



PLANNING DIRECTOR DECISION

DATE: August 5, 2026

FILE NO.: ELD-26-05

REQUEST: Approval of an Expedited Land Division to divide a 20,564-square foot lot into three lots for development of residential detached triplex at 4032, 4036, and 4038 Ridge Lane (formerly 1470 Rosemont Road).

PLANNER: Aaron Gudelj, Associate Planner

TABLE OF CONTENTS

STAFF ANALYSIS AND RECOMMENDATION

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

ADDENDUM

STAFF FINDINGS	5
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EXHIBITS

PD-1 APPLICANT SUBMITTAL	12
PD-2 PUBLIC COMMENTS	30
PD-3 COMPLETENESS LETTER	33
PD-4 MIP-25-01 FINAL DECISION	35
PD-5 AFFIDAVIT AND NOTICE PACKET	60

GENERAL INFORMATION

APPLICANT

/OWNER: Alec Shah; Shah Homes, LLC
4397 Kenthorpe Way
West Linn, OR 97068

CONSULTANT: Rick Givens, Planning Consultant
7669 SW Emery Circle
Wilsonville, OR 97070

SITE LOCATION: 4032, 4036 & 4038 Ridge Lane (formerly 1470 Rosemont Road)

SIZE: 20,564 square feet

COMPREHENSIVE

PLAN DESIGNATION: Low-density residential

ZONING: R-10 Residential

APPROVAL

CRITERIA: Oregon Revised Statutes 92.031, 197A.140 and 197A.142

63-DAY RULE: The application was deemed complete on June 3, 2026. The 63-day period for an expedited land division ends August 5, 2026.

PUBLIC NOTICE: Notice was mailed to property owners within 100 feet of the subject property, public facility, the Parker Crest Neighborhood Association, and service providers on June 5, 2026. The notice was posted on the City's website on the same day.

EXECUTIVE SUMMARY

The subject property is a 20,564 square foot lot at 4032, 4036 & 4038 Ridge Lane (formerly 1470 Rosemont Road). The lot is zoned R-10; Residential and was created when the property at 1470 Rosemont Road was divided via Minor Partition (MIP-25-01; Exhibit PD-4). The subject application relates to Parcel 3 of the Tentative Partition Plat approved via MIP-25-01.

The subject Middle Housing Land Division application proposes to divide the above mentioned Parcel 3 into three lots, and construct detached dwelling units (detached triplex) on each of the resulting lots, pursuant to rules adopted by the Oregon Legislature and codified in Oregon Revised Statute 92.031, 197A.140, and 197A.142. Each resulting lot will contain one dwelling unit of the detached duplex.

Proposed Lot Sizes

Lot 1 – 5,496 square feet

Lot 2 – 5,120 square feet

Lot 3 – 10,114 square feet

Public water, sewer, and stormwater facilities are accessible from Ridge Lane. A public utility easement along the Ridge Lane frontage will be utilized by Lots 1 and 2 and a private utility and access easement will facilitate access and utilities for Lot 3.

Lots 1 and 2 will take access from Ridge Lane via individual curb-cuts and lot 3 will take access from Ridge Lane via a shared access easement with the neighboring lot to the east owned by the applicant.

Public comments: The City received a public comment from Tyler Binns on June 19, 2026, prior to the closing of the comment period. The comment has been included as an exhibit (Exhibit PD-2) in this report.

DECISION

The Planning Director approves the application (ELD-26-05) for a Middle Housing Land Division under the rules of ORS 92.031, 197A.140 and 197A.142, based on: 1) the findings submitted by the applicant, incorporated by this reference; 2) supplementary staff findings included in the addendum; and 3) the addition of conditions of approval below. Conditions are as follows:

1. **Preliminary Plat.** With the exception of modifications required by these conditions, the final plat shall substantially conform to the Tentative Plan dated April 10, 2026 (Exhibit PD-1).
2. **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, street trees, 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.
3. **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 Staff prior to Final Plat approval from the City.
4. **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 Staff prior to Final Plat approval from the City.
5. **Street Connectivity.** The Final Plat of shall show a Ridge Lane right-of-way width consistent with the prevailing Ridge Lane right-of-way width via 1) right-of-way dedication, 2) public access easement, or a combination of both.
6. **Water and Wastewater Utilities.** The units developed as part of this application shall have separate water and wastewater utilities for each dwelling unit.
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-26-05) shall be void if the applicant does not record the final partition plat within three years of approval.
9. **Final Plat.** The final plat shall show a reciprocal access and utility easement and mutual maintenance agreement between the subject lots and the adjacent lot to the west. The easement recording number shall be on the final plat.

Aaron Gudelfj

Aaron Gudelfj; Associate Planner

An applicant has the right to appeal this determination under ORS 197.830 to 197.855.

August 5, 2026

Date

**ADDENDUM
APPROVAL CRITERIA AND FINDINGS
ELD-26-05**

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

OREGON REVISED STATUTES (ORS)

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) or 197A.421.

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*
- (b) A duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings.*

Staff Finding 1: The subject property is zoned Residential, R-10 and permits the construction of a detached triplex. ORS 197A.420 requires the City of West Linn to allow detached triplexes, one type of middle housing, in areas zoned for residential use that allows for the development of single-family dwellings. The applicant proposes the construction of detached triplex with each dwelling unit on its own lot. 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) Separate utilities, other than water or wastewater, for each dwelling unit;*

Staff Finding 2: The applicant proposes the construction of a detached triplex with separate utility connections for each dwelling unit. An 8-foot wide public utility easement is proposed along Ridge Lane and facilitates access to utilities for Lots 1 and 2. A shared access and utility easement along the westerly property line of Lot 2 and the adjacent lot to the west - owned by the applicant - will facilitate utilities for Lot 3. The criteria are met.

(b) A proposal for development of middle housing that is in compliance or must comply with the Oregon residential specialty code and land use regulations under ORS 197A.420 (5) that are applicable to the original lot or parcel and which may consist of:

- (A) A single duplex, triplex, quadplex, cottage cluster or structure containing townhouses;*
- (B) Additional units as allowed by ORS 197A.421 (3); and*
- (C) Retained or rehabilitated existing units allowed under ORS 197A.420 (4), if any;*

.....

ORS 197A.420(5)

(5) Local governments:

(a) May regulate siting and design of middle housing required to be permitted under this section, provided that the regulations do not individually or cumulatively discourage, through unreasonable costs or delay, the development of all middle housing types permitted in the area.

(b) May regulate middle housing to comply with protective measures adopted pursuant to statewide land use planning goals.

Staff Finding 3: The applicant proposes the construction of a detached triplex, which qualifies as a middle housing type (see Staff Finding 1). The existing lot will be divided into three lots total, and an individual detached dwelling unit will be constructed on each lot. The applicant did not submit building plans for the detached triplex with this application, however a plot plan with lot dimensions 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 project is conditioned to obtain approval of compliance with siting and design standards from West Linn Staff prior to Final Plat approval per Conditions of Approval #2 and #3. As conditioned, the criteria are met.

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

- (A) Locating, accessing, replacing and servicing all utilities;
- (B) Pedestrian access from each dwelling unit to a private or public road;
- (C) Any common use areas or shared building elements;
- (D) Any dedicated driveways or parking; and
- (E) Any dedicated common area;

Staff Finding 4: The applicant proposes construction of a detached triplex. The existing lot will be divided into three lots total, and an individual detached dwelling unit will be constructed on each lot. Lots 1 and 2 will be accessed via the Ridge Lane frontage and an 8-foot wide public utility easement along the Ridge Lane frontage will provide utility access. A shared access and utility easement along the westerly property line of Lot 2 and the adjacent lot to the west - owned by the applicant - will facilitate utilities and access for Lot 3. No common areas are proposed. The criteria are met.

d) Exactly one dwelling unit on each resulting lot or parcel, except for:

- (A) Lots, parcels or tracts used as common areas; or
- (B) Lots or parcels with a detached single-unit dwelling and accessory dwelling unit or a duplex as allowed under ORS 197A.420 (4); and

Staff Finding 5: The applicant proposes the construction of a detached triplex as permitted by West Linn Community Development Code (CDC) Chapter 10.030. The existing lot will be divided into three lots total, 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 triplex, 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 6: The applicant proposes the construction of a detached triplex, which qualifies as a middle housing type. The applicant did not submit building plans for the triplex with this application. The project is conditioned to obtain approval of compliance with siting and design standards from West Linn Staff prior to Final Plat approval per Conditions 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) Subject to subsection (6) of this section, 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.

Staff Finding 7: The applicant proposes the construction of a detached triplex on the subject property, including the division of the lot as allowed by ORS 92.031. The project is conditioned to require a notation on the the face of the plat prohibiting the further division of the resulting parcels under the provisions of ORS 92.031. 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 applicable to an expedited land division under ORS 197A.140, if requested by the applicant and without regard to the criteria in ORS 197A.142 (1).

Staff Finding 8: Findings 16 to 22 below, address ORS 197A.140. 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 9: The Ridge Lane frontage was recently constructed with curb, gutter, and sidewalk as a requirement of Minor Partition MIP-25-01. No street improvements are required. The criterion is 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 10: The applicant has proposed a shared driveway along the westerly property line of Lot 2 to provide access for Lot 3 of the subject property. The criteria is 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, only if requested by the applicant, ORS 197A.140.*

Staff Finding 11: The City applied approval criteria except as provided in this section and has not applied approval criteria that are inconsistent with ORS 92.044, 92.046 or ORS 197A.140.

- (e) Shall allow the submission of an application for a tentative plan for a middle housing land division before, after or at the same time as the submission of an application for building permits for the middle housing.*

Staff Finding 12: The project is conditioned to require submittal of building plans and obtain approval of compliance with the Oregon Residential Specialty Code, including provisions related to new property lines, from West Linn Staff prior to Final Plat approval. As conditioned, this criterion is met.

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

Staff Finding 13: The subject lot was required to dedicate 10-feet of right-of-way along the Ridge Lane frontage as a condition of approval of Minor Partition MIP-25-01 (Exhibit PD-4). Subsequent to the approval of Minor Partition MIP-25-01 the City determined that an additional right-of-way along the Ridge Lane frontage was required to be consistent with the prevailing Ridge Lane right-of-way width. The project is conditioned to show on the Final Plat a Ridge Lane right-of-way width consistent with the prevailing Ridge Lane right-of-way width via 1) right-of-way dedication, 2) public access easement, or a combination of both. As conditioned, the criterion is met.

- (g) May require separate water and wastewater utilities for each dwelling unit.*

Staff Finding 14: The applicant proposes an 8-foot wide public utility easement along the Ridge Lane frontage and a 15-foot wide shared utility easement along the westerly property line with the neighboring lot owned by the applicant. The project is conditioned to require separate water and wastewater utilities for each unit. As conditioned, the criteria is met.

- (h) Shall allow any existing units allowed under ORS 197A.420 (4) to be considered a single middle housing unit and allow for the unit to be allocated its own lot or parcel by the division.*

Staff Finding 15: The existing lot is vacant, therefore the criteria does not apply.

ORS 197A.140 Expedited land division; procedures; application fee.

Notwithstanding any other requirement applicable to a land use decision under ORS chapter 197 or 197A, for an application that is reviewed as an expedited land division based on the request of the applicant:

(1) A decision is not subject to the requirements of ORS 197.797.

Staff Finding 16: Per the applicant request, this decision has been reviewed as an Middle Housing Expedited Land Division and has not been subject to the requirements of ORS 197.197. This criterion is met.

(2) A local government:

(a) Shall make a decision to approve or deny the application within 63 days of receiving a completed application as described in ORS 215.246 or 227.178, based on whether the application 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.

(b) May not hold a hearing on the application or allow any third party to intervene to oppose the application.

(c) 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. The determination must include an explanation of the applicant's right to appeal the determination under ORS 197.830 to 197.855.

(d) Shall provide notice of the decision to the applicant but may not require that notice be given to any other person.

(e) May assess an application fee calculated to recover the estimated full cost of processing an application 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 expedited land decisions.

(3) Only the applicant may appeal an expedited land division made under this section. [Formerly 197.365]

Staff Finding 17: The application was submitted and deemed complete on June 3, 2026. The City issued a Final Decision on the 63rd day after the issuance of completeness, August 5, 2026. The City did not hold a public hearing on the application and did not allow any third party to intervene to oppose the application. Notice was provided to the Applicant on June 5, 2026. These findings are an addendum to the decision, which includes in its main body a written summary of a determination of compliance with applicable land use regulations and an explanation that the applicant has a right to appeal the determination under ORS 197.830 to 197.855. This criterion is met.

197A.142 Eligibility for expedited land division. (1) If requested by the applicant, a local government shall approve a partition or subdivision made under ORS 92.010 to 92.192, 92.205 to 92.245 or 92.830 to 92.845 as an expedited land division under ORS 197A.140 if the division:

(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.

- (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:*
- (A) *Open spaces, scenic and historic areas and natural resources;*
 - (B) *The Willamette River Greenway;*
 - (C) *Estuarine resources;*
 - (D) *Coastal shorelands; and*
 - (E) *Beaches and dunes.*

Staff Finding 18: The proposed partition is for land that is residentially zoned and within an urban growth boundary. The applicant has indicated the land will only be developed with residential uses. The land is not located within any of the areas noted in item (c) above. These 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 19: The proposed partition does not require public right-of-way improvements. The partition is conditioned to require right-of-way dedication, a public access easement, or a combination of both to satisfy minimum street and connectivity standards established by the City's adopted Transportation System Plan (TSP) and Public Works Standards. This criterion is met.

- (e) Will result in development that either:*
- (A) 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*
 - (B) 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 20: The maximum density permitted by the site's R-10 zoning is 2 units. The applicant proposes a partition of the site into two lots, which allows the building of residential units at 80 percent or more of the maximum density. Criterion (A) is met based on the following calculations:

Gross site area = 20,564 square feet

Maximum net density = 20,564 square feet / 10,000 square feet = 2.564 (2-units)

(2) ORS 197A.140 applies 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 21: All of the local land use regulations applicable to a land division designed to regulate the items above have only been applied as allowed by ORS 197A.140. The criterion is met.

(3) An application under this section must describe the manner in which the proposed division complies with each of the provisions of subsection (1) of this section. [Formerly 197.360]

Staff Finding 22: The applicant has described how the proposed partition complies with the provisions in subsection (1) of this section. This criterion is met.

EXHIBIT PD-1 - APPLICANT SUBMITTAL

Middle Housing Expedited Land Division 1 Narrative

Part of 21E25CA01500 1470 Rosemont Rd., West Linn

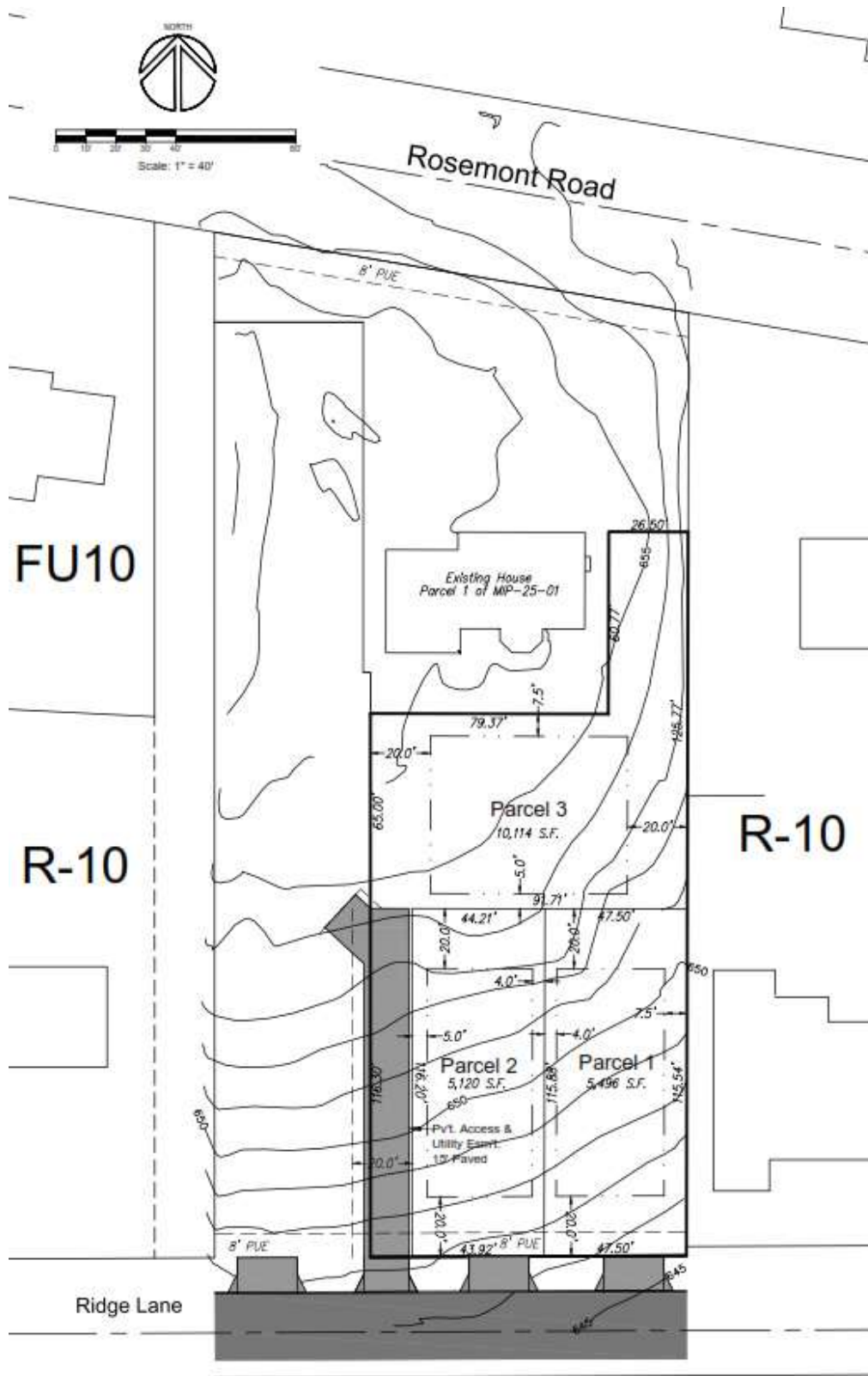
Shah Housing Solutions LLC

Proposal: This application requests approval of a Middle Housing Land Division (MHL) for a portion of an existing lot identified as Tax Lot 21E25CA01500. The property is located at 1470 Rosemont Road. A partition application for Tax Lot 1500 was approved in June of 2025 (MIP-25-01) and the application for final plat approval is in process pending the completion of the improvements required in that application. This MHL application relates to Parcel 3 of the approved Tentative Partition Plat.



Vicinity Map

As shown on the site plan on the following page, the property will be developed as a 3-unit detached triplex, with each home to be built on its own sub-parcel. Access will be provided to each sub-parcel via a shared private driveway.



Site Plan



Aerial Photograph of Existing Conditions

Public Facilities

City of West Linn sanitary sewer, storm sewer and water lines are located in Ridge Lane along the frontage of the property. Please refer to the Existing Conditions Map submitted with this application for location information. A preliminary utility plan is included with this application and shows connections for each of the sub-lots. A storm report was prepared for the previous partition application. Detention and treatment of storm runoff from the proposed homes will be via individual rain gardens or other similar approved structures that will be reviewed at the time of building permit application.

Compliance with Approval Criteria:

Consistent with the provisions of ORS 92.031, this proposed middle housing land division application will make use of the Expedited Land Division procedures set forth in ORS 197A.140 & ORS 197A.142(2). The approval criteria relevant to this application are found in ORS 92.031 and are discussed below.

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) or 197A.421.

Comment: This application involves a detached triplex, with one home to be located on each of the three sub-parcels shown on the Tentative Plan. ORS 197A.420(1)(e)(A) states that "'Middle housing' means housing that consists of duplexes, triplexes, quadplexes, cottage clusters or townhouses." The proposed development will create a detached triplex consistent with this definition. ORS 197A.420(2) states "(2) Except as provided in subsection (4) of this section, each county, each city with a population of 25,000 or greater, and each city with a population of 1,000 or greater within Metro, shall allow the development of all middle housing types on each lot or parcel zoned for residential use." The City of West Linn has a 2026 population of approximately 26,000. For all of the above reasons, the proposed use and the proposed Middle Housing Land Division is consistent with the requirements of ORS 92.031(1).

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

(a) Separate utilities, other than water or wastewater, for each dwelling unit;

Comment: As shown on the Preliminary Utility Plan submitted with this application, each of the three dwelling units will have separate utilities.

(b) A proposal for development of middle housing that is in compliance or must comply with the Oregon residential specialty code and land use regulations under ORS 197A.420 (5) that are applicable to the original lot or parcel and which may consist of:

- (A) A single duplex, triplex, quadplex, cottage cluster or structure containing townhouses;*
- (B) Additional units as allowed by ORS 197A.421 (3); and*
- (C) Retained or rehabilitated existing units allowed under ORS 197A.420 (4), if any;*

Comment: Compliance with the Oregon residential specialty code will be demonstrated with the building permit applications to be filed for each of the detached triplex units. The proposed development consists of a single detached triplex. No additional units or retained/rehabilitated existing units are included in this proposal.

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

- (A) Locating, accessing, replacing and servicing all utilities;*
- (B) Pedestrian access from each dwelling unit to a private or public road;*
- (C) Any common use areas or shared building elements;*
- (D) Any dedicated driveways or parking; and*
- (E) Any dedicated common area;*

Comment: The units on Parcels 1 and 2 will have direct driveway access to Ridge Lane and individual sewer and water service connections to services in Ridge Lane. Parcel 3 will share a driveway with a detached duplex unit on the adjacent property to the west. An easement is provided for the driveway, as indicated on the Tentative Plan. Individual water and sewer utilities serving both of those units are located in a private utility easement located within the access easement. Pedestrian access for Parcels 1 and 2 is available from a sidewalk along the Ridge Lane frontage. Parcel 3 will make use of the shared driveway to access the Ridge Lane sidewalk. There are no other common use areas or shared building elements. There are no proposed dedicated parking areas. There are no proposed dedicated common areas.

(d) Exactly one dwelling unit on each resulting lot or parcel, except for:

- (A) Lots, parcels or tracts used as common areas; or*
- (B) Lots or parcels with a detached single-unit dwelling and accessory dwelling unit or a duplex as allowed under ORS 197A.420 (4); and*

Comment: Each of the three proposed parcels will have exactly one dwelling unit located on it.

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

Comment: Proposed setbacks for each of the proposed detached triplex units are indicated on the Tentative Plan. These setbacks exceed the minimum standards of the Oregon residential specialty code. Compliance will be reviewed with the building permits for each unit.

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

(a) Subject to subsection (6) of this section, prohibit the further division of the resulting lots or parcels.

Comment: The applicant does not object to a condition prohibiting further division of the parcels created by this Middle Housing Land Division.

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

Comment: The required notation will be provided on the final plat.

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

(a) Shall apply the procedures applicable to an expedited land division under ORS 197A.140, if requested by the applicant and without regard to the criteria in ORS 197A.142 (1).

Comment: As noted above, the applicant requests that this application be processed as an expedited land division under ORS 197A.140.

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

Comment: Frontage improvements on Ridge Lane were required in the prior partition application of 1470 Rosemont Road. Those improvements are now under construction.

(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.

Comment: The Conditions of Approval issued by the City for the proposed Middle Housing Land Division will be reviewed by the applicant for compliance with this provision.

(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, only if requested by the applicant, ORS 197A.140.

Comment: The Conditions of Approval issued by the City for the proposed Middle Housing Land Division will be reviewed by the applicant for compliance with this provision.

(e) Shall allow the submission of an application for a tentative plan for a middle housing land division before, after or at the same time as the submission of an application for building permits for the middle housing.

Comment: The City of West Linn has adopted policies consistent with this provision.

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

Comment: Right-of-way dedication along Ridge Lane is shown on the Tentative Plan for this application.

(g) May require separate water and wastewater utilities for each dwelling unit.

Comment: Separate water and wastewater utilities are provided for each dwelling unit, as shown on the Preliminary Utility Plan.

(h) Shall allow any existing units allowed under ORS 197A.420 (4) to be considered a single middle housing unit and allow for the unit to be allocated its own lot or parcel by the division.

Comment: Not applicable. There are no existing units on the subject property.

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

Comment: Not applicable. There is no existing middle housing developed on the property.

(6) Notwithstanding ORS 197A.425 (1) and subsection (4)(d) and (e) of this section, a city or county may prohibit or add approval criteria to the allowance of a new accessory dwelling unit on, or a subsequent middle housing land division of, a lot or parcel resulting from a middle housing land division:

(a) To the extent allowed under this section and ORS 197A.420; and

(b) Provided that the middle housing land division lots or parcels may be used to create housing that is at or above the minimum density for the zoning of the land.

Comment: Not applicable. No new accessory dwelling units or subsequent middle housing land divisions are proposed.

(7) Notwithstanding any other provision of ORS 92.010 to 92.192, within the same calendar year as an original partition that was not a middle housing land division, a city or county may allow

one or more of the resulting vacant parcels to be further partitioned into not more than three parcels through a middle housing land division.

Comment: The original parcel (Tax Lot 21E25CA01500) was approved to be partitioned into three parcels (MIP-25-01), one of which is now the subject of this Middle Housing Land Division application. The final plat for that partition has not been recorded as of this time. An application for approval of the final plat is now pending review by the City of West Linn prior to recording. Should it be necessary this provision would allow for the recording of this three parcel Middle Housing Land Division in the same calendar year as the original partition.

(8) 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 prohibits a city or county from requiring a final plat before issuing building permits. [2021 c.103 §2; 2024 c.102 §10; 2025 c.476 §14]

Comment: The applicant plans to record the final partition plat for this Middle Housing Land Division prior to the expiration of the three-year tentative approval period.

ORS 197A.140 Expedited land division; procedures; application fee. *Notwithstanding any other requirement applicable to a land use decision under ORS chapter 197 or 197A, for an application that is reviewed as an expedited land division based on the request of the applicant:*

(1) A decision is not subject to the requirements of ORS 197.797.

(2) A local government:

(a) Shall make a decision to approve or deny the application within 63 days of receiving a completed application as described in ORS 215.246 or 227.178, based on whether the application 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.

(b) May not hold a hearing on the application or allow any third party to intervene to oppose the application.

(c) 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. The determination must include an explanation of the applicant's right to appeal the determination under ORS 197.830 to 197.855.

(d) Shall provide notice of the decision to the applicant but may not require that notice be given to any other person.

(e) May assess an application fee calculated to recover the estimated full cost of processing an application 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 expedited land decisions.

(3) Only the applicant may appeal an expedited land division made under this section. [Formerly 197.365]

Comment: The applicant is requesting this Middle Housing Land Division be processed in accordance with the provisions of ORS 197A.140. The requisite fee for this expedited land division has been paid by the applicant. The provisions of this section establish the process for the review of this application and are not in themselves approval criteria which need to be addressed in this narrative.

197A.142 Eligibility for expedited land division.

(1) If requested by the applicant, a local government shall approve a partition or subdivision made under ORS 92.010 to 92.192, 92.205 to 92.245 or 92.830 to 92.845 as an expedited land division under ORS 197A.140 if the division:

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

Comment: The subject property is located within the Portland Metro Urban Growth Boundary and is zoned Residential, R-10 by the City of West Linn. This criterion is met.

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

Comment: This application proposes a residential detached triplex. No nonresidential uses are proposed. This criterion is 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:

- (A) Open spaces, scenic and historic areas and natural resources;*
- (B) The Willamette River Greenway;*
- (C) Estuarine resources;*
- (D) Coastal shorelands; and*
- (E) Beaches and dunes.*

Comment: The subject property does not contain any open spaces, scenic or natural resource areas that have been mapped by the City of West Linn's comprehensive plan or land use regulations. It is not located within the Willamette River Greenway. It is not located in an area of estuarine resources, coastal shorelands or beaches and dunes.

(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.

Comment: The connection of Ridge Lane as a local street across the southerly boundary of the subject property satisfies this criterion.

(e) Will result in development that either:

(A) 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

(B) 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.

Comment: The proposed Middle Housing Land Division will allow for the construction of three homes on a lot that contains 20,564 sq. ft. The maximum density allowed under standard R-10 development would be two units. This would also be the minimum density permitted. The proposed three units satisfies this criterion.

(2) ORS 197A.140 applies 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.

(3) An application under this section must describe the manner in which the proposed division complies with each of the provisions of subsection (1) of this section. [Formerly 197.360]

Comment: 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. The applicable dimensional standards for the R-10 zone are found in CDC 13.070 and are shown in the table below.

STANDARD	REQUIREMENT	ADDITIONAL NOTES	COMMENT
Minimum lot size	10,000 SF	For a single-family attached or detached unit.	Not applicable to detached quadplexes.
Average min. Lot or Parcel size for a Townhouse Project	1,500 SF		Not applicable to detached quadplexes.
Minimum lot width at front lot line	35 ft.	Does not apply to Townhouses or Cottage Clusters.	The minimum lot width proposed is 44 feet for Sub-parcel 2 .
Average Minimum lot width	50 ft.	Does not apply to Townhouses or Cottage Clusters.	Does not apply to detached triplexes.

<i>Minimum Yard Dimensions or Minimum building setbacks</i>		<i>Except as specified in CDC 25.070(C)(1) through (4) for the Willamette Historic District.</i> <i>Front, rear, and side yard setbacks for in a Cottage Cluster Project are 10 ft. There are no additional setbacks for individual structures on individual lots, but minimum distance between structures shall follow applicable building code requirements.</i>	Not applicable to the proposed project as it does not include a Cottage Cluster.
<i>Front Yard</i>	<i>20 ft</i>	<i>Except for steeply sloped lots where the provisions of CDC 41.010 shall apply.</i>	The proposed minimum front yard setback is 20 feet.
<i>Interior Side Yard</i>	<i>7.5 ft</i>	<i>Townhouse common walls that are attached may have a 0 ft side setback.</i>	This standard is not applicable to triplex units along their common line. A 4' setback is proposed on the common lot lines.
<i>Street Side Yard</i>	<i>15 ft</i>		No street side yards are proposed.
<i>Rear Yard</i>	<i>20 ft</i>		The minimum rear yard proposed is 20 feet.
<i>Maximum Building Height</i>	<i>35 ft</i>	<i>Except for steeply sloped lots in which case the provisions of Chapter 41 CDC shall apply.</i>	Homes to be built will comply with the maximum 35' height standard. Compliance with height standards will be reviewed with the building permit application.
<i>Maximum Lot Coverage</i>	<i>35%</i>	<i>Maximum lot cover does not apply to Cottage Clusters. However, the maximum building footprint for a Cottage Cluster is less than 900 sf per dwelling unit.</i> <i>This does not include detached garages, carports, or accessory structures.</i> <i>A developer may deduct up to 200 sf for an attached garage or carport.</i>	Lot coverage for the home to be built on the three sub-parcels will comply with the 35% standard as will be demonstrated at the time of building permit application.
<i>Minimum Accessway Width to a lot which does not abut a street or a flag lot</i>	<i>15 ft</i>		A 15'-wide accessway width is proposed.
<i>Maximum Floor Area Ratio</i>	<i>0.45</i>	<i>Max FAR does not apply to cottage clusters.</i>	Not applicable. The proposed project is for detached triplexes.

<i>Duplex, Triplex, and Quadplex</i>	<i>0.60</i>	<i>Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of 0.30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a non-conforming structures permit under Chapter 66 CDC.</i>	Compliance with the floor area ratio standard for the homes to be built on the three sub-parcels will comply with this standard and will be reviewed at the time of building permit application.
--------------------------------------	-------------	---	--

Grading and Utility Plans per CDC 85.170(C)-(E)

A Preliminary Utility Plan is included with this application. This drawing shows all sewer, water and storm services required to serve the proposed subparcels. No site grading is proposed at this time. Future grading for the foundations for the homes to be built on the lots will be submitted with the building permit applications prior to the commencement of home construction.

R-10

Rosemont Road

Owner/Applicant:
Alec Shah
Shah Housing Solutions, LLC
4397 Kenthorpe Way
West Linn, OR 97068
PH: (971) 678-1952

Legal: Part of 21E25CA01500

Water: City of West Linn

Sewer: City of West Linn

Contours: Site Survey

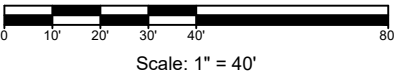
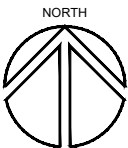
Site Area: 20,564 SF

Engineer:
DL Consulting WA, Inc.
4400 NE 77th Ave, Ste 275
Vancouver WA 98662
PH: (360) 567-6466

Surveyor:
Brass & Stone Land Surveying
1132 Heritage Loop
Stayton, OR 97383
PH: (503) 871-0030

Zoning: R-10

R-10



Scale: 1" = 40'

R-10

Ridge Lane

FU10

DESIGNED:	R.E.G.
DRAWN:	R.E.G.
SCALE:	1" = 40'
DATE:	4-14-2026
FILE:	25-SHA-100

Richard E. Givens, Planning Consultant
7669 SW Emery Circle
Wilsonville, OR 97070
PH: (503) 351-8204

APPLICANT:
Shah Housing Solutions, LLC
4397 Kenthorpe Way
West Linn, OR 97068
PH: (971) 678-1952

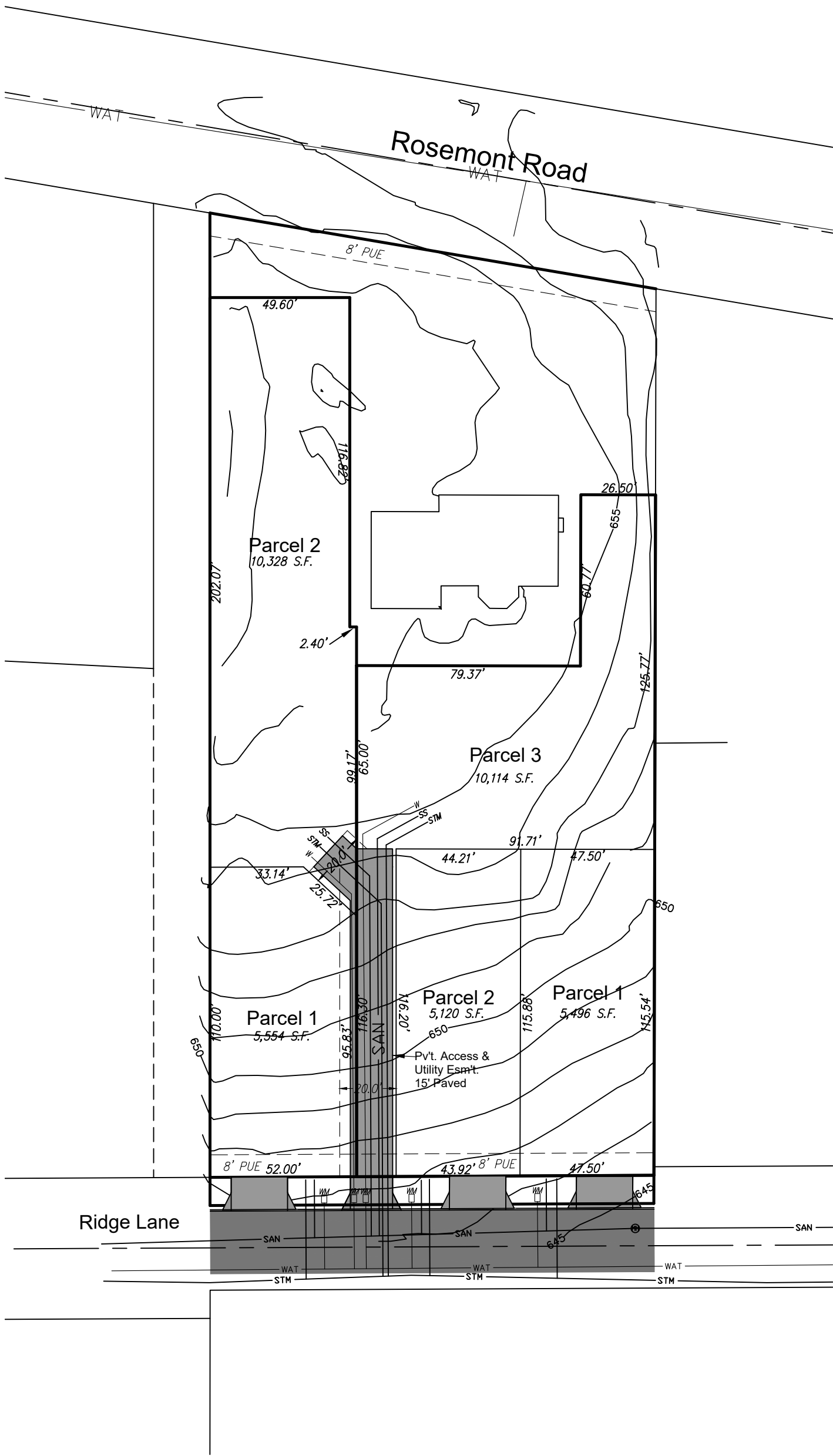
Tentative Plan

Middle Housing Land Division 1

Page 26 of 64



Vicinity Map
Planning Director Decision



Owner/Applicant:
Alec Shah
Shah Housing Solutions, LLC
4397 Kenthorpe Way
West Linn, OR 97068
PH: (971) 678-1952

Legal: Part of 21E25CA01500

Water: City of West Linn

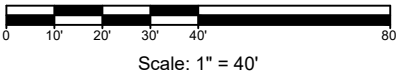
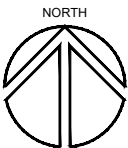
Sewer: City of West Linn

Contours: Site Survey

Engineer:
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4400 NE 77th Ave, Ste 275
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PH: (360) 567-6466

Surveyor:
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Stayton, OR 97383
PH: (503) 871-0030

Zoning: R-10



DESIGNED:	R.E.G.
DRAWN:	R.E.G.
SCALE:	1" = 40'
DATE:	4-13-26
FILE:	25-SHA-100

Richard E. Givens, Planning Consultant
7669 SW Emery Circle
Wilsonville, OR 97070
PH: (503) 351-8204

APPLICANT:
Shah Housing Solutions, LLC
4397 Kenthorpe Way
West Linn, OR 97068
PH: (971) 678-1952

Preliminary Utility Plan

Middle Housing Land Divisions

**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: Alec Shah
Address: 4397 Kenthorpe Way, West Linn, OR 97068
Phone (503) 678-1952
Email: alec@shahhousingsolutions.com
Site Address: Part of 1470 Rosemont Road
City: West Linn
Map & Tax Lot #: Part of 21E25CA 1500
Business Name: Shah Housing Solutions LLC
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

**Two Middle Housing Land Divisions,
one with three detached triplex units,
and one with two detached duplex units.
This is for land use approval only. No
building permits have been filed as of
yet.**

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 # 2026-0064
Permit Type: SPP-West Linn
Submittal Date: 4-10-26
Assigned To: DFM Arn
Due Date: NA
Fees Due: Ø
Fees Paid: Ø

Approval/Inspection Conditions
(For Fire Marshal's Office Use Only)

This section is for application approval only

Amber 0430
Fire Marshal or Designee

4-27-26
Date

Conditions: See approved fire service plans

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 _____



APPROVED PLANS

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

Jason Am...
Deputy Fire Marshal II

TVF&R Permit# 2026-0064

FD Notes: Also see
FS-1

Owner/Applicant:
Alec Shah
Shah Housing Solutions, LLC
4397 Kenthorpe Way
West Linn, OR 97068
PH: (971) 678-1952

Legal: Part of 21E25CA01500

Water: City of West Linn

Sewer: City of West Linn

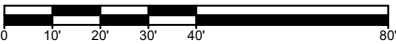
Contours: Site Survey

Site Area: 20,564 SF

Engineer:
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PH: (360) 567-6466

Surveyor:
Brass & Stone Land Surveying
1132 Heritage Loop
Stayton, OR 97383
PH: (503) 871-0030

Zoning: R-10



Scale: 1" = 40'

FS-2



Vicinity Map
Planning Director Decision

DESIGNED:	R.E.G.
DRAWN:	R.E.G.
SCALE:	1" = 40'
DATE:	4-14-2026
FILE:	25-SHA-100

Richard E. Givens, Planning Consultant
7669 SW Emery Circle
Wilsonville, OR 97070
PH: (503) 351-8204

APPLICANT:
Shah Housing Solutions, LLC
4397 Kenthorpe Way
West Linn, OR 97068
PH: (971) 678-1952

Tentative Plan

Middle Housing Land Division 1

EXHIBIT PD-2 - PUBLIC COMMENTS

From: [Tyler Binns](#)
Sent: Friday, June 19, 2026 11:19 AM
To: [Gudelj, Aaron](#)
Subject: ELD-26-04 & ELD-26-05 at 1470 Rosemont

You don't often get email from tbinns15@yahoo.com. [Learn why this is important](#)

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

Dear Aaron

I am writing to submit comments regarding the proposed development on the property at 1470 Rosemont Rd between Rosemont and Ridge Lane.. I appreciate the opportunity to provide input and respectfully request that the following concerns be considered as part of the review process.

My primary concerns relate to landscaping, traffic impacts, parking, and the removal of existing mature vegetation on the site.

Landscape and Vegetation Concerns

The property currently contains a substantial hedge that appears to be more than 50 years old. This mature hedge provides significant visual screening, privacy, noise reduction, and contributes to the established character of the neighborhood. The potential removal of this hedge would have a considerable impact on neighboring properties, including my own.

I respectfully request information regarding:

- Any proposed tree and vegetation removal plans.
- The extent of hedge removal or preservation being considered.
- Proposed replacement landscaping, including plant species, size at installation, and long-term screening effectiveness.

Traffic and Safety Concerns

I am concerned about the potential increase in vehicle traffic associated with the proposed development. Additional traffic may affect neighborhood safety, particularly for pedestrians, cyclists, children, and residents accessing nearby streets and driveways.

I request information regarding:

- Any traffic studies conducted for the project.
- Anticipated vehicle trip generation and peak-hour traffic impacts.
- Planned traffic mitigation measures, if any.

Parking Impacts

Parking availability in the area is already limited at certain times. Increased residential or commercial activity could place additional pressure on on-street

parking and affect access for existing residents and visitors.

Project Information Request

To better understand the proposal and its potential impacts, I'm looking for some additional information on the project:

- Current site plan.
- Building elevations and architectural plans.
- Landscape plan.
- Tree and vegetation removal plan.
- Traffic and parking studies, if available.
- Any other documents submitted as part of the development application.

I appreciate your consideration of these comments. Please let me know if additional public meetings, hearings, or opportunities for comment are scheduled.

Thank you for your time and assistance.

Sincerely,

Tyler Binns
(503) 953-6157
tbinns15@yahoo.com

EXHIBIT PD-3 - COMPLETENESS LETTER



CITY OF West Linn

June 3, 2026

Alec Shah
4397 Kenthorpe Way
West Linn, OR 97068

Subject: ELD-26-05 Completeness Determination

Dear Alec Shah:

The Planning Department has reviewed your re-submitted application for the 2-lot Middle Housing Land Division application re-submitted on May 7, 2026 for 1470 Rosemont Road and has determined that it is **complete**. As provided in ORS 227.178, the City must take final action within 63 days, making the final decision due by August 5, 2026.

Please note that a completeness determination is not an approval of your application. It only means the City has received all the required information and can now begin the review process.

The City will mail a public notice to property owners within 100 feet of the site, the neighborhood association, and relevant agencies. The notice will explain how to submit comments during a 20-day public comment period and will list the earliest date a decision could be made. All comments received will be reviewed and considered before deciding on whether the application meets the relevant standards in the Community Development Code. The City will make a staff-level administrative decision on this application.

Please contact me at 503-742-6057, or by email at agudelj@westlinnoregon.gov if you have any questions about the process.

Sincerely,
Aaron Gudelj
Aaron Gudelj
Associate Planner

EXHIBIT PD-4 – MINOR PARTITION MIP-25-01 FINAL DECISION



PLANNING MANAGER DECISION

DATE: June 9, 2025

FILE NO.: MIP-25-01

REQUEST: A 3-Parcel Minor Partition at 1470 Rosemont Road.

PLANNER: Aaron Gudelj, Associate Planner

Planning Manager

DSW

TABLE OF CONTENTS

	<u>Page</u>
STAFF ANALYSIS AND RECOMMENDATION	
GENERAL INFORMATION	2
EXECUTIVE SUMMARY	3
PUBLIC COMMENTS.....	3
DECISION AND CONDITIONS OF APPROVAL	6
ADDENDUM	
STAFF FINDINGS.....	8
EXHIBITS	
PD-1 APPLICANT SUBMITTAL.....	25
PD-2 COMPLETENESS LETTER.....	126
PD-3 PRE-APPLICATION CONFERENCE 11/21/2024 SUMMARY NOTES.....	128
PD-4 PUBLIC COMMENTS	135
PD-5 CITY OF WEST LINN TRANSPORTATION SYSTEM PLAN (HYPERLINK)	144
PD-6 AFFIDAVIT AND NOTICE PACKET	146

GENERAL INFORMATION

OWNER/ APPLICANT:	Alec Shah, Shah Housing Solutions, LLC 4399 Kenthorpe Way West Linn, OR 97068
CONSULTANT:	Rick Givens, Planning Consultant 28615 SW Paris Ave., Unit 110 Wilsonville, OR 97070
SITE LOCATION:	1470 Rosemont Road
SITE SIZE:	53,383 square feet
TAXLOT ID:	21E25CA01500
COMP PLAN DESIGNATION:	Low-Density Residential
ZONING:	R-10, Residential
APPROVAL CRITERIA:	West Linn Community Development Code (CDC) Chapter(s): Chapter 11: Residential, R-10 Chapter 48: Access, Egress and Circulation Chapter 85: Land Division, General Provisions Chapter 92: Required Improvements Chapter 99: Procedures for Decision Making: Quasi-Judicial.
120-DAY RULE:	The application became complete on March 14, 2025. The 120-day period therefore ends on July 10, 2025.
PUBLIC NOTICE:	Notice was mailed to property owners within 500 feet of the subject property and the Parker Crest Neighborhood Association on March 27, 2025. A sign was placed on the property on March 27, 2025. The notice was also posted on the City's website on March 27, 2025. Therefore, public notice requirements of CDC Chapter 99 have been met.

EXECUTIVE SUMMARY

The applicant seeks approval for a 3-parcel minor partition of a 53,383 square foot parcel at 1470 Rosemont Road. The proposed parcels are as follows:

1. Parcel 1: 15,141 square foot parcel fronting Rosemont Road, existing house to remain.
2. Parcel 2: 15,479 square foot parcel fronting Ridge Lane, existing detached outbuilding/shop to be demolished.
3. Parcel 3: 20,594 square foot parcel fronting Ridge Lane, existing shed and outbuilding/shop to be demolished.

The proposed parcels meet minimum dimensional standards of the R-10 zone. The majority of surrounding properties are zoned R-10 excluding some nearby properties to the west that are outside the City of West Linn boundaries and within Clackamas County jurisdiction. The neighboring properties within Clackamas County currently have single-family residences on each lot, are within the Metro Urban Growth Boundary, and are currently zoned FU10.

The existing Rosemont Road right-of-way in front of the subject lot is approximately 63-feet wide while portions of Rosemont Road near the subject lot are 70-feet wide. No right-of-way dedication will be required along the Rosemont Road frontage.

The existing Ridge Lane right-of way in front of the subject lot is unimproved and is approximately 30-feet wide while the improved portions of Ridge Lane adjacent to the subject lot are approximately 40-feet in width. The applicant will be required to dedicate 10-feet wide portion of right-of-way along Ridge Lane and construct half-street improvements along Ridge Lane as part of the proposed partition.

The subject property minimally slopes from north to south and no Habitat Conservation Areas or Riparian Corridors are present. The applicant has proposed to remove seven (7) trees nearest Ridge Lane on the southern half of the lot and preserve three (3) trees with this application.

Public comments:

The City received two (2) public comments prior to the closing of the public comment period. The full text of the comments can be found in Exhibit PD-4. Staff has summarized the comments and provided responses below:

Ashley Rea Email 4.16.2025

- *Requested more information to be provided regarding the proposed easement on the west side of the lot.*
- *Requested clarification on the minimum separation requirements of the driveway/curb cuts along Rosemont Road.*

- *Requested clarification on the easement on the west side of the lot thereby creating a double frontage lot*
- *Requested clarification on the half-street improvements along Ridge Lane and if Ridge Lane would continue to be a dead end street.*
- *Expressed concern for traffic volume associated with potential future development of the property.*
- *Requested a traffic study on the potential future development of the property.*
- *Requested clarification on the proposed lot lines and minimum setback requirements being met for the existing home.*
- *Requested clarification on the stormwater facilities being proposed.*

Staff Response: The original application submittal by the applicant indicated a 50-foot wide easement on the west side of the lot, however the applicant said that the original notation of an easement on the submittal was included as an error. Subsequently, the applicant re-submitted plans to the City that removed the easement. The removal of the easement is reflected in the applicant's revised submittal; please see Exhibit PD-1 of the Final decision.

The existing driveways/curb cuts along Rosemont Road will not be required to be altered as part of the proposed 3-lot minor partition. Public improvements and compliance with the minimum separation of driveway/curb cuts will be required to be remedied if future development is proposed on Parcel 1.

The applicant has removed the notation of a 50-foot wide easement along the west side of the property. No double frontage lots are proposed.

The applicant will be required to construct half-street improvements along the Ridge Lane frontage to facilitate access to the new Parcels 2 and 3 fronting Ridge Lane. The existing dead-end barrier near the SE corner of the subject property will be removed as well as the dead-end barrier near the SW corner of the subject property. The project is required to construct 22-ft of asphalt in addition to curb, planter strip, and ROW dedication in order to facilitate Ridge Lane through access.,

Pursuant to West Linn CDC Chapter 85.170(B)(2)(c)(1)(A, B, & C) a traffic study is not required. The application is not changing the zoning or a plan amendment, does not create operational or safety concerns along a State Highway, does not increase site traffic volume greater than 250 daily trips, does not increase the use of adjacent streets by vehicles exceeding 20,00 pound gross vehicle weight, does not create sight distance requirements at nearby intersections or queue vehicles on a State Highway, does not create an new access spacing standard on Rosemont Road or Ridge Lane, and does not change internal traffic patterns.

The lot layout proposes a 7.5-foot setback from the existing home to proposed Parcel 2 which meets the minimum standard of the underlying R-10 zone.

A 25' x 20' storm planter is proposed nearest the Ridge Lane frontage on Parcel 2 and a 25' x 30' storm planter nearest Ridge Lane on Parcel 3. Details of the stormwater facilities can be found in the applicant's submittal, Exhibit PD-1.

Carole Brandt and Russell Brandt's Email 4.15.2027

Expressed concern for the following:

- *Area consists of single-family homes.*
- *Safety – limited public access to Ridge Lane.*
- *Parking on Ridge Lane.*
- *Multi-family housing adding congestion.*
- *Limited property clearance on both side of the proposed Parcel 1.*
- *Proposed parcel 2 being 50-feet wide.*
- *Maintenance responsibilities between proposed Parcel 2 and Rosemont Road.*
- *Proximity of proposed Parcel's 2 and 3 to the residence on proposed Parcel 1.*

Staff Response: The subject property is zoned R-10 along with the majority of surrounding properties and allows single-family homes, detached duplexes/triplexes/quadplexes, cottage clusters, townhomes and other non-single-family homes by right. No development is proposed as a part of the application.

The applicant will be required to construct half-street improvements along the Ridge Lane frontage and access to Ridge Lane for Parcels 2 and 3..

The half-street improvements along the Ridge Lane will increase street parking on Ridge Lane.

The underlying R-10 zoning allows a lot width of a minimum of 50-feet.

Maintenance responsibilities of Parcel 1 will be the responsibility of the landowner. The existing home is proposed to be 7.5-feet and 7.9-feet from the proposed side property lines of Parcel 2 and Parcel 3 which meets the minimum 7.5-foot standard of the underlying R-10 zone. The rear of the existing home is proposed to be 20.2-feet from the proposed rear property line adjacent to Parcel 3 which meets the minimum 20-feet required by the underlying R-10 zone.

DECISION

The Planning Manager (designee) approves this application (MIP-25-01), based on: 1) the findings submitted by the applicant, which are incorporated by this reference, 2) supplementary staff findings included in the Addendum below, and 3) the addition of conditions of approval below. With these findings, the applicable approval criteria are met. The conditions are as follows:

1. **Site Plan.** With the exception of modifications required by these conditions, the final plat shall conform to the Tentative Plan dated May 2025 (Exhibit PD-1).
2. **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. West Linn Public Works may coordinate with the applicant to complete additional, voluntary, off-site improvements.
3. **New Private Utility Easement.** The applicant shall provide a 15-foot-wide private utility easement along the easterly property line of Parcel 3 and show it on the final plat.
4. **New Public Utility Easements.** The applicant shall provide an 8-foot-wide public utility easement along the Rosemont Road and Ridge Lane property line frontages and show it on the final plat.
5. **Ridge Lane Street Improvements.** Prior to final plat approval, the applicant shall construct half-street improvements (six-foot sidewalk, six-foot planter strip/curb, and 22-feet of asphalt road) along the street frontage of Ridge Lane. Any curb cuts shall be in conformance with access spacing requirements in the West Linn Public Works Design Standards. The Applicant shall show a 10-foot right-of-way dedication along Ridge Lane prior to final plat approval.
6. **Rosemont Road Street Improvements.** Any further development of Parcel 1 or any new dwelling units taking access from Rosemont Road will require installation of half-street improvements, including modification of the non-conforming dual access to meet West Linn Public Works Design Standards spacing requirements for a Collector Street. If the non-conforming dual access from Rosemont Road to Parcel 1 is altered, the new access shall meet West Linn Public Works Design Standards spacing requirements for a Collector Street.

7. **Shared Access and Maintenance Easement.** Shared accessways between any parcels shall record a shared access/utility and maintenance agreement with the County prior to final plat approval.
8. **Demolition of Existing Structures.** The two existing detached outbuilding(s)/garage/shed are required to be demolished prior to final plat approval.
9. **Decommission Septic Tank.** Any existing septic tanks on the property shall be decommissioned and removed prior to final plat approval. Any structures using an existing septic tank shall also be connected to the City's sanitary sewer system prior to final plat approval.

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

Aaron Gudelj
Aaron Gudelj, Associate Planner

June 9, 2025
Date

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

Mailed this 9th day of June 2025.

Therefore, the 14-day appeal period ends at 5 p.m., on June 23, 2025.

ADDENDUM

APPROVAL CRITERIA AND FINDINGS

MIP-25-01

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

CHAPTER 11, RESIDENTIAL, R-10

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

Except as may be otherwise provided by the provisions of this code, the following are the requirements for uses within this zone:

<i>STANDARD</i>	<i>REQUIREMENT</i>	<i>ADDITIONAL NOTES</i>
<i>Minimum lot size Average minimum lot or parcel size for a townhouse project</i>	<i>10,000 sf 1,500 sf</i>	<i>For a single-family attached or detached unit</i>
<i>Minimum lot width at front lot line</i>	<i>35 ft</i>	<i>Does not apply to townhouses or cottage clusters</i>
<i>Average minimum lot width</i>	<i>50 ft</i>	<i>Does not apply to townhouses or cottage clusters</i>
<i>Minimum yard dimensions or minimum building setbacks</i>		<i>Except as specified in CDC <u>25.070</u>(C)(1) through (4) for the Willamette Historic District. Front, rear, and side yard setbacks in a cottage cluster project are 10 ft. There are no additional setbacks for individual structures on individual lots, but minimum distance between structures shall follow applicable building code requirements.</i>
<i>Front yard</i>	<i>20 ft</i>	<i>Except for steeply sloped lots where the provisions of CDC <u>41.010</u> shall apply</i>
<i>Interior side yard</i>	<i>7.5 ft</i>	<i>Townhouse common walls that are attached may have a 0-ft side setback.</i>
<i>Street side yard</i>	<i>15 ft</i>	
<i>Rear yard</i>	<i>20 ft</i>	

.....

Staff Finding 1: The applicant proposes a 3-lot partition of an existing 53,383 square foot lot. Parcel 1 is proposed to be 15,141 square feet, Parcel 2 is proposed to be 15,479 square feet, and Parcel 3 is proposed to be 20,954 square feet. Parcel 1 contains an existing single-family home that will remain and a detached shop/garage that will be demolished. The existing home will be 7.5-feet from the proposed westerly side lot line, 7.9-feet from the proposed easterly side lot line, 20.2-feet from the

proposed rear property line, and 78-feet from the front property line. No development is proposed as a part of this application. The proposed width of the proposed lots are all 50-feet wide or larger. The criteria are met.

Chapter 48 ACCESS, EGRESS AND CIRCULATION

48.025 ACCESS CONTROL

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

B. Access Control Standards

1. *Traffic impact analysis requirements. A traffic analysis prepared by a qualified professional may be required to determine access, circulation and other transportation requirements. The purpose, applicability and standards of this analysis are found in CDC 85.170(B)(2).*

Staff Finding 2: No traffic impact analysis (TIA) is required as none of the criteria of 85.170(B) (2) are met. An Average Daily Trip count (ADT) increase of 250 is required before a TIA is needed. The partition of the existing 53,383 square foot R-10-zoned lot into three R-10 zoned lots of lesser size is anticipated to generate less than 30 daily trips at the site pursuant to Institute of Transportation Engineers (ITE) standards. The criteria are met.

2. *In order to comply with the access standards in this chapter, the City or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit. Access to and from off-street parking areas shall not permit backing onto a public street.*

Staff Finding 3: The existing, non-conforming dual curb cuts to Parcel 1 from Rosemont Road can remain. Any alteration to the non-conforming dual curb cuts will require conformance with West Linn Public Works Design Standards access spacing requirements for a Collector Street per Condition of Approval 6. Any new development proposed on Parcel 1 or any new dwelling units proposing access to Rosemont Road will require half-street improvements along the entire Rosemont Road frontage and conformance with West Linn Public Works Design Standards access spacing requirements for a Collector Street per Condition of Approval 6. Additionally, half-street improvements along the Ridge Lane frontage of the subject lot will be required, along with a 10-ft wide right-of-way dedication along the Ridge Lane per Condition of Approval 5. Additional access related findings can be found later in this report – Findings 4 – 16. Subject to the Conditions of Approval, the criteria are met.

3. Access options. *When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided from a public street adjacent to the development lot or parcel. Street accesses shall comply with access spacing standards in subsection (B)(6) of this section, the West Linn Public Works Design Standards, and TSP. As an alternative, the applicant may request alternative access provisions listed below as Option 1 and Option 2, subject to approval by the City Engineer through a discretionary process.*

a) Option 1. *Access is from an existing or proposed alley or mid-block lane. If a property has access to an alley or lane, direct access to a public street is not permitted. For the purpose of this subsection, a mid-block lane is a narrow private drive providing lot frontage and access for rear lot development.*

b) Option 2. Access is from a private street or driveway connected to an adjoining property that has direct access to a public street (i.e., “shared driveway”). A public access easement covering the driveway shall be recorded in this case to ensure access to the closest public street for all users of the private street/drive.

Staff Finding 4: The three proposed parcels have direct vehicle access from a public street; Parcel 1 = Rosemont Road, and Parcel 2 & 3 = Ridge Lane. The Ridge Lane half-street improvements do not show a specific curb cut location along Ridge Lane, therefore the project is conditioned to require compliance with access spacing requirements along Ridge Lane and will require recordation of an access/utility and maintenance agreement between any necessary parcels prior to final plat approval, if any shared access is proposed (Condition(s) #5 and #7)...

The existing Rosemont Road frontage contains two existing driveway access' that are not proposed to be altered as part of the project. The existing access' along Rosemont Road are less than the minimum separation distance required by West Linn CDC Chapter 48.060(C) and will be required to be brought into compliance with separation distances access' when/if Parcel 1 is developed in the future or access from Rosemont Road to the proposed parcels is altered (Condition #6). As conditioned, the criteria are met.

4. Subdivisions fronting onto an arterial street. New residential land divisions fronting onto an arterial street shall be required to provide alleys or secondary (local or collector) streets for access to individual lots. When alleys or secondary streets cannot be constructed due to topographic or other physical constraints, access may be provided by consolidating driveways for clusters of two or more lots.

5. Double-frontage lots. When a lot or parcel has frontage onto two or more streets, access shall be provided first from the street with the lowest classification. For example, access shall be provided from a local street before a collector or arterial street.

Staff Finding 5: The applicant does not propose a subdivision and no double frontage lots are proposed. The criteria are not applicable.

6. Access spacing.

a. The access spacing standards found in Tables 14 and 15 of the TSP and in CDC 48.060 shall be applicable to all newly established public street intersections, non-traversable medians, and curb cuts. Deviation from the access spacing standards may be granted by the City Engineer as part of a discretionary review if the applicant demonstrates that the deviation will not compromise the safe and efficient operation of the street and highway system.

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

Staff Finding 6: The applicant proposal does not include any new public street intersections or non-traversable medians. No alterations to the Rosemont Road frontage are proposed at this time. The applicant does not propose a curb cut along the Ridge Lane frontage therefore the project is conditioned to require compliance with access separation requirements when/if any curb cuts are proposed and recordation of any necessary shared access/utility/maintenance agreements between any parcels prior to Final Plat approval. As conditioned, the criteria are met.

7. Number of access points. For single-family (detached and attached) housing types, one street access point is permitted per lot or parcel when alley access cannot otherwise be provided; except that two access points may be permitted corner lots (i.e., no more than one access per street), subject to the access spacing standards in CDC 48.060. The number of street access points for multiple family

development is subject to the access spacing standards in CDC 48.060. The number of street access points for commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required, in conformance with subsection (C)(8) of this section, in order to maintain the required access spacing, and minimize the number of access points.

Staff Finding 7: No new access points along Rosemont Road are proposed. The two existing accessways along the Rosemont Road frontage will continue to provide access to the existing single-family home on Parcel 1 and will be required to be brought into compliance with access spacing standards if/when the access from Rosemont Road is altered or development on Parcel 1 is proposed or the single-family home on Parcel 1 is altered. The applicants proposal does not specify a curb cut location along Ridge Lane, however the applicant's right-of-way dedication, construction of half-street improvements including 22-feet of asphalt along Ridge Lane will facilitate access from Ridge Lane to Parcels 2 and 3. Since no specific curb cut location along Ridge Lane is proposed as part of the application the project is conditioned to require recordation of any necessary access/utility/maintenance agreements between any parcels prior to Final Plat approval. As conditioned, the criteria are met.

8. Shared driveways. For residential development, shared driveways may be required in order to meet the access spacing standards in subsection (C)(6) of this section. For non-residential development, the number of driveway and private street intersections with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The City shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:

- a. When necessary pursuant to this subsection (C)(8), shared driveways and/or frontage streets shall be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent lot or parcel develops. "Developable" means that a lot or parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).
- b. Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.
- c. Exception. Exceptions to the shared driveway or frontage street requirements may be granted as part of a discretionary review if the City determines that existing development patterns or physical constraints (e.g., topography, lot or parcel configuration, and similar conditions) prevent extending the street/driveway in the future.

Staff Finding 8: The proposed 3-lot minor partition will include half-street improvements along the Ridge Lane frontage including construction of curb, planter strip, and 22-feet of asphalt that facilitate access for Parcels 2 and 3 along Ridge Lane. No shared driveways are proposed as part of this application. The criteria are met.

C. Street connectivity and formation of blocks required. In order to promote efficient vehicular and pedestrian circulation throughout the City, land divisions and site developments shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:

1. Block length and perimeter. The maximum block length shall not exceed 800 feet along a collector, neighborhood route, or local street, or 1,800 feet along an arterial, unless a smaller block length is required pursuant to CDC 85.200(B)(2).
2. Street standards. Public and private streets shall also conform to Chapter 92 CDC, Required Improvements, and to any other applicable sections of the West Linn Community Development Code and approved TSP.
3. Exception. Exceptions to the above standards may be granted as part of a discretionary review when blocks are divided by one or more pathway(s), in conformance with the provisions of CDC 85.200(C), Pedestrian and bicycle trails, or cases where extreme topographic (e.g., slope, creek, wetlands, etc.) conditions or compelling functional limitations preclude implementation, not just inconveniences or design challenges. (Ord. 1635 § 25, 2014; Ord. 1636 § 33, 2014; Ord. 1650 § 1 (Exh. A), 2016; Ord. 1675 § 40, 2018; Ord. 1745 § 1 (Exh. A), 2023)

Staff Finding 9: The existing Rosemont Road (collector street) block from Gregory Court to Ireland Lane is approximately 550-feet long; no changes are required or proposed. Project Number LC-27 in the City of West Linn Transportation System Plan (TSP) outlines the extension of Shannon Lane from Rosemont Road to Ridge Lane which will reduce the size of block lengths along Ridge Lane for better compliance in the future.

The Ridge Lane block length from Ireland Lane to Wild Rose Dr is greater than the 800 feet maximum and will be brought into compliance with block length standards when TSP Project Number LSC-3 -an extension of Maxfield Dr (1,000-feet south of the subject property) to connect to Ridge Lane - is completed after development of the properties to the south is concluded. The requirement for connection of Maxfield Drive to Ridge Lane is not feasible for this application however, the applicant's construction of half-street improvements along Ridge Lane will help facilitate the future connection of Maxfield Drive to Ridge Lane. The criteria are met.

48.030 MINIMUM VEHICULAR REQUIREMENTS FOR RESIDENTIAL USES

A. Direct individual access from single-family dwellings and duplex lots to an arterial street, as designated in the TSP, is prohibited for lots or parcels created after the effective date of this code where an alternate access is either available or is proposed as part of a submitted development application. Evidence of alternate or future access may.....

Staff Finding 10: Proposed Parcels 2 and 3 will take access from Ridge Lane, a public street with a functional classification of "Local" in the West Linn Transportation System Plan. Proposed Parcel 1 will take access from Rosemont Road, a public street with a functional classification of "Collector" in the West Linn Transportation Plan. Direct access to an "arterial" street is not proposed. The criteria does not apply.

B. Driveway standards. When any portion of any house is less than 150 feet from the adjacent right-of-way, driveway access to the home shall meet the following standards:

1. *One single-family residence, including residences with an accessory dwelling unit as defined in CDC 02.030, shall provide a driveway with 10 feet of unobstructed horizontal clearance. Dual-track or other driveway designs that minimize the total area of impervious driveway surface are encouraged but not required.*
2. *Two to four single-family residential homes shall provide a driveway with 14- to 20-foot-wide paved or all-weather surface.*
3. *Maximum driveway grade shall be 15 percent. The 15 percent shall be measured along the centerline of the driveway only. Variations require approval of a Class II variance by the Planning Commission*

pursuant to Chapter 75 CDC. However, in no case shall the last 18 feet in front of the garage exceed 12 percent grade as measured along the centerline of the driveway only. Grades elsewhere along the driveway shall not apply.

.....

Staff Finding 11: Proposed Parcel 1 will contain the existing single-family residence which is currently 78ft from Rosemont Road; the existing vehicle access from Rosemont Road will be maintained as-is with a semi-circle driveway with two 20ft-wide driveways along Rosemont Road. Proposed Parcels 2 and 3 will be accessed from Ridge Lane via the new construction of half-street improvements with curb, planter strip, and 22-feet of asphalt. Driveway slope will be reverified at time of building permit review and site development permit review. The criteria are met...

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

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

Staff Finding 12: The existing home on Parcel 1 is less than 150-feet from the Rosemont Road frontage – 78-feet. No other buildings are proposed as part of the application. The criteria are met.

D. Access to five or more single-family homes shall be by a street built to City of West Linn standards, consistent with the TSP (Tables 26 through 30 and Exhibits 6 through 9) and the Public Works Design Standards. All streets shall be public. This full street provision may only be waived by variance.

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

.....

G. In order to facilitate through traffic and improve neighborhood connections, the developer shall make all local street connections identified in the Transportation System Plan, Table 17 and Figure 12, that are within the boundaries of the project, which may necessitate construction of a public street through a multifamily site.

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

Staff Finding 13: The applicant proposal does not 1) propose a shared driveway access to five or more single-family homes, 2) have lands within the boundaries of an identified local street connection in the City of West Linn TSP, and 3) propose a gated accessway. The criteria do not apply.

48.060 WIDTH AND LOCATION OF CURB CUTS AND ACCESS SEPARATION REQUIREMENTS

A. Minimum curb cut width shall be 16 feet.

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

(...)

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

(...)

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

Staff Finding 14: The applicant proposes half-street improvements along Ridge Lane including construction of a curb, planter strip, and 22-feet of asphalt. Specific curb cut location along Ridge Lane is not specified as part of the application and will be verified at the time of building permit and site development review. No new curb cuts along Rosemont Road are proposed. The criteria are met.

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

Staff Finding 15: The existing Rosemont Road frontage provides a one-way vehicle access for the single-family residence on Parcel 1 and will not be altered as part of the subject application.

E. A rolled curb may be installed in lieu of curb cuts and access separation requirements.

F. For non-residential development, curb cuts shall be kept to the minimum,

.....

G. Clear vision areas shall be maintained, pursuant to Chapter 42 CDC, and required line of sight shall be provided at each driveway or accessway, pursuant to the West Linn Public Works Design Standards. (Ord. 1270, 1990; Ord. 1584, 2008; Ord. 1636 § 35, 2014; Ord. 1745 § 1 (Exh. A), 2023)

Staff Finding 16: The applicant does not propose any rolled curbs or curb cuts and is not subject to the clear vision area standards since the subject lot is not a corner lot. The criteria do not apply.

III. CHAPTER 85, GENERAL PROVISIONS

85.080 SUBSTANTIAL DEVIATION FROM APPROVED PLAN PROHIBITED

A. Approval of the tentative plan shall require the final plat to be in substantial conformance...however

B. Approval of the tentative plan...shall not constitute final acceptance of the plat of the proposed subdivision or partition for recording.

Staff Finding 17: The City will ensure the final plat substantially conforms to the approved tentative plan by satisfaction of Condition of Approval 1. The criteria are met.

85.140 PRE-APPLICATION CONFERENCE REQUIRED

A. An applicant shall participate in a pre-application conference with staff prior to the submission of a complete tentative plan.

Staff Finding 18: The applicant participated in a pre-application conference for the subject application on November 16, 2024. A copy of the pre-application conference summary notes is included as an attachment to this report – PD-3. The criteria are met.

85.200 APPROVAL CRITERIA

No tentative subdivision or partition plan shall be approved unless adequate public facilities will be available to provide service to the partition or subdivision area prior to final plat approval and the

Planning Commission or Planning Director, as applicable, finds that the following standards have been satisfied, or can be satisfied by conditions of approval.

A. Streets.

1. Purpose and guiding principles. The purpose

....

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

Staff Finding 19: The proposal does not include any internal streets. The applicant proposes a minor partition creating three total parcels. Parcel 1 will be accessed from Rosemont Road using the existing access points, and access for Parcels 2 and 3 will be from Ridge Lane via a shared driveway along the shared property line. A 10-foot wide right-of-way dedication and half-street improvements will be required along Ridge Lane to facilitate continued circulation around the subject lot and surrounding properties. The criteria are met.

2. In situations where the level-of-service or volume-to-capacity performance standard for an affected City or State roadway is currently failing or projected to fail to meet the standard at a date determined within a traffic impact analysis, and an improvement project is not programmed, the development shall avoid further degradation of the affected transportation facility. Mitigation must be provided to bring the facility performance standard to existing conditions at the time of occupancy.

Staff Finding 20: Surrounding streets and intersections have not been identified as being substandard in regards to level-of-service or volume-to-capacity performance. The proposed three parcel partition will not generate more than 250 daily trips to the site and therefore is not required to conduct a traffic impact analysis. The criteria are met.

3. Tree protection. Streets shall be laid out to avoid and protect significant trees and significant tree clusters, but not to the extent that it would compromise connectivity requirements per this subsection A, or bring the achievable density below 70 percent of the maximum density for the developable net area. The developable net area is calculated by taking the total site acreage and deducting Type I and II lands; then up to 20 percent of the remaining land may be excluded as necessary for the purpose of protecting significant trees and tree clusters as provided in CDC 55.100(B)(2) or 55.105(B)(2), as applicable.

Staff Finding 21: The applicant proposes to remove 7 trees on the subject lot, nearest the Ridge Lane frontage. Five (5) trees will remain and are primarily located on Parcel 1 with one tree being located on Parcel 3 near the easterly property line. No street connections are required as part of the application. The criteria are met.

4. Street connections. The developer shall make all local street connections identified in the Transportation System Plan, Table 17 and Figure 12, that are within the boundaries of the project.

Staff Finding 22: There are no required street connections identified in the TSP. The criteria is not applicable.

5. Street improvements.

a. *Streets that are internal to the land division site are the responsibility of the developer....*

(....)

b. Waiver of required street improvements and in-lieu fee. *An applicant may submit a written request for a waiver of abutting street improvements if the improvement would be prohibited by the TSP....*

c. *Right-of-way widths shall depend upon which classification of street is proposed. The right-of-way widths are established in the adopted TSP, Exhibits 6 through 9.*

d. Public Works Design Standards. *Street design shall conform to the standards of the applicable roadway authority; for City streets that is the West Linn Public Works Design Standards manual. Where a conflict occurs between this code and the Public Works Design Standards manual, the provisions of this code shall govern.*

6. Street widths. *Street widths shall depend upon the classification of street proposed. The classifications and required cross sections are established in the adopted TSP, Tables 26 through 30 and Exhibits 6 through 9.*

(...)

Staff Finding 23: The proposal does not include any internal streets. Rosemont Road is a “collector” street with a 60-70-foot width and does not require any right-of-way dedication. Ridge Lane is a “local” street with a prevailing 45ft width, however the Ridge Lane frontage along the subject lot is only 30ft wide and will require a 10ft wide right-of-way dedication in order to ensure consistency with the prevailing 45ft road width along Ridge Lane. Additionally, the existing Ridge Lane frontage is unimproved right-of-way and the applicant will be required to construct half-street improvements, including 22-feet of asphalt, along the Ridge Lane frontage. The project is conditioned to require the right-of-way dedication and half-street improvements along Ridge Lane. The criteria are met.

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

Staff Finding 24: The applicant’s proposal does not propose and reserve strips or street plugs. The criteria does not apply.

9. Alignment. *All streets other than local streets or cul-de-sacs shall be in alignment with existing streets by continuations of the centerlines thereof. The staggering of street alignments resulting in “T” intersections shall leave a minimum distance of 200 feet between the centerlines of streets having approximately the same direction and otherwise shall not be less than 100 feet. Exceptions to these requirements shall only be approved if the applicant demonstrates that compliance is not practical through a discretionary review.*

Staff Finding 25: No new streets are proposed as part of the application. The applicant will be required to construct half-street improvements along the Ridge Lane, a local street, in alignment with the existing Ridge Lane alignment. The criteria does not apply.

10. Future extension of streets. *The street system of a proposed development shall be designed to connect to existing, proposed, and planned streets adjacent to the development. Wherever a proposed development abuts unplatted land or a future development phase of an existing development, street stubs shall be provided to allow access to future abutting subdivisions and to logically extend the street system into the surrounding area. Where the stubbed street is over 100 feet long, street ends shall*

contain temporary turnarounds built to Oregon Fire Code standards and shall be designed to facilitate future extension in terms of grading, width, and temporary barricades.

Staff Finding 26: The existing unimproved portion of Ridge Lane is stubbed at the southwest corner of the subject property. No changes are proposed to the stubbed street or existing turnarounds however, the applicant is required to construct half-street improvements on Ridge Lane in order to facilitate the future extension of Ridge Lane when future development occurs on the neighboring properties. The criteria are met.

11. Intersection angles.

a. *Except as specified in subsection (A)(11)(c) of this section, street intersections shall be located and designed as follows:*

(...)

Staff Finding 27: No new intersections are proposed. The criteria does not apply.

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

Staff Finding 28: The existing property has frontages along Rosemont Road and Ridge Lane. The existing Rosemont Road frontage is approximately 60-70 feet wide and will not require right-of-way dedication. The Ridge Lane frontage right-of-way width is less than the prevailing road width along Ridge Lane – 45ft – and will required a 10ft wide right-of-way dedication and construction of half-street improvements. The criteria are met.

13. Cul-de-sacs.

a. *New cul-de-sacs and other closed-end streets (not including stub streets intended to be connected) are not allowed unless the applicant demonstrates as part of a discretionary review that one or more of the following criteria are met:*

(...)

14. Street names. *No street names shall be used which will duplicate or be confused with the names of existing streets within the City. Street names that involve difficult or unusual spellings are discouraged.*

15. Grades and curves. *Grades and horizontal/vertical curves shall meet the West Linn Public Works Design Standards.*

Staff Finding 29: No new streets, cul-de-sacs, or closed-end streets are proposed. The criteria is not applicable.

16. Access to local streets.

(...)

a. *Except as provided in subsection (A)(16)(c) of this section, intersection of a local residential (....)*

b. *Where a residential subdivision or partition abuts or contains an existing or proposed major arterial street, the design shall incorporate at least three of the following measures to protect residential properties from incompatible land uses, and to ensure separation of through traffic and local traffic: marginal access streets, reverse-frontage lots with lot depth of at least 100 feet, visual barriers, noise barriers, berms, no-access reservations along side and rear property lines, and/or other similar measures proposed by the applicant.*

c. *At the applicant's request, the City may consider design alternatives to subsections (A)(16)(a) and (b) of this section through a discretionary review.*

Staff Finding 30: The application does not contain an intersection of a local residential street with an arterial street and does not abut or contain a major arterial street. The criteria does not apply.

17. *Alleys. Alleys shall be provided in commercial and industrial districts unless other permanent provisions for access to off-street parking and loading facilities are made as approved by the decision-making authority. While alley intersections and sharp changes in alignment should be avoided, the corners of necessary alley intersections shall have radii of not less than 10 feet. Alleys may be provided in residential subdivisions or multifamily projects. The decision to locate alleys shall consider the relationship and impact of the alley to adjacent land uses. In determining whether it is appropriate to require alleys in a subdivision or partition, the following factors and design criteria should be considered: (...)*

Staff Finding 31: The subject lot is residentially zoned and does not contain any commercial or industrial districts. The criteria does not apply.

18. *Sidewalks. Sidewalks shall be installed per CDC 92.010(H), Sidewalks. The residential sidewalk width is six feet plus planter strip as specified below. Sidewalks in commercial zones shall be constructed per subsection (A)(6) of this section. See also subsection C of this section. If part of a discretionary review, sidewalk width may be reduced with City Engineer approval to the minimum amount (e.g., four feet wide) necessary to respond to site constraints such as grades, mature trees, rock outcroppings, etc., or to match existing sidewalks or right-of-way limitations.*

19. *Planter strip. The planter strip is between the curb and sidewalk providing space for a grassed or landscaped area and street trees. The planter strip shall be at least six feet wide to accommodate a fully matured tree without the boughs interfering with pedestrians on the sidewalk or vehicles along the curblane. If part of a discretionary review, planter strip width may be reduced or eliminated, with City Engineer approval, when it cannot be corrected by site plan, to the minimum amount necessary to respond to site constraints such as grades, mature trees, rock outcroppings, etc., or in response to right-of-way limitations.*

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

Staff Finding 32: The existing Ridge Lane frontage along the subject property is unimproved. The applicant will be required to construct half-street improvements along the Ridge Lane frontage that include a new sidewalk, planter strip, a 10ft wide right-of-way dedication, and 22-feet of asphalt along the Ridge Lane frontage. The sidewalk and subsequent street improvements will be reviewed for compliance with the Design Standards of CDC 92.010(H) at the time of permit issuance. The criteria are met.

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

Staff Finding 33: Parcel 1 will be accessed via Rosemont Road and Parcels 2 and 3 will be accessed form Ridge Lane, both of which are public streets. The criteria are met.

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

23. Entryway treatments and street isle design. When the applicant proposes to construct certain walls, planters, and other architectural entryway treatments within a subdivision, the following standards shall apply:

(...)

Staff Finding 34: The applicant does not proposed any gated streets or walls, planters, or any other architectural entryway treatments. The criteria does not apply.

24. Based upon the determination of the City Manager or the Manager's designee, the applicant shall construct or cause to be constructed, or contribute a proportionate share of the costs, for all necessary off-site improvements identified by the traffic impact analysis commissioned to address CDC 85.170(B)(2) that are required to mitigate impacts from the proposed subdivision. The proportionate share of the costs shall be determined by the City Manager or Manager's designee, who shall assume that the proposed subdivision provides improvements in rough proportion to identified impacts of the subdivision. Off-site transportation improvements will include bicycle and pedestrian improvements as identified in the adopted City of West Linn TSP, Figures 6, 7 and 10 and Tables 4 and 6.

Staff Finding 35: No traffic impact analysis was required for the application. The existing Ridge Lane frontage of the subject lot is unimproved, and the applicant will be required to construct half-street improvements along the Ridge Lane frontage.

B. Blocks and lots.

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

2. Sizes.

a. Except as required under subsection (B)(2)(c) of this section, block lengths shall not exceed 800 feet, except for blocks adjacent to arterial streets or unless topographical conditions or the layout of adjacent streets justifies a variation as part of a discretionary review.

b. Designs of proposed intersections shall demonstrate sight distances consistent with the West Linn Public Works Design Standards.

c. Subdivisions of five or more acres that involve construction of a new street shall have block lengths of no more than 530 feet, unless an exception is granted as part of a discretionary review, based on one or more of the following:

(...)

d. If block lengths are greater than 530 feet, accessways on public easements or right-of-way for pedestrians and cyclists shall be provided not more than 330 feet apart.

e. If streets must cross water features protected pursuant to UGMFP Title 3, a crossing must be provided every 800 to 1,200 feet unless habitat quality or the length of the crossing prevents a full street connection.

Staff Finding 36: No new blocks or intersections are proposed and the subject lot is less than five acres. The criteria is not applicable.

3. Lot size and shape. Lot or parcel sizes and dimensions shall conform to the minimum standards of the CDC, unless as allowed by planned unit development (PUD). No lot or parcel shall be dimensioned to contain part of an existing or proposed street. All lots or parcels shall be buildable. "Buildable" describes lots that are free of constraints such as wetlands, drainageways, etc., that would make home construction impossible.

Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use proposed.

Staff Finding 37: The subject lot is in the R-10 zone, which requires a minimum lot size of 10,000 square feet. parcel 1 is proposed to be 15,141 square feet, Parcel 2 is proposed to be 15,479 square feet, and Parcel 3 is proposed to be 20,592 square feet. No parcel contains a part of an existing or proposed street and the parcels are free of constraints such as wetlands, drainageways, or other development restrictions. The criteria are met.

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

Staff Finding 38: Findings for compliance with Chapter 48 of the West Linn CDC can be found earlier in this report – Findings 2 through 16. The criteria are met.

5. Through lots and parcels. Through lots and parcels have frontage on a street at the front and rear property lines. Through lots and parcels shall be avoided except where they are necessary to avoid residential lots with frontage on arterial streets. Additional exceptions may be granted as part of a discretionary review if an applicant proposes through lots to provide separation from adjacent non-residential activities, or to overcome specific disadvantages of topography and orientation. As part of the discretionary review, a planting screen or impact mitigation easement at least 10 feet wide, and across which there shall be no right of access, may be required along the line of building sites abutting such a traffic artery or other incompatible use.

Staff Finding 39: No through lots or parcels are proposed. The criteria are not applicable.

6. Lot and parcel side lines. The side lot lines of lots and parcels shall run at right angles to the street upon which they face, except that on curved streets they shall be radial to the curve.

Staff Finding 40: The existing lot is a double frontage lot with frontage along Rosemont Road and Ridge Lane, and the front and rear lot lines do not run parallel. Due to the existing configuration of the lot and adjacent streets the adherence to right angles for all side lot lines and the street that they face is not feasible. The proposed side lot lines run approximately at right angles to their respective street frontages – Parcel 1 = Rosemont Road, and Parcels 2 and 3 = Ridge Lane – and are consistent with traditional side lot line layouts of other similar lots. The criteria are met.

7. Flag lots. Flag lots are permitted only where it can be shown that there is adequate lot area to divide a property into two or more lots but there is not enough street frontage to meet the standard minimum requirement and where creation of a street is not necessary to meet connectivity standards.
(...)

Staff Finding 41: No flag lot are proposed. The criteria are not applicable.

8. Large lots or parcels. In dividing tracts into large lots or parcels that are more than double the minimum area designated by the zoning district:
- Those lots must be arranged so as to allow further subdivision, and must contain such easements and site restrictions as will provide for extension and opening of future streets where it would be necessary to serve potential lots; or
 - Alternately, in order to prevent further subdivision or partition of oversized and constrained lots or parcels, restrictions may be imposed on the subdivision or partition plat.

Staff Finding 42: The proposed lots are greater than the minimum 10,000 square feet required by the underlying R-10 zone – Parcel 1 = 15,141 square feet, Parcel 2 = 15,479 square feet, and Parcel 3 = 20,594 square feet. The lots are arranged to allow further division and the applicant has stated that the intent of the partition is to configure the lots to allow for development of middle housing at a future date. The criteria are met.

C. Pedestrian and bicycle trails.

- When pedestrian and bicycle accessways are required pursuant to subsection (B)(2)(d) of this section, trails or multiuse pathways shall be installed, consistent and compatible with Federal ADA requirements and with the Oregon Transportation Planning Rule. Trails shall also accommodate bicycle or pedestrian traffic between neighborhoods and activity areas such as schools, libraries, parks, or commercial districts. Trails shall also be required where designated by the Parks Master Plan.
(...)

Staff Finding 43: The West Linn TSP identifies Rosemont Road, between Shannon Lane and Summit Street, as a medium priority bike lane project. The Rosemont Road frontage of the subject lot will not be altered as a part of this application and future construction of the medium priority bike lanes along Rosemont Road will be required by the applicant when access from Rosemont Road is altered or physical development on Parcel 1 is proposed. The criteria are met.

D. Transit facilities.

- The applicant shall consult with Tri-Met and the City Engineer to determine the appropriate location of transit stops, bus pullouts, future bus routes, etc., contiguous to or within the development site. If transit service is planned to be provided within the next two years, then facilities such as pullouts shall be constructed per Tri-Met standards at the time of development. More elaborate facilities, like shelters, need only be built when service is existing. Additional rights-of-way may be required of developers to accommodate buses.
(...)

Staff Finding 44: The proposed three parcel partition will not require installation of a transit stop. The nearest transit stop is located along Rosemont Road near the Salamo Road/Rosemont Road intersection and was added as a transit route in 2024. Currently, there are no plans to add transit service along Rosemont Road. The criteria are not applicable.

E. Grading.

(...)

F. Water.

(...)

G. Sewer.

(...)

Staff Finding 45: Grading plans will be submitted and reviewed at the time of building permit application and will conform to the Uniform Building Code. The subject property is currently served by city water along Rosemont Road and Ridge Lane. The City Engineer has confirmed the system has sufficient volume and pressure to serve proposed Parcels 1, 2, and 3 - (See PD-3) - which will both be metered individually. The site is currently served by an existing sanitary sewer line on Ridge Lane at the southeast corner of the property. The existing line will need to be extended to the proposed parcels to provide sewer access to the proposed lots. – The existing home on Parcel one appears to be on a septic sewer system. If the existing home currently operates on a septic sewer system, the system will be required to be abandoned/decommissioned/removed as part of this application. The project is conditioned to require decommissioning of any septic sewer systems on the subject property prior to final plat approval. As conditioned, the criteria are met.

H. Storm detention and treatment. All proposed storm detention and treatment facilities comply with the standards for the improvement of public and private drainage systems located in the West Linn Public Works Design Standards, as demonstrated by stormwater plan and report stamped by a professional engineer.

Staff Finding 46: The applicant will ensure all storm detention and treatment facilities comply with the West Linn Public Works Design Standards, ensure there will be no adverse off-site impacts caused by development, and that there is sufficient factual data to support the conclusions of the submitted plan per Condition of Approval 2. As conditioned, the criteria are met.

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

Staff Finding 47: The applicant will record a 15' wide private utility easement per Condition of Approval 4 along the easterly lot line of Parcel 3 to serve Parcels 1 and 3. An 8ft wide public utility easement will also be required along the Rosemont Road and Ridge Lane frontages. All utility easements will be required to be recorded on the final plat. As conditioned, the criteria are met.

J. Supplemental Provisions

- 1. Wetland and Natural Drainage Ways.*
- 2. Willamette and Tualatin Greenways.*
- 3. Street trees. Street trees are required as identified in the appropriate section of the municipal code and Chapter 54 CDC.*
- 4. Lighting. All subdivision or alley lights shall meet West Linn Public Works Design Standards.*

Staff Finding 48: The subject property does not have a wetland and is not located in the Willamette or Tualatin River Greenway. Street trees are not required as part of this application. Streetlights are not required as part of this application. The criteria are met.

5. Dedications and exactions.

The City may require an applicant to dedicate land and/or construct a public improvement that provides a benefit to property or persons outside the property that is the subject of the application when the

exaction is roughly proportional. No exaction shall be imposed unless supported by a determination that the exaction is roughly proportional to the impact of development.

Staff Finding 49: The applicant will be required to construct half-street street improvements along the Ridge Lane frontage in addition to dedicating a 10ft wide strip of frontage along Ridge Lane to align with the existing right-of-way east of the property.

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

Staff Finding 50: The proposal must meet three criteria for an exemption from undergrounding existing overhead utilities. The proposal meets Criteria 1 as adjacent properties have above-ground utilities and Criteria 2 as the Rosemont Road frontage is less than 200-feet (160 feet) and the Ridge Lane frontage is also less than 200-feet (157 feet). The proposal does not meet Criteria 3 as it is greater than one-acre (50,683 sq. ft.). However, overhead utilities along Ridge Lane are on the southside so not the responsibility of the applicant and the City finds the impacts from a three-parcel partition are not roughly proportional to the cost of undergrounding 160 linear feet of utilities along Rosemont Road. No undergrounding of utilities is required. The applicant proposes all utility services to new dwelling units to be underground. The criteria are met.

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

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

Staff Finding 51: The subject property is 53,383 square feet and is zoned R-10, which requires a minimum of 10,000 square feet per parcel. The maximum number of parcels that can be created from the subject property is five (53,383/10,000). The proposed lot division will create three total lots, equaling less than 70% the density of the maximum density allowed. Parcel 3 could be divided in the future into two lots, thereby creating 4 total lots from the subject lot and equaling greater than the 70% of the maximum density allowed ($5 / 4 = 80\%$). The criteria are met.

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

Staff Finding 53: The property is not zoned R-2.1 or R-3; the criteria is not applicable.

9. *Heritage trees/significant tree and tree cluster protection. All heritage trees, as defined in Section 8.710 of the municipal code, shall be protected. If requested by the applicant, diseased heritage trees, as determined by the City Arborist, may be removed. Significant trees and significant tree clusters, as defined in CDC 2.030, shall be protected pursuant to CDC 55.100(B)(2) or 55.105(B)(2), as applicable.*

Staff Finding 54: There are no heritage trees on the subject site. The applicant proposes to remove seven non-significant trees at the rear property line near Ridge Lane and protect 3 other trees on the property. The criteria are met.

V. CHAPTER 92, REQUIRED IMPROVEMENTS

92.020 IMPROVEMENTS IN PARTITIONS

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

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

Staff Finding 55: The applicant will construct half-street improvements along the Ridge Lane frontage. Rosemont Road frontage will not be required to be improved as a part of this application, however, future development on the proposed parcels and any additional dwelling unit access or access changes to Rosemont will trigger Rosemont Road improvements that will include curb/gutter, six-foot sidewalk, six-foot planter strip, 22-foot of full depth asphalt and aggregate base. Future improvements to Rosemont Road will also require meeting the West Linn Public Works Design Standards for access spacing along a Collector Street. As conditioned, the criteria are met.

EXHIBIT PD-5 - AFFIDAVIT AND NOTICE PACKET



NOTICE OF UPCOMING DIRECTOR DECISION FILE NO. ELD-26-05

The City of West Linn has received a complete application (ELD-26-05) proposing a 3-lot subdivision at 4032, 4036, and 4038 Ridge Lane (Tax Lot 21E25CA01500). The application is being processed under the expedited land division rules found in Oregon Revised Statute (ORS) 197A.140-142.

The Director will make the decision based on the criteria found in ORS 92.031 and ORS 197A.140-142. Appeals will follow the rules of ORS 197A.140-142.

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 8:00am 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 June 22, 2026. Written comments can be submitted to agudelj@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 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 Director to respond to the issue.

For additional information, please contact Aaron Gudelj, Associate Planner, at City Hall, 22500 Salamo Road, West Linn, OR 97068, or 503-742-6057 or agudelj@westlinnoregon.gov.

Scan this QR Code to go to Project Web Page:



Mailed: 6/5/26



**NOTICE OF UPCOMING
PLANNING DIRECTOR DECISION**

**PROJECT # ELD-26-05
MAIL: 06/04/2026 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.

**AFFIDAVIT OF NOTICE
PLANNING DIRECTOR DECISION**

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

PROJECT

File No.: **ELD-26-05**

Applicant's Name: **Alec Shah, Shah Homes, LLC**

Development Name: **4032, 4036, and 4038 Ridge Lane**

Scheduled Decision Date: **after June 22, 2026**

MAILED NOTICE

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

Alec Shah, Shah Homes, LLC; applicant	06/05/26	<i>Lynn Schroder</i>
Rick Givens; applicant representative	06/05/26	<i>Lynn Schroder</i>
WLWL SD	06/05/26	<i>Lynn Schroder</i>
Clackamas County	06/05/26	<i>Lynn Schroder</i>
TVF&R	06/05/26	<i>Lynn Schroder</i>
PGE	06/05/26	<i>Lynn Schroder</i>
Trimet	06/05/26	<i>Lynn Schroder</i>
Comcast	06/05/26	<i>Lynn Schroder</i>
NW Natural	06/05/26	<i>Lynn Schroder</i>
Property owners within 500ft of the site perimeter	06/05/26	<i>Lynn Schroder</i>

EMAILED NOTICE

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

Parker Crest Neighborhood Association	06/05/26	<i>Lynn Schroder</i>
Alec Shah, Shah Homes, LLC; applicant	06/05/26	<i>Lynn Schroder</i>
Rick Givens, applicant consultant	06/05/26	<i>Lynn Schroder</i>
Metro	06/05/26	<i>Lynn Schroder</i>
Staffor CPO	06/04/26	<i>Lynn Schroder</i>

WEBSITE

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

06/05/26	<i>Lynn Schroder</i>
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FINAL DECISION

Notice of Final Decision was sent to the **applicant** (ORS 197A.140 and CDC 99.080), and posted on the City's website.

08/05/2026	<i>Lynn Schroder</i>
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ELD-26-05 – Properties within 100 feet of Tax Lot 21E25CA01500 (1470 Rosemont)

