



PLANNING DIRECTOR DECISION

DATE: October 2, 2025

FILE NO.: ELD-25-06

REQUEST: Approval of a Middle Housing Land Division to divide an existing lot into 2 lots; and development of one residential unit of a detached duplex on each lot.

PLANNER: Aaron Gudelj, Associate Planner

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GENERAL INFORMATION

**APPLICANT/
OWNER:**

ORMACK Investments, INC
Matt Ortiz
1880 Willamette Falls Drive, Suite 240
West Linn, OR 97068

SITE LOCATION:

4761 Exeter Street

SITE SIZE:

5,861 square feet

TAXLOT ID:

21E36AB02000

COMP PLAN

DESIGNATION:

Medium-Density Residential

ZONING:

R-7, Residential

APPROVAL

CRITERIA:

Oregon Revised Statute 92.031

63-DAY RULE:

The application became complete on August 11, 2025. The 63-day period for an expedited land division ends October 13, 2025.

PUBLIC NOTICE:

Notice was mailed to property owners within 100 feet of the subject property, public facility and services providers, and the Sunset Neighborhood Association on August 18, 2025, as required by Oregon Revised Statute 197.365. The notice was also posted on the City's website on August 18, 2025. Therefore, public notice requirements have been met.

EXECUTIVE SUMMARY

The subject property is 5,861 square foot and a legal lot of record at 4761 Exeter Street. The property is zoned R-7 Residential and contains a single-family residence. The applicant proposes to demolish the existing single-family residence and divide the lot into two total lots of similar size and shape pursuant to ORS 92.031 rules adopted by the Oregon Legislature in 2021 and codified in Oregon Revised Statute 92.031 and construct a detached duplex with one dwelling unit on each lot.

Proposed Lot Sizes

Lot 1 – 2,902 square feet

Lot 2 – 2,959 square feet

The proposed lots will utilize access from Exeter Street via individual driveways in front of each lot. The Exeter Street right-of-way (ROW) is approximately 60 feet wide adjacent to the subject property and is consistent with the prevailing ROW pattern along Exeter Street and does not require any ROW dedication. Street improvements – with an optional in-lieu fee - are required due to the increase in dwelling unit density on the site.

Public comments:

No public comments were received.

DECISION

The Planning Director approves this application (ELD-25-06) for a Middle Housing 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) the 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 submitted by the Applicant (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. **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”.
6. **Final Plat Recording.** The approval of the tentative plat (ELD-25-06) shall be void if the applicant does not record the final partition plat within three years of approval.
7. **Street Improvements.** The applicant shall construct street improvements or pay a fee in-lieu totaling \$10,625 (\$425 per linear foot x 25 feet) for a Local street, prior to Final Plat approval.

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

Aaron Gudelj
Aaron Gudelj, Associate Planner

October 2, 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 a Middle Housing 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 2nd day of October 2025.

Therefore, the 14-day appeal period ends at 5 p.m., on October 16, 2025.

**ADDENDUM
APPROVAL CRITERIA AND FINDINGS
ELD-25-06**

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).

(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 1: The subject property is zoned R-7, Residential and permits the construction of up to 4 detached middle housing plex units. The applicant proposes to divide the existing lot into two total lots and construct a detached duplex with one individual unit on each lot as permitted by West Linn Community Development Code (CDC) Chapter 12.030. CDC Chapter 2 defines single-family detached residential units as *"One dwelling unit, freestanding and structurally separated from other dwelling units or buildings, located on a lot or parcel. This may be further defined as a duplex, triplex, or quadplex. Prefabricated structures, as defined in this chapter, are considered single-family detached residential units."* The proposed division of the subject lot, which allows the development of a middle housing detached duplex, is permitted. The criteria are met.

Staff Finding 2: The applicant proposes the construction of a detached duplex, which qualifies as a middle housing type (see Staff Finding 1). The detached duplex will consist of a detached single-family residential unit on each lot. The applicant did not submit building plans for the detached triplex with this application, however a plot plan with lot dimensions and building footprint was provided. 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 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 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 Conditions of Approval #2 and #3. As conditioned, the criteria are met.

(b) Separate utilities for each dwelling unit;

Staff Finding 3: The applicant proposes the construction of a detached duplex with separate utility connections for each dwelling unit. Connections to stormwater, city water, and sewer for each unit can be accommodated via the Exeter Street frontage and the existing service lines adjacent to the Exeter Street frontage. 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 4: The applicant proposes the construction of a detached duplex on the subject property, including the division of the lot as allowed by ORS 92.031. All utilities will be accessed from the Exeter Street frontage and no shared utilities are proposed. The criteria are met.

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

Staff Finding 5: The applicant proposes the construction of a detached duplex on the subject property, including the division of the parcel as allowed by ORS 92.031. All dwellings will have direct access from Exeter Street, a public street. The criteria are met.

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

Staff Finding 6: No common use areas or common building elements are proposed. The criteria are met.

(D) Any dedicated driveways or parking; and

Staff Finding 7: The applicant proposes the construction of a detached duplex on the subject property, including the division of the parcel as allowed by ORS 92.031. Each unit will be accessed from Exeter Street via an individual driveway in front of each lot. No shared parking areas or driveways are proposed. The criteria are met.

(E) Any dedicated common area;

Staff Finding 8: The applicant does not propose any dedicated common use area. 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 9: The applicant proposes the construction of a detached duplex as permitted by West Linn Community Development Code (CDC) Chapter 12.030. The existing lot will be divided into two total lots, and an individual detached dwelling unit will be constructed on each lot. CDC Chapter 2 defines single-family detached residential units as *“One dwelling unit, freestanding and structurally separated from other dwelling units or buildings, located on a lot or parcel. This may be further defined as a duplex, triplex, or quadplex. Prefabricated structures, as defined in this chapter, are considered single-family detached residential units.”* The proposed division of the subject lot, which allows the development of a middle housing detached duplex, 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 10: The applicant proposes the construction of a detached duplex, which qualifies as a middle housing type. The applicant did not submit building plans with this application, however a plot plan with site dimensions and building footprint was provided as part of the applicant submittal. 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 and #3. As conditioned, 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 11: The applicant proposes the construction of a detached duplex 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 #5. As conditioned, 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 12: The applicant proposes the construction of a detached duplex 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 #5. As conditioned, 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 13: Please see Staff Findings 22 to 49. 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 14: The subject property has approximately 50 feet of frontage along Exeter Street, which has a functional classification of *Local*. The City may exact street frontage improvements that are roughly proportional to the impact from the development (*Dolan vs. City of Tigard*, 1994). The increase in dwelling unit density from one unit to two units total will require street improvements for the additional one unit. The project is conditioned to require street improvements prior to Final Plat approval or payment of an in-lieu fee equal to one-half the width of the entire lot multiplied by \$425 ($25 \times \$425 = \$10,625$) prior to Final Plat approval. As conditioned, 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 15: The City has not applied any approval criteria except as provided in this section. 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 16: The City has not applied any approval criteria that are inconsistent with ORS 92.044, ORS 92.046, 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 17: 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. As conditioned, 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 18: The subject property is adjacent to Exeter Street, a public right-of-way (ROW) and a Local Street. The existing Exeter Street ROW measures approximately 60 feet in width and is consistent with the existing ROW width along Exeter Street. The 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 19: The applicant proposes the construction of a detached duplex on the subject property, including the division of the lot as allowed by ORS 92.031. The type of middle housing proposed, a detached duplex, 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 20: 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 21: The approval of the tentative plat (ELD-25-06) shall be void if the applicant does not record the final partition plat within three years of approval per Condition of Approval #6. As conditioned, 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 22: 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 23: The subject property is zoned Residential, R-7 and within the Portland Metropolitan Area Urban Growth Boundary. The applicant proposes development of a detached duplex, 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 24: 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 25: 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 26: 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 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 27: The subject property is approximately 5,861 sq. ft. and zoned Residential, R-7. The applicant proposes a detached duplex 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 two total dwelling units, which is 200 percent of the density (7,000 sq. ft. per lot) currently permitted by the underlying R-7 zone. 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 28: The applicant proposes an expedited land division that creates two lots as permitted under ORS 92.031. The proposal meets the criteria set forth in paragraph (a), see Staff Findings #1, #2, and #22 through #31. 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 29: 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 30: The applicant proposes middle housing on the subject property through the construction of a detached duplex, 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 #1 and #2), the dimensions of the lots to be created (Staff Finding #12), and required facilities and services necessary for the proposed development (see Staff Finding #4). 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 31: See Staff Findings #22 to #30. 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 32: 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 and deemed complete by the City on August 11, 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 33: The application was submitted and deemed complete by the City on August 11, 2025. Approval of the application is based on the standards and criteria found in ORS 92.031 that were applicable on August 11, 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 34: 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 August 18, 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 August 18, 2025. The City provided written notice to the Robinwood Neighborhood Association on August 18, 2025. The affidavit of public notice is found in Exhibit PD-3. 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 35: The City provided written notice in compliance with subsection (3). A copy of the notice is found in Exhibit PD-3. 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 36: The City provided written notice under subsections (2) and (3) on August 18, 2025 with a deadline for submission of written comments on September 1, 2025. This provided a 14-day comment period. A copy of the notice is found in Exhibit PD-5. 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 37: The application was deemed complete by the City on August 11, 2025. The City approved the application with conditions on September 30, 2025, the 50th 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 38: The City did not hold a hearing on the application. The City issued the Planning Director 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 39: The City provided notice of the decision to the applicant and those who received notice under subsection (2) on October 2, 2025 the 52nd 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 40: 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 41: 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 42: 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 43: 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 44: 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 45: 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 46: 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 47: 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 48: 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 49: 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.

PD-1 APPLICANT SUBMITTAL

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT Aaron Gudelj	PROJECT No(s). ELD-25-06	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 (ANX) | <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: 4761 exeter st West Linn, or 97068	Assessor's Map No.: 21E36AB
	Tax Lot(s): 21E36AB02000
	Total Land Area: 6000 sq ft

Brief Description of Proposal:

Creating a new taxlot on the Southern portion of existing taxlot 21E36BA00200 to build a new detached duplex, utilizing middle housing land division guidelines from SB2001 and SB458.


Applicant Name*: ORMACK Investments, INC (Matt Ortiz) Address: 1880 Willamette Falls Dr Suite 240 City State Zip: West Linn, OR 97068	Phone: Email: 971-703-9629 Matt@ORMACKhomes.co
---	--

Owner Name (required): Same as above Address: City State Zip:	Phone: Email:
---	--------------------------------

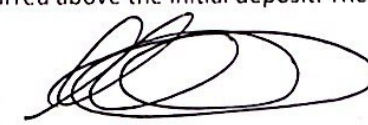
Consultant Name: N/A Address: City State Zip:	Phone: Email:
---	--------------------------------

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

7/16/25
 Date


 Owner's signature (required)

7/16/25
 Date

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT	PROJECT No(s).	PRE-APPLICATION No.
NON-REFUNDABLE FEE(S)	REFUNDABLE DEPOSIT(S)	TOTAL

Type of Review (Please check all that apply):

- | | | |
|--|---|--|
| <input type="checkbox"/> Annexation (ANX) | <input type="checkbox"/> Final Plat (FP) Related File # | <input type="checkbox"/> Subdivision (SUB) |
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| <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: 4761 exeter st West Linn, or 97068	Assessor's Map No.: 21E36AB Tax Lot(s): 21E36AB02000 Total Land Area: 6000 sq ft
---	---

Brief Description of Proposal:

Creating a new taxlot on the Southern portion of existing taxlot 21E36BA00200 to build a new detached duplex, utilizing middle housing land division guidelines from SB2001 and SB458.

Applicant Name*: ORMACK Investments, INC (Matt Ortiz) Address: 1880 Willamette Falls Dr Suite 240 City State Zip: West Linn, OR 97068	Phone: Email: 971-703-9629 Matt@ORMACKhomes.co
--	--

Owner Name (required): Same as above Address: City State Zip:	Phone: Email:
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Consultant Name: N/A Address: City State Zip:	Phone: Email:
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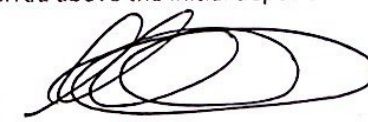
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2. All information provided with the application is considered a public record and subject to disclosure.
3. The owner/applicant or their representative should attend all public hearings related to the application.
4. A decision may be reversed on appeal. The decision will become effective once the appeal period has expired.
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Applicant's signature

7/16/25
Date



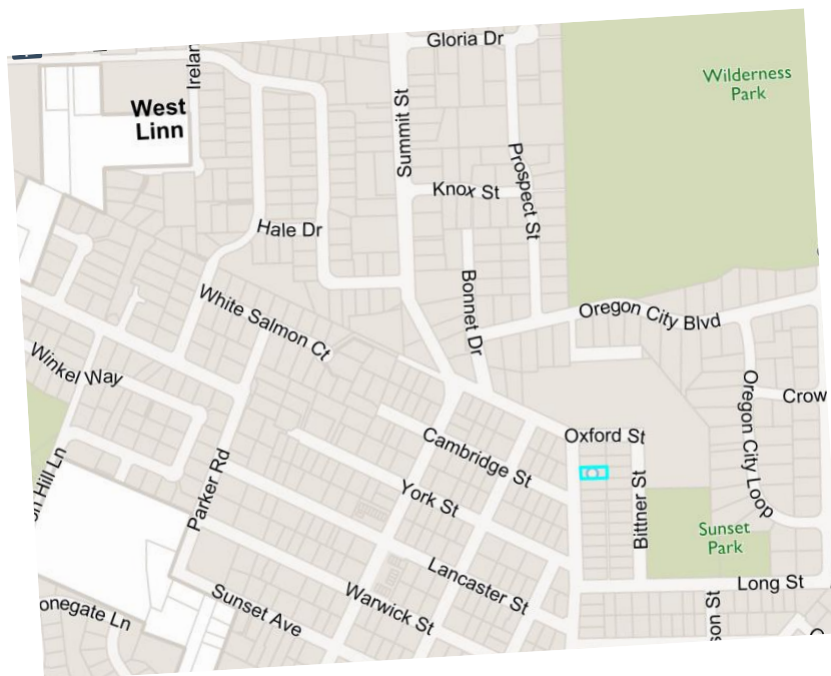
Owner's signature (required)

7/16/25
Date

City of West Linn Planning Department,

Please find the following required supporting documents for the attached proposal. The intent of this proposal is to request approval of a Middle Housing Expedited Land Division for the existing tax lot 21E36AB02000 located at 4761 Exeter st to build a detached duplex while concurrently utilizing SB458 to create a new child lot on the south half of the lot. This process will create exactly one dwelling unit per lot. Below you will find the responses to the 5 criteria spelled out in section 2 of SB458 as well as the existing conditions site plan and proposed site plan to show compliance with the requirements.

Matt Ortiz, President
ORMACK Investments, INC
971-703-9629
Matt@ORMACKhomes.com
1880 Willamette Falls Dr
Suite 240
West Linn, OR 97068



Vicinity Map

SB458 Section 2:

- (1) As used in this sections, “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).
- (2) A city or county shall approve a tentative plan for middle housing land division if the application includes:
 - (a) A proposal for development of middle housing in the compliance with the Oregon residential specialty code and land use regulations applicable to the original lot or parcel allowed under ORS 197.758 (5);

Response: The proposed parcels will be developed with detached duplex units, as shown on the attached “Site Plan”. Application for building permits will be submitted separately and they will comply with the Oregon Specialty Code. The West Linn City Council adopted Ordinance 1736 to amend the West Linn Community Development Code to promote the development of Middle Housing options in compliance with Oregon House Bill 2001. The City of West Linn adopted Ordinance 1736 to provide for compliance with state requirements for middle housing. The adopted 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.

- (b) Separate utilities for each dwelling unit:

Response: 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;

Response: Each unit is on a separate lot and all utilities serving the homes are either on the proposed lots or the street right-of-way fronting the lots. No Public Utility Easements other than the standard PUE along the street right-of-way are proposed.

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

Response: Both lots front directly onto abutting street.

- (C) Any Common use areas or shared building elements;

Response: N/A There will be no common use areas or shared building elements.

- (D) Any Dedicated driveways or parking; and

Response: Each parcel will have a driveway providing for parking for a minimum of one car plus an attached garage providing parking for an additional vehicle.

(E) Any Dedicated Common Area

Response: N/A – No 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

Response: Each Lot will be developed with exactly one dwelling unit.

- (e) Evidence demonstrating how building 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.

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

- (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.

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

Response: applicant acknowledges no further division may happen and city has ability to make notation on final plat

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

(a) Shall apply the procedures under [ORS 197.360 \("Expedited land division" defined\)](#) to [197.380 \(Application fees\)](#). **Applicant acknowledges**

(b) May require street frontage improvements where a resulting lot or parcel abuts the street consistent with land use regulations implementing [ORS 197A.420 \(Duplexes\)](#). **Applicant acknowledges**

(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. **Applicant acknowledges**

(d) May not subject the application to procedures, ordinances or regulations adopted under [ORS 92.044 \(Adoption of standards and procedures governing approval of plats and plans\)](#) or [92.046 \(Adoption of regulations governing approval of partitioning of land\)](#) that are inconsistent with this section or [ORS 197.360 \("Expedited land division" defined\)](#) to [197.380 \(Application fees\)](#). **Applicant acknowledges**

(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. **Applicant acknowledges**

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

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

Response: The Detached duplexes will not change with middle housing land division

(6) Notwithstanding [ORS 197A.425 \(Accessory dwelling units\)](#) (1), 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.

Response: No ADU's are being proposed

(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 \("Expedited land division" defined\)](#) to [197.380 \(Application fees\)](#) prohibits a city or county from requiring a final plat before issuing building permits. [2021 c.103 §2]

Applicant Acknowledges

ORS 197.360

(1) As used in this section:

(a)

“Expedited land division” means a division of land under [ORS 92.010 \(Definitions for ORS 92.010 to 92.192\)](#) to [92.192 \(Property line adjustment\)](#), [92.205 \(Policy\)](#) to [92.245 \(Fees for review proceedings resulting in modification or vacation\)](#) or [92.830 \(Definitions for ORS 92.830 to 92.845\)](#) to [92.845 \(Relationship of subdivision in manufactured dwelling park or mobile home park to planned community statutes and series partition statutes\)](#) by a local government that:

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

Response: property is residential within UGB

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

Response: Residential Use

- (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;

(iii) Estuarine resources;

(iv) Coastal shorelands; and

(v) Beaches and dunes.

Response: None of these apply to property

- (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.

Response: Meets Standards

- (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.

Response: Complies with these standards

- (b) Expedited land division" includes land divisions that create three or fewer parcels under [ORS 92.010 \(Definitions for ORS 92.010 to 92.192\)](#) to [92.192 \(Property line adjustment\)](#) and meet the criteria set forth in paragraph (a) of this subsection.

Response: Complies with these standards only 2 parcels being created

(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 \(Definitions for ORS chapters 195, 196, 197 and 197A\)](#) or a permit under [ORS 215.402 \(Definitions for ORS 215.402 to 215.438 and 215.700 to 215.780\)](#) or [227.160 \(Definitions for ORS 227.160 to 227.186\)](#).

Response: applicant acknowledges

(3) The provisions of [ORS 197.360 \("Expedited land division" defined\)](#) to [197.380 \(Application fees\)](#) 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.

Response: The dwellings will meet all local building and development standards. Verified through building application with the City of West Linn

(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. [1995 c.595 §7; 2015 c.260 §1]

City Of West Linn 85.230 Middle Housing Land Divisions

A middle housing land division, as defined by ORS [92.031](#), permits the division of property that contains middle housing. A middle housing land division is subject to limited review criteria and processed using the expedited land division rules of ORS [197.360](#) through [197.380](#).

(A) Submittal requirements.

(1) Written responses to ORS [92.031](#). **Resonse: Provided above**

(2) Tree plan that includes:

- a. Site plan with existing trees identified.
- b. Inventory by tree size, tree species, and proposed to retain or remove.

Response: See included tree Plan

(3) Site plan that includes:

- a. Utility connections and locations.
- b. Access locations.
- c. Proposed easements for utilities, access, or common areas.
- d. Proposed street improvement details and right-of-way dedications.
- e. Footprint of middle housing structures and proposed property lines.

Response: See included Site Plan

(4) Approved Tualatin Valley Fire and Rescue service provider permit.

Response: See approved TVF&R service provider permit and stamped Site plans FS-1-FS-3.

(5) Preliminary plat that includes:

- a. Property lines and dimensions.
- b. Public and private utility easements.
- c. Required right-of-way dedication.

Response: see included site plan

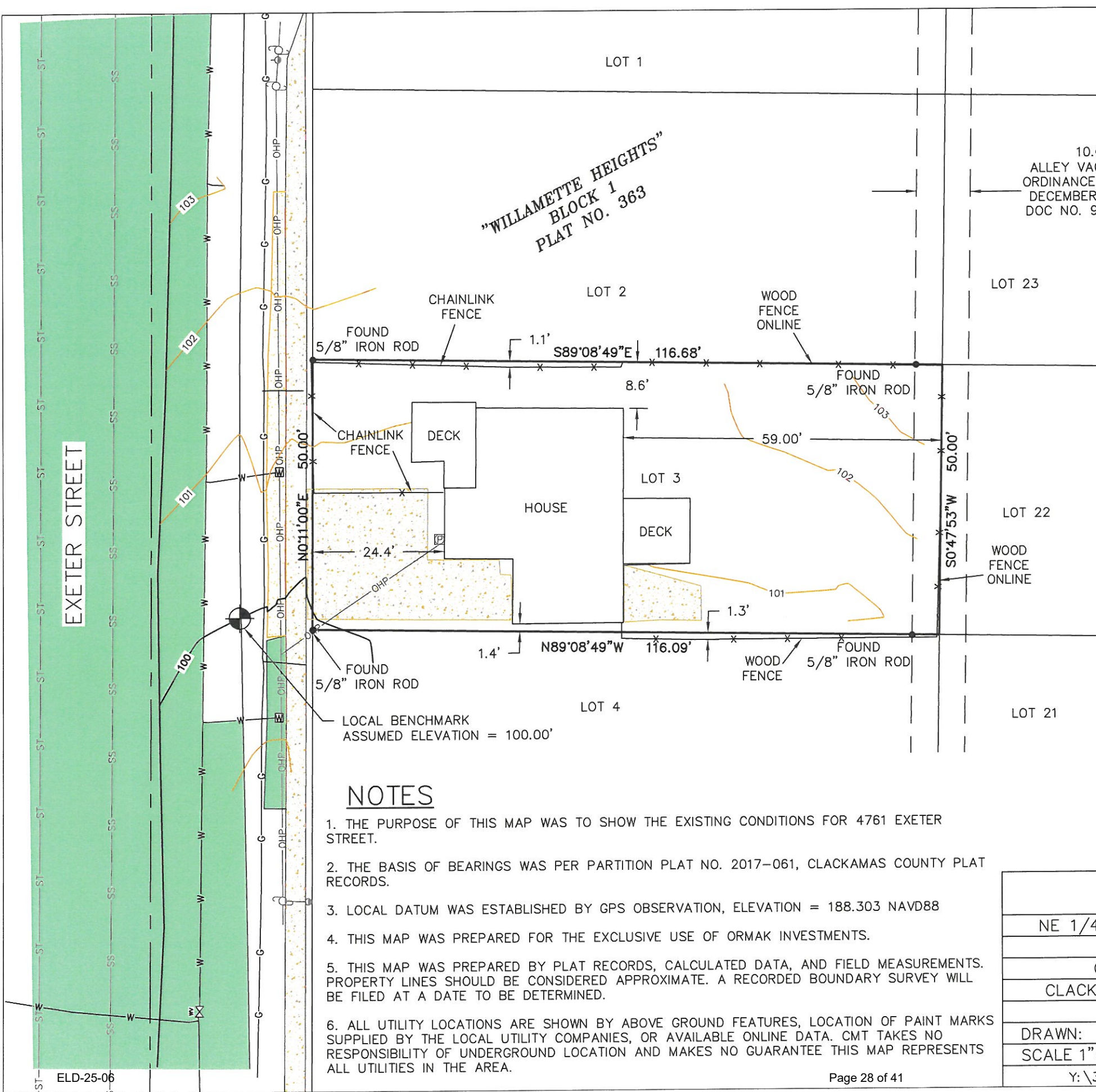
B Approval criteria.

1. ORS 92.031. (Ord. 1755 § 1 (Exh. A), 2024)

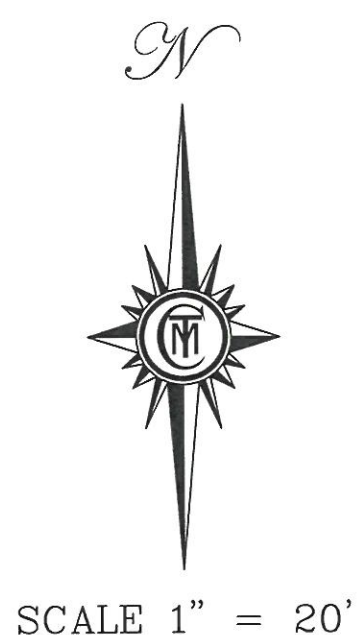
Response: Applicant acknowledge approval criteria and complies.



Vicinity Map




- LEGEND**
- EXISTING ELECTRIC METER
 - EXISTING POWER POLE
 - EXISTING GUY ANCHOR
 - EXISTING OVERHEAD POWER LINES
 - EXISTING WATER METER
 - EXISTING WATER VALVE
 - EXISTING UNDERGROUND WATER
 - EXISTING UNDERGROUND GAS LINE
 - EXISTING SANITARY SEWER LINE
 - EXISTING STORM SEWER LINE
 - EXISTING FENCE
 - FOUND MONUMENTS
 - EXISTING GRAVEL
 - EXISTING CONCRETE
 - EXISTING ASPHALT



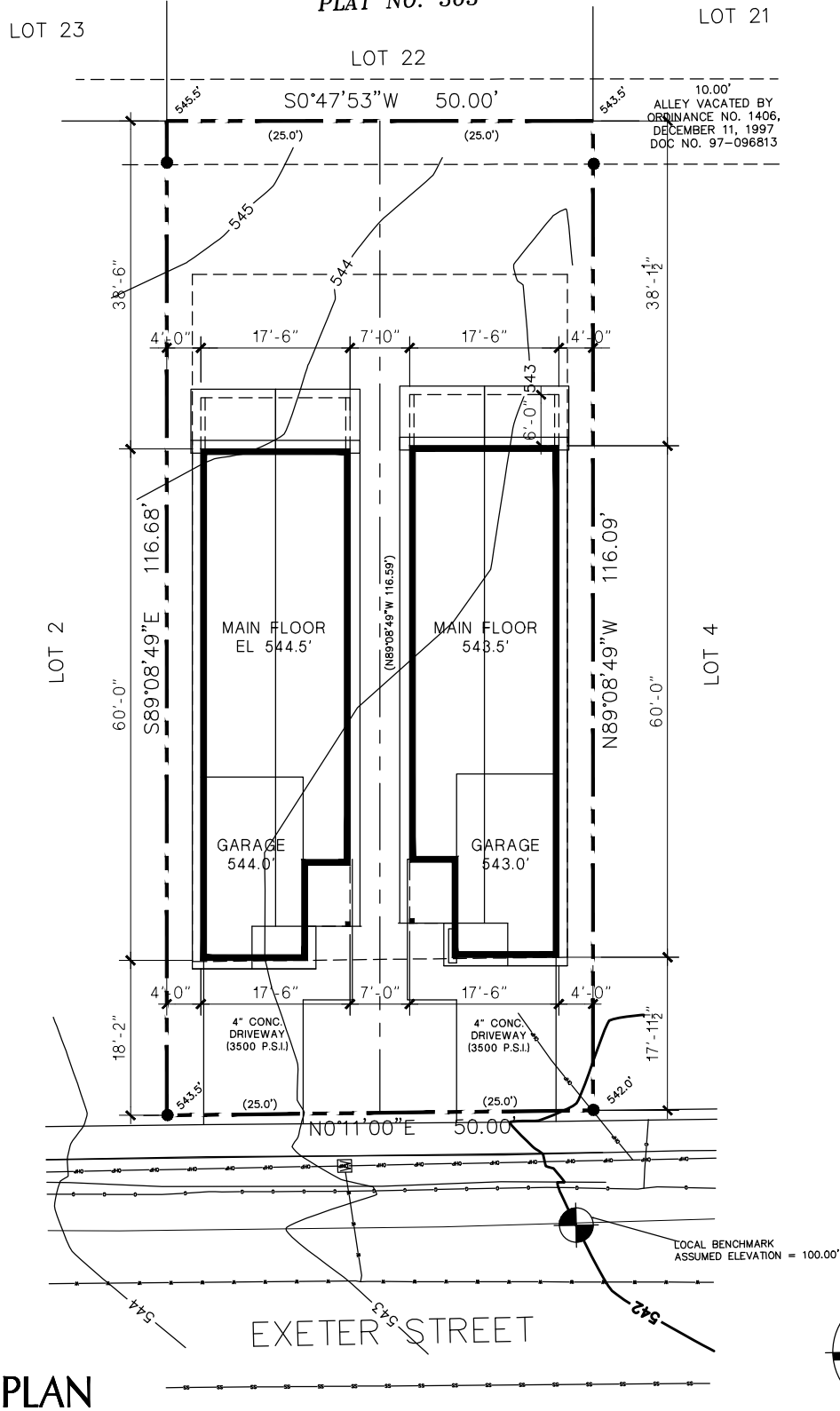
- NOTES**
1. THE PURPOSE OF THIS MAP WAS TO SHOW THE EXISTING CONDITIONS FOR 4761 EXETER STREET.
 2. THE BASIS OF BEARINGS WAS PER PARTITION PLAT NO. 2017-061, CLACKAMAS COUNTY PLAT RECORDS.
 3. LOCAL DATUM WAS ESTABLISHED BY GPS OBSERVATION, ELEVATION = 188.303 NAVD88
 4. THIS MAP WAS PREPARED FOR THE EXCLUSIVE USE OF ORMAK INVESTMENTS.
 5. THIS MAP WAS PREPARED BY PLAT RECORDS, CALCULATED DATA, AND FIELD MEASUREMENTS. PROPERTY LINES SHOULD BE CONSIDERED APPROXIMATE. A RECORDED BOUNDARY SURVEY WILL BE FILED AT A DATE TO BE DETERMINED.
 6. ALL UTILITY LOCATIONS ARE SHOWN BY ABOVE GROUND FEATURES, LOCATION OF PAINT MARKS SUPPLIED BY THE LOCAL UTILITY COMPANIES, OR AVAILABLE ONLINE DATA. CMT TAKES NO RESPONSIBILITY OF UNDERGROUND LOCATION AND MAKES NO GUARANTEE THIS MAP REPRESENTS ALL UTILITIES IN THE AREA.

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Shaun P. Fidler
OREGON
JULY 12, 2005
SHAUN P. FIDLER
50333

EXPIRES DECEMBER 31, 2025

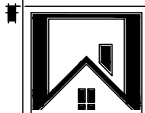
<i>EXHIBIT</i>		<i>4761 EXETER ST</i>	
NE 1/4 SEC 36, T2S, R1E, W.M.		 <i>CMT SURVEYING AND CONSULTING</i> 20330 SE HIGHWAY 212 DAMASCUS, OR 97089 PHONE (503) 850-4672 FAX (503) 850-4590 Community Development Director Decision	
CITY OF WEST LINN			
CLACKAMAS COUNTY, OREGON			
JUNE 10, 2025			
DRAWN: DMR CHECKED: SPF			
SCALE 1"=100' ACCOUNT # 399			
Y: \399-004\DWG\399004BASE			

**"WILLAMETTE HEIGHTS"
BLOCK 1
PLAT NO. 363**



SITE PLAN

SCALE 1" = 20' - 0"



**WATTON
DESIGN
WORKS, Inc.**
1880
Willamette Falls Drive
Suite 200-D
West Linn, Or.

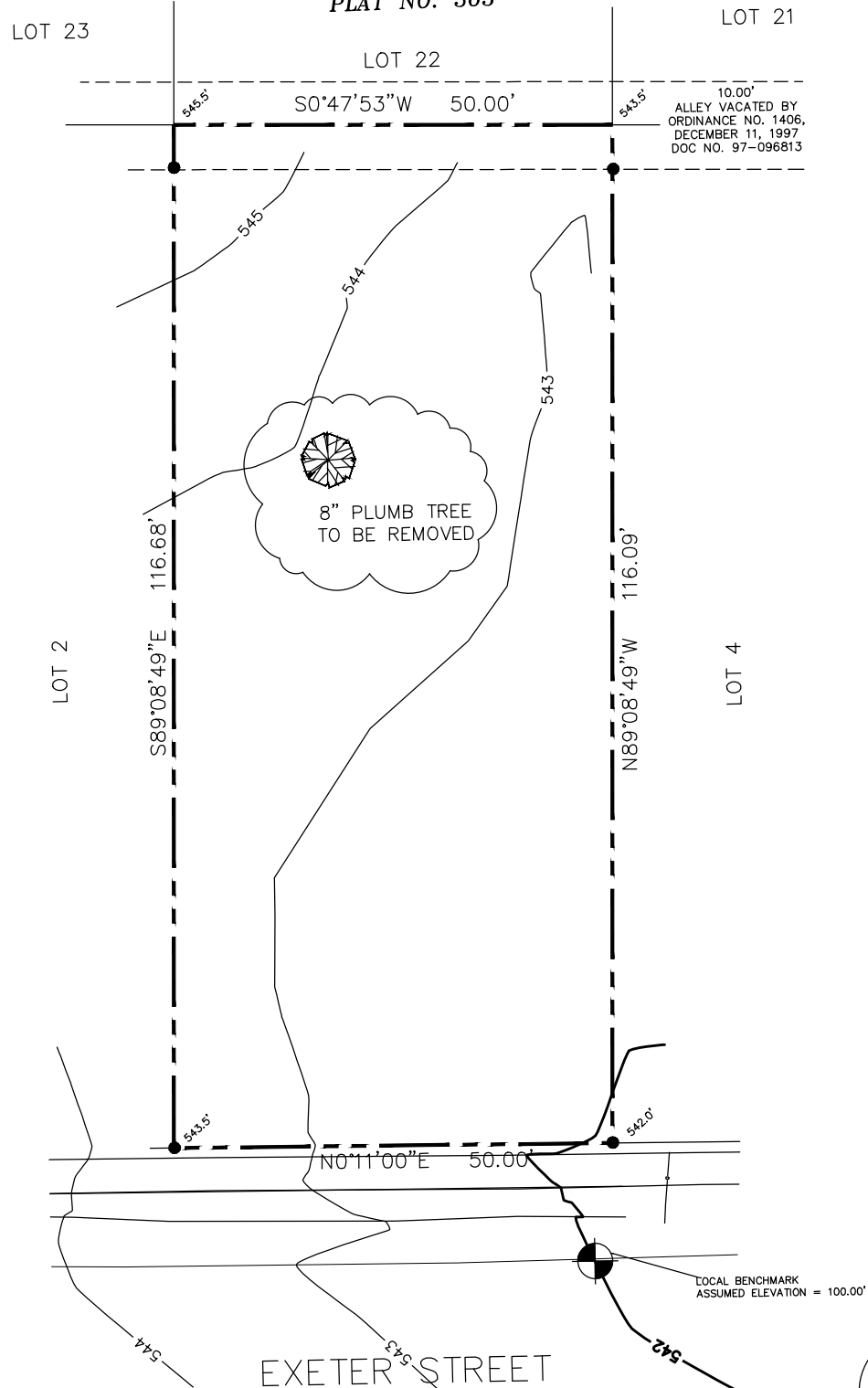
WATTON DESIGN WORKS WILL NOT
BE LIABLE FOR THE ACCURACY OF THE
TOPOGRAPHY INFORMATION. IT IS THE
SOLE RESPONSIBILITY OF THE BUILDER /
OWNER TO VERIFY ALL SITE
CONDITIONS, INCLUDING ANY FILL PLACED
ON THE SITE THAT MAY CAUSE
OR ANY BENTONITE / ERIE / HANCOCK /

PROJECT: middle housing detached duplex
ORMACK INVESTMENTS
1880 WILLAMETTE FALLS DRIVE
SUITE 240
WEST LINN, OR. 97068

SITE INFORMATION:
BUILDING SITE ADDRESS:
4761 EXETER STREET
CITY OF WEST LINN
CLACKAMAS COUNTY

JOB No.
25070
DATE
7-31-2025
S-1

**"WILLAMETTE HEIGHTS"
BLOCK 1
PLAT NO. 363**



TREE REMOVAL PLAN

SCALE 1" = 20' - 0"



**WATTON
DESIGN
WORKS, Inc.**
1880
Willamette Falls Drive
Suite 200-D
West Linn, Or.
97136

WATTON DESIGN WORKS WILL NOT
BE LIABLE FOR THE ACCURACY OF THE
TOPOGRAPHY INFORMATION. IT IS THE
SOLE RESPONSIBILITY OF THE BUILDER /
OWNER TO VERIFY ALL SITE
CONDITIONS, INCLUDING ANY P.L.L. PLACED
ON THE SITE THAT MAY CAUSE
OF ANY POTENTIAL FIELD MODIFICATIONS.

PROJECT: middle housing detached duplex
ORMACK INVESTMENTS
1880 WILLAMETTE FALLS DRIVE
SUITE 240
WEST LINN, OR. 97068

SITE INFORMATION:

BUILDING SITE ADDRESS:
4761 EXETER STREET
CITY OF WEST LINN
CLACKAMAS COUNTY

JOB No.

25070

DATE

7-31-2025

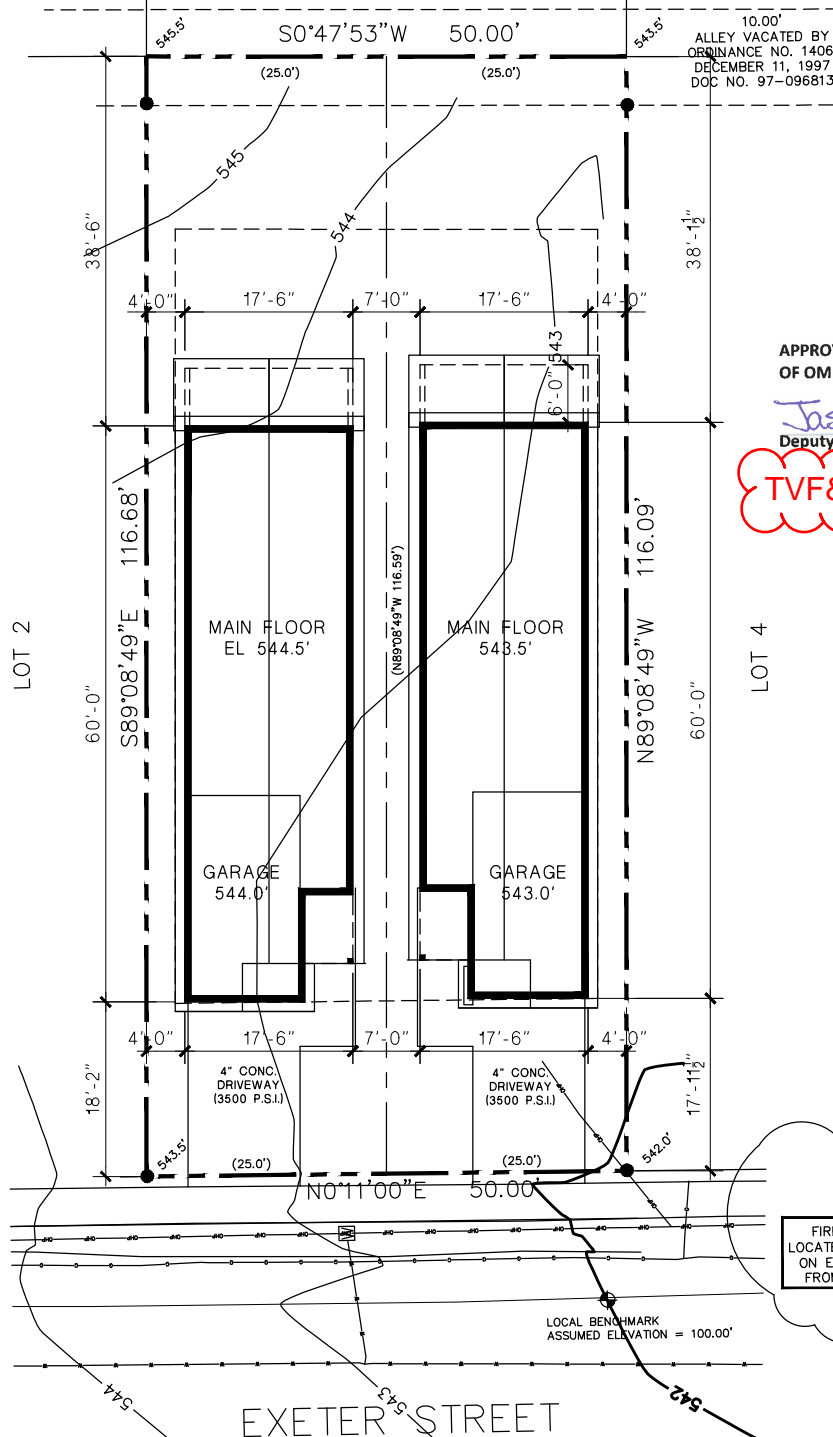
S-2

**"WILLAMETTE HEIGHTS"
BLOCK 1
PLAT NO. 363**

LOT 23

LOT 21

LOT 22



APPROVED PLANS

APPROVAL OF PLANS IS NOT AN APPROVAL OF OMISSIONS OR OVERSIGHTS.

Jason Am...
Deputy Fire Marshal II

TVF&R Permit# 2025-0146

SITE PLAN

SCALE 1" = 20' - 0"



**WATTON
DESIGN
WORKS, Inc.**
1880
Willamette Falls Drive
Suite 200-D
West Linn, Or.
97068

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PROJECT: middle housing detached duplex
ORMACK INVESTMENTS
1880 WILLAMETTE FALLS DRIVE
SUITE 240
WEST LINN, OR. 97068

SITE INFORMATION:
BUILDING SITE ADDRESS:
4761 EXETER STREET
CITY OF WEST LINN
CLACKAMAS COUNTY

JOB No.
25070
DATE
7-31-2025
FS-1

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4761 EXETER STREET
CITY OF WEST LINN, OR. 97068

ORMACK INVESTMENTS
1880 WILLAMETTE FALLS DRIVE
WEST LINN, OR 97068

FS-2

Community Development Director Decision



SCALE : 1/4" = 1'-0"



SCALE : 1/4" = 1'-0"



SCALE : 1/4" = 1'-0"

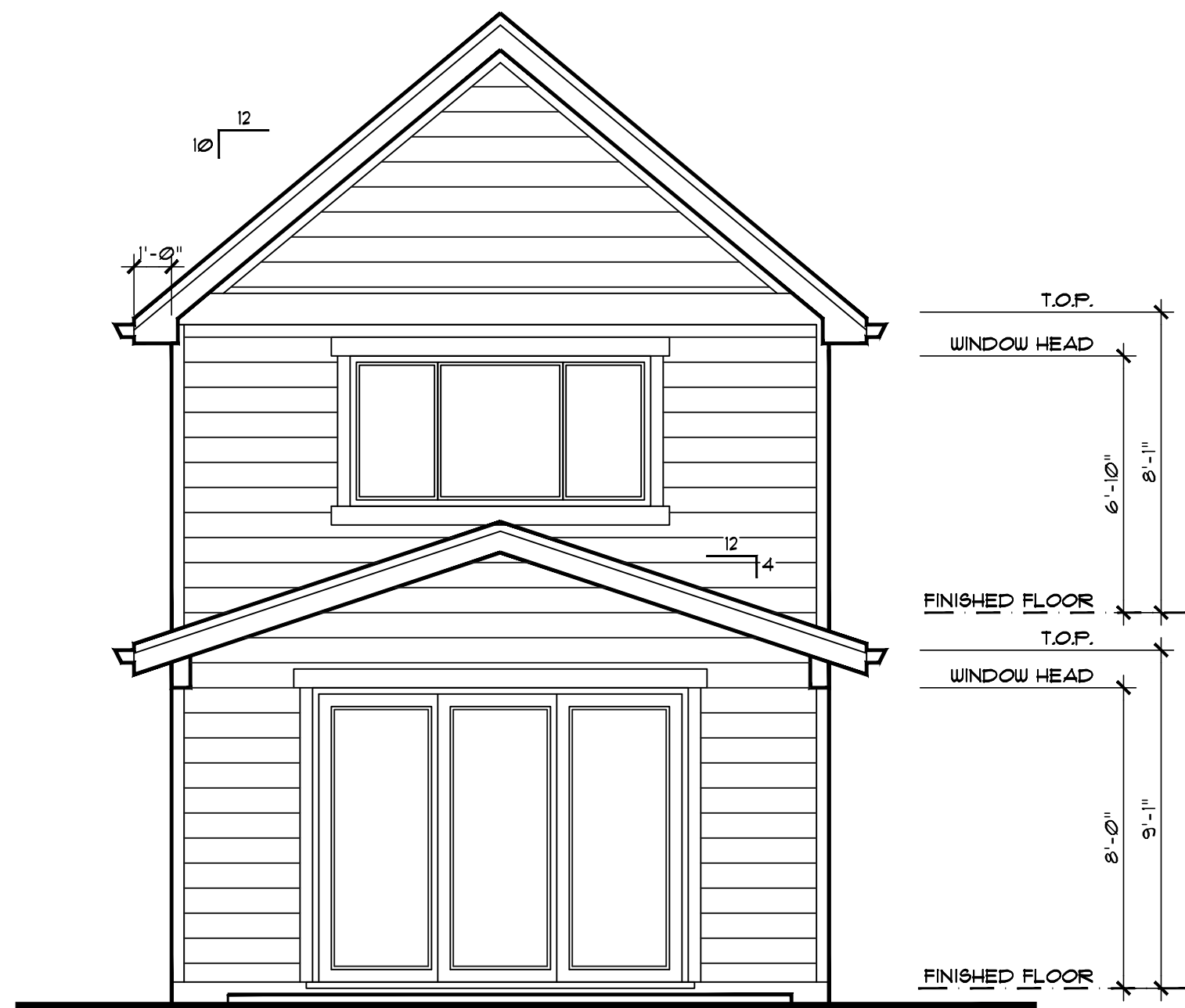


SCALE : 1/4" = 1'-0"

ELD-25-06

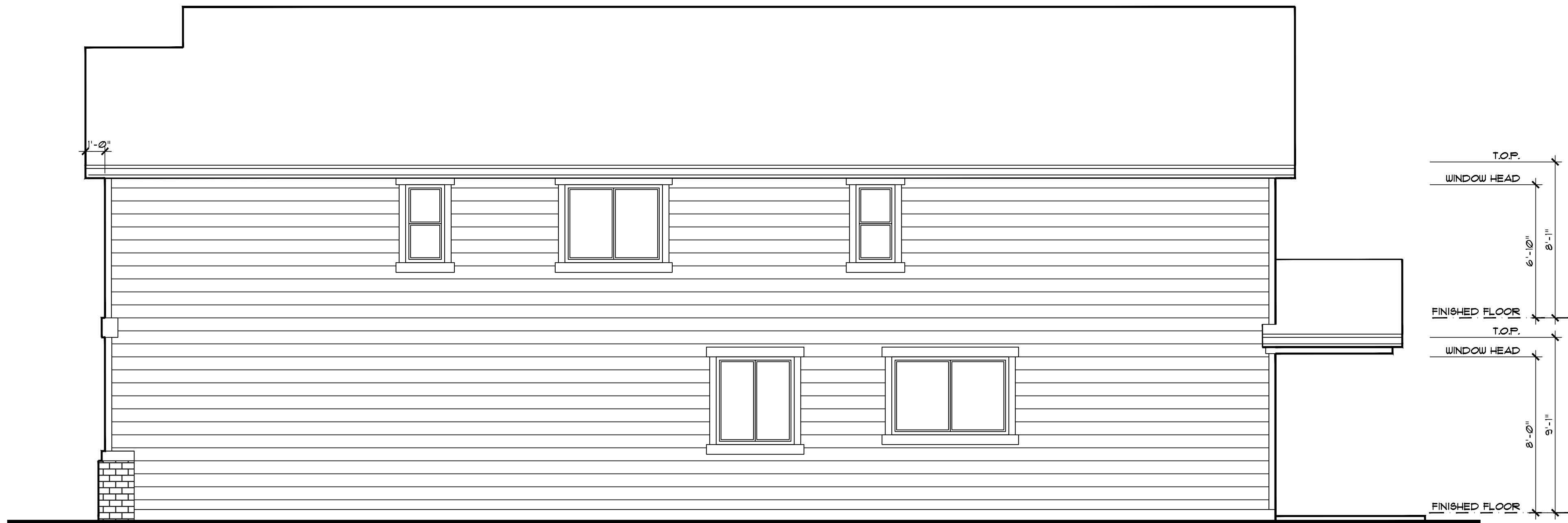
Page 32 of 41

UNIT 2



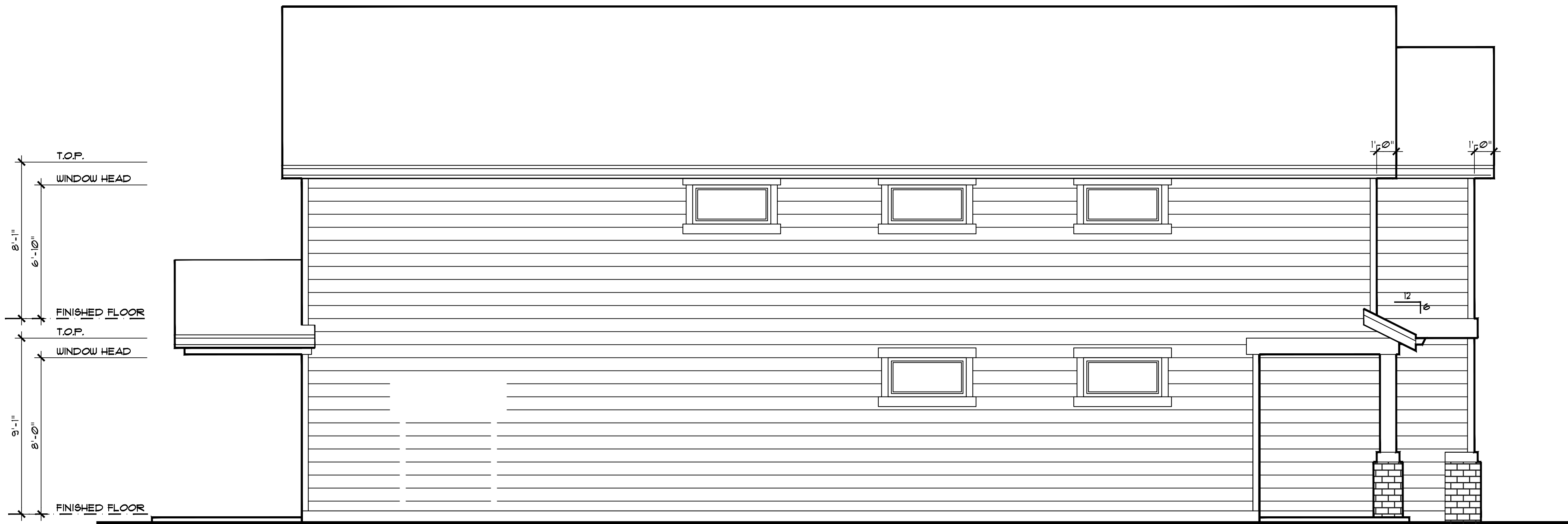
REAR ELEVATION

SCALE : 1/4" = 1'-0"



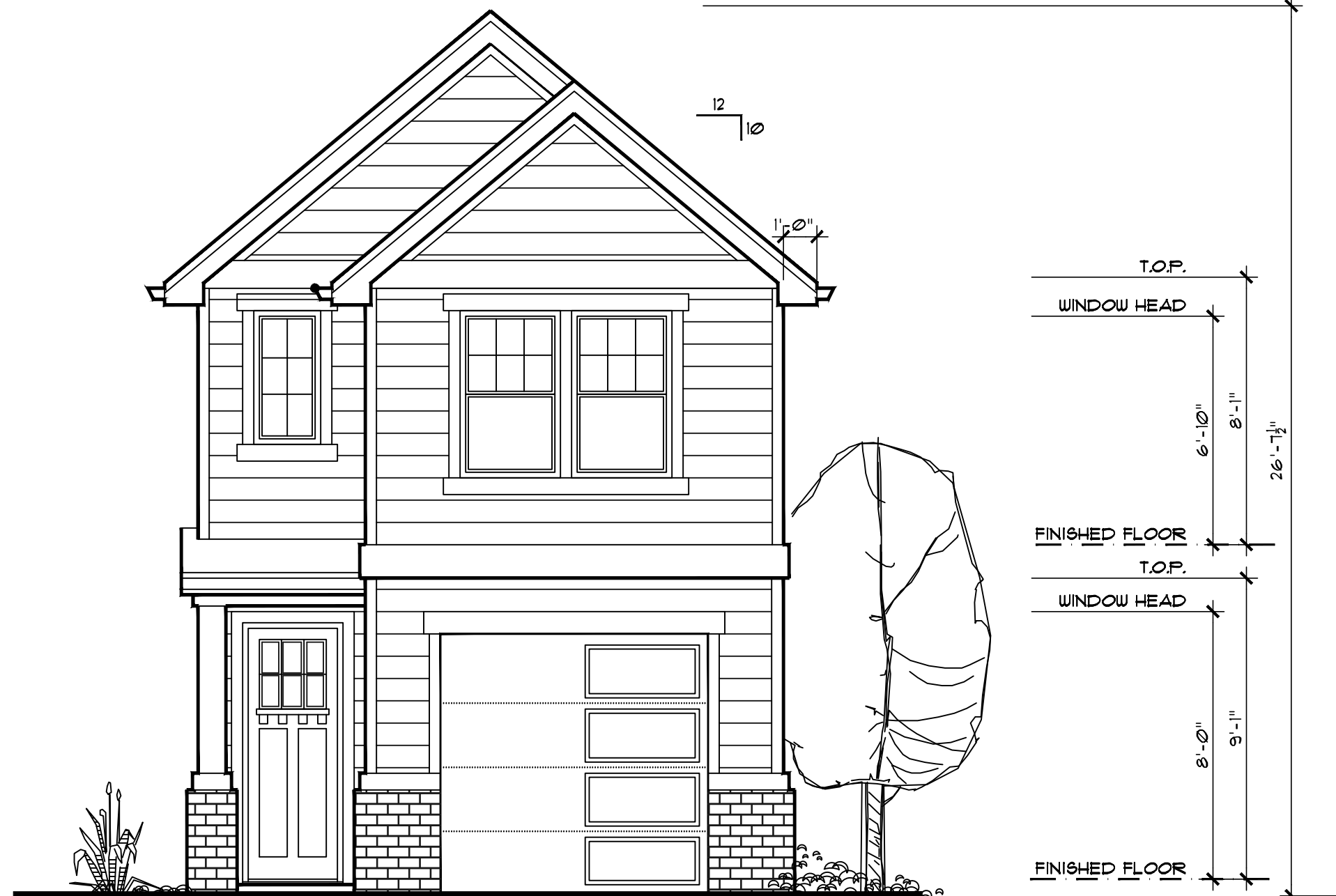
RIGHT ELEVATION

SCALE : 1/4" = 1'-0"



LEFT ELEVATION

SCALE : 1/4" = 1'-0"



FRONT ELEVATION

SCALE : 1/4" = 1'-0"

ALTOUGH AND ONLY ARE NOT BE
RENDERED TO THE OWNER BY THE
DESIGNER OF THE PROJECT. IT IS THE
RESPONSIBILITY OF THE OWNER TO
OBTAIN ALL NECESSARY PERMITS
AND APPROVALS FOR THE PROJECT.
THESE PLANS ARE NOT TO BE USED
FOR ANY OTHER PROJECT WITHOUT
THE WRITTEN PERMISSION OF THE
DESIGNER.

**WATTON
DESIGN
WORKS, Inc.**
1880
Willamette Falls Drive
Suite #200-D
West Linn, Or. 97068
503.504.7775
thomas@wattondesign.com

PROJECT: DETACHED PLEX - NEW CONSTRUCTION
BUILDING SITE ADDRESS:
4761 EXETER STREET
CITY OF WEST LINN, OR. 97068
CLACKAMAS COUNTY

FLOOR & FOUNDATION PLANS

SQUARE FOOTAGE	731 S.F.
MAIN AREA	984 S.F.
UPPER AREA	1,715 S.F.
TOTAL AREA	2,699 S.F.
GARAGE AREA	263 S.F.

DATE: 7-31-2025
Rev. 1

PLANS VOID 1YR. FROM EST. DATE
JOB No. 22088

SHEET
FS-3



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: ORMACK INVESTMENTS, INC (Matt Ortiz)
Address: 1880 WILLAMETTE FALLS DR SUITE 240 West Linn, OR 97068
Phone: 971-703-9629
Email: Matt@ORMACKhomes.com
Site Address: 4761 Exeter st
City: WEST LINN
Map & Tax Lot #: 21E36AB & 21E36AB02000
Business Name: _____
Land Use/Building Jurisdiction: WEST LINN
Land Use/ Building Permit # _____

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

Expedited Land Division, removing existing home and building detached duplex.

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 # 2025-0146
Permit Type: SPP-West Linn
Submittal Date: 8-1-25
Assigned To: DEM Arn
Due Date: NA
Fees Due: 0
Fees Paid: 0

Approval/Inspection Conditions

(For Fire Marshal's Office Use Only)

This section is for application approval only

[Signature]
Fire Marshal or Designee

8-11-25
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 _____

PD-2 COMPLETENESS LETTER



August 15, 2025

ORMACK Investments, INC (Matt Ortiz)
1880 Willamette Falls Drive
West Linn, OR 97068

Subject: ELD-25-06 Application for an Middle Housing Land Division to partition a 5,861 square foot lot at 4761 Exeter Street for a middle housing land division to 2- lots.

ORMACK Investments,

The revised application submitted on August 11, 2025 for a 2-lot Middle Housing Land Division at 4761 Exeter Street has been reviewed by the Planning Department and deemed **complete**. The City has 63 days to review the application, with a final decision due no later than October 13, 2025.

The application proposes a SB458 expedited land division for a 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.

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 503-742-6057, or by email at agudelj@westlinnoregon.gov if you have any questions or comments.

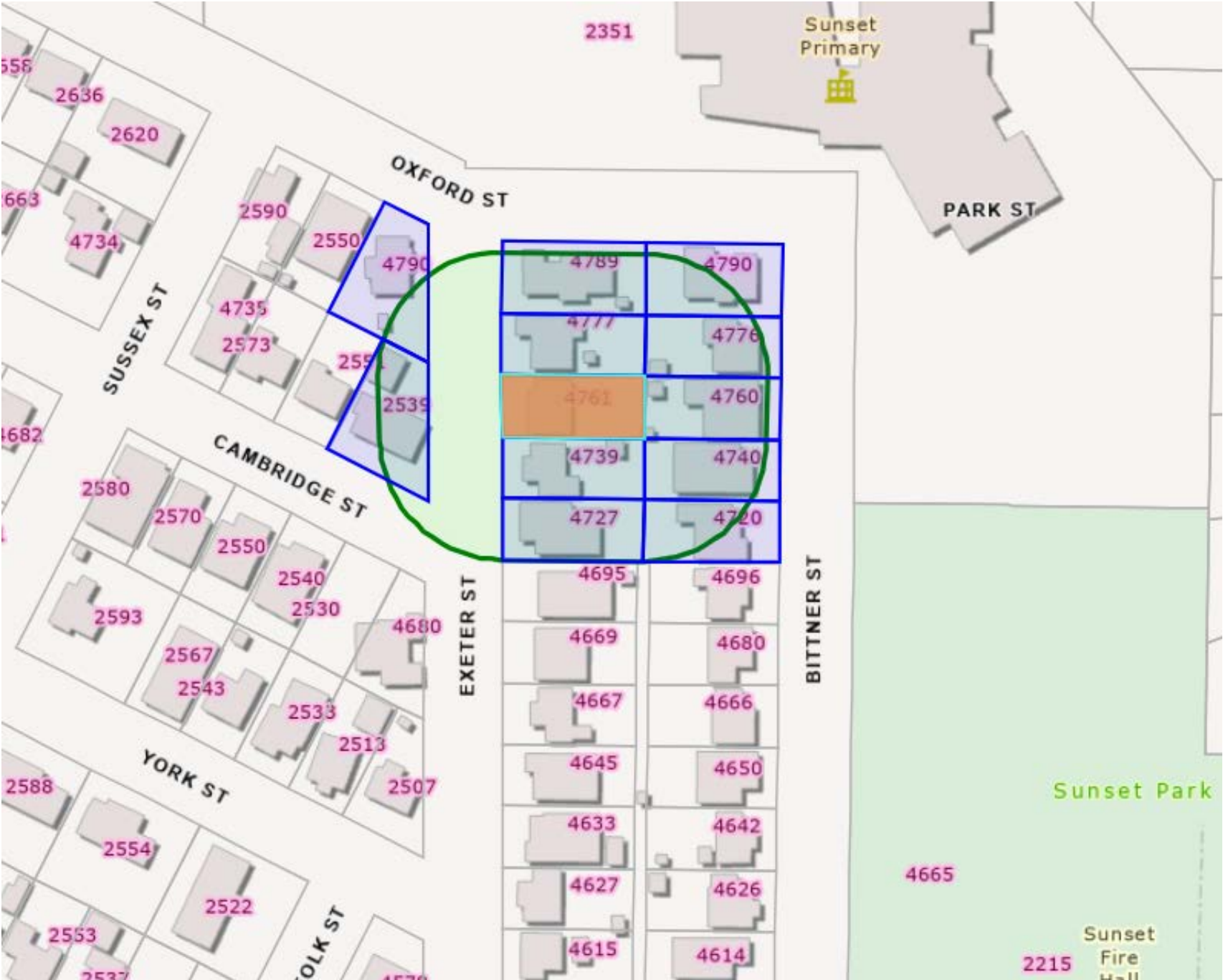
Sincerely,

Aaron Gudelj

Aaron Gudelj
Associate Planner

PD-3 AFFIDAVIT AND NOTICE PACKET

ELD-25-06 Notified Properties within 100 feet of 4761 Exeter Street



**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-25-06**

Applicant's Name: **ORMACK Investments Inc.**

Development Name: **4761 Exeter Street**

Scheduled Decision Date: **after 9/2/25 no later than October 13, 2025**

MAILED NOTICE

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

ORMACK Investments, INC., applicant	8/18/25	<i>Lynn Schroder</i>
WLWL SD	8/18/25	<i>Lynn Schroder</i>
Clackamas County	8/18/25	<i>Lynn Schroder</i>
TVF&R	8/18/25	<i>Lynn Schroder</i>
PGE	8/18/25	<i>Lynn Schroder</i>
TRI-Met	8/18/25	<i>Lynn Schroder</i>
Comcast	8/18/25	<i>Lynn Schroder</i>
NW Natural Gas	8/18/25	<i>Lynn Schroder</i>
Property owners within 100ft of the site perimeter	8/18/25	<i>Lynn Schroder</i>

EMAILED NOTICE

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

Sunset Neighborhood Association	8/18/25	<i>Lynn Schroder</i>
ORMACK Investments Inc., applicant	8/18/25	<i>Lynn Schroder</i>
Metro	8/18/25	<i>Lynn Schroder</i>
Stafford CPO	8/18/25	<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.

8/18/25	<i>Lynn Schroder</i>
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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.

10/2/2025	<i>Lynn Schroder</i>
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**NOTICE OF UPCOMING
COMMUNITY DEVELOPMENT DECISION DECISION**

**PROJECT # ELD-25-06
MAIL: 10/2/25 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.



NOTICE OF COMMUNITY DEVELOPMENT DIRECTOR DECISION

FILE NO. ELD-25-06

On November 25, 2024, the West Linn Community Development Director approved a request for a SB458 expedited land division for middle housing at 4761 Exeter Street (Taxlot 21E36AB02000). The expedited land division application was filed by ORMACK Investments, Inc.

The Community Development Director approves this application (ELD-25-06) for an expedited land division under the rules of SB458 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. With these findings, the applicable approval criteria of ORS 92.031 are met.

The proposal, findings, and conditions of approval are available for review in the Planning Department, located in City Hall, at 22500 Salamo Road, West Linn, during regular office hours. This information is also available electronically here: <https://westlinnoregon.gov/projects>

The applicant or any person or organization who filed written comments prior to the expiration of the public comment period has a right to appeal this decision under Oregon Revised Statute 197.375. The appeal must be filed with the West Linn Planning Department within 14 days of mailing of this notice of decision and shall be accompanied by a \$300 deposit for costs.

Any questions can be directed to Aaron Gudelj, Associate Planner, at 503-742-6057 or agudelj@westlinnoregon.gov

This notice was mailed on October 2, 2025. Therefore, the 14-day appeal period ends at 5 p.m., on October 16, 2025.