

Wyss, Darren

From: MADSEN Joel * DLCD <joel.madsen@dlcd.oregon.gov>
Sent: Friday, July 17, 2026 12:32 PM
To: Carrie Richter; EDGING Sean * DLCD
Cc: Wyss, Darren; MARQUARDT Ryan * DLCD; SIX Rachel * DLCD
Subject: RE: HAPO Help?

You don't often get email from joel.madsen@dlcd.oregon.gov. [Learn why this is important](#)

CAUTION: External Email – Confirm legitimacy before clicking, opening attachments, or following instructions.

Hi Carrie,

Thank you for keeping HAPO informed of potential opportunities for engagement. Appreciate the flag for the August 10th public meeting as well as the transparency in discussion with the city. Our team will discuss and be back in touch soon.

Joel



Joel Madsen

Manager | Housing Accountability and Production Office

Pronouns: He/Him

Cell: 971-382-3814 | Main: 503-373-0050

Joel.Madsen@dlcd.oregon.gov | www.oregon.gov/LCD

From: Carrie Richter <crichter@batemanseidel.com>
Sent: Thursday, July 16, 2026 2:38 PM
To: EDGING Sean * DLCD <sean.edging@dlcd.oregon.gov>; MADSEN Joel * DLCD <joel.madsen@dlcd.oregon.gov>
Cc: Wyss, Darren <dwyss@westlinnoregon.gov>
Subject: HAPO Help?

Hello,

As I think you know, this firm represents a developer seeking design review approval for a 320 unit multi-family development within the City of West Linn on land zoned Office Business Commercial. Multi-family residential is permitted outright so long as it includes ground floor commercial. Relying on SB 1537, the applicant has sought a waiver to allow more limited ground-floor commercial than the code requires. The applicant has also asked that the City apply HB 4037, Section 17 and make a staff decision without a public hearing. As you may have heard, this has stirred up a great deal of consternation as this community is very surprised and dismayed by this result. To get a feel, perhaps take a look at the 60 minutes of testimony offered at the City Council meeting this past Tuesday night:

https://westlinn.granicus.com/player/clip/1765?view_id=&meta_id=89399&redirect=true

In response, the City has decided to proceed with a hybrid approach whereby the criteria related to housing will be decided at a public meeting without a public hearing. The criteria directed solely to commercial will be determined by the Planning Commission after a public hearing. This approach is not only absurd, it is completely at odds with the legislative history resulting in the adoption of HB 3047.

What I'm hoping is that perhaps HAPO might be willing to submit some testimony, either orally or at the public hearing on August 10, explaining what state housing law requires. If the goal is to get housing to market, the time is now for HAPO to step in and provide support and not after the fact through enforcement.

Second and tangentially related, has HAPO issued any formal interpretations regarding how SB 1537 waivers work with respect to ground floor commercial? The argument that the opponents are making is that SB 1537 cannot apply because ground floor commercial is a use rather than a design or development standard. I heard this argument early on but I haven't heard it lately so I'm wondering if this might be settled through anything HAPO has issued.

Just FYI – I have copied the City Planner Darren Wyss on this email in an effort to be fully transparent and inclusive about this request.

Thanks,
Carrie

Carrie Richter

Bateman♦Seidel

Bateman Seidel Miner Blomgren Chellis & Gram, P.C.

[1000 SW Broadway, Suite 1910](#)

[Portland, OR 97205](#)

(503) 972-9903 (direct phone)

(503) 972-9904 (direct fax)

crichter@batemanseidel.com

This e-mail is for the sole use of the intended recipient(s). It contains information that is confidential and/or legally privileged. If you believe that it has been sent to you in error, please notify the sender by reply e-mail and delete the message. Any disclosure, copying, distribution or use of this information by someone other than the intended recipient is prohibited.