

**CITY OF WEST LINN
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
JULY 20, 2022**

SUBJECT: Proposed Water Resource Area Permit for a new single-family dwelling, to be replace an existing single-family dwelling.

FILE: PA-23-20

APPLICANTS PRESENT: Bob Easton; Michael Barclay; Michelle Janssen; Kevin Janssen

STAFF PRESENT: John Floyd, Associate Planner

PUBLIC PRESENT: None

These pre-application summary notes have been prepared for the applicant to identify applicable code sections and critical issues for the proposed application and summarize the application process and fees. Pre-Application summary notes are based on preliminary information and may not include all considerations. Contact the assigned planner for additional information regarding the process, approval criteria, submittal requirements, questions, and clarifications. Pre-Application Conference summary notes are valid for eighteen months from the meeting date. Once a complete application is submitted, the final decision can take 6-10 months.*

SITE INFORMATION:

Site Address: 5494 Linn Lane
Legal Description: Section 25 Township 2S Range 1E Quarter BD TAX LOT 00500
Tax Lot No.: 21E25BD00500
Site Area: 29,357 square feet per recorded survey PS-26020
Neighborhood: Rosemont Summit Neighborhood Association
Comp. Plan: Medium Density
Zoning: Residential, R-10
Zoning Overlays: Water Resource Area (Barlow Creek Headwaters)

PROJECT DESCRIPTION:

The applicant proposes to demolish an existing single-family dwelling, to be replaced with a new single-family dwelling in the approximate same location. The proposal includes the connection of two pipes conveying an inventoried water resource, resulting in the undergrounding of approximately 40 linear feet of the stream. Because work is proposed within the boundaries of the water resource and water resource area (buffer area), a water resources area permit is required.

APPLICABLE COMMUNITY DEVELOPMENT CODE SECTIONS:

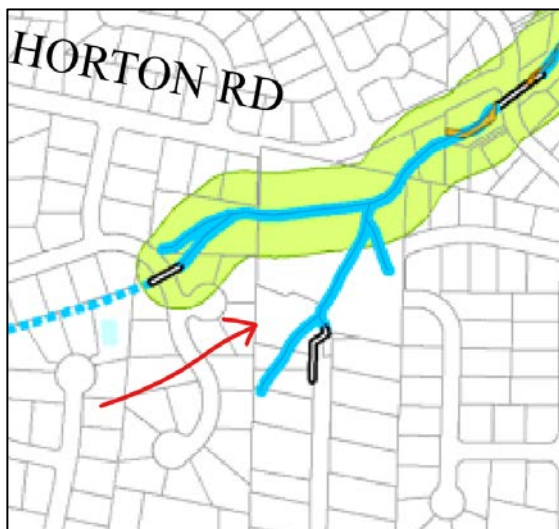
Approval standards and criteria in effect when an application is *received* will be applied to the proposed development. The following Community Development Code (CDC) Chapters apply to this proposal:

- [Chapter 11: Residential, R-10](#)
- [Chapter 32: Water Resource Area Protection](#)
- [Chapter 48: Access, Egress, and Circulation](#)
- [Chapter 96: Street Improvement Construction](#)
- [Chapter 99: Procedures for Decision Making: Quasi-Judicial](#)

KEY ISSUES & CONSIDERATIONS

Staff has identified the following development issues, design considerations, or procedural issues that you should be aware of as you prepare your formal application for submittal. The identification of these issues or considerations here does not preclude the future identification of additional issues or considerations:

- The property contains an inventoried water resource (headwaters of Barlow Creek) per the [adopted City of West Linn Water Resource Area \(WRA\) Map](#). Therefore, any development within or adjacent to the resource is subject to the provisions of CDC Chapter 32, with the size of the protected buffer area determined by [Table 32-2 \(Required Width of WRA\)](#).



- As the width of the buffer area is determined by slope, a precise determination of size is not possible at this time, but at a minimum would be 65 feet wide.
 - Activities exempt from Water Resource Area permitting are set forth in [CDC Section 32.040](#), and include replacement of the existing driveway and associated culvert, provided the replacement does not expand the disturbed area at grade or footprint.
 - Staff visited the site on July 18, 2023 and did not observe water flowing. See photographs attached to these notes. These preliminary observations suggest the water resource might meet the definition of ephemeral stream and a reduced buffer width as determined through the Alternative Review Process in [CDC 32.070-080](#).
- Residential driveways must comply with [CDC 48.030](#).
 - If the replacement house is 50% larger than the existing home, frontage improvements may be required per [CDC 96.010.A\(2\)](#). Fee-in-lieu of improvements is an option. For questions regarding potential frontage improvements or other engineering matters, please contact Clark Ide at 503-722-3437 or cide@westlinnoregon.gov.

RESPONSE TO APPLICANT QUESTIONS:

- Approving an extension of the existing drain pipe to connect the existing outfall basis is not permitted per CDC 32. Only the daylighting of existing underground streams is permitted, or short culverts to permit a driveway or road crossing.

- Reduction of the water resource area width is permitted per the Alternative Review Process in [CDC 32.070-080](#).
- The water resource area width does not stop at existing development such as pavement, unless reduced through the Alternative Review Process.

PUBLIC COMMENT:

None

ENGINEERING:

The Engineering department comments are attached. For further details, contact Clark Ide at 503-722-3437 or cide@westlinnoregon.gov.

BUILDING:

For building code and ADA questions, contact Adam Bernert at abernert@westlinnoregon.gov or 503-742-6054 or Alisha Bloomfield at abloomfield@westlinnoregon.gov or 503-742-6053.

TUALATIN VALLEY FIRE & RESCUE:

A Service Provider Permit must be provided with this application - <https://www.tvfr.com/399/Service-Provider-Permit>. Contact Jason Arn at jason.arn@tvfr.com or 503-259-1510 with any questions.

TREES:

For information on the tree requirements for this proposal, contact the Ron Jones, City Arborist at rjones@westlinnoregon.gov or 503-722-4728.

PROCESS:

A Water Resource Area Permit is a Planning Director's decision. No public hearing is required. Once the application is declared complete, staff will review the application, send a 20-day public comment notice, and post a notice sign on the property. When the public comment period closes, the Planning Director will prepare a decision. A final decision can take 6-10 months.

There is a 14-day appeal period after the decision. If the decision is not appealed, the applicant may proceed with the development.

NEIGHBORHOOD MEETING:

A neighborhood meeting is not required for a Water Resource Area permit.

HOW TO SUBMIT AN APPLICATION:

Submit a complete application in a single PDF document through the [Submit a Land Use Application](#) web portal. A complete application should include:

1. A [development application](#);
2. A project summary outlining the scope of the project;
3. Full written responses to approval criteria in the identified CDC chapters;
4. A Service Provider Letter from Tualatin Valley Fire and Rescue;
5. A Survey of existing conditions on the site, inclusive of all easements;
6. A scaled site plan and building plans for the proposed project; and
7. All submittal requirements necessary for a Water Resource Area Permit as set forth in [CDC 32.050](#), inclusive of a report prepared by a Natural Resources Specialist such as a biologist, botanist, or hydrologist.

COMPLIANCE NARRATIVE:

Written responses supported by substantial evidence must address all applicable approval standards and criteria. Written materials must explain how and why the proposed application will meet each applicable approval criteria. “Not Applicable” is not an acceptable response to the approval criteria.

Submittal requirements may be waived, but the applicant must first identify the specific submittal requirement and request, in writing, that the Planning Manager waive the requirement. The applicant must identify the specific grounds for the waiver. The Planning Manager will respond with a written determination about the waiver request before applying.

APPLICATION FEES & DEPOSITS:

The Planning Division Fee Schedule can be found on our website: <https://westlinnoregon.gov/finance/current-fee-schedule>

- Fee for a Water Resource Area Permit = \$2,850

Timelines:

Once the application and payment are received, the City has 30 days to determine if the application is complete. If the application is incomplete, the applicant has 180 days to complete it or provide written notice to staff that no other information will be provided. Once complete, the City has 120 days from the completeness determination to make a final decision on the application. Typical land use applications can take 6-10 months from beginning to end.

** **DISCLAIMER:** These pre-application notes have been prepared per [CDC Section 99.030.B.7](#). The information provided is an overview of the proposal considerations and requirements. Staff responses are based on limited material presented at the pre-application conference. New issues and requirements can emerge as the application is developed. Failure to provide information does not constitute a waiver of the applicable standards or requirements. The applicant has the burden of proof to demonstrate that all approval criteria have been satisfied. These notes do not constitute an endorsement of the proposed application or assure project approval.*







CITY OF
**West
Linn**

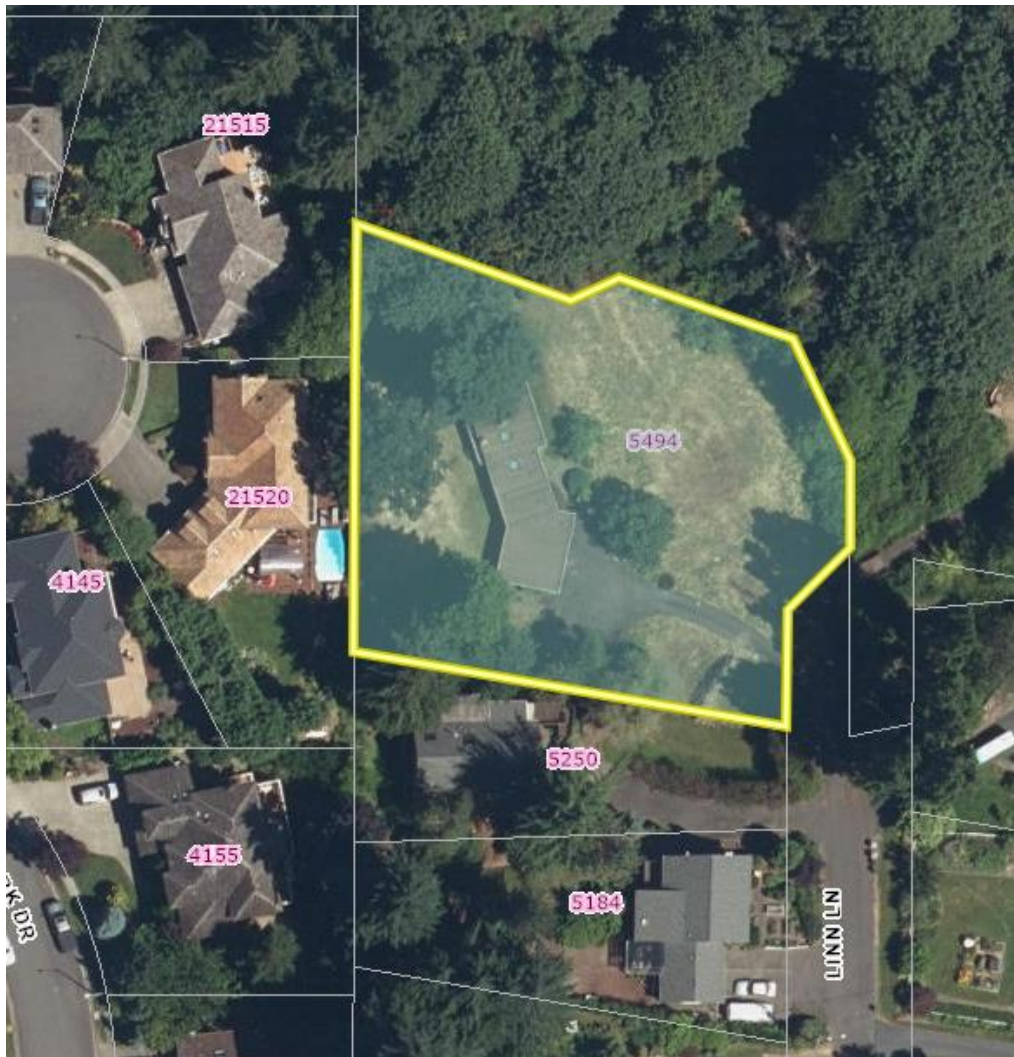
PRE-APPLICATION CONFERENCE

Thursday, July 20, 2023

Willamette Room
City Hall
22500 Salamo Rd

10:00 am: **Proposed Water Resource Area Permit**
Applicant: **Bob Easton**
Property Address: **5494 Linn Lane**
Neighborhood Assn: **Rosemont Summit Neighborhood Association**
Planner: **John Floyd**

Project #: PA-23-12



*The pre-application conference will be conducted in-person.



Pre-Application Conference Request

For Staff to Complete:		
PA PA-23-12	Conference Date: 7/20/23	Time: 10:00am
Staff Contact: John Floyd		Fee: 350

Pre-application conferences are held on the first and third Thursdays of the month between 9:00 am and 1:00 pm. Appointments must be made by 5:00 pm, 15 days before the meeting date. The applicant has a choice of an in-person or virtual meeting. To schedule a conference, submit this form, a site plan, and accompanying materials through the Submit a Land Use Application web page. The City will contact you to collect payment. Pre-application notes are valid for 18 months.

Property Owner Information

Name: ROBERT EASTON
Email: BOBEASTON@COMCAST.NET
Phone #: 503-866-8810
Address: 21520 LUPINE CT 97068

Applicant Information

Name:
Email:
Phone #:
Address:

Address of Subject Property (or tax lot): 5494 LINN LANE 97068

REQUIRED ATTACHMENTS:

- A project narrative with a detailed description of the proposed project. Briefly describe the physical context of the site.
- A list of questions or issues the applicant would like the City to address.
- A dimensional site plan that shows:
 - North arrow and scale
 - Location of existing trees (a tree survey is highly recommended)
 - Streets Abutting the property and width of right of way
 - Location of creeks and/or wetlands (a wetland delineation is highly recommended)
 - Property Dimensions, existing buildings, and building setbacks
 - Slope map (if slope is 25% or more)
 - Location of existing utilities (water, sewer, etc.)
 - Conceptual layout, design, proposed buildings, building elevations, and setbacks
- Location of all easements (access, utility, etc.)
- Vehicle and bicycle parking layout (including calculation of required number of spaces, based on use and square footage of building), if applicable
- Location of existing and proposed access and driveways. Include the proposed circulation system for vehicles, pedestrians, and bicycles, if applicable.
- Proposed stormwater detention system with topographic contours

I certify that I am the owner or authorized agent of the owner:

APPLICANT: ROBERT EASTON

DATE: 6/21/23

The undersigned property owner authorizes the requested conference and grants city staff the right of entry onto the property to review the application.

PROPERTY OWNER:

DATE: 6/21/23



CITY OF WEST LINN
JOHN FLOYD ASSOC. PLANNER

RE: PLANNING CRITERIA FOR 5494 LINN LN.

REQUESTS:

1. APPROVE NEW DRAIN PIPE (PER SITE PLAN)
ALLOWING EXISTING PIPES TO BE CONNECTED
TO ALLOW NEW DRIVEWAY.
2. MINIMUM SETBACK TO ALLOW PROPOSED RESIDENCE
LOCATION.

THANK YOU VERY MUCH FOR YOUR CONSIDERATION.
PLEASE CONTACT IF YOU HAVE ANY QUESTIONS.

MIKE BARCLAY (503) 970-4257

STATE OF OREGON 94-094779

CLACKAMAS COUNTY

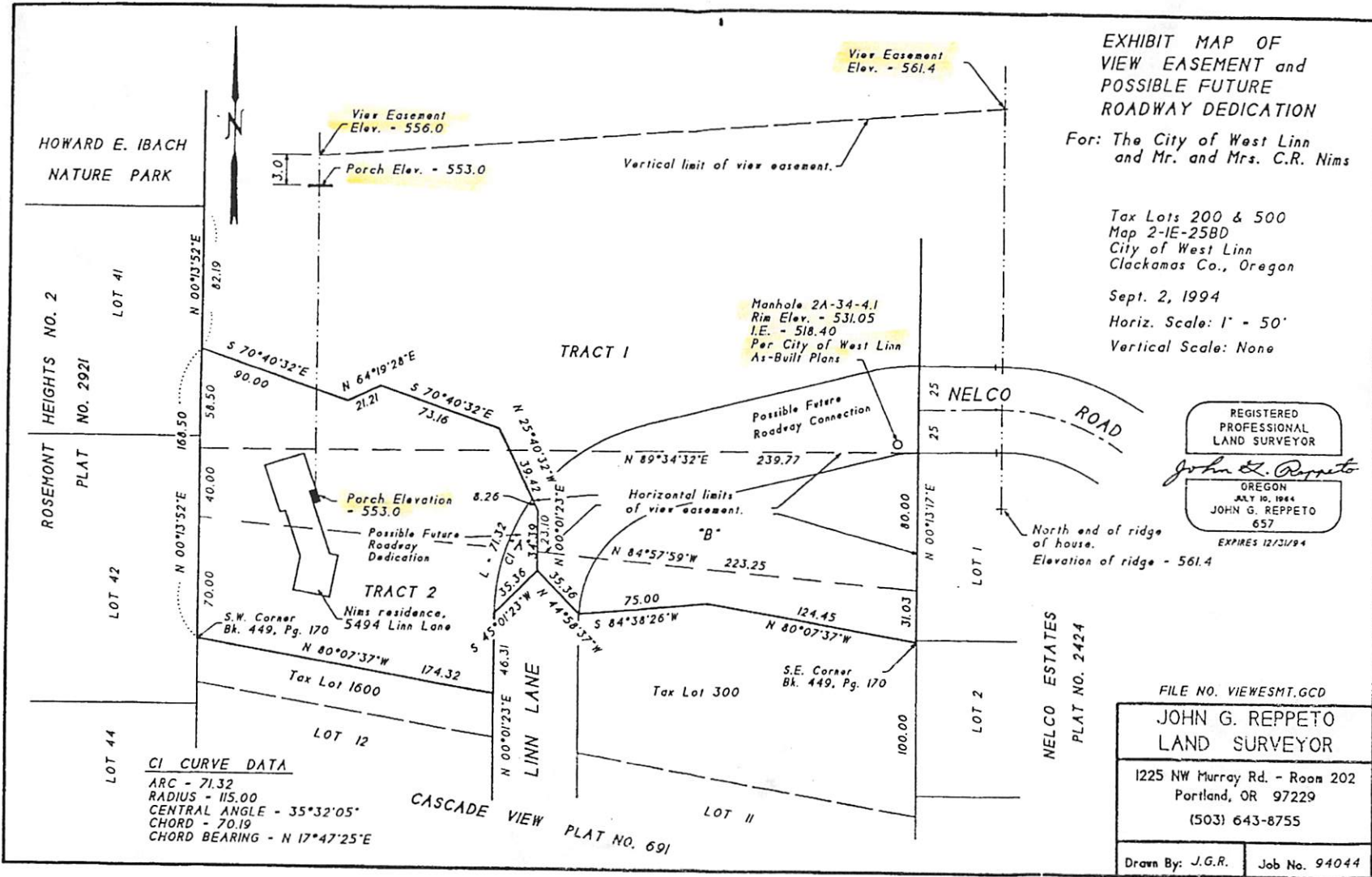
Received and placed in the public records of Clackamas County

RECEIPT# AND FEE: 11485 \$25.00

DATE AND TIME: 12/12/94 02:37 PM

JOHN KAUFFMAN, COUNTY CLERK

5

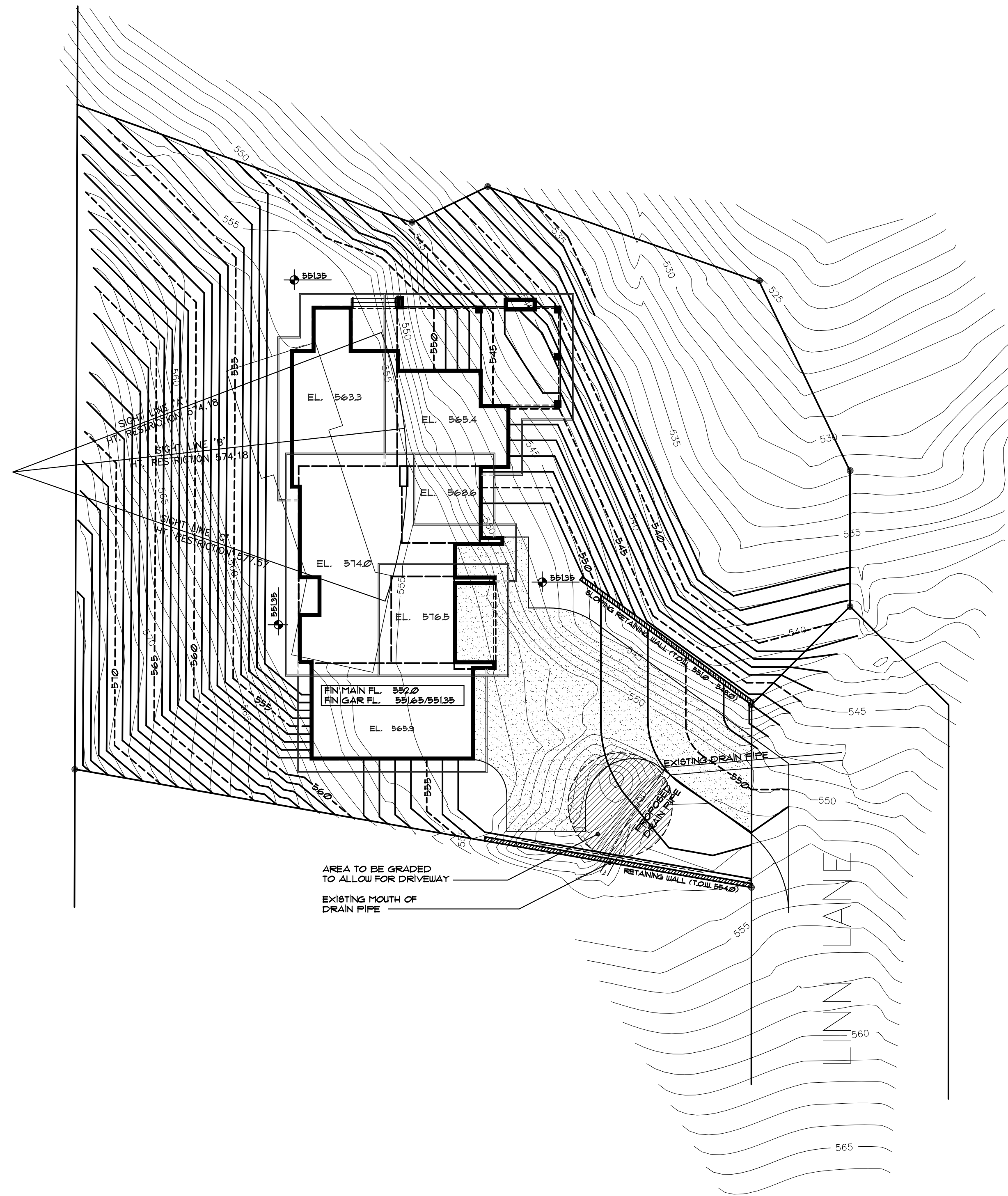
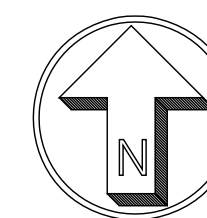


GRADING PLAN

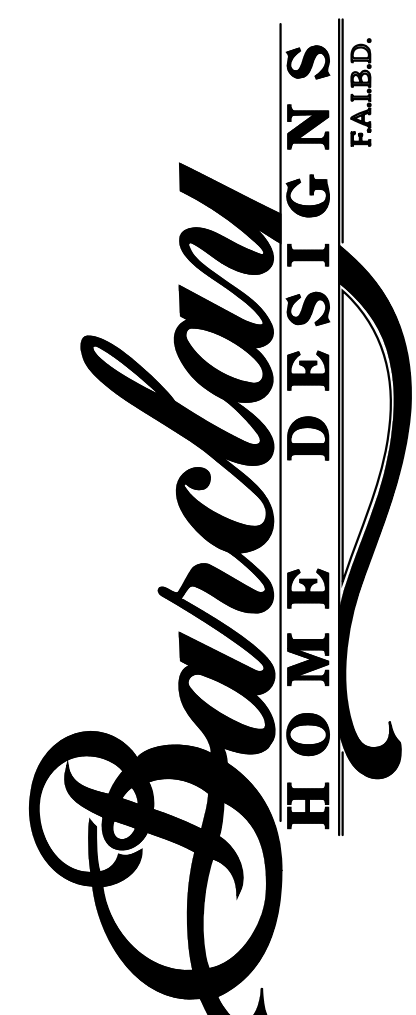
5494 LINN LN.
WEST LINN, OR

SCALE: 1" = 20'

A RESIDENCE FOR: THE JANSSEN FAMILY

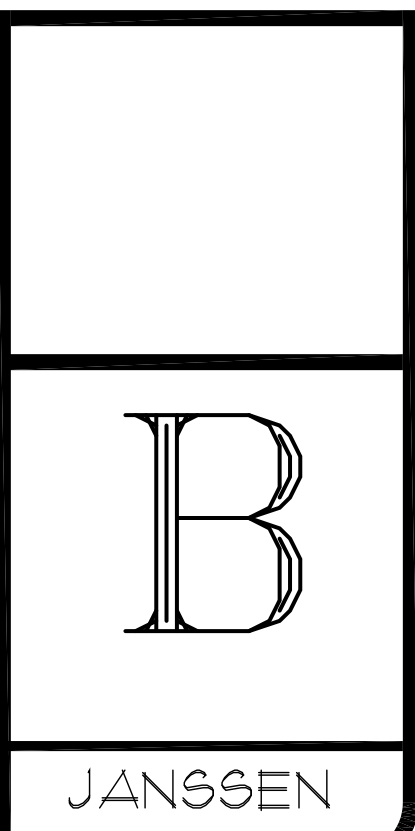


AREA TO BE GRADED
TO ALLOW FOR DRIVEWAY
EXISTING MOUTH OF
DRAIN PIPE



(503)970-4257

12112 S NEW ERA RD
OREGON CITY, OR 97045



General Notes and Disclaimers: These drawings have been prepared to meet generally accepted professional standards. However, local variations may require changes. Likewise, building code requirements vary with location and change from time to time. Before starting construction, the builder must review and be responsible for all details and dimensions, and ensure that these plans meet all current requirements in your area. It is also suggested that a local architect and/or engineer be consulted to verify the accuracy of the drawings and the applicability of the codes and regulations. The contractor shall be responsible for obtaining all necessary permits and a professional stamp is required on drawings filed for permit purposes. All applicable construction shall conform to the latest editions of either "Uniform Building Code" or the "BOCA Basic Building Code," or any other locally required code. Codes govern over drawings. Dimensions govern over scale. Verify all mechanical requirements before framing. Verify topographic and subsurface conditions, and adapt foundation plans accordingly.

All other arrangements, drawings and specifications shall be the original work product of and used under the property of Barclay Home Designs Inc. No reproduction, ideas, designs, and/or arrangements, other than by Barclay Home Designs Inc. is strictly prohibited by law without the written permission of Barclay Home Designs Inc. Contractors shall verify and be responsible for all dimensions and conditions on the job. This office must be notified of any variations and discrepancies or and from these drawings prior to work on the job.



VIEW LOOKING SOUTH ONTO TAX LOT 1600.
A STORM CULVERT RELEASES WATER THAT FLOWS
TOWARDS THE SUBJECT SITE



2ND VIEW FACING SOUTH ONTO TAX LOT 1600. A STORM CULVERT RELEASES WATER TOWARDS THE SITE. IN VIEW IS A DITCH THAT DIRECTS STORM WATER TO A CULVERT ON THE SUBJECT SITE UNDER THE EXISTING DRIVEWAY. THE WATER FLOWS NORTHEAST UNDER THE DRIVEWAY TO SAHALLIE PARK ENTIRLY WITHIN A CULVERT.



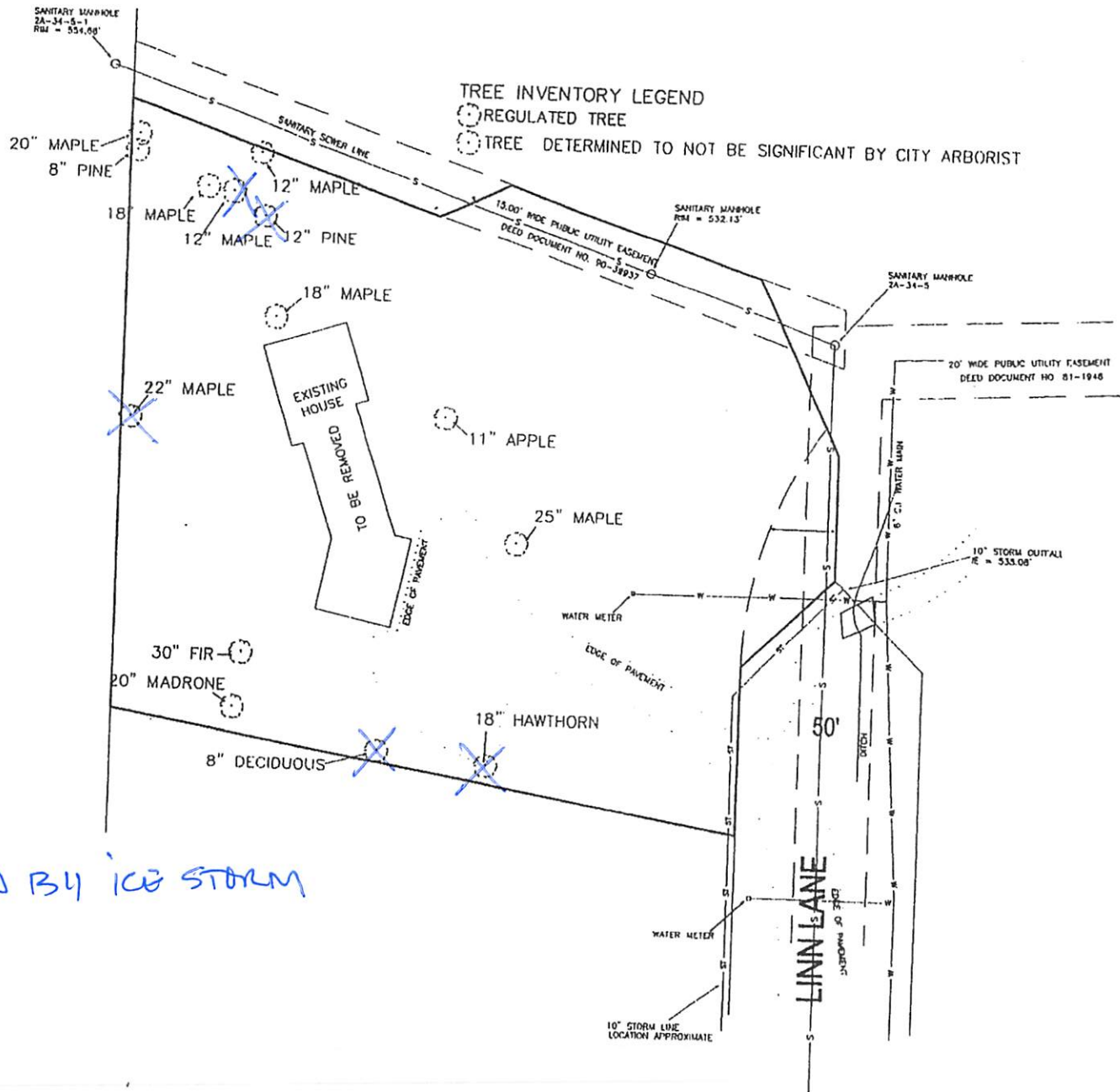
VIEW OF CULVERT UNDER THE EXISTING DRIVEWAY. THE WATER FLOWS NORTHEAST UNDER THE DRIVEWAY TO SAHALLIE PARK ENTIRLY WITHIN A CULVERT SYSTEM. THE CULVERT THEN RELEASES WATER INTO A DITCH UNDER A BRIDGE LEADING TO THE PARK THAT IS OFFSITE. THE BRIDGE IS SHOWN ON THE PLAN LABELED SLOPE ANALYSIS.



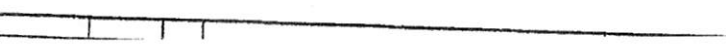
PATH TO SAHALLIE PARK LOOKING DOWN EXISTING DRIVEWAY. THE BRIDGE IS OFF TO THE LEFT JUST BEHIND THE ROCKS TO THE RIGHT IS THE DITCH AREA THAT RECEIVES WATER FROM THE CULVERT ON TAX 1600 TO THE SOUTH. VIEW FACING DUE EAST FROM THE SUBJECT SITES EXISTING DRIVEWAY.



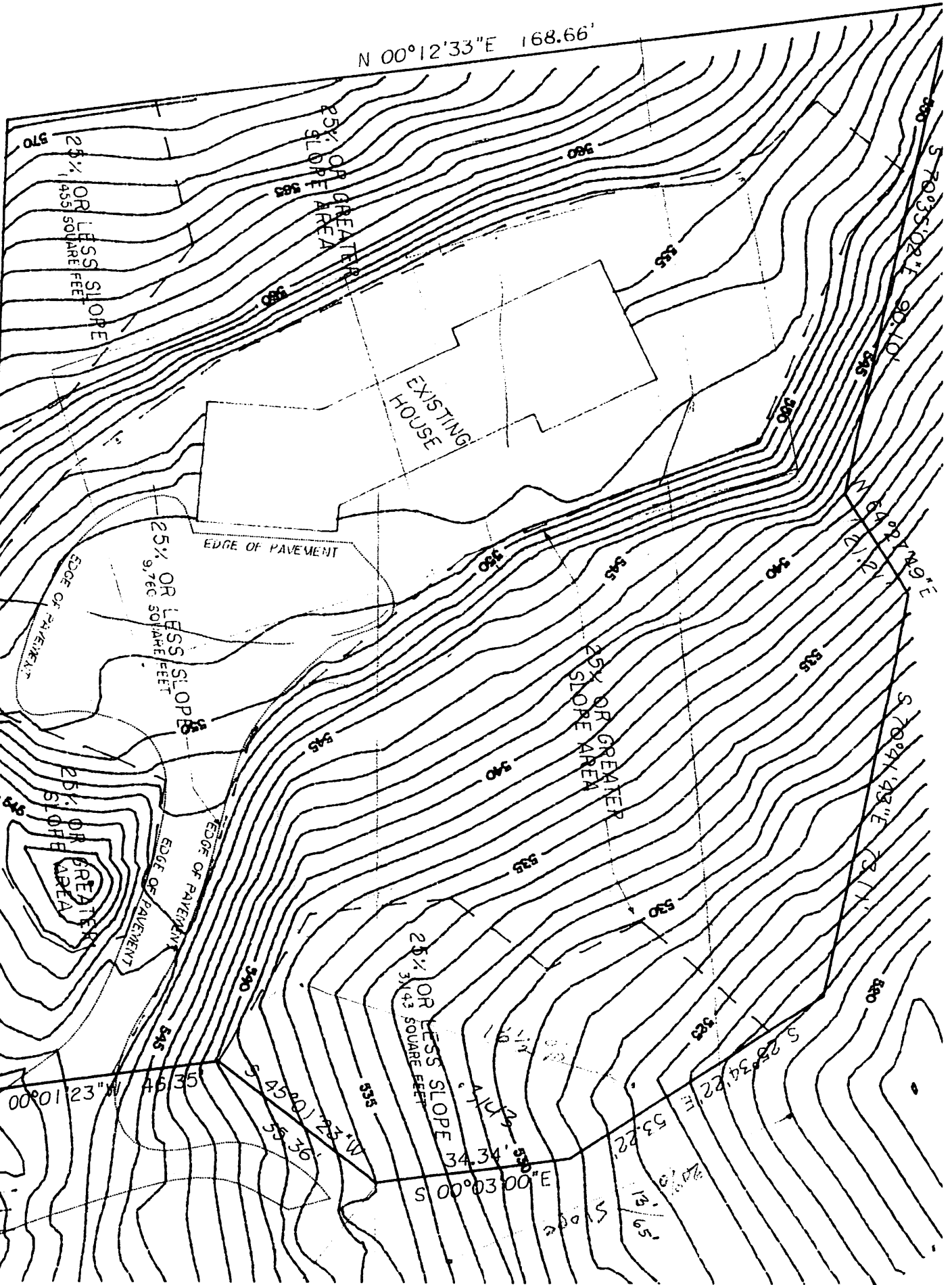
BRIDGE LEADING TO SAHALLIE PARK FROM THE SUBJECT SITE VIA A ASPHALT PATH. THE BRIDGE IS OFF THE PROPERTY AND TO THE LEFT UNDER THE BRIDGE IS WHERE THE CULVERT DISPOSES WATER FROM UNDER THE DRIVEWAY OF THE SITE AS WELL AS ALL OTHER TAX LOTS TO THE SOUTH. THIS VIEWPOINT IS LOOKING NORTHEAST FROM THE SUBJECT SITES EXISTING DRIVEWAY. NOTE NO DRAINAGE CHANNEL OR DITCH OF ANY KIND IS IN VIEW

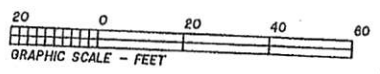
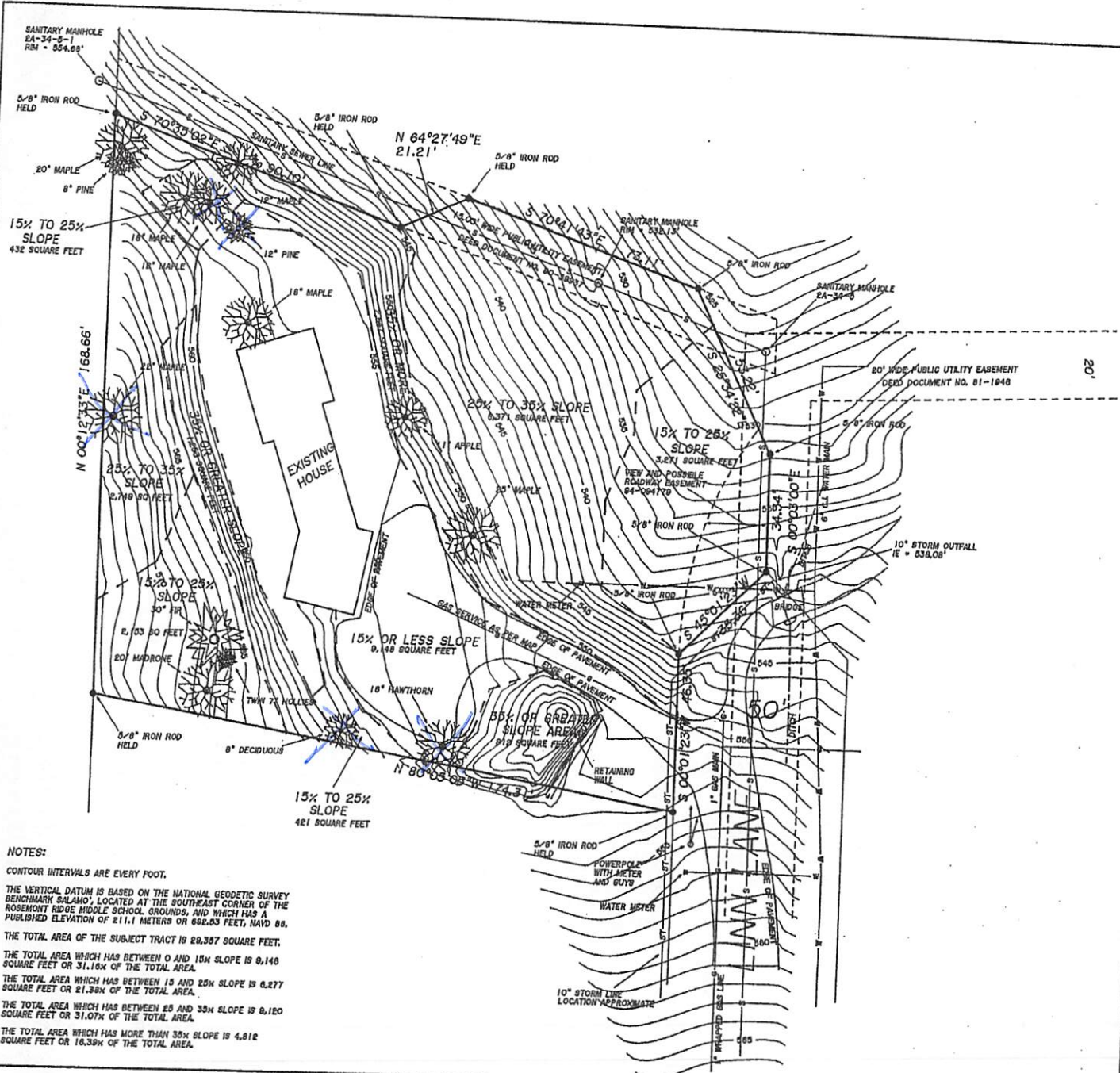


X = TREES FELLEED BY ICE STORM



N 00°12'33"E 168.66'





SCALE: 1" = 20'

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Richard G. Love
OREGON
RICHARD G. LOVE
EXPIRES 12/31/06

NOTES:
 CONTOUR INTERVALS ARE EVERY FOOT.
 THE VERTICAL DATUM IS BASED ON THE NATIONAL GEODETIC SURVEY BENCHMARK BALANO, LOCATED AT THE SOUTHEAST CORNER OF THE ROSEMONT RIDGE MIDDLE SCHOOL GROUNDS, AND WHICH HAS A PUBLISHED ELEVATION OF 211.1 METERS OR 692.63 FEET, NAVD 88.
 THE TOTAL AREA OF THE SUBJECT TRACT IS 28,397 SQUARE FEET.
 THE TOTAL AREA WHICH HAS BETWEEN 0 AND 10% SLOPE IS 6,140 SQUARE FEET OR 21.6% OF THE TOTAL AREA.
 THE TOTAL AREA WHICH HAS BETWEEN 15 AND 25% SLOPE IS 6,277 SQUARE FEET OR 21.9% OF THE TOTAL AREA.
 THE TOTAL AREA WHICH HAS BETWEEN 25 AND 35% SLOPE IS 6,150 SQUARE FEET OR 21.7% OF THE TOTAL AREA.
 THE TOTAL AREA WHICH HAS MORE THAN 35% SLOPE IS 4,812 SQUARE FEET OR 16.9% OF THE TOTAL AREA.

PROJECT: SITE PLAN AND TOPOGRAPHY MAP 2 IE 258D	
LOCATION: NW 1/4 OF SECTION 25, T.2S., R.1E., W.4M. CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON	
CLIENT: BOB EASTON	DATE: APRIL 4, 2008
	SCALE: 1" = 20'
	JOB NUMBER: 06-4356
LOVE LAND SURVEYS, INC. P.O. BOX 807 GLADSTONE, OR 97037 (503)-856-4915	