

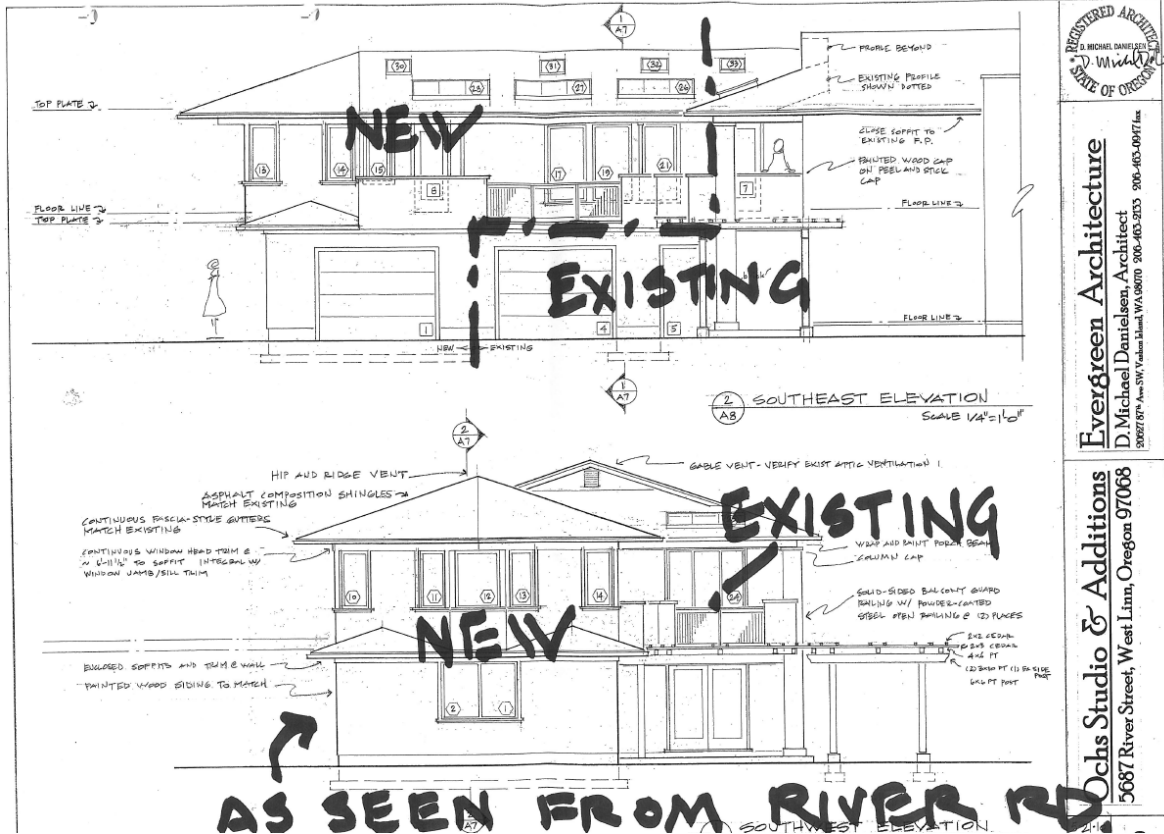
**City of West Linn**  
**PRE-APPLICATION CONFERENCE MEETING**  
**Notes**  
**August 5, 2010**

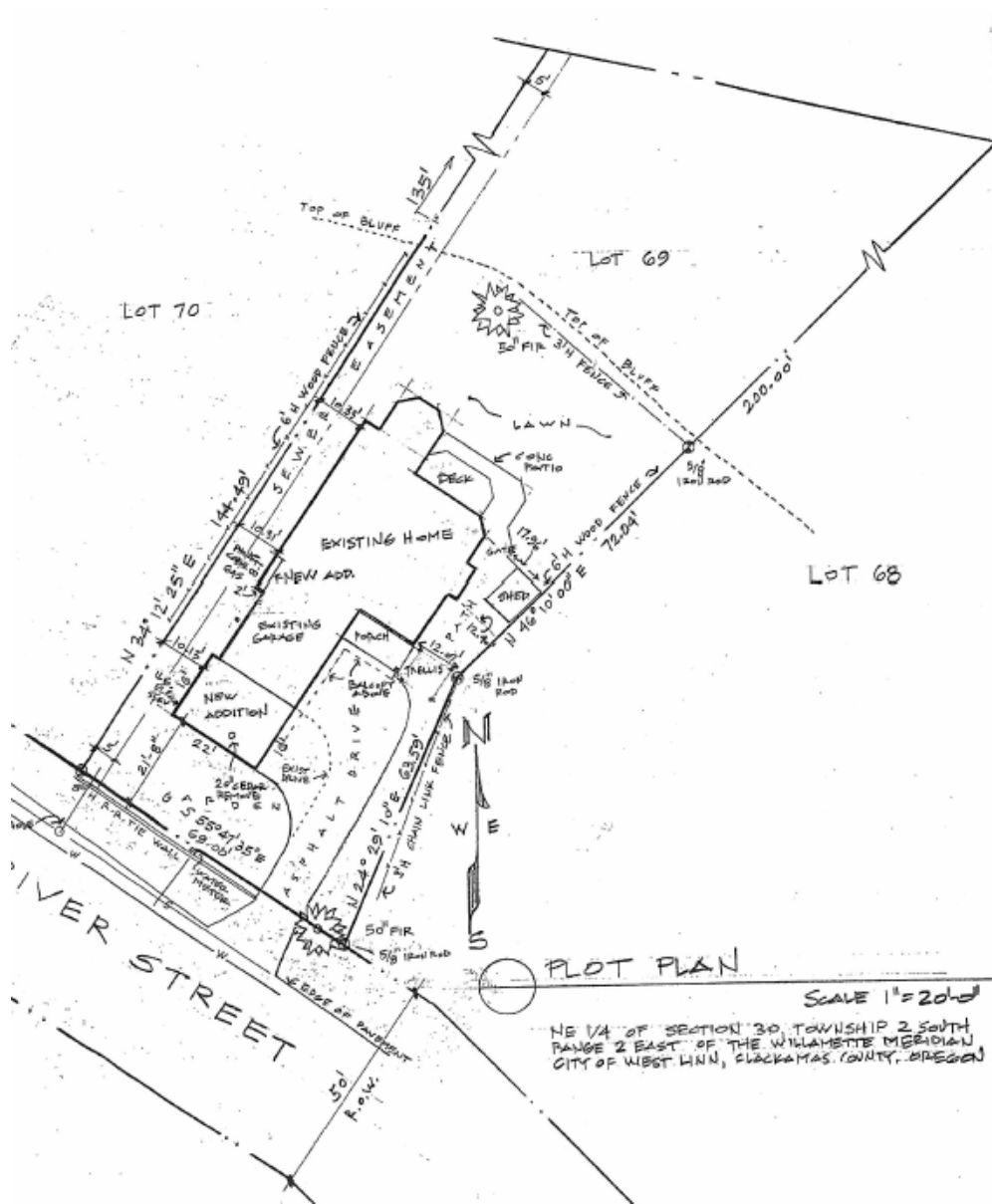
**SUBJECT:** Two story addition at 5687 River Street, in Flood Management Area  
**ATTENDEES:** Applicants: Myrna and James Ochs, Harding DiCenzo (Builder)  
 Sally McLarty (Bolton N.A.) Staff: Peter Spir (Planning Department)

*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**

The applicant proposes a two story addition to the front of the house at 5687 River Street. The addition will comprise a garage on the first floor with living space on the second floor. Also, above the existing garage, a second floor will be added for living space. A two foot bump out is proposed adjacent to the utility room.





Per City GIS the entire property is located in the FEMA 100-year floodplain. Therefore the proposals require a Flood Management Area (FMA) permit to be approved by the Planning Director before a building permit is issued. Per Community Development Code (CDC) 27.020, "A flood management area permit is required for all development in the Flood Management Area Overlay Zone."



The area of the lot where the construction is proposed is not within the Willamette River Greenway Overlay Zone but it is in Metro's Habitat Conservation Area (HCA). Per CDC 28.040(T), "The construction, remodeling or additions of home and accessory structures that take place completely within the 'Not Affected by Recommendation' or 'Allow Development' of Metro's Habitat Conservation Maps shall be exempt from a Willamette or Tualatin River Protection Area permit." The addition is in the area classified "Allow Development". Therefore the proposed development is exempt from a Willamette River Greenway (aka a Willamette River Protection Area permit in 28.040[T]).

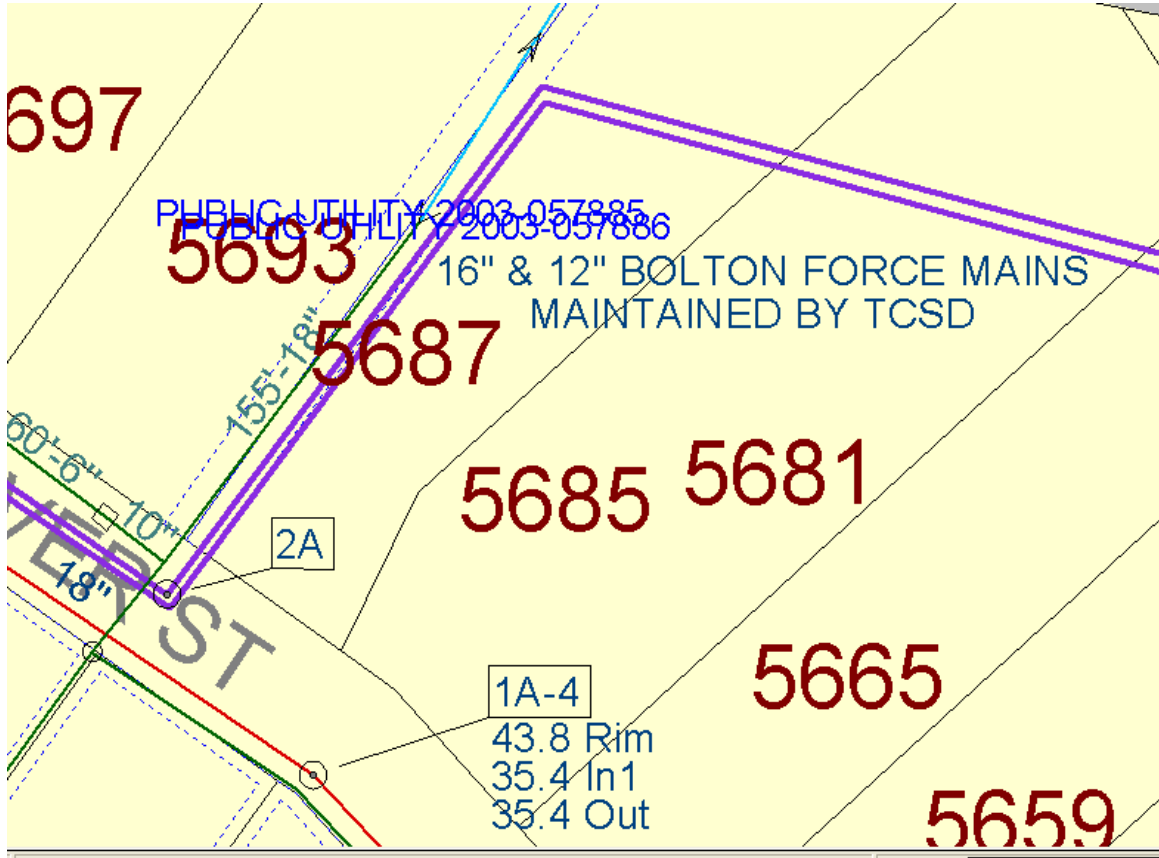
Apart from getting an accurate determination of the elevation of the site upon which the construction will take place in addition to a determination of the 100 year flood elevation based on FEMA maps, the focus of the review by the Planning Director will be on how well the applicant meets the approval criteria, in particular, the following standards of 27.080:

- A. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to at least one foot above the base flood elevation.
- B. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a professional civil engineer or architect licensed to practice in the state of Oregon, and must meet or exceed the following minimum criteria:

1. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
2. The bottom of all openings shall be no higher than one foot above grade.
3. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry or exit of floodwaters.
4. Fully enclosed areas below the base flood elevation shall only be used for parking, access, and limited storage.
5. Service equipment (e.g., furnaces, water heaters, washer/dryers, etc.) is not permitted below the base flood elevation.
6. All walls, floors, and ceiling materials located below the base flood elevation must be unfinished and constructed of materials resistant to flood damage.



With particular reference to proposed modifications in the utility room and elsewhere, all electrical equipment, fixtures and duct systems etc shall not be below the flood elevation or attached to walls planned to break away with flood loads per R 324 of the 2008 ORSC. Please contact Dave Davies, Building Official, at 656-4211 for specifics.



There is also the issue of the sanitary sewer lines and storm water lines on the northwest property line. The easement for the storm line is 20 feet wide centered on the common lot line to the west meaning that it extends ten feet onto the subject property. No part of the addition may encroach into the easement. The sanitary sewer forced main utility also has a ten foot wide easement from the west property line. The R-10 zone's 7.5 foot side yard setback is made redundant by the 10 foot wide storm and sewer easements. The applicant's site plan shows a side yard setback of over 10 feet. The proposed 21 foot front setback meets code requirement of a 20 foot setback.

Any tree removal will require a permit from the Parks Department.

**Process**

The Flood Management Area (FMA) permit is required and explained in CDC Chapter 27.



No neighborhood meeting is required for a FMA Permit per CDC 99.038. However, these meetings are always encouraged to solicit public input and make the public more informed of an applicant's plans. If the applicant decides to present at a neighborhood meeting, contact Sally McLarty, Bolton Neighborhood President, 503-722-2137 or [gbryck@easystreet.net](mailto:gbryck@easystreet.net). If the applicant presents at a NA meeting, the applicant is required to provide the neighborhood association with conceptual plans and other material at least 10 days prior to the meeting.

The FMA Permit will require a full and complete response to the submittal requirements per CDC 27.050 and approval criteria of CDC 27.060, 27.070, and 27.080. These include a site plan, pre-alteration site information, a topographic map, and the lowest floor elevation for all existing and proposed building footprints, as well as the criteria response narrative, the Development Review Application Form, and the deposit (see below). The CDC is online at <http://westlinnoregon.gov/planning/community-development-code-cdc>.

Submittal requirements may be waived. For this, the applicant must first identify the specific submittal requirement and request in letter form that it be waived by the Planning Director, and must identify the specific grounds for that waiver. The waiver may or may not be granted by the Planning Director. Please note that a critical part of the approval criteria and submittal requirements is an engineer or architect's certified (stamped and signed) design showing how the hydrostatically controlled louvers etc. will function so as not to impede 100-year flood waters to the extent that adjacent properties are adversely affected. No flood elevation certificate is required. However, the applicant should provide an elevation above sea level for the lowest floor or garage floor per 27.050(G). City GIS mapping shows that elevation to be 47 feet. The existing utility room can stay "as is" but the plans showed a bump out of two feet which alters it and once it is altered then the design would have to be supported and stamped and signed by applicant's engineer.

N/A is not an acceptable response to the approval criteria. Prepare the application and submit to the Planning Department with deposit fees and signed application form.

The deposit for FMA Permit is \$1,050. Any cost overruns will result in additional billings.

Once the submittal is deemed complete, the Planning Director will send out 14-day public notice of the pending decision then render a decision. The process should take three to four weeks from the date the application is deemed complete. No public hearing is required for the Planning Director's decision. However, the decision may be appealed by the applicant or anyone with standing to City Council, requiring at least one City Council hearing.

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.

**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. Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. These pre-apps are good for only 18 months. If no application has been submitted prior to that period lapsing, a second pre-app will be required.

Pre-app2010-PA-10-24- FMA at 5687 River St