



PLANNING MANAGER DECISION

DATE: May 29, 2025

FILE NO.: ELD-25-02

REQUEST: Approval of an Middle Housing Land Division for a Townhouse Project to divide 1 existing lot into 6 new lots for the construction of 6 townhouse units.

PLANNER: Chris Myers, Associate Planner

Planning Manager

DSW

TABLE OF CONTENTS

STAFF ANALYSIS AND RECOMMENDATION

GENERAL INFORMATION	2
EXECUTIVE SUMMARY	3
PUBLIC COMMENTS	3
DECISION AND CONDITIONS OF APPROVAL	4

ADDENDUM

STAFF FINDINGS	6
----------------------	---

EXHIBITS

PD-1 APPLICANT SUBMITTAL.....	19
PD-2 COMPLETENESS LETTER	37
PD-3 PLAT MAP	39
PD-4 AFFIDAVIT AND NOTICE PACKET.....	41

GENERAL INFORMATION

**APPLICANT/
OWNER:**

Mark Lisac
PO Box 2422
Clackamas, OR. 97015

SITE LOCATION:

No Assigned Address

SITE SIZE:

18,516 square feet

LEGAL

DESCRIPTION:

Clackamas County Assessor Map 21E35CC Tax Lots 05001
Partition Plat 2024-015 (Exhibit PD-3)

COMP PLAN

DESIGNATION:

Low-Density Residential

ZONING:

R-7, Residential
(7000 sq. ft. min. lot size)

APPROVAL

CRITERIA:

Oregon Revised Statute 92.031

63-DAY RULE:

The application became complete on March 31, 2025. The 63-day period for an expedited land division ends June 2, 2025.

PUBLIC NOTICE:

Notice was mailed to property owners within 100 feet of the subject property, public facility and services providers, and the Willamette Neighborhood Association on April 14, 2025 as required by Oregon Revised Statute 197.365. The notice was also posted on the City's website on April 14, 2025. Therefore, public notice requirements have been met.

EXECUTIVE SUMMARY

The subject property is a 18,696 square foot property and a legal lot of record adjacent to 13th Court. The property is zoned R-7 Residential, and the applicant will construct a Townhouse Project consisting of 3 structures each with 2 townhomes for a total of 6 townhouse units as permitted by West Linn Community Development Code Chapter 12.030.3, which was adopted as part of the City's HB2001 code amendment package (Ordinance 1736). The applicant has proposed to divide the property under ORS 92.031 rules adopted by the Oregon Legislature in 2021 and codified in Oregon Revised Statute 92.031. Each resulting lot will contain one dwelling unit of the Townhouse Project.

Proposed Lot Sizes

Lot 1 – 5718 sq. ft.

Lot 2 – 1917 sq. ft.

Lot 3 – 1852 sq. ft.

Lot 4 – 2005 sq. ft.

Lot 5 – 1885 sq. ft.

Lot 6 – 5319 sq. ft.

The property is not located within the Willamette River Greenway (WRG), or any FEMA flood hazard area. The property does have a moderate Habitat Conservation Area (HCA) along the northern property line encumbering the northern most 20 feet of the subject property. A Water Resource Area (WRA) Permit was previously approved to reduce the WRA from 65 feet to 30-feet (MIP-22-06/WAP-22-04) 20 feet of which encumber the subject property. The applicant does not propose any development in the WRA or HCA therefore no further environmental permits are required. There is an existing water line adjacent to the property in 13th Street. An existing sewer line runs across the northern border of the property within a utility easement. There are two nearby stormwater lines. One is located in 13th street adjacent to the property. The second is located north of the property within the ODOT right-of-way.

The property has approximately 30 feet of frontage on 13th Street, which has a functional classification of a Local Street. Each of the six lots will take access from a shared access drive connected to 13th Street. The 13th Street right-of-way (ROW) is approximately 48 feet wide adjacent to the subject property and requires no additional ROW dedication. No street improvements are required as part of this application.

Public comments:

No public comments received.

DECISION

The Planning Manager (designee) approves this application (ELD-25-02) for an expedited land division under the rules of ORS 92.031 based on: 1) the applicant proposes to construct middle housing on the property; 2) the findings submitted by the applicant, which are incorporated by this reference; 3) supplementary staff findings included in the Addendum; and 4) the addition of conditions of approval below. With these findings, the applicable approval criteria of ORS 92.031 are met. The conditions are as follows:

1. **Preliminary Plat.** With the exception of modifications required by these conditions, the final plat shall substantially conform to the Preliminary Plat dated 3/13/25 (Exhibit PD-1).
2. **Compliance with Oregon Residential Specialty Code.** The applicant shall submit building plans and obtain approval of compliance with the Oregon Residential Specialty Code from West Linn Building staff prior to final plat approval from the City.
3. **Compliance with Siting and Design Standards.** The applicant shall submit building plans and obtain approval of compliance with siting and design standards from West Linn Planning staff prior to final plat approval from the City.
4. **Engineering Standards.** All public improvements and facilities associated with the approved site design, including but not limited to street improvements, driveway approaches, curb cuts, utilities, grading, onsite and offsite stormwater, street lighting, easements, easement locations, and connections for future extension of utilities are subject to conformance with the City Municipal Code and Community Development Code. These must be designed, constructed, and completed prior to final plat approval. Public Works may coordinate with the applicant to complete additional, voluntary, off-site improvements.
5. **Public Stormwater Easement.** The applicant shall show the 10-foot public stormwater easement centered on the existing public stormwater line that crosses the subject property on the face of the final plat.
6. **13th Street Public Utility Easement.** The applicant shall show an eight-foot public utility easement along the 13th Street right-of-way frontage on the face of the plat prior to final plat approval by the City.
7. **Final Plat Notation.** The applicant shall include on the face of the plat the notation "This middle housing land division approval was given under the provisions of ORS 92.031. Further division of the resulting parcels is prohibited".

8. **Final Plat Recording.** The approval of the tentative plat (ELD-25-02) shall be void if the applicant does not record the final partition plat within three years of approval.
9. **Reciprocal Access, Maintenance, and Utility Easement.** Prior to final plat approval, the applicant shall record a reciprocal access easement, mutual maintenance agreement, and utility easement across the entirety of the access driveway. The easement recording number shall be provided on the face of the final plat.
10. **No Parking Signs.** Prior to final plat approval, the applicant shall install “NO PARKING – FIRE LANE” signs on one or both sides of the accessway. Signs shall be installed with a clear space above grade level of 7’. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background as per TVF&R Permit #2025-0029.

The provisions of the Oregon Revised Statute 92.031 have been met.

Chris J. Myers
Chris Myers, Associate Planner

May 29, 2025
Date

Appeals to this decision must be filed with the West Linn Planning Department within 14 days of mailing date and include a \$300 deposit for costs. An appeal of an expedited land division is decided by a referee that is not an employee or official of the City of West Linn. The appeal must be filed by the applicant or an individual who has established standing by submitting comments prior to the public comment deadline date. Approval will lapse 3 years from effective approval date if the final plat is not recorded.

Mailed this 29th day of May 2025.

Therefore, the 14-day appeal period ends at 5 p.m., on June 12, 2025.

**ADDENDUM
APPROVAL CRITERIA AND FINDINGS
ELD-25-02**

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

ORS 92.031 Middle housing land division; conditions of approval.

(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 197A.420 (2) or (3).

ORS 197A.420 Except as provided in subsection (4) of this section, each city with a population of 25,000 or more and each county or city within a metropolitan service district shall allow the development of:

(a) All middle housing types in areas zoned for residential use that allow for the development of detached single-family dwellings; and

Staff Finding 1: The subject property is zoned Residential, R-7 and permits the construction of 6 townhomes. ORS 197A.420 requires the City of West Linn to allow townhomes, one type of middle housing, in areas zoned for residential use that allows for the development of detached single-family dwellings. The applicant proposes the construction of Townhouse Project with each townhome on its own lot as permitted by West Linn Community Development Code (CDC) Chapter 12.030. CDC Chapter 2 defines a townhouse as "A dwelling unit that is part of a row of two or more attached dwelling units, where each unit is located on an individual lot or parcel and shares at least one common wall with an adjacent dwelling unit.". The CDC defines Townhouse Project as, "One or more townhouse structures constructed, or proposed to be constructed, together with the development site where the land has been divided, or is proposed to be divided, to reflect the townhouse property lines and any commonly owned property." The proposed division of the subject lots, which allows the development of middle housing, is permitted. The criteria are met.

(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 197A.420 (5);

Staff Finding 2: The applicant proposes the construction of a Townhouse Project, which qualifies as a middle housing type (see Staff Finding 1). The applicant did not submit building plans for the Townhouse Project with this application. The applicant shall submit building plans and obtain approval of compliance with the Oregon Residential Specialty Code from West Linn Building staff prior to final plat approval by the City per Condition of Approval 2. Subject to the Conditions of Approval, the criteria are met.

Staff Finding 3: The applicant proposes the construction of a Townhouse Project, which qualifies as a middle housing type (see Staff Finding 1). The City regulates siting and design of middle housing, including minimum property line setbacks, sidewall transitions, maximum floor-area-ratio (FAR), maximum lot coverage, and maximum building height. The siting and design regulations are reviewed by West Linn Planning staff during building permit review. Minimum property line setbacks and maximum lot coverage will be applied and calculated based on the subject property boundary and total area. Sidewall transitions and maximum building height will be reviewed based on building plans. The applicant did not submit building plans for the Townhouse Project with this application. The applicant shall submit building plans and obtain approval of compliance with siting and design standards from West Linn Planning staff prior to final plat approval by the City per Condition of Approval 3. Subject to the Conditions of Approval, the criteria are met.

Staff Finding 4: The City has adopted protective measures pursuant to statewide land use planning goals for the Willamette River Greenway (Goals 5 and 15), Water Resource Areas (Goals 5, 6, and 7), and Floodplain Management Areas (Goal 7). The City regulates the protective measures through CDC Chapters 27, 28, and 32. The property is not located within the Willamette River Greenway (WRG), or any FEMA flood hazard area. The property does have a moderate Habitat Conservation Area (HCA) along the northern property line encumbering the northern most 20 feet of the subject property. A Water Resource Area (WRA) Permit was previously approved to reduce the WRA from 65 feet to 30-feet (MIP-22-06/WAP-22-04) 20 feet of which encumber the subject property. The applicant does not propose any development in the WRA or HCA therefore no further environmental permits are required. The criteria are met.

(b) Separate utilities for each dwelling unit;

Staff Finding 5: The applicant proposes the construction of a Townhouse Project with separate utility connections for each dwelling unit. Utilities shall be installed in compliance with West Linn Municipal Code requirements per Condition of Approval 4. Subject to the Conditions of Approval, the criteria are met.

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

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

Staff Finding 6: The applicant proposes the construction of a townhouse project on the subject property, including the division of the lot as allowed by ORS 92.031. The subject property has an existing 10-foot public sewer easement centered on the line and shall show the easement on the face of the plat per Condition of Approval 5.

The applicant proposes private stormwater infrastructure for the future townhouses to be located in the rear (north) of the newly created lots.

The City franchise agreements require an eight-foot public utility easement along 13th Street. The applicant shall show the utility easement on the face of the final plat prior to final plat approval by the City per Condition of Approval 6.

Prior to final plat approval, the applicant shall record a reciprocal access easement, mutual maintenance agreement, and utility easement across the entirety of the access driveway. The easement recording number shall be provided on the face of the final plat prior to final plat approval by the City per Condition of Approval 9.

Prior to final plat approval, the applicant shall install “NO PARKING – FIRE LANE” signs on one or both sides of the accessway. Signs shall be installed with a clear space above grade level of 7’. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background as per TVF&R Permit #2025-0029 prior to final plat approval by the City per Condition of Approval 10. Subject to the Conditions of Approval, the criteria are met.

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

Staff Finding 7: The applicant proposes the construction of a Townhouse Project on the subject property, including the division of the parcel as allowed by ORS 92.031. All dwellings will have pedestrian access to 13th Street, a public street, via a shared access drive. The criteria are met.

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

Staff Finding 8: The applicant does not propose any common use areas or shared building elements; no easements are required. The criteria are met.

(D) Any dedicated driveways or parking; and

Staff Finding 9: The applicant proposes the construction of a Townhouse Project on the subject property, including the division of the parcel as allowed by ORS 92.031. Access to all parcels will come directly from 13th Street via a shared access drive. Prior to final plat approval by the City, the applicant shall record a reciprocal access easement, mutual maintenance agreement, and utility easement across the entirety of the access driveway. The easement recording number shall be provided on the face of the final plat per Condition of Approval 9. Subject to the Conditions of Approval, the criteria are met.

(E) Any dedicated common area;

Staff Finding 10: The applicant does not propose any dedicated common use area; therefore, no easements are required. The criteria are met.

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

Staff Finding 11: The applicant proposes the construction of a Townhouse Project as permitted by West Linn Community Development Code (CDC) Chapter 12.030.1(a). CDC Chapter 2 defines a townhouse as “A dwelling unit that is part of a row of two or more attached dwelling units, where each unit is located on an individual lot or parcel and shares at least one common wall with an adjacent dwelling unit.”. The CDC defines Townhouse Project as, “One or more townhouse

structures constructed, or proposed to be constructed, together with the development site where the land has been divided, or is proposed to be divided, to reflect the townhouse property lines and any commonly owned property.” The proposed division of the subject lots, which allows the development of middle housing, is permitted. No common areas are proposed. The criteria are met.

(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.

Staff Finding 12: The applicant proposes the construction of a Townhouse Project, which qualifies as a middle housing type. The applicant did not submit building plans for the Townhouse Project with this application. The applicant shall submit building plans and obtain approval of compliance with the Oregon Residential Specialty Code, including provisions related to new property lines, from West Linn Building staff prior to final plat approval by the City per Condition of Approval 2. Subject to the Conditions of Approval, the criteria are met.

(3) A city or county may add conditions to the approval of a tentative plan for a middle housing land division to:

(a) Prohibit the further division of the resulting lots or parcels.

Staff Finding 13: The applicant proposes the construction of a Townhouse Project on the subject property, including the division of the lot as allowed by ORS 92.031. The applicant shall include on the face of the plat a notation prohibiting the further division of the resulting parcels under the provisions of ORS 92.031 per Condition of Approval 7. Subject to the Conditions of Approval, the criteria are met.

(b) Require that a notation appear on the final plat indicating that the approval was given under this section.

Staff Finding 14: The applicant proposes the construction of a Townhouse Project on the subject property, including the division of the lot as allowed by ORS 92.031. The applicant shall include on the face of the plat a notation indicating the approval was given under the provisions of ORS 92.031 per Condition of Approval 7. Subject to the Conditions of Approval, the criteria are met.

(4) In reviewing an application for a middle housing land division, a city or county:

(a) Shall apply the procedures under ORS 197.360 to 197.380.

Staff Finding 15: Please see Staff Findings 24 to 51. The criteria are met.

(b) May require street frontage improvements where a resulting lot or parcel abuts the street consistent with land use regulations implementing ORS 197A.420.

Staff Finding 16: The subject property has approximately 30 feet of frontage along 13th Street, which is classified as a Local Street. The applicant has completed frontage improvements per the TVF&R approved plan found in Exhibit PD-1. The criteria are met.

(c) May not subject an application to approval criteria except as provided in this section, including that a lot or parcel require driveways, vehicle access, parking or minimum or maximum street frontage.

Staff Finding 17: The City has not applied any approval criteria except as provided in this section. The applicant has proposed utilizing a driveway for each of the proposed townhomes. The criteria are met.

(d) May not subject the application to procedures, ordinances or regulations adopted under ORS 92.044 or 92.046 that are inconsistent with this section or ORS 197.360 to 197.380.

Staff Finding 18: The City has not applied any approval criteria that are inconsistent with this section or ORS 197.360 to 197.380. The criteria are met.

(e) May allow the submission of an application for a middle housing land division at the same time as the submission of an application for building permits for the middle housing.

Staff Finding 19: The applicant shall submit building plans and obtain approval of compliance with the Oregon Residential Specialty Code, including provisions related to new property lines, from West Linn Building staff prior to final plat approval by the City per Conditions of Approval 2 and 3. Subject to the Conditions of Approval, the criteria are met.

(f) May require the dedication of right of way if the original parcel did not previously provide a dedication.

Staff Finding 20: The subject property is adjacent to 13th Street, a public right-of-way (ROW). The existing 13th Street ROW measures approximately 48 feet in width. The proposed project does not require a right-of-way dedication. The criteria do not apply.

(5) The type of middle housing developed on the original parcel is not altered by a middle housing land division.

Staff Finding 21: The applicant proposes the construction of a Townhouse Project on the subject property, including the division of the lot as allowed by ORS 92.031. The type of middle housing, Townhouse Project, will not be altered by the land division. The criteria are met.

(6) Notwithstanding ORS 197.312 (5), a city or county is not required to allow an accessory dwelling unit on a lot or parcel resulting from a middle housing land division.

Staff Finding 22: The applicant does not propose an accessory dwelling unit on any parcel resulting from the land division. The criteria are met.

(7) The tentative approval of a middle housing land division is void if and only if a final subdivision or partition plat is not approved within three years of the tentative approval. Nothing in this section or ORS 197.360 to 197.380 prohibits a city or county from requiring a final plat before issuing building permits.

Staff Finding 23: The approval of the tentative plat (ELD-25-02) shall be void if the applicant does not record the final partition plat within three years of approval per Condition of Approval 8. Subject to the Conditions of Approval, the criteria are met.

197.360 "Expedited land division" defined; applicability.

(1) As used in this section:

(a) "Expedited land division" means a division of land under ORS 92.010 to 92.192, 92.205 to 92.245 or 92.830 to 92.845 by a local government that:

Staff Finding 24: The applicant proposes a middle housing development (see Staff Finding 1), which is eligible for an expedited land division under ORS 92.031, Middle Housing Land Division. The criteria are met.

(A) Includes only land that is zoned for residential uses and is within an urban growth boundary.

(B) Is solely for the purposes of residential use, including recreational or open space uses accessory to residential use.

Staff Finding 25: The subject property is zoned Residential, R-7 and within the Portland Metropolitan Area Urban Growth Boundary. The applicant proposes development of a Townhouse Project, which is a residential use. No open space or recreational uses are proposed. The criteria are met.

(C) Does not provide for dwellings or accessory buildings to be located on land that is specifically mapped and designated in the comprehensive plan and land use regulations for full or partial protection of natural features under the statewide planning goals that protect:

(i) Open spaces, scenic and historic areas and natural resources;

(ii) The Willamette River Greenway;

Staff Finding 26: The subject property is not located within the Willamette River Greenway. No development is proposed in a Water Resource Area. The criteria are met.

(iii) Estuarine resources;

(iv) Coastal shorelands; and

(v) Beaches and dunes.

Staff Finding 27: The subject property does not contain any estuarine resources, coastal shorelands, or beaches and dunes. The criteria are met.

(D) Satisfies minimum street or other right-of-way connectivity standards established by acknowledged land use regulations or, if such standards are not contained in the applicable regulations, as required by statewide planning goals or rules.

Staff Finding 28: Existing development patterns meet street connectivity standards in the vicinity of the subject property. The 2016 West Linn Transportation System Plan (TSP) does not include any street connectivity projects adjacent to the subject property. The pedestrian plan within the TSP does not include any pedestrian related projects. The property owner has completed frontage improvements. The criteria are met.

(E) Will result in development that either:

(i) Creates enough lots or parcels to allow building residential units at 80 percent or more of the maximum net density permitted by the zoning designation of the site; or

(ii) Will be sold or rented to households with incomes below 120 percent of the median family income for the county in which the project is built.

Staff Finding 29: The subject property is approximately 18,516 sq. ft. and zoned Residential, R-7, which requires a minimum lot size of 7000 sq. ft. Maximum density under a traditional CDC Chapter 85 land division would allow two dwelling units. The applicant proposes a Townhouse Project middle housing development (Staff Finding 1), which is eligible for an expedited land division under ORS 92.031, Middle Housing Land Division. The middle housing development will result in six dwelling units, which is 300 percent of the maximum density currently permitted on the subject property. The criteria are met.

(b) "Expedited land division" includes land divisions that create three or fewer parcels under ORS 92.010 to 92.192 and meet the criteria set forth in paragraph (a) of this subsection.

Staff Finding 30: The applicant proposes an expedited land division that creates six lots as permitted under ORS 92.031. The proposal meets the criteria set forth in paragraph (a), see Staff Findings 24 to 29. The criteria are met.

(2) An expedited land division as described in this section is not a land use decision or a limited land use decision under ORS 197.015 or a permit under ORS 215.402 or 227.160.

Staff Finding 31: The City and applicant acknowledge an expedited land division is not a land use decision or limited land use decision under ORS 197.015 or a permit under ORS 215.402 or ORS 227.160. The criteria are met.

(3) The provisions of ORS 197.360 to 197.380 apply to all elements of a local government comprehensive plan and land use regulations applicable to a land division, including any planned unit development standards and any procedures designed to regulate:

(a) The physical characteristics of permitted uses;

(b) The dimensions of the lots or parcels to be created; or

(c) Transportation, sewer, water, drainage and other facilities or services necessary for the proposed development, including but not limited to right-of-way standards, facility dimensions and on-site and off-site improvements.

Staff Finding 32: The applicant proposes middle housing on the subject property through the construction of a Townhouse Project, including the division of the lot as allowed by ORS 92.031.

The City has applied the approval criteria of ORS 92.031, including the physical characteristics of the development (Staff Finding 3), the dimensions of the lots to be created (Staff Findings 6, 7, 9, and 29), and required facilities and services necessary for the proposed development (see Staff Findings 5, 6, 7, 9, 16, and 20). The criteria are met.

(4) An application for an expedited land division submitted to a local government shall describe the manner in which the proposed division complies with each of the provisions of subsection (1) of this section.

Staff Finding 33: See Staff Findings 24 to 32. The criteria are met.

197.365 Application; notice to neighbors; comment period.

Unless the applicant requests to use the procedure set forth in a comprehensive plan and land use regulations, a local government shall use the following procedure for an expedited land division, as described in ORS 197.360, or a middle housing land division under ORS 92.031:

(1)(a) If the application for a land division is incomplete, the local government shall notify the applicant of exactly what information is missing within 21 days of receipt of the application and allow the applicant to submit the missing information. For purposes of computation of time under this section, the application shall be deemed complete on the date the applicant submits the requested information or refuses in writing to submit it.

Staff Finding 34: The applicant did not request to use the procedures outlined in the West Linn Community Development Code, therefore the City processed the application as an expedited land division. The application was submitted on March 13, 2025 and deemed complete by the City on March 31, 2025. The criteria are met.

(b) If the application was complete when first submitted or the applicant submits the requested additional information within 180 days of the date the application was first submitted, approval or denial of the application shall be based upon the standards and criteria that were applicable at the time the application was first submitted.

Staff Finding 35: The application was submitted on March 13, 2025 and deemed complete by the City on March 31, 2025. Approval of the application is based on the standards and criteria found in ORS 92.031 that were applicable on March 13, 2025. The criteria are met.

(2) The local government shall provide written notice of the receipt of the completed application for a land division to any state agency, local government or special district responsible for providing public facilities or services to the development and to owners of property within 100 feet of the entire contiguous site for which the application is made. The notification list shall be compiled from the most recent property tax assessment roll. For purposes of appeal to the referee under ORS 197.375, this requirement shall be deemed met when the local government can provide an affidavit or other certification that such notice was given. Notice shall also be provided to any neighborhood or community planning organization recognized by the governing body and whose boundaries include the site.

Staff Finding 36: The City provided written notice of the receipt of a completed application to all state agencies, local governments, and special districts responsible for providing public facilities or services on April 14, 2025. The City provided written notice to property owners within 100 feet of the entire contiguous site, compiled from the most recent property owner information available, on April 14, 2025. The City provided written notice to the Willamette Neighborhood Association on April 14, 2025. The affidavit of public notice is found in Exhibit PD-4 The criteria are met.

(3) The notice required under subsection (2) of this section shall:

(a) State:

(A) The deadline for submitting written comments;

(B) That issues that may provide the basis for an appeal to the referee must be raised in writing prior to the expiration of the comment period; and

(C) That issues must be raised with sufficient specificity to enable the local government to respond to the issue.

(b) Set forth, by commonly used citation, the applicable criteria for the decision.

(c) Set forth the street address or other easily understood geographical reference to the subject property.

(d) State the place, date and time that comments are due.

(e) State a time and place where copies of all evidence submitted by the applicant will be available for review.

(f) Include the name and telephone number of a local government contact person.

(g) Briefly summarize the local decision-making process for the land division decision being made.

Staff Finding 37: The City provided written notice in compliance with subsection (3). A copy of the notice is found in Exhibit PD-4. The criteria are met.

(4) After notice under subsections (2) and (3) of this section, the local government shall:

(a) Provide a 14-day period for submission of written comments prior to the decision.

Staff Finding 38: The City provided written notice under subsections (2) and (3) on April 14, 2025 with a deadline for submission of written comments on April 28, 2025. This provided a 14-day comment period. A copy of the notice is found in Exhibit PD-4. The criteria are met.

(b) Make a decision to approve or deny the application within 63 days of receiving a completed application, based on whether it satisfies the substantive requirements of the applicable land use regulations. An approval may include conditions to ensure that the application meets the applicable land use regulations. For applications subject to this section, the local government:

Staff Finding 39: The application was submitted on March 13, 2025 and deemed complete by the City on March 31, 2025. The City approved the application with conditions on May 29, 2025, the 59th day after deeming the application complete. The criteria are met.

(A) Shall not hold a hearing on the application; and

(B) Shall issue a written determination of compliance or noncompliance with applicable land use regulations that includes a summary statement explaining the determination. The summary

statement may be in any form reasonably intended to communicate the local government's basis for the determination.

Staff Finding 40: The City did not hold a hearing on the application. The City issued the Planning Manager decision with a summary statement explaining the determination. The criteria are met.

(c) Provide notice of the decision to the applicant and to those who received notice under subsection (2) of this section within 63 days of the date of a completed application. The notice of decision shall include:

(A) The summary statement described in paragraph (b)(B) of this subsection; and

(B) An explanation of appeal rights under ORS 197.375.

Staff Finding 41: The City provided notice of the decision to the applicant and those who received notice under subsection (2) on May 29, the 59th day after deeming the application complete. The notice of decision included the summary statement and an explanation of appeal rights. The criteria are met.

197.370 Failure of local government to timely act on application.

(1) Except as provided in subsection (2) of this section, if the local government does not make a decision on an expedited land division or a middle housing land division, as defined in ORS 92.031, within 63 days after the application is deemed complete, the applicant may apply in the circuit court for the county in which the application was filed for a writ of mandamus to compel the local government to issue the approval. The writ shall be issued unless the local government shows that the approval would violate a substantive provision of the applicable land use regulations or the requirements of ORS 92.031 or 197.360. A decision of the circuit court under this section may be appealed only to the Court of Appeals.

(2) After seven days' notice to the applicant, the governing body of the local government may, at a regularly scheduled public meeting, take action to extend the 63-day time period to a date certain for one or more applications for an expedited land division or a middle housing land division prior to the expiration of the 63-day period, based on a determination that an unexpected or extraordinary increase in applications makes action within 63 days impracticable. In no case shall an extension be to a date more than 120 days after the application was deemed complete. Upon approval of an extension, the provisions of ORS 92.031 and 197.360 to 197.380, including the mandamus remedy provided by subsection (1) of this section, shall remain applicable to the land division, except that the extended period shall be substituted for the 63-day period wherever applicable.

(3) The decision to approve or not approve an extension under subsection (2) of this section is not a land use decision or limited land use decision.

Staff Finding 42: The City acted in a timely manner and made the decision within the 63-day time period. The criteria are met.

197.375 Appeal of local government to referee; Court of Appeals.

(1) An appeal of a decision made under ORS 197.360 and 197.365 or under ORS 92.031 and 197.365 shall be made as follows:

(a) An appeal must be filed with the local government within 14 days of mailing of the notice of the decision under ORS 197.365 (4) and shall be accompanied by a \$300 deposit for costs.

(b) A decision may be appealed by:

(A) The applicant; or

(B) Any person or organization who files written comments in the time period established under ORS 197.365.

(c) An appeal shall be based solely on allegations:

(A) Of violation of the substantive provisions of the applicable land use regulations;

(B) Of unconstitutionality of the decision;

(C) That the application is not eligible for review under ORS 92.031 or 197.360 to 197.380 and should be reviewed as a land use decision or limited land use decision; or

(D) That the parties' substantive rights have been substantially prejudiced by an error in procedure by the local government.

Staff Finding 43: The applicant acknowledges and understands the appeal rights and process. If appealed, the City will follow the expedited land division appeal process and criteria. The criteria are applicable upon appeal.

(2) The local government shall appoint a referee to decide the appeal of a decision made under this section. The referee may not be an employee or official of the local government. However, a local government that has designated a hearings officer under ORS 215.406 or 227.165 may designate the hearings officer as the referee for appeals of a decision made under ORS 197.360 and 197.365.

Staff Finding 44: The applicant acknowledges and understands the appeal procedures. If appealed, the City will follow the expedited land division appeal process and criteria, including the appointment of a referee to decide the appeal.

(3) Within seven days of being appointed to decide the appeal, the referee shall notify the applicant, the local government, the appellant if other than the applicant, any person or organization entitled to notice under ORS 197.365 (2) that provided written comments to the local government and all providers of public facilities and services entitled to notice under ORS 197.365 (2) and advise them of the manner in which they may participate in the appeal. A person or organization that provided written comments to the local government but did not file an appeal under subsection (1) of this section may participate only with respect to the issues raised in the written comments submitted by that person or organization. The referee may use any procedure for decision-making consistent with the interests of the parties to ensure a fair opportunity to present information and argument. The referee shall provide the local government an opportunity to explain its decision, but is not limited to reviewing the local government decision and may consider information not presented to the local government.

Staff Finding 45: If appealed, the referee appointed by the City will follow the expedited land division appeal process and criteria.

(4)(a) The referee shall apply the substantive requirements of the applicable land use regulations and ORS 92.031 or 197.360. If the referee determines that the application does not qualify as an expedited land division or a middle housing land division, as defined in ORS 92.031, the referee shall remand the application for consideration as a land use decision or limited land use decision. In all

other cases, the referee shall seek to identify means by which the application can satisfy the applicable requirements.

(b) For an expedited land use division, the referee may not reduce the density of the land division application.

(c) The referee shall make a written decision approving or denying the application or approving it with conditions designed to ensure that the application satisfies the land use regulations, within 42 days of the filing of an appeal. The referee may not remand the application to the local government for any reason other than as set forth in this subsection.

Staff Finding 46: If appealed, the referee appointed by the City will follow the expedited land division appeal process and criteria.

(5) Unless the governing body of the local government finds exigent circumstances, a referee who fails to issue a written decision within 42 days of the filing of an appeal shall receive no compensation for service as referee in the appeal.

Staff Finding 47: If appealed, the referee appointed by the City will follow the expedited land division appeal process and criteria.

(6) Notwithstanding any other provision of law, the referee shall order the local government to refund the deposit for costs to an appellant who materially improves his or her position from the decision of the local government. The referee shall assess the cost of the appeal in excess of the deposit for costs, up to a maximum of \$500, including the deposit paid under subsection (1) of this section, against an appellant who does not materially improve his or her position from the decision of the local government. The local government shall pay the portion of the costs of the appeal not assessed against the appellant. The costs of the appeal include the compensation paid the referee and costs incurred by the local government, but not the costs of other parties.

Staff Finding 48: If appealed, the referee appointed by the City will follow the expedited land division appeal process and criteria.

(7) The Land Use Board of Appeals does not have jurisdiction to consider any decisions, aspects of decisions or actions made under ORS 92.031 or 197.360 to 197.380.

Staff Finding 49: The applicant acknowledges and understands the Land Use Board of Appeals does not have jurisdiction over this decision.

(8) Any party to a proceeding before a referee under this section may seek judicial review of the referee's decision in the manner provided for review of final orders of the Land Use Board of Appeals under ORS 197.850 and 197.855. The Court of Appeals shall review decisions of the referee in the same manner as provided for review of final orders of the Land Use Board of Appeals in those statutes. However, notwithstanding ORS 197.850 (9) or any other provision of law, the court shall reverse or remand the decision only if the court finds:

(a) That the decision does not concern an expedited land division as described in ORS 197.360 or middle housing land division as defined in ORS 92.031 and the appellant raised this issue in proceedings before the referee;

(b) That there is a basis to vacate the decision as described in ORS 36.705 (1)(a) to (d), or a basis for modification or correction of an award as described in ORS 36.710; or
(c) That the decision is unconstitutional.

Staff Finding 50: The applicant acknowledges and understands the right to seek judicial review of the referee's decision.

197.380 Application fees.

Each city and county shall establish application fees for an expedited land division and a middle housing land division, as defined in ORS 92.031. The fees must be set at a level calculated to recover the estimated full cost of processing an application, including the cost of appeals to the referee under ORS 197.375, based on the estimated average cost of such applications. Within one year of establishing a fee under this section, the city or county shall review and revise the fee, if necessary, to reflect actual experience in processing applications under ORS 92.031 and 197.360 to 197.380.

Staff Finding 51: The City has an adopted fee schedule, including for expedited land divisions. The applicant paid the fee at the time of submittal. The criteria are met.

EXHIBIT PD-1 APPLICANT SUBMITTAL

**6-LOT MIDDLE HOUSING LAND DIVISION NARRATIVE
TOWNHOMES
2011 13th Street**

I. GENERAL INFORMATION

Applicant:	Mark Lisac PO Box 2422 Clackamas, OR 97015 503-970-7723
Applicant's Representative:	Paul H. Roeger CMT Surveying & Consulting 20330 SE Hwy. 212 Damascus, Oregon 97089 503-850-4672 503-860-2545 Cell
Surveyor:	David Roeger, PLS CMT Surveying & Consulting 20330 SE Hwy. 212 Damascus, OR 97089 503-850-4672
Property Owners:	Laurie Huskey 2008 13 th Street West Linn, OR 97068 503-939-6925
Tax Lot Information:	Tax Map 2S-1E-35CC, Tax Lot 5001
Location:	Behind 2011 13 th Street
Current Zoning:	R-7, Residential, which includes Middle Housing
Site Area:	18,696 square feet
Water District:	City of West Linn
Sanitary Sewer:	City of West Linn
Surface Water Mgmt.:	City of West Linn
Fire District:	Tualatin Valley Fire & Rescue
Power:	Portland General Electric
Telephone:	Century Link
Cable:	Comcast



DEVELOPMENT REVIEW APPLICATION

STAFF CONTACT		For Office Use Only	
Chris Myers		PROJECT No(s). ELD-25-02	PRE-APPLICATION No.
NON-REFUNDABLE FEE(S) \$4,900		REFUNDABLE DEPOSIT(S)	TOTAL \$4,900

Type of Review (Please check all that apply):

- | | | |
|--|---|--|
| <input type="checkbox"/> Annexation (AND) | <input type="checkbox"/> Final Plat (FP) Related File # | <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"/> Expediated 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: Behind 2011 13th Street	Assessor's Map No.: 2-1E-35CC
	Tax Lot(s): 5001
	Total Land Area: 18,696 Sq. Ft.

Brief Description of Proposal:

6-Lot Middle Housing Land Division with 6 Townhouses, 1 on each lot

Applicant Name*: Mark Lisac	Phone:
Address: PO Box 2422	Email: 503-970-7723
City State Zip: Clackamas, OR 97015	mllisac@comcast.net

Owner Name (required): Laurie Huskey	Phone:
Address: 2008 13th Street	Email: 503-939-6925
City State Zip: West Linn, OR 97068	scotthuskey60@gmail.com

Consultant Name: Paul Roeger, CMT Surveying & Consulting	Phone:
Address: 20330 SE Hwy 212	Email: 503-860-2545
City State Zip: Damascus, OR 97089	paul@cmtsc.net

1. 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 application costs.**
2. All information provided with the application is considered a public record and subject to disclosure.
3. The owner/applicant or their representative should attend all public hearings related to the application.
4. A decision may be reversed on appeal. The decision will become effective once the appeal period has expired.
5. Submit this form, application narrative, and all supporting documents as a single PDF through the 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. The applicant and owner affirm that the information provided in this application is true and correct. 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  Date 3/13/2025 Owner's signature (required)  Date 3/13/2025

**6-LOT MIDDLE HOUSING LAND DIVISION NARRATIVE
TOWNHOMES
2011 13th Street**

Gas: Northwest Natural

II. REQUEST – APPROVALS SOUGHT

The Applicant, Mark Lisac, desires to subdivide this property into 6-Lots for Middle Housing and construct 6 townhomes, one home on each lot. The subject site is approximately 18,696 square feet (0.43 Acres) in size and is located behind 2011 13th Street (Tax map 2S-1E-35CC, tax lot 5001). The parcel was created under City of West Line file MIP-22-06/WAP-22-04. It is Parcel 2 of Partition Plat 2024-015, Clackamas County Plat Records and is currently vacant with some trees that are intended to be removed before development. The minimum sized lot will be approximately 1,852 square feet. The existing 30-foot wide flagpole will be an Access and Utility Easement with a 20-foot wide driveway and underground utilities to 13th Street.

III. SITE DESCRIPTION AND SURROUNDING AREA

Location and Parcel Description:

The site is generally located on the East side of 13th Street and directly on the South side of Interstate 205. The property is described as Tax Lot 5001 of Tax map 2S-1E-35CC.

The site is bordered on the West by 13th Street and TL 5000 of Tax map 2S-1E-35CC, and on the North by Interstate 205. Property to the West, across 13th Street is zoned R-7, however, property to the Southwest is zoned R-10 and property to the South fronting 13th Street is zoned R-7 and property South and East is zoned General Commercial. This parcel of property is generally flat with only 6-feet of fall from 13th Street to 350 feet to the Eastern portion of the property.

The site is zoned R-7 Residential which allows Townhouses on the City of West Linn Zoning Map. The site is surrounded by developed commercial and single-family residential land with very little potential for additional development on any of the surrounding properties.

13th Street is classified as a Local Street with a current right-of-way width of 48-feet along the frontage and 55-feet of right-of-way width South of this property.

Site access:

Access to the property is directly from 13th Street with a new concrete driveway approach and sidewalk and gravel along the 30-foot wide flagpole. A new 20-foot wide asphalt paved driveway will be constructed up to the East line of Lot 2 and then narrow to 17-feet to Lot 6.

**6-LOT MIDDLE HOUSING LAND DIVISION NARRATIVE
TOWNHOMES
2011 13th Street**

IV. PROPOSAL SUMMARY

The applicant wants to subdivide the property into 6 new lots and develop middle housing townhomes on each lot. Two attached townhouses will be on lots 1 and 2, two on lots 3 and 4, and two on lots 5 and 6.

Transportation:

A Transportation Impact Analysis is not required for this 6-Lot Middle Housing Land Division. Only six additional dwelling units will be added to the site on this very low volume dead end local street.

Street:

13th Street is an existing 26- to 28-foot-wide asphalt paved street within a 48-foot right-of-way plus the paved cul-de-sac at the North end with curb only South of the cul-de-sac on the East side and even less on the West side opposite the frontage of this property. A new driveway approach and sidewalk have been constructed on the frontage of the flagpole. The curb extends South of this property all the way to 8th Avenue on both sides of 13th Street, but no sidewalk.

The 13th Street right-of-way ends with a cul-de-sac reserved by the City from right-of-way given to the City by ODOT in 1974. ODOT originally acquired the right-of-way in 1968 as part of property purchased for construction of I-205. In 2008 the City relinquished part of what ODOT had given them in 1974 back to ODOT but kept a cul-de-sac configuration as shown on our Existing Conditions Site Plan, per City Resolution No. 08-36. The cul-de-sac area is paved.

Storm Drainage:

Onsite run-off generated from new impervious surfaces greater than 1,000 square feet will be captured and conveyed per City requirements to the nearest public stormwater system or to the drainage system at the rear of this property along I-205.

Water:

The property is served domestic water by the City of West Linn. There is an 8-inch ductile iron water main in the center of 13th Street. The intent is to install six new water meters within the 13th Street right-of-way with individual services to each new home. The nearest existing fire hydrant is located across the street near the Southwest corner of the property.

**6-LOT MIDDLE HOUSING LAND DIVISION NARRATIVE
TOWNHOMES
2011 13th Street**

Sanitary Sewer:

Sanitary sewer is available from a 10-inch main line in 13th Street and along the North side of the property. The desire is to install one new individual lateral from the main along the North property line for each new home.

Other Utilities:

There is existing power within 13th Street right-of-way from which to install service to these six lots. All new power, telephone and cable may or may not be installed underground, depending on the utility company allowances and requirements, since City of West Linn requirements do not require undergrounding on parcels less than 1-acre in size.

There is an existing 1-inch gas main on the West side of 13th Street should new gas service be desired for these new homes.

Water Resource Area:

Bernert Creek is located within the I-205 right-of-way approximately 10 to 12-feet North of the Northern property line and flows from West to East parallel with the property line. A Natural Resource Assessment was conducted in 2019 by Cari Cramer, Schott and Associates and updated in 2022. A copy was included with the previous Partition application. We believe the Water Resource Area has been reduced to the Northern 20-feet of this property during the approval of Partition Plat 2024-015.

V. WLCDC 12 – RESIDENTIAL, R-7

This property is zoned R-7, which allows Townhouses, and that is what is being proposed with this submittal. The minimum lot size proposed in this 6-lot subdivision is 1,852 square feet, which is greater than the average minimum lot size allowed for townhouses in this zone. There is no minimum lot width at the front lot line or average minimum lot width for townhouses. Exterior side yard setbacks are 7.5-feet and the interior side yard setbacks are 3-feet to meet applicable building code requirements and there are common walls on the attached townhouses. All front yard setbacks are 20-feet and all rear yard setbacks are a minimum of 23-feet from the I-205 right-of-way.

Maximum building height will not exceed 35-feet. The maximum lot coverage for any of these lots is 35% and the maximum floor area ratio will be less than 0.45. Lot areas and Building areas are shown on each Lot. Floor area will be addressed at Building Permit time.

**6-LOT MIDDLE HOUSING LAND DIVISION NARRATIVE
TOWNHOMES
2011 13th Street**

VI WLCDC 46 – OFF-STREET PARKING

One off-street parking space will be provided for each of the lots in a garage within each townhouse.

VII – WLCDC 48 – MINIMUM VEHICULAR REQUIREMENTS FOR RESIDENTIAL USES

Paved driveway access will be provided by a 20-foot wide paved driveway along the 30-foot wide flagpole from 13th Street through Lot 2 to the West line of Lot 3 and then be narrowed to a 17-foot wide paved driveway to the garage on Lot 6. This entire driveway area will be at approximately 2 percent grade.

A fire truck will be able to use the 20-foot wide section of the driveway, approximately 150-feet, and then the fire fighters will be able to extend their hose less than 150-feet to reach the furthest corner of the townhouse on Lot 6. Tualatin Valley Fire and Rescue has provided a Service Provider Letter confirming their approval of this subdivision layout.

VIII – WLCDC 85 – LAND DIVISIONS

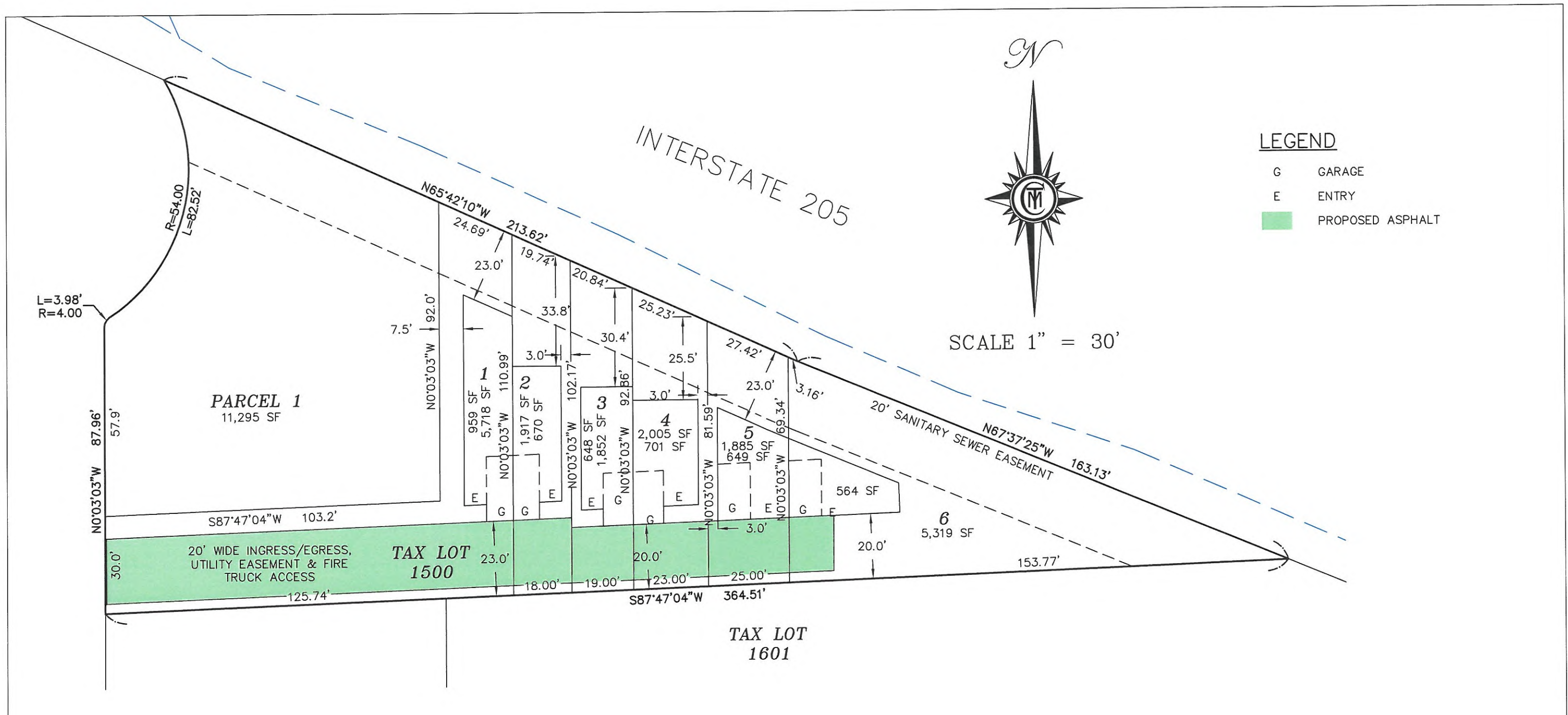
A Pre-Application Conference (PA-25-04) was held with City representatives on February 6, 2025. A Vicinity Map is being provided with this submittal. No lots will be sold until the subdivision plat is recorded. No public roads are being created, nor are any additional public street improvements required. Access to all lots will be from the flagpole 20-foot paved driveway. No staged development is anticipated at this time. A Traffic Impact Analysis is not required for this 6-Lot Middle Housing Land Division.

Domestic water, sanitary sewer and storm drainage are addressed earlier in this Narrative. Plans will be submitted to Engineering as required.

The City has told us we can do an Expedited Land Division without a Neighborhood Association meeting, so that is what we are submitting for.

IX – WLCDC 99 – PROCEDURES FOR DECISION MAKING

This application is for a Middle Housing Townhouse Land Division which is under the authority of the Planning Director.



NOTES

1. THE BASIS OF BEARINGS WAS PER PARTITION PLAT NO. 2008-068 CLACKAMAS COUNTY RECORDS.
2. LOCAL DATUM WAS ESTABLISHED BY GPS OBSERVATION NAVD 88.
3. THIS MAP WAS PREPARED FOR THE EXCLUSIVE USE OF MARK LISAC.
4. THIS MAP WAS PREPARED BY PLAT RECORDS, CALCULATED DATA, AND FIELD MEASUREMENTS, A RECORDED PARTITION PLAT WILL NOT BE FILED AT A DATE TO BE DETERMINED.

ELD-25-02

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 11, 2018
DAVID ROEGER
86811

EXPIRES DECEMBER 31, 2026

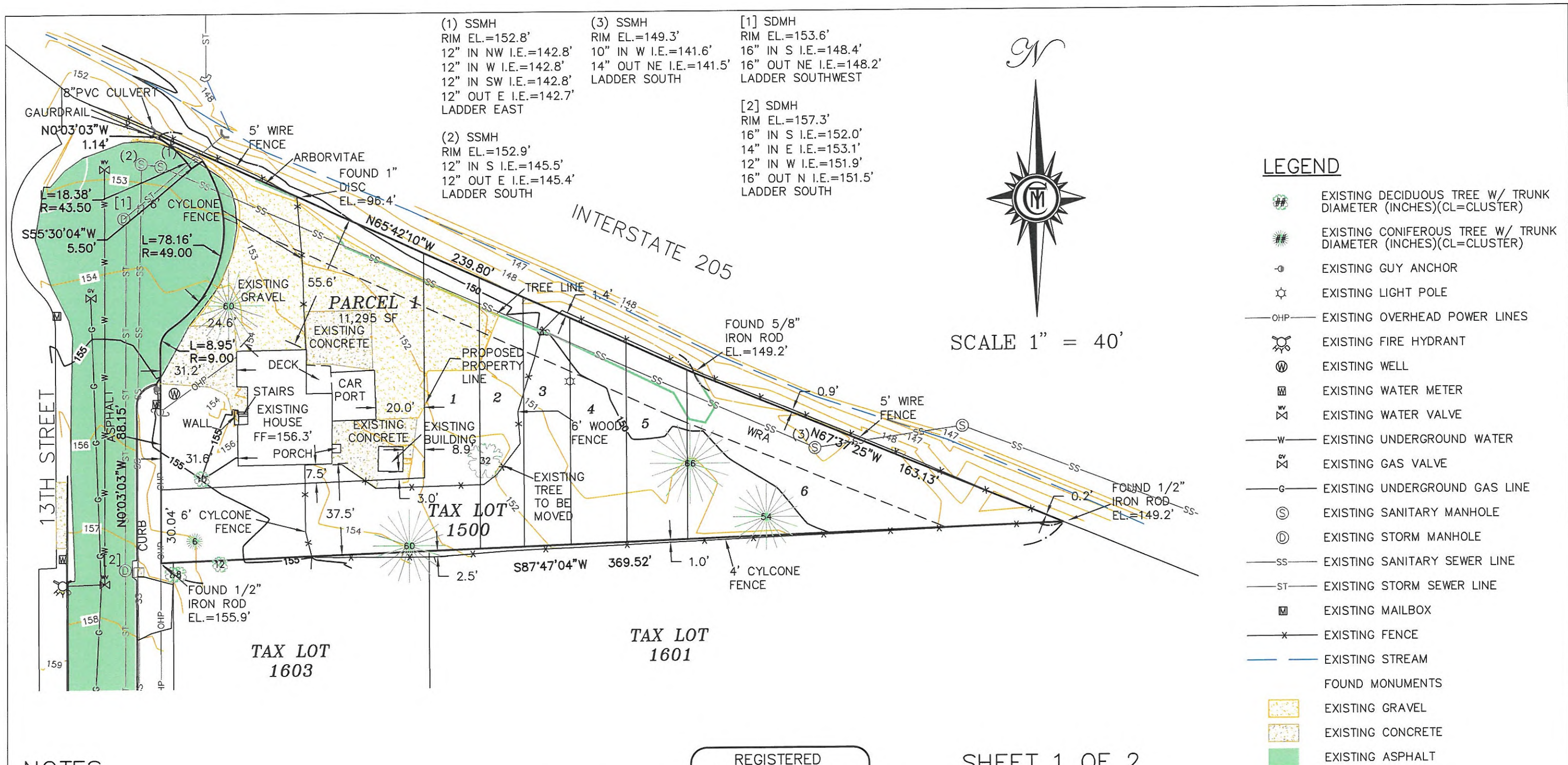
PROPOSED SUBDIVISION PLAT WITH UNITS	2011 13TH ST
SW 1/4 SEC 35, T2S, R1E, W.M.	
CITY OF WEST LINN	
CLACKAMAS COUNTY, OREGON	
MARCH 12, 2025	
DRAWN: JMR CHECKED: DMR	
SCALE 1"=30' ACCOUNT # 400	
Y: \400-001\DWG\400001SITEPLAN	



CMT SURVEYING AND CONSULTING

20330 SE HIGHWAY 212
DAMASCUS, OR 97089
PHONE (503) 850-4672 FAX (503) 850-4590

Planning Manager Decision



NOTES

1. THE PURPOSE OF THIS MAP WAS TO SHOW THE EXISTING CONDITIONS FOR 2011 13TH STREET.
2. THE BASIS OF BEARINGS WAS PER PARTITION PLAT NO. 2008-068 CLACKAMAS COUNTY RECORDS.
3. LOCAL DATUM WAS ESTABLISHED BY GPS OBSERVATION NAVD 88.
4. THIS MAP WAS PREPARED FOR THE EXCLUSIVE USE OF SCOTT HUSKEY.
5. THIS MAP WAS PREPARED BY PLAT RECORDS, CALCULATED DATA, AND FIELD MEASUREMENTS, A RECORDED PARTITION PLAT WILL NOT BE FILED AT A DATE TO BE DETERMINED.
6. ALL UTILITY LOCATIONS ARE SHOWN BY ABOVE GROUND FEATURES AND LOCATION OF PAINT MARKS SUPPLIED BY THE LOCAL UTILITY COMPANIES. CMT TAKES NO RESPONSIBILITY OF UNDERGROUND LOCATION. PLEASE NOTIFY THE UTILITY NOTIFICATION CENTER BEFORE ANY DIGGING 1-800-332-2344.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 11, 2018
DAVID ROEGER
86811

EXPIRES DECEMBER 31, 2026

SHEET 1 OF 2

EXISTING CONDITIONS & PROPOSED SUBDIVISION PLAT		2011 13TH ST
SW 1/4 SEC 35, T2S, R1E, W.M.		
CITY OF WEST LINN		
CLACKAMAS COUNTY, OREGON		
JANUARY 16, 2025		
DRAWN: JMR	CHECKED: DMR	
SCALE 1"=40' ACCOUNT # 400		
Y:\400-001\DWG\400001BASE		
		CMT SURVEYING AND CONSULTING
		20330 SE HIGHWAY 212 DAMASCUS, OR 97089 PHONE (503) 850-4672 FAX (503) 850-4590 Planning Manager Decision



FIRE CODE / LAND USE / BUILDING REVIEW APPLICATION

North Operating Center
11945 SW 70th Avenue
Tigard, OR 97223
Phone: 503-649-8577

South Operating Center
8445 SW Elligsen Rd
Wilsonville, OR 97070
Phone: 503-649-8577

REV 6-30-20

Project Information

Applicant Name: Mark Lisac
Address: PO Box 2422 Clackamas OR 97015
Phone: 503.970.7223
Email: mlisac@comcast.net
Site Address: Next to: 2011 13 Street
City: West Linn OR 97068
Map & Tax Lot #: 21E35CC05001
Business Name: Lisac Brothers Construction, Inc.
Land Use/Building Jurisdiction: Residential / West Linn
Land Use/ Building Permit # To Follow

Choose from: Beaverton, Tigard, Newberg, Tualatin, North Plains, West Linn, Wilsonville, Sherwood, Rivergrove, Durham, King City, Washington County, Clackamas County, Multnomah County, Yamhill County

Project Description

Lot partition with new fire access roadway.

Permit/Review Type (check one):

☒ Land Use / Building Review - Service Provider Permit

☐ Emergency Radio Responder Coverage Install/Test

☐ LPG Tank (Greater than 2,000 gallons)

☐ Flammable or Combustible Liquid Tank Installation
(Greater than 1,000 gallons)

* Exception: Underground Storage Tanks (UST)
are deferred to DEQ for regulation.

☐ Explosives Blasting (Blasting plan is required)

☐ Exterior Toxic, Pyrophoric or Corrosive Gas Installation
(in excess of 810 cu.ft.)

☐ Tents or Temporary Membrane Structures (in excess
of 10,000 square feet)

☐ Temporary Haunted House or similar

☐ OLCC Cannabis Extraction License Review

☐ Ceremonial Fire or Bonfire
(For gathering, ceremony or other assembly)

For Fire Marshal's Office Use Only

TVFR Permit # 2025-0029

Permit Type: SPP West Linn

Submittal Date: 03-10-25

Assigned To: DFM Arn

Due Date: NA

Fees Due: NA

Fees Paid: NA

Approval/Inspection Conditions

(For Fire Marshal's Office Use Only)

This section is for application approval only

0430 03-11-25
Fire Marshal or Designee Date

Conditions: See approved fire service plan.

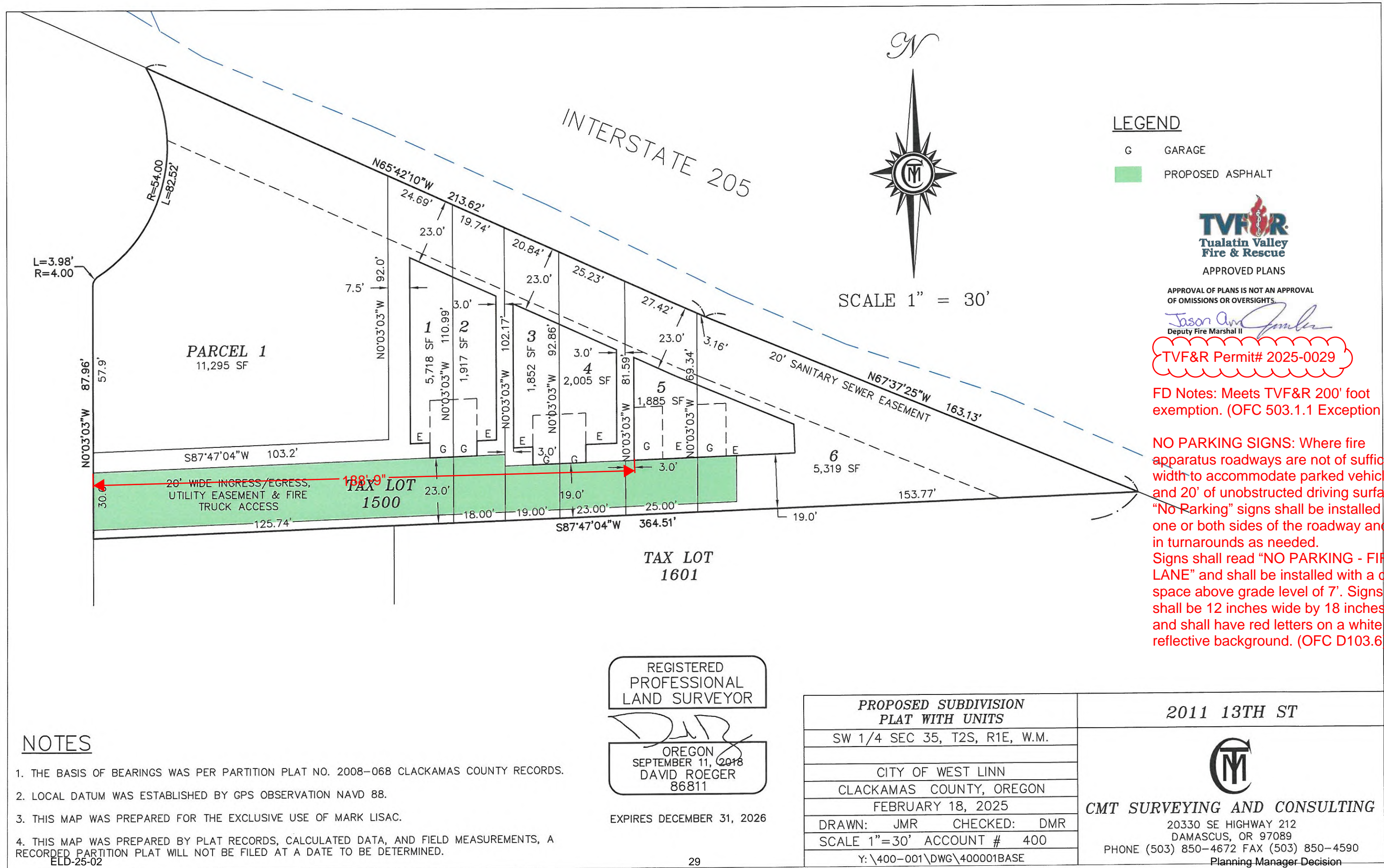
See Attached Conditions: ☐ Yes ☒ No

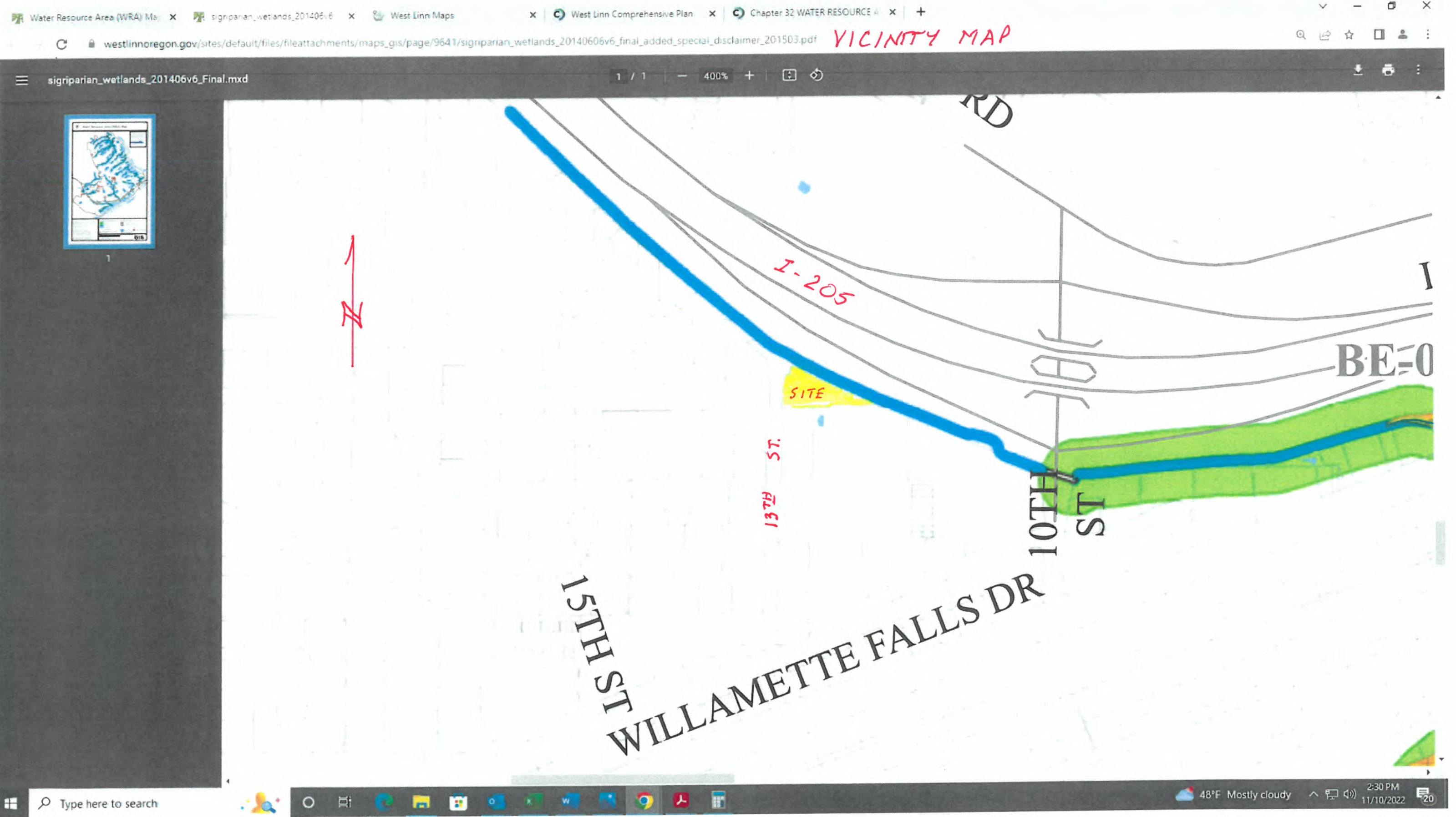
Site Inspection Required: ☒ Yes ☐ No

This section used when site inspection is required

Inspection Comments:

Final TVFR Approval Signature & Emp ID Date





CITY OF WEST LINN
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
February 6, 2025

SUBJECT: Proposed Middle Housing Cottage Cluster development.

FILE: PA-25-04

APPLICANTS PRESENT: Mark Lisac, Brian Lisac, Paul Roeger

STAFF PRESENT: Chris Myers, Associate Planner

PUBLIC PRESENT: Beau Genot (WNA Vice President)

These pre-application summary notes have been prepared for the applicant to identify applicable code sections and critical issues for the proposed application and summarize the application process and fees. Pre-Application summary notes are based on preliminary information and may not include all considerations. Contact the assigned planner for additional information regarding the process, approval criteria, submittal requirements, questions, and clarifications. Pre-Application Conference summary notes are valid for eighteen months from the meeting date. Once a complete application is submitted, the final decision can take 6-10 months.*

SITE INFORMATION:

Site Address:	No Address
Tax Lot No.:	21E35CC05001
Site Area:	.425 Acres
Neighborhood:	Willamette NA
Comp. Plan:	Low Density
Zoning:	Residential R-7
Zoning Overlays:	Riparian Corridor

PROJECT DESCRIPTION:

The applicant proposes an Expedited Land Division for the construction of a 4-unit cottage cluster.

APPLICABLE COMMUNITY DEVELOPMENT CODE SECTIONS:

Approval standards and criteria in effect when an application is *received* will be applied to the proposed development. The following Community Development Code (CDC) Chapters apply to this proposal:

- [Chapter 12: Residential R-7](#)
 - 12.030 Permitted Uses
 - 12.070 Dimensional Standards
- [Chapter 48 Access, Egress, and Circulation](#)
 - 48.010 Purpose
 - 48.020 General Provisions
 - 48.025 Access Control
 - 48.030 Minimum Vehicle Requirements for Residential Uses (see 48.030.B/C)
- [Chapter 85 Land Divisions – General Provisions](#)
 - 85.010 Purpose
 - 85.150
 - 85.170 Submittal Requirements
 - 85.200 Approval Criteria
 - 85.220 Expedited Land Divisions
 - 85.230 Middle Housing Land Divisions
- [Chapter 99: Procedures for Decision Making: Quasi-Judicial](#)

KEY ISSUES & CONSIDERATIONS

Staff has identified the following development issues, design considerations, or procedural issues that you should be aware of as you prepare your formal application for submittal. The identification of these issues or considerations here does not preclude the future identification of additional issues or considerations:

1. Applicant should check with TVF&R regarding whether a hammerhead turnaround will be required.
2. The current configuration of the common courtyard will not meet the City's interpretation of a common courtyard. Applicants asked if two courtyards could be built rather than one. Staff was unsure and will find out.

RESPONSE TO APPLICANT QUESTIONS:

1. Applicant question 5. Will need a TVF&R Provider Permit (see below). The provisions of Chapter 48.030.C shall apply. The Community Development Code does not reference that the accessway cannot be more than 150 feet. It can. For 4 houses/units you may have an accessway that is 14-20 feet of pavement. However, the horizontal clearance must remain at a minimum of 20 feet.
 2. Applicant question 6 – No, a TIA is not required
 3. Applicant question 7 – Confirmed, the WRA has been reduced to 20 feet on the property
 4. Applicant question 8 – Confirmed, a cottage cluster has 10 foot external setbacks, no internal setbacks
 5. Applicant question 9 – No required parking spaces
 6. Applicant question 10 - Confirmed, the WRA setback is zero. Build up to it but stay out of it.
 7. Applicant question 11 – Tree removal permits will be reviewed and issued through the building permit process. I cannot confirm tree removal, the City Arborist will do so at time of building permit review.
 8. Applicant question 12 – No, the proposed common space does not meet the City's interpretation of a common courtyard.
 9. Applicant question 13 – Confirmed, no further street improvements are required as part of this project.
 10. Applicant question 14 – Confirmed. See above.
- All other applicant questions have been answered by the Public Works and Engineering Department. Answers to those questions are part of the Engineering notes attached.

ENGINEERING:

The Engineering department comments are attached. For further details, contact Clark Ide at 503-722-3437 or Cide@westlinnoregon.gov.

BUILDING:

For building code and ADA questions, contact Adam Bernert at abernert@westlinnoregon.gov or 503-742-6054 or Alisha Bloomfield at abloomfield@westlinnoregon.gov or 503-742-6053.

TUALATIN VALLEY FIRE & RESCUE:

A Service Provider Permit must be provided with this application - <https://www.tvfr.com/399/Service-Provider-Permit>. Contact Jason Arn at jason.arn@tvfr.com or 503-259-1510 with any questions.

TREES:

For information on the tree requirements for this proposal, contact the Mike Perkins, City Arborist at mperkins@westlinnoregon.gov or 503-722-4728.

PROCESS:

An Expedited Land Division for Middle Housing is a Planning Manager decision. No public hearing is required. Once the application is declared complete, staff will review the application, send a 20-day public comment notice, and post a notice sign on the property. When the public comment period closes, the Planning Director will prepare a decision. A final decision can take 6-10 months.

There is a 14-day appeal period after the decision. If the decision is not appealed, the applicant may proceed with the development.

NEIGHBORHOOD MEETING:

A neighborhood meeting is required for an Expedited Subdivision.

HOW TO SUBMIT AN APPLICATION:

Submit a complete application in a single PDF document through the [Submit a Land Use Application](#) web portal. A complete application should include:

1. A [development application](#);
2. Application materials identified in the [Development Review Checklist](#).

COMPLIANCE NARRATIVE:

Written responses supported by substantial evidence must address all applicable approval standards and criteria. Written materials must explain how and why the proposed application will meet each applicable approval criteria. "Not Applicable" is not an acceptable response to the approval criteria.

Submittal requirements may be waived, but the applicant must first identify the specific submittal requirement and request, in writing, that the Planning Manager waive the requirement. The applicant must identify the specific grounds for the waiver. The Planning Manager will respond with a written determination about the waiver request before applying.

APPLICATION FEES & DEPOSITS:

The Planning Division Fee Schedule can be found on our website: <https://westlinnoregon.gov/finance/current-fee-schedule>


- Deposit for a Subdivision = \$4500
= \$500 Inspection fee
= \$2000 Final Plat Review


Applications with deposits will be billed monthly for time and materials. Please provide the name and address of the party responsible for the final invoice in your application.

Timelines:

Once the application and payment are received, the City has 21 days to determine if the application is complete. If the application is incomplete, the applicant has 180 days to complete it or provide written notice to staff that no other information will be provided. Once complete, the City has 63 days from the completeness determination to make a final decision on the application. Typical land use applications can take 3-4 months from beginning to end.

*** DISCLAIMER:** *These pre-application notes have been prepared per [CDC Section 99.030.B.7](#). The information provided is an overview of the proposal considerations and requirements. Staff responses are based on limited material presented at the pre-application conference. New issues and requirements can emerge as the application is developed. Failure to provide information does not constitute a waiver of the applicable standards or requirements. The applicant has the burden of proof to demonstrate that all approval criteria have been satisfied. These notes do not constitute an endorsement of the proposed application or assure project approval.*

	Pre-app Comments Project Number: PA-25-04 2011 13th Street: Cottage Cluster	Engineering Contact: Tyler Bobbett tbobbett@westlinnoregon.gov Telephone: 503-722-3424
<p>Project Description: Proposed Cottage Cluster</p> <p>Pre-application meeting date: February 6, 2025</p> <p>The comments provided below are based upon material provided as part of the pre-application packet and are intended to identify potential design challenges associated with the development. Comments are not intended to be exhaustive and do not preclude the engineering department from making additional comments as part of the formal land use application process.</p> <p>TRANSPORTATION</p> <p>Minimum Required Improvement:</p> <ul style="list-style-type: none"> • 13th Street <ul style="list-style-type: none"> ○ 13th Street is classified as a local street. ○ 13th Street has approximately 48.5 feet of ROW surrounding this property. ○ Frontage Improvements are not required. • All new distribution and communication franchise utilities and their services must be placed underground. • One driveway per frontage. <p>SANITARY SEWER</p> <p>Minimum Required Improvement:</p> <ul style="list-style-type: none"> • Existing 8" main on 13th Street has the capacity to serve this development. The 10" main in the sewer easement on the northern side of the lot can also serve this development. • If the cottages are divided and sold individually, each lot will require a 4" lateral. If the cottages are not divided and remain as one property, a shared lateral is allowed. <p>DOMESTIC WATER</p> <p>Minimum Required Improvement:</p> <ul style="list-style-type: none"> • There is an existing 8" DI water main in 13th Street that has adequate capacity for serving this development. • If the cottages are divided and sold individually, each lot will require a meter. If the cottages are not divided and remain as one property, one meter can serve the entire development. <p>SURFACE WATER (STORM SEWER)</p> <p>Minimum Required Improvement:</p> <ul style="list-style-type: none"> • Onsite run-off generated from new impervious areas of greater than 1000 square feet must be captured, treated, detained, and conveyed to the nearest public stormwater system in accordance 		

	<p>Pre-app Comments</p> <p>Project Number: PA-25-04 2011 13th Street: Cottage Cluster</p>	<p>Engineering Contact:</p> <p>Tyler Bobbett tbobbett@westlinnoregon.gov Telephone: 503-722-3424</p>
<p>with the <i>Portland Stormwater Management Manual</i>, the Uniform Plumbing Code, and <i>City of West Linn Public Works Standards</i>.</p> <ul style="list-style-type: none"> Preferred stormwater management would be to capture, treat, and infiltrate on site. If infiltration is not feasible, conveyance to the City system would be required. All Stormwater facilities must be designed and accepted by a licensed engineer. The 15" main on 13th Street has the capacity to serve this development. If the cottages are divided and sold individually, each lot will require a lateral. If the cottages are not divided and remain as one property, a shared conveyance is allowed. <p>OTHER</p> <ul style="list-style-type: none"> Any laterals crossing property lines shall be located in an easement. Development shall pay all applicable System Development Charges (SDC) fees at the time of home construction for newly created lots. Existing home will need to pay all applicable SDC fee at the time of connection to the City system (water meter, sewer). The proposed development will disturb less than 1 acre, therefore a West Linn Erosion Control Permit Application, as outlined in Section 2.0065 of the <i>City of West Linn Public Works Standards</i>, will be required prior to the commencement of construction. <p>QUESTIONS</p> <ol style="list-style-type: none"> <i>Can we connect sewer to the North within the Water Resource Area (WRA)? If not, we propose to connect 4 private sewer lines to the West in the existing street which shall meet plumbing code, one sewer line per house within a joint ingress/egress/utility easement.</i> Connecting to the sewer main to the north is allowed if remediation is done to reduce the impact on the WRA to the maximum extent possible. It also allowable to connect to the existing sewer in 13th Street. <i>Can roof stormwater/driveway stormwater discharge to the ditch/WRA to the North? If not, can we discharge to the existing stormwater system to the West in the cul-de-sac?</i> The ditch to the north is in ODOT right-of-way, so that would require an ODOT Miscellaneous Permit. The main in 13th can be used. <i>Is stormwater quality and/or retention required for the private driveways/roof drains?</i> Once the threshold of 1000 square feet of new impervious area is reached on a lot, <u>all</u> new impervious area for that lot must be treated. The shared drive will also need to be treated if the surface is impermeable. This can be done with a stormwater facility that the four lots sign a shared maintenance agreement for, and this will be recorded on the plat. The facility must be in an easement. Detention, treatment, and infiltration of runoff can be avoided by using a permeable surface for the shared drive (infiltration rates allowing). <i>We propose to bank 4 meters at the property line to the West along the cul-de-sac and serve each</i> 		


 CITY OF West Linn	Pre-app Comments	Engineering Contact: Tyler Bobbett tbobbett@westlinnoregon.gov Telephone: 503-722-3424
	Project Number: PA-25-04 2011 13th Street: Cottage Cluster	
<p><i>house privately with independent water lines – comments?</i></p> <p>This is the preferred method.</p> <p>5. See planning department’s notes.</p> <p>6. <i>Is a traffic impact study required for 4 houses?</i></p> <p>No.</p> <p>7. - 13. See planning department's notes.</p> <p>14. <i>Verify no additional public improvements are required including any improvements to the WRA?</i></p> <p>No.</p>		

EXHIBIT PD-2 COMPLETENESS LETTER



CITY OF West Linn

March 31, 2025

Mark Lisac
PO Box 2422
Clackamas, OR. 97015

Subject: ELD-25-02 - Application for an expedited land division to divide 1 existing lots into 6 new lots for the construction of 6 townhouse units.

Mr. Lisac,

You submitted revised application materials on March 13, 2025. The Planning and Engineering Departments determined that the application is now **complete** as of March 31, 2025.

The application proposes a SB458 expedited land division for HB2001 middle housing development. Per SB458, the City is required to process the application under the procedures outlined in Oregon Revised Statute 197.360 to 197.380. The City has 63 days to make a decision to approve or deny the application; that period ends June 2, 2025.

Please be aware that a determination of a complete application does not guarantee an approval 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 14-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.

Respectfully,

Chris Myers

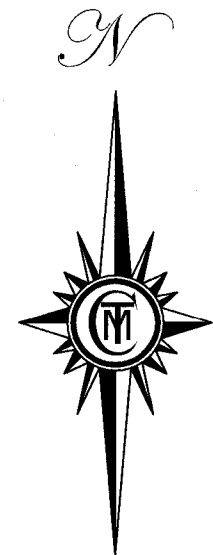
Chris Myers
Associate Planner

EXHIBIT PD-3 PLAT MAP

PARTITION PLAT NO. 2024-015

A REPLAT OF A PORTION OF LOT A, TRACT 37, "WILLAMETTE TRACTS" (PLAT NO. 147)
LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 1 EAST,
OF THE WILLAMETTE MERIDIAN, CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON

DATE: OCTOBER 16, 2023
SURVEYED FOR: SCOTT HUSKEY
2008 13TH STREET
WEST LINN, OR 97068



SCALE
40 0 20 40
1 INCH = 40 FEET

REFERENCE SURVEYS

- (R1) SN 15232
- (R2) SN 16779
- (R3) SN 26540
- (R4) SN 29085
- (R5) PARTITION PLAT NO. 2008-068
- (R6) SN 10702
- (R7) SN 2019-040
- (R8) PARTITION PLAT NO. 2017-063
- (R9) CITY OF WEST LINN RESOLUTION NO. 08-36

LEGEND

- 5/8" X 30" IRON ROD WITH GPC
INSCRIBED "CMT LS 86811"
SET ON: 2/29/2023
- FOUND MONUMENT AS NOTED
- SN = CLACKAMAS COUNTY SURVEY NUMBER
- FD = FOUND
- IR = IRON ROD
- IP = IRON PIPE
- GPC = GREEN PLASTIC CAP
- (H) = HELD
- N-S = NORTH-SOUTH
- (R1) = REFERENCE SURVEY OR PLAT
- SF = SQUARE FEET
- PUE = PUBLIC UTILITY EASEMENT

FD 5/8" IR
(H) PER ROLL MAP
9B-01-06
(H) AS A POINT ON
I-205 RIGHT-OF-WAY
AT STATION 862+49.81
379.99' LEFT PER (R7)

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD
C1	8.95'(R9)	9.00'(R9)	56°57'01"(R9)	N28°25'19"E 8.58'
C2	78.16'(R9)	49.00'(R9)	91°23'45"(R9)	N11°11'57"E 70.14'
C3	18.37'(R9)	43.50'(R9)	24°12'19"(R9)	N46°36'06"W 18.24'
C4	3.98'	4.00'	56°57'01"	N28°25'19"E 3.81'
C5	82.50'	54.00'	87°33'39"	N13°07'00"E 74.72'

NARRATIVE

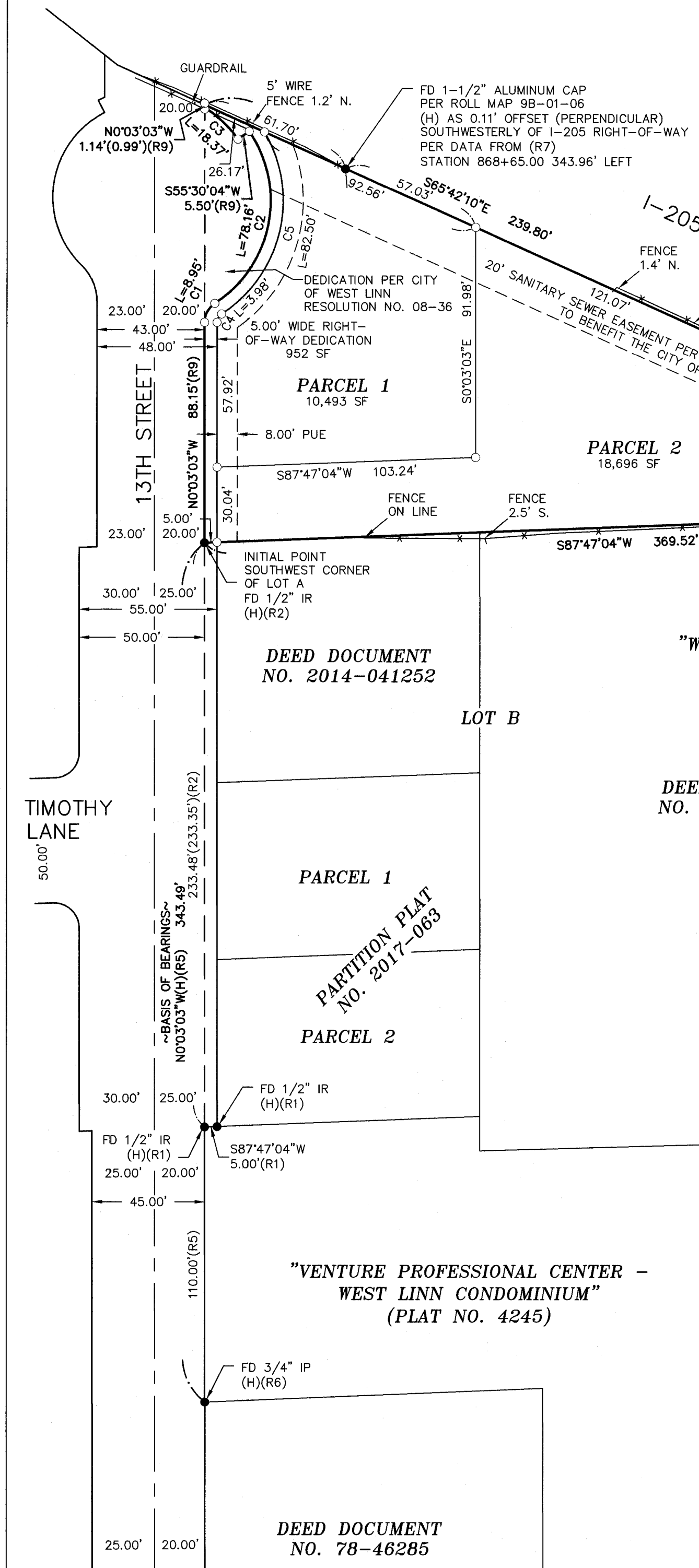
THE PURPOSE OF THIS SURVEY IS TO PARTITION THE PROPERTY DESCRIBED IN DEED DOCUMENT NO. 2023-041106, CLACKAMAS COUNTY DEED RECORDS, BEING A PORTION OF LOT A, TRACT 37, "WILLAMETTE TRACTS".

AS THE BASIS OF BEARINGS AND THE EASTERLY RIGHT-OF-WAY LINE OF 13TH STREET AS DEDICATED PER THE PLAT OF "WILLAMETTE TRACTS" (PLAT NO. 147), I HELD A RECORD BEARING OF NORTH 0°03'03" WEST, PER (R5), BETWEEN A 3/4" IRON PIPE FOUND AT THE MOST WESTERLY SOUTHWEST CORNER OF "VENTURE PROFESSIONAL CENTER - WEST LINN CONDOMINIUM" (PLAT NO. 4245) AND A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF THE SUBJECT PROPERTY, BEING THE SOUTHWEST CORNER OF SAID LOT A.

TO ESTABLISH THE SOUTH LINE OF THE SUBJECT PROPERTY I HELD A 1/2" IRON ROD SET IN (R2), FOUND AT THE SOUTHWEST CORNER, HELD AS THE SOUTHWEST CORNER OF SAID LOT A, AND THE NORTH-SOUTH POSITION OF A 1/2" IRON ROD SET IN (R1), FOUND NEAR THE SOUTHEAST CORNER.

TO ESTABLISH THE SOUTHERLY RIGHT-OF-WAY LINE OF I-205, ALSO BEING THE NORTH LINE OF THE SUBJECT PROPERTY, I HELD A 5/8" IRON ROD FOUND AT STATION 862+49.81, AN ANGLE POINT AT A 5/8" IRON ROD AT STATION 867+06.81, AND A POINT 0.11 FEET NORTHEASTERLY OF A 1-1/2" ALUMINUM CAP FOUND AT STATION 868+65.00. I THEN EXTENDED THE LINE NORTHWESTERLY TO INTERSECT THE HEREINAFTER ESTABLISHED WEST LINE. THE HELD MONUMENTS AND THE OFFSET OF 0.11 FEET WAS DETERMINED BY ANALYSIS OF A CAD DRAWING PROVIDED BY ODOT FOR (R7), ORIGINALLY CREATED BY OBEC CONSULTING ENGINEERS, AS (R7) DOES NOT FULLY DESCRIBE WHETHER MONUMENTS WERE ON THE RIGHT-OF-WAY LINE OR OFFSET FROM IT.

TO ESTABLISH THE WEST LINE OF THE SUBJECT PROPERTY I EXTENDED THE ESTABLISHED BASIS OF BEARINGS LINE NORTHERLY FROM A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF THE SUBJECT PROPERTY AND HELD DISTANCES AND CURVE DATA PER (R9) AND EXTENDED THE LAST CALL TO THE ESTABLISHED SOUTHERLY RIGHT-OF-WAY LINE OF I-205.



DEED DOCUMENT
NO. 2014-041252

"WILLAMETTE TRACTS"
(PLAT NO. 147)

TRACT 37

DEED DOCUMENT
NO. 2011-075380

PARCEL 1
PARTITION PLAT
NO. 2017-063
PARCEL 2

"VENTURE PROFESSIONAL CENTER -
WEST LINN CONDOMINIUM"
(PLAT NO. 4245)

DEED DOCUMENT
NO. 78-46285

REGISTERED
PROFESSIONAL
LAND SURVEYOR
David Roeger
OREGON
SEPTEMBER 11, 2018
DAVID ROEGER
86811

EXPIRES DECEMBER 31, 2024

SHEET 1 OF 2



CMT SURVEYING AND CONSULTING

20330 SE HIGHWAY 212
DAMASCUS, OR 97089
PHONE (503) 850-4672 FAX (503) 850-4590
Y:\400-001\DWG\400001PART.DWG

EXHIBIT PD-4 AFFIDAVIT AND NOTICE PACKET

**AFFIDAVIT OF NOTICE
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.: **ELD-25-02**

Applicant's Name: **Mark Lisac**

Development Name: **2011 13 th Street**

Scheduled Decision Date: **after 04/28/25**

MAILED NOTICE

Notice of Upcoming Planning Manager Decision was mailed at least 14 days before the decision.

Mark Lisac, applicant	04/14/25	<i>Lynn Schroder</i>
Paul Roeger CMT Surveying & Consulting, applicant representative	04/14/25	<i>Lynn Schroder</i>
Laurie Husky, property owner	04/14/25	<i>Lynn Schroder</i>
WLWL SD	04/14/25	<i>Lynn Schroder</i>
Clackamas County	04/14/25	<i>Lynn Schroder</i>
TVF&R	04/14/25	<i>Lynn Schroder</i>
PGE	04/14/25	<i>Lynn Schroder</i>
TRI-Met	04/14/25	<i>Lynn Schroder</i>
Comcast	04/14/25	<i>Lynn Schroder</i>
NW Natural Gas	04/14/25	<i>Lynn Schroder</i>
Property owners within 100ft of the site perimeter	04/14/25	<i>Lynn Schroder</i>
Willamette Neighborhood Association	04/14/25	<i>Lynn Schroder</i>

EMAILED NOTICE

Notice of Upcoming Planning Manager Decision was emailed at least 14 days before the decision to:

Willamette Neighborhood Association	04/14/25	<i>Lynn Schroder</i>
Mark Lisac, applicant	04/14/25	<i>Lynn Schroder</i>
Paul Roeger, applicant consultant	04/14/25	<i>Lynn Schroder</i>
Scott Huskey	04/14/25	<i>Lynn Schroder</i>
Metro	04/14/25	<i>Lynn Schroder</i>
Stafford CPO	04/14/25	<i>Lynn Schroder</i>

WEBSITE

Notice of Upcoming Planning Manager Decision was posted on the City's website at least 14 days before the decision.

04/14/25	<i>Lynn Schroder</i>
----------	----------------------

FINAL DECISION

Notice of Final Decision was mailed to the **applicant and all parties mailed the original notice above** (ORS 197.365), all parties with standing, and posted on the City's website.

5/29/25	<i>Lynn Schroder</i>
---------	----------------------

**CITY OF WEST LINN
NOTICE OF UPCOMING PLANNING MANAGER DECISION
FILE NO. ELD-25-02**

The City of West Linn has received a complete application (ELD-25-02) proposing a 6-lot expedited land division for middle housing at 2011 13th Street (Clackamas County Tax Assessor Map 21E35CC05000). The application is being processed under the expedited land division rules found in Oregon Revised Statute (ORS) 197.360-380.

The Planning Manager will make the decision after the required 14-day written comment period expires. The decision will be based on the criteria found in in ORS 197.360-380. An appointed referee will review any appeal of the decision.

The complete application and all evidence submitted by the applicant are posted on the City's website, <https://westlinnoregon.gov/projects>. Alternatively, the application and all evidence submitted by the applicant are available for review between 8:00 am and 5:00 pm, Monday through Thursday, at City Hall at no cost. Copies may be obtained at a reasonable cost.

A public hearing will not be held for this decision. **Anyone wishing to submit written comments for consideration must submit all material before the 14-day comment period expires. The deadline to submit written comments is 4:00 pm on April 28, 2025. Written comments can be submitted to cmyers@westlinnoregon.gov or to City Hall, 22500 Salamo Road, West Linn, OR 97068. All comments must be received by the deadline.**

All issues that may provide the basis for an appeal to the referee must be raised in writing prior to the expiration of the comment period outlined above and all issues must be raised with sufficient specificity to enable the Planning Manager to respond to the issue.

For additional information, please contact Chris Myers, Associate Planner, at City Hall, 22500 Salamo Road, West Linn, OR 97068, or 503-742-6062 or cmyers@westlinnoregon.gov.

Scan this QR Code to go to Project Web Page:



Mailed: 04/14/25



**NOTICE OF UPCOMING
PLANNING MANAGER DECISION**

**PROJECT # ELD-25-02
MAIL: 4/14/2025 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.