

**HISTORIC REVIEW BOARD
Draft Meeting Notes of July 15, 2025**

Members present: Kirsten Solberg, James Manning, Regina Fleming, and BreAnn Borgaard. John Steele and Sheri Harbour De Vos arrived late.

Members Absent: Dan Saltee

Staff present: Lynn Schroder, Management Analyst

Staff Liaison: Lynn Schroder - lschroder@westlinnoregon.gov

The meeting [video](#) is available.

1. Call To Order and Roll Call

Chair Solberg called the meeting to order at 6:00pm.

2. Public Comment Related To Items Not On The Agenda

None.

3. Approval of Draft Meeting Notes for 04.16.25

Member Borgaard moved to approve the HRB meeting notes for 04.16.25. Member Manning seconded.

Ayes: Manning, Solberg, Fleming, and Borgaard. Nays: None. Abstain: None. The motion passed 4-0-0.

4. West Linn Waterfront Project Update

Darren Wyss provided an update on the West Linn Waterfront project, outlining its history and community engagement efforts that have taken place since 2016. Project goals include transportation improvements, river access, historic character preservation, and addressing community feedback on land use. The waterfront is divided into three distinct planning districts, each with its own characteristics and access challenges. The final vision plan seeks to revitalize the area by promoting diverse land uses and improving access to the river.

Wyss noted that HRB Member James Manning served as Chair of the WLWF Working Group, which earlier this month reached consensus to move the draft vision plan to City Council, along with suggested modifications:

- Including language on affordable housing and smart growth development
- Recognizing that access is critical to all districts

Some Working Group members wanted stronger language on the reuse of existing structures, especially in light of the mill's closure. Others wanted additional time for more community feedback.

The draft plan received Working Group support, though one property owner objected, and the

Confederated Tribes took no position.

Upcoming public events will allow further community input before finalizing recommendations for council consideration. Next steps:

- Public open houses (July 24 and 31)
- Planning Commission work sessions and hearing (August–September)
- City Council work sessions (October)
- A potential adoption decision by year-end

If adopted, the City will begin updating zoning to support implementation—especially important given possible changes in ownership of key riverfront parcels. The City established a Tax Increment Finance District to fund future infrastructure improvements.

Wyss noted the State Legislature award \$45 million to the Willamette Falls Trust to purchase land on the West Linn side of the waterfall for public access potentially including the mill property.

Member Manning noted that, with the Mill shutting down, the HRB should prioritize documenting the history of the site. Manning suggested that the most immediate step would be to try to get permission from Brian Conan to access the site while he still has control of the buildings on the island. Manning proposed that the HRB tour, photograph, and film the building. Solberg suggested using an architectural photograph. He was concerned about the mill site deteriorating without utilities and active use, prompting interest in documentation before it is lost to history.

Chair Solberg moved to seek City Council approval to explore the availability and accessibility of documentation related to the mill, including any materials from the mill itself and from Jodie Carson and Brian Conan. Member Fleming seconded. Ayes: **Manning, Solberg, Fleming, Steele, Harbour Devos, and Borgaard.** Nays: None. Abstain: None. The motion passed 6-0-0.

Manning suggested that the most immediate step would be to try to get permission from Brian Conan to access the site while he still has control of the buildings on the island.

Schroder stated she would explore the possibility of applying for Oregon Heritage grants to support inventory work related to the site.

5. CDC Code Clean-Up Amendments – Work Session

Wyss briefed the HRB on the proposed West Linn Community Development Code (CDC) amendments to address “Limited Land Use Decisions” and the impact on decision-making related to the HRB. The proposed amendments to decision-making roles are necessary to bring the city into compliance with state statutes. Staff collaborated with the City Attorney’s Office to draft the revisions to the code.

“Limited Land Use Decisions” are special categories of local decisions that are subject to specific procedures and standards outlined in state statutes. The Legislature designed these procedures to streamline approval of actions within an urban growth boundary. Limited land use decisions are made by the locally designated decision-maker and are subject to procedures and notice requirements outlined in state statutes. Examples include partitions, subdivisions, site review and design review.

Recent legislative changes to the State statute now require cities to strictly apply the procedures outlined in the statute. As a result, many cities across the state—including West Linn—have discovered that their existing development code decision-making processes are no longer compliant with the state mandated procedures. Specifically, the updated rules prohibit the use of quasi-judicial hearings for Limited Land Use Decisions (partitions, subdivisions, site review and design review).

Under the proposed amendments to the West Linn CDC, the HRB would retain its decision-making authority for Class 2 historic design review; however, the process for how decisions are made would change. Previously, the HRB held full quasi-judicial hearings: staff would give a presentation, the applicant would present, the public could testify for or against the application, the applicant could offer rebuttal, and then the board would deliberate and make a decision.

Under the proposed changes, a quasi-judicial hearing would no longer be allowed. Instead, materials would be provided to the HRB at least ten days in advance of the meeting. At the meeting, the HRB would deliberate based solely on the written record and make a decision. There would be no applicant presentation and no public testimony during the meeting. Instead, any written public comments submitted to staff prior to the meeting would be included in the materials provided to the HRB for consideration. The only action at the meeting would be the HRB's deliberation and decision.

Manning commented that receiving all the information related to a decision in a single written report, including public comments, would be beneficial because it removes emotion from the process and provides a clear list of facts, including staff recommendations. He noted that he has always found staff presentations helpful. He noted that if the HRB strictly followed the design rules without flexibility, there wouldn't be a brick fire station in town or brick on the lower portion of the Icon Building. Exceptions have been granted in the past, and over time, those exceptions have effectively become the new norm.

A question was raised about whether HRB members would still be allowed to ask staff clarifying questions. Wyss responded that he was unsure but would find out and report back to the HRB.

Wyss clarified that the proposed changes primarily apply to historic structures that fall under Class II historic design review. The other major type of decision-making that the Historic Review Board has consistently been involved in is making recommendations on new development within the Willamette Commercial Design overlay district. This recommendation may become less common moving forward, as there are few remaining properties within the district that are available for development. The nuance lies in Chapter 58 of the Community Development Code, which grants the HRB the exclusive authority to approve design exceptions—this authority does not extend to the planning commissioner or staff.

Wyss posed several questions to the group, starting with whether the HRB should eliminate its recommendation role for Class 1 design reviews, which generally involve minor changes. He clarified that both Class 1 and Class 2 design reviews would become staff-level decisions, with the HRB continuing to provide recommendations to staff on Class 2 reviews. Regarding design exceptions, he emphasized that the HRB would retain exclusive authority to grant or deny these exceptions, making final decisions based on staff-provided information.

During the discussion, Wyss recommended eliminating HRB recommendations for Class 1 design review such as a property owner changing a door to a design that already complies with code. For Class II decision-making, staff would provide the necessary information to the HRB in advance of the meeting.

The HRB would then deliberate and make a formal recommendation based on that information HRB Members leaned toward allowing staff to independently handle Class 1 reviews while maintaining HRB involvement for more significant Class 2 design reviews.

Wyss confirmed that, when design exceptions are requested, staff would present background and examples to the HRB, but the HRB would continue to make the ultimate decision on the design exception.

One member expressed support for this approach, agreeing that eliminating HRB recommendations for Class 1 reviews and trusting staff decisions would be appropriate.

Member Steele asked what would happen if a decision did not rest with the HRB and the Board disagreed with staff's decision. In response, it was noted that the HRB could appeal the decision to the City Council. Steele further inquired whether there would be a mechanism in place in a situation where the HRB recommended denial, but staff proceeded to approve the application regardless.

There was discussion about the limitations of the current process and the awkwardness of language in the code regarding decision-making authority. Wyss suggested amending the code to state that the HRB shall have standing in all decisions involving property within the Commercial Design District. This would ensure that, even if staff made a decision that differed from the HRB's recommendation, the HRB could request City Council to "call up" the decision for review.

In that scenario, the HRB would need to meet and formally decide to appeal the staff's decision within the required 14-day window. It was clarified, however, that because staff is the actual decision-maker (except in cases involving design exceptions), the HRB's role in most instances is advisory. Therefore, disagreement with staff does not automatically trigger further action unless a formal appeal is filed after the decision has been made.

There was discussion about whether disagreement from the HRB could automatically trigger a City Council agenda item, but it was noted that state law requires a formal decision to be made before an appeal can be filed. An appeal cannot be initiated based on a draft or pending decision. Staff acknowledged the concerns and indicated that further work would be done to develop appropriate language and a solution that complies with legal requirements while addressing the HRB's desire for meaningful involvement in such cases.

Wyss summarized the group's consensus, noting that there was general agreement on eliminating the HRB's recommendation role for Commercial Class I design review, while retaining it for Commercial Class II design review. For Class II cases, staff would continue to bring the materials to the HRB for review and recommendation. Wyss added that he would follow up with the City Attorney's Office to clarify whether the process could legally remain quasi-judicial or if it must shift entirely to a recommendation based solely on submitted materials. Additionally, he stated his intent to revise the development code language to clarify that the HRB has standing in matters involving property within the Commercial Design District.

Additionally, Wyss explained that, under the current code, a land division involving a property that contains a historic resource requires a recommendation from the HRB. He recommended eliminating this procedural requirement because there is not a mechanism to deny a land division in the CDC.

Lastly, demolitions, modifications, extensions, designation, removals, and relocations of historic

resources would no longer have quasi-judicial hearing.

6. Items Of Interest - Board Members

7. Items Of Interest - Staff

Schroder provided an update on the Robinwood Historic Building Survey, noting that field work is scheduled to begin during the third week of July.

She also gave an overview of the U.S. Army Corps of Engineers' request for input on proposed interpretive signage at the Willamette Falls Locks. Members commented that the proposed title implies the locks will not be reopened and recommended including a panel highlighting the historic passage of the Spruce Goose through the locks.

Finally, Schroder asked if there was interest in having the HRB participate in the Willamette Farmers Market in August. Schroder will identify a potential date in August for members to attend.

8. Adjourn

Chair Solberg adjourned the meeting at approximately 7:40pm.