

**STAFF REPORT
PLANNING MANAGER DECISION**

DATE: August 2, 2016

FILE NO.: WAP-16-07/WRG-16-03

REQUEST: The applicant requests approval for a Water Resource Area (WRA) and a Willamette and Tualatin River Protection Area permit for a 22 X 20 foot water permeable patio covered by a 20 X 18 foot patio shelter at 1209 Ninth Street.

PLANNER: Peter Spir, Associate Planner

Planning Manager *ASB*

TABLE OF CONTENTS

	<u>Page</u>
STAFF ANALYSIS AND RECOMMENDATION	
GENERAL INFORMATION.....	2
EXECUTIVE SUMMARY.....	2
PUBLIC COMMENTS.....	3
DECISION	3
ADDENDUM	
STAFF FINDINGS.....	5-15
STAFF FIGURES.....	16-23
EXHIBITS	
PD-1 AFFIDAVIT OF NOTICE.....	24-28
PD-2 NOTICE.....	29-30
PD-3 COMPLETENESS LETTER.....	31-32
PD-4 APPLICANT'S SUBMITTAL.....	33-46
PD-5 PUBLIC COMMENTS.....	47

GENERAL INFORMATION

**OWNER/
APPLICANT:** Euan Currie and Lisa Mahlum, 1209 Ninth Street, West Linn OR. 97068

SITE LOCATION: 1209 Ninth Street

SITE SIZE: 1.19 acres/51,836 square feet

**LEGAL
DESCRIPTION:** Assessor's Map 31E-2AB Tax Lot 8203

**COMP PLAN
DESIGNATION:** Low Density Residential

ZONING: R-10, Single-Family Residential Detached (10,000 square foot minimum lot size)

**APPROVAL
CRITERIA:** Community Development Code (CDC) Chapter 32 (WRA), Chapter 28 (WRG), Chapter 11 (R-10)

120-DAY RULE: The application became complete on June 22, 2016. The 120-day period therefore ends on October 20, 2016.

PUBLIC NOTICE: Notice was mailed to property owners within 500 feet of the subject property and all neighborhood associations on July 12, 2016. A sign was placed on the property on July 15, 2016. The notice was also posted on the City's website. Notice appeared in the West Linn Tidings on July 21, 2016. Therefore, public notice requirements of CDC Chapter 99 have been met.

EXECUTIVE SUMMARY

The applicant's proposal is to construct a 22 X 20 foot water permeable patio covered by a 20 X 18 foot patio shelter at the rear or east side of the house. A 40 foot long by 2.5 foot wide path along the east side of the home is also proposed. The house and a developed raised area has Water Resource Area (WRA) wetlands to the south and east (Figure 2). The WRA setback is 65 feet per Chapter 32. A Riparian Corridor, also regulated by Chapter 32, intrudes onto the north edge of the raised area. Together, the WRA setbacks and Riparian Corridor encompass the proposed improvements and all but 1,567 square feet of the raised area and house.

The WRA chapter offers the Hardship provisions (section 32.110) which has the stated purpose of ensuring that *“compliance with this chapter does not deprive an owner of reasonable use of land.”* *“Reasonable Use”* is defined as *“Uses, similar in size, intensity and type, to uses allowed on other properties in the City that have the same zoning designation as the subject property.”* The “Hardship” provisions of CDC 32.110 (B) allows 5,000 square feet of the WRA or 30% of the WRA for development (whichever is greater) in addition to developable non-WRA lands.

Per CDC 32.110(D): Development includes all structures, all graded areas that are not restored to original grades and replanted with native material and all non-native landscaping, driveways, patios, etc.

Per CDC Chapter 32.110, because the property comprises 51,966 square feet, up to 15,589 square feet (30%) could be disturbed. The raised area comprises 9,033 square feet, so the applicant’s proposed development, on that raised area, can be fully accommodated.

Per CDC 32.090(C)(2): One to one (on-site) mitigation for the proposed development is required for newly disturbed areas while mitigation for Previously Disturbed Areas (PDAs) is permitted at a rate of .5 square feet of mitigation for every square foot of PDA disturbed.

The house is also within the Willamette and Tualatin River Protection Area (Chapter 28) (Figure 3) which includes Habitat Conservation Areas (HCAs). Some HCAs allow development, while other HCAs limit development. The house and raised area (including the area of the proposed development) are in an HCA that allows development under the term: *“Habitat and Impact Areas Not Designated as HCAs”*.

Public comments:

No public comments have been received.

DECISION

The Planning Manager (designee) approves this application (WA-16-04), based on: 1) the findings submitted by the applicant, which are incorporated by this reference, and 2) supplementary staff findings included in the Addendum below. With these findings, the applicable approval criteria are met. The following condition of approval shall apply:

1. Per CDC 32.100(B): The applicant shall remove the invasive non-native vegetation and install native vegetation (400 square foot area) consistent the applicant’s submittal and per CDC 32.100(A) (1-8) prior to final approval of the building permit; alternately, the applicant may guarantee the enhancement and mitigation by submitting to the City a check for 125 percent of the cost of the removal of invasive non-native vegetation and installation of the native vegetation based on a bid from a landscaping firm.

The provisions of the Community Development Code Chapter 99 have been met.

Peter Spir

PETER SPIR, Associate Planner

August 2, 2016

DATE

Appeals to this decision must be filed with the West Linn Planning Department within 14 days of the mailing date listed below. The cost of an appeal is \$400. The appeal must be filed by an individual who has established standing by submitting comments prior to the date identified in the public notice. Appeals will be heard by City Council.

Mailed this 2nd day of August, 2016.

Therefore, the 14-day appeal period ends at 5 p.m., on August 16, 2016.

ADDENDUM: STAFF FINDINGS IN RESPONSE TO APPROVAL CRITERIA

32.060 APPROVAL CRITERIA (STANDARD PROCESS)

No application for development on property containing a WRA shall be approved unless the approval authority finds that the proposed development is consistent with the following approval criteria, or can satisfy the criteria by conditions of approval:

A. WRA protection/minimizing impacts.

1. Development shall be conducted in a manner that will avoid or, if avoidance is not possible, minimize adverse impact on WRAs.

Staff Response 1: The house was built in 2001 on a well-defined rectangular raised area about four feet above the wetlands. All of the raised area has been modified by development of the house, driveway, patio, walkways and the installation of non-native vegetation, including trees. All proposed development will occur on the raised area over 15 feet from the wetland; and therefore, the impacts on the WRA will be minimized. The criteria is met by Condition of Approval 1.

2. Mitigation and re-vegetation of disturbed WRAs shall be completed per CDC 32.090 and 32.100 respectively.

Staff Response 2: The applicant has provided Mitigation Plan Drawing (Figure 4). The required amount of mitigation is per 32.090(C): *“For every one square foot of non-Previously Disturbed Area (PDA), on-site mitigation shall require one square foot of WRA to be created, enhanced or restored.”* In this application the applicant is developing a 540 square foot area. Of that area, 350 square feet is PDA which is mitigated at a rate of .5 square feet per 32.090(C) (2). The total required mitigation is 365 square feet. The applicant will be removing invasive plant species, mostly invasive blackberries, and planting 400 square feet of native plants in those areas. The vegetative mitigation exceeds the required on-site mitigation requirement. The criteria is met.

B. Storm water and storm water facilities.

1. Proposed developments shall be designed to maintain the existing WRAs and utilize them as the primary method of storm water conveyance through the project site unless:

(...)

Staff Response 3: The Development Engineer has determined that the 190 square foot increase in surface area created by this application (540-350=190) does not trigger the need for storm water treatment or detention. Also, the permeable pavers will dissipate rainwater infiltration over a broader area. The criteria is met.

C. Dedications and easements. The City shall request dedications of the WRA to the City when acquisition of the WRA by dedication or easement would serve a public purpose.

Staff Response 4: No dedications or easements are proposed. Therefore, the criteria does not apply.

D. WRA width. Except for the exemptions in CDC 32.040, applications that are using the alternate review process of CDC 32.080, or as authorized by the approval authority consistent with the provisions of this chapter, all development is prohibited in the WRA as established in Table 32-2 below:

(...)

Table 32-2. Required Width of WRA

Protected WRA Resource (see Chapter 2 CDC, Definitions)	Slope Adjacent to Protected Water Resource ^{1, 3}	Starting Point for Measurements from Water Resource ^{1, 3}	Width of WRA on Each Side of the Water Resource
A. Water Resource	0% - 25%	OHW or delineated edge of wetland	65 feet
D. Riparian Corridor	Any	OHW	100 feet

(...)

Staff Response 5: The WRA is in the 0-25% slope with a setback width of 65 feet as shown in Table 32-2 above. The Riparian Corridor associated with a WRA north of the property has a setback of 100 feet and extends onto the northwest corner of the property as shown in Figure 2. The criteria is met.

E. Roads, driveways and utilities.

(...)

Staff Response 6: There are no streets or driveways proposed. Therefore the criteria does not apply.

F. Passive recreation. Low impact or passive outdoor recreation facilities for public use including, but not limited to, multi-use paths and trails, not exempted per CDC 32.040(B)(2), viewing platforms, historical or natural interpretive markers, and benches in the WRA, are subject to the following standards:

(....)

Staff Response 7: No passive recreation facilities are proposed. Therefore the criteria does not apply.

G. Daylighting Piped Streams.

1. As part of any application, covered or piped stream sections shown on the WRA Map are encouraged to be “daylighted” or opened.

Staff Response 8: No daylighting of piped streams is proposed. Therefore the criteria does not apply.

H. The following habitat friendly development practices shall be incorporated into the design of any improvements or projects in the WRA to the degree possible:

(....)

Staff Response 9: Per 32.060(H) (7), the applicant will use rain barrels to capture rooftop runoff.

Per 32.060 (H) (9) the applicant will be using pervious material for the patio and walkways around the house. This has the benefit of dissipating runoff and facilitating broader groundwater recharge.

Section 32.060 (H) (15) encourages the use of previously developed areas (PDAs) when given an option of developing PDA versus non-PDA land. The proposed patio and patio shelter use 350 square feet of PDA.

Section 32.060 (H) (16) calls for minimizing the building, hardscape and disturbance footprint which the applicant has achieved with a modest sized patio and patio shelter which only increase disturbed areas by 190 square feet.

In total, these habitat friendly measures demonstrate that the applicant is minimizing adverse impacts on the WRA. The criteria is met.

32.110 HARDSHIP PROVISIONS

The purpose of this section is to ensure that compliance with this chapter does not deprive an owner of reasonable use of land. To avoid such instances, the requirements of this chapter may be reduced. The decision-making authority may impose such conditions as are deemed necessary to limit any adverse impacts that may result from granting relief. The burden shall be on the applicant to demonstrate that the standards of this chapter, including Table 32-2, Required Width of WRA, will deny the applicant "reasonable use" of his/her property.

- A. The right to obtain a hardship allowance is based on the existence of a lot of record recorded with the County Assessor's Office on, or before, January 1, 2006. The lot of record may have been, subsequent to that date, modified from its original platted configuration but must meet the minimum lot size and dimensional standards of the base zone.

Staff Response 10: This lot was created as part of the Willamette and Tualatin Tracts in 1908. (The house was built in 2001.) Therefore, the lot correctly pre-dates the January 1, 2006 eligibility date and meets the minimum lot size and dimensional standards of the base zone (see Staff Response 18).

Staff notes that "Reasonable Use" is defined in CDC Chapter 2: "Reasonable use. Uses, similar in size, intensity and type, to uses allowed on other properties in the City, that have the same zoning designation as the subject property."

The applicant's existing disturbed area (counting structures, hardscapes and non-native landscaping) comprises 8,068. The average disturbed area of four nearby homes to the north is 13,343 square feet which exceeds, by 5,275 square feet, what this applicant proposes. Therefore, allowing the applicant to increase the disturbed area by 190 square feet accommodates "reasonable use" of the property.

The minimum lot size and dimensional standards of the underlying R-10 zone are met per Staff Response 18. The criteria is met.

- B. For lots described in subsection A of this section that are located completely or partially inside the WRA, development is permitted, consistent with this section. The maximum disturbed area (MDA) of the WRA shall be determined on a per lot basis. The MDA shall be the greater of:

1. Five thousand square feet of the WRA; or
2. Thirty percent of the total area of the WRA.

- C. The MDA shall be located as follows:

1. In areas where the development will result in the least square footage encroachment into the WRA.
2. The applicant shall demonstrate, through site and building design, that the proposed development is the maximum practical distance from the water resource based on the functional needs of the proposed use.
3. The minimum distance from a water resource shall be 15 feet.
4. Access driveways shall be the minimum permitted width; select an alignment that is least impactful upon the WRA; and shall share use of the driveway, where possible.

Staff Response 11: Per 32.110(B) (2), the applicant proposes to use the 30 percent allowance. The property comprises 51,966 square feet. Up to 15,589 square feet (30%) could be disturbed. The raised area comprises 8,068 square feet, so the applicant's proposed development, on that raised area, is well below the MDA permitted. The patio, patio structure and footpath will use PDA to the extent that the net impacted area will comprise only 190 square feet. The nearest section of patio will be 15 feet from the wetland boundary which meets the minimum 15 foot setback. No new access driveways are proposed. The criteria is met.

D. The MDA shall include:

1. The footprints of all structures, including accessory structures, decks and paved water impermeable surfaces including sidewalks, driveways, parking pads, paths, patios and parking lots, etc. Only 75 percent of water permeable surfaces at grade shall be included in the MDA.
2. All graded, disturbed or modified areas that are not subsequently restored to their original grade and replanted with native ground cover per an approved plan.

E. The MDA shall not include:

1. Temporarily disturbed areas (TDAs) adjacent to an approved structure or development area for the purpose of grading, material storage, construction activity, trenched or buried utilities and other temporary activities so long as these areas are subsequently restored to the original grades and soil permeability, and re-vegetated with native plants per CDC [32.100](#), such that they are at least equal in functional value to the area prior to the initiation of the permitted activity; (...)

Staff Response 12: The property comprises 51,966 square feet. Up to 15,589 square feet (30%) could be disturbed. The raised area comprises 8,068 square feet, so the applicant's proposed development, on that raised area, is well below the MDA permitted. The patio, patio structure and footpath will use PDA to the extent that the net impacted area will comprise only 190 square feet. The criteria is met.

(....)

F. Development allowed under subsection A of this section may use the following provisions:

1. Setbacks required by the underlying zoning district may be reduced up to 50 percent where necessary to avoid construction within the WRA, as long as the development would otherwise meet the standards of this chapter. However, front loading garages shall be set back a minimum of 18 feet, while side loading garages shall be set back a minimum of three feet.

(....)

Staff Response 13: No reduced setbacks are proposed or needed. The criteria is met.

(....)

H. Mitigation and re-vegetation of disturbed WRAs shall be completed per CDC 32.090 and 32.100 respectively.

Staff Response 14: The applicant will satisfy all mitigation and re-vegetation per code. The applicant is developing a 540 square foot area. 350 square feet of that area is PDA which is mitigated at a rate of .5 square feet per 32.090(C) (2) for a required mitigation area of 175 square feet. Non-PDA that will be developed comprises 190 square feet. The total required mitigation is area is 365 square feet (190 + 175 = 365). The applicant will be removing invasive plant species, mostly invasive blackberries, and planting 400 square feet of native plants in those areas. The vegetative mitigation exceeds the required on-site mitigation requirement. The criteria is met by Condition of Approval 1.

32.090 MITIGATION PLAN

A A mitigation plan shall only be required if development is proposed within a WRA (including development of a PDA). (Exempted activities of CDC 32.040 do not require mitigation unless specifically stated. Temporarily disturbed areas, including TDAs associated with exempted activities, do not require mitigation, just grade and soil restoration and re-vegetation.) The mitigation plan shall satisfy all applicable provisions of CDC 32.100, Re-Vegetation Plan Requirements.

B. Mitigation shall take place in the following locations, according to the following priorities (subsections (B)(1) through (4) of this section):

1. On-site mitigation by restoring, creating or enhancing WRAs.

(....)

1. The amount of mitigation shall be based on the square footage of the permanent disturbance area by the application. For every one square foot of non-PDA disturbed area, on-site mitigation shall require one square foot of WRA to be created, enhanced or restored.
2. For every one square foot of PDA that is disturbed, on-site mitigation shall require one half a square foot of WRA vegetation to be created, enhanced or restored.

Staff Response 15: The applicant has provided a mitigation plan. The proposed mitigation amounts exceed the minimum required. The criteria is met.

E. A mitigation plan shall contain the following information:

1. A list of all responsible parties including, but not limited to, the owner, applicant, contractor, or other persons responsible for work on the development site.
2. A map showing where the specific adverse impacts will occur and where the mitigation activities will occur.
3. A re-vegetation plan for the area(s) to be mitigated that meets the standards of CDC 32.100.

(....)

Staff Response 16: The applicant has provided a mitigation plan. The proposed mitigation amounts exceed the minimum required. The criteria is met.

32.100 RE-VEGETATION PLAN REQUIREMENTS

A. In order to achieve the goal of re-establishing forested canopy, native shrub and ground cover and to meet the mitigation requirements of CDC 32.090 and vegetative enhancement of CDC 32.080, tree and vegetation plantings are required according to the following standards:

1. All trees, shrubs and ground cover to be planted must be native plants selected from the Portland Plant List.

(....)

Staff Response 17 The applicant's "Mitigation Plan" demonstrates compliance with the standards of this section. The criteria is met by Condition of Approval 1.

Chapter 11 SINGLE-FAMILY RESIDENTIAL DETACHED, R-10

11.030 PERMITTED USES

The following are uses permitted outright in this zoning district

1. Single-family detached residential unit.

11.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS

Except as may be otherwise provided by the provisions of this code, the following are the requirements for uses within this zone:

1. The minimum lot size shall be 10,000 square feet for a single-family detached unit.
2. The minimum front lot line length or the minimum lot width at the front lot line shall be 35 feet.
3. The average minimum lot width shall be 50 feet.
5. Except as specified in CDC 25.070(C) (1) through (4) for the Willamette Historic District, the minimum yard dimensions or minimum building setback area from the lot line shall be:
 - a. For the front yard, 20 feet; except for steeply sloped lots where the provisions of CDC 41.010 shall apply.
 - b. For an interior side yard, seven and one-half feet.
 - c. For a side yard abutting a street, 15 feet.
 - d. For a rear yard, 20 feet.
6. The maximum building height shall be 35 feet, except for steeply sloped lots in which case the provisions of Chapter 41 CDC shall apply.
7. The maximum lot coverage shall be 35 percent.
8. The minimum width of an accessway to a lot which does not abut a street or a flag lot shall be 15 feet.
9. The floor area ratio shall be 0.45. Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of 0.30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a non-conforming structures permit under Chapter 66 CDC.
10. The sidewall provisions of Chapter 43 CDC shall apply.

Staff Response 18: The lot is 51,966 square feet which exceeds the minimum lot size of 10,000 square feet. The lot frontage is 163 feet which exceeds the minimum lot width of 35 feet and average lot width of 50 feet.

The house, including the proposed addition will meet the front and rear 20 foot setback requirements with setbacks of 38 feet and 209 feet respectively and the 7.5 foot side setback with a 10 foot setback.

The existing house height is 27 feet which is under the allowable 35 feet. With the addition, the lot coverage will be 6.3 percent which is under the allowed 35 percent. Based on a living space of 2,855 square feet plus the 480 square foot patio shelter, the FAR will be 6.4 percent which is under the allowed 45 percent. No sidewall transitions are needed since this structure gable end faces the side yards which meets exemption 43.040(C) (5). The criteria is met.

10.090 OTHER APPLICABLE DEVELOPMENT STANDARDS

A. The following standards apply to all development including permitted uses:

1. Chapter 34 CDC, Accessory Structures, Accessory Dwelling Units, and Accessory Uses.
2. Chapter 35 CDC, Temporary Structures and Uses.
3. Chapter 38 CDC, Additional Yard Area Required; Exceptions to Yard Requirements; Storage in Yards; Projections into Yards.
4. Chapter 40 CDC, Building Height Limitations, Exceptions.
5. Chapter 41 CDC, Structures on Steep Lots, Exceptions.
6. Chapter 42 CDC, Clear Vision Areas.
7. Chapter 44 CDC, Fences.
8. Chapter 46 CDC, Off-Street Parking, Loading and Reservoir Areas.
9. Chapter 48 CDC, Access, Egress and Circulation.
10. Chapter 52 CDC, Signs.
11. Chapter 54 CDC, Landscaping.

Staff Response 19: No accessory structures, temporary structures and uses are proposed so those criteria do not apply. (The patio structure will be attached to the house so it is not an accessory structure.) No additional yard area is required and no exceptions to yard requirements are proposed so those criteria do not apply. The building height of 27 feet is below the R-10 allowed 35 foot height so no exemption is required. This is not a steep lot so the provisions of Chapter 41 do not apply. The clear vision area associated with the intersections would not apply here since there is no nearby intersection. No fences are proposed with this application so this criteria is not applicable. Single family homes are required to have one off street parking space. The applicant already has a garage which will meet the requirement. The access requirements are met by the existing driveway which meets the minimum width of 12 feet. No signs are proposed with this application. There are no landscaping requirements for detached single family homes (not counting required mitigation); therefore this criteria does not apply.

Chapter 28

WILLAMETTE AND TUALATIN RIVER PROTECTION

28.040 EXEMPTIONS/USES PERMITTED OUTRIGHT

S. In cases where the required development standards of this chapter are applied and met with no encroachment into HCAs, and also meeting subsections T and U of this section, where applicable, then no permit under the provisions of this chapter will be required. For example, if the proposed development or action will be located in the “Habitat and Impact Areas Not Designated as HCAs” and keeps out of the habitat conservation areas, a Willamette or Tualatin River Protection Area permit shall not be required. Floodplain management area or other permits may still be required.

T. The construction, remodeling or additions of home and accessory structures that take place completely within the “Habitat and Impact Areas Not Designated as HCAs” shall be exempt from a Willamette or Tualatin River Protection Area permit. Where the “Habitat and Impact Areas Not Designated as HCAs” goes to the edge of a clearly defined top of bank, the applicant’s home and accessory structures shall be set back at least 15 feet from top of bank. At-grade patios and deck areas within 30 inches of grade may extend to within five feet from top of bank. No overhang or cantilevering of structures is permitted over HCA or over setback area. If these terms are met then no permit will be required under this chapter.

U. Maintenance, alteration, expansion, repair and replacement of existing structures are exempt, provided impermeable surfaces do not exceed 5,000 square feet and that it complies with the provisions of Chapters 27 and 28 CDC. The following standards shall also apply:

1. Rebuilding of existing residential and non-residential structures within the same foundation lines as the original structure(s) including, but not limited to, those damaged or destroyed by fire or other natural hazards; or
2. The alteration, expansion, repair and replacement of a house or structure per the standards of CDC 28.110(E) not to exceed 5,000 square feet of impermeable surface per that section; or
3. The alteration, expansion, repair and replacement of a house or structure vertically where the applicant is adding additional floors or expanding above the footprint of the existing structure regardless of whether the structure’s footprint is in an HCA or not.

Staff Response 20: The majority of this property has a “Habitat Conservation Area” (HCA) designation covering 45,148 square feet or 86.8 percent of the property. The raised area contains the house is and where the proposed patio and structure are to be located comprises 6,818 square feet. All this area has a “Development Allowed” or “Habitat and Impact Areas Not Designated as HCAs” designation. These HCA designations trigger review

under CDC Chapter 28. This is a limited exemption subject to standards of 28.040 (S) (T) and (U).

In response to 28.040 (S), the raised area containing the house and where the proposed patio and structure are to be located comprises 8,068 square feet. All this area has a “*Development Allowed*” or “*Habitat and Impact Areas Not Designated as HCAs*” designation. Therefore the application is exempt per this criteria.

Addressing 28.040 (T), the raised area containing the house and where the proposed patio and structure are to be located comprises 8,068 square feet. All this area has a “*Development Allowed*” or “*Habitat and Impact Areas Not Designated as HCAs*” designation. The nearest section of the patio and shelter will be 15 feet from top of bank. Therefore the application is exempt per this criteria.

Addressing 28.040 (U), staff finds that this subsection offers limited exemptions from a Willamette or Tualatin River Protection Area permit. The relevant exemption is (U) (2) where “*The alteration, expansion, repair and replacement of a house or structure per the standards of CDC 28.110(E) not to exceed 5,000 square feet of impermeable surface per that section*”. Staff finds that this is a 480 square foot expansion of a house that has an existing footprint of 2,800 square feet. With the addition, the total amount of 3,280 square feet is below the maximum disturbed area of 5,000 square feet per (U) (2). Therefore, the application is exempt and no Willamette or Tualatin River Protection Area permit is required.

28.050 PROHIBITED USES

The following are prohibited:

5. Any new lawn area or garden area consisting primarily of non-native vegetation within HCA lands. A lawn area in the “Allowed Development” area is permitted.
6. Planting of any species identified as nuisance or prohibited plants on the Metro Native Plant List.
8. Excessive trimming or removal of existing native vegetation within the HCA unless it is to reestablish native vegetation in place of non-native or invasive vegetation.

Staff Response 21: All new landscaping within the HCA will be native per 28.050(5). No nuisance or prohibited plants on the Metro Native Plant List are proposed per 28.050(6). The mitigation plan calls for removal of non-native/invasive vegetation and replacing it with native plant material 28.050(8) per condition of approval 1. The criteria is met.

PD-FIGURES 1-5

FIGURE 1: Location Map



FIGURE 2: Riparian Corridor/WRA Setback/Wetland superimposed on applicant's property

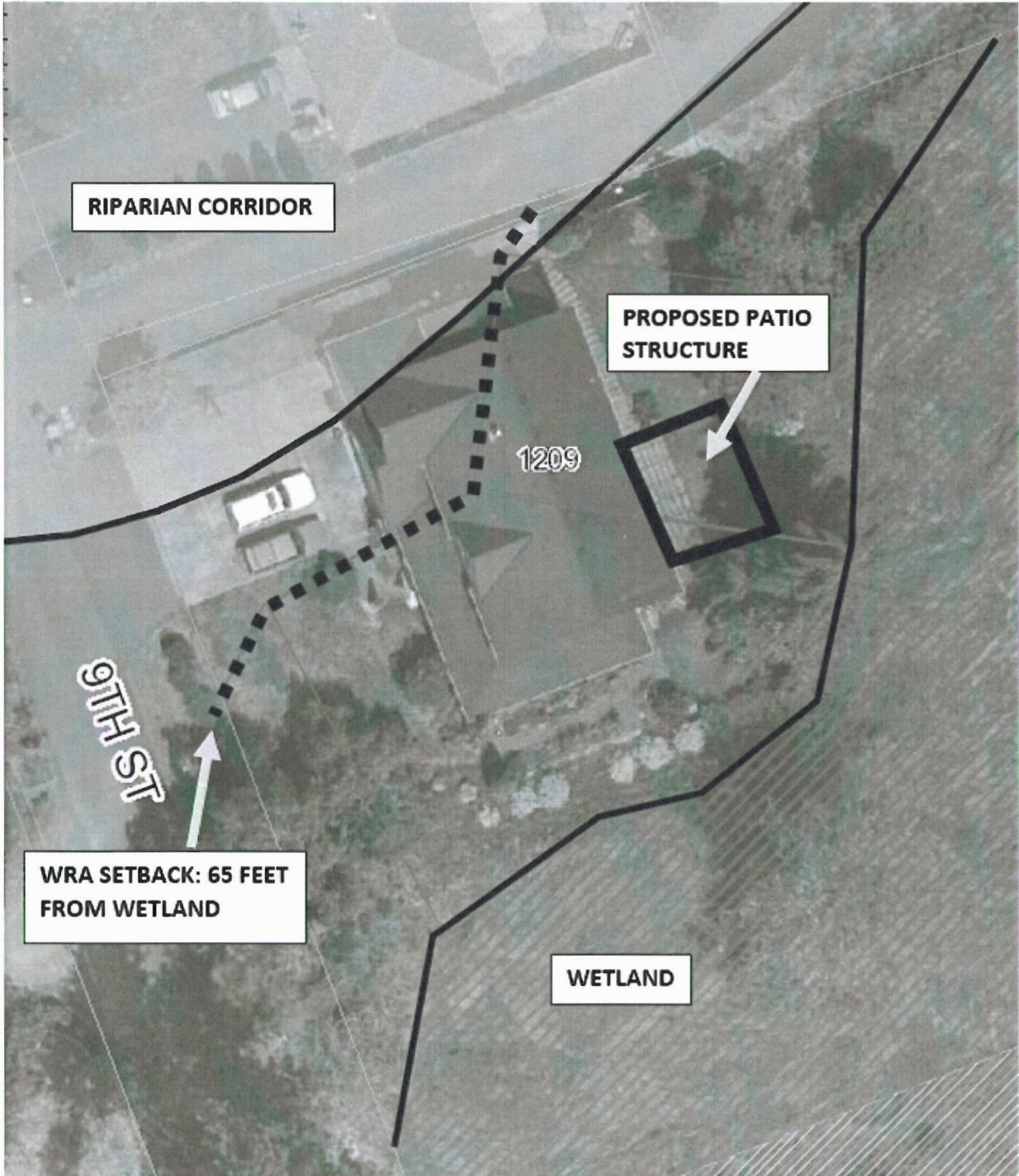
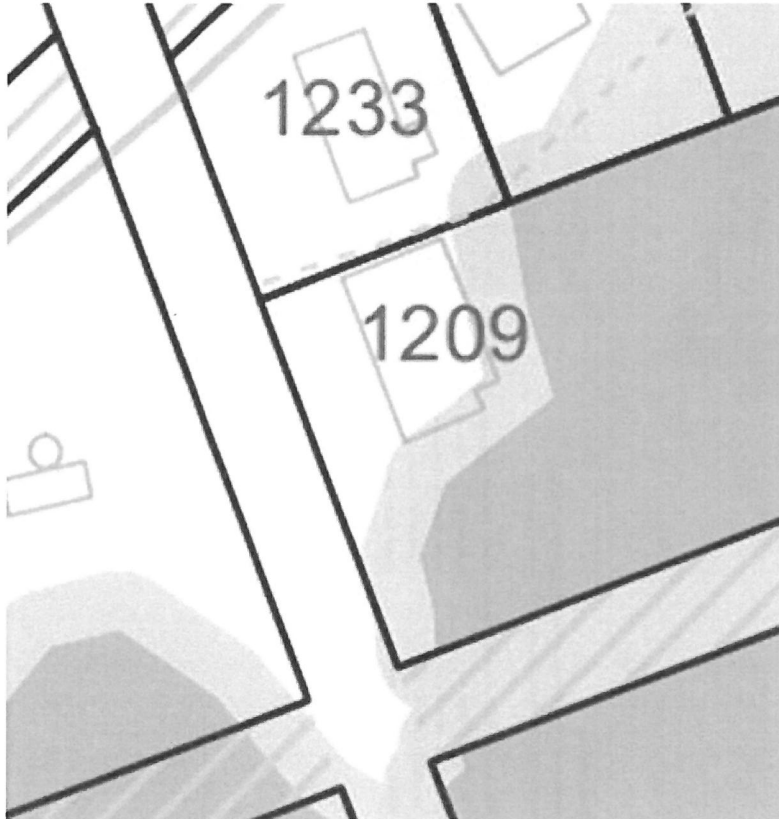
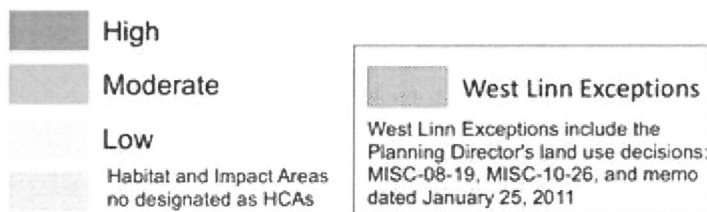


FIGURE 3: Habitat Conservation Area (HCA) Map



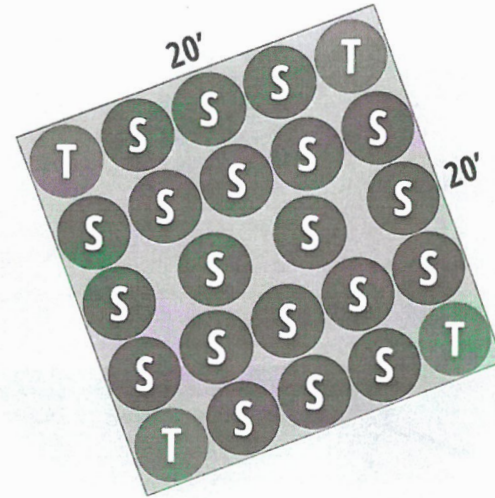
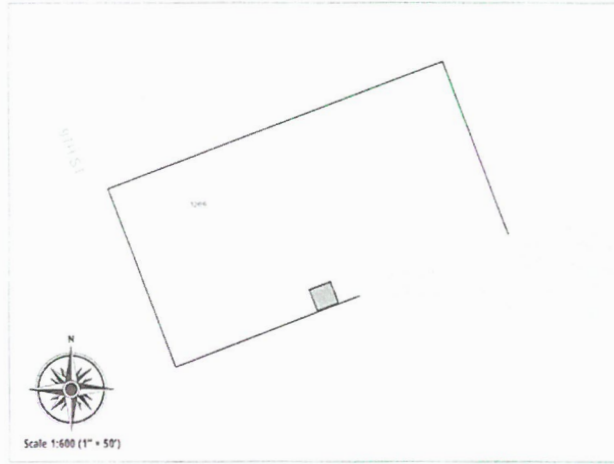
**Metro 2005
Habitat Conservation Areas (HCAs)**

Conservation Area



Data Source: Metro Data Resource Center
Habitat Conservation Areas Map December 15, 2005
Urban Growth Management Functional Plan
Title 13, Nature in Neighborhoods
Adopted Sept. 29, 2005 (Metro Ordinance No. 05 -1077C)
Amended Dec. 8, 2005 (Metro Ordinance No. 05 -1097A)

EXHIBIT B - MITIGATION PLAN
 Euan Currie & Lisa Mahlum
 1209 9th Street, West Linn, OR 97068



Mitigation Area Calculations

PDA - 350 sqft. Mitigated at 0.5 sqft per 1.0 sqft of PDA (CDC 32.090 C2) = 175 sqft.
 Proposed development 540 sqft, of which 350 sqft is PDA. 540 - 350 = 190 sqft.
 Non-PDA = 190 sqft. Mitigated at 1 sqft per 1 sqft of non-PDA (CDC 32.090 C1) = 190 sqft.
 190 + 175 = 365 sqft. We propose to mitigate an area of 400 sqft (20' x 20').

Re-vegetation Calculations

TREES (T): (400 ÷ 500) × 5 = 4
 SHRUBS (S): (400 ÷ 500) × 25 = 20
 Total plants = 24. Area for each plant approx 4' x 4'.

Plant Selection

Native wetland plants will be sourced from Bosky Dell Natives in West Linn.
 Species will depend on availability during the native planting season (fall).

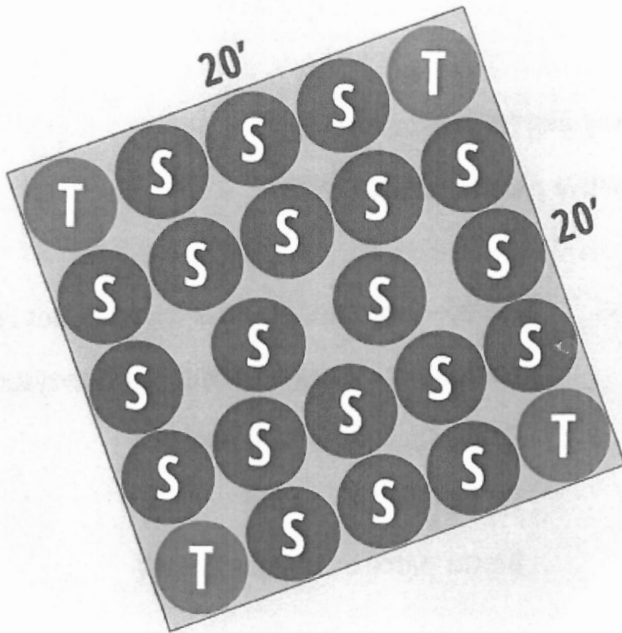
- | | |
|---|---|
| TREES - Two tree species from but not limited to: | SHRUBS - Two shrub species from but not limited to: |
| - <i>Fraxinus latifolia</i> - Oregon Ash | - <i>Lonicera involucrata</i> - Twinberry Honeysuckle |
| - <i>Salix lasiandra</i> - Pacific Willow | - <i>Rubus spectabilis</i> - Salmonberry |
| - <i>Thuja plicata</i> - Western Red Cedar | - <i>Typha latifolia</i> - Cattail |
| - <i>Malus fusca</i> - Oregon Crabapple | - <i>Juncus patens</i> - Spreading Rush |



Proposed area of mitigation, currently overgrown with Himalayan Blackberry

FIGURE 4: Mitigation Plan (submitted by applicant)

FIGURE 4: Mitigation Plan (enlarged)



Mitigation Area Calculations

PDA - 350 sqft. Mitigated at 0.5 sqft per 1.0 sqft of PDA (CDC 32.090 C2) = 175 sqft.

Proposed development 540 sqft, of which 350 sqft is PDA. $540 - 350 = 190$ sqft.

Non-PDA = 190 sqft. Mitigated at 1 sqft per 1 sqft of non-PDA (CDC 32.090 C1) = 190 sqft.

$190 + 175 = 365$ sqft. We propose to mitigate an area of 400 sqft (20' x 20').

Re-vegetation Calculations

TREES (T): $(400 \div 500) \times 5 = 4$

SHRUBS (S): $(400 \div 500) \times 25 = 20$

Total plants = 24. Area for each plant approx 4' x 4'.

FIGURE 4: Mitigation Plan (enlarged)

Plant Selection

Native wetland plants will be sourced from Bosky Dell Natives in West Linn.

Species will depend on availability during the native planting season (fall).

TREES - Two tree species from but not limited to:

- *Fraxinus latifolia* - Oregon Ash
- *Salix lasiandra* - Pacific Willow
- *Thuja plicata* - Western Red Cedar
- *Malus fusca* - Oregon Crabapple

SHRUBS - Two shrub species from but not limited to:

- *Lonicera involucrata* - Twinberry Honeysuckle
- *Rubus spectabilis* - Salmonberry
- *Typha latifolia* - Cattail
- *Juncus patens* - Spreading Rush



Proposed area of mitigation, currently overgrown with Himalayan Blackberry

FIGURE 5:

Euan Currie & Lisa Mahlum
 1209 9th Street
 West Linn, OR 97068
 805 300-8657

Map 31E02AB08203
 Parcel 05003484
 Tax Code 003-002
 Est Area 1.19 AC (51836 SQFT)

- Existing home
- PDA (hardscape)
- Proposed Structure
- Easement Boundary
- Wetland
- Riparian Corridor
- HCA
- HCA Dev Allowed
- Topo Contour 2'
- Slope > 25%

AREA CALCULATIONS

PDA = 350 sqft
 14'x14' paver patio plus paver path
 along Eastern wall of home.

Proposed = 540 sqft
 22' x 20' patio and 40' x 2.5' path along
 Eastern wall of home.

MDA Calculations
 1: Drive, Home, Yard = 4300 sqft approx
 2: 30% of WRA = 15,500 sqft approx

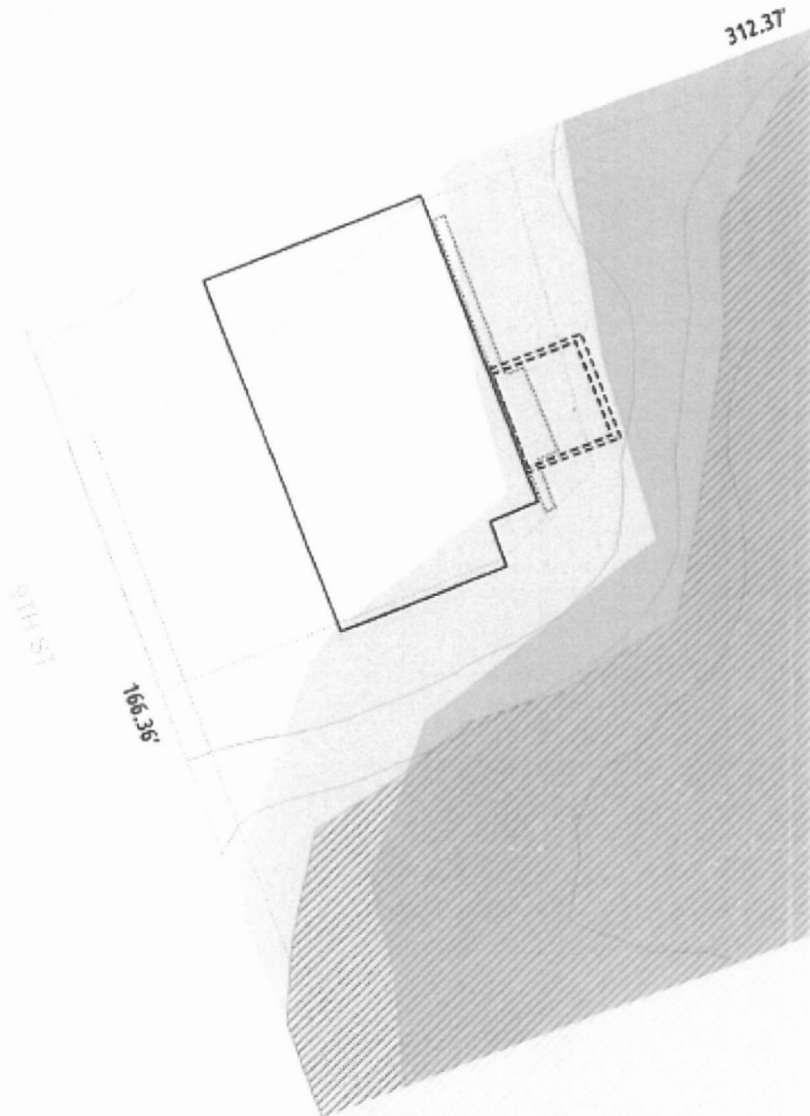


Exhibit A - Site Plan

PD-1 AFFIDAVIT OF NOTICE

AFFIDAVIT OF NOTICE

We, the undersigned do hereby certify that, in the interest of the party (parties) initiating a proposed land use, the following took place on the dates indicated below:

GENERAL

File No. WAP-16-07/WRG-16-03 Applicant's Name Euan CURRIE; Lisa Mahlum
Development Name
Scheduled Meeting/Decision Date 8-1-16

NOTICE: Notices were sent at least 20 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. (check below)

TYPE A

- A. The applicant (date) 7-12-16 (signed) S. Shroyer
B. Affected property owners (date) 7-12-16 (signed) S. Shroyer
C. School District/Board (date) (signed)
D. Other affected gov't. agencies (date) 7-12-16 (signed) S. Shroyer
E. Affected neighborhood assns. (date) 7-12-16 ALL (signed) S. Shroyer
F. All parties to an appeal or review (date) (signed)

At least 10 days prior to the scheduled hearing or meeting, notice was published/posted:

Tidings (published date) 7-21-16 (signed) S. Shroyer
City's website (posted date) 7-12-16 (signed) S. Shroyer

SIGN

At least 10 days prior to the scheduled hearing, meeting or decision date, a sign was posted on the property per Section 99.080 of the Community Development Code.

(date) 7-15-16 (signed) [Signature]

NOTICE: Notices were sent at least 14 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. (check below)

TYPE B

- A. The applicant (date) (signed)
B. Affected property owners (date) (signed)
C. School District/Board (date) (signed)
D. Other affected gov't. agencies (date) (signed)
E. Affected neighborhood assns. (date) (signed)

Notice was posted on the City's website at least 10 days prior to the scheduled hearing or meeting.

Date: (signed)

STAFF REPORT mailed to applicant, City Council/Planning Commission and any other applicable parties 10 days prior to the scheduled hearing.

(date) (signed)

FINAL DECISION notice mailed to applicant, all other parties with standing, and, if zone change, the County surveyor's office.

(date) 8-2-16 (signed) S. Shroyer

**CITY OF WEST LINN
NOTICE OF UPCOMING
PLANNING MANAGER DECISION
FILE NO. WAP-16-07/WRG-16-03**

The West Linn Planning Manager is considering a request for a Water Resource Area (WRA) and Willamette and Tualatin River Protection Area (WRG) permit to construct a patio and 20 X 18 foot patio shelter at the rear of 1209 Ninth Street.

You have received this notice because County records indicate that you own property within 500 feet of this property (Tax Lot 8203 of Clackamas County Assessor's Map 31E 2AB); or as otherwise required by Chapter 99 of the CDC.

The decision will be based on the approval criteria in chapters 28 and 32 of the Community Development Code (CDC). The approval criteria from the CDC are available for review at City Hall, at the City Library, and at <http://www.westlinnoregon.gov/cdc>.

All relevant materials in the above noted file are available for inspection at no cost at City Hall, and on the city web site <http://westlinnoregon.gov/planning/1209-9th-street-water-resource-area-protection-and-willamette-river-greenway-permits> or copies may be obtained for a minimal charge per page. A public hearing will not be held on this decision. **Anyone wishing to present written testimony for consideration on this matter shall submit all material before 4:00 p.m. on August 1, 2016. Persons interested in party status should submit their letter along with any concerns related to the proposal by the comment deadline.** For further information, please contact Peter Spir, Associate Planner pspir@westlinnoregon.gov or Associate Planner, Jennifer Arnold at jarnold@westlinnoregon.gov or contact at City Hall, 22500 Salamo Rd., West Linn, OR 97068, (503) 656-4211.

Any appeals to this decision must be filed within 14 days of the final decision date with the Planning Department. **It is important to submit all testimony in response to this notice. City Council will not accept additional evidence if there is an appeal of this proposal.** Failure to raise an issue in person or by letter, or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond to the issue, precludes the raising of the issue at a subsequent time on appeal or before the Land Use Board of Appeals.

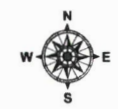
1209 9th Street Notification Map



Notified Property Owners

Project Site

500' Buffer Line



Scale 1:4,800 - 1 in = 400 ft
Scale is based on 8-1/2 x 11 paper size



Map created by: SSHROYER
Date Created: 06-Jul-16 11:19 AM

WEST LINN GIS

DISCLAIMER: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information. Map scale is approximate. Source: West Linn GIS (Geographic Information System) MapOptix.



CITY OF West Linn

CITY OF WEST LINN PLANNING MANAGER DECISION

**PROJECT # WAP-16-07/WRG-16-03
MAIL: 7/12/16 TIDINGS: 7/21/16**

CITIZEN CONTACT INFORMATION

To lessen the bulk of agenda packets, land use application notice, and to address the worries of some City residents about testimony contact information and online application packets containing their names and addresses as a reflection of the mailing notice area, this sheet substitutes for the photocopy of the testimony forms and/or mailing labels. A copy is available upon request.

PD-2 NOTICE

File Copy



6605 SE Lake Road, Portland, OR 97222
PO Box 22109, Portland, OR 97269-2109
Phone: 503-684-0360 Fax: 503-620-3433
E-mail: legals@commnewspapers.com

AFFIDAVIT OF PUBLICATION

State of Oregon, County of Clackamas, SS
I, Charlotte Allsop, being the first duly sworn,
depose and say that I am the Accounting Manager
of the *West Linn Tidings*, a newspaper of general
circulation, published at West Linn, in the
aforesaid county and state, as defined by ORS
193.010 and 193.020, that

City of West Linn
Notice of Planning Manager Decision
– File No. WAP 16-07/WRG 16-03
WLT9961

a copy of which is hereto annexed, was published
in the entire issue of said newspaper for
1
week in the following issue:
July 21, 2016

Charlotte Allsop

Charlotte Allsop (Accounting Manager)

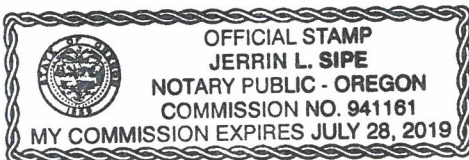
Subscribed and sworn to before me this
July 21, 2016.

Jerrin L. Sipe

NOTARY PUBLIC FOR OREGON

Acct # 146588
Attn: Shauna Shroyer
City of West Linn
22500 Salamo Road #1000
West Linn, OR 97068

Size: 2 x 6"
Amount Due: \$95.40*
*Please remit to the address above.



CITY OF WEST LINN NOTICE OF UPCOMING PLANNING MANAGER DECISION FILE NO. WAP-16-07/WRG-16-03

The West Linn Planning Manager is considering a request for a Water Resource Area (WRA) and Willamette and Tualatin River Protection Area (WRG) permit to construct a patio and 20 X 18 foot patio shelter at the rear of 1209 Ninth Street (Tax Lot 8203 of Clackamas County Assessor's Map 31E 2AB).

The decision will be based on the approval criteria in chapters 28 and 32 of the Community Development Code (CDC). The approval criteria from the CDC are available for review at City Hall, at the City Library, and at <http://www.westlinnoregon.gov/cdc>.

All relevant materials in the above noted file are available for inspection at no cost at City Hall, and on the city web site <http://westlinnoregon.gov/planning/1209-9th-street-water-resource-area-protection-and-willamette-river-greenway-permits> or copies may be obtained for a minimal charge per page. A public hearing will not be held on this decision. **Anyone wishing to present written testimony for consideration on this matter shall submit all material before 4:00 p.m. on August 1, 2016.** Persons interested in party status should submit their letter along with any concerns related to the proposal by the comment deadline. For further information, please contact Peter Spir, Associate Planner pspir@westlinnoregon.gov or Associate Planner, Jennifer Arnold at jarnold@westlinnoregon.gov or contact at City Hall, 22500 Salamo Rd., West Linn, OR 97068, (503) 656-4211.

Any appeals to this decision must be filed within 14 days of the final decision date with the Planning Department. **It is important to submit all testimony in response to this notice. City Council will not accept additional evidence if there is an appeal of this proposal.** Failure to raise an issue in person or by letter, or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond to the issue, precludes the raising of the issue at a subsequent time on appeal or before the Land Use Board of Appeals.
Publish 07/21/2016.

WLT9961

PD- 3 COMPLETENESS LETTER

Spir



CITY OF
West Linn

June 23, 2016

Euan Currie and Lisa Mahlum
1209 Ninth Street
West Linn, OR 97068

SUBJECT: Completeness Determination for Water Resource Area and Willamette and Tualatin River Protection Zone permits to construct an 20 X 18 foot patio shelter and patio at the rear of home at 1209 Ninth Street (FILE: WAP-16-07/WRG 16-03)

Dear Euan and Lisa:

Your submittal was received on June 22, 2106 and found to be **complete**. The City has 120 days from today's date to exhaust all local review; that period ends on October 20, 2016

Please be aware that a determination of a complete application does not guarantee a recommendation of approval from staff for your proposal as submitted – it signals that staff believes you have provided the necessary information for the Planning Manager to render a decision on your proposal.

Twenty day public notice will be prepared and mailed. The notice will identify the earliest possible decision date by the Planning Manager.

Please contact me at 503-723-2539, or by email at pspir@westlinnoregon.gov if you have any questions or comments.

Sincerely,

Peter Spir

Peter Spir
Associate Planner

PD-4 APPLICANT'S SUBMITTAL

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT <i>Peter Spiv</i>	PROJECT NO(S). <i>WAP-16-07 / WRG-16-03</i>	
NON-REFUNDABLE FEE(S) <i>2600 + 250</i>	REFUNDABLE DEPOSIT(S) <i>1700</i>	TOTAL <i>4550 -</i>

Type of Review (Please check all that apply):

- | | | |
|--|---|--|
| <input type="checkbox"/> Annexation (ANX) | <input type="checkbox"/> Historic Review | <input type="checkbox"/> Subdivision (SUB) |
| <input type="checkbox"/> Appeal and Review (AP) * | <input type="checkbox"/> Legislative Plan or Change | <input type="checkbox"/> Temporary Uses * |
| <input type="checkbox"/> Conditional Use (CUP) | <input type="checkbox"/> Lot Line Adjustment (LLA) */** | <input type="checkbox"/> Time Extension * |
| <input type="checkbox"/> Design Review (DR) | <input type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan) | <input type="checkbox"/> Variance (VAR) |
| <input type="checkbox"/> Easement Vacation | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP) |
| <input type="checkbox"/> Extraterritorial Ext. of Utilities | <input type="checkbox"/> Planned Unit Development (PUD) | <input checked="" type="checkbox"/> Water Resource Area Protection/Wetland (WAP) |
| <input type="checkbox"/> Final Plat or Plan (FP) | <input type="checkbox"/> Pre-Application Conference (PA) */** | <input checked="" type="checkbox"/> Willamette & Tualatin River Greenway (WRG) |
| <input type="checkbox"/> Flood Management Area | <input type="checkbox"/> Street Vacation | <input type="checkbox"/> Zone Change |
| <input type="checkbox"/> Hillside Protection & Erosion Control | | |

Rec'd June 22 2016

Home Occupation, Pre-Application, Sidewalk Use, Sign Review Permit, and Temporary Sign Permit applications require different or additional application forms, available on the City website or at City Hall.

Site Location/Address: 1209 9th Street West Linn, OR 97068	Assessor's Map No.: 31E02AB08203
	Tax Lot(s): 05003484 (Tax 003-002)
	Total Land Area: 1.19 ac (51836 sq ft)

Brief Description of Proposal:
22' x 20' permeable patio with 20' x 18' covered structure over it at rear of home.
40' x 2.5' permeable path spanning length of East wall of home.

Applicant Name: <small>(please print)</small>	Euan Currie & Lisa Mahlum	Phone: 805 300 8657
Address:	1209 9th Street	Email: euancurrie@gmail.com
City State Zip:	West Linn, OR 97068	
Owner Name (required): <small>(please print)</small>	Euan Currie & Lisa Mahlum	Phone: 805 300 8657
Address:	1209 9th Street	Email: euancurrie@gmail.com
City State Zip:	West Linn, OR 97068	
Consultant Name: <small>(please print)</small>	Robert Lussier, Northwest Outdoor Living	Phone: 503 740 7733
Address:	16796 SE Royer Rd.	Email: info@northwestoutdoorliving.com
City State Zip:	Damascus, OR 97089	

1. All application fees are non-refundable (excluding deposit). **Any overruns to deposit will result in additional billing.**
2. The owner/applicant or their representative should be present at all public hearings.
3. A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
4. **Three (3) complete hard-copy sets (single sided) of application materials must be submitted with this application.**
One (1) complete set of digital application materials must also be submitted on CD in PDF format.
If large sets of plans are required in application please submit only two sets.

* No CD required / ** Only one hard-copy set needed

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. All amendments to the Community Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

Applicant's signature	Date	Owner's signature (required)
	June 17, 2016	June 17, 2016
		Date

Euan Currie
Lisa Mahlum
1209 9th Street
West Linn
OR 97068

Mr. Peter Spir
City of West Linn
Planning & Development
22500 Salamo Road #1000
West Linn
OR 97068

June 17, 2016

RE: WAP/WRG Application

Dear Mr. Spir,

We are submitting a Development Review Application for a proposed covered patio and path on the property at 1209 9th Street in West Linn.

Please find enclosed, the following in support of our application:

- Development Review Application Form
- Exhibit A – Site Plan @ 17" x 11" (x3)
- Exhibit B – Mitigation Plan @ 17" x 11" (x3)
- Exhibit C – Conceptual Drawing @ 17" x 11" (x3)
- Exhibit D – Pre-Application Plot Plan @ 17" x 11" (x3)
- CD of all above documents in PDF format (x1)
- Check for \$4550.00

You are welcome to contact us with any questions you may have concerning our project. Thank you for your time and consideration.

Sincerely,



Euan Currie and Lisa Mahlum
805-300-8657
euancurrie@gmail.com



Euan Currie & Lisa Mahlum
1209 9th Street
West Linn, OR 97068
805 300-8657

Map 31E02AB08203
Parcel 05003484
Tax Code 003-002
Est Area 1.19 ac (51836 sf)

Response to Approval Criteria

28.110 – Approval Criteria

A1.

The proposed development is with a Habitat and Impact Area Not Designated as HCAs (non-HCA's). See Exhibit A – Site Plan. The non-HCA is marked in the plan legend as “HCA Dev [development] Allowed”.

A2.

See **A1.**

A3.

Not applicable.

A4.

Not applicable?

B.

Not applicable.

C1.

Not applicable.

C2.

Patio is at grade and shall be kept more than 5' back from the top of the embankment.

C3.

Not applicable.

D.

Not applicable.

E.

Not applicable. Existing home and proposed structure are all in non-HCA area.

F.

Not applicable.

G.

Not applicable.

H.

Not applicable.

I.

Not applicable.

J.

Not applicable.

K.

Not applicable.

L.

Not applicable.

M.

Not applicable.

N.

We shall be using water permeable pavers for all hardscapes.

O.

Not applicable.

P.

Lighting configuration shall be designed to illuminate the covered patio area only.

Q.
Not applicable.

R.
Not applicable.

S.
Not applicable.

T1.
Existing topographical features will not be altered.

T2.
Not applicable.

T3.
Not applicable.

T4.
Not applicable.

T5.
Not applicable?

U1.
Not applicable.

U2.
Applicable vegetative improvements are limited to those mentioned in the mitigation plan (Exhibit B).

U3.
Not applicable.

32.060 – Approval Criteria (Standard Process)

A1.

Development does not require the intrusion of workers or machinery into the wetland.

No wetland habitat (waterways, native wetland vegetation) shall be disturbed by the development.

A2.

See Exhibit B – Mitigation Plan.

We propose to mitigate an area of 400 sqft. We derived this number from the following considerations.

Our proposed development shall create 540 sq ft of disturbed area. 350 sq ft of that area is a previously disturbed area (PDA), leaving 190 sqft of newly disturbed area.

Per CDC 32.090 Section C2, mitigation shall be performed at 0.5 sqft per 1 sqft of PDA. $350 \times 0.5 = 175$ sq ft.

Per CDC 32.090 Section C1, mitigation shall be performed at 1 sqft per 1 sqft of new disturbance. $190 \times 1 = 190$ sqft.

$175 + 190 = 365$ sqft.

We propose to round up to 400 sqft of mitigation. We have identified an area with substantial Himalayan Blackberry growth on the Southern side of our property, within which we have defined a 20' x 20' square where the mitigation shall be carried out.

We intend to replant this area with 4 trees and 20 shrubs in accordance with CDC 32.100 Section 3a.

B.

Not applicable.

C.

Not applicable.

D.

In accordance with Table 32-2, Section A, only around 1570 sqft of our property is beyond the required 65ft perimeter around the WRA/HCA. This 1570 sqft area is located on our driveway, adjacent to 9th Street. See Fig. A, below.

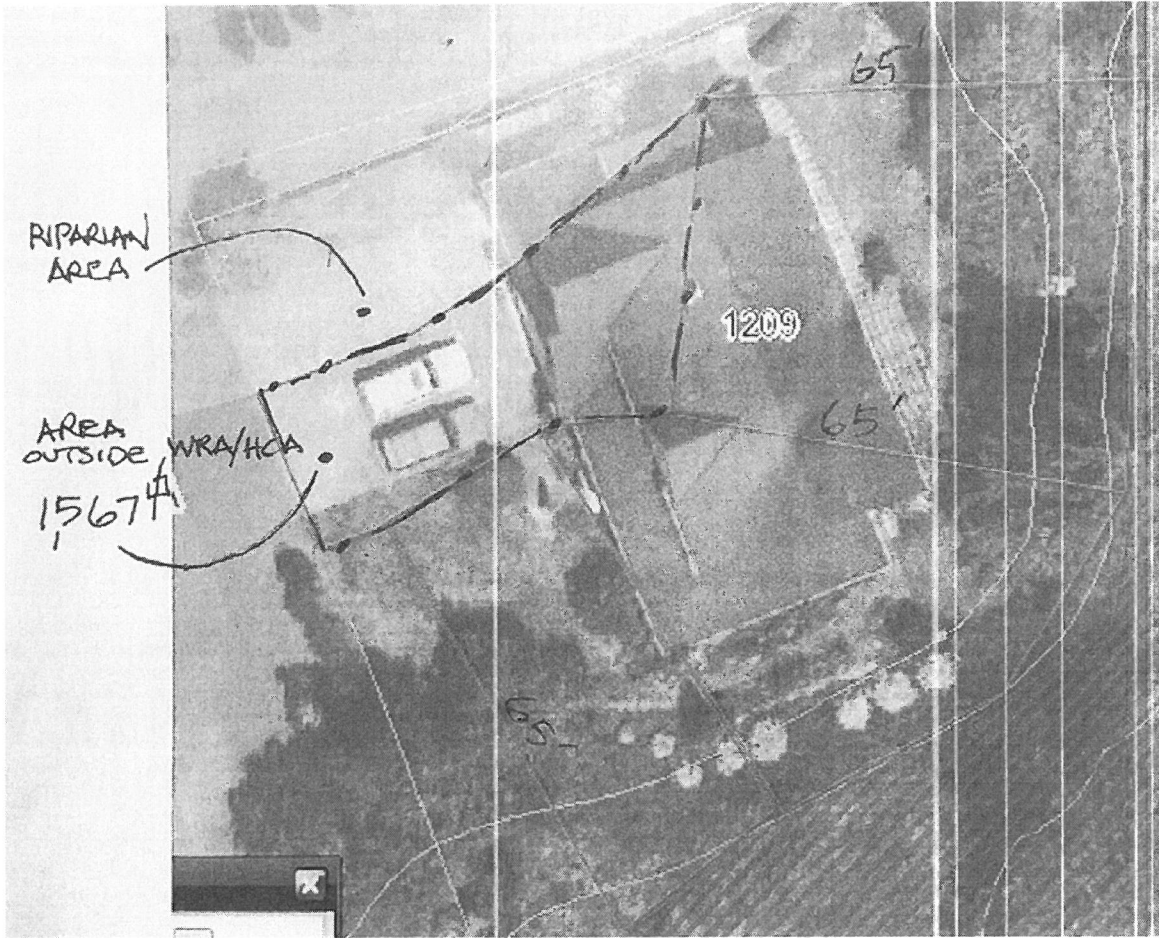


Fig. A

E.
Not applicable.

F.
Not applicable.

G.
Not applicable.

H.1.
Disturbed soils will retain current or have improved levels of porosity.

H.2.
Not applicable.

H.3.

Not applicable.

H.4.

Not applicable. We intend to capture rooftop runoff in rain barrels.

H.5.

Not applicable.

H.6.

Not applicable.

H.7.

We plan to incorporate rain barrels to capture rooftop runoff. We are very much in favor of the environment and financial benefits.

H.8.

Not applicable, see **H.4.**

H.9.

We are using permeable pavers on the proposed patio.

H.10.

Not applicable.

H.11.

Not applicable.

H.12.

Not applicable.

H.13.

Not applicable.

H.14.

Not applicable.

H.15.

Proposed development encompasses entire PDA. See Exhibit A – Site Plan.

H.16.

The proposed development has been designed to give us a modest outdoor living space that is appropriately sized for our home.

H.17.

Not applicable.

32.110 - Hardship Provisions

A.

Our house at 1209 9th Street was constructed in 2001.

B.1.

The house, driveway and yard occupy an area of approximately 4300 sq ft, well within the 5000 sq ft referenced. We have no wish to encroach into the WRA.

B.2.

30% of the total area of the WRA is approximately 15,500 sq ft. This is far beyond the scope of our proposal.

C.1.

There will be no encroachment into the Wetland.

C.2.

See Exhibit A – Site Plan.

C.3.

The development is at least 15 ft back from the delineated edge of the Wetland.

C.4.

Not applicable.

D.











See Exhibit A – Site Plan.

E.

See Exhibit A – Site Plan.

Euan Currie & Lisa Mahlum
 1209 9th Street
 West Linn, OR 97068
 805 300-8657

Map 31E02AB08203
 Parcel 05003484
 Tax Code 003-002
 Est Area 1.19 AC (51836 SQFT)

- Existing home 
- PDA (hardscape) 
- Proposed Structure 
- Easement Boundary 
- Wetland 
- Riparian Corridor 
- HCA 
- HCA Dev Allowed 
- Topo Contour 2' 
- Slope > 25% 

AREA CALCULATIONS

PDA = 350 sqft
 14'x14' paver patio plus paver path
 along Eastern wall of home.

Proposed = 540 sqft
 22' x 20' patio and 40' x 2.5' path along
 Eastern wall of home.

MDA Calculations

1: Drive, Home, Yard = 4300 sqft approx
 2: 30% of WRA = 15,500 sqft approx

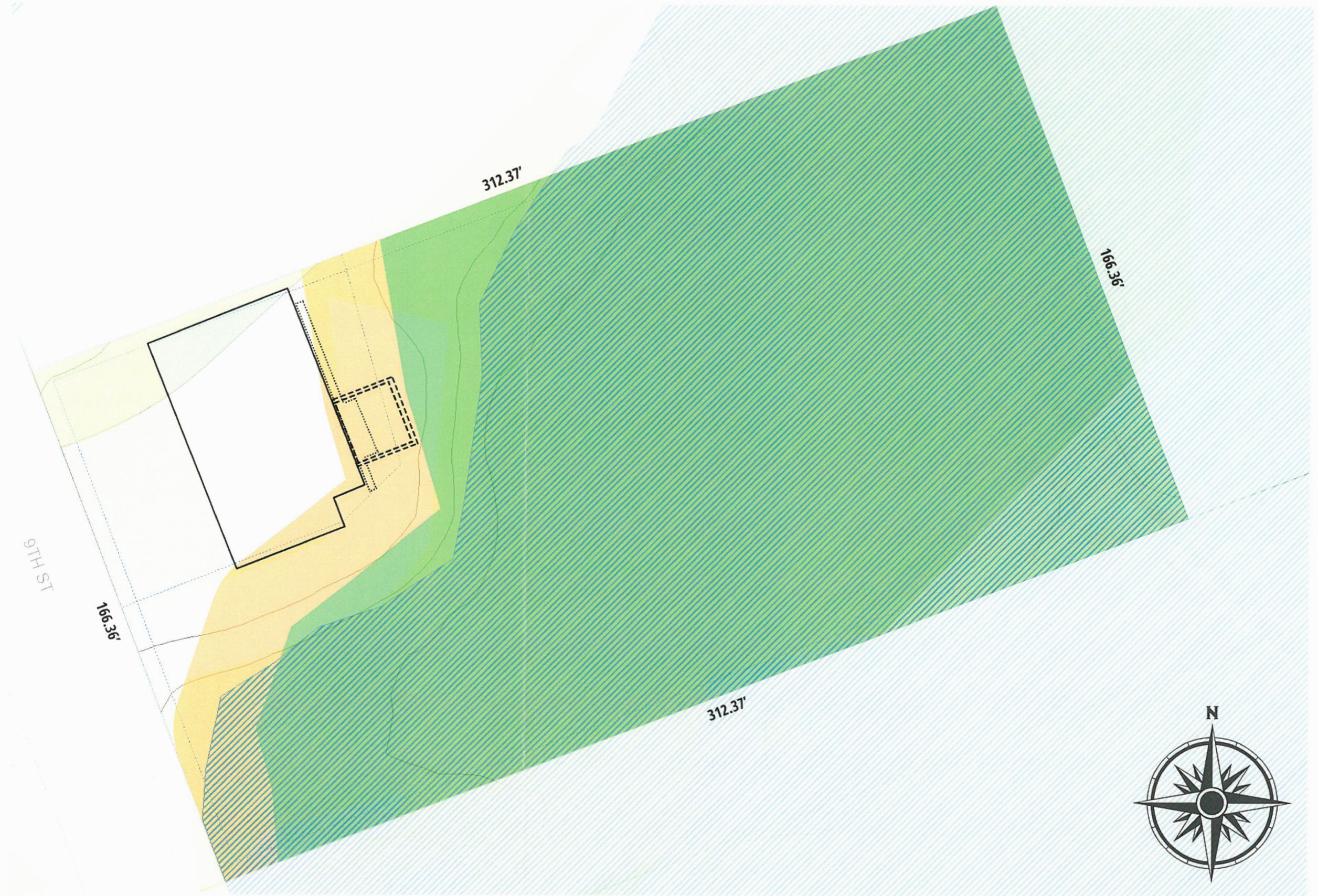


Exhibit A - Site Plan

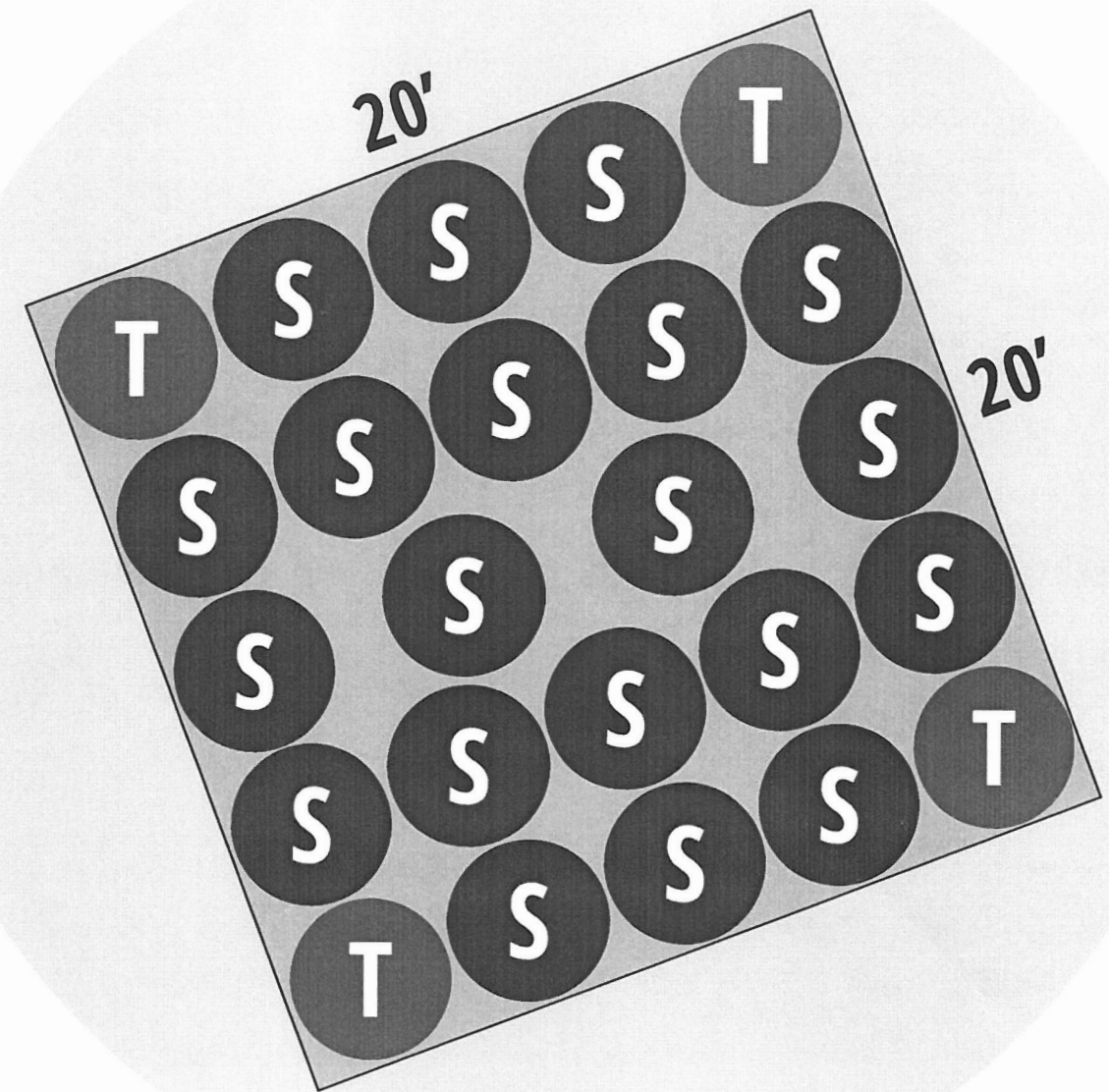
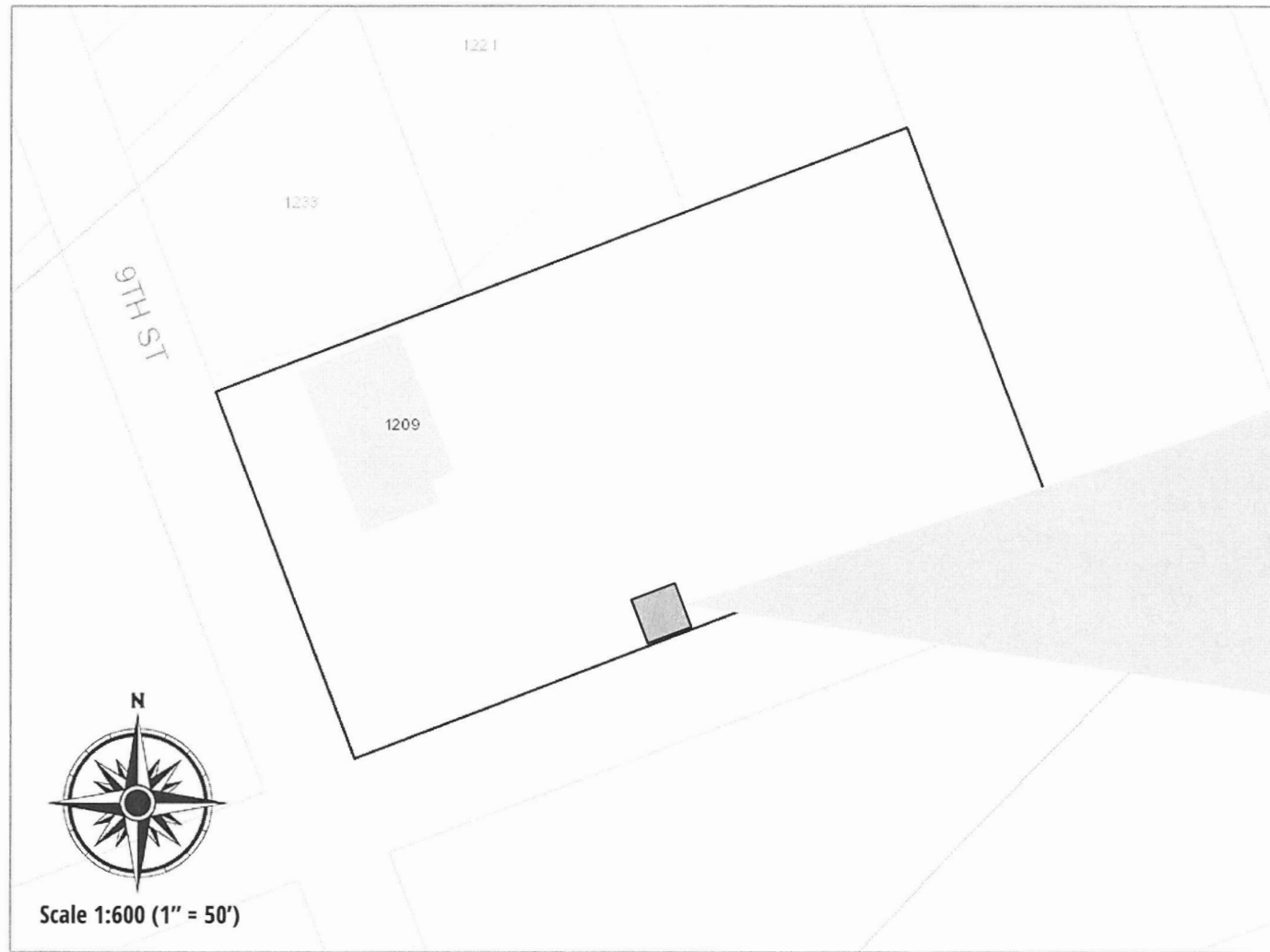


Scale 1:240 (1" = 20')

EXHIBIT B - MITIGATION PLAN

Euan Currie & Lisa Mahlum

1209 9th Street, West Linn, OR 97068



Mitigation Area Calculations

PDA - 350 sqft. Mitigated at 0.5 sqft per 1.0 sqft of PDA (CDC 32.090 C2) = 175 sqft.

Proposed development 540 sqft, of which 350 sqft is PDA. 540 - 350 = 190 sqft.

Non-PDA = 190 sqft. Mitigated at 1 sqft per 1 sqft of non-PDA (CDC 32.090 C1) = 190 sqft.

190 + 175 = 365 sqft. We propose to mitigate an area of 400 sqft (20' x 20').

Re-vegetation Calculations

TREES (T): $(400 \div 500) \times 5 = 4$

SHRUBS (S): $(400 \div 500) \times 25 = 20$

Total plants = 24. Area for each plant approx 4' x 4'.

Plant Selection

Native wetland plants will be sourced from Bosky Dell Natives in West Linn.

Species will depend on availability during the native planting season (fall).

TREES - Two tree species from but not limited to:

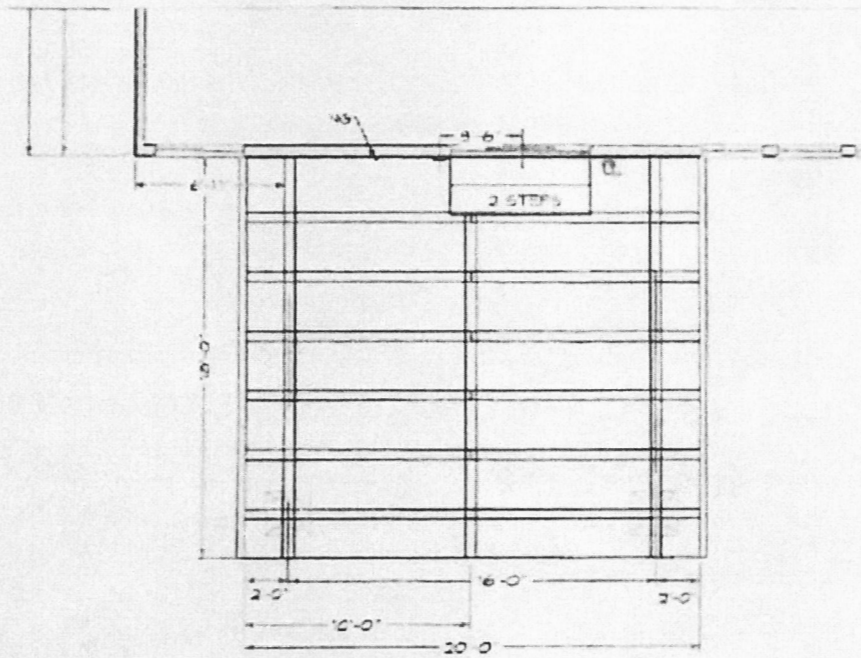
- Fraxinus latifolia - Oregon Ash
- Salix lasiandra - Pacific Willow
- Thuja plicata - Western Red Cedar
- Malus fusca - Oregon Crabapple

SHRUBS - Two shrub species from but not limited to:

- Lonicera involucrata - Twinberry Honeysuckle
- Rubus spectabilis - Salmonberry
- Typha latifolia - Cattail
- Juncus patens - Spreading Rush



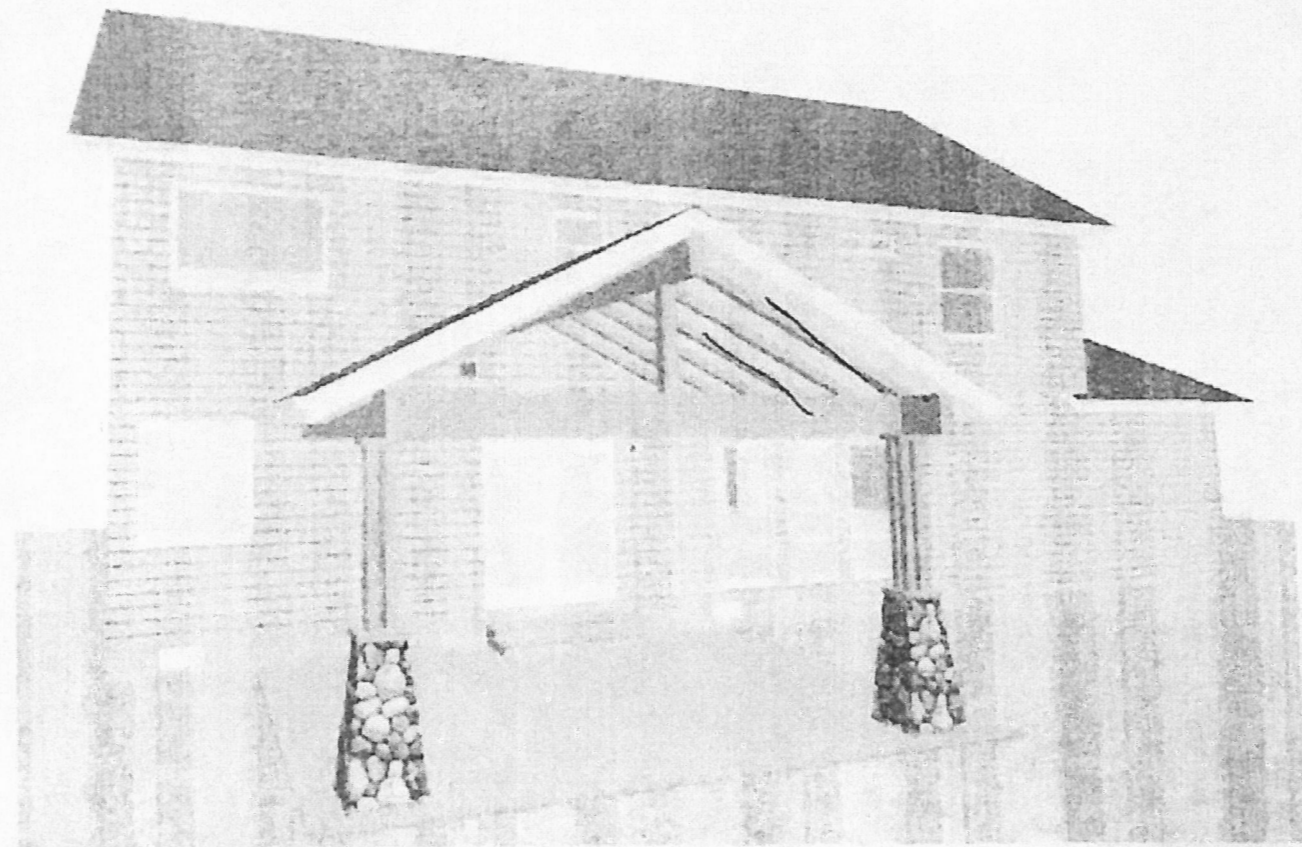
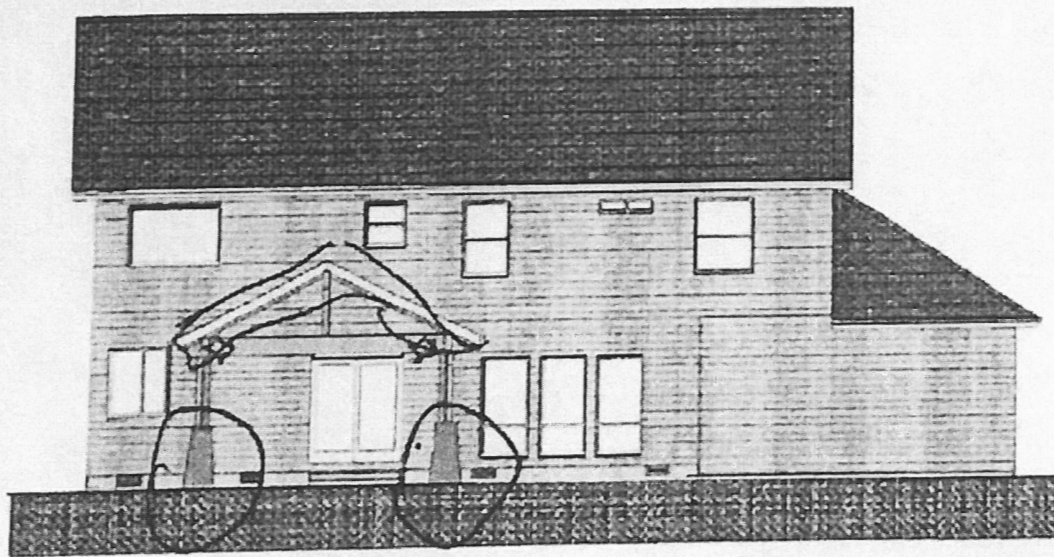
Proposed area of mitigation, currently overgrown with Himalayan Blackberry



PROPOSED COVERED
PATIO PLAN
Scale 1/4" = 1' - 0"

EXHIBIT C - PROPOSED COVERED PATIO PLAN
EUAN CURRIE & LISA MAHLUM
 1209 9TH STREET, WEST LINN, OR 97068
 805 300 8657

by Designs West
 971-322-7411 | designswest@calby.com



COVERED PATIO FOR
EVAN & LISA MAHLUM
 1209 9TH ST
 WEST LINN, OREGON 97068
 971-322-7411

DATE	4-5-16
BY	RM
CHK	RM
APP	1

EXHIBIT D - PRE-APP PLOT PLAN

Euan Currie & Lisa Mahlum

1209 9th Street, West Linn, Clackamas Co., OR 97068

Map # 31E02AB08203




Parcel # 05003484

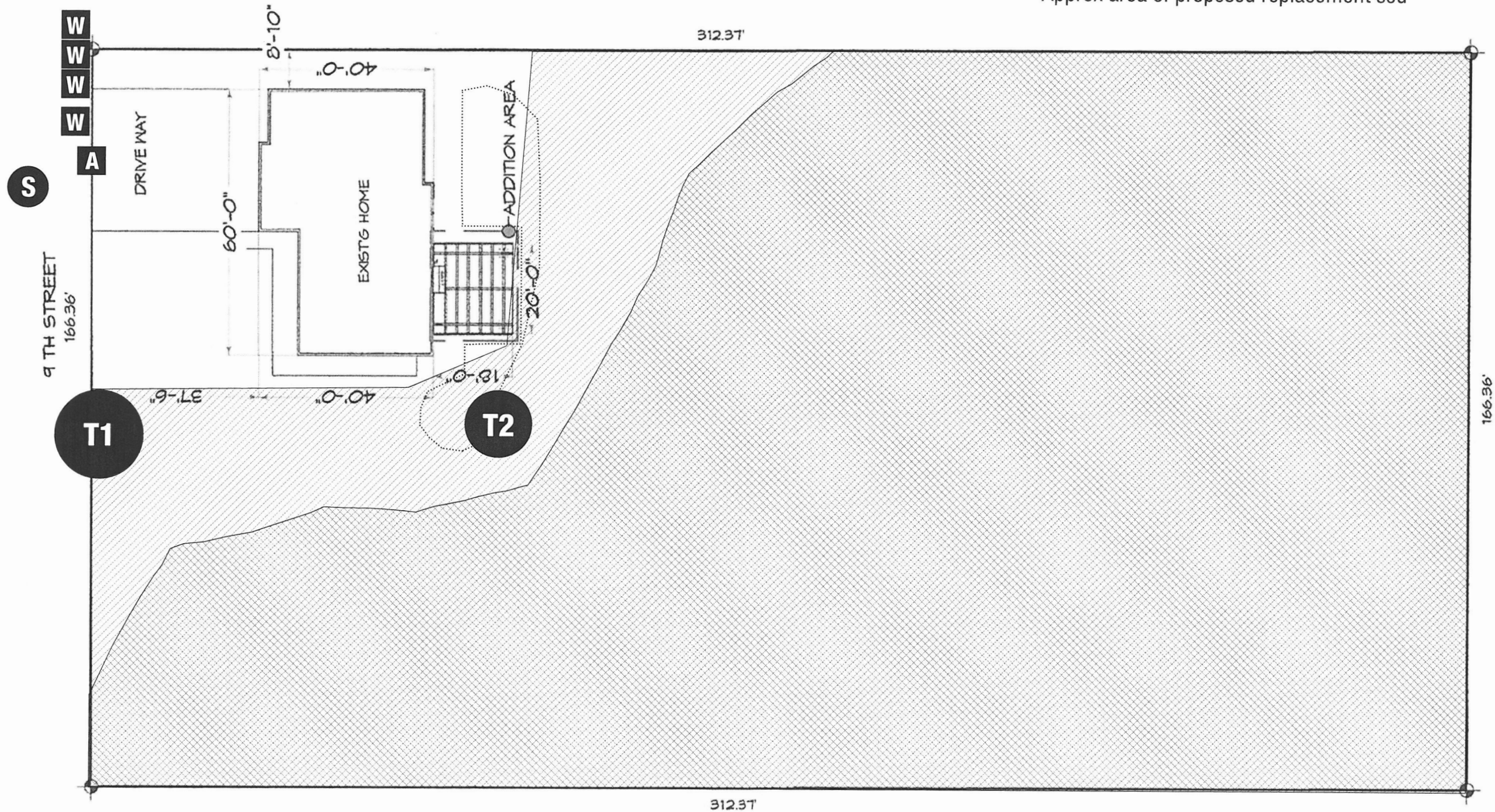
Tax Code 003-002

Est Area 1.19 Acre



Scale 1" = 45'

- A** Access - driveway
- S** Sewer - not to be disturbed
- W** Water - under driveway, not to be disturbed
- T1** Large Willow Tree
- T2** Large Fir Tree
-  Easement
-  Wetland
-  Approx area of proposed replacement sod



PD-5 PUBLIC COMMENTS

No public comments have been received