

**City of West Linn**  
**PRE-APPLICATION CONFERENCE MEETING**  
**SUMMARY NOTES**  
**June 15, 2017**

SUBJECT: Proposed bank stabilization due to erosion requiring Water Resource Area (WRA) and Willamette and Tualatin River Protection Area (WRG) permits.

FILE: PA-17-24

ATTENDEES: Applicant: Bill and Karen Stewart  
Staff: Jennifer Arnold, Associate Planner  
Amy Pepper, Senior Project Engineer

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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: 1134 Meadowview Court  
Site Area: 15,333 square feet  
Neighborhood: Willamette 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; Chapter 28: WRG.

**Project Details:** An unnamed creek traverses this property on the north side. The entire property is in the WRA boundary while the proposed work area is within a Habitat Conservation Area (HCA).

The applicant's house is at the top of the bank of the unnamed creek. After all the heavy rain and snow events of this past winter the bank below the home has started to erode. The applicant's driveway is starting to slide down the hill and break. The applicant proposes the bank stabilization and possible culvert extension to avoid future erosion.

Exemptions to the WRA and WRG permits were considered (see CDC 32.040 (E)) (28.040(L)). It will be up to the applicant to prove "immediate" or "reasonable" emergency conditions exist. A WRA and WRG permit may be required if findings cannot be made proving emergency conditions exist. The standards most applicable to this remediation are found in CDC 32.060 (A) and (E) (4).

## 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. The proposed remediation design shall be prepared and stamped by a geotechnical engineer. The WRG permit has a deposit fee of \$1,700. (Any unspent deposit monies are returned after the application has been processed.) Address the submittal requirements and approval criteria of CDC Chapter 28.

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.

Removal/Fill permits and Joint Application permits issued through the Oregon Department of State Lands (DSL) and the US Army Corps of Engineers (USACE) may be required and are the responsibility of the applicant. [http://www.oregon.gov/dsl/WW/Documents/rf\\_brochure.pdf](http://www.oregon.gov/dsl/WW/Documents/rf_brochure.pdf). (The applicant should verify with DSL that the fill would be less than 50 cubic yards, the remediation would not involve a designated essential salmon habitat (ESH) and is not within ¼ mile of a state scenic waterway.) For more information please see <http://www.oregon.gov/dsl/WW/Pages/Permits.aspx>.

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.**