

CITY OF WEST LINN
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
March 3, 2022

SUBJECT: Water Resource Area Permit and Class II Variance.
FILE: PA-22-04
ATTENDEES: Applicant: Jody Forlenza (Property Owner/Applicant)
Staff: John Floyd (Planning), Lynn Schroder (Planning)
Public: None

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: 3315 Walling Way
Tax Lot No.: 21E14DD07000
Site Area: 25,029 Square Feet +/-
Neighborhood: Robinwood Neighborhood Association
Comp. Plan: Low Density Residential
Zoning: Single-Family Residential Detached, R-10
Zoning Overlays: N/A
Applicable CDC Chapters: Chapter 11: Single-Family Residential Detached, R-10
Chapter 32: Water Resource Area protection
Chapter 46: Off-Street Parking, Loading and Reservoir Area
Chapter 48: Access, Egress and Circulation
Chapter 75: Variance
Chapter 99: Procedures for Decision Making: Quasi-Judicial

Project Details

Replace an existing single-family home with a new single-family home with attached garage. Existing detached garage to stay.

Pertinent Factors:

The proposed work will require Water Resource Area permit as the site is bisected by Fern Creek, noted on the adopted Water Resource Area Map as containing a 100 foot wide Significant Riparian Corridor along both sides of the Creek as measured from the Ordinance High Water Mark (See Table 32-2 of CDC Chapter 32).

Replacement of the home requires utilization of the Hardship Provisions spelled out in 32.110. This right is granted to lots recorded prior to January 1, 2006.

Maximum Disturbed Area (MDA) of the Water Resource Area (WRA) is 30% or 5,000 square feet, whichever is greater. Assuming the entire lot is covered by the WRA, the maximum MDA would measure approximately 7,509 square feet based upon Assessor's Office parcel information. The Method for calculating MDA is defined in CDC 32.110(D through E) and includes the footprints of all structures, paved water impermeable surfaces, and areas of non-native landscaping.

Setbacks may be reduced by up to 50% where necessary to avoid construction within the WRA, however, front loading garages must be set back at least 18 feet. This would reduce your front yard setback to 10 feet.

Required application materials for the WRA Permit are set forth in CDC 32.050 and include, at a minimum, the following:

- Application form
- Narrative addressing the approval criteria
- Stormwater Report and Site Plan prepared by a Civil Engineer
- Site plan shall include all significant trees identified by the arborist, Ron Jones. His contact information is 503-722-4728 or rjones@westlinnoregon.gov.
- Construction Management Plan
- Mitigation Plan per CDC 32.090 and 32.100.

Note that a second driveway is not permitted per CDC 48.025(B)(7). Aerial photographs and google street view indicate the driveway area was paved and gradually expanded starting circa 2010. To legalize the second driveway, a Class II Variance will also be required. Approval of the variance will require findings and evidence that criteria of CDC 75.020(B) are met to the Planning Commission's satisfaction. Also note standards regarding driveway design in the CDC 32.110(C) under the hardship provisions process:

C. The [maximum disturbed area] shall be located as follows:

- 1. In areas where the development will result in the least square footage encroachment into the WRA.*
- 2. The applicant shall demonstrate, through site and building design, that the proposed development is the maximum practical distance from the water resource based on the functional needs of the proposed use.*
- 3. The minimum distance from a water resource shall be 15 feet.*
- 4. Access driveways shall be the minimum permitted width; select an alignment that is least impactful upon the WRA; and shall share use of the driveway, where possible.*

Note that the City is nearing finalization of text amendments related to the implementation of Oregon House Bill 2001 and related legislation. These changes are not expected to substantially change the proposed design, but staff wants you to be aware that a broader variety of housing types will be permitted on your property. For more information please visit the following website: <https://westlinnoregon.gov/planning/house-bill-2001-phase-2>

Building: For building code and ADA questions, please contact Adam Bernert at abernert@westlinnoregon.gov or 503-742-6054.

Engineering: For work in the right of way and utility questions, please contact Erich Lais at elais@westlinnoregon.gov or 503-722-3434.

Tualatin Valley Fire & Rescue: Please contact Jason Arn at jason.arn@tvfr.com or 503-259-1510 with any questions.

Process: For the proposal, address the submittal requirements and standards for decision making in the Community Development Code (CDC) chapters:

- Chapter 11: Single-Family Residential Detached, R-10
- Chapter 32: Water Resource Area protection
- Chapter 46: Off-Street Parking, Loading and Reservoir Area
- Chapter 48: Access, Egress and Circulation
- Chapter 75: Variances
- Chapter 99: Procedures for Decision Making: Quasi-Judicial

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.

The fee for a Water Resource Area Permit is \$2,600 and the fee for a Class II Variance is \$2,900.

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 complete, the City has 120 days from the date of completeness to make a final decision on the application.

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. 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. Any changes to the CDC standards may require a different design or submittal.



LAND USE PRE-APPLICATION CONFERENCE

Thursday, March 3, 2022

Webex virtual meeting

Proposal to replace an existing house

Applicant: **Jody Forlenza**
Property Address: **3315 Walling Way**
Neighborhood Assn: **Robinwood Neighborhood Association**
Planner: **John Floyd**



DEVELOPMENT REVIEW APPLICATION

For Office Use Only

STAFF CONTACT <i>Floyd</i>	PROJECT No(s).	PRE-APPLICATION NO. <i>PA-22-04</i>
NON-REFUNDABLE FEE(S)	REFUNDABLE DEPOSIT(S)	TOTAL <i>350</i>

Type of Review (Please check all that apply):

- | | | |
|--|---|---|
| <input type="checkbox"/> Annexation (ANX) | <input type="checkbox"/> Historic Review | <input type="checkbox"/> Subdivision (SUB) |
| <input type="checkbox"/> Appeal and Review (AP) | <input type="checkbox"/> Legislative Plan or Change | <input type="checkbox"/> Temporary Uses |
| <input type="checkbox"/> Conditional Use (CUP) | <input type="checkbox"/> Lot Line Adjustment (LLA) | <input type="checkbox"/> Time Extension |
| <input type="checkbox"/> Design Review (DR) | <input type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan) | <input type="checkbox"/> Variance (VAR) |
| <input type="checkbox"/> Easement Vacation | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input checked="" type="checkbox"/> Water Resource Area Protection/Single Lot (WAP) |
| <input type="checkbox"/> Extraterritorial Ext. of Utilities | <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Water Resource Area Protection/Wetland (WAP) |
| <input type="checkbox"/> Final Plat or Plan (FP) | <input checked="" type="checkbox"/> Pre-Application Conference (PA) | <input type="checkbox"/> Willamette & Tualatin River Greenway (WRG) |
| <input type="checkbox"/> Flood Management Area | <input type="checkbox"/> Street Vacation | <input type="checkbox"/> Zone Change |
| <input type="checkbox"/> Hillside Protection & Erosion Control | | |

Home Occupation, Pre-Application, Sidewalk Use, Sign Review Permit, and Temporary Sign Permit applications require different or additional application forms, available on the City website or at City Hall.

Site Location/Address: <i>3315 WALLING WAY WEST LINN OR 97068</i>	Assessor's Map No.:
	Tax Lot(s):
	Total Land Area: <i>.56</i>

Brief Description of Proposal: *REPLACE OLD HOUSE WITH NEW ONE.
MOVE NEW HOME AWAY FROM CREEK.*

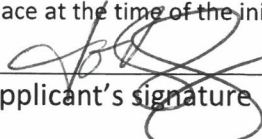

Applicant Name: <i>JODY FORLENZA</i> <small>(please print)</small> Address: <i>3315 WALLING WAY</i> City State Zip: <i>WEST LINN OR 97068</i>	Phone: <i>503-332-3019</i> Email: <i>JODYFORLENZA@CMCAST.NET</i>
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Owner Name (required): <i>JODY FORLENZA</i> <small>(please print)</small> Address: <i>3315 WALLING WAY</i> City State Zip: <i>WEST LINN OR 97068</i>	Phone: <i>503-332-3019</i> Email: <i>JODYFORLENZA@CMCAST.NET</i>
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Consultant Name: <small>(please print)</small> Address: City State Zip:	Phone: Email:
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1. All application fees are non-refundable (excluding deposit). **Any overruns to deposit will result in additional billing.**
2. The owner/applicant or their representative should be present at all public hearings.
3. A decision may be reversed on appeal. The permit approval will not be effective until the appeal period has expired.
4. The City accepts electronic (.pdf) land use applications and project submissions from applicants. Applicants should submit this form and supporting documents through the Submit a Land Use Application web page:
<https://westlinnoregon.gov/planning/submit-land-use-application>

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. All amendments to the Community Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

 Applicant's signature	<i>2/18/22</i> Date	 Owner's signature (required)	<i>2/18/22</i> Date
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3315 WALLING WAY FORLENZA

DRIVE WAY

Garage

Creek →
FROM UNDER
DRIVEWAY

UNDER GROUND
POWERS

FROM CORNER
OF HOUSE TO
CREEK 12'

GAS
METER

WATER

37'
FROM PAD
LINE

FRONT
DOOR

OLD
HOUSE

1880 SQ FT

32

BACK
DOOR

← 58 1/2 →

SEWER

GRAVEL

LOWER YARD

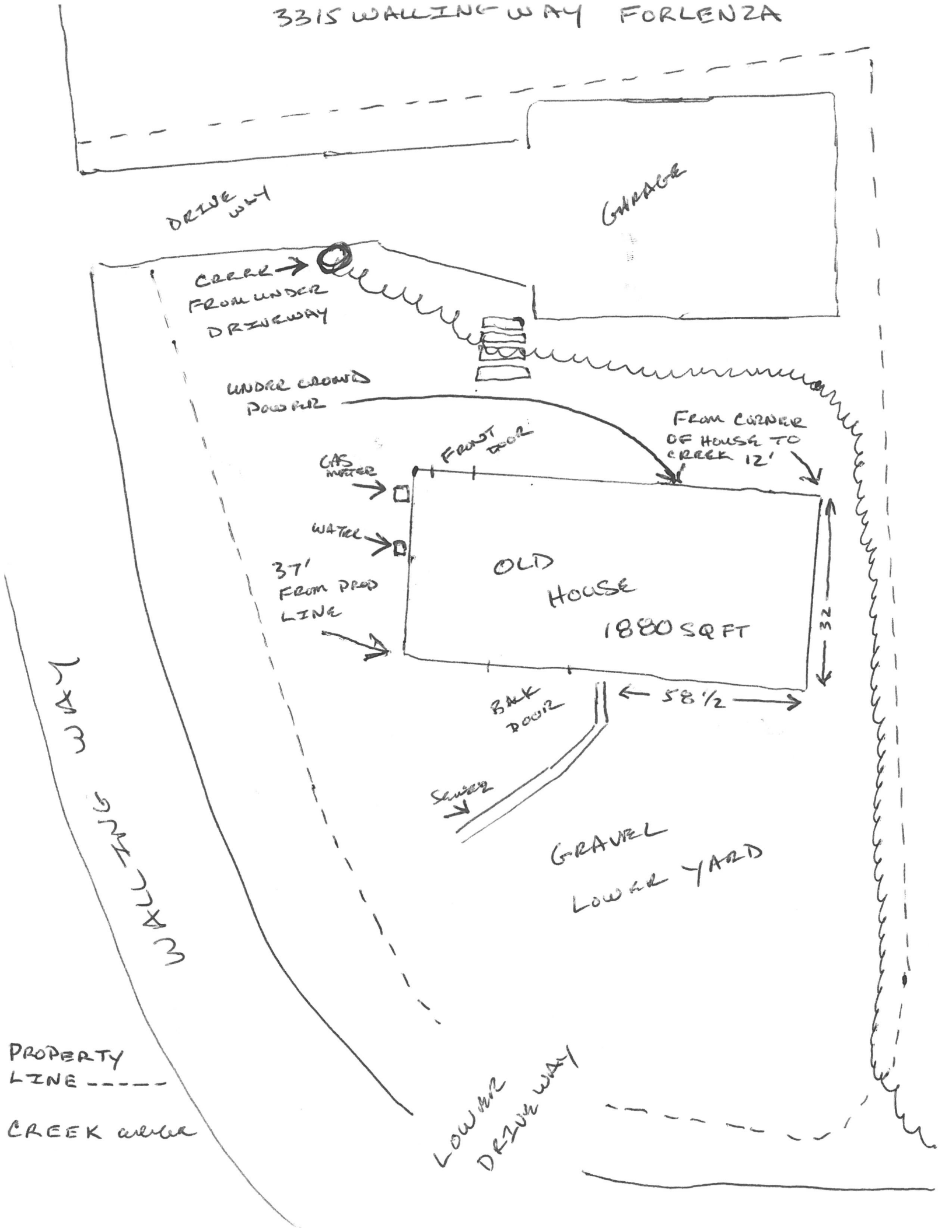
WALL

WALLING

PROPERTY
LINE - - - -

CREEK area

LOWER
DRIVEWAY



3315 WALLING-WAY FOR LANZA

UPPER DRIVEWAY

CAR AREA

CREEK FROM UNDER DRIVEWAY



BACK

2232 SQFT

New House

20' FROM CREEK

60

70

20+ FEET FROM PROP LINE

FRONT DOOR

GARAGE

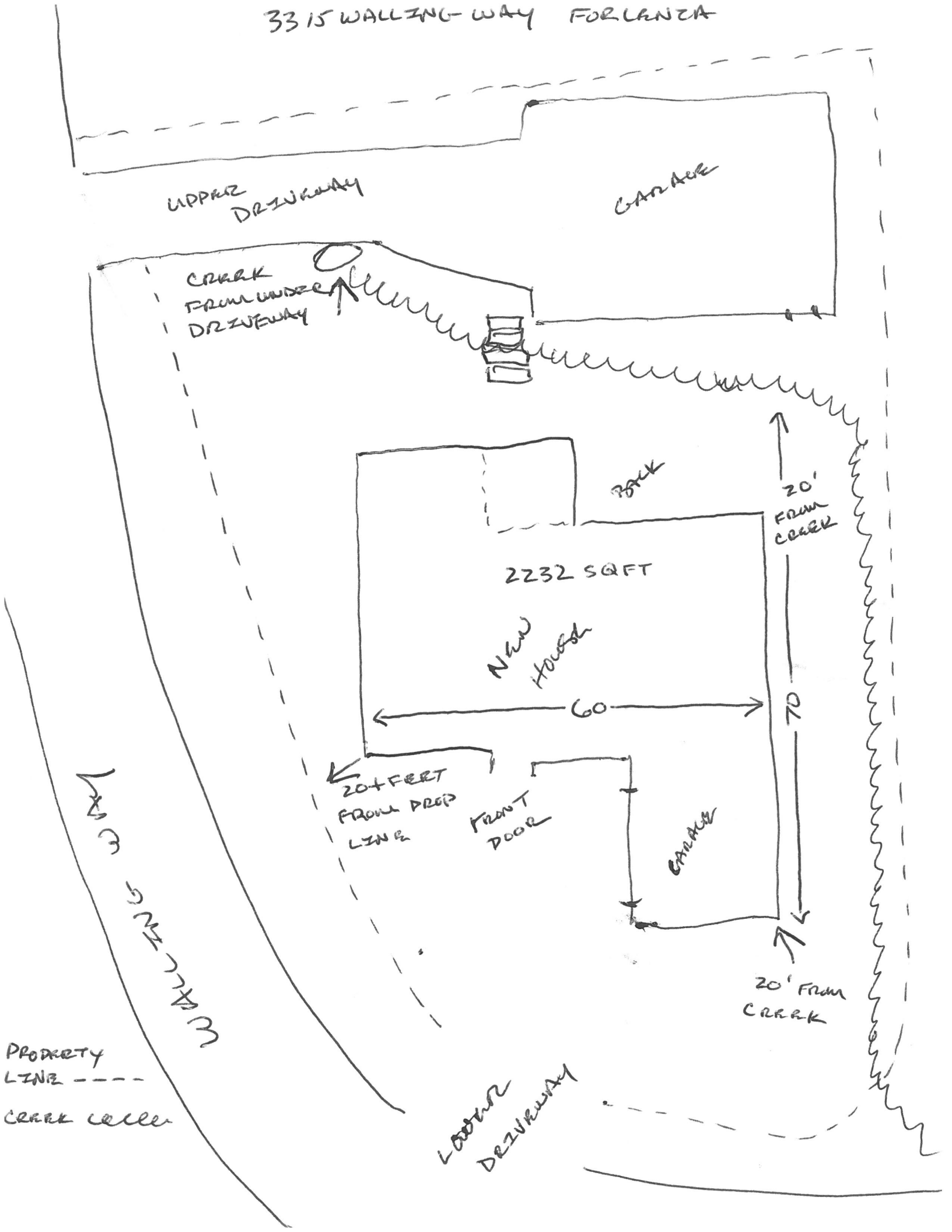
20' FROM CREEK

WALLING-WAY

LOWER DRIVEWAY

PROPERTY LINE - - - -

CREEK WALLE



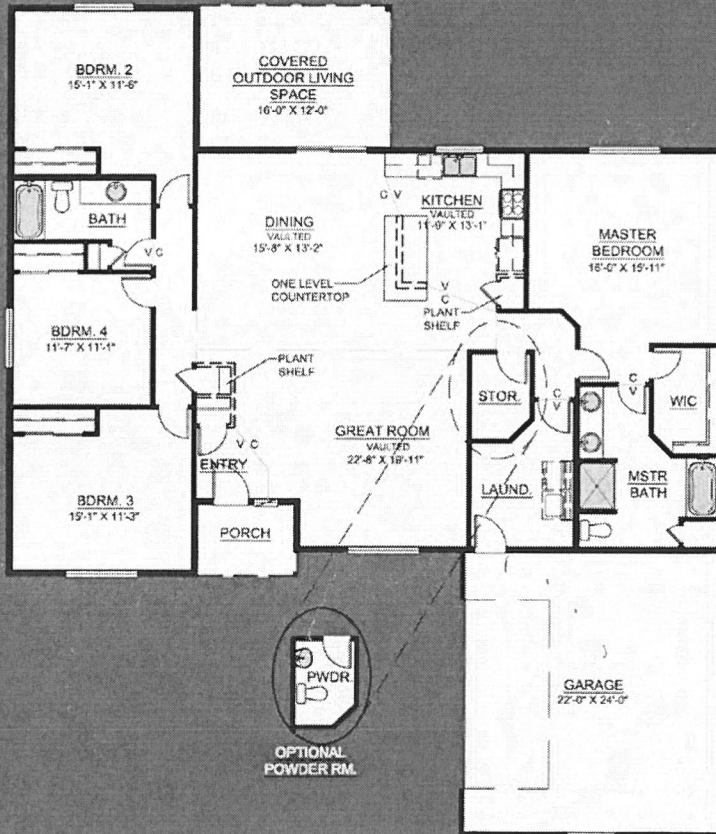
FOR LENZA

360°

Virtual
Tour
Available
HiLineHomes.com



◀ 60'-0" ▶



▶ 70'-0" ◀

Plan | 2232

Living Area | 2232 sq ft

Bedrooms | 4

Baths | 2

2 Car Garage

Standard Elevation

