

DEVELOPMENT REVIEW APPLICATION

For Office Use Only

STAFF CONTACT John Floyd	PROJECT NO(S) DR-22-03/MISC-22-05/WRG-22-02	PRE-APPLICATION NO. PA-21-21
NON-REFUNDABLE FEE(S)	REFUNDABLE DEPOSIT(S)	TOTAL \$0

Type of Review (Please check all that apply):

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

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

Site Location/Address:

22825 Willamette Drive

Assessor's Map No.: 22E 31AB

Tax Lot(s): 00200

Total Land Area: 5,570 sq.ft.

Brief Description of Proposal:

Adaptive reuse of existing Historic City Hall building as a cultural center to be operated by the Willamette Falls and Landings Heritage Coalition

Applicant Name:

City of West Linn
(please print)
22500 Salamo Rd

John Williams

Phone:

Address:

West Linn, OR 97068 503-657-0331

Email:

jwilliams@westlinnoregon.gov

City State Zip:

Owner Name (required): City of West Linn

(please print)

Phone:

Address: same

Email: City State Zip:

Consultant Name:

(please print)

Iselin Architects, Inc

Phone:

Address:

1307 Seventh Ave

Email:

City State Zip:

Oregon City, OR 97045 503-656-1942 todd@iselinarch.com

1. All application fees are non-refundable (excluding deposit). **Any overruns to deposit will result in additional billing.**
2. The owner/applicant or their representative should be present at all public hearings.
3. A decision may be reversed on appeal. The permit approval will not be effective until the appeal period has expired.
4. The City accepts electronic (.pdf) land use applications and project submissions from applicants. Applicants should submit this form and supporting documents through the [Submit a Land Use Application](https://westlinnoregon.gov/planning/submit-land-use-application) web page:
<https://westlinnoregon.gov/planning/submit-land-use-application>

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

John Williams 5/9/22

Applicant's signature

Date

Owner's signature (***required***)

Date

**Development Review Narrative
for
Design Review,
Historic Review and Willamette
and Tualatin River Protection**

**Renovation and Remodel of
Historic West Linn City Hall
Building for Regional Cultural/
Tourism Center in Partnership
with Willamette Falls and
Landings Heritage Area
Coalition**

**22825 Willamette Dr.
West Linn, Oregon 97068**

City of West Linn
22500 Salamo Rd #1000

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Project Information:

Property Owner: City of West Linn
22500 Salamo Rd #1000
West Linn, OR 97068
Contact: John Williams
jwilliams@westlinnoregon.gov
503-742-6063

Tenant: Willamette Falls and Landings Heritage Coalition
PO Box 387
Marylhurst, OR 97036
Contact: Britta Mansfield
Britta@wfheritage.org
503.419.6340

Architect: Iselin Architects, P.C.
1307 Seventh Street
Oregon City, OR 97045
Contact: Todd Iselin
todd@iselinarch.com
503-656-1942

Site Address: 22825 Willamette Dr.
West Linn, OR 97068

Tax Lot No: 00200
Map No: 22E 31AB
Site Area: 5,570 sq.ft.

Zoning: GC (General Commercial)
Overlays: Historic Landmark

Project Summary:

Project consists of Adaptive reuse of existing Historic City Hall building as a cultural center to be operated by the Willamette Falls and Landings Heritage Coalition.

This Coalition was formed as a joint venture of local non-profit organizations to allow for consolidated services and provide shared incubator space and facilities for heritage and arts groups. The Coalition intends to use this facility to provide community meeting facilities, office spaces and to serve as an interpretive center highlighting area history and displaying local artwork.

The building is historically significant and has now been listed on the National Register of Historic Places. The structure was originally constructed as a unique Public-Private partnership as a Works Project Administration (WPA) project in 1936 to house West Linn City Hall offices and Council Chambers on the upper floor and a grocery store and post office on the main level. It was designed by the prominent architectural firm of Clausen and Clausen, Inc. It is one of several City Hall buildings in Oregon constructed utilizing WPA funds. Other WPA City Hall projects in Oregon include Canby, West Salem and St. Paul. The building has been had several major remodels summarized below and remains in good condition despite being vacant for about 7 years.

Building remodel summary

1939- Upper level remodeled to add public library to City Hall offices

1956- Main level remodeled to convert main level post office and grocery store to police department.

1987- Remodel and addition for accessibility and fire life safety including addition of rear entry, elevator and exterior exit stair.

1999- City Hall moved to Salamo Rd and minor remodeling done to convert entire structure into police department use.

2014- Police department use discontinued and building has remained vacant.

AREA CALCULATIONS:

Site Area: 5700 sq. ft.

Gross Building Areas: 3,760 sq. ft. – main level

3,554 sq. ft. – upper level

7,314 sq. ft. – Total**

**excluded 198 s.f. basement mechanical room

BUILDING CODE SUMMARY:

Prior Occupancies: A-3 (City Council Chambers, Courts)
B (Offices)
M (Mercantile)

Proposed Occupancies: A-3 (Community Halls, Museums)
B (Offices)

Construction Type: III-B (non-combustible exterior walls with unrated interior construction), unsprinklered.

PROPOSED SCOPE OF WORK:

The proposed adaptive reuse project includes exterior renovation, interior remodeling, replacement of mechanical systems and upgrading of plumbing and electrical systems.

Exterior renovations proposed include opening up previously infilled storefront areas at the main level facing Willamette Dr and installing new wood storefront windows, repair of historic radius wood transom windows and upper level wood casement windows, replacement of non-historic aluminum upper level windows and installation of new fixed aluminum awnings to replace original operable awnings that were removed in the 1950's. The existing wood exterior fire stair serving the upper level meeting rooms is proposed to be replaced with a less obtrusive steel stair. Exterior wall mounted air conditioners will be removed and original

openings restored. A new roof will also be installed to provide a more energy efficient and durable building envelope. The existing rear lobby and elevator addition from the 1980's is proposed to remain unchanged.

Interior remodeling will be done to accommodate changes in the building program from the previous police station to allow for more open community use spaces and include accessibility and energy efficiency upgrades. Original upper level coved ceilings will be restored at community meeting room and hallway areas and dropped ceilings and lower level removed. The original staircase to the upper level is proposed to be retained along with original paneling to the extent possible at upper level public areas. Most of the non bearing interior walls at the main level will be demolished to open up the space that was the historic grocery store with ADA compliant ramps installed to connect the multiple floor levels at this space. Toilet rooms and doors will be modified as required to meet current building code requirements.

The original oil fired boiler at the basement is proposed to be decommissioned along with the underground oil storage tank as part of the project. This boiler currently has a steam loop system connected to rooftop package HVAC units with asbestos wrapped galvanized and copper piping. All piping, ductwork and the rooftop mechanical units with obsolete coolant are proposed to be properly abated and removed as part of the work. They will be replaced with new ductless heat pump systems providing efficient heating and cooling and allowing the original ceiling height at the main level to be restored.

Plumbing and electrical infrastructure is generally in good repair and has been continuously upgraded over the years. New, energy efficient fixtures will replace existing.

West Linn Municipal Code Compliance Response:

Chapter 19

GENERAL COMMERCIAL, GC

Sections:

- 19.010 PURPOSE
- 19.020 PROCEDURES AND APPROVAL PROCESS
- 19.030 PERMITTED USES
- 19.040 ACCESSORY USES
- 19.050 USES AND DEVELOPMENT PERMITTED UNDER PRESCRIBED CONDITIONS
- 19.060 CONDITIONAL USES
- 19.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS
- 19.080 DIMENSIONAL REQUIREMENTS, CONDITIONAL USES
- 19.090 OTHER APPLICABLE DEVELOPMENT STANDARDS

19.010 PURPOSE

The purpose of this zone is to provide for the concentration of major retail goods and services at centers. The intent is to provide for the provision of a variety of goods and services and for comparison shopping, to accommodate new businesses and employment opportunities, to promote a suitable mix of commercial uses, to contribute to community identity and to assure that the commercial development is scaled to blend with nearby residential areas, and that the residential areas are protected from noise, glare of lights, traffic congestion and other possible adverse effects. This zone is intended to implement the policies and locational criteria set forth in the Comprehensive Plan.

19.020 PROCEDURES AND APPROVAL PROCESS

A. A use permitted outright, CDC 19.030, 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.

- The proposed use as a cultural center is a Use permitted outright per 19.030 for Cultural Centers and Libraries. Community center and civic assembly uses along Hwy 43 are also an allowed use. No approval under the provision of this Code is required.

B. A use permitted under prescribed conditions, CDC 19.050, is a use for which approval will be granted provided all conditions are satisfied, and:

1. The Planning Director shall make the decision in the manner provided by CDC 99.060(A)(2), Administrative Procedures, except that no notice shall be required; and

2. The decision may be appealed by the applicant to the Planning Commission as provided by CDC 19.060.
 - It was determined that the proposed use is allowed outright at the pre-application conference.

C. A conditional use, CDC 19.060, is a use the approval of which is discretionary with the Planning Commission. The approval process and criteria for approval are set forth in Chapter 60 CDC, Conditional Uses. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 80 CDC.

- No Conditional Use is required for the proposed use.

D. The following code provisions may be applicable in certain situations:

1. Chapter 65 CDC, Non-conforming Uses Involving a Structure.
 2. Chapter 66 CDC, Non-conforming Structures.
 3. Chapter 67 CDC, Non-conforming Uses of Land.
 4. Chapter 68 CDC, Non-conforming Lots, Lots of Record.
 5. Chapter 75 CDC, Variance.
- Refer to Attached narrative for Chapter 66, Non-conforming Structures.

19.040 ACCESSORY USES

1. Manufacture or repackaging of goods for on-site sale. (Ord. 1686 § 2, 2018)
 - No Accessory Uses are proposed. Subsection is not applicable.

19.050 USES AND DEVELOPMENT PERMITTED UNDER PRESCRIBED CONDITIONS

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

1. Single-family residential unit and attached single-family units above a permitted use or a commercial use or place of assembly authorized as a conditional use (e.g., children's day care center, superstore, amusement enterprise, transient lodging, religious institution, school, lodge or community center), and multiple-family units: as a mixed use in conjunction with commercial development, only above the first floor of the structure, except in the Willamette Falls Drive Commercial Design District where dwellings may also occupy a portion of the ground floor pursuant to CDC 58.050.
2. Animal sales and services: kennels, as prescribed with no exterior runs or storage.
3. Animal sales and services: veterinary (small animals), as prescribed with no exterior runs or storage.

4. Signs, subject to the provisions of Chapter 52 CDC.
5. Temporary use, subject to the provisions of Chapter 35 CDC.
6. Home occupations, subject to the provisions of Chapter 37 CDC.
7. Wireless communication facilities, subject to the provisions of Chapter 57 CDC. (Ord. 1192, 1987; Ord. 1385, 1996; Ord. 1565, 2008; Ord. 1613 § 3, 2013; Ord. 1638 § 3, 2015)
 - No prescribed uses are proposed. Subsection is not applicable.

19.060 CONDITIONAL USES

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

- No Conditional Use is being sought for the proposed use. Subsection is not applicable and has been omitted for brevity.

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

A. 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 front lot line length or the minimum lot width at the front lot line shall be 35 feet.
 - The existing front lot line is in excess of 60', exceeding the minimum 35' required.
2. The average minimum lot width shall be 50 feet.
 - The average lot width is more than 68' due to the slightly irregular shape. This exceeds the minimum 50' required.
3. The average minimum lot depth shall not be less than 90 feet.
 - The existing average lot depth is approximately 78'; less than the required 90'. Required parking and maneuvering is being leased behind and beside the building. This additional area behind the building adds 50' to the usable depth of the site to satisfy the minimum 90' depth requirement.
4. Where the use abuts a residential district, except as provided in CDC 58.090(C)(1), the setback distance of the residential zone shall apply.
 - The Site does not abut a residential district. Criterion is not applicable.
5. The maximum lot coverage shall be 50 percent, except as provided in CDC 58.090(C)(1)(d).

- The existing building covers 71% of the lot (3,967 s.f. building area/ 5,573 s.f. lot area). An additional area of approximately 19,950 s.f. is being leased for parking. With the lease area and perpetual access easement immediately to the right side of the building and the triangular area in front of the building (3,522 s.f.) considered part of the project site the lot coverage is an effective 13.7%.

6. The maximum building height shall be two and one-half stories or 35 feet for any structure located within 50 feet of a low or medium density residential zone, and three and one-half stories or 45 feet for any structure located 50 feet or more from a low or medium density residential zone.

- The existing building is two stories with a maximum height of 33' -4" measured from the lowest grade to top of parapet. Site is not within 50' of a residential zone. Height is less than 3 ½ story/ 50 ' maximum allowed.

7. For lot lines that abut an arterial, there shall be no minimum yard dimensions or minimum building setback area, and the maximum building setback shall be 20 feet. The front setback area between the street and the building line shall consist of landscaping or a combination of non-vehicular hardscape areas (covered with impervious surfaces) and landscaped areas. If there are not street trees within the public right-of-way, the front setback area shall include such trees per the requirements of the City Arborist.

- A small triangular section of property (aprox.3522 s.f.) separates the building from the Hwy. 43 right of way. It is currently believed that this parcel is unused Right of Way under City of West Linn jurisdiction. This property is currently a landscaped plaza with non-vehicular paved areas. This plaza is proposed to be renovated as part of this project to provide required bicycle parking and an enhanced pedestrian plaza/ Art garden to conform with current land use requirements. Based on survey work recently commissioned by The City, the existing building is about 10' from the property line at that point and approximately 5' from the front lot line.

B. The requirements of subsections (A)(1) through (5) of this section may be modified for developments under the planned unit development provisions of Chapter 24 CDC. (Ord. 1401, 1997; Ord. 1425, 1998; Ord. 1614 § 5, 2013; Ord. 1622 § 24, 2014)

- No Planned Unit Development is proposed. Criterion is not applicable.

19.080 DIMENSIONAL REQUIREMENTS, CONDITIONAL USES

Except as may otherwise be established by this code, the appropriate lot or parcel size for a conditional use shall be determined by the approval authority at the time of consideration of the application based upon the criteria set forth in CDC 60.070(A) and (B). (Ord. 1636 § 15, 2014)

- No Conditional Use is proposed with this application. Criterion is not applicable.

Chapter 25

OVERLAY ZONES – HISTORIC DISTRICT

Sections:

- 25.010 PURPOSES
- 25.020 USE OF THIS CHAPTER
- 25.030 PERMITTED USES
- 25.040 HISTORIC DESIGN REVIEW PROCESSES
- 25.050 APPLICATION REQUIREMENTS
- 25.060 DESIGN STANDARDS APPLICABLE TO HISTORIC RESOURCES
- 25.070 ADDITIONAL STANDARDS APPLICABLE TO HISTORIC DISTRICTS
- 25.080 MODIFICATIONS TO DESIGN STANDARDS
- 25.090 DESIGNATION OF A HISTORIC RESOURCE
- 25.100 REMOVAL OF HISTORIC RESOURCE DESIGNATION
- 25.110 RELOCATION OF A HISTORIC RESOURCE
- 25.120 DEMOLITION OF A HISTORIC RESOURCE
- 25.130 DEMOLITION BY NEGLECT
- 25.140 HISTORIC RESOURCE MAP

25.010 PURPOSES

The purposes of this chapter are to:

- A. Foster community and neighborhood pride and sense of community identity based on recognition and use of historic and cultural resources.
- B. Identify and protect the City's historic resources (see Chapter 2 CDC, Definitions), including the diverse architectural styles that reflect the phases of the City's history.
- C. Encourage preservation and use of historic sites, structures, and districts within the City that reflect special elements of its historical, architectural, archaeological, artistic, cultural, and engineering heritage.
- D. Provide procedures and establish approval criteria for all reviews of proposed alterations to the exterior of historic structures and sites and other development in historic districts.
- E. Increase economic and financial benefits to historic property owners and the community.
- F. Ensure that changes to designated historic resources protect the integrity of the resource and the significant aspects of the area's heritage.
- G. Provide regulations that will ensure the preservation of the quality and historic integrity of historic resources and their site and, if applicable, ensure compatibility and consistency with the qualities of the respective historic district its nomination was intended to preserve.
- H. Provide for creation of new historic districts and designation of new landmarks, as appropriate, and to allow removal of such designations if they are no longer appropriate.

I. Provide a process to enable thoughtful consideration of the proposed demolition of historic structures. (Ord. 1614 § 6, 2013)

25.020 USE OF THIS CHAPTER

A. Applicability. This chapter shall apply to all properties designated as historic resources as shown on the City's zoning map and properties listed on the National Register. Specific sections apply as noted in subsections B and C of this section.

- The provisions of this Chapter apply. The building is currently listed on the local inventory and National Register.

B. Hierarchy of regulation. The provisions of this chapter shall supersede any conflicting standards or criteria elsewhere in the CDC. The underlying zoning provisions for the applicable zone still apply.

1. Exemptions. The items listed in CDC 25.040(A), Exemptions from historic design review, are exempt from historic review provided that they comply with any applicable requirements in CDC 25.040(A).

- No exemption from historic design review is being sought with this application.

2. Design standards. CDC 25.060, Design standards applicable to historic resources, applies to historic reviews for designated properties, except for CDC 25.060(B), Standards for accessory structures, which applies only to accessory structures on sites containing historic resources.

- Refer to following narrative for compliance with requirements of Section 25.060.

3. Additional design standards. CDC 25.070, Additional design standards applicable to historic districts, provides additional standards that are applicable to historic design review for historic district properties.

a. CDC 25.070(A), Standards for alterations and additions, applies only to historic design review in a historic district.

b. CDC 25.070(B), Standards for new construction, applies only to new development or construction in a historic district beyond alterations and additions, and including accessory structures.

c. CDC 25.070(C), Willamette Historic District general standards, applies only to alterations and additions, new construction, and accessory structure construction in the Willamette Historic District.

- Requirements of section 25.070 are not applicable. This is an individual designated landmark structure outside of designated districts.

C. Applicability of historic design standards. Development subject to this chapter must comply with applicable historic design review standards unless otherwise approved through the modifications process under CDC 25.080. The "X" in the following chart indicates which standards are applicable to different types of development.

- Requirements of Section 25.060 are applicable based on following table. Table has been omitted for brevity.

25.030 PERMITTED USES

Unless otherwise provided for in this chapter, uses permitted by the base zoning district that are in accordance with the CDC are allowed on sites containing historic resources. (Ord. 1614 § 6, 2013)

- The proposed use of the building complies with those of the underlying commercial zone. Refer to Chapter 19 narrative.

25.040 HISTORIC DESIGN REVIEW PROCESSES

Proposed changes to historic resources that are not exempted by subsection A of this section, Exemptions from historic design review, are subject to subsection B of this section, Class I historic design review, or subsection C of this section, Class II historic design review. Class I historic design review addresses significant changes that warrant staff review. Class II historic design review addresses major changes including additions and new construction, subject to Historic Review Board approval. The processes for conducting Class I and Class II historic design review are in Chapter 99 CDC.

A. Exemptions from historic design review. The following are exempt from historic design review:

- Reroofing and replacement of upper level window sashes are technically exempt from historic design review. We are requesting these items as part of a more comprehensive review due to the significance of this building and being a publicly owned structure. List of exempt items has been omitted for brevity.

B. Class I historic design review. The following are subject to Class I historic design review to determine their compliance with the applicable approval standards:

1. Nonexempt. Items listed in CDC 25.040(A)(1) through (17) that do not qualify for an exemption;
2. Facade alteration. Alteration of a facade when 100 square feet or less of the structure's facade is being altered;
3. Ingress/egress. Revised points of ingress/egress to a site;
4. Americans with Disabilities Act. Proposals seeking compliance with the Americans with Disabilities Act, not including the public right-of-way; and
5. Art and statuary. Construction of freestanding art and statuary over 10 feet tall.
 - The proposed façade alteration exceeds the 100 s.f. threshold for a Class I historic design review. Class II review is required.

C. Class II historic design review. All proposed new construction, alterations, and additions, not identified as exempt under subsection A of this section, or subject to Class I historic design review under subsection B of this section, are subject to Class II historic design review and must meet the applicable approval standards. (Ord. 1614 § 6, 2013)

- This application is being submitted for Class II Historic Design Review.

25.050 APPLICATION REQUIREMENTS

A. Historic design review. Applications for historic design review shall include the following:

1. Narrative. Written narrative explaining the proposal and how it meets the approval criteria in CDC 25.060 and 25.070, as applicable;
2. Existing plan and elevation drawings. Plan and elevation drawings of the existing structure, if applicable, including materials;
3. Proposed plan and elevation drawings. Plan and elevation drawings of the proposed changes, including materials;

4. Current photographs. Photographs of the existing structure, if applicable;
5. Historic photographs. Historic photographs and/or drawings of the existing structure, if available; and
 - This application consists of the required narrative, existing drawings, proposed alteration drawings, current and historic photographs.
6. Supplementary. For additions that increase the gross square footage of the structures on the site by more than 50 percent, and/or new construction in a historic district:
 - a. Plan and elevation drawings of adjacent properties; and
 - b. A rendering and/or photo-simulation showing the proposal in context.
 - Application does not include any increase in square footage or new construction within a district. No plans or elevations of adjacent structures have been included with this application.

B. Designation of a historic resource. Applications for designation as an historic resource shall include the following:

- The property is already a locally designated landmark and listed on the National Register of Historic Places. Requirements of section have been omitted for brevity.

C. Removal of historic resource designation. Applications for removal of historic resource designation shall include the following:

- No removal of designation is being sought. Requirements of section have been omitted for brevity.

D. Relocation of a historic resource. Applications for relocation of an historic resource shall include the following:

- No relocation of a historic resource is proposed. Requirements of section have been omitted for brevity.

E. Demolition of a historic resource.

- No demolition of a historic resource is being sought. Requirements of section have been omitted for brevity.

25.060 DESIGN STANDARDS APPLICABLE TO HISTORIC RESOURCES

The following design standards apply to all changes, including alterations, additions, and new construction proposed on a designated historic resource. These standards are intended to preserve the features that made the resources eligible for historic designation. Development must comply with all applicable standards, or be approved through the modifications process specified in CDC 25.080.

A. Standards for alterations and additions. This section applies to historic reviews for alteration of and additions to designated historic resources:

1. Retention of original construction. The original construction shall be maintained or restored to

the greatest extent practicable. Stylistic features of original construction that shall be preserved include, but are not limited to: a line of columns, decorative shingles, projecting bays, other primary structural elements, spatial relationships that characterize the property, examples of skilled craftsmanship that characterize the building, and architectural details defining the structure's character and historic significance.

- The Original reinforced concrete building shell with its simple rectangular form will be retained. The defining stylistic elements including the arch top windows at the upper level are to be retained and restored. Original patterned brickwork is to be retained and selectively repaired at the south side where weathered. Previously infilled main level openings are proposed to be restored to the original configuration to the extent possible given current building code requirements. No changes are proposed to the 1980's addition at the south (rear) side of the building, which is a clearly distinct and compatible addition to the building.

2. Retention of historic material. Removal or alteration of historic materials and features shall be avoided during the construction of new additions or exterior alterations. Whenever possible, deteriorated materials and architectural features shall be repaired rather than replaced. In the event replacement of an existing feature is necessary, new materials shall, to the extent possible, match those of the original building in terms of composition, design, color, texture, and other visual features.

- Existing historic building materials are proposed to be retained where present. Previously installed aluminum windows are proposed to be replaced with new wood clad windows to match original wood windows at the upper level. New lower level windows and doors are also proposed to be wood clad units. Exact replication of original window and door configurations is not possible due to building code requirements for accessibility and energy efficiency.

3. Time period consistency. Buildings shall be recognizable as a physical record of their time and place. Alterations which have no historical basis or which seek to create a false sense of historical development are not allowed.

- The original architecture of the Historic West Linn City Hall building will remain recognizable. The previous addition to the rear of the structure is proposed to be retained since it has become part of the history of the building and is compatible yet distinct from original construction due to materials used and detailing.
- Window replacement/ repair at upper level areas are preservation elements consistent with the Secretary of the Interiors Standards. The modifying of previously infilled openings and replacement of non-historic fabric awnings at the main level are intended to be compatible with the original structure, but clearly distinguishable by

knowledgeable persons as contemporary elements.

4. Significance over time. Changes to a property that have acquired historic significance in their own right, and during the period of significance, shall be retained and preserved.

- The steel windows from the 1940's or 1950's installed at the main level when original openings were infilled are proposed to be demolished. These were installed during the period of significance, but are incompatible with the design of the original building and the program needs for the proposed Cultural Center.

5. Differentiate old from new. Alterations and additions shall be differentiated from the original buildings and shall be compatible with the historic materials, features, size, scale, proportion, and massing to protect the integrity of the property.

- The new awnings proposed will be a more contemporary, permanent addition to the building that will be a contemporary element recognizable by individuals with knowledge of historic buildings. The original crank out style fabric awnings would require on-going maintenance and would likely never be retracted by a facility staffed by volunteers. The current curved fabric awnings are in poor condition and detract from the historic building.
- Other alterations proposed bring the building back closer to its original design. The wainscoting below the original storefront windows was noted as marble on the original construction drawings and no photographic evidence has been found that would illustrate the exact type of marble. A marble like porcelain tile is proposed for this element. A person with knowledge in building materials will recognize this as a contemporary, yet compatible element.

6. Reversibility. Additions and alterations shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its context would be unimpaired.

- The proposed exterior alterations will remove previously infilled openings closer to their original design intent.
- The proposed awnings could be removed at a later date without damaging the historic fabric of the building.

7. Building additions. Building additions shall be subordinate to the original building, smaller in scale, and attached to the rear or set back along the side. Features of building additions, including

the proportions of window and door openings, shall be consistent with those of the existing building. Dimensional and other requirements in the underlying zone, as applicable, shall apply.

- Criterion does not apply. No building additions are proposed as part of this project.

8. Building height and roof pitch. Existing or historic building heights and roof pitch shall be maintained.

- No alteration to the building height or roof pitch is proposed. Communication equipment currently visible above the parapet will be removed as part of the project.

9. Roof materials. Replacement of a roof or installation of a new roof with materials other than cedar shingles, three tab asphalt shingles, or architectural composition shingles must be demonstrated, using photographic or other evidence, to be in character with those of the original roof, or with materials that are consistent with the original construction.

- The building has a flat roof that was originally a hot mopped built up asphalt roof. The existing roof is a modified bitumeous membrane roofing that is over 30 years old according to City records. A new TPO membrane roofing is proposed to replace this. The roof is not visible from the ground due to the original parapet on all 4 sides of the building.

10. Existing exterior walls and siding. Replacement of the finish materials of existing walls and siding with different material must be demonstrated, using photographic or other evidence, to be in character with those of the original materials, or with materials that are consistent with the original construction.

- Original exterior brick is being retained and will be salvaged from the structure to patch modified areas of the exterior. Large format porcelain tile will be used to replicate original marble wainscoting that shown in the original construction documents for the building at restored storefront areas. It is unknown if this marble cladding was actually installed as specified.

11. New exterior walls and siding. Wood siding or shingles shall be used unless the applicant demonstrates that an alternative material has a texture and finish typically used on similar style buildings of the era, or the era the building style references. Vinyl or other materials that do not match those that were typically used on similar style buildings of the era, or the era the building style references, are not permitted.

- Criterion does not apply. No new exterior walls are proposed.

12. Gutters and downspouts. Replacement or new gutters and downspouts shall be rectangular, ogee, or K-shaped and comprised of wood or metal material, or styles and materials that match those that were typically used on similar style buildings of the era, or the era the building style references. Vinyl or other materials and styles that do not match those that were typically used on similar style buildings of the era, or the era the building style references, are not permitted.

- No gutters exist on the building. Existing downspouts and scuppers will be reused.

13. New windows. New windows shall match the appearance of the original windows as closely as possible. Wood window frames and sashes shall be used unless the applicant demonstrates that the non-wood windows are consistent with their wooden counterparts, including profile and proportion of the sash, sill, trim, light patterns, glass color, and profile of mullions and muntins. The window trim and sill shall match the original trim.

- New windows are proposed to match original design with true divided lite wood construction with aluminum cladding for longevity. These will replace incompatible steel and aluminum sash windows installed between 1950-1970. Trim and sill will match original windows still intact on the Willamette Dr elevation.
- Original wood radius top transom windows and casements on the Willamette Dr façade will be repaired and repainted as part of the Project.

14. Storm windows. Storm windows shall be made of painted wood, baked enamel, anodized aluminum, or another material that is consistent with the color, detail, and proportions of the building.

- No storm windows are proposed. Section does not apply.

15. Window replacement. Replacement of windows or window sashes shall be consistent with the original historic appearance, including the profile of the sash, sill, trim, window plane relative to the building wall plane, light pattern, glass color, profile of mullions and muntins, and color.

- New upper level windows are proposed to match original design with true divided lite wood construction with aluminum cladding for longevity. These will replace incompatible steel and aluminum sash windows installed between 1950-1970. Trim and sill will match original windows still intact on the Willamette Dr elevation.

- New storefront windows will be wood clad units with minimal framing between units to match original design intent with more energy efficient technologies now available.

16. Doors. Doors shall be painted or stained wood, fiberglass clad, or metal clad, or another material that is consistent with the original historic appearance.

- New exterior doors will be wood clad to match windows.

17. Porches. Front porches are allowed on new construction. No front porch shall be added to a structure if there was not one originally. Existing front porches shall not be enclosed or enlarged.

Alterations to existing front porches and side yard porches that face a street shall:

a. Maintain the shape, width, and spacing of the original columns; and

b. Maintain the height, detail, and spacing of the original balustrade.

- No porch ever existed on this commercial building or is proposed. Section does not apply.

18. Decks. Decks shall be located in rear yard or the portion of the side yard behind the front 50 percent of the primary structure.

- No deck ever existed on this commercial building or is proposed. Section does not apply.

19. Foundations. Repair or construction of a foundation that results in raising or lowering the building elevation must demonstrate that:

- No change in foundation height is proposed as part of the work. Foundation work will be limited to the minimal required for structural modifications.

20. Lighting. Residential lighting shall be shielded to prevent glare and compatible with the architectural character of the building. Blinking, flashing, or moving lighting is not permitted.

- New exterior lighting will be shielded to prevent glare and be in character with the original building.

B. Standards for accessory structures. The following standards apply to accessory structures on properties designated as historic resources in addition to the regulations in Chapter 34 CDC:

1. All accessory structures.

a. Location.

1) Accessory structures in the Willamette Historic District are subject to the setback requirements of CDC 25.070(C)(1) through (4);

2) Accessory structures on historic landmark properties must meet the setback requirements of the underlying zone and Chapter 34 CDC;

3) Detached accessory structures shall be in the rear yard; and

4) Two-story accessory structures shall be at least 10 feet from the house; and one-story accessory structures shall be at least three feet from the house.

b. Height. Accessory structures in the Willamette Historic District are subject to CDC 25.070(C)(7). Accessory structures on historic landmark properties must meet the height requirements of the underlying zone and Chapter 34 CDC.

- No accessory structures are proposed. Section does not apply.

25.070 ADDITIONAL STANDARDS APPLICABLE TO HISTORIC DISTRICTS

This section provides additional standards that are applicable to properties within a historic district.

- Property is not located within a historic district. Section has been omitted for brevity.

Chapter 28

WILLAMETTE AND TUALATIN RIVER PROTECTION

Sections:

- 28.010 PURPOSE
- 28.020 *REPEALED*
- 28.030 APPLICABILITY
- 28.040 EXEMPTIONS/USES PERMITTED OUTRIGHT
- 28.050 PROHIBITED USES
- 28.060 ADMINISTRATION AND APPROVAL PROCESS
- 28.070 PLANNING DIRECTOR VERIFICATION OF METRO HABITAT PROTECTION MAP BOUNDARIES
- 28.080 TIME LIMIT ON APPROVAL
- 28.090 SUBMITTAL REQUIREMENTS: APPLICATION
- 28.100 ADDITIONAL SUBMITTAL INFORMATION REQUIRED, WAIVER OF SUBMITTAL REQUIREMENTS
- 28.110 APPROVAL CRITERIA
- 28.120 SITE PLAN
- 28.130 GRADING PLAN
- 28.140 ARCHITECTURAL DRAWINGS
- 28.150 LANDSCAPE PLAN
- 28.160 MITIGATION PLAN
- 28.170 PENALTIES

Prior legislation: Ordinances 1474 and 1549.

28.010 PURPOSE

The purposes of the Willamette and Tualatin River Protection Area are the following:

- A. Protect, conserve, enhance, and maintain the natural, scenic, historical, economic, and recreational qualities of lands along the Willamette and Tualatin Rivers.
- B. Implement the policies of the West Linn Comprehensive Plan and the State of Oregon's Willamette River Greenway program.
- C. Establish standards and requirements for the existing and future use of lands within the Willamette and Tualatin River Protection Areas.
- D. Provide for the review of any intensification of use, change of use, or development within the Willamette and Tualatin River Protection Areas.
- E. Encourage local stewardship of the Willamette and Tualatin River Protection Areas.
- F. Protect, preserve and expand legal public use and access to and along the shoreline and river, while recognizing and preserving private property rights.
- G. Create incentives to direct development to areas where it is most appropriate.
- H. Protect and enhance riparian habitat for native flora, fish, and wild life within the Willamette and Tualatin Rivers and along their banks. (Ord. 1576, 2008)

28.020 DEFINITIONS

Repealed by Ord. 1604. (Ord. 1576, 2008)

28.030 APPLICABILITY

A. The Willamette and Tualatin River Protection Area is an overlay zone. The zone boundaries are identified on the City's zoning map, and include:

1. All land within the City of West Linn's Willamette River Greenway Area.
2. All land within 200 feet of the ordinary low water mark of the Tualatin River, and all land within the 100-year floodplain of the Tualatin River.
3. In addition to the Willamette Greenway and Tualatin River Protection Area boundaries, this chapter also relies on the HCA Map to delineate where development should or should not occur. Specifically, the intent is to keep out of, or minimize disturbance of, the habitat conservation areas (HCAs). Therefore, if all, or any part, of a lot or parcel is in the Willamette Greenway and Tualatin River Protection Area boundaries, and there are HCAs on the lot or parcel, a Willamette and Tualatin River Protection Area permit shall be required unless the development proposal is exempt per CDC 28.040.

B. At the confluence of a stream or creek with either the Tualatin or Willamette River, the standards of this chapter shall apply only to those portions of the lot or parcel fronting the river. Meanwhile, development in those portions of the property facing or adjacent to the stream or creek shall meet the transition, setbacks and other provisions of Chapter 32 CDC, Water Resource Area Protection.

C. All uses permitted under the provisions of the underlying base zone and within the Willamette and Tualatin River Protection Area zone are allowed in the manner prescribed by the base zone subject to applying for and obtaining a permit issued under the provisions of this chapter unless specifically exempted per CDC 28.040.

D. The construction of a structure in the HCA or the expansion of a structure into the HCA when the new intrusion is closer to the protected water feature than the pre-existing structure. (Ord. 1576, 2008; Ord. 1604 § 21, 2011; Ord. 1636 § 26, 2014)

- The site is located within the Willamette Greenway Area, but outside any HCA. Development of the Site and adjacent property to be leased in conjunction with this use is limited to removal of existing impervious pavement to create required landscape islands. All work associated with the structure is within the existing building envelope and exempt from provisions of this chapter.

Chapter 42

CLEAR VISION AREAS

Sections:

- 42.020 CLEAR VISION AREAS REQUIRED, USES PROHIBITED
- 42.030 EXCEPTIONS
- 42.040 COMPUTATION; STREET AND ACCESSWAY 24 FEET OR MORE IN WIDTH
- 42.050 COMPUTATION; ACCESSWAY LESS THAN 24 FEET IN WIDTH

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.

- The location of the existing historic building does not comply with current vision clearance requirements at the intersection of Mill St and Hwy 43. Modifications to this condition are not possible without demolishing the historic building or re-alignment of the right of way. No modification to this existing non-compliant condition is proposed.

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. (Ord. 1192, 1987)

- The clear vision area at the existing parking lot access is proposed to be modified to comply with requirement of this section. No structural modifications, fences or landscaping are proposed that will encroach further than existing conditions at the Mill St and Hwy 43 intersection.

42.030 EXCEPTIONS

The following described area in Willamette shall be exempt from the provisions of this chapter. The units of land zoned General Commercial which abut Willamette Falls Drive, located between 10th and 16th Streets. Beginning at the intersection of Willamette Falls Drive and 11th Street on 7th Avenue to 16th Street; on 16th Street to 9th Avenue; on 9th Avenue to 14th Street to the Tualatin River; following the Tualatin River and Willamette River to 12th Street; on 12th Street to 4th Avenue; on 4th Avenue to 11th Street; on 11th Street to Willamette Falls Drive. This described area does not include the northerly side of Willamette Falls Drive. (Ord. 1636 § 29, 2014)

- Site is not located in the Willamette area. Exception is not applicable.

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:

- The clear vision at the new 24' wide driveway will provide approximately a 39' triangular area, exceeding the 30' required. Diagram has been omitted for brevity.

42.050 COMPUTATION; ACCESSWAY LESS THAN 24 FEET IN WIDTH

The clear vision area for street and accessway intersections (accessways having less than 24 feet in width) shall be that triangular area whose base extends 30 feet along the street right-of-way line in both directions from the centerline of the accessway at the front setback line of a single-family and two-family residence, and 30 feet back from the property line on all other types of uses.

Clear vision area for corner lots and driveways less than 24 feet in width:

- Proposed two way driveway to parking area is 24' wide. Criterion is not applicable. Diagram has been omitted for brevity.

Chapter 46

OFF-STREET PARKING, LOADING AND RESERVOIR AREAS

Sections:

- 46.010 PURPOSE
- 46.020 APPLICABILITY AND GENERAL PROVISIONS
- 46.030 SUBMITTAL REQUIREMENTS
- 46.040 APPROVAL STANDARDS
- 46.050 JOINT USE OF A PARKING AREA
- 46.060 STORAGE IN PARKING AND LOADING AREAS PROHIBITED
- 46.070 MAXIMUM DISTANCE ALLOWED BETWEEN PARKING AREA AND USE
- 46.080 COMPUTATION OF REQUIRED PARKING SPACES AND LOADING AREA
- 46.090 MINIMUM OFF-STREET PARKING SPACE REQUIREMENTS
- 46.100 PARKING REQUIREMENTS FOR UNLISTED USES
- 46.110 RESERVOIR AREAS REQUIRED FOR DRIVE-IN USES
- 46.120 DRIVEWAYS REQUIRED ON SITE
- 46.130 OFF-STREET LOADING SPACES
- 46.140 EXEMPTIONS TO PARKING REQUIREMENTS
- 46.150 DESIGN AND STANDARDS

46.010 PURPOSE

The purpose of this chapter is to provide standards for the number and arrangement of parking, loading, and reservoir areas. Most of these provisions relate to commercial, office, and industrial uses. Parking lot design has often been criticized for creating large expanses of paved areas, separating the business from the public street. That arrangement makes it less attractive for pedestrians to access these buildings. The challenge is balancing the business community's desire for ample visible parking to attract prospective customers with the community interest of encouraging safe, non-vehicular access, minimizing the visual impact of parking, and creating a more attractive streetscape and urban environment.

Most parking facilities in non-residential developments contain spaces which are infrequently used, available for the few days a year when parking is at a premium. For these spaces, permeable parking surfaces provide a suitable parking surface which can reduce surface runoff and increase water quality, as well as improve the aesthetic appearance of the parking lot. West Linn encourages the use of permeable parking surfaces in appropriate situations. (Ord. 1463, 2000; Ord. 1622 § 25, 2014)

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.

- The change in use of the structure triggers compliance with the provisions of this Chapter. Since the site is limited in area, parking is being leased to accommodate this use.

B. The provision and maintenance of off-street parking and loading spaces are the continuing obligation of the property owner.

- The lease agreement for the parking will include maintenance provisions to ensure parking lot is maintained as designed.

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.

- The building permits will be conditional upon approval of the parking by all agencies having jurisdiction.

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. (Ord. 1463, 2000; Ord. 1622 § 25, 2014; Ord. 1636 § 30, 2014)

- Parking improvements will be done concurrently with building remodeling and completed prior to final inspections.

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. (Ord. 1463, 2000)

- The parking plan submitted with this application illustrates all proposed improvements on the list above.

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. (Ord. 1463, 2000)

- Refer to attached narrative addressing Chapters 52 and 54 of the CDC.

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. (Ord. 1547, 2007; Ord. 1622 § 25, 2014)

- Leased parking is to be utilized for the sole use of The Project and not intended to be shared with other uses. Access and drive aisles may ultimately be shared with other portions of The Mill property when the lease is finalized to provide efficient circulation and to not create additional impervious areas.

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.

- On-Site Parking spaces will be used exclusively for patrons and employees of the facility. It will not be used for storage of materials or vehicles.

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.

- Project does not include any dwelling units. Criterion is not applicable.

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.

- No shared parking or requirement for more than 40 spaces is necessary for this project. All parking spaces are located less than 175' from the building; less than the 200' maximum distance permitted.
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.
- Project does not include any industrial or manufacturing use. Criterion is not applicable.
3. Employee parking areas for carpools and vanpools shall be located closer to the entryway to the building than general employee parking.
- Carpool/ Vanpool parking is located closer to building entries 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.
- No stacked or valet parking is proposed. Criterion is not applicable.
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. (Ord. 1547, 2007)
- Disabled parking is placed closest to the building entry than other spaces.

46.080 COMPUTATION OF REQUIRED PARKING SPACES AND LOADING AREA

A. Where several uses occupy a single structure or unit of land, a combination of uses is included in one business, or a combination of uses in the same or separate buildings share a common parking area as in the case of a shopping center, the total off-street parking spaces and loading area shall be the sum of the requirements of the several uses, computed separately. For example, parking for an auto sales and repair business would be calculated using the “retail-bulky” calculation for the sales area and the “service and repair” calculation for the repair area. In another example, parking for a shopping center with a grocery store, a restaurant, and a medical office would be calculated using the “general retail store” calculation for the grocery store, the “restaurant” calculation for the restaurant, and the “medical/dental clinics” calculation for the medical office. The total number of required parking spaces may be reduced by up to 10 percent to account for cross-patronage (when a customer visits several commercial establishments during one visit to the commercial center) of adjacent businesses or services in a commercial center with five or more separate commercial establishments.

- There are three distinct uses within this building. The museum and office use are predominately daytime uses and the community meeting room will primarily be used in the evenings. City Staff has therefore agreed that the more restrictive Community Meeting requirement may be used to calculate minimum parking requirement rather than require leasing of additional spaces that will likely not be utilized.

B. To calculate building square footage as a basis for determining how many parking spaces are needed, the area measured shall be gross floor area under the roof measured from the faces of the structure, including all habitable floors and excluding only space devoted to covered off-street parking or loading.

- Gross floor areas dedicated to each use have been considered as follows:
Office use - 804 s.f.
Museum use - 6,334 s.f.
Meeting Room - 896 s.f.

C. Where employees are specified, the employees counted are the persons who work on the premises including proprietors, executives, professional people, production, sales, and distribution employees, during the largest shift.

- Employees have not been specified for parking calculations. Staffing will likely not be consistent at this facility due to the volunteer nature of the non-profit operators.

D. Fractional space requirements shall be counted as a whole space.

- Fractional parking spaces have been rounded up in calculation of minimums.

E. On-street parking along the immediate property frontage(s) may be counted toward the minimum parking requirement with approval from the City Engineer.

- With the proposed modification to the parking access, four on-street parking spaces directly adjacent to the building and parking area are available to count toward the minimum parking.

F. When an office or commercial development is proposed which has yet to identify its tenants, the parking requirement shall be based upon the “office” or “general retail” categories, respectively.

- Tenants and users for this unique building have been identified and are being specifically accounted for.

G. As permitted uses are replaced with new permitted uses within an existing commercial or business center, modification of the number of parking spaces relative to the new mix of uses is not required unless other modifications of the site which require design review approval pursuant to Chapter 55 CDC are proposed. (Ord. 1463, 2000; Ord. 1622 § 25, 2014; Ord. 1636 § 31, 2014)

- If building use is changed in the future, parking needs will need to be reevaluated.

46.090 MINIMUM OFF-STREET PARKING SPACE REQUIREMENTS

- Minimum Parking has been calculated based on Community Center Use of one space/ 28 s.f. of meeting room with an 896 s.f. area to arrive at a minimum of 32 required spaces.
The museum use and office uses combined yield a total of 18 spaces based on an office use of 1/ 370 s.f. and museum use of 1/ 500 s.f. + 1 space per 2 employees assuming 4 staff persons.
The more restrictive number of 32 spaces has been used for the base minimum number.
Table has been omitted for brevity.

F. Maximum parking. Parking spaces (except for single-family and two-family residential uses) shall not exceed the minimum required number of spaces by more than 10 percent.

- A maximum parking of 36 spaces would be allowed for this use with a 10% increase.

G. Parking reductions. An applicant may reduce parking up to 10 percent for development sites within one-quarter mile of a transit corridor or within a mixed-use commercial area, and up to 10 percent for commercial development sites adjacent to multi-family residential sites with the potential to accommodate more than 20 dwelling units.

- Tri-Met bus lines 35 and 154 serve nearby bus stops and the site is adjacent to multi-family residential properties, so a 10% reduction is available to lower the minimum required parking from 32 to 29. Thirty total spaces are proposed, with four of those being on-street.

H. For office, industrial, and public uses where there are more than 20 parking spaces for employees on the site, at least 10 percent of the required employee parking spaces shall be reserved for carpool use before 9:00 a.m. on weekdays. The spaces will be the closest to the building entrance, except for any disabled parking and those signed for exclusive customer use. The carpool/vanpool spaces shall be clearly marked “Reserved – Carpool/ Vanpool Before 9:00 a.m.”

- Twenty nine spaces are required. Three of these will be signed “Reserved- Carpool/ Vanpool Before 9:00 am. They are located closer to the building entry than other spaces, except those for Disabled persons.

I. Existing developments along transit streets or near transit stops may redevelop up to 10 percent of the existing parking spaces to provide transit-oriented facilities, including bus pullouts, bus stops and shelters, park and ride stations, and other similar facilities.

- No transit oriented facilities are proposed as part of this project.

J. Development in water resource areas may reduce the required number of parking spaces by up to 25 percent. Adjacent improved street frontage with curb and sidewalk may also be counted towards the parking requirement at a rate of one parking space per 20 lineal feet of street frontage adjacent to the property. (Ord. 1291, 1990; Ord. 1391, 1996; Ord. 1408, 1998; Ord. 1425, 1998; Ord. 1463, 2000; Ord. 1499, 2003; Ord. 1547, 2007; Ord. 1622 § 25, 2014; Ord. 1623 § 4, 2014; Ord. 1650 § 1 (Exh. A), 2016; Ord. 1675 § 38, 2018)

- Site is not located in a water resource area. Criterion is not applicable.

46.100 PARKING REQUIREMENTS FOR UNLISTED USES

A. Upon application and payment of fees, the decision-making authority, as provided by CDC 99.060(B), may rule that a use not specifically listed in CDC 46.090 is a use similar to a listed use and that the same parking standards shall apply. The ruling on parking requirements shall be based on the requirements of Chapter 99 CDC and findings that:

1. The use is similar to and of the same general type as a listed use;
2. The use has similar intensity, density and off-site impacts as the listed use; and

3. The use has similar impacts on the community facilities as the listed use.
 - No interpretation of similar uses is being sought in conjunction with this application.

B. This section does not authorize the inclusion of a use in a zone where it is not listed, or a use which is specifically listed in another zone or which is of the same general type, and is similar to a use specifically listed in another zone.

- Proposed uses are allowed outright in this zone.

46.110 RESERVOIR AREAS REQUIRED FOR DRIVE-IN USES

All uses providing drive-in service as defined by this code shall provide, on the same site, a reservoir space a minimum of 15 feet long for each car, as follows:

- No Drive-in service is proposed. Sub-Section has been omitted.

46.120 DRIVEWAYS REQUIRED ON SITE

Any school or other meeting place which is designed to accommodate more than 25 people at one time shall provide a 15-foot-wide driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading passengers. Depending on functional requirements, the width may be increased with Planning Director approval.

- The public meeting room has a Code capacity of 60 persons. The driveway/ circulation system has been designed to accommodate a one way flow of traffic for loading and unloading passengers.

46.130 OFF-STREET LOADING SPACES

Buildings or structures to be built or substantially altered, which receive and distribute material or merchandise by truck, shall provide and maintain off-street loading and maneuvering space. The dimensional standard for loading spaces is a minimum of 14 feet wide by 20 feet long or proportionate to accommodate the size of delivery trucks that typically serve the proposed use as follows:

- No off street loading berths are required due to the use and relatively small size of the uses proposed. Table has been omitted for brevity.

46.140 EXEMPTIONS TO PARKING REQUIREMENTS

To facilitate the design requirements of Chapter 58 CDC, properties in the Willamette Falls Drive Commercial Design District, located between 10th and 16th Streets, shall be exempt from the minimum parking and off-street

loading requirements as identified in this chapter. Any off-street parking or loading spaces voluntarily provided shall be designed and installed per the dimensional standards of this code. (Ord. 1463, 2000; Ord. 1638 § 3, 2015; Ord. 1675 § 39, 2018)

- Site is not located within the Willamette Falls Drive Commercial Design District. Criterion does not apply.

46.150 DESIGN AND STANDARDS

The following standards apply to the design and improvement of areas used for vehicle parking, storage, loading, and circulation:

A. Design standards.

1. “One standard parking space” means a minimum for a parking stall of eight feet in width and 16 feet in length. These stalls shall be identified as “compact.” To accommodate larger cars, 50 percent of the required parking spaces shall have a minimum dimension of nine feet in width and 18 feet in length (nine feet by 18 feet). When multi-family parking stalls back onto a main driveway, the stalls shall be nine feet by 20 feet. Parking for development in water resource areas may have 100 percent compact spaces.
 - 73% of parking spaces are proposed to be standard size, 19% compact size and 8% ADA compliant.
2. Disabled parking and maneuvering spaces shall be consistent with current federal dimensional standards and subsection B of this section and placed nearest to accessible building entryways and ramps.
 - Disabled parking spaces and aisles are proposed per current ANSI standards and located nearest to the accessible entry.
3. *Repealed by Ord. 1622.*
4. Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the site.
 - Access aisles have been designed to facilitate flow of traffic and provide maximum safety for pedestrians and parking lot users.
5. Each parking and/or loading space shall have clear access, whereby the relocation of other vehicles to utilize the parking space is not required.
 - Parking spaces will be striped and have clear and obvious access.
6. Except for single- and two-family residences, any area intended to be used to meet the off-street parking requirements as contained in this chapter shall have all parking spaces clearly marked using a permanent paint. All interior drives and access aisles shall be clearly marked and signed to show direction of flow and maintain vehicular and pedestrian safety. Permeable parking surface spaces may have an alternative delineation for parking spaces.
 - All parking spaces will be permanently painted. Two way drive aisles are proposed.

7. Except for residential parking, and parking for public parks and trailheads, at least 50 percent of all areas used for the parking and/or storage and/or maneuvering of any vehicle, boat and/or trailer shall be improved with asphalt or concrete surfaces according to the same standards required for the construction and acceptance of City streets. The remainder of the areas used for parking may use a permeable paving surface designed to reduce surface runoff. Parking for public parks or trailheads may use a permeable paving surface designed to reduce surface runoff for all parking areas. Where a parking lot contains both paved and unpaved areas, the paved areas shall be located closest to the use which they serve.

- The existing parking area is almost entirely paved with asphalt. The proposed parking lot design utilizes the existing asphalt surface and will add 693 s.f. of new asphalt and remove 2111 s.f. of existing asphalt for new landscape islands. No unpaved areas are proposed for parking.

8. Off-street parking spaces for single- and two-family residences shall be improved with an asphalt or concrete surface, or a permeable parking surface designed to reduce surface runoff, to specifications as approved by the Building Official. Other parking facilities for two- and single-family homes that are to accommodate additional vehicles, boats, recreational vehicles, and trailers, etc., need not be paved. All parking for multi-family residential development shall be paved with concrete or asphalt. Driveways shall measure at least 20 feet from the back of sidewalk to garage or the end of the parking pad to accommodate cars and sport utility vehicles without the vehicles blocking the public sidewalk.

- No dwelling units are proposed. Criteria are not applicable.

9. Access drives from the street to off-street parking or loading areas shall be designed and constructed to facilitate the flow of traffic and provide maximum safety for pedestrian and vehicular traffic on the site. The number of access drives shall be limited to the minimum that will allow the property to accommodate and service the anticipated traffic. Access drives shall be clearly and permanently marked and defined through use of rails, fences, walls, or other barriers or markers on frontage not occupied by service drives.

- A new 24' wide access drive off Mill St is proposed just to the south of the existing drive to allow for CDC compliant parking stalls and better vision clearance. New landscape planters are proposed to the south side of this access drive to delineate the drive aisle and provide separation from the existing mill parking.

10. Access drives shall have a minimum vision clearance as provided in Chapter 42 CDC, Clear Vision Areas.

- Refer to Chapter 42 CDC narrative.

11. Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop at least four inches high located two feet back from the front of the parking stall. Such parking spaces may be provided without wheel stops if the sidewalks or landscaped areas adjacent the parking stalls are two feet wider than the minimum width.

- Parking spaces along boundary and adjacent to landscape areas or sidewalks will all be provided with wheel stops. Refer to Parking Plan.

12. Off-street parking and loading areas shall be drained in accordance with plans and specifications approved by the City Engineer. Storm drainage at commercial sites may also have to be collected to treat oils and other residue.

- The parking lot is an existing asphalt parking area that has been paved for at least 50 years. No detention or water quality currently exists for this impervious area. A reduction of 1,418 s.f. of impervious, paved area is proposed to provide some infiltration. No water quality is proposed. Final grading and storm drainage design for parking area will be refined and approved by the City Engineer prior to commencement of construction.
13. Artificial lighting on all off-street parking facilities shall be designed to deflect all light downward away from surrounding residences and so as not to create a hazard to the public use of any road or street.
- Existing pole mounted lights provide adequate lighting for safety and do not impact nearby residential properties or produce glare that creates a public hazard. One existing utility pole with a light is proposed to be relocated to accommodate circulation and will provide more even light distribution than the existing location. Existing lights are directed downward.
14. Directional arrows and traffic control devices which are placed on parking lots shall be identified.
- Painted directional arrows and signage are identified on Parking Plan.
15. The maximum driveway grade for single-family housing shall be 15 percent. The 15 percent shall be measured along the centerline of the driveway only. Grades elsewhere along the driveway shall not apply. 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 must maintain a maximum grade of 12 percent as measured along the centerline of the driveway only. Grades elsewhere along the driveway shall not apply.
- No single family dwelling is proposed.
16. Visitor or guest parking must be identified by painted “GUEST” or “VISITOR.”
- “VISITOR” spaces will be painted per Parking plan.
17. The parking area shall have less than a five percent grade. No drainage across adjacent sidewalks or walkways is allowed.
- No portion of the existing Mill parking lot proposed to be used for this Project exceed 5% grade. No changes to existing drainage patterns are proposed.
18. Commercial, office, industrial, and public parking lots may not occupy more than 50 percent of the main lot frontage of a development site. The remaining frontage shall comprise buildings or landscaping. If over 50 percent of the lineal frontage comprises parking lot, the landscape strip between the right-of-way and parking lot shall be increased to 15 feet wide and shall include terrain variations (e.g., one-foot-high berm) plus landscaping. The defensible space of the parking lot should not be compromised.
- Parking is located entirely behind or to the side of the building.
19. Areas of the parking lot improved with asphalt or concrete surfaces shall be designed into areas of 12 or less spaces through the use of defined landscaped area. Groups of 12 or less spaces are defined as:

a. Twelve spaces in a row, provided there are no abutting parking spaces, as in the case when the spaces are abutting the perimeter of the lot; or

- No more than six spaces in a row are proposed. Diagram omitted for brevity.

b. Twelve spaces in a group with six spaces abutting together; or

- No more than Eleven spaces are grouped together as proposed. Refer to Parking Plan. Diagram has been omitted for brevity.

c. Two groups of 12 spaces abutting each other, but separated by a 15-foot-wide landscape area including a six-foot-wide walkway.

- No groups of more than 11 spaces are proposed. Requirement is met. Diagram has been omitted for brevity.

d. Parking areas improved with a permeable parking surface may be designed using the configurations shown in subsections (A)(19)(a), (b) and (c) of this section except that groups of up to 18 spaces are allowed.

- No permeable paving is proposed. Sections 19.a-c above are complied with.

e. The requirements of this chapter relating to total parking lot landscaping, landscaping buffers, perimeter landscaping, and landscaping the parking lot islands and interior may be waived or reduced pursuant to CDC 32.110(F) in a WRA application without a variance being required.

- Site is not in a WRA. Criterion is not applicable.

20. Pedestrian walkways shall be provided in parking areas having 20 or more spaces. Walkways or sidewalks shall be constructed between major buildings/activity areas (an example in multi-family housing: between recreation center, swimming pool, manager's office, park or open space areas, parking lots, etc.) within a development, between adjacent developments and the new development, as feasible, and between major buildings/activity areas within the development and adjacent streets and all adjacent transit stops. Internal parking lot circulation and design should maintain ease of access for pedestrians from streets and transit stops. Walkways shall be constructed using a material that visually contrasts with the parking lot and driveway surface. Walkways shall be further identifiable to pedestrians and motorists by grade separation, walls, curbs, surface texture (surface texture shall not interfere with safe use of wheelchairs, baby carriages, shopping carts, etc.), and/or landscaping. Walkways shall be six feet wide. The arrangement and layout of the paths shall depend on functional requirements.

- Dedicated pedestrian walkways with grade or texture separation from parking and circulation areas are not proposed at this site due to the constrained site area and anticipated low volume of use. Twenty six total on site parking spaces are proposed, but they are divided into 2 distinct smaller area to the south and west side of the existing building creating smaller parking lots with clearly defined parking spaces and circulation designed to be navigated by motorist at low speeds to provide safety for motorists and pedestrian. Installing dedicated pedestrian walkways at this lease d parking area would require additional space to be leased by the City and additional cost to do so and construct the improvements to this existing parking area.

21. The parking and circulation patterns are easily comprehended and defined. The patterns shall be clear to minimize traffic hazards and congestion and to facilitate emergency vehicles.

- The parking areas have been laid out to be intuitive and minimize traffic hazard and congestion for both daily use and occasional more intense use. Separation of large vehicles associated with the mill use is provided by the proposed location and addition of landscape islands. The circulation pattern allows for maneuvering of emergency vehicles.

22. The parking spaces shall be close to the related use.

- Parking spaces are located as close as possible to the existing building, utilizing a portion of the Mill site that they have agreed to lease.

23. Permeable parking spaces shall be designed and built to City standards.

- No permeable parking spaces are proposed since the site is currently paved with asphalt.

B. Accessible parking standards for persons with disabilities. If any parking is provided for the public or visitors, or both, the needs of the people with disabilities shall be based upon the following standards or current applicable federal standards, whichever are more stringent:

1. Minimum number of accessible parking space requirements (see following table):

- Two accessible parking spaces, with one of these being van accessible are proposed in accordance with State and City requirements. Table has been omitted for brevity.

2. Location of parking spaces. Parking spaces for the individual with a disability that serve a particular building shall be located on the shortest possible accessible circulation route to an accessible entrance to a building. In separate parking structures or lots that do not serve a particular building, parking spaces for the persons with disabilities shall be located on the shortest possible circulation route to an accessible pedestrian entrance of the parking facility.

- Accessible parking spaces are located adjacent to the south entry door/ accessible entry. Two accessible parking spaces, with one of these being van accessible are proposed in accordance with State and City requirements. Table has been omitted for brevity.

3. Accessible parking space and aisle shall meet ADA vertical and horizontal slope standards.

- The proposed location of accessible parking spaces complies with current slope standards.

4. Where any differences exist between this section and current federal standards, those standards shall prevail over this code section.

- Proposed ADA parking and accessible route to building entry complies with all applicable State and Federal standards.
5. One in every eight accessible spaces, but not less than one, shall be served by an access aisle 96 inches wide.
- A 96" wide shared access aisle is provided in the proposed layout.
6. Van-accessible parking spaces shall have an additional sign marked "Van Accessible" mounted below the accessible parking sign. A van-accessible parking space reserved for wheelchair users shall have a sign that includes the words "Wheelchair Use Only." Van-accessible parking shall have an adjacent eight-foot-wide aisle. All other accessible stalls shall have a six-foot-wide aisle. Two vehicles may share the same aisle if it is between them. The vertical clearance of the van space shall be 96 inches.
- A signed van accessible space with a shared 96" wide access aisle for the non van - accessible parking space is proposed.

C. Landscaping in parking areas. Reference Chapter 54 CDC, Landscaping.

- The addition of landscaping is proposed to satisfy requirements of CDC Chapter 54. Refer to following narrative for Chapter 54 compliance.

D. Bicycle facilities and parking.

1. Provisions shall be made for pedestrian and bicycle ways if such facilities are shown on an adopted plan.
 - Provisions to accommodate pedestrians and bicycles are provided for on the proposed plan. Pedestrian connections to building entries are provided for and bicycle parking in accordance with requirements of this section are proposed.

2. Bicycle parking facilities shall either be lockable enclosures in which the bicycle is stored, or secure stationary racks which accommodate bicyclist's locks securing the frame and both wheels. The bicycle parking shall be no more than 50 feet from the entrance to the building, well-lit, observable, and properly signed.
 - Bicycle parking is proposed utilizing secure stationary racks that are near building entries in areas that are well lit and observable.

3. Bicycle parking must be provided in the following amounts:
 - If uses for automobile parking are consistently considered for bicycle parking the museum and office space require a minimum of 12 bicycle parking spaces based on 1.5 spaces/ 1,000 sq. ft (6.334 x 1.5 = 10 spaces) for museum use and a minimum of 2 spaces for office use. The Auditorium use requires an additional 2 spaces based on an occupancy load of 60 at the rate of 1 space/ 30 seats. Since it was determined that the community meeting room use will not be concurrent with museum and office uses the more restrictive 12 spaces has been utilized as a minimum. 25% of these spaces are required to be covered for museum and auditorium uses and 10% for office use.

A total of 14 bicycle spaces are proposed due to readily available bike rack configurations. 5 of these spaces will be located under the existing exterior stair to provide cover. Table has been omitted for brevity.

E. Office or industrial developments shall be allowed a 10 percent reduction in the number of required parking spaces when the property owner agrees to a demand management program that includes three or more of the following measures:

- Criteria are not applicable. Project is not an office or industrial development and no parking reduction is being sought.

F. (See Figures 1 and 2 below.)

- Proposed parking lot layout complies with dimensional standards illustrated in this CDC section. Figures have been omitted for brevity.

Chapter 48

ACCESS, EGRESS AND CIRCULATION

Sections:

48.010 PURPOSE

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48.025 ACCESS CONTROL

48.030 MINIMUM VEHICULAR REQUIREMENTS FOR RESIDENTIAL USES

48.040 MINIMUM VEHICLE REQUIREMENTS FOR NON-RESIDENTIAL USES

48.050 ONE-WAY VEHICULAR ACCESS POINTS

48.060 WIDTH AND LOCATION OF CURB CUTS AND ACCESS SEPARATION REQUIREMENTS

48.070 PLANNING DIRECTOR'S AUTHORITY TO RESTRICT ACCESS APPEAL PROVISIONS

48.080 BICYCLE AND PEDESTRIAN CIRCULATION

48.010 PURPOSE

The purpose of this chapter is to ensure that efficient, safe, and well-directed vehicular, bicycle, and pedestrian access, circulation, and egress are designed into development proposals. Access management seeks to balance mobility, the need to provide efficient, safe and timely travel with the ability to allow access to individual properties. Proper implementation of access management techniques should guarantee reduced congestion, reduced accident rates, less need for roadway widening, conservation of energy, and reduced air pollution. (Ord. 1584, 2008)

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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. (Ord. 1584, 2008; Ord. 1636 § 32, 2014)

- The change in use of the Historic City Hall building requires compliance with provisions of this Section

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.

- Access is being managed to improve safety for users of this non-conforming structure and the public as a whole with proposed improvements.

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, Transportation Impact Analysis.)

- City Staff and ODOT did not request a Traffic impact analysis for this proposed change in use. The proposed use will have less impact than historic uses of this property.

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.

- The proposed new driveway location and access will require a new curb cut, and recording of reciprocal access easements that are anticipated to be part of final lease negotiations for leased parking to be used by this facility.

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” as approved by the City Engineer.

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.

- The Site currently has no direct access for parking due to its constrained size and existing non-conforming structure. Parking was historically located on separate tax lot to the north, but has been closed off to Hwy 43 since the 1970’s. Since that time informal access for parking associated with the building has been through the gas station to the east of the site and through the Mill property at the south side. Parking was previously stripped for the City Hall building at the area between the Building and gas station as well. The most recent survey included limited title search which has determined that this is actually an access easement which can’t be utilized in this manner. This access has now been temporarily closed and it is assumed it will be permanently dosed with future ROW improvements that are planned. A new access off Mill St is proposed to provide a dedicated access for auto parking, separate from the mill use involving larger vehicles in compliance with Option 3 above.

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).

- No subdivision is proposed as part of the Project. Criterion does 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.

- A single access to parking is proposed off Mill St. This is the street with the lowest classification being designated as a local commercial street.

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.

- The spacing standards for a local commercial street in the TSP is identified as 50'. The proposed driveway will be approximately 116' from the intersection of Hwy 43 and approximately 190' from the driveway to the south on Mill St where the curb and sidewalk end.

b. Private drives and other access ways are subject to the requirements of CDC 48.060.

- No private drive or other access ways are proposed. Criterion is not applicable.

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.

- A separate access point specifically for the leased parking area is desirable in this case to minimize conflicts between passenger vehicles and commercial truck traffic from the mill.

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).

- No access is proposed from an arterial or collector street. Criterion is not applicable.

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.

- It is assumed that an access easement will be recorded as part of the leased parking required for this project. Final lease agreement is still being negotiated at this time.

c. Exception. Shared driveways are not required when existing development patterns or physical constraints (e.g., topography, lot or parcel configuration, and similar conditions) prevent extending the street/driveway in the future.

- No exception to a shared driveway is proposed at this time, but may be desirable depending on the future use of the adjacent mill property to the south. The proposed new driveway is intended for passenger vehicles with a desire to provide separation from commercial truck traffic. It will be acceptable to share this access drive if the mill plans to utilize the adjacent property for employee parking, but will not be desirable if the mill intends to use this area for tractor trailer storage and maneuvering, which would be better accommodated further to the south..

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. (Ord. 1635 § 25, 2014; Ord. 1636 § 33, 2014; Ord. 1650 § 1 (Exh. A), 2016; Ord. 1675 § 40, 2018)

- No new public or private streets are proposed and the land use does not involve creation of new lots or blocks. Subsection is not applicable.

48.030 MINIMUM VEHICULAR REQUIREMENTS FOR RESIDENTIAL USES

- No residential uses are proposed. Section is not applicable and has been deleted for brevity.

48.040 MINIMUM VEHICLE REQUIREMENTS FOR NON-RESIDENTIAL USES

Access, egress, and circulation system for all non-residential uses shall not be less than the following:

A. Service drives for non-residential uses shall be fully improved with hard surface pavement:

- The existing drives and proposed modification will all be fully improved with hard surface pavement.
1. With a minimum of 24-foot width when accommodating two-way traffic; or
 - The proposed two way access to the parking area will be 24' wide.
 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.
 - A two way access is proposed. Subsection is not applicable.
 3. Meet the requirements of CDC 48.030(E)(3) through (6).
 - The applicable requirements of CDC 48.030 are met with this application.
 4. Pickup window driveways may be 12 feet wide unless the Fire Chief determines additional width is required.
 - No pickup windows or drive thru uses are proposed. Subsection is not applicable.

B. All non-residential uses shall be served by one or more service drives as determined necessary to provide convenient and safe access to the property and designed according to CDC 48.030(A). In no case shall the design of the service drive or drives require or facilitate the backward movement or other maneuvering of a vehicle within a street, other than an alley.

- A single service drive is sufficient to accommodate parking access, emergency vehicles and service vehicles like garbage trucks for the proposed use.

C. All on-site maneuvering and/or access drives shall be maintained pursuant to CDC 46.130.

- All on-site access drives and maneuvering areas will be maintained by the user pursuant to CDC requirements.

D. Gated accessways to non-residential uses are prohibited unless required for public safety or security. (Ord. 1408, 1998, Ord. 1463, 2000)

- No gated accessways are proposed. Subsection is not applicable.

48.050 ONE-WAY VEHICULAR ACCESS POINTS

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

- No one way vehicular access point to the site is proposed. Criterion is not applicable.

48.060 WIDTH AND LOCATION OF CURB CUTS AND ACCESS SEPARATION

REQUIREMENTS

A. Minimum curb cut width shall be 16 feet.

- A single 24' wide curb cut is proposed in compliance with this subsection.

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.

- A single 24' wide curb cut is proposed on Mill St for this project. No access from Hwy 43 is proposed.

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.

- Mill St is identified on the TSP as a local commercial street. The distance for the proposed curb cut to the Hwy 43 ROW is approximately 116', exceeding the 35' minimum requirement of this section.

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.
- The proposed curb cut location will be approximately 190' from the driveway to the south on Mill St where the curb and sidewalk end, complying with this dimensional standard..

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

- No rolled curb is proposed. Subsection is not applicable..

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.

- The new curb cut proposed will create a separate defined, leasable area from the surrounding mill property, comply with all spacing standards and provide separation between passenger vehicles and heavy truck traffic for safety purposes.

G. Adequate line of sight pursuant to engineering standards should be afforded at each driveway or accessway. (Ord. 1270, 1990; Ord. 1584, 2008; Ord. 1636 § 35, 2014)

- The proposed new curb cut location provides vision clearance in excess of that required
by CDC requirements.

48.070 PLANNING DIRECTOR'S AUTHORITY TO RESTRICT ACCESS APPEAL PROVISIONS

A. In order to provide for increased traffic movement on congested streets and eliminate turning movement problems, the Planning Director and the City Engineer, or their designee, may restrict the location of driveways on said street and require the location of driveways on adjacent streets upon the finding that the proposed access would:

1. Provide inadequate access for emergency vehicles; or
 2. Cause or increase hazardous conditions to exist which would constitute a clear and present danger to the public health safety and general welfare.
- B. A decision by the Planning Director may be appealed to the Planning Commission as provided by CDC 99.240(B).

- No objection to the proposed location of the driveway location is anticipated by the Planning Director or City Engineer. In the case of such a decision by the City, the facility operator will reserve the right to appeal per CDC Chapter 99.

48.080 BICYCLE AND PEDESTRIAN CIRCULATION

A. Within all multi-family developments (except two-family/duplex dwellings), each residential dwelling shall be connected to vehicular parking stalls, common open space, and recreation facilities by a pedestrian pathway system having a minimum width of six feet and constructed of an all-weather material. The pathway material shall be of a different color or composition from the driveway. (Bicycle routes adjacent to the travel lanes do not have to be of different color or composition.)

- Project is not a multi-family development. Criterion is not applicable.

B. Bicycle and pedestrian ways within a subdivision shall be constructed according to the provisions in CDC 85.200(A)(3).

- No subdivision is proposed. Criterion is not applicable.

C. Bicycle and pedestrian ways at commercial or industrial sites shall be provided according to the provisions of Chapter 55 CDC, Design Review.

- Bicycle and pedestrian ways are existing or being provided per provisions of CDC Chapter 55.

Chapter 54

LANDSCAPING

Sections:

- 54.010 PURPOSE
- 54.020 APPROVAL CRITERIA
- 54.030 PLANTING STRIPS FOR MODIFIED AND NEW STREETS
- 54.040 INSTALLATION
- 54.050 PROTECTION OF STREET TREES
- 54.060 MAINTENANCE
- 54.070 SPECIFICATION SUMMARY

54.010 PURPOSE

The purpose of this chapter is to provide for the design, selection, installation, and maintenance of landscaping. The landscaping is intended to provide an attractive natural balance to built areas, to reduce runoff, to provide shade, to screen or buffer uses, and to frame or complement views. The chapter also encourages the selection of plant materials that will provide long-term growth, a balance of year-round coverage and greenery, and a variety of species for a more healthy, disease-resistant plant inventory.

54.020 APPROVAL CRITERIA

A. Every development proposal requires inventorying existing site conditions which include trees and landscaping. In designing the new project, every reasonable attempt should be made to preserve and protect existing trees and to incorporate them into the new landscape plan. Similarly, significant landscaping (e.g., bushes, shrubs) should be integrated. The rationale is that saving a 30-foot-tall mature tree helps maintain the continuity of the site, they are qualitatively superior to two or three two-inch caliper street trees, they provide immediate micro-climate benefits (e.g., shade), they soften views of the street, and they can increase the attractiveness, marketability, and value of the development.

- There is almost no landscaping on the existing property with the building and sidewalks covering over 90% of the site. The existing plantings on the site consist of small, neglected shrubs. The adjacent City owned parcel between the building and Hwy 43 has been inventoried and has a mix of low shrubs and ground cover plantings which are proposed to be preserved and supplemented through this project. This property serves as an entryway/ plaza for the City and is approximately 1571 s.f. in area. No trees exist on either parcel. The parking area to be leased in conjunction with this project will also be landscaped to current CDC standards.

B. To encourage tree preservation, the parking requirement may be reduced by one space for every significant tree that is preserved in the parking lot area for a maximum reduction of 10 percent of the required parking. The City Parks Supervisor or Arborist shall determine the significance of the tree and/or landscaping to determine eligibility for these reductions.

- No trees on the site qualify for preservation incentives. Criterion is not applicable.

C. Developers must also comply with the municipal code chapter on tree protection.

- There are no existing trees on the site. Criterion is not applicable.

D. Heritage trees. Heritage trees are trees which, because of their age, type, notability, or historical association, are of special importance. Heritage trees are trees designated by the City Council following review of a nomination. A heritage tree may not be removed without a public hearing at least 30 days prior to the proposed date of removal. Development proposals involving land with heritage tree(s) shall be required to protect and save the tree(s). Further discussion of heritage trees is found in the municipal code.

- There are no existing trees on the site. Criterion is not applicable.

E. Landscaping – By type, location and amount.

1. Residential uses (non-single-family). A minimum of 25 percent of the gross area including parking, loading and service areas shall be landscaped, and may include the open space and recreation area requirements under CDC 55.100. Parking lot landscaping may be counted in the percentage.

- No residential use is proposed as part of this application. Criterion is not applicable.

2. Non-residential uses. A minimum of 20 percent of the gross site area shall be landscaped. Parking lot landscaping may be counted in the percentage.

- The site is a legal non-conforming site with the existing building and hardscape covering over 90 of the property. Additional off-site area being leased for parking to south and west of lot and City owned property to the north of the site are proposed to be enhanced to bring the development closer to that intended by current CDC requirements.

3. All uses (residential uses (non-single-family) and non-residential uses):

a. The landscaping shall be located in defined landscaped areas which are uniformly distributed throughout the parking or loading area. There shall be one shade tree planted for every eight parking spaces. These trees shall be evenly distributed throughout the parking lot to provide shade. Parking lots with over 20 spaces shall have a minimum 10 percent of the interior of the parking lot devoted to landscaping. Pedestrian walkways in the landscaped areas are not to be counted in the percentage. The perimeter landscaping, explained in subsection (E)(3)(d) of this section, shall not be included in the 10 percent figure. Parking lots with 10 to 20 spaces shall have a minimum five percent of the interior of the parking lot devoted to landscaping. The perimeter landscaping, as explained above, shall not be included in the five percent. Parking lots with fewer than 10 spaces shall have the standard perimeter landscaping and at least two shade trees. Non-residential parking areas paved with a permeable parking surface may reduce the required minimum interior landscaping by one-third for the area with the permeable parking surface only.

- Interior parking lot landscaping is proposed to be 11% of the leased 26 space parking area (2111 s.f. landscaping/ 19,950 s.f. total). No perimeter landscaping is proposed on this leased property since it is almost entirely paved or within a steep slope area. Twelve trees are proposed; in excess of the minimum four required in order to evenly distribute landscape areas and provide shading.

- b. The landscaped areas shall not have a width of less than five feet.
- All landscape areas are proposed to be at least 6' wide to ensure healthy plant growth.
- c. The soils, site, proposed soil amendments, and proposed irrigation system shall be appropriate for the healthy and long-term maintenance of the proposed plant species.
- Topsoil will be imported and landscape islands provided with an automatic irrigation system to ensure long term plant health..
- d. A parking, loading, or service area which abuts a street shall be set back from the right-of-way line by perimeter landscaping in the form of a landscaped strip at least 10 feet in width. When a parking, loading, or service area or driveway is contiguous to an adjoining lot or parcel, there shall be an intervening five-foot-wide landscape strip. The landscaped area shall contain:
- 1) Street trees spaced as appropriate to the species, not to exceed 50 feet apart on the average;
 - 2) Shrubs, not to reach a height greater than three feet, six inches, spaced no more than five feet apart on the average; or
 - 3) Vegetative ground cover such as grass, wildflowers, or other landscape material to cover 100 percent of the exposed ground within two growing seasons. No bark mulch shall be allowed except under the canopy of low level shrubs.
- The existing non-conforming parking area is directly adjacent to the sidewalk at the right of way. It is proposed to remain, without the addition of a perimeter landscape strip on this secondary street (Mill St) to preserve existing infrastructure and be utilized as accessible parking adjacent to the building entry.
- e. If over 50 percent of the lineal frontage of the main street or arterial adjacent to the development site comprises parking lot, the landscape strip between the right-of-way and parking lot shall be increased to 15 feet in width and shall include terrain variations (e.g., one-foot-high berm) plus landscaping. This extra requirement only applies to one street frontage.
- No frontage along Hwy 43 or on the intervening parcel will be used for parking. Criterion does not apply.
- f. A parking, loading, or service area which abuts a property line shall be separated from the property line by a landscaped area at least five feet in width and which shall act as a screen and noise buffer, and the adequacy of the screen and buffer shall be determined by the criteria set forth in CDC 55.100(C) and (D), except where shared parking is approved under CDC 46.050.
- All parking for this development is being leased and is a relatively small portion of a large non-conforming parking lot. Improvements proposed are limited to the area shown on submitted site plan with no new perimeter landscaping proposed.
- g. All areas in a parking lot not used for parking, maneuvering, or circulation shall be landscaped.
- All areas in the defined parking lot not used for parking, maneuvering and circulation are proposed to be landscaped.

- h. The landscaping in parking areas shall not obstruct lines of sight for safe traffic operation.
- Parking lot landscaping has been specifically designed to not obstruct sight lines for save motor vehicle maneuvering.
- i. Outdoor storage areas, service areas (loading docks, refuse deposits, and delivery areas), and above-ground utility facilities shall be buffered and screened to obscure their view from adjoining properties and to reduce noise levels to acceptable levels at the property line. The adequacy of the buffer and screening shall be determined by the criteria set forth in CDC 55.100(C)(1).
- The existing service area is screened with a slatted chain link fence and is proposed to remain for economy. It provides adequate storage for roll type garbage and recycling receptades for the proposed use as well as being secure and functional.
- j. Crime prevention shall be considered and plant materials shall not be located in a manner which prohibits surveillance of public and semi-public areas (shared or common areas).
- Landscaping has been designed to allow for clear surveillance of the building and without hiding places to assist in crime prevention and public safety.
- k. Irrigation facilities shall be located so that landscaped areas can be properly maintained and so that the facilities do not interfere with vehicular or pedestrian circulation.
- Automatic irrigation will be provided at all landscape areas to ensure proper maintenance without interfering with vehicular, bicycle or pedestrian circulation.
- l. For commercial, office, multi-family, and other sites, the developer shall select trees that possess the following characteristics:
- 1) Provide generous “spreading” canopy for shade.
 - 2) Roots do not break up adjacent paving.
 - 3) Tree canopy spread starts at least six feet up from grade in, or adjacent to, parking lots, roads, or sidewalks unless the tree is columnar in nature.
 - 4) No sticky leaves or sap-dripping trees (no honey-dew excretion).
 - 5) No seed pods or fruit-bearing trees (flowering trees are acceptable).
 - 6) Disease-resistant.
 - 7) Compatible with planter size.
 - 8) Drought-tolerant unless irrigation is provided.
 - 9) Attractive foliage or form all seasons.
- Selected trees have been chosen to comply with all 9 of the above listed characteristics.

m. Plant materials (shrubs, ground cover, etc.) shall be selected for their appropriateness to the site, drought tolerance, year-round greenery and coverage, staggered flowering periods, and avoidance of nuisance plants (Scotch broom, etc.).

- Plant materials have been selected to be appropriate for specific locations, be drought tolerant, provide year round greenery and full coverage of landscape areas within 2 years. No nuisance or invasive plants are proposed.

F. Landscaping (trees) in new subdivision.

1. Street trees shall be planted by the City within the planting strips (minimum six-foot width) of any new subdivision in conformity with the street tree plan for the area, and in accordance with the planting specifications of the Parks and Recreation Department. All trees shall be planted during the first planting season after occupancy. In selecting types of trees, the City Arborist may determine the appropriateness of the trees to local conditions and whether that tree has been overplanted, and whether alternate species should be selected. Also see subsection (C) of this section.

2. The cost of street trees shall be paid by the developer of the subdivision.

3. The fee per street tree, as established by the City, shall be based upon the following:

- a. The cost of the tree;
- b. Labor and equipment for original placement;
- c. Regular maintenance necessary for tree establishment during the initial two-year period following the City schedule of maintenance; and
- d. A two-year replacement warranty based on the City's established failure rate.

- Subsection is not applicable. Project is not a new subdivision.

G. Landscaping requirements in water resource areas (WRAs). Pursuant to CDC 32.110(E)(3) the requirements of this chapter relating to total site landscaping, landscaping buffers, landscaping around parking lots, and landscaping the parking lot interior may be waived or reduced in a WRA application without a variance being required. (Ord. 1408, 1998; Ord. 1463, 2000; Ord. 1623 § 5, 2014; Ord. 1636 § 36, 2014)

- Site is not in a WRA. Criteria do not apply.

54.030 PLANTING STRIPS FOR MODIFIED AND NEW STREETS

All proposed changes in width in a public street right-of-way or any proposed street improvement shall, where feasible, include allowances for planting strips. Plans and specifications for planting such areas shall be integrated into the general plan of street improvements. This chapter requires any multi-family, commercial, or public facility which causes change in public right-of-way or street improvement to comply with the street tree planting plan and standards.

- No new or modified streets are proposed with this project. Criterion is not applicable.

54.040 INSTALLATION

- A. All landscaping shall be installed according to accepted planting procedures.
- B. The soil and plant materials shall be of good quality.
- C. Landscaping shall be installed in accordance with the provisions of this code.
- D. Certificates of occupancy shall not be issued unless the landscaping requirements have been met or other arrangements have been made and approved by the City such as the posting of a bond.
 - All landscape materials and soils will be installed per current industry standards and in accordance with provisions of the CDC. Landscaping shall be installed and accepted by the City prior to building occupancy, unless otherwise arranged.

54.050 PROTECTION OF STREET TREES

Street trees may not be topped or trimmed unless approval is granted by the Parks Supervisor or, in emergency cases, when a tree imminently threatens power lines.

- Subsection is not applicable. No street trees currently exist or are proposed.

54.060 MAINTENANCE

- A. The owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping which shall be maintained in good condition so as to present a healthy, neat, and orderly appearance and shall be kept free from refuse and debris.
 - The facility operator will be responsible for continuing maintenance of all landscape areas and plan materials.
- B. All plant growth in interior landscaped areas shall be controlled by pruning, trimming, or otherwise so that:
 1. It will not interfere with the maintenance or repair of any public utility;
 2. It will not restrict pedestrian or vehicular access; and
 3. It will not constitute a traffic hazard because of reduced visibility.
 - The facility operator will periodically prune, trim or replace plants as required to maintain safe access, vision clearance and protect public utilities.

54.070 SPECIFICATION SUMMARY

- Table has been omitted from narrative. Refer to previous narrative for compliance or exceptions being sought from current standards listed in Table.

Chapter 66

NON-CONFORMING STRUCTURES

Sections:

- 66.010 PURPOSE
- 66.030 EXCEPTIONS
- 66.040 DETERMINATION OF STATUS
- 66.050 STATUS OF NON-CONFORMING STRUCTURES
- 66.060 DISCONTINUANCE OR CHANGE OF CONFORMING USE IN A NON-CONFORMING STRUCTURE
- 66.070 DESTRUCTION, MOVEMENT OF STRUCTURES
- 66.080 ENLARGEMENT OF OR ALTERATION TO A NON-CONFORMING STRUCTURE: PROCESS AND APPROVAL STANDARDS
- 66.090 NON-CONFORMING STRUCTURE UNSUITED FOR A CONFORMING USE
- 66.100 BUILDING PERMITS FOR AN APPROVED NON-CONFORMING STRUCTURE

66.010 PURPOSE

The zones applied within the City after the effective date of this code may cause some existing structures to become non-conforming in terms of meeting the zone lot coverage, setback, parking, building height, or landscaping requirements. The purpose of this chapter is to permit these non-conforming structures to be used until they are destroyed or made conforming.

66.030 EXCEPTIONS

- A. The provisions of this chapter do not apply to lawful pre-existing single-family dwellings except that the enlargement of or alterations to a single-family dwelling shall be as provided by CDC 66.080.
- B. A structure for which a variance was granted under the zoning provisions in effect prior to the effective date of this code is not considered non-conforming solely due to the fact that the structure for which the variance was granted fails to comply with the requirements of this code. The existence of such a variance does not prevent the structure from being classified as non-conforming if some other characteristics of the use or structure fail to comply with the requirements of this chapter. (Ord. 1590 § 1, 2009)

66.040 DETERMINATION OF STATUS

- A. The Planning Director shall make a determination regarding non-conforming status without giving notice.
- B. However, upon application and payment of fees, the determination by the Planning Director of the non-conforming status may be appealed to the Planning Commission sitting as a fact-finding body pursuant to CDC 103.040.
- C. A petition for review by the Council sitting as a fact-finding body may be taken pursuant to CDC 103.090.

66.050 STATUS OF NON-CONFORMING STRUCTURES

A non-conforming structure may be maintained although it does not conform to the provisions of the applicable zone in which it is located subject to the provisions of CDC 66.060 through 66.100.

- The construction of the Historic West Linn City Hall predated current zoning requirements. The structure is sited on a substandard lot, has excessive lot coverage and has inadequate parking, landscaping, vision clearance at street intersections based on current CDC provisions for new development.

**66.060 DISCONTINUANCE OR CHANGE OF CONFORMING USE IN A NON-CONFORMING
STRUCTURE**

Should the owner or occupant discontinue or change the use of a non-conforming structure, it shall be unlawful and a violation of this code to begin or maintain such altered use until the off-street parking spaces and loading area requirements of Chapter 46 CDC and the access, egress, and circulation requirements of Chapter 48 CDC are met, or until the appropriate approval authority under Chapter 99 CDC has approved the change.

- This structure has had different uses throughout its history. The proposed use of the upper level is similar to the original council chambers and administrative offices with the proposed meeting rooms and offices. The last use of the main floor of the building was as a City Police station and is proposed to be a museum use. Through a leased parking agreement it is proposed that applicable provisions of CDC Chapter 46 and 48 can be met.

66.070 DESTRUCTION, MOVEMENT OF STRUCTURES

A. If a non-conforming structure is damaged or destroyed by any means to the extent that the cost of rebuilding the damaged portions would exceed 50 percent of the then current replacement cost of the entire building, the rebuilding shall conform fully to City codes and standards. Determination of the rebuilding costs shall be made by the Building Official, who may utilize an appraisal to determine current replacement costs. If the damage is 50 percent or less, the rebuilding or reconstruction shall be commenced within one year of the date of damage or destruction, and shall be completed within two years. Under such circumstances, the reconstruction shall comply with the terms of this code.

B. Should such a structure be moved for any reason for any distance whatever, excluding elevating the structure to construct or replace the foundation, it shall thereafter conform to the regulations for the zone in which it is newly located.

- The existing structure has not been damaged or moved and demolition is not proposed. Criteria of this subsection are not applicable.

66.080 ENLARGEMENT OF OR ALTERATION TO A NON-CONFORMING STRUCTURE: PROCESS AND APPROVAL STANDARDS

A. An enlargement of or alteration to a non-conforming structure containing a non-conforming use may be permitted subject to review and approval by the Planning Commission under the provisions of CDC 99.060(B) and CDC 65.120 through 65.140.

- The proposed use is allowed per CDC requirements for this non-conforming structure. Subsection is not applicable.

B. An enlargement or alteration to a non-conforming structure containing a conforming use may be permitted subject to the following:

1. If the enlargement, in and of itself, meets all provisions of this code, the enlargement will be permitted. This exception does not preclude design review or other applicable provisions of this code.

- No enlargement of the non-conforming structure is proposed. Subsection is not applicable.

2. If the enlargement, in and of itself, does not meet all provisions of the code, review and approval by the Planning Director for single-family structures, and by the Planning Commission for non-single-family structures under the provisions of CDC 99.060(B) is required subject to the following standards.

- a. The enlargement or alteration will not change the non-conformity; and
- b. All other applicable ordinance provisions will be met. (Ord. 1192, 1987)

- The proposed alterations will bring the building closer to conformance with applicable provisions of the CDC than currently exist with the addition of parking and landscaping proposed.

66.090 NON-CONFORMING STRUCTURE UNSUITED FOR A CONFORMING USE

When a non-conforming use involving a structure is replaced by another use, the new use shall conform to this code unless the Planning Commission, after a public hearing held pursuant to Chapter 99 CDC, determines that such a structure is suitable only for another non-conforming use, so long as the new use is no more intense than the past use or other uses contemplated in the zone. The determination by the Planning Commission shall be based on findings of fact which support its determination of suitability. (Ord. 1287, 1990; Ord. 1604 § 62, 2011)

- The proposed uses within this non conforming structure are allowed under the current CDC provisions. The proposed uses are similar and/ or less intense uses than historic uses of the structure.

66.100 BUILDING PERMITS FOR AN APPROVED NON-CONFORMING STRUCTURE

The provisions of CDC 65.110 shall apply.

- All required building permits will be applied for and obtained prior to commencement of alterations for the change in use of this structure.

Chapter 99

PROCEDURES FOR DECISION MAKING: QUASI-JUDICIAL

Sections:

- 99.010 PURPOSE
- 99.030 APPLICATION PROCESS: WHO MAY APPLY, PRE-APPLICATION CONFERENCE, REQUIREMENTS, REFUSAL OF APPLICATION, FEES
- 99.033 FEES
- 99.035 ADDITIONAL INFORMATION REQUIRED, WAIVER OF REQUIREMENTS AND REPORT REQUIRED
- 99.038 NEIGHBORHOOD CONTACT REQUIRED FOR CERTAIN APPLICATIONS
- 99.040 DUTIES OF DIRECTOR
- 99.060 APPROVAL AUTHORITY
- 99.070 CONSOLIDATION OF PROCEEDINGS
- 99.080 NOTICE
- 99.090 CONTENTS OF NOTICE
- 99.100 MECHANICS OF GIVING NOTICE AND FAILURE TO RECEIVE NOTICE
- 99.110 DECISION-MAKING PROCESS OF APPROVAL AUTHORITY
- 99.120 AMENDMENTS
- 99.125 STAGED OR PHASED DEVELOPMENT
- 99.130 NOTICE OF FINAL DECISION
- 99.140 ESTABLISHING STANDING TO APPEAL
- 99.160 DECISION BY DIRECTOR
- 99.170 HEARING PROCEDURES
- 99.180 EX PARTE CONTACTS, IMPARTIALITY, DISQUALIFICATION, AND ABSTENTION
- 99.190 CONTINUATION OF HEARING – NOTICE
- 99.200 EVIDENCE
- 99.220 RECORD OF PROCEEDINGS
- 99.230 EFFECTIVE DATE OF DECISION – APPEAL OR REVIEW
- 99.240 AUTHORITY TO APPEAL OR SEEK REVIEW OF A DECISION – EXHAUSTION OF ADMINISTRATIVE REMEDIES
- 99.250 APPLICATION FOR APPEAL OR REVIEW
- 99.260 PERSONS ENTITLED TO NOTICE ON APPEAL – TYPE OF NOTICE
- 99.270 CONTENTS OF PUBLIC NOTICE OF APPEAL HEARING
- 99.280 TYPE OF APPEAL HEARING AND SCOPE OF REVIEW
- 99.290 ACTION ON APPEAL OR REVIEW – TIME LIMIT AND AUTHORITY TO CHANGE DECISION
- 99.300 PARTICIPATION BY MEMBERS OF APPROVAL AUTHORITY IN DECISION AND VOTING
- 99.320 DENIAL OF APPLICATION – RESUBMITTAL
- 99.325 EXTENSIONS OF APPROVAL
- 99.330 REVOCATION OF APPROVALS – FAILURE TO FULFILL CONDITIONS

99.010 PURPOSE

The purpose of this chapter is to establish procedures applicable to the Community Development Code for the consideration of development applications, for the consideration of quasi-judicial Comprehensive Plan amendments, and for the consideration of appeals or petitions for review of decisions. (Ord. 1474, 2001; Ord. 1568, 2008)

99.030 APPLICATION PROCESS: WHO MAY APPLY, PRE-APPLICATION CONFERENCE, REQUIREMENTS, REFUSAL OF APPLICATION, FEES

A. Who may apply.

1. Applications for approval required under this chapter may be initiated by:
 - a. The owner of the property that is the subject of the application or the owner's duly authorized representative;
 - b. The purchaser of such property who submits a duly executed written contract or copy thereof, which has been recorded with the Clackamas Clerk;
 - c. A lessee in possession of such property who submits written consent of the owner to make such application; or
 - d. Motion by the Planning Commission or City Council.
2. Any person authorized by this chapter to submit an application for approval may be represented by an agent who is authorized in writing by such a person to make the application.
 - This application is being made by the proposed facility operator (Willamette Falls Landings Heritage Area Coalition) with the authorization of the Owner (City of West Linn).

B. Pre-application conferences.

1. Subject to subsection (B)(4) of this section, a pre-application conference is required for, but not limited to, each of the following applications:
 - a. Boundary changes, per Chapter 81 CDC;
 - b. Amendments to the Comprehensive Plan;
 - c. Amendments to the Zoning Map;
 - d. Conditional uses;
 - e. Design review (Class I and Class II);
 - f. Historic design review (Class II);
 - g. Designation of a historic resource or removal of a historic resource designation;
 - h. Demolition of a historic resource;
 - i. Relocation of a historic resource;

- j. New construction or remodels in the Willamette Falls Drive Commercial Design District, except as provided for in subsection (B)(2)(h) of this section;
- k. Minor partitions;
- l. Land divisions;
- m. Enlargement of non-conforming uses or alteration of a structure containing a non-conforming use;
- n. Planned unit developments;
- o. Variances;
- p. Development subject to Chapter 32 CDC, Water Resource Area Protection;
- q. Development subject to Chapter 27 CDC, Flood Management Areas;
- r. Development subject to Chapter 28 CDC, Willamette and Tualatin River Protection;
- s. Right-of-way and easement vacations; and
- t. Extensions of approval with modifications to original approval.
 - A pre-application conference (PA-21-21) was held on November 18, 2021 for a Class II Historic Design Review for this project.

2. Subject to subsection (B)(3) of this section, the following applications are exempt from subsection (B)(1) of this section, Pre-Application Conference:

- a. Signs;
- b. Home occupations;
- c. Temporary use permits;
- d. Sidewalk uses;
- e. Final plats;
- f. Property line adjustments;
- g. Re-vegetation plans;
- h. Painting, signage, awnings, or architectural in-kind replacements in the Willamette Falls Drive Commercial Design District;
- i. Appeals of land use decisions; and
- j. Extensions of approval with no modification to original approval.
 - The final design of signage will be separate from this application.

3. The Planning Director shall have the authority to require a preapplication conference prior to the submittal of any application that is not listed in subsection (B)(1) of this section if they determine that the potential development is of significant complexity or magnitude to merit a preapplication conference.

4. The Planning Director may waive the requirement for a pre-application conference for any application if they determine that such a conference is not warranted. Upon making such a determination, the Planning Director shall provide written notification (i.e., e-mail or letter) to the Planning Commission and applicable neighborhood association.

- The Planning Director did not waive the pre-application conference; which was held on Nov 9, 2021.

5. At such conference, the Planning Director or designee shall:

- a. Cite the Comprehensive Plan map designation;
- b. Cite the applicable substantive and procedural ordinance provisions;
- c. Provide technical data and assistance which will aid the applicant;
- d. Identify other policies and regulations that relate to the application;
- e. Identify other pertinent factors that relate to the application; and
- f. Provide the applicant with a written description of all rights for appeal and provide access to all administrative procedures.

- The Planning Staff provided the above mentioned materials in Summary Notes.

6. The failure of the Director to provide any of the information required by this section shall not constitute a waiver of the standards, criteria, or requirements of the application.

7. At least 10 days prior to the scheduled date of the conference, the City shall make the pre-application conference schedule available to the public. Within 10 days following the conference, the City shall make staff-prepared written notes summarizing the contents of the meeting available to the public. Failure to comply with this section due to technical or administrative problems is not a procedural defect entitling any party to a delay in the hearing process.

- The pre application meeting was noticed and attended by interested members of the public.

8. The Planning Director shall prepare administrative procedures designed to allow citizens to attend and participate in pre-application conferences for applications. Lack of neighborhood association participation in a pre-application conference is not a procedural defect entitling any party to a delay in the hearing process.

- The remote meeting was available to the public. No representative of the neighborhood association attended.

9. If the applicant is not the owner of the subject property, the applicant shall provide written evidence that the owner has consented to the pre-application conference prior to it being scheduled.

- The building is a City owned property. The City manager consented to this application and the pre-application conference.

C. The requirements for making an application.

1. The application shall be made on forms provided by the Director as provided by CDC 99.040(A)(1);
2. The application shall be complete and shall contain the information requested on the form, shall address the appropriate submittal requirements and approval criteria in sufficient detail for review and action, and shall be accompanied by the deposit or fee required by CDC 99.033. No application will be accepted if not accompanied by the required fee or deposit. In the event an additional deposit is required by CDC 99.033 and not provided within the time required, the application shall be rejected without further processing or deliberation and all application materials shall be returned to the applicant, notwithstanding any determination of completeness. (Ord. 1527, 2005; Ord. 1568, 2008; Ord. 1590 § 1, 2009; Ord. 1599 § 6, 2011; Ord. 1614 § 14, 2013; Ord. 1622 § 30, 2014; Ord. 1635 § 36, 2014; Ord. 1636 § 60, 2014; Ord. 1638 § 3, 2015; Ord. 1675 § 55, 2018)

- The application includes City provided forms and waiver of fees.

99.033 FEES

The Council shall adopt a schedule of fees reasonably calculated to defray the expenses of the administrative process. The Council may establish either a set fee or a deposit system in which the applicant pays a deposit and the City determines the total administrative cost at the end of the process and refunds any unused amount of the deposit to the applicant. No additional deposit shall be required for additional costs that are incurred because the matter is referred to or called up by a higher decision-making authority. The Council shall charge no fees for City-initiated land use applications or appeals filed by a recognized neighborhood association pursuant to the provisions of CDC 99.240. (Ord. 1527, 2005; Ord. 1568, 2008; Ord. 1604 § 70, 2011)

- A fee waiver is being requested since this is a City owned facility.

**99.035 ADDITIONAL INFORMATION REQUIRED, WAIVER OF REQUIREMENTS AND REPORT
REQUIRED**

A. The Planning Director may require information in addition to that required by a specific chapter in the Community Development Code; provided, that:

1. The chapter expressly authorizes that additional information may be required;
2. The information is needed to properly evaluate the proposed site plan or proposal; and
3. The need can be justified on the basis of a special or unforeseen circumstance.

- No specific additional information has been requested to date. If so required; the applicant will attempt to provide this information in a timely manner.

B. The Planning Director may waive a specific requirement for information or a requirement to address a certain approval standard subject to the provisions of subsection C of this section provided:

1. The Planning Director finds that specific information is not necessary to properly evaluate the application;
or
2. The Planning Director finds that a specific approval standard is not applicable to the application.
 - No waivers of specific requirement are requested with this application. Minor adjustments to standards are being sought for landscaping due to existing conditions.

C. Where a requirement is waived, the Planning Director shall cite in the staff report on the application the specific requirements waived and the reasons for the waiver. The decision of the Planning Director to waive the requirement is subject to review and denial by the approval authority or the appeal authority. (Ord. 1568, 2008)

- If waivers are recommended by the Planning Director, it is anticipated they will be identified in the Staff Report.

99.038 NEIGHBORHOOD CONTACT REQUIRED FOR CERTAIN APPLICATIONS

Prior to submittal of an application for any subdivision, conditional use permit, multi-family project, planned unit development of four or more lots, non-residential buildings over 1,500 square feet, or a zone change that requires a Comprehensive Plan amendment, the applicant shall contact and discuss the proposed development with any affected neighborhood as provided in this section. Although not required for other or smaller projects, contact with neighbors is highly recommended. The Planning Director may require neighborhood contact pursuant to this section prior to the filing of an application for any other development permit if the Director deems neighborhood contact to be beneficial.

A. Purpose. The purpose of neighborhood contact is to identify potential issues or conflicts regarding a proposed application so that they may be addressed prior to filing. This contact is intended to result in a better application and to expedite and lessen the expense of the review process by avoiding needless delays, appeals, remands, or denials. The City expects an applicant to take the reasonable concerns and recommendations of the neighborhood into consideration when preparing an application. The City expects the neighborhood association to work with the applicant to provide such input.

- Neighborhood contact is not required for this application. The neighborhood is aware of this application through the pre-application notice and multiple public meetings regarding this building over the past 4 years. Remainder of section has been omitted for brevity.

99.040 DUTIES OF DIRECTOR

A. The Director shall:

1. Prepare application forms made pursuant to the standards contained in the applicable State law, Comprehensive Plan and implementing ordinance provisions;
2. Accept all development applications that comply with the provisions of CDC 99.030;
3. After accepting an application pursuant to this chapter:

- a. Determine whether an application is complete, and comply with State statutes governing the completeness determination for applications. The determination of the Director is subject to review by the approval authority in its deliberation on the application;
 - b. Give notice as provided by CDC 99.080 and 99.090;
 - c. Prepare a staff report which shall include findings as to whether or not the application meets the approval criteria of the applicable Community Development Code sections as presented in the application, and whether or not the criteria can be met with conditions;
 - d. Make the application, all documents or evidence relied upon by the applicant and applicable criteria available at least 20 days prior to the hearing or date of the Director's decision. Make the staff report available at least 10 days prior to the scheduled date of the public hearing(s);
 - e. Act on the development application pursuant to CDC 99.060(A) and 99.160 or cause a hearing to be held pursuant to CDC 99.060(B) through (D) and CDC 99.170 through 99.230, unless the applicant has requested or consented to a delay;
4. Administer the hearings process pursuant to CDC 99.170 through 99.230;
 5. Maintain a register of all applications that have been filed for a decision. The register shall at all times identify at what stage the application is in the process. The register shall be posted on the City website unless technical problems prevent this;
 6. File notice of the final decision in the records of the Community Development Department and mail a copy of the notice of the final decision to the applicant and all parties with standing.

The notice of the final decision shall contain the information set forth under CDC 99.130(B);

7. Maintain and preserve the file for each application. The file shall include, as applicable, a list of persons required to be given notice and a copy of the notice given pursuant to CDC 99.080 and the accompanying affidavits; the application and all supporting information; the staff report; the final decision including the findings, conclusions, and conditions, if any; all correspondence; the minutes of any meetings at which the application was considered; and any other exhibit(s), information, or documentation which was considered by the hearing body with respect to the application; and

8. Administer the appeals and review process pursuant to CDC 99.240 through 99.320. (Ord. 1474, 2001; Ord. 1568, 2008; Ord. 1621 § 25, 2014)

- The applicant acknowledges the duties of the director related to this application and will assist with those duties by providing additional information that may be necessary and attending hearings related to this land use.

99.060 APPROVAL AUTHORITY

This section explains the authority of the Planning Director, Planning Commission, City Council, and Historic Review Board as it relates to quasi-judicial and legislative action.

- Text of this section has been omitted for brevity. The applicant accepts the provisions of this section and will comply with the procedural requirements within this section.

99.070 CONSOLIDATION OF PROCEEDINGS

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

1. However, expedited land division applications shall be processed as described in Chapter 197 ORS, regardless of the number of approvals requested.

B. When an applicant requests to undertake preliminary work, for site preparation or analysis, the Director may allow decisions within the Director's authority to precede the subsequent decision required for review by the decision-making body. (Ord. 1474, 2001; Ord. 1568, 2008; Ord. 1635 § 39, 2014)

- Due to the non-conforming site conditions, historic review requirement and GO Gond funding being utilized for this project, it is anticipated that approval by the Historic Review Board and City Council will be required individually. If the Planning Director seeks to consolidate or require additional reviews the applicant will comply with this direction.

99.080 NOTICE

Notice shall be given in the following ways:

A. Class A Notice. Notice of proposed action or a development application pursuant to CDC 99.060 shall be given by the Director in the following manner:

- This subsection is not applicable. The proposed land use requires a Class B notice. Text of this subsection has been omitted.

B. Class B Notice. Notice of a proposed action on a development application pursuant to CDC 99.060 shall be given by the Director in the following manner:

1. At least 14 days prior to the decision date, a notice shall be sent by mail to:
 - a. The applicant or their agent;
 - b. The affected recognized neighborhood association or citizens advisory committee; and
 - c. All property owners of record within 300 feet of the site perimeter;
2. At least 10 days prior to the earliest date that the approval authority can take action on the application, the applicant shall place a sign, provided by the Community Development Department, on the subject property in plain view. The sign shall state, "This property is the subject of a land use decision," with the type of use or request indicated.
3. The Director shall cause an affidavit of mailing of notice and posting of notice to be filed and made part of the administrative record.
4. At the conclusion of the land use action the signs shall be removed.
 - The applicant will post and remove land use notice signs in accordance with this subsection.

C. Notice for expedited and division applicants shall comply with the requirements of Chapter 197 ORS.

- No expedited or division application is proposed. Criterion is not applicable.

D. Notice for a boundary change application shall comply with the requirements of ORS 197.763, Chapter 222 ORS, and the Metro Code.

- No boundary change application is proposed. Criterion is not applicable.

E. Table of notices. The following notice summary identifies the appropriate type of notice for the various land use applications of CDC 99.060.

- Table has been omitted for brevity. A type II Historic Review requires a Class B notice.

99.090 CONTENTS OF NOTICE

- Text of this subsection has been omitted. It is assumed by the applicant that the City will provide notice in accordance with this subsection.

99.100 MECHANICS OF GIVING NOTICE AND FAILURE TO RECEIVE NOTICE

- Text of this subsection has been omitted. It is assumed by the applicant that the City will provide notice in accordance with this subsection.

99.110 DECISION-MAKING PROCESS OF APPROVAL AUTHORITY

- Text of this subsection has been omitted for brevity. The applicant acknowledges the provisions of this subsection and will accept the decision rendered by the approval authority relative to these provisions.

99.120 AMENDMENTS

- Text of this subsection has been omitted for brevity. The applicant acknowledges the provisions of this subsection and will comply with this subsection for amendments that may be applicable to this quasi-judicial process.

99.125 STAGED OR PHASED DEVELOPMENT

An applicant may elect to develop a proposed project in phases. The timing of each development phase shall be set forth in the application and subject to approval by the appropriate approval authority. Each phase shall meet all applicable development standards individually (e.g., access, parking, landscaping, utilities, etc.) without having to rely upon subsequent phases. Each phase shall also install all necessary improvements to serve the development within that phase. (Ord. 1474, 2001; Ord. 1568, 2008)

- Criterion of this subsection is not applicable. No phased development is proposed with this application.

99.130 NOTICE OF FINAL DECISION

A. The final decision by the Planning Director shall be filed in the records of the Community Development Department after the decision is signed by the Planning Director, and notice thereof shall be mailed to the applicant, all parties to the matter as established under CDC 99.140, and those persons who requested copies of such notice.

B. The final decision by the Planning Commission, Historic Review Board, or City Council shall be filed in the records of the Community Development Department, and notice thereof shall be mailed to the applicant, all parties to the matter as established under CDC 99.140, and those people requesting copies of such notice.

C. Notice of a final decision shall conform to applicable provisions of the Oregon Revised Statutes.

D. The appeal period is as provided in CDC 99.230. (Ord. 1474, 2001; Ord. 1568, 2008; Ord. 1590 § 1, 2009; Ord. 1621 § 25, 2014)

- The applicant will accept the final decision by the Planning Director; rendered per the provisions of CDC Chapter 99 and reserve the right to appeal this decision.

99.140 ESTABLISHING STANDING TO APPEAL

A. Any person or recognized neighborhood association with standing may pursue an appeal or seek review of any land development decision. Standing is established in the following way:

B. The person or recognized neighborhood association appeared before an approval authority other than the Director, either orally or in writing, and provided their name and address; signed the testimony form provided at the hearing; or submitted comments to the Director, in writing, and provided their name and address to the Director regarding a decision. Neighborhood association standing can only be established by a person identifying, either in testimony or in writing, that they represent a specific neighborhood association. (Ord. 1474, 2001; Ord. 1568, 2008; Ord. 1622 § 8, 2014)

- The applicant will acknowledge and accepts the Standing requirements for appeals to be files per this subsection.

99.160 DECISION BY DIRECTOR

A. Pursuant to CDC 99.060(A), the Director is authorized to make certain decisions, and no hearing shall be held except where the Director has an interest in the outcome of the decision, due to some past or present involvement with the applicant or other interested persons or in the property or surrounding property, and cannot render an impartial decision. In such cases, the application shall be reviewed by the Director's designee, and in the event the designee cannot render a decision, the application shall be subject to the jurisdiction of the Planning Commission.

- No Decision by Director without the public hearing process is sought for this application, since it involves a City Owned building and involves use of City funds. Subsection is not applicable. Text has been omitted for brevity.

99.170 HEARING PROCEDURES

- The applicant will acknowledges and accepts the Hearing Procedures of this subsection. Text has been omitted for brevity.

99.180 EX PARTE CONTACTS, IMPARTIALITY, DISQUALIFICATION, AND ABSTENTION

- The applicant will acknowledges and accepts the requirements of this subsection. Text has been omitted for brevity.

99.190 CONTINUATION OF HEARING – NOTICE

- The applicant will acknowledges and accepts the requirements of this subsection.

99.200 EVIDENCE

- The applicant will acknowledges and accepts the requirements of this subsection. Text has been omitted for brevity.

99.220 RECORD OF PROCEEDINGS

- The applicant will acknowledges and accepts the requirements of this subsection. Text has been omitted for brevity.

99.230 EFFECTIVE DATE OF DECISION – APPEAL OR REVIEW

- The applicant will acknowledge and accept the requirements of this subsection. Text has been omitted for brevity.

99.240 AUTHORITY TO APPEAL OR SEEK REVIEW OF A DECISION – EXHAUSTION OF ADMINISTRATIVE REMEDIES

- The applicant will acknowledge and accept the requirements of this subsection. Text has been omitted for brevity.

99.250 APPLICATION FOR APPEAL OR REVIEW

- The applicant will acknowledge and accept the requirements of this subsection. Text has been omitted for brevity.

99.260 PERSONS ENTITLED TO NOTICE ON APPEAL – TYPE OF NOTICE

- The applicant will acknowledge and accept the requirements of this subsection. Text has been omitted for brevity.

99.270 CONTENTS OF PUBLIC NOTICE OF APPEAL HEARING

- The applicant will acknowledge and accept the requirements of this subsection. Text has been omitted for brevity.

99.280 TYPE OF APPEAL HEARING AND SCOPE OF REVIEW

- The applicant will acknowledge and accept the requirements of this subsection. Text has been omitted for brevity.

99.290 ACTION ON APPEAL OR REVIEW – TIME LIMIT AND AUTHORITY TO CHANGE DECISION

- The applicant will acknowledges and accepts the requirements of this subsection. Text has been omitted for brevity.

99.300 PARTICIPATION BY MEMBERS OF APPROVAL AUTHORITY IN DECISION AND VOTING

- The applicant will acknowledges and accepts the requirements of this subsection. Text has been omitted for brevity.

99.320 DENIAL OF APPLICATION – RESUBMITTAL

- The applicant will acknowledges and accepts the requirements of this subsection. Text has been omitted for brevity.

99.325 EXTENSIONS OF APPROVAL

- The applicant will acknowledges and accepts the requirements of this subsection. Text has been omitted for brevity.

99.330 REVOCATION OF APPROVALS – FAILURE TO FULFILL CONDITIONS

- The applicant will acknowledges and accepts the requirements of this subsection. Text has been omitted for brevity.



Front Façade from Hwy 43



Front façade showing infill areas



Left side- Mill St facade



Rear Façade with 1980's addition



Right and Rear Facades



Main Level Interior looking toward Hwy 43



Main Level Offices along Mill St



Main Level Hallway at Office area



Main Level at Right Rear portion of building



Upper Level Stair/ Elevator Lobby



Upper Level Council Chambers- Mill St side



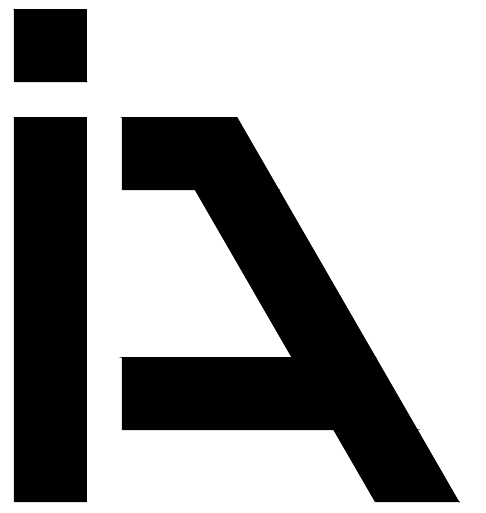
Upper Level facing Hwy 43 and Mill St Corner



Original Ceiling Detail with existing light fixtures



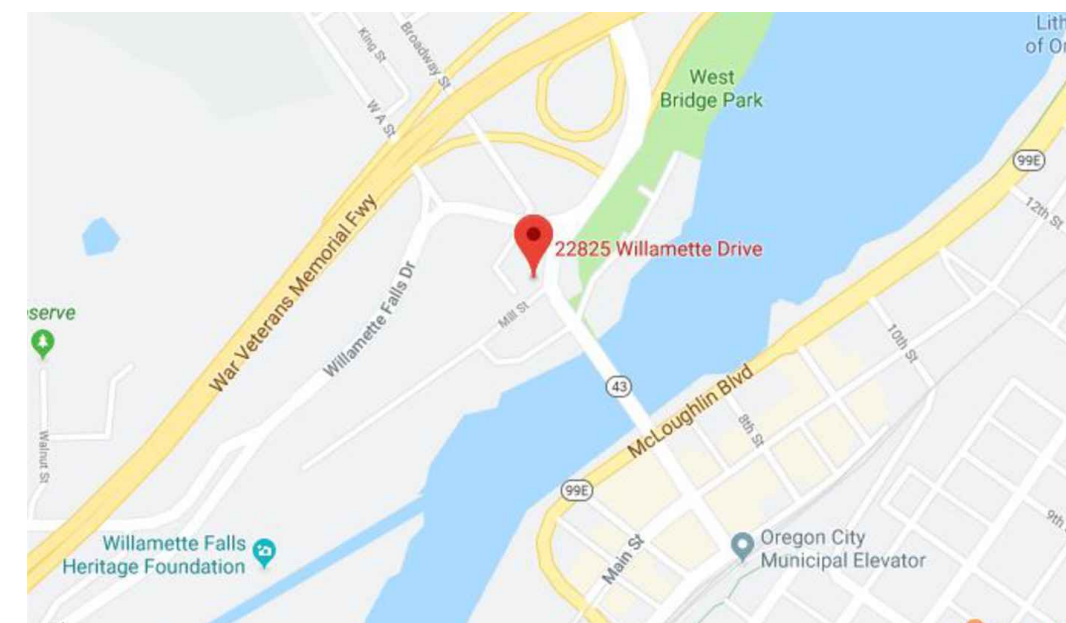
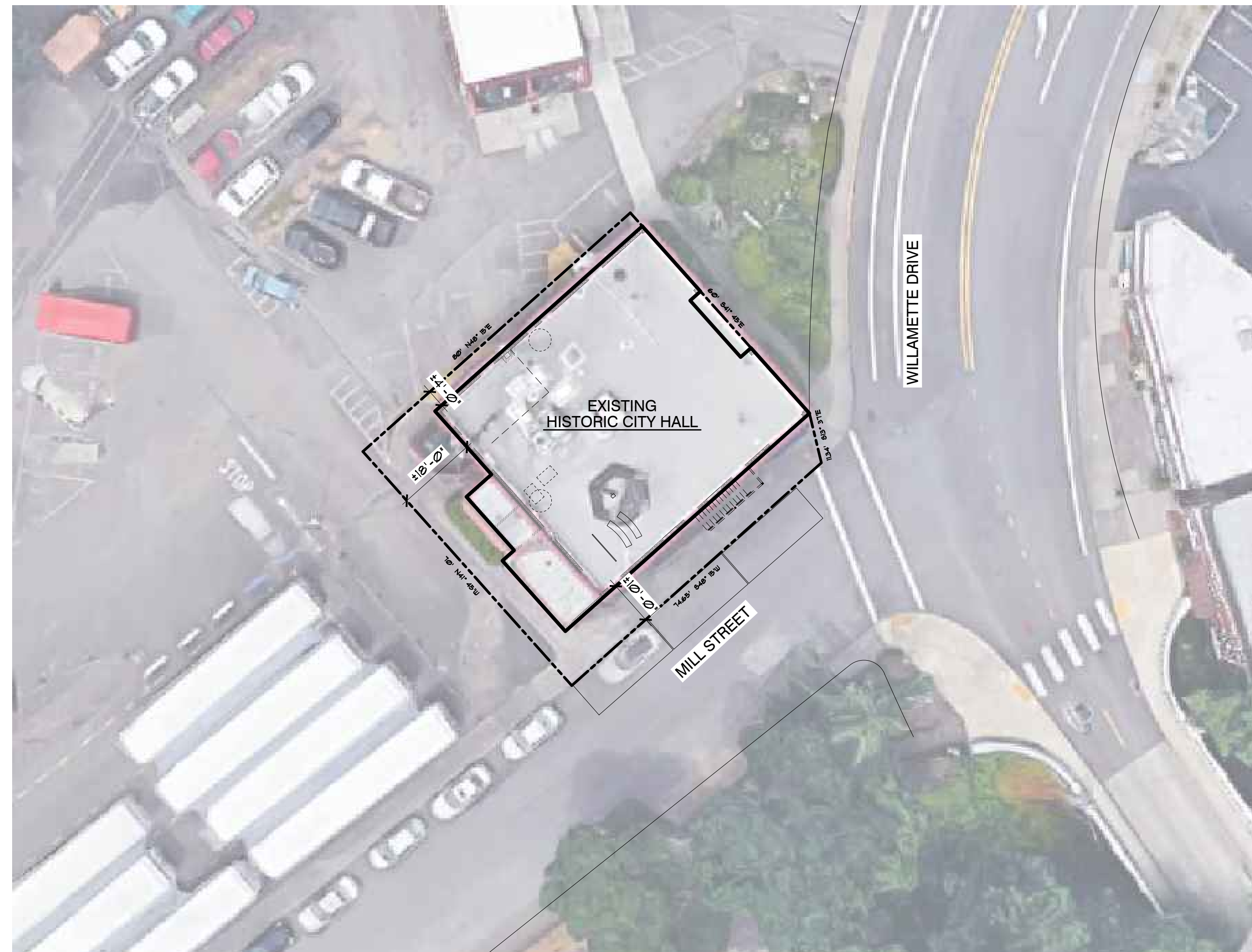
WEST LINN CULTURAL CENTER



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VICINITY MAP NTS

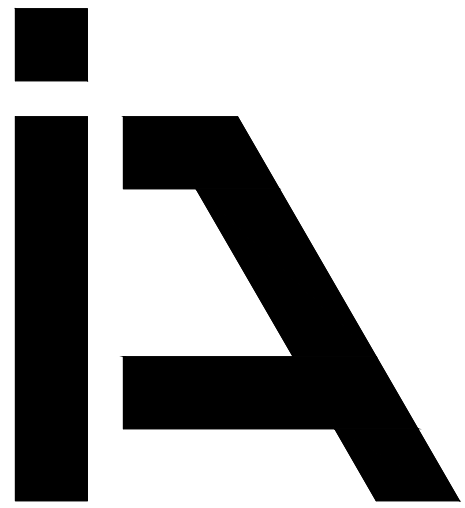
SITE PLAN 1" = 20'

Renovation and Remodel of
Historic West Linn City Hall Building
for Regional Cultural/ Tourism Center in partnership with
Willamette Falls and Landings Heritage Area Coalition
22825 Willamette Dr
West Linn, OR 97068

PROJ. NO. : 1705.3
FILE : A-SIT
DATE : 5/5/22 HR

SHEET #
A1.1

SITE PLAN



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 **PROPOSED PARKING PLAN**

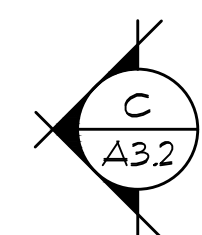
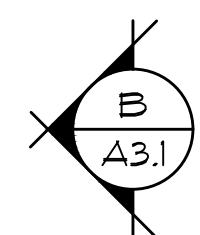
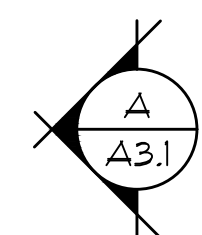
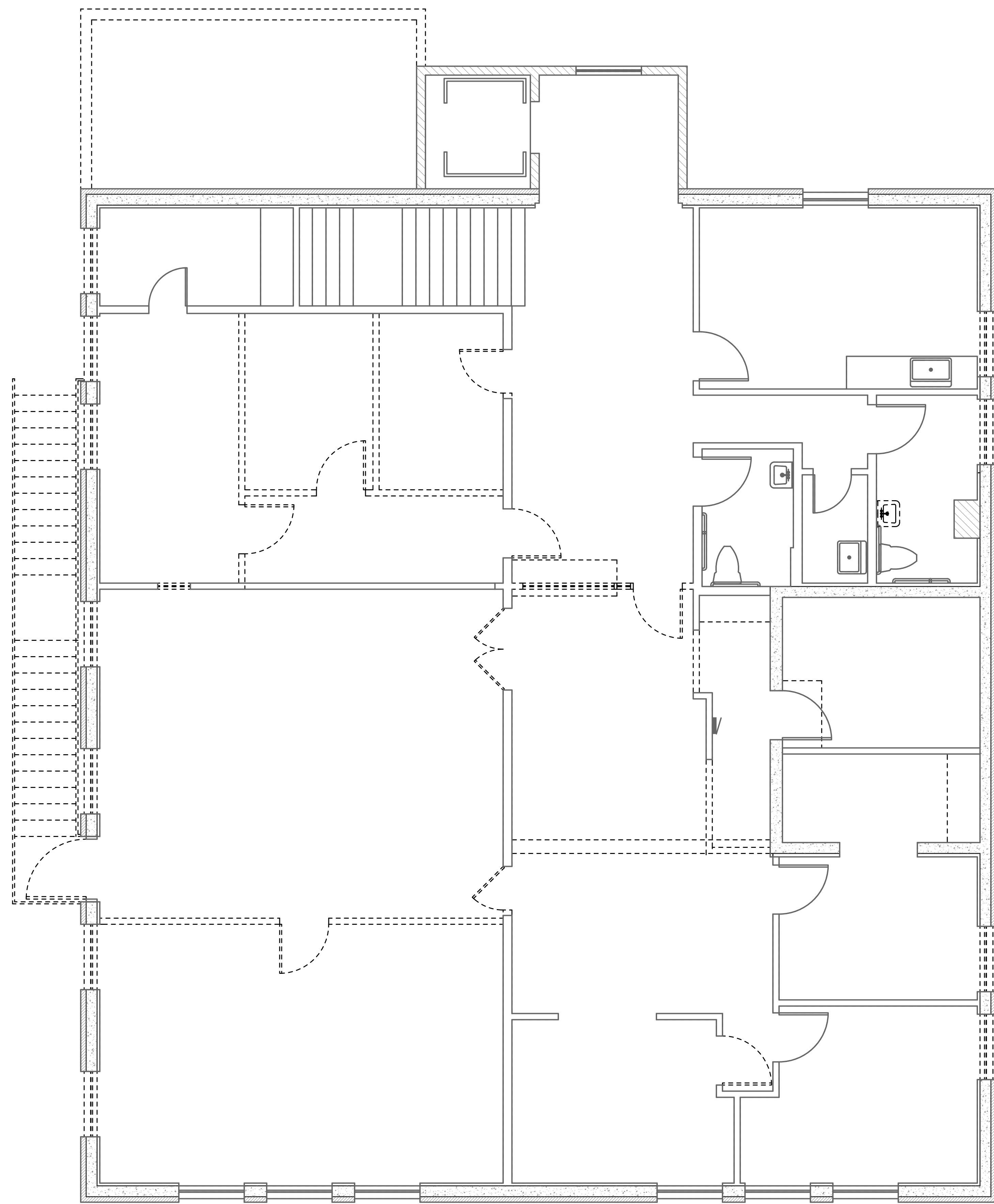
1" = 20'-0"

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PROJ. NO. : 1705.3
FILE : XSIT PARKING
DATE : 5/5/22 HR

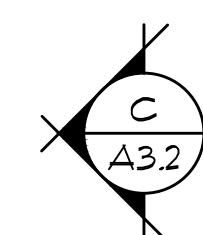
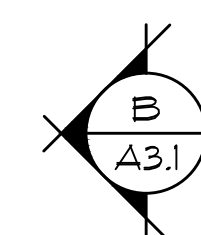
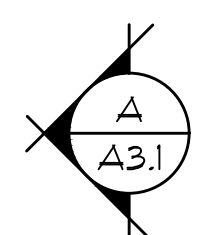
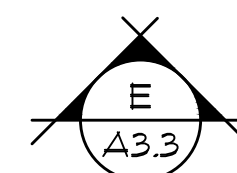
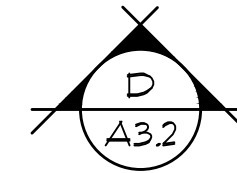
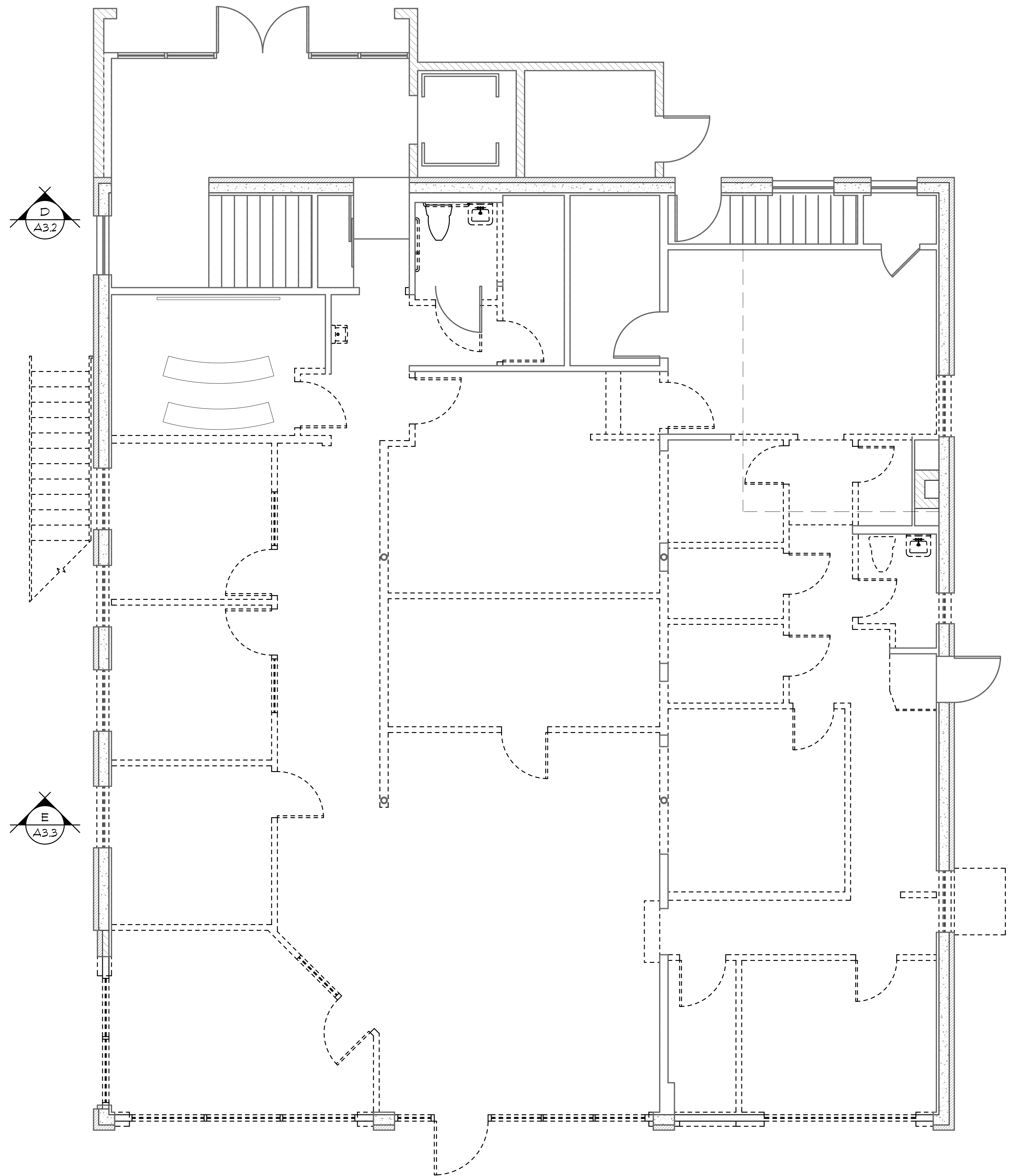
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A1.1a

LEASED PARKING PLAN



UPPER LEVEL DEMOLITION PLAN

1/4" = 1'-0"



MAIN LEVEL DEMOLITION PLAN

1/4" = 1'-0"

DEMOLITION PLAN LEGEND

- EXIST'G WALL/ELEMENT TO BE REMOVED
- EXIST'G WALL TO REMAIN
- EXIST'G BRICK VENEER TO REMAIN
- EXIST'G CMU WALL TO REMAIN
- EXIST'G CONC WALL TO REMAIN

GENERAL NOTES:

BUILDING ELEMENTS ARE EXIST'G TO REMAIN UNLESS NOTED OTHERWISE.



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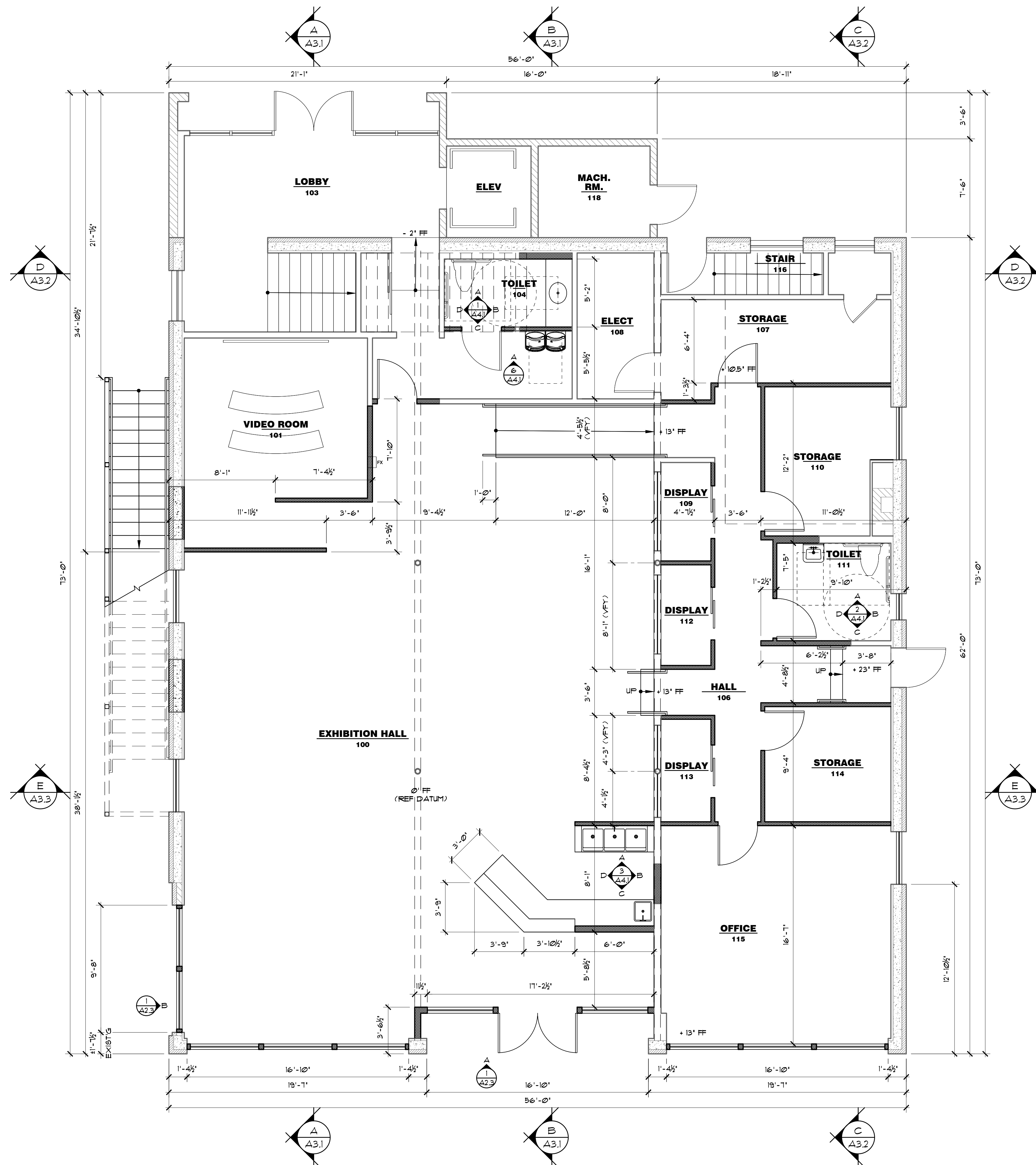
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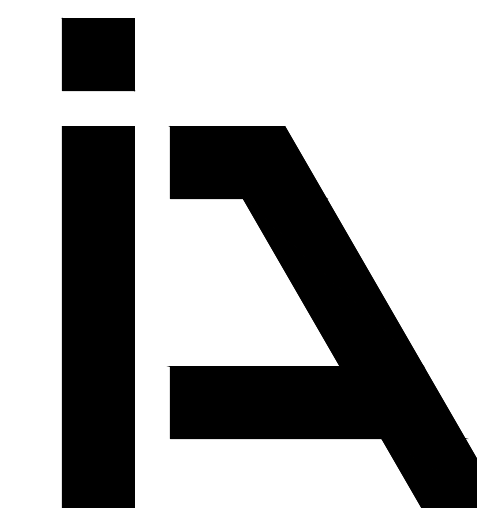
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MAIN LEVEL FLOOR PLAN



MAIN LEVEL FLOOR PLAN

1/4" = 1'-0"



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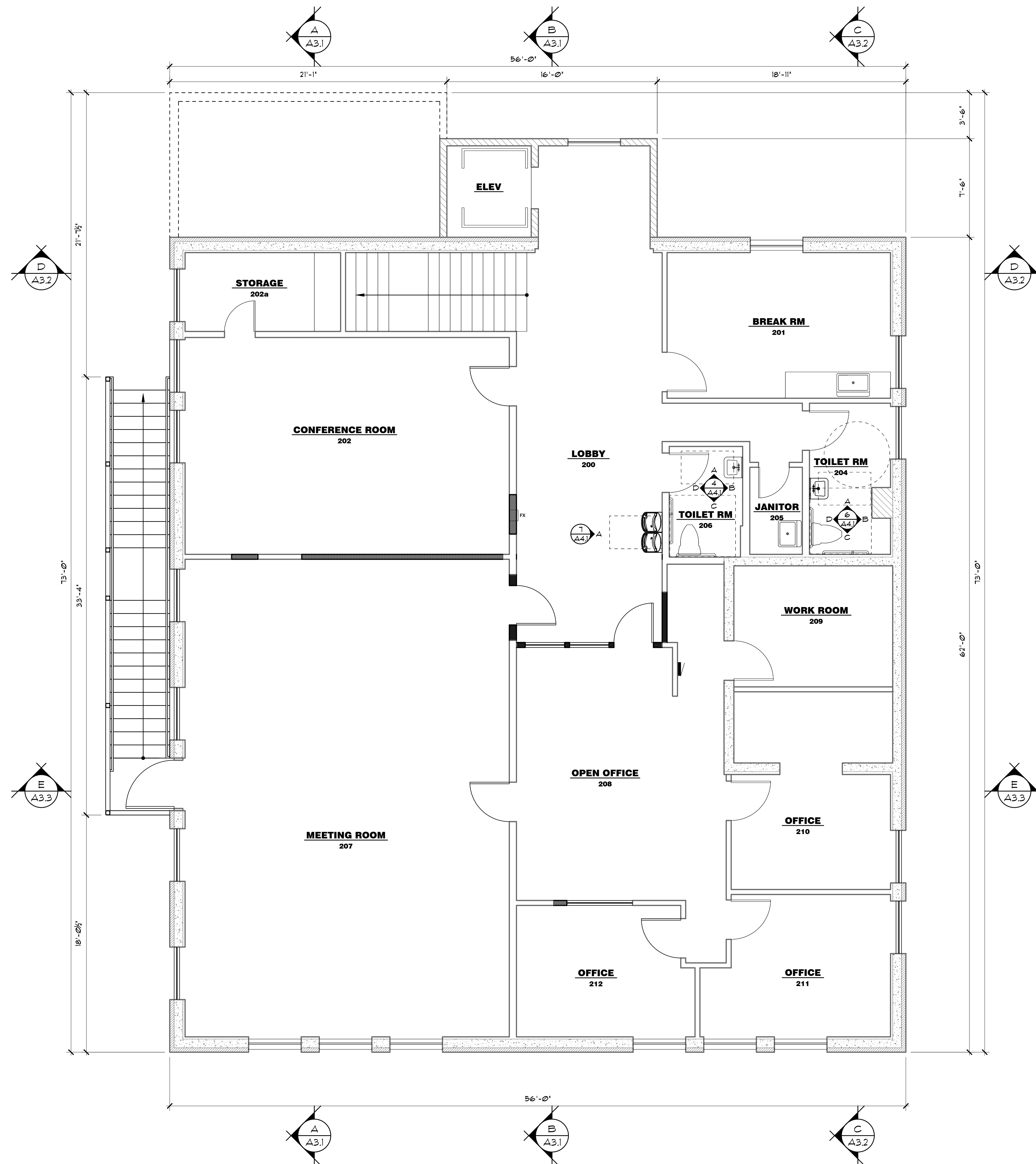
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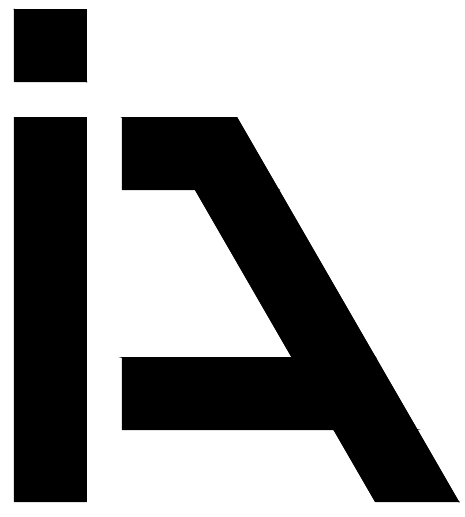
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A1.3

MAIN LEVEL FLOOR PLAN



UPPER LEVEL FLOOR PLAN

1/4" = 1'-0"



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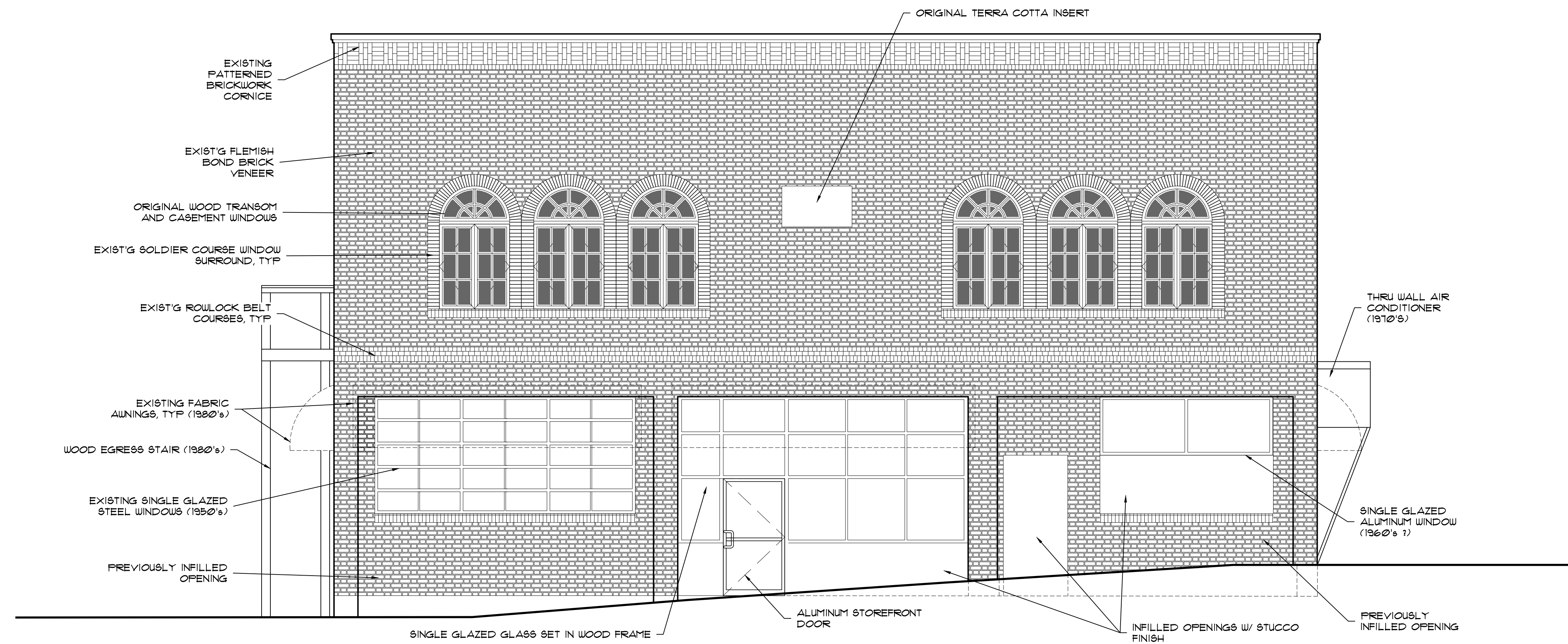
MAIN LEVEL FLOOR PLAN



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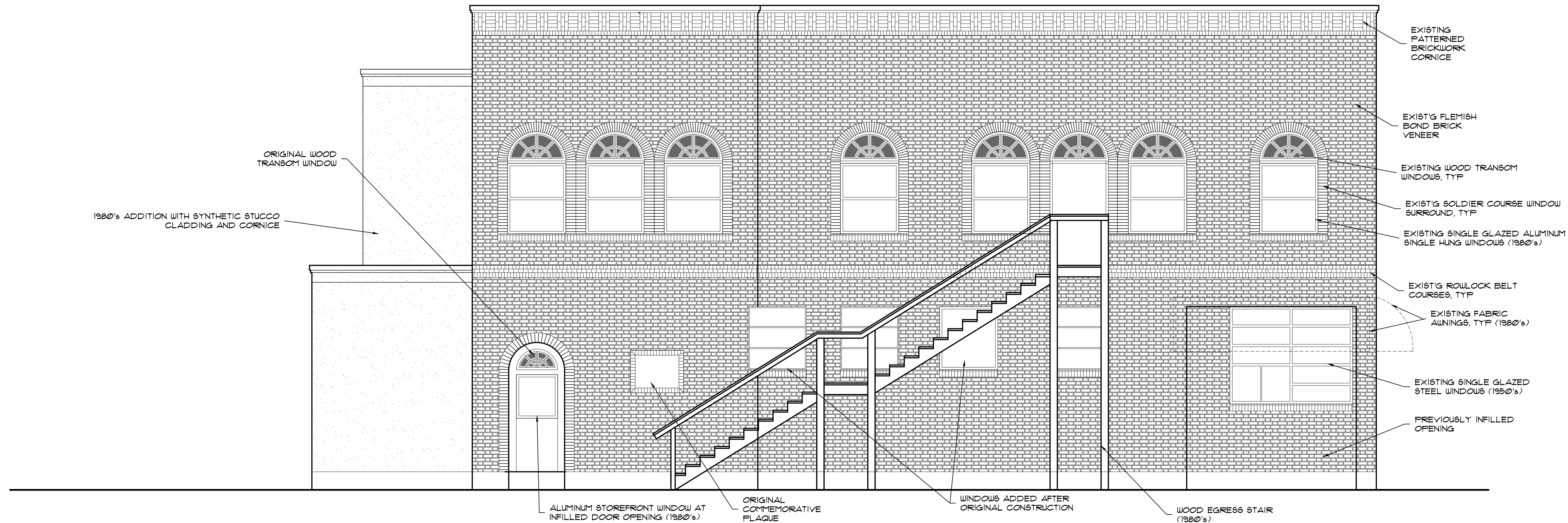
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NORTHEAST (FRONT) ELEVATION

1/4" = 1'-0"



SOUTHEAST (LEFT SIDE) ELEVATION

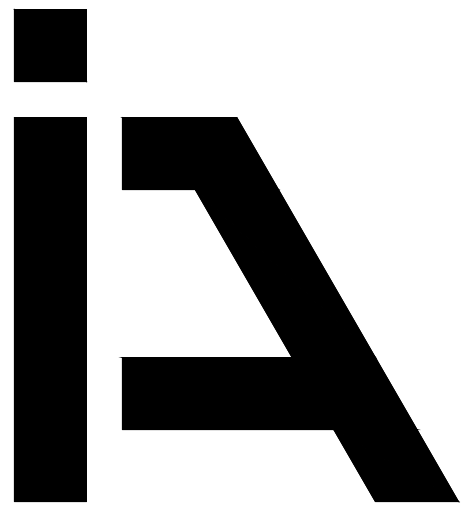
1/4" = 1'-0"

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PROJ. NO. : 1705.3
FILE : XABELEV-HR
DATE : 5/5/22 HR

SHEET #
A2.1AB

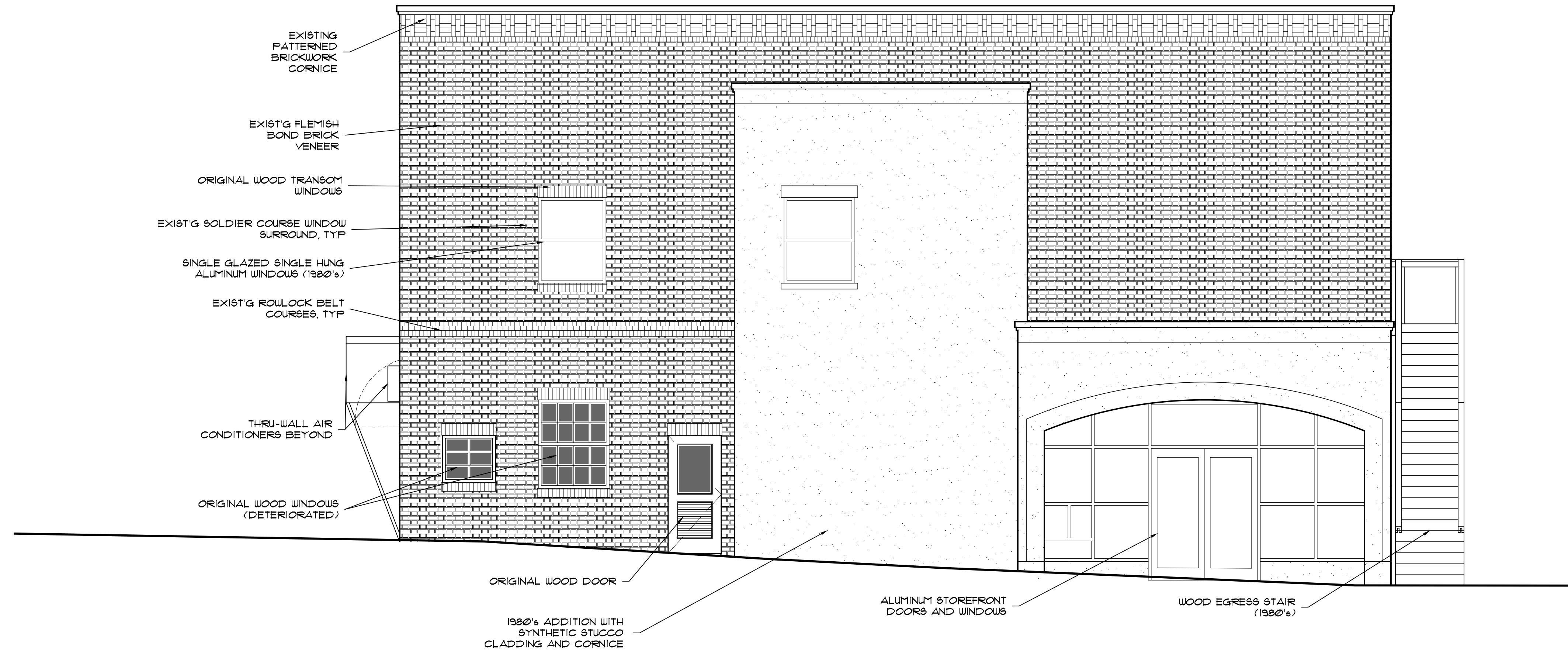
AS-BUILT ELEVATIONS



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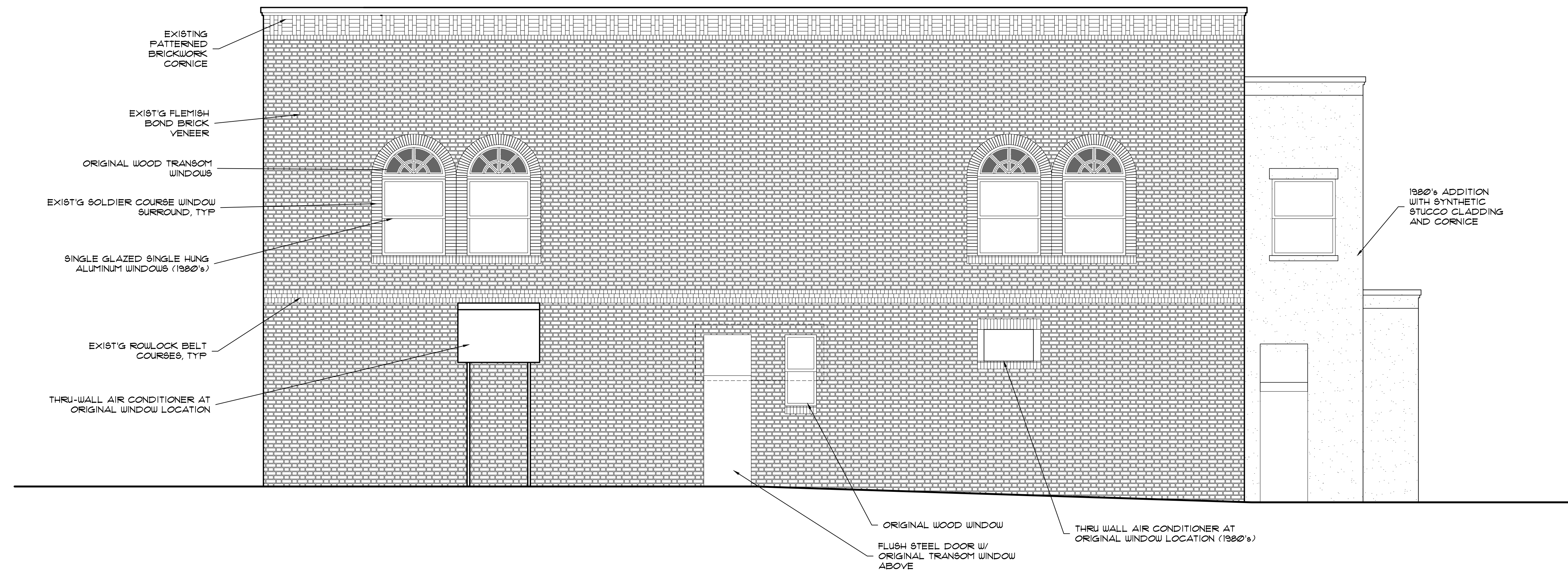
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SOUTHWEST (REAR) ELEVATION

1/4" = 1'-0"



NORTHWEST (RIGHT SIDE) ELEVATION

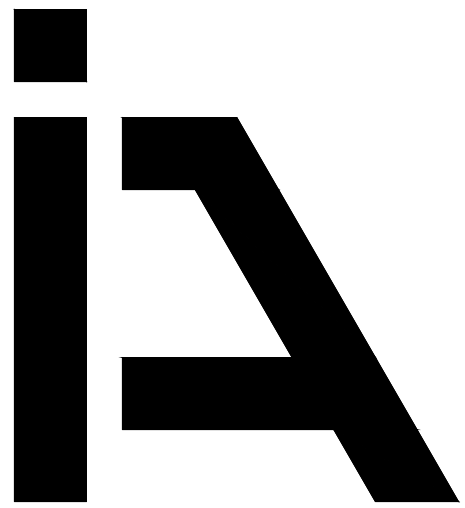
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FILE : XABELEV-HR
DATE : 5/5/22 HR

SHEET #
A2.2AB

AS-BUILT ELEVATIONS



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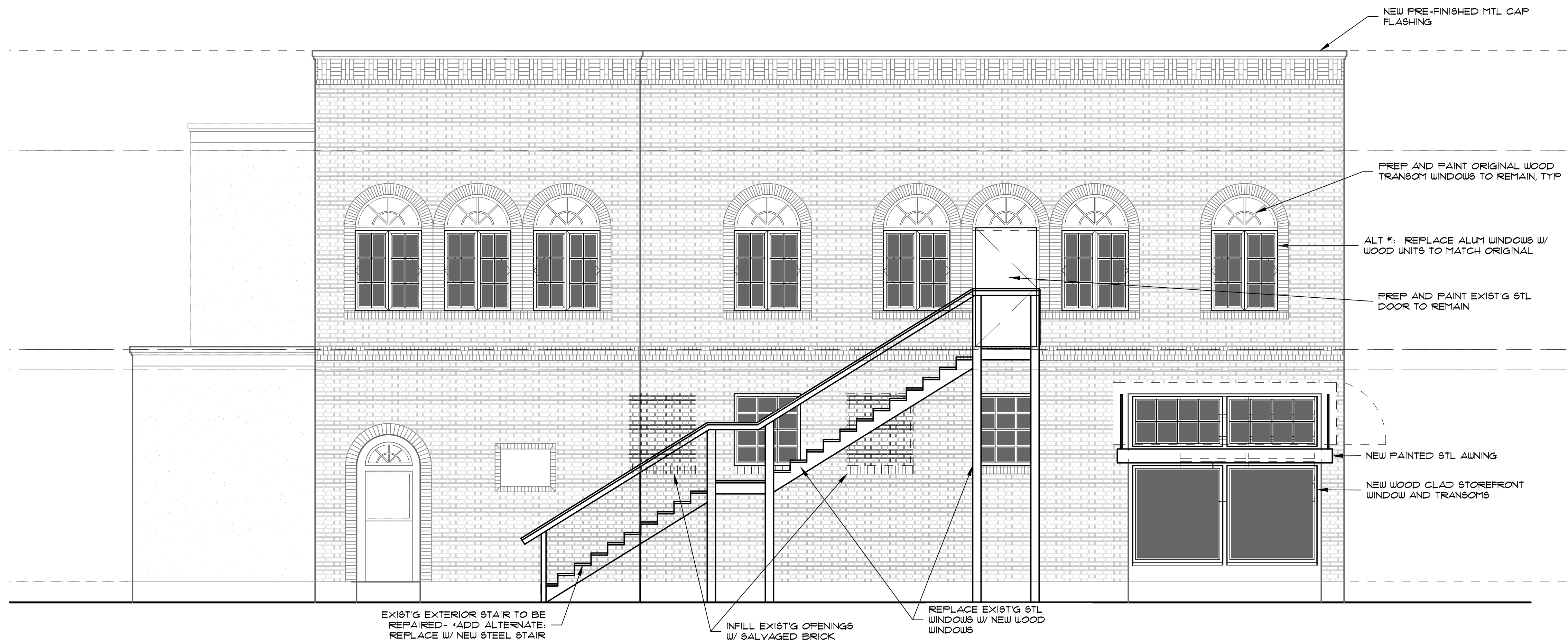
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NORTHEAST (FRONT) ELEVATION

1/4" = 1'-0"



SOUTHEAST (LEFT SIDE) ELEVATION

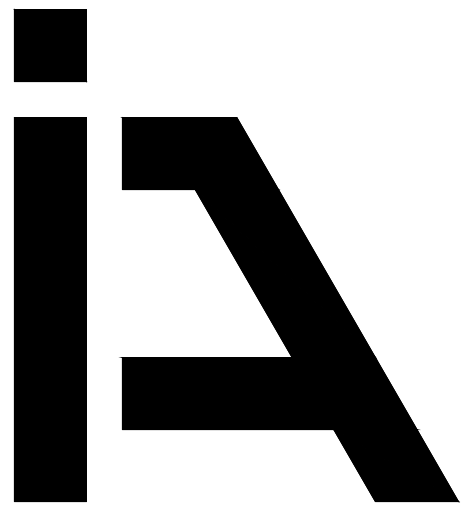
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FILE : A-ELV
DATE : 5/5/22 HR

SHEET #
A2.1

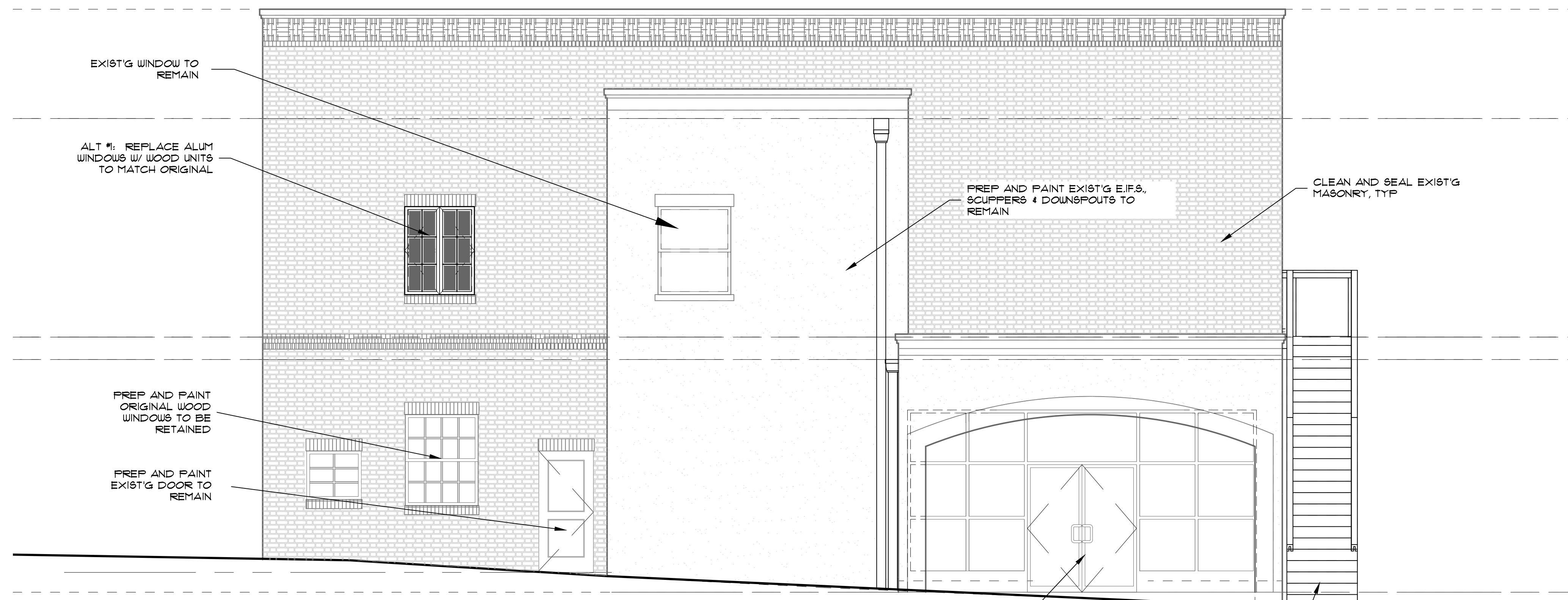
ELEVATIONS



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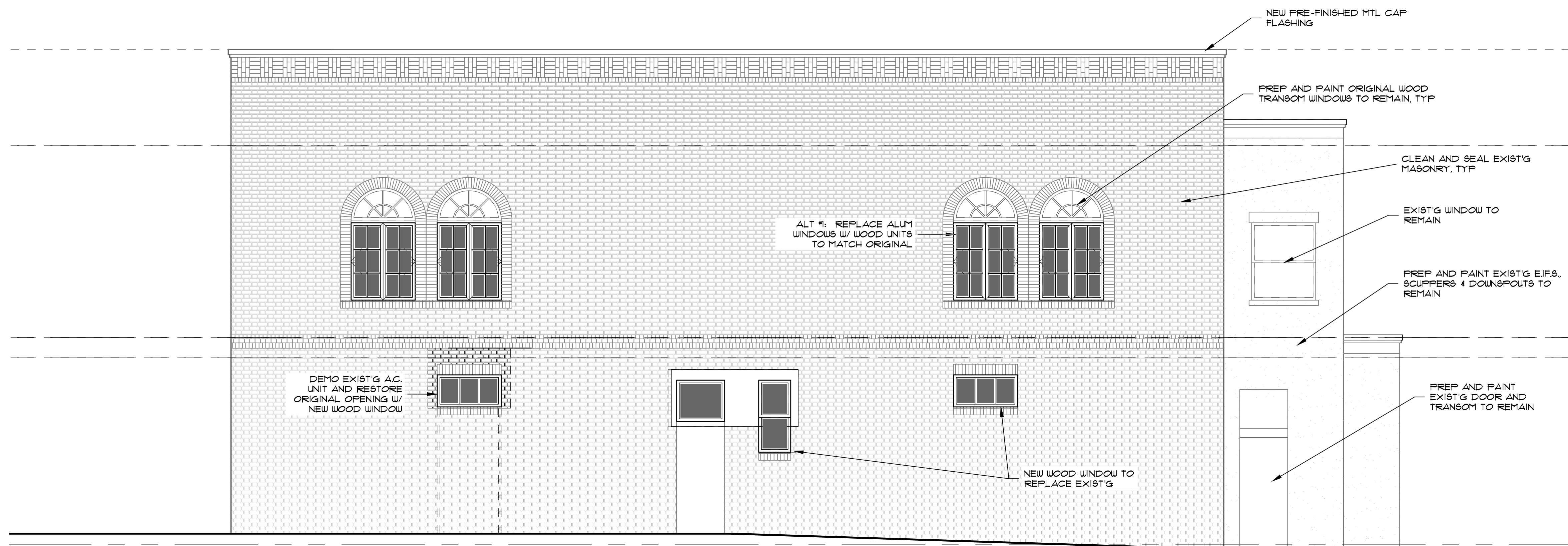
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SOUTHWEST (REAR) ELEVATION

1/4" = 1'-0"



NORTHWEST (RIGHT SIDE) ELEVATION

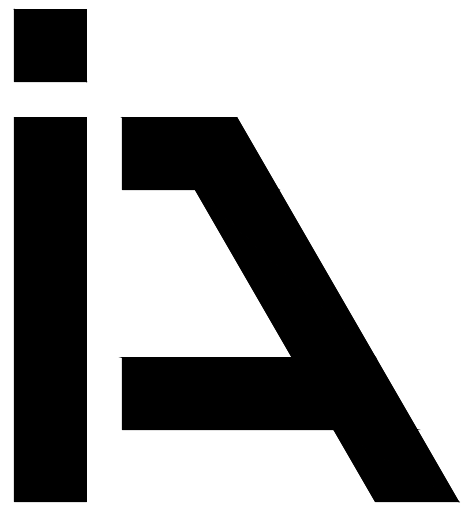
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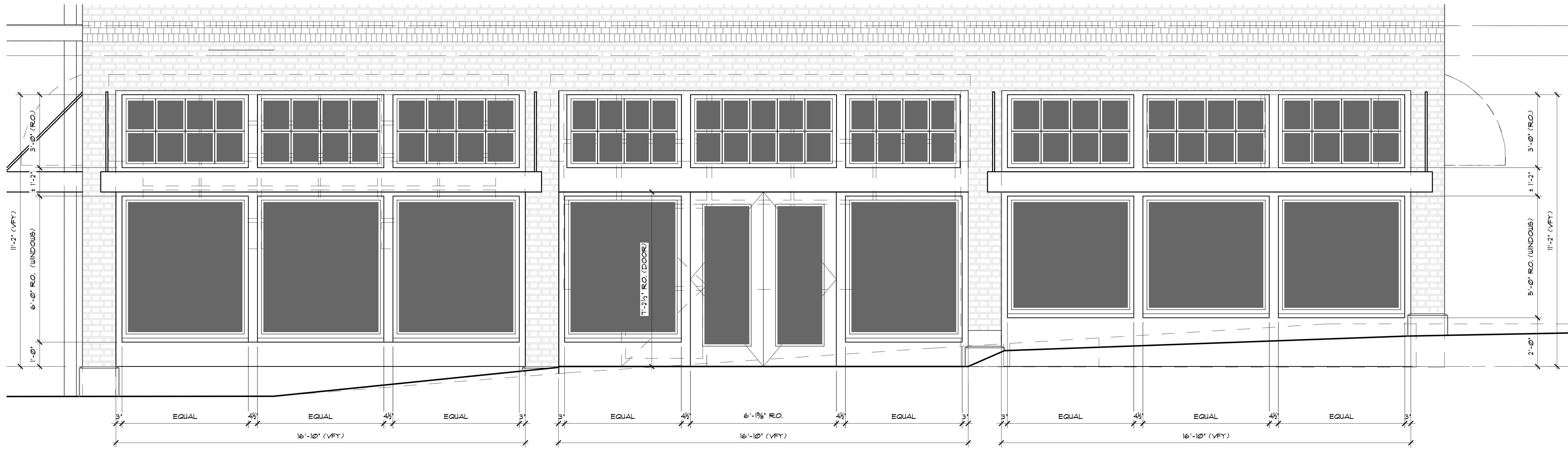
ELEVATIONS



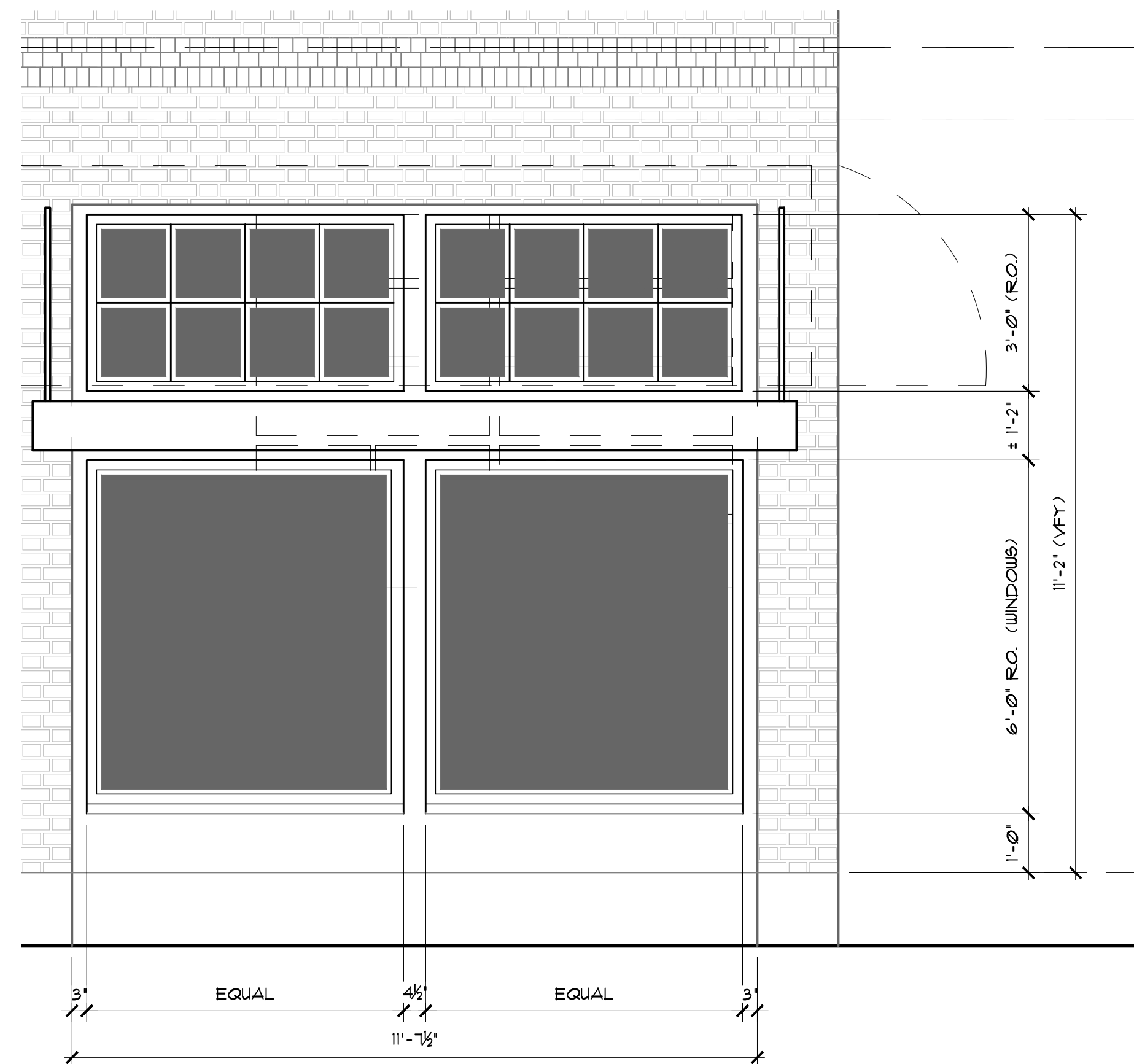
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503-656-1942
www.iselinarchitects.com

NOT FOR
PRELIMINARY
CONSTRUCTION



NORTHEAST (FRONT) STOREFRONT ELEVATIONS



SOUTHEAST (LEFT SIDE) STOREFRONT ELEVATION

Renovation and Remodel of
Historic West Linn City Hall Building
for Regional Cultural/ Tourism Center in partnership with
Willamette Falls and Landings Heritage Area Coalition
22825 Willamette Dr
West Linn, OR 97068

PROJ. NO. : 1705.3
FILE : A-ELV
DATE : 5/5/22 HR

SHEET #
A2.3

STOREFRONT ELEVATIONS