

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
April 20, 2017

SUBJECT: Construction of an addition at 19636 Derby Court. Water Resource Area (WRA) permit may be required.

FILE: PA-17-15

ATTENDEES: Applicant: Charles Maloney
Staff: Peter Spir, Associate Planner

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: 19636 Derby Court
Site Area: 27,966 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) CDC Chapter 11: R-10; Chapter 32: WRA

Project Details: There is a steep WRA, including a riparian corridor associated with Robin Creek, which traverses the west edge of the property, generally on a south-north axis. There is a single family home on the east half of the property.

The WRA boundary comprises all the sloped area on the property and extends 50 feet beyond the point at which the slope diminishes to less than 15% (for at least 50 feet). (See CDC Table 32-2.) Therefore, the entire property is in the WRA boundary.

The applicant proposes to construct a 101 square foot (13.5 X 7.5) addition on the west side of the house projecting towards the creek. The addition will be approximately 82 feet from the creek. A WRA permit is required with the configuration as proposed.

There are a number of options available.

Option 1: Apply for WRA permit and use the "Alternate Review" process, per CDC 32.080, which requires hiring a wetland specialist or similarly trained professional who would make a determination that the function and value of the WRA will not be diminished by the addition.

(In cases requiring a wetland specialist, the typical WRA permit process takes three to four months.)

Option 2: Use the provision which allows cantilevered pop outs (five feet maximum) towards the WRA from existing house per CDC 32.040(D). (Foundation or supports of structure cannot extend vertically to grade in the WRA.) No WRA permit is required.

Option 3: Relocate the proposed addition to a portion of the house so that it comes no closer to the creek than the northwest corner of the house (not the deck) which is the closest point to the creek. Additions in these cases shall not exceed 500 square feet per CDC 32.040(C). No WRA permit is required.

Option 4: Remodel only within the existing footprint. No WRA permit is required.

Process

For the WRA permit, address the submittal requirements and approval criteria of CDC Chapter 32. The WRA deposit fee is \$2,600 with an inspection fee of \$250. The CDC is online at <http://westlinnoregon.gov/cdc>. On site revegetation and mitigation for the addition is required on a one square foot: one square foot basis.

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 five 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.**