated by the Existing Conditions Plan, the property does not contain Type I or II Lands, the applicant has addressed Section 85.160(F)(2) in the narrative provided above.

7. Table and calculations showing the allowable number of lots under the zone and how many lots are proposed.
8. Map and table showing square footage of site comprising slopes by various classifications as identified in CDC 55.110(B)(3).

COMMENT:

The applicant's Preliminary Plat includes a table and calculations showing the allowable number of lots and how many lots are proposed (see Exhibit 4). The applicant has not included a Slope Analysis Plan since the average slope across the property is approximately 10%

B. Transportation.

1. Centerline profiles with extensions shall be provided beyond the limits of the proposed subdivision to the point where grades meet, showing the finished grade of streets and the nature and extent of street construction.

COMMENT:

The applicant is not proposing to develop new transportation facilities with this development. The attached plans indicate that the subject site is adjacent to both Walling Circle and Willamette Drive, existing roadways.

2. **Traffic Impact Analysis (TIA).**
 - a. **Purpose.** The purpose of this section of the code is to implement Section 660-012-0045(2)(e) of the State Transportation Planning Rule that requires the City to adopt a process to apply conditions to development proposals in order to minimize adverse impacts to and protect transportation facilities. This section establishes the standards for when a proposal must be reviewed for potential traffic impacts; when a Traffic Impact Analysis must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be in a Traffic Impact Study; and who is qualified to prepare the study.
 - b. **Typical average daily trips.** The latest edition of the Trip Generation manual, published by the Institute of Transportation Engineers (ITE) shall be used as the standards by which to gauge average daily vehicle trips.
 - c. **When required.** A Traffic Impact Analysis may be required to be submitted to the City with a land use application, when the following conditions apply:
 - 1) The development application involves one or more of the following actions:
 - (A) A change in zoning or a plan amendment designation; or
 - (B) Any proposed development or land use action that ODOT states may have operational or safety concerns along a State highway; and
 - (C) The development shall cause one or more of the following effects, which can be determined by field counts, site observation, traffic impact analysis or study, field measurements, crash history, Institute of Transportation Engineers Trip Generation manual; and information and studies provided by the local reviewing jurisdiction and/or ODOT:

- (1) An increase in site traffic volume generation by 250 average daily trips (ADT) or more (or as required by the City Engineer); or
- (2) An increase in use of adjacent streets by vehicles exceeding the 20,000-pound gross vehicle weights by 10 vehicles or more per day; or
- (3) The location of the access driveway does not meet minimum intersection sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate on the State highway, creating a safety hazard; or
- (4) The location of the access driveway does not meet the access spacing standard of the roadway on which the driveway is located; or
- (5) A change in internal traffic patterns that may cause safety problems, such as backup onto the highway or traffic crashes in the approach area.

COMMENT:

During the applicant's Pre-Application Conference with City, it was determined that the proposed 2-parcel Minor Partition will not create any of the abovementioned impacts to the transportation system. Therefore, this application does not require the submittal of a traffic impact analysis.

C. Grading.

1. If areas are to be graded, a plan showing the location of cuts, fill, and retaining walls, and information on the character of soils shall be provided. The grading plan shall show proposed and existing contours at intervals per CDC 85.160(E)(2).
2. The grading plan shall demonstrate that the proposed grading to accommodate roadway standards and create appropriate building sites is the minimum amount necessary.

COMMENT:

The applicant is not proposing to install street frontage improvements, remove trees, or conduct other on-site grading operations with this Minor Partition application. When building permits are requested for the dwelling and associated site improvements on Parcel 2, a grading plan will be submitted to meet the standards of this section. Proposed tree removal (21 trees) is shown on the preliminary grading plan.

D. Water.

1. **A plan for domestic potable water supply lines and related water service facilities, such as reservoirs, etc., shall be prepared by a licensed engineer consistent with the adopted Comprehensive Water System Plan and most recently adopted updates and amendments.**
2. **Location and sizing of the water lines within the development and off-site extensions. Show on-site water line extensions in street stubouts to the edge of the site, or as needed to complete a loop in the system.**
3. **Adequate looping system of water lines to enhance water quality.**
4. **For all non-single-family developments, calculate fire flow demand of the site and demonstrate to the Fire Chief. Demonstrate to the City Engineer how the system can meet the demand.**

COMMENT:

The attached Preliminary Utility Plan (Exhibit 5) indicates that the future dwelling located on Parcel 2 will connect to the existing water main line within Walling Circle. A water meter and lateral line for Parcel 2 will not be installed until building permits for the future dwelling are submitted and approved.

E. Sewer.

1. **A plan prepared by a licensed engineer shall show how the proposal is consistent with the Sanitary Sewer Master Plan and subsequent updates and amendments. Agreement with that plan must demonstrate how the sanitary sewer proposal will be accomplished and how it is efficient. The sewer system must be in the correct zone.**
2. **Sanitary sewer information will include plan view of the sanitary sewer lines, including manhole locations and depths. Show how each lot or parcel would be sewerred.**
3. **Sanitary sewer lines shall be located in the public right-of-way, particularly the street, unless the applicant can**

demonstrate why the alternative location is necessary and meets accepted engineering standards.

4. Sanitary sewer line should be at a depth that can facilitate connection with down-system properties in an efficient manner.
5. The sanitary sewer line should be designed to minimize the amount of lineal feet in the system.
6. The sanitary sewer line shall minimize disturbance of natural areas and, in those cases where that is unavoidable, disturbance shall be mitigated pursuant to the appropriate chapters (e.g., Chapter 32 CDC, Water Resource Area Protection).
7. Sanitary sewer shall be extended or stubbed out to the next developable subdivision or a point in the street that allows for reasonable connection with adjacent or nearby properties.
8. The sanitary sewer system shall be built pursuant to Department of Environmental Quality (DEQ), City, and Tri-City Service District sewer standards. This report should be prepared by a licensed engineer, and the applicant must be able to demonstrate the ability to satisfy these submittal requirements or standards at the pre-construction phase.

COMMENT:

The submitted Preliminary Utility Plan (Exhibit 5) shows how the proposed development can be served by the existing sanitary service within Walling Circle. The plan has been prepared by a licensed engineer and meets the standards of this section. The proposed lateral is designed to gravity to the sanitary sewer line within the right-of-way, but a private grinder system will pump sewerage from the proposed house in Parcel 2 to the lateral.

- F. Storm. A proposal shall be submitted for storm drainage and flood control including profiles of proposed drainageways with reference to the most recently adopted Storm Drainage Master Plan.

COMMENT:

The attached Preliminary Utility Plan (Exhibit 5) indicates how stormwater from Parcel 2 will be managed, consistent with standards specified in the City's Stormwater Drainage Master Plan. After treatment on-site, stormwater will be conveyed to the existing ditch in Willamette Drive.

Section 85.180: REDIVISION PLAN REQUIREMENT

A redivision plan shall be required for a partition or subdivision, where the property could be developed at a higher density, under existing/proposed zoning, if all services were available and adequate to serve the use.

- A. The redivision plan is a sketch plan. A land survey and an engineering drawing are not required except where there are unique soil, topographic, or geologic conditions. Under the provisions of CDC 99.035, administrative procedures, the Planning Director may require additional information.
- B. The applicant shall submit a topographic map based on available information and a subdivision layout in accordance with standards set forth in this chapter and the zoning district in which the property is located.
- C. A building permit issued shall be for a specified future lot or parcel and the building shall meet the setback provisions of the zoning district in which the property is located.
- D. The redivision plan is considered a guide. Its purpose is to assure the efficient use of land and orderly growth. At such time as the property owner applies to redivide the land, a different proposal may be submitted for approval provided it meets all of the requirements. The redivision plan is not binding on the applicant or the City at the time a formal application is submitted under this chapter.
- E. The Planning Director shall approve the redivision plan in the manner set forth in CDC 99.060(A)(2), except that no notice shall be given. The applicant may appeal the Planning Director's decision as provided by CDC 99.240(A).
- F. The Planning Director's decision shall be based on the following findings:
 - 1. The redivision plan complies with the applicable requirements of this chapter and zoning district in which the property is located.
 - 2. There are adequate water and sewage systems available for the proposed use.

COMMENT:

This section is not applicable since this partition represents complete parcelization of the site.

Section 85.190: ADDITIONAL INFORMATION REQUIRED AND WAIVER OF REQUIREMENTS

- A. The Planning Director may require additional information as part of the application subject to the provisions of CDC 99.035(A).
- B. The applicant may request a waiver of any requirements for the application subject to the provisions of CDC 99.035(B) and (C).

COMMENT:

If required by the Planning Director, the applicant will provided additional information regarding this application.

Section 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.

A. Streets.

- 1. **General.** The location, width and grade of streets shall be considered in their relation to existing and planned streets, to the generalized or reasonable layout of streets on adjacent undeveloped lots or parcels, to topographical conditions, to public convenience and safety, to accommodate various types of transportation (automobile, bus, pedestrian, bicycle), and to the proposed use of land to be served by the streets. The functional class of a street aids in defining the primary function and associated design standards for the facility. The hierarchy of the facilities within the network in regard to the type of traffic served (through or local trips), balance of function (providing access and/or capacity), and the level of use (generally measured in vehicles per day) are generally dictated by the functional class. The street system shall assure an adequate traffic or circulation system with intersection angles, grades, tangents, and curves appropriate for the traffic to be carried. Streets should provide for the continuation, or the appropriate projection, of existing principal streets in surrounding areas and should not impede or adversely affect development of adjoining lands or access thereto.

To accomplish this, the emphasis should be upon a connected continuous pattern of local, collector, and arterial streets rather than discontinuous curvilinear streets and cul-de-sacs. Deviation from this pattern of connected streets should only be permitted in cases of extreme topographical challenges including excessive slopes (35 percent-plus), hazard areas, steep drainageways, wetlands, etc. In such cases, deviations may be allowed but the connected continuous pattern must be reestablished once the topographic challenge is passed. Streets should be oriented with consideration of the sun, as site conditions allow, so that over 50 percent of the front building lines of homes are oriented within 30 degrees of an east-west axis.

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 City Engineer. Additional travel lanes may be required to be consistent with adjacent road widths or to be consistent with the adopted Transportation System Plan (TSP) and any adopted updated plans.

An applicant may submit a written request for a waiver of abutting street improvements if the TSP prohibits the street improvement for which the waiver is requested. Those areas with numerous (particularly contiguous) under-developed or undeveloped tracts will be required to install street improvements. When an applicant requests a waiver of street improvements and the waiver is granted, the applicant shall pay an in-lieu fee equal to the estimated cost, accepted by the City Engineer, of the otherwise required street improvements. As a basis for this determination, the City Engineer shall consider the cost of similar improvements in recent development projects and may require up to three estimates from the applicant. The amount of the fee shall be established prior to the Planning Commission's decision on the associated application. The in-lieu fee shall be used for in-kind or related improvements.

Streets shall also be laid out to avoid and protect tree clusters and significant trees, but not to the extent that it would compromise connectivity requirements per this subsection (A)(1), or bring the density below 70 percent of the maximum density for the developable net area. The developable net area is calculated by taking the total site acreage and deducting Type I and II lands; then up to 20 percent of the remaining land may be excluded as

necessary for the purpose of protecting significant tree clusters or stands as defined in CDC 55.100(B)(2).

COMMENT:

The applicant is not proposing to develop new transportation facilities with this development. The attached plans indicate that the subject site is adjacent to Walling Circle, which is an existing roadway that is partially improved. To meet Local Street standards, the applicant is requesting a waiver of required street improvements, and is proposing to pay a fee-in-lieu of installing those improvements.

- 2. **Right-of-way and roadway widths.** In order to accommodate larger tree-lined boulevards and sidewalks, particularly in residential areas, the standard right-of-way widths for the different street classifications shall be within the range listed below. But instead of filling in the right-of-way with pavement, they shall accommodate the amenities (e.g., boulevards, street trees, sidewalks). The exact width of the right-of-way shall be determined by the City Engineer or the approval authority. The following ranges will apply:

Street Classification	Right-of-Way
Highway 43	60 – 80
Major arterial	60 – 80
Minor arterial	60 – 80
Major collector	60 – 80
Collector	60 – 80
Local street	40 – 60
Cul-de-sac	40 – 60
Radii of cul-de-sac	48 – 52
Alley	16

Additional rights-of-way for slopes may be required. Sidewalks shall not be located outside of the right-of-way unless to accommodate significant natural features or trees.

COMMENT:

The Walling Circle right-of-way, adjacent to the subject site, is currently 50-ft. wide. The existing right-of-way width is consistent with the abovementioned Local Street standards. No additional right-of-way along the site's Willamette Drive frontage is necessary.

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. Streets are classified as follows.

Local streets have the sole function of providing access to immediately adjacent land. Service to through traffic movement on local streets is deliberately discouraged by design.

The following table identifies appropriate street width (curb to curb) in feet for various street classifications. The desirable width shall be required unless the applicant or his engineer can demonstrate that site conditions, topography, or site design require the reduced minimum width.

COMMENT:

Walling Circle is partially improved with an asphalt surface that is approximately 22-ft. wide. As mentioned above, the applicant is proposing to pay a fee-in-lieu of installing improvements to meet the Local Street standards. No improvements to Willamette Drive is necessary.

4. **The decision-making body shall consider the City Engineer'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 City Engineer of the following criteria:**
 - a. **The type of road as set forth in the Transportation Master Plan.**
 - b. **The anticipated traffic generation.**
 - c. **On-street parking requirements.**
 - d. **Sidewalk and bikeway requirements.**
 - e. **Requirements for placement of utilities.**
 - f. **Street lighting.**
 - g. **Drainage and slope impacts.**
 - h. **Street trees.**
 - i. **Planting and landscape areas.**
 - j. **Existing and future driveway grades.**
 - k. **Street geometry.**

I. **Street furniture needs, hydrants.**

COMMENT:

As required, the applicant will pay a fee-in-lieu for required street improvements, based on the City Engineer's recommendations.

5. **Additionally, when determining appropriate street width, the decision-making body shall consider the following criteria:**
 - a. **When a local street is the only street serving a residential area and is expected to carry more than the normal local street traffic load, the designs with two travel and one parking lane are appropriate.**
 - b. **Streets intended to serve as signed but unstriped bike routes should have the travel lane widened by two feet.**
 - c. **Collectors should have two travel lanes and may accommodate some parking. Bike routes are appropriate.**
 - d. **Arterials should have two travel lanes. On-street parking is not allowed unless part of a Street Master Plan. Bike lanes are required as directed by the Parks Master Plan and Transportation Master Plan.**

COMMENT:

Walling Circle is a local street serving a residential area. As required, the proposed fee-in-lieu of the installing improvements will be based on the street's designation and intended use.

6. **Reserve strips. Reserve strips or street plugs controlling the access to streets are not permitted unless owned by the City.**

COMMENT:

The applicant is not proposing a reserve strip with this application.

7. **Alignment. All streets other than local streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuations of the centerlines thereof. The staggering of street alignments resulting in "T" intersections shall, wherever practical, leave a minimum distance of 200 feet between the centerlines of streets having approximately the same direction and otherwise shall not be less than 100 feet.**

COMMENT:

The demonstrated by the attached plan, the applicant is not proposing to develop a new street with this application. Access to Parcel 1 and 2 is provided from Walling Circle, an existing roadway.

8. **Future extension of streets.** Where necessary to give access to or permit a satisfactory future subdivision of adjoining land, streets shall be extended to the boundary of the subdivision and the resulting dead-end streets may be approved without turnarounds. (Temporary turnarounds built to Fire Department standards are required when the dead-end street is over 100 feet long.)
9. **Intersection angles.** Streets shall be laid out to intersect angles as near to right angles as practical, except where topography requires lesser angles, but in no case less than 60 degrees unless a special intersection design is approved. Intersections which are not at right angles shall have minimum corner radii of 15 feet along right-of-way lines which form acute angles. Right-of-way lines at intersections with arterial streets shall have minimum curb radii of not less than 35 feet. Other street intersections shall have curb radii of not less than 25 feet. All radii shall maintain a uniform width between the roadway and the right-of-way lines. The intersection of more than two streets at any one point will not be allowed unless no alternative design exists.

COMMENT:

The existing development pattern precludes the extension of streets in the vicinity of the subject site.

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.

COMMENT:

The Walling Circle right-of-way is currently 50-ft. wide adjacent to the subject site. This width is consistent with 40-ft. to 60-ft. right-of-way width standard for Local Streets. No additional right-of-way width is necessary for the site's Willamette Drive frontage (80-ft. right-of-way width).

11. **Cul-de-sacs.**

COMMENT:

The applicant is not proposing to develop a cul-de-sac with this application, therefore these standards do not apply.

12. Street names.

13. Grades and curves.

COMMENT:

The applicant is not proposing to develop a new street with this application, therefore these standards do not apply.

14. Access to local streets. Intersection of a local residential street with an arterial street may be prohibited by the decision-making authority if suitable alternatives exist for providing interconnection of proposed local residential streets with other local streets. Where a subdivision or partition abuts or contains an existing or proposed major arterial street, the decision-making authority may require marginal access streets, reverse-frontage lots with suitable depth, visual barriers, noise barriers, berms, no-access reservations along side and rear property lines, and/or other measures necessary for adequate protection of residential properties from incompatible land uses, and to ensure separation of through traffic and local traffic.

COMMENT:

As permitted, the proposed 2-parcel partition has direct access to Walling Circle, a designated Local Street.

15. Alleys.

COMMENT:

The applicant is not proposing to develop an alley with this application, therefore these standards do not apply.

16. Sidewalks. Sidewalks shall be installed per CDC 92.010(H), Sidewalks. The residential sidewalk width is six feet plus planter strip as specified below. Sidewalks in commercial zones shall be constructed per subsection (A)(3) of this section. See also subsection C of this section. Sidewalk width may be reduced with City Engineer approval to the minimum amount (e.g., four feet wide) necessary to respond to site constraints such as grades, mature trees, rock outcroppings, etc., or to match existing sidewalks or right-of-way limitations.

COMMENT:

The subject site abuts Walling Circle, a Local Street which serves a residential neighborhood. Since Walling Circle is currently lacking the required 6-ft. sidewalk, the applicant is proposing to provide a fee-in-lieu of installing improvements within the road right-of-way.

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 to accommodate a fully matured tree without the boughs interfering with pedestrians on the sidewalk or vehicles along the curblin. Planter strip width may be reduced or eliminated, with City Engineer approval, when it cannot be corrected by site plan, to the minimum amount necessary to respond to site constraints such as grades, mature trees, rock outcroppings, etc., or in response to right-of-way limitations.

COMMENT:

The attached Existing Conditions Plan indicates that Walling Circle is partially improved. To meet the planter strip standards, the applicant is requesting a waiver for installing required street improvements, and is proposing to pay a fee-in-lieu for those improvements.

18. **Streets and roads shall be dedicated without any reservations or restrictions.**

COMMENT:

The applicant is not proposing to develop a new street with this application, therefore these standards do not apply.

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.**

COMMENT:

The subject site fronts Walling Circle, a public street. The applicant is proposing individual access for Parcels 1 and 2. The attached Preliminary Plat indicates that a 5-ft. access and utility easement is proposed on Parcel 1 for the benefit of Parcel 2.

20. **Gated streets.** Gated streets are prohibited in all residential areas on both public and private streets. A driveway to an individual home may be gated.

COMMENT:

The applicant is not proposing to develop a gated street or driveway with this application, therefore these standards do not apply.

21. Entryway treatments and street isle design.

COMMENT:

The applicant is not proposing to develop entryway treatments or street isles with this application, therefore these standards do not apply.

- 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. The proportionate share of the costs shall be determined by the City Manager or Manager's designee, who shall assume that the proposed subdivision provides improvements in rough proportion to identified impacts of the subdivision. Off-site transportation improvements will include bicycle and pedestrian improvements as identified in the adopted City of West Linn TSP.**

COMMENT:

Due to the low impact of developing one additional dwelling with the proposed 2-parcel Minor Partition, the applicant is not anticipating a requirement to contribute towards the construction of off-site transportation improvements.

B. Blocks and Lots.

- 1. General. The length, width, and shape of blocks shall be designed with due regard for the provision of adequate building sites for the use contemplated; consideration of the need for traffic safety, convenience, access, circulation, and control; and recognition of limitations and opportunities of topography and solar access.**

COMMENT:

The preliminary plans demonstrate that the applicant's proposal will not impact the length, width and shape of existing blocks in the area.

- 2. Sizes. The recommended block size is 400 feet in length to encourage greater connectivity within the subdivision. Blocks shall not exceed 800 feet in length between street lines, except for blocks adjacent to arterial streets or unless topographical conditions or the layout of adjacent streets justifies a variation. Designs of proposed intersections shall demonstrate adequate sight distances to the City Engineer's specifications. Block sizes and**

proposed accesses must be consistent with the adopted TSP.

COMMENT:

The attached Location Map demonstrates that the existing development pattern precludes the applicant's ability to modify block lengths in the vicinity of the subject site (see Exhibit 1).

- 3. Lot size and shape. Lot or parcel size, width, shape, and orientation shall be appropriate for the location of the subdivision or partition, for the type of use contemplated, for potential utilization of solar access, and for the protection of drainageways, trees, and other natural features. No lot or parcel shall be dimensioned to contain part of an existing or proposed street. All lots or parcels shall be buildable. "Buildable" describes lots that are free of constraints such as wetlands, drainageways, etc., that would make home construction impossible. Lot or parcel sizes shall not be less than the size required by the zoning code unless as allowed by planned unit development (PUD).**

Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use proposed.

COMMENT:

The attached Preliminary Site Plan demonstrates that lot lines have been laid out to retain the existing structure on Parcel 1, and maximize the buildable area for a future dwelling on Parcel 2.

- 4. Access. Access to subdivisions, partitions, and lots shall conform to the provisions of Chapter 48 CDC, Access, Egress and Circulation.**

COMMENT:

As demonstrated by the attached Preliminary Site Plan, access to the Parcels 1 and 2 conforms to applicable provisions of Chapter 48.

- 5. Double frontage lots and parcels.**

COMMENT:

The attached plans demonstrate that the proposed partition will not create double frontage parcels, however the site already has a double frontage and no additional frontage is created.

6. **Lot and parcel side lines.** The lines of lots and parcels, as far as is practicable, should run at right angles to the street upon which they face, except that on curved streets they should be radial to the curve.

COMMENT:

Given the desire to retain existing on-site structure, to the extent possible, property lines have designed to run at right angles to the street.

7. **Flag lots.**

COMMENT:

Parcel 2 is proposed as a flag lot with 14-ft. with within 20-ft. easement.

8. **Large lots or parcels.** In dividing tracts into large lots or parcels which, at some future time, are likely to be redivided, the approval authority may:
 - a. **Require that the blocks be of such size and shape, and be so divided into building sites, and contain such easements and site restrictions as will provide for extension and opening of streets at intervals which will permit a subsequent division of any tract into lots or parcels of smaller size; or**
 - b. **Alternately, in order to prevent further subdivision or partition of oversized and constrained lots or parcels, restrictions may be imposed on the subdivision or partition plat.**

COMMENT:

The proposal represents complete parcelization of the site.

- C. **Pedestrian and bicycle trails.**

COMMENT:

The applicant is not proposing to develop pedestrian or bicycle trails with this application, therefore these standards do not apply.

- D. **Transit facilities.**

COMMENT:

Walling Circle is not located on a transit route. Willamette Drive is a transit route but no improvements on the highway are proposed. Since the applicant is not proposing to develop transit facilities with this application, these standards do not apply.

- 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:**
 - a. Cut slopes shall not exceed one and one-half feet horizontally to one foot vertically (i.e., 67 percent grade).**
 - b. Fill slopes shall not exceed two feet horizontally to one foot vertically (i.e., 50 percent grade). Please see the following illustration.**
 - 2. The character of soil for fill and the characteristics of lot and parcels made usable by fill shall be suitable for the purpose intended.**
 - 3. If areas are to be graded (more than any four-foot cut or fill), compliance with CDC 85.170(C) is required.**
 - 4. The proposed grading shall be the minimum grading necessary to meet roadway standards, and to create appropriate building sites, considering maximum allowed driveway grades.**
 - 5. Type I lands shall require a report submitted by an engineering geologist, and Type I and Type II lands shall require a geologic hazard report.**
 - 6. Repealed by Ord. 1635.**

COMMENT:

The applicant is not proposing to install street frontage improvements, remove trees, or conduct other on-site grading activities with this Minor Partition application. However, a preliminary grading plan was provided which indicates construction of the 12-ft. driveway access within the Parcel 2 flag pole with related grading and tree removal. When building permits are requested for development of a dwelling and associated site improvements on Parcel 2, a final grading plan showing removal of the 21 trees shown on the preliminary plan will be submitted to meet the standards of this section.

- 7. On land with slopes in excess of 12 percent, cuts and fills shall be regulated as follows:**
- 8. Land over 50 percent slope shall be developed only where density transfer is not feasible. The development will provide that:**

COMMENT:

The applicant's Existing Conditions Plan demonstrates that the site contains grades which average approximately 10% slope.

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.**
3. **Adequate looping system of water lines to enhance water quality.**
4. **For all non-single-family developments, there shall be a demonstration of adequate fire flow to serve the site.**
5. **A written statement, signed by the City Engineer, that water service can be made available to the site by the construction of on-site and off-site improvements and that such water service has sufficient volume and pressure to serve the proposed development's domestic, commercial, industrial, and fire flows.**

COMMENT:

The attached Preliminary Utility Plan (Exhibit 5) indicates that the future dwelling on Parcel 2 will connect to an existing water main line within Walling Circle. The water meter and lateral line for Parcel 2 will be installed when building permits for the future dwelling are submitted and approved.

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.**
2. **Sanitary sewer information will include plan view of the sanitary sewer lines, including manhole locations and depth or invert elevations.**
3. **Sanitary sewer lines shall be located in the public right-of-way, particularly the street, unless the applicant can**

demonstrate why the alternative location is necessary and meets accepted engineering standards.

- 4. Sanitary sewer line should be at a depth that can facilitate connection with down-system properties in an efficient manner.**
- 5. The sanitary sewer line should be designed to minimize the amount of lineal feet in the system.**

COMMENT:

The submitted Preliminary Utility Plan (Exhibit 5) shows how the proposed development can be served by the existing sanitary main line within Walling Circle (gravity lateral within the right-of-way). The plan has been prepared by a licensed engineer and meets the standards of this section.

- 6. The sanitary sewer line shall avoid disturbance of wetland and drainageways. In those cases where that is unavoidable, disturbance shall be mitigated pursuant to Chapter 32 CDC, Water Resource Area Protection, all trees replaced, and proper permits obtained. Dual sewer lines may be required so the drainageway is not disturbed.**
- 7. Sanitary sewer shall be extended or stubbed out to the next developable subdivision or a point in the street that allows for reasonable connection with adjacent or nearby properties.**

COMMENT:

The attached Preliminary Utility Plan demonstrates that the future sanitary sewer line for Parcel 2 will not impact wetlands or drainageways. Since adjacent properties are already served with sanitary sewer, the applicant is not proposing to extend service through the subject site.

- 8. The sanitary sewer system shall be built pursuant to DEQ, City, and Tri-City Service District sewer standards. The design of the sewer system should be prepared by a licensed engineer, and the applicant must be able to demonstrate the ability to satisfy these submittal requirements or standards at the pre-construction phase.**
- 9. A written statement, signed by the City Engineer, that sanitary sewers with sufficient capacity to serve the proposed development and that adequate sewage treatment plant capacity is available to the City to serve the proposed development.**

COMMENT:

As required, the sanitary service will be constructed in accordance with applicable standards. At the applicant's Pre-Application Conference, the City Engineer confirmed that the public sanitary sewer service within Walling Circle has adequate capacity to serve the proposed development.

- I. **Utility easements.** Subdivisions and partitions shall establish utility easements to accommodate the required service providers as determined by the City Engineer. The developer of the subdivision shall make accommodation for cable television wire in all utility trenches and easements so that cable can fully serve the subdivision.

COMMENT:

The applicant has identified all required easements on the attached Preliminary Utility Plan.

- J. **Supplemental provisions.**
 1. **Wetland and natural drainageways.** Wetlands and natural drainageways shall be protected as required by Chapter 32 CDC, Water Resource Area Protection. Utilities may be routed through the protected corridor as a last resort, but impact mitigation is required.

COMMENT:

This section is not applicable.

2. **Willamette and Tualatin Greenways.** The approval authority may require the dedication to the City or setting aside of greenways which will be open or accessible to the public. Except for trails or paths, such greenways will usually be left in a natural condition without improvements. Refer to Chapter 28 CDC for further information on the Willamette and Tualatin River Greenways.

COMMENT:

The subject site is not located within the vicinity of Willamette or Tualatin Greenway, therefore these standards do not apply.

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

COMMENT:

The applicant is proposing a fee-in-lieu of installing street frontage improvements on Walling Circle. Therefore, these standards do not apply.

4. **Lighting.** To reduce ambient light and glare, high or low pressure sodium light bulbs shall be required for all subdivision street or alley lights. The light shall be shielded so that the light is directed downwards rather than omni-directional.

COMMENT:

The applicant is proposing a fee-in-lieu of installing street frontage improvements on Walling Circle. Therefore, these standards do not apply.

5. **Dedications and exactions.** The City may require an applicant to dedicate land and/or construct a public improvement that provides a benefit to property or persons outside the property that is the subject of the application when the exaction is roughly proportional. No exaction shall be imposed unless supported by a determination that the exaction is roughly proportional to the impact of development.

COMMENT:

The applicant is not anticipating City land dedication or an exaction with the proposed 2-parcel Minor Partition.

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. High voltage transmission lines, as classified by Portland General Electric or electric service provider, would also be exempted. Where adjacent future development is expected or imminent, conduits may be required at the direction of the City Engineer. All services shall be underground with the exception of standard above-grade equipment such as some meters, etc.

COMMENT:

As required, installation of electrical, telephone, and television cable service for Parcel 2 will occur as directed by the City Engineer and affected service providers.

7. **Density requirement.** Density shall occur at 70 percent or more of the maximum density allowed by the underlying zoning. These provisions would not apply 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. Land divisions of three lots or less would also be exempt.

COMMENT:

As demonstrated by the attached plan, this proposal demonstrates that that this development results in a density of 70% or more of the maximum density for the R-10 District. That said, this section only applies to subdivisions.

- 8. Mix requirement. The “mix” rule means that developers shall have no more than 15 percent of the R-2.1 and R-3 development as single-family residential. The intent is that the majority of the site shall be developed as medium high density multi-family housing.**

COMMENT:

The subject site is located in the R-10 District, therefore these standards do 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). Trees are defined per the municipal code as having a trunk six inches in diameter or 19 inches in circumference at a point five feet above the mean ground level at the base of the trunk.**

COMMENT:

The attached Existing Conditions Plan (Exhibit 3) identifies the location, species, and size of all trees on the subject site. The Arborist Report (Exhibit 9) identifies all 41 trees on site including the 4 Potentially Significant on-site trees and one off-site (none of those are proposed to be removed). The report describes future tree removal for development of the site (deferred until Building Permit). The applicant is not proposing tree removal with this application. As required, the applicant will address Section 55.100(B)(2) when future building permits are requested for Parcel 2.

CDC Chapter 99.030

COMMENT:

A pre-application conference regarding this application was held on September 15, 2016, more than one year ago. The applicant acknowledges potential changes to the CDC and requests that the Planning Director waive the requirement to hold another meeting. The applicant believes that all items have been adequately addressed, or can be addressed through completeness.

V. SUMMARY AND CONCLUSIONS

Based upon the findings of this report and the submitted exhibits, the applicant has demonstrated compliance with the requirements of relevant sections of the West Linn Community Development Code for the requested 2-parcel Minor Partition; therefore, this request should be approved.

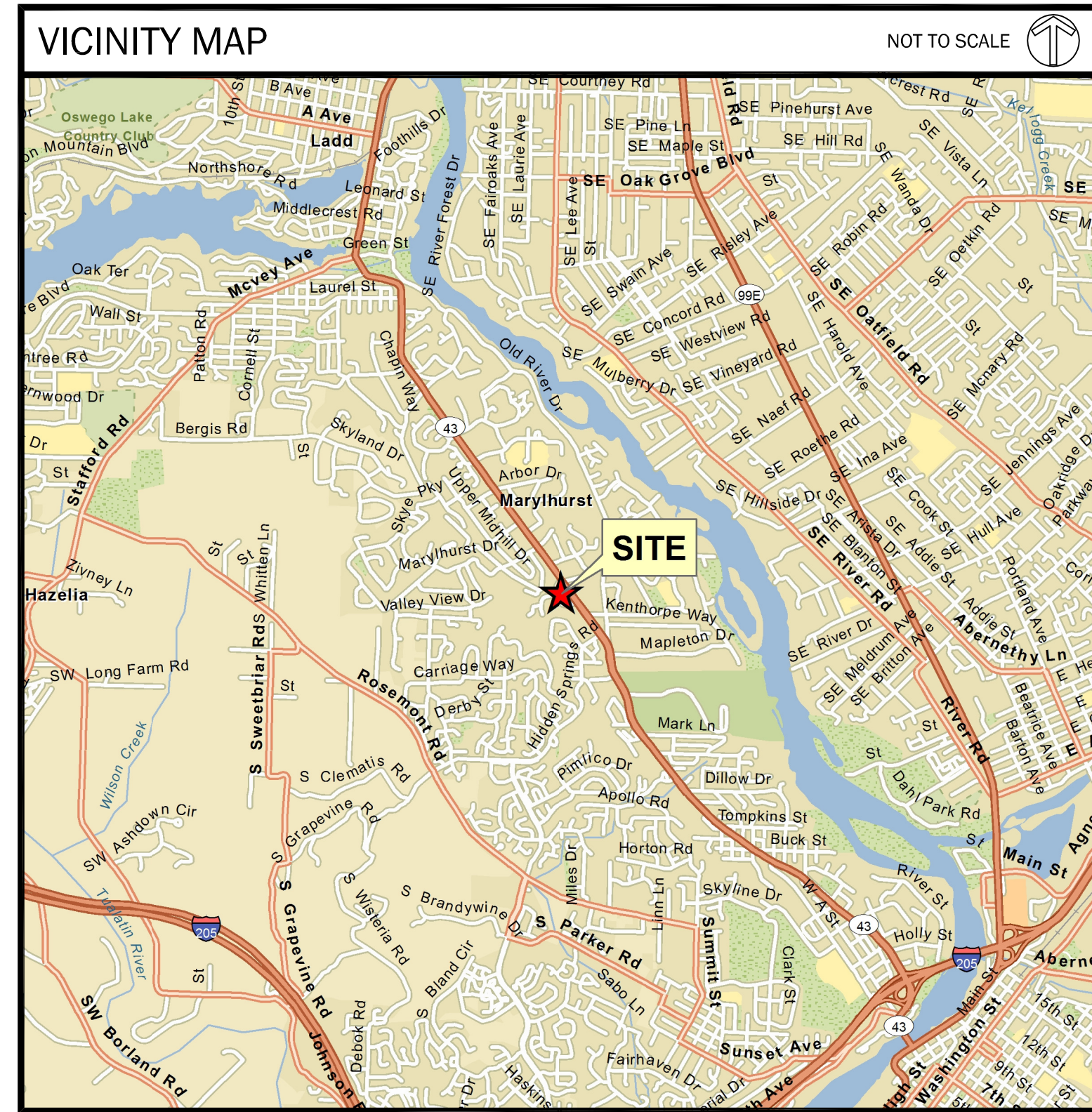
**“PRELIMINARY PLAT APPROVAL FOR A
2-PARCEL PARTITION IN THE R-10 ZONE”**

Exhibit No.	Exhibit Title
1	Cover Sheet
2	Aerial Photograph
3	Existing Conditions
4	Preliminary Plat
5	Preliminary Site & Utility Plan
6	Preliminary Grading & Erosion Control Plan
7	Preliminary Tree Retention & Removal Plan
8	Arborist
9	Pre-App Notes
10	City of West Linn Zoning Map
11	Tax Map
12	Soils Map
13	Title Report

Cover Sheet

Exhibit No. 1

18902 WALLING CIRCLE 2-PARCEL PARTITION THE R-10 ZONE



SITE INFORMATION

APPLICANT'S REPRESENTATIVE:	NW ENGINEERS, LLC MATT NEWMAN 3409 NW JOHN OLSEN PL HILLSBORO, OREGON 97124 PH: 503-601-4401 FAX: 503-601-4402	SANITARY & STORM SEWER:	TRI-CITY SERVICE DISTRICT
APPLICANT:	TZER EN CHENG 18902 WALLING CIRCLE WEST LINN, OREGON 97068 PH: 971-777-4816	WATER:	CITY OF WEST LINN
REQUEST:	PRELIMINARY PLAT APPROVAL FOR A 2-PARCEL PARTITION IN THE R-10 ZONE	FIRE DISTRICT:	TUALATIN VALLEY FIRE & RESCUE
SITE LEGAL DESCRIPTION:	TAX MAP: 21E23AA TAX LOT: 2200 CITY OF WEST LINN, OREGON	ELECTRIC:	PORTLAND GENERAL ELECTRIC
SUBJECT PROPERTY SIZE:	0.88 ACRES	TELEPHONE:	FRONTIER COMMUNICATIONS, ETC.
LOCATION:	18902 WALLING CIRCLE WEST LINN, OR 97068	REFUSE & RECYCLING:	WEST LINN REFUSE & RECYCLING, INC.
ZONING DESIGNATION:	R-10	SCHOOL DISTRICT:	WEST LINN-WILSONVILLE

INDEX OF DRAWINGS

- | | | |
|----|------|--|
| 1. | PCOV | COVER SHEET |
| 2. | AERL | AERIAL PHOTOGRAPH |
| 3. | EXC1 | EXISTING CONDITIONS |
| 4. | PPLT | PRELIMINARY PLAT |
| 5. | PSIT | PRELIMINARY SITE & UTILITY PLAN |
| 6. | PGRA | PRELIMINARY GRADING & EROSION CONTROL PLAN |
| 7. | TRE1 | PRELIMINARY TREE RETENTION & REMOVAL PLAN |

PROJECT TEAM

APPLICANT

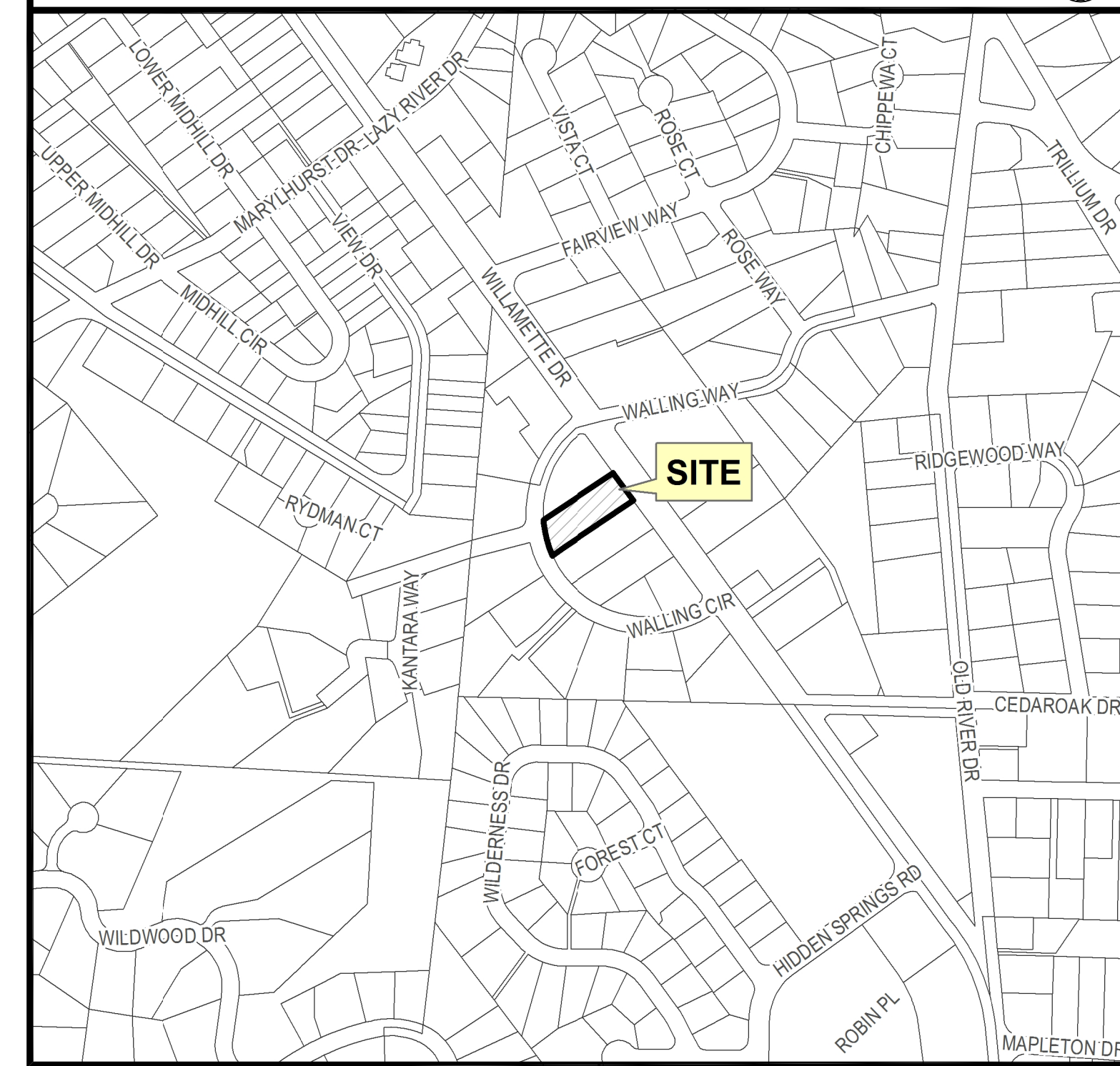
TZER EN CHENG
18902 WALLING CIRCLE
WEST LINN, OREGON 97068
PH: 971-777-4816

ENGINEER / PLANNER



NW ENGINEERS, LLC
3409 NW JOHN OLSEN PLACE
HILLSBORO, OR 97124
PH: 503-601-4401
FAX: 503-601-4402

LOCATION MAP



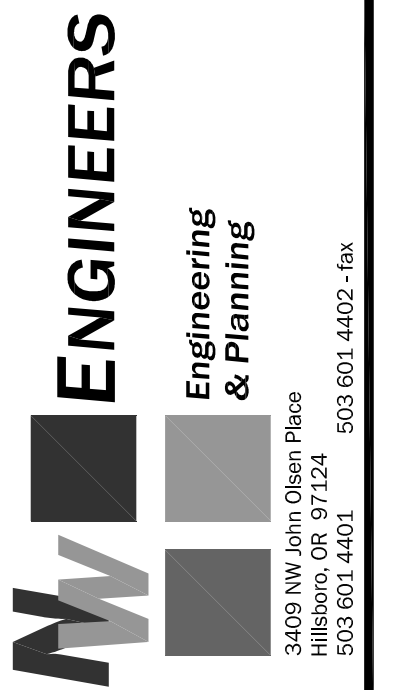
SURVEYOR

CASWELL / HERTEL
SURVEYORS INC.
6150 S.W. 124th AVE.
BEAVERTON, OREGON 97008
(503) 644-3179

ARBORIST



MORGAN HOLEN & ASSOCIATES
3 MONROE PARKWAY, SUITE P 220
LAKE OSWEGO, OREGON 97035
PH: 971-409-9354



FOR: TZER EN CHENG
18902 WALLING CIRCLE
WEST LINN, OR 97068
PH: 971-777-4816
SITE: TAX MAP: 21E23AA
TAX LOT: 02200
WEST LINN, OREGON

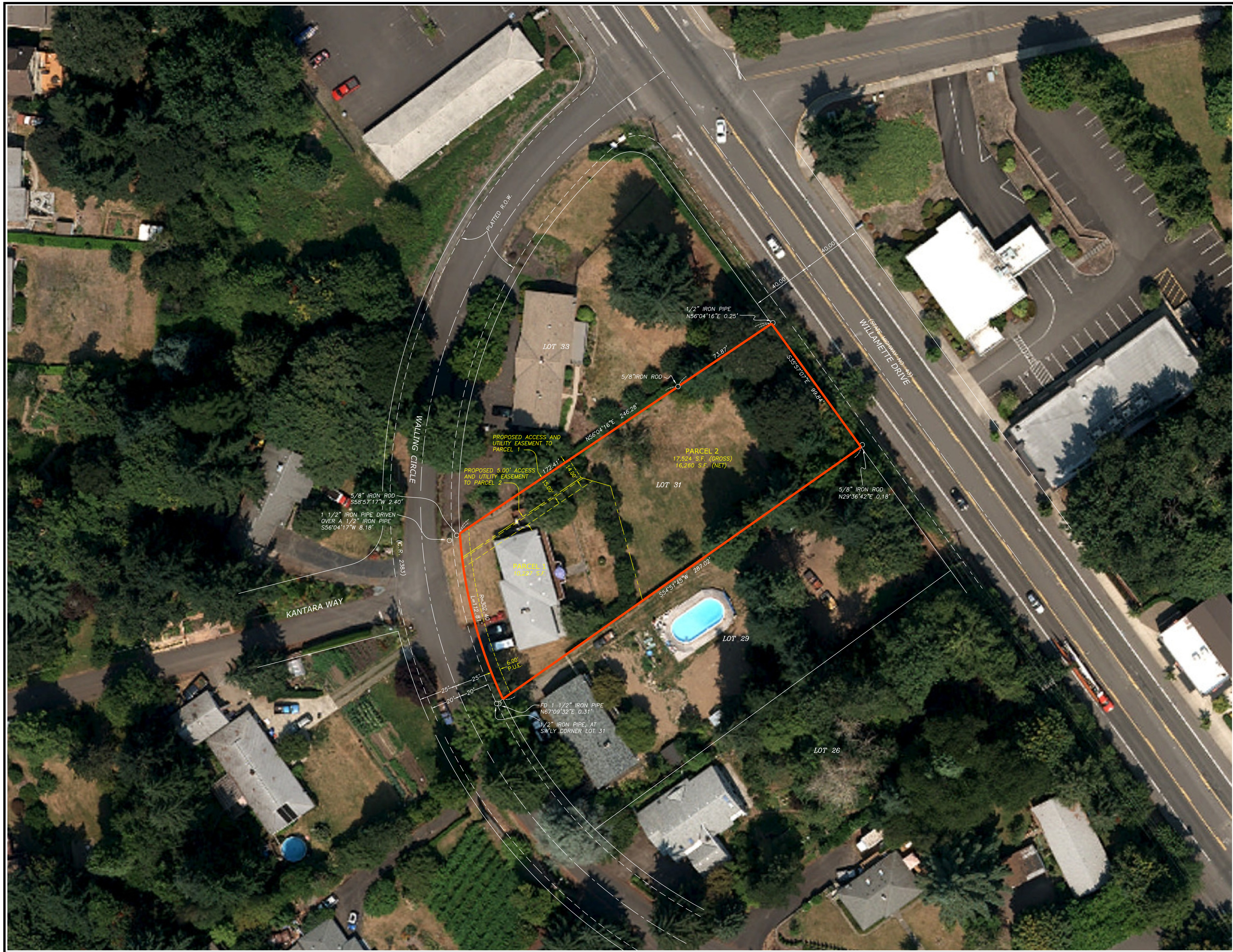
18902 WALLING CIRCLE
2-LOT PARTITION
N0525
COVER SHEET

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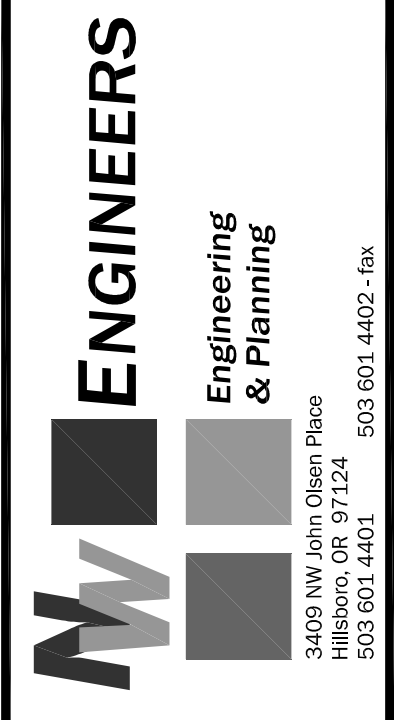
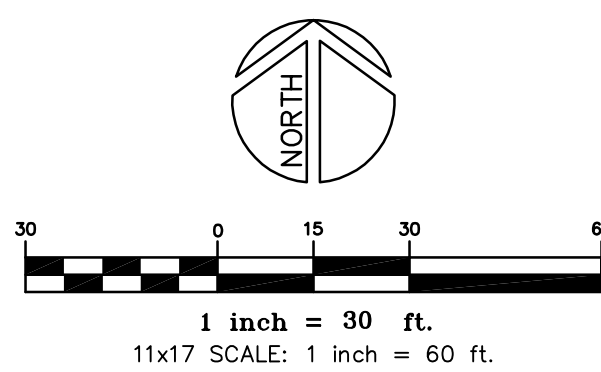
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PCOV
1
of 7

Aerial Photograph



NOTE:
AERIAL PHOTO FROM METRO DATA
RESOURCE CENTER. PHOTO DATE: 2014.



FOR: TZER EN CHENG
18902 WALLING CIRCLE
WEST LINN, OR 97068
PH: 971-777-4816
SITE: TAX MAP: 21E23AA
TAX LOT: 02200
WEST LINN, OREGON

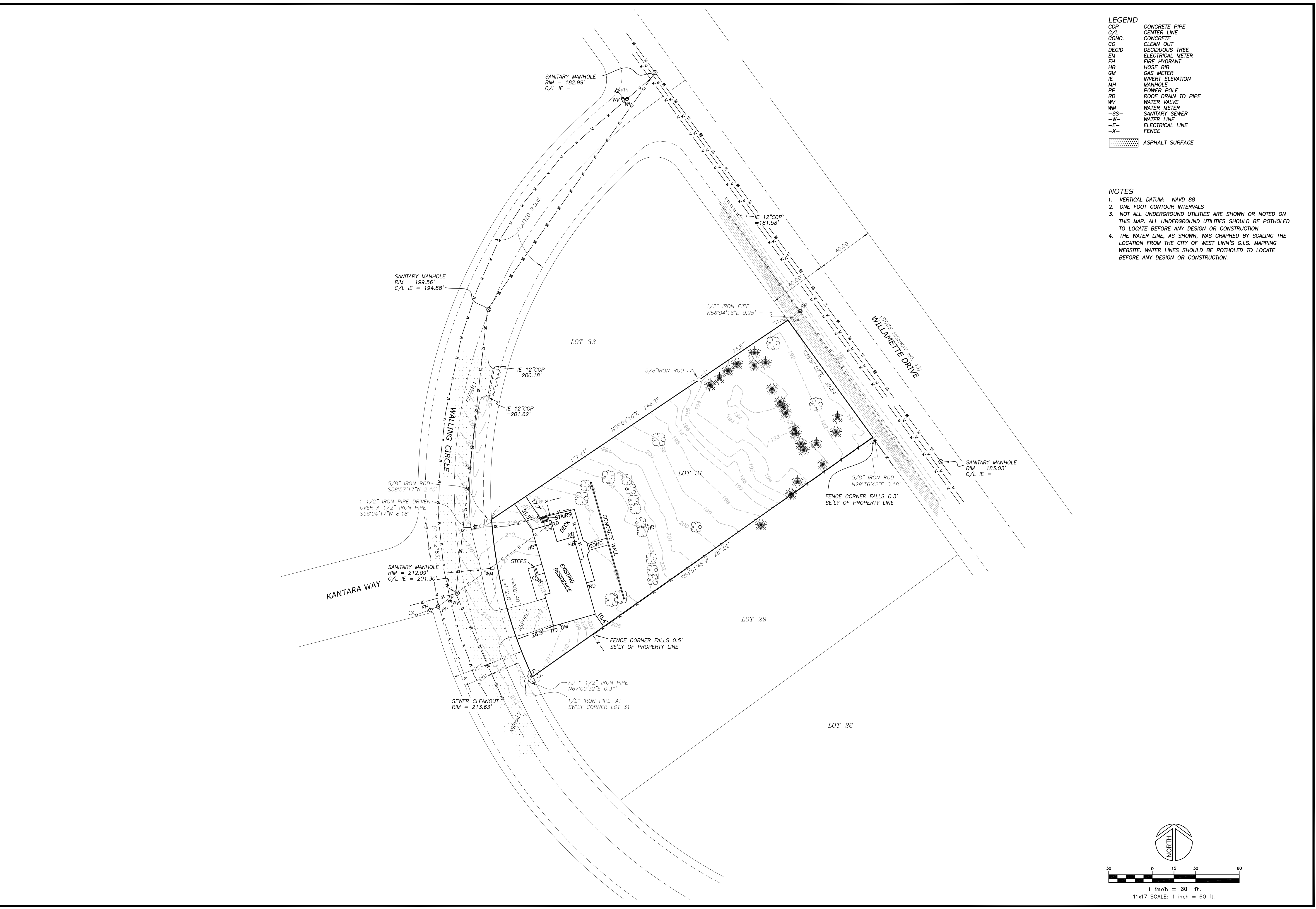
18902 WALLING CIRCLE
2-LOT PARTITION
N0525
AERIAL PHOTOGRAPH

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DESIGNED	DRAWN	REVIEWED	SUBMITTAL

AERL
2
of 7

Existing Conditions



LEGEND

CCP	CONCRETE PIPE
C/L	CENTER LINE
CONC.	CONCRETE
CO	CLEAN OUT
DECID	DECIDUOUS TREE
EM	ELECTRICAL METER
FH	FIRE HYDRANT
HB	HOSE BID
GM	GAS METER
IE	INVERT ELEVATION
MH	MANHOLE
PP	POWER POLE
RD	ROOF DRAIN TO PIPE
WV	WATER VALVE
WM	WATER METER
-SS-	SANITARY SEWER
-W-	WATER LINE
-E-	ELECTRICAL LINE
-X-	FENCE
[Hatched Box]	ASPHALT SURFACE

- NOTES**
1. VERTICAL DATUM: NAVD 88
 2. ONE FOOT CONTOUR INTERVALS
 3. NOT ALL UNDERGROUND UTILITIES ARE SHOWN OR NOTED ON THIS MAP. ALL UNDERGROUND UTILITIES SHOULD BE POTHOLED TO LOCATE BEFORE ANY DESIGN OR CONSTRUCTION.
 4. THE WATER LINE, AS SHOWN, WAS GRAPHED BY SCALING THE LOCATION FROM THE CITY OF WEST LINN'S G.I.S. MAPPING WEBSITE. WATER LINES SHOULD BE POTHOLED TO LOCATE BEFORE ANY DESIGN OR CONSTRUCTION.

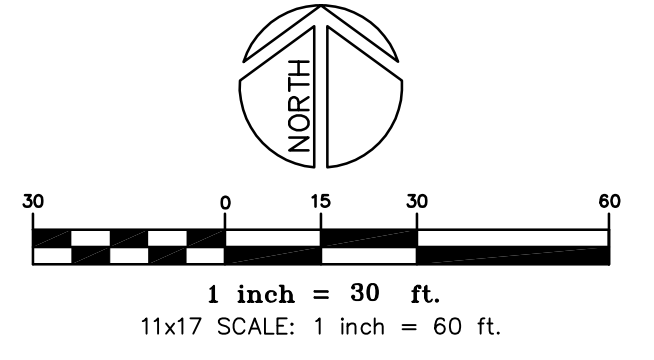
MW ENGINEERS
 Engineering & Planning
 3409 NW John Olsen Place
 Hillsboro, OR 97124
 503.601.4401

FOR: TZER EN CHENG
 18902 WALLING CIRCLE
 WEST LINN, OR 97068
 PH: 971.777.4816
 SITE: TAX MAP: 21E23AA
 TAX LOT: 02200
 WEST LINN, OREGON

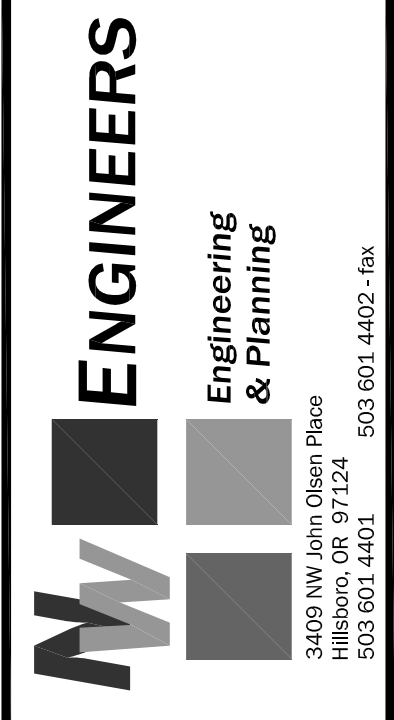
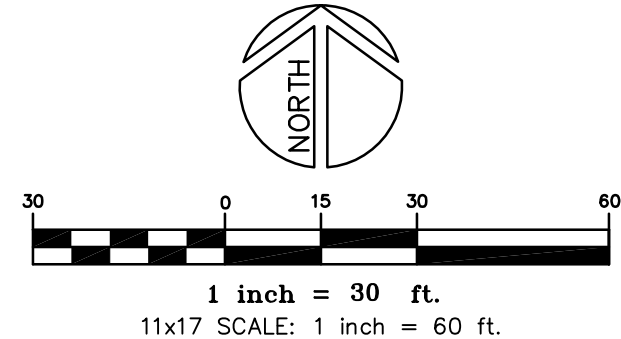
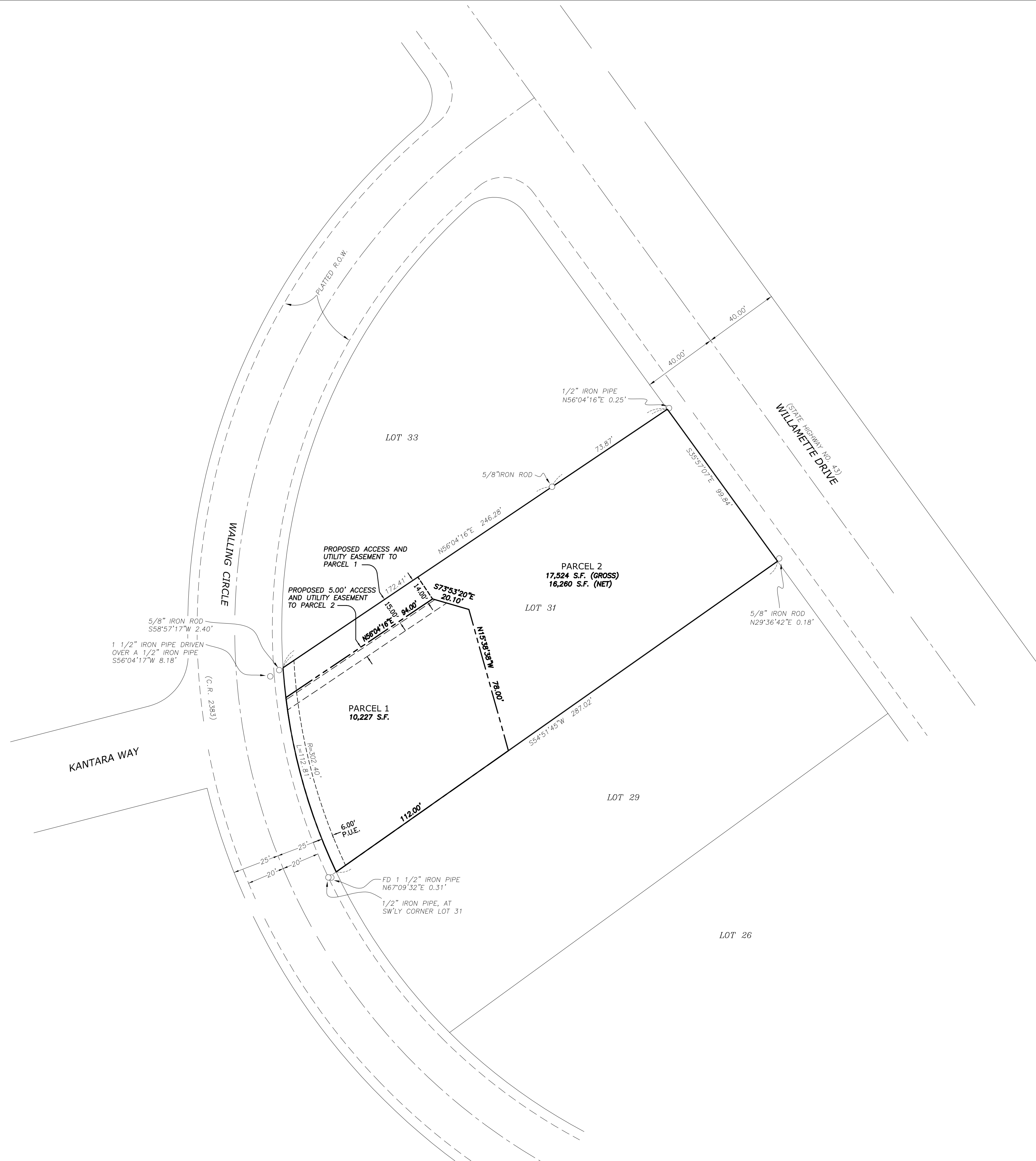
18902 WALLING CIRCLE
 2-LOT PARTITION
 NO525
 EXISTING CONDITIONS

REVISION	BY	DATE
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DESIGNED	
DRAWN	
REVIEWED	
SUBMITTAL	



Preliminary Plat



FOR: TZER EN CHENG
18902 WALLING CIRCLE
WEST LINN, OR 97068
PH: 971-777-4816
SITE: TAX MAP: 21E23AA
TAX LOT: 02200
WEST LINN, OREGON

18902 WALLING CIRCLE
2-LOT PARTITION
N0525
PRELIMINARY PLAT

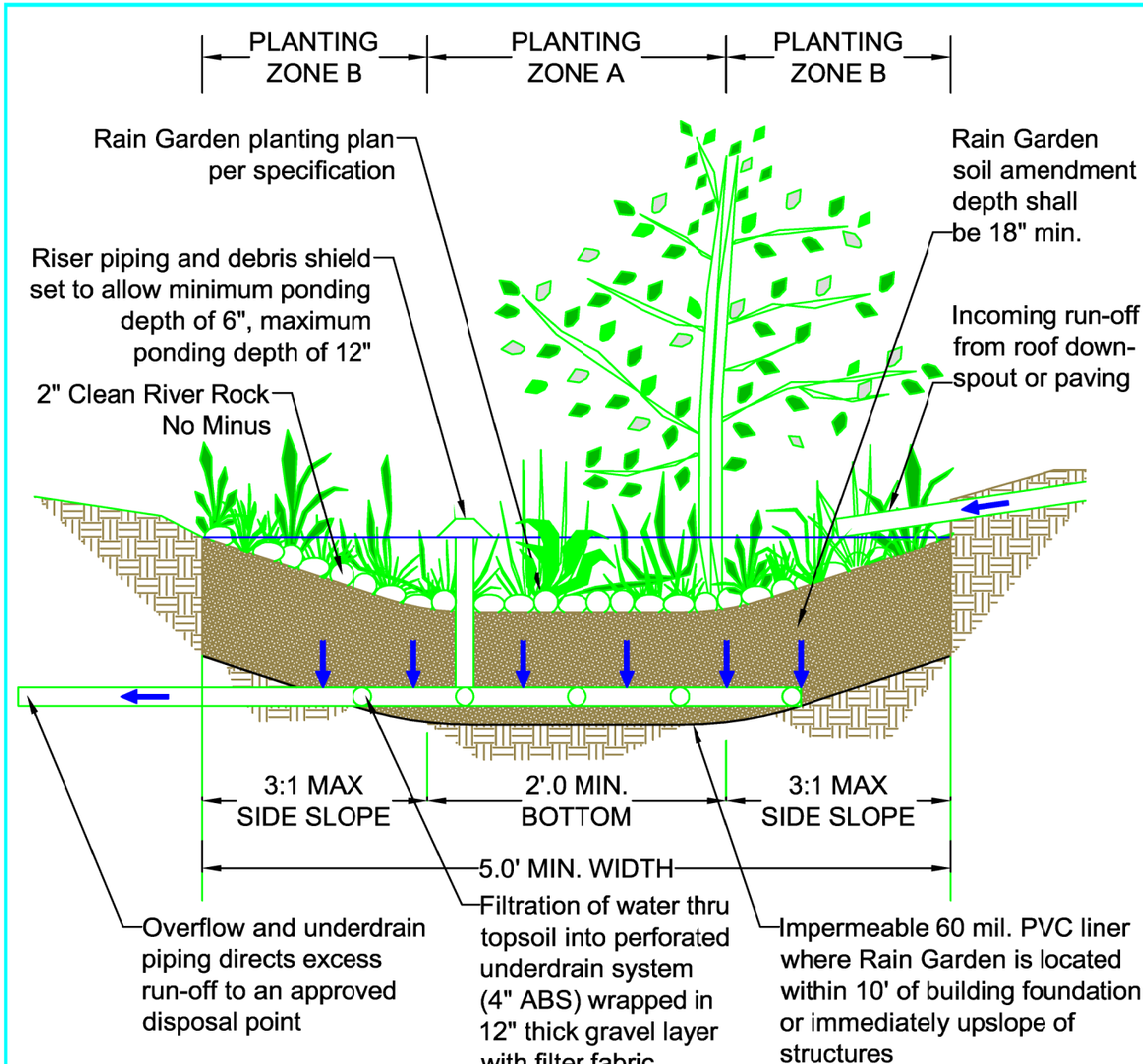
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DESIGNED	DRAWN	REVIEWED	SUBMITTAL

PPLT **4** of 7

Preliminary Site & Utility Plan

THIS DETAIL DRAWING SHALL NOT BE ALTERED OR CHANGED IN ANY MANNER EXCEPT BY THE CITY ENGINEER. IT IS THE RESPONSIBILITY OF THE USER TO ACQUIRE THE MOST CURRENT VERSION OF THE DETAIL.



RAIN GARDEN PLANTS		
ZONE	BOTANICAL NAME	COMMON NAME
A	CAREX APERTA	COLUMBIA SEDGE
A	CAREX Densa	DENSE SEDGE
A	CAREX PANSA	SANDDUNE SEDGE
A	CAREX TESTACAE	NEW ZEALAND ORANGE SEDGE
A	CAREX TUMILICOLA	FOOTHILL SEDGE
A	DESCHAMIA CAESPITOSA	TUFTED HAIR GRASS
A	ELEOCHARIS PALUSTRIS	CREeping SPIKE RUSH
A	JUNCUS BALTICUS	BALTIC RUSH
A	JUNCUS EFFRUSUS "JOURNENSIS"	COMMON RUSH
A	JUNCUS EFFRUSUS "GOLD STRIKE"	COMMON RUSH
A	JUNCUS EFFRUSUS "CARMANS GRAY"	COMMON RUSH
A	JUNCUS PATENS	SPREADING RUSH
B	ARCTOSTAPHYLOS LIVA-URSI	KINNICKINICK
B	BLECHNUM SPICANT	DEER FERN
B	CORNUS SERICEA VAR. KEISER II	DWARF REDTWIG DOGWOOD
B	LIRIOPE MUSCARI "BIG BLUE"	BIG BLUE LILY TURF
B	GAUTHERIA SHALLON	SALAL
B	MAHONIA NERVOsa	LOW OREGON GRAPE
B	MAHONIA REPENS	CREeping OREGON GRAPE

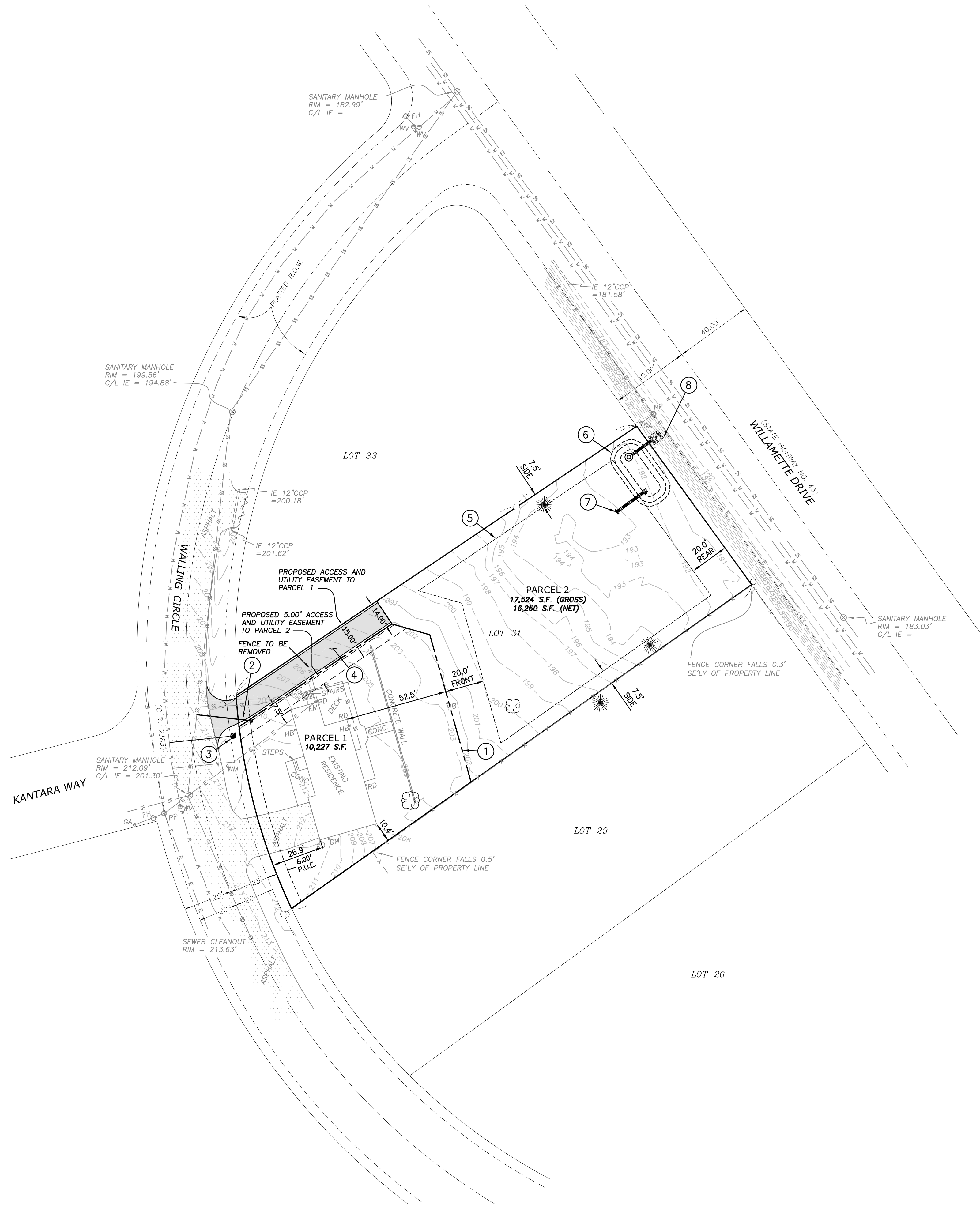
RAIN GARDEN SURFACE AREA = TOTAL IMPERVIOUS AREA x 0.06

NOTE: PLANT 1 GALLON POTS 18" O.C. IN EACH ZONE. A MINIMUM OF 3 SPECIES SHALL BE USED IN EACH ZONE.

INFILTRATION RAIN GARDEN TYPE 1

DATE: 2010
DRAWING NO: WL-617A
FILE NO.

MAINTENANCE AGREEMENT SHALL BE REQUIRED AND BE RECORDED WITH THE CITY



SETBACK REQUIREMENTS: R-10

- FRONT: 20 FEET
- INTERIOR SIDE: 7.5 FEET
- REAR YARD: 20 FEET

MAXIMUM LOT COVERAGE PARCEL 1

- PARCEL 1 SIZE = 16,260 SF
- MAXIMUM LOT COVERAGE = 35%
- MAXIMUM BUILDING SIZE = 5,691 SF (16,260 x 0.35)

KEY NOTES

- PROPOSED PROPERTY LINE.
- PROPOSED SANITARY SEWER LATERAL.
- PROPOSED WATER SERVICE METER.
- PROPOSED 12 FT. DRIVEWAY.
- PROPOSED BUILDING SETBACK LINE.
- PROPOSED RAIN GARDEN (SEE DETAIL THIS PAGE).
- PROPOSED CONNECTION POINT FOR HARDSCAPE SURFACE DRAINAGE.
- PROPOSED RIP-RAP OUTFALL.

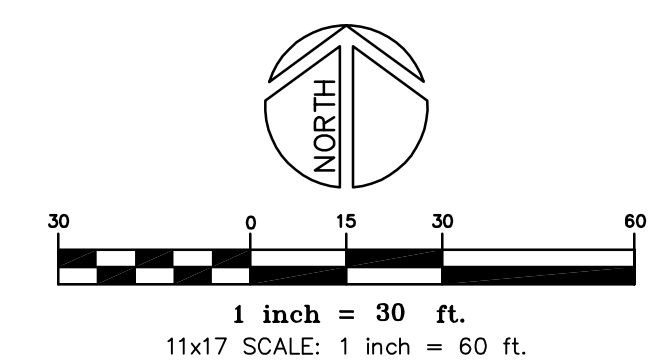
GENERAL NOTES:

- ALL EXISTING FEATURES TO REMAIN, UNLESS NOTED.
- SEE SHEET (7) FOR TREES TO REMAIN AND TO BE REMOVED.

SURVEY LEGEND

CCP	CONCRETE PIPE
C/L	CENTER LINE
CONC.	CONCRETE
CO	CLEAN OUT
DECID	DECIDUOUS TREE
EM	ELECTRICAL METER
FH	FIRE HYDRANT
HB	HOSE BIB
GM	GAS METER
IE	INVERT ELEVATION
MH	MANHOLE
PP	POWER POLE
RD	ROOF DRAIN TO PIPE
WV	WATER VALVE
WM	WATER METER
-SS-	SANITARY SEWER
-W-	WATER LINE
-E-	ELECTRICAL LINE
-X-	FENCE
[Pattern]	ASPHALT SURFACE

- SURVEY NOTES**
- VERTICAL DATUM: NAVD 88
 - ONE FOOT CONTOUR INTERVALS
 - NOT ALL UNDERGROUND UTILITIES ARE SHOWN OR NOTED ON THIS MAP. ALL UNDERGROUND UTILITIES SHOULD BE POTHOLED TO LOCATE BEFORE ANY DESIGN OR CONSTRUCTION.
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ENGINEERS
Engineering & Planning
3405 NW John Olsen Place
Hillsboro, OR 97124
503.601.4401

FOR: TZER EN CHENG
18902 WALLING CIRCLE
WEST LINN, OR 97068
PH: 971-777-4816
TAX MAP: 21E234A
SITE: TAX LOT: 02200
WEST LINN, OREGON

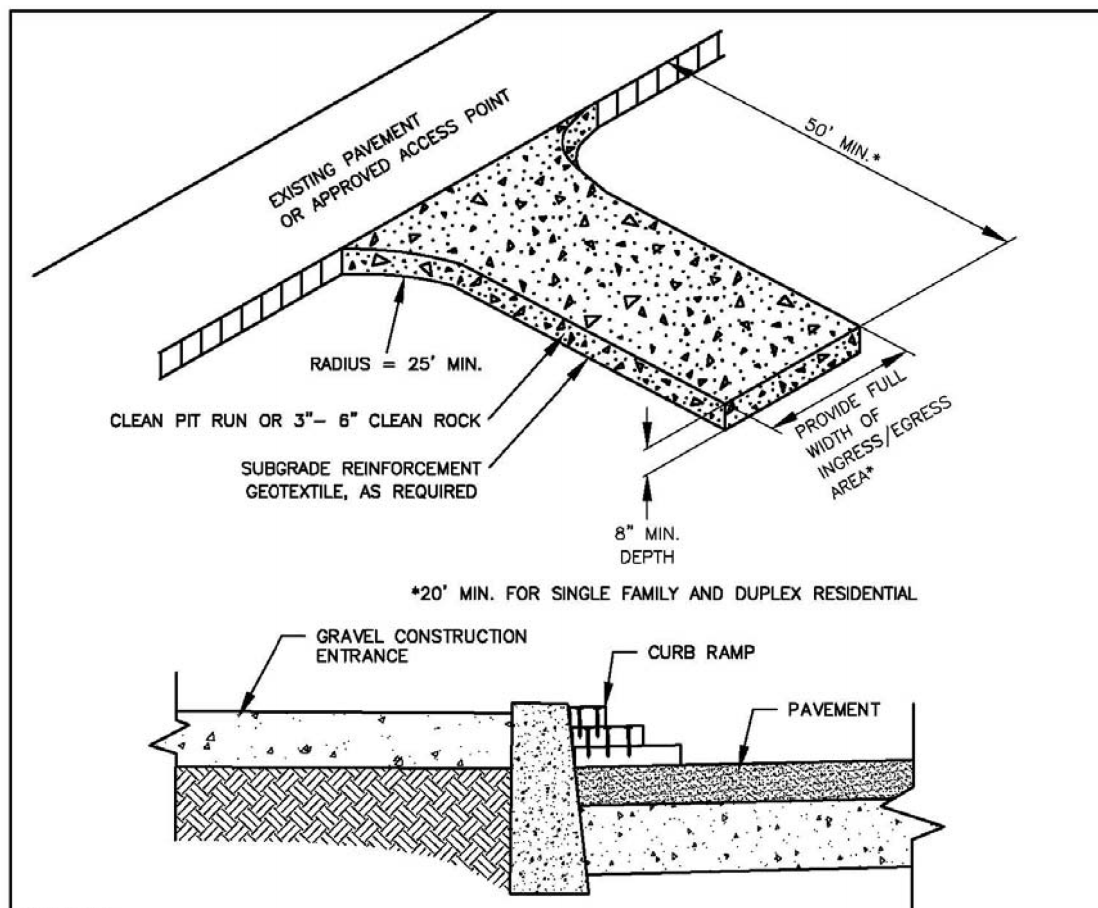
18902 WALLING CIRCLE
2-LOT PARTITION
NO525
PRELIMINARY SITE & UTILITY PLAN

REVISION	BY	DATE
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DESIGNED	DRAWN	REVIEWED	SUBMITTAL

PSIT **5** of 7

Preliminary Grading & Erosion Control Plan

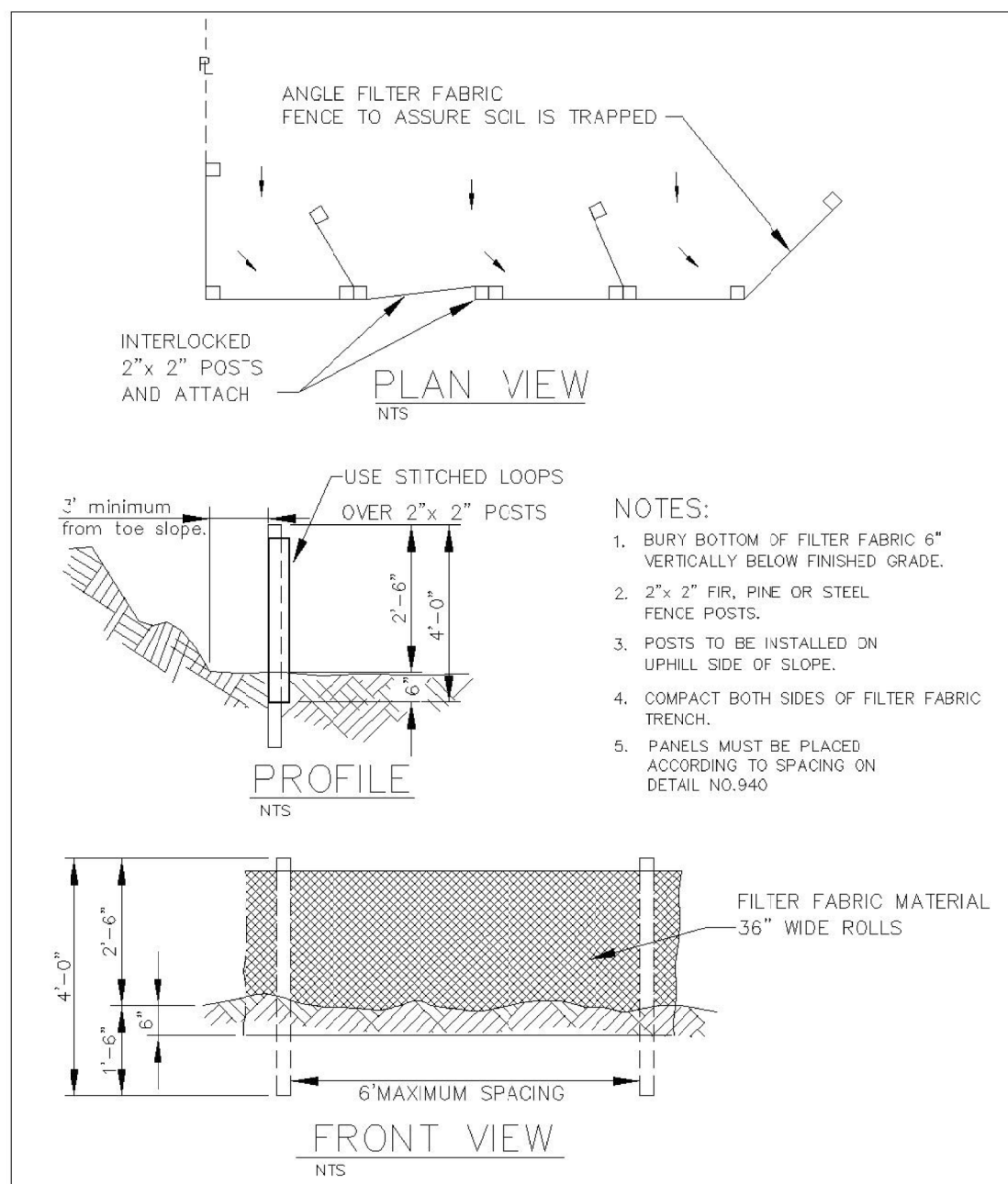


NOTES:

1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEAN OUT OF ANY MEASURES USED TO TRAP SEDIMENT.
2. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
3. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.
4. WHERE RUNOFF CONTAINING SEDIMENT LOADED WATER IS LEAVING THE SITE VIA THE CONSTRUCTION ENTRANCE, OTHER MEASURES SHALL BE IMPLEMENTED TO DIVERT RUNOFF THROUGH AN APPROVED FILTERING SYSTEM.
5. **DIMENSIONS**
SINGLE FAMILY:
 20' LONG BY 20' WIDE 8" DEEP OF 3/4" MINUS CLEAN ROCK.
COMMERCIAL:
 50' LONG BY 20' WIDE 3-6" CLEAN ROCK.
 GOVERNING AUTHORITY MAY REQUIRE GEOTEXTILE FABRIC TO PREVENT SUB-SOIL PUMPING.

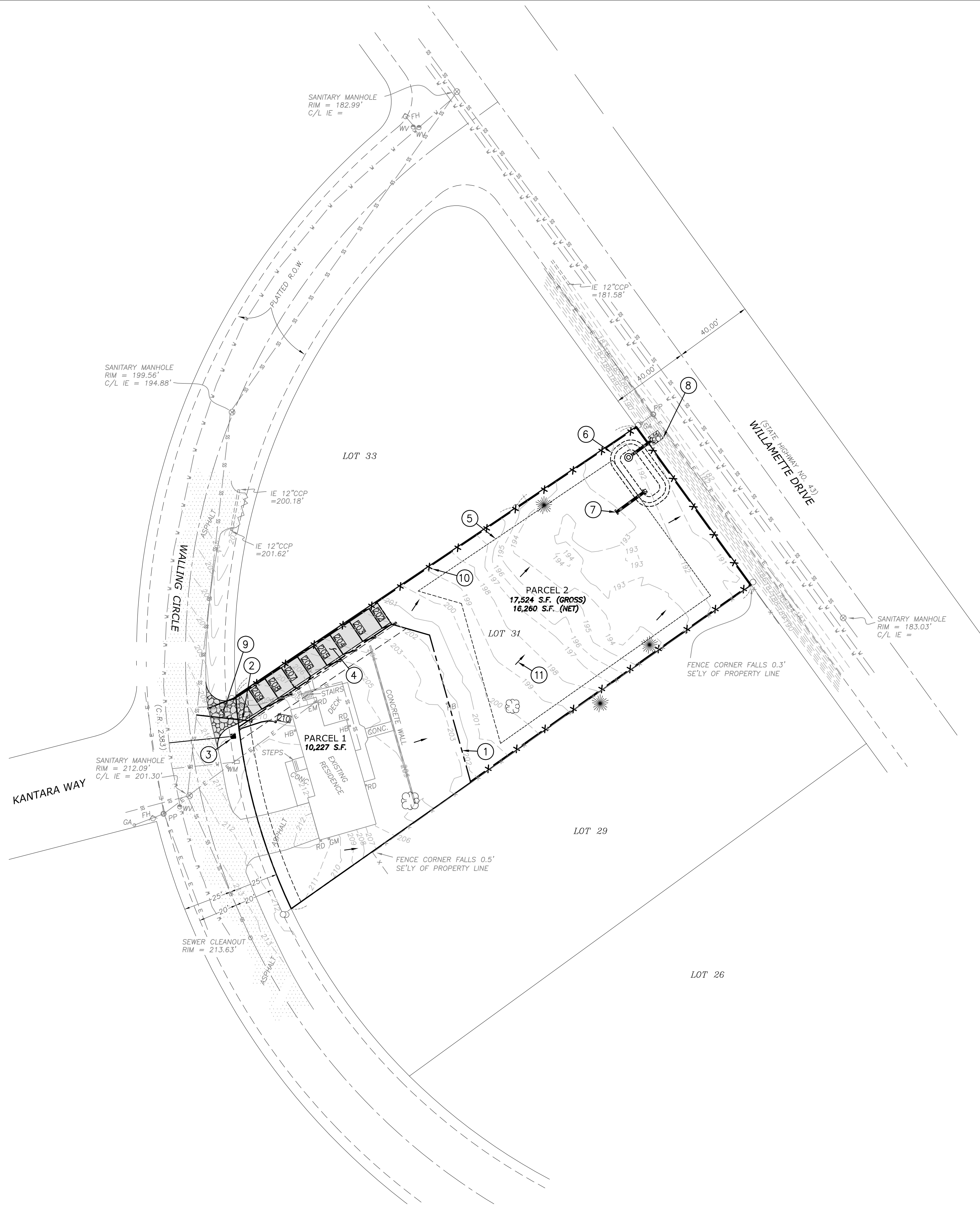
CONSTRUCTION ENTRANCE

DETAIL DRAWING 4-13 REVISED 01-09



SEDIMENT FENCE

DETAIL DRAWING 4-23 REVISED 01-09



SETBACK REQUIREMENTS: R-10

FRONT: 20 FEET
 INTERIOR SIDE: 7.5 FEET
 REAR YARD: 20 FEET

MAXIMUM LOT COVERAGE PARCEL 1

PARCEL 1 SIZE = 16,260 SF
 MAXIMUM LOT COVERAGE = 35%
 MAXIMUM BUILDING SIZE = 5,691 SF (16,260 x 0.35)

KEY NOTES

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2. PROPOSED SANITARY SEWER LATERAL.
3. PROPOSED WATER SERVICE METER.
4. PROPOSED 12 FT. DRIVEWAY.
5. PROPOSED BUILDING SETBACK LINE.
6. PROPOSED RAIN GARDEN.
7. PROPOSED CONNECTION POINT FOR HARDSCAPE SURFACE DRAINAGE.
8. PROPOSED RIP-RAP OUTFALL.
9. PROPOSED RESIDENTIAL CONSTRUCTION ENTRANCE (SEE DETAIL THIS PAGE).
10. PROPOSED SEDIMENT FENCE (SEE DETAIL THIS PAGE).
11. EXISTING SURFACE DRAINAGE DIRECTION

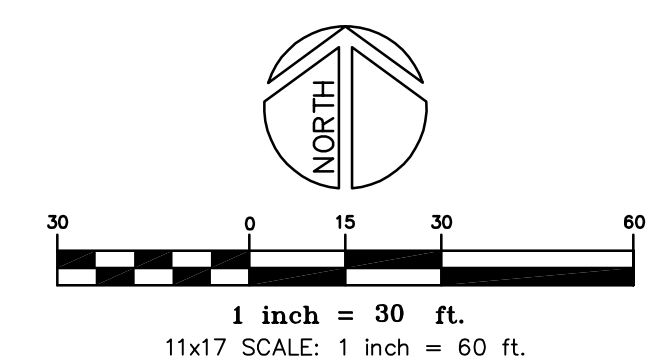
GENERAL NOTES:

1. ALL EXISTING FEATURES TO REMAIN, UNLESS NOTED.
2. SEE SHEET (7) FOR TREES TO REMAIN AND TO BE REMOVED.

SURVEY LEGEND

CCP	CONCRETE PIPE
C/L	CENTER LINE
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[Pattern]	ASPHALT SURFACE

- SURVEY NOTES**
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 PH: 971.777.4816
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18902 WALLING CIRCLE
 2-LOT PARTITION
 NO525
 PRELIMINARY GRADING &
 EROSION CONTROL PLAN

REVISION	BY	DATE
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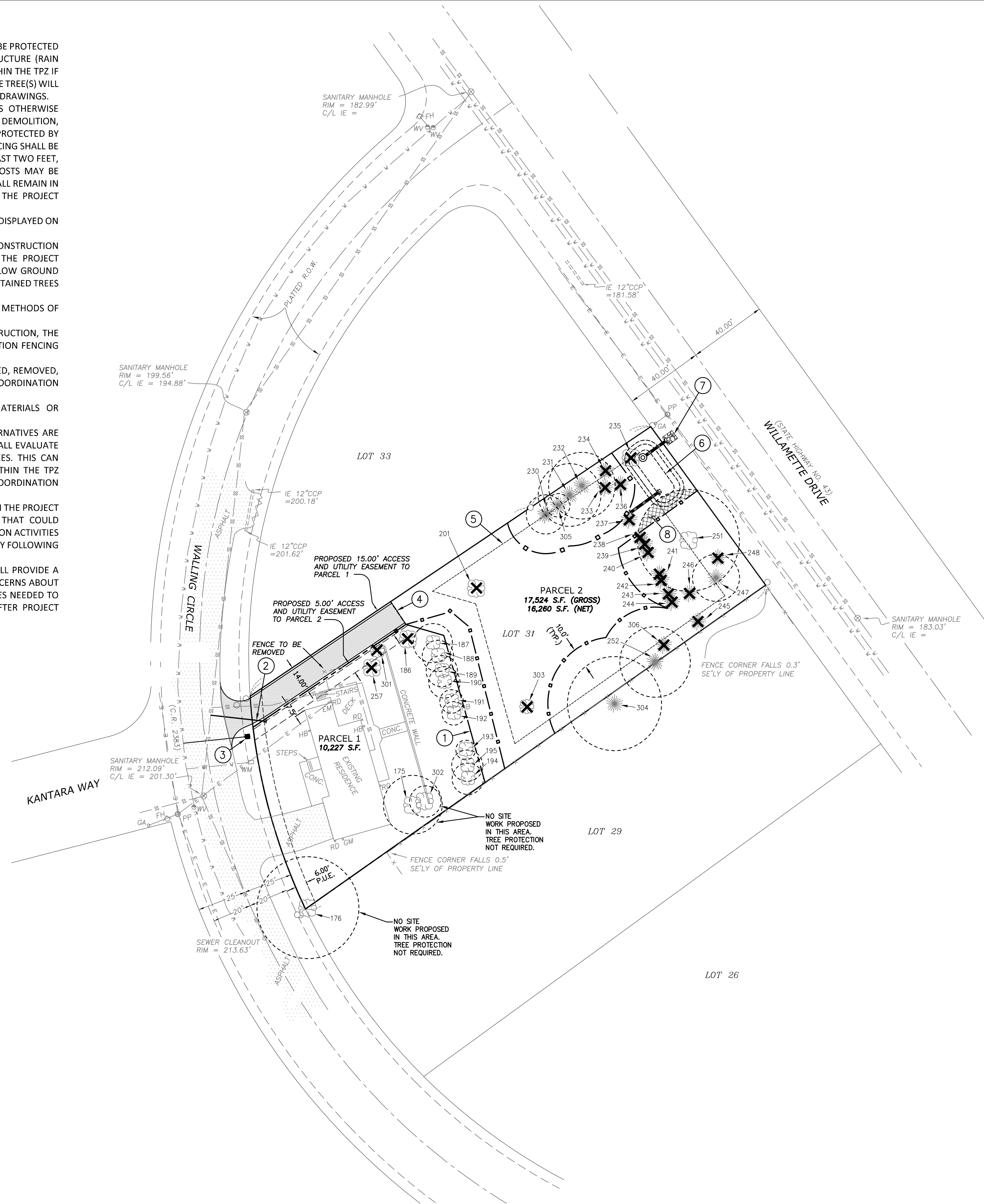
DESIGNED	DRAWN	REVIEWED	SUBMITTAL

PSIT **6** of 7

Preliminary Tree Retention and Removal Plan

TREE PROTECTION SPECIFICATIONS

- TREE PROTECTION ZONE.** THE STANDARD TREE PROTECTION ZONE (TPZ) FOR EACH TREE TO BE PROTECTED SHALL BE ESTABLISHED AT THE DRIPLINE OF THE TREE PLUS 10-FEET. WHERE INFRASTRUCTURE (RAIN GARDEN) MUST BE INSTALLED CLOSER TO THE TREE(S), THE TPZ MAY BE ESTABLISHED WITHIN THE TPZ IF THE PROJECT ARBORIST, IN COORDINATION WITH THE CITY ARBORIST, DETERMINES THAT THE TREE(S) WILL NOT BE UNDULY DAMAGED. THE LOCATION OF TPZS SHALL BE SHOWN ON CONSTRUCTION DRAWINGS.
- PROTECTION FENCING.** PROTECTION FENCING SHALL BE ERECTED AT THE TPZ, OR AS OTHERWISE DIRECTED BY THE PROJECT ARBORIST IN COORDINATION WITH THE CITY ARBORIST, BEFORE DEMOLITION, GRUBBING, GRADING, OR CONSTRUCTION BEGINS. ALL TREES TO BE RETAINED SHALL BE PROTECTED BY SIX-FOOT-HIGH CHAIN LINK FENCES INSTALLED AT THE EDGE OF THE TPZ. PROTECTION FENCING SHALL BE SECURED TO TWO-INCH DIAMETER GALVANIZED IRON POSTS, DRIVEN TO A DEPTH OF A LEAST TWO FEET, PLACED NO FURTHER THAN 10-FEET APART. IF FENCING IS LOCATED ON PAVEMENT, POSTS MAY BE SUPPORTED BY AN APPROPRIATE GRADE LEVEL CONCRETE BASE. PROTECTION FENCING SHALL REMAIN IN PLACE UNTIL FINAL INSPECTION OF THE PROJECT PERMIT, OR IN CONSULTATION WITH THE PROJECT ARBORIST.
- SIGNAGE.** AN 8.5X11 -INCH SIGN STATING, "WARNING: TREE PROTECTION ZONE," SHALL BE DISPLAYED ON EACH PROTECTION FENCE AT ALL TIMES.
- DESIGNATION OF CUT TREES.** TREES TO BE REMOVED SHALL BE CLEARLY MARKED WITH CONSTRUCTION FLAGGING, TREE-MARKING PAINT, OR OTHER METHODS APPROVED IN ADVANCED BY THE PROJECT ARBORIST. TREES SHALL BE CAREFULLY REMOVED SO AS TO AVOID EITHER ABOVE OR BELOW GROUND DAMAGE TO THOSE TREES TO BE PRESERVED. ROOTS OF STUMPS THAT ARE ADJACENT TO RETAINED TREES SHALL BE CAREFULLY SEVERED PRIOR TO STUMP EXTRACTION.
- PRECONSTRUCTION CONFERENCE.** THE PROJECT ARBORIST SHALL BE ON SITE TO DISCUSS METHODS OF TREE REMOVAL AND TREE PROTECTION PRIOR TO ANY CONSTRUCTION.
- VERIFICATION OF TREE PROTECTION MEASURES.** PRIOR TO COMMENCEMENT OF CONSTRUCTION, THE PROJECT ARBORIST SHALL VERIFY IN WRITING TO THE CITY ARBORIST THAT TREE PROTECTION FENCING HAS BEEN SATISFACTORILY INSTALLED.
- TREE PROTECTION ZONE MAINTENANCE.** THE PROTECTION FENCING SHALL NOT BE MOVED, REMOVED, OR ENTERED BY EQUIPMENT EXCEPT UNDER DIRECTION OF THE PROJECT ARBORIST, IN COORDINATION WITH THE CITY ARBORIST.
- STORAGE OF MATERIAL OR EQUIPMENT.** THE CONTRACTOR SHALL NOT STORE MATERIALS OR EQUIPMENT WITHIN THE TPZ.
- EXCAVATION WITHIN THE TPZ.** EXCAVATION WITH THE TPZ SHALL BE AVOIDED IF ALTERNATIVES ARE AVAILABLE. IF EXCAVATION WITHIN THE TPZ IS UNAVOIDABLE, THE PROJECT ARBORIST SHALL EVALUATE THE PROPOSED EXCAVATION TO DETERMINE METHODS TO MINIMIZE IMPACTS TO TREES. THIS CAN INCLUDE TUNNELING, HAND DIGGING OR OTHER APPROACHES. ALL CONSTRUCTION WITHIN THE TPZ SHALL BE UNDER THE ON-SITE TECHNICAL SUPERVISION OF THE PROJECT ARBORIST, IN COORDINATION WITH THE CITY ARBORIST.
- QUALITY ASSURANCE.** THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING WITH THE PROJECT ARBORIST AS NEEDED, IN A TIMELY MANNER, PRIOR TO CONSTRUCTION ACTIVITIES THAT COULD ENCROACH ON PROTECTED TREES. THE PROJECT ARBORIST SHOULD MONITOR CONSTRUCTION ACTIVITIES AND PROGRESS ON-CALL AND PROVIDE WRITTEN REPORTS TO THE DEVELOPER AND THE CITY FOLLOWING EACH SITE VISIT.
- FINAL REPORT.** AFTER THE PROJECT HAS BEEN COMPLETED, THE PROJECT ARBORIST SHALL PROVIDE A FINAL REPORT TO THE DEVELOPER AND THE CITY. THE FINAL REPORT SHALL INCLUDE CONCERNS ABOUT ANY TREES NEGATIVELY IMPACTED DURING CONSTRUCTION, AND DESCRIBE THE MEASURES NEEDED TO MAINTAIN AND PROTECT THE REMAINING TREES FOR A MINIMUM OF TWO YEARS AFTER PROJECT COMPLETION.



KEY NOTES

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- PROPOSED SANITARY SEWER LATERAL.
- PROPOSED WATER SERVICE METER.
- PROPOSED 12 FT. DRIVEWAY.
- PROPOSED BUILDING SETBACK LINE.
- PROPOSED RAIN GARDEN (SEE DETAIL THIS PAGE).
- PROPOSED RIP-RAP OUTFALL.
- CONTRACTOR TO COORDINATE WITH PROJECT ARBORIST TO MONITOR & DOCUMENT WORK IN THIS AREA.

TREE LEGEND:

- EXISTING DECIDUOUS TREE TO REMAIN
- EXISTING EVERGREEN TREE TO REMAIN
- EXISTING DECIDUOUS TREE TO BE REMOVED
- EXISTING EVERGREEN TREE TO BE REMOVED
- EXISTING REMAINING TREE CANOPY
- TREE PROTECTION FENCE, PLACE 10 FT. BEYOND CANOPY/DRIPLINE

GENERAL NOTES:

- ALL EXISTING FEATURES TO REMAIN, UNLESS NOTED.

SURVEY LEGEND

- CCP CONCRETE PIPE
- C/L CENTER LINE
- CONC. CONCRETE
- CO CLEAN OUT
- DECID DECIDUOUS TREE
- EM ELECTRICAL METER
- FH FIRE HYDRANT
- HB HOSE BIB
- GM GAS METER
- IE INVERT ELEVATION
- MH MANHOLE
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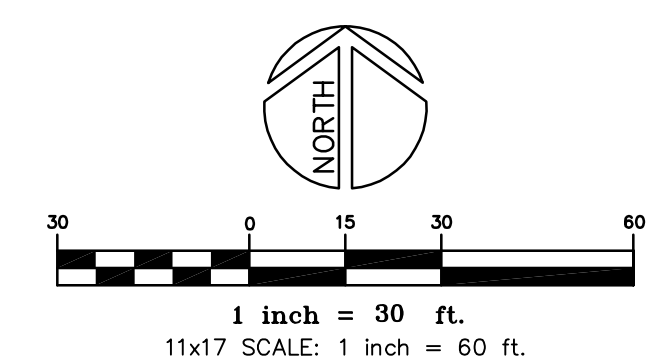
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ARBORIST:



MORGAN HOLEN & ASSOCIATES
 3 MONROE PARKWAY, SUITE P 220
 LAKE OSWEGO, OREGON 97035
 PH: 971-409-9354



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18902 WALLING CIRCLE
 2-LOT PARTITION
 NO525
 PRELIMINARY TREE
 RETENTION & REMOVAL PLAN

REVISION	BY	DATE
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4		
5		
6		
7		

DESIGNED	DRAWN	REVIEWED	SUBMITTAL

TRE1
 7
 of 7

Arborist



December 12, 2017

Planning and Building
City of West Linn
22500 Salamo Road #1000
West Linn, Oregon 97068

Re: Arborist Report and Tree Preservation Plan for the Walling Circle Two-Lot Partition
West Linn, Oregon
Project No. MHA17075 Walling Partition

Please find enclosed the Arborist Report and Tree Preservation Plan for the two-lot partition located at 18902 Walling Circle in West Linn, Oregon. Please contact us if you have questions or need any additional information.

Respectfully,
Morgan Holen & Associates, LLC

A handwritten signature in black ink that reads "Morgan E. Holen". The signature is written in a cursive, flowing style.

Morgan E. Holen, Member/Owner
ISA Board Certified Master Arborist, PN-6145B
ISA Tree Risk Assessment Qualified
Forest Biologist



Arborist Report and Tree Preservation Plan

Two-Lot Partition
18902 Walling Circle
West Linn, Oregon

December 12, 2017

Table of Contents

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Tree Preservation Plan	2
Tree Protection Standards	3
Before Construction	3
During Construction	4
Post Construction	4



**Two-Lot Partition – 18902 Walling Circle, West Linn, Oregon
Arborist Report and Tree Preservation Plan
December 12, 2017**

MHA17075

Purpose

This Arborist Report and Tree Preservation Plan for the two-lot partition at 18902 Walling Circle in West Linn, Oregon, is provided pursuant to City of West Linn Community Development Code Chapter 55, Municipal Code Sections 8.500 and 8.600, and the West Linn Tree Technical Manual. This report describes the existing trees located on the project site, as well as recommendations for tree removal, retention and protection. This report is based on observations made by International Society of Arboriculture (ISA) Board Certified Master Arborist (PN-6145B) and Qualified Tree Risk Assessor Morgan Holen during a site visit conducted on November 3, 2017, subsequent coordination with NW Engineers.

Scope of Work and Limitations

Morgan Holen & Associates, LLC, was contracted by NW Engineers to collect tree inventory data for individual trees measuring six inches and larger in diameter and to develop an arborist report and tree preservation plan for the project. The site is planned for partition, with parcel 1 to the east and parcel 2 to the west. Parcel 2 includes an existing home that will remain. The project includes a proposed 12-foot driveway for access to parcel 1, a sanitary sewer lateral, water service meter, and rain garden. Site plans were provided by NW Engineers illustrating the location of existing trees and potential construction impacts.

Visual Tree Assessment (VTA) was performed on individual trees located across the site. VTA is the standard process whereby the inspector visually assesses the tree from a distance and up close, looking for defect symptoms and evaluating overall condition and vitality of individual trees. Trees were evaluated in terms of general condition and potential construction impacts. Following the inventory fieldwork, we coordinated with NW Engineers to discuss potentially significant trees and tree protection recommendations. The location of individual trees is shown on site plan drawings and tree numbers correspond with the enclosed tree data.

The client may choose to accept or disregard the recommendations contained herein, or seek additional advice. Neither this author nor Morgan Holen & Associates, LLC, have assumed any responsibility for liability associated with the trees on or adjacent to this site.

Tree Inventory

The existing trees are scattered across the site, primarily near property boundaries and around the existing home on proposed parcel 2. In all, 41 existing trees were inventoried, including 10 different species and one tree located completely off-site to the south. Table 1 provides a summary of the number of inventoried trees by species. The enclosed tree data provides a complete description of the individual trees.

Table 1. Number of Trees by Species – Walling Circle Partition.

Common Name	Species Name	Count	Percent*
cherry	<i>Prunus</i> spp.	2	5%
deciduous	unknown	9	22%
dogwood	<i>Cornus</i> spp.	2	5%
Douglas-fir	<i>Pseudotsuga menziesii</i>	18	44%
fruit	unknown	1	2%
giant sequoia^	<i>Sequoiadendron giganteum</i>	1	2%
Japanese maple	<i>Acer palmatum</i>	2	5%
Oregon white oak	<i>Quercus garryana</i>	3	7%
western redcedar	<i>Thuja plicata</i>	2	5%
white pine	<i>Pinus monticola</i>	1	2%
Total		41	100%

*Percent total may not sum to 100% due to rounding. ^Identifies one off-site tree.

Douglas-fir is most common, accounting for 18 of the 41 inventoried trees, most of which were planted in a very dense row near the eastern boundary of the site. The largest and most prominent trees include the off-site giant sequoia (*Sequoiadendron giganteum*) which is in good condition, and three Oregon white oaks (*Quercus garryana*) of which two are in good condition and one is in fair condition with a hollow with advanced decay on the east face from ground level to approximately 5-feet. The other 19 trees include a mix of planted ornamental and landscape trees in variable condition.

Significant trees will be determined by the City Arborist. Based on our evaluation of the size, type, location, health, and long-term survivability of the individual trees, five (12%) trees were identified as potentially being significant, including the two Oregon white oaks in good condition measuring 20- and 35-inches in diameter, one 28-inch diameter western redcedar (*Thuja plicata*), one 18-inch diameter Douglas-fir, and the 44-inch diameter off-site giant sequoia.

Tree Preservation Plan

We coordinated with the project team to discuss trees suitable for preservation in terms of potential construction impacts. Table 2 provides a summary of the number of non-significant and potentially significant trees by treatment recommendation.

Table 2. Number of On Site Trees by Treatment Recommendation and Significance.

Treatment	Non-Significant	Potentially Significant	Total*
Remove	21	0	21 (51%)
Retain	15	4	19 (46%)
Protect Off-Site	0	1	1 (2%)
Total	36 (88%)	5 (12%)	41 (100%)

*Percent total may not sum to 100% due to rounding.

Of the 41 on-site trees, 22 non-significant trees are recommended for removal, including: three trees located adjacent to the proposed driveway for access to parcel 1 that would be severely pruned for necessary clearance; 15 Douglas-firs primarily located within the allowable building footprint for parcel 1 except for four that are just beyond the allowable building footprint but small and with poor structure;

one cherry (*Prunus* spp.) and one fruit tree located well within the allowable building footprint for parcel 1; and the one Oregon white oak with trunk decay that is located within the proposed rain garden area.

The remaining 20 trees are planned for retention, including the off-site giant sequoia and the four other potentially significant trees. Trees to be retained should be protected with tree protection fencing established at the dripline plus 10-feet. Based on the proposed partition plan, a minor encroachment will be needed north of the 35-inch diameter Oregon white oak for construction of the proposed rain garden. The area of encroachment is identified on the tree plan drawing. The contractor should coordinate with the project arborist to monitor and document work in this area, but the level of protection is adequate considering that the impacts are limited to a small percentage of the total root protection zone. Additional recommendations may be provided once the site is staked and prepared for construction. Standard tree protection specifications are provided in the next section and should be translated onto construction drawings. Prior to homebuilding on parcel 1, tree protection measures across the site should be reassessed by a qualified arborist.

Tree Protection Standards

Trees to be protected will need special consideration to assure their protection during construction. Any work that is necessary within the standard tree protection zone should be performed under the guidance of a qualified arborist. It is the Client's responsibility to implement this plan and to monitor the construction process. Tree protection measures include:

Before Construction

- 1. Tree Protection Zone.** The standard Tree Protection Zone (TPZ) for each tree to be protected shall be established at the dripline of the tree plus 10-feet. Where infrastructure (rain garden) must be installed closer to the tree(s), the TPZ may be established within the TPZ if the project arborist, in coordination with the City Arborist, determines that the tree(s) will not be unduly damaged. The location of TPZs shall be shown on construction drawings.
- 2. Protection Fencing.** Protection fencing shall be erected at the TPZ, or as otherwise directed by the project arborist in coordination with the City Arborist, before demolition, grubbing, grading, or construction begins. All trees to be retained shall be protected by six-foot-high chain link fences installed at the edge of the TPZ. Protection fencing shall be secured to two-inch diameter galvanized iron posts, driven to a depth of a least two feet, placed no further than 10-feet apart. If fencing is located on pavement, posts may be supported by an appropriate grade level concrete base. Protection fencing shall remain in place until final inspection of the project permit, or in consultation with the project arborist.
- 3. Signage.** An 8.5x11 –inch sign stating, “WARNING: Tree Protection Zone,” shall be displayed on each protection fence at all times.
- 4. Designation of Cut Trees.** Trees to be removed shall be clearly marked with construction flagging, tree-marking paint, or other methods approved in advanced by the project arborist. Trees shall be carefully removed so as to avoid either above or below ground damage to those trees to be preserved. Roots of stumps that are adjacent to retained trees shall be carefully severed prior to stump extraction.

5. **Preconstruction Conference.** The project arborist shall be on site to discuss methods of tree removal and tree protection prior to any construction.
6. **Verification of Tree Protection Measures.** Prior to commencement of construction, the project arborist shall verify in writing to the City Arborist that tree protection fencing has been satisfactorily installed.

During Construction

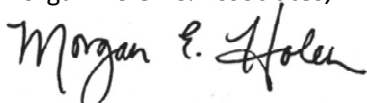
7. **Tree Protection Zone Maintenance.** The protection fencing shall not be moved, removed, or entered by equipment except under direction of the project arborist, in coordination with the City Arborist.
8. **Storage of Material or Equipment.** The contractor shall not store materials or equipment within the TPZ.
9. **Excavation within the TPZ.** Excavation within the TPZ shall be avoided if alternatives are available. If excavation within the TPZ is unavoidable, the project arborist shall evaluate the proposed excavation to determine methods to minimize impacts to trees. This can include tunneling, hand digging or other approaches. All construction within the TPZ shall be under the on-site technical supervision of the project arborist, in coordination with the City Arborist.
10. **Quality Assurance.** The contractor shall be responsible for coordinating with the project arborist as needed, in a timely manner, prior to construction activities that could encroach on protected trees. The project arborist should monitor construction activities and progress on-call and provide written reports to the developer and the City following each site visit.

Post Construction

11. **Final Report.** After the project has been completed, the project arborist shall provide a final report to the developer and the City. The final report shall include concerns about any trees negatively impacted during construction, and describe the measures needed to maintain and protect the remaining trees for a minimum of two years after project completion.

Please contact us if you have questions or need any additional information. Thank you for choosing Morgan Holen & Associates, LLC, to provide consulting arborist services for the Walling Circle partition project.

Thank you,
Morgan Holen & Associates, LLC



Morgan E. Holen, Member/Owner
ISA Board Certified Master Arborist, PN-6145B
ISA Tree Risk Assessment Qualified
Forest Biologist

Enclosures: MHA17075 Walling Circle Partition – Tree Data 11-3-17

No.	Common Name	Species Name	DBH*	C-Rad^	Cond#	Comments	Sig?	Treatment
175	dogwood	<i>Cornus spp.</i>	10	15	G		no	retain
176	Oregon white oak	<i>Quercus garryana</i>	20	26	G		yes	retain
186	cherry	<i>Prunus spp.</i>	16	12	P	poor structure, decay	no	remove
187	deciduous	unknown	13	10	P	codominant stems 5" and 8", poor structure, dead and broken branches	no	retain
188	deciduous	unknown	10	8	P	poor structure, some decay	no	retain
189	deciduous	unknown	8	8	P	poor structure, trunk decay	no	retain
190	deciduous	unknown	10	8	P	codominant stems 4" and 6", poor structure, broken branches, basal decay	no	retain
191	deciduous	unknown	8	6	P	very poor structure	no	retain
192	deciduous	unknown	8	6	P	poor structure, trunk decay, codominant stem failure	no	retain
193	deciduous	unknown	12	5	P	poor structure, broken branches, codominant stem failure	no	retain
194	deciduous	unknown	12	8	P	poor structure, trunk decay	no	retain
195	deciduous	unknown	8	8	P	poor structure, broken branches, some decay	no	retain
201	cherry	<i>Prunus spp.</i>	21	18	F	poor structure, dead and broken branches, decay	no	remove
230	western redcedar	<i>Thuja plicata</i>	11	10	G		no	retain
231	Douglas-fir	<i>Pseudotsuga menziesii</i>	13	16	G	self-correcting lean, one-sided crown	no	retain
232	Douglas-fir	<i>Pseudotsuga menziesii</i>	14	17	G	pitch seam on south face 0-4'	no	retain
233	Douglas-fir	<i>Pseudotsuga menziesii</i>	6	5	F	dense group, one-sided crown	no	remove
234	Douglas-fir	<i>Pseudotsuga menziesii</i>	8	8	F	edge of dense group, one-sided crown	no	remove
235	Oregon white oak	<i>Quercus garryana</i>	32	22	F	hollow with advanced decay on east face 0-5'	no	remove
236	Douglas-fir	<i>Pseudotsuga menziesii</i>	6	5	P	dense group, small high live crown	no	remove
237	Douglas-fir	<i>Pseudotsuga menziesii</i>	9	10	F	dense row, mostly one-sided crown to west	no	remove
238	Douglas-fir	<i>Pseudotsuga menziesii</i>	10	10	F	dense row, mostly one-sided crown to west	no	remove

No.	Common Name	Species Name	DBH*	C-Rad^	Cond#	Comments	Sig?	Treatment
239	Douglas-fir	<i>Pseudotsuga menziesii</i>	7	8	P	dense row, mostly one-sided crown to west	no	remove
240	Douglas-fir	<i>Pseudotsuga menziesii</i>	8	8	F	dense row, mostly one-sided crown to west	no	remove
241	Douglas-fir	<i>Pseudotsuga menziesii</i>	7	6	P	dense row, mostly one-sided crown to west	no	remove
242	Douglas-fir	<i>Pseudotsuga menziesii</i>	6	6	P	dense row, mostly one-sided crown to west	no	remove
243	Douglas-fir	<i>Pseudotsuga menziesii</i>	6	6	P	dense row, mostly one-sided crown to west	no	remove
244	Douglas-fir	<i>Pseudotsuga menziesii</i>	6	6	P	dense row, mostly one-sided crown to west	no	remove
245	Douglas-fir	<i>Pseudotsuga menziesii</i>	7	6	P	small high live crown	no	remove
246	Douglas-fir	<i>Pseudotsuga menziesii</i>	9	4	P	small high live crown, mostly dead	no	remove
247	Douglas-fir	<i>Pseudotsuga menziesii</i>	18	12	G	some ivy at base and lower trunk	yes	retain
248	Douglas-fir	<i>Pseudotsuga menziesii</i>	12	9	F		no	remove
251	Oregon white oak	<i>Quercus garryana</i>	35	26	G		yes	retain
252	western redcedar	<i>Thuja plicata</i>	28	18	G		yes	retain
257	dogwood	<i>Cornus spp.</i>	14	18	G	pruning low-lying crown to north for proposed access to parcel 2 is too severe to retain tree	no	remove
301	Japanese maple	<i>Acer palmatum</i>	8	8	G	pruning low-lying crown to north for proposed access to parcel 2 is too severe to retain tree	no	remove
302	Japanese maple	<i>Acer palmatum</i>	8	8	G		no	retain
303	fruit	unknown	10	12	F	not very well maintained	no	remove
304	giant sequoia	<i>Sequoiadendron giganteum</i>	44	24	G	off-site with crown overhanging project site	yes	protect
305	white pine	<i>Pinus monticola</i>	6	6	F	overcrowded, relatively small high live crown	no	retain
306	Douglas-fir	<i>Pseudotsuga menziesii</i>	6	12	G	mostly one-sided crown to north	no	remove

***DBH** is tree diameter measured at breast height, 4.5-feet above the ground level (inches); codominant trunks splitting below DBH are measured individually and DBH is reported as the sum of each stem.

^C-Rad is the average crown radius measured in feet.

#Cond is an arborist assigned rating to generally describe the condition of individual trees as follows- Dead; Poor; Fair; or Good condition.

Sig? asks whether or not individual trees are considered potentially significant, either Yes (likely significant) or No (not considered significant).

Pre-App Notes

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
September 15, 2016

SUBJECT: Proposed 2-lot Partition at 18902 Walling Circle
FILE: PA-16-21
ATTENDEES: Applicant: Xuan Cen Cheng
Applicant Representatives: Tzer En Cheng, Chien Ju Lez, Xuan Teng Cheng
Staff: Darren Wyss (Planning), Khoi Le (Engineering)
Public: n/a

*The following is a summary of the meeting discussion provided to you from staff meeting notes. Additional information may be provided to address any "follow-up" items identified during the meeting. **These comments are PRELIMINARY in nature.** Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.*

Site Information

Site Address: 18902 Walling Circle
Tax Not No.: Tax lot 2200 of assessor's map 21E23AA
Site Area: 26,942 square feet
Neighborhood: Robinwood
Comp. Plan: Low density residential
Zoning: R-10 (Single family residential detached / 10,000 sq. ft. 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

Project Details: The applicant proposes to create an additional buildable lot, for the purpose of constructing a single-family residence, by partitioning an approximately 27,000 square foot parcel at 18902 Walling Circle. This use is permitted outright and both lots would meet minimum size requirements. The applicant has proposed reconfiguring the existing house's rear deck and stairs to provide a 20-foot access easement from Walling Circle for the benefit of the new parcel. The property has frontage along Walling Circle and Highway 43 and will make half-street improvements to both or pay fees-in-lieu. ODOT has confirmed the applicant can connect both sanitary sewer and stormwater into existing infrastructure in Highway 43. The existing house will remain.

Depending on the location of the new house, a fire turnaround or sprinkler system may be required if any part of the house is greater than 150 feet from the right-of-way. Please contact TVF&R for more information.

Engineering Comments: contact Khoi Le at kle@westlinnoregon.gov or 503-722-5517

Tualatin Valley Fire and Rescue Comments: contact Ty Darby at ty.darby@tvfr.com or 503-259-1409

Process

For the Partition Review, address the submittal requirements and responses to the criteria of 85 and associated/referenced regulations in Chapter 11. N/A is not an acceptable response to the approval criteria.

Submittal requirements may be waived by the Planning Manager following a request by the applicant. Such a request must identify the specific grounds for the waiver and must be submitted to the Planning Manager (or designee) in letter form (email is acceptable).

A neighborhood meeting is not required per 99.038.

The applicant was advised of the expedited process as outlined in HB 3223.

The deposit for a minor partition is \$2,800.

You may access the West Linn Community Development Code (CDC) online at <http://westlinnoregon.gov/cdc>.

Once the application and deposit/fee are submitted, the City has 30 days to determine if the application is complete or not. If the application is not complete, the applicant has 180 days to make it complete or provide written notice to staff that no other information will be provided.

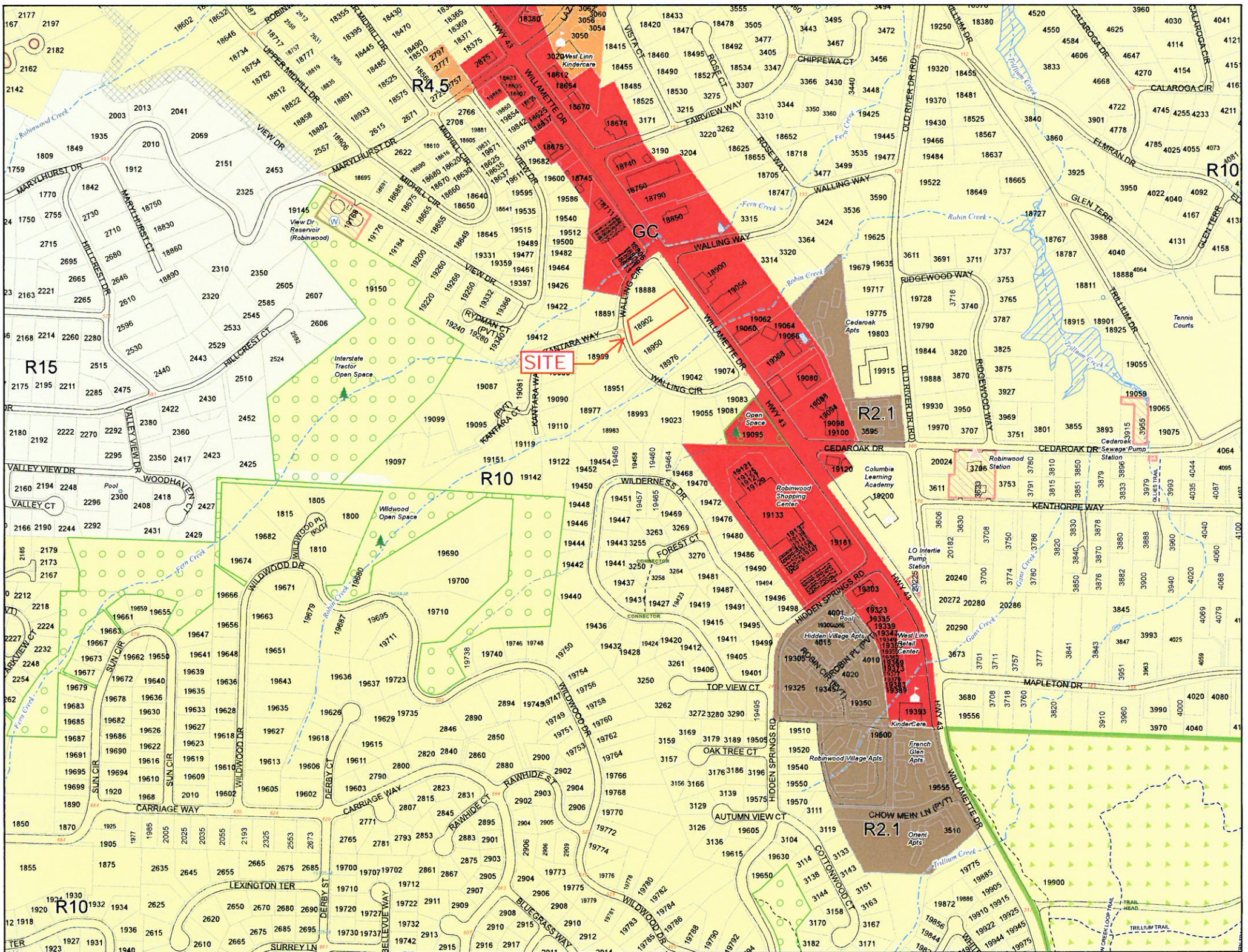
Once the submittal is declared complete, staff will prepare a staff report and schedule a date for the Planning Manager's decision. There is a 14-day window following the Planning Manager's decision to appeal the decision to City Council. If no appeal has been received by the close of the appeal period, the Planning Manager's decision is final and the applicant may move forward with the development of their proposal.

Pre-application notes are void after 18 months. After 18 months with no application approved or in process, a new pre-application conference is required.

Typical land use applications can take 6-10 months from beginning to end.

DISCLAIMER: This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application ***or provide any assurance of potential outcomes***. Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. Pre-application notes are void after 18 months. After 18 months with no application approved or in process, a new pre-application conference is required. Any changes to the CDC standards may require a different design or submittal.

City of West Linn Zoning Map



Tax Map

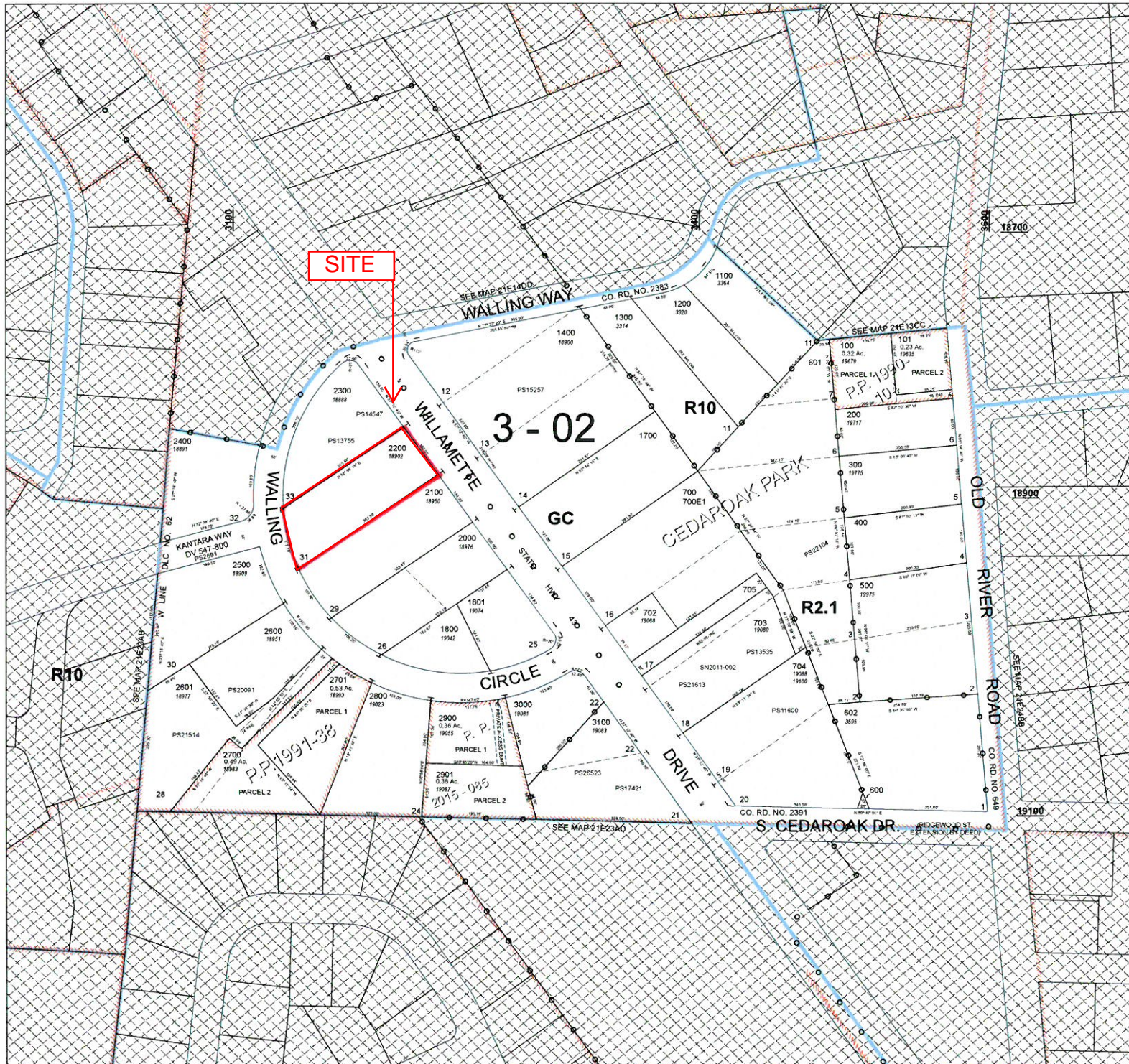
2 1 E 23AA
WEST LINN

N.E. 1/4 N.E. 1/4 SEC.23 T.2S. R.1E. W.M.
CLACKAMAS COUNTY
1" = 100'

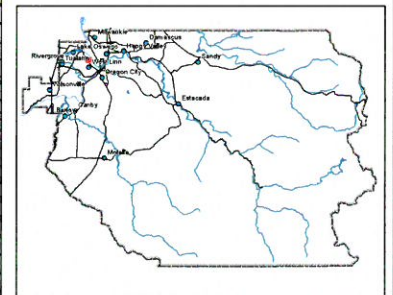
D. L. C.
GEORGE WALLING NO. 62

Cancelled Taxlots

701
800
900
1000
1500
1600
1900



- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- TaxCodeLines
- Map Index
- WaterLines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY



2 1 E 23AA
WEST LINN

Soils Map

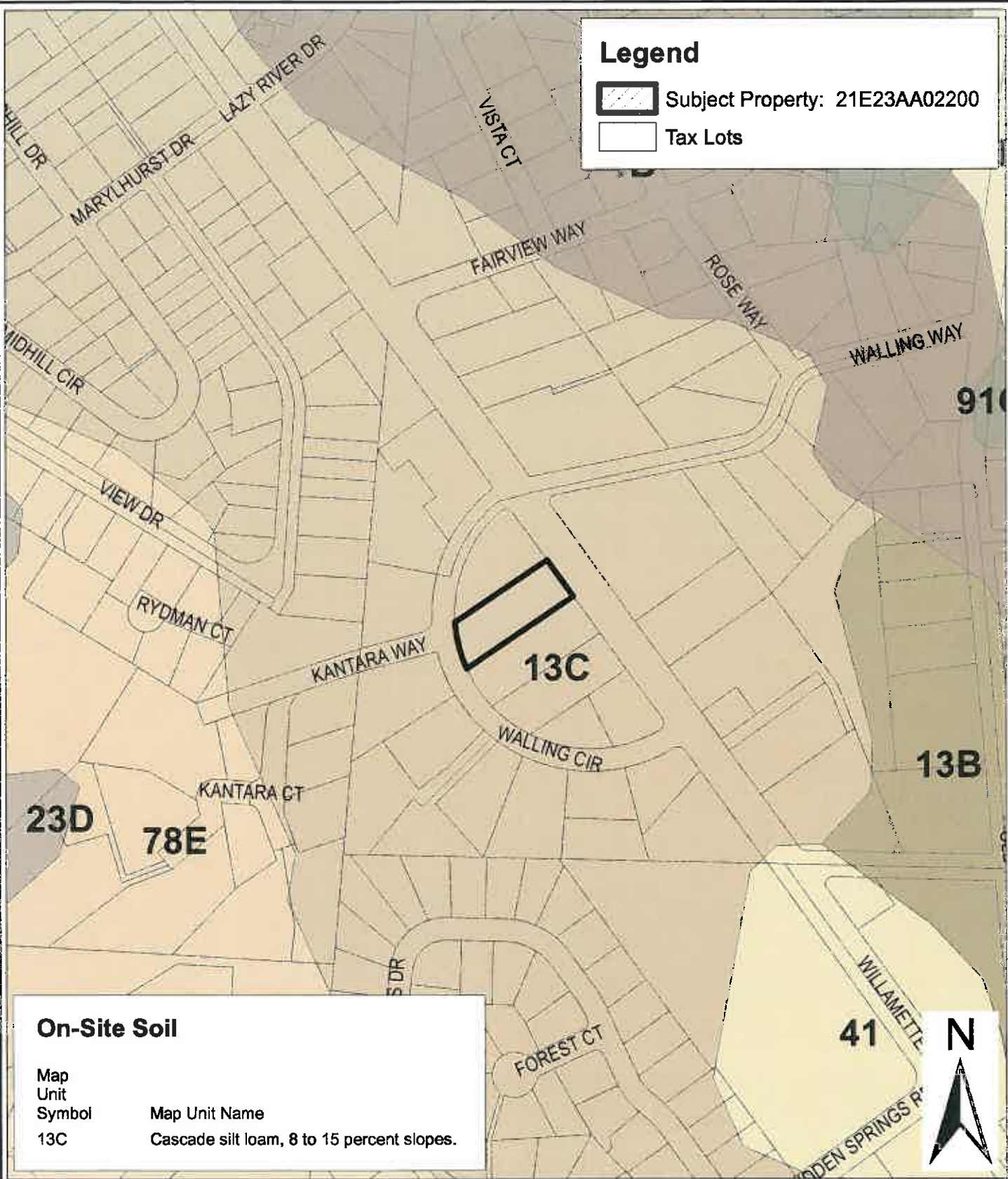
Legend



Subject Property: 21E23AA02200



Tax Lots



On-Site Soil

Map

Unit

Symbol

13C

Map Unit Name

Cascade silt loam, 8 to 15 percent slopes.



Engineering & Planning

3405 NW JOHN OLSEN PLACE
HILLSBORO, OREGON 97124
T: 503.631.4400
F: 503.631.4400
W: www.nw-eng.com

Soils Map Walling Circle City of West Linn, Oregon

Source:

Metro Data Resource Center's RLIS, August, 2017

Date:

10/25/2017

Scale:

1 in. = 300 ft.

Project #:

N0525

Drawn By: CEB

Title Report



Prepared For:	Prepared By: WFG National Title - Customer Service Department 12909 SW 68th Pkwy # 350 Portland, OR 97223 Phone: 503.603.1700 Fax: 888.833.6840 E-mail: cs@wfgnationaltitle.com	Prepared Date: 8/10/2017
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OWNERSHIP INFORMATION			
Owner	: Cheng Tzer En & Chien Ju Lee	Ref Parcel Number	: 21E23AA02200
CoOwner	: Donahue Joy C	T: 02S R: 01E S: 23 Q: NE QQ: NE	
Site Address	: 18902 Walling Cir West Linn 97068	Parcel Number	: 00360772
Mail Address	: 18902 Walling Cir West Linn Or 97068	County	: Clackamas (OR)

PROPERTY DESCRIPTION	
Map Page & Grid	:
Census Tract	: 205.04 Block: 2
Improvement Type	: 142 Sgl Family,R1-4,1-Story (Basement)
Subdivision/Plat	: Cedaroak Park
Neighborhood Code	: Calaroga/Cedar Oaks
Land Use	: 101 Res,Residential Land,Improved
Legal	: 468 CEDAROAK PK PT LT 31
	:
	:

ASSESSMENT AND TAX INFORMATION	
Mkt Land	: \$236,742
Mkt Structure	: \$180,190
Mkt Total	: \$416,932
%Improved	: 43
M50AssdTotal	: \$232,456
Mill Rate	: 18.6254
Levy Code	: 003002
16-17 Taxes	: \$4,329.59
Millage Rate	: 18.6254

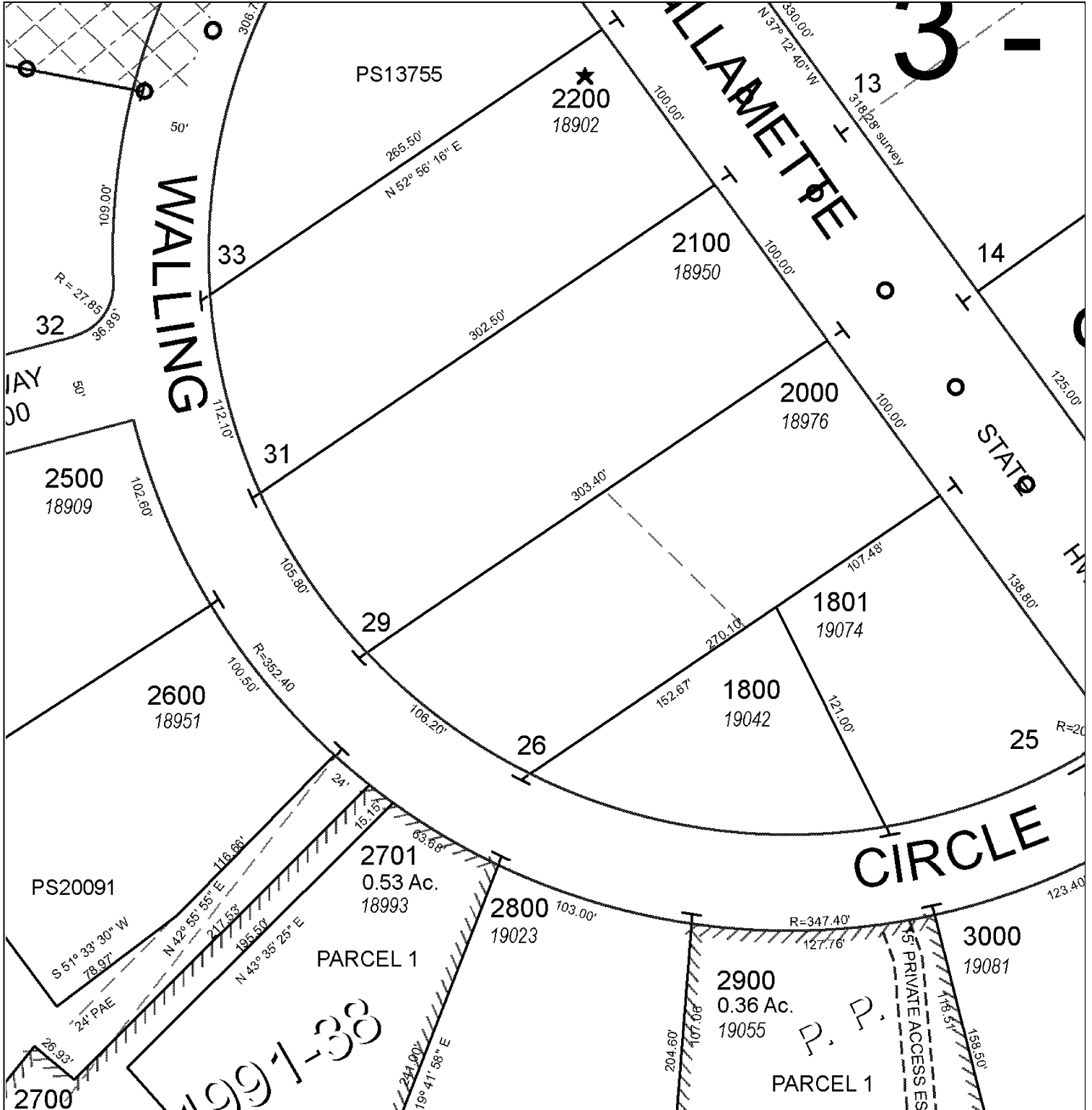
PROPERTY CHARACTERISTICS					
Bedrooms	: 3	BldgLivingSqFt	: 2,248	BldgSqFt	: 2,248
Bathrooms	: 1.50	1st Floor SqFt	: 1,196	Lot Acres	: .62
Full Baths	: 1	UpperFinSqFt	:	Lot SqFt	: 26,985
Half Baths	: 1	Finished SqFt	: 2,248	Year Built	: 1956
Fireplace	: Stacked	AbvGrdSqFt	: 1,196	Foundation	: Concrete
Heat Type	: Forced Air-Oil	UpperTotSqFt	:	Roof Type	: Composition
Floor	: Hardwd	UnFinUpStySqFt	:	Roof Shape	: Hip
Stories	: 1 Story-Bsmt	Bsmt Fin SqFt	: 1,052	Exterior Fin	: Shake
Garage SF	: 552	Bsmt Unfin SqFt	:		
		Bsmt Total SqFt	: 1,052		

TRANSFER INFORMATION					
Owner(s)	Date	Doc #	Price	Deed	
:Cheng Tzer En & Chien Ju Le	:06/23/2016	016-041417	:\$431,680	:Warranty	
:Furui Masano	:10/31/2006	006-100620	:\$387,500	:Warranty	
:Luttmann Theron/Emily	:03/24/2003	003-035307	:\$253,500	:Warranty	
:Albi Franco M;+	:05/28/2002	002-050033	:	:Bargain & Sale	
:Albi Franco M	:06/15/2000	0000038739	:\$205,000	:	
:Albi Franco M	:06/15/2000	000-038739	:\$205,000	:Warranty	

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



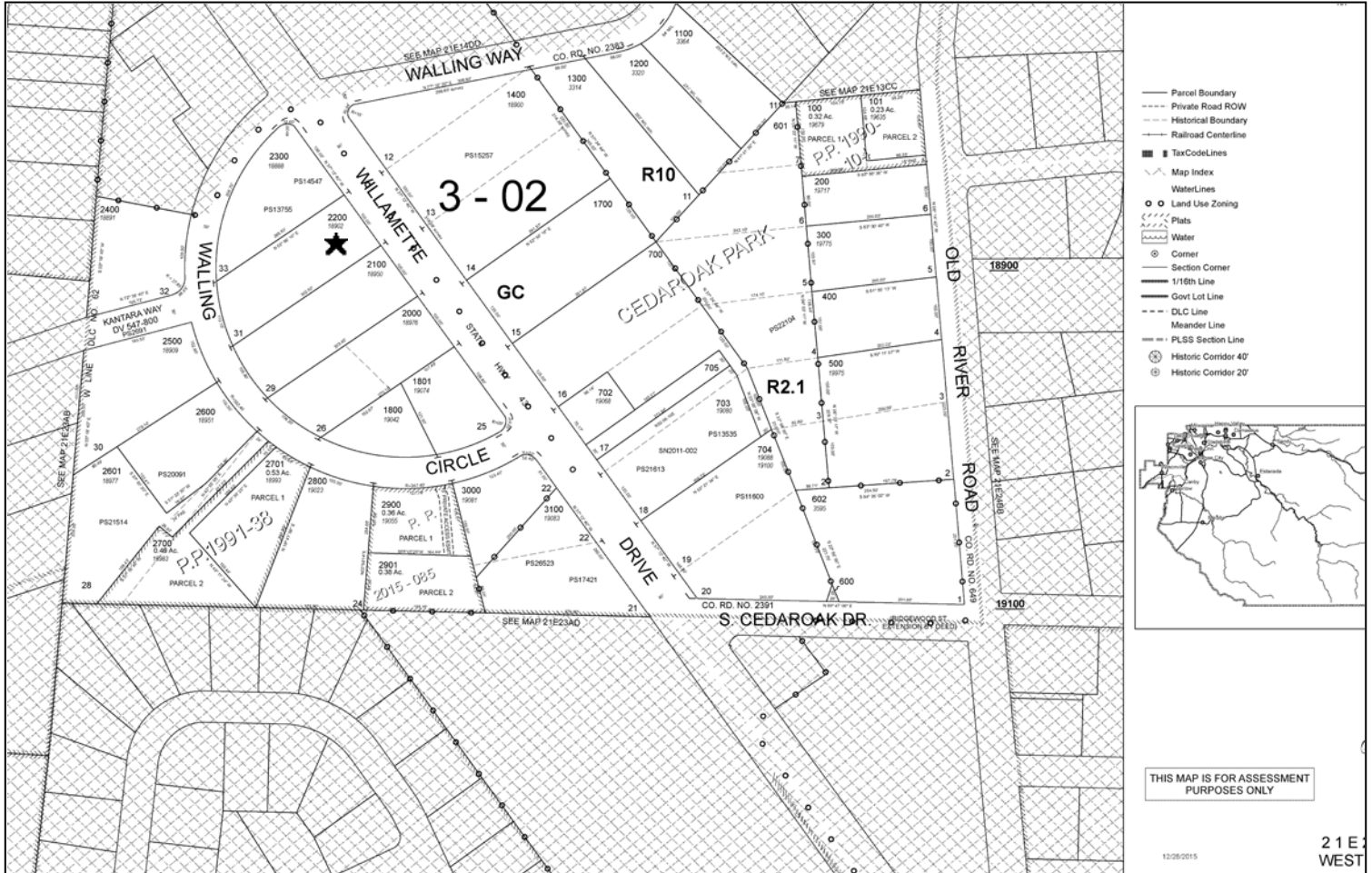
Parcel # : 00360772 / 21E23AA02200



This map is a copy of public record and is provided solely for informational purposes. WFG National Title assumes no liability for variations, if any, in dimensions, area or location of the premises or the location of improvements.



Parcel # : 00360772 / 21E23AA02200



This map is a copy of public record and is provided solely for informational purposes. WFG National Title assumes no liability for variations, if any, in dimensions, area or location of the premises or the location of improvements.

RECORDING REQUESTED BY:



Fidelity National Title
Company of Oregon

8564 SW Apple Way
Portland, OR 97225

GRANTOR'S NAME:

Masano Furui

GRANTEE'S NAME:

Tzer En Cheng and Chien Ju Lee

AFTER RECORDING RETURN TO:

Tzer En Cheng and Chien Ju Lee

18902 Walling Circle

West Linn, OR 97068

SEND TAX STATEMENTS TO:

Tzer En Cheng and Chien Ju Lee

same as above

00360772

18902 Walling Circle, West Linn, OR 97068

Clackamas County Official Records
Sherry Hall, County Clerk

2016-041417

06/23/2016 12:32:08 PM

D-D Cnt=1 Stn=3 BARBARA
\$15.00 \$16.00 \$10.00 \$22.00

\$63.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Masano Furui, Grantor, conveys and warrants to **Tzer En Cheng and Chien Ju Lee**, husband and wife, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Clackamas, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS FOUR HUNDRED THIRTY-ONE THOUSAND SIX HUNDRED EIGHTY AND NO/100 DOLLARS (**\$431,680.00**). (See ORS 93.030).

Subject to:

Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: September 20, 1948

Recording No: Book 411, Page 392

Amendment(s)/Modification(s) of said covenants, conditions and restrictions

Recording Date: November 16, 1954

Recording No: Book 488, Page 467

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 6/21/2016

Masano Furui
Masano Furui

Fidelity National Title of Oregon 45141614526-04

STATUTORY WARRANTY DEED

(continued)

State of CA
County of SANTA CLARA

This instrument was acknowledged before me on 6-21-16 by Masano Furui.

Mark Shea
Notary Public - State of CA

My Commission Expires: MAY 12, 2018

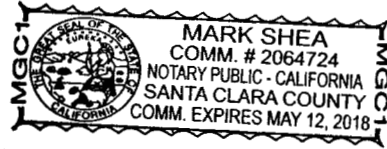


EXHIBIT "A"
Legal Description

Lot 31, CEDAROAK PARK, in the City of West Linn, County of Clackamas and State of Oregon; EXCEPTING THEREFROM that portion thereof conveyed to the State of Oregon by and through its State highway commission by deed recorded April 30, 1948 in Book 405, Page 722, Deed Records. ALSO EXCEPTING THEREFROM that portion thereof conveyed to the public by deed recorded September 20, 1948 in Book 411, Page 397, Deed Records.