

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
January 19, 2017

SUBJECT: Construction of an Accessory Dwelling Unit (ADU) at 3314 Walling Way. Water Resource Area (WRA) and Willamette Tualatin River Protection Area (WRG) permits may be required.

FILE: PA-17-01

ATTENDEES: Applicant: Scott and Dru Schroeter
Staff: Peter Spir (Planning)

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: 3314 Walling Way
Site Area: 27,890 square feet
Neighborhood: Robinwood 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) CDC Chapter 11: R-10; Chapter 28: WRG; Chapter 32: WRA

Project Details: There is a WRA, including a riparian corridor associated with Robin Creek, which bisects the south edge of the properties, generally on an east-west axis. Also, there is a medium/moderate Habitat Conservation Area (HCA) which extends 83 feet from the creek towards the house. HCAs are regulated under the Willamette Tualatin River Protection Area (WRG) permits process. There is a single family home on the property comprising 1,800 square feet.

The applicant proposes to construct a 1,000 (40 X 25) square foot work shop/accessory structure with an ADU above it. The permitted size of the ADU is limited to 540 square feet based on the ADU standards of 34.030 (A) (4):

4. The ADU does not exceed one bedroom and has an area between 250 and 1,000 square feet. If the ADU is located in an accessory structure, then it shall not exceed 30 percent of the gross square footage of the primary dwelling, except that an ADU may be a minimum of 250 square feet in size regardless of the size of the primary dwelling.

The applicant could build the 540 square foot ADU on top of the proposed workshop/accessory structure but the combined height cannot exceed 18 feet as measured from grade to roof mid-point. The combined square footage of the ADU and workshop/accessory structure cannot exceed 1,500 square feet.

Regarding the applicability of WRA and WRG permits, the WRA boundary is 50 feet beyond the point at which the slope diminishes to less than 15% for at least 50 feet. The 50 foot setback may be reduced to 25 feet if the applicant submits a geotechnical report per 32.060 Table 32-2 sub note 4. In addition, the area is overlain by a riparian corridor which can only be modified through a WRA permit and by using the "Alternate Review" process which requires hiring a wetland specialist or similarly trained professional. The HCA boundary is approximately 25 feet behind, or south of the riparian boundary.

No WRA permit would be required if development takes place in the area outside of the WRA/Riparian boundary. That area offers 27 feet from the rear of the existing accessory structure or 60 feet from the southeast corner of the house to build on.

Process

For the WRA and WRG permits, address the submittal requirements and approval criteria of CDC Chapter 32 and 28 respectively. The WRA deposit fee is \$2,600 with an inspection fee of \$250. The WRG deposit fee is \$1,700. The ADU standards are found in CDC Chapter 34. 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.**