

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

**SUBJECT:** Proposed Development of 4 Individual Tax Lots (Single-Family Homes)

**FILE:** PA-22-05

**ATTENDEES:** Applicant: Art Duhon (Designer)  
Staff: Chris Myers (Planning), Lynn Schroder (Planning), Erich Lais (Engineering) and Justin Loveland (Engineering)  
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: 5089, 5079, 5067, 5051 Territorial Drive  
Tax Lot No.: 22E30DC01202, 22E30DC01300, 22E30DC01400, 22E30DC01500  
Site Area: 22,715 Square Feet +/-  
Neighborhood: Bolton Neighborhood Association  
Comp. Plan: Low Density Residential  
Zoning: Single-Family Residential Attached and Detached/Duplex, R-5  
Zoning Overlays: N/A  
Applicable CDC Chapters: Chapter 13: Single-Family Residential Attached and Detached/Duplex, R-5  
Chapter 27: Flood Management Area  
Chapter 28: Willamette and Tualatin River Protection  
Chapter 75: Variance  
Chapter 96: Street Improvement Construction  
Chapter 99: Procedures for Decision Making: Quasi-Judicial

**Project Details**

Construct single-family homes on four separate tax lots.

**Pertinent Factors:**

Each of the four separate lots have Verified Habitat Exceptions. Note, the Exceptions do not cover the entire property. If the proposed structures are constructed within the Exception zone, as discussed, then a Flood Management Area permit will not be required.

Discussion was had regarding the potential development of each of the four properties. As these are four separate tax lots with addresses this is not a subdivision rather will be four separate development applications for four single-family homes. Therefore, subdivision requirements do not apply.

Setbacks were discussed during the conference. Side and rear setbacks will be the standard dimensional requirements for the zone. However, it was discussed that the front setback can be reduced to allow the structures to be up to Territorial Drive.

Staff called and discussed the pre-app conference with Tualatin Valley Fire and Rescue (TVF&R). There will be no requirements to use sprinklers in the homes. No hammerhead or turnaround will be required either.

The applicant asked why the exception zone was the shape it is and why some properties have more of an exception area than other properties. Staff researched the issue, which dates back to 2008. It was discovered that the exception zone follows the top of the bank for the properties on Territorial Drive. That is why some properties have more exception area than others.

It was also discussed that within the exception zone there is a small “notch” or triangular piece that is not covered by the exception zone. Staff research could not find a reason why the “notch” exists.

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 may be permitted on your properties. 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](mailto: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](mailto:elais@westlinnoregon.gov) or 503-722-3434.

Tualatin Valley Fire & Rescue: Please contact Jason Arn at [jason.arn@tvfr.com](mailto: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 13: Single-Family Residential Attached and Detached/Duplex, R-5
- Chapter 27: Flood Management Area
- Chapter 28: Willamette and Tualatin River Protection
- Chapter 75: Variance
- Chapter 96: Street Improvement Construction
- 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.