

DEVELOPMENT REVIEW APPLICATION

RECEIVED
Lynn Schroder, 6/13/2023, 12:53:29 PM

For Office Use Only			
STAFF CONTACT	PROJECT NO(S): ELD-23-03	PRE-APPLICATION NO.	
NON-REFUNDABLE FEE(S) \$2,800	REFUNDABLE DEPOSIT(S)	TOTAL	\$2,800

Type of Review (Please check all that apply):

- | | | |
|---|---|--|
| <input type="checkbox"/> Annexation (ANX) | <input type="checkbox"/> Final Plat (FP) | <input type="checkbox"/> Subdivision (SUB) |
| <input type="checkbox"/> Appeal (AP) | <input type="checkbox"/> Flood Management Area (FMA) | <input type="checkbox"/> Temporary Uses (MISC) |
| <input type="checkbox"/> CDC Amendment (CDC) | <input type="checkbox"/> Historic Review (HDR) | <input type="checkbox"/> Time Extension (EXT) |
| <input type="checkbox"/> Code Interpretation (MISC) | <input type="checkbox"/> Lot Line Adjustment (LLA) | <input type="checkbox"/> Right of Way Vacation (VAC) |
| <input type="checkbox"/> Conditional Use (CUP) | <input type="checkbox"/> Minor Partition (MIP) | <input type="checkbox"/> Variance (VAR) |
| <input type="checkbox"/> Design Review (DR) | <input type="checkbox"/> Modification of Approval (MOD) | <input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP) |
| <input type="checkbox"/> Tree Easement Vacation (MISC) | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input type="checkbox"/> Water Resource Area Protection/Wetland (WAP) |
| <input checked="" type="checkbox"/> Expedited Land Division (ELD) | <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Willamette & Tualatin River Greenway (WRG) |
| <input type="checkbox"/> Extension of Approval (EXT) | <input type="checkbox"/> Street Vacation | <input type="checkbox"/> Zone Change (ZC) |

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

Site Location/Address: Lot 6, Willow Ridge. Located at southerly terminus of Cornwall St. No situs address at this time.	Assessor's Map No.: 21E36BA
	Tax Lot(s): 8800
	Total Land Area: 22,566 Sq. Ft.

Brief Description of Proposal:

Expedited Land Division to divide Lot 6 of Willow Ridge into two parcels for the construction of detached duplex units to implement middle housing policies on this property.

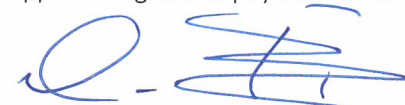
Applicant Name*: Icon Construction & Development, LLC Address: 1969 Willamette Falls Dr., Suite 260 City State Zip: West Linn, OR 97068	Phone: 503-657-0406 Email: darren@iconconstruction.net
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Owner Name (required): Same as applicant. Address: City State Zip:	Phone: Email:
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Consultant Name: Rick Givens, Planning Consultant Address: 28615 SW Paris Ave., Suite 110 City State Zip: Wilsonville, OR 97070	Phone: 503-351-8204 Email: rickgivens@gmail.com
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- Application fees are non-refundable (excluding deposit). Applications with deposits will be billed monthly for time and materials above the initial deposit. ***The applicant is financially responsible for all permit costs.**
- The owner/applicant or their representative should attend all public hearings.
- A decision may be reversed on appeal. The decision will become effective once the appeal period has expired.
- Submit this form, application narrative, and all supporting documents as a single PDF 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 authorizes the application and grants city staff the **right of entry** onto the property to review the application. Applications with deposits will be billed monthly for time and materials incurred above the initial deposit. The applicant agrees to pay additional billable charges.


Applicant's signature

6-12-23
Date


Owner's signature (required)

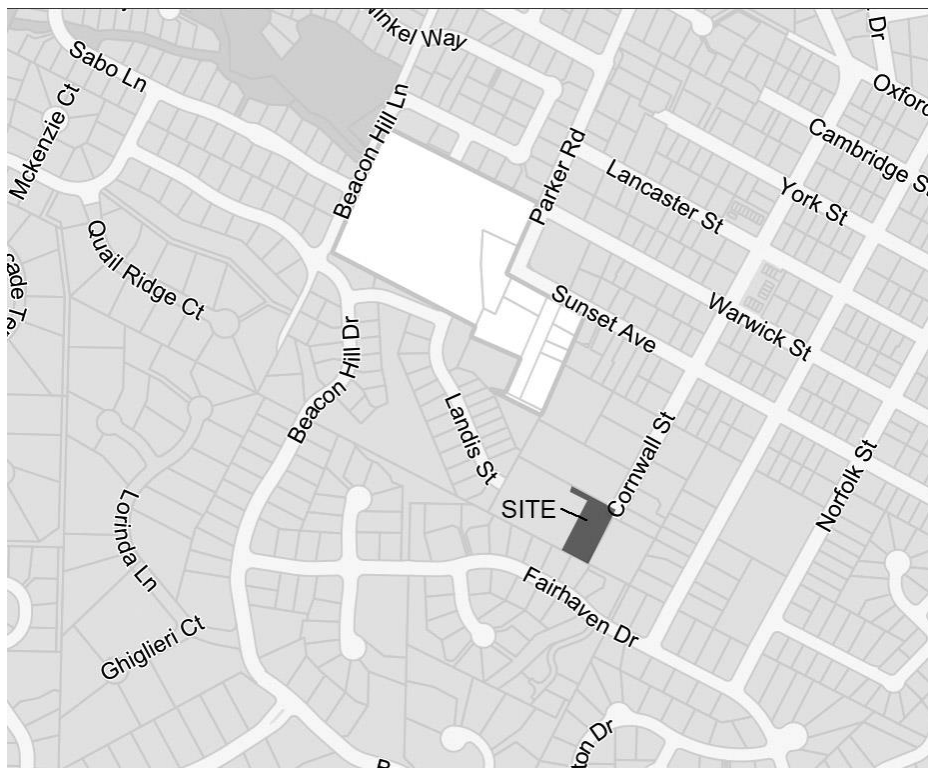
6-12-23
Date

Expedited Land Division Narrative

Lot 6, Willow Ridge Expedited Land Division

Icon Construction & Development, LLC

Proposal: This application requests approval of a middle housing Expedited Land Division (ELD) for Lot 6 of the recently recorded Willow Ridge subdivision. The property located on Cornwall Street and Landis Street, south of Sunset Avenue in West Linn. The property is vacant and is 22,564 square feet in area. It is zoned R-10. The new Clackamas County Assessor's description of the property is Tax Lot 31E02AB08800.



Vicinity Map

This application requests approval of a middle housing land division, pursuant to the provisions of SB 458, to divide the subject property into two parcels. Each parcel will contain one unit of a detached duplex.

Consistent with the provisions of SB 458, this proposed middle housing land division application will make use of the Expedited Land Division procedures set forth in ORS 197.360. The subject property is accessed via a shared private driveway from Landis Street. The shared private driveway also serves Lot 5 of the Willow Ridge subdivision.

Compliance with Approval Criteria:

The approval criteria relevant to this application are found in Section 2 of SB 458.

SECTION 2.

(1) As used in this section, "middle housing land division" means a partition or subdivision of a lot or parcel on which the development of middle housing is allowed under ORS 197.758 (2) or (3).

Comment: This application involves detached duplexes, one of which will be located on each lot. Duplexes are middle housing pursuant to the definitions in ORS 197.758(1). The proposed partition is located on property that allows for the development of middle housing under standards adopted by the City of West Linn.

(2) A city or county shall approve a tentative plan for a middle housing land division if the application includes:

(a) A proposal for development of middle housing in compliance with the Oregon residential specialty code and land use regulations applicable to the original lot or parcel allowed under ORS 197.758 (5);

Comment: The proposed parcels will be developed with detached duplex units. Application for building permits will be submitted separately and they will demonstrate compliance with the Oregon residential specialty code.

ORS 197.758(5) states:

"Local governments may regulate siting and design of middle housing required to be permitted under this section, provided that the regulations do not, individually or cumulatively, discourage the development of all middle housing types permitted in the area through unreasonable costs or delay. Local governments may regulate middle housing to comply with protective measures adopted pursuant to statewide land use planning goals."

Comment: The City of West Linn adopted Ordinance 1736 last year to provide for compliance with state requirements for middle housing. The new standards allow for middle housing in all residential districts, including the R-10 district applicable to the subject property. The only limitations provided in the updated standards are dimensional requirements that do not discourage development of middle housing. The dimensional standards are:

<i>STANDARD</i>	<i>REQUIREMENT</i>	<i>ADDITIONAL NOTES</i>	<i>COMMENT</i>
<i>Minimum lot size</i>	<i>10,000 SF</i>	<i>For a single-family attached or detached unit.</i>	Not applicable to detached duplexes.
<i>Average min. Lot or Parcel size for a Townhouse Project</i>	<i>1,500 SF</i>		Not applicable to detached duplexes.
<i>Minimum lot width at front lot line</i>	<i>35 ft.</i>	<i>Does not apply to Townhouses or Cottage Clusters.</i>	The minimum lot width at the front lot line is 46 feet.
<i>Average Minimum lot width</i>	<i>50 ft.</i>	<i>Does not apply to Townhouses or Cottage Clusters.</i>	Minimum average lot width proposed is 46 feet.
<i>Minimum Yard Dimensions or Minimum building setbacks</i>		<i>Except as specified in CDC 25.070(C)(1) through (4) for the Willamette Historic District.</i> <i>Front, rear, and side yard setbacks for in a Cottage Cluster Project are 10 ft. There are no additional setbacks for individual structures on individual lots, but minimum distance between structures shall follow applicable building code requirements.</i>	
<i>Front Yard</i>	<i>20 ft</i>	<i>Except for steeply sloped lots where the provisions of CDC 41.010 shall apply.</i>	The proposed minimum front yard setback is 20 feet.
<i>Interior Side Yard</i>	<i>7.5 ft</i>	<i>Townhouse common walls that are attached may have a 0 ft side setback.</i>	This standard is not applicable to duplex units along their common line. A 3' setback is proposed. The other lot lines will maintain the required 7.5' interior side yard standard.
<i>Street Side Yard</i>	<i>15 ft</i>		Not applicable. No street side yards exist in this proposal.
<i>Rear Yard</i>	<i>20 ft</i>		The minimum rear yards proposed exceed 20 feet.
<i>Maximum Building Height</i>	<i>35 ft</i>	<i>Except for steeply sloped lots in which case the provisions of Chapter 41 CDC shall apply.</i>	The subject property is steep through the building envelopes on the proposed parcels. Compliance with height standards will be reviewed with the building permit application.
<i>Maximum Lot Coverage</i>	<i>35%</i>	<i>Maximum lot cover does not apply to Cottage Clusters. However, the maximum building footprint for a Cottage Cluster is less than 900 sf per dwelling unit.</i>	Proposed maximum building envelopes for both parcels are shown on the site plan. The actual lot coverage will be less than the maximum building envelope and will comply with the 35% standard.

		<ul style="list-style-type: none"> • <i>This does not include detached garages, carports, or accessory structures.</i> • <i>A developer may deduct up to 200 sf for an attached garage or carport.</i> 	
<i>Minimum Accessway Width to a lot which does not abut a street or a flag lot</i>	<i>15 ft</i>		The proposed accessway easement is 25 feet in width.
<i>Maximum Floor Area Ratio</i>	<i>0.45</i>	<i>Max FAR does not apply to cottage clusters.</i>	Not applicable to duplexes.
<i>Duplex, Triplex, and Quadplex</i>	<i>0.60</i>	<i>Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of 0.30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a non-conforming structures permit under Chapter 66 CDC.</i>	The proposed lots are large and contain only small areas of Type I and II lands. Compliance will be demonstrated at the time of building permit application.

(b) Separate utilities for each dwelling unit;

Comment: Each unit of the detached duplex will have separate utilities.

(c) Proposed easements necessary for each dwelling unit on the plan for:

(A) Locating, accessing, replacing and servicing all utilities;

Comment: Each unit is on a separate lot and all utilities serving the homes are either on the proposed lots or within utility easements that protect the required access.

(B) Pedestrian access from each dwelling unit to a private or public road;

Comment: The access easements provide for pedestrian access to Landis and Cornwall Streets

(C) Any common use areas or shared building elements;

Comment: Not applicable. There will be no common use areas or shared building elements.

(D) Any dedicated driveways or parking; and

Comment: Each parcel will have a driveway providing for parking for a minimum of two vehicles plus an attached garage providing parking for an additional two vehicles.

(E) Any dedicated common area;

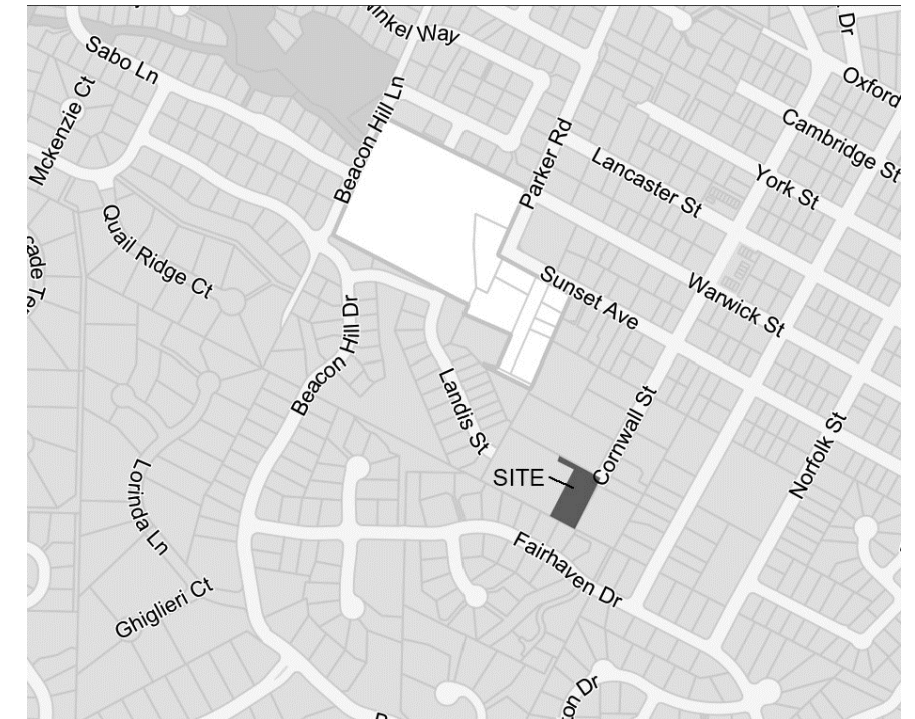
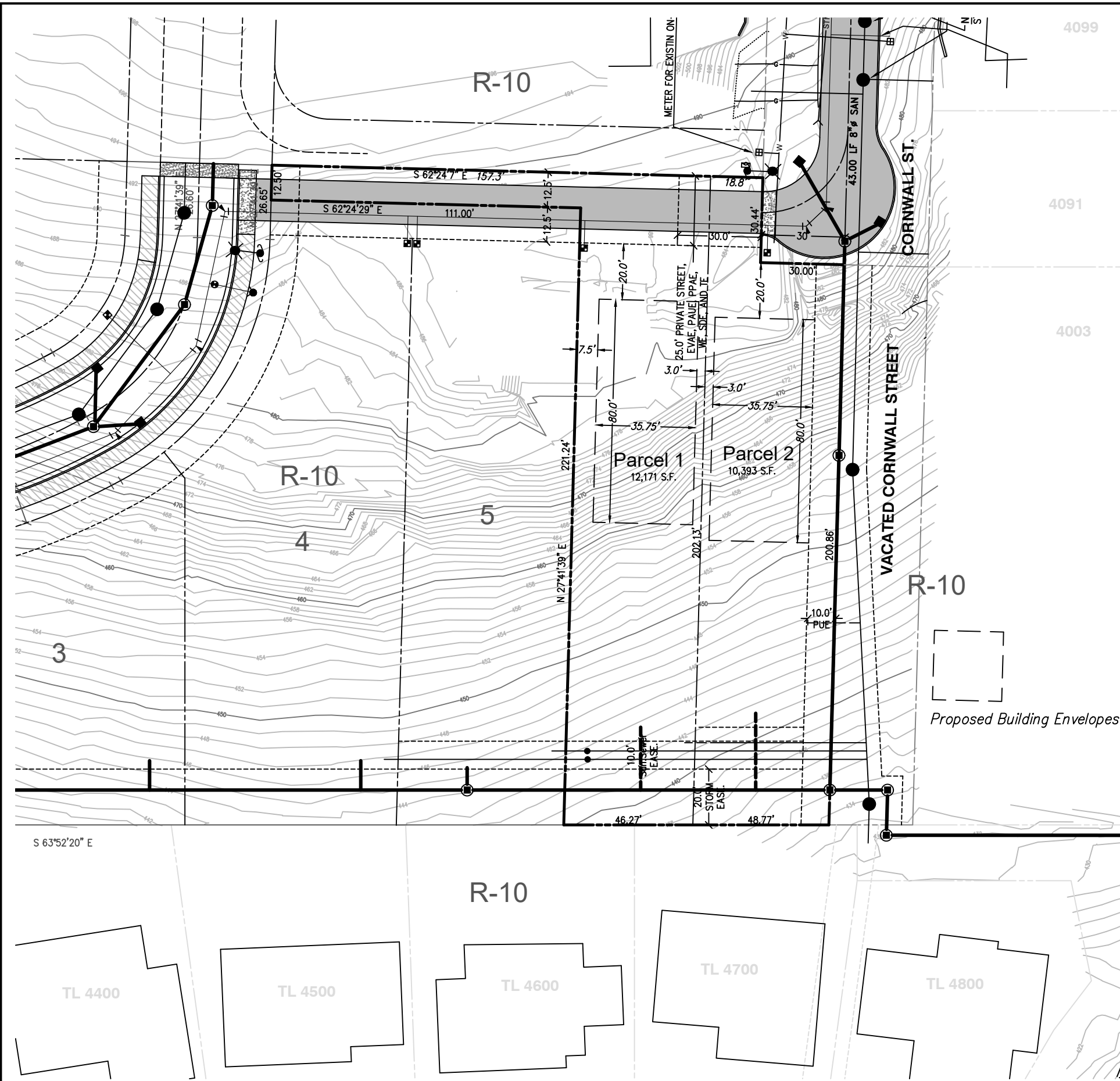
Comment: No dedicated common areas are proposed.

(d) Exactly one dwelling unit on each resulting lot or parcel, except for lots, parcels or tracts used as common areas; and

Comment: Both parcels will be developed with exactly one dwelling unit.

(e) Evidence demonstrating how buildings or structures on a resulting lot or parcel will comply with applicable building codes provisions relating to new property lines and, notwithstanding the creation of new lots or parcels, how structures or buildings located on the newly created lots or parcels will comply with the Oregon residential specialty code.

Comment: The plans and other materials required to demonstrate compliance with this requirement will be provided with the building permit applications.



Vicinity Map

Applicant/Owner:
 Icon Construction & Development, LLC
 1980 Willamette Falls Drive, Suite 200
 West Linn, OR 97068
 PH: (503) 657-0406

Engineer:
 Theta Engineering, Inc.
 PO Box 1345
 Lake Oswego, OR 97035
 PH: (503) 481-8822

Legal: 2-1E-36BA TL 8800

Surveyor:
 Centerline Concepts, Inc.
 700 Molalla Ave.
 Oregon City, OR 97045
 PH: (503) 650-0188

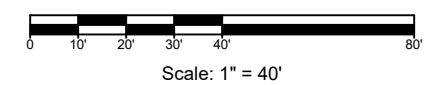
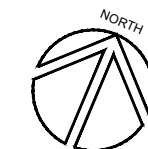
Water: City of West Linn

Sewer: City of West Linn

Contours: Centerline Concepts, Inc.

Zoning: R-10

Site Area: 0.518 Acres



DESIGNED:	R.E.G.			
DRAWN:	R.E.G.			
SCALE:	1" = 40'			
DATE:	06/09/2023			
FILE:	19-ICN-103	DATE	NO.	REVISION

Richard E. Givens, Planning Consultant
 28615 SW Paris Ave., Unit 110
 Wilsonville, OR 97070
 PH: (503) 351-8204

APPLICANT: Icon Construction & Development, LLC
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 West Linn, OR 97068
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Willow Ridge Lot 6
 Tentative Plan - ELD Land Division

SHEET:
 1/1