

**City of West Linn**  
**PRE-APPLICATION CONFERENCE MEETING**  
**SUMMARY NOTES**  
**November 15, 2012**

SUBJECT: Water Resources Area permit to connect existing house to City sanitary sewer line for 20800 Hidden Springs Road, which will cross water resource area on WLWV School District property at 1025 Rosemont Road

ATTENDEES: Applicant: Anthony Vandenberg, Kyle Bailey, Tim Woodley  
Staff: Tom Soppe (Planning), Khoi Le (Engineering)

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***The following is a summary of the meeting discussion provided to you from staff meeting notes. Additional information may be provided to address any “follow-up” items identified during the meeting. These comments are PRELIMINARY in nature. Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.***

**Project Details**

The house at 20800 Hidden Springs Road is surrounded on three sides by the Trillium Creek Primary School grounds. The house’s parcel and the parcels that now compose the school grounds all were part of one acreage at one time, all owned by the Erickson family which still owns the house and its parcel. More recently all of these parcels have been annexed into the City and the areas south of Trillium Creek have been developed into the school grounds, and these parcels are owned by West Linn-Wilsonville School District (WLWV). The house has been on its own water well and septic system since before being annexed into the City.



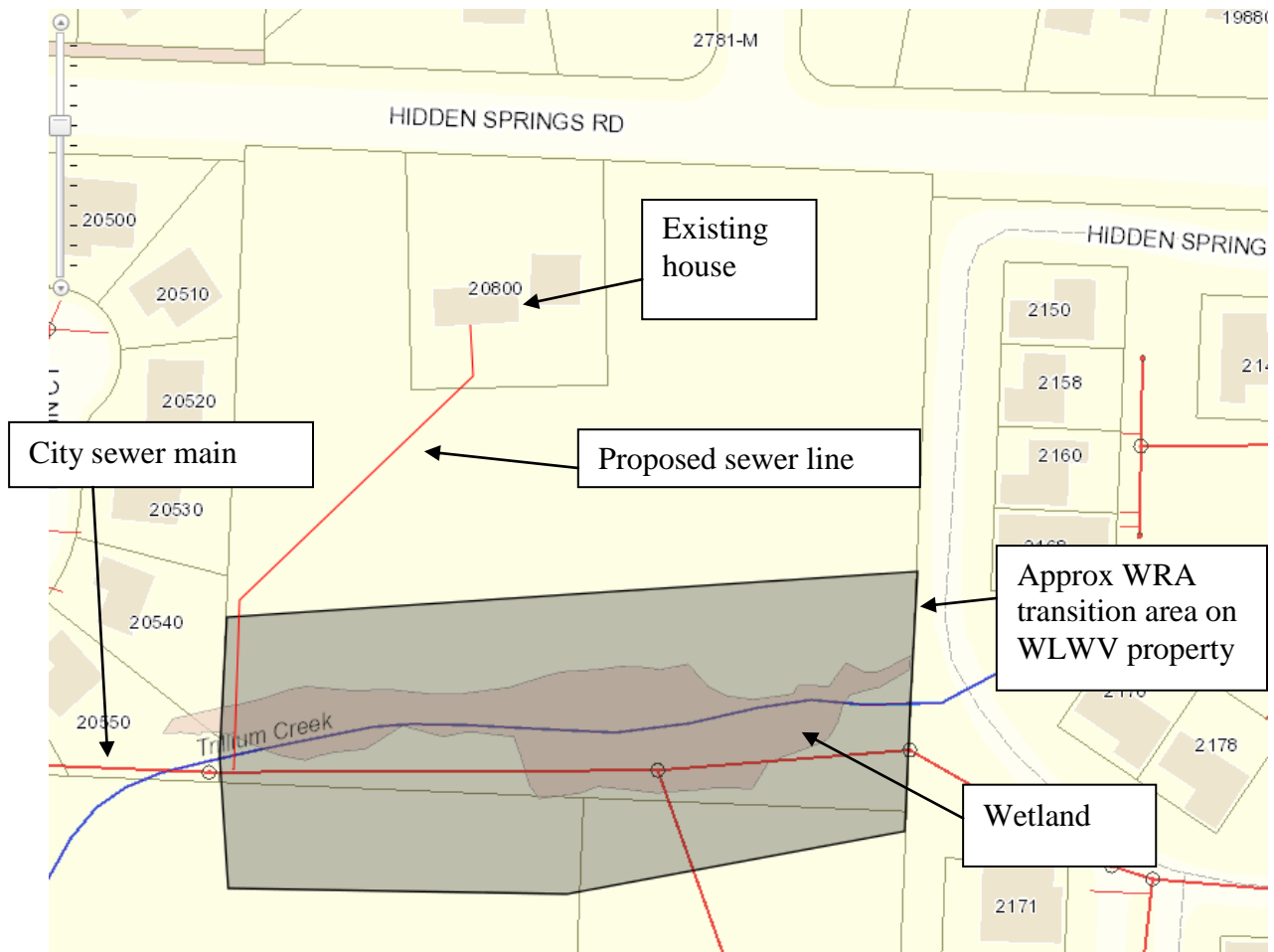
*House at 20800 Hidden Springs Road*

The applicant, WLWV, plans to connect the house to City water under Hidden Springs Road, decommission the on-site septic system, and connect the house to a City sanitary sewer line slightly downhill. This proposed sewer connection is south of the house parcel on WLWV property. The sewer line connection would involve putting a new sewer lateral across a wetland and Trillium Creek, which lie between the City sanitary sewer line and the house, on WLWV property. The wetland lies along the creek on both sides of it, also all on WLWV property.



*As seen on map in applicant's submittal, the proposed sanitary sewer line would cross this area diagonally before crossing the wetland and creek by following a route just to the left of the wooden fence.*

Any digging and utility installation work within a water resource or its transition area requires a Water Resource Area permit. Transition areas are set by 32.050(E). Per this section, a transition area, in a relatively flat area such as this, is 50 feet from a wetland or 100 feet from a creek classified as a significant riparian corridor, whichever is further. Trillium Creek is a significant riparian corridor. In this case the 100-foot-from-creek measurement is further than the 50-foot-from-wetland measurement, so approximately just over 200 feet of the proposed lateral would be in the transition area and/or water resource.



Mitigation and revegetation plans are required for placing a utility through a water resource area per 32.050(F). Because there would be area permanently disturbed by having the lateral underneath it, this area would have to be mitigated for with an equal square footage sized area for both the transition area and the wetland area to be permanently disturbed, respectively. Per 32.070, the disturbed transition area should be mitigated for by adding new transition area with appropriate native species at a location either a) within the property but outside of the existing water resource area, or b) at a location in another water resource area in an unhealthy state off the property. The applicant discussed how the ongoing restoration project on site goes above the required 1:1 square footage ratio to mitigate for the development of the school in the water resource areas on site. If the applicant demonstrates in the application that this restoration project goes over the 1:1 for the school by enough square footage to also mitigate at a 1:1 ratio for the disturbed transition area, than this square footage can count for the mitigation for the proposed project as well. This is only if the 1:1 amount of square footage counting for this project is outside the 100-foot boundary per 32.070(C)(1).



*The pipe is proposed approximately 8-10 feet to the left of the fence, parallel to the fence, through the wetland in the foreground.*

To mitigate for the wetland, the applicant will have to add to the existing wetland on site or (if not practicable) another existing wetland off site. As discussed the applicant could add to wetlands on site, or if this is not practicable within the site or the rest of the Trillium Creek water shed, the applicant can add to the wetlands on the West Linn High School site.

Additionally, the revegetation plan should restore any wetland and water resource areas in the area where the pipe is installed as well as restoring any areas to be temporarily disturbed by construction in the wetland and water resource areas surrounding the installation.

The wetland restoration and mitigation plans shall be prepared by a certified professional per Community Development Code (CDC) 32.070(D). If impacts to wetlands are greater than 0.1 acres the applicant has to apply for a Joint Permit with Department of State Lands and Army Corps of Engineers and present proof to the City that this was applied for, per 32.070(B)(7).

Per 32.070(A) the mitigation plan must explain how no other practicably alternatives exist and why the alternative selected was chosen. Therefore the applicant shall explain why another solution that does not cross a water resource area was not practicable, e.g. why this connection must be made rather than pumping the sanitary sewer lateral of the house to the closest main in Bay Meadows Drive just north of Hidden Springs Road. Also due to 32.070's wording the applicant shall explain why the particular route was chosen to connect to the sanitary sewer main south of the wetland as proposed; e.g. topography, minimal effects on the wetland, future possible plans for the site, or other such relevant reasons for the route/configuration. As

discussed between Engineering and the applicant during the conference, the location and size of the pipe may be proposed to be different in the application than what is shown in the pre-application submittal based on how to best accommodate possible subdivision configurations and other possible uses in the areas north of the 100-foot buffer in the future. Due to the possibility of a future subdivision the applicant may propose this to be a public pipe as well.



*Trillium Creek, in the approximate area where the pipe will be installed under it perpendicular to the creek.*



*Looking northeast at corner of property line, this is approximately the area where the proposed pipe would connect to the existing underground sanitary sewer main that runs parallel to Trillium Creek. The main is located just south of the creek.*

A sanitary sewer line easement will have to be recorded with Clackamas County in the areas where the proposed lateral for the house crosses the school district property.

### **Process**

The Water Resource Area permit is required.

No neighborhood meeting is required per CDC 99.038. However, these meetings are always encouraged to solicit public input and make the public more informed of an applicant's plans. The site is in the Hidden Springs Neighborhood. Contact Alex Kachirisky, Hidden Springs Neighborhood Association president, at 503-343-4752 or [HiddenSpringsNA@westlinnoregon.gov](mailto:HiddenSpringsNA@westlinnoregon.gov).

The application will require a full and complete response to the submittal requirements per CDC 32.040. Submittal requirements may be waived but the applicant must first identify the specific submittal requirement and request, in letter form, that it be waived by the Planning Director and must identify the specific grounds for that waiver. The waiver may or may not be granted by the Planning Director.

The submittal shall include responses to each approval criterion in sections 32.050, 32.070, and 32.080. N/A is not an acceptable response to any approval criteria. The CDC is online at <http://westlinnoregon.gov/planning/community-development-code-cdc>.

Prepare the application and submit to the Planning Department with a deposit of \$1,850. Submit a completed application form as well.

**PLEASE NOTE that the deposit fee quoted represents an initial deposit. Staff time is charged against this deposit. It is common for there to be more staff time spent on development applications than deposits cover, and therefore additional billing is possible.**

The Water Resources Area permit is a Planning Director decision with a 20-day public notice period. The Planning Director will send out a notice soliciting comments after application completeness. A Planning Director decision may be appealed by the applicant or anyone with standing to City Council, requiring at least one City Council hearing.

Pre-application notes are void after 18 months. After 18 months with no application approved or in process, a new pre-application conference is required. Any code amendments to the CDC during that period would have to be addressed by the applicant and could affect the proposal.

***Typical land use applications can take 6-10 months from beginning to end.***

**DISCLAIMER:** This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application. Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed.

Preapps 2012.11.15/PA-12-19 Summary