

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
June 16, 2022

SUBJECT: Tualatin River Greenway, Water Resource Area, and Floodplain Management Area Permits for improvements to Willamette Falls Drive adjacent to Fields Bridge Park

FILE: PA-22-18

ATTENDEES: Applicant: Erich Lais, Maryna Asuncion (West Linn Public Works)
Staff: Darren Wyss, John Floyd, Chris Myers (Planning)
Public: John McCabe, Betty Reynolds, and Kathie Halicki (Willamette NA)

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.

Project Details

Site Address: Willamette Falls Drive adjacent to Fields Bridge Park
Tax Not No.: 2S 1E 34C tax lots 300 and 400, 2S 1E 03AB taxlot 1900
Site Area: Approximately 1,800 linear feet
Neighborhood: Willamette Neighborhood Association
Comp. Plan: Low and Medium Density Residential
Zoning: R-10 and R-5 Residential
Zoning Overlays: Water Resource Area, Tualatin River Greenway/Habitat Conservation Area, 100-year Floodplain

Applicable CDC Chapters: Chapter 27: Floodplain Management Areas
Chapter 28: Willamette and Tualatin River Protection
Chapter 32: Water Resource Area Protection
Chapter 99: Procedures for Decision-Making: Quasi-Judicial

Summary

The City of West Linn (applicant) proposes to construct street improvements (curb, gutter, sidewalk, cycle track, pavement improvements) on the south side of Willamette Falls Drive adjacent to Fields Bridge Park. The improvements will be in partnership with the school district required improvements on the north side of the road. The north/west end of Fields Bridge Park is covered by the 100-year floodplain, which moves away from the road at the south/east end. The applicant will need to submit verification of the base flood elevation and any associated impacts to it from the project, including potential fill. Any fill will require an equal cut. The Tualatin River Greenway shares the boundary with the 100-year floodplain (CDC 28.030). The City uses the Metro Habitat Conservation Areas (HCA) to regulate the greenway and verification of the correct map boundaries should be submitted based on the criteria found in Metro Functional Plan Title 3, Table 3.07-13a and Table 3.07-13d. Any impacts to verified HCA areas will need mitigated. A wetland, which is included in the West Linn Local Wetland Inventory, exists just south of the ball fields/parking area. A wetland delineation with concurrence from DSL will be required. Also include a map identifying the required 65-foot buffer (CDC 32.060 Table 32-2). If the proposed improvements are outside of the buffer, no Water Resource Area Permit is required. If the proposed improvements are within the buffer, an alternative review application is required (CDC 32.080), including a functional analysis report and mitigation plans.

Public Comments

Attendees asked several questions that were not specific to the pre-app discussion. These included: should the pre-app be rescheduled as the name of the park on the application was incorrect; is the baseball association aware of any

potential closures/impacts from project; will written comments be reviewed (Staff reply: any comments submitted that address the criteria after the development review application is submitted will be part of the record); what size of bond will the City secure to address potential DEQ violations.

Engineering Comments: contact Erich Lais at elais@westlinnoregon.gov or 503-722-3434

Tualatin Valley Fire & Rescue Comments: contact Jason Arn at jason.arn@tvfr.com or 503-259-1510

Process

For a Flood Management Area Permit, address submittal requirements found in CDC 27.060 and respond to criteria found in CDC 27.070, 27.080, 27.090, and 27.100 (if applicable).

For a Tualatin River Greenway Permit, address submittal requirements found in CDC 28.090 and respond to criteria in CDC 27.110 (specifically L, T, and U).

For a Water Resource Area Permit, address the submittal requirements found in CDC 32.050 and respond to criteria in CDC 32.080 and 32.090.

N/A is not an acceptable response to approval criteria. Submittal requirements may be waived by the Planning Manager following a request by the applicant. Such a request must identify the specific grounds for the waiver and must be submitted to the Planning Manager (or designee) in letter form (email is acceptable).

You may access the West Linn Community Development Code (CDC) online at <http://westlinnoregon.gov/cdc>.

A neighborhood meeting is not required per 99.038.

The deposit for a Floodplain Management Area Permit is \$1,050, for a Tualatin River Greenway Permit is \$1,700, and for a Water Resource Area Permit is \$1,850.

Once the application and fees 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.

All three permits are Planning Manager decisions and do not require a public hearing. Once the submittal is declared complete, staff will send a 20-day public comment notice. Once the public comment period closes, staff will issue a decision. There is a 14-day window following the decision to appeal the decision to City Council. If no appeal has been received by the close of the appeal period, the decision is final and the applicant may move forward with the development of their proposal.

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.