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GENERAL INFORMATION

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SITE INFORMATION

Parcel Number: 21E23BD 6401
Address: 19310 Suncrest Drive
Size: 0.98 acres
Zoning Designation: R10
Existing Use: Single-family Residential
Surrounding Zoning: The properties to the north are zoned R15. The properties to the west are zoned R7. The properties to east are zoned R-10. The property to the south is zoned Clackamas County FU-10.
Street Functional Classification: Suncrest Drive is classified as a collector. Ridgebrook Drive is classified as a local street.

INTRODUCTION

APPLICANT'S REQUEST

The Applicant seeks approval of an application for a Subdivision to create four residential lots of more than 10,000 square feet. This narrative describes the project and how it complies with the relevant sections of the City of West Linn's Community Development Code ("CDC") and the Oregon Revised Statutes ("ORS").

PROPOSED SITE IMPROVEMENTS

The Project site ("Property") is located at 19310 Suncrest Drive, at the northeast corner of Suncrest Drive and Ridgebrook Drive in West Linn, Oregon. The Property consists of approximately 0.98 acres on one tax lot (21E23BD 6401 Parcel 1). The Property currently contains one single family home with a driveway and grass and trees throughout.

The intent of this Subdivision is to provide four residential lots on the Property including utilities and driveway approaches. Each of the proposed lots will exceed the minimum 10,000 sf for development with single family detached homes, a use permitted outright in the R10 zone. All proposed lots would take access via Ridgebrook Drive. Frontage on Ridgebrook Drive has existing sidewalks and planter strips and Ridgebrook appears to be fully improved to City standards.

APPLICABLE CRITERIA

The following sections of West Linn’s Community Development Code (CDC) have been extracted as they have been deemed to be applicable to the proposal. Following each **bold** applicable criteria or design standard, the Applicant has provided a series of draft findings. The intent of providing code and detailed responses and findings is to document, with absolute certainty, that the proposed development has satisfied the approval criteria for a Subdivision.

WEST LINN COMMUNITY DEVELOPMENT CODE

Chapter 11 SINGLE-FAMILY RESIDENTIAL DETACHED, R-10

11.010 PURPOSE

The purpose of this zone is to provide for urban development at levels which relate to the site development limitations, proximity to commercial development and to public facilities and public transportation. This zone is intended to implement the Comprehensive Plan policies and locational criteria, and is applicable to areas designated as Low Density Residential on the Comprehensive Plan Map and Type I and Type II lands identified under the Buildable Lands Policy.

11.020 PROCEDURES AND APPROVAL PROCESS

A. A use permitted outright, CDC 11.030, is a use which requires no approval under the provisions of this code. If a use is not listed as a use permitted outright, it may be held to be a similar unlisted use under the provisions of Chapter 80 CDC.

11.030 PERMITTED USES

The following are uses permitted outright in this zoning district

1. Single-family detached residential unit.
2. Community recreation.
3. Family day care.
4. Residential home.
5. Utilities, minor.
6. Transportation facilities (Type I).
7. Manufactured home.

Applicant’s Facts and Findings: The proposed use is single-family detached residential units, a use permitted outright in the R10 zone.

The requirements of this section have been satisfied.

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

Applicant's Facts and Findings:

The sizes of the four lots proposed in the subdivision are 10,404 square feet, 12,342 square feet, 10,007 square feet and 10,000 square feet. All four meet or exceed the 10,000-square foot minimum. The front lot lines will be 75, 90, 66 and 74 feet in width once the subdivision is recorded. All four exceed the 35-foot minimum. Minimum lot widths will be 61, 85, 69 and 69 feet. Therefore all four average minimum lot widths will exceed the 50 foot minimum. Yard dimensions, building height, lot coverage, floor area ratios and sidewall provisions will all meet the requirements of this section and will be verified at time of building permit submittal.

11.090 OTHER APPLICABLE DEVELOPMENT STANDARDS

- A. The following standards apply to all development including permitted uses:**
1. Chapter 34 CDC, Accessory Structures, Accessory Dwelling Units, and Accessory Uses.
 2. Chapter 35 CDC, Temporary Structures and Uses.

3. Chapter 38 CDC, Additional Yard Area Required; Exceptions to Yard Requirements; Storage in Yards; Projections into Yards.
4. Chapter 40 CDC, Building Height Limitations, Exceptions.
5. Chapter 41 CDC, Structures on Steep Lots, Exceptions.
6. Chapter 42 CDC, Clear Vision Areas.
7. Chapter 44 CDC, Fences.
8. Chapter 46 CDC, Off-Street Parking, Loading and Reservoir Areas.
9. Chapter 48 CDC, Access, Egress and Circulation.
10. Chapter 52 CDC, Signs.
11. Chapter 54 CDC, Landscaping.

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

Applicant's Facts and Findings: The proposed use in this R10 zone is single-family detached housing, and therefore not subject to Design Review. However, provisions in Chapter 55 CDC related to significant trees are addressed later in the application.

Chapter 38 ADDITIONAL YARD AREA REQUIRED; EXCEPTIONS TO YARD REQUIREMENTS; STORAGE IN YARDS; PROJECTIONS INTO YARDS

38.030 SETBACK FROM STREET CENTERLINE REQUIRED

A. To assure improved light, air, and sight distance and to protect the public health, safety and welfare, a setback in addition to the yard requirements of the zone may be required where the right-of-way is inadequate. A determination shall be made based on the street standards contained in CDC 85.200(A).

B. The minimum yard requirement shall be increased to provide for street widening in the event a yard abuts a street having a right-of-way width less than required by its functional classification on the City's Comprehensive Plan Map, and in such case the setback shall be not less than the setback required by the zone plus one-half of the projected road width as required under CDC 85.200(A); however

C. The minimum distance from the wall of any structure to the centerline of an abutting street shall not be less than 25 feet plus the yard required by the zone. This provision shall not apply to rights-of-way of 50 feet or greater in width.

Applicant's Facts and Findings: The site abuts Suncrest Drive and Ridgebrook Drive. Suncrest Drive is a collector with a 60-foot right-of-way using the 58 foot right-or-way option for collectors. Ridgebrook Drive is a local street with a 52-foot right-of-way using the 28-foot street right-of-way option. Right-of-way for both streets meet the width requirements as determined by their functional classifications.

38.040 EXCEPTIONS TO YARD REQUIREMENTS

- A. If there are dwellings on both abutting lots with front yard depths less than the required depth for the zone, the depth of the front yard for the intervening lot need not exceed the average depth of the front yards of the abutting lots.
- B. If there are garages on both abutting lots with front yard depths less than the required depth for the zone, the depth of the front yard for the garage for the intervening lot need not exceed the average depth of the front yards of the abutting lots.
- C. If there is a dwelling on one abutting lot with a front yard of less depth than the required depth for the zone, the front yard for the lot need not exceed a depth one-half way between the depth of the abutting lot and the required front yard depth.
- D. If there is a garage on one abutting lot with a front yard of less depth than the required depth for the zone, the front yard for the garage for the lot need not exceed a depth one-half between the depth of the abutting lot and the required front yard depth. (Ord. 1276, 1990)

Applicant's Facts and Findings: No exceptions are requested. Development will meet all requirements of this section and will be verified at time of building permit submittal.

38.060 PROJECTIONS INTO REQUIRED YARDS

- A. Repealed by Ord. 1635.
- B. Cornices, eaves, belt courses, sills, canopies, or similar architectural features may extend or project into a required yard not more than 36 inches provided the width of such side yard is not reduced to less than three feet. Projections into the side yard may not include living space such as bay windows or overhanging breakfast nooks, etc.
- C. Projections that include living space such as bay windows or overhanging breakfast nooks, etc., may extend into the front or rear yard setbacks, but no more than two feet. The footprint or foundation of the house may not encroach into the front or rear setback area.
- D. Fireplace chimneys may project into a required front, side or rear yard not more than three feet, provided the width of such side yard is not reduced to less than three feet.
- E. The presence of an easement within a required yard is a limitation to projections. Uncovered open porches, decks, or balconies, not more than 30 inches in height above grade and not covered by a roof or canopy, may extend or project into a required front or rear yard until the projection reaches a utility easement or comes within five feet of the property line, whichever provides a greater distance from the property line. The uncovered deck, porch or balcony may go into side yard setback leaving at least three feet to the property line. Encroachment into a utility easement is not allowed, except as provided below:
 - 1. Uncovered open porches, decks, or balconies may extend into an existing utility easement, provided:
 - a. A minimum vertical clearance of 12 feet is maintained between the lowest point of the deck and the ground; and
 - b. That no posts are installed within the easement.
 - 2. These provisions do not apply in the Willamette Historic District.
- F. Front and rear porches, covered porches, unroofed landings and stairs (over 30 inches in height) may encroach into the front or rear yard setback up to five feet. Homes on corner lots

may have a front porch that wraps around to the side street side. The porch on the side street may also encroach five feet into the required street side setback area. Enclosed porches are not permitted to encroach. The roofline of the house may be extended to cover the porch but no living space shall be allowed inside the front yard setback (i.e., dormers). The Planning Director shall determine compliance with this section as provided by CDC 99.060(A)(3). These provisions do not apply in the Willamette Historic District.

Applicant's Facts and Findings: Projections will meet the requirements of this section and will be verified at the time of building permit submittal.

Chapter 42 CLEAR VISION AREAS

42.020 CLEAR VISION AREAS REQUIRED, USES PROHIBITED

- A.** A clear vision area shall be maintained on the corners of all property adjacent to an intersection as provided by CDC 42.040 and 42.050.
- B.** A clear vision area shall contain no planting, fence, wall, structure or temporary or permanent obstruction (except for an occasional utility pole or tree) exceeding three feet in height, measured from the top of the curb, or, where no curb exists, from the street centerline grade, except that trees exceeding this height may be located in this area, provided all branches below eight feet are removed.

Applicant's Facts and Findings: Clear vision areas will be maintained per the standards of this section and will be verified at the time of building permit submittal.

42.040 COMPUTATION; STREET AND ACCESSWAY 24 FEET OR MORE IN WIDTH

The clear vision area for all street intersections and street and accessway intersections (accessways having 24 feet or more in width) shall be that triangular area formed by the right-of-way or property lines along such lots and a straight line joining the right-of-way or property line at points which are 30 feet distant from the intersection of the right-of-way line and measured along such lines.

Clear vision area for corner lots and driveways 24 feet or more in width:

Applicant's Facts and Findings: The clear vision area at the intersection of Suncrest and Ridgebrook will be free of plantings, fences, walls, structures and obstructions, meeting the requirements for clear vision areas as shown in Sheet C210.

Chapter 44 FENCES

44.020 SIGHT-OBSCURING FENCE; SETBACK AND HEIGHT LIMITATIONS

- A.** A sight- or non-sight-obscuring fence may be located on the property line or in a yard setback area subject to the following:
 - 1.** The fence is located within:
 - a.** A required front yard area, and it does not exceed three feet, except pillars and driveway entry features subject to the requirements of Chapter 42 CDC, Clear Vision Areas, and approval by the Planning Director;

- b. A required side yard which abuts a street and it is within that portion of the side yard which is also part of the front yard setback area and it does not exceed three feet;
- c. A required side yard which abuts a street and it is within that portion of the side yard which is not also a portion of the front yard setback area and it does not exceed six feet provided the provisions of Chapter 42 CDC are met;
- d. A required rear yard which abuts a street and it does not exceed six feet; or
- e. A required side yard area which does not abut a street or a rear yard and it does not exceed six feet.

B. Fence or wall on a retaining wall. When a fence is built on a retaining wall or an artificial berm, the following standards shall apply:

- 1. When the retaining wall or artificial berm is 30 inches or less in height from finished grade, the maximum fence or wall height on top of the retaining wall shall be six feet.
- 2. When the retaining wall or earth berm is greater than 30 inches in height, the combined height of the retaining wall and fence or wall from finished grade shall not exceed eight and one-half feet.
- 3. Fences or walls located on top of retaining walls or earth berms in excess of 30 inches above finished grade may exceed the total allowed combined height of eight and one-half feet; provided, that the fence or wall is located a minimum of two feet from the retaining wall and the fence or wall height shall not exceed six feet.

Applicant's Facts and Findings: All fences will be constructed to meet these standards and will be verified at the time of building permit submittal.

44.040 LANDSCAPING

Landscaping which is located on the fence line and which impairs sight vision shall not be located within the clear vision area as provided in Chapter 42 CDC.

Applicant's Facts and Findings: Clear vision areas are currently in place at the intersection of Ridgebrook and Suncrest. These clear vision areas will be maintained and verified at the time of building permit submittal.

44.050 STANDARDS FOR CONSTRUCTION

- A. The structural side of the fence shall face the owner's property; and**
- B. The sides of the fence abutting adjoining properties and the street shall be maintained.**

Applicant's Facts and Findings: Fences will be constructed to meet these standards and will be verified at the time of building permit submittal.

Chapter 46 OFF-STREET PARKING, LOADING AND RESERVOIR AREAS

46.020 APPLICABILITY AND GENERAL PROVISIONS

- A. At the time a structure is erected or enlarged, or the use of a structure or unit of land is changed within any zone, parking spaces, loading areas and reservoir areas shall be provided**

in accordance with the requirements of this chapter unless other requirements are otherwise established as a part of the development approval process.

- B. The provision and maintenance of off-street parking and loading spaces are the continuing obligation of the property owner.**
- C. No building or other permit shall be issued until plans are approved that show the property that is and will remain available for exclusive use as off-street parking and loading space as required by this chapter.**
- D. Required parking spaces and loading areas shall be improved to the standards contained in this chapter and shall be available for use at the time of the final building inspection except as provided in CDC 46.150.**

Applicant's Facts and Findings: Residential homes will be constructed on the site with driveways and off-street parking as required by this subsection.

46.030 SUBMITTAL REQUIREMENTS

For any application requiring design review approval, which includes parking areas, the applicant shall submit, within the design review package, a plan drawn to scale showing all the elements necessary to indicate that the requirements of Chapter 55 CDC are met and it shall include but not be limited to:

- A. The delineation of individual parking and loading spaces and their dimensions;**
- B. The identification of compact parking spaces;**
- C. The location of the circulation area necessary to serve spaces;**
- D. The access point(s) to streets, alleys, and properties to be served;**
- E. The location of curb cuts;**
- F. The location and dimensions of all landscaping, including the type and size of plant material to be used, as well as any other landscape material incorporated into the overall plan;**
- G. The proposed grading and drainage plans and the slope (percentage) of parking lot;**
- H. Specifications as to signs and bumper guards;**
- I. Identification of disabled parking spaces;**
- J. Location of pedestrian walkways and crossings; and**
- K. Location of bicycle racks.**

Applicant's Facts and Findings: Single family detached residential units are proposed for this site. The Applicant is not submitting a design review application and therefore this subsection is not applicable.

46.040 APPROVAL STANDARDS

Approval shall be based on the standards set forth in this chapter and Chapter 48 CDC, Access, Egress and Circulation; Chapter 52 CDC, Signs; and Chapter 54 CDC, Landscaping.

Applicant's Facts and Findings: The development has met or will meet all standards related to access, egress and circulation, signs and landscaping.

46.050 JOINT USE OF A PARKING AREA

A. Joint use of required parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required parking spaces is allowed if the following documentation is submitted in writing to the Planning Director as part of a building or zoning permit application or land use review:

- 1. The names and addresses of the owners or tenants that are sharing the parking and the uses at those locations;**
- 2. The location and number of parking spaces that are being shared;**
- 3. An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and**
- 4. A legal instrument such as an easement or deed restriction that guarantees access to the parking for all uses.**

B. If a joint use arrangement is subsequently terminated, the requirements of this chapter will apply to each use separately.

Applicant's Facts This subsection is not applicable as each lot will have its own driveway and garage.
and Findings:

46.060 STORAGE IN PARKING AND LOADING AREAS PROHIBITED

Required parking spaces shall be available for the parking of passenger automobiles of residents, customers, patrons and employees only, and the required parking spaces shall not be used for storage of vehicles or materials or for the parking of trucks connected with the business or use with the exception of small (under one-ton) delivery trucks or cars.

Applicant's Facts This section is not applicable for single family detached residential development.
and Findings:

46.070 MAXIMUM DISTANCE ALLOWED BETWEEN PARKING AREA AND USE

A. Off-street parking spaces for single- and two-family dwellings shall be located on the same lot with the dwelling.

B. Off-street parking spaces for uses not listed in subsection A of this section shall be located not farther than 200 feet from an entryway to the building or use they are required to serve, measured in a straight line from the building, with the following exceptions:

- 1. Shared parking areas for commercial uses which require more than 40 parking spaces may provide for the spaces in excess of the required 40 spaces up to a distance of 300 feet from the entryway to the commercial building or use.**
- 2. Industrial and manufacturing uses which require in excess of 40 spaces may locate the required spaces in excess of the 40 spaces up to a distance of 300 feet from the entryway to the building.**
- 3. Employee parking areas for carpools and vanpools shall be located closer to the entryway to the building than general employee parking.**

4. Stacked or valet parking is allowed if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, the applicant shall ensure that an attendant will always be present when the lot is in operation. The requirements for minimum or maximum spaces and all parking area development standards continue to apply for stacked parking.
5. All disabled parking shall be placed closest to building entrances than all other parking. Appropriate ADA curb cuts and ramps to go from the parking lot to the ADA-accessible entrance shall be provided unless exempted by ADA code.

Applicant's Facts and Findings: Each lot will have off-street parking spaces for use of residents.

46.090 MINIMUM PARKING SPACE REQUIREMENTS

A. Residential parking space requirements.

- | | |
|---|--|
| 1. Single-family residences (attached or detached). | 1 off-street space for each dwelling unit; may or may not be in garage or carport. |
|---|--|

Applicant's Facts and Findings: Each lot will have a minimum of one off-street parking space.

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.
- 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.

Applicant's Facts and Findings: This subsection is applicable regarding subsection B above.

48.025 ACCESS CONTROL

A. Purpose. The following access control standards apply to public, industrial, commercial and residential developments including land divisions. Access shall be managed to maintain an adequate level of service and to maintain the functional classification of roadways as required by the West Linn Transportation System Plan.

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.)**

Applicant's Facts and Findings: The City has not required a traffic impact analysis due to the small size and low impacts of this development.

- 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.**

Applicant's Facts and Findings: Each lot on the property will include a driveway to provide access to/from Ridgebrook Drive, a public street adjacent to the site with a local designation. No new access will be provided via Suncrest Drive. The City's spacing standards for driveways along residential streets has been maintained for all new driveway access locations. The proposed configuration will create a safe and efficient access configuration for each new driveway.

- 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.**

Applicant's Facts and Findings: The Applicant is proposing access to the site via Option 3. The proposed design limits curb cuts for access to the new lots proposed within this development. No new access will be provided to Suncrest Drive. Each lot will take access to Ridgebrook Drive via individual driveways. The City's spacing standards for driveways along residential streets has been maintained for all new driveway access locations. The proposed configuration will create a safe and efficient access configuration for each new driveway.

- 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).**

Applicant's Facts and Findings: The proposed development does not front onto an arterial. The requirements of this section do not apply.

- 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.**

Applicant's Facts and Findings: No double fronted lots will be created as part of this subdivision.

- 6. Access spacing.**
- a. **The access spacing standards found in the adopted Transportation System Plan (TSP) shall be applicable to all newly established public street intersections and non-traversable medians. Deviation from the access spacing standards may be granted by the City Engineer if conditions are met as described in the access spacing variances section in the adopted TSP.**
- b. **Private drives and other access ways are subject to the requirements of CDC 48.060.**

Applicant's Facts and Findings: The Applicant's proposed driveway locations are shown on the site plan Sheet C210. The City's access spacing requirements for new driveways onto a residential local street have been maintained.

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.

Applicant's Facts and Findings: The Applicant is proposing only one access point for each single family lot. Lot 2 currently has driveway access to Ridgebrook Drive. New driveways will be created for lots 1, 3 and 4.

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.

Applicant's Facts and Findings: The Applicant is not proposing any shared driveways for the development.

- 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.

Applicant's Facts and Findings: The Applicant requests an exemption from the block length and perimeter standards due to existing development patterns. No new roads are proposed as part of the subdivision. Existing development patterns preclude the extension of any new roadways through the site or within close proximity which could logically provide for future connectivity. Furthermore, Figure 12 of the West Linn Transportation System Plan – Recommended Local Street Connectivity Projects – does not identify a new street connection within or adjacent to this site. All street standards will be met as shown in Sheet C210.

48.030 MINIMUM VEHICULAR REQUIREMENTS FOR RESIDENTIAL USES

A. Direct individual access from single-family dwellings and duplex lots to an arterial street, as designated in the transportation element of the Comprehensive Plan, is prohibited for lots or parcels created after the effective date of this code where an alternate access is either available or is expected to be available by imminent development application. Evidence of alternate or future access may include temporary cul-de-sacs, dedications or stubouts on adjacent lots or parcels, or tentative street layout plans submitted at one time by adjacent property owner/developer or by the owner/developer, or previous owner/developer, of the property in question.

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

1. **Topography.**
2. **Traffic volume to be generated by development (i.e., trips per day).**
3. **Traffic volume presently carried by the street to be accessed.**
4. **Projected traffic volumes.**
5. **Safety considerations such as line of sight, number of accidents at that location, emergency vehicle access, and ability of vehicles to exit the site without backing into traffic.**
6. **The ability to consolidate access through the use of a joint driveway.**
7. **Additional review and access permits may be required by State or County agencies.**

Applicant's Facts and Findings: The Applicant is not proposing new access to any arterials, therefore this subsection does not apply.

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

- 1. One single-family residence, including residences with an accessory dwelling unit as defined in CDC 02.030, shall provide 10 feet of unobstructed horizontal clearance. Dual-track or other driveway designs that minimize the total area of impervious driveway surface are encouraged.**
- 2. Two to four single-family residential homes equals a 14- to 20-foot-wide paved or all-weather surface. Width shall depend upon adequacy of line of sight and number of homes.**
- 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.**

C. When any portion of one or more homes is more than 150 feet from the adjacent right-of-way, the provisions of subsection B of this section shall apply in addition to the following provisions.

- 1. A turnaround may be required as prescribed by the Fire Chief.**
- 2. Minimum vertical clearance for the driveway shall be 13 feet, six inches.**
- 3. A minimum centerline turning radius of 45 feet is required unless waived by the Fire Chief.**
- 4. There shall be sufficient horizontal clearance on either side of the driveway so that the total horizontal clearance is 20 feet.**

D. Access to five or more single-family homes shall be by a street built to full construction code standards. All streets shall be public. This full street provision may only be waived by variance.

E. Access and/or service drives for multi-family dwellings shall be fully improved with hard surface pavement:

- 1. With a minimum of 24-foot width when accommodating two-way traffic; or**
- 2. With a minimum of 15-foot width when accommodating one-way traffic. Horizontal clearance shall be two and one-half feet wide on either side of the driveway.**
- 3. Minimum vertical clearance of 13 feet, six inches.**
- 4. Appropriate turnaround facilities per Fire Chief's standards for emergency vehicles when the drive is over 150 feet long. Fire Department turnaround areas shall not exceed seven percent grade unless waived by the Fire Chief.**
- 5. The grade shall not exceed 10 percent on average, with a maximum of 15 percent.**
- 6. A minimum centerline turning radius of 45 feet for the curve.**

F. Where on-site maneuvering and/or access drives are necessary to accommodate required parking, in no case shall said maneuvering and/or access drives be less than that required in Chapters 46 and 48 CDC.

G. The number of driveways or curb cuts shall be minimized on arterials or collectors. Consolidation or joint use of existing driveways shall be required when feasible.

H. In order to facilitate through traffic and improve neighborhood connections, it may be necessary to construct a public street through a multi-family site.

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

Applicant's Facts and Findings: Access to each lot will be provided to/from Ridgebrook Drive, a local street, and will meet the minimum vehicular requirements of this subsection. No access to Suncrest Drive is proposed.

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.

C. No curb cuts shall be allowed any closer to an intersecting street right-of-way line than the following:

- 1. On an arterial when intersected by another arterial, 150 feet.**
- 2. On an arterial when intersected by a collector, 100 feet.**
- 3. On an arterial when intersected by a local street, 100 feet.**
- 4. On a collector when intersecting an arterial street, 100 feet.**
- 5. On a collector when intersected by another collector or local street, 35 feet.**
- 6. On a local street when intersecting any other street, 35 feet.**

D. There shall be a minimum distance between any two adjacent curb cuts on the same side of a public street, except for one-way entrances and exits, as follows:

- 1. On an arterial street, 150 feet.**
- 2. On a collector street, 75 feet.**
- 3. Between any two curb cuts on the same lot or parcel on a local street, 30 feet.**

E. A rolled curb may be installed in lieu of curb cuts and access separation requirements.

F. Curb cuts shall be kept to the minimum, particularly on Highway 43. Consolidation of driveways is preferred. The standard on Highway 43 is one curb cut per business if consolidation of driveways is not possible.

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

Applicant's Facts and Findings: Proposed curb cuts on Ridgebrook Drive for lots 1 and 4 are 18 feet each. The proposed curb cut for lot 3 is 10 feet to accommodate the preservation of a Giant Sequoia on site as shown on Sheet C110. All driveway curb cuts will meet the spacing requirements of this section as shown on Sheet C210.

CHAPTER 55. DESIGN REVIEW

55.100 APPROVAL STANDARDS - CLASS II DESIGN REVIEW

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.

Applicant's Finding: No heritage trees were identified on this site.

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.

Applicant's Finding: The findings of subsections (B)(2)(a) through (f) are found below.

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 either the dedication of these areas or establishing tree conservation easements. 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 + 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.

Applicant's Finding: This site is not classified as Type I or Type II and, therefore, this standard is not applicable.

b. Non-residential and residential projects on non-Type I and II lands shall set aside up to 20 percent of the area to protect trees and tree clusters that are determined to be significant, 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, either by dedication or easement. 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.

Applicant's Finding: The applicant has inventoried all trees on site and has consulted with the City’s arborist to determine which trees on site are significant. The applicant is proposing tree preservation consistent with these requirements, as detailed in the tree protection plan (Sheet C110). The one tree identified as significant on this site will be retained for 100% retention of significant trees.
The requirements of this section have been satisfied.

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.

Applicant's Finding: No street stubouts are proposed on abutting properties.
The requirements of this section have been satisfied.

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.

Applicant's Finding: The R10 zone permits a maximum density of 4.4 dwelling units per net acre. Net acre is defined as “the total gross acres less the public right-of-way and other acreage deductions, as applicable. The net acreage of this site after removal of dedicated right-of-way is 0.98 acres. At 4.4 dwelling units per net acre, the maximum number of dwelling units on this site is 4.3. This proposal is for a 4-lot subdivision. The proposed density for the site is within 70 percent of the maximum allowable density.
The requirements of this section have been satisfied.

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.

Applicant's Finding: Suncrest Drive is a collector adjacent to the site, but no changes are proposed for Suncrest Drive.

The requirements of this section have been satisfied.

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.

Applicant's Finding: The Applicant's proposed improvements will result in removing 23 trees from the site. None of the trees proposed for removal have been identified as significant. 10 additional trees will be retained on site, including one tree identified as significant. 11 off-site trees will be protected, none of which are identified as significant.

The requirements of this section have been satisfied.

Chapter 85 GENERAL PROVISIONS

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. Where street connections are not proposed within or beyond the limits of the proposed subdivision on blocks exceeding 330 feet, or for cul-de-sacs, the tentative plat or partition shall indicate the location of easements that provide connectivity for bicycle and pedestrian use to accessible public rights-of-way.**
- 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. Traffic impact analysis requirements.**

- 1) **Preparation. A Traffic Impact Analysis shall be prepared by a professional engineer qualified under OAR 734-051-0040. The City shall commission the traffic analysis and it will be paid for by the applicant.**
- 2) **Transportation Planning Rule compliance. See CDC 105.050(D), Transportation Planning Rule Compliance.**
- 3) **Pre-application conference. The applicant will meet with West Linn Public Works prior to submitting an application that requires a traffic impact application. This meeting will determine the required elements of the TIA and the level of analysis expected.**

Applicant's Facts and Findings:

The Applicant is not proposing a change in zoning or a plan amendment designation as a part of this land use application, therefore a Traffic Impact Analysis is not required per this subsection.

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.**

Applicant's Facts and Findings:

Minor house and stormwater facility grading will occur onsite. A large amount of hardscape is being removed and reinstalled on Ridgebrook, but all at or near the same grade.

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.**

Applicant's Facts and Findings:

The existing house on the property has water service provided via Suncrest Drive. Following the subdivision, this line would cross lot lines. Therefore, four new services are proposed off Ridgebrook to service Lots 1, 2 and 3 and 4. All proposed water improvements are included on the utility plan Sheet C300 of the land use application.

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 sewer.
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.

Applicant's Facts and Findings:

The existing house has a sanitary lateral connecting to a public sewer main located in the region of Lot 3. This main line will be abandoned at the upstream manhole and service for the existing home will be abandoned. A public sewer extension is proposed along Ridgebrook Drive. Four new sewer laterals will connect to the public sewer in Ridgebrook Drive. All proposed sewer improvements are included on the utility plan Sheet C300 of the land use application.

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.

Applicant's Facts and Findings:

The existing storm main in Ridgebrook Drive will be extended. Lots 1, 3 and 4 will include a LIDA storm planter for treatment and detention for the proposed home according to City requirements. The existing home and lot will not have a LIDA planter installed. No public storm treatment/detention systems are proposed. All proposed storm drainage improvements are included on the utility plan Sheet C300 of the land use application.

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.

Applicant's Facts and Findings: The property is being developed at the highest density allowed under applicable zoning, therefore a redivision plan is not required.

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).

Applicant's Facts and Findings: This site is located northeast of the intersection of Ridgebrook Drive and Suncrest Drive. Ridgebrook Drive is designated a local street and Suncrest Drive is a designated collector. The development of this site will not affect the connectivity of these two streets. Figure 12 of the West Linn Transportation System Plan – Recommended Local Street Connectivity Projects – does not identify a new street connection within or adjacent to this site.

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.

Applicant's Facts and Findings: The site abuts Suncrest Drive and Ridgebrook Drive. Suncrest Drive is a collector with a 60-foot right-of-way using the 58 foot right-of-way option for collectors. Ridgebrook Drive is a local street with a 52-foot right-of-way using the 28-foot street right-of-way option. Right-of-way for both streets meet the width requirements as determined by their functional classifications.

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.

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 or her engineer can demonstrate that site conditions, topography, or site design require the reduced minimum width. For local streets, a 12-foot travel

lane may only be used as a shared local street when the available right-of-way is too narrow to accommodate bike lanes and sidewalks.

Applicant's Facts and Findings: No new streets or roads are proposed with this land use application. Ridgebrook Road and Suncrest Road will continue to meet street width requirements.

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.**

Applicant's Facts and Findings: The pre-application conference notes do not identify the need for any further improvements along Suncrest and Ridgebrook drives.

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.**

Applicant's Facts and Findings: The proposed development will result in three new homes taking access to Ridgebrook Drive via three access points, no more than a normal Local Street traffic load. No arterials are adjacent to this proposal.

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

Applicant's Facts and Findings: The Applicant does not propose reserve strips or street plugs with this application. All rights-of-way will be dedicated to the edge of the adjoining properties.

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.

Applicant's Facts and Findings: Ridgebrook Drive and Suncrest Drive form an existing T intersection. No new streets or roads are proposed as part of this application.

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.)

Applicant's Facts and Findings: The Applicant does not propose any future extension of streets.

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.

Applicant's Facts and Findings: Suncrest Drive and Ridgebrook Drive currently intersect at an angle greater than 60 degrees. The curb radii at the intersection exceeds 25 feet.

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.

**Applicant's
Facts and
Findings:**

Existing street rights-of-way are adequate based on the standards of this chapter.

11. Cul-de-sacs.

- a. **New cul-de-sacs and other closed-end streets (not including stub streets intended to be connected) on sites containing less than five acres, or sites accommodating uses other than residential or mixed use development, are not allowed unless the applicant demonstrates that there is no feasible alternative due to:**
 - 1) **Physical constraints (e.g., existing development, the size or shape of the site, steep topography, or a fish bearing stream or wetland protected by Chapter 32 CDC), or**
 - 2) **Existing easements or leases.**
- b. **New cul-de-sacs and other closed-end streets, consistent with subsection (A)(11)(a) of this section, shall not exceed 200 feet in length or serve more than 25 dwelling units unless the design complies with all adopted Tualatin Valley Fire and Rescue (TVFR) access standards and adequately provides for anticipated traffic, consistent with the Transportation System Plan (TSP).**
- c. **New cul-de-sacs and other closed-end streets (not including stub streets intended to be connected) on sites containing five acres or more that are proposed to accommodate residential or mixed use development are prohibited unless barriers (e.g., existing development, steep topography, or a fish bearing stream or wetland protected by Chapter 32 CDC, or easements, leases or covenants established prior to May 1, 1995) prevent street extensions. In that case, the street shall not exceed 200 feet in length or serve more than 25 dwelling units, and its design shall comply with all adopted TVFR access standards and adequately provide for anticipated traffic, consistent with the TSP.**
- d. **Applicants for a proposed subdivision, partition or a multifamily, commercial or industrial development accessed by an existing cul-de-sac/closed-end street shall demonstrate that the proposal is consistent with all applicable traffic standards and TVFR access standards.**
- e. **All cul-de-sacs and other closed-end streets shall include direct pedestrian and bicycle accessways from the terminus of the street to an adjacent street or pedestrian and bicycle accessways unless the applicant demonstrates that such connections are precluded by physical constraints or that necessary easements cannot be obtained at a reasonable cost.**
- f. **All cul-de-sacs/closed-end streets shall terminate with a turnaround built to one of the following specifications (measurements are for the traveled way and do not include planter strips or sidewalks).**

**Applicant's
Facts and
Findings:** No cul-de-sacs are proposed as part of this land use application.

- 12. Street names. No street names shall be used which will duplicate or be confused with the names of existing streets within the City. Street names that involve difficult or unusual spellings are discouraged. Street names shall be subject to the approval of the Planning Commission or Planning Director, as applicable. Continuations of existing streets shall have the name of the existing street. Streets, drives, avenues, ways, boulevards, and lanes shall describe through streets. Place and court shall describe cul-de-sacs. Crescent, terrace, and circle shall describe loop or arcing roads.**

**Applicant's
Facts and
Findings:** No new streets are proposed as part of this land use application.

- 13. Grades and curves. Grades and horizontal/vertical curves shall meet the West Linn Public Works Design Standards.**

**Applicant's
Facts and
Findings:** Any grades and/or horizontal/vertical curves will meet West Linn Public Works Design Standards.

- 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.**

**Applicant's
Facts and
Findings:** The property does not abut nor contain an existing or proposed arterial street.

- 15. Alleys. Alleys shall be provided in commercial and industrial districts unless other permanent provisions for access to off-street parking and loading facilities are made as approved by the decision-making authority. While alley intersections and sharp changes in alignment should be avoided, the corners of necessary alley intersections shall have radii of not less than 10 feet. Alleys may be provided in residential subdivisions or multi-family projects. The decision to locate alleys shall consider the relationship and impact of the alley to adjacent land uses. In determining whether it**

is appropriate to require alleys in a subdivision or partition, the following factors and design criteria should be considered:

- a. The alley shall be self-contained within the subdivision. The alley shall not abut undeveloped lots or parcels which are not part of the project proposal. The alley will not stub out to abutting undeveloped parcels which are not part of the project proposal.
- b. The alley will be designed to allow unobstructed and easy surveillance by residents and police.
- c. The alley should be illuminated. Lighting shall meet the West Linn Public Works Design Standards.
- d. The alley should be a semi-private space where strangers are tacitly discouraged.
- e. Speed bumps may be installed in sufficient number to provide a safer environment for children at play and to discourage through or speeding traffic.
- f. Alleys should be a minimum of 14 feet wide, paved with no curbs.

**Applicant's
Facts and
Findings:**

No alleys are proposed as part of this land use application.

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.

**Applicant's
Facts and
Findings:**

The applicant proposes to replace the existing 5-foot sidewalk plus planter strip along the Ridgebrook Drive frontage of this property, where required for driveway construction or utility extensions.

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 curblines. 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.

Applicant's Facts and Findings: The applicant proposes to maintain the existing 5.5-foot planter strip along the Ridgebrook Drive frontage of this property. The Applicant also proposes to maintain the existing planter strip located along Suncrest.

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

Applicant's Facts and Findings: No reservations or restrictions are proposed with the street dedication.

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.

Applicant's Facts and Findings: The proposed lots created by subdivision in this land use application have access to a public street via an access easement per City requirements.

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.

Applicant's Facts and Findings: Gated streets are not proposed in this land use application.

21. Entryway treatments and street isle design. When the applicant desires to construct certain walls, planters, and other architectural entryway treatments within a subdivision, the following standards shall apply:

- a. All entryway treatments except islands shall be located on private property and not in the public right-of-way.
- b. Planter islands may be allowed provided there is no structure (i.e., brick, signs, etc.) above the curbline, except for landscaping. Landscaped islands shall be set back a minimum of 24 feet from the curbline of the street to which they are perpendicular.
- c. All islands shall be in public ownership. The minimum aisle width between the curb and center island curbs shall be 14 feet. Additional width may be required as determined by the City Engineer.
- d. Brick or special material treatments are acceptable at intersections with the understanding that the City will not maintain these sections except with asphalt overlay, and that they must meet the Americans with Disabilities Act (ADA) standards. They shall be laid out to tie into existing sidewalks at intersections.
- e. Maintenance for any common areas and entryway treatments (including islands) shall be guaranteed through homeowners association agreements, CC&Rs, etc.

- f. Under Chapter 52 CDC, subdivision monument signs shall not exceed 32 square feet in area.

Applicant's Facts and Findings: No entryway treatments are proposed in this land use application.

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.

Applicant's Facts and Findings: The City Manager has not identified the need for any off-site improvements related to the development of this property.

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.

Applicant's Facts and Findings: No new roads are proposed as part of this land use application and the block pattern is already established.

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. Subdivisions of five or more acres that involve construction of a new street shall have block lengths of no more than 530 feet. If block lengths are greater than 530 feet, accessways on public easements or right-of-way for pedestrians and cyclists shall be provided not more than 330 feet apart. Exceptions can be granted when prevented by barriers such as topography, rail lines, freeways, pre-existing development, leases, easements or covenants that existed prior to May 1, 1995, or by requirements of Titles 3 and 13 of the UGMFP. If streets must cross water features protected pursuant to Title 3 UGMFP, provide a crossing every 800 to 1,200 feet unless habitat quality or the length of the crossing prevents a full street connection.

Applicant's Facts and Findings: No new roads are proposed as part of this land use application and the block pattern is already established.

- 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).**

Applicant's Facts and Findings: The four lots created through this subdivision are each a minimum of 10,000 square feet in size to accommodate single family detached dwelling units in the R10 zone. All four proposed lots exceed the minimum requirements for front lot line length, lot width and lot depth.

- 4. 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.**

Applicant's Facts and Findings: The Applicant is proposing residential development for this site, so this requirement is not applicable.

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

Applicant's Facts and Findings: The subdivision conforms to the provisions of Chapter 48 CDC.

- 6. 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.**

Applicant's Facts and Findings: This land use application does not include double frontage lots.

- 7. 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.**

**Applicant's Facts
and Findings:**

Lot lines and side parcel lines run at right angles to the street.

8. **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.
 - b. **Front yard setbacks** may be based on the rear property line of the lot or parcel which substantially separates the flag lot from the street from which the flag lot gains access. Alternately, the house and its front yard may be oriented in other directions so long as some measure of privacy is ensured, or it is part of a pattern of development, or it better fits the topography of the site.
 - c. **The lot size** shall be calculated exclusive of the accessway; the access strip may not be counted towards the area requirements.
 - d. **The lot depth requirement** contained elsewhere in this code shall be measured from the rear property line of the lot or parcel which substantially separates the flag lot from the street from which the flag lot gains access.
 - e. **As per CDC 48.030**, the accessway shall have a minimum paved width of 12 feet.
 - 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.

**Applicant's Facts
and Findings:**

The land use application does not include flag lots.

9. **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.

Applicant's Facts and Findings:

The proposed lots are not likely to be redivided as the density proposed and the lot sizes proposed are consistent with the maximum allowable density per the site's zoning.

C. Pedestrian and bicycle trails.

1. Trails or multi-use pathways shall be installed, consistent and compatible with federal ADA requirements and with the Oregon Transportation Planning Rule, between subdivisions, cul-de-sacs, and streets that would otherwise not be connected by streets due to excessive grades, significant tree(s), and other constraints natural or manmade. Trails shall also accommodate bicycle or pedestrian traffic between neighborhoods and activity areas such as schools, libraries, parks, or commercial districts. Trails shall also be required where designated by the Parks Master Plan.
2. The all-weather surface (asphalt, etc.) trail should be eight feet wide at minimum for bicycle use and six feet wide at minimum for pedestrian use. Trails within 10 feet of a wetland or natural drainageway shall not have an all-weather surface, but shall have a soft surface as approved by the Parks Director. These trails shall be contained within a corridor dedicated to the City that is wide enough to provide trail users with a sense of defensible space. Corridors that are too narrow, confined, or with vegetative cover may be threatening and discourage use. Consequently, the minimum corridor width shall be 20 feet. Sharp curves, twists, and blind corners on the trail are to be avoided as much as possible to enhance defensible space. Deviations from the corridor and trail width are permitted only where topographic and ownership constraints require it.
3. Defensible space shall also be enhanced by the provision of a three- to four-foot-high matte black chain link fence or acceptable alternative along the edge of the corridor. The fence shall help delineate the public and private spaces.
4. The bicycle or pedestrian trails that traverse multi-family and commercial sites should follow the same defensible space standards but do not need to be defined by a fence unless required by the decision-making authority.
5. Except for trails within 10 feet of a wetland or natural drainageway, soft surface or gravel trails may only be used in place of a paved, all-weather surface where it can be shown to the Planning Director that the principal users of the path will be recreational, non-destination-oriented foot traffic, and that alternate paved routes are nearby and accessible.
6. The trail grade shall not exceed 12 percent except in areas of unavoidable topography, where the trail may be up to a 15 percent grade for short sections no longer than 50 feet. In any location where topography requires steeper trail grades than permitted by this section, the trail shall incorporate a short stair section to traverse the area of steep grades.

Applicant's Facts and Findings:

Sidewalk is provided along the frontage of the property. No pedestrian or bicycle trails are required.

D. Transit facilities.

- 1. The applicant shall consult with Tri-Met and the City Engineer to determine the appropriate location of transit stops, bus pullouts, future bus routes, etc., contiguous to or within the development site. If transit service is planned to be provided within the next two years, then facilities such as pullouts shall be constructed per Tri-Met standards at the time of development. More elaborate facilities, like shelters, need only be built when service is existing or imminent. Additional rights-of-way may be required of developers to accommodate buses.**
- 2. The applicant shall make all transit-related improvements in the right-of-way or in easements abutting the development site as deemed appropriate by the City Engineer.**
- 3. Transit stops shall be served by striped and signed pedestrian crossings of the street within 150 feet of the transit stop where feasible. Illumination of the transit stop and crossing is required to enhance defensible space and safety. ODOT approval may be required.**
- 4. Transit stops should include a shelter structure bench plus eight feet of sidewalk to accommodate transit users, non-transit-related pedestrian use, and wheelchair users. Tri-Met must approve the final configuration.**

Applicant's Facts and Findings: Transit facilities have not been identified by Tri-Met or the City Development Engineer adjacent to this property.

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.**
- 7. On land with slopes in excess of 12 percent, cuts and fills shall be regulated as follows:**

- a. Toes of cuts and fills shall be set back from the boundaries of separate private ownerships at least three feet, plus one-fifth of the vertical height of the cut or fill. Where an exception is required from that requirement, slope easements shall be provided.
 - b. Cuts shall not remove the toe of any slope where a severe landslide or erosion hazard exists (as described in subsection (G)(5) of this section).
 - c. Any structural fill shall be designed by a registered engineer in a manner consistent with the intent of this code and standard engineering practices, and certified by that engineer that the fill was constructed as designed.
 - d. Retaining walls shall be constructed pursuant to Section 2308(b) of the Oregon State Structural Specialty Code.
 - e. Roads shall be the minimum width necessary to provide safe vehicle access, minimize cut and fill, and provide positive drainage control.
8. Land over 50 percent slope shall be developed only where density transfer is not feasible. The development will provide that:
- a. At least 70 percent of the site will remain free of structures or impervious surfaces.
 - b. Emergency access can be provided.
 - c. Design and construction of the project will not cause erosion or land slippage.
 - d. Grading, stripping of vegetation, and changes in terrain are the minimum necessary to construct the development in accordance with subsection J of this section.

Applicant's Facts and Findings: A geotechnical engineering report is included with this submittal. A grading report is included in the submitted plans which complies with all criteria of this subsection.

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.

Applicant's Facts and Findings: The Applicant proposes one replacement and three new water service connections off Ridgebrook Drive to service the four lots which will be created as part of this application. This proposal is consistent with the adopted Comprehensive Water System Plan. All proposed water improvements are included on the utility plan Sheet C300 of the land use application

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.**
- 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.**
- 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.**

Applicant's Facts and Findings:

A public sewer extension is proposed along Ridgebrook Drive. Four new sewer laterals will connect to the public sewer in Ridgebrook Drive. All proposed sewer improvements are included on the utility plan Sheet C300 of the land use application. The proposed sanitary sewer system is consistent with the Sanitary Sewer Master Plan, is in the correct basin and allows for full gravity service.

H. Storm detention and treatment. All proposed storm detention and treatment facilities comply with the standards for the improvement of public and private drainage systems located in the West Linn Public Works Design Standards, there will be no adverse off-site impacts caused by the development (including impacts from increased intensity of runoff downstream or constrictions causing ponding upstream), and there is sufficient factual data to support the conclusions of the submitted plan.

Applicant's Facts and Findings:

The existing storm main in Ridgebrook Drive will be extended. Lots 1, 3 and 4 will include a LIDA storm planter for treatment and detention for the proposed home according to City requirements. The existing home and lot will not have a LIDA planter installed. No public storm treatment/detention systems are proposed. All proposed storm drainage improvements are included on the utility plan Sheet C300 of the land use application.

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.

Applicant's Facts and Findings:

The applicant will establish utility easements as determined by the City Engineer and shown on the preliminary plat. The existing sewer line on proposed lot 3 will be abandoned and the existing easement will be vacated as part of the development.

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.

Applicant's Facts and Findings:

The proposed subdivision does not impact any wetlands or natural drainage ways as none exist on the property.

2. Willamette and Tualatin Greenways. The Willamette and Tualatin River Greenways shall be protected as required by Chapter 28 CDC, Willamette and Tualatin River Protection.

Applicant's Facts and Findings:

No greenways exist on this site or have been identified for dedication on this property. This property is not adjacent to the Willamette or Tualatin River and, therefore, a River Greenway is not feasible on this site.

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

Applicant's Facts and Findings:

There are no existing street trees along the frontage of Ridgebrook Drive. The applicant will install four street trees as a component of the front improvements on Ridgebrook Drive.

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

Applicant's Facts and Findings:

The applicant proposed to install one new light fixture along Ridgebrook Drive to provide adequate lighting per current City standards. A photometric plan has been provided for review on Sheet C290.

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.

Applicant's Facts and Findings: Right-of-way is adequate for the classification of Ridgebrook Drive and Suncrest Drive. No dedications have been proposed or required.

- 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.**

Applicant's Facts and Findings: The Applicant requests an exception to this requirement as the area is substantially built out and because the site is less than one acre. An overhead powerline exists along the site's Suncrest Drive frontage. The southern pole for this line is located at 19240 Suncrest Drive. Because the property has less than 200 feet of frontage along Suncrest Drive and because the poles associated with this line front neighboring properties, the applicant is exempt from undergrounding the existing overhead line.

- 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.**

Applicant's Facts and Findings: The R10 zone permits a maximum density of 4.4 dwelling units per net acre. Net acre is defined as "the total gross acres less the public right-of-way and other acreage deductions, as applicable. The net acreage of this site after removal of dedicated right-of-way is 0.98 acres. At 4.4 dwelling units per net acre, the maximum number of dwelling units on this site is 4.3. This proposal is for a 4-lot subdivision. The proposed density for the site is within 70 percent of the maximum allowable density. The requirements of this section have been satisfied.

- 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.**

Applicant's Facts and Findings: This property is zoned R10 and, therefore, the use of the parcel as an entirely residential development is permitted.

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.**

Applicant's Facts and Findings: The applicant has inventoried all trees on site and has consulted with the City's arborist to determine which trees on site are significant. The applicant is proposing tree preservation consistent with these requirements, as detailed in the tree protection plan (Sheet C110). The one tree identified as significant on this site will be retained.

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:

A. Streets within subdivisions.

1. **All streets within a subdivision, including alleys, shall be graded for the full right-of-way width and improved to the City's permanent improvement standards and specifications which include sidewalks and bicycle lanes, unless the decision-making authority makes the following findings:**
 - a. **The right-of-way cannot be reasonably improved in a manner consistent with City road standards or City standards for the protection of wetlands and natural drainageways.**
 - b. **The right-of-way does not provide a link in a continuous pattern of connected local streets, or, if it does provide such a link, that an alternative street link already exists or the applicant has proposed an alternative street which provides the necessary connectivity, or the applicant has proven that there is no feasible location on the property for an alternative street providing the link.**
2. **When the decision-making authority makes these findings, the decision-making authority may impose any of the following conditions of approval:**
 - a. **A condition that the applicant initiate vacation proceedings for all or part of the right-of-way.**
 - b. **A condition that the applicant build a trail, bicycle path, or other appropriate way.**
3. **If the applicant initiates vacation proceedings pursuant to subsection (A)(2)(a) of this section, and the right-of-way cannot be vacated because of opposition from adjacent property owners, the City Council shall consider and decide whether to process a City-initiated street vacation pursuant to Chapter 271 ORS.**

4. **Construction staging area shall be established and approved by the City Engineer. Clearing, grubbing, and grading for a development shall be confined to areas that have been granted approval in the land use approval process only. Clearing, grubbing, and grading outside of land use approved areas can only be approved through a land use approval modification and/or an approved Building Department grading permit for survey purposes. Catch basins shall be installed and connected to pipe lines leading to storm sewers or drainageways.**

B. Extension of streets to subdivisions. The extension of subdivision streets to the intercepting paving line of existing streets with which subdivision streets intersect shall be graded for the full right-of-way width and improved to a minimum street structural section and width of 24 feet.

C. Local and minor collector streets within the rights-of-way abutting a subdivision shall be graded for the full right-of-way width and approved to the City's permanent improvement standards and specifications. The City Engineer shall review the need for street improvements and shall specify whether full street or partial street improvements shall be required. The City Engineer shall also specify the extent of storm drainage improvements required. The City Engineer shall be guided by the purpose of the City's systems development charge program in determining the extent of improvements which are the responsibility of the subdivider.

D. Monuments. Upon completion of the first pavement lift of all street improvements, monuments shall be installed and/or reestablished at every street intersection and all points of curvature and points of tangency of street centerlines with an iron survey control rod. Elevation benchmarks shall be established at each street intersection monument with a cap (in a monument box) with elevations to a U.S. Geological Survey datum that exceeds a distance of 800 feet from an existing benchmark.

E. Surface drainage and storm sewer system. A registered civil engineer shall prepare a plan and statement which shall be supported by factual data and comply with the standards for the improvement of public and private drainage systems located in the West Linn Public Works Design Standards. Developers are encouraged to adapt storm water management approaches that make use of natural systems and infiltration to manage storm runoff, including the use of vegetated swales, rain gardens, and other like systems where appropriate.

F. Sanitary sewers. Sanitary sewers shall be installed to City standards to serve the subdivision and to connect the subdivision to existing mains.

1. **If the area outside the subdivision to be directly served by the sewer line has reached a state of development to justify sewer installation at the time, the Planning**

Commission may recommend to the City Council construction as an assessment project with such arrangement with the subdivider as is desirable to assure financing his or her share of the construction.

2. If the installation is not made as an assessment project, the City may reimburse the subdivider an amount estimated to be a proportionate share of the cost for each connection made to the sewer by property owners outside of the subdivision for a period of 10 years from the time of installation of the sewers. The actual amount shall be determined by the City Administrator considering current construction costs.

G. Water system. Water lines with valves and fire hydrants providing service to each building site in the subdivision and connecting the subdivision to City mains shall be installed. Prior to starting building construction, the design shall take into account provisions for extension beyond the subdivision and to adequately grid the City system. Hydrant spacing is to be based on accessible area served according to the City Engineer's recommendations and City standards. If required water mains will directly serve property outside the subdivision, the City may reimburse the developer an amount estimated to be the proportionate share of the cost for each connection made to the water mains by property owners outside the subdivision for a period of 10 years from the time of installation of the mains. If oversizing of water mains is required to areas outside the subdivision as a general improvement, but to which no new connections can be identified, the City may reimburse the developer that proportionate share of the cost for oversizing. The actual amount and reimbursement method shall be as determined by the City Administrator considering current or actual construction costs.

H. Sidewalks.

1. Sidewalks shall be installed on both sides of a public street and in any special pedestrian way within the subdivision, except that in the case of primary or secondary arterials, or special type industrial districts, or special site conditions, the Planning Commission may approve a subdivision without sidewalks if alternate pedestrian routes are available.
In the case of the double-frontage lots, provision of sidewalks along the frontage not used for access shall be the responsibility of the developer. Providing front and side yard sidewalks shall be the responsibility of the land owner at the time a request for a building permit is received. Additionally, deed restrictions and CC&Rs shall reflect that sidewalks are to be installed prior to occupancy and it is the responsibility of the lot or homeowner to provide the sidewalk, except as required above for double-frontage lots.
2. On local streets serving only single-family dwellings, sidewalks may be constructed during home construction, but a letter of credit shall be required from the developer to ensure construction of all missing sidewalk segments within four years of final plat approval pursuant to CDC 91.010(A)(2).

3. The sidewalks shall measure at least six feet in width and be separated from the curb by a six-foot minimum width planter strip. Reductions in widths to preserve trees or other topographic features, inadequate right-of-way, or constraints, may be permitted if approved by the City Engineer in consultation with the Planning Director.
4. Sidewalks should be buffered from the roadway on high volume arterials or collectors by landscape strip or berm of three and one-half-foot minimum width.
5. The City Engineer may allow the installation of sidewalks on one side of any street only if the City Engineer finds that the presence of any of the factors listed below justifies such waiver:
 - a. The street has, or is projected to have, very low volume traffic density;
 - b. The street is a dead-end street;
 - c. The housing along the street is very low density; or
 - d. The street contains exceptional topographic conditions such as steep slopes, unstable soils, or other similar conditions making the location of a sidewalk undesirable.

I. **Bicycle routes.** If appropriate to the extension of a system of bicycle routes, existing or planned, the Planning Commission may require the installation of separate bicycle lanes within streets and separate bicycle paths.

J. **Street name signs.** All street name signs and traffic control devices for the initial signing of the new development shall be installed by the City with sign and installation costs paid by the developer.

K. **Dead-end street signs.** Signs indicating “future roadway” shall be installed at the end of all discontinued streets. Signs shall be installed by the City per City standards, with sign and installation costs paid by the developer.

L. **Signs indicating future use** shall be installed on land dedicated for public facilities (e.g., parks, water reservoir, fire halls, etc.). Sign and installation costs shall be paid by the developer.

M. **Street lights.** Street lights shall be installed and shall be served from an underground source of supply. The street lighting shall meet IES lighting standards. The street lights shall be the shoe-box style light (flat lens) with a 30-foot bronze pole in residential (non-intersection) areas. The street light shall be the cobra head style (drop lens) with an approximate 50-foot (sized for intersection width) bronze pole. The developer shall submit to the City Engineer for approval of any alternate residential, commercial, and industrial lighting, and alternate lighting fixture design. The developer and/or homeowners association is required to pay for all expenses related to street light energy and maintenance costs until annexed into the City.

N. Utilities. The developer shall make necessary arrangements with utility companies or other persons or corporations affected for the installation of underground lines and facilities. Electrical lines and other wires, including but not limited to communication, street lighting, and cable television, shall be placed underground.

O. Curb cuts and driveways. Curb cuts and driveway installations are not required of the subdivider at the time of street construction, but, if installed, shall be according to City standards. Proper curb cuts and hard-surfaced driveways shall be required at the time buildings are constructed.

Applicant's Facts and Findings: All curb cuts and driveways installed according to city standards

P. Street trees. Street trees shall be provided by the City Parks and Recreation Department in accordance with standards as adopted by the City in the Municipal Code. The fee charged the subdivider for providing and maintaining these trees shall be set by resolution of the City Council.

Q. Joint mailbox facilities shall be provided in all residential subdivisions, with each joint mailbox serving at least two, but no more than eight, dwelling units. Joint mailbox structures shall be placed in the street right-of-way adjacent to roadway curbs. Proposed locations of joint mailboxes shall be designated on a copy of the tentative plan of the subdivision, and shall be approved as part of the tentative plan approval. In addition, sketch plans for the joint mailbox structures to be used shall be submitted and approved by the City Engineer prior to final plat approval.

Applicant's Facts and Findings: All improvements will be installed per the submitted plans and in conformance with the requirements of this title.

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).

In lieu of accepting an improvement, the Planning Director may recommend to the City Council that the improvement be installed in the area under special assessment financing or other facility extension policies of the City.

Applicant's Facts and Findings: All improvements will be installed in conformance with the requirements of this title.

92.030 IMPROVEMENT PROCEDURES

In addition to other requirements, improvements installed by the developer, either as a requirement of these regulations or at the developer's own option, shall conform to the requirements of this title and permanent improvement standards and specifications adopted by the City and shall be installed in accordance with the following procedure:

A. Improvement work shall not be commenced until plans have been checked for adequacy and approved by the City. To the extent necessary for evaluation of the proposal, the improvement plans may be required before approval of the tentative plan of a subdivision or partition. Plans shall be prepared in accordance with the requirements of the City.

B. Improvement work shall not be commenced until the City has been notified in advance, and if work has been discontinued for any reason, it shall not be resumed until the City has been notified.

C. Improvements shall be constructed under the Engineer. The City may require changes in typical sections and details in the public interest if unusual conditions arise during construction to warrant the change.

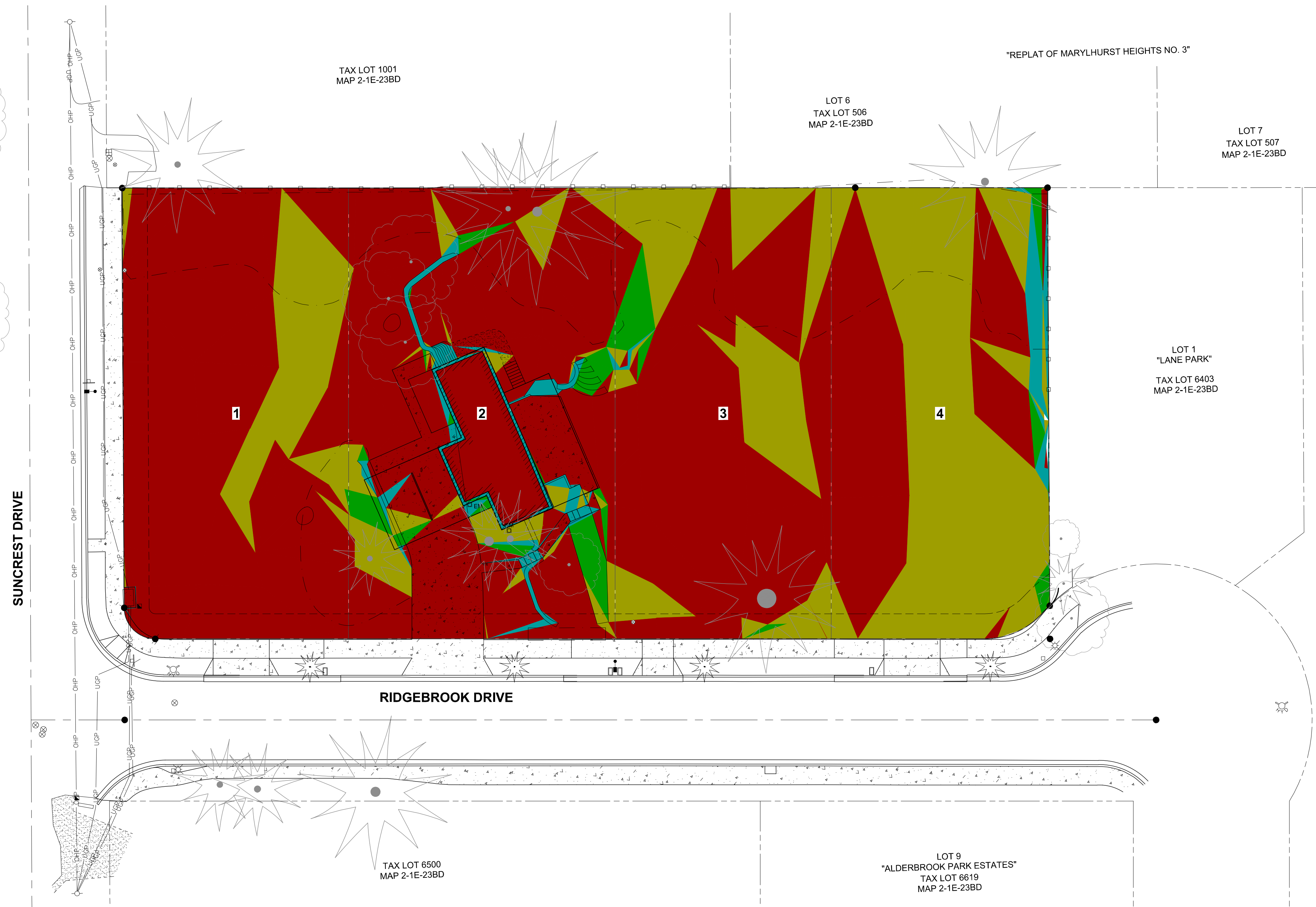
D. All underground utilities, sanitary sewers, and storm drains installed in streets by the subdivider or by any utility company shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities and sanitary sewers shall be placed to a length obviating the necessity for disturbing the street improvements when service connections are made.

E. A digital and mylar map showing all public improvements as built shall be filed with the City Engineer upon completion of the improvements. (Ord. 1408, 1998)

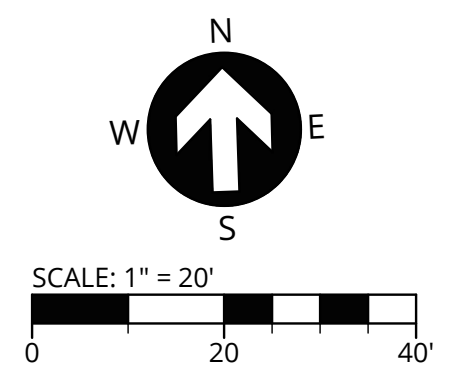
Applicant's Facts and Findings: All improvements will be installed in conformance with the requirements of this title.

SUMMARY AND CONCLUSION

Based upon the materials submitted herein, the Applicant respectfully requests approval from the City's Planning Department of this application for a Subdivision.



Slopes Table				
Slope Range	Minimum Slope	Maximum Slope	Area	Color
1	0%	15%	28,881 SF	Red
2	15%	25%	11,679 SF	Yellow
3	25%	35%	1,086 SF	Green
4	35%	999%	1,100 SF	Blue



PUBLISH DATE
04-23-18
ISSUED FOR
LAND USE SET
REVISIONS

SLOPE ANALYSIS PLAN
SUNCREST SUBDIVISION
19310 SUNCREST DRIVE
KATHLEEN DAILEY
WEST LINN, OREGON

3J CONSULTING
CIVIL ENGINEERING
WATER RESOURCES
LAND USE PLANNING
5075 SW GRIFFITH DRIVE, SUITE 150, BEAVERTON, OR 97005

PROJECT INFORMATION
3J PROJECT # | 17414
TAX LOT(S) | 21E23BD 6401
LAND USE # | N/A
DESIGNED BY | CKW
CHECKED BY | AJM

SHEET NUMBER
C150