



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

[www.lcd.state.or.us](http://www.lcd.state.or.us)

## NOTICE OF ADOPTED AMENDMENT

October 31, 2008

TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of West Linn Plan Amendment  
DLCD File Number 006-08



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: November 12, 2008**

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Jennifer Donnelly, DLCD Regional Representative  
Bill Holmstrom, DLCD Transportation Planner  
Peter Spir, City of West Linn

<paa> ya/phone

**FORM 2**

DEPT OF

**DLCD NOTICE OF ADOPTION**

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18

OCT 23 2008

LAND CONSERVATION  
AND DEVELOPMENT

(See reverse side for submittal requirements)

Jurisdiction: CITY OF WEST LINN Local File No.: ZU-08-01  
(If no number, use none)

Date of Adoption: OCTOBER 22, 2008 Date Mailed: OCTOBER 22, 2008  
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: JULY 23, 2008

- Comprehensive Plan Text Amendment
- Comprehensive Plan Map Amendment
- Land Use Regulation Amendment
- Zoning Map Amendment
- New Land Use Regulation
- Other: \_\_\_\_\_

(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write ASee Attached.≡

CHANGE ZONE FROM R-10 TO R-4.5  
CHANGE PLAN DESIGNATION FROM LOW TO MEDIUM  
DENSITY RESIDENTIAL FOR PROPERTY AT  
18270/18430 WILLAMETTE DR. & 18395 SHADY HOLLOW WAY

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write ASame.≡ If you did not give notice for the proposed amendment, write AN/A.≡

SAME

Plan Map Changed from : LOW DENSITY to MEDIUM DENSITY

Zone Map Changed from: R-10 to R-4.5

Location: 18270/18430 WILLAMETTE DR Acres Involved: 2.08  
18395 SHADY HOLLOW WAY

Specify Density: Previous: 4.3 du/ac New: 9.68 du/ac

Applicable Statewide Planning Goals: 10 (HOUSING)

Was an Exception Adopted? Yes:  No:

DLCD File No.: 006-08 (17034)

Did the Department of Land Conservation and Development **receive** a notice of Proposed Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing**. Yes:  No:

If no, do the Statewide Planning Goals apply. Yes:  No:

If no, did The Emergency Circumstances Require immediate adoption. Yes:  No:

Affected State or Federal Agencies, Local Governments or Special Districts: ODOT

Local Contact: PETER SPIR Area Code + Phone Number: 503-656-4211

Address: 22500 SALAMO RD. City: WEST LINN

Zip Code+4: 97034 Email Address: PSPIR@WESTLINNOREGON.GOV

### ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:  
**ATTENTION: PLAN AMENDMENT SPECIALIST**  
**DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT**  
**635 CAPITOL STREET NE, SUITE 150**  
**SALEM, OREGON 97301-2540**
2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the ANotice of Adoption is sent to DLCD.
6. In addition to sending the ANotice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to Larry.French@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 1518  
WEST LINN, OREGON

**AN ORDINANCE APPROVING THE ZONE CHANGE FROM R-10 TO R-4.5 AND A COMPREHENSIVE PLAN  
MAP CHANGE FROM LOW TO MEDIUM DENSITY RESIDENTIAL FOR TAX LOTS 1100, 1200 and 1500  
COUNTY ASSESSOR'S MAP 21E-14DB**

**WHEREAS**, the applicant sought a zone change from R-10 to R-4.5 and a Comprehensive Plan map change from low to medium density residential for three properties at the northeast corner of Shady Hollow Way and Willamette Drive; and,

**WHEREAS**, the Community Development Code Chapter 105 provides the approval criteria for a zone and plan map change; and,

**WHEREAS**, the City provided quasi-judicial notice pursuant to CDC Chapter 99; and,

**WHEREAS**, the West Linn Planning Commission held a public hearing on September 17, 2008 and made a recommendation of approval with conditions; and,

**WHEREAS**, West Linn City Council held a public hearing on October 13, 2008, and after adopting findings of fact and conclusions in the record to justify its decision,

**NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AS FOLLOWS:**

The requested rezone and plan map change is approved for tax lots 1100, 1200, and 1500 of Assessor's Map 21E-14DB. These lots will now be zoned R-4.5 and the Comprehensive Plan Map will be amended to show medium density residential for these parcels.

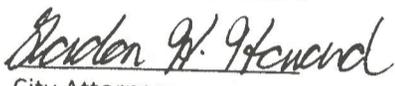
Further, that the following conditions shall apply:

1. The property within the rezone area cannot be developed for non-residential uses.
2. The units shall be limited to single family attached, duplex or detached single family residential configuration only. Triplex or other configurations with more attached units are not permitted.
3. A 25 foot wide buffer shall be provided between buildings on the project site and the properties at 18194 and 18200 Shady Hollow Way.
4. The City of West Linn shall amend its zoning map and shall identify the three lots on the face of the map as "R-4.5-COND." which will identify or "red flag" the fact that conditions have been imposed which limit the allowable uses of the R-4.5 zone. Additionally, conditions 1, 2 and 3 shall be recorded with the deed.

PASSED AND APPROVED THIS 13th DAY OF OCTOBER 2008.

  
MICHELE S. EBERLE, COUNCIL PRESIDENT

ATTEST:  
  
Witness

APPROVED AS TO FORM:  
  
City Attorney

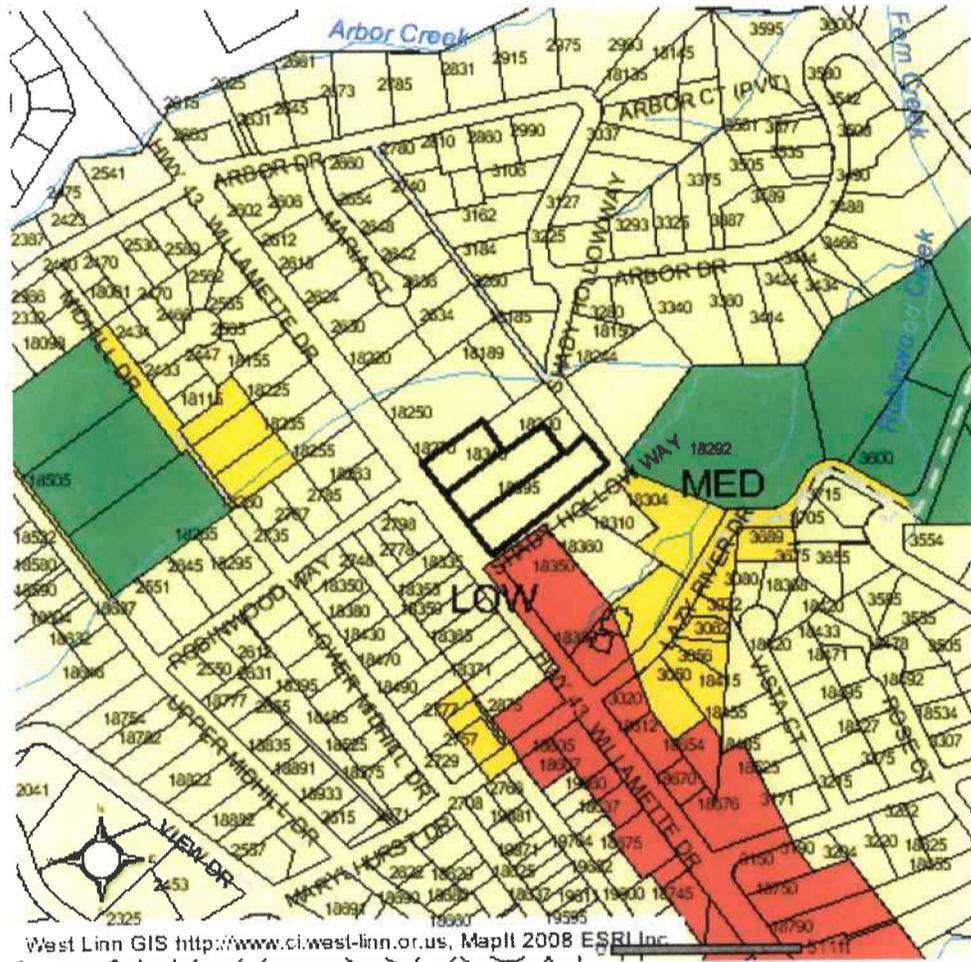
Devrev-Ordinance2008-ZC-08-01-SHADYHOLLOW

ORD. \_\_\_\_\_

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# COMPREHENSIVE MAP

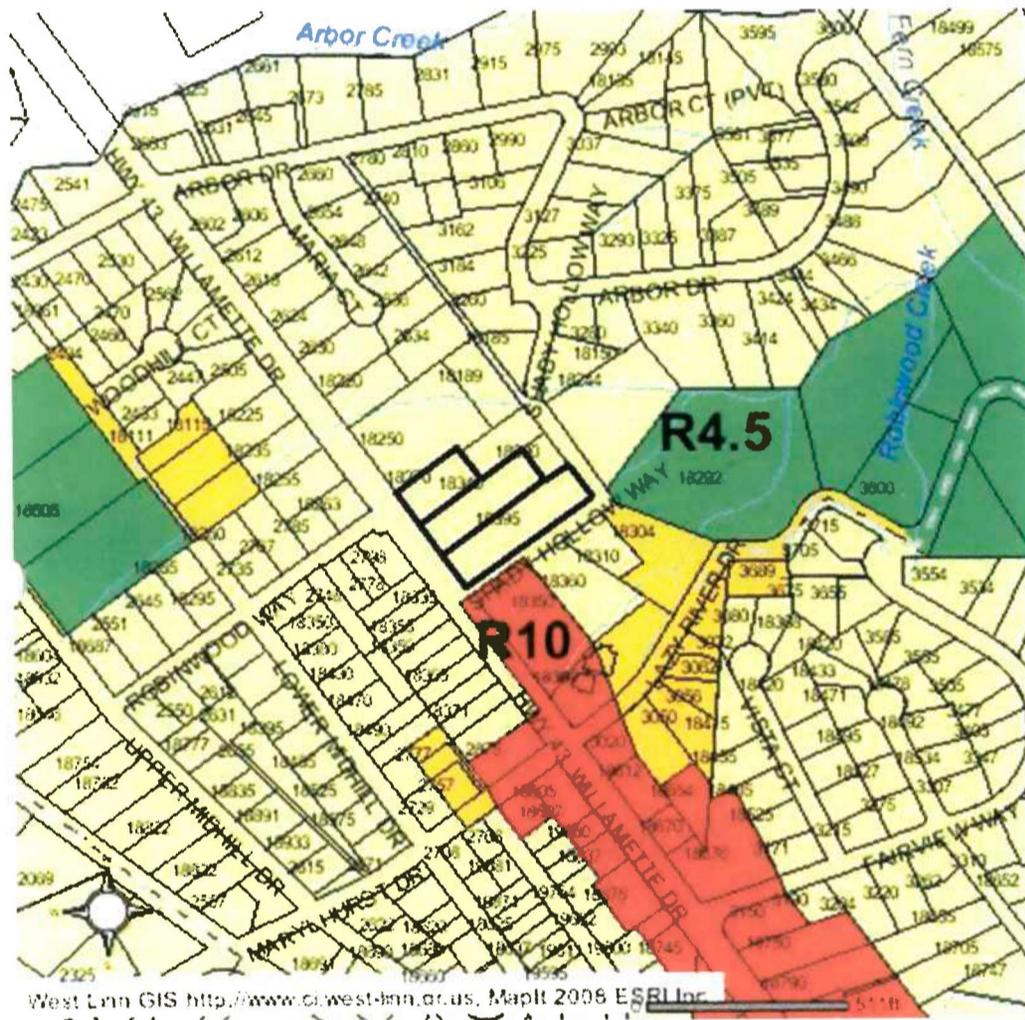
18395 Shady Hollow Way and  
18270 & 18430 Willamette Drive, West Linn, Oregon



- Legend**
- Address Numbers
  - Taxlot Base, Co. GIS
  - Prelim. Taxlots
  - Unimp. ROW
  - Freeway
  - Private Access
  - Ponds
  - Creeks
  - Rivers
  - Parks
  - Openspace
  - Comp Plan
  - COMM Commercial
  - IND Industrial
  - LOW Low Density
  - MED Medium Density
  - MED/HIGH Medium/High Density
  - MJ Mixed Use
  - City Limits

# ZONING MAP

**18395 Shady Hollow Way and  
18270 & 18430 Willamette Drive, West Linn, Oregon**



- Legend**
- Address Numbers
  - Taxlot Base, Co. GIS
  - Prelim. Taxlots
  - Unimp. ROW
  - Freeway
  - Private Access
  - Ponds
  - Creeks
  - Rivers
  - Parks
  - Openspace
  - Zoning
  - CI General Industrial
  - FJ 10 Future Urban
  - GC General Commercial
  - GI General Industrial
  - MJ Mixed Use
  - NC Neighborhood Commercial
  - OBC Office Business Center
  - R 10 Single Family Residential Detached
  - R 15 Single Family Residential Detached
  - R 2.1 Single Family and Multiple Family Residential
  - R 20 Single Family Residential Detached
  - R 3 Single Family and Multiple Family Residential
  - R 4.5 Single Family Residential Detached and Attached Duplex
  - R 40 Single Family Residential Detached
  - R 5 Single Family Residential Detached and Detached Duplex
  - R 7 Single Family Residential Detached and Attached
  - City Limits

West Linn GIS <http://www.ci.west-linn.or.us>, MapIt 2006 ESRI Inc.



Planning and Building  
22500 Salamo Road, #1000  
West Linn, OR 97068

**TO:**

DLCD  
Attention: Plan Amendment  
635 Capitol Street NE, Suite 150  
Salem OR 97301-2540

FIRST CLASS MAIL