

CITY OF WEST LINN
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
3/7/24

SUBJECT: Proposed Minor Partition
FILE: PA-24-05
APPLICANTS PRESENT: Luay Aljamal, Rick Potestio, Robert Lane
STAFF PRESENT: Chris Myers, Associate Planner; Aaron Gudelj, Associate Planner
PUBLIC PRESENT: No public present

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: 2700 Underhill Lane
Legal Description: Section 24, Township 2S, Range 1E, Quarter CD, Tax Lot 07400 as shown in Clackamas County
Tax Lot No.: 21E24CD07400
Site Area: ~23225 square feet
Neighborhood: Bolton Neighborhood Association
Comp. Plan: Low-Density Residential
Zoning: R-10, Residential
Zoning Overlays: Water Resource Area / Riparian Corridor, Habitat Conservation Area, steep slopes,

PROJECT DESCRIPTION:

The applicant proposes to partition the subject property creating one new lot for a total of two lots.

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 2: Definitions](#)
- [Chapter 11: Residential, R-10](#)
- [Chapter 48: Access, Egress and Circulation](#)
- [Chapter 85: Land Divisions – General Provisions](#)
- [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:

Chapter 2: Definitions

- This chapter included as a good reference for information when putting together the application. No requirements within this chapter need to be addressed for the application.

Chapter 11: Residential R-10

- 11.070 Dimensional Requirements. Ensure dimensional requirements for the zone are met. Typically, 20-foot front and rear setbacks and 7.5 side setbacks.

Chapter 48: Access, Egress, and Circulation

- 48.020 Applicability
- 48.025 Access Control
 - Shared driveways
- 48.030 Minimum Vehicle Requirements for Residential Uses
 - Driveway standards

Chapter 85: Land Division – General Provisions

- 85.080 Substantial Deviation from Approved Plan Prohibited
- 85.090 Expiration or Extension of Approval
- 85.170 Supplemental Submittal Requirements for a Partition Plan
 - General criteria such as legal description, affidavit of ownership, narrative, etc.
 - Water, sewer, stormwater plans
- 85.200 Approval Criteria

Chapter 99: Procedures for Decision Making: Quasi-Judicial

- You do not need to address this chapter in your application and findings. It’s a good reference to read through so the applicant understands the process.

RESPONSE TO APPLICANT QUESTIONS:

Can the applicant have one application for a Minor Partition and a Water Resource Area Permit?

Yes. The fees will remain the same but one application for multiple land use requests is possible.

When will a survey be required?

A survey will be required with the application submittal. Without a survey the application will be deemed incomplete.

Will the applicant need a new TVF&R Provider Permit?

Yes. A new permit will be required as the initial permit was for the development of townhomes not for a Minor Partition. The TVF&R Provider Permit link is listed below.

Can the applicant have separate driveways or must it be a shared driveway.

It can be either. If it is a shared driveway, then there will need to be a shared access easement as well as a maintenance agreement for the entire stretch of the shared drive. The horizontal clearance must be a minimum of 20 feet and the vertical clearance is 13.5 feet. A shared driveway for two homes must be a minimum pavement width of 14 feet wide.

Separate driveways are allowed. The shape, size, and location of the property and the siting of the structures will, in part, determine whether a shared or separate driveways are needed.

PUBLIC COMMENT:

No public comment received.

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 Minor Partition 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 4-6 months.

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

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; and
5. Demonstration of compliance with Neighborhood Association meeting requirements per [CDC 99.038\(E1-5\)](#).

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 Minor Partition = \$2,850
- Fee for the Final Plat Review = \$1500

Applications with deposits will be billed monthly for time and materials. Please provide the name and address of the party responsible for the final invoice in your application.

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.*