

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
Notes
February 5, 2015

SUBJECT: Water Resource Area (WRA) permit

FILE: PA-15-06

ATTENDEES: Applicant: Steve Omner, Anne Marie Faulkner, Brian Denne
Staff: Peter Spir (Associate Planner), Khoi Le (Engineering)

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: 19381 Nixon Avenue
Area: 21,361 sq. ft.
Comprehensive Plan Designation: Low Density Residential
Zoning Classification: R-10 (10,000 square foot minimum lot size)
Overlays: Water Resource Area (WRA) Flood Management Area (FMA) (partial)

Project Details

The applicant proposes to construct one single family home on a steeply sloped lot by using a flat graveled area as the footprint for the home.

Site Analysis

The property slopes uphill from Nixon Avenue at over 25% with the exception of a flat graded gravel area that was used by the owner for vehicle and other storage. This graveled area is accessed from the northeast corner of the property via a gravel dirt driveway sloping up at 12-15%. Meanwhile, Heron Creek is contained within a very steep ravine on the southern edge of the property. There is a "riparian area" setback of 100 feet from the stream (CDC Chapter 32 Table 32-2). This riparian area setback is greater than "the top of bank plus 50 foot" setback associated with ravines.

Even with the WRA setbacks, there will still be about 8,900 square feet of the property outside the WRA. The applicant could develop that area and not have to obtain a WRA permit. Alternately, the applicant could apply for WRA permit and use the hardship provisions of CDC 32.110 to encroach up to 5,000 square feet into the WRA or use the Alternate Review Process of CDC 32.080.

There are a number of trees on the site. The applicant will be required to obtain a tree removal permit from Mike Perkins, the City Arborist (mperkins@westlinnoregon.gov) at such time that a building permit is sought. Contact Khoi Le at kle@westlinnoregon.gov or 503-722-5517 for specific engineering requirements that are triggered by the WRA permit or separately by the building permit. TVFR comments are available from Jason.Arn@TVFR.com. Initial comments from TVFR are as follows:

1. Access to within 150 ft. of all portions of the proposed structure
2. Verification that a fire hydrant is within 600ft. of all portions of the proposed structure.
3. A Fire Flow test from the closest existing fire hydrant.
4. A visible address posted on the structure.

Process

A WRA permit is only required if physical development, grading, utilities, etc. are proposed within the WRA (including setback areas). If a WRA is required, the provisions of CDC Chapter 32 must be met and a permit fee of \$2,600 is required. The CDC is online at <http://westlinnoregon.gov/cdc>.

N/A is not an acceptable response to the WRA 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 application form must be signed by the property owner.

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 the submittal is deemed complete, the staff will notify the affected parties of the proposal and invite comment. The Planning Manager will issue a decision to approve, approve with conditions or deny the application and notify affected parties. There is a 14-day window to appeal the decision of the Planning Manager following notice of the decision. If no appeal has been received by the close of the appeal period, the Planning Manager decision becomes final and the applicant may move forward with the development of their proposal.

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.

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. ***A new pre-application conference would have to be scheduled one that period lapses and these notes would no longer be valid. Any changes to the CDC standards may require a different design or submittal.***