

**City of West Linn**  
**PRE-APPLICATION CONFERENCE MEETING**  
**SUMMARY NOTES**  
**October 1, 2015**

SUBJECT: Development of a single family home within a Water Resource Area (WRA) at 1822 Carriage Way.

FILE: PA-15-36

ATTENDEES: Applicants: David Quinn, Shawn Gentemann  
Staff: Peter Spir (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.*

**Site Information**

Site Address: 1822 Carriage Way  
Site Area: 21,292 square feet  
Neighborhood: Hidden Springs NA  
Comp. Plan: Low density residential  
Zoning: R-10 (Single family residential detached / 10,000 square foot minimum lot size)  
Applicable code: Community Development Code (CDC) Chapter 32: WRA  
CDC Chapter 11: R-10

**Project Details:** Fern Creek bisects the property to the east, generally on a north-south axis. The WRA associated with the creek extends onto the subject property to the point where the grades diminish to less than 15% for at least 50 feet. The WRA then includes an additional 50 foot setback. (see CDC Chapter 32 Figure 32-4.) The setback may be reduced to 25 feet if a geotechnical engineer can make findings that development will not cause slope failure or erosion impacting the creek. The applicant proposes the development of a house at the subject property. The majority of the property is within the WRA boundary. Development (non-exempt) is not allowed in the WRA. There are two options:

- 1.) Utilize the "Hardship" provisions of CDC 32.110 which allow 5,000 square feet or 30% of the WRA for development (whichever is greater) in addition to developable non-WRA lands. Based upon the topographic survey conducted by Thurston and Associates Inc. in 2005, the point where sub 15% slopes start is along the 657 foot contour. (The grades are less than 15% for the next 50 feet.) If the geotechnical study demonstrates that a 25 foot setback is acceptable, the non-WRA area comprises 3,789 square feet. That area added to 30% of the WRA (5,250 square feet) yields a total developable area of 9,039 square feet. Development includes all structures, all graded areas that are not restored

and revegetated with native plant material and all non-native landscaping, driveways, patios, etc. The development area shall be the maximum practical distance from the creek. Mitigation for the WRA area used under the hardship provisions is required per 32.090 and 32.100. Utilization of the hardship provisions prohibits partition of the property.

- 2.) Hire a wetland consultant and use the Alternate Review process of CDC 32.070. Mitigation is also required.

### **Engineering Division and TVFR Comments**

Contact Khoi Le at [kle@westlinnoregon.gov](mailto:kle@westlinnoregon.gov) or 503-722-5517 for engineering requirements. Contact Ty Darby from TVF&R at [ty.darby@tvfr.com](mailto:ty.darby@tvfr.com) for their requirements.

### **Process**

For the WRA permit address the submittal requirements and approval criteria of CDC Chapter 32. The application must include a map with an outline or footprint of the proposed house, driveways and all other developed spaces. If the application is approved, the home builder will be limited to those areas. There is a deposit fee of \$2,600 and an inspection fee of \$250. The CDC is online at <http://westlinnoregon.gov/cdc>.

N/A is not an acceptable response to the approval criteria. The 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 Manager and must identify the specific grounds for that waiver.

Once the application and deposit/fee are submitted, the City has 30 days to determine if the application is complete or not. If the application is not complete, the applicant has 180 days to make it complete or provide written notice to staff that no other information will be provided.

Once the submittal is deemed complete, staff will provide notice per CDC Chapter 99 and schedule a decision date by the Planning Manager. A decision is usually rendered within 5 weeks of the determination of completeness. Appeals of the Planning Manager's decision are heard by City Council.

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.

***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 **or provide any assurance of potential outcomes**. Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. **A new pre-application conference would have to be scheduled one that period lapses and these notes would no longer be valid. Any changes to the CDC standards may require a different design or submittal.**