CITY OF West Linn
PLANNING AND DEVELOPMENT

STAFF REPORT
PLANNING MANAGER DECISION

DATE: August 23, 2018

FILE NO.: MIP-17-06

REQUEST: Approval of a two-parcel minor partition at 18902 Walling Circle

PLANNER: Peter Spir, Associate Planner

Planning Manager

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GENERAL INFORMATION

OWNER/APPLICANT	Tzer En Cheng 18902 Walling Circle West Linn, OR. 97068
CONSULTANT:	Matthew Newman NW Engineers, LLC 3409 NE John Olsen Avenue Hillsboro, OR. 97124
SITE LOCATION:	18902 Walling Circle
SITE SIZE:	27,749 square feet
LEGAL DESCRIPTION:	Assessor's Map 2S-1E-23AA Tax Lot 2200
COMP PLAN DESIGNATION:	Low-Density Residential
ZONING:	R-10, Single-Family Residential Detached (10,000 sq. ft. min. lot size)
APPROVAL CRITERIA:	Community Development Code (CDC) Chapter 11: Single-Family Residential Detached, R-10; Chapter 48: Access, Egress and Circulation; Chapter 85: Land Division, General Provisions; Chapter 92: Required Improvements; Chapter 99: Procedures for Decision Making: Quasi-Judicial.
120-DAY RULE:	The application became complete on July 23, 2018. The 120-day period therefore ends on November 16, 2018.
PUBLIC NOTICE:	Notice was mailed to property owners within 500 feet of the subject property and all neighborhood associations on July 26, 2018. A sign was placed on the property on July 26, 2018. The notice was also posted on the City's website on July 26, 2018. Therefore, public notice requirements of CDC Chapter 99 have been met.

EXECUTIVE SUMMARY

The applicant seeks approval for a two-lot partition of a 27,749 square foot parcel between Walling Circle and Willamette Drive. Parcel 1, the westernmost parcel with the existing house, will comprise 10,132 square feet and parcel 2, the easternmost parcel, will comprise 16,248 square feet. Both parcels exceed the minimum lot size of the R-10 zone (10,000 square feet).

The front portion of the site near Walling Circle is relatively flat while the rear portion drops down gradually at a nine percent grade towards Willamette Drive.

The City's Water Resource Area (WRA) map identified a perennial stream on the west side of Walling Circle. With a 65 foot transition area, the west portion of parcel 1 would be in the WRA. The applicant's natural resource consultant, Martin Schott and Associates, made a finding, consistent with CDC 32.020(B), which showed that there is no stream or other water resource at that location and therefore the property is not in a WRA and no WRA permit is required.

Access to parcel 2 from Walling Circle is proposed via a 12 foot wide paved driveway in a 15 foot wide flag lot stem. To meet side yard setbacks, a 15 foot wide access easement is required instead of the flag lot stem.

Walling Circle is classified as a local street per the Transportation System Plan (TSP). The existing Walling Circle right-of-way (ROW) is 50 feet wide, which meets TSP standards. No additional right-of-way dedication is required. The applicant will install a 16 foot wide street section as measured from the street centerline. Also proposed is a curb, a 6 foot wide planter strip with trees and a concrete sidewalk. Those improvements have been approved by Public Works and are consistent with the TSP.

Public Works finds that no additional ROW is needed on Willamette Drive. Street improvements on that street will be addressed by payment of fees in lieu by the applicant. Those fees will go towards programmed street improvements planned by ODOT and the City in 2020-2021.

Public Works finds that existing utilities located in Walling Circle and Willamette Drive are available to provide services to the property.

The applicant's arborist found no heritage trees but identified four significant trees on the property and one off-site significant tree. The City arborist concurred with these findings. The applicant is proposing to retain all (100%) of the significant trees. Twenty-one non-significant trees are proposed to be removed.

Public comments:

Ronald P. Madland of 18888 Walling Circle, submitted a letter into the record on August 15, 2018; prior to the close of the comment period (August 16, 2018 at 4:00pm). His concern was the design of the proposed access driveway and possible runoff. (See Exhibit PD-4 "Public Comments".) Staff finding 18 addresses these concerns.

DECISION

The Planning Manager (designee) approves this application (MIP-17-06), based on: 1) the findings submitted by the applicant, which are incorporated by this reference, 2) supplementary staff findings included in the Addendum below, and 3) the addition of conditions of approval below. With these findings, the applicable approval criteria are met. The conditions are as follows:

1. **Site Plan. With the exception of modifications required by these conditions, the final plat shall conform to the submitted Tentative Plan (Sheet 4 of 7).**

2. **Engineering Standards. All public improvements and facilities associated with public improvements including street improvements, utilities, grading, onsite stormwater design, street lighting, street trees, easements, and easement locations are subject to the City Engineer's review, modification, and approval. These must be designed, constructed, and completed prior to final plat approval.**

3. **Walling Circle Street Improvements. The applicant shall install a curb, a 6-foot wide planter strip with street trees, a 6-foot wide concrete sidewalk, and street section (16 feet from centerline) per City of West Linn Public Works Standards for the portion of the Walling Circle right-of-way abutting the subject property. The sidewalk may be curb flush for that portion adjacent to the significant tree at the southwest corner of the property.**

4. **Willamette Drive Street Improvements. The applicant shall submit an engineer's estimate and contractor bids, acceptable to the Public Works Director, for the improvements along Willamette Drive frontage using a design consistent with the West Linn OR 43 2016 Conceptual Design Plan. The applicant will pay fees in lieu for those improvements.**

5. **Access and Maintenance Easement. The final plat shall not show a flag lot stem. Instead, a 15 foot wide access easement shall be established which will also include a maintenance easement to allow the property owner of parcel 2 to make any needed repairs on the driveway within that easement. (Any structures that encroach on the access easement shall be removed prior to final platting.)**

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

PeterSpir

August 23, 2018

Peter Spir, Associate Planner

Date

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

Mailed this 27th day of August, 2018.
Therefore, the 14-day appeal period ends at 5 p.m., on September 10, 2018.

ADDENDUM
APPROVAL CRITERIA AND FINDINGS
MIP-17-06

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

CHAPTER 11
SINGLE-FAMILY RESIDENTIAL DETACHED, R-10

11.030 PERMITTED USES

The following are uses permitted outright in this zoning district:

1. *Single-family detached residential unit.*

(...)

Staff Finding 1: The minor partition will create one new lot to accommodate one "*single family detached residential unit*". Single family detached residential units are permitted uses. The criteria is met.

11.030 PERMITTED USES

The following are uses permitted outright in this zoning district:

5. *Utilities, minor.*

Staff Finding 2: Permitted uses include "minor utilities". The applicant proposes a rain garden on Parcel 2. Given the relative small size of this rain garden (this is not a City-wide or regional facilities like LOWT) and the fact that it is limited to serving one lot, staff finds that the rain garden qualifies as a minor utility and is a permitted use. Public Works has reviewed the preliminary siting of the raingarden and found it to be acceptable. Review of the final rain garden design will be at the time that a building permit is applied for (specifically, when the amount of impervious surfaces on parcel 2 is known). The criteria is met.

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. (....)*

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 rear yard, 20 feet.*
6. *The maximum building height shall be 35 feet, except for steeply sloped lots in which case the provisions of Chapter 41 CDC shall apply.*
7. *The maximum lot coverage shall be 35 percent. (....)*
9. *The floor area ratio shall be 0.45. (....)*

Staff Finding 3: With one exception, the applicant's proposal meets all lot dimensional requirements. The exception is that the applicant's use of a flag stem requires a 7.5 foot side yard setback from all portions of the existing house to the proposed flag lot stem. As shown, the setback from the flag lot stem to the house is 6.5 feet and the setback to the stairs and deck is 2.7 feet. (See detail on Sheet 3 of 7.) In cases where the location of the existing house compromises the ability to meet the setback, the applicant may replace the flag lot stem with an access easement per 85.200(B) (7) (f). By using an access easement, the side yard setbacks are met. (Setbacks will be measured from the north property line so the stairs will have a side yard setback of 18 feet and the house will have a side yard setback of 22 feet.) The criteria is met by Condition of Approval 5.

Section 11.070(3) requires an average minimum lot width of 50 feet. Both lots are 104+/- feet wide. The proposed lot average widths are 210 feet for lot 1 and 90 feet for lot 2. At the time that a building permit is applied for to construct a house on parcel 2, the front, side and rear setbacks, building height, lot coverage, FAR and sidewall transition requirements will be reviewed for compliance. The criteria are met.

II. CHAPTER 32, WATER RESOURCE AREA (WRA) PROTECTION

32.020 APPLICABILITY

B. The burden is on the property owner to demonstrate that the requirements of this chapter are met, or are not applicable to the land, development activity, or other proposed use or alteration of land. The Planning Director may make a determination of applicability based on the WRA Map, field visits, and any other relevant maps, site plans and information, as to:

1. The existence of a WRA;
2. The exact location of the WRA; and/or
3. Whether the proposed development, activity or use is within the WRA boundary.

In cases where the location of the WRA is unclear or disputed, the Planning Director may require a survey, delineation, or sworn statement prepared by a natural resource professional/wetland biologist or specialist that no WRA exists on the site. Any required survey, delineation, or statement shall be prepared at the applicant's sole expense.

Staff Finding 4: The City's Water Resource Area (WRA) map identifies a perennial stream on the west side of Walling Circle: a tributary of Fern Creek. Based on site geomorphology, a 65 foot transition area would apply and would extend onto the west portion of parcel 1. That would trigger a WRA permit. However, the applicant's natural resource consultant, Martin Schott and Associates, made a finding, consistent with CDC 32.020(B), which showed that there is no stream at that location and therefore the property is not in a WRA. (Please refer to the Martin Schott study in the applicant's submittal for detailed findings.) Based on the adopted Schott and Associates finding, no WRA exists and no WRA permit is needed.

III. CHAPTER 48, ACCESS CONTROL

48.020 APPLICABILITY AND GENERAL PROVISIONS

B. All lots shall have access from a public street or from a platted private street approved under the land division chapter.

Staff Finding 5: Lot 1 will access Walling Circle using the existing driveway. Lot 2 will be accessed using a 12 foot wide paved driveway within a 15 foot wide access easement (per condition of approval 6) on the north side of the existing house. Both driveways for parcels 1 and 2 meet the dimensional standards of CDC 48.030 (B) (1) (2). Accessing Parcel 2 from ODOT controlled Willamette Drive is not permitted where alternate access is available. The criteria is met.

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.

Staff Finding 6: Per Condition of Approval 5, the applicant will access parcel 2 via a 15 foot wide access easement. No other driveways or easements are available for access. ODOT will not allow access from Willamette Drive in cases like this where alternate access is available. The criteria is met.

48.025 ACCESS CONTROL

B. Access Control Standards

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

Staff Finding 7: No traffic impact analysis (TIA) is required since none of the criteria of 85.170(B) (2) are met. For example, an Average Daily Trip count (ADT) increase of 250 is typically required before a TIA is needed. The addition of one new home generates an ADT increase of 9.57 trips per day according to the Institute of Traffic Engineers (ITE) trip generation manual. This criterion is met.

48.030 MINIMUM VEHICULAR REQUIREMENTS FOR RESIDENTIAL USES

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

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

Staff Finding 8: The future home on Parcel 2 will be less than 150 feet from Willamette Drive. The access driveway, off Walling Circle, will be 12 feet wide with a grade of approximately nine percent which is under the 15 percent maximum. The criteria is met.

48.060 WIDTH AND LOCATION OF CURB CUTS AND ACCESS SEPARATION REQUIREMENTS

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:

(...)

3. Between any two curb cuts on the same lot or parcel on a local street, 30 feet.

Staff Finding 9: The distance between the existing residential driveway on Parcel 1 and the proposed driveway serving Parcel 2 is 42 feet which meets the minimum 30 foot separation standard. The criteria is met.

(...)

IV. CHAPTER 85, GENERAL PROVISIONS

85.080 SUBSTANTIAL DEVIATTION FROM APPROVED PLAN PROHIBITED
A. Approval of the tentative plan shall require the final plat to be in substantial conformance...however

B. Approval of the tentative plan...shall not constitute final acceptance of the plat of the proposed subdivision or partition for recording.

Staff Finding 10: The City will ensure the final plat substantially conforms to the approved tentative plan by satisfaction of Condition of Approval 1 and with modifications, as prescribed by Condition of Approval 5, relating to the access easement. The criteria are met.

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...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.

Staff Finding 11: The proposal does not include any internal streets. The applicant proposes improvements to Walling Circle consistent with Public Works standards prior to final plat approval. The applicant will provide 16 feet of street section from the Walling Circle centerline towards the subject property. The applicant shall also install a 6-foot wide concrete sidewalk, 6-foot wide planter strip with street trees, and street section per the TSP and City of West Linn Public Works Standards for the portion of the Walling Circle right-of-way abutting the subject property. The sidewalk may be curb flush for that portion adjacent to the significant tree at the southwest corner of the property.

For the Willamette Drive frontage improvements, the applicant has agreed to submit an engineer's estimate and contractor bids, acceptable to the Public Works Director, for the improvements along Willamette Drive frontage using a design consistent with the West Linn OR 43 2016 Conceptual Design Plan. The applicant will pay fees in lieu for those improvements. Subject to the Conditions of Approval 3 and 4, Public Works finds that this criterion is met.

2. Right-of-way widths shall depend upon which classification of street is proposed. The right-of-way widths are established in the adopted TSP.

Staff Finding 12: Public Works finds that Walling Circle is classified as a local street per the Transportation System Plan (TSP). The existing Walling Circle right-of-way (ROW) is 50 feet wide, which meets TSP standards. No additional right-of-way dedication is required.

Public Works finds that the Willamette Drive ROW is 80 feet wide. No additional ROW is needed on Willamette Drive to accommodate the West Linn OR 43 2016 Conceptual Design Plan. Street improvements on that street will be addressed by payment of fees in lieu by the applicant. Those fees will go towards programmed street improvements planned by ODOT and the City in 2020-2021. This criterion is met.

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

Staff Finding 13: Public Works finds that Walling Circle is classified as a local street per the Transportation System Plan (TSP). The existing Walling Circle right-of-way (ROW) is 50 feet wide, which meets TSP standards. No additional right-of-way dedication is required. The applicant will install a 16 foot wide street section as measured from the street centerline. Also proposed is a curb, a 6 foot wide planter strip with trees and a concrete sidewalk. Those improvements have been approved by Public Works and are consistent with the TSP.

The improvements on Willamette Drive will defer to the West Linn OR 43 2016 Conceptual Design Plan, which is expected to be constructed 2020/2021. Subject to the Conditions of Approval 3 and 4, this criterion is met.

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

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

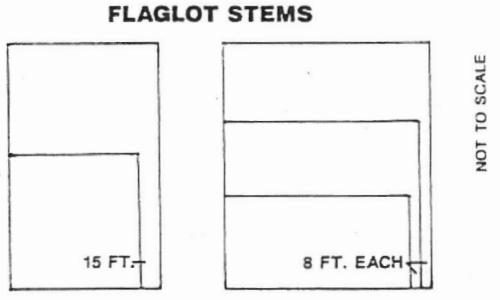
Staff Finding 14: The applicant is proposing a six foot wide planter strip and sidewalk (each) on Walling Circle. Subject to the Conditions of Approval 3, this criterion is met.

(...)
B. Blocks and Lots.

5. Double frontage lots and parcels. Double frontage lots and parcels have frontage on a street at the front and rear property lines. Double frontage lots and parcels shall be avoided except where they are essential to provide separation of residential development from arterial streets or adjacent non-residential activities, or to overcome specific disadvantages of topography and orientation. A planting screen or impact mitigation easement at least 10 feet wide, and across which there shall be no right of access, may be required along the line of building sites abutting such a traffic artery or other incompatible use.

Staff Finding 15: The parent property is an existing double frontage lot. The concern relating to limiting access to any adjacent arterial, such as Willamette Drive, is addressed by the fact that all access will be via a local street (Walling Circle). There will be no access to Willamette Drive. This criteria is met.

7. Flag lots. Flag lots can be created where it can be shown that no other reasonable street access is possible to achieve the requested land division. A single flag lot shall have a minimum street frontage of 15 feet for its accessway. Where two to four flag lots share a common accessway, the minimum street frontage and accessway shall be eight feet in width per lot. Common accessways shall have mutual maintenance agreements and reciprocal access and utility easements. The following dimensional requirements shall apply to flag lots:



a. Setbacks applicable to the underlying zone shall apply to the flag lot.

Staff Finding 16: Parts of the house and stairs are within the 7.5 foot side setback as measured from the southern edge of the flag lot stem. By replacing the flag lot stem with an access easement, the setback can be met. (Setbacks will be measured from the north property line so the stairs will have a side yard setback of 18 feet and the house will have a side yard setback of 22 feet.) The criteria is met by Condition of Approval 5.

(....)

c. The lot size shall be calculated exclusive of the accessway; the access strip may not be counted towards the area requirements.

Staff Finding 17: Sheet 4 of 7 indicates that the access easement/stem was not counted in the net lot sizes. After excluding 1,369 square feet for the access easement/stem, parcel 1 has 10,132 square feet and parcel 2 has 16,248 square feet which meets the R-10 (10,000 square foot) minimum lot size. By condition of approval 5, the criteria is met.

e. As per CDC 48.030, the accessway shall have a minimum paved width of 12 feet.

Staff Finding 18: The applicant proposes a 12 foot wide paved driveway which meets the criteria.

The neighbor to the north, Ronald P. Madland of 18888 Walling Circle, submitted a letter into the record on August 15, 2018; prior to the close of the comment period (August 16, 2018 at 4:00pm). His concern was that the water runoff from this driveway needs to be controlled so that it would not discharge onto his property and potentially cause erosion. Also, since a retaining wall may be required for the driveway, he was concerned about the appearance or aesthetics of that wall. (See Exhibit PD-4 "Public Comments".)

The applicant's grading plan (Sheet 6 of 7) indicates that the north edge of the driveway will require a retaining wall approximately 1-2 feet high. Because of the surcharge of the driveway, the retaining wall and footings must be designed by an Oregon licensed engineer and must provide storm water collection and disposal. Building Code standards do not allow storm water to sheet or runoff to the neighbor's property. Instead, runoff must be directed to an approved discharge point (e.g. the curbline on Walling Circle, a raingarden, etc.). The final design and construction of the retaining wall, driveway and storm water collection and disposal will be reviewed by the Building Official concurrent with the building permit application for Parcel 2. If the applicant is able to develop a grading plan that accommodates the driveway without a retaining wall, the same Building Code standards prohibiting storm water to sheet or runoff to the neighbor's property would apply.

On the subject of the visual impact of the retaining wall, staff finds that there are no aesthetics standards in the Community Development Code or Building Code for retaining walls. The criteria is met.

f. If the use of a flag lot stem to access a lot is infeasible because of a lack of adequate existing road frontage, or location of existing structures, the proposed lot(s) may be accessed from the public street by an access easement of a minimum 15-foot width across intervening property.

Staff Finding 19: The applicant proposes to access parcel 2 via a 15 foot wide flag lot stem. As explained in Staff Finding 1, the flag lot stem configuration can only work if there is room for the 15 foot flag lot stem width plus a 7.5 foot side yard setback to the existing house. Referring to Sheet 3 of 7, the existing ranch style home and side stairs cannot meet the side setback. Consequently, the tentative plan needs to be modified to eliminate the flag lot stem and replace it with an access easement. The criteria is met by Condition of Approval 5.

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

Staff Finding 20: The West Linn TSP does not identify any pedestrian or bicycle facilities on Walling Circle. The Hwy 43 Design Concept requires pedestrian facilities: sidewalks and a cycle track for bicycles. The applicant's fees in lieu will contribute to those Willamette Drive improvements. These criteria are met.

E. Grading

Staff Finding 21: The subject property contains no Type I or II lands. The property generally slopes down to towards Willamette Drive at nine percent. (The north edge of the property also has a slight northerly slope.) The applicant submitted a grading/erosion control plan (Sheet 6 of 7) that shows grading will be limited to the access driveway and grading associated with the storm water detention and treatment pond adjacent to Willamette Drive. The applicant will secure appropriate site development permits (including erosion control) prior to grading activities. These criteria are met.

Please see Staff Finding 18 which addresses Ronald P. Madland's concerns regarding grading and water runoff (see Exhibit PD-4 "Public Comments").

F. Water.
(...)
G. Sewer.
(...)

Staff Finding 22: The City Engineer has evaluated the proposal and finds there is sufficient water volume and pressure, as well as sufficient sanitary sewer capacity, to serve the proposed development. These criteria are met.

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.

Staff Finding 23: No utility easements are required. This criterion is met.

J. Supplemental Provisions
(...)
3. Street trees. Street trees are required as identified in the appropriate section of the municipal code and Chapter 54 CDC.

Staff Finding 24: The applicant will install street trees per Conditions of Approval 2 and 3. Subject to the Conditions of Approval, this criterion is met.

4. Lighting. To reduce ambient light and glare...directed downward rather than omni-directional.

Staff Finding 25: Currently, there are no street lights on any portion of Walling Circle. The applicant is proposing to install a street light on an existing utility pole on the west side of Walling Circle to illuminate the street in front of parcel 1. This criterion is met.

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.

Staff Finding 26: The applicant's proposal to construct street improvements on Walling Circle and pay fees in lieu for improvements on Willamette Drive frontage satisfies this code and the TSP. No exactions for off-site improvements are proposed. This criterion is met.

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

Staff Finding 27: The subject property needs to meet three criteria to be exempt from undergrounding existing overhead utilities. The subject property meets all three exemption criteria. The area is built out with adjacent properties having above-ground utilities, has only 112 feet of site frontage, and comprises less than an acre. Therefore, the applicant is not required to underground existing utilities. This criterion is met.

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.

Staff Finding 28: This is a minor partition to create two lots and is therefore exempt from the density requirements. The criteria does not apply.

(...)
9. Heritage trees/significant tree and tree cluster protection.
All heritage trees, as defined in the Municipal Code, shall be saved. Diseased heritage trees, as determined by the City Arborist, may be removed at his/her direction. All non-heritage trees and clusters of trees (three or more trees with overlapping dripline; however, native oaks need not have an overlapping dripline) that are considered significant by virtue of their size, type, location, health, or numbers shall be saved pursuant to CDC 55.100(B)(2). 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.

Staff Finding 29: The applicant's arborist found no heritage trees but identified four significant trees on the property and one off-site significant tree. The City arborist concurred with these findings. All four on-site significant trees are proposed to be retained. (The

significant tree in the Walling Circle ROW can be protected by an adjustment of the ROW improvements to allow a curb flush sidewalk.) Another significant tree was identified on the adjacent property to the south. Its dripline (and probably roots) extend onto the subject property. Twenty-one non-significant trees are proposed to be removed. This criterion is met.

V. CHAPTER 92, REQUIRED IMPROVEMENTS

92.010 PUBLIC IMPROVEMENTS FOR ALL DEVELOPMENT
The following improvements shall be installed at the expense of the developer and meet all City codes and standards:
(...)
E. Surface drainage and storm sewer system.
(...)

Staff Finding 30: See Staff Finding 11 regarding ROW improvements. The applicant will also install storm drainage facilities (rain garden) and driveway drainage consistent with Building Code standards. These criteria are met by condition of approval 2, 3 and 4.

Please see Staff Finding 18 which addresses Ronald P. Madland's concerns regarding storm water runoff (see Exhibit PD-4 "Public Comments").

92.020 IMPROVEMENTS IN PARTITIONS
The same improvements shall be installed to serve each parcel of a partition as are required of a subdivision. However, if the approval authority finds that the nature of development in the vicinity of the partition makes installation of some improvements unreasonable, at the written request of the applicant those improvements may be waived. If the street improvement requirements are waived, the applicant shall pay an in-lieu fee for off-site street improvements, pursuant to the provisions of CDC 85.200(A)(1).

Staff Finding 31: The Public Works Director will allow payment of fees in lieu for the improvements on Willamette Drive adjacent to this property. All other required improvements will be installed consistent with Public Works' standards. The criteria is met by Conditions of Approval 2, 3 and 4.

EXHIBIT A: LOCATION

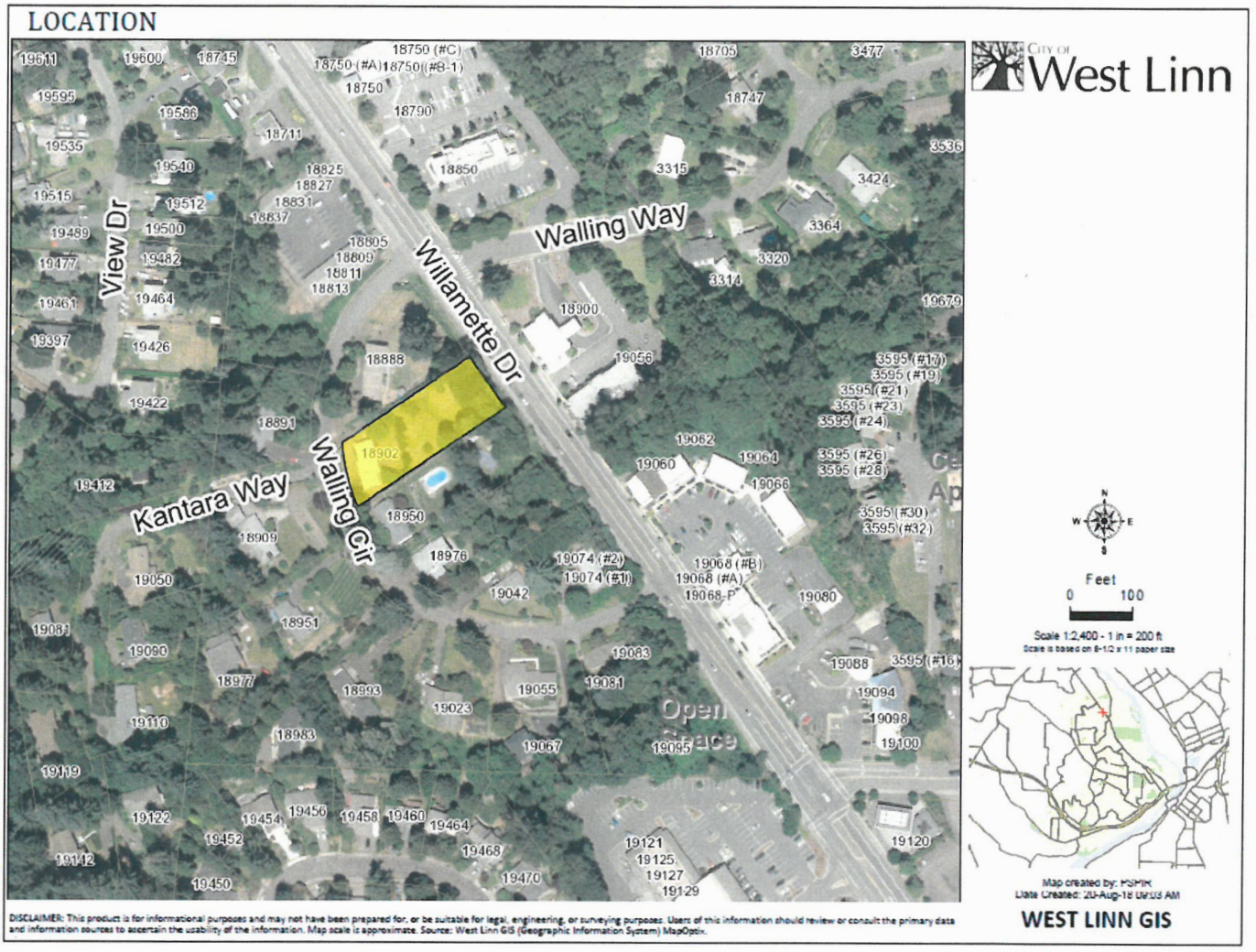


EXHIBIT B: ZONING

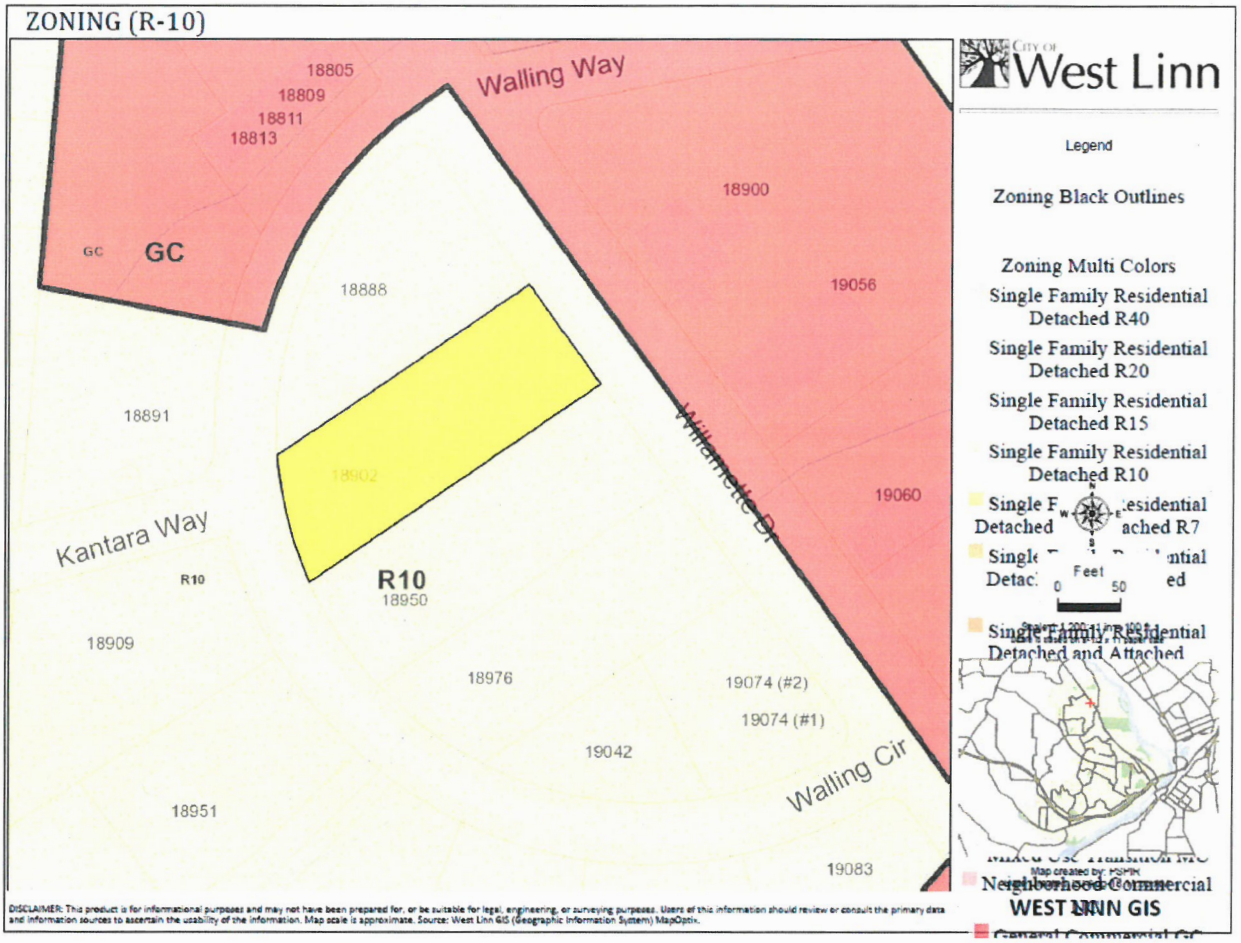


EXHIBIT C: POTENTIAL LANDSLIDES

MAP 16

WEST LINN NATURAL HAZARDS MITIGATION PLAN

Potential Landslides

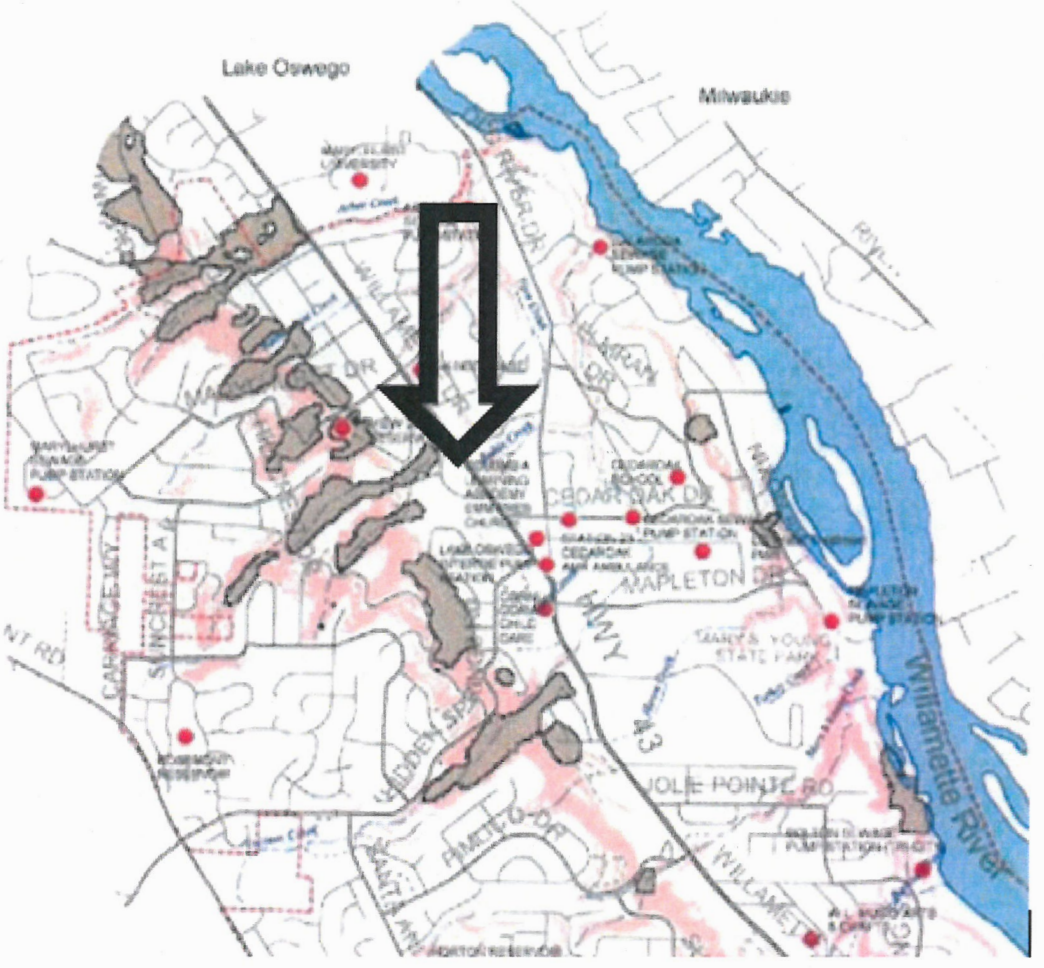


EXHIBIT D: LANDSLIDE VULNERABILITY ANALYSIS

MAP 17

WEST LINN NATURAL HAZARDS MITIGATION PLAN

Landslide Vulnerability Analysis

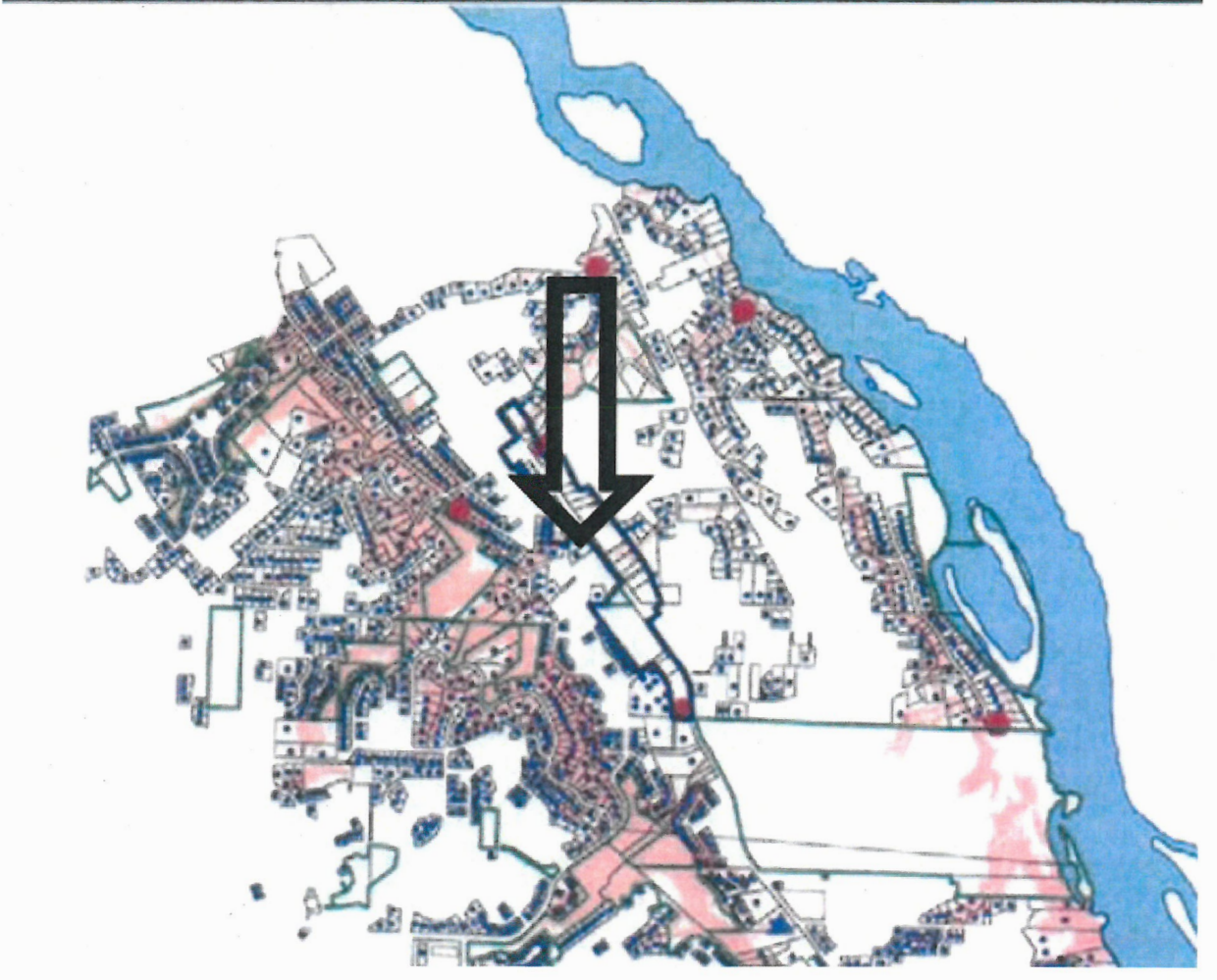
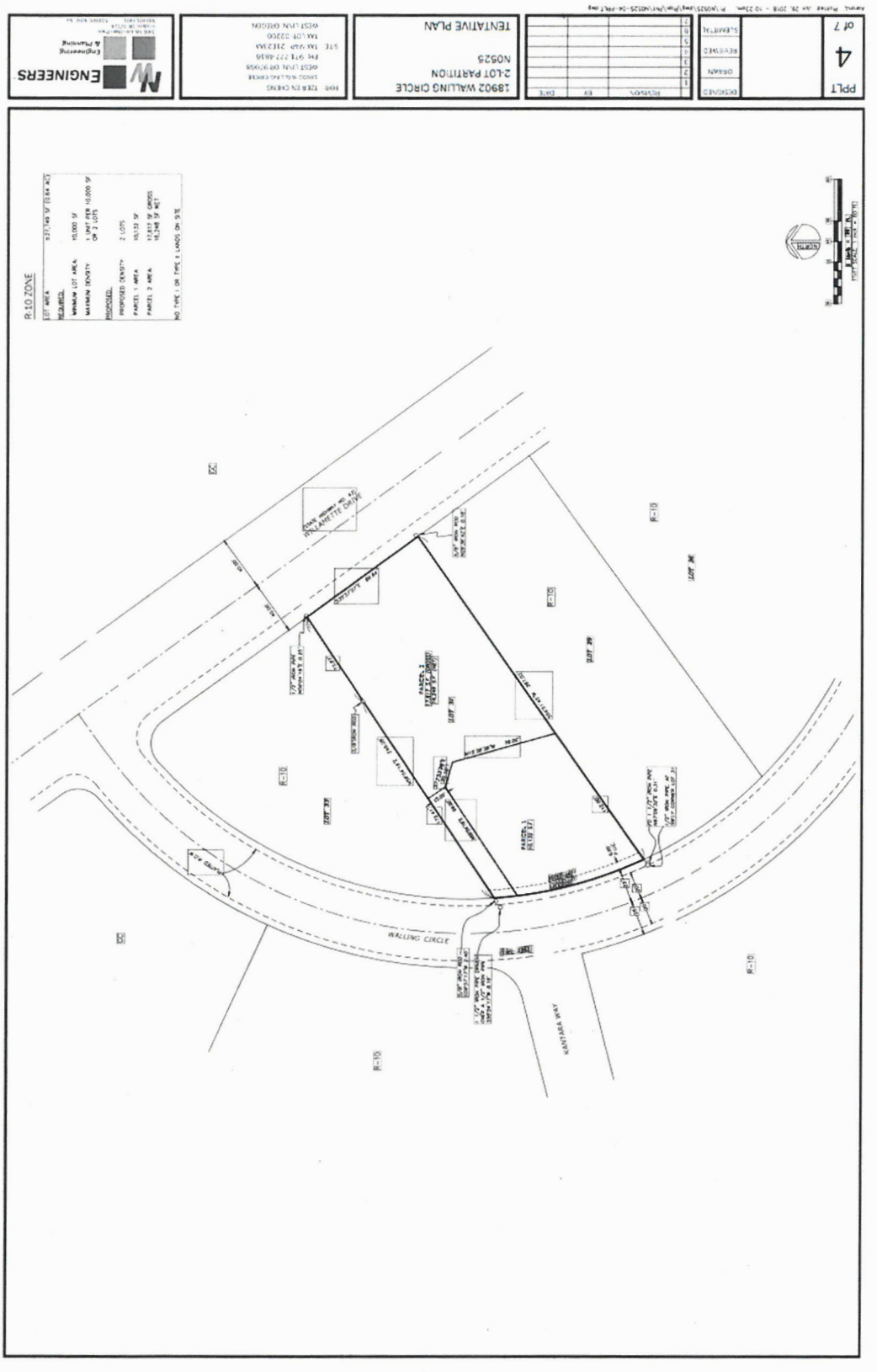


EXHIBIT E: APPROVED TENTATIVE PLAN (SHEET 4 OF 7)

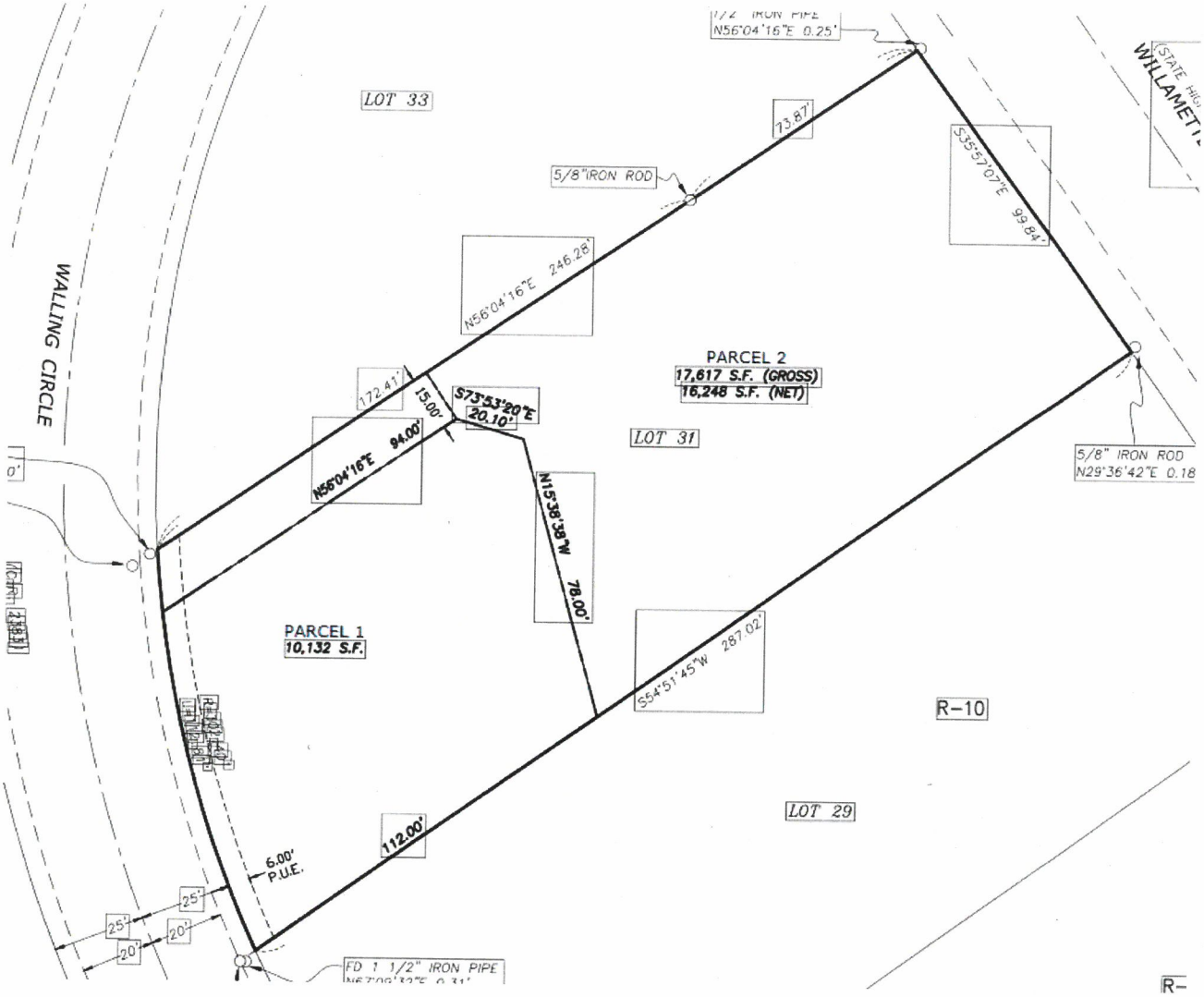
(Received June 29, 2018)



Planning Manager Decision
21

EXHIBIT F: APPROVED TENTATIVE PLAN ENLARGED (SHEET 4 OF 7)

(Received June 29, 2018)



PD-1 AFFADAVIT AND NOTICE PACKET

AFFIDAVIT OF NOTICE

We, the undersigned do hereby certify that, in the interest of the party (parties) initiating a proposed land use, the following took place on the dates indicated below:

GENERAL
File No. MIP-17-06 Applicant's Name TZER EN CHENG
Development Name _____
Scheduled Meeting/~~Decision~~ Date 8-16-18

NOTICE: Notices were sent at least 20 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. **(check below)**

TYPE A ✓

A.	The applicant (date) 7-26-18	(signed)	S. Shroyer
B.	Affected property owners (date) 7-26-18	(signed)	S. Shroyer
C.	School District/Board (date) _____	(signed)	_____
D.	Other affected gov't. agencies (date) _____	(signed)	_____
E.	Affected neighborhood assns. (date) 7-26-18 (ALL)	(signed)	S. Shroyer
F.	All parties to an appeal or review (date) _____	(signed)	_____

At least 10 days prior to the scheduled hearing or meeting, notice was published/posted:

Tidings (published date)	N/A	(signed)	S. Shroyer
City's website (posted date)	7-26-18	(signed)	S. Shroyer

SIGN

At least 10 days prior to the scheduled hearing, meeting or decision date, a sign was posted on the property per Section 99.080 of the Community Development Code.

(date) July 26, 2018 (signed) _____

NOTICE: Notices were sent at least 14 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. **(check below)**

TYPE B _____

A.	The applicant (date) _____	(signed)	_____
B.	Affected property owners (date) _____	(signed)	_____
C.	School District/Board (date) _____	(signed)	_____
D.	Other affected gov't. agencies (date) _____	(signed)	_____
E.	Affected neighborhood assns. (date) _____	(signed)	_____

Notice was posted on the City's website at least 10 days prior to the scheduled hearing or meeting.
Date: _____ (signed) _____

STAFF REPORT mailed to applicant, City Council/Planning Commission and any other applicable parties 10 days prior to the scheduled hearing.

(date) _____ (signed) _____

FINAL DECISION notice mailed to applicant, all other parties with standing, and, if zone change, the County surveyor's office.

(date) 8-27-18 (signed) S. Shroyer

p:\devrvw\forms\affidvt of notice-land use (9/09)

CITY OF WEST LINN
NOTICE OF UPCOMING
PLANNING MANAGER DECISION
FILE NO. MIP-17-06

The West Linn Planning Manager is considering a request for a two-lot minor partition at 18902 Walling Circle.

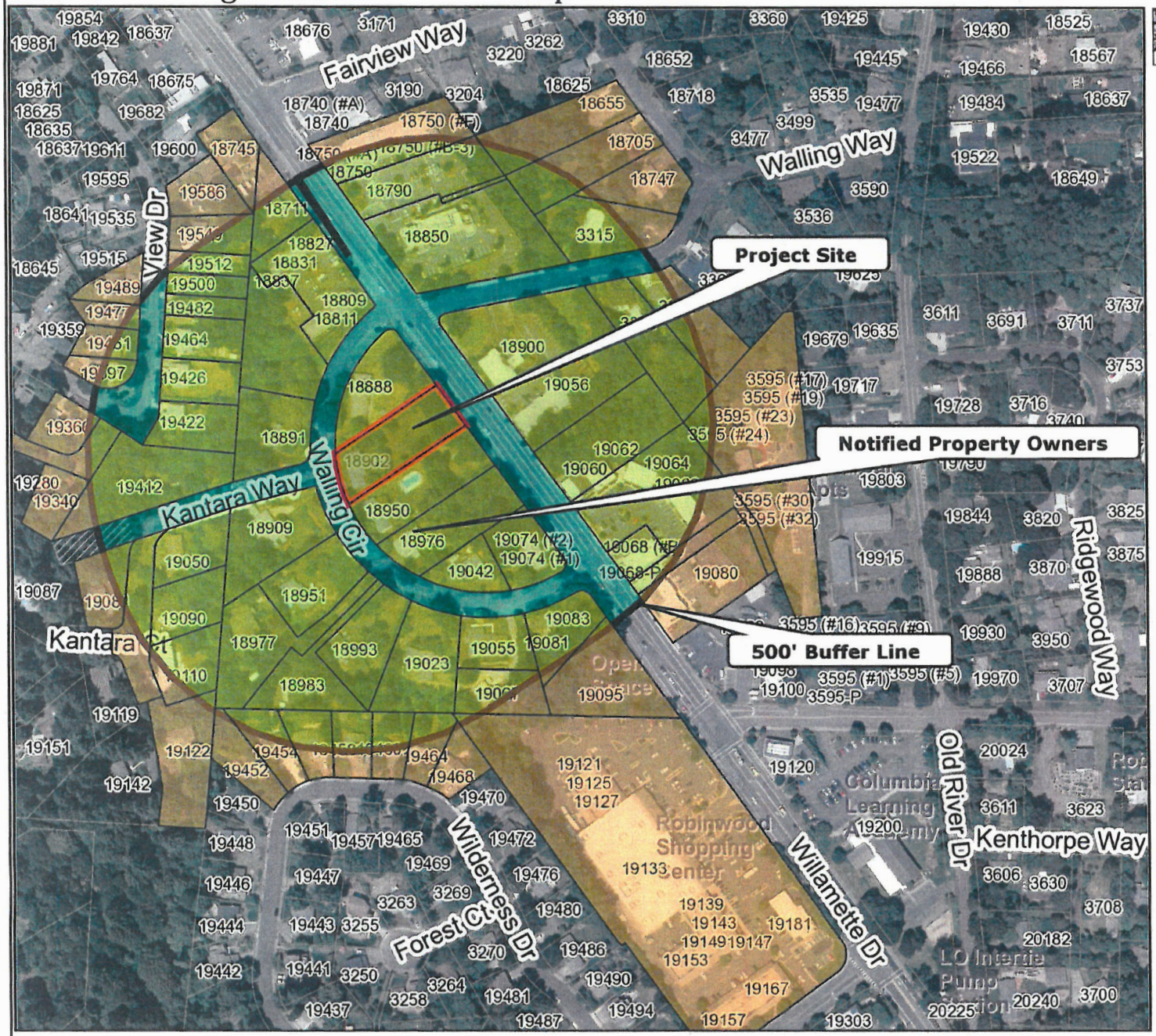
The decision will be based on the approval criteria in Chapters 11, 48, 85, 92, and 99 of the Community Development Code (CDC). The approval criteria from the CDC are available for review at City Hall, at the City Library, and at http://www.westlinnoregon.gov/cdc.

You have received this notice because County records indicate that you own property within 500 feet of this property (Tax Lot 2200 of Clackamas County Assessor's Map 21E 23AA) or as otherwise required by Chapter 99 of the CDC.

All relevant materials in the above noted file are available for inspection at no cost at City Hall, and on the city web site https://westlinnoregon.gov/planning/18902-walling-circle-2-lot-minor-partition or copies may be obtained for a minimal charge per page. A public hearing will not be held on this decision. **Anyone wishing to present written testimony for consideration on this matter shall submit all material before 4:00 p.m. on August 16, 2018. Persons interested in party status should submit their letter along with any concerns related to the proposal by the comment deadline.** For further information, please contact Peter Spir, Associate Planner, City Hall, 22500 Salamo Rd., West Linn, OR 97068, (503)742-6062 pspir@westlinnoregon.gov.

Any appeals to this decision must be filed within 14 days of the final decision date with the Planning Department. **It is important to submit all testimony in response to this notice. City Council will not accept additional evidence if there is an appeal of this proposal.** Failure to raise an issue in person or by letter, or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond to the issue, precludes the raising of the issue at a subsequent time on appeal or before the Land Use Board of Appeals.

18902 Walling Circle Notification Map



CITY OF West Linn

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Feet
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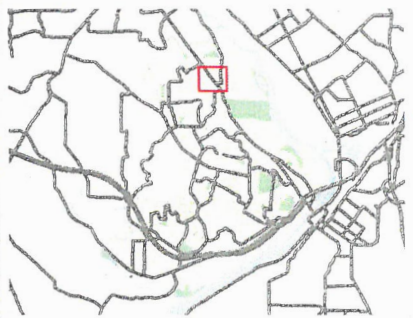
Scale 1:3,600 - 1 in = 300 ft
Scale is based on 8-1/2 x 11 paper size



Map created by: SSHROYER
Date Created: 29-Dec-17 02:09 PM

WEST LINN GIS

DISCLAIMER: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information. Map scale is approximate. Source: West Linn GIS (Geographic Information System) MapOptix.

CITY OF West Linn

CITY OF WEST LINN
NOTICE OF UPCOMING
PLANNING MANAGER DECISION

PROJECT # MIP-17-06
MAIL: 7/27/18 TIDINGS: N/A

CITIZEN CONTACT INFORMATION

To lessen the bulk of agenda packets, land use application notice, and to address the worries of some City residents about testimony contact information and online application packets containing their names and addresses as a reflection of the mailing notice area, this sheet substitutes for the photocopy of the testimony forms and/or mailing labels. A copy is available upon request.

Citizen Contact Information Agenda Packets and Project Files

PD-2 COMPLETENESS LETTER

City of West Linn

July 23, 2018

Tzer En Cheng
18902 Walling Circle
West Linn, OR. 97068

SUBJECT: MIP-17-06 application for two-lot partition at 18902 Walling Circle

Dear Tzer En Cheng:

You submitted this application on December 29, 2017 and it was deemed incomplete. All required information, including a commitment to pay fees in lieu for Willamette Drive improvements, was subsequently provided on July 19, 2018 and the application has now been deemed **complete.** The City has 120 days to exhaust all local review; that period ends November 16, 2018.

Please be aware that a determination of a complete application does not guarantee a recommendation of approval from staff for your proposal as submitted – it signals that staff believes you have provided the necessary information for the Planning Director to render a decision on your proposal.

A 20-day public notice will be prepared and mailed. This notice will identify the earliest potential decision date by the Planning Director.

Please contact me at 503-742-6062, or by email at pspir@westlinnoregon.gov if you have any questions or comments.

Sincerely,

PeterSpir

Peter Spir
Associate Planner

PD-3 APPLICANT'S SUBMITTAL

CITY OF West Linn
Planning & Development • 22500 Salamo Rd #1000 • West Linn, Oregon 97068
Telephone 503.656.4211 • Fax 503.656.4106 • westlinnoregon.gov

DEVELOPMENT REVIEW APPLICATION

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

Type of Review (Please check all that apply):

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

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: (please print) **XUAN CEN CHENG** Phone: **971-325-1603**
Address: **18902 WALLING CIRCLE** Email: **CHENG_XC2006@HOTMAIL.COM**
City State Zip: **WEST LINN, OR 97068**

Owner Name (required): (please print) **TZER EN CHENG** Phone: **971-777-4816**
Address: **18902 WALLING CIRCLE** Email: **ERIC8000TW@YAHOO.COM**
City State Zip: **WEST LINN, OR 97068**

Consultant Name: (please print) **NW ENGINEERS, MATT NEWMAN** Phone: **503-601-4401**
Address: **3409 NE JOHN OLSEN AVE** Email: **MATTN@NW-ENG.COM**
City State Zip: **HILLSBORO, OR 97124**

1. All application fees are non-refundable (excluding deposit). **Any overruns to deposit will result in additional billing.**
2. The owner/applicant or their representative should be present at all public hearings.
3. A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
4. **Three (3) complete hard-copy sets (single sided) of application materials must be submitted with this application. 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

RECEIVED
DEC 29 2017
PLANNING & BUILDING
WEST LINN

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.

Applicant's signature — 12-06-2017 Date

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

Please return to PS

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

June 27, 2018

MIP-17-06

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 Olsen Avenue
Hillsboro, Oregon 97124

REQUEST:
Tentative Plan 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

RECEIVED
JUN 29 2018
By

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 55	Design Review
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 tentative plan 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) 10,132 sq. ft. and (Parcel 2 – Flag Lot) 17,617 sq. ft. in area (16,248 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).

The applicant received a completeness letter dated January 26, 2018, and a second on dated April 24, 2018. All applicable items have been addressed and the findings in this narrative updated. Some of the specific items which have been addressed were relative to city Arborist's review, fee-in-lieu request for site's Willamette Drive frontage (we have shown proposed improvements on Walling Way), nearby WRA's, and general responses to the findings.

Schott & Associates has prepared a Natural Resource Assessment/Determination as required to demonstrate that the proposed development does not impact the nearby WRA's. It is attached as Exhibit 16. The plans have also been updated with additional details for the half-street improvement on Walling Circle. Specifically, the plans now show a cross section of the road with a 16-ft. half-street pavement section, curb, 6-ft. planter and 6-ft. sidewalk as required. Since this sidewalk stubs directly into a Significant Tree, the applicant requests fee-in-lieu payment for improvements within the dripline. This tree is used as a credit for the required 2 street trees per frontage. One new street tree is proposed on Walling Circle and no new street trees are proposed on Willamette Drive since two significant trees are retained.

Other revisions to the plans include the provision of a street light on Walling Circle. Currently there are no street lights on this section of the road but a utility pole is located directly across the street (west side) at Kantara Way. We propose installation of a light on that pole to adequately illuminate that intersection and the site's frontage for safety and security. A formal lightly plan prepared by a lighting engineer will be provided with the final civil plans, if required.

As noted in the completeness comments dated April 24, 2018, the applicant is requesting fee-in-lieu for improvements to Willamette Drive per CDC 85.200(A)(1). The applicant's engineer has designed other ODOT frontage improvements, but none on Willamette Drive and will provide a construction cost estimate for potential frontage improvements at the final civil engineering stage of this project. We believe that a fee-in-lieu can be justified.

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 and there is a significant grade difference between the site and road surface (more than 10-ft.). This is another justification to the fee-in-lieu request. 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 install required street frontage improvements on Walling Circle, amended per the completeness letter comments (See Exhibit 5). As noted, improvements to Walling Circle (particularly the sidewalk) should be terminated at the dripline of the significant tree, based on recommendations by the Arborist.

Exhibit 14 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. Again, one of the significant trees is adjacent to Walling Circle improvements. Driplines are shown on this tree as well as others to be retained, as required.

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 Tentative Plan indicates 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 Tentative Plan indicates a maximum density of 2 lots since the area of the site is 27,749 sq. ft. Parcel 1 is 10,132-sq. ft. and Parcel 2 – a flag lot - is 17,617 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 15-ft. of frontage at the flag pole, meeting the minimum front lot line length standard of 35-feet. The Tentative Plan 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 Tentative 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 Tentative Plan demonstrates that the existing dwelling on Parcel 1 complies the above standard. With a lot area of 10,132 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 Tentative 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. No access is proposed from Willamette Drive.

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 15-ft. wide flag-pole is shown on the attached plans.

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. No access from Willamette Drive is proposed.

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 the proposed 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 currently there are no curbs on Walling Circle, the proposed 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 on Walling Circle. No access is proposed on Willamette Drive.

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 55 DESIGN REVIEW

55.100 APPROVAL STANDARDS – CLASS II DESIGN REVIEW

The approval authority shall make findings with respect to the following criteria when approving, approving with conditions, or denying a Class II design review application

B. Relationship to the natural and physical environment.

1. The buildings and other site elements shall be designed and located so that all heritage trees, as defined in the municipal code, shall be saved. Diseased heritage trees, as determined by the City Arborist, may be removed at his/her direction.

2. All heritage trees, as defined in the municipal code, all trees and clusters of trees ("cluster" is defined as three or more trees with overlapping driplines; however, native oaks need not have an overlapping dripline) that are considered significant by the City Arborist, either individually or in consultation with certified arborists or similarly qualified professionals, based on accepted arboricultural standards including consideration of their size, type, location, health, long term survivability, and/or numbers, shall be protected pursuant to the criteria of subsections (B)(2)(a) through (f) of this section. In cases where there is a difference of opinion on the significance of a tree or tree cluster, the City Arborist's findings shall prevail. It is important to acknowledge that all trees are not significant and, further, that this code section will not necessarily protect all trees deemed significant.

   a. Non-residential and residential projects on Type I and II lands shall protect all heritage trees and all significant trees and tree clusters by limiting development in the protected area. The protected area includes the protected tree, its dripline, and an additional 10 feet beyond the dripline, as depicted in the figure below. Development of Type I and II lands shall require the careful layout of streets, driveways, building pads, lots, and utilities to avoid heritage trees and significant trees and tree clusters, and other natural resources pursuant to this code. The method for delineating the protected trees or tree clusters ("dripline plus 10 feet") is explained in subsection (B)(2)(b) of this section. Exemptions of subsections (B)(2)(c), (e), and (f) of this section shall apply.

   b. Non-residential and residential projects on non-Type I and II lands shall set aside up to 20 percent of the protected areas for significant trees and tree clusters, plus any heritage trees. Therefore, in the event that the City Arborist determines that a significant tree cluster exists at a development site, then up to 20 percent of the non-Type I and II lands shall be devoted to the protection of those trees by limiting development in the protected areas. The exact percentage is determined by establishing the driplines of the trees or tree clusters that are to be protected. In order to protect the roots which typically extend further, an additional 10-foot measurement beyond the dripline shall be added. The square footage of the area inside this "dripline plus 10 feet" measurement shall be the basis for calculating the percentage (see figure below). The City Arborist will identify which tree(s) are to be protected. Development of non-Type I and II lands shall also require the careful layout of streets, driveways, building pads, lots, and utilities to avoid significant trees, tree clusters, heritage trees, and other natural resources pursuant to this code. Exemptions of subsections (B)(2)(c), (e), and (f) of this section shall apply. Please note that in the event that more than 20 percent of the non-Type I and II lands comprise significant trees or tree clusters, the developer shall not be required to save the excess trees, but is encouraged to do so.

COMMENT:

The plans have been updated to show the driplines as required. There are four on-site Significant Trees and one off-site.

c. Where stubouts of streets occur on abutting properties, and the extension of those streets will mean the loss of significant trees, tree clusters, or heritage trees, it is understood that tree loss may be inevitable. In these cases, the objective shall be to minimize tree loss. These provisions shall also apply in those cases where access, per construction code standards, to a lot or parcel is blocked by a row or screen of significant trees or tree clusters.

d. For both non-residential and residential development, the layout shall achieve at least 70 percent of maximum density for the developable net area. The developable net area excludes all Type I and II lands and up to 20 percent of the remainder of the site for the purpose of protection of stands or clusters of trees as defined in subsection (B)(2) of this section.

e. For arterial and collector street projects, including Oregon Department of Transportation street improvements, the roads and graded areas shall avoid tree clusters where possible. Significant trees, tree clusters, and heritage tree loss may occur, however, but shall be minimized.

f. If the protection of significant tree(s) or tree clusters is to occur in an area of grading that is necessary for the development of street grades, per City construction codes, which will result in an adjustment in the grade of over or under two feet, which will then threaten the health of the tree(s), the applicant will submit evidence to the Planning Director that all reasonable alternative grading plans have been considered and cannot work. The applicant will then submit a mitigation plan to the City Arborist to compensate for the removal of the tree(s) on an "inch by inch" basis (e.g., a 48-inch Douglas fir could be replaced by 12 trees, each four-inch). The mix of tree sizes and types shall be approved by the City Arborist.

3. The topography and natural drainage shall be preserved to the greatest degree possible.

COMMENT:

No significant grading is proposed. As shown on the Slope Analysis, on-site grades are less than 25%.

4. The structures shall not be located in areas subject to slumping and sliding. The Comprehensive Plan Background Report's Hazard Map, or updated material as available and as deemed acceptable by the Planning Director, shall be the basis for preliminary determination.

5. There shall be adequate distance between on-site buildings and on-site and off-site buildings on adjoining properties to provide for adequate light and air circulation and for fire protection.

COMMENT:

The proposal is in compliance with this section.

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 Plan, 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 Tentative Plan 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 Tentative Plan which includes 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.

COMMENT:

Driplines are shown on the Tentative Plan as required. The applicant's Arborist met on-site with the City Arborist to review the tree inventory and requirements.

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.

COMMENT:

Zoning of surrounding properties is shown on the Tentative Plan (Exhibits 4 & 5) as required.

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 Tentative Plan packet demonstrates that the applicant has provided all of the required information listed above. The applicant's Arborist located 4 potentially Significant Trees on-site and one off-site – all with required driplines. 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 required to install street frontage improvements. There is a significant tree at the southwest corner which is close to the Walling Circle improvement area. The applicant requests that improvements (particularly the sidewalk) be terminated at the dripline to protect the tree. No significant trees will be impacted and no other on-site grading activities are proposed near the trees 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 Tentative Plan indicates that the applicant is required to install frontage improvements along Walling Circle and Willamette Drive. The applicant is proposing to provide a fee-in-lieu of installing roadway improvements on the site's Willamette Drive frontage 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 Tentative Plan provides dimensions and areas for each proposed parcel (see Exhibit 4). Any required easements will be shown on the Final Plat.

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 Willamette Drive. The applicant is not proposing to establish common ownership land, dedicate land to the City, or create a phased development. One street tree is proposed along the Parcel 1 frontage of Walling Circle. No additional trees are proposed since there is one Significant Tree on the Walling Circle frontage and two Significant Trees on the Willamette Drive frontage.

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 Slope Analysis (Exhibit 14), 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 Tentative Plan includes a table and calculations showing the allowable number of lots and how many lots are proposed (see Exhibit 4). As stated, maximum density for the site is 2 lots and 2 parcels are proposed. The applicant has included a Slope Analysis Plan which shows there are not Type I or II Lands 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 proposing to install street frontage improvements along the site's Walling Circle frontage. No improvements are proposed along the site's Willamette Drive frontage (fee-in-lieu is requested). At this time no tree removal or on-site grading operations are proposed 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 Tentative Plan 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 sewered.

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 Tentative Plan 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 Tentative Plan 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, only frontage improvements. 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 required to construct street improvements on Walling Circle, and is proposing to pay a fee-in-lieu of installing improvements on Willamette Drive.

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 required to install improvements on Walling Circle to meet the Local Street standards. No improvements to Willamette Drive is necessary (a fee-in-lieu is requested).

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.**

   l. **Street furniture needs, hydrants.**

COMMENT:

As required, the applicant will construct improvements on Walling Circle and pay a fee-in-lieu for required street improvements on Willamette Drive, 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 proposal is to install the required improvements which 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 required to provide the 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 curbline. 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. The plans have been revised to show a 6-ft. planter behind the proposed curb.

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.

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 15-ft. flag lot.

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 (fee-in-lieu is requested). 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 required to install street frontage improvements on Walling Circle. However, the applicant does not proposed to remove trees, or conduct other on-site grading activities with this Minor Partition application. 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 Tentative Plan 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 Tentative Plan 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 Tentative 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 Tentative 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 will install street frontage improvements on Walling Circle as required. One street tree will be provided along the frontage since the existing Significant Tree qualifies for the other required tree. No street trees are required along the Willamette Drive frontage since two Significant Trees exist meeting the standard.

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 plans have been revised to include a street light on the utility pole across the street from the site at the Kantara Way intersection.

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). Driplines are shown as required. 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.

CDC Chapter 32.020

COMMENT:

City maps indicate that a Water Resource Area is located to both the north and south of the site. Additionally it potentially is located on the west side of Walling Circle northwest of the site (roadside ditch). The applicant's environmental consultant has prepared a Natural Resource Assessment/ Determination (Exhibit 16).

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.

18902 WALLING CIRCLE
2-PARCEL PARTITION-MIP-17-06
THE R-10 ZONE

VICINITY MAP

NOT TO SCALE

INDEX OF DRAWINGS

LOCATION MAP

NOT TO SCALE

SITE INFORMATION

APPLICANT'S REPRESENTATIVE:	NW ENGINEERS, LLC MATT NEWMAN 3409 NE JOHN OLSEN AVE HILLSBORO, OREGON 97124
PH:	503-601-4401
FAX:	503-601-4402
APPLICANT:	TZER EN CHENG 18902 WALLING CIRCLE WEST LINN, OREGON 97068
PH:	971-777-4816
REQUEST:	PRELIMINARY PLAT APPROVAL FOR A 2-PARCEL PARTITION IN THE R-10 ZONE
SITE LEGAL DESCRIPTION:	TAX MAP: 21E23AA TAX LOT: 2200 CITY OF WEST LINN, OREGON
SUBJECT PROPERTY SIZE:	0.64 ACRES PER SURVEY
LOCATION:	18902 WALLING CIRCLE WEST LINN, OR 97068
ZONING DESGINATION:	R-10

SANITARY & STORM SEWER:	TRI-CITY SERVICE DISTRICT
WATER:	CITY OF WEST LINN
FIRE DISTRICT:	TUALATIN VALLEY FIRE & RESCUE
ELECTRIC:	PORTLAND GENERAL ELECTRIC
TELEPHONE:	FRONTIER COMMUNICATIONS, ETC.
REFUSE & RECYCLING:	WEST LINN REFUSE & RECYCLING, INC.
SCHOOL DISTRICT:	WEST LINN-WILSONVILLE

PROJECT TEAM

APPLICANT

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

ENGINEER / PLANNER

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

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

NW ENGINEERS
Engineering & Planning
3409 NE John Olsen Place
Hillsboro, OR 97124
503.601.4401 Fax 503.601.4402

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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PCOV 1 of 7

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

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18902 WALLING CIRCLE
2-LOT PARTITION
N0525

AERIAL PHOTOGRAPH

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

NW ENGINEERS
Engineering & Planning
3409 NW John Olsen Place
Hillsboro, OR 97124
503.601.4401 503.601.4402 - fax

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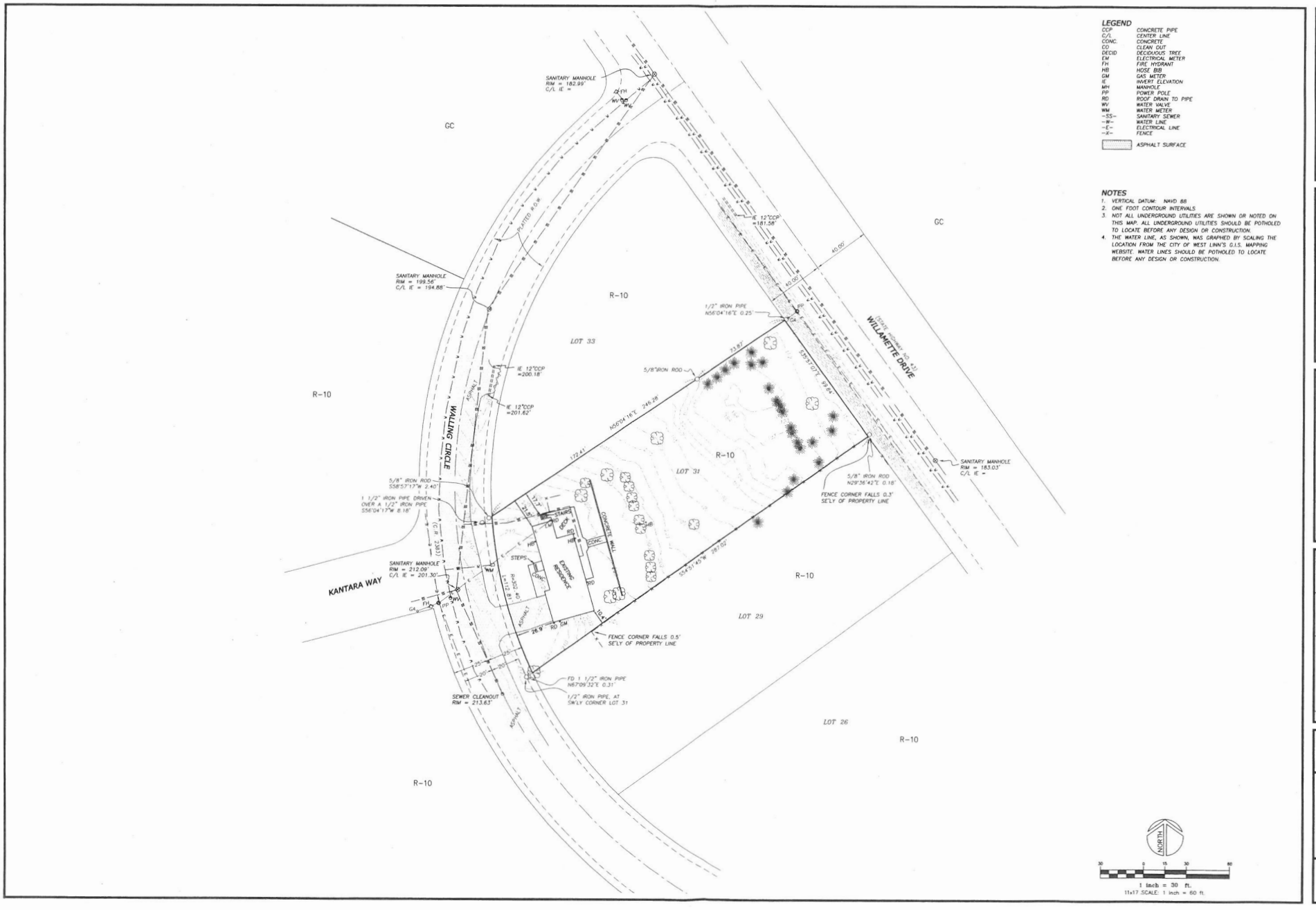

ENGINEERS
Engineering & Planning
3409 SW John Olsen Place
Redmond, OR 97756
503.601.4812 fax

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

EXISTING CONDITIONS

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SUBMITTAL

EXCD 3 of 7

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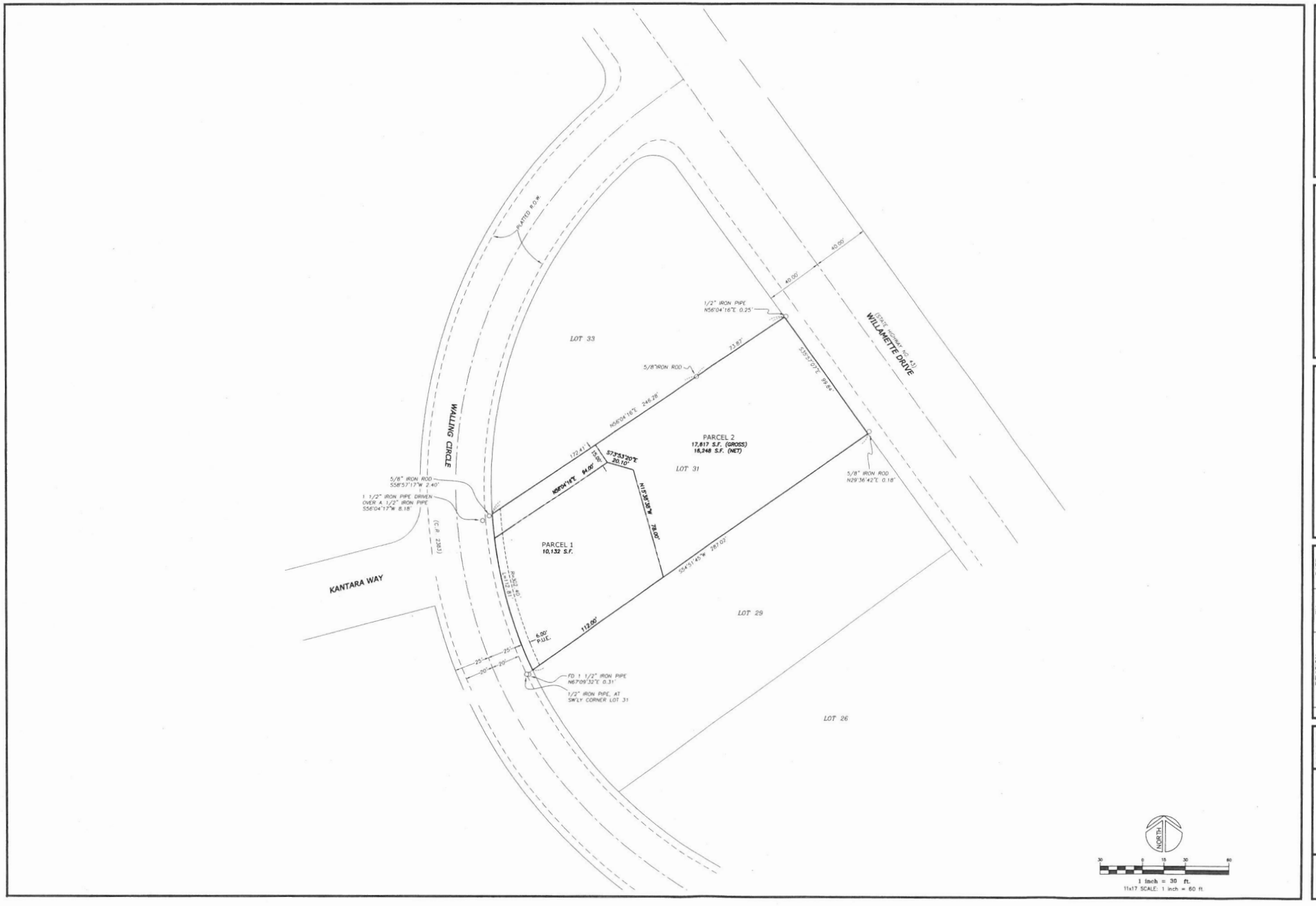

ENGINEERS
Engineering & Planning
3409 NW John Olsen Place
Hillsboro, OR 97124
503.901.4400 fax

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

TENTATIVE PLAN

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SUBMITTAL

PPLT 4 of 7

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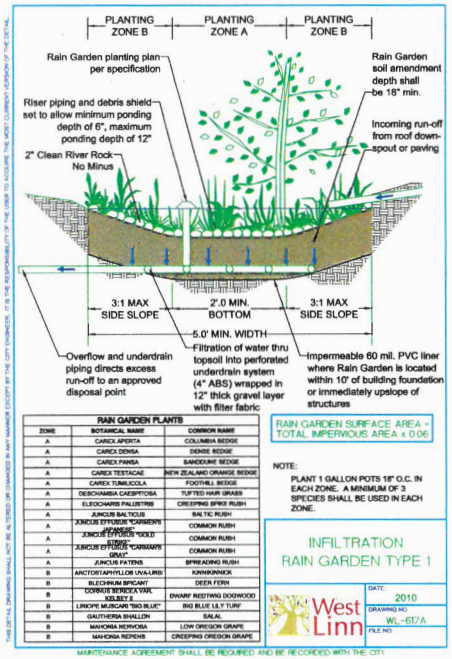


RAIN GARDEN PLANTS		
ZONE	BOTANICAL NAME	COMMON NAME
A	CAREX APERTA	COLUMBIA SEDGE
A	CAREX DENSA	DENSE SEDGE
A	CAREX PANSA	SANDDUNE SEDGE
A	CAREX TESTACAE	NEW ZEALAND ORANGE SEDGE
A	CAREX TUMULICOLA	FOOTHILL SEDGE
A	DESCHAMBIA CAESPITOSA	TUFTED HAIR GRASS
A	ELEOCHARIS PALUSTRIS	CREEPING SPIKE RUSH
A	JUNCUS BALTICUS	BALTIC RUSH
A	JUNCUS EFFUSUS "CARMENTA GRACE"	COMMON RUSH
A	JUNCUS EFFUSUS "GOLD STRIKE"	COMMON RUSH
A	JUNCUS EFFUSUS "CARMARG GRAC"	COMMON RUSH
A	JUNCUS PATENS	SPREADING RUSH
B	ARCTOSTAPHYLLOS UVA-URSI	KINNIKINNICK
B	BLECHNUM SPICANT	DEER FERN
B	CORNUS SERICEA 'KELSEY 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

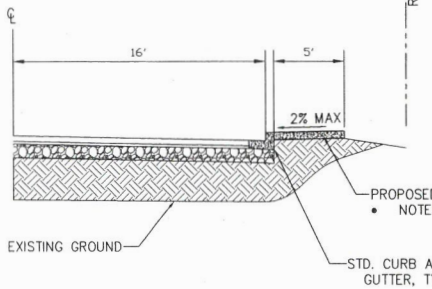
NOTE: PLANT 1 GALLON POTS 18" O.C. IN EACH ZONE. A MINIMUM OF 3 SPECIES SHALL BE USED IN EACH ZONE.

INFILTRATION RAIN GARDEN TYPE 1

West Linn

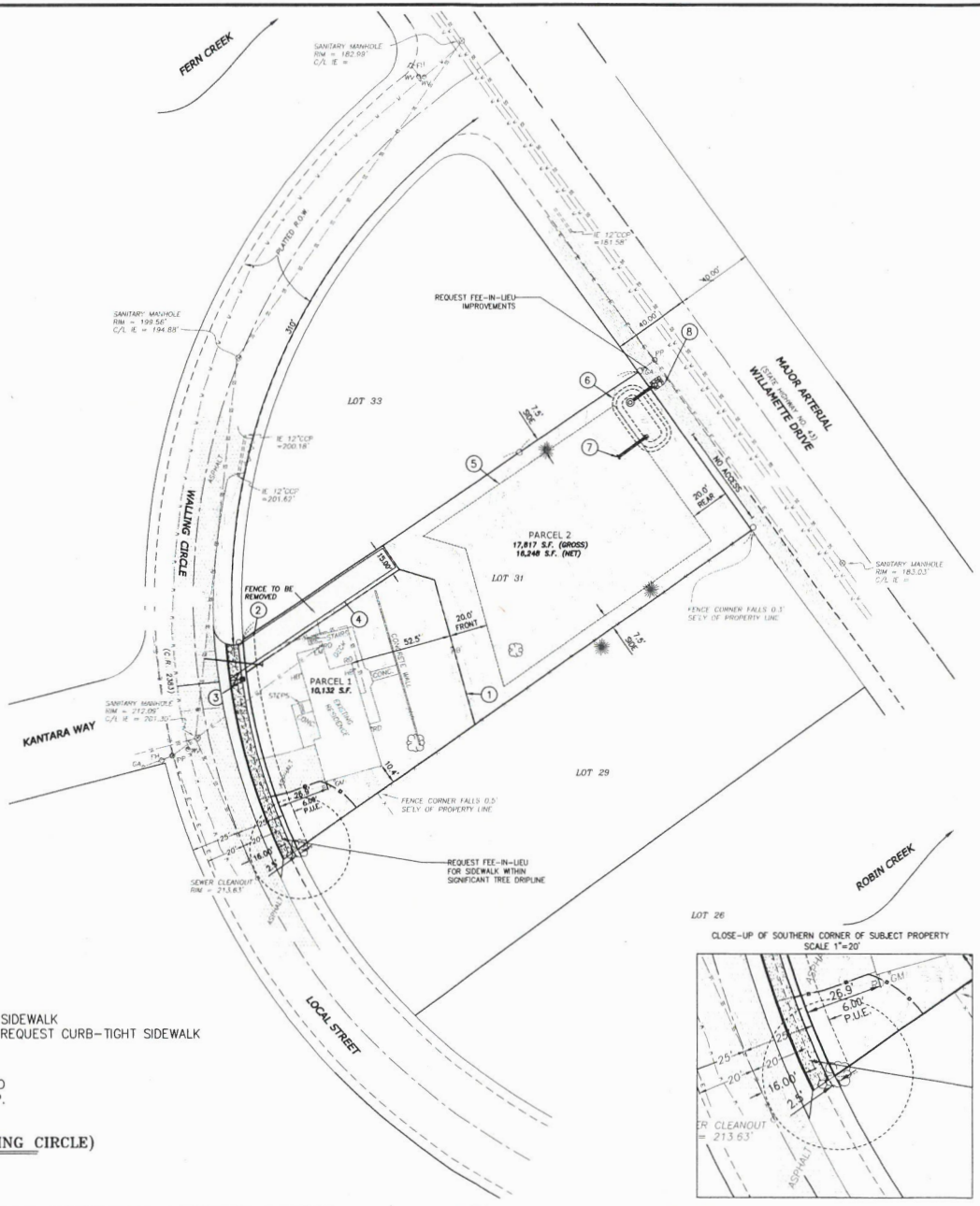
DATE: 2010
DRAWING NO: WL-617A
FILE NO:

MAINTENANCE AGREEMENT SHALL BE REQUIRED AND BE RECORDED WITH THE CITY



TYPICAL HALF-STREET SECTION – LOCAL STREET (WALLING CIRCLE)

NOT TO SCALE



CLOSE-UP OF SOUTHERN CORNER OF SUBJECT PROPERTY
SCALE 1"=20'

SETBACK REQUIREMENTS: R-10

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

MAXIMUM LOT COVERAGE PARCEL 2

PARCEL 2 SIZE = 16,248 SF
MAXIMUM LOT COVERAGE = 35%
MAXIMUM BUILDING SIZE = 5,687 SF (16,248 x 0.35)

KEY NOTES

1. PROPOSED PROPERTY LINE.
2. PROPOSED SANITARY SEWER LATERAL.
3. PROPOSED WATER SERIVCE METER.
4. PROPOSED 12 FT. DRIVEWAY.
5. PROPOSED BUILDING SETBACK LINE.
6. PROPOSED RAIN GARDEN (SEE DETAIL THIS PAGE).
7. PROPOSED CONNECTION POINT FOR HARDSCAPE SURFACE DRAINAGE.
8. PROPOSED RIP-RAP OUTFALL.

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
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
	ASPHALT SURFACE

SURVEY 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.

NORTH

1 inch = 30 ft.
11x17 SCALE: 1 inch = 60 ft.

MV ENGINEERS
Engineering & Planning
3409 NW John Olsen Place
Hillsboro, OR 97124
503.601.4811 503.601.4422 fax

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 SITE & UTILITY PLAN

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PSIT 5 of 7

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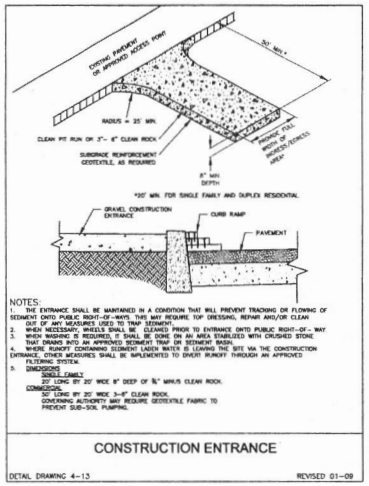
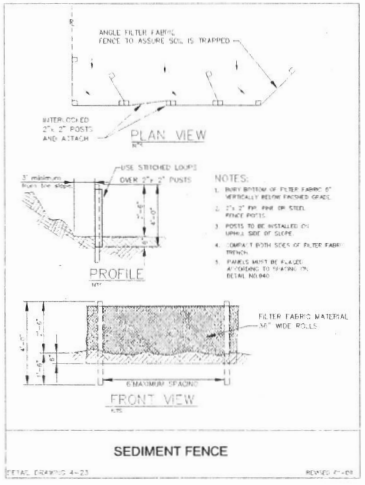


NOTES:
1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEAN OUT OF ANY MEASURES USED TO TRAP SEDIMENT.
2. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC 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 LADEN 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 ¾" MINUS CLEAN ROCK.
   COMMERCIAL
   50' LONG BY 20' WIDE 3-4" CLEAN ROCK.
   GOVERNING AUTHORITY MAY REQUIRE GEOTEXTILE FABRIC TO PREVENT SUB-SOIL PUMPING.

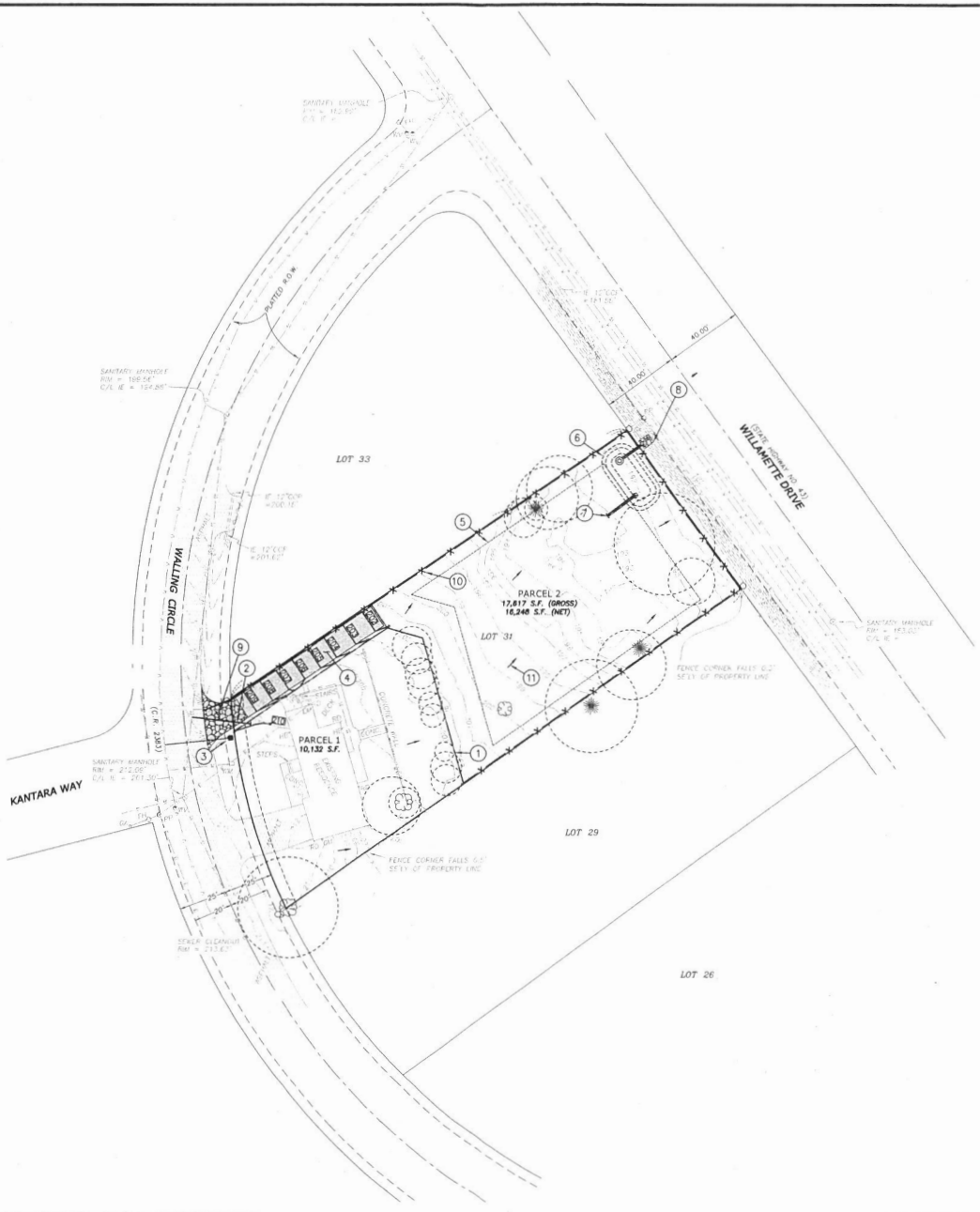
CONSTRUCTION ENTRANCE

DETAIL DRAWING 4-13 REVISED 01-09



SEDIMENT FENCE

DETAIL DRAWING 4-23 REVISED 01-09



SETBACK REQUIREMENTS: R-10

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

MAXIMUM LOT COVERAGE PARCEL 1

PARCEL 1 SIZE = 16,248 SF
MAXIMUM LOT COVERAGE = 35%
MAXIMUM BUILDING SIZE = 5,687 SF (16,248 x 0.35)

KEY NOTES

1. PROPOSED PROPERTY LINE.
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
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
	ASPHALT SURFACE

SURVEY 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.

NORTH

30 0 15 30 60

1 inch = 30 ft.
11x17 SCALE: 1 inch = 60 ft.

ENGINEERS
Engineering & Planning
3409 NW John Olsen Place
Hillsboro, OR 97124
503.901.4402 fax

FOR: TZER EN CHENG
18902 WALLING CIRCLE
WEST LINN, OR 97068
PH: 971-777-4816
SITE: TAX MAP: 21E29AA
TAX LOT: 02200
WEST LINN, OREGON

18902 WALLING CIRCLE
2-LOT PARTITION
N0525
PRELIMINARY GRADING & EROSION CONTROL PLAN

	REVISION	BY	DATE
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REVIEWED
SUBMITTAL

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6 of 7

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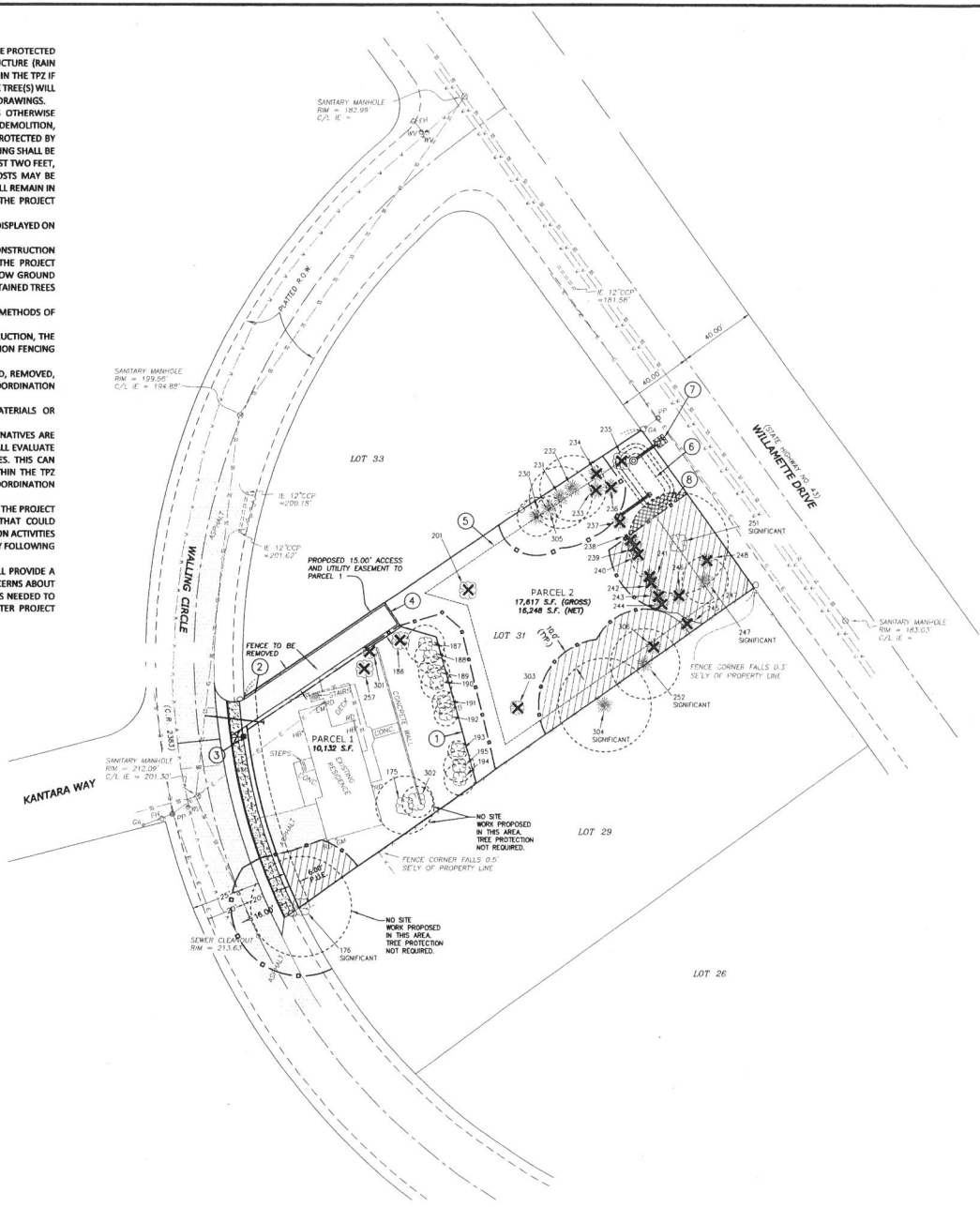
TREE PROTECTION SPECIFICATIONS

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.
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 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.
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.
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.

TOTAL SITE AREA (NON-TYPE 1 & 2 LANDS) = 27,878 SF (0.64 ACRES)

SIGNIFICANT TREE PROTECTION AREA = 5,785 SF OR 21%



KEY NOTES

1. PROPOSED PROPERTY LINE.
2. PROPOSED SANITARY SEWER LATERAL.
3. PROPOSED WATER SERVICE METER.
4. PROPOSED 12 FT. DRIVEWAY.
5. PROPOSED BUILDING SETBACK LINE.
6. PROPOSED RAIN GARDEN (SEE DETAIL THIS PAGE).
7. PROPOSED RIP-RAP OUTFALL.
8. 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:

1. 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
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GM	GAS METER
IE	INVERT ELEVATION
MH	MANHOLE
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WV	WATER VALVE
WM	WATER METER
–SS–	SANITARY SEWER
–W–	WATER LINE
–E–	ELECTRICAL LINE
–X–	FENCE
	ASPHALT SURFACE

SURVEY 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.

ARBORIST:

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

NORTH

30 0 15 30 60

1 inch = 30 ft.
11x17 SCALE: 1 inch = 60 ft.

MY ENGINEERS
Engineering & Planning
5005 Meadows Road, Suite 410
Lake Oswego, OR 97035
503.601.4401 503.601.4402 fax

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 TREE RETENTION & REMOVAL PLAN

	REVISION	BY	DATE
1			
2			
3			
4			
5			
6			
7			

DESIGNED | DRAWN | REVIEWED | SUBMITTAL

TRE1 | 7 of 7

Aaron.J. Plotted: Apr 09, 2018 – 10.37am, P:\N0525\dwg\Plan\Ph1\N0525-07-TRE1.dwg

ENGINEERS
Engineering & Planning

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

SLOPE ANALYSIS

	REVISION	BY	DATE
1			
2			
3			
4			
5			
6			
7			

DESIGNED
DRAWN
REVIEWED
SUBMITTAL

SLPE 14

Aaron L. Plotted: Apr 09, 2018 - 10:37am, P:\N0525\dwg\Plan\Plt1\N0525-00a-SLOPE.dwg

SCHOTT & ASSOCIATES
Ecologists & Wetlands Specialists

21018 NE Hwy 99E • P.O. Box 589 • Aurora, OR 97002 • (503) 678-6007 • FAX: (503) 678-6011

NATURAL RESOURCE ASSESSMENT/DETERMINATION
Within
Water Resource Area
FOR

18902 Walling Circle
Two Lot Partition

Prepared for:
Tzer En Cheng
18902 Walling Way
West Linn, OR 97068

Prepared by:

Cari Cramer
At
Schott and Associates

June 2018
Project #: 2609

Schott and Associates, an environmental firm specializing in wetland determinations and delineations, was contracted to conduct a site visit in June of 2018 to assess areas of concern off site, but in close proximity to 18902 Walling Circle (tax lot 2200), as areas of concern are WRA (Water Resource Area) Mapped nearby.

Site Location and Description

The approximate 0.64 acre subject property, developed in 1956, is located west of Willamette Drive and east of Walling Circle in West Linn, Clackamas County, Oregon (T2S, R1E, Sec. 23AA, TL 2200) (Appendix A).

The rectangular shaped subject property is situated between Willamette Drive to the east and Walling Circle to the west. Residential housing is located to the north, west and south Commercial properties are located to the east on the east side of Willamette Drive.

The property consists of a house with an attached garage entered by a driveway off of Walling Circle. The house is surrounded by mowed lawns and ornamental landscape. The portion of the property behind the house consists of many large conifer and deciduous trees planted adjacent to the property boundaries.

Project Objectives

The applicant proposes a 2 lot partition with "Improvements in Partitions".

As shown on the WRA Map (Appendix B), none of the subject property is located within identified Water Resource Area. However, tax lot 2300, adjacent and to the north of the subject property, is WRA mapped along the northern property boundary. Tax lot 2100, adjacent and to the south is also WRA mapped along the southern property boundary. To the west of Walling Circle and north of Kantara Way, WRA is mapped along the eastern edge of the property, adjacent to Walling Circle. The extent of the offsite WRA features will be outlined below.

The site was visited in June 2018 for the purpose of an offsite natural resource assessment. As per CDC 32.020 any undisturbed waterway, wetlands and riparian corridor boundaries were identified and documented.

WRA Conditions

There are no waterways or wetlands onsite. The subject property is not WRA mapped.

WRA is mapped on properties nearby. Tax lot 2300, adjacent and to the north of the subject property, is WRA mapped along the northern property boundary. Tax lot 2100, adjacent and to the south is also WRA mapped, but along the southern property boundary. Both are mapped as Significant Riparian Corridor bordering drainages mapped outside of these tax lots. To the west of Walling Circle and north of Kantara Way, on tax lot 2400, WRA is mapped along the eastern edge of the property, adjacent to Walling Circle, as drainage surrounded by Significant Riparian Corridor. Additional WRA is mapped at the north end of the property as Fern Creek and Significant Riparian Corridor.

Upon site observation, the residential properties to the north and south are fully developed lots containing houses with associated driveways and utilities as well as having maintained landscaped yards. Per Portland Maps, the lots have been developed since at least 1966. They do not appear to meet any WRA criteria and should not be mapped as such.

The area of concern to the City of West Linn is the WRA mapped tax lot 2400 west, northwest of the subject property. The property of concern was developed in 1959 and is located on the opposite side of Walling Circle from the subject property. At the north end of tax lot 2400 Fern Creek and Riparian Corridor are WRA mapped. The creek was observed during the site visit and appeared to be within the approximate location mapped. Further, tax lot 2400 shows WRA mapped drainage along the east property boundary parallel to Walling Circle. During the site visit no waterway or defined road ditch was observed and no hydrology was present.

Kantara Way parallels the southern property boundary of tax lot 2400. A culvert is located under Kantara Way and the property driveway opening at the north end of the driveway near the east property boundary. The area is fairly flat along the east portion of the property and is landscaped with ornamental plantings. The culvert may have opened into a defined road ditch at one time, but there is no longer a road ditch present. The area is mapped with non-hydric soils, there was no hydrology present and plants were ornamental, non-hydrophytic. The area would not be considered a wetland. The east boundary of this tax lot should not be WRA mapped.

Additionally, the City visited this site (tax lot 2400) in January of 2018 and observed "surficial sheet flow" coming from the daylighted culvert under Kantara Way and the driveway, spreading into three to six foot wide sheet flows. The City also observed that "no defined stream channel exists, except at the immediate point of discharge from the pipe under Kantara Way." The City further "found the area of surficial runoff could be classified as an "ephemeral" stream."

The Local Wetland Inventory (LWI) for the City of West Linn did not map any wetlands or waterways on the subject property (TL 2200). The LWI mapped a drainage way along the northern property boundary of tax lot 2300. Tax lot 2300 is north of and adjacent to the subject property. The LWI mapped another drainage along the south property boundary of tax lot 2000 that is located two tax lots south of the subject property. Neither of these drainages were observed during the site visit and are likely culverted. Additionally, a drainage was mapped along the east property boundary of tax lot 2400 that is likely considered a tributary to Fern Creek which is also LWI mapped at the north end of tax lot 2400. Upon site observation Fern Creek does appear to be located as mapped on tax lot 2400, but no drainage was observed along the east property boundary. At one time there may have been a defined road ditch that has since then been widened, flattened and planted with ornamental vegetation(Appendix D).

The soil survey map for Clackamas County showed Cascade silt loam throughout all of the tax lots located on Walling Circle. Cascade silt loam is not listed as a hydric soil series and hydric inclusions are not likely to be included.

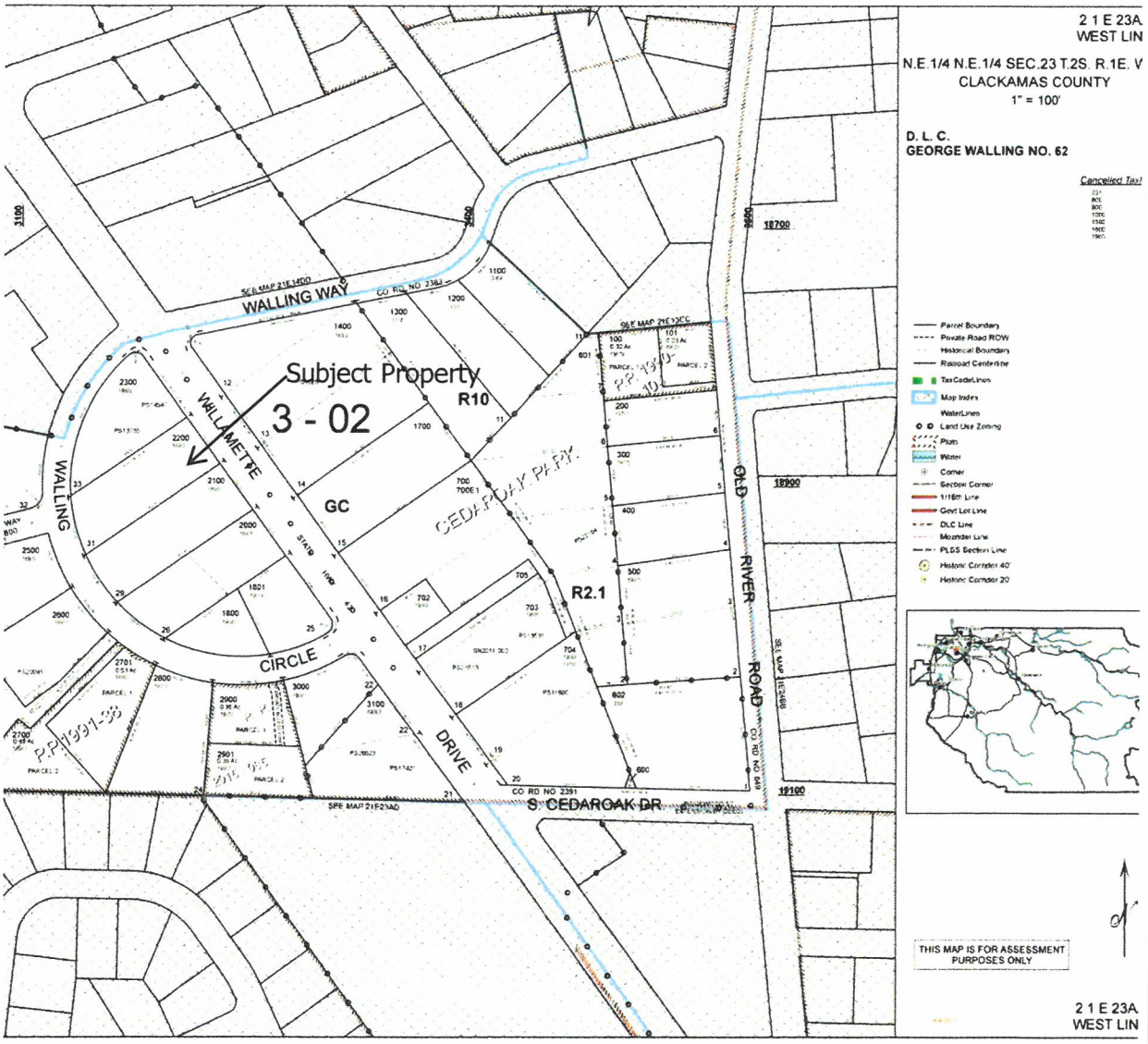
Conclusion:

The applicant proposes a 2 lot partition with "Improvements in Partitions" to tax lot 2200. There is no WRA mapping on this tax lot. There is Mapped WRA on the tax lots to the north, south and west of the subject property. Upon site observation, no WRA was present on tax lots 2100 or 2300 located on the east side of Walling Circle. No wetlands, waterways or defined road side ditch was present in the Mapped WRA on the east portion of tax lot 2400.

The potential stream channel of concern along the eastern portion of tax lot 2400 does not exist. At one time a defined roadside ditch was likely present parallel to the west side of Walling Circle, culverted under roadways and driveways, sloping north to connect to Fern Creek, but this is no longer the case. The area along the east border of tax lot 2400 is fairly flat and consists of an ornamental landscape. After rainfall water will collect through the culvert and daylight onto the tax lot as surface sheet flow, but does not drain in any defined channel. It is not a wetland or defined channel, and is not jurisdictional

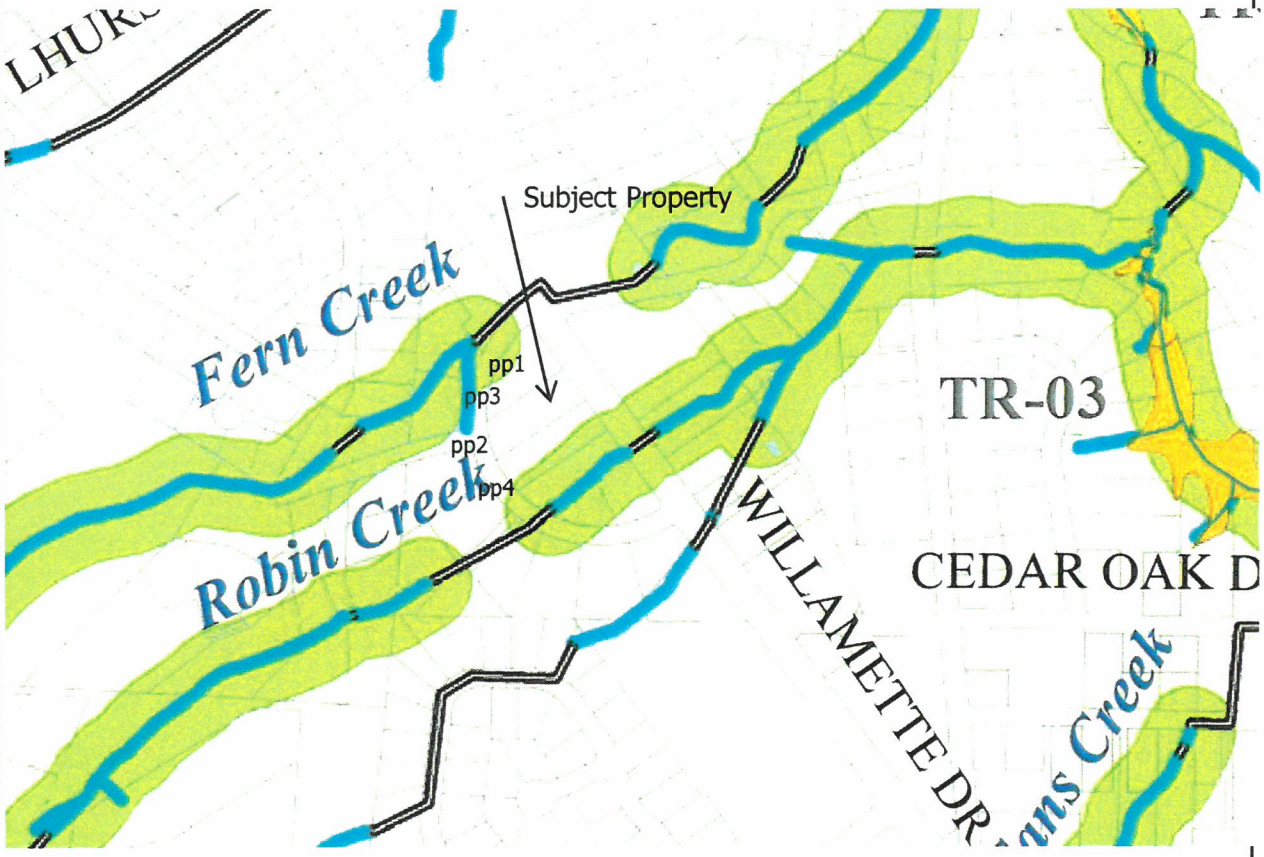
WRA is not mapped on the subject property (TL 2200). WRA should not be mapped within the east portion of tax lot 2400. WRA should not be mapped on tax lots 2100 or 2300. Chapter 32 is not applicable to the client's application proposing a 2 lot partition.

Appendix A. Tax Lot Map



Appendix A. Tax Lot Map Walling Circle S&A# 2609	Schott & Associates P.O. Box 589 Aurora, OR. 97002 503.678.6007

Appendix B. WRA Map with Photo Points



pp+=photo point

Appendix B. WRA Map Walling Circle S&A# 2609	Schott & Associates P.O. Box 589 Aurora, OR. 97002 503.678.6007

Appendix C. Ground Level Photographs

Photo point 1 facing south, southwest at north end of TL 2300

Photo point 1 facing east, northeast at north end of TL 2300

Photo point 2 at tax lot 2400
facing north

Photo point 2 at tax lot 2400
facing south

Appendix B. Ground Level Photographs
Walling Circle
S&A# 2609

Schott & Associates
P.O. Box 589
Aurora, OR. 97002
503.678.6007

Photo point 3 at tax lot 2400
facing north

Photo point 3 at tax lot 2400
facing south

Appendix B. Ground Level Photographs
Walling Circle
S&A# 2609

Schott & Associates
P.O. Box 589
Aurora, OR. 97002
503.678.6007

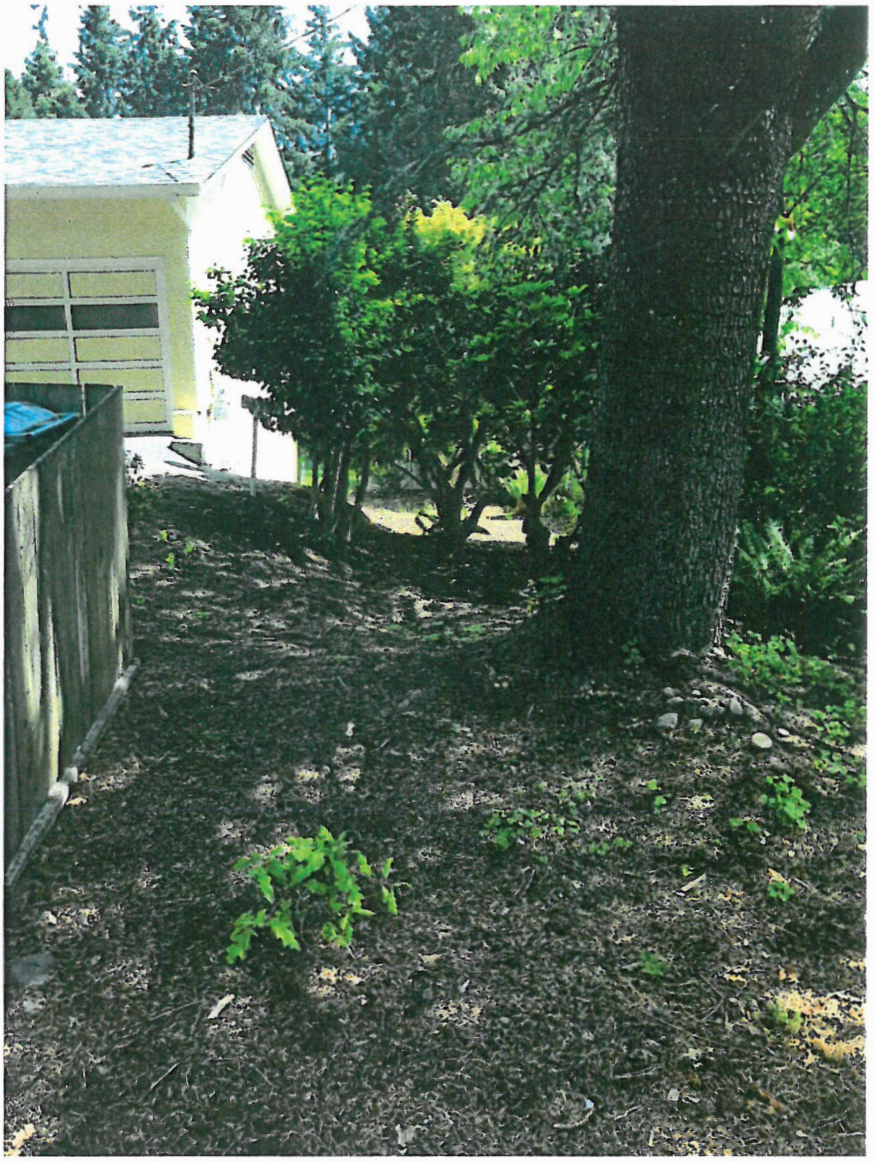
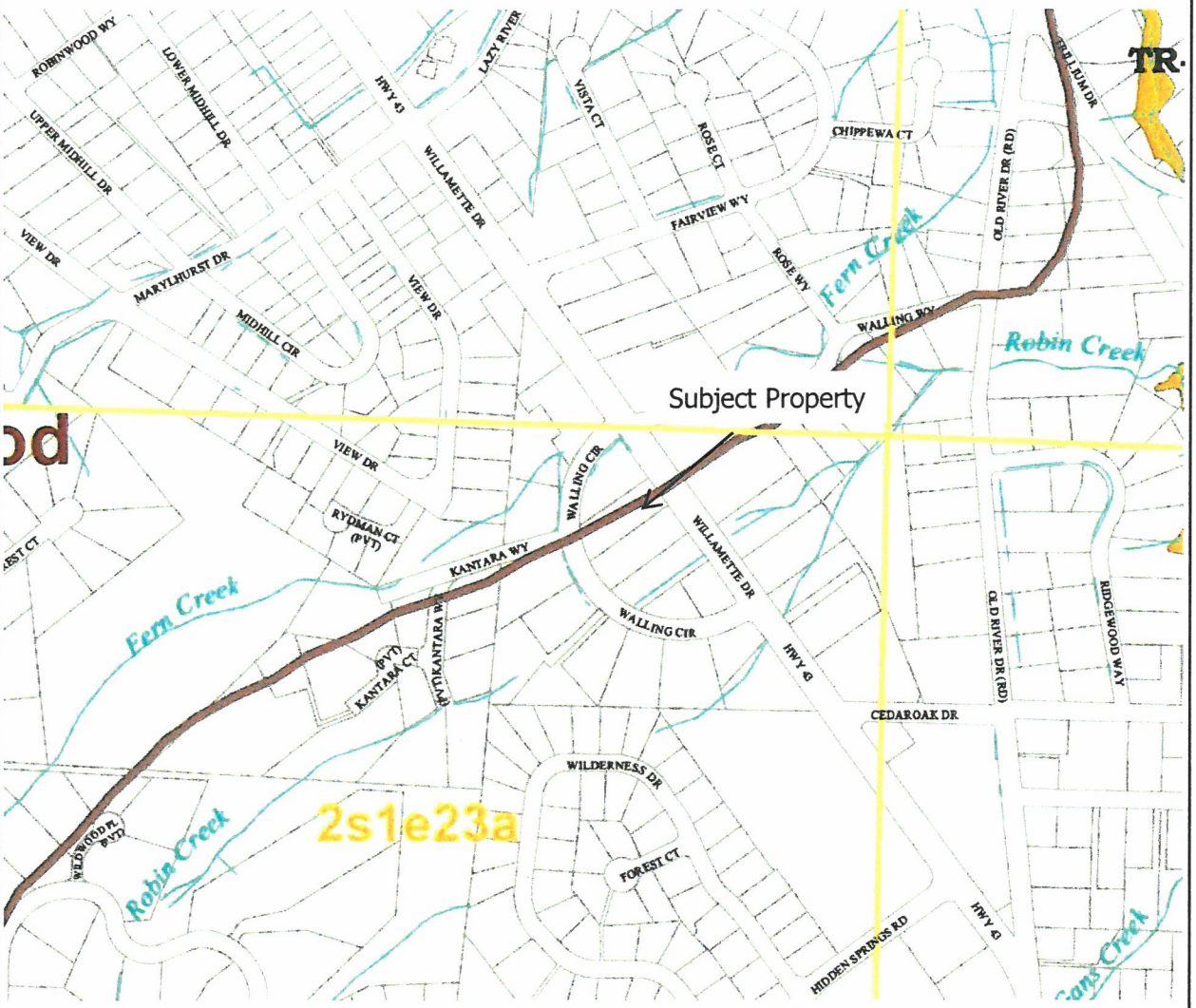


Photo point 4 at tax lot 2100 facing east, northeast

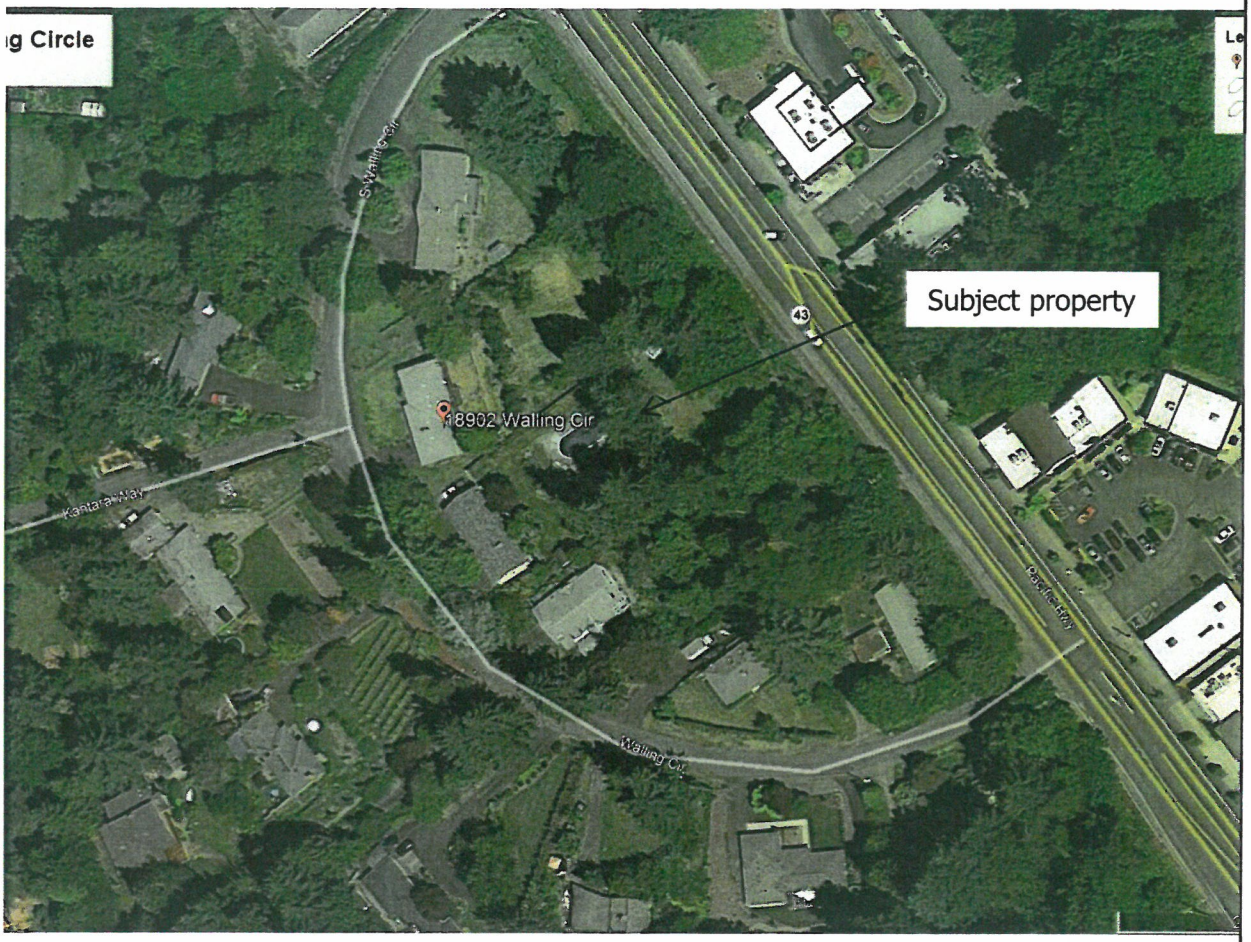
Appendix D. LWI



Appendix D. Local Wetland Inventory (LWI)
Walling Circle
S&A# 2609

Schott & Associates
P.O. Box 589
Aurora, OR. 97002
503.678.6007

Appendix E. Aerial Photograph



Appendix E. Aerial Photograph
Walling Circle
S&A# 2609

Schott & Associates
P.O. Box 589
Aurora, OR. 97002
503.678.6007

PD-4 PUBLIC COMMENTS

Ronald P. Madland

18888 Walling Cir
West Linn, OR, 97068
503-812-9052
rmadland@msn.com

August 15, 2018

Peter Spir
Associate Planner, City Hall
22500 Salamo Rd.,
West Linn, OR 97068

Sir,

I have concerns regarding the proposed two-lot partition at 18902 Walling Circle. This property is adjacent to my property at 18888 Walling Circle. After reviewing the proposed plan for the new lot, I have questions about how the water/rain runoff drainage from the proposed 15 foot access road to the new lot will be managed. The 18902 lot slopes towards the 18888 lot at the North property line between the two lots. Assuming the new access road will be paved, the water runoff from this driveway needs to be controlled to prevent erosion where the water runs off the driveway on the North property line. How will the water runoff be managed?

In addition, and assuming a level grade for the new driveway, a need for a retaining wall may arise where the roadway is graded on the North property line to create a level roadway. The transition from the 18902 to 18888 Walling Cir properties at the North property line is now smooth and evenly sloped; with the grading required to create a level driveway, my concern is the creation of an unsightly transition between the two properties. At the very least a retaining wall or a fence is needed to control erosion from beneath the new driveway and maintain the appearance of both properties. Is this issue addressed in the plan for the access road to the new lot?

Thank you for your time,

Very respectfully

Ronald P. Madland