

**City of West Linn**  
**PRE-APPLICATION CONFERENCE MEETING**  
**Notes**  
**December 17, 2015**

SUBJECT: Flood Management Area (FMA) permit

FILE: PA-15-47

ATTENDEES: Applicant: Garrin Royer, Joe Broders  
Staff: Peter Spir (Associate Planner) David Davies (Building Official)

*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: 5005 Mapleton Drive  
Area: 26,180 sq. ft.  
Comprehensive Plan Designation: Low Density Residential  
Zoning Classification: R-10 (10,000 square foot minimum lot size)  
Overlays: Flood Management Area (FMA) (100 and 500 year flood areas)

**Project Details**

The floodway and Willamette River Greenway (WRG) occupy the east 135 feet of the property adjacent to the river. This area slopes up 28 feet to a flat portion of the site which is currently occupied by a house. This flat area is within the 100 year floodplain. The applicant proposes to construct a new house to replace the existing one in this flat area. Because no work is proposed in the WRG, no Willamette and Tualatin River Protection permit (WRG) permit is required.

A Removal-Fill Permit application through the Oregon Department of State Lands is only required for activity in "Waters of the State" that involve over 50 cubic yards of fill or removal. So long as any storm outfall or other storm facility is located above the OHWM and comprises less than 50 cubic yards then no permit is required.

The applicant will be required to obtain a tree removal permit from Mike Perkins, the City Arborist ([mperkins@westlinnoregon.gov](mailto:mperkins@westlinnoregon.gov)) if any trees are proposed to be removed for the addition.

Sidewall modulations are required per CDC Chapter 43. The maximum house height is 35 feet.

## Process

A FMA permit is required for development within the flood boundaries. The FMA permit fee is \$1,050 is required. The submittal requirements of CDC 27.050 and approval criteria of CDC 27.060, 27.070, 27.080 must be met. The CDC is online at <http://westlinnoregon.gov/cdc>.

The elevation certificate must provide the pre-construction elevation of the site to be developed and post construction elevation per FEMA's online elevation certificate <http://www.fema.gov/media-library/assets/documents/160>

N/A is not an acceptable response to the FMA 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. The application form must be signed by the property owner.

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, the staff will notify the affected parties of the proposal and invite comment. The Planning Manager will issue a decision to approve, approve with conditions or deny the application and notify affected parties. There is a 14-day window to appeal the decision of the Planning Manager following notice of the decision. If no appeal has been received by the close of the appeal period, the Planning Manager decision becomes final and the applicant may move forward with the development of their proposal.

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.***