

**STAFF REPORT
PLANNING MANAGER DECISION**

DATE: December 22, 2022

FILE NO.: MIP-22-03

REQUEST: Approval of a Two-Parcel Minor Partition and Class I Variance at 20800 Hidden Springs Rd.

PLANNER: Chris Myers, Associate Planner

Planning Manager DSW

Engineer MCA

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GENERAL INFORMATION

OWNER/ APPLICANT:	Edward Radulescu 8800 SE Sunnyside Rd. #213N, Clackamas, OR. 97015
SITE LOCATION:	20800 Hidden Springs Road.
SITE SIZE:	24,655 square feet
LEGAL DESCRIPTION:	Assessor's Map 21E23CD Tax Lot 12300
COMP PLAN DESIGNATION:	Low-Density Residential
ZONING:	R-10, Single-Family Residential Detached (10,000 sq. ft. min. lot size)
APPROVAL CRITERIA:	Community Development Code (CDC) Chapter 11: Single-Family Residential Detached, R-10; Chapter 48: Access, Egress and Circulation; Chapter 75: Variances and Special Waivers; Chapter 85: Land Division, General Provisions; Chapter 92: Required Improvements; Chapter 99: Procedures for Decision Making: Quasi-Judicial.
120-DAY RULE:	The application became complete on September 8, 2022. The 120-day period therefore ends on January 6, 2023.
PUBLIC NOTICE:	Notice was mailed to property owners within 500 feet of the subject property and the Hidden Springs neighborhood association on October 17, 2022. A sign was placed on the property on October 25, 2022. The notice was also posted on the City's website on October 17, 2022. Therefore, public notice requirements of CDC Chapter 99 have been met.

EXECUTIVE SUMMARY

The applicant seeks approval for a partition of a 24,655 square foot parcel on the south side of Hidden Springs Road in the Hidden Springs Neighborhood. The applicant will dedicate eight feet of Parcels 1 and 2 for right-of-way improvements. Parcel 1, the westernmost parcel, will comprise 14,057 square feet and Parcel 2, the easternmost parcel, will comprise 9,839 square feet. The existing single-family home will remain on parcel 1.

The proposed parcels do not meet all dimensional standards for the R-10 zone. The applicant is requesting two Class I Variances.

Variance 1 is a request to reduce the side yard setback on parcel 1 from 7.5 feet to 6.0 feet. The purpose of the variance is to ensure the existing single-family home on parcel 1 can retain the attached garage.

Variance 2 is a request to reduce the total lot area of proposed parcel 2. The minimum lot size in the R-10 zone is 10,000 square feet. The applicant is requesting to reduce the total lot area of proposed parcel 2 from the minimum 10,000 square feet to 9,839, a reduction of 1.6%.

All surrounding properties are zoned R-10.

The existing Hidden Springs Road right-of-way is approximately 75 feet wide. An eight-foot dedication is required to match existing conditions at the corner of the adjacent properties to the east and west.

The City Arborist reviewed the site on September 8, 2022 and found no heritage or significant trees on the property.

There are no environmental overlays on the property. An existing water main located in Hidden Springs Road (water line for Parcel 1 connects to the main in Hidden Springs Road) and an existing sanitary sewer main located in an easement to the south of the property are both available to provide service. Any new home on Parcel 2 will be reviewed for compliance with setbacks at time of building permit application.

Public comments:

No public comments received.

DECISION

The Planning Manager (designee) approves this application (MIP-22-03), based on: 1) the findings submitted by the applicant, which are incorporated by this reference, 2) supplementary staff findings included in the Addendum below, and 3) the addition of conditions of approval below. With these findings, the applicable approval criteria are met. The conditions are as follows:

1. **Site Plan.** With the exception of modifications required by these conditions, the final plat shall conform to the Tentative Plan dated October 30, 2022 (Exhibit PD-1).
2. **Engineering Standards.** All public improvements and facilities associated with public improvements including street improvements, utilities, grading, onsite stormwater design, street lighting, street trees, easements, and easement locations are subject to the City Engineer's review, modification, and approval. These must be designed, constructed, and completed prior to final plat approval. West Linn Public Works may coordinate with the applicant to complete voluntary additional off-site improvements along Rosemont Road.
3. **Street Improvements.** Prior to final plat approval, the applicant shall dedicate on the face of the plat eight-feet of right-of-way and install frontage improvements to meet the cross-section. An eight-foot dedication is required to match existing conditions to the east and west on Hidden Springs Road.
4. **New Public Utility Easement.** The applicant shall provide an 8-foot wide public utility easement along the entire Hidden Springs Road frontage, south of the required eight-foot right-of-way dedication, and show it on the final plat.

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

Chris Myers
Chris Myers, Associate Planner

January 5, 2023
Date

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

Mailed this 6th day of January, 2023.

Therefore, the 14-day appeal period ends at 5 p.m., on January 20, 2023.

**ADDENDUM
APPROVAL CRITERIA AND FINDINGS
MIP-22-02**

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

I. CHAPTER 11, SINGLE FAMILY RESIDENTIAL DETACHED, R-10

11.030 PERMITTED USES

(...)

11.060 CONDITIONAL USES

Staff Finding 1: Staff incorporates the findings found on page 2 of the applicant's submittal (Exhibit PD-1). The criteria are met.

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

1. The minimum lot size shall be 10,000 square feet for a single-family detached unit:

Staff Finding 2: The applicant proposes two parcels sized at 14,057 square feet for parcel 1 and 9839 square feet for parcel 2. The applicant is requesting a Class I Variance for proposed parcel 2. Subject to Variance approval, the criteria are met.

2. The minimum front lot line length or the minimum lot width at the front lot line shall be 35 feet.

3. The average minimum lot width shall be 50 feet.

Staff Finding 3: The applicant proposes Parcel 1 to have a front lot line width of 84 feet and average lot width of 84 feet. Parcel 2 is proposed to have a front lot line width of approximately 61 feet. The criteria are met.

4. Repealed by Ord. 1622

(...)

7. The maximum lot coverage shall be 35 percent.

Staff Finding 4: Parcel 1 has an existing 1600 square foot single-family home. After partition parcel 1 will be 14,057 square feet. The lot coverage for parcel 1 will be 11.38% after partition. Lot coverage for Parcel 2 will be confirmed at the time of development. The criteria are met.

8. The minimum width of an accessway to a lot which does not abut a street or a flag lot shall be 15 feet.

Staff Finding 5: Both proposed Parcels abut Hidden Springs Road. Each proposed parcel will have a private access drive abutting Hidden Springs Road. The criteria does not apply.

9. *The floor area ratio shall be 0.45...non-conforming structures permit under Chapter 66 CDC. (...)*
10. *The sidewall provisions of Chapter 43 CDC shall apply.*

Staff Finding 6: Parcel 1 will retain the existing 2,080 sq. ft. single-family home and the FAR will be 0.14 (2080/14,473). No changes are proposed to the existing home. Parcel 2 FAR and sidewall provisions will be reviewed for compliance during the building permit review process. The criteria are met.

II. CHAPTER 48, ACCESS CONTROL

48.025 ACCESS CONTROL

B. Access Control Standards

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

Staff Finding 7: A traffic impact analysis (TIA) is not required as the criteria of 85.170(B) (2) are not met. An Average Daily Trip count (ADT) increase of 250 is required before a TIA is required. Construction of one additional home generates an ADT increase of 9.57 trips per day according to the Institute of Traffic Engineers (ITE) trip generation manual. The criteria is met.

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.

Staff Finding 8: Parcels 1 and 2 will each have dedicated driveways. No traffic control devices are required. No access easements required. Subject to the Conditions of Approval, the criteria is met.

3. Access Options. When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods (planned access shall be consistent with adopted public works standards and TSP). These methods are "options" to the developer/subdivider.

- a) *Option 1. Access is from an existing or proposed alley or mid-block lane. If a property has access to an alley or lane, direct access to a public street is not permitted.*
- 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.*

Staff Finding 9: Proposed Parcels 1 and 2 will take access from Hidden Springs Road. The proposed parcels will each have private driveways. Access will comply with access spacing standards in CDC 48.025(B)(6). The criteria is met.

- 4. *Subdivisions fronting onto an arterial street.*
(...)
- 5. *Double frontage lots.*

Staff Finding 10: The proposed partition is not a subdivision. The applicant’s proposal does not call for a double frontage lot. The criteria does not apply.

- 6. *Access Spacing.*
 - a. *The access spacing standards found in the adopted TSP shall be applicable to all newly established public street intersections...variance section in the adopted TSP.*
 - b. *Private drives and other access ways are subject to the requirements of CDC 48.060.*

Staff Finding 11: The applicant proposal does not include any new public street intersections. The proposal is for a private driveway for each of the proposed parcels. Parcel 1 has an existing private drive. Parcel 2 will have a private drive constructed, adhering to the access spacing standards found in 48.025 (B)(6). See Staff Findings 19 to 21 for compliance with CDC 48.060. The criteria are met.

- 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...*

Staff Finding 12: The applicant proposal includes one private access point to Hidden Springs Road for each parcel. No alley access is available for either parcel. The criteria are met.

- 8. *Shared driveways. The number of driveway and private street intersections with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. (...)*
 - a. *Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall*

be stubbed to adjacent developable parcels to indicate future extension. “Stub” means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent lot or parcel develops. “Developable” means that a lot or parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).

b. Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.

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

Staff Finding 13: Proposed Parcels 1 and 2 will take access from Hidden Springs Road, a public street with a functional classification of collector in the West Linn Transportation System Plan. The proposed parcels will each have a private access drive. No shared driveways are proposed therefore no access easement are required. The criteria are met.

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.*

Staff Finding 14: The proposed land division includes no new public or private streets. Adjacent properties to the north and west are fully developed and provide a functional limitation to implementation of block length standards as no new blocks can be formed. The criteria are met.

48.030 MINIMUM VEHICULAR REQUIREMENTS FOR RESIDENTIAL USES

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

Staff Finding 15: The applicant's proposal has both parcels taking direct access from Hidden Springs Road which is classified as a collector. There are no alternate access options available. The criteria are met.

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

(...)

2. Two to four single-family residential homes equals a 14 to 20 foot-wide paved or all-weather surface. Width shall depend on adequacy of line of sight and number of homes.

3. Maximum driveway grade shall be 15 percent...

4. The driveway shall include a minimum of 20 feet in length between the garage door and the back of sidewalk, or, if no sidewalk is proposed, to the paved portion of the right-of-way.

Staff Finding 16: The applicant proposes separate access drives for each of the two parcels. Parcel one has an existing access drive that will remain. The current single-family home on parcel one is less than 150 feet from the adjacent right-of-way. The dimensions of the access drive for parcel two will be checked at the time of development.

Subject to the conditions of approval, the criteria are met.

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

1. A turnaround may be required as prescribed by the Fire Chief.

2. Minimum vertical clearance for the driveway shall be 13 feet, six inches.

3. A minimum centerline turning radius of 45 feet is required unless waived by the Fire Chief.

4. There shall be sufficient horizontal clearance on either side of the driveway so that the total horizontal clearance is 20 feet.

Staff Finding 17: The applicant proposal does not contain any portion of the existing structure on parcel one that is more than 150 feet from the adjacent right-of-way. The construction of a single-family home on proposed parcel two is proposed to have a separate access drive. The dimension of the access drive and the distance of the single-family home from the adjacent right-of-way will be confirmed at the time of development.

The criteria are met.

D. Access to five or more single-family homes...waived by variance.

(...)

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

Staff Finding 18: The applicant proposal is for a partition for the future development of one single-family home on proposed parcel two. Parcel one has one existing single-family home. No gate is proposed for either parcel one or two. The criteria are met.

48.060 WIDTH AND LOCATION OF CURB CUTS AND ACCESS SEPARATION REQUIREMENTS

A. Minimum curb cut width shall be 16 feet.

B. Maximum curb cut width shall be 36 feet...

(...)

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

(...)

5. On a collector when intersected by another collector or local street, 35 feet.

(...)

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

(...)

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

(...)

Staff Finding 19: The existing curb cut for parcel one is approximately 26 feet wide. Proposed parcel 2 will have a private access drive with a curb cut. Dimensions for the curb cut on parcel 2 will adhere to the access spacing standards found in 48.025 (B)(6).

The criteria are met.

E. A rolled curb may be installed...

F. Curb cuts shall be kept at a minimum...

Staff Finding 20: A rolled curb is not proposed as part of the application. One curb cut per parcel is proposed, the minimum needed. The criteria are met.

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

Staff Finding 21: The applicant proposes for each parcel to have a private access drive. Vision clearance will be confirmed by planning staff during the building permit process. The criteria are met.

III. CHAPTER 75, VARIANCE

A. Class I Variance. Class I variances provide minor relief from certain code provisions where it can be demonstrated that the modification will not harm adjacent properties, and it conforms with any other code requirements. Class I variances are allowed for the following code provisions:

1. Required Yard and Minimum Lot Dimensional Requirements. Required yards may be modified up to 20 percent, lot dimensions by up to 10 percent and lot area by up to five percent if the decision-making authority finds that the resulting approval:

a. Provides for a more efficient use of the site;

b. Preserves and incorporates natural features into the overall design of the project;

- c. *Does not adversely affect adjoining properties in terms of light, air circulation, noise levels, privacy, and fire hazards; and*
 - d. *Provides for safe vehicular and pedestrian access to the site and safe on-site vehicular and pedestrian circulation.*
- (...)

Staff Finding 22: As detailed in the project description and findings presented in the applicant submittal, the applicant has requested two Class I Variances.

Variance 1 is a request to reduce the side yard setback on parcel 1 from 7.5 feet to 6.0 feet. The purpose of the variance is to ensure the existing single-family home on parcel 1 can retain the attached garage. Class I Variances may reduce the side yard setback up to 20%. The requested setback reduction is equal to a 20% reduction.

Variance 2 is a request to reduce the total lot area of proposed parcel 2. The minimum lot size in the R-10 zone is 10,000 square feet. The Class I Variance allows for a lot area reduction of 5% or 500 square feet. The applicant is requesting to reduce the total lot area of proposed parcel 2 from the minimum 10,000 square feet to 9839, a reduction of 1.6%.

Both variances will result in a more efficient use of the site. There are no natural features to be preserved on this site, and no abutting properties will be impacted by the variance reductions. The criteria are met.

IV. CHAPTER 85, GENERAL PROVISIONS

85.200 APPROVAL CRITERIA

No tentative subdivision or partition plan shall be approved unless adequate public facilities will be available to provide service to the partition or subdivision area prior to final plat approval and the Planning Commission or Planning Director, as applicable, finds that the following standards have been satisfied, or can be satisfied by condition of approval.

A. Streets.

1. General. The location, width and grade of streets shall be considered in their relation to existing and planned streets...Internal streets are the responsibility of the developer. All streets bordering the development site are to be developed by the developer with, typically, half-street improvements or to City standards prescribed by the City Engineer. Additional travel lanes may be required to be consistent with adjacent road widths or to be consistent with the adopted Transportation System Plan (TSP) and any adopted updated plans.

Staff Finding 23: The proposal does not include any internal streets. The applicant proposes installation of half-street improvements along the property's Hidden Springs Road frontage. The City requires the applicant to dedicate eight feet of additional right-of-way to

accommodate half-street improvements that align with existing roadway. Condition of Approval 3. Subject to the Conditions of Approval, the criteria are met.

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

Staff Finding 24: The proposal is located on Hidden Springs Road, a collector street that has an approximately 72 foot right-of-way width adjacent to the subject property. The City requires the applicant to dedicate seven feet of additional right-of-way to accommodate half-street improvements that align with existing improvements on Hidden Springs Road. Subject to the Conditions of Approval, the criteria is met.

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

Staff Finding 25: The proposal is located on Hidden Springs Road, a collector street that has a 40 foot street width adjacent to the subject property. The City requires the applicant to dedicate eight feet of additional right-of-way to accommodate half-street improvements. Subject to the Conditions of Approval, the criteria is met.

*4. The decision-making body shall consider the City Engineer's recommendations on the desired right-of-way width, pavement width and street geometry of the various street types within the subdivision after consideration by the City Engineer of the following criteria:
(...)*

*5. Additionally, when determining appropriate street width, the decision-making body shall consider the following criteria:
(...)*

Staff Finding 26: The proposal is located on Hidden Springs Road, a collector street that has an approximately 72 foot right-of-way width adjacent to the subject property. The City requires the applicant to dedicate eight feet of additional right-of-way to accommodate half-street improvements that align with existing improvements. Subject to the Conditions of Approval, the criteria is met.

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

7. Alignment. All streets other than local streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuations of the centerlines thereof. The staggering of street alignments...

8. Future extension of streets. Where necessary to give access to or permit a satisfactory future subdivision of adjoining land, streets shall be extended to the boundary of the subdivision...

9. Intersection angles. Streets shall be laid out to intersect angles as near to right angles as practical...

Staff Finding 27: The applicant proposes no reserve strips, no new streets or intersections, and is precluded from any potential future extension of streets by existing development patterns. The criteria are met.

10. Additional right-of-way for existing streets. Wherever existing street rights-of-way adjacent to or within a tract are of inadequate widths based upon the standards of this chapter, additional right-of-way shall be provided at the time of subdivision or partition.

Staff Finding 28: The proposal is located on Hidden Springs Road, a collector street that has an approximately 72 foot right-of-way width adjacent to the subject property. The City requires the applicant to dedicate eight feet of additional right-of-way to accommodate half-street improvements that align with existing improvements. Subject to the Conditions of Approval, the criteria is met.

11. Cul-de-sacs.

a. New cul-de-sacs and other closed-end streets...

(...)

f. All cul-de-sacs/closed-end streets shall terminate with a turnaround built to one of the following specifications (measurements are for the traveled way and do not include planter strips or sidewalks).

Staff Finding 29: The applicant does not propose any new cul-de-sacs or closed-end streets. The criteria are met.

12. Street Names

13. Grades and Curves

14. Access to local streets. Intersection of a local residential street with an arterial street may be prohibited...

15. Alleys

Staff Finding 30: The applicant does not propose any new streets. The proposed partition is adjacent to Hidden Springs Road, a City street with a functional classification of collector, and does not require access on to an arterial street. No alley is proposed. The criteria are met.

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

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

Staff Finding 31: The applicant will install frontage improvements to match the frontage improvements to the east and west of the subject property on Hidden Springs Road, per Condition of Approval 3. Subject to the Conditions of Approval, the criteria are met.

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

19. All lots in a subdivision shall have access to a public street. Lots created by partition may have access to a public street via an access easement pursuant to the standards and limitations set forth for such accessways in Chapter 48 CDC.

Staff Finding 32: The application is for a partition of an existing parcel. No new streets or roads are proposed. The partition is not part of a subdivision. See staff Findings 7 through 21 for compliance with access standards in Chapter 48. Subject to the Conditions of Approval, the criteria are met.

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

21. Entryway treatments and street isle design...

Staff Finding 33: The applicant does not propose any gated streets or driveways. The applicant does not propose any entryway treatments or street isle designs. The criteria are met.

22. Based upon the determination of the City Manager or the Manager's designee, the applicant shall construct or cause to be constructed, or contribute a proportionate share of the costs, for all necessary off-site improvements identified by the transportation analysis commissioned to address CDC 85.170(B)(2) that are required to mitigate impacts from the proposed subdivision...

Staff Finding 34: The proposal is not a subdivision. The criteria does not apply.

B. Blocks and Lots.

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

2. Sizes. The recommended block size is 400 feet in length to encourage greater connectivity within the subdivision. Blocks shall not exceed 800 feet in length between street lines... Block sizes and proposed accesses must be consistent with the adopted TSP.

Staff Finding 35: The applicant does not propose new streets, connections, or new blocks. Existing development patterns preclude any new street connections. The criteria do not apply.

3. Lot size and shape. Lot or parcel size, width, shape, and orientation shall be appropriate for the location of the subdivision or partition... Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use proposed.

Staff Finding 36: The proposed partition does not meet all dimensional requirements of the underlying zone. The applicant has requested Class I variances to account for the dimensional standards that cannot be met (see Staff Finding 22 for detailed variance information). Subject to Variance approval, the criteria are met.

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

Staff Finding 37: Please see Staff Findings 7 through 21. Subject to the Conditions of Approval, the criteria are met.

5. Double Frontage lots and parcels.

6. Lot and parcel side lines.

Staff Finding 38: No double frontage parcels are proposed. Parcel sidelines primarily run at right angles to Hidden Springs Road and the adjacent properties. The criteria are met.

7. Flag lots. Flag lots can be created where it can be shown that no other reasonable street access is possible to achieve the requested land division... The following dimensional requirements shall apply to flag lots:

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

(...)

f. If the use of a flag lot stem to access a lot is infeasible... access easement of a minimum 15-foot width across intervening property

Staff Finding 39: No flag lots are proposed. Each parcel will take direct access to Hidden Springs Road.

The criteria do not apply.

8. Large lots or parcels.

Staff Finding 40: The applicant does not propose the creation of any large parcels. All proposed parcels meet the underlying R-10 zone dimensional requirements. The criteria are met.

C. Pedestrian and bicycle trails.

(...)

D. Transit Facilities

(...)

Staff Finding 41: The West Linn Transportation System Plan does not identify any pedestrian or bicycle trails on or adjacent to the subject property. The closest bus route is approximately 4000 feet or three-quarters of one mile from the subject property. There are currently no adopted plans to add transit service to Hidden Springs Road. The applicant is not required to install any improvements outside of required street improvements. The criteria are met.

E. Grading.

(...)

F. Water.

(...)

G. Sewer.

(...)

Staff Finding 42: Grading plans will be submitted and reviewed at the time of building permit application and will conform to the Uniform Building Code. The subject property is currently served by city water in Hidden Springs Road. Proposed parcel one is currently served by an existing sanitary sewer line south of the existing single-family home. Proposed parcel one is also served by a water line and stormwater facility in Hidden Springs Road. Proposed parcel two will have access to the sewer line to the south and the water and stormwater lines in Hidden Springs Road. The applicant will record a public utility easement per Condition of Approval 4 for access to the sewer line south of the structure on parcel 1. Subject to the Conditions of Approval, the criteria are met.

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

Staff Finding 43: The applicant will ensure all storm detention and treatment facilities comply with the West Linn Public Works Design Standards, ensure there will be no adverse off-site impacts caused by development, and that there is sufficient factual data to support the conclusions of the submitted plan per Condition of Approval 3. Subject to the Conditions of Approval, the criteria are met.

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

Staff Finding 44: The applicant will record a public utility easement per to conform with the City Engineer's requirement of a new 8 foot wide public utility easement adjacent to the proposal's entire frontage of Hidden Springs Road, per Condition of Approval 4. Subject to the Conditions of Approval, the criteria are met.

J. Supplemental Provisions

1. *Wetland and Natural Drainage Ways.*
2. *Willamette and Tualatin Greenways.*

Staff Finding 45: Staff incorporates the findings found on pages 7 and 8 of the applicant's submittal (Exhibit PD-1). The criteria are met.

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

Staff Finding 46: The applicant will plant street trees as deemed appropriate to match the frontage improvements to the east and west on Hidden Springs Road as per Conditions of Approval 3. Subject to the Conditions of Approval, the criteria are met.

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

Staff Finding 47: Staff incorporates the findings found on page 8 of the applicant's submittal (Exhibit PD-1). The applicant is not required to install any additional street lights. The criteria is met.

5. Dedications and exactions.

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

Staff Finding 48: The City Engineer has determined the proposal will require an eight-foot property dedication for frontage improvements to match the existing improvements to the east and west of the subject property. The City Engineer has also determined the City's sanitary sewer and water systems have sufficient capacity to serve the site. The criteria are met.

6. Underground utilities.

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

Staff Finding 49: The subject property does not have any overhead utility lines. At the time of development on parcel 2 utilities will be appropriately installed underground. No further undergrounding of existing utilities is required as they are already underground. The applicant is not required to underground existing utilities. The criteria are met.

7. Density requirement. Density shall occur at 70 percent or more of the maximum density allowed by the underlying zoning. These provisions would not apply when density is transferred from Type I and II lands as defined in CDC 02.030. Development of Type I or II lands are exempt from these provisions. Land divisions of three lots or less would also be exempt.

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

Staff Finding 50: The subject property is 22,998 square feet. The property contains no Type I or II lands. The property is zoned R-10, which requires a minimum 10,000 square feet per parcel. The maximum number of parcels that can be created from the subject property is two (22,998/10,000), thus the proposal is for 100% of the maximum density. The “mix” rule does not apply. The criteria are met.

9. Heritage trees/significant tree and tree cluster protection.

All heritage trees, as defined in the Municipal Code, shall be saved. Diseased heritage trees, as determined by the City Arborist, may be removed at his/her direction. All non-heritage trees and clusters of trees (three or more trees with overlapping dripline; however, native oaks need not have an overlapping dripline) that are considered significant by virtue of their size, type, location, health, or numbers shall be saved pursuant to CDC 55.100(B)(2). Trees are defined per the municipal code as having a trunk six inches in diameter or 19 inches in circumference at a point five feet above the mean ground level at the base of the trunk.

Staff Finding 51: The City Arborist reviewed the site on September 8, 2022 and found no heritage or significant trees on the property. No trees are required to be retained. The criteria are met.

V. CHAPTER 92, REQUIRED IMPROVEMENTS

92.020 IMPROVEMENTS IN PARTITIONS

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

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

Staff Finding 52: The applicant proposes to install frontage improvements, which meet the City of West Linn Public Works Standards, to Hidden Springs Road adjacent to the subject property. The applicant will dedicate an additional eight-feet of right-of-way. The criteria are met.

PD-1 APPLICANT SUBMITTAL



Planning & Development • 22500 Salamo Rd #1000 • West Linn, Oregon 97068
Telephone 503.656-3535 • westlinnoregon.gov

DEVELOPMENT REVIEW APPLICATION

For Office Use Only

STAFF CONTACT Chris Myers	PROJECT NO(S). MIP-22-03	PRE-APPLICATION NO. PA-22-13
NON-REFUNDABLE FEE(S)	REFUNDABLE DEPOSIT(S) \$2,800	TOTAL \$2,800

Type of Review (Please check all that apply):

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

Pre-Application, Home Occupation, Sidewalk Use, Addressing, and Sign applications require different forms, available on the City website.

Site Location/Address:	Assessor's Map No.:
	Tax Lot(s):
	Total Land Area:

Brief Description of Proposal:

Applicant Name: <small>(please print)</small>	Phone:
Address:	Email:
City State Zip:	

Owner Name (required): <small>(please print)</small>	Phone:
Address:	Email:
City State Zip:	

Consultant Name: <small>(please print)</small>	Phone:
Address:	Email:
City State Zip:	

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. 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.

 Applicant's signature	Date	 Owner's signature (required)	Date
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**Narrative for Proposed Development At:
20800 Hidden Springs Rd.
West Linn, Oregon 97068**

Proposed Lot Partition (Minor Partition)

Description of Proposal:

Minor Partition to divide the existing 24,655 Square Foot site at 20800 Hidden Springs Rd. into 2 lots. The existing house will remain on one lot that will be 14,473 Square Feet and the newly created lot will be 10,182 Square Feet. Per the City of West Linn, a 5' right of way dedication will be required along the frontage of the entire property. A sewer easement is proposed at the south side of the existing site for the benefit of the newly created lot where sewer exists. Water is available in Hidden Springs Rd. and all storm water will be through a private storm water facility at time of building permit.

Site Information:

Site Address: 20800 Hidden Springs Rd. West Linn, Oregon 97068

Tax Lot No.: 21E23CD12300

Site Area: 24,588 Square Feet +/-

Neighborhood: Hidden Springs Neighborhood Association

Comp. Plan: Low Density Residential

Zoning: Single-Family Residential Attached, R-10

Zoning Overlays: N/A

Applicable CDC Chapters:

Chapter 11: Single-Family Residential Attached, R-10

11.030 Permitted Uses: The proposal will be to create a new site for a Single-Family detached residential unit. The proposal complies

11.070 Dimensional Requirements:

- Minimum Lot Size: 10,000 SF. The proposed lot size is 10,182 SF and the existing lot will be reduced to 14,473 SF. Complies
- Minimum Lot Width at Front Lot Line: 35 FT. The propose is 61.30 FT. Complies
- Average Minimum Lot Width: 50 FT. The proposed is 61.30 FT. Complies
- Minimum Building Setbacks:
 - Front Yard: 20 FT.
 - Interior Side Yard: 7.5 FT.
 - Street Side Yard: 15 FT.
 - Rear Yard: 20 FT.
 - The proposed partition will allow the existing house to meet all of the minimum building setbacks with the exception of the one interior side yard setback. The west side of the existing home to the proposed property line will have a setback of 5.78 Feet. See Chapter 75 Variances.

- Maximum Building Height: 35 FT. The existing home is approximately 15 Feet in Height. Complies
- Maximum Lot Coverage: 35%. The existing home has an approximate lot coverage area of 1,600 SF. The new area of the existing home site, after the partition, will be 14,473 SF. $1,600/14,473=11\%$ Lot Coverage. Complies.
- Minimum Access Width: 15 FT. The existing driveway will remain. Complies.
- Maximum Floor Area: The existing house has a floor area of 2,080 SF. $2,080/14,473=.14$ FAR. Complies.

Chapter 48: Access, Egress, and Circulation:

48.020

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

B. Access control standards.

1. Traffic impact analysis requirements. The City or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (See also CDC 55.125, Transportation Impact Analysis.). Response: The City of West Linn has not required a Traffic Study for this proposal.

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. Response: The City of West Linn is requiring a 5' Right of Way Dedication along Hidden Springs Rd. A new driveway is proposed for the newly created lot. The existing house will retain its existing driveway.

3. Access options. When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods (planned access shall be consistent with adopted public works standards and TSP). These methods are "options" 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. Response: There is no alley or mid-block lane. Access will be from a Public Street. Option 1 does not apply.

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. Response: Access will be from a Public Street. Option 2 does not apply.

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. Response: Option 3 Applies because the access will be from Hidden Springs Rd. a public street adjacent to the development.

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). Response: This development is not subdivision. This section 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. Response: The site has frontage on only one street. This section does not apply.

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. See b. below.

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

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. Response: one access is proposed per lot.

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). Response: A shared driveway is not required.

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. Response: Shared driveways are not proposed and therefore, access easements are not proposed.

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. Response: Shared driveways are not required or proposed.

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. Response: This section does not apply because a large subdivision or formation of blocks are not proposed.

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. Response: This section does not apply because a large subdivision or formation of blocks are not proposed.

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) Response: This section does not apply because a large subdivision or formation of blocks are not proposed.

48.030

A. Direct individual access from single-family dwellings and duplex lots to an arterial street, as designated in the transportation element of the Comprehensive Plan, is prohibited for lots or parcels created after the effective date of this code where an alternate access is either available or is expected to be available by imminent development application. Evidence of alternate or future access may include temporary cul-de-sacs, dedications or stubouts on adjacent lots or parcels, or tentative street layout plans submitted at one time by adjacent property owner/developer or by the owner/developer, or previous owner/developer, of the property in question. Response: Hidden Springs Rd. is a minor arterial st. This section does not apply because the subject does not have any alternative access other than on Hidden Springs Rd.

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

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

Response: The proposed partition for an additional lot is a lot low traffic volume development and access to Hidden Springs Rd. is the only available access. A shared driveway is not proposed.

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

1. One single-family residence, including residences with an accessory dwelling unit as defined in CDC 02.030, shall provide 10 feet of unobstructed horizontal clearance. Dual-track or other driveway designs that minimize the total area of impervious driveway surface are encouraged. Response: Driveways will comply with the standards set forth by the City of West Linn at the time of the building permits. The existing driveway will be retained for the existing house.
2. Two to four single-family residential homes equals a 14- to 20-foot-wide paved or all-weather surface. Width shall depend upon adequacy of line of sight and number of homes. Response: Driveways will comply with the standards of the City of West Linn at time of building permit submittal. The existing driveway will be retained for the existing house.
3. Maximum driveway grade shall be 15 percent. The 15 percent shall be measured along the centerline of the driveway only. Variations require approval of a Class II variance by the Planning Commission pursuant to Chapter 75 CDC. Regardless, the last 18 feet in front of the garage shall be under 12 percent grade as measured along the centerline of the driveway only. Grades elsewhere along the driveway shall not apply. Response: The approval of the partition will not require a driveway with a slope greater than 15%.
4. The driveway shall include a minimum of 20 feet in length between the garage door and the back of sidewalk, or, if no sidewalk is proposed, to the paved portion of the right-of-way. Response: Front setbacks for the existing house will be met with the proposed partition application.

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

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

Response: This section does not apply because all driveways will be less than 150' from Hidden Springs Rd.

D. Access to five or more single-family homes shall be by a street built to full construction code standards. All streets shall be public. This full street provision may only be waived by variance. Response: This section does not apply because five or more single-family homes is not being proposed.

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

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

Response: This section does not apply because the proposed does not include multi-family dwellings.

F. Where on-site maneuvering and/or access drives are necessary to accommodate required parking, in no case shall said maneuvering and/or access drives be less than that required in Chapters 46 and 48 CDC. Response: access drives are not required or proposed.

G. The number of driveways or curb cuts shall be minimized on arterials or collectors. Consolidation or joint use of existing driveways shall be required when feasible. Response: one driveway per lot is proposed.

H. In order to facilitate through traffic and improve neighborhood connections, it may be necessary to construct a public street through a multi-family site. Response: a multi-family site is not being proposed.

I. Gated accessways to residential development other than a single-family home are prohibited. (Ord. 1408, 1998; Ord. 1463, 2000; Ord. 1513, 2005; Ord. 1584, 2008; Ord. 1590 § 1, 2009; Ord. 1636 § 34, 2014)

48.040

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

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

Response: Non-residential uses are not proposed.

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.

Response: Non-residential uses are not proposed.

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

Response: Non-residential uses are not proposed.

D. Gated accessways to non-residential uses are prohibited unless required for public safety or security. (Ord. 1408, 1998, Ord. 1463, 2000). Response: Non-residential uses are not proposed.

48.050

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. Response: Parking facilities are not being proposed.

48.060

- A. Minimum curb cut width shall be 16 feet. Response: Driveway width and curb cuts will at least 16' wide.
- 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. Response: The maximum curb cut will not exceed 36'.
- 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. Response: Hidden Springs Rd. is a minor arterial street. Response: There are no intersecting arterial streets within 150' of the subject site.
 2. On an arterial when intersected by a collector, 100 feet. Response: There are no intersecting collector streets within 100' of the subject site.
 3. On an arterial when intersected by a local street, 100 feet. Response: There are no intersecting local streets within 100' of the subject site.
 4. On a collector when intersecting an arterial street, 100 feet. Response: Hidden Springs Rd. is a minor arterial.
 5. On a collector when intersected by another collector or local street, 35 feet. Response: Hidden Springs Rd. is a minor arterial.
 6. On a local street when intersecting any other street, 35 feet. Response: Hidden Springs Rd. is a minor arterial.
- 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. Response: Driveways will be spaced to meet the 150' standard where applicable.
 2. On a collector street, 75 feet. Response: Hidden Springs Rd. is a minor arterial.
 3. Between any two curb cuts on the same lot or parcel on a local street, 30 feet. Response: Each lot will have its own driveway curb cut.
- E. A rolled curb may be installed in lieu of curb cuts and access separation requirements. Response: Rolled curbs are not proposed.

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. Response: One curb cut per lot is being proposed.

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). Response: Site distance will be met for each lot.

48.070

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).

Response: The proposed partition will not generate any access issues, hazardous conditions, or inadequate access for emergency vehicles.

48.080

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.) Response: This section does not apply because the proposed is not a multi-family development.

B. Bicycle and pedestrian ways within a subdivision shall be constructed according to the provisions in CDC 85.200(A)(3). Response: This section does not apply because the proposed development is not a subdivision.

C. Bicycle and pedestrian ways at commercial or industrial sites shall be provided according to the provisions of Chapter 55 CDC, Design Review. Response: This section does not apply because the proposed development is not commercial or industrial.

Chapter 75: Variances and Special Waivers

75.020

A variance is being proposed to the setback that is being proposed between the west side of the existing home and the proposed property line. The setback standard is 7.5' and the proposed setback will be 5.89'. A 21% reduction in the setback is being proposed. The setback variance is classified as a Class 1 Variance.

Required Yard and Minimum Lot Dimensional Requirements. Required yards may be modified up to 20 percent, lot dimensions by up to 10 percent and lot area by up to five percent if the decision-making authority finds that the resulting approval:

- a. Provides for a more efficient use of the site;

Response: The modification would allow the existing house to retain its garage while allowing the proposed additional site generated by the partition to be at least 10,000 SF in area.

- b. Preserves and incorporates natural features into the overall design of the project;

Response: The modification would allow the existing house to remain rather than demolishing a portion of the garage. By retaining the garage, a new garage does not have to be added on site which would require the removal of additional natural features of the site.

- c. Does not adversely affect adjoining properties in terms of light, air circulation, noise levels, privacy, and fire hazards;

Response: By modifying the setback to the west side there will not be any negative impacts to the adjoining sites. The only property adjoining this site is a fire station.

- d. Provides for safe vehicular and pedestrian access to the site and safe on-site vehicular and pedestrian circulation.

Response: By approving the modification the existing garage and driveway can remain as existing. No impacts will be generated to the vehicular or pedestrian access.

Chapter 85: Land Division, General Provision

85.200

Additional right-of-way for existing streets. Wherever existing street rights-of-way adjacent to or within a tract are of inadequate widths based upon the standards of this chapter, additional right-of-way shall be provided at the time of subdivision or partition. Response: A 5' Right of Way dedication is required along Hidden Springs Rd. for the frontage of the entire site at 20800 Hidden Springs Rd.

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

Planter strip. The planter strip is between the curb and sidewalk providing space for a grassed or landscaped area and street trees. The planter strip shall be at least 6 feet wide to accommodate a fully matured tree without the boughs interfering with pedestrians on the sidewalk or vehicles along the curblane. Planter strip width may be reduced or eliminated, with City Engineer approval, when it cannot be corrected by site plan, to the minimum amount necessary to respond to site constraints such as grades, mature trees, rock outcroppings, etc., or in response to right-of-way limitations. Response: The continuation of the existing planter strip from the west will be continued along the entire frontage of the subject site per City of West Linn standards.

Streets and roads shall be dedicated without any reservations or restrictions. Response: A 5' Right of Way dedication is required.

All lots in a subdivision shall have access to a public street. Lots created by partition may have access to a public street via an access easement pursuant to the standards and limitations set forth for such accessways in Chapter 48 CDC. Response: The lots generated by this partition will have direct access to Hidden Springs Rd.

Water.

1. A plan for domestic water supply lines or related water service facilities shall be prepared consistent with the adopted Comprehensive Water System Plan, plan update, March 1987, and subsequent superseding revisions or updates.
2. Adequate location and sizing of the water lines.
3. Adequate looping system of water lines to enhance water quality.
4. For all non-single-family developments, there shall be a demonstration of adequate fire flow to serve the site.
5. A written statement, signed by the City Engineer, that water service can be made available to the site by the construction of on-site and off-site improvements and that such water service has sufficient volume and pressure to serve the proposed development's domestic, commercial, industrial, and fire flows.

Response: There is an existing water main in Hidden Springs Rd. which is adequate to serve the newly created lot with this proposal. The existing house has a connection to the existing public water.

Sewer.

1. A plan prepared by a licensed engineer shall show how the proposal is consistent with the current Sanitary Sewer Master Plan and subsequent updates and amendments applicable at the time the proposal is submitted. Agreement with that plan must demonstrate how the sanitary sewer proposal will be accomplished and how it is gravity-efficient. The sewer system must be in the correct basin and should allow for full gravity service.
2. Sanitary sewer information will include plan view of the sanitary sewer lines, including manhole locations and depth or invert elevations.
3. Sanitary sewer lines shall be located in the public right-of-way, particularly the street, unless the applicant can demonstrate why the alternative location is necessary and meets accepted engineering standards.
4. Sanitary sewer line should be at a depth that can facilitate connection with down-system properties in an efficient manner.
5. The sanitary sewer line should be designed to minimize the amount of lineal feet in the system.
6. The sanitary sewer line shall avoid disturbance of wetland and drainageways. In those cases where that is unavoidable, disturbance shall be mitigated pursuant to Chapter 32 CDC, Water Resource Area Protection, all trees replaced, and proper permits obtained. Dual sewer lines may be required so the drainageway is not disturbed.
7. Sanitary sewer shall be extended or stubbed out to the next developable subdivision or a point in the street that allows for reasonable connection with adjacent or nearby properties.
8. The sanitary sewer system shall be built pursuant to DEQ, City, and Tri-City Service District sewer standards. The design of the sewer system should be prepared by a licensed engineer, and the applicant must be able to demonstrate the ability to satisfy these submittal requirements or standards at the pre-construction phase.
9. A written statement, signed by the City Engineer, that sanitary sewers with sufficient capacity to serve the proposed development and that adequate sewage treatment plant capacity is available to the City to serve the proposed development.

Response: There is an existing sewer to the south of the subject site which is where the existing home is connected. The newly created lot can obtain sewer from this location as well with a proposed sewer easement that can extend along the south of the existing site to the newly created site.

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

Utility easements. Subdivisions and partitions shall establish utility easements to accommodate the required service providers as determined by the City Engineer. The developer of the subdivision shall make accommodation for cable television wire in all utility trenches and easements so that cable can fully serve the subdivision. Response: A sewer easement will be required at the south of the subject site for the benefit of the newly created lot with this partition. An 8' PUE is also required along the frontage of the site.

Supplemental Provisions.

Wetland and natural drainageways. Wetlands and natural drainageways shall be protected as required by Chapter 32 CDC, Water Resource Area Protection. Utilities may be routed through the protected corridor as a last resort, but impact mitigation is required. Response: There are no wetlands or natural drainageways present on the site.

2. Willamette and Tualatin Greenways. The Willamette and Tualatin River Greenways shall be protected as required by Chapter 28 CDC, Willamette and Tualatin River Protection. Response: The site is not part of the Willamette and Tualatin River Greenways Protection.

3. Street trees. Street trees are required as identified in the appropriate section of the municipal code and Chapter 54 CDC. Response: Street trees will be planted as required.

4. Lighting. All subdivision street or alley lights shall meet West Linn Public Works Design Standards. Response: Street lighting will be installed as required.

5. Dedications and exactions. The City may require an applicant to dedicate land and/or construct a public improvement that provides a benefit to property or persons outside the property that is the subject of the application when the exaction is roughly proportional. No exaction shall be imposed unless supported by a determination that the exaction is roughly proportional to the impact of development. Response: A 5' Right of Way Dedication is proposed along the frontage of 20800 Hidden Springs Rd.

6. Underground utilities. All utilities, such as electrical, telephone, and television cable, that may at times be above ground or overhead shall be buried underground in the case of new development. The exception would be in those cases where the area is substantially built out and adjacent properties have above-ground utilities and where the development site's frontage is under 200 feet and the site is less than one acre. High voltage transmission lines, as classified by Portland General Electric or electric service provider, would also be exempted. Where adjacent future development is expected or imminent, conduits may be required at the direction of the City Engineer. All services shall be underground with the exception of standard above-grade equipment such as some meters, etc. Response: Proposed utilities will all be underground.

7. Density requirement. Density shall occur at 70 percent or more of the maximum density allowed by the underlying zoning. These provisions would not apply when density is transferred from Type I and II lands as defined in CDC 02.030. Development of Type I or II lands are exempt from these provisions. Land divisions of three lots or less would also be exempt. Response: The propose is for the partition of an existing site for one additional site.

8. Mix requirement. The "mix" rule means that developers shall have no more than 15 percent of the R-2.1 and R-3 development as single-family residential. The intent is that the majority of the site shall be developed as medium high density multi-family housing. Response: The site is located in the R-10 zone.

9. Heritage trees/significant tree and tree cluster protection. All heritage trees, as defined in the municipal code, shall be saved. Diseased heritage trees, as determined by the City Arborist, may be removed at their direction. All non-heritage trees and clusters of trees (three or more trees with overlapping dripline; however, native oaks need not have an overlapping dripline) that are considered significant by virtue of their size, type, location, health, or numbers shall be saved pursuant to CDC 55.100(B)(2). Trees are defined per the municipal code as having a trunk six inches in diameter or 19 inches in circumference at a point five feet above the mean ground level at the base of the trunk. (Ord. 1377, 1995; Ord. 1382, 1995; Ord. 1401, 1997; Ord. 1403, 1997; Ord. 1408, 1998; Ord. 1425, 1998; Ord. 1442, 1999; Ord. 1463, 2000; Ord. 1526, 2005; Ord. 1544, 2007; Ord. 1584, 2008; Ord. 1590 § 1, 2009; Ord. 1604 § 64, 2011; Ord. 1613 § 20, 2013; amended during July 2014 supplement; Ord. 1635 § 34, 2014; Ord. 1636 § 56, 2014; Ord. 1647 § 8, 2016; Ord. 1650 § 1 (Exh. A), 2016; Ord. 1662 § 16, 2017; Ord. 1675 § 53, 2018; Ord. 1695 § 4, 2019; Ord. 1713 § 1, 2020) Response: There are no heritage trees present on the subject site.

Chapter 92: Required Improvements

92.020

The same improvements shall be installed to serve each parcel of a partition as are required of a subdivision. However, if the approval authority finds that the nature of development in the vicinity of the partition makes installation of some improvements unreasonable, at the written

request of the applicant those improvements may be waived. If the street improvement requirements are waived, the applicant shall pay an in-lieu fee for off-site street improvements, pursuant to the provisions of CDC 85.200(A)(1).

In lieu of accepting an improvement, the Planning Director may recommend to the City Council that the improvement be installed in the area under special assessment financing or other facility extension policies of the City. (Ord. 1192, 1987; Ord. 1287, 1990; Ord. 1442, 1999; Ord. 1544, 2007; Ord. 1636 § 59, 2014)

Response: Half street improvements are not required. Frontage improvements are required along the frontage of the subject which will include a 5' Right of Way Dedication and a new sidewalk, planter, and street trees. The frontage improvements will align with the existing improvements to the west of the site. An 8' PUE is also required along the frontage of the site.

PROPOSED PARTITION PLAT NO. _____

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO PARTITION THAT CERTAIN PROPERTY DESCRIBED BY DEED RECORDED AS DOCUMENT NUMBER 2022-021054 IN CLACKAMAS COUNTY DEED RECORDS, INTO PARCELS AS SHOWN. WORK BEGAN MAY 11, 2022 WITH BEN OVERLUND IN THE FIELD, UNDER MY DIRECT SUPERVISION. A TRIMBLE S7 TOTAL STATION AND R10 GNSS RECEIVER WERE USED FOR MEASUREMENTS.

1) HELD (4), (5), (12) AND (22) FOR PROPERTY CORNERS AS SET IN SN 2013-038.

FOR MARIUS CRIATIAN MARIN AND EDWARD RADULESCU
 LOCATED IN THE SW 1/4 OF SECTION 23, T. 2 S, R. 1 E, W.M.
 CITY OF WEST LINN
 CLACKAMAS COUNTY
 SCALE 1" = 20'
 OREGON
 MAY, 2022

SHEET 1 OF 2

PLANNING FILE NUMBER _____

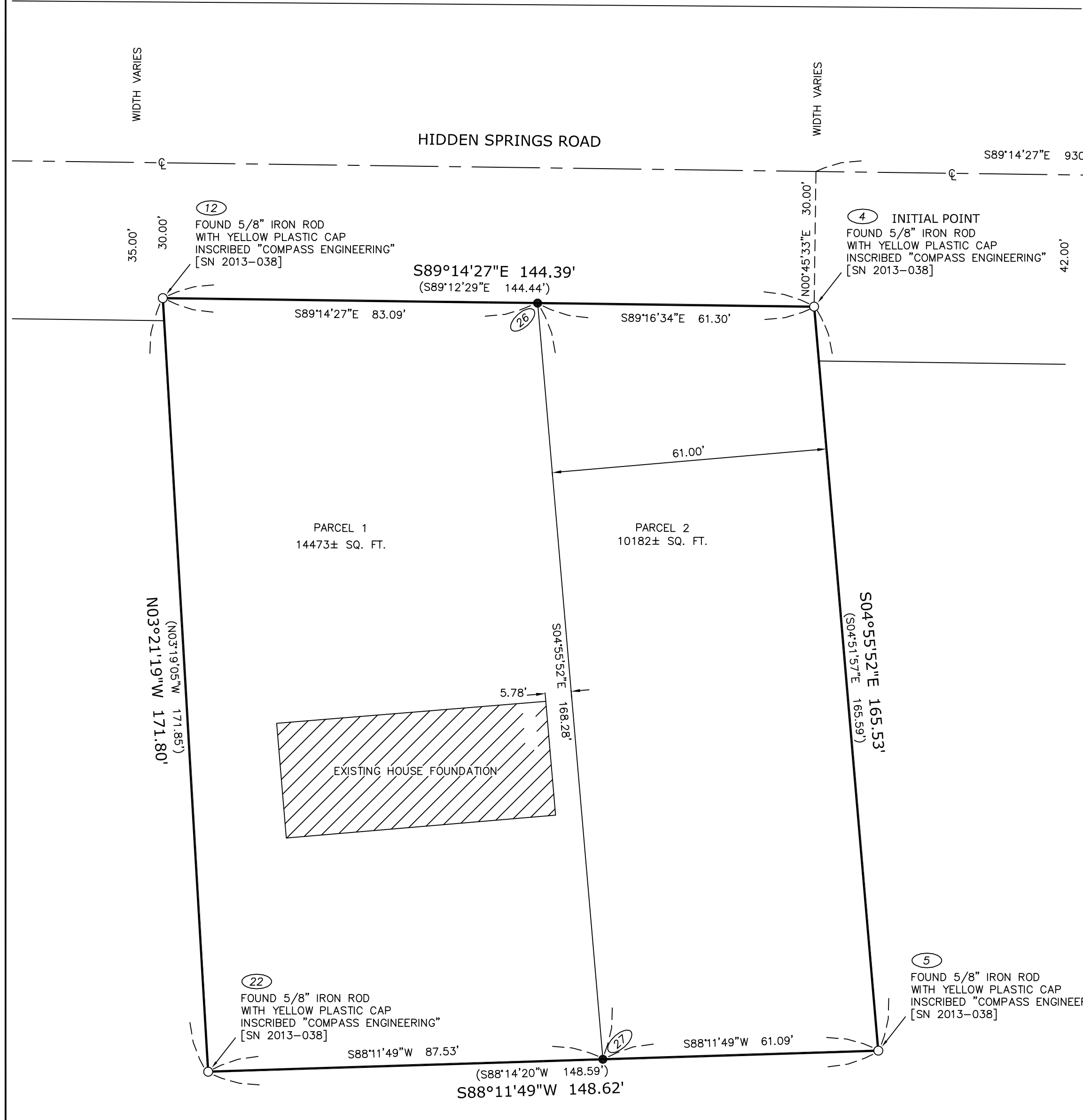


BASIS OF BEARINGS

OREGON COORDINATE REFERENCE SYSTEM, PORTLAND ZONE,
 WITH REFERENCE TO GEOID 12A (NAD 83(2011) EPOCH 2010);
 SEE OAR 734-005-0015 (3)(dd).



CASWELL/HERTEL
SURVEYORS INC.
 6150 S.W. 124TH AVE.
 BEAVERTON, OR 97008
 (503) 644-3179
 info@chsurveyinc.com
 www.caswellhertelsurveyors.com



(25)
 FOUND 3/4" BRASS DISC
 [U.S.B.T. ENTRY 1999-067]
 STAMPED
 T2S R1E
 NE COR
 MILLER
 DLC58
 1999

SURVEYOR'S CERTIFICATE

I, BENJAMIN S. STACY, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON DO HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND REPRESENTED ON THE ANNEXED MAP, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT BEING A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP INSCRIBED "COMPAS ENGINEERING" AT THE NORTHEAST CORNER OF THAT CERTAIN PROPERTY CONVEYED TO MARIUS CRIATIAN MARIN AND EDWARD RADULESCU BY STATUTORY WARRANTY DEED, RECORDED AS DOCUMENT NUMBER 2022-021054, IN CLACKAMAS COUNTY DEED RECORDS, WHICH POINT BEARS S89°14'27"E A DISTANCE OF 930.57 FEET AND S00°45'33"W A DISTANCE OF 30.00 FEET FROM A 3 1/4 INCH BRASS DISC AT THE NORTHEAST CORNER OF THE SAMUEL MILLER DONATION LAND CLAIM NO. 58; THENCE ALONG THE EAST LINE OF SAID DOCUMENT NUMBER 2022-021054 S04°55'52"E A DISTANCE OF 165.53 FEET, TO THE SOUTHEAST CORNER THEREOF; THENCE ALONG THE SOUTH LINE OF SAID DOCUMENT NUMBER 2022-021054 S88°11'49"W A DISTANCE OF 148.62 FEET, TO THE SOUTHWEST CORNER THEREOF; THENCE ALONG THE WEST LINE OF SAID DOCUMENT NUMBER 2022-021054 N03°21'19"W A DISTANCE OF 171.80 FEET, TO THE NORTHWEST CORNER THEREOF; THENCE ALONG THE NORTH LINE OF SAID DOCUMENT NUMBER 2022-021054 AND THE SOUTH RIGHT OF WAY LINE OF HIDDEN SPRINGS ROAD, S89°14'27"E A DISTANCE OF 144.39 FEET TO THE INITIAL POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 24,654 SQUARE FEET OR 0.57 ACRES MORE OR LESS.

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Benjamin Stacy

OREGON
 JANUARY 14, 2003
 BENJAMIN S. STACY
 57191

RENEWS: 6/30/2022

LEGEND


- — MONUMENT FOUND AS NOTED.
- — 5/8 X 30 INCH IRON REBAR SET WITH YELLOW PLASTIC CAP INSCRIBED "CASWELLHERTEL 503-644-3179"
- () — RECORD BEARING AND/OR DISTANCE PER DOCUMENT NUMBER 2022-021054 UNLESS OTHERWISE NOTED.
- [] — PROBABLE ORIGIN OF MONUMENT BY SURVEY NUMBER OR PLAT NAME
- ① — COMPUTER POINT NUMBER.
- ℄ — CENTERLINE

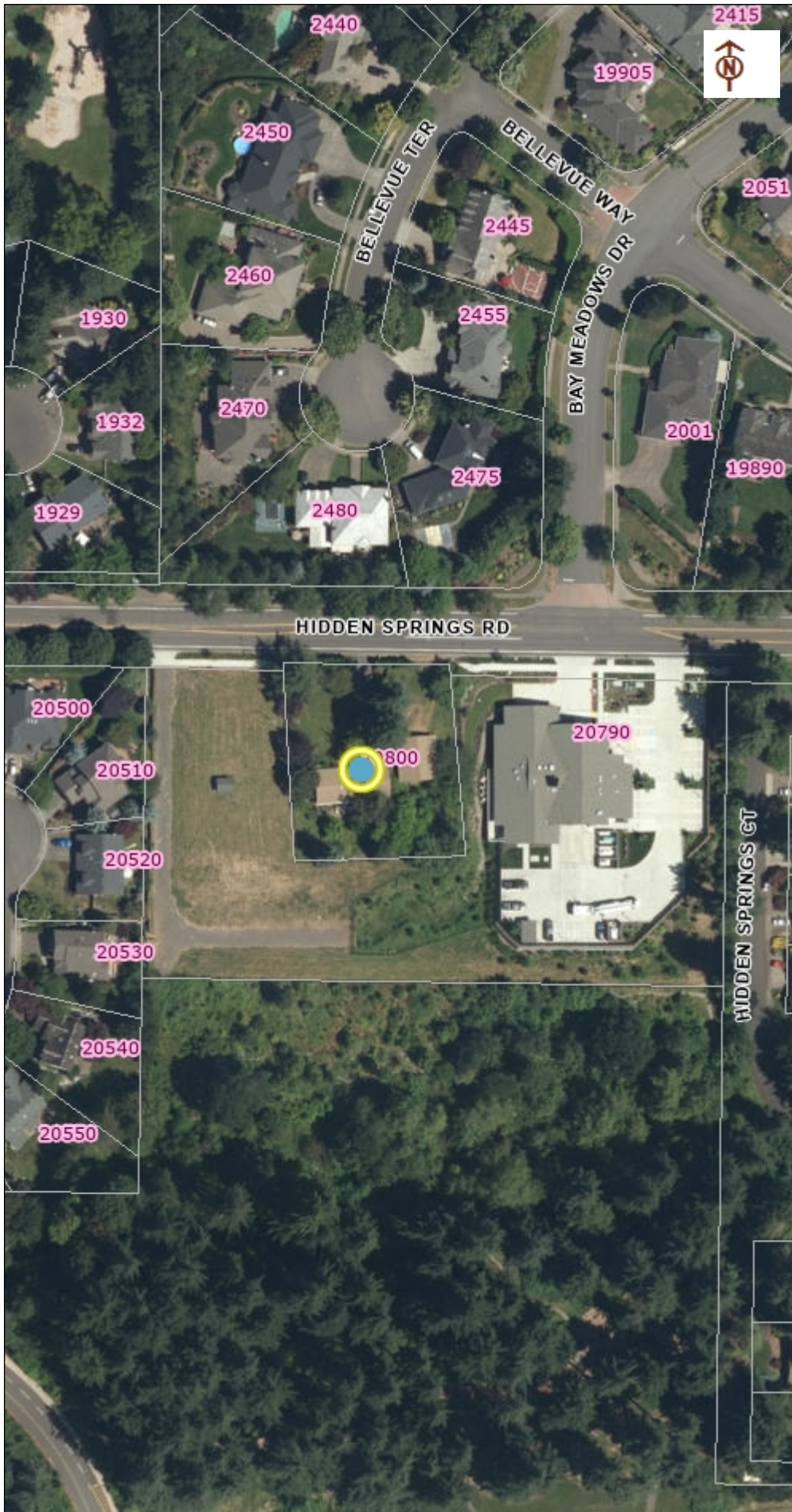
SURVEYOR'S NOTES

1. REFERENCE MATERIAL:
 SURVEY NUMBERS: 2013-038
 BEARING TREE ENTRIES: 1999-067
 DEEDS: 2022-021054

PD-2 PROPERTY MAPS

Legend

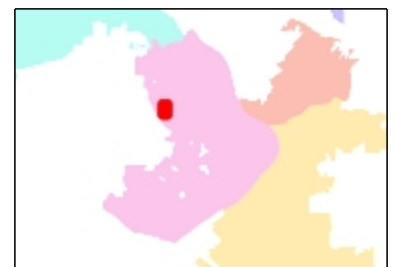
- Address
- dissolved 0-5K
-  Unofficial Tax Lots



0 0.03 0.1 Miles



1: 2,256.99



Notes

This map was automatically generated using Geocortex Essentials.

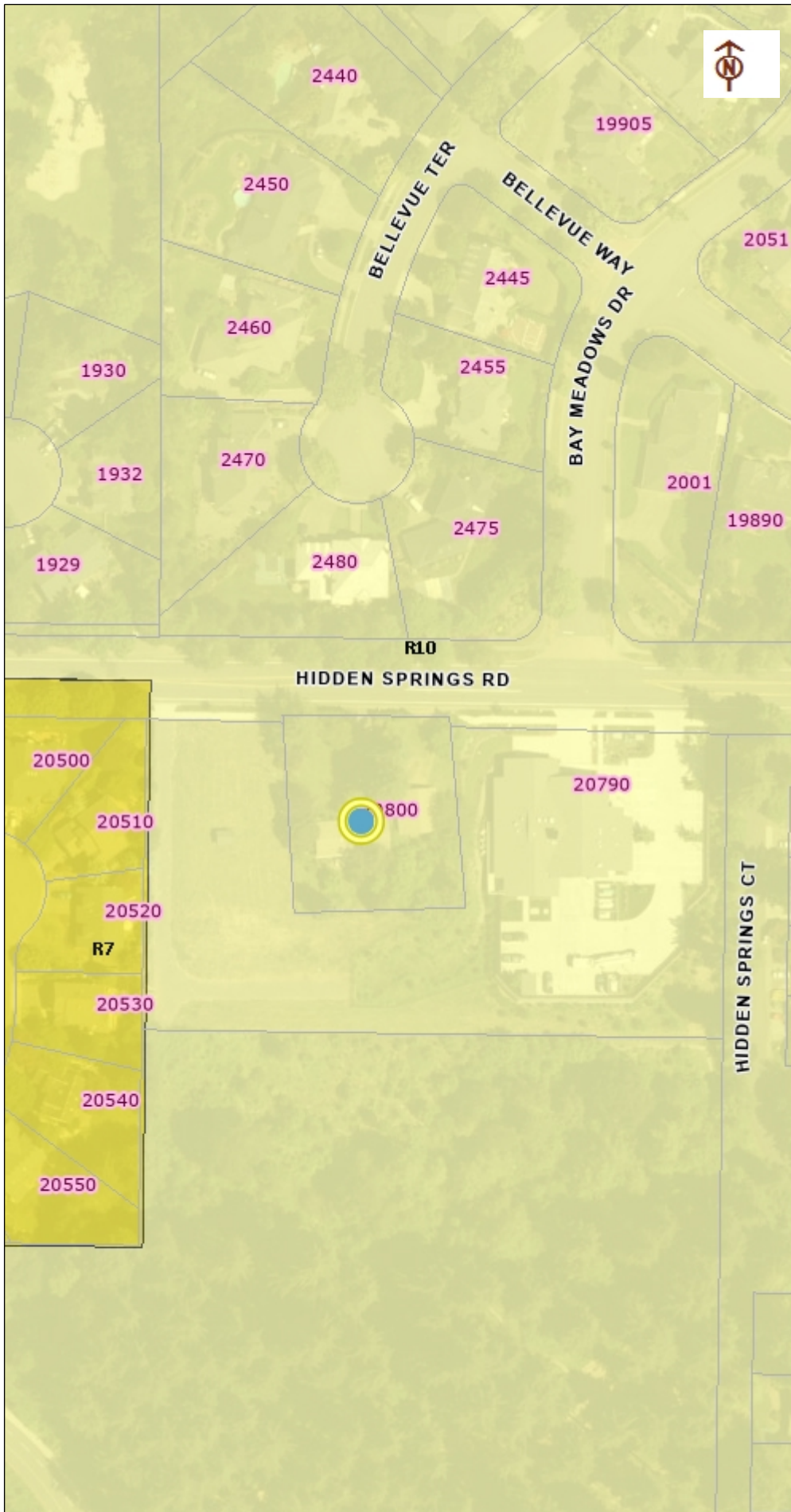
Legend

Address
dissolved 0-5K

Zoning

- Single and Multi Family R-2.1
- Single and Multi Family R-3
- Single-Family R-4.5
- Single-Family R-5
- Single-Family R-7
- Single-Family R-10
- Single-Family R-15
- Single-Family R-20
- Single-Family R-40
- Mixed Use
- Neighborhood Commercial
- General Commercial
- Office Business Center
- Campus Industrial
- General Industrial

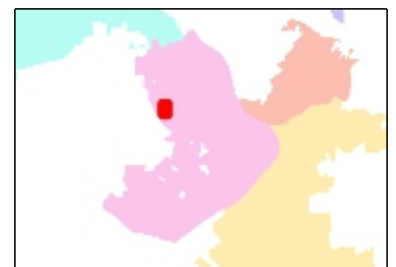
Unofficial Tax Lots



0 0.03 0.1 Miles




1: 2,256.99



Notes

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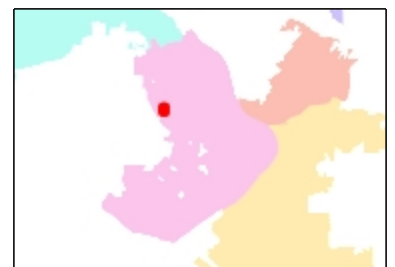
Legend

- Address
- dissolved 0-5K
- Stormwater Structure
 -  Catch Basin
 -  Inlet
 -  Manhole
 -  Outfall
- Stormwater Main
 -  Pipe
 -  Open Ditch
- Stormwater Lateral
- Stormwater Facility
- Water Main Labels
 -  Hydrant
 -  Water Valve
 -  Water Main
 -  Water Service
 -  Water Reservoir
- Old Sewer IDs
- Sewer Pump Station
- Sewer Structure
 -  Cleanout
 -  Manhole
 -  Outfall
 -  Plug
 -  Valve
 -  Vault
- Sewer Main
 -  Pressure
 -  Gravity
- Sewer Lateral
- Unofficial Tax Lots

0 0.01 0.0 Miles



1: 1,128.50



Notes

This map was automatically generated using Geocortex Essentials.



PD-3 COMPLETENESS LETTER



CITY OF
West Linn

September 8, 2022

Edward Radulescu
8800 SE Sunnyside Road, #213N
Clackamas, OR. 97015

SUBJECT: MIP-22-03 application for 2-parcel Minor Partition at 20800 Hidden Springs Road.

Mr. Radulescu,

You submitted this application on August 15, 2022. The Planning and Engineering Departments determined that the application is now **complete**.

The city has 120 days to exhaust all local review; that period ends January 6, 2023.

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

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

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

Sincerely,

Chris J Myers

Chris Myers

Associate Planner

PD-4 AFFIDAVIT AND PUBLIC NOTICE



**AFFIDAVIT OF NOTICE
TYPE A
PLANNING MANAGER DECISION**

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

PROJECT

File No.: **MIP-22-03** Applicant's Name: **Edward Radulescu**
Development Name: **MIP-22-03 20800 Hidden Springs Road**
Scheduled Decision Date: **Planning Manager Decision no earlier than November 6, 2022**

APPLICATION

The application was posted on the website at least 20 days before the decision. All documents or evidence relied upon by the applicant, and applicable criteria are available for review at least 20 days before the decision at City Hall, per Section 99.040 of the Community Development Code.

10/17/22	<i>Lynn Schroder</i>
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MAILED NOTICE

Notice of Upcoming Planning Manager Decision was mailed at least 20 days before the decision, per Section 99.080 of the CDC to:

Edward Radulescu, Property Owner	10/17/22	<i>Lynn Schroder</i>
Property owners within 500ft of the site perimeter	10/17/22	<i>Lynn Schroder</i>
Hidden Springs Neighborhood Association	10/17/22	<i>Lynn Schroder</i>

WEBSITE

Notice was posted on the City's website at least 20 days before the decision.

10/17/22	<i>Lynn Schroder</i>
----------	----------------------

SIGN

A sign was posted on the property at least 10 days before the decision, per Section 99.080 of the CDC.

10/25/22	<i>Chris Myers</i>
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FINAL DECISION

Notice of Final Decision was mailed to the applicant, all parties with standing, and posted on the City's website, per Section 99.040 of the CDC.

1/6/23	<i>Lynn Schroder</i>
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**CITY OF WEST LINN
NOTICE OF UPCOMING PLANNING MANAGER DECISION
FILE NO. MIP-22-03**

The West Linn Planning Manager is considering a Minor Partition at 20800 Hidden Springs Road. The applicant is requesting approval for a 2-parcel Minor Partition.

The Planning Manager will decide the application based on criteria in Chapters 11, 48, 85, 92, and 99 of the Community Development Code (CDC). The CDC approval criteria are available for review on the City website <http://www.westlinnoregon.gov/cdc> or at City Hall and the City Library.

The application is posted on the City's website, <https://westlinnoregon.gov/planning/2080-hidden-spring-road-minor-partition>. The application, all documents or evidence relied upon by the applicant and applicable criteria are available for inspection at City Hall at no cost. Copies may be obtained at reasonable cost.

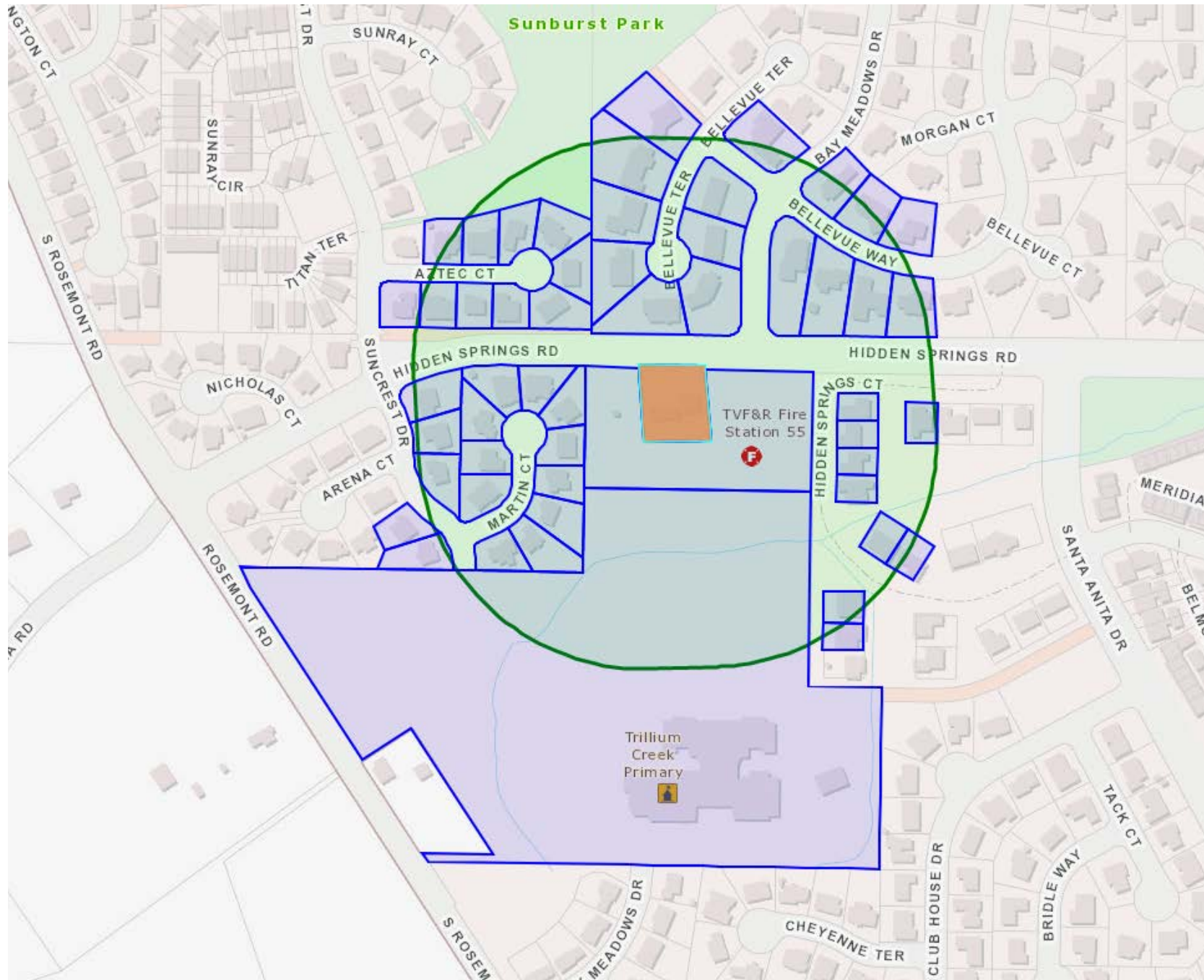
A public hearing will not be held for this decision. **Anyone wishing to submit comments for consideration must submit all material before 4:00 p.m. on November 6, 2022 to cmyers@westlinnoregon.gov or mail them to City Hall. All comments must be received by the deadline.**

It is important to submit all testimony in response to this notice. All comments submitted for consideration of this appeal should relate specifically to the applicable criteria. Failure to raise an issue in a hearing, in person, or by letter, or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond to the issue, precludes appeal to the Oregon Land Use Board of Appeals based on that issue (CDC Section 99.090).

The final decision will be posted on the website and available at City Hall. Persons with party status may appeal the decision by submitting an appeal application to the Planning Department within 14 days of mailing the notice of the final decision pursuant to CDC [99.240](#).

For additional information, please contact Chris Myers, Associate Planner, City Hall, 22500 Salamo Rd., West Linn, OR 97068, 503-742-6062 for additional information.

MIP-22-03 Properties within 500 feet of 20800 Hidden Springs Road





**NOTICE OF UPCOMING
PLANNING MANAGER DECISION**

PROJECT # MIP-22-03

MAIL: 10/17/22 TIDINGS: N/A

CITIZEN CONTACT INFORMATION

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