



22500 Salamo Road
West Linn, Oregon 97068
<http://westlinnoregon.gov>

WEST LINN CITY COUNCIL MEETING MINUTES October 14, 2025

[Pre-Meeting](#)

[Call to Order and Pledge of Allegiance \[6:00 pm/5 min\]](#)

Council Present:

Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Staff Present:

City Manager John Williams, City Attorney Kaylie Klein, City Recorder Kathy Mollusky, Planning Manager Darren Wyss, and Public Works Director Erich Lais.

[Approval of Agenda \[6:05 pm/5 min\]](#)

Council President Mary Baumgardner moved to approve the agenda, with the change of removing Item 4B, for the October 14, 2025, West Linn City Council Meeting. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Public Comment \[6:10 pm/10 min\]](#)

There were none.

[Mayor and Council Reports \[6:20 pm/15 min\]](#)

[Reports from Community Advisory Groups](#)

Council President Baumgardner attended the Indigenous Peoples Day celebration at Clackamas Community College.

Mayor Bialostosky stated Council had a busy week last week with the Work Session on Tuesday, the Budget outlook and staffing needs with City staff and Council. He is looking forward to next steps.

Councilor Bonnington reminded everyone that the Parks Fall Fest is Saturday at Mary S. Young. He attended the Oregon Main Street conference last week. We won an award celebrating the partnership of Historic Willamette Main Street and the City. He toured Albany; they have restored a lot of historic assets and improved their parks.

[Picture of Trophy](#)

~~[b. Appoint Community Advisory Group Member](#)~~

This item was removed from the agenda during approval of the agenda.

[Oregon City-West Linn Rivalry Day Proclamation \[6:35 pm/5 min\]](#)

[Proclamation](#)

Mayor Bialostosky read the Oregon City-West Linn Rivalry Day Proclamation declaring October 31, 2025, Oregon City-West Linn Rivalry Day.

[Consent Agenda \[6:45 pm/5 min\]](#)

[Agenda Bill 2025-10-14-01: Meeting Minutes for September 8, 2025 Council Meeting](#)

[Draft Minutes Information](#)

Council President Mary Baumgardner moved to approve the Consent Agenda for the October 14, 2025, West Linn City Council Meeting which includes the September 8, 2025, meeting minutes. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Business Meeting \[6:50 pm/75 min\]](#)

[Agenda Bill 2025-10-14-02: Public Hearing: ORDINANCE 1763, ADOPTING TEXT AMENDMENTS TO THE WEST LINN COMMUNITY DEVELOPMENT CODE CHAPTERS 2, 5, 24, 55, 85, AND 99 TO UPDATE LANGUAGE TO BE CLEAR AND OBJECTIVE FOR MINIMUM/MAXIMUM DENSITY CALCULATIONS, MINIMUM DENSITY EXEMPTIONS, AND SHAPE OF NEWLY CREATED LOTS](#)

[ORD 1763 Information](#)

Mayor Bialostosky called the legislative public hearing on CDC-25-01, a proposal to amend Chapters 2, 5, 24, 55, 85, and 99 of the Community Development Code to order. The proposed amendments will update language to be clear and objective for Minimum/Maximum Density Calculations, Minimum Density Exemptions, and Shape of Newly Created Lots. He explained how the hearing would proceed.

City Attorney Klein explained the Council's decision must be based on 1) the statewide planning goals and administrative rules adopted under ORS Chapter 197; 2) applicable federal or state statutes or rules; 3) applicable plans and rules adopted by Metro; and 4) on the City's comprehensive plan and development code. Any party with standing may appeal the decision of the City Council to the State Land Use Board of Appeals.

None of the Council Members have any Conflicts of interest.

Planning Manager Wyss gave the Staff Report.

[Presentation](#)

There was no public comment nor was any written comments received.

Mayor Bialostosky closed public hearing.

Council President Mary Baumgardner moved to approve First Reading for Ordinance 1763, adopting text amendments to the West Linn Community Development Code Chapters 2, 5, 24, 55, 85, and 99 to update language to be clear and objective for minimum/maximum density calculations, minimum density exemptions, and shape of newly created lots, and set the matter for Second Reading. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

Council President Mary Baumgardner moved to approve Second Reading for Ordinance 1763, adopting text amendments to the West Linn Community Development Code Chapters 2, 5, 24, 55, 85, and 99 to update language to be clear and objective for minimum/maximum density calculations, minimum density exemptions, and shape of newly created lots, and adopt the ordinance. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Agenda Bill 2025-10-14-03: RESOLUTION 2025-14, APPROVING THE ACQUISITION OF REAL PROPERTY, TAX LOTS 21 E26D 00907 AND 21E 36BA 04000, IN WEST LINN, OREGON](#)

[RES 2025-14 Information](#)

Public Works Director Lais gave the staff presentation.

[Presentation](#)

In response to Council questions, staff responded:

- There were no bids on the property, \$11,682 was the starting bid from the County.
- Planning staff said there was some interest in the land use of the property.
- People might be interested until they look at the property. It isn't developable, it's a drainage, wetland area. County Counsel has tons of properties and they use a metric for calculating the opening bid, they have not actually surveyed the property so the opening \$11K is much higher than the actual going rate.
- The City does not have to indemnify the county and stand in their shoes. Staff will ensure that language is provided in the document and will review the bidding documents in advance to ensure that language is in writing.
- The City does have two 15' stormwater easements that are recorded. We have legal rights to that which empty into this property. We could assert that we have control over those and this is essential to their function. It is unlikely that anyone would bid on this property. The City does have condemnation authority to compensate the owner for the value of that property and take it for the required use.
- The class action is very broad. Counties were selling the properties for more than the back taxes and keeping the money. Prior property owners are bringing a lawsuit to recover those funds.
- If they were to purchase this other property, it would need to be right-of-way and turned back over to the City. The price for the 1/4 acres is \$1,100. We have seen a couple of proposals

of how they would lay out the cite from Icon, we do not believe anyone has the property under contract at this time. This is why the idea of purchasing this parcel came up.

- Staff asked Clackamas if they were interested in selling the property and Clackamas said yes. Under normal circumstances, the County would sell it to the City. The issue is it is subject to a class action suit. The best way to buy this property is to go through the auction, it is cleaner for the City.

Council President Mary Baumgardner moved to adopt Resolution 2025-14, approving the acquisition of real property, tax lots 21 E26D 00907 and 21E 36BA 04000, in West Linn, Oregon. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[City Manager Report \[8:05 pm/5 min\]](#)

City Manager Williams went over the upcoming meeting's agenda items. Staff are working on the budget assignments. Council came up with three categories: service, infrastructure, and amenities. The next step are the needs with a dollar amount next to them, funding sources, and timelines for developing funding sources. Staff expects to have this by end of next week to have a document that would be a basis for a good discussion.

Council would like to have another work session outside of a regular Council Meeting for this discussion.

City Manager Williams stated it is possible this could carry into Council's goal setting for next year. This facilitator does goal setting and could weave these together in early January. He went over a couple of upcoming holiday events and let Council know there is a coalition of business owners on Main Street working to bring back the street dance in August 2026.

Council directed staff to schedule an executive session to conduct the City Manager's evaluation.

[Adjourn \[8:10 pm\]](#)

Minutes Approved 11-18-25.



22500 Salamo Road
West Linn, Oregon 97068
<http://westlinnoregon.gov>

CITY COUNCIL AGENDA

Tuesday, October 14, 2025

5:30 p.m. – Pre-Meeting – Bolton Room & Virtual*

6:00 p.m. – Business Meeting – Council Chambers & Virtual*

1. Call to Order and Pledge of Allegiance [6:00 pm/5 min]
2. Approval of Agenda [6:05 pm/5 min]
3. Public Comment [6:10 pm/10 min]

The purpose of Public Comment is to allow the community to present information or raise an issue regarding items that do not include a public hearing. All remarks should be addressed to the Council as a body. This is a time for Council to listen, they will not typically engage in discussion on topics not on the agenda. Time limit for each participant is three minutes, unless the Mayor decides to allocate more or less time. Designated representatives of Neighborhood Associations and Community Advisory Groups are granted five minutes.

4. Mayor and Council Reports [6:20 pm/15 min]
 - a. Reports from Community Advisory Groups
 - b. Appoint Community Advisory Group Member
5. Oregon City-West Linn Rivalry Day Proclamation [6:35 pm/5 min]
6. Consent Agenda [6:45 pm/5 min]

The Consent Agenda allows Council to consider routine items that do not require a discussion. An item may only be discussed if it is removed from the Consent Agenda. Council makes one motion covering all items included on the Consent Agenda.

- a. Agenda Bill 2025-10-14-01: Meeting Minutes for September 8, 2025 Council Meeting
7. Business Meeting [6:50 pm/75 min]

Persons wishing to speak on agenda items shall complete the form provided in the foyer and hand them to staff prior to the item being called for discussion. A separate slip must be turned in for each item. The time limit for each participant is three minutes, unless the Mayor decides to allocate more or less time. Designated representatives of Neighborhood Associations and Community Advisory Groups are granted five minutes.

- a. Agenda Bill 2025-10-14-02: **Public Hearing:** ORDINANCE 1763, ADOPTING TEXT AMENDMENTS TO THE WEST LINN COMMUNITY DEVELOPMENT CODE CHAPTERS 2, 5, 24, 55, 85, AND 99 TO UPDATE LANGUAGE TO BE CLEAR AND OBJECTIVE FOR MINIMUM/MAXIMUM DENSITY CALCULATIONS, MINIMUM DENSITY EXEMPTIONS, AND SHAPE OF NEWLY CREATED LOTS
- b. Agenda Bill 2025-10-14-03: RESOLUTION 2025-14, APPROVING THE ACQUISITION OF REAL PROPERTY, TAX LOTS 21 E26D 00907 AND 21E 36BA 04000, IN WEST LINN, OREGON

8. City Manager Report

[8:05 pm/5 min]

9. Adjourn

[8:10 pm]

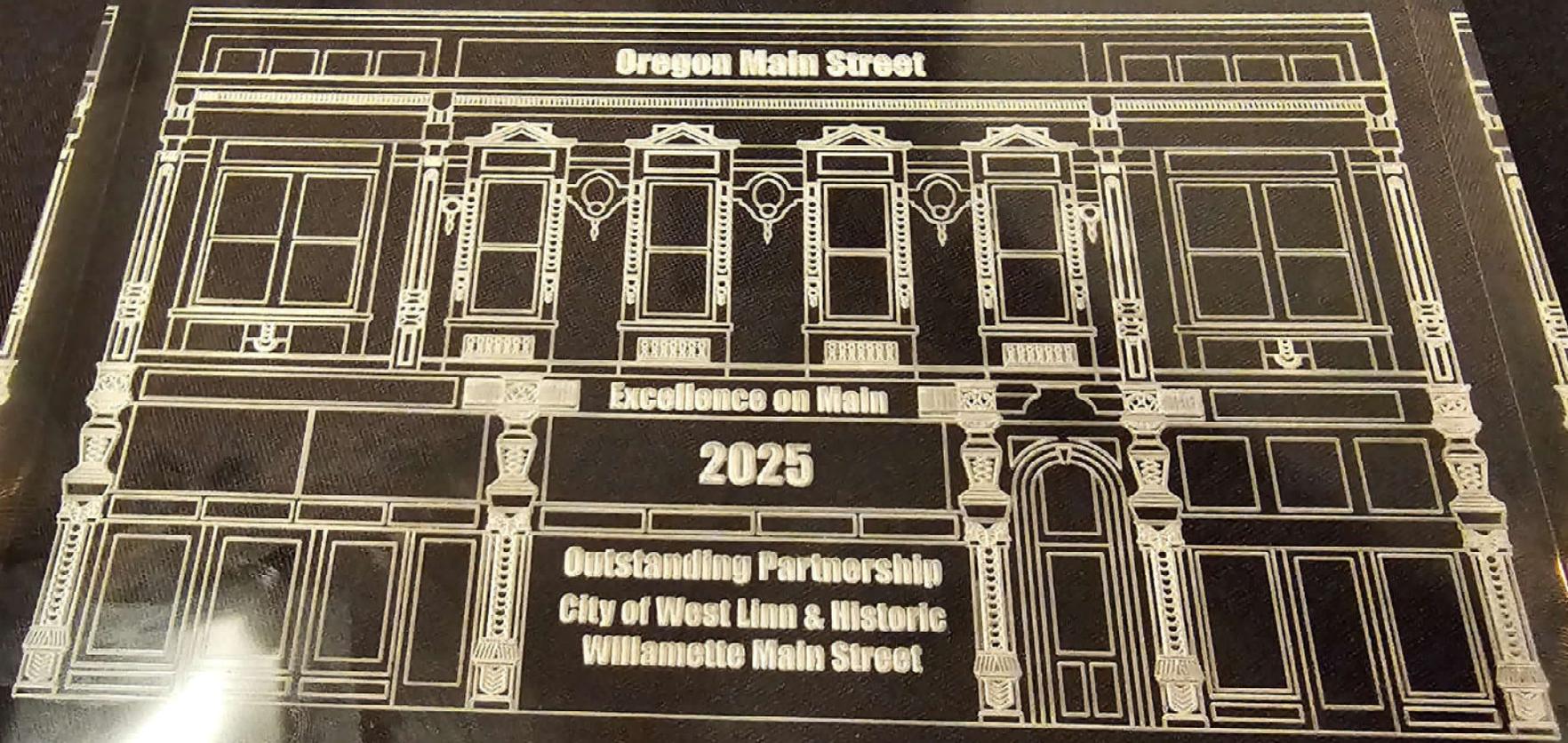
2025
EGON
STREET

Oregon Main Street

Excellence on Main

2025

**Outstanding Partnership
City of West Linn & Historic
Willamette Main Street**



PROCLAMATION

“Oregon City - West Linn Rivalry Day”

Whereas, the Cities of Oregon City and West Linn wish to recognize the efforts of their community members to create and maintain a positive family environment where children can learn the value of constructive competition; and

Whereas, the Cities of Oregon City and West Linn value tradition and history as essential parts of their communities; and

Whereas, Oregon City High School and West Linn High School, formerly known as Union High School, have competed valiantly in the sport of football continuously since 1921 (except during the pandemic of 2020); and

Whereas, on October 31, 2025, the teams representing these schools will renew their annual rivalry for the 105th time; and

Whereas, this is the longest continuously-played rivalry west of the Mississippi and therefore worthy of recognition; and

Whereas, the City Commission of Oregon City desires that the Pioneers again defeat the Lions and the City Council of West Linn desires that the Lions again defeat the Pioneers.

Now Therefore, we, the City Commission of Oregon City and the City Council of West Linn, hereby recognize and commend all community members who have participated in this annual gridiron classic and support the efforts of the current teams by proclaiming October 31, 2025, to be “Oregon City-West Linn Rivalry Day.” We further recommend, in the spirit of the day, that all community members wear clothing of the appropriate colors, and refrain from crossing the river, unless business requires, until game time.

The Honorable Denyse McGriff, Mayor
City of Oregon City

The Honorable Rory Bialostosky, Mayor
City of West Linn

October 2025

Agenda Bill 2025-10-14-01

Date: October 6, 2025

To: Rory Bialostosky, Mayor
Members, West Linn City Council

From: Kathy Mollusky, City Recorder *KM*

Through: John Williams, City Manager *JRW*

Subject: Draft Meeting Minutes

Purpose: Approval of City Council Meeting Minutes.

Question(s) for Council:

Does Council wish to approve the attached City Council Meeting Minutes?

Public Hearing Required: None required.

Background & Discussion:

The attached City Council Meeting Minutes are ready for Council approval.

Budget Impact: N/A

Sustainability Impact:

Council continues to present its meeting minutes online, reducing paper waste.

Council Options:

1. Approve the Council Meeting Minutes.
2. Revise and approve the Council Meeting Minutes.

Staff Recommendation:

Approve Council Meeting Minutes.

Potential Motions:

Approving the Consent Agenda will approve these minutes.

Attachments:

1. September 8, 2025, Council Meeting Minutes



CITY OF
West Linn

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WEST LINN CITY COUNCIL MEETING MINUTES September 8, 2025

[Pre-Meeting](#)

[Call to Order and American Heritage Honor Guard Presentation of Colors](#)

Council Present:

Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Staff Present:

City Manager John Williams, City Attorney Kaylie Klein, City Recorder Kathy Mollusky, Parks & Recreation Director Megan Big John, and Public Works Director/City Engineer Erich Lais.

[Approval of Agenda \[6:10 pm/5 min\]](#)

Councilor Carol Bryck moved to approve the agenda for the September 8, 2025, West Linn City Council Meeting Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Public Comment \[6:15 pm/10 min\]](#)

Dean Suhr reminder regarding 9-11 Honoring those who serve ceremony.

[Mayor and Council Reports \[6:25 pm/30 min\]](#)

[Reports from Community Advisory Groups](#)

Mayor Bialostosky attended the Stafford Hamlet event along with other elected. It is an important group for the future of the Stafford area.

Councilor Groner stated the Arts & Culture Commission is finishing the work required on the bike kiosk. They discussed a paper mill sculpture stating the one in the park is taped off. The Library Advisory Board decided the library is going to be fine free. They examined neighboring districts and believe fines are a burden and embarrassment and there is no evidence it makes people return books sooner. The Sustainability Advisory Board talked about Electrical Vehicle charging stations and their price and gas-powered leaf blowers. The Tualatin Riverkeepers invited people to a trip up the Tualatin River.

Councilor Bonnington said the Economic Development Committee asked members what they thought they would be doing when they signed up for this committee which is what drove the edits to the work plan. Everyone is excited about the future of that group.

[League of Oregon Cities Voting Delegate](#)

Councilor Carol Bryck moved to Nominate Councilor Groner to be the voting delegate and Councilor Bonnington to be the alternate at the LOC Conference. Council President Mary Baumgardner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Oppenlander and Parks Discussion](#)

Mayor Bialostosky wants to gauge Council's interest in continuing efforts to acquire park space at Oppenlander after the school district sold the property to Icon Construction. Icon has approached the City about potential collaboration, but the Mayor wanted to confirm whether at least three Council members supported pursuing the opportunity before dedicating further staff time.

Key Points:

- **Background:**
 - City previously tried to acquire the property with a partner (Icon) but the timing was rushed due to the closing date.
 - Icon won the right to purchase the property, have entered into contract negotiations with the school district and are now open to discussions about reserving space for a City park.
 - The Lions Club currently stores equipment at Oppenlander.
- **Public Comment & Input:**
 - **Harlan Borow (Icon):** In contract negotiations with the school district. Willing to work with the City on park space.
 - **Dean Suhr (Friends of Oppenlander):** Community values fields, trees, and wildlife. Oppenlander provides rare senior ballfields. Previous bond was tied to 10 acres; a new bond would be needed for a smaller park. Community support uncertain but possible with outreach.
- **Council & Staff Discussion:**
 - **Council President Baumgardner & Councilor Groner:** Don't want to walk away after so much work; support continued exploration.
 - **Councilor Bonnington:** Open space or less costly amenities (walking paths, trees) might be more practical than a full ballfield. Concerned about cost and national economic conditions.
 - **Councilor Bryck:** Supports exploring opportunities, even if it's just open space.
 - **Mayor Bialostosky:** Encourages community engagement to decide on priorities (ballfields, trees, open space, etc.).
 - **Parks & Recreation Director Big John:** Current configuration too small for a proper senior ballfield with parking. Other options include a neighborhood park, turf, dog park, or multi-use fields. Maintenance costs and staffing must be considered.
 - **City Manager Williams:** Important to clarify Council's interest level for discussions with Icon. Notes ongoing costs and broader financial responsibilities for the City.

Council Consensus:

All Council members expressed interest in continuing to explore a partnership with Icon and engaging the community about possible uses of the space. There is recognition that not all desired amenities can fit, and trade-offs will be necessary.

Next Steps:

- Begin community engagement and stakeholder meetings (including baseball groups).
- Explore design options and costs.
- Consider potential for a future bond measure.

- Respond back to Icon with the City's interest and priorities.

Overall:

The Council signaled support for moving forward with exploring park space at Oppenlander in collaboration with Icon, while recognizing the need for community input, design feasibility, and financial planning.

[Consent Agenda \[6:55 pm/5 min\]](#)

Agenda Bill 2025-09-08-01: Meeting Minutes for August 4, 2025 Council Meetings

[Draft Minutes Information](#)

Councilor Carol Bryck moved to approve the Consent Agenda for the September 8, 2025, West Linn City Council Meeting which includes the August 4, 2025, meeting minutes. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Business Meeting \[7:00 pm/90 min\]](#)

Agenda Bill 2025-09-08-02: Public Hearing: RESOLUTION 2025-11, REVISING THE SANITARY SEWER SYSTEM DEVELOPMENT CHARGES

[RES 2025-11 Information](#)

Public Works Director/City Engineer Lais explained System Development Charges (SDCs) are onetime charges paid at the time of new construction or redevelopment. Periodically, the City contracts with a financial consultant who specializes in SDC charges to review the SDC fees. With the middle housing mandates, it was decided the City needed to get into the methodology of where these SDCs should be. The City contracted with FCS Group to review the fee schedule. Due to West Linn's status of being mostly built out and mostly smaller infill lot partitions, the City's SDC calculations determined they should decrease as future demand on the sewer infrastructure is minimal. The current fees are \$4,996 and they are proposed to be reduced to \$1,094.

Mayor Bialostosky opened the public hearing. No public comment. Mayor Bialostosky closed the public hearing.

Councilor Carol Bryck moved to approve and adopt the proposed updated Sanitary Sewer System Development Charge methodology and fee via Resolution 2013-19 revising the sanitary sewer system development charges. Councilor Leo Groner seconded the motion.

Councilor Bryck stated some community members may say costs are going up everywhere, how can costs go down. When the system was built, it was built for the capacity needed. Now, the system is built out so new people will be using up the capacity, so they will be paying a reimbursement.

Mayor Bialostosky stated the City can change fees if the boundaries change, if system demand increases - not that anything is in the works in immediate future.

Councilor Bryck stated that could pertain to planning projects going through, like the waterfront and Vision43. Should any of those code or zone changes cause a bigger increase in our needs, we can revisit this.

Mayor Bialostosky stated people always say the fees are high so it's nice to see that we are taking action to reduce them.

Director Lais added projects eligible for SDC are restrictive. For example, the \$2.5 million Calaroga sewer pump station that was just completed was not eligible for SDC. The City will continue doing what we can for sanitary sewer capital improvements. It is never good to acquire less money; however, the City will be fine.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Agenda Bill 2025-09-08-03: RESOLUTION 2025-12, REVISING FEES AND CHARGES AS SHOWN IN ATTACHMENT A AND UPDATING THE MASTER FEES AND CHARGES DOCUMENT OF THE CITY OF WEST LINN RELATED TO SEWER SYSTEM DEVELOPMENT CHARGES \(SDCS\)](#)
[RES 2025-12 Information](#)

Mayor Bialostosky stated the City has to adopt changes to the Master Fees & Charges document due to the SDC fees changing.

Councilor Carol Bryck moved to adopt Resolution 2025-12, revising fees and charges as shown in attachment A and updating the master fees and charges document of the city of West Linn related to sewer system development charges (SDCs). Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Agenda Bill 2025-09-08-04: ORDINANCE 1765, AMENDING WEST LINN MUNICIPAL CODE CHAPTER 8 RELATING TO THE COMMUNITY TREE CODE](#)

[ORD 1765 Community Tree Ordinance and Tree Manual Information](#)

Director Big John reminded everyone the goal for these updates for legal compliance, administrative consistency, public safety, and operational efficiency. Staff did outreach, talked with the neighborhood associations and Community Advisory Groups, and received great feedback for future code updates.

City Attorney Klein found a typo. Section 8.620(2)(b)(1) should read, in Section 8.630(A)(a through j). There is an inadvertent lower-case m that needs to be deleted. With regards to heritage trees, those amendments are shown in Exhibit A to reflect the work session changes.

Mayor Bialostosky reminded everyone this is not related to tree protection and development, that is a separate area of code and is on the planning docket.

Councilor Carol Bryck moved to approve First Reading for Ordinance 1765, amending West Linn Municipal Code Chapter 8 relating to the community tree code, and set the matter for Second Reading. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

Councilor Carol Bryck moved to approve Second Reading for Ordinance 1765, amending West Linn Municipal Code Chapter 8 relating to the community tree code, and adopt the ordinance. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

Councilor Carol Bryck moved to adopt the changes to the technical tree manual. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

[Agenda Bill 2025-09-08-05: Community Advisory Group Work Plans](#)

[CAG Work Plans Information](#)

City Manager Williams stated the City continues to work with CAG groups to implement code requirements and Council direction to have work plans. The goal is to provide clarity to Council, CAGs, staff, and community members to what these groups are working on and what Council needs them to be working on. Some were adopted in a previous meeting; the rest are before you for adoption tonight.

Councilor Bonnington stated the Economic Development Committee provided a friendly amendment adding (1) Historic Willamette Main Street to partnering with the Chamber of Commerce and (2) Strength, weakness, opportunities, and threats (SWOT) analysis. He read the text with the change.

Councilor Carol Bryck moved to approve the community advisory group workplans as provided as amended for the Economic Development Committee, Historic Review Board, Transportation Advisory Board and Utility Advisory Board. Councilor Leo Groner seconded the motion.

Ayes: Mayor Rory Bialostosky, Council President Mary Baumgardner, Councilor Kevin Bonnington, Councilor Carol Bryck, and Councilor Leo Groner.

Nays: None.

The motion carried 5 - 0

Councilor Bryck clarified this is a living document and can be modified.

City Manager Williams stated each CAG is required to provide an annual report. These could remain in place until Council or the CAG sees a need for a change.

[City Manager Report \[8:30 pm/5 min\]](#)

City Manager Williams went over the next few meeting's agendas and mentioned starting October 6, Council meetings may move to Tuesday. He talked about the upcoming Police Review and Recommend Committee (PRRC) meeting on Monday and how usually, these meetings are not public due to the sensitive material. The PRRC is required by ordinance to provide two public meetings per year. This will be second one of the year, the last one was in January. He spoke about the Library infographic and emphasized there were 40,400 checkouts last month.

Mayor Bialostosky consulted with staff and Council about changing the meetings to Tuesday in October. He is working on correspondence to Neighborhood Associations and CAGs and explained why he wants to change them to Tuesdays.

[Adjourn \[8:35 pm\]](#)

Draft Minutes.

DRAFT

Agenda Bill 2025-10-14-02

Date Prepared: October 2, 2025

For Meeting Date: October 14, 2025

To: Rory Bialostosky, Mayor
West Linn City Council

Through: John Williams, City Manager *JRW*

From: Steve Koper, CD Director *SK*
Darren Wyss, Principal Planner *DSW*

Subject: 2025 CDC Code Cleanup Amendment Project Public Hearing

Purpose:

To hold a public hearing and consider adoption of the CDC Code Cleanup Amendment Package via Ordinance 1763.

Question(s) for Council:

Should Council adopt the CDC Code Cleanup Amendment Package as recommended by the Planning Commission?

Public Hearing Required:

Yes

Background & Discussion:

The Planning Commission (PC) recommended prioritizing a code cleanup project on the West Linn Planning Docket in [March 2025](#). City Council (CC) formally set the Docket in [April 2025](#), including the PC recommended prioritization of a code cleanup project, and directed Staff to work with the PC to develop revised code language and bring an amendment package for adoption to the City Council. Staff and the City Attorney identified three topics to cleanup immediately:

1. Maximum and Minimum Density Calculations
 - The CDC currently does not have one location with clear and objective instructions on how maximum and minimum densities are calculated.
 - Updated definitions are also needed to define the terms used in the calculations.
2. Partition Minimum Density Exemption Clarification
 - The CDC section ([CDC 85.200.J\(7\)](#)) as written has been interpreted by applicants to mean if only three parcels are proposed the project is exempt from minimum density requirements regardless of maximum density allowed for the proposal.
3. Shape of Newly Created Lots and Parcels
 - The CDC sections ([CDC 85.200.B\(3\)](#) and [\(6\)](#)) are not clear and objective regarding the preferred lot shape. This has recently led to a variety of creative lot/parcel configurations.

The Planning Commission held two work sessions and a public hearing for the Code Clean Up Project on the following dates:

PC Work Session June 18, 2025

Initial feedback was provided, and Staff made changes as directed.

[Work Session Video](#)

[Work Session Meeting Materials](#)

[Work Session Meeting Notes](#)

PC Work Session July 16, 2025

Final feedback was provided, and the PC directed Staff to bring the proposed amendments to public hearing.

[Work Session Video](#)

[Work Session Meeting Materials](#)

[Work Session Meeting Notes](#)

PC Public Hearing August 6, 2025

The Planning Commission recommended 6 to 0 that Council adopt the proposed amendments.

[Public Hearing Video](#)

[Public Hearing Materials](#)

[Public Hearing Meeting Notes](#)

After the Planning Commission recommendation, the City Attorney's office recommended one minor addition to CDC 05.025.A(e) to clarify how heritage and significant trees area is measured to ensure the language is clear and objective. The following language is proposed (highlighted in **Blue**) to address this issue:

05.025 Measurements

A. Density Calculations

1. Developable net area is determined by subtracting the following areas from the developable gross area:

a. Type I and II lands,

b. All land dedicated to the public for park purposes,

c. All land dedicated for public rights-of-way,

d. All land proposed for private streets; and

e. Optionally, the applicant may subtract the following (as measured in CDC

55.105.C.2(a)):

i, Heritage trees,

ii. Significant trees or tree clusters.

City Council Work Session September 15, 2025

City Council was provided the opportunity to become familiar with the proposed amendments, get questions answered, and ask for additional information. Staff recommended one small addition to the

proposed amendments based on City Attorney advice. Council directed Staff to bring the proposed amendments to the legislative public hearing for adoption.

[Work Session Video](#)

[Work Session Materials](#)

Budget Impact:

None anticipated.

Sustainability Impact:

None anticipated.

Council Options:

1. Adopt Ordinance 1763 as recommended by the Planning Commission and include one additional amendment proposed by the City Attorney to define how to calculate heritage/significant tree canopy square footage; or
2. Adopt Ordinance 1763 with additional changes; or
3. Do not adopt Ordinance 1763.

Staff Recommendation:

Approve CDC-25-01, as recommended by the Planning Commission, by adopting Ordinance 1763 with the additional proposed change from the City Attorney found in Attachment 1.

Potential Motion:

1. Move to adopt Ordinance 1763 as recommended by the Planning Commission with an additional change as proposed by the City Attorney.

Attachments:

1. Ordinance 1763
2. City Council Staff Report and Findings, dated October 2, 2025

Attachment 1: Ordinance 1763

ORDINANCE NO. 1763

AN ORDINANCE ADOPTING TEXT AMENDMENTS TO THE WEST LINN COMMUNITY DEVELOPMENT CODE CHAPTERS 2, 5, 24, 55, 85, AND 99 TO UPDATE LANGUAGE TO BE CLEAR AND OBJECTIVE FOR MINIMUM/MAXIMUM DENSITY CALCULATIONS, MINIMUM DENSITY EXEMPTIONS, AND SHAPE OF NEWLY CREATED LOTS

Annotated to show ~~deletions~~ and **additions** to the code sections being modified. Deletions are ~~lined through~~ and additions are **underlined in red font**.

WHEREAS, Chapter II, Section 4, of the West Linn City Charter provides: Powers of the City. The City shall have all powers which the Constitution, statutes and common law of the United States and of this State now or hereafter expressly or implied grant or allow the City, as fully as though this Charter specifically enumerated each of those powers;

WHEREAS, in 2025 the City Council prioritized a code cleanup project on the Planning Docket and appointed the West Linn Planning Commission (PC) on April 14, 2025 to act as the working group and work with staff to bring forward a proposed code amendment package; and

WHEREAS, City staff and the City Attorney's office identified three code topics in need of immediate improvement to be clear and objects, comply with state regulations, and better serve community interests; and

WHEREAS, the PC held two work sessions in June 2025 and July 2025; and

WHEREAS, the PC held a public hearing, which was noticed in accordance with City standards, on August 6, 2025, and recommended approval of the proposed 2025 Code Cleanup Amendment Package; and

WHEREAS, the West Linn City Council held a public hearing, which was noticed in accordance with City standards, on October 13, 2025, to consider the Planning Commission recommendation, receive public testimony, and evaluate the decision-making criteria; and

WHEREAS, the Council's decision is based on the findings contained in these Whereas Clauses, together with findings, conclusions, and substantial evidence found in the associated land use record file CDC-25-01, which is incorporated by this reference.

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

SECTION 1. Amendments. The West Linn Community Development Code Chapters 2, 5, 24, 55, 85, and 99 are amended to include new text and rescind existing text as shown in Exhibit A.

SECTION 2. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 3. Savings. Notwithstanding this amendment/repeal, the City ordinances in existence at the time any criminal or civil enforcement actions were commenced, shall remain valid and in full force and effect for purposes of all cases filed or commenced during the times said ordinance(s) or portions of the ordinance were operative. This section simply clarifies the existing situation that nothing in this Ordinance affects the validity of prosecutions commenced and continued under the laws in effect at the time the matters were originally filed.

SECTION 4. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 2-4) need not be codified and the City Recorder or the designee is authorized to correct any cross-references and any typographical errors.

SECTION 9. Effective Date. This ordinance shall take effect on the 30th day after its passage.

The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 33(c) of the City Charter on the _____ day of _____, 2025, and duly PASSED and ADOPTED this _____ day of _____, 2025.

RORY BIALOSTOSKY, MAYOR

ATTEST:

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

KAYLIE KLEIN, CITY ATTORNEY

West Linn Community Development Code

CDC Chapter 2: Definitions

~~Acre, gross. All of the land area owned by the applicant under consideration. See "Tract."~~

~~Acre, net. The total gross acres less the public right of way and other acreage deductions as specified in this code.~~

...

Developable Gross Area. The total square footage of the lot(s), parcel(s), or unit(s) of land proposed to be developed.

Developable Net Area. The square footage subject to the maximum and minimum density calculations in CDC 05.025.

...

Rectilinear. Formed or bounded by straight lines.

...

Type I lands. Lands that have severe constraints that preclude the use of standard development techniques and technical criteria. Type I lands exist in one or more of the following areas:

1. Slope: Land that has slopes of 35 percent or more, as shown on the RLIS topography GIS layer.
2. Drainage: All lands within the designated floodway as shown on the appropriate FEMA flood panel.
3. Geological hazard: All landslide areas shown on the City's Natural Hazard Mitigation Plan ("NHMP") and identified as "landslide potential exists" on Map 16 of the NHMP, or areas outside Map 16, but within Map 17, Landslide Vulnerable Analysis Area.

Type II lands. Lands which have constraints that are sufficient to preclude most standard types of development. Constraints in these areas generally do not constitute a health or safety hazard, but require the use of non-standard technical design criteria. Type II lands exist in one or more of the following areas:

1. Slope: Land that has slopes over 25 percent, as shown on the RLIS topography GIS layer.
2. Drainage: All drainage courses identified on the water resource area maps or areas identified as protected Goal 5 Wetlands, and areas outside the floodway, but within the floodway fringe, also known as the 100-year floodplain.
3. Geology: All known mineral and aggregate deposits identified on the Comprehensive Plan map as protected Goal 5 resources.

...

CDC Chapter 5: General

...

05.025 Measurements

A. Density Calculations

1. Developable net area is determined by subtracting the following areas from the developable gross area:

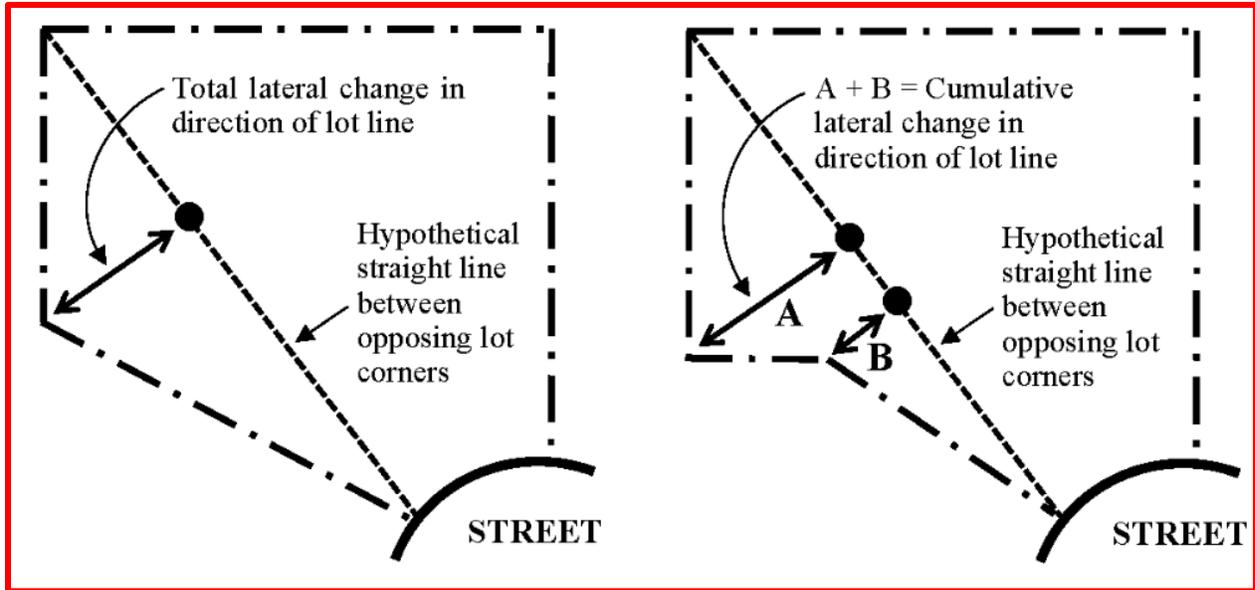
- a. Type I and II lands,**
- b. All land dedicated to the public for park purposes,**
- c. All land dedicated for public rights-of-way,**
- d. All land proposed for private streets; and**
- e. Optionally, the applicant may subtract the following (as measured in CDC 55.105.C.2(a)):**
 - i, Heritage trees,**
 - ii. Significant trees or tree clusters.**

2. Maximum density is determined by dividing the developable net area square footage by the zoning district minimum lot size square footage. Where a maximum density calculation results in a fraction it is rounded down to the next whole number.

3. Minimum density is determined by multiplying the maximum density by 0.70. Where a minimum density calculation results in a fraction it is rounded up to the next whole number.

B. Segmented Lot or Parcel Lines

Segmented lot lines include one or more lateral changes in direction. A lateral change is measured by drawing a hypothetical straight line between opposing lot corners and measuring the horizontal distance between the hypothetical straight line and the furthest extent of the actual lot line perpendicular from the hypothetical straight line. Cumulative lateral changes are measured by repeating this process for each lateral change in direction and summing all the distances as shown in the figure below. In the case of flag lots or parcels, the pole portion of the lot or parcel is not included in the measurement of cumulative lateral changes; cumulative lateral changes are measured only between the opposing corners of the flag portion of the lot or parcel.



CDC Chapter 24: Planned Unit Development

...

24.110 Residential Density Calculations

...

B. Net acres for land to be developed with detached single-family dwellings, or multifamily dwelling including duplexes, is computed by subtracting the following from **developable gross area** gross acres:

...

24.120 Examples of Residential Density Calculations

When density is to be transferred on a land area with Type I or Type II land, the following procedure will apply:

Example

...

Developable Gross-Site Area: 10.49 AC

Density Calculations:

Developable Gross-Site Area 10.49 AC

CDC Chapter 55: Design Review

...

55.105 Approval Standards – Class II Design Review – Residential/Clear and Objective

C. Relationship to the natural and physical environment.

...

2. The following shall be protected pursuant to the criteria of subsections (C)(2)(a) through (f) of this section: all heritage trees, as defined in the municipal code and all significant trees and significant tree clusters, as defined in CDC 2.030.

...

e. The site layout shall achieve at least 70 percent of maximum density for the developable net area **as calculated in CDC 05.025**. ~~The developable net area excludes all Type I and II lands and up to 20 percent of the remainder of the site for the purpose of protecting significant trees or significant tree clusters as specified in this subsection (C)(2).~~

...

CDC Chapter 85: Land Divisions – General Provisions

...

85.170 Supplemental Submittal Requirements for Tentative Subdivision or Partition Plan

A. General

...

7. Table and calculations showing the ~~allowable number of lots under the zone and how many lots are proposed~~ **maximum and minimum density calculations per CDC 05.025 and number of lots or parcels proposed**.

...

85.200 Approval Criteria

...

A. Streets.

...

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 **as calculated per CDC 05.025**. ~~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.~~

...

5. Street Improvements

...

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. When a requested waiver is granted, the applicant shall pay an in-lieu fee **in accordance with the City's adopted fee structure** equal to the estimated cost, ~~accepted by the City Engineer, of the otherwise required street improvements. As a basis for this determination, the City Engineer shall consider the cost of similar improvements in recent development projects and may require up to three estimates from the applicant. The~~

~~amount of the fee shall be established prior to the Planning Commission's decision on the associated application.~~ The in-lieu fee shall be used for in-kind or related improvements.

...

B. Blocks and lots.

...

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~~ **zoned** 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.

...

6. Lot **shape** 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.~~ **Each lot or parcel must be rectilinear in shape with straight side lot lines at right angles to front lot lines, and straight rear lot lines parallel to front lot lines, except where not practicable due to location along a street radius or because of existing natural features or lot lines. Side and rear lot lines that are segmented must not contain cumulative lateral changes in direction that exceed 10 percent of the distance between opposing lot corners, as measured using the process of CDC 05.025.**

...

J. Supplemental provisions.

...

7. Density requirement. Density shall occur at 70 percent or more of the maximum density allowed by the underlying zoning **as calculated per CDC 05.025.**

a. These provisions do not apply **to Planned Unit Developments where density is calculated per CDC Chapter 24.** ~~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.~~

b. **Minimum density calculations per CDC 05.025 that result in** ~~Land divisions of three lots~~ **parcels** or less are ~~also~~ exempt **and can divide into two parcels.**

...

CDC Chapter 99: Procedures for Decision Making: Quasi-Judicial

...

99.080 Notice

Notice shall be given in the following ways:

...

E. Table of notices. The following notice summary identifies the appropriate type of notice for the various land use applications of CDC 99.060:

Land Use Action	Type of Notice
...	
Street Vacations	(per State statute requirements)
...	

Attachment 2: City Council Staff Report and Findings



CITY OF
West Linn

**STAFF REPORT
FOR THE CITY COUNCIL**

FILE NUMBER: CDC-25-01

HEARING DATE: October 14, 2025

REQUEST: To consider adoption of text amendments to West Linn Community Development Code Chapters 2, 5, 24, 55, 85, and 99 to update language to be clear and objective for minimum/maximum density calculations, minimum density exemptions, and shape of newly created lots

APPROVAL CRITERIA: West Linn Community Development Code (CDC) Chapters 98 and 105

STAFF REPORT PREPARED BY: Darren Wyss, Principal Planner

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GENERAL INFORMATION

APPLICANT: City of West Linn

DESCRIPTION: The City of West Linn proposes to amend Community Development Code (CDC) Chapters 2, 5, 24, 55, 85, and 99 to update language to be clear and objective code language for minimum/maximum density calculations, minimum density exemptions, and shape of newly created lots

APPROVAL CRITERIA: Community Development Code (CDC) Chapter 98 provides administrative procedures for legislative amendments to the Comprehensive Plan and/or Community Development Code. Section 98.100 of the CDC lists the factors upon which a decision shall be based. These are briefly described below and addressed in greater detail in a separate Section of this report:

1. The Statewide Planning Goals and rules adopted under ORS Chapter 197 and other applicable state statutes;
2. Any federal or state statutes or rules found applicable;
3. Applicable plans and rules adopted by Metropolitan Service District (Metro);
4. The applicable Comprehensive Plan policies and map; and,
5. The applicable provisions of implementing ordinances.

120-DAY RULE: Not applicable to this legislative action.

PUBLIC NOTICE: Legal Notice for the Planning Commission hearing was published in the West Linn Tidings on July 23, 2025 and provided to required public agencies and persons who requested notice in writing on July 24, 2025. Legal Notice for the City Council hearing was published in the West Linn Tidings on October 1, 2025 and provided to required public agencies and persons who requested notice in writing on September 25, 2025.

EXECUTIVE SUMMARY

The 2025 CDC Code Clean Up Amendment project addresses three topics that need attention to meet State clear and objective standards requirements for residential development. The topics were identified by Planning staff and the City Attorney. Based on the discussion of these items, there were areas for improvement in the CDC to make the code more effective in serving community needs.

The three topics include:

1. Maximum and Minimum Density Calculations
 - The CDC currently does not have one location with clear and objective instructions on how maximum and minimum densities are calculated.
 - Updated definitions are also needed to define the terms used in the calculations.
2. Partition Minimum Density Exemption Clarification
 - The CDC section ([CDC 85.200.J\(7\)](#)) as written has been interpreted by applicants to mean if only three parcels are proposed the project is exempt from minimum density requirements regardless of maximum density allowed for the proposal.
3. Shape of Newly Created Lots and Parcels
 - The CDC sections ([CDC 85.200.B\(3\)](#) and [\(6\)](#)) are not clear and objective regarding the preferred lot shape. This has recently led to a variety of creative lot/parcel configurations.

The PC held work sessions in June 2025 and July 2025 to discuss the proposed code amendments, develop revised code language, and bring forward an amendment package for adoption.

The Planning Commission held a public hearing on August 6, 2025 and recommended 6 to 0 for City Council to adopt the amendments as presented.

PUBLIC COMMENT

The Planning Commission received five comments prior to the July 16, 2025, work session regarding a fourth topic (Limited Land Use Decisions), which has been pulled from the proposed amendment package.

RECOMMENDATION

Staff recommend the City Council finds the proposed amendments to meet the necessary approval criteria. Therefore, staff recommends the City Council adopt Ordinance 1763 as recommended by the Planning Commission with one small addition to define how to calculate heritage/significant tree canopy square footage.

PROJECT BACKGROUND AND PURPOSE

The Planning Commission (PC) recommended prioritizing a code cleanup project on the West Linn Planning Docket in [March 2025](#). City Council (CC) formally set the Docket in [April 2025](#), including the PC recommended prioritization of a code cleanup project, and directed Staff to work with the PC to develop revised code language and bring an amendment package for adoption to the City Council. Staff and the City Attorney identified three topics to cleanup immediately:

1. Maximum and Minimum Density Calculations
 - The CDC currently does not have one location with clear and objective instructions on how maximum and minimum densities are calculated.
 - Updated definitions are also needed to define the terms used in the calculations.
2. Partition Minimum Density Exemption Clarification
 - The CDC section ([CDC 85.200.J\(7\)](#)) as written has been interpreted by applicants to mean if only three parcels are proposed the project is exempt from minimum density requirements regardless of maximum density allowed for the proposal.
3. Shape of Newly Created Lots and Parcels
 - The CDC sections ([CDC 85.200.B\(3\) and \(6\)](#)) are not clear and objective regarding the preferred lot shape. This has recently led to a variety of creative lot/parcel configurations.

The Planning Commission held two work sessions and a public hearing for the Code Clean Up Project on the following dates:

PC Work Session June 18, 2025

Initial feedback was provided, and Staff made changes as directed.

[Work Session Video](#)

[Work Session Meeting Materials](#)

[Work Session Meeting Notes](#)

PC Work Session July 16, 2025

Final feedback was provided, and PC directed Staff to bring the proposed amendments to public hearing.

[Work Session Video](#)

[Work Session Meeting Materials](#)

[Work Session Meeting Notes](#)

PC Public Hearing August 6, 2025

Planning Commission recommended 6 to 0 that Council adopt the proposed amendments.

[Public Hearing Video](#)

[Public Hearing Materials](#)

[Public Hearing Meeting Notes](#)

[City Council Work Session September 15, 2025](#)

City Council was provided the opportunity to become familiar with the proposed amendments, get questions answered, and ask for additional information. Staff recommended one small addition to the proposed amendments based on City Attorney advice.

[Work Session Video](#)

[Work Session Materials](#)

Below you will find more information regarding the three topics and proposed amendments.

Topic #1 – Maximum and Minimum Density Calculations (CDC Chapters 2, 5, 24, 55, and 85)

The [Metro Urban Growth Management Functional Plan \(UGMFP\) Title 1, Section 3.07.120\(b\)](#) requires cities to have minimum density standards for each zone where dwelling units are permitted. It is common practice for Metro cities to provide the procedures for calculating maximum and minimum densities within the development code to assist property owners/developers when applying for a land division. Many of the south Metro area cities have established code sections including: [City of Tualatin](#), [City of Tigard](#), [City of Milwaukie](#), [City of Oregon City](#), [City of Lake Oswego](#), and [City of Wilsonville](#).

The City of West Linn currently requires achieving a minimum 70 percent density during a land division process, but the CDC does not clearly define how to calculate that minimum density. The lack of clarity and clear and objective language has recently led to some confusion for applicants. Staff proposes to add language to resolve this issue. Middle housing developments and middle housing land divisions would be exempt from the maximum density calculations per state statutes.

The proposed draft CDC amendments include adding new definitions and removing two definitions to CDC Chapter 2, cleaning up language in CDC Chapter 24 to align with new definitions, adding a density calculation section to CDC Chapter 5, and cleaning up language related to density calculations in CDC Chapters 55 and 85 by pointing to the new section in CDC Chapter 5. See the attached draft CDC amendments.

Topic #2 – Partition Minimum Density Exemption Clarification (CDC Chapter 85)

The UGMFP minimum density requirements (see Topic #1) provide an opportunity for cities “to reduce the minimum zoned capacity of a single lot or parcel so long as the reduction has a negligible effect on the city’s or county’s overall minimum zoned residential capacity” ([UGMFP Title 1, Section 3.07.120\(e\)](#)).

Planning staff have interpreted the following exemption language in [CDC Chapter 85.200.J\(7\)](#) “Land divisions of three lots or less are also exempt” to mean if the 70 percent minimum

density calculation resulted in three lots/parcels, the applicant could reduce the number to two and maintain the City’s compliance with the UGMFP.

Recently, an applicant’s attorney challenged the interpretation and asserted the language is not clear and objective. In this case, the impact was negligible (three instead of four lots that will be further split into middle housing). However, if a five-acre property zoned R-7 made the same argument, staff believe the result would be non-compliant with the UGMFP as the maximum density would be 24 lots, the minimum density would be 17 lots (see math below) and the applicant could argue they are exempt if only creating three 1.66-acre lots.

5 acres = 217,800 sq. ft.

Minus 20% for ROW = 174,240 sq. ft.

Maximum density = 174,240 sq. ft./7,000 sq. ft. (minimum lot size in R-7) = 24.89, which rounds down to 24

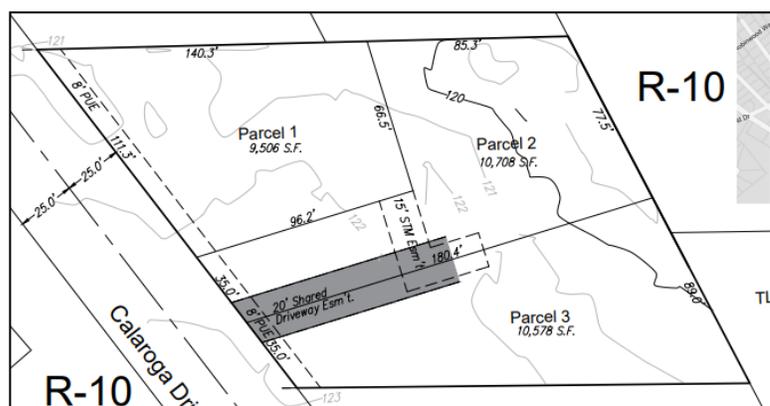
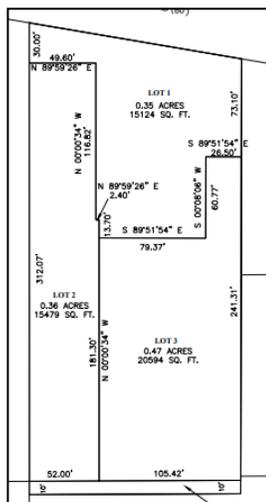
Minimum density = 24 x 0.70 (minimum density requirement) = 16.8, which rounds up to 17

The proposed amendment to CDC 85.200.J(7), found in the attached document, is intended to clarify this confusion.

Topic #3 – Shape of Newly Created Lots and Parcels (CDC Chapters 2, 5, and 85)

The layout of streets and lots/parcels during development helps ensure that any future development changes or issues can be accommodated and rectified. Consistent lot sizes and shapes can also help build community in a neighborhood. [CDC Chapter 85.200.B\(3\) and \(6\)](#) attempt to address this topic via language focused on lot size, shape, and side lot lines.

Recently, two partition applications have been submitted with irregular parcel lines that were unnecessary as the properties could have accommodated square/rectangular parcels. In discussion with the applicants, they invoked the lack of clear and objective language in the code section identified by Planning staff. The proposed amendments should lead to more consistent development patterns by cleaning-up the language and continue to move towards a fully clear and objective CDC that benefits developers, the community, and Planning staff. Here are the two recent application proposals.



FINDINGS
CITY COUNCIL STAFF REPORT
October 14, 2025

APPLICABLE CRITERIA AND COMMISSION FINDINGS

West Linn Community Development Code

Chapter 98 - Procedures for Decision Making: Legislative

CDC 98.035 Citizen Engagement in Legislative Changes

A. Purpose. The purpose of a legislative working group is to provide a forum to discuss different points of view on a proposed land use legislative change.

B. New and modified land use legislative changes to this code will be developed by a representative working group of citizens and assisted by planning staff, unless the City Council determines that a working group is not necessary.

1. After receiving direction from the City Council, the Committee for Citizen Involvement shall recommend a purpose, goals, and a list of appointees for each proposed working group to the City Council for approval.

2. The working group will contain interested stakeholders, a member of the Planning Commission, and a staff representative.

3. The working group shall comply with WLMC 2.060 regarding the selection of officers and the other generally applicable citizen advisory group provisions.

Findings: City Council determined a legislative working group was not necessary and tasked the West Linn Planning Commission to act as the working group at its April 14, 2025, meeting.

C. Conduct of working group meetings.

1. Staff will prepare a suggested draft of the proposed changes. This draft will provide a starting point for discussion and education.

2. The working group will use the draft as a starting point for discussion, but then reconcile the implications of the draft with the goals established by the Council for the working group.

3. After each working group meeting staff will incorporate approved changes and prepare an updated working draft.

4. All working group meetings will be public meetings with an opportunity for anyone in attendance to provide public comment. The meetings and minutes will be conducted in accordance with the Council Rules, West Linn Municipal Code, City Charter, and State law.

5. In the event a consensus cannot be reached on an issue, the working group will prepare alternatives. Each alternative and its rationale will be presented to the Planning Commission.

6. Prior to submission to the Planning Commission, proposed code changes will be submitted to the City Attorney for review. The review should be limited to the identification of areas where the proposed language conflicts with other parts of this code, State law or Federal law. As an alternative, legal counsel may attend and advise during the creation of the draft.

D. Presentation to the Planning Commission. When the working group reaches consensus that the code changes are ready, the proposed code changes will be presented by the Director to the Planning Commission pursuant to CDC 98.040(A)(2). If the working group fails to reach a consensus on the code changes, all proposals will be presented to the Planning Commission. Pursuant to CDC 98.110(A), the Planning Commission shall recommend approval, denial, or approval with modifications to the Council.

Findings: Planning Commission meetings were held consistent with the procedures above. Staff prepared draft changes and presented relevant technical information as a starting point for discussion. The draft changes evolved in an iterative manner, with staff revising the text as directed and presenting the revised draft for consideration and approval. All meetings were open to the public and streamed live. On July 16, 2025, after two meetings, a consensus on a final recommendation on a proposed Code Clean Up Amendment Package was reached and the Planning Commission directed staff to bring the proposed amendments forward for a legislative public hearing. The final draft was submitted for City Attorney review.

CDC 98.040 Duties of Director

A. The Director shall:

1. If appropriate, or if directed by the City Council or Planning Commission in their motion, consolidate several legislative proposals into a single file for consideration;

Findings: The proposal is for one legislative action. Adopting CDC code amendments to provide clear and objective language for Minimum/Maximum Density Calculations, Minimum Density Exemptions, and Shape of Newly Created Lots.

2. Upon the initiation of a legislative change, pursuant to this chapter:

a. Give notice of the Planning Commission hearing as provided by CDC [98.070](#) and [98.080](#);

Findings: The Planning Commission public hearing was held on August 6, 2025, with the City Council public hearing scheduled for October 14, 2025. Legislative notice was provided as required and documentation can be found in Exhibit CC-3. Notice was provided to the Department of Land Conservation and Development on June 25, 2025, meeting the required 35-day notice timeline. Measure 56 Notice, per ORS 227.186, was not required as part of this proposal.

b. Prepare a staff report that shall include:

1) The facts found relevant to the proposal and found by the Director to be true;

2) The Statewide planning goals and rules adopted under Chapter 197 ORS found to be applicable and the reasons why any other goal or rule is not applicable to the proposal except that goals 16 through 19 which are not applicable to the City of West Linn need not be addressed;

3) Any federal or State statutes or rules the Director found applicable;

4) Metro plans and rules the Director found to be applicable;

5) Those portions of the Comprehensive Plan found to be applicable, and if any portion of the plan appears to be reasonably related to the proposals and is not applied, the Director shall explain the reasons why such portions are not applicable;

6) Those portions of the implementing ordinances relevant to the proposal, and if the provisions are not considered, the Director shall explain the reasons why such portions of the ordinances were not considered; and

7) An analysis relating the facts found to be true by the Director to the applicable criteria and a statement of the alternatives; a recommendation for approval, denial, or approval with modifications; and at the Director's option, an alternative recommendation;

Findings: Relevant facts and associated analysis for applicable Statewide Planning Goals, federal and state statutes and rules, Metro Functional Plan requirements, West Linn Comprehensive Plan goals and

policies, and West Linn Community Development Code criteria are found in the sections of the Staff Report below.

c. *Make the staff report and all case file materials available 10 days prior to the scheduled date of the public hearing under CDC [98.070](#);*

Findings: The staff report, proposed amendments, and all other associated project materials were made available on October 2, 2025, twelve days prior to the hearing.

d. *Cause a public hearing to be held pursuant to CDC [98.070](#);*

Findings: The West Linn Planning Commission held the first evidentiary public hearing on August 6, 2025, with the West Linn City Council scheduled to hold its public hearing and make a final decision on October 14, 2025.

CDC 98.100 Standards for Decision

A. *The recommendation of the Planning Commission and the decision by the City Council shall be based on consideration of the following factors:*

1. *The Statewide planning goals and rules adopted under Chapter 197 ORS and other applicable State statutes;*

Statewide Planning Goal 1 – Citizen Involvement:

This goal outlines the citizen involvement requirement for the adoption of Comprehensive Plans and changes to the Comprehensive Plan and implementing documents.

Findings: The City has a citizen involvement program, which has been acknowledged by the State. This legislative process to review the proposed amendments will require two public hearings (one before the Planning Commission on August 6, 2025, and one before City Council on October 14, 2025) pursuant to CDC Chapter 98.

In developing code amendments to comply with ORS 197A.400 and provide clear and objective language in relation to Minimum/Maximum Density Calculations, Minimum Density Exemptions, and Shape of Newly Created Lots, the City Council appointed the West Linn Planning Commission to act as the working group. All working group meetings were open to the public. A list of the public work sessions where public feedback could be submitted is found below.

- June 18, 2025 – Planning Commission Work Session 1
- July 16, 2025 – Planning Commission Work Session 2

Information was distributed throughout the process via the website and email. All the aforementioned venues provided the opportunity for gathering feedback and comments.

All Planning Commission work sessions were open to the public and noticed in accordance with City rules and regulations, including direct emails to all neighborhood associations and all persons signed up to receive notice of Planning Commission meetings. All work session materials, including meeting recordings and summaries, were available on the City’s website. All the aforementioned venues provided the opportunity for gathering feedback and comments.

As part of the legislative process, public notice requirements for the Planning Commission and City Council public hearings were met (see Exhibit CC-3). The notice was sent to persons who requested notice, affected government agencies, neighborhood associations, and was published in the July 23, 2025, and October 1, 2025, issues of the West Linn Tidings. The notice invited public input and included the phone number of a contact person to answer questions. The notice also included the address of the City's webpage where the draft of the proposal can be viewed.

Statewide Planning Goal 2 – Land Use Planning:

This goal outlines the land use planning process and policy framework. The Comprehensive Plan was acknowledged by DLCD as being consistent with the statewide planning goals.

Findings:

The City of West Linn has an acknowledged Comprehensive Plan and enabling ordinances. The amendments to the West Linn Community Development Code are being undertaken to ensure compliance with the ORS 197A.400 and to provide clear and objective language in relation to Minimum/Maximum Density Calculations, Minimum Density Exemptions, and Shape of Newly Created Lots.

The amendments are being processed in accordance with the City's adopted procedures, which requires any applicable statewide planning goals, federal or state statutes or regulations, Metro regulations or plans, comprehensive plan policies, and the City's implementing ordinances be addressed as part of the decision-making process. The amendments are being processed as a post-acknowledgement plan amendment (PAPA). The proposed Code Cleanup Amendment Package will ensure West Linn is in compliance with ORS statutes, the administrative rules, and Oregon Statewide Planning Goals. In addition, the proposed amendments will comply with all other provisions of the administrative rules. All public noticing requirements have been met. All applicable review criteria have been addressed within this staff report; therefore, the requirements of Goal 2 have been met.

Statewide Planning Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces:

This goal requires the inventory and protection of natural resources, open spaces, historic sites and areas.

Findings: The City is currently in compliance with the State's Goal 5 program and Metro's Title 13: Nature in Neighborhoods program, which implements Goal 5. The amendments do not alter the City's acknowledged Goal 5 inventories or associated land use programs. No changes will occur to current natural resource protections. As a result, the amendments are in compliance with Goal 5 process requirements.

Statewide Planning Goal 6 – Air, Water, and Land Resource Quality:

To maintain and improve the quality of air, water, and land resources of the state.

Findings: The City is currently in compliance with Metro's Title 3: Water Quality and Flood Management program, which implements Goal 6. The amendments do not alter the City's acknowledged land use programs regarding water quality. The amendments are consistent with Goal 6.

Statewide Planning Goal 7 – Areas Subject to Natural Hazards:

To protect people and property from natural hazards.

Findings: The City is currently in compliance with Goal 7 and Metro’s Title 3: Water Quality and Flood Management program. No changes will occur to city programs related to flood management or other natural hazards. The amendments are consistent with Goal 7.

Statewide Planning Goal 8 – Recreational Needs:

This goal requires the satisfaction of the recreational needs of the citizens of the state and visitors.

Findings: The proposed amendments do not address or alter any City recreational programs or land use requirements related to parks and recreation. The amendments are in compliance with Goal 8.

Statewide Planning Goal 9 – Economic Development:

To provide adequate opportunities for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.

Findings: The City is currently in compliance with Goal 9 and Metro’s Title 4: Industrial and Other Employment Areas. The amendments do not alter the City’s compliance with Goal 9.

Statewide Planning Goal 10 – Housing:

To provide adequate housing for the needs of the community, region and state.

Findings: The City is currently in compliance with Goal 10 and the Metropolitan Housing Rule (OAR 660-007/Division 7), and Metro’s Title 1: Housing Capacity. The City adopted a Housing Capacity Analysis in compliance with HB2003 (2019) in October 2023 and adopted the required follow-up Housing Production Strategy in May 2025. No changes to permitted residential uses are proposed. The amendments do not alter the City’s compliance with Goal 10. The amendments seek to comply with ORS 197A.400 and update language to be clear and objective and maintain compliance with Metro Title 1 density requirements. The amendments are consistent with this goal.

Statewide Planning Goal 11 – Public Facilities and Services:

To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as framework for urban and rural development.

Findings: The City is currently in compliance with Goal 11 through its acknowledged Comprehensive Plan. This includes an adopted Public Facility Plan as required by Oregon Revised Statute 197.712 and Oregon Administrative Rule 660-011. The Public Facility Plan shows the City’s water, sanitary sewer, transportation, and stormwater facilities have adequate capacity to service future development in the community. The amendments do not alter the City’s compliance with Goal 11 and are consistent with this goal.

Statewide Planning Goal 12 – Transportation:

To provide and encourage a safe, convenient, and economic transportation system.

Findings: The City is currently in compliance with Goal 12 and Metro’s Regional Transportation Plan through its acknowledged Comprehensive Plan and TSP as required by Oregon Administrative Rule 660-

012 (Transportation Planning Rule). The proposed amendments do not alter the City’s compliance with Goal 12.

Statewide Planning Goal 13 – Energy Conservation:

Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based on sound economic principles.

Findings: The City is currently in compliance with Goal 13 through its acknowledged Comprehensive Plan. The amendments do not alter the City’s compliance with Goal 13 and are consistent with this goal.

Statewide Planning Goal 14 – Urbanization:

To provide for orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Findings: The City is currently in compliance with Goal 14 and Metro’s Title 11: Planning for New Urban Areas through its acknowledged Comprehensive Plan and land use regulations. The City also has a signed Urban Growth Management Agreement with Clackamas County as required by ORS 195.065. The amendments do not alter the City’s compliance with Goal 14 and are consistent with this goal.

Statewide Planning Goal 15 – Willamette River Greenway:

To provide for keeping the land green along the banks of the river and providing for recreation access.

Findings: The City is currently in compliance with Goal 15 through its acknowledged Comprehensive Plan and land use regulations. The amendments do not alter the City’s compliance with Goal 15 and are consistent with this goal.

Conclusion: Based on the analysis above, the Commission finds the proposed amendments are consistent with applicable Statewide Planning Goals.

2. *Any federal or State statutes or rules found applicable;*

Oregon Revised Statutes 197A.400

Findings: The proposed Code Cleanup Amendment Package brings the City of West Linn into compliance with ORS 197A.400 by updating code language for Minimum/Maximum Density Calculations, Minimum Density Exemptions, and Shape of Newly Created Lots to be clear and objective.

Conclusion: Based on the analysis above, the Commission finds the proposed amendments are consistent with applicable federal or state statutes or rules.

3. *Applicable plans and rules adopted by the Metropolitan Service District;*

The Metro Urban Growth Management Functional Plan

Findings: The purpose of the Metro Urban Growth Management Functional Plan (UGMFP) is to implement regional goals and objectives, including the Metro 2040 Growth Concept and Regional

Framework Plan. The City is currently in compliance with the UGMFP, and the proposed amendments do not conflict with any goals, policies, or regulations adopted into the UGMFP. The proposed amendments will make minimum/maximum density regulations clear and objective, thus continued compliance with UGMFP Title 1 minimum density requirements.

The proposed amendments do not result in a reduction of zoned housing capacity, unless the reduction is permitted by UGMFP 3.07.120 (reducing minimum density from 3 parcels to 2 parcels as part of a minor partition application (67 percent)). The existing minimum density allowance of 70 percent of maximum density was adopted by the City in February 1998, prior to the 80 percent requirement in UGMFP 3.07.120(b) if a minimum density was not adopted by March 16, 2021.

Conclusion: Based on the analysis above, the Commission finds the proposed amendments are consistent with applicable plans and rules adopted by Metro.

4. *The applicable Comprehensive Plan policies and map;*

Goal 1: Citizen Involvement

Policy 2. Support neighborhood associations as a forum for discussion and advice on issues affecting the community.

Findings: A copy of the agenda was sent to the president of all eleven recognized neighborhood associations for both Planning Commission work sessions. A public hearing notice was sent to all 11 recognized neighborhood associations for the August 6, 2025, Planning Commission public hearing, as well as the City Council public hearing scheduled for October 14, 2025. Each president had the opportunity to relay information back to the associations for feedback and comment. Meeting agendas and materials were available for review and comment on the City's website.

Policy 3. Encourage individuals to organize and work in groups to develop recommended programs or position on various issues.

Findings: The City Council appointed the Planning Commission as the working group for the project. All work sessions were open to the public for feedback and comment. After two work sessions, the Planning Commission on July 16, 2025, directed staff to schedule a public hearing for its proposed Code Cleanup Amendment Package.

Policy 4. Provide timely and adequate notice of proposed land use matters to the public to ensure that all citizens have an opportunity to be heard on issues and actions that affect them.

Findings: As part of the legislative process, public notice of the Planning Commission and City Council public hearings was sent to persons who requested notice, affected government agencies, neighborhood associations, and was published in the July 23, 2025 and October 1, 2025, issue of the West Linn Tidings. The notice invited public input and included the phone number of a contact person to answer questions. The notice also included the address of the City's webpage where the entire draft of the proposed amendment could be viewed.

A copy of the agenda was sent to the president of all eleven recognized neighborhood associations for both Planning Commission work sessions. Each president had the opportunity to relay information back to the associations for feedback and comment. All work session materials, including meeting recordings

and summaries, were available throughout the process on the City’s website. All the venues provided the opportunity for gathering feedback and comments.

Policy 5. Communicate with citizens through a variety of print and broadcast media early in and throughout the decision-making process.

Findings: Information was distributed throughout the process via the website and email. All the venues provided the opportunity for gathering feedback and comments.

In developing code amendments, the City Council appointed the West Linn Planning Commission to act as the working group. Both working group meetings were open to the public. A list of the public work sessions where public feedback could be submitted is listed below.

- June 18, 2025 – Planning Commission Work Session 1
- July 16, 2025 – Planning Commission Work Session 2

All Planning Commission work sessions were open to the public and noticed in accordance with City rules and regulations, including direct emails to all neighborhood associations and all persons signed up to receive notice of Planning Commission meetings. All work session materials, including meeting recordings and summaries, were available on the City’s website.

As part of the legislative process, public notice requirements for the Planning Commission and City Council public hearings were met (see Exhibit PC-3). The notice was sent to persons who requested notice, affected government agencies, neighborhood associations, and was published in the July 23, 2025 and October 1, 2025, issue of the West Linn Tidings. The notice invited public input and included the phone number of a contact person to answer questions. The notice also included the address of the City’s webpage where the draft of the proposal can be viewed.

Goal 2: Land Use Planning

Section 1: Residential Development

Goal 1: Maintain land use and zoning policies that continue to provide for a variety of living environments and densities within city limits.

Findings: The State of Oregon has adopted state statute (ORS 197A.400) requiring clear and objective standards for residential development. The proposed amendments will update code language to be clear and objective for Minimum/Maximum Density Requirements, Minimum Density Exemptions, and Shape of Newly Created Lots. The proposed amendments will continue to provide for a variety of living environments and densities within city limits.

Section 5: Intergovernmental Coordination

Goal 1. Provide a coordinated approach to problems that transcend local government boundaries.

Findings: The State of Oregon has adopted state statute (ORS 197A.400) requiring clear and objective standards for residential development. The Metro UGMFP requires cities to achieve a minimum density for residentially zoned land. The proposed amendments will update code language to be clear and objective for Minimum/Maximum Density Requirements, Minimum Density Exemptions, and Shape of Newly Created Lots. The proposed amendments will continue a coordinated approach to effectively and efficiently using land within the Metro Urban Growth Boundary.

Section 5: Intergovernmental Coordination

Policy 1. Maintain effective coordination with other local governments, special districts, state and federal agencies, Metro, the West Linn-Wilsonville School District, and other governmental and quasi-public organizations.

Findings: Notice was sent to Department of Land Conservation and Development, Metro, Clackamas County, ODOT, TriMet, Lake Oswego, Oregon City, Stafford-Tualatin CPO, West Linn Chamber of Commerce, and all West Linn Neighborhood Associations. They were provided the opportunity to review and comment on the amendments proposed for adoption.

Goal 5: Open Spaces, Scenic and Historic Areas & Natural Resources

Goal 6: Air, Water & Land Resources Quality

Goal 7: Areas Subject to Natural Disasters and Hazards

Goal 8: Parks and Recreation

Goal 9: Economic Development

Findings: None of the goals or policies under Goals 5 to 9 apply to this application.

Goal 10: Housing

Policy 2. Ensure the Comprehensive Plan and Community Development Code is consistent with federal, state, and regional housing rules and policies.

Findings: The City is currently in compliance with Goal 10 and the Metropolitan Housing Rule (OAR 660-007/Division 7), and Metro's Title 1: Housing Capacity. The City adopted a Housing Capacity Analysis in compliance with HB2003 (2019) in October 2023 and the required follow-up Housing Production Strategy in May 2025. No changes to permitted residential uses are proposed. The amendments seek to comply with ORS 197A.400 and update language to be clear and objective and maintain compliance with Metro Title 1 density requirements. The amendments are consistent with this policy.

Policy 10. Adhere to clear and objective standards to promote timely and predictable plan review.

Findings: The proposed Code Cleanup Amendment Package will update code language to be clear and objective for Minimum/Maximum Density Requirements, Minimum Density Exemptions, and Shape of Newly Created Lots. The updates will further help promote timely and predictable plan review by eliminating alternate interpretations of code requirements. The amendments are consistent with this policy.

Goal 11: Public Facilities and Services

Goal 12: Transportation

Goal 13: Energy Conservation

Goal 14: Urbanization

Goal 15: Willamette River Greenway

Findings: None of the goals or policies under Goals 11-15 apply to this application.

Conclusion: Based on the analysis above, the Council finds the proposed amendments are consistent with applicable West Linn Comprehensive Plan policies and map.

5. *The applicable provisions of the implementing ordinance.*

Chapter 105 – Amendments to the Code and Map

CDC 105.030 Legislative Amendments to this Code and Map

Legislative amendments to this code and to the map shall be in accordance with the procedures and standards set forth in Chapter 98 CDC.

Findings: The legislative process is being carried out in conformance with CDC Chapter 98 per Findings found in this Staff Report.

Conclusion: Based on the analysis above, the Council finds the proposed amendment is consistent with applicable provisions of the implementing ordinance.

**EXHIBIT CC-1: PLANNING COMMISSION TRANSMITTAL LETTER TO CITY
COUNCIL**

Memorandum

Date: August 7, 2025
To: West Linn City Council
From: West Linn Planning Commission
Subject: CDC-25-01 Recommendation –2025 CDC Cleanup Amendment Package

The Planning Commission held a legislative public hearing on August 6, 2025, for the purpose of making a recommendation to the City Council on adoption of a proposed Code Cleanup Amendment Package.

In April 2025, the City Council directed the Planning Commission to work with Planning staff to recommend a code cleanup amendment package. Staff and the City Attorney brought three topics to the Commission for discussion in June and July 2025. The Commission directed staff to bring forward the proposed amendments into the legislative process. The proposed amendments will provide clear and objective standards for minimum/maximum density calculations, minimum density exemptions, and shape of newly created lots.

After conducting the public hearing, the Commission deliberated and voted six (6) to zero (0) to recommend City Council adopt the proposal as presented.

Respectfully,



Joel Metlen
Chair, West Linn Planning Commission

EXHIBIT CC-2: AFFIDAVIT AND NOTICE PACKET

**AFFIDAVIT OF NOTICE
LEGISLATIVE DECISION**

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

PROJECT

File No.: **CDC-25-01**
 Project: **Density Code Amendments**
 Planning Commission Hearing: **August 6, 2025**
 City Council Hearing: **October 13, 2025**

MAILED NOTICE

Notice of Upcoming Planning Commission and City Council Hearings was mailed at least 10 days before the Planning Commission and City Council hearings, per Section 98.070 and 98.080 of the Community Development Code to:

ODOT	07/18/25	<i>Lynn Schroder</i>
METRO	By email	<i>Lynn Schroder</i>
TRIMET	07/18/25	<i>Lynn Schroder</i>
Clackamas County Planning Department	07/18/25	<i>Lynn Schroder</i>
City of Oregon City	07/18/25	<i>Lynn Schroder</i>
City of Lake Oswego	07/18/25	<i>Lynn Schroder</i>
All Neighborhood Associations	07/18/25	<i>Lynn Schroder</i>
Stafford-Tualatin CPO	07/18/25	<i>Lynn Schroder</i>
West Linn-Wilsonville SD	07/18/25	<i>Lynn Schroder</i>
West Linn Chamber of Commerce	07/18/25	<i>Lynn Schroder</i>
Director, Dept. of Land Conservation and Development	06/25/25	<i>Darren S. Wyss</i>

EMAILED NOTICE

Notice of Upcoming Planning Commission and Council hearings was emailed at least 10 days before the decision date to:

All Neighborhood Association	07/18/25	<i>Lynn Schroder</i>
Persons Requesting Notification -PC agenda distribution list	07/18/25	Persons Requesting Notification

WEBSITE

Notice of upcoming Planning Commission and City Council hearings posted on City's website 20 days before the hearings, per CDC Section 98.070.C.6.

07/17/25	<i>Lynn Schroder</i>
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TIDINGS

Notice of the Planning Commission and City Council hearings was posted in the West Linn Tidings at least 10 days before the Planning Commission hearing, per Section 98.070 and 98.080 of the CDC.

07/23/25	<i>Lynn Schroder</i>
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PLANNING COMMISSION STAFF REPORT

The proposed amendments and staff report were posted on the website and provided to Planning Commissioners at least 10 days before the hearing, per Section 98.040 of the CDC.

07/24/25	<i>Darren S. Wyss</i>
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MAILED NOTICE

Notice of Upcoming City Council Hearings was mailed at least 10 days before the City Council hearings, per Section 98.070 and 98.080 of the Community Development Code to:

ODOT	09/25/24	<i>Lynn Schroder</i>
METRO	By email	<i>Lynn Schroder</i>
TRIMET	09/25/24	<i>Lynn Schroder</i>
Clackamas County Planning Department	09/25/24	<i>Lynn Schroder</i>
City of Oregon City	09/25/24	<i>Lynn Schroder</i>
City of Lake Oswego	09/25/24	<i>Lynn Schroder</i>
All Neighborhood Associations	09/25/24	<i>Lynn Schroder</i>
Stafford-Tualatin CPO	09/25/24	<i>Lynn Schroder</i>
West Linn-Wilsonville SD	09/25/24	<i>Lynn Schroder</i>
West Linn Chamber of Commerce	09/25/24	<i>Lynn Schroder</i>
Dept. of Land Conservation and Development, Plan Amendment	09/25/24	<i>Lynn Schroder</i>
Dept. of Land Conservation and Development, Kelly Reid	09/25/25	<i>Lynn Schroder</i>
ODOT Development Review	09/25/25	<i>Lynn Schroder</i>
ODOT Salem	09/25/25	<i>Lynn Schroder</i>

EMAILED NOTICE

Notice of Upcoming Council hearings was emailed at least 10 days before the decision date to:

All Neighborhood Association	09/25/24	<i>Lynn Schroder</i>
Persons Requesting Notification -PC agenda distribution list	09/25/24	<i>Lynn Schroder</i>
Metro land use notification email	09/25/25	<i>Lynn Schroder</i>
Stafford Tualatin CPO email	09/25/25	<i>Lynn Schroder</i>

WEBSITE

Notice of upcoming City Council hearings posted on City’s website 20 days before the hearings, per CDC Section 98.070.C.6.

09/25/24	<i>Lynn Schroder</i>
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TIDINGS

Notice of the City Council hearings was posted in the West Linn Tidings at least 10 days before the Planning Commission hearing, per Section 98.070 and 98.080 of the CDC.

10/1/25	<i>Lynn Schroder</i>
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CITY COUNCIL STAFF REPORT

The proposed amendments and staff report were posted on the website and available at least 10 days before the hearing, per Section 98.040 of the CDC.

10/2/2025	<i>Darren S. Wyss</i>
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FINAL DECISION

A Notice of Final Decision was mailed to the Department of Land Conservation and Development and persons who participated in the proceedings or otherwise requested such notice no later than 5 working days after the final decision per Section 98.140 of the CDC.

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**CITY OF WEST LINN
PUBLIC HEARING NOTICE
CDC-25-01**

**TO ADOPT TEXT AMENDMENTS TO THE WEST LINN COMMUNITY DEVELOPMENT CODE
CHAPTERS 2, 5, 24, 55, 85, AND 99 IN ORDER TO UPDATE LANGUAGE TO BE CLEAR AND OBJECTIVE
FOR MINIMUM/MAXIMUM DENSITY CALCULATIONS, MINIMUM DENSITY EXEMPTIONS, AND SHAPE
OF NEWLY CREATED LOTS**

The West Linn City Council will hold a hybrid public hearing on **Tuesday, October 14, 2025, at 6:00pm** in the Council Chambers of City Hall, 22500 Salamo Road, West Linn, to consider adopting text amendments to West Linn Community Development Code Chapters 2, 5, 24, 55, 85, and 99. The purpose of the amendments is to update language for Minimum/Maximum Density Calculations, Minimum Density Exemptions, and Shape of Newly Created Lots to be clear and objective as required by Oregon Revised Statute.

At least 10 days before the hearing, a copy of the proposed amendments and associated staff report will be available for inspection at no cost at City Hall and on the City website <https://westlinnoregon.gov/projects>. Alternately, copies may be obtained for a minimal charge per page.

The hybrid hearing will be conducted in accordance with the rules of CDC Chapters 98 and 105. The public can attend in person or watch the meeting online at <https://westlinnoregon.gov/meetings> or Cable Channel 30.

The Council will receive a staff presentation and invite oral and written testimony at public hearings. Council may continue the public hearing to another meeting to obtain additional information, leave the record open, or close the public hearing and take action on the proposed amendments as provided by state law.

Anyone wishing to present written testimony for consideration should submit all materials before 12:00 pm on the meeting day or in-person at the hearing. People interested in party status must establish standing by submitting oral or written testimony before or at the public hearings. Written comments may be submitted to dwyss@westlinnoregon.gov. Failure to raise an issue in person or by letter before the close of the hearing, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue.

To participate remotely during the meeting, please complete the form at: <https://westlinnoregon.gov/citycouncil/meeting-request-speak-signup> by 4:00 pm on the meeting day. Staff will email a Webex invitation before the meeting. If you do not have email access, please call 503-742-6061 for assistance 24 hours before the meeting. If you require special assistance under the Americans with Disabilities Act, please call City Hall 48 hours before the meeting date 503-657-0331.

For further information, please contact Darren Wyss, Principal Planner, at City Hall, 22500 Salamo Road, West Linn, OR 97068, (503)742-6064 or dwyss@westlinnoregon.gov.

Publish: West Linn Tidings, October 1, 2025

**CITY OF WEST LINN
PUBLIC HEARING NOTICE
CDC-25-01**

**TO ADOPT TEXT AMENDMENTS TO THE WEST LINN COMMUNITY DEVELOPMENT CODE
CHAPTERS 2, 5, 24, 55, 85, AND 99 IN ORDER TO UPDATE LANGUAGE TO BE CLEAR AND OBJECTIVE
FOR MINIMUM/MAXIMUM DENSITY CALCULATIONS, MINIMUM DENSITY EXEMPTIONS, AND SHAPE
OF NEWLY CREATED LOTS**

The West Linn Planning Commission will hold a hybrid public hearing on **Wednesday, August 6, 2025 at 6:00pm** in the Council Chambers of City Hall, 22500 Salamo Road, West Linn, to consider adopting text amendments to West Linn Community Development Code Chapters 2, 5, 24, 55, 85, and 99. The purpose of the amendments is to update language for Minimum/Maximum Density Calculations, Minimum Density Exemptions, and Shape of Newly Created Lots to be clear and objective as required by Oregon Revised Statute.

Following the Planning Commission hearing, the Commission will make a recommendation to the City Council. The Council will make a final decision regarding the Commission recommendation following its own hybrid public hearing on **Monday, October 13, 2025 at 6:00pm** in the Council Chambers of City Hall.

At least 10 days before the hearings, a copy of the proposed amendments and associated staff report will be available for inspection at no cost at City Hall and on the City website <https://westlinnoregon.gov/projects>. Alternately, copies may be obtained for a minimal charge per page.

The hybrid hearings will be conducted in accordance with the rules of CDC Chapters 98 and 105. The public can attend in person or watch the meeting online at <https://westlinnoregon.gov/meetings> or Cable Channel 30.

The Commission and Council will receive a staff presentation and invite oral and written testimony at public hearings. The Body may continue the public hearing to another meeting to obtain additional information, leave the record open, or close the public hearing and take action on the proposed amendments as provided by state law.

Anyone wishing to present written testimony for consideration should submit all materials before 12:00 pm on the meeting day or in-person at the hearing. Persons interested in party status must establish standing by submitting oral or written testimony before or at the public hearings. Written comments may be submitted to dwyss@westlinnoregon.gov. Failure to raise an issue in person or by letter before the close of the hearing, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue.

To participate remotely during the meeting, please complete the form at: <https://westlinnoregon.gov/citycouncil/meeting-request-speak-signup> by 4:00 pm on the meeting day. Staff will email a Webex invitation before the meeting. If you do not have email access, please call 503-742-6061 for assistance 24 hours before the meeting. If you require special assistance under the Americans with Disabilities Act, please call City Hall 48 hours before the meeting date 503-657-0331.

For further information, please contact Darren Wyss, Planning Manager, at City Hall, 22500 Salamo Road, West Linn, OR 97068, (503)742-6064 or dwyss@westlinnoregon.gov.

Publish: West Linn Tidings, July 23, 2025



CITY OF
**West
Linn**

City Council

Public Hearing
2025 CDC Clean Up Amendments

October 14, 2025



2025 CDC Clean Up Amendments

Agenda Bill

- Background Information
- PC Meeting Links
- City Attorney Recommended Addition
- CC Work Session Links

Attachments

- Ordinance 1763
 - CDC Chapters 2, 5, 24, 55, 85, and 99
- Staff Report to City Council
 - Background
 - Findings
 - PC Recommendation Memo
 - Affidavit and Notice Packet



**City of
West Linn**

**STAFF REPORT
FOR THE PLANNING COMMISSION**

FILE NUMBER: CDC-25-01

HEARING DATE: August 6, 2025

REQUEST: To consider adoption of text amendments to West Linn Community Development Code Chapters 2, 5, 24, 55, 85, and 99 to update language to be clear and objective for minimum/maximum density calculations, minimum density exemptions, and shape of newly created lots

APPROVAL CRITERIA: West Linn Community Development Code (CDC) Chapters 98 and 105

STAFF REPORT PREPARED BY: Darren Wyss, Planning Manager

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Topic 1 – Min/Max Density Calculations

- 🍃 **CDC Lack of Clarity**
 - Not found in one location
 - Not clear and objective
 - Not clearly defined
- 🍃 **Metro UGMFP Requirements**
 - Min density standard for each zone (Title 1, Section 3.07.120(b))
 - Metro cities' code sections
- 🍃 **Exemptions**
 - Middle housing projects
 - Middle housing land divisions
 - Planned Unit Development (PUD)
 - Partitions (see Topic 2)

REGIONAL FUNCTIONAL PLAN REQUIREMENTS

Title 1: Housing Capacity

3.07.110 Purpose and Intent

The Regional Framework Plan calls for a compact urban form and a "fair-share" approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring each city and county to maintain or increase its housing capacity except as provided in section 3.07.120. [Ord. 97-715B, Sec. 1. Ord. 02-969B, Sec. 1. Ord. 10-1244B, Sec. 2.]

3.07.120 Housing Capacity

- (a) A city or county may reduce the minimum zoned capacity of the Central City or a Regional Center, Town Center, Corridor, Station Community or Main Street under subsection (d) or (e). A city or county may reduce its minimum zoned capacity in other locations under subsections (c), (d) or (e).
- (b) Each city and county shall adopt a minimum dwelling unit density for each zone in which dwelling units are authorized except for zones that authorize mixed-use as defined in section 3.07.1010(gg). If a city or county has not adopted a minimum density for such a zone prior to March 16, 2011, the city or county shall adopt a minimum density that is at least 80 percent of the maximum density.
- (c) A city or county may reduce its minimum zoned capacity by one of the following actions if it increases minimum zoned capacity by an equal or greater amount in other places where the increase is reasonably likely to be realized within the 20-year planning period of Metro's last capacity analysis under ORS 197.299:
 - (1) Reduce the minimum dwelling unit density, described in subsection (b), for one or more zones;
 - (2) Revise the development criteria or standards for one or more zones; or
 - (3) Change its zoning map such that the city's or county's minimum zoned capacity would be reduced.Action to reduce minimum zoned capacity may be taken any time within two years after action to increase capacity.
- (d) A city or county may reduce the minimum zoned capacity of a zone without increasing minimum zoned capacity in another zone for one or more of the following purposes:
 - (1) To re-zone the area to allow industrial use under Title 4 of this chapter or an educational or medical facility similar in scale to those listed in section 3.07.1340(d)(5)(B)(i) of Title 13 of this chapter; or
 - (2) To protect natural resources pursuant to Titles 3 or 13 of this chapter.



Topic 1 – Proposed Code Amendments

Chap. 2 – Definitions

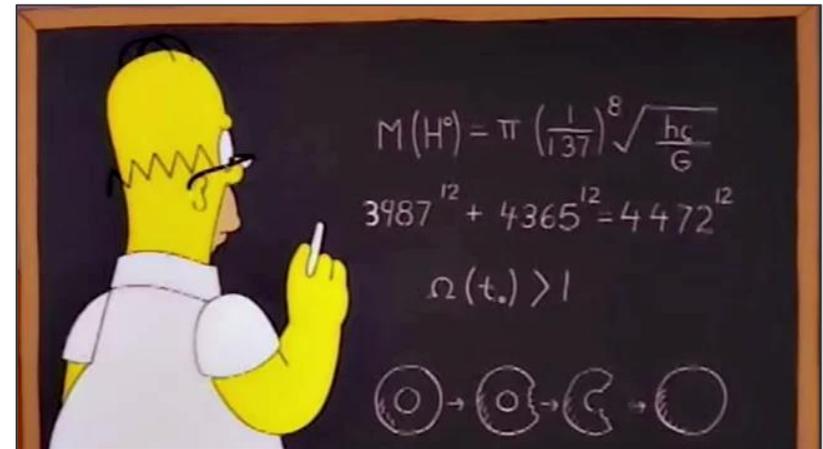
- Eliminate Acres, Gross and Acres, Net
- Add Developable Gross Area
- Add Developable Net Area

Chap. 5 – General

- Create “Measurements” section
- Process to calculate Developable Net Area
 - Type I and II Lands, Park Land, Public ROW or Private Streets
 - Optional: Heritage/Significant Trees
- Process to calculate Maximum Density
- Process to calculate Minimum Density

Chap. 24/55/85 – DR/Land Divisions

- Clean up random references
- Reference to CDC 05.025 for calculations





Topic 2 – Partition Minimum Density Exemption

- 🍃 **CDC Lack of Clarity**
 - Differing interpretations
 - Not clear and objective
- 🍃 **Metro UGMFP Requirements**
 - Reduce minimum zoned capacity of single lot/parcel with negligible effect (Title 1, Section 3.07.120(e))
- 🍃 **Potential Impact**
 - 5-acre property
 - Maximum density = 24 lots
 - Minimum density = 17 lots
 - Language as written and argued by applicants could result in only 3 parcels

REGIONAL FUNCTIONAL PLAN REQUIREMENTS

Title 1: Housing Capacity

3.07.110 Purpose and Intent

The Regional Framework Plan calls for a compact urban form and a "fair-share" approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring each city and county to maintain or increase its housing capacity except as provided in section 3.07.120. [Ord. 97-715B, Sec. 1. Ord. 02-969B, Sec. 1. Ord. 10-1244B, Sec. 2.]

3.07.120 Housing Capacity

- (a) A city or county may reduce the minimum zoned capacity of the Central City or a Regional Center, Town Center, Corridor, Station Community or Main Street under subsection (d) or (e). A city or county may reduce its minimum zoned capacity in other locations under subsections (c), (d) or (e).
- (b) Each city and county shall adopt a minimum dwelling unit density for each zone in which dwelling units are authorized except for zones that authorize mixed-use as defined in section 3.07.1010(gg). If a city or county has not adopted a minimum density for such a zone prior to March 16, 2011, the city or county shall adopt a minimum density that is at least 80 percent of the maximum density.
- (c) A city or county may reduce its minimum zoned capacity by one of the following actions if it increases minimum zoned capacity by an equal or greater amount in other places where the increase is reasonably likely to be realized within the 20-year planning period of Metro's last capacity analysis under ORS 197.299:
 - (1) Reduce the minimum dwelling unit density, described in subsection (b), for one or more zones;
 - (2) Revise the development criteria or standards for one or more zones; or
 - (3) Change its zoning map such that the city's or county's minimum zoned capacity would be reduced.Action to reduce minimum zoned capacity may be taken any time within two years after action to increase capacity.
- (d) A city or county may reduce the minimum zoned capacity of a zone without increasing minimum zoned capacity in another zone for one or more of the following purposes:
 - (1) To re-zone the area to allow industrial use under Title 4 of this chapter or an educational or medical facility similar in scale to those listed in section 3.07.1340(d)(5)(B)(i) of Title 13 of this chapter; or
 - (2) To protect natural resources pursuant to Titles 3 or 13 of this chapter.



Topic 2 – Proposed Code Amendments

🍃 Chap. 85 – Land Divisions

- Clarifies the exemption only applies after doing the minimum density calculation in Chapter 05.025
- Exempts PUDs

[CDC Chapter 85: Land Divisions – General Provisions](#)

85.200 Approval Criteria

...

J. Supplemental provisions.

...

7. Density requirement. Density shall occur at 70 percent or more of the maximum density allowed by the underlying zoning **as calculated per CDC 05.025.**

a. These provisions do not apply **to Planned Unit Developments where density is calculated per CDC Chapter 24.** ~~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.~~

b. **Minimum density calculations per CDC 05.025 that result in Land divisions of three ~~lots~~ parcels or less are ~~also~~ exempt and can divide into two parcels.**



Topic 3 – Proposed Code Amendments

- 🍃 Chap. 2 – Definitions
 - Rectilinear
- 🍃 Chap. 5 – General
 - Create “Measurements” section
 - Segmented Lot/Parcel Lines
 - Lateral changes
 - Measurement directions w/figures
- 🍃 Chap. 85 – Land Divisions
 - Clean up language
 - Requires rectilinear lines unless not practicable (existing lines/street radius/natural features)
 - Reference to CDC 05.025 for calculations





2025 CDC Clean Up Amendments

- 🍃 PC Work Session (June 18th)
- 🍃 PC Work Session (July 16th)
- 🍃 PC Public Hearing (Aug 6th)
 - Recommendation to CC
- 🍃 City Attorney Recommended Addition



05.025 Measurements

A. Density Calculations

1. Developable net area is determined by subtracting the following areas from the developable gross area:

- a. Type I and II lands,
- b. All land dedicated to the public for park purposes,
- c. All land dedicated for public rights-of-way,
- d. All land proposed for private streets; and
- e. Optionally, the applicant may subtract the following (as measured in CDC 55.105.C.2(a)):
 - i. Heritage trees,
 - ii. Significant trees or tree clusters.

- 🍃 CC Work Session (Sept. 15th)
- 🍃 CC Public Hearing (Oct. 14th)





QUESTIONS OF STAFF?

Agenda Bill 2025-10-14-03

Date Prepared: October 7, 2025

For Meeting Date: October 14, 2025

To: Rory Bialostosky, Mayor
West Linn City Council

Through: John Williams, City Manager *JRW*

From: Erich Lais, PE – City Engineer/Public Works Director EL

Subject: Proposed Clackamas County Parcel Purchases

Purpose:

For Council to consider acquisition of real property, specifically two small County-owned parcels within the City of West Linn.

Question(s) for Council:

Does Council wish to grant staff the ability to purchase the two County-owned parcels?

Public Hearing Required:

No

Background & Discussion:

The Cascade Summit Marketplace (City Hall and Safeway complex) was developed and platted in 2001. With the recording of the plat, there is an approximate 0.24 acre parcel, Tax Lot #21E26D 00907, that is a stormwater quality facility (two 15-foot, City-owned “public storm drainage” easements currently empty into this facility). From the research staff has performed, Tax Lot #21E26D 00907, known as “Tract B,” was intended to be deeded over to the City, specifically the City of West Linn Planning and Building Department Land Use Action Decision for the Cascade Summit Marketplace provides that “[t]he detention pond . . . shall be inspected to determine compliance with the City of West Linn’s construction standards prior to the city taking ownership of that facility.” A later dated letter from the Project Manager provides that “[t]he detention pond is not ready to be accepted by the City of West Linn. The developer is willing to enter into a Maintenance agreement in the interim or modify the Public Improvement Agreement if necessary.” For unknown reasons, this was never completed. The City has operated in good faith since 2001, maintaining and managing Tract B as though it were owned by the City, including spending over \$7000 on vegetation removal in 2024 alone, to ensure the stormwater infrastructure functions properly.

Tract B fell into foreclosure and ownership reverted to the County. The parcel was offered at public auction with opening bids of \$11,682 on September 15, 2025, and received no bids (likely because it is undevelopable). The City Attorney has worked closely with the Public Works Dept. on this matter and has spoken with the Assistant County Counsel for Clackamas County to understand the process for acquiring the tract, as well as any attendant risks, including the fact that Tract B is currently part of a

class action lawsuit. The City Attorney has been told by the County that if the City bids on the property at public auction, there will be no indemnification requirement of the County (meaning the property will be sold “as is” condition, but with no entanglement in the class action).

Tract B will be set for a second auction, with an opening bid price significantly lower than the first auction. Staff’s perspective is that keeping control over this property is critical to maintaining the necessary function of the stormwater treatment facility, and therefore, would like to secure ownership. Staff requests Council approval to spend no more than \$10,000 to acquire Tract B.

The second parcel that staff would like to acquire on behalf of the City is Tax Lot #21E36BA04000. This is a small track of unused County land, approximately 0.08 acre parcel, that is land locked by private property and property owned by the Tanner Stonegate Neighborhood Association. The purpose for this purchase would be a future street connection from Reed Street to Cornwall Street. With the steady tear down and rebuild of homes, several with lot splits, staff expects that a future connection from Landis and Cornwall could be possible (that was presented in the 2016 Transportation System Plan). The County is willing to sell this property to the City for \$1128.78. Staff recommends purchasing it.

West Linn Municipal Code (WLMC) Sections 2.901 and 2.903 is the applicable code for City-acquisition of real property, excerpted in relevant parts below:

2.901 Acquisition of Real Property:

“Dedications of property resulting from development applications and development conditions of approval for rights-of-way and public tracts shall not be considered acquisitions of property by the City for purposes of this section and may be approved by the City Manager or designee. Other land donations and *other acquisitions of an interest in real property not delegated above shall be approved by the City Council.*” (italics added).

2.903 Procedure for Acquisition and Transfers of Interests in Real Property.

“The City Council may approve the acquisition or transfer of real property under Sections [2.901](#) and [2.902](#) by motion or resolution.” (italics added).

Budget Impact:

Tax Lot #21E26D00907 would be purchased through the Environmental Fund. The fund is currently healthy and has available surplus for the purchase.

Tax Lot #21E36BA04000 would be purchased through the Streets Fund. The fund is currently healthy and has available surplus for the purchase.

Sustainability Impact:

Tax lot #21E36BA04000 would enhance on-street connectivity and allow for pedestrian/cyclist access in addition to vehicular access which is currently absent.

Council Options:

1. Approve the purchase of two County-owned parcels with funds from the Environmental Services and Streets funds, and grant the City Manager or his designee the authority to complete the transactions.
2. Do not approve the purchase of two County-owned parcels with funds from the Environmental Services and Streets funds.

Staff Recommendation:

1. Approve the purchase of two County owned parcels with funds from the Environmental Services and Streets funds, and grant the City Manager or his designee the authority to complete the transactions. Resolution 2025-14 includes the ability to obtain a Level One environmental assessment for each property as needed, and as allowed by the County.

Potential Motion:

I move to adopt Resolution 2025-14, APPROVING THE ACQUISITION OF REAL PROPERTY, TAX LOTS 21 E26D 00907 AND 21E 36BA 04000, IN WEST LINN, OREGON.

Attachments:

1. Resolution 2025-14
2. Map of Tax Lot #21E26D 00907.
3. Map of Tax Lot #21E36BA04000.

RESOLUTION 2025-14

A RESOLUTION APPROVING THE ACQUISITION OF REAL PROPERTY, TAX LOTS 21 E26D 00907 AND 21E 36BA 04000, IN WEST LINN, OREGON

WHEREAS, acquisitions of an interest in real property must be approved by the City Council (WLMC 2.109), by motion or resolution (WLMC 2.903); and

WHEREAS, Clackamas County currently owns a 0.24 acre parcel known as Tax Lot 21 E26D 00907 (“Property 1”) that is used as a stormwater treatment facility, with two 15-foot City of West Linn-owned public storm drainage easements emptying into the facility; and

WHEREAS, based on City staff research, Property 1 was intended to be deeded to the City of West Linn during the development and land use approval process of the Cascade Summit Marketplace, but for unknown reasons, this did not occur; and

WHEREAS, nonetheless, since 2001, the City has operated and maintained Property 1 as though it were owned by the City, including spending over \$7,000 on vegetation removal in 2024 alone, to ensure stormwater infrastructure functions properly; and

WHEREAS, Clackamas County became the owner of Property 1 through foreclosure, and Property 1 was offered at public auction on September 15, 2025, but received no bids and will be offered at a second public auction at a lower price; and

WHEREAS, City staff have explained that operation and control over Property 1 is critical to maintaining the necessary function of the stormwater treatment facility and the cost will be not more than \$10,000 at the second public auction; and

WHEREAS, Clackamas County also currently owns a 0.08 acre parcel, known as Tax Lot 21E 36BA 04000 (“Property 2”) that is landlocked between private property and property owned by the Tanner Stonegate Neighborhood Association; and

WHEREAS, given recent development and rebuilding of homes, City staff expects that a future street connection from Reed Street to Cornwall Street through Property 2 would be possible and further street connectivity; and

WHEREAS, Clackamas County is willing to sell Property 2 for \$1,128.78.

NOW, THEREFORE, THE CITY OF WEST LINN RESOLVES AS FOLLOWS:

SECTION 1. Acquisition of Property 1. The City Council approves the acquisition of Property 1 as described in this resolution and known as Tax Lot 21 E26D 00907 with

money from the Environmental Fund, and authorizes the City Manager or his designee to undertake the actions necessary to facilitate and complete the acquisition, including a Level One Environmental Assessment if allowed by Clackamas County.

SECTION 2. Acquisition of Property 2. The City Council approves the acquisition of Property 2 as described in this resolution and known as Tax Lot 21E 36BA 04000 with money from the Streets Fund, and authorizes the City Manager or his designee to undertake the actions necessary to facilitate and complete the acquisition, including a Level One Environmental Assessment if allowed by Clackamas County.

This resolution was PASSED and ADOPTED this 14th day of October, 2025, and takes effect upon passage.

RORY BIALOSTOSKY, MAYOR

ATTEST:

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY



Legend

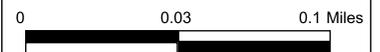
Addresses

dissolved 0-5K

Points of Interest

-  Fire Station
-  City Hall
-  Police Station
-  Public School

Named Parks and OS



1: 2,256.99



Notes

This map was automatically generated using Geocortex Essentials.

Legend

Addresses

dissolved 0-5K

Points of Interest

-  Fire Station
-  City Hall
-  Police Station
-  Public School

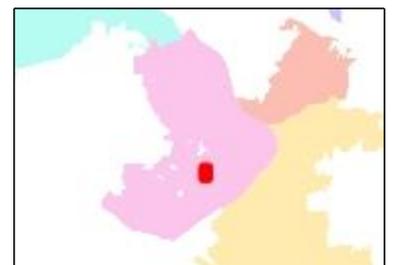
Named Parks and OS



0 0.03 0.1 Miles



1: 2,256.99



Notes

This map was automatically generated using Geocortex Essentials.



CITY OF
**West
Linn**

Clackamas County Parcel Purchases

10-14-25



Background

- Tax Lot #21E26D 00907 – Tract B
 - *Part of Cascade Summit Marketplace*
 - *Existing Stormwater Facility*

- Tax Lot #21E36BA04000 – Reed Street
 - *Parcel of land near Tanner Stonegate NA*
 - *Located at the end of Reed Street*



Reed Street

- ◆ Tax #21E36BA040000
 - Located at the end of Reed Street
 - Unused County parcel
 - Approximately 0.08 acres





2016 Transportation System Plan (TSP) – Chapter 6

◆ TSP Local Street Connections Priority

- Project #19 – New east-west connection from Reed Street to Cornwall Street
- Listed as a low priority
- Over the last 5-years, this area has seen several redevelopment projects



“Tract B”



- ◆ Tax Lot # 21E26D 00907
- ◆ Existing stormwater facility the City has maintained since 2001
- ◆ Treats surface water from Cascade Summit and parts of the Cascade Townhomes
- ◆ Tract B – from Staff research was intended to be deeded over to the City
- ◆ For unknown reasons, the Tract was never deeded over to the City



Land Use Decision and Plat



DECISION

Based upon the aforementioned findings of Exhibit A, staff hereby approves the minor partitions, File Nos. MIP-00-03 and MIP-00-04 with the following conditions of approval:

1. A reciprocal parking agreement shall be established and recorded prior to final platting, which gives the Montessori School the right to use the rear Safeway parking lot nearest the Montessori School for special event parking such as school plays.
2. All landscaping and drainage shall be installed for the entire site per the original design review for the Cascade Summit Commercial site, including landscaping and drainage facilities on the embankment at the rear of the school, prior to final platting or guaranteed by cash deposit of 125% of the cost of those improvements.
3. All previous and current conditions of approval for design review of the Safeway and Montessori Schools shall be completed prior to final plat recording, or guaranteed by cash deposit of 125% of the cost of those improvements.
4. The detention pond adjacent to the Montessori shall be inspected to determine compliance with the City of West Linn's construction standards prior to the city taking ownership of that facility. Until the City of West Linn finds that the facility can meet the standards then the applicant shall continue to be responsible for the maintenance and operation of the pond and associated landscaping. A developer ownership and maintenance agreement shall be required.

I/We declare to have no interest in the outcome of this decision due to some past or present involvement with the applicant, the subject property, or surrounding properties, and therefore, can render an impartial decision. The provisions of the Community Development Code Chapter 99 have been met.

6-27-00
DATE

7-5-00
DATE

DAN DRENTLAW, Planning Director

DAVE MONSON, City Engineer





Tract B Ownership History

- ◆ Tract B fell into foreclosure and ownership reverted back to the County
- ◆ Tract B was offered for sale at a public land auction on 9/15/25
 - Opening bids started at \$11,682 – (no bids were received)
- ◆ The City Attorney has been working closely with Clackamas County Legal Council and learned that Tract B is part of a class action lawsuit
 - According to County Legal, if the City wishes to bid on the property at the next auction, there is no indemnification from the County; the property will be sold “as is” with no class auction entanglement
- ◆ Tract B is planned to be offered at an upcoming auction at a significantly lower price
- ◆ Staff believes taking ownership is critical to keeping control and maintenance over the facility