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**CITY OF**  
**West Linn**  
**PLANNING MANAGER DECISION**

DATE: August 3, 2023

FILE NO.: WRG-23-02/FMA-23-02

REQUEST: Request for a Water Resource Area permit and a Flood Management Area permit to construct landscaping improvements including a fire pit, seating wall, gravel paths, pavers, decking, planters, hot tub, bench, railing, and native plantings at 18404 Old River Landing

PLANNER: Chris Myers, Associate Planner

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**GENERAL INFORMATION**

**APPLICANT/  
OWNER:**

Matthew & Nancy Smith  
18404 Old River Landing  
West Linn, OR 97034

**CONSULTANT:**

Clement Walsh  
Clement Walsh Landscaping Architect, Inc.  
1225 13<sup>th</sup> Street  
West Linn, OR 97068

**SITE LOCATION:**

18404 Old River Landing

**SITE SIZE:**

0.457 acres (19,899 square feet)

**LEGAL  
DESCRIPTION:**

Clackamas County Assessor Map 21E14AD 00402

**COMP PLAN  
DESIGNATION:**

Low Density Residential

**ZONING:**

R-10

**APPROVAL  
CRITERIA:**

Community Development Code (CDC) Chapter 11, 27, 28, and 99

**120-DAY RULE:**

The application was declared complete on April 19, 2023. The 120-day period ends on August 17, 2023.

**PUBLIC NOTICE:**

Notice was mailed to property owners within 500 feet of the project boundary, to the Robinwood Neighborhood Association, and to the Dept. of State Lands and Army Corps of Engineers April 27, 2023 and posted on the City's website on April 27, 2023. A sign was placed on the property on April 28, 2023. Therefore, public notice requirements of CDC Chapter 99 have been met.

## EXECUTIVE SUMMARY

The subject property is located along the Willamette River and is developed with a single-family home. The proposed development is in the rear yard of the home and includes a fire pit, seating wall, gravel paths, pavers, decking, planters, hot tub, bench, railing, and native plantings. The rear yard and a portion of the existing single-family home are located within the 100-year floodplain of the Willamette River and is within a Flood Management Area (FMA) as well as a Habitat Conservation Area (HCA). A majority of the backyard of the subject property is located in the HCA. The construction of the hot tub pad, the deck, and seating wall require approval as part of this application.

### **Public comment:**

No public comments were received prior to the close of the comment period.

## DECISION

The Planning Manager (designee) approves this application (WRG-23-02/FMA-23-02), based on: 1) the findings submitted by the applicant, which are incorporated by this reference, 2) supplementary staff findings included in the Addendum, and 3) the addition of conditions of approval. With these findings, the applicable approval criteria are met. The conditions are as follows:

- 1. Site Plan, Elevations, and Narrative. With the exception of modifications required by these conditions, the project shall conform to the submitted plans, elevations, and narrative submitted in Exhibit PD-1 dated March, 22, 2023.**
- 2. Engineering Standards. All public improvements and facilities associated with the approved site design, including but not limited to street improvements, driveway approaches, curb cuts, utilities, grading, onsite and offsite stormwater, street lighting, easements, easement locations, and connections for future extension of utilities are subject to conformance with the City Municipal Code and Community Development Code. The City may partner with the applicant to fund additional improvements as part of the project.**
- 3. Balanced Cut/Fill Report. The applicant shall provide the City with a stamped report from a certified professional engineer that documents the cubic feet of fill and its location versus the cubic feet of cut and its location. The report shall be submitted prior to final building permit inspections. The cut and fill must balance. (Staff Finding 12)**
- 4. Erosion Control Measures. Full erosion control measures, as approved by the City Engineer, shall be in place prior to any grading, development, or site clearing and shall remain for the duration of the project. (Staff Finding 33)**

5. **Revegetation and Mitigation Plantings.** The applicant shall submit a final report documenting the revegetation and mitigation of WRA and HCA impacted areas were completed per approved plans in Exhibit PD-1.
  
6. **Floodway Standards.** Prior to final building permit inspections, the applicant shall submit either:
  - A. Certification by a registered professional civil engineer demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment shall not result in any increase in flood levels within the community during the occurrence of the base flood discharge; or
  
  - B. Provide a conditional letter of map revision (CLOMR) approved by the Federal Insurance Administrator.

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



Darren Wyss, Planning Manager

August 3, 2023

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 3<sup>rd</sup> day of August, 2023.

Therefore, the 14-day appeal period ends at 5 p.m., on August 17, 2023.

**ADDENDUM**  
**APPROVAL CRITERIA AND FINDINGS**  
**WRG-23-02/FMA-23-02**

*CHAPTER 11, RESIDENTIAL, R-10*

*11.030 Permitted Uses*

*The following are uses permitted outright in this zoning district:*

- 1. Single-family attached or detached residential unit.*

*(...)*

**Staff Finding 1: The subject property contains an existing single-family home. The applicant proposes to construct a fire pit, seating wall, gravel path, pavers, decking, planters, hot tub, bench, railing, and native plantings on the property per CDC chapters 27 and 28 (see staff findings 3-57). The criteria are met.**

*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:*

*(...)*

- 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.*

*(...)*

**Staff Finding 2: The subject property contains an existing single-family home. The applicant proposes to construct a fire pit, seating wall, gravel paths, pavers, decking, planters, hot tub, bench, railing, and native plantings on the property. All proposed structural elements are in the rearyard of the subject property and meet the 20-foot rear yard and 7.5-foot side yard setbacks for the R-10 zone. The property does not abut a side street. The criteria are met.**

*CHAPTER 27, FLOOD MANAGEMENT AREAS*

*27.070 General Standards*

*A. Alteration of Watercourses.*

- 1. Require that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained. Require that maintenance is provided within the altered or relocated portion of said watercourse to ensure that the flood carrying capacity is not diminished. Require compliance with CDC [27.060\(B\)\(3\)\(b\)](#) and (c).*

**Staff Finding 3: The applicant does not propose to alter the channel of the Willamette River nor any stream or drainageway as part of the proposed project. The criteria are met.**

*B. Anchoring.*

1. *All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.*
2. *All manufactured dwellings shall be anchored per CDC 27.080(C)(4).*

**Staff Finding 4: The applicant does not propose to construct or substantially improve any structure as part of the project, including manufactured dwellings. The CDC defines a structure “for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured dwelling”.**

The definition of structure is utilized as the CDC definitions for start of construction “*includes substantial improvement and means the date the building permit was issued...*” and substantial improvement “*any reconstruction, rehabilitation, addition, or other improvement of a structure...*”. As there are no proposed structures or storage tanks, there are no anchoring requirements. The criteria are met.

*C. Construction Materials and Methods.*

1. *All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.*
2. *All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.*

**Staff Finding 5: The applicant does not propose to construct or substantially improve any structure as part of the project. The CDC defines a structure “for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured dwelling”.**

The definition of structure is utilized as the CDC definitions for start of construction “*includes substantial improvement and means the date the building permit was issued...*” and substantial improvement “*any reconstruction, rehabilitation, addition, or other improvement of a structure...*”.

The proposed retaining wall will be constructed with materials resistant to flooding, using engineering methods and practices that minimize flood damage. No utility equipment is proposed below the base flood elevation. The criteria are met.

*D. Utilities and Equipment.*

1. *Water Supply, Sanitary Sewer and On-Site Waste Disposal Systems.*
  - a. *All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.*

- b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.*
- c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding consistent with the Oregon Department of Environmental Quality.*

**Staff Finding 6: The applicant does not propose any new water supply, sanitary sewer, or on-site waste disposal systems below the base flood elevation. The criteria are met.**

- 2. Electrical, Mechanical, Plumbing, and Other Equipment.*
  - a. Electrical, heating, ventilating, air conditioning, plumbing, duct systems, and other equipment and service facilities shall be elevated at or above one foot above the base flood level or shall be designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during conditions of flooding. In addition, electrical, heating, ventilating, air conditioning, plumbing, duct systems, and other equipment and service facilities, if replaced as part of a substantial improvement, shall meet all the requirements of this section.*

**Staff Finding 7: Electrical service and plumbing for the proposed hot tub will be installed to meet applicable codes and standards and to ensure water will not enter or accumulate within the components. The applicant does not propose any new heating, ventilation, air conditioning, duct systems, or any other equipment and services associated with a structure. The criteria are met.**

- E. Tanks.*
  - 1. Underground tanks shall be anchored to prevent flotation, collapse and lateral movement under conditions of the base flood.*
  - 2. Above-ground tanks shall be installed at or above one foot above the base flood level or shall be anchored to prevent flotation, collapse, and lateral movement under conditions of the base flood.*

**Staff Finding 8: The applicant does not propose any new above or below ground tanks. The criteria are not applicable.**

- F. Subdivision Proposals and Other Proposed Developments.*
  - 1. All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) greater than 50 lots or five acres, whichever is the lesser, shall include within such proposals base flood elevation data.*
  - 2. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for any land division proposal.*
  - 3. All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) shall:*
    - a. Be consistent with the need to minimize flood damage.*

- b. *Have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage.*
- c. *Have adequate drainage provided to reduce exposure to flood hazards.*

**Staff Finding 9: The applicant does not propose a subdivision or other new development. The criteria are not applicable.**

*G. Use of Other Base Flood Elevation Data.*

1. *When base flood elevation data has not been provided in accordance with CDC 27.020, the local floodplain administrator shall obtain, review, and reasonably utilize any base flood elevation data available from a federal, State, or other source, in order to administer this section and CDC 27.080, 27.090, and 27.100. All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) must meet the requirements of subsection (F) of this section.*
2. *Base flood elevations shall be determined for development proposals that are five acres or more in size or are 50 lots or more, whichever is lesser, in any A zone that does not have an established base flood elevation. Development proposals located within a riverine unnumbered A zone shall be reasonably safe from flooding; the test of reasonableness includes use of historical data, high water marks, FEMA provided base level engineering data, and photographs of past flooding. When no base flood elevation data is available, the elevation requirement for development proposals within a riverine unnumbered A zone is a minimum of two feet above the highest adjacent grade, to be reasonably safe from flooding. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.*

**Staff Finding 10: The applicant utilized the base flood elevation in CDC 27.020, which was identified by the Federal Insurance Administrator in a scientific and engineering report entitled “Flood Insurance Study: Clackamas County, Oregon, and Incorporated Areas (FIRMETTE 41005C0019D – NVAD 88). The base flood elevation is 43.70 feet and is associated with Zone AE. The criteria are met.**

*H. Structures Located in Multiple or Partial Flood Zones. In coordination with the State of Oregon Specialty Codes:*

1. *When a structure is located in multiple flood zones on the community’s flood insurance rate maps (FIRM) the provisions for the more restrictive flood zone shall apply.*
2. *When a structure is partially located in a special flood hazard area, the entire structure shall meet the requirements for new construction and substantial improvements.*

**Staff Finding 11: The applicant does not propose to construct or substantially improve any structure as part of the project, including manufactured dwellings. The CDC defines a structure “for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured dwelling”.**

**The definition of structure is utilized as the CDC definitions for start of construction “includes substantial improvement and means the date the building permit was issued...” and**



**substantial improvement “any reconstruction, rehabilitation, addition, or other improvement of a structure...”. The applicant does not propose any structures or storage tanks. The criteria are not applicable.**

*I. Balanced Cut and Fill.*

- 1. Development, excavation, and fill shall be performed in a manner to maintain or increase flood storage and conveyance capacity and not increase design flood elevations.*
- 2. No net fill increase in any floodplain is allowed. All fill placed in a floodplain shall be balanced with an equal amount of soil material removal. Excavation areas shall not exceed fill areas by more than 50 percent of the square footage. Any excavation below the ordinary high water line shall not count toward compensating for fill.*
- 3. Excavation to balance a fill shall be located on the same lot or parcel as the fill unless it is not reasonable or practicable to do so. In such cases, the excavation shall be located in the same drainage basin and as close as possible to the fill site, so long as the proposed excavation and fill will not increase flood impacts for surrounding properties as determined through hydrologic and hydraulic analysis.*

**Staff Finding 12: The applicant proposes 395.6 cubic feet of fill and 305.8 cubic feet of cut (excavation) in the 100-year floodplain (see Exhibit PD-1, Page 27). There is a net fill of approximately 89.8 cubic feet, the proposed excavation is not balanced as the fill area is approximately twenty three percent (305.8 cubic feet cut/395.6 net cubic feet fill) more than the cut. Per Condition of Approval 3 there must be a balance cut and fill.**

**No excavation is proposed below the ordinary high water line (see Exhibit PD-1, Page 23). The excavation areas to balance fill are located on the same lots/parcels as the fill. Per Condition of Approval 3, the applicant shall provide the City with a stamped final report from a certified professional engineer that documents the cubic feet of fill and its location versus the cubic yards of cut and its location prior to final inspection. Subject to the Conditions of Approval, the criteria are met.**

*J. Minimum Finished Floor Elevation.*

- 1. Minimum finished floor elevations must be at least one foot above the design flood height or highest flood of record, whichever is higher, for new habitable structures in the flood area*

**Staff Finding 13: The applicant does not propose to construct any new habitable structures as part of this project. The criteria do not apply.**

*K. Other Requirements.*

- 1. New culverts, stream crossings, and transportation projects shall be designed as balanced cut and fill projects or designed not to significantly raise the design flood elevation. Such projects shall be designed to minimize the area of fill in flood management areas and to minimize erosive velocities. Stream crossings shall be as close to perpendicular to the stream as practicable. Bridges shall be used instead of culverts wherever practicable.*

**Staff Finding 14: The applicant proposes to construct a fire pit, seating wall, gravel paths, pavers, decking, planters, hot tub, bench, railing, and native plantings on the property. No new culverts, stream crossings, or transportation projects are proposed. The criteria are not applicable.**

*2. Excavation and fill required for the construction of detention facilities or structures, and other facilities, such as levees, specifically shall be designed to reduce or mitigate flood impacts and improve water quality. Levees shall not be used to create vacant buildable land.*

**Staff Finding 15: The applicant proposes to construct a fire pit, seating wall, gravel paths, pavers, decking, planters, hot tub, bench, railing, and native plantings on the property. No detention facilities, structures, or levees are proposed. The criteria are not applicable.**

#### *27.080 Specific Standards for Riverine Flood Zones*

*These specific standards shall apply to all new construction and substantial improvements in addition to the general standards contained in CDC 27.070.*

##### *A. Flood Openings*

*1. All new construction and substantial improvements with fully enclosed areas below the lowest floor (excluding basements) are subject to the following requirements:*

*2. Enclosed areas below the base flood elevation, including crawl spaces, shall:*

*a. Be designed to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters;*

*b. Be used solely for parking, storage, or building access;*

*c. Be certified by a registered professional engineer or architect or meet or exceed all of the following minimum criteria:*

*1) A minimum of two openings,*

*2) The total net area of nonengineered openings shall be not less than one square inch for each square foot of enclosed area, where the enclosed area is measured on the exterior of the enclosure walls,*

*3) The bottom of all openings shall be no higher than one foot above grade,*

*4) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they shall allow the automatic flow of floodwater into and out of the enclosed areas and shall be accounted for in the determination of the net open area,*

*5) All additional higher standards for flood openings in the State of Oregon Residential Specialty Codes Section R322.2.2 shall be complied with when applicable.*

**Staff Finding 16: The applicant does not propose to construct or substantially improve any structure as part of the project. The CDC defines a structure “for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured dwelling”.**

**The definition of structure is utilized as the CDC definitions for start of construction “includes substantial improvement and means the date the building permit was issued...” and substantial improvement “any reconstruction, rehabilitation, addition, or other improvement**

**of a structure...". As there are no proposed structures, there are no flood opening requirements. The criteria are not applicable.**

*B. Garages.*

1. *Attached garages may be constructed with the garage floor slab below the base flood elevation (BFE) in riverine flood zones, if the following requirements are met:*
  - a. *If located within a floodway the proposed garage must comply with the requirements of CDC 27.090.*
  - b. *The floors are at or above grade on not less than one side;*
  - c. *The garage is used solely for parking, building access, and/or storage;*
  - d. *The garage is constructed with flood openings in compliance with subsection (A) of this section to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater;*
  - e. *The portions of the garage constructed below the BFE are constructed with materials resistant to flood damage;*
  - f. *The garage is constructed in compliance with the standards in CDC 27.070; and*
  - g. *The garage is constructed with electrical and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.*
2. *Detached garages must be constructed in compliance with the standards for appurtenant structures in subsection (C)(6) of this section or nonresidential structures in subsection (C)(3) of this section depending on the square footage of the garage.*

**Staff Finding 17: The applicant does not propose to construct any garages. The criteria are not applicable.**

*C. For Riverine Special Flood Hazard Areas With Base Flood Elevations. In addition to the general standards listed in CDC 27.070 the following specific standards shall apply in riverine (noncoastal) special flood hazard areas with base flood elevations (BFE): zones A1-30, AH, and AE.*

1. *Before Regulatory Floodway. In areas where a regulatory floodway has not been designated, no new construction, substantial improvement, or other development (including fill) shall be permitted within zones A1-30 and AE on the community's flood insurance rate map (FIRM), unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.*

**Staff Finding 18: A regulatory floodway has been designated adjacent to the proposed project (Flood Insurance Study: Clackamas County, Oregon, and Incorporated Areas FIRM Panel 41005C0019D). The criteria are met.**

2. *Residential Construction.*

- a. *New construction, conversion to, and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated at or above one foot above the base flood elevation.*
- b. *Enclosed areas below the lowest floor shall comply with the flood opening requirements in subsection (A) of this section.*

**Staff Finding 19: The applicant does not propose residential construction. The criteria are not applicable.**

3. *Nonresidential Construction.*

- a. *New construction, conversion to, and substantial improvement of any commercial, industrial, or other nonresidential structure shall:*
  - 1) *Have the lowest floor, including basement, elevated at or above one foot above the base flood elevation (BFE) or, together with attendant utility and sanitary facilities:*
    - (A) *Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;*
    - (B) *Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;*
    - (C) *Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this section based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the Floodplain Administrator as set forth in CDC 27.060(B)(2).*
- b. *Nonresidential structures that are elevated, not floodproofed, shall comply with the standards for enclosed areas below the lowest floor in subsection (A) of this section.*
- c. *Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g., a building floodproofed to the base flood level will be rated as one foot below).*

**Staff Finding 20: The applicant does not propose commercial, industrial, or other non-residential structure construction. The criteria are not applicable.**

4. *Manufactured Dwellings.*

- a. *Manufactured dwellings to be placed (new or replacement) or substantially improved that are supported on solid foundation walls shall be constructed with flood openings that comply with subsection (A) of this section.*
- b. *The bottom of the longitudinal chassis frame beam shall be at or above base flood elevation.*
- c. *Manufactured dwellings to be placed (new or replacement) or substantially improved shall be anchored to prevent flotation, collapse, and lateral movement during the base flood. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).*

d. *Electrical crossover connections shall be a minimum of 12 inches above base flood elevation (BFE).*

**Staff Finding 21: The applicant does not propose any manufactured dwellings. The criteria are not applicable.**

5. *Recreational Vehicles. Recreational vehicles placed on sites are required to:*

- a. *Be on the site for fewer than 180 consecutive days; and*
- b. *Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or*
- c. *Meet the requirements of subsection (C)(4) of this section, including the anchoring and elevation requirements for manufactured dwellings.*

**Staff Finding 22: The applicant does not propose placing recreational vehicles on site. The criteria are not applicable.**

6. *Appurtenant (Accessory) Structures. Relief from elevation or floodproofing requirements for residential and nonresidential structures in riverine (noncoastal) flood zones may be granted for appurtenant structures that meet the following requirements:*

- a. *Appurtenant structures located partially or entirely within the floodway must comply with requirements for development within a floodway found in CDC 27.090.*
- b. *Appurtenant structures must only be used for parking, access, and/or storage and shall not be used for human habitation.*
- c. *In compliance with State of Oregon Specialty Codes, appurtenant structures on properties that are zoned residential are limited to one-story structures less than 200 square feet, or 400 square feet if the property is greater than two acres in area and the proposed appurtenant structure will be located a minimum of 20 feet from all property lines. Appurtenant structures on properties that are zoned as nonresidential are limited in size to 120 square feet.*
- d. *The portions of the appurtenant structure located below the base flood elevation must be built using flood resistant materials.*
- e. *The appurtenant structure must be adequately anchored to prevent flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the base flood.*
- f. *The appurtenant structure must be designed and constructed to equalize hydrostatic flood forces on exterior walls and comply with the requirements for flood openings in subsection (A) of this section.*
- g. *Appurtenant structures shall be located and constructed to have low damage potential.*
- h. *Appurtenant structures shall not be used to store toxic material, oil, or gasoline, or any priority persistent pollutant identified by the Oregon Department of Environmental Quality unless confined in a tank installed in compliance with CDC 27.070(E).*
- i. *Appurtenant structures shall be constructed with electrical, mechanical, and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.*

**Staff Finding 23: The applicant does not propose any appurtenant structures. The criteria are not applicable.**

*7. Below-Grade Crawl Spaces.*

- a. The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Hydrostatic loads and the effects of buoyancy can usually be addressed through the required flood openings stated in subsection (A) of this section. Because of hydrodynamic loads, crawlspace construction is not allowed in areas with flood velocities greater than five feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer. Other types of foundations are recommended for these areas.*
- b. The crawlspace is an enclosed area below the base flood elevation (BFE) and, as such, must have openings that equalize hydrostatic pressures by allowing the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than one foot above the lowest adjacent exterior grade.*
- c. Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawlspace used to elevate the building, but also any joists, insulation, or other materials that extend below the BFE. The recommended construction practice is to elevate the bottom of joists and all insulation above BFE.*
- d. Any building utility systems within the crawlspace must be elevated above BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions. Ductwork, in particular, must either be placed above the BFE or sealed from floodwaters.*
- e. The interior grade of a crawlspace below the BFE must not be more than two feet below the lowest adjacent exterior grade.*
- f. The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall, must not exceed four feet at any point. The height limitation is the maximum allowable unsupported wall height according to the engineering analyses and building code requirements for flood hazard areas.*
- g. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event. The type of drainage system will vary because of the site gradient and other drainage characteristics, such as soil types. Possible options include natural drainage through porous, well-drained soils and drainage systems such as perforated pipes, drainage tiles or gravel or crushed stone drainage by gravity or mechanical means.*
- h. The velocity of floodwaters at the site shall not exceed five feet per second for any crawlspace. For velocities in excess of five feet per second, other foundation types should be used.*

**Staff Finding 24: The applicant does not propose any below grade crawlspaces. The criteria are not applicable.**

### *27.090 Standards for Floodways*

*Located within the special flood hazard areas established in CDC [27.020\(A\)](#) are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of the floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:*

*A. Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless:*

*1. Certification by a registered professional civil engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment shall not result in any increase in flood levels within the community during the occurrence of the base flood discharge; or*

*2. A community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations; provided, that a conditional letter of map revision (CLOMR) is applied for and approved by the Federal Insurance Administrator, and the requirements for such revision as established under [44 CFR 65.12](#) are fulfilled.*

*B. If the requirements of subsection (A) of this section are satisfied, all new construction, substantial improvements, and other development shall comply with all other applicable flood hazard reduction provisions of CDC [27.070](#), [27.080](#), this section, and CDC [27.100](#).*

**Staff Finding 25: The applicant proposes new construction, substantial improvements, or other development within the regulatory floodway. The applicant proposes 395.6 cubic feet of fill within the 100-year floodplain, but no fill will be placed within the regulatory floodway (see Exhibit PD-1, Page 23). Per Condition of Approval 6 the applicant shall provide either option 1 certification from a registered civil engineer or option 2 a Conditional Letter of Map Revision (CLOMR). Subject to the Conditions of Approval, the criteria are met.**

## **CHAPTER 28: WILLAMETTE AND TUALATIN RIVER PROTECTION AREA**

### **28.110 APPROVAL CRITERIA**

**A. Development: All sites.**

**1. Sites shall first be reviewed using the HCA Map to determine if the site is buildable or what portion of the site is buildable. HCAs shall be verified by the Planning Director per CDC [28.070](#) and site visit. Also, "tree canopy only" HCAs shall not constitute a development limitation and may be exempted per CDC [28.070\(A\)](#). The municipal code protection for trees and Chapters 55 and 85 CDC tree protection shall still apply.**

**Staff Finding 26: The subject property HCAs were reviewed and verified by the Planning Director. The HCA affecting the subject property is entirely Moderate or High Value HCA (see Exhibit PD-1, Page 9). The proposed improvements will include landscaping and outdoor improvements of the existing home's rear yard in the High Value HCA. The subject property project boundary (see Exhibit PD-1, Page 9) is buildable. The criteria are met.**

2. *HCAs shall be avoided to the greatest degree possible and development activity shall instead be directed to the areas designated "Habitat and Impact Areas Not Designated as HCAs," consistent with subsection (A) (3) of this section.*
3. *If the subject property contains no lands designated "Habitat and Impact Areas Not Designated as HCAs" and development within HCA land is the only option it shall be directed towards the low HCA areas first, then medium HCA areas and then to high HCA as the last choice. The goal is to, at best, avoid or, at least, minimize disturbance of the HCAs. (Water-dependent uses are exempt from this provision.)*

**Staff Finding 27: The project was designed to have the least possible impact on HCAs by avoiding and minimizing development activities in HCAs to the extent possible. The proposed improvements are located in an area of the rear yard that is already developed with landscaping improvements and other features of the existing home. Where development activities in HCAs cannot be avoided, impacts were minimized to the extent possible by designing the project to disturb "medium" HCAs before "high" HCAs. The criteria are met.**

4. *All development, including exempted activities of CDC [28.040](#), shall have approved erosion control measures per Clackamas County Erosion Prevention and Sediment Control Planning and Design Manual, rev. 2008, in place prior to site disturbance and be subject to the requirements of CDC [32.070](#) and [32.080](#) as deemed applicable by the Planning Director.*

**Staff Finding 28: The applicant shall submit erosion control measures per Clackamas County Erosion Prevention and Sediment Control Planning and Design Manual. Measures shall be in place prior to site disturbance. See Condition of Approval 4. The criteria are met.**

- B. *Single-family or attached residential.*  
(...)
- C. *Setbacks from top of bank.*  
(...)

**Staff Finding 29: The proposal does not include residential construction. The criteria are not applicable.**

- D. *Development of lands designated for industrial, commercial, office, public and other non-residential uses.*
  1. *Development of lands designated for industrial, multi-family, mixed use, commercial, office, public and other non-single-family residential uses shall be permitted on the following land designations and in the following order of preference with "a" being the most appropriate for development and "d" being the least appropriate:*
    - a. *"Habitat and Impact Areas Not Designated as HCAs"*
    - b. *Low HCA*
    - c. *Moderate HCA*
    - d. *High HCA*



2. *Developing HCA land.*

a. *Where non-HCA or areas designated as “Habitat and Impact Areas Not Designated as HCAs” are lacking or are in such limited supply as to render uses allowed by the underlying zone (e.g., general industrial) functionally impractical, the HCA may be utilized and built upon but shall emphasize “b” and “c” designations.*

b. *Where it is proposed that a “d” or high HCA classification be used, the property owner must demonstrate that the proposed use is clearly a water-dependent use. Proximity to the river for the purpose of views is not valid grounds. However, public interpretive facilities of historic facilities such as the government locks will be permitted as well as wildlife interpretive facilities and ADA-accessible platforms.*

**Staff Finding 30: The proposal does not include any industrial, commercial, office, public, and other non-residential uses. The project was designed to have the least possible impact on HCAs by avoiding and minimizing development activities in HCAs to the extent possible. The criteria are not applicable.**

E. *Hardship provisions and non-conforming structures.*

1. *For the purpose of this chapter, non-conforming structures are existing structures whose building footprint is completely or partially on HCA lands. Any additions, alterations, replacement, or rehabilitation of existing non-conforming non-water-related structures (including decks), roadways, driveways, accessory uses and accessory structures shall avoid encroachment upon the HCAs, especially high HCAs, except that:*

a. *A 10-foot lateral extension of an existing building footprint is allowed if the lateral extension does not encroach any further into the HCA or closer to the river or water resource area than the portion of the existing footprint immediately adjacent.*

b. *An addition to the existing structure on the side of the structure opposite to the river or water resource area shall be allowed. There will be no square footage limitation in this direction except as described in subsection (E)(1)(c) of this section.*

c. *The same allowance for the use of, and construction of, 5,000 square feet of total impervious surface for sites in HCAs per subsections (B)(2) through (4) of this section shall apply to lots in this section.*

d. *Vertical additions are permitted including the construction of additional floors.*

e. *The provisions of Chapter 66 CDC, Non-conforming Structures, shall not apply.*

**Staff Finding 31: The proposal does not include any improvements to non-conforming structures. The criteria are not applicable.**

F. *Access and property rights.*

1. *Private lands within the protection area shall be recognized and respected.*

2. *Where a legal public access to the river or elsewhere in the protection area exists, that legal public right shall be recognized and respected.*

**Staff Finding 32: The applicant proposes to construct a fire pit, seating wall, gravel paths, pavers, decking, planters, hot tub, bench, railing, and native plantings on the property. No legal public access to the river exists on the subject property. The criteria are met.**

3. *To construct a water-dependent structure such as a dock, ramp, or gangway shall require that all pre-existing legal public access or similar legal rights in the protection area be recognized and respected. Where pre-existing legal public access, such as below the OLW, is to be obstructed by, for example, a ramp, the applicant shall provide a reasonable alternate route around, over or under the obstruction. The alternate route shall be as direct as possible. The proposed route, to include appropriate height clearances under ramps/docks and specifications for safe passage over or around ramps and docks, shall be reviewed and approved by the Planning Director for adequacy.*

4. *Any public or private water-dependent use or facility shall be within established DSL-authorized areas.*

**Staff Finding 33: The applicant does not propose any water-dependent structures, facility, or use. The criteria are not applicable.**

5. *Legal access to, and along, the riverfront in single-family residential zoned areas shall be encouraged and pursued especially when there are reasonable expectations that a continuous trail system can be facilitated. The City recognizes the potential need for compensation where nexus and proportionality tests are not met. Fee simple ownership by the City shall be preferred. The trail should be dimensioned and designed appropriate to the terrain it traverses and the user group(s) it can reasonably expect to attract. The City shall be responsible for signing the trail and delineating the boundary between private and public lands or access easements.*

**Staff Finding 34: The applicant proposes to construct a fire pit, seating wall, gravel paths, pavers, decking, planters, hot tub, bench, railing, and native plantings on the property. No extensions or additions to an existing trail system are proposed. The criteria are not applicable.**

G. *Incentives to encourage access in industrial, multi-family, mixed use, commercial, office, public and non-single-family residential zoned areas.*

1. *For all industrial, multi-family, mixed use, commercial, office, public and other non-single-family residential zones, this section encourages the dedication or establishment of access easements to allow legal public access to, and along, the river. Support for access may be found in the Parks Master Plan, a neighborhood plan or any applicable adopted sub-area plans. The emphasis will be upon locating paths where there is a reasonable expectation that the path can be extended to adjacent properties to form a connective trail system in the future, and/or where the trail will provide opportunities for appreciation of, and access to, the river.*

2. *Height or density incentives may be available to developers who provide public access. Specifically, commercial, industrial, multi-family, mixed use, and public projects may be constructed to a height of 60 feet. No variance is required for the 60-foot height allowance*

regardless of the underlying zone height limitations; however, the following conditions must be met:

- a. Provide a minimum 20-foot-wide all-weather public access path along the project's entire river frontage (reduced dimensions would only be permitted in response to physical site constraints such as rock outcroppings, significant trees, etc.); and
- b. Provide a minimum 10-foot-wide all-weather public access path from an existing public right-of-way to that riverfront path or connect the riverfront path to an existing riverfront path on an adjoining property that accesses a public right-of-way.
- c. Fencing may be required near steep dropoffs or grade changes.

**Staff Finding 35: The applicant proposes to construct a fire pit, seating wall, gravel paths, pavers, decking, planters, hot tub, bench, railing, and native plantings on private residentially zoned property. No access in industrial, multi-family, mixed use, commercial, office, public, and non-single-family zoned areas is proposed. The criteria are not applicable.**

- H. Partitions, subdivisions and incentives.
- I. Docks and other water-dependent structures.
- J. Joint docks.
- K. Non-conforming docks and other water-related structures.

**Staff Finding 36: The application is neither requesting a partition or subdivision, nor does it include a dock or other water-dependent structures. The criteria are not applicable.**

L. Roads, driveways, utilities, or passive use recreation facilities. Roads, driveways, utilities, public paths, or passive use recreation facilities may be built in those portions of HCAs that include wetlands, riparian areas, and water resource areas when no other practical alternative exists but shall use water-permeable materials unless City engineering standards do not allow that. Construction to the minimum dimensional standards for roads is required. Full mitigation and revegetation is required, with the applicant to submit a mitigation plan pursuant to CDC [32.070](#) and a revegetation plan pursuant to CDC [32.080](#). The maximum disturbance width for utility corridors is as follows:

1. For utility facility connections to utility facilities, no greater than 10 feet wide.
2. For upgrade of existing utility facilities, no greater than 15 feet wide.
3. For new underground utility facilities, no greater than 25 feet wide, and disturbance of no more than 200 linear feet of water quality resource area, or 20 percent of the total linear feet of water quality resource area, whichever is greater.

**Staff Finding 37: The applicant proposes to construct a fire pit, seating wall, gravel paths, pavers, decking, planters, hot tub, bench, railing, and native plantings on private residentially zoned property. No roads, driveways, utilities, or passive use recreation facilities are proposed. The criteria are not applicable.**

M. Structures. All buildings and structures in HCAs and riparian areas, including all exterior mechanical equipment, should be screened, colored, or surfaced so as to blend with the riparian

*environment. Surfaces shall be non-polished/reflective or at least expected to lose their luster within a year. In addition to the specific standards and criteria applicable to water-dependent uses (docks), all other provisions of this chapter shall apply to water dependent uses, and any structure shall be no larger than necessary to accommodate the use.*

**Staff Finding 38: The proposal calls for the deck and seating wall to be made of materials that will blend with the natural area and riparian environment. The criteria are met.**

*N. Water-permeable materials for hardscapes. The use of water-permeable materials for parking lots, driveways, patios, and paths as well as flow-through planters, box filters, bioswales and drought tolerant plants are strongly encouraged in all “a” and “b” land classifications and shall be required in all “c” and “d” land classifications. The only exception in the “c” and “d” classifications would be where it is demonstrated that water-permeable driveways/hardscapes could not structurally support the axle weight of vehicles or equipment/storage load using those areas. Flow through planters, box filters, bioswales, drought tolerant plants and other measures of treating and/or detaining runoff would still be required in these areas.*

**Staff Finding 39: The proposed pathways will be constructed of sand-set pavers or gravel. These materials will allow for water to permeate to the soil below. The criteria are met.**

*O. Signs and graphics. No sign or graphic display inconsistent with the purposes of the protection area shall have a display surface oriented toward or visible from the Willamette or Tualatin River. A limited number of signs may be allowed to direct public access along legal routes in the protection area.*

**Staff Finding 40: The applicant does not propose any signs or graphics. The criteria are not applicable.**

*P. Lighting. Lighting shall not be focused or oriented onto the surface of the river except as required by the Coast Guard. Lighting elsewhere in the protection area shall be the minimum necessary and shall not create off-site glare or be omni-directional. Screens and covers will be required.*

*Q. Parking. Parking and unenclosed storage areas located within or adjacent to the protection area boundary shall be screened from the river in accordance with Chapter [46](#) CDC, Off-Street Parking, Loading and Reservoir Areas. The use of water-permeable material to construct the parking lot is either encouraged or required depending on HCA classification per CDC [28.110\(N\)\(4\)](#).*

**Staff Finding 41: The applicant does not propose any lighting or new parking areas. The criteria are not applicable.**

*R. Views. Significant views of the Willamette and Tualatin Rivers shall be protected as much as possible as seen from the following public viewpoints: Mary S. Young Park, Willamette Park,*

*Cedar Oak Park, Burnside Park, Maddox Park, Cedar Island, the Oregon City Bridge, Willamette Park, and Fields Bridge Park.*

*Where options exist in the placement of ramps and docks, the applicant shall select the least visually intrusive location as seen from a public viewpoint. However, if no options exist, then the ramp, pilings and dock shall be allowed at the originally proposed location.*

**Staff Finding 42: No significant views will be impacted by the proposal. No ramps or docks are proposed. The criteria are not applicable.**

*S. Aggregate deposits. Extraction of aggregate deposits or dredging shall be conducted in a manner designed to minimize adverse effects on water quality, fish and wildlife, vegetation, bank stabilization, stream flow, visual quality, noise and safety, and to promote necessary reclamation.*

**Staff Finding 43: The applicant does not propose any extraction of aggregate deposits or dredging. The criteria are not applicable.**

*T. Changing the landscape/grading.*

*1. Existing predominant topographical features of the bank line and escarpment shall be preserved and maintained except for disturbance necessary for the construction or establishment of a water related or water dependent use. Measures necessary to reduce potential bank and escarpment erosion, landslides, or flood hazard conditions shall also be taken.*

*Any construction to stabilize or protect the bank with rip rap, gabions, etc., shall only be allowed where there is clear evidence of erosion or similar hazard and shall be the minimum needed to stop that erosion or to avoid a specific and identifiable hazard. A geotechnical engineer's stamped report shall accompany the application with evidence to support the proposal.*

**Staff Finding 44: The applicant does not propose any grading or alterations to the landscape of the bank line and escarpment. Grading will be required for the placement of the hot tub which is located near the existing home and will not have any impact on the riverbank. The applicant will ensure a balance cut and fill (see Condition of Approval 3). No bank stabilization is proposed. Subject to the conditions of approval, the criteria are met.**

*2. The applicant shall establish to the satisfaction of the approval authority that steps have been taken to minimize the impact of the proposal on the riparian environment (areas between the top of the bank and the low water mark of the river including lower terrace, beach and river edge).*

**Staff Finding 45: The applicant does not propose any improvements or disturbance to the riparian environment from top of bank to ordinary low water mark. The criteria are not applicable.**

2. *The applicant shall demonstrate that stabilization measures shall not cause subsequent erosion or deposits on upstream or downstream properties.*

**Staff Finding 46: The applicant does not propose any stabilization measures. The criteria are not applicable.**

4. *Prior to any grading or development, that portion of the HCA that includes wetlands, creeks, riparian areas and water resource area shall be protected with an anchored chain link fence (or approved equivalent) at its perimeter and shall remain undisturbed except as specifically allowed by an approved Willamette and Tualatin River Protection and/or water resource area (WRA) permit. Such fencing shall be maintained until construction is complete. That portion of the HCA that includes wetlands, creeks, riparian areas and water resource area shall be identified with City-approved permanent markers at all boundary direction changes and at 30- to 50-foot intervals that clearly delineate the extent of the protected area.*

**Staff Finding 47: The applicant shall install full erosion control measures approved by the City Engineer (see Condition of Approval 4). Erosion control measures shall be in place prior to any grading, development, or site clearing and shall remain for the duration of the project per Condition of Approval 4. Subject to the Conditions of Approval, the criteria are met.**

5. *Full erosion control measures shall be in place and approved by the City Engineer prior to any grading, development or site clearing.*

**Staff Finding 48: The applicant shall install full erosion control measures approved by the City Engineer (see Condition of Approval 4). Erosion control measures shall be in place prior to any grading, development, or site clearing and shall remain for the duration of the project per Condition of Approval 4. Subject to the Conditions of Approval, the criteria are met.**

*U. Protect riparian and adjacent vegetation. Vegetative ground cover and trees upon the site shall be preserved, conserved, and maintained according to the following provisions:*

1. *Riparian vegetation below OHW removed during development shall be replaced with indigenous vegetation, which shall be compatible with and enhance the riparian environment and approved by the approval authority as part of the application.*

**Staff Finding 49: The applicant does not propose any disturbance to vegetation below the ordinary high water line. The criteria are met.**

2. *Vegetative improvements to areas within the protection area may be required if the site is found to be in an unhealthy or disturbed state by the City Arborist or their designated expert. "Unhealthy or disturbed" includes those sites that have a combination of native trees, shrubs, and groundcover on less than 80 percent of the water resource area and less than 50 percent tree canopy coverage in the primary and secondary habitat conservation area to be preserved. "Vegetative improvements" will be documented by submitting a revegetation plan meeting CDC [28.160](#) criteria that will result in the primary and secondary habitat conservation area to be*

*preserved having a combination of native trees, shrubs, and groundcover on more than 80 percent of its area, and more than 50 percent tree canopy coverage in its area. The vegetative improvements shall be guaranteed for survival for a minimum of two years. Once approved, the applicant is responsible for implementing the plan prior to final inspection.*

**Staff Finding 50: The applicant proposes to construct a fire pit, seating wall, gravel paths, pavers, decking, planters, hot tub, bench, railing, and native plantings on private residentially zoned property. The criteria are met.**

*3. Tree cutting shall be prohibited in the protection area except that:*

*a. Diseased trees or trees in danger of falling may be removed with the City Arborist's approval; and*

*b. Tree cutting may be permitted in conjunction with those uses listed in CDC 28.030 with City Arborist approval; to the extent necessary to accommodate the listed uses;*

**Staff Finding 51: The applicant does not propose any tree removal for the proposed plan. The criteria are met.**

*c. Selective cutting in accordance with the Oregon Forest Practices Act, if applicable, shall be permitted with City Arborist approval within the area between the OHW and the greenway boundary provided the natural scenic qualities of the greenway are maintained.*

**Staff Finding 52: The applicant has not proposed any tree removal in accordance with the Oregon Forest Practices Act. The criteria are met.**

**EXHIBIT PD-1 APPLICANT SUBMITTAL**





Planning & Development • 22500 Salamo Rd #1000 • West Linn, Oregon 97068  
Telephone 503.656-3535 • westlinnoregon.gov

## DEVELOPMENT REVIEW APPLICATION

### For Office Use Only

STAFF CONTACT <b>Ben Gardner</b>	PROJECT NO(S). <b>WRG-23-02/FMA-23-02</b>	PRE-APPLICATION NO. <b>PA-22-14</b>
NON-REFUNDABLE FEE(S)	REFUNDABLE DEPOSIT(S) <b>1050 + 1700</b>	TOTAL <b>\$2,750.00</b>

### 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"/> Code Interpretation              | <input type="checkbox"/> Lot Line Adjustment (LLA)                        | <input type="checkbox"/> Time Extension  |
| <input type="checkbox"/> Conditional Use (CUP)            | <input type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan) | <input type="checkbox"/> Variance (VAR)  |
| <input type="checkbox"/> Design Review (DR)               | <input type="checkbox"/> Modification of Approval                         | <input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP)       |
| <input type="checkbox"/> Tree Easement Vacation           | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures           | <input type="checkbox"/> Water Resource Area Protection/Wetland (WAP)          |
| <input type="checkbox"/> Final Plat or Plan (FP)          | <input type="checkbox"/> Planned Unit Development (PUD)                   | <input checked="" type="checkbox"/> Willamette & Tualatin River Greenway (WRG) |
| <input checked="" type="checkbox"/> Flood Management Area | <input type="checkbox"/> Street Vacation                                  | <input type="checkbox"/> Zone Change   |

Pre-Application, Home Occupation, Sidewalk Use, Addressing, and Sign applications require different forms, available on the City website.

### Site Location/Address:

18404 Old River Landing

Assessor's Map No.: 21E14AD

Tax Lot(s): 402

Total Land Area: 19,899 sq. ft.

### Brief Description of Proposal:

Backyard landscaping improvements including a fire pit, seating wall, gravel paths, pavers, decking, planters, hot tub, bench, railing, and native plantings.

### Applicant Name:

(please print) Clement Walsh  
Address: Clement Walsh Landscape Architect, Inc.  
1225 13th Street  
City State Zip: West Linn, OR 97068

Phone: 503-726-6760

Email: clement@clementwalsh.com

### Owner Name

(required) (please print) Matthew & Nancy Smith  
Address: 18404 Old River Landing  
City State Zip: West Linn, OR 97034

Phone: 360-250-2365

Email: smi7816@comcast.net

### Consultant Name:

(please print) Rick Givens, Planning Consultant  
Address: 28615 SW Paris Ave., Unit 110  
City State Zip: Wilsonville, OR 97070

Phone: 503-351-8204

Email: rickgivens@gmail.com

- All application fees are non-refundable (excluding deposit). **Any overruns to deposit will result in additional billing.**
- The owner/applicant or their representative should be present at all public hearings.
- A decision may be reversed on appeal. The permit approval will not be effective until the appeal period has expired.
- Submit this form and supporting documents through the [Submit a Land Use Application](https://westlinnoregon.gov/planning/submit-land-use-application) web page:  
<https://westlinnoregon.gov/planning/submit-land-use-application>

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.

DocuSigned by:  
**Clement Walsh**  
Applicant's signature

3/20/2023

Date

DocuSigned by:

**Nancy Smith**  
Owner's signature (required)

3/20/2023

Date



City of West Linn  
Planning and Department

March 20, 2023

Smith Residence: 18404 Old River Landing Lake Oswego OR 97034

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### Summary of Submitted Materials

**The development review application consists of the following documentation:**

- Signed Building Permit Application.
- Summary of submitted materials.
- Rick Givens, Planning Consultant, Narrative.
- Site Plan, Sheet No.: S100.
- Centerline Concepts Land Surveying, Inc. Existing Conditions Map.
- Theta, LLC (Bruce D Goldson, Engineer) Report.
- Clement Walsh Landscape Architect, Inc, Existing Conditions, Sheet No.: E100.
- Clement Walsh Landscape Architect, Inc Landscape Plan, Sheet No.: L100.
- Landscape East and West, Deck Design.
- Landscape East and West, concrete slab, and base for hot tub.
- State of Oregon Building Code Division, Prescriptive Deck Code.

I trust that this application is complete. Please let me know if you require any additional information.

Many thanks,

*Clement Walsh*  
Sincerely,

State of Oregon Professional Landscape Architect # LA 0957

# HCA/Willamette River Protection Permit Application

## Backyard Landscaping Improvements

18404 Old River Landing, West Linn, OR

### Site Information

Site Location: 18404 Old River Landing

Tax Lot No.: 21E14AD00402

Site Area: 19,899 Square Feet +/-

Neighborhood: Robinwood Neighborhood Association

Comp. Plan: Low Density Residential

Zoning: Single-Family Residential Attached, R-10

Zoning Overlays: N/A

Applicable CDC Chapters: Chapter 11: Single-Family Residential Attached, R-10; Chapter 27: Flood Management Areas; Chapter 28: Willamette and Tualatin River Protection

### Proposed Development

The subject property is located along the Willamette River and is developed with a single-family home. The rear yard of the home is improved with existing rear yard landscaping. The proposed development includes landscaping improvements that include construction of a fire pit, seating wall, gravel paths, pavers, decking, planters, hot tub, bench, railing, and native plantings. The rear yard of the subject property is located within the 100-year floodplain of the Willamette River and is within a Flood Management Area as well as a Habitat Conservation Area (HCA). The entire backyard of the property is in the Habitat Conservation Area. While many of the proposed improvements are allowed without a permit (pathway improvements, native landscaping improvements, etc.), the construction of a pad for the hot tub, new hot tub deck and new seating wall, require approval as a part of this application.



Figure 1: Vicinity Map

**Compliance with Approval Criteria:**

***CHAPTER 11: SINGLE-FAMILY RESIDENTIAL ATTACHED, R-10***

***11.030 PERMITTED USES***

*The following are uses permitted outright in this zoning district:*

- 1. Single-family attached or detached residential unit.*

Applicant Response: The subject property is developed with a single-family detached home, as permitted by the R-10 zone. The proposed improvements are to rear yard landscaping and are typical of what is permitted for single-family homes.

***11.040 ACCESSORY USES***

*Accessory uses are allowed in this zone as provided by Chapter 34 CDC.*

Applicant Response: Not applicable. No new accessory uses are proposed.

***11.050 USES AND DEVELOPMENT PERMITTED UNDER PRESCRIBED CONDITIONS***

Applicant Response: Not applicable. No uses allowed under prescribed conditions are proposed.

***11.060 CONDITIONAL USES***

Applicant Response: Not applicable. No conditional uses are proposed.

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

Minimum yard dimensions or minimum building setbacks

Front yard	20 ft
Interior side yard	7.5 ft
Street side yard	15 ft
Rear yard	20 ft
Maximum lot coverage	35%

Applicant Response: All proposed structural improvements, including the hot tub and above-grade decking, and seating wall are located within the rear yard and meet permitted rear and side yard setbacks.

## ***Chapter 27 – FLOOD MANAGEMENT AREAS***

### ***27.020 APPLICABILITY***

*A flood management area permit is required for all development in the Flood Management Area Overlay Zone. The standards that apply to flood management areas apply in addition to State or federal restrictions governing floodplains or flood hazard areas.*

Applicant Response: Much of the landscaping involves plantings and pathway improvements that are allowed without review under this chapter. The proposed hot tub, deck and wall improvements are located within the Flood Management Area Overlay Zone and potentially impact the volume of the flood plain so the standards of this chapter apply.

### ***27.060 APPROVAL CRITERIA***

*The Planning Director shall make written findings with respect to the following criteria when approving, approving with conditions, or denying an application for development in flood management areas:*

*A. Development, excavation, and fill shall be performed in a manner to maintain or increase flood storage and conveyance capacity and not increase design flood elevations.*

Applicant Response: Calculations of the volume of the proposed hot tub, deck and wall improvements have been prepared by Theta Engineering and are attached to this application. A compensating volume of existing rear yard soil is proposed to be removed, as discussed in the engineering analysis. This will ensure that there is no reduction of flood storage or conveyance capacity and there will be no increase in the design flood elevation.

*B. No net fill increase in any floodplain is allowed. All fill placed in a floodplain shall be balanced with an equal amount of soil material removal. Excavation areas shall not exceed fill areas by more than 50 percent of the square footage. Any excavation below the ordinary high water line shall not count toward compensating for fill.*

Applicant Response: As discussed above and in the Theta Engineering analysis, the additional volume of the hot tub, deck and wall improvements will be offset with the removal of soil material. This will ensure that there is no net increase in volume of material within the flood plain. The area proposed for excavation to compensate for loss of flood volume is 328 square feet. The surface area of new structures in the flood plain is 344 square feet. The excavation area equates to 95.3 percent of fill area so the requirement to be less than 150% of the fill area

is met. Neither the proposed improvements nor the excavation area is located within the high-water line of the Willamette River.

*C. Excavation to balance a fill shall be located on the same lot or parcel as the fill unless it is not reasonable or practicable to do so. In such cases, the excavation shall be located in the same drainage basin and as close as possible to the fill site, so long as the proposed excavation and fill will not increase flood impacts for surrounding properties as determined through hydrologic and hydraulic analysis.*

Applicant Response: The proposed excavation is located on the same lot as the proposed hot tub, deck and wall improvements. This standard is met.

*D. Minimum finished floor elevations must be at least one foot above the design flood height or highest flood of record, whichever is higher, for new habitable structures in the flood area.*

Applicant Response: Not applicable. No structures intended for occupancy are proposed.

*E. Temporary fills permitted during construction shall be removed.*

Applicant Response: Not applicable. No temporary fills are proposed.

*F. Prohibit encroachments, including fill, new construction, substantial improvements, and other development in floodways unless certification by a professional civil engineer licensed to practice in the State of Oregon is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.*

Applicant Response: The required calculations, prepared by Bruce Goldson, P.E., a professional civil engineer licensed to practice in the State of Oregon, are included with this application. The calculations demonstrate that the proposed improvements will not result in any increase in the flood levels during a base flood event.

*G. All proposed improvements to the floodplain or floodway which might impact the flood-carrying capacity of the river shall be designed by a professional civil engineer licensed to practice in the State of Oregon.*

Applicant Response: The design of the proposed hot tub, deck and walls have been reviewed by Theta Engineering.

*H New culverts, stream crossings, and transportation projects shall be designed as balanced cut and fill projects or designed not to significantly raise the design flood elevation. Such projects shall be designed to minimize the area of fill in flood management areas and to minimize erosive velocities. Stream crossings shall be as close to perpendicular to the stream as practicable. Bridges shall be used instead of culverts wherever practicable.*

Applicant Response: Not applicable. No new culverts, stream crossings or transportation projects are proposed.

*I. Excavation and fill required for the construction of detention facilities or structures, and other facilities, such as levees, specifically shall be designed to reduce or mitigate flood impacts and improve water quality. Levees shall not be used to create vacant buildable land.*

Applicant Response: Not applicable. No detention facilities or listed structures are proposed.

*J. The applicant shall provide evidence that all necessary permits have been obtained from those federal, State, or local governmental agencies from which prior approval is required. (Ord. 1522, 2005; Ord. 1635 § 15, 2014; Ord. 1636 § 25, 2014)*

Applicant Response: Permits from federal or State agencies are not required for the proposed improvements. Local permits will be obtained for any improvements that require them.

## **27.070 CONSTRUCTION MATERIALS AND METHODS**

*A. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage using methods and practices that minimize flood damage.*

Applicant Response: The seating wall will be made of concrete, which is inherently flood resistant. The hot tub and deck will be installed to code to minimize potential for flood damage.

*B. Electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.*

Applicant Response: Electrical service and plumbing for the hot tub will be installed per code to prevent water from entering within the components during periods of flooding. No heating, ventilation, air conditioning or other services are proposed.

*C. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.*

Applicant Response: No water service is proposed.

*D. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.*

Applicant Response: No changes to the home's sewer service are proposed.

*E. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.*

Applicant Response: No on-site waste disposal system is proposed.

*F. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.*

Applicant Response: The deck will be secured to concrete footings per code. The wall is concrete and does not require anchoring.

### **27.090 NON-RESIDENTIAL CONSTRUCTION**

*New construction and substantial improvement of any commercial, industrial, or other non-residential structure shall either have the lowest floor, including basement, elevated to at least one foot above the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:*

Applicant Response: Not applicable. All of the proposed construction is typical accessory landscaping associated with an existing single-family home.

## **Chapter 28 – WILLAMETTE AND TUALATIN RIVER PROTECTION**

### **28.030 APPLICABILITY**

*A. The Willamette and Tualatin River Protection Area is an overlay zone. The zone boundaries are identified on the City's zoning map, and include:*

- 1. All land within the City of West Linn's Willamette River Greenway Area.*
- 2. All land within 200 feet of the ordinary low water mark of the Tualatin River, and all land within the 100-year floodplain of the Tualatin River.*
- 3. In addition to the Willamette Greenway and Tualatin River Protection Area boundaries, this chapter also relies on the HCA Map to delineate where development should or should not occur. Specifically, the intent is to keep out of, or minimize disturbance of, the habitat conservation areas (HCAs). Therefore, if all, or any part, of a lot or parcel is in the Willamette Greenway and Tualatin River Protection Area boundaries, and there are HCAs on the lot or parcel, a Willamette and Tualatin River Protection Area permit shall be required unless the development proposal is exempt per CDC [28.040](#).*

Applicant Response: The subject property fronts on the Willamette River and most of the rear yard is within the Willamette River Greenway Area. This chapter is applicable to the proposal.

*B. At the confluence of a stream or creek with either the Tualatin or Willamette River, the standards of this chapter shall apply only to those portions of the lot or parcel fronting the river. Meanwhile, development in those portions of the property facing or adjacent to the stream or creek shall meet the transition, setbacks and other provisions of Chapter [32](#) CDC, Water Resource Area Protection.*



Applicant Response: Not applicable. The property is not located at the confluence of a stream or creek with the Willamette River.

*C. All uses permitted under the provisions of the underlying base zone and within the Willamette and Tualatin River Protection Area zone are allowed in the manner prescribed by the base zone subject to applying for and obtaining a permit issued under the provisions of this chapter unless specifically exempted per CDC [28.040](#).*

Applicant Response: The proposed landscaping, deck and hot tub are all permitted in the R-10 zoning district as accessory uses to the single-family home. This application will demonstrate compliance with the provisions of Chapter 28.

*D. The construction of a structure in the HCA or the expansion of a structure into the HCA when the new intrusion is closer to the protected water feature than the pre-existing structure. (Ord. 1576, 2008; Ord. 1604 § 21, 2011; Ord. 1636 § 26, 2014)*

Applicant Response: The proposed improvements are within the HCA and extend farther towards the river than the existing home. Review for compliance with Chapter 28 is required.

### ***28.050 PROHIBITED USES***

Applicant Response: The proposed dock is not a prohibited use.

### ***28.090 SUBMITTAL REQUIREMENTS: APPLICATION***

*A. An application for a protection area permit shall be initiated by the property owner or the owner's authorized agent. Evidence shall be provided to demonstrate that the applicant has the legal right to use the land above the OLW. The property owner's signature is required on the application form.*

Applicant Response: The applicants are the owners of the subject property. They have completed and signed the City's land development application form.

*B. A prerequisite to the filing of an application is a pre-application conference at which time the Planning Director shall explain the provisions of this chapter and provide appropriate forms as set forth in CDC [99.030\(B\)](#).*

Applicant Response: A pre-application conference for the proposed use was held in May of last year (PA-22-14).

*C. An application for a protection area permit shall include the completed application and:*

- 1. Narrative which addresses the approval criteria of CDC [28.110](#).*
- 2. A site plan, with HCA boundaries shown and by low, moderate, high type shown (CDC [28.120](#)).*

3. *A grading plan if applicable (CDC [28.130](#)).*
4. *Architectural drawings if applicable (CDC [28.140](#)).*
5. *A landscape plan if applicable (CDC [28.150](#)).*
6. *A mitigation plan if applicable (CDC [28.160](#)).*

Applicant Response: This narrative addresses the criterial of CDC 28.110. A site plan is attached and shows HCA boundaries. A site grading plan, architectural drawings for the deck, and a landscape plan are included with this application packet.

*D. The applicant shall pay the requisite fees.*

Applicant Response: The required fees have been paid.

*E. The applicant shall be responsible for, and shall apply for, all applicable State and/or federal permits.*

Applicant Response: The proposed improvements involve less than 50 cubic yards of fill/removal and therefore do not require State or federal permits.

*F. The applicant shall include a map, approved or acknowledged by DSL, of the preference rights and authorized areas if a water surface structure is proposed. (Ord. 1576, 2008; Ord. 1622 § 11, 2014)*

Applicant Response: Not applicable. No water surface structures are proposed.

### **28.110 APPROVAL CRITERIA**

*No application for development on property within the protection area shall be approved unless the decision-making authority finds that the following standards have been met or can be met by conditions of approval. The development shall comply with the following criteria as applicable:*

*A. Development: All sites.*

1. *Sites shall first be reviewed using the HCA Map to determine if the site is buildable or what portion of the site is buildable. HCAs shall be verified by the Planning Director per CDC [28.070](#) and site visit. Also, "tree canopy only" HCAs shall not constitute a development limitation and may be exempted per CDC [28.070\(A\)](#). The municipal code protection for trees and Chapters 55 and 85 CDC tree protection shall still apply.*

Applicant Response: The HCA affecting the subject property is shown on Figure 2, below. High Value HCA is shaded in red and Moderate Value is shaded in yellow. The property is developed with a single-family home. The proposed improvements involve only landscaping and outdoor improvements for the home's rear yard. A boat slip for the home is located on the river frontage, as shown on Figure 2.

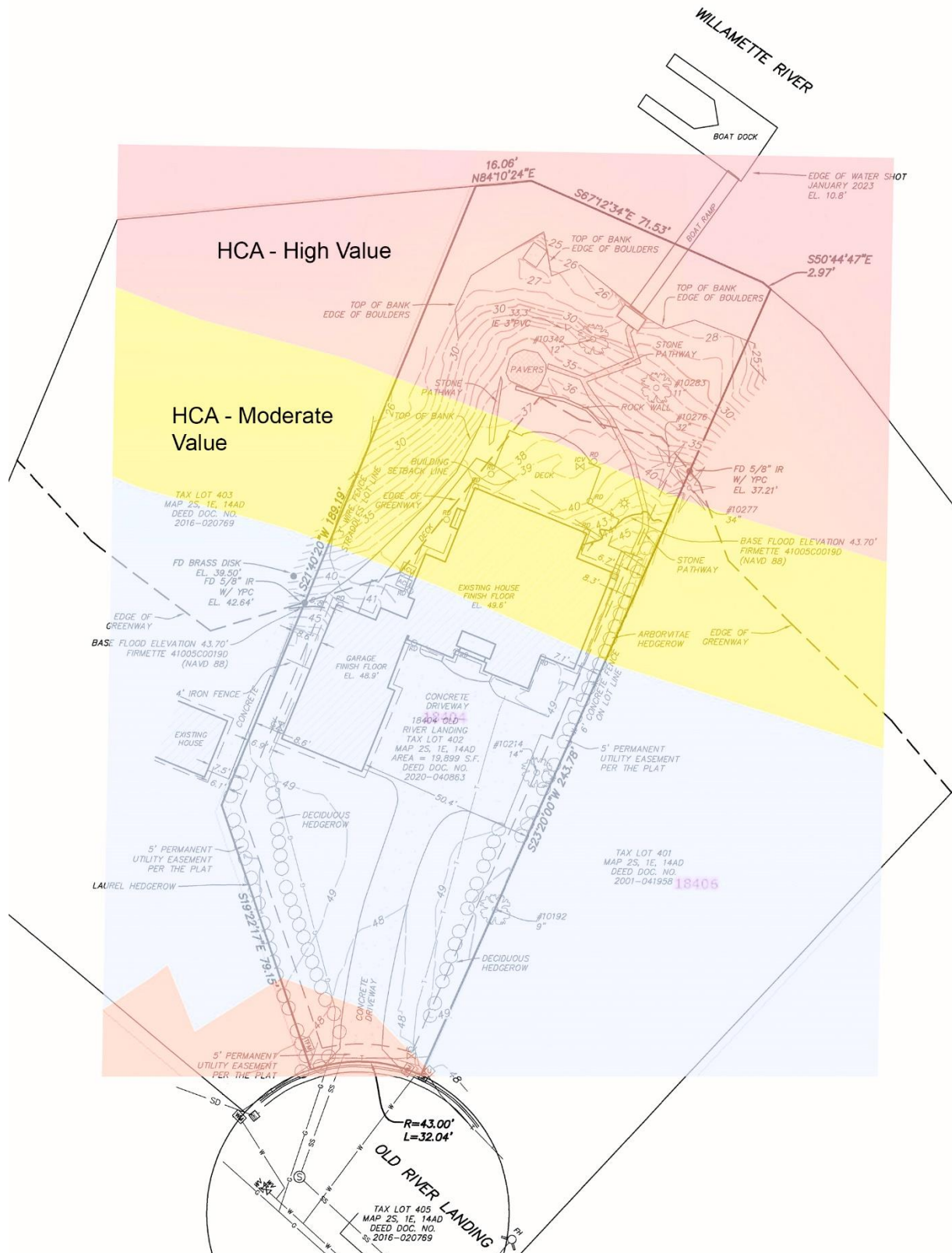


Figure 2: HCA Overlay

The aerial photograph of the site shown below demonstrates that the HCA area is largely disturbed by the existing home and landscaping associated with it.



Figure 3: HCA Aerial Overlay

2. *HCAs shall be avoided to the greatest degree possible and development activity shall instead be directed to the areas designated "Habitat and Impact Areas Not Designated as HCAs," consistent with subsection (A)(3) of this section.*

Applicant Response: The disturbance of the HCA with improvements requiring approval will be minimal, involving only the pouring of a concrete seating area and a deck to the rear of the home for installation of a hot tub. These improvements are located in an area of the rear yard of the home that is already developed with landscaping and other features associated with the existing home.

3. *If the subject property contains no lands designated "Habitat and Impact Areas Not Designated as HCAs" and development within HCA land is the only option it shall be directed towards the low HCA areas first, then medium HCA areas and then to high HCA as the last choice. The goal is to, at best, avoid or, at least, minimize disturbance of the HCAs. (Water-dependent uses are exempt from this provision.)*

Applicant Response: The existing home is partially within the HCA and all of the rear yard area lies within HCA-designated area. The proposed improvements to pathways and landscape plantings of native materials are permitted without HCA review. The proposed deck and associated hot tub lie within the moderate HCA area. The proposed seating wall is just within the high value HCA area, but is very close to the existing terrace. There are no significant natural resources within the area that it is proposed to be installed. Further, as a low, concrete seating area that is only occasionally used, it will have minimal impact on the HCA.

4. *All development, including exempted activities of CDC [28.040](#), shall have approved erosion control measures per Clackamas County Erosion Prevention and Sediment Control Planning and Design Manual, rev. 2008, in place prior to site disturbance and be subject to the requirements of CDC [32.070](#) and [32.080](#) as deemed applicable by the Planning Director.*

Applicant Response: The only significant grading that will disturb the existing soil surface is for the area that will be used for providing additional flood storage in compensation for the volume of the new concrete, deck and hot tub to be placed within the 100-year floodplain. Erosion control measures will be installed prior to these site grading activities.

F. *Access and property rights.*

1. *Private lands within the protection area shall be recognized and respected.*

Applicant Response: Not applicable. All of the proposed project is located within the lot owned by the applicant.

2. *Where a legal public access to the river or elsewhere in the protection area exists, that legal public right shall be recognized and respected.*

Applicant Response: Not applicable. The project area is entirely within the residential lot that the applicant owns. There is no public access to the river through this lot.

3. *To construct a water-dependent structure such as a dock, ramp, or gangway shall require that all pre-existing legal public access or similar legal rights in the protection area be recognized and respected. Where pre-existing legal public access, such as below the OLW, is to be obstructed by, for example, a ramp, the applicant shall provide a reasonable alternate route around, over or under the obstruction. The alternate route shall be as direct as possible. The proposed route, to include appropriate height clearances under ramps/docks and specifications for safe passage over or around ramps and docks, shall be reviewed and approved by the Planning Director for adequacy.*

Applicant Response: Not applicable. No new water-dependent structures are proposed.

4. *Any public or private water-dependent use or facility shall be within established DSL-authorized areas.*

Applicant Response: Not applicable. No new water-dependent structures are proposed.

5. *Legal access to, and along, the riverfront in single-family residential zoned areas shall be encouraged and pursued especially when there are reasonable expectations that a continuous trail system can be facilitated. The City recognizes the potential need for compensation where nexus and proportionality tests are not met. Fee simple ownership by the City shall be preferred. The trail should be dimensioned and designed appropriate to the terrain it traverses and the user group(s) it can reasonably expect to attract. The City shall be responsible for signing the trail and delineating the boundary between private and public lands or access easements.*

Applicant Response: No public access to the river exists on the subject property or on adjacent residential lots. There is no opportunity for a trail along this stretch of the river because of existing residential development patterns. There are other public access points to the river elsewhere in this area.

I. *Docks and other water-dependent structures.*

Applicant Response: This subsection is not applicable. No new docks or water-dependent structures are proposed.

J. *Joint docks.*

Applicant Response: This subsection is not applicable. No new dock is proposed.

K. *Non-conforming docks and other water-related structures.* *Pre-existing non-conforming structures, including docks, ramps, boat houses, etc., as defined in this chapter may remain in place. Replacement in kind (e.g., replacement of decking and other materials) will be allowed provided the replacement meets the standards of this chapter. However, if any non-conforming structure that is damaged and destroyed or otherwise to be replaced to the extent that the rebuilding or replacing (including replacement in kind) would exceed 50 percent of the current replacement cost of the entire structure, the owner shall be required to meet all the standards of this chapter.*

Applicant Response: There is an existing dock and access ramp located on the subject property and its river frontage. The dock was legally permitted. No changes to the dock or the access ramp are proposed so it is not relevant to this application.

*L. Roads, driveways, utilities, or passive use recreation facilities. Roads, driveways, utilities, public paths, or passive use recreation facilities may be built in those portions of HCAs that include wetlands, riparian areas, and water resource areas when no other practical alternative exists but shall use water-permeable materials unless City engineering standards do not allow that. Construction to the minimum dimensional standards for roads is required. Full mitigation and revegetation is required, with the applicant to submit a mitigation plan pursuant to CDC 32.070 and a revegetation plan pursuant to CDC 32.080. The maximum disturbance width for utility corridors is as follows:*

- 1. For utility facility connections to utility facilities, no greater than 10 feet wide.*
- 2. For upgrade of existing utility facilities, no greater than 15 feet wide.*
- 3. For new underground utility facilities, no greater than 25 feet wide, and disturbance of no more than 200 linear feet of water quality resource area, or 20 percent of the total linear feet of water quality resource area, whichever is greater.*

Applicant Response: Not applicable. No such facilities, roads, driveways, or utilities are proposed.

*M. Structures. All buildings and structures in HCAs and riparian areas, including all exterior mechanical equipment, should be screened, colored, or surfaced so as to blend with the riparian environment. Surfaces shall be non-polished/reflective or at least expected to lose their luster within a year. In addition to the specific standards and criteria applicable to water-dependent uses (docks), all other provisions of this chapter shall apply to water dependent uses, and any structure shall be no larger than necessary to accommodate the use.*

Applicant Response: The deck and seating wall will be made of wood and concrete, respectively. These materials will blend with the natural area and its riparian environment.

*N. Water-permeable materials for hardscapes. The use of water-permeable materials for parking lots, driveways, patios, and paths as well as flow-through planters, box filters, bioswales and drought tolerant plants are strongly encouraged in all "a" and "b" land classifications and shall be required in all "c" and "d" land classifications. The only exception in the "c" and "d" classifications would be where it is demonstrated that water-permeable driveways/hardscapes could not structurally support the axle weight of vehicles or equipment/storage load using those areas. Flow through planters, box filters, bioswales, drought tolerant plants and other measures of treating and/or detaining runoff would still be required in these areas.*

Applicant Response: Not applicable. The proposed paths will be surfaced with sand-set pavers or gravel. These materials will allow water to percolate to the soil below.

O. Signs and graphics. No sign or graphic display inconsistent with the purposes of the protection area shall have a display surface oriented toward or visible from the Willamette or Tualatin River. A limited number of signs may be allowed to direct public access along legal routes in the protection area.

Applicant Response: Not applicable. No signs or graphics are proposed.

P. Lighting. Lighting shall not be focused or oriented onto the surface of the river except as required by the Coast Guard. Lighting elsewhere in the protection area shall be the minimum necessary and shall not create off-site glare or be omni-directional. Screens and covers will be required.

Applicant Response: Not applicable. No lighting is proposed.

Q. Parking. *Parking and unenclosed storage areas located within or adjacent to the protection area boundary shall be screened from the river in accordance with Chapter 46 CDC, Off-Street Parking, Loading and Reservoir Areas. The use of water-permeable material to construct the parking lot is either encouraged or required depending on HCA classification per CDC 28.110(N)(4).*

Applicant Response: Not applicable. No parking is proposed in conjunction with this application.

R. Views. *Significant views of the Willamette and Tualatin Rivers shall be protected as much as possible as seen from the following public viewpoints: Mary S. Young Park, Willamette Park, Cedar Oak Park, Burnside Park, Maddox Park, Cedar Island, the Oregon City Bridge, Willamette Park, and Fields Bridge Park.*

*Where options exist in the placement of ramps and docks, the applicant shall select the least visually intrusive location as seen from a public viewpoint. However, if no options exist, then the ramp, pilings and dock shall be allowed at the originally proposed location.*

Applicant Response: Not applicable. No significant view of the Willamette River would be impacted by the proposed improvements to the rear yard of the applicants' home.

S. Aggregate deposits. *Extraction of aggregate deposits or dredging shall be conducted in a manner designed to minimize adverse effects on water quality, fish and wildlife, vegetation, bank stabilization, stream flow, visual quality, noise and safety, and to promote necessary reclamation.*

Applicant Response: Not applicable. No extraction of aggregate or dredging is proposed.

T. Changing the landscape/grading.

1. *Existing predominant topographical features of the bank line and escarpment shall be preserved and maintained except for disturbance necessary for the construction or establishment of a water related or water dependent use. Measures necessary to reduce potential bank and escarpment erosion, landslides, or flood hazard conditions shall also be taken.*



*Any construction to stabilize or protect the bank with rip rap, gabions, etc., shall only be allowed where there is clear evidence of erosion or similar hazard and shall be the minimum needed to stop that erosion or to avoid a specific and identifiable hazard. A geotechnical engineer's stamped report shall accompany the application with evidence to support the proposal.*

Applicant Response: The only significant grading is in the vicinity of the hot tub deck and for the excavation needed to provide compensating volume for the small amount of fill of the hot tub and wall improvements. This grading is located near the existing home and will not have any impact on the riverbank. The bank along the property is rocky and not subject to erosion.

*2. The applicant shall establish to the satisfaction of the approval authority that steps have been taken to minimize the impact of the proposal on the riparian environment (areas between the top of the bank and the low water mark of the river including lower terrace, beach and river edge).*

Applicant Response: As noted above, the grading change is located near the existing home and well away from the river. The proposed grading will be protected with erosion control measures during construction and then planted so as to avoid erosion following construction.

*3. The applicant shall demonstrate that stabilization measures shall not cause subsequent erosion or deposits on upstream or downstream properties.*

Applicant Response: Please see the Theta Engineering plan/report for discussion of erosion control measures.

*4. Prior to any grading or development, that portion of the HCA that includes wetlands, creeks, riparian areas and water resource area shall be protected with an anchored chain link fence (or approved equivalent) at its perimeter and shall remain undisturbed except as specifically allowed by an approved Willamette and Tualatin River Protection and/or water resource area (WRA) permit. Such fencing shall be maintained until construction is complete. That portion of the HCA that includes wetlands, creeks, riparian areas and water resource area shall be identified with City-approved permanent markers at all boundary direction changes and at 30- to 50-foot intervals that clearly delineate the extent of the protected area.*

Applicant Response: No grading is located near the portion of the HCA that contains the river bank and natural riparian area. The erosion control measures proposed will ensure that the riparian area and riverbank are not impacted by this grading.

*5. Full erosion control measures shall be in place and approved by the City Engineer prior to any grading, development or site clearing.*

Applicant Response: The proposed erosion control measures will be submitted for review by the City Engineer approval and will be in place before associated grading/clearing begins.

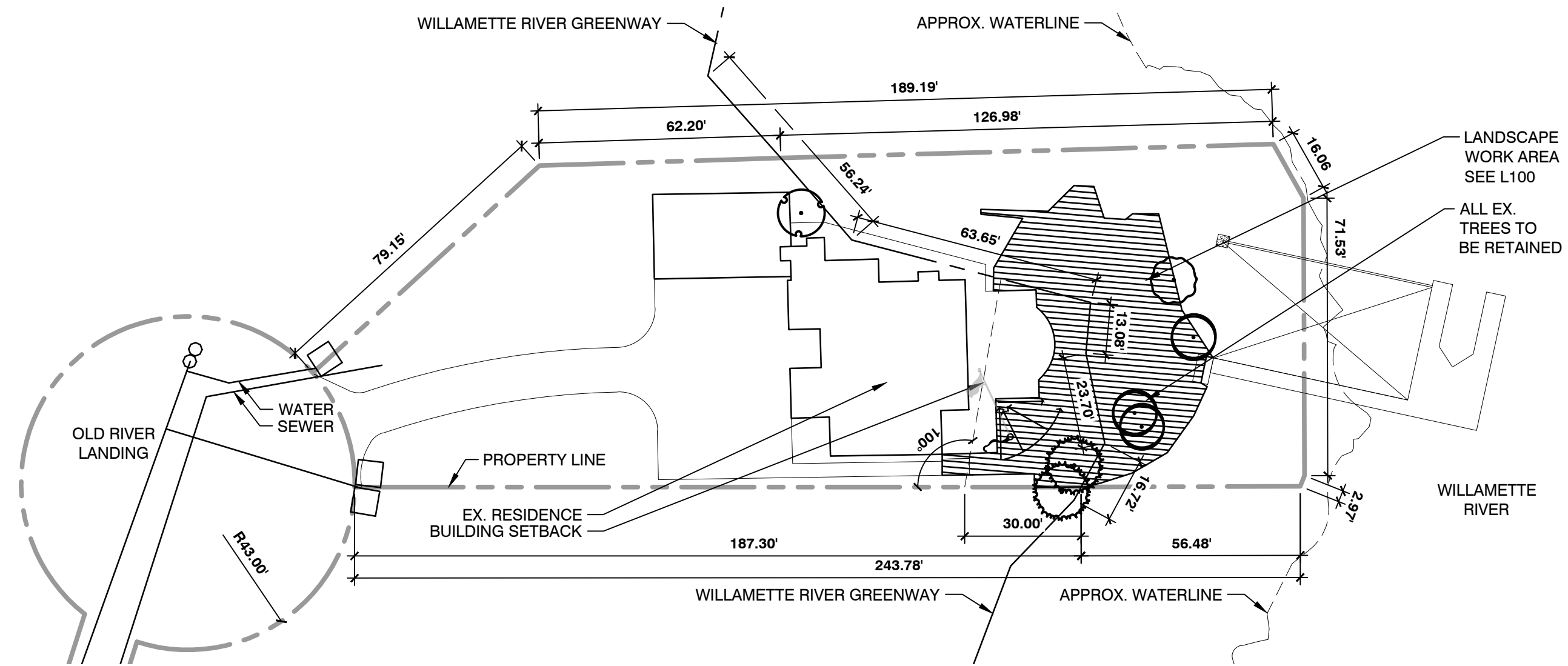
*U. Protect riparian and adjacent vegetation. Vegetative ground cover and trees upon the site shall be preserved, conserved, and maintained according to the following provisions:*

Applicant Response: No development is proposed that will impact the riparian area and riverbank.

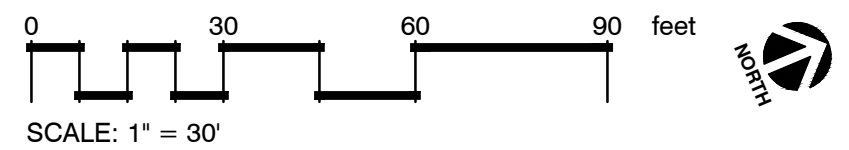
### ***28.160 MITIGATION PLAN***

*If any HCA is permanently disturbed as a result of the proposed development of any uses or structures, the applicant shall prepare and implement a revegetation and mitigation plan pursuant to the provisions of CDC 32.070 and 32.080. (Ord. 1576, 2008)*

Applicant Response: The plantings proposed on the landscape plan will serve as mitigation for the minimal impacts of this project.



01 SITE PLAN



CLEMENT WALSH LANDSCAPE ARCHITECT INC.  
 1225 13TH ST. WEST LINN OR 97068  
 PHONE: 503.726.6860  
 EMAIL: CLEMENT@CLEMENTWALSH.COM  
 WEBSITE: WWW.CLEMENTWALSH.COM

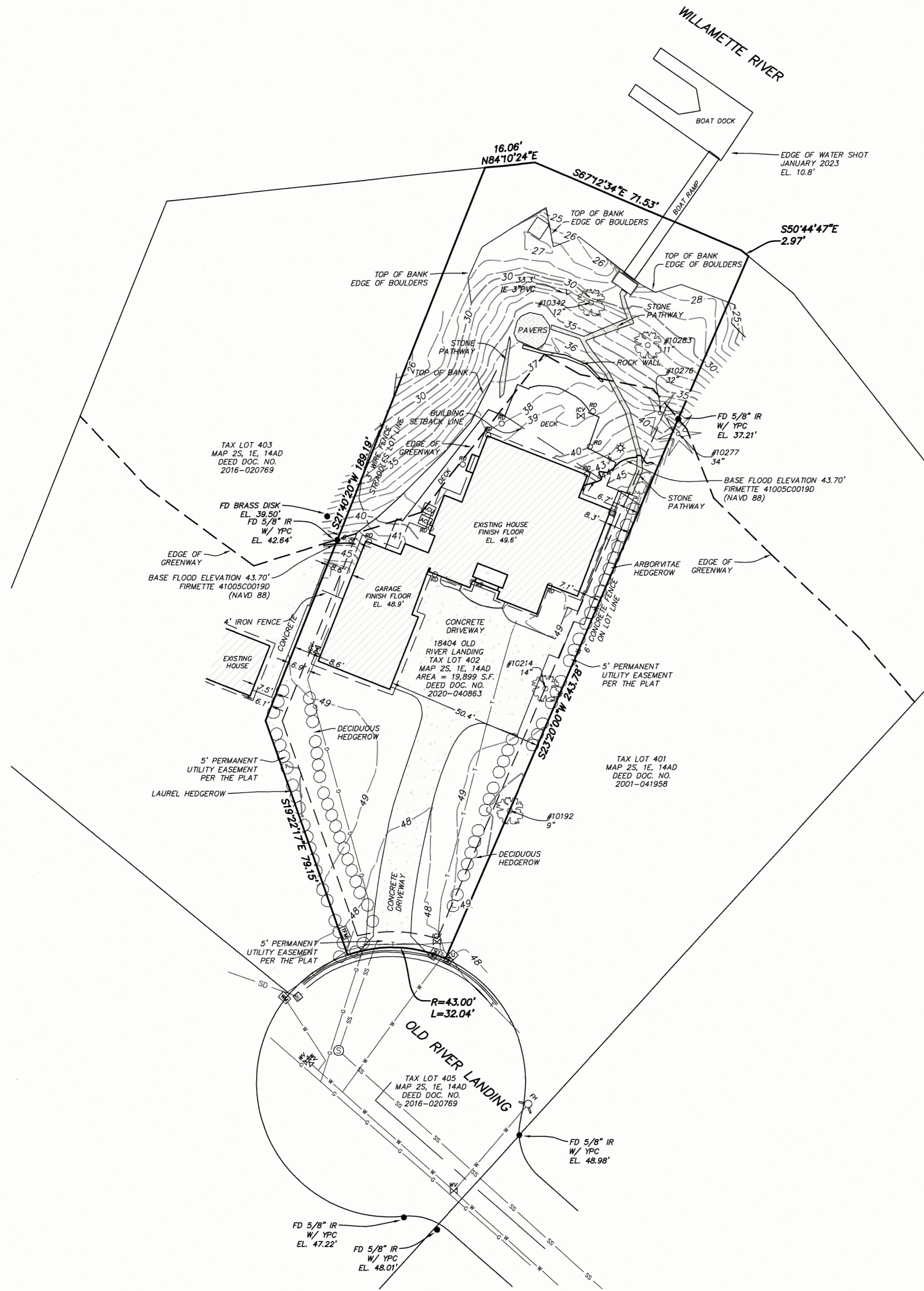


**SMITH RESIDENCE**  
 18404 Old River Landing  
 West Linn, OR 97034  
 SITE PLAN

Date:	2.10.2023
Scale:	1" = 30'
Drawn:	JK
Checked:	CW
Sheet No.	<b>S100</b> 1 of 1

# EXISTING CONDITIONS MAP

TAX LOT 402, MAP 2S, 1E, 14AD  
 LOCATED IN THE N.E. 1/4 SECTION 23, T.1N., R.1E., W.M.  
 CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON  
 JANUARY 27, 2023 SCALE 1"=20'



### SURVEY NOTES:

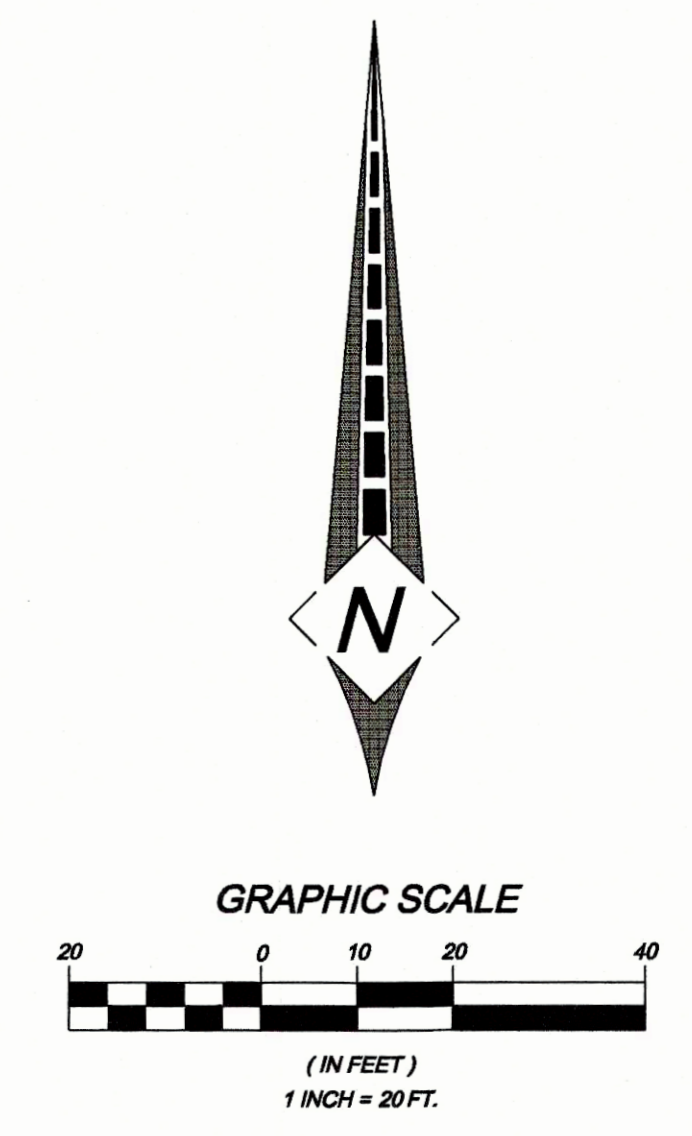
THE DATUM FOR THIS SURVEY IS BASED UPON A STATIC GPS OBSERVATION OF LOCAL CONTROL POINTS, PROCESSED THROUGH OPUS. DATUM IS NAVD 88.  
 A TRIMBLE S6-SERIES ROBOTIC INSTRUMENT WAS USED TO COMPLETE A CLOSED LOOP FIELD TRAVERSE.  
 THE BASIS OF BEARINGS FOR THIS SURVEY IS PER MONUMENTS FOUND AND HELD PER THE PLAT OF "WILLAMETTE SHORES", RECORDS OF CLACKAMAS COUNTY.  
 THE PURPOSE OF THIS SURVEY IS TO RESOLVE AND DETERMINE THE PERIMETER BOUNDARY OF THE SUBJECT PROPERTY, TO SHOW ALL PERTINENT BOUNDARY ISSUES AND ENCROACHMENTS. NO PROPERTY CORNERS WERE SET IN THIS SURVEY.  
 NO WARRANTIES ARE MADE AS TO MATTERS OF UNWRITTEN TITLE, SUCH AS ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE, ETC.  
 NO TITLE REPORT WAS SUPPLIED OR USED IN THE PREPARATION OF THIS MAP.

### UTILITY NOTES:

THE UNDERGROUND UTILITIES AS SHOWN ON THIS MAP ARE SHOWN BASED ON A COMBINATION OF INFORMATION, INCLUDING VISIBLE ABOVE GROUND STRUCTURES, AVAILABLE AS BUILT AND GIS MAPPING FROM LOCAL JURISDICTIONS, AS WELL AS SURFACE MARKINGS BY ONE CALL TICKET NUMBER 22360690 DATED JANUARY 6, 2023.  
 THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED.  
 THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.  
 THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR.  
 INVERT ELEVATIONS AND PIPE SIZES SHOWN ARE APPROXIMATE ONLY, BASED ON FIELD OBSERVATIONS AS WELL AS AVAILABLE AS-BUILT DATA. ALL PIPE SIZES SHALL BE FIELD VERIFIED BY THE OWNER, ENGINEER, CONTRACTOR, AND GOVERNING AGENCY PRIOR TO ANY CONSTRUCTION ACTIVITY. SURVEYOR DOES NOT WARRANT THE ACCURACY OF ANY PIPE SIZES SHOWN ON THIS SURVEY.

### LEGEND:

- Some Symbols shown may not be used on map
- |                            |                          |
|----------------------------|--------------------------|
| 12" DECIDUOUS TREE         | SSP TRAFFIC SIGNAL POLE  |
| 24" EVERGREEN TREE         | UTILITY POLE             |
| DEAD TREE                  | LIGHT POLE               |
| STORM SEWER MANHOLE        | GUY WIRE                 |
| CATCH BASIN                | ELECTRIC BOX             |
| CURB INLET                 | ELECTRIC METER           |
| AREA DRAIN                 | TRANSFORMER              |
| DITCH INLET                | ELECTRIC RISER           |
| SANITARY SEWER CLEANOUT    | HEAT PUMP                |
| SANITARY SEWER MANHOLE     | GATE POST                |
| FIRE HYDRANT               | CABLE TV BOX             |
| WATER MANHOLE              | CABLE TV RISER           |
| WATER METER                | OH OVERHEAD LINE         |
| WATER VALVE                | G GAS LINE               |
| HOSE BIB                   | E ELECTRICAL LINE        |
| IRRIGATION CONTROL VALVE   | TV COMMUNICATIONS LINE   |
| GAS VALVE                  | SS SANITARY SEWER LINE   |
| GAS METER                  | SD STORM DRAIN LINE      |
| MAILBOX                    | W WATER LINE             |
| UTILITY RISER              | X FENCE LINE             |
| UTILITY BOX                | O HANDRAIL               |
| UTILITY LINE MARKER        | H HEDGEROW               |
| TELEPHONE MANHOLE          | C CONCRETE               |
| TELEPHONE RISER            | G GRAVEL                 |
| STORM OUTFALL              | A ASPHALT                |
| SIGN                       | FD = FOUND               |
| BOLLARD                    | IP = IRON PIPE           |
| FOUND MONUMENT             | IR = IRON ROD            |
| DOWN SPOUT TO STORM SYSTEM | YPC = YELLOW PLASTIC CAP |
| DOWN SPOUT TO GROUND       | ALC = ALUMINUM CAP       |
| DOWN SPOUT TO OUTFALL      | RPC = RED PLASTIC CAP    |
| COLUMN                     | OPC = ORANGE PLASTIC CAP |



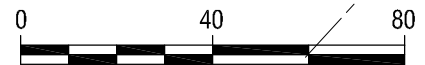
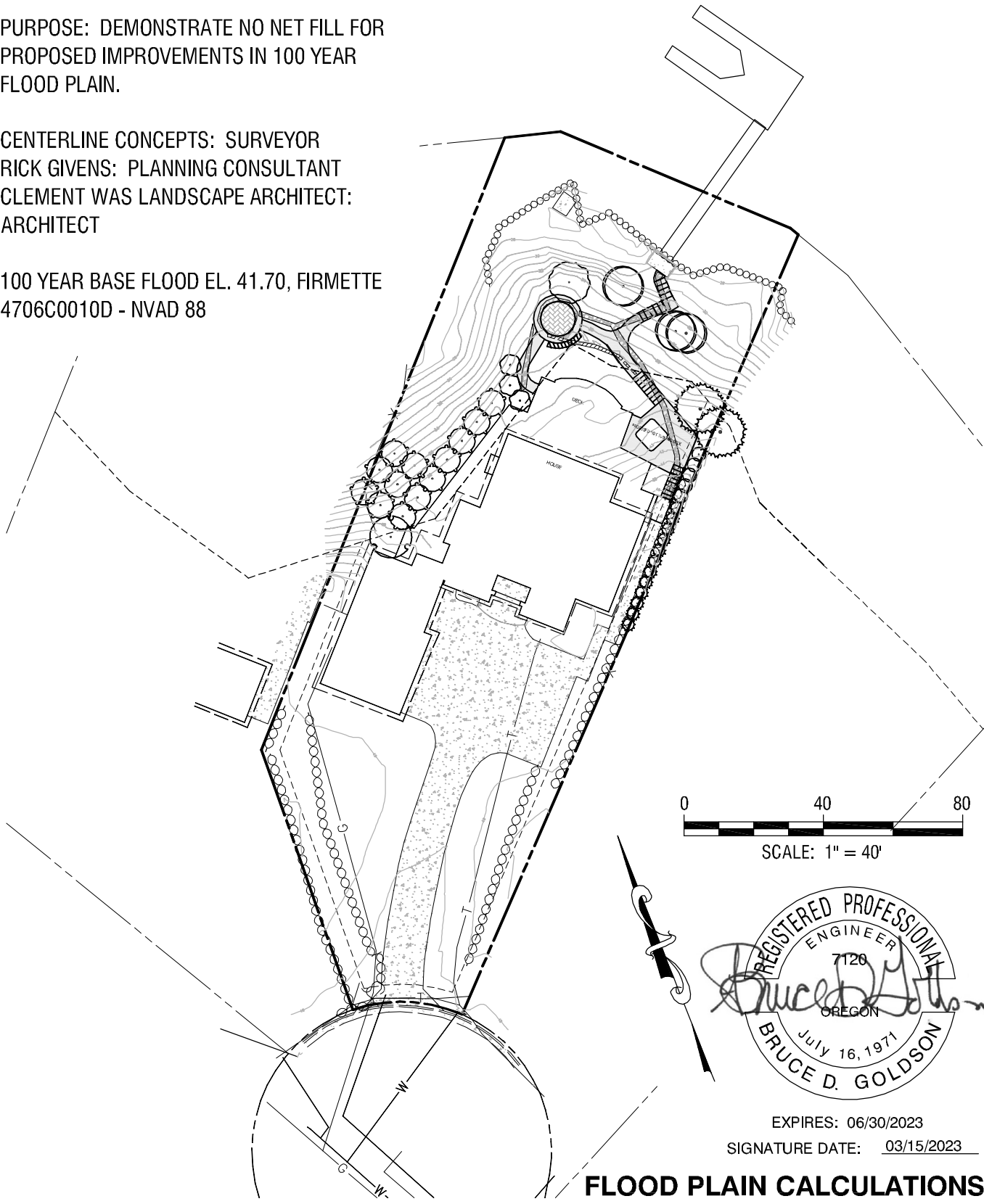
SIGNED ON: 3/05/23  
**REGISTERED PROFESSIONAL LAND SURVEYOR**  
  
**OREGON**  
 JULY 13, 2004  
**TOBY G. BOLDEN**  
 60377LS  
 RENEWS: DECEMBER 31, 2023

**CENTERLINE CONCEPTS**  
**LAND SURVEYING, INC.**  
 19376 MOLALLA AVE., SUITE 120  
 OREGON CITY, OREGON 97045  
 PHONE 503.650.0188 FAX 503.650.0189

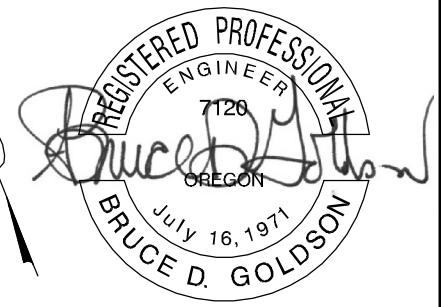
PURPOSE: DEMONSTRATE NO NET FILL FOR  
PROPOSED IMPROVEMENTS IN 100 YEAR  
FLOOD PLAIN.

CENTERLINE CONCEPTS: SURVEYOR  
RICK GIVENS: PLANNING CONSULTANT  
CLEMENS LANDSCAPE ARCHITECT:  
ARCHITECT

100 YEAR BASE FLOOD EL. 41.70, FIRMETTE  
4706C0010D - NVAD 88



SCALE: 1" = 40'



EXPIRES: 06/30/2023

SIGNATURE DATE: 03/15/2023

### FLOOD PLAIN CALCULATIONS SITE PLAN

2023-458

# Theta, llc

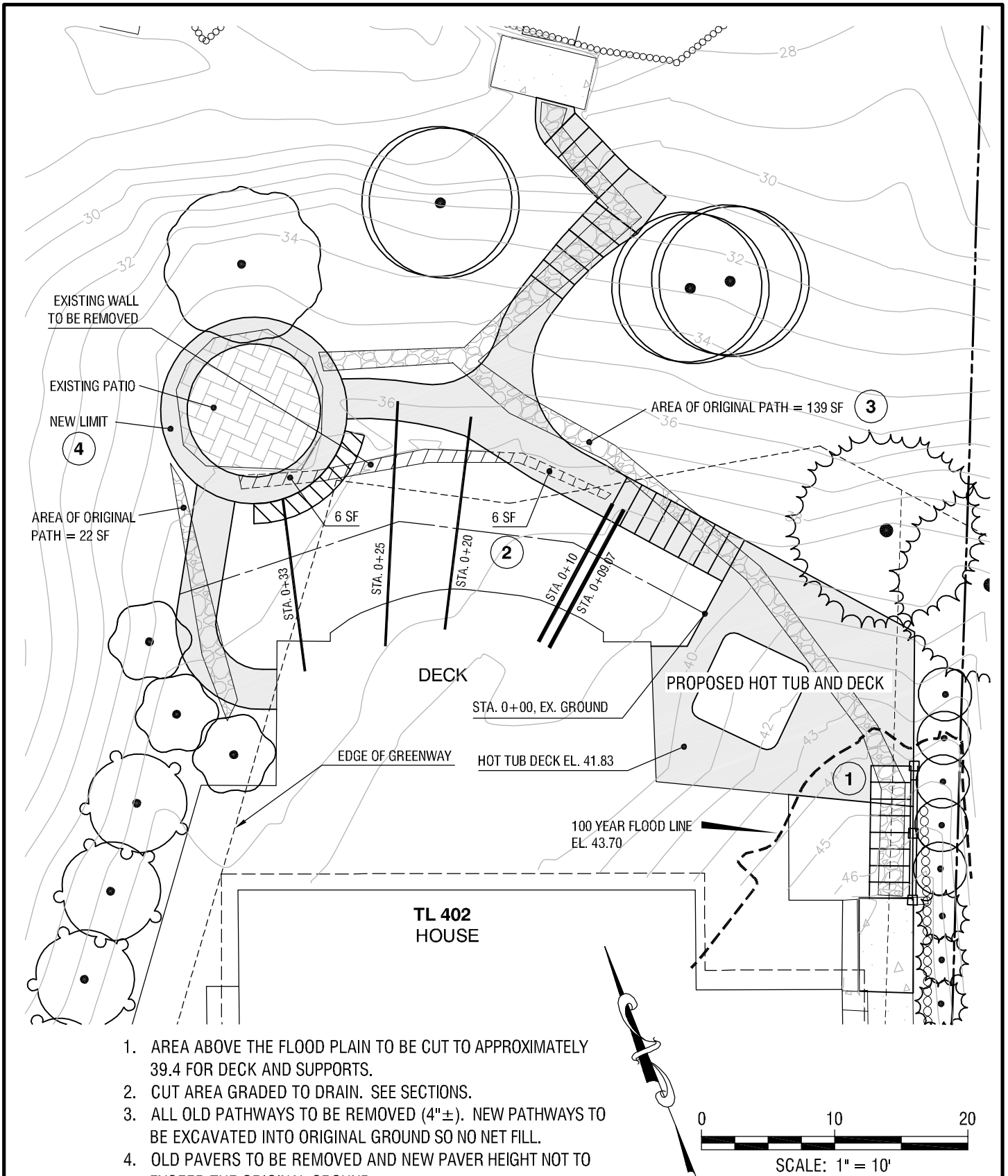
ENGINEERING - SURVEYING - PLANNING

PO Box 1345  
West Linn, Oregon 97035

503-481-8822  
email: thetaeng@comcast.net

18404 Old River Landing  
West Linn, Oregon

1  
7



1. AREA ABOVE THE FLOOD PLAIN TO BE CUT TO APPROXIMATELY 39.4 FOR DECK AND SUPPORTS.
2. CUT AREA GRADED TO DRAIN. SEE SECTIONS.
3. ALL OLD PATHWAYS TO BE REMOVED (4"±). NEW PATHWAYS TO BE EXCAVATED INTO ORIGINAL GROUND SO NO NET FILL.
4. OLD PAVERS TO BE REMOVED AND NEW PAVER HEIGHT NOT TO EXCEED THE ORIGINAL GROUND.

2023-458

**PROPOSED**

**Theta, llc**

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West Linn, Oregon

**2**  
**7**

GRADING CALCULATIONS

STATION	DISTANCE	CUT	AVE. CUT	VOLUME
0+00		0		
	9.07		2	18.1
0+09.7		4		
	0.93		4.5	4.2
0+10		5		
	10		6.5	65
0+20		8		
	5		7.5	37.5
0+25		7		
	8		5.5	44
0+33		4		
	5.4		2	10.8
0+33.4		0		
				179.5 C.F.

VOLUME ELEMENTS IN FLOOD PLAIN

1. CONCRETE FOOTINGS - 15.6 C.F.
2. 4 x 8 FRAME - 11.9 C.F.
3. 2 x 8 JOICE - 23.1 C.F.
4. BAMBOO DECKING - 15.2 C.F.
5. HOT TUB AND SUPPORT - 240 C.F.

TOTAL - 305.8 C.F.

REPLACEMENT VOLUME

1. GRADING AREA - 179.6 C.F.
  2. EXCAVATION ABOVE 100 YEAR - 159.0 C.F.
  3. REMOVAL OF EXISTING PATHWAY (0.33") - 57.0 C.F.
- TOTAL - 395.6 C.F.

FILL IMPACT TO THE 100 YEAR AREA IS 305.8 C.F. AND  
THE REPLACEMENT AREA IS 395.6 C.F.

2023-458

CALCULATIONS AND SUMMARY

**Theta, llc**

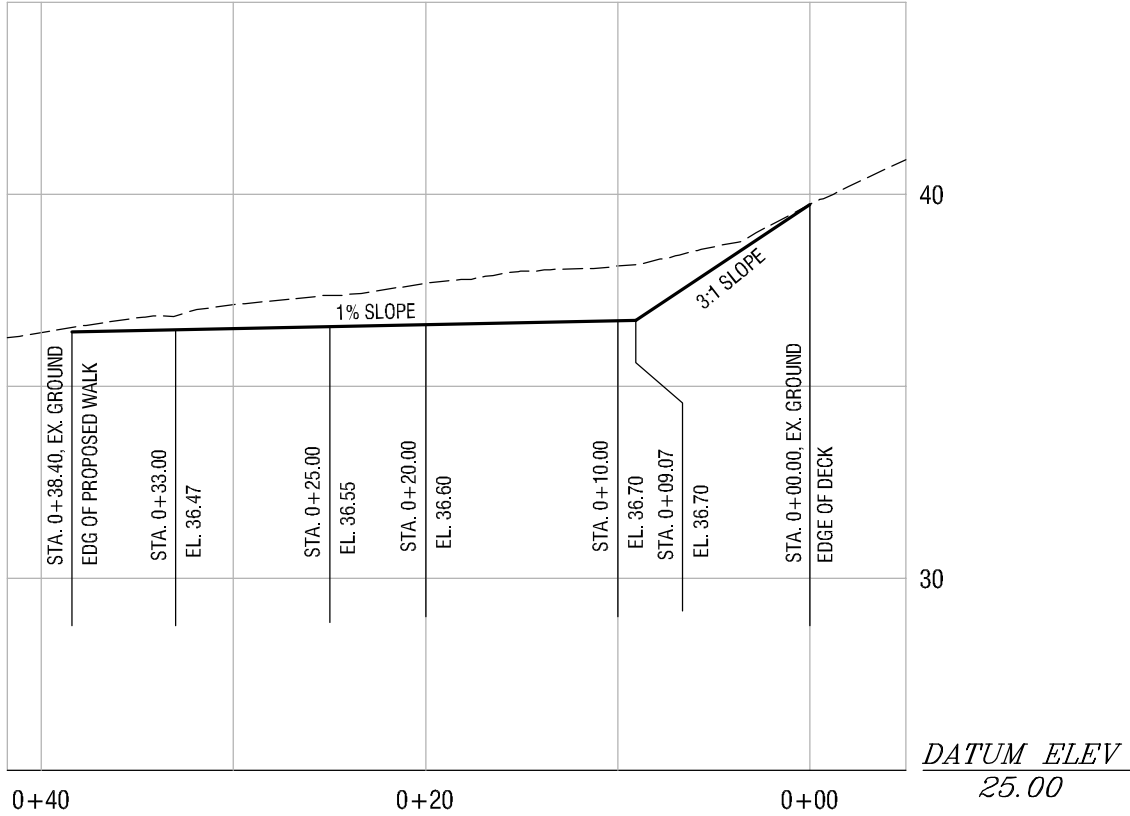
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18404 Old River Landing  
West Linn, Oregon

**3**  
**7**



**EXISTING GROUND PROFILE**

SCALE: 1" = 10' HORIZONTAL  
 1" = 5' VERTICAL

**PROFILE FOR GRADING  
 SEE NOTE 2, SHEET 2**

**2023-458**

**Theta, llc**

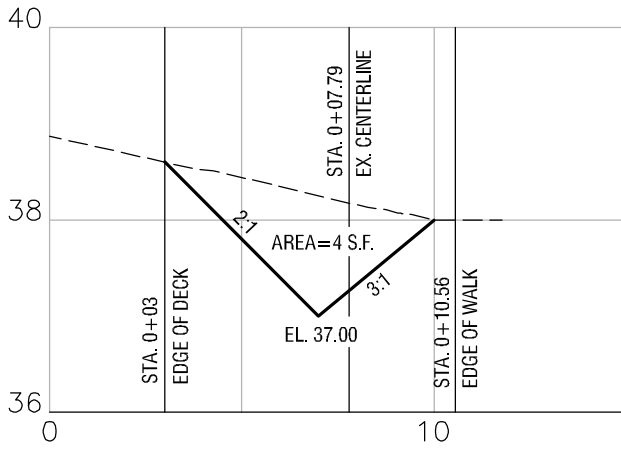
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503-481-8822  
 email: thetaeng@comcast.net

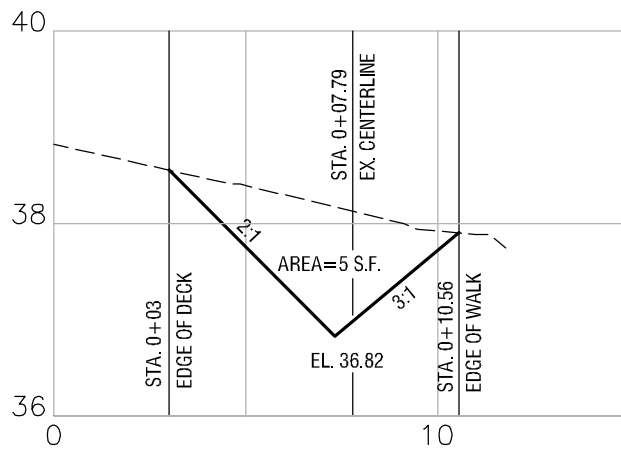
18404 Old River Landing  
 West Linn, Oregon





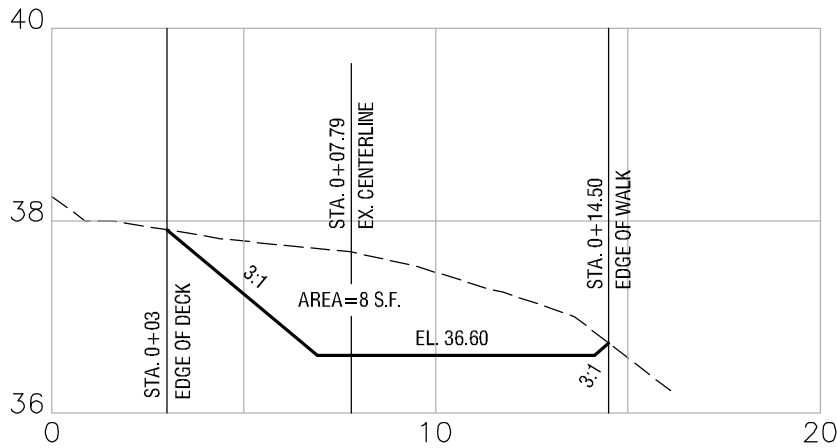
**STA. 0+09.07 SECTION**

SCALE: 1" = 5' HORIZONTAL  
1" = 2' VERTICAL



**STA. 0+10 SECTION**

SCALE: 1" = 5' HORIZONTAL  
1" = 2' VERTICAL



**STA. 0+20 SECTION**

SCALE: 1" = 5' HORIZONTAL  
1" = 2' VERTICAL

**GRADING SECTIONS  
SEE NOTE 2, SHEET 2**

2023-458

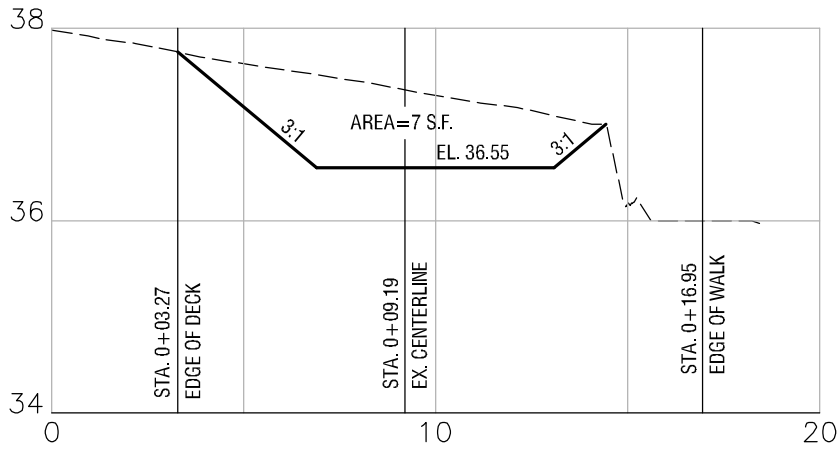
**Theta, llc**

ENGINEERING - SURVEYING - PLANNING

PO Box 1345  
West Linn, Oregon 97035

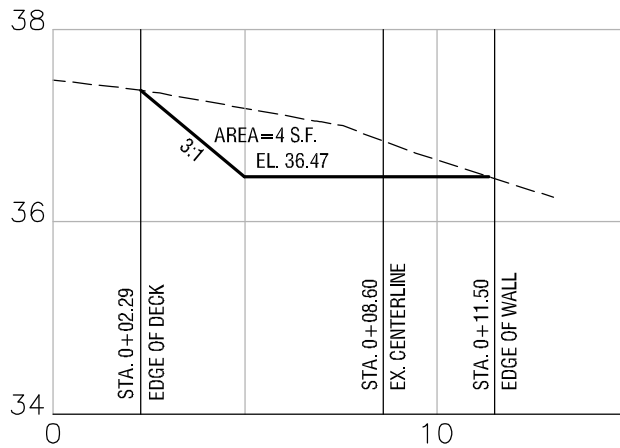
503-481-8822  
email: thetaeng@comcast.net

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**STA. 0+25 SECTION**

SCALE: 1" = 5' HORIZONTAL  
 1" = 2' VERTICAL



**STA. 0+33 SECTION**

SCALE: 1" = 5' HORIZONTAL  
 1" = 2' VERTICAL

2023-458

**GRADING SECTIONS  
 SEE NOTE 2, SHEET 2**

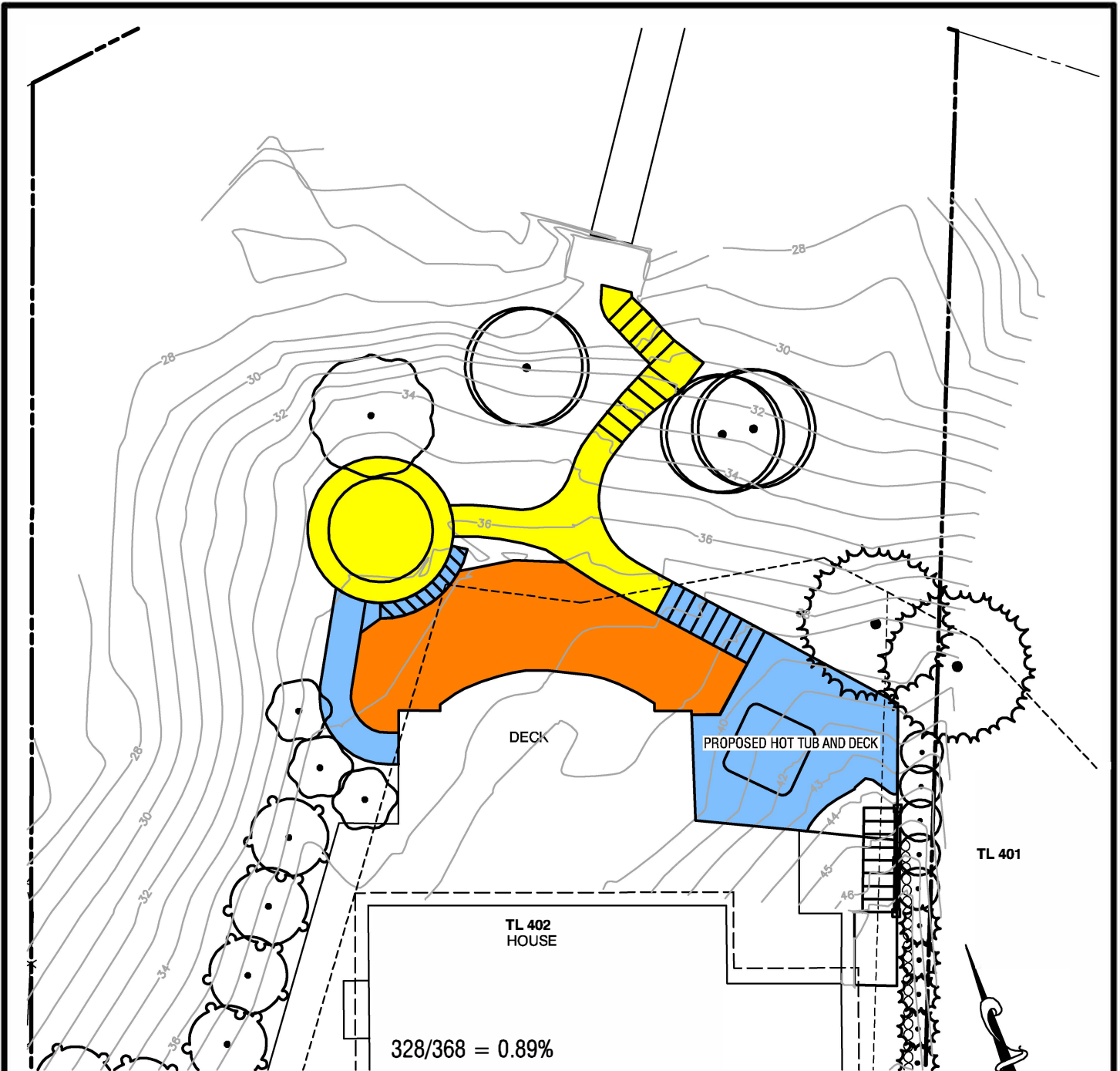
**Theta, llc**

ENGINEERING - SURVEYING - PLANNING

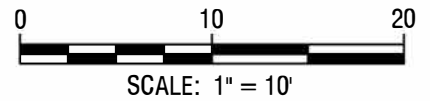
PO Box 1345  
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 West Linn, Oregon



- AREA OF NEW STRUCTURES IN FLOOD PLAIN  
AREA = 368 S.F.
- AREA OF ADDITIONAL STORAGE  
AREA = 328 S.F.
- AREA OF NEW STRUCTURES IN FLOOD PLAIN  
WITH NO CHANGE IN VOLUME  
AREA = 344 S.F.



2023-458

**AREA CALCULATION**

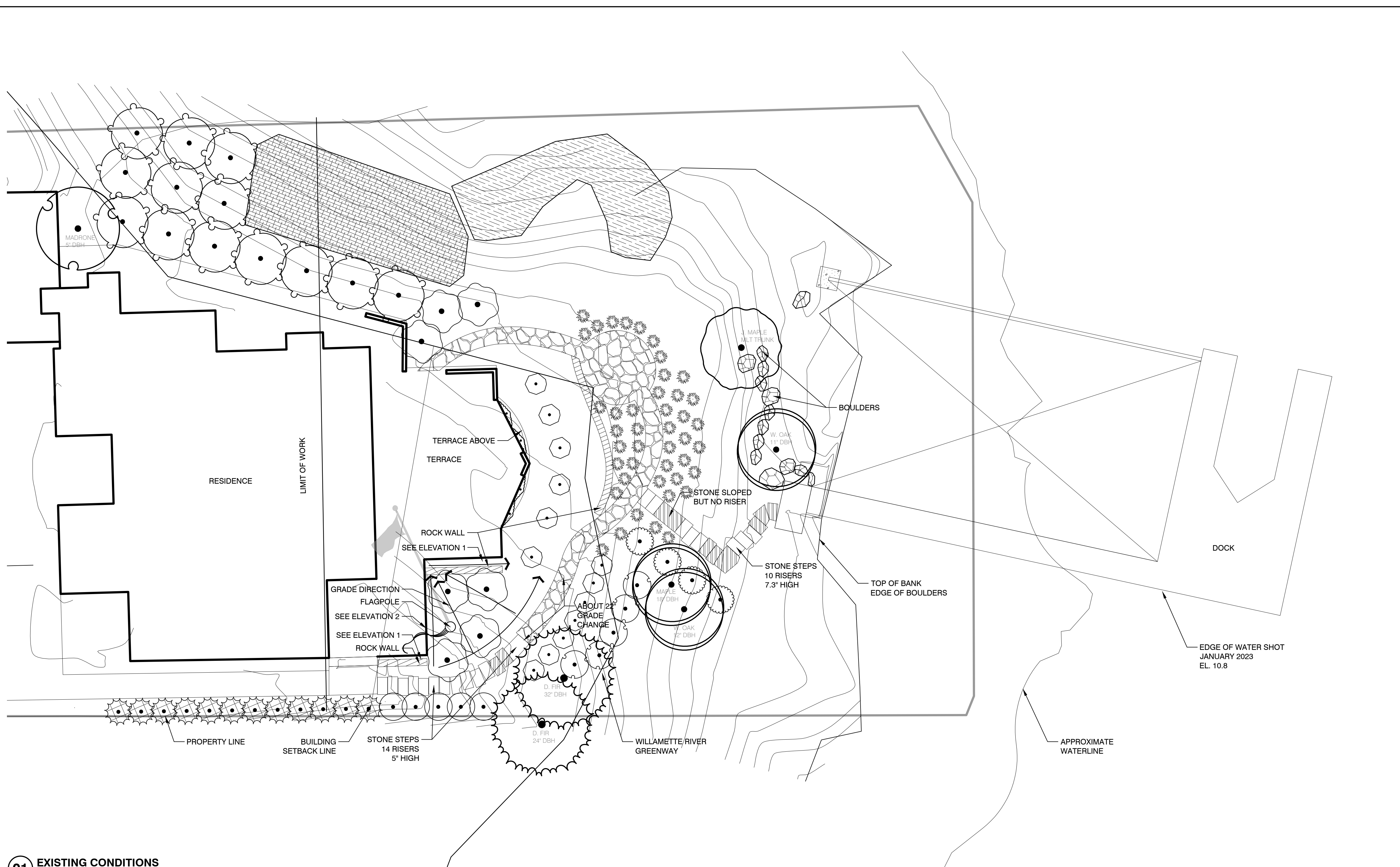
**Theta, llc**

ENGINEERING - SURVEYING - PLANNING

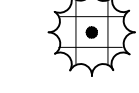




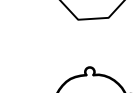





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**EXISTING PLANT LIST**

-  ARBORVITAE HEDGE
-  CAMELIA SP.
-  MOCK ORANGE
-  HYDRANGEA SP.
-  ORNAMENTAL GRASS
-  OAK LEAF HYDRANGEA
-  RHODODENDRON SP.
-  STAR JASMINE
-  VIBURNUM SP.
-  CORNUS SHRUB AREA
-  MAHONIA SHRUB AREA

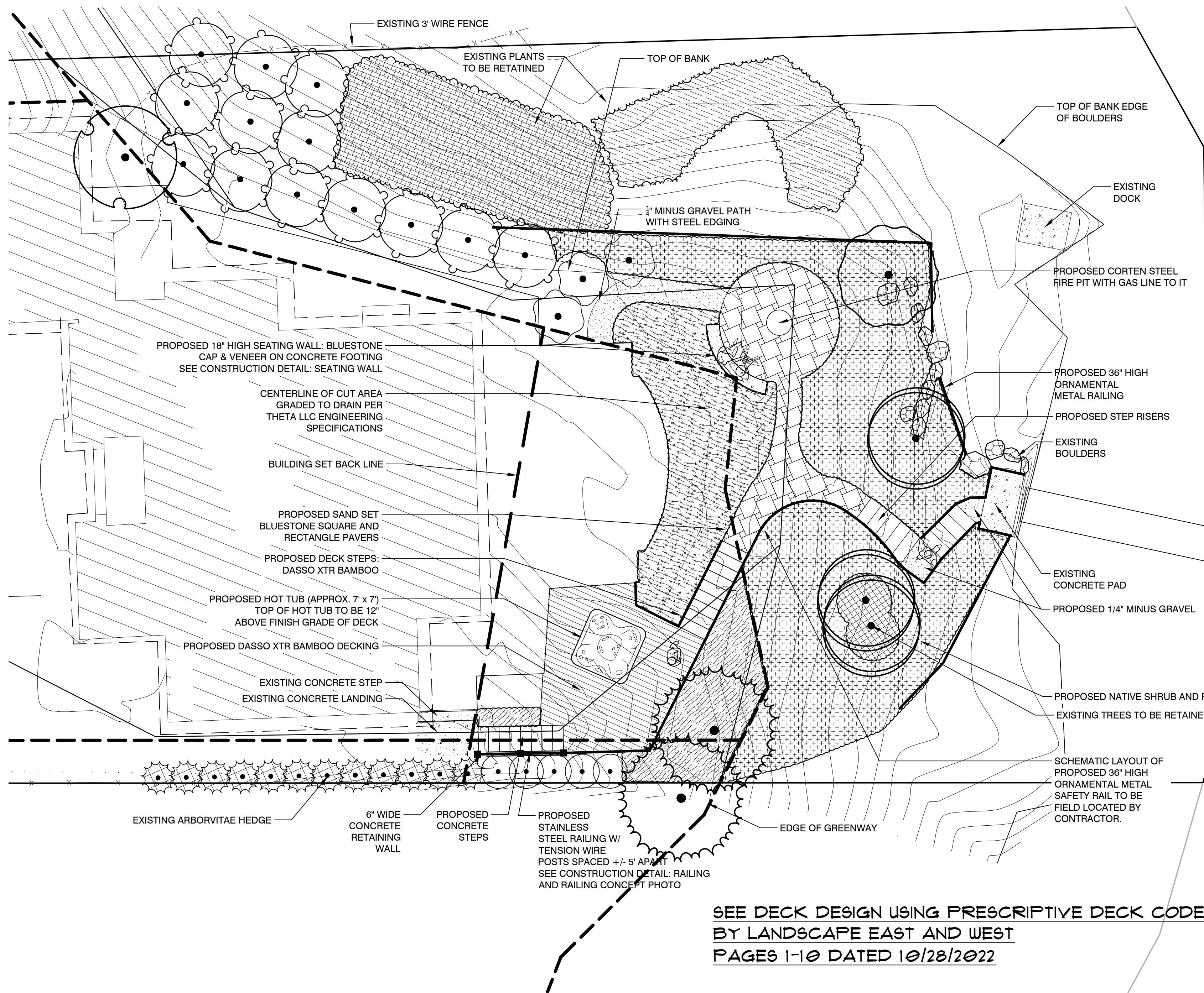
**01 EXISTING CONDITIONS**



**GENERAL NOTES:**

1. This is a Schematic/Conceptual Drawing. Property lines, house layout, structures, trees, and the landscape layout represented on this plan are conceptual in nature.
2. Location of existing trees shall be verified in the field by the contractor prior to commencement of work.
3. Contractor is to notify the landscape architect or owner's representative:
  - a. of any discrepancies or conflicts with existing conditions prior to commencement of any work
  - b. of any site changes that may be detrimental to plant health or cause future problems.
  - c. if specified materials or methods are not consistent with local climate and/or practices.

	REVISIONS
	DATE
	NO.
<p>REGISTERED 957 <i>Clement M. Walsh</i> CLEMENT M. WALSH OREGON 11/30/2023 LANDSCAPE ARCHITECT</p>	
<p><b>Clement Walsh</b> Landscape Architect Inc.</p>	
<p><b>SMITH RESIDENCE</b> 18404 Old River Landing West Linn, OR 97034</p>	
EXISTING CONDITIONS	
DATE: 2023.03.21	
SCALE: NOTED	
DRAWN: JK	CHECKED: CW
SHEET NO.	
<b>E100</b>	
1 of 1	



**GENERAL NOTES:**

- This is a Schematic/Conceptual Drawing. Property lines, house layout, structures, trees, and the landscape layout represented on this plan are conceptual in nature.
- Location of existing trees shall be verified in the field by the contractor prior to commencement of work.
- Contractor is to notify the landscape architect or owner's representative:
  - of any discrepancies or conflicts with existing conditions prior to commencement of any work
  - of any site changes that may be detrimental to plant health or cause future problems.
  - if specified materials or methods are not consistent with local climate and/or practices.

**SCHEDULE**

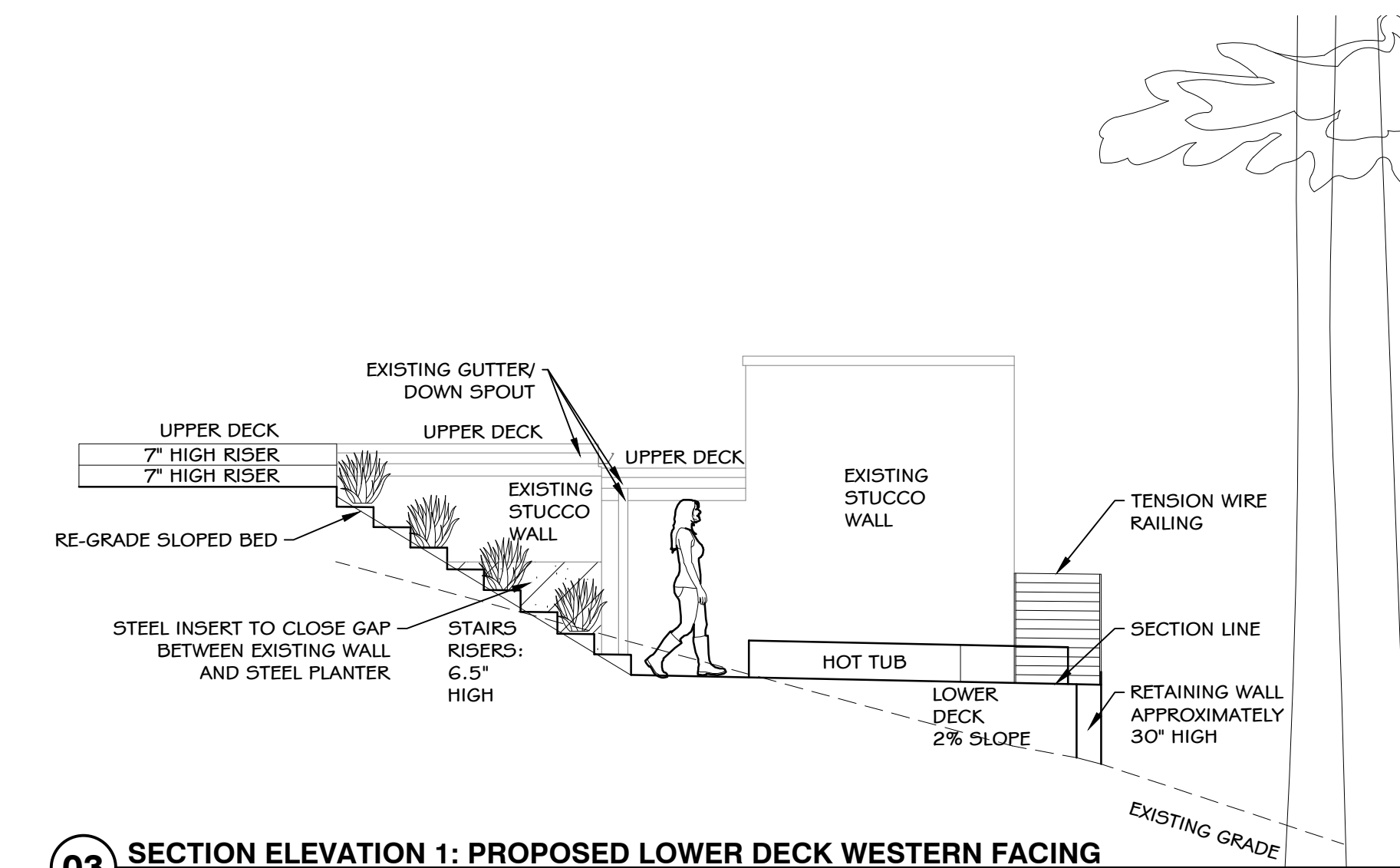
- NATIVE PLANTING
- ORNAMENTAL PLANTING
- NATIVE SWALE PLANTING
- EXISTING TREES TO BE RETAINED
- ROCK WALL w/ EXISTING STONE FROM SITE
- 1/4 MINUS w/ STEEL EDGING
- CAST-IN-PLACE CONCRETE
- SAND-SET PAVERS
- DASSO XTR BAMBOO DECKING



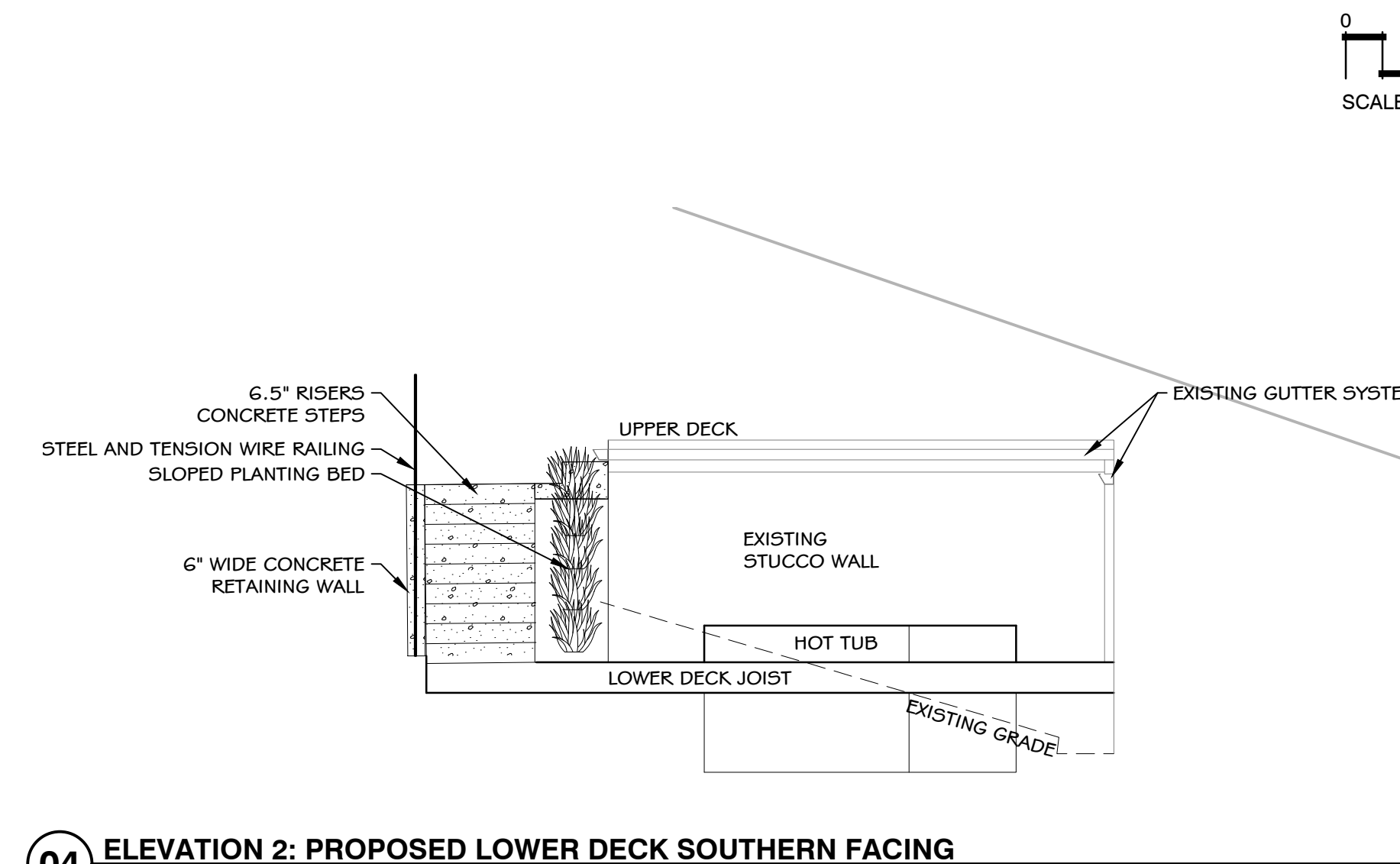
SEE DECK DESIGN USING PRESCRIPTIVE DECK CODE BY LANDSCAPE EAST AND WEST PAGES 1-10 DATED 10/28/2022

01 LANDSCAPE PLAN

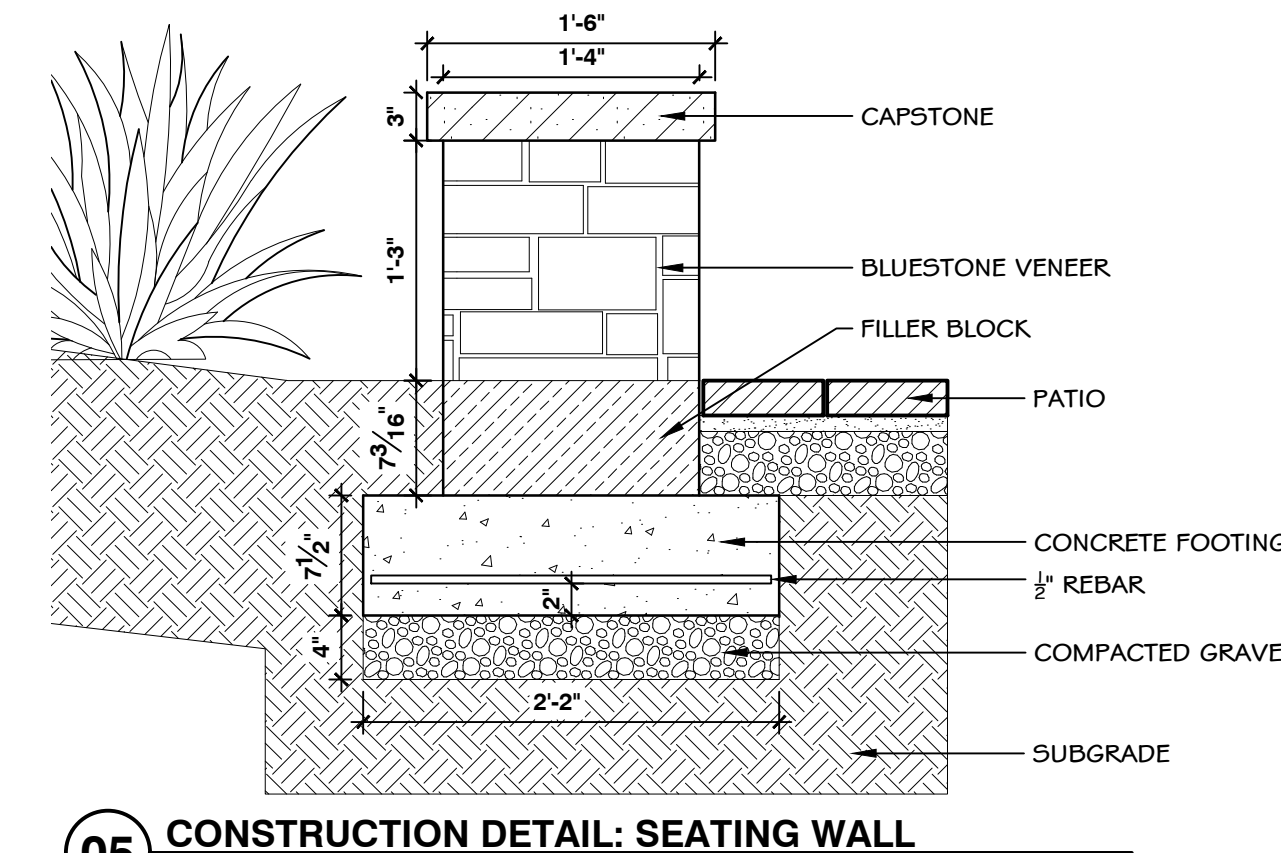
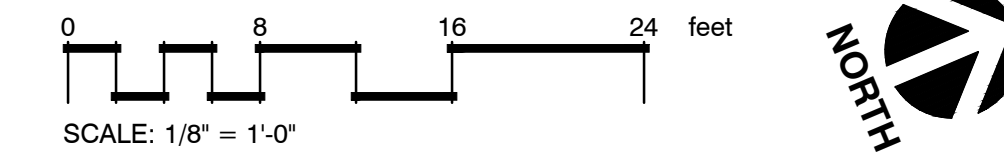
02 CONCEPT PHOTO: DECK RAILING - STEEL AND TENSION WIRE



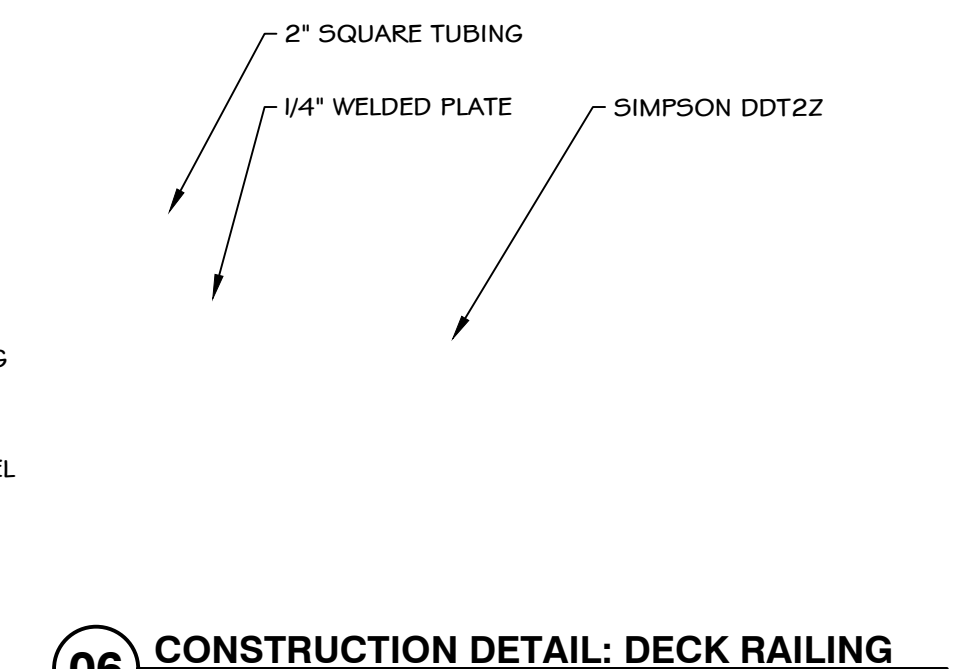
03 SECTION ELEVATION 1: PROPOSED LOWER DECK WESTERN FACING  
SCALE: 1/4" = 1'-0"



04 ELEVATION 2: PROPOSED LOWER DECK SOUTHERN FACING  
SCALE: 1/4" = 1'-0"



05 CONSTRUCTION DETAIL: SEATING WALL  
SCALE: 1" = 1'-0"



06 CONSTRUCTION DETAIL: DECK RAILING  
NOT TO SCALE

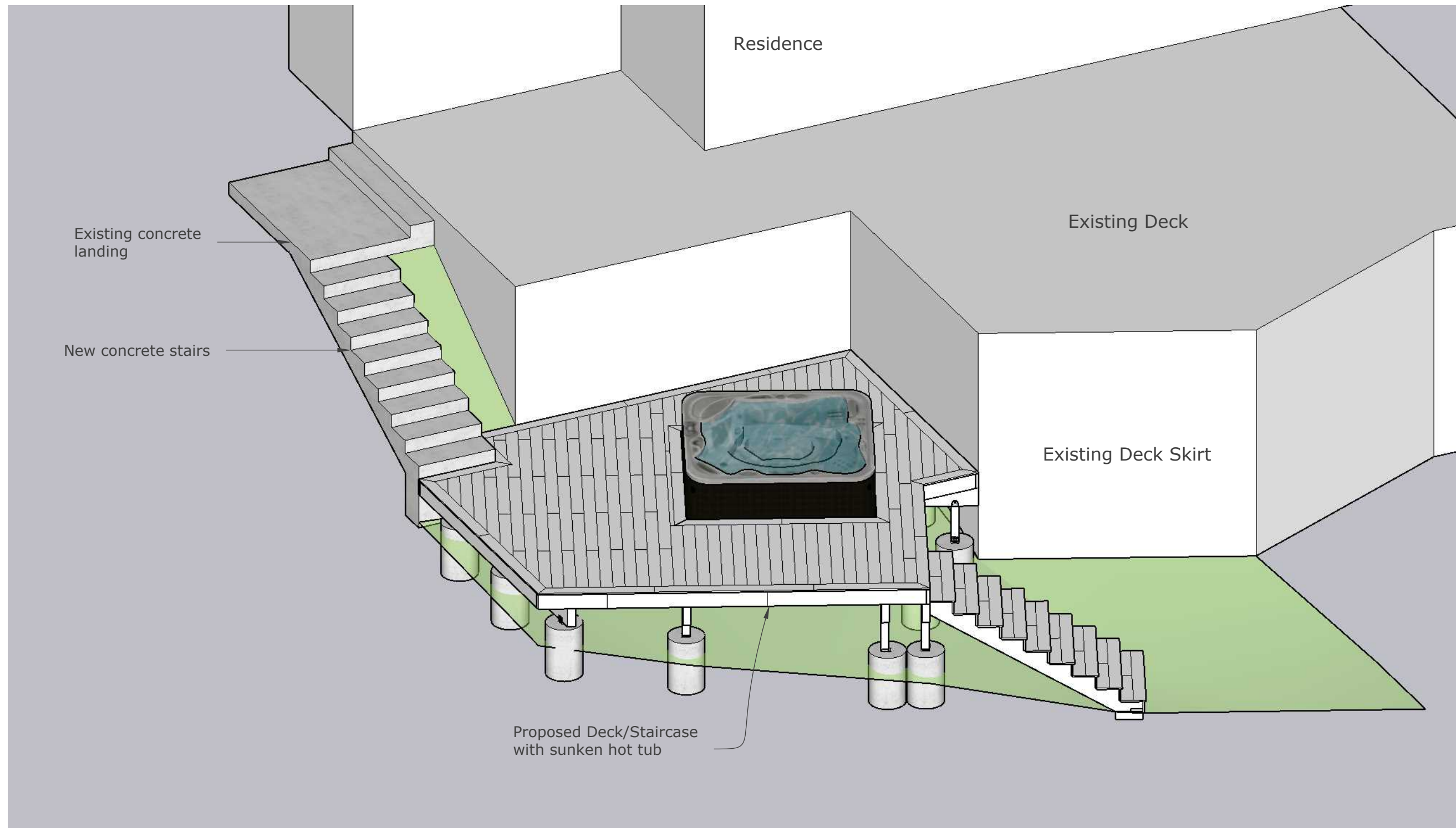
NO.	DATE	REVISIONS

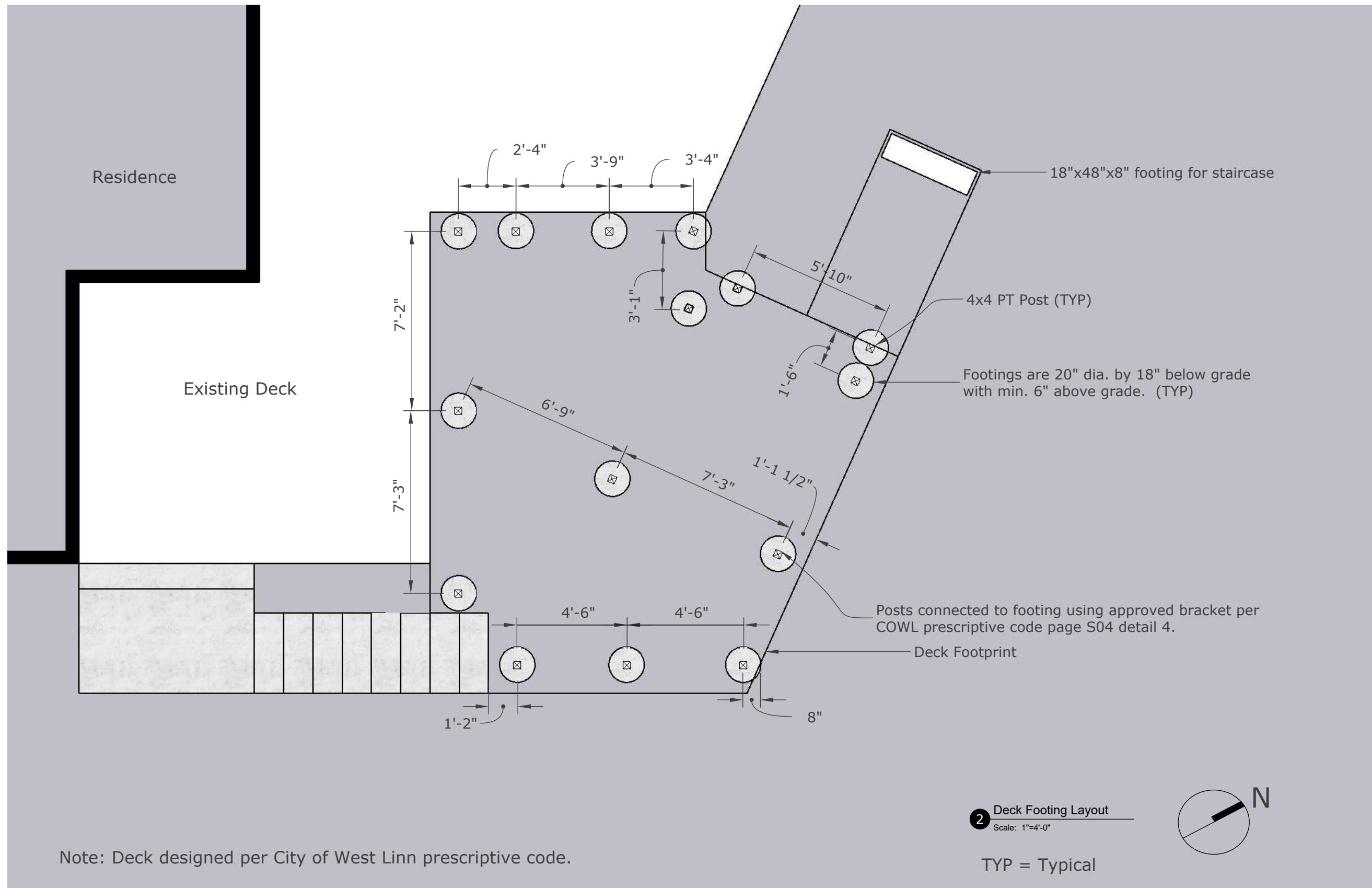
REGISTERED  
957  
Clement M. Walsh  
OREGON  
11/30/2023  
LANDSCAPE ARCHITECT

Clement Walsh  
Landscape Architect Inc.

SMITH RESIDENCE  
18404 Old River Landing  
West Linn, OR 97034  
LANDSCAPE PLAN

DATE: 2023.03.21  
SCALE: NOTED  
DRAWN: JK  
CHECKED: CW  
SHEET NO. L100  
1 of 1

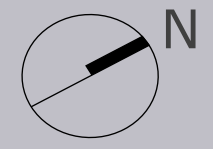




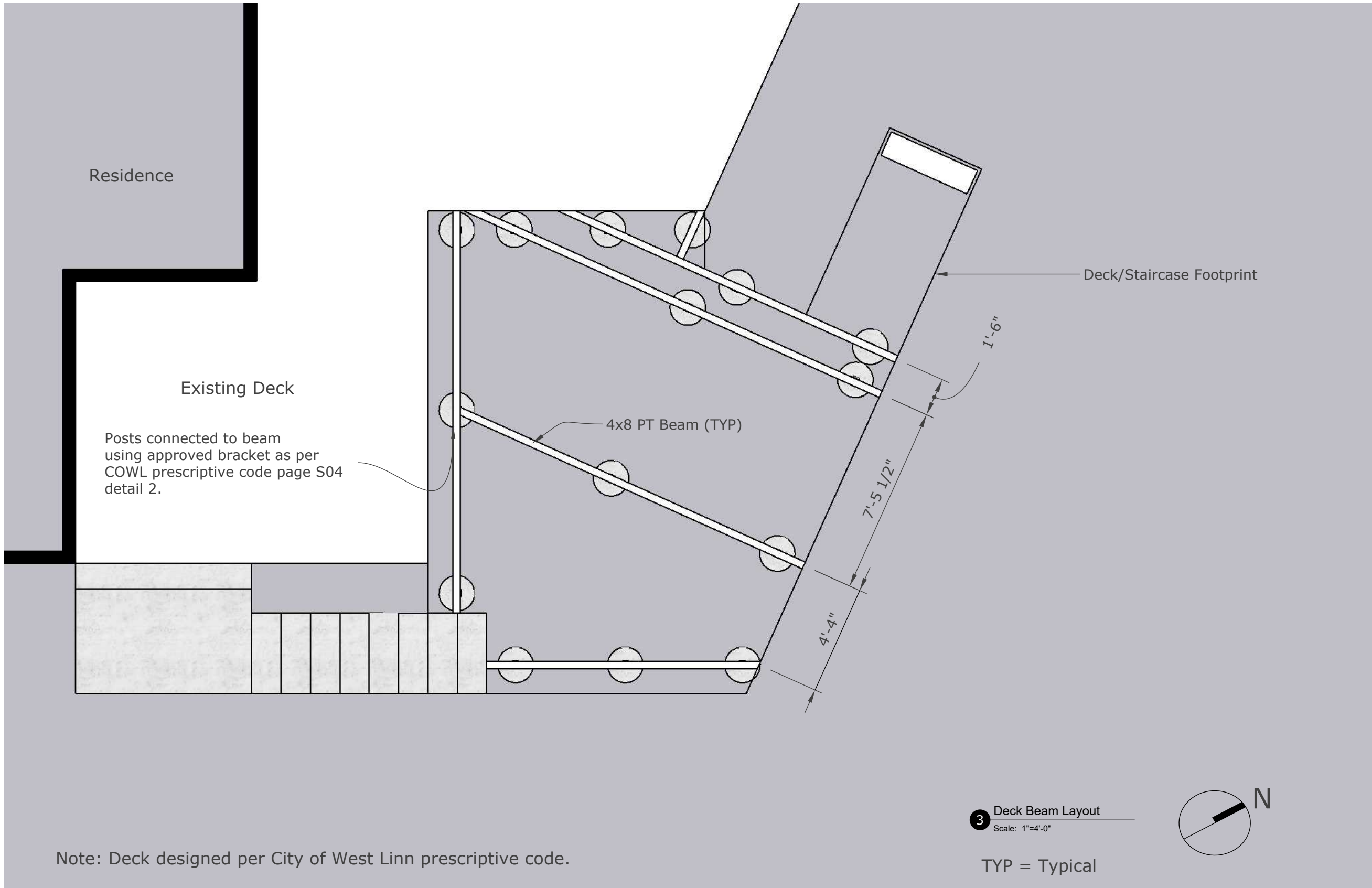
Note: Deck designed per City of West Linn prescriptive code.

**2** Deck Footing Layout  
Scale: 1"=4'-0"

TYP = Typical



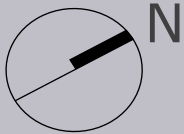
Footing Plan



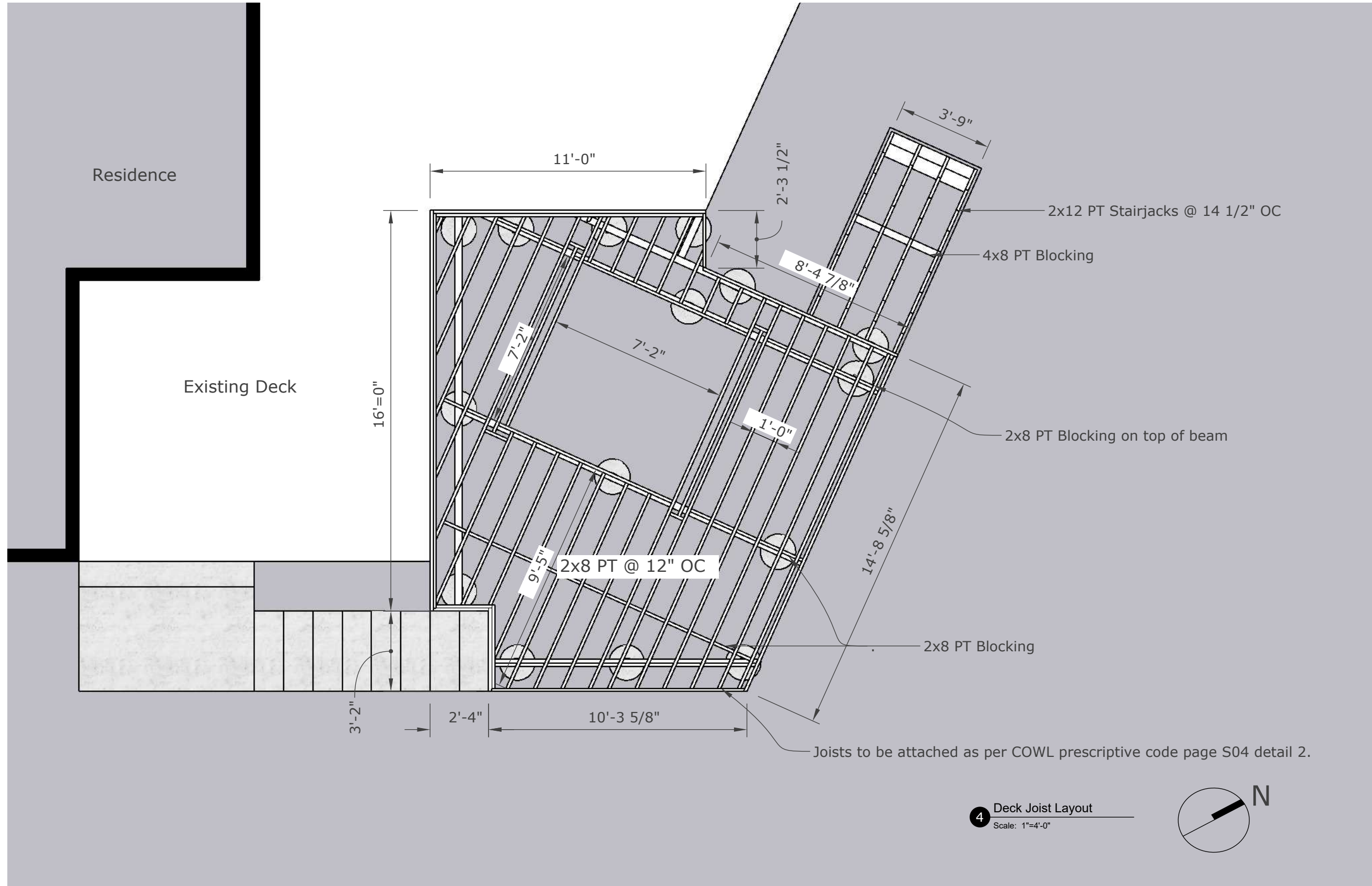
Note: Deck designed per City of West Linn prescriptive code.

**3** Deck Beam Layout  
Scale: 1"=4'-0"

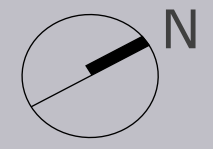
TYP = Typical

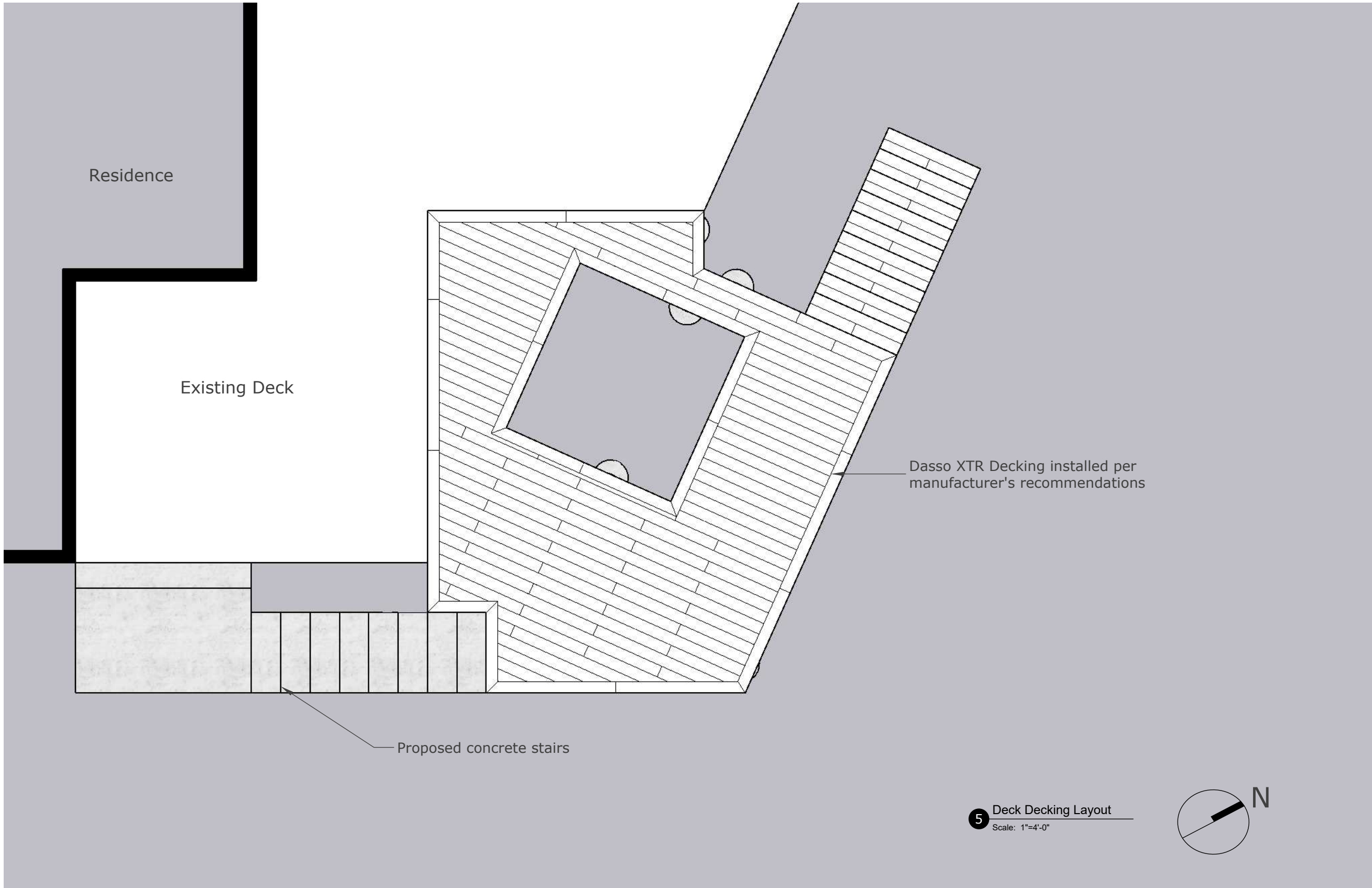






**4** Deck Joist Layout  
Scale: 1"=4'-0"





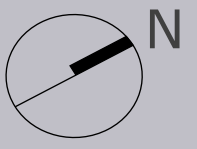
Residence

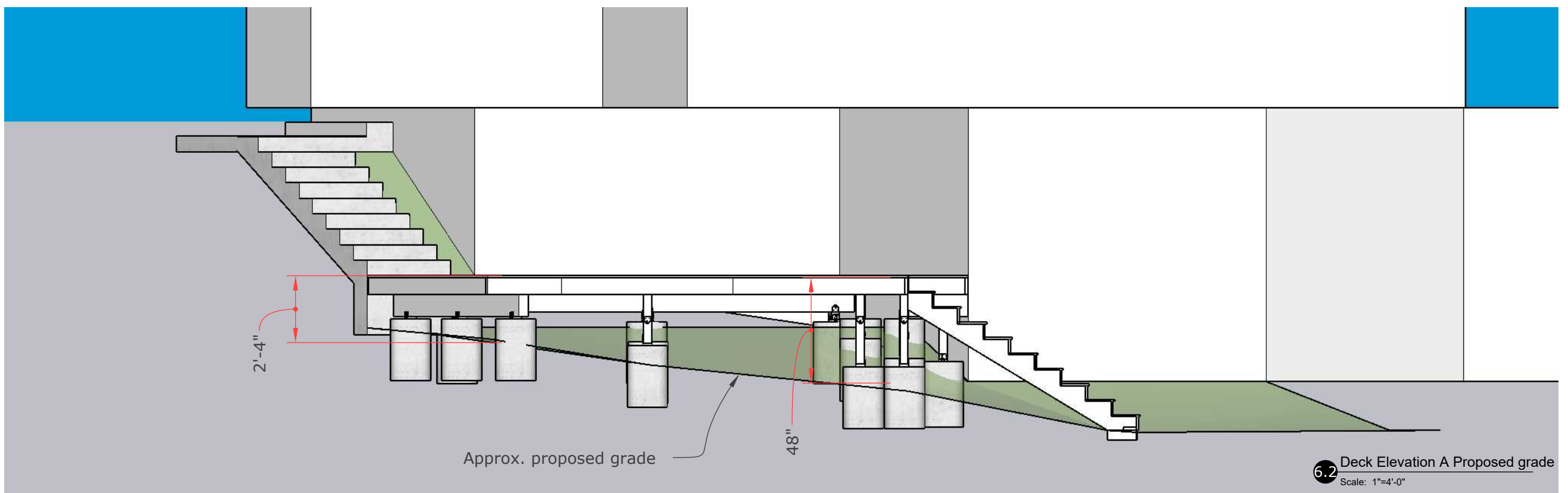
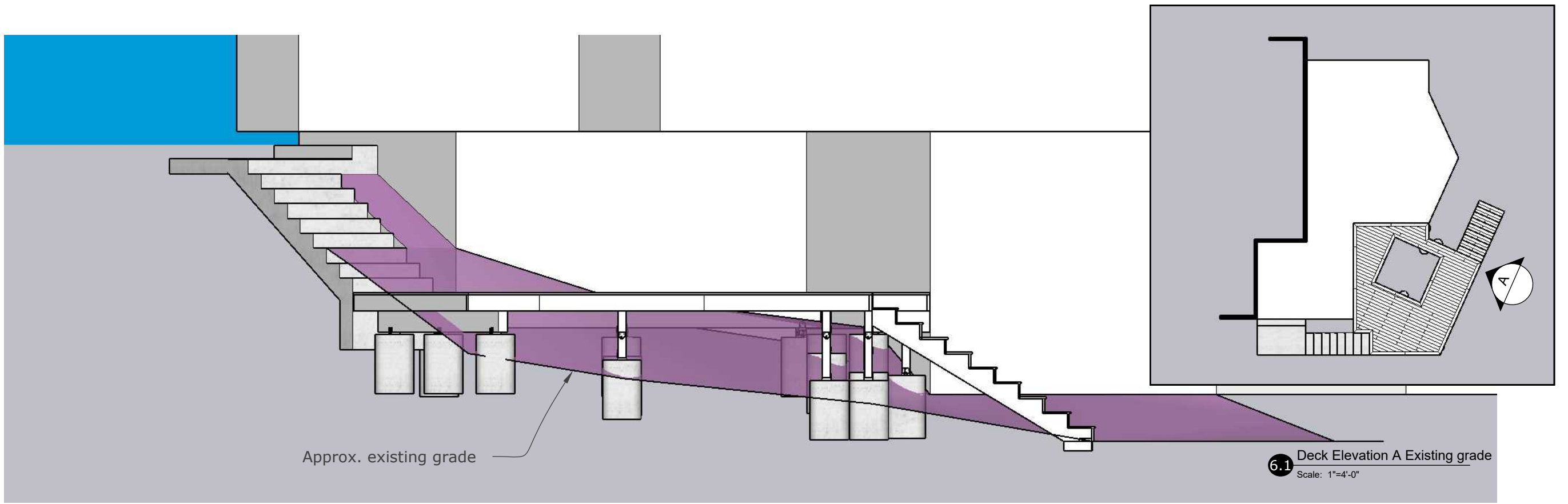
Existing Deck

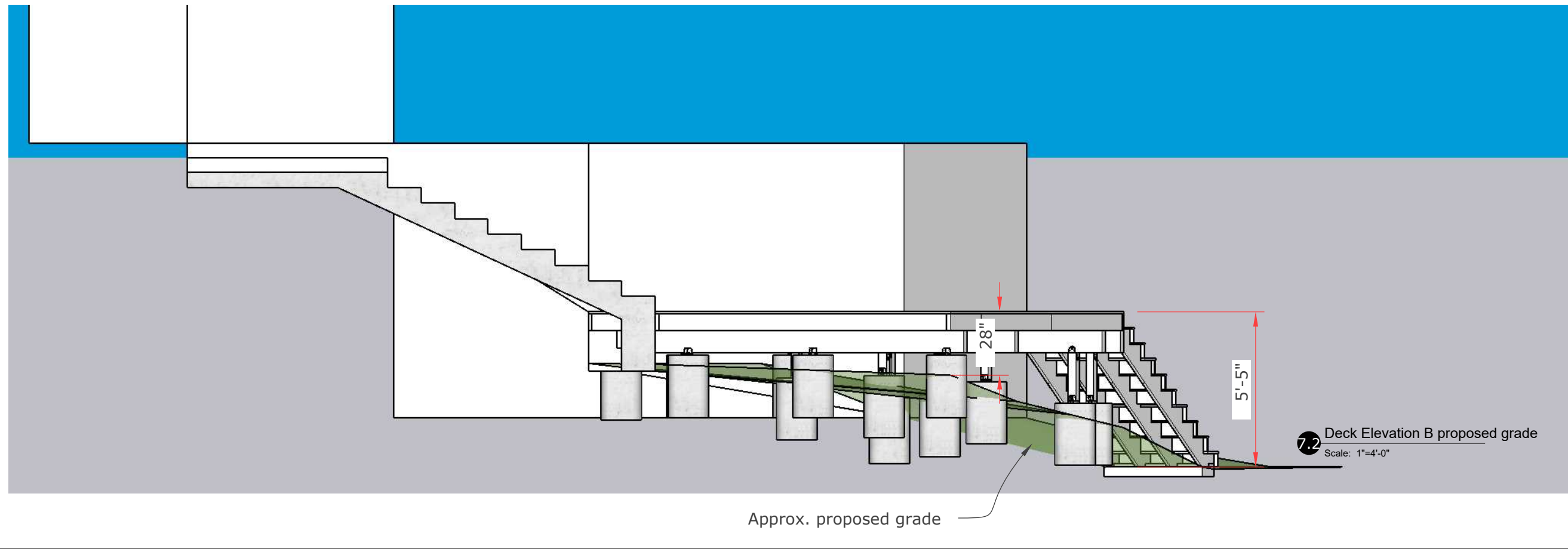
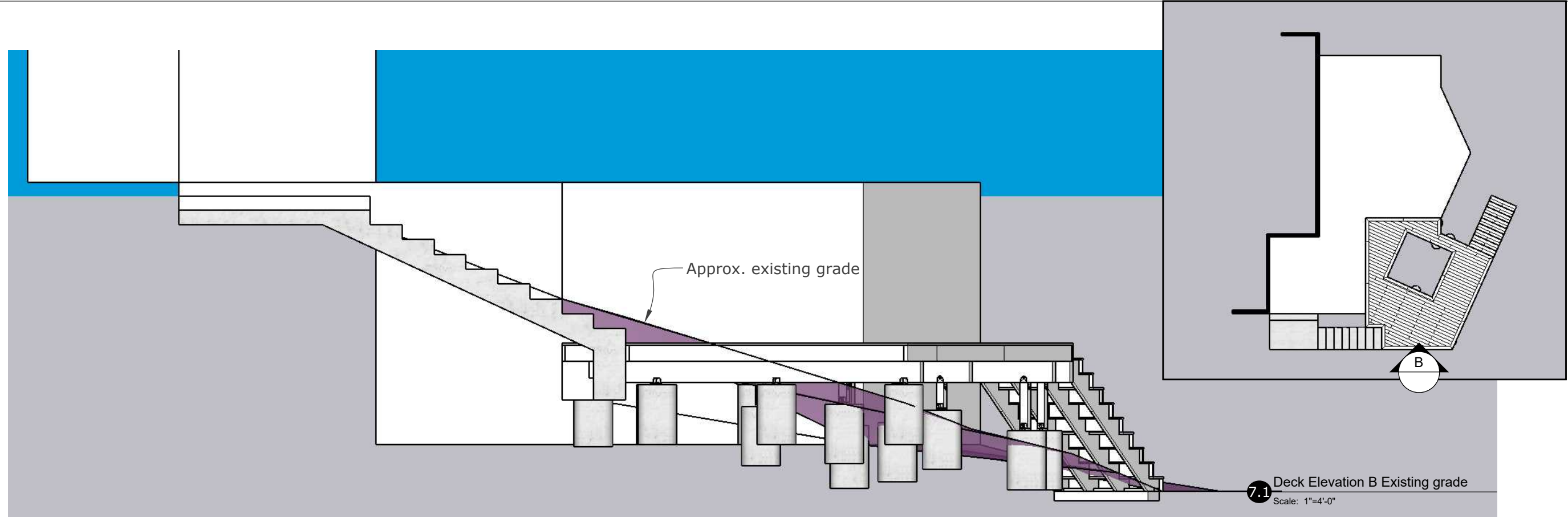
Dasso XTR Decking installed per manufacturer's recommendations

Proposed concrete stairs

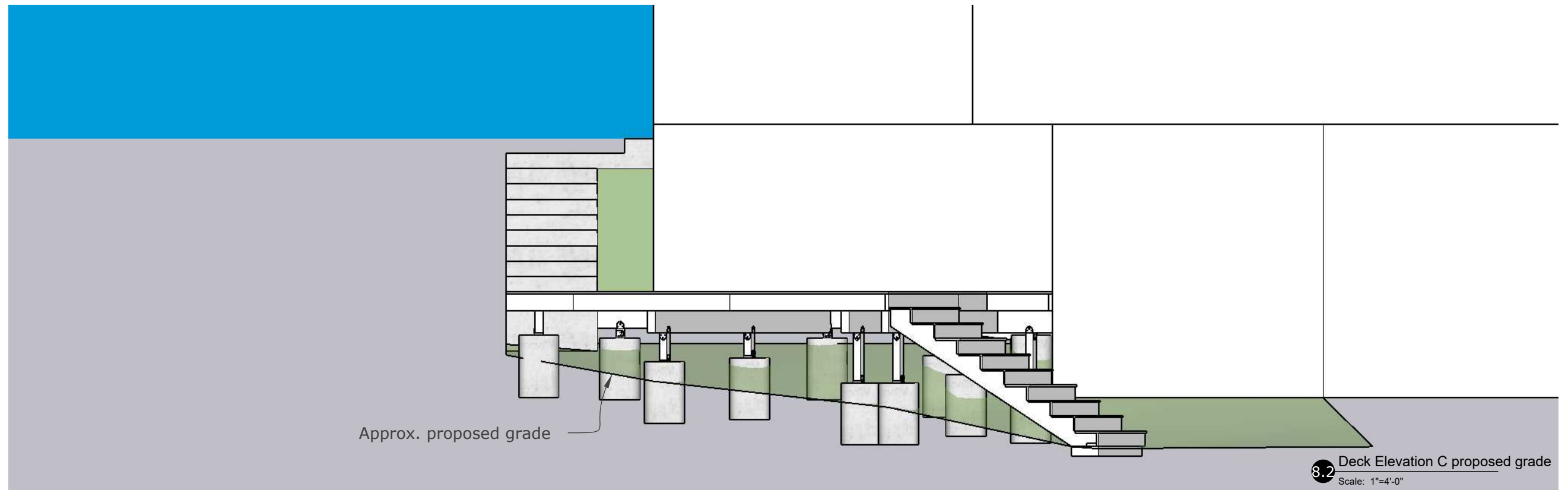
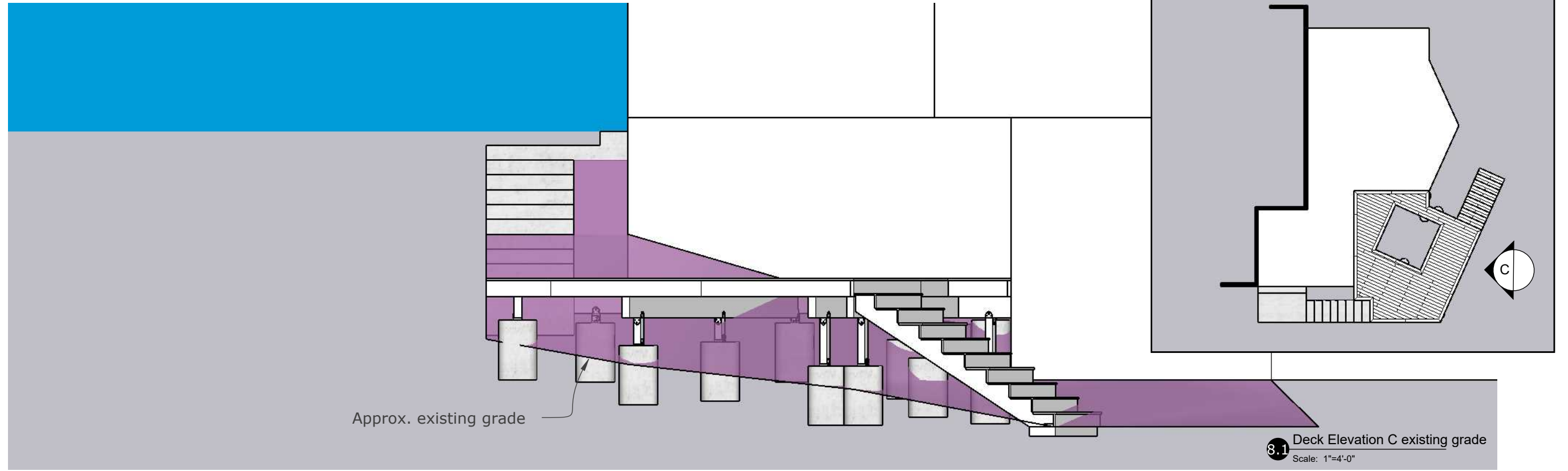
5 Deck Decking Layout  
Scale: 1"=4'-0"

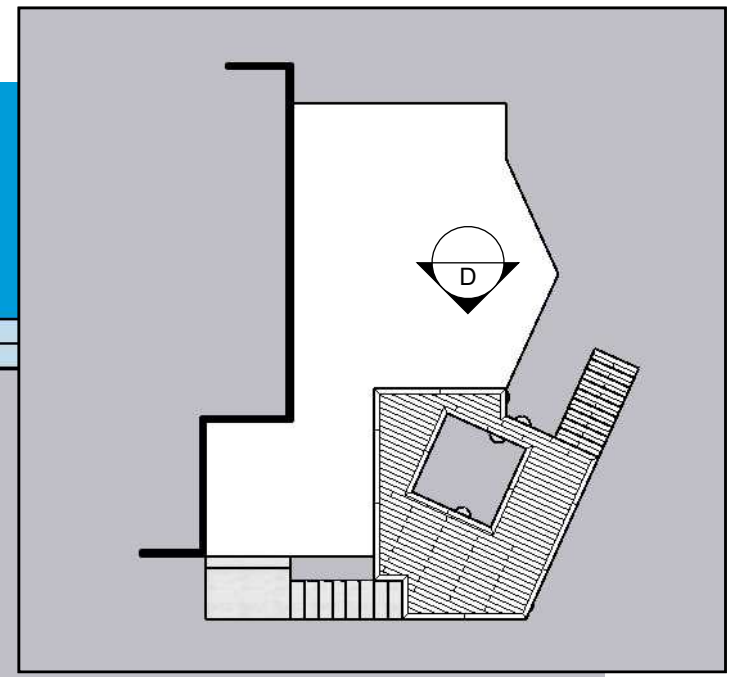




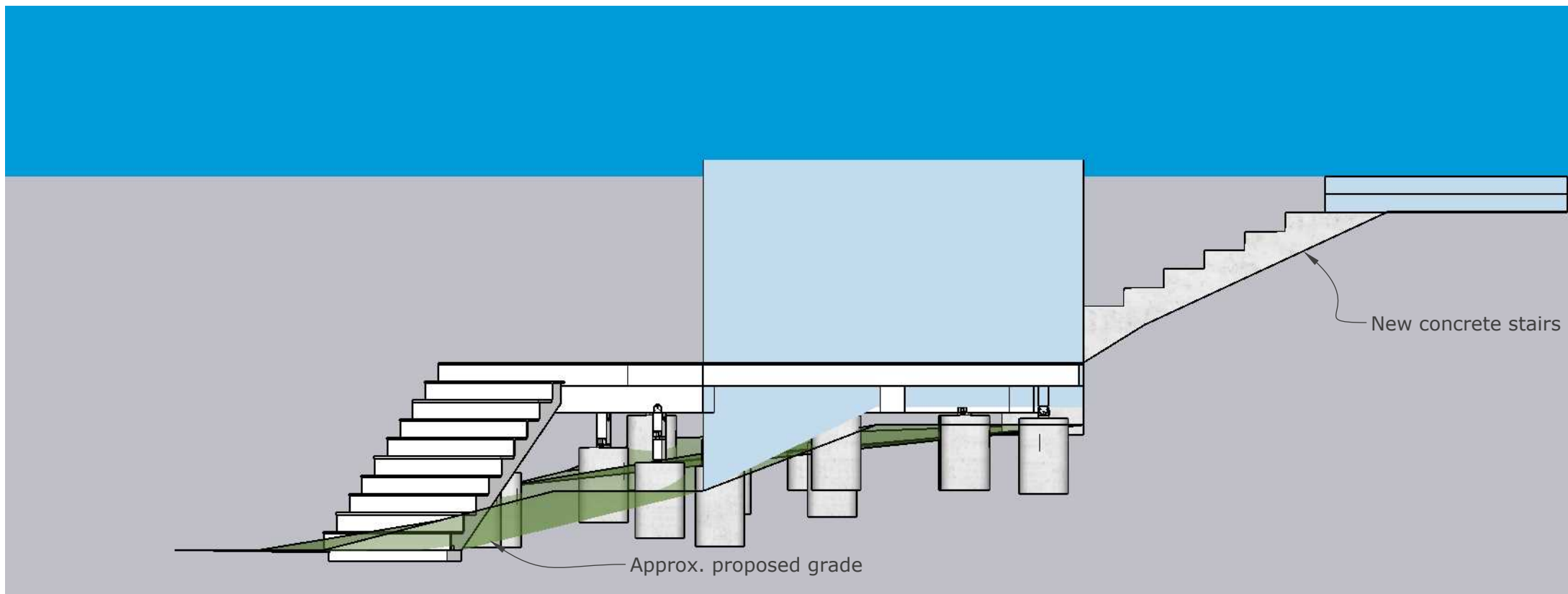


Approx. proposed grade

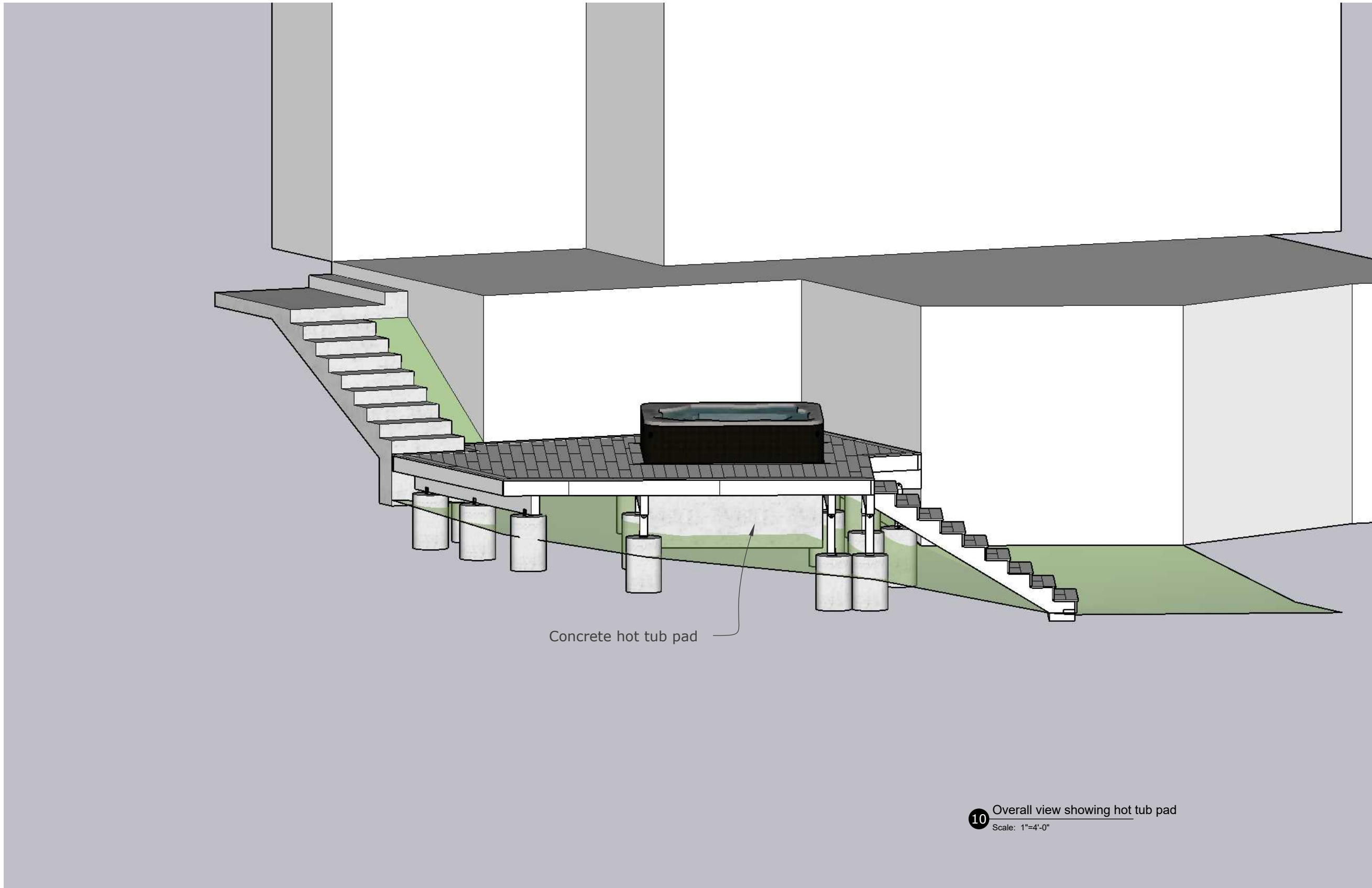




9.1 Deck Elevation D existing grade  
Scale: 1"=4'-0"



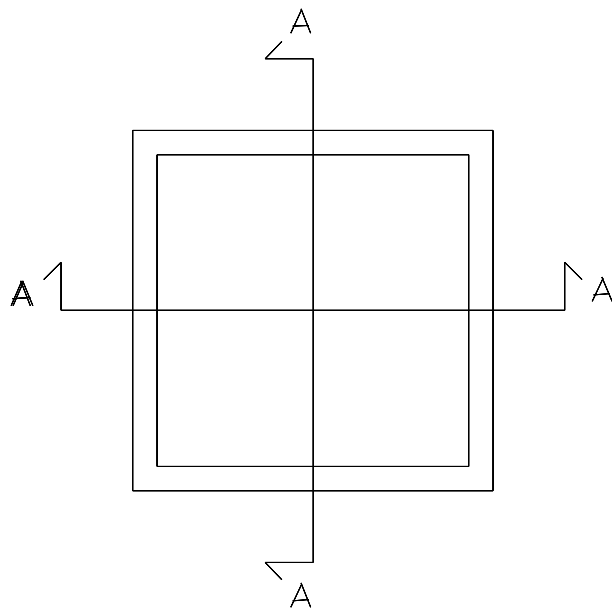
9.2 Deck Elevation D proposed grade  
Scale: 1"=4'-0"



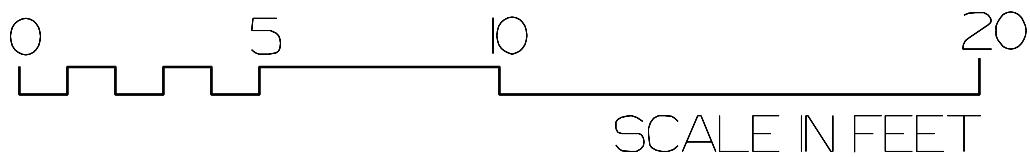
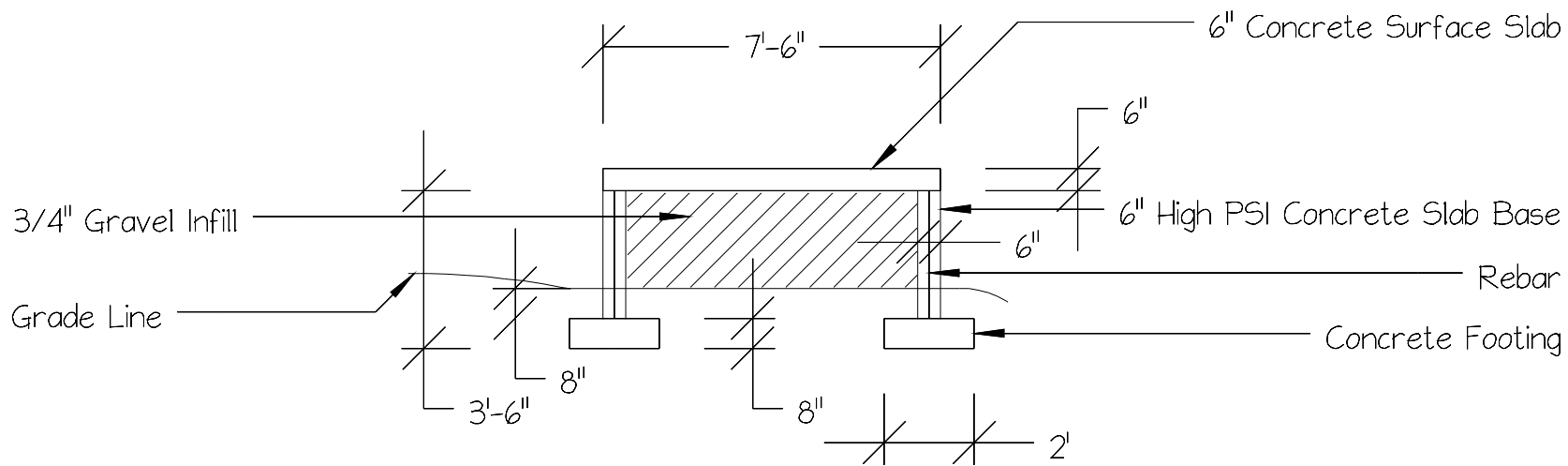
Concrete hot tub pad

10 Overall view showing hot tub pad  
Scale: 1"=4'-0"

# Smith Concrete Slab and Base for Hot Tub



## Section A:

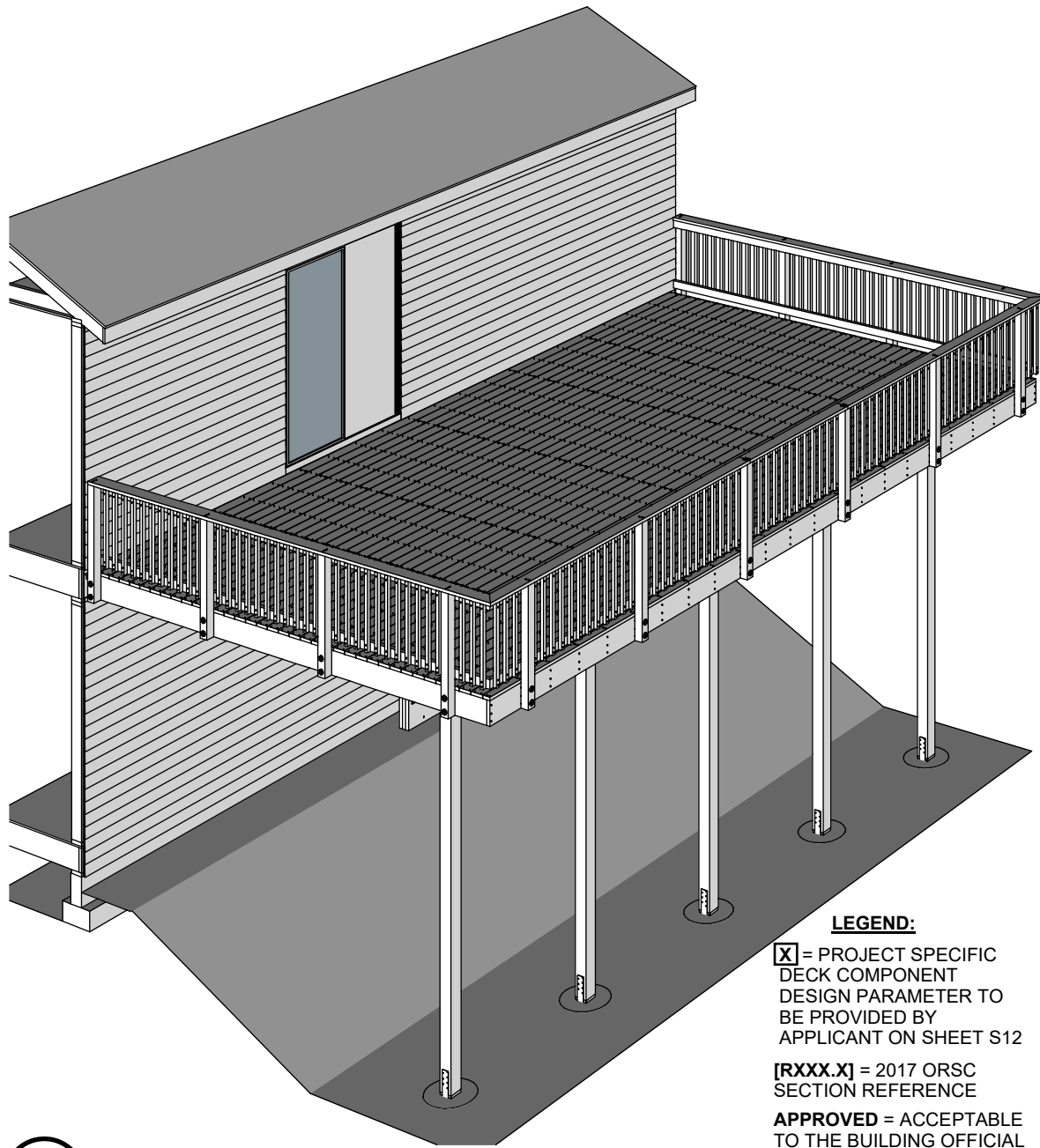


Nancy Smith  
18404 Old River Landing  
West Linn, OR 97034

SCALE 1"=4'  
DATE  
DRAWING #

 Landscape East & West





**LEGEND:**

**[X]** = PROJECT SPECIFIC DECK COMPONENT DESIGN PARAMETER TO BE PROVIDED BY APPLICANT ON SHEET S12

**[RXXX.X]** = 2017 ORSC SECTION REFERENCE

**APPROVED** = ACCEPTABLE TO THE BUILDING OFFICIAL [R202]

**GENERAL NOTES**

**SCOPE**

SINGLE LEVEL EXTERIOR DECKS ATTACHED TO THE EXTERIOR WALL OF A ONE- OR TWO-FAMILY DWELLING.

**APPLICABLE BUILDING CODE**

2017 OREGON RESIDENTIAL SPECIALTY CODE (ORSC).

**LIMITATIONS OF USE**

USE OF AND ANY MODIFICATIONS TO THESE READY-BUILD PLANS IS SUBJECT TO REVIEW AND APPROVAL BY THE BUILDING DEPARTMENT HAVING JURISDICTION.

- A. ULTIMATE WIND SPEED: 105-135MPH
- B. WIND EXPOSURE CATEGORY: B, C, OR D
- C. SEISMIC DESIGN CATEGORY: C, D<sub>1</sub>, OR D<sub>2</sub>
- D. GROUND SNOW LOAD: < 40 PSF

DECKS SUPPORTING LARGE CONCENTRATED LOADS SUCH AS HOT TUBS ARE BEYOND THE SCOPE OF THIS DOCUMENT.

APPLICANT SHALL USE THE CODE PRESCRIBED TABLES CONTAINED HEREIN AND RECORD THEIR PROJECT SPECIFIC DESIGN PARAMETERS (**[X]**) ON SHEET **S12** PRIOR TO PERMIT APPLICATION.

**FOUNDATION**

FOOTINGS SHALL BEAR ON NATIVE, INORGANIC, UNDISTURBED SOIL BELOW EXISTING GRADE. CONCRETE STRENGTH SHALL BE 3,000 PSI IN MODERATE WEATHERING REGIONS AND 3,500 PSI IN SEVERE WEATHERING REGIONS (SEE DETAIL 1/S11) [R301.2 AND R402.2].

**WOOD FRAMING**

ALL WOOD SHALL BE *APPROVED* NATURALLY DURABLE OR PRESSURE-PRESERVATIVE-TREATED (R317.1). ALL WOOD IN CONTACT WITH THE GROUND, OR EMBEDDED IN CONCRETE SHALL BE *APPROVED* PRESSURE-PRESERVATIVE-TREATED WOOD SUITABLE FOR GROUND CONTACT USE (R317.1.2). ALL CUTS SHALL BE FIELD TREATED WITH COPPER NAPHTHENATE (2% COPPER) [R402.1.2].

**FASTENERS, ANCHORS, AND CONNECTORS**

FASTENERS SHALL BE HOT-DIPPED GALVANIZED, STAINLESS STEEL, OR *APPROVED* FOR USE WITH PRESERVATIVE-TREATED LUMBER. COATING TYPES FOR FRAMING ANCHORS SHALL BE IN ACCORDANCE WITH MFR'S RECOMMENDATIONS (SHALL BE PROVIDED WITH SUBMITTAL) [R317.3].

EFFECTIVE  
 MARCH, 2018

REVISIONS

NO.	DATE

General Notes

**PRESCRIPTIVE DECK**

2017 ORSC

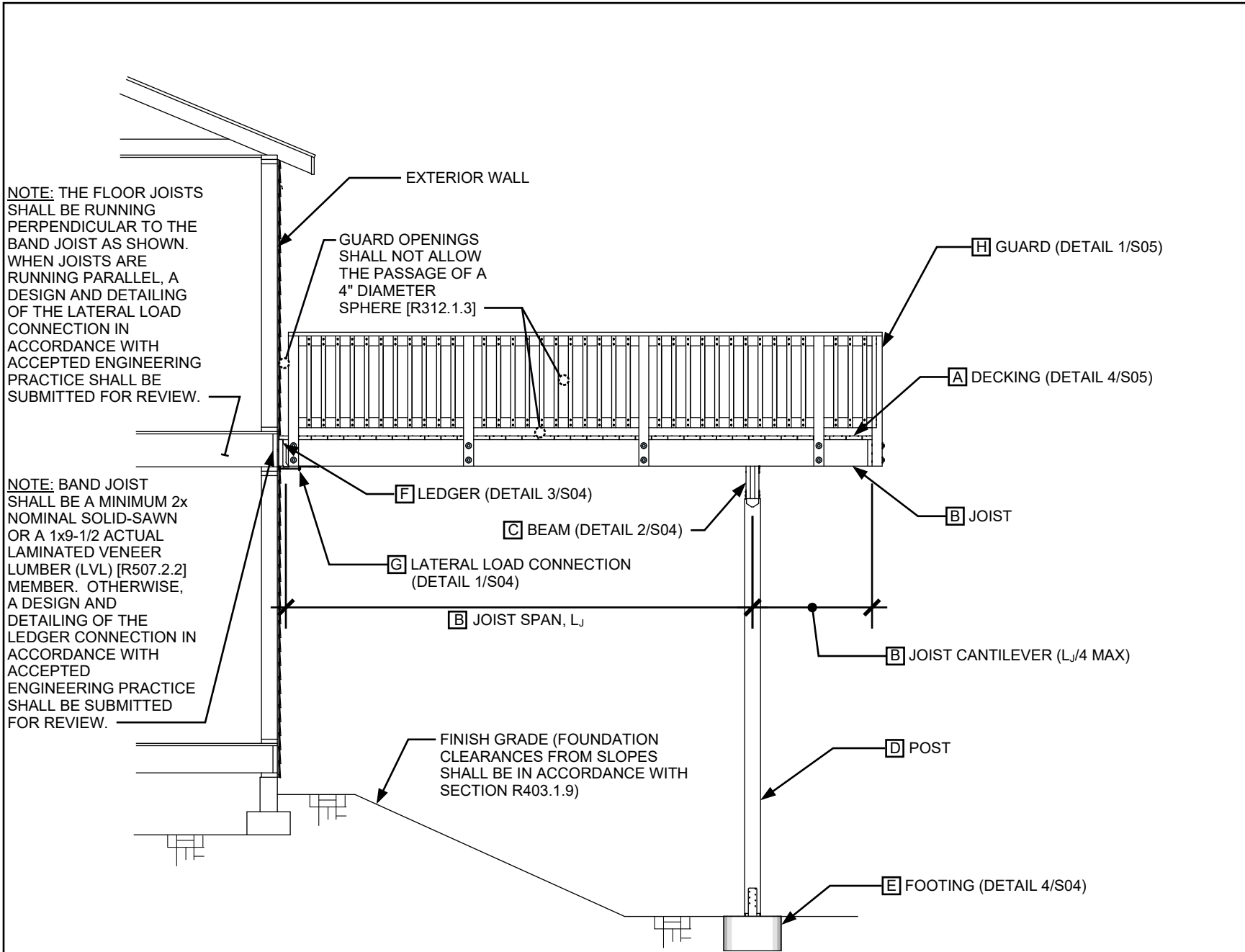
EFFECTIVE  
 MARCH, 2018

REVISIONS  
 NO. DATE

NO.	DATE

Elevation

**S02**



1 Side Elevation  
 S02 NTS

READY-BUILD PLAN PROGRAM

**PRESCRIPTIVE DECK**

2017 ORSC

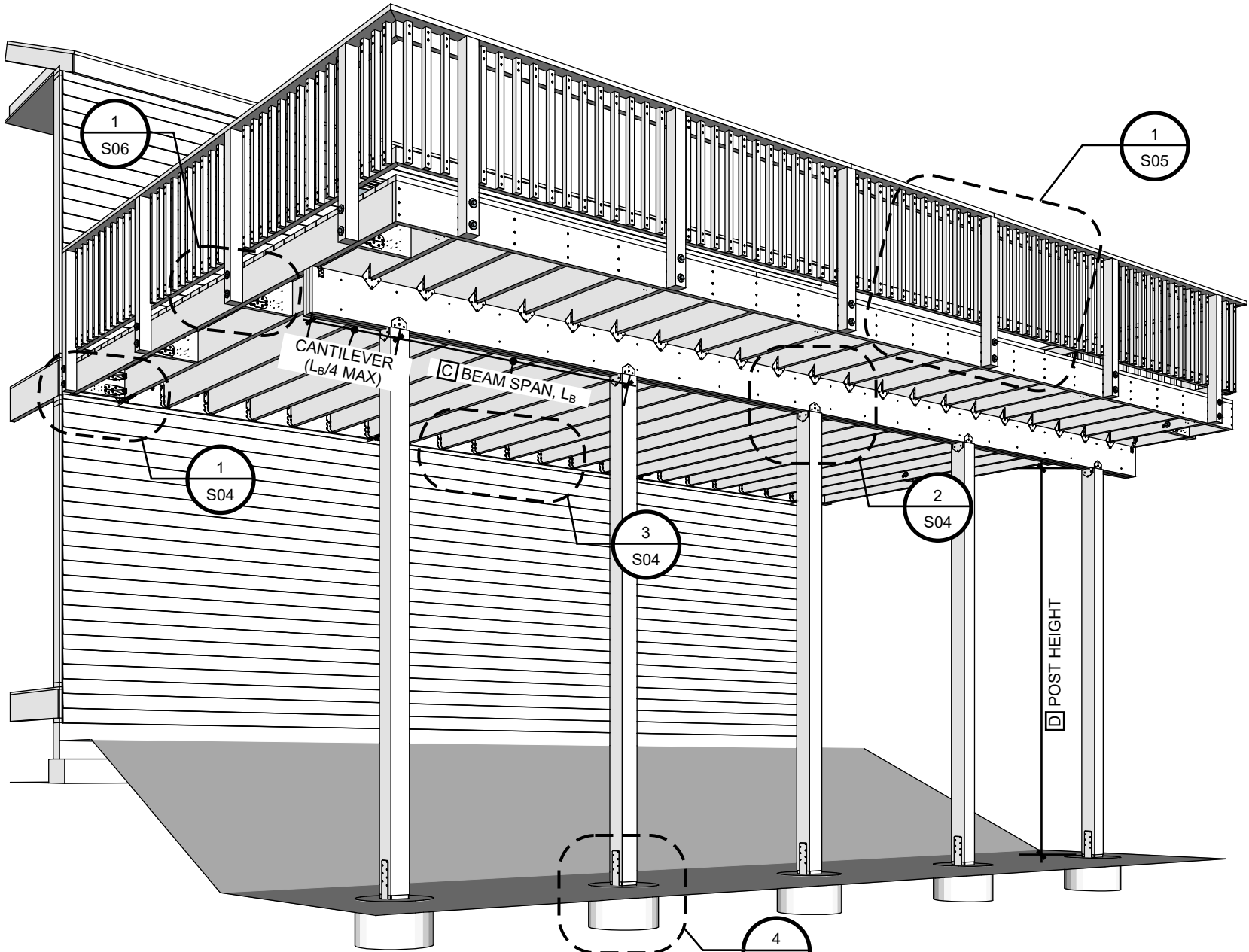
EFFECTIVE  
 MARCH, 2018

REVISIONS  
 NO. DATE

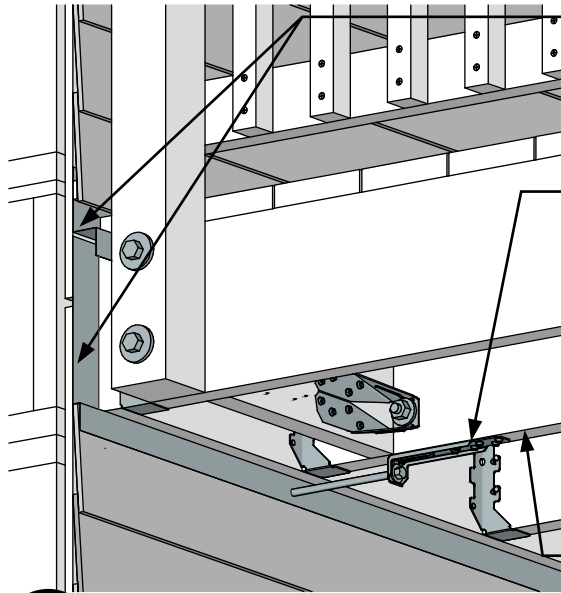
NO.	DATE

Perspective

**S03**



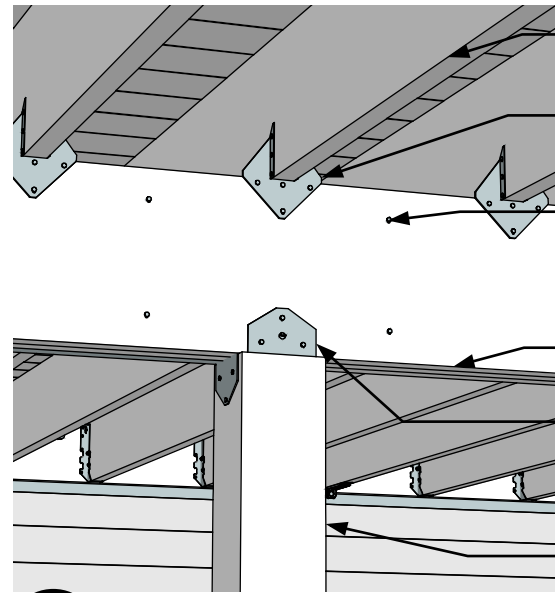
1 Deck Perspective  
 S03 NTS



**CORROSION-RESISTANT FLASHING** INSTALLED IN SHINGLE-FASHION FOR WATER TIGHTNESS WHERE DECK MEETS EXTERIOR WALL [R703.4]

**G** HOLD-DOWN DEVICE WITH MIN 750 LB. CAPACITY AT 4 LOCATIONS, EVENLY DISTRIBUTED ALONG DECK AND ONE WITHIN 24" OF EACH END OF THE LEDGER. DEVICE SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS [R507.2.4]. SEE DETAIL 2/S06 FOR ALTERNATE CONNECTION

**B** DECK JOIST PER DETAIL 2/S07



**B** DECK JOIST PER DETAIL 1/S07, TYP

APPROVED JOIST TO BEAM CONNECTOR [R507.7]

BEAM PLIES SHALL BE FASTENED WITH (2) ROWS OF 10D NAILS MIN AT 16" O.C. ALONG EACH EDGE [R507.6]

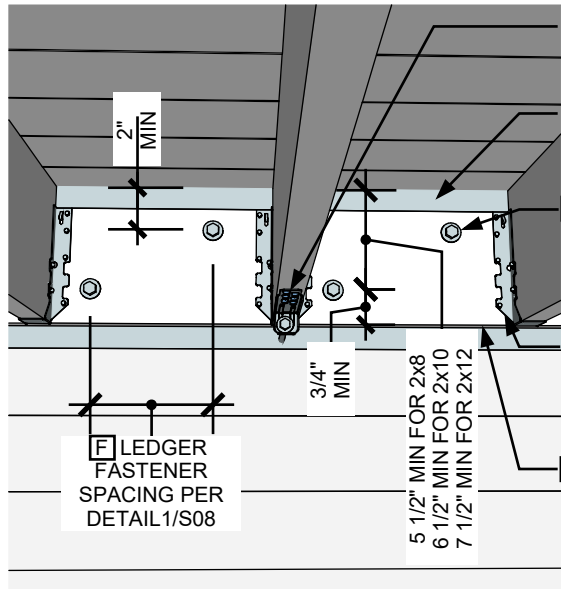
**C** DECK BEAM PER DETAIL 1/S09

APPROVED BEAM TO POST CONNECTOR [R507.7.1]. SEE DETAIL 3/S06 FOR ALTERNATE CONNECTION

**D** DECK POST PER DETAIL 2/S09

1 Lateral load connection  
S04 NTS

2 Joist to beam and beam to post connection  
S04 NTS



**G** LATERAL LOAD CONNECTION PER DETAIL 1/S04 OR 2/S06

FLASHING BETWEEN DECK AND EXTERIOR WALL PER DETAIL 1/S04

**F** DECK LEDGER FASTENING PER DETAILS 1/S08 AND 2/S08, STAGGERED AS SHOWN

APPROVED JOIST HANGER WITH DEPTH NOT LESS THAN 60% OF JOIST DEPTH [R507.7 AND R507.5.1]

**F** DECK LEDGER (2x8 MINIMUM) PER DETAIL 1/S12 EQUAL TO OR GREATER THAN THE DECK JOIST DEPTH

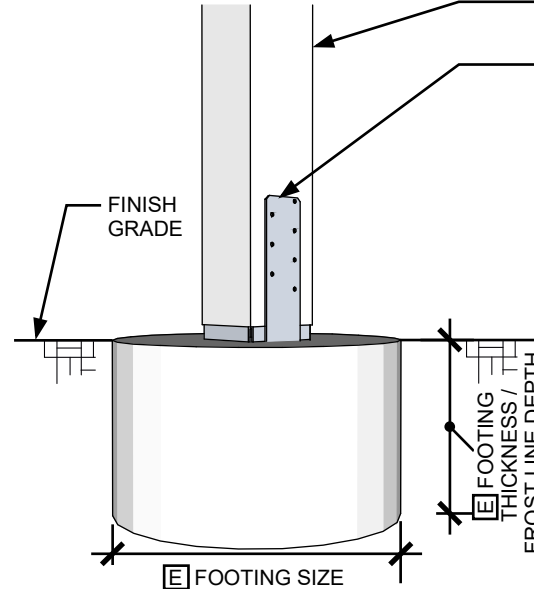
2" MIN

3/4" MIN

5 1/2" MIN FOR 2x8  
6 1/2" MIN FOR 2x10  
7 1/2" MIN FOR 2x12

**F** LEDGER FASTENER SPACING PER DETAIL 1/S08

3 Ledger connection  
S04 NTS



**D** DECK POST PER DETAIL 2/S09

APPROVED POST TO FOOTING CONNECTOR INSTALLED IN ACCORDANCE WITH MFR'S INSTRUCTIONS [R507.8.1]

FINISH GRADE

**E** FOOTING THICKNESS / FROST LINE DEPTH

**E** FOOTING SIZE PER 1/S10

NOTE: SEE DETAIL 4/S06 FOR ALTERNATE POST TO FOOTING CONNECTIONS

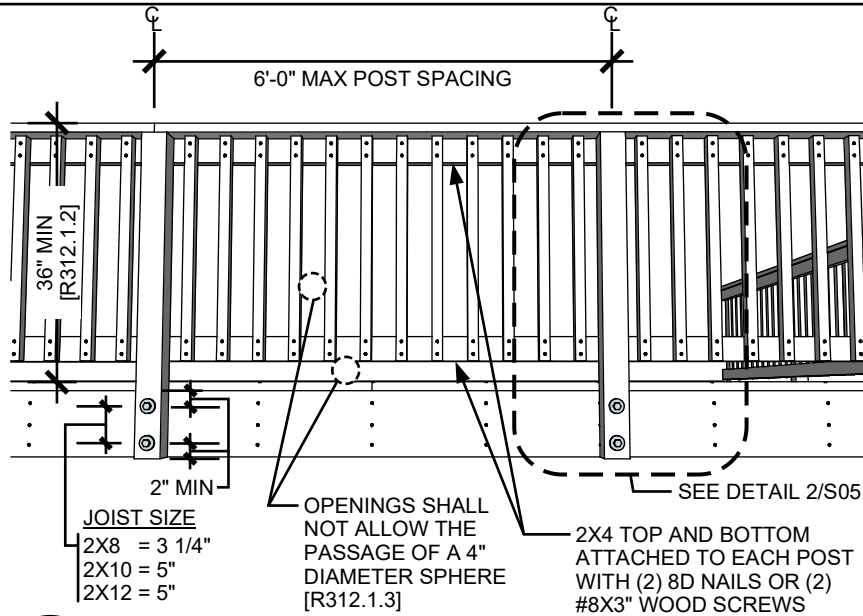
4 Post to footing connection  
S04 NTS

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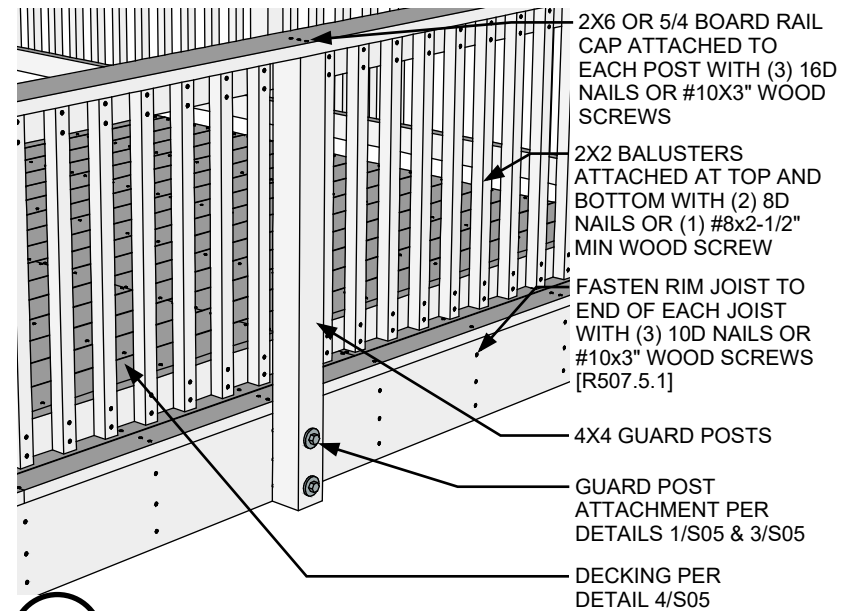
REVISIONS	
NO.	DATE

Details

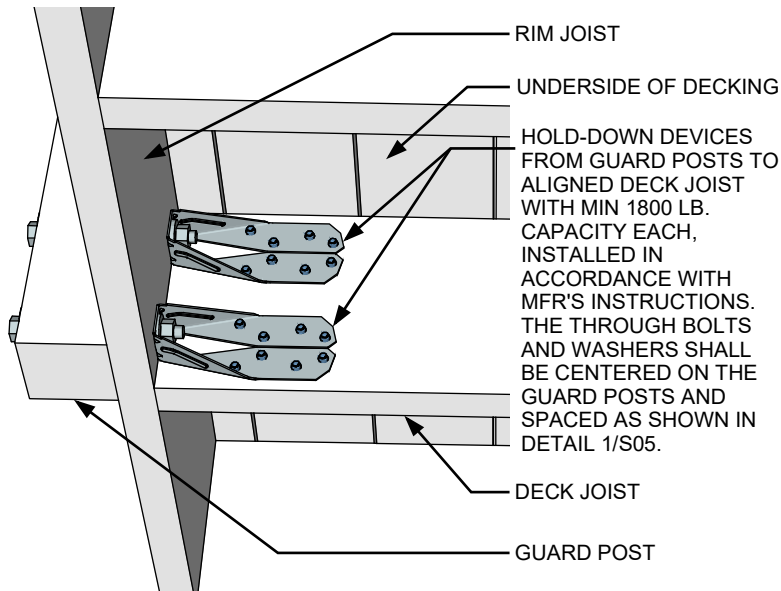
**S04**



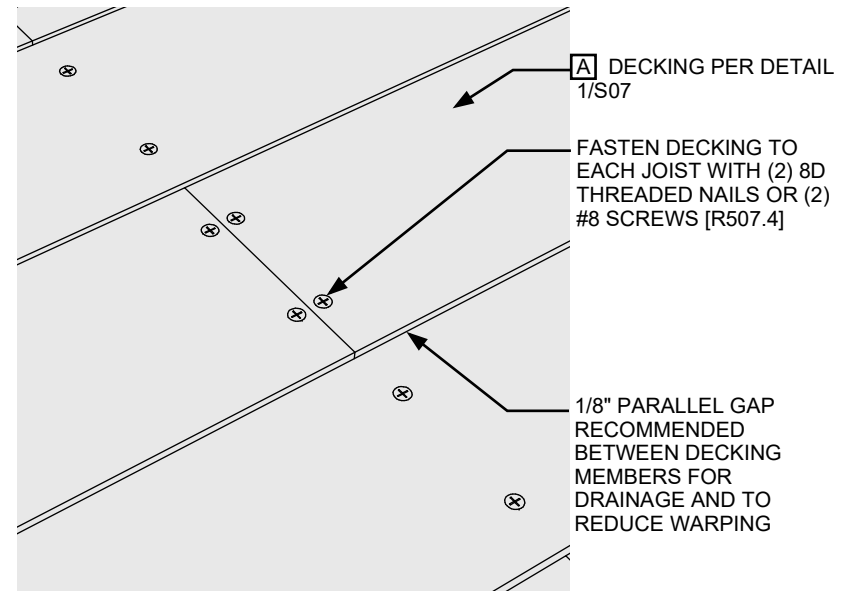
1 Deck guard  
 S05 NTS



2 Deck guard  
 S05 NTS



3 Guard post to joist connection  
 S05 NTS



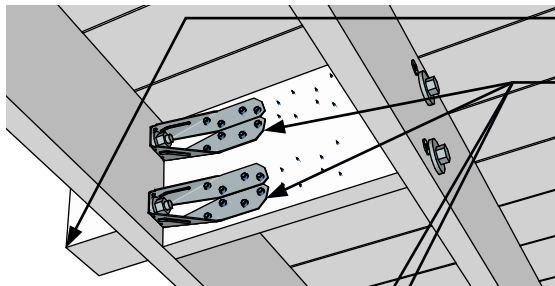
4 Decking connection  
 S05 NTS

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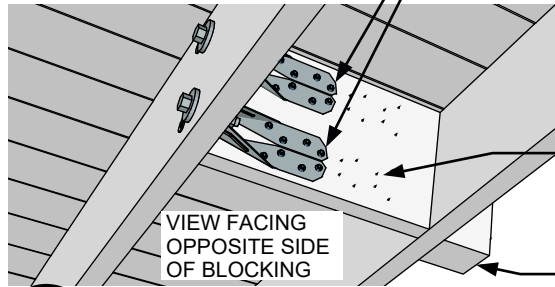
Details

**S05**



GUARD POST

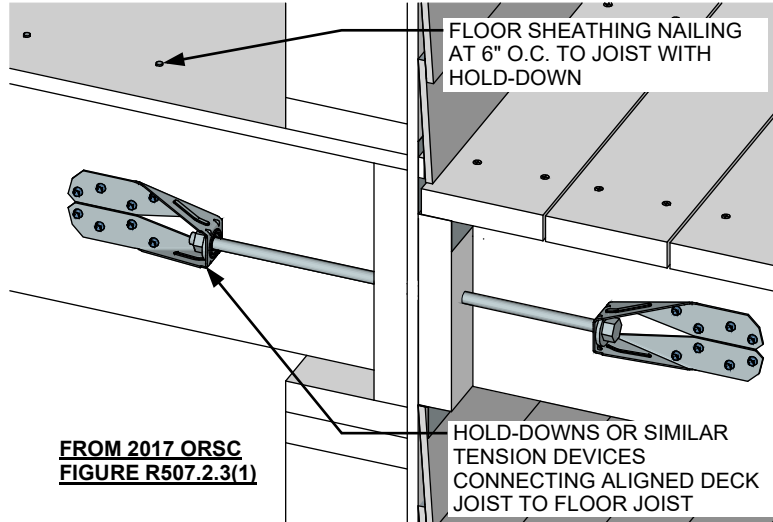
HOLD-DOWN DEVICES FROM GUARD POSTS TO ALIGNED BLOCKING AND FROM ALIGNED BLOCKING TO ADJACENT JOIST WITH MIN 1800 LB. CAPACITY EACH, INSTALLED IN ACCORDANCE WITH MFR'S INSTRUCTIONS. THE THROUGH BOLTS AND WASHERS SHALL BE CENTERED ON THE GUARD POSTS AND SPACED AS SHOWN IN DETAIL 1/S05.



ATTACH ALIGNED BLOCKING TO JOISTS WITH (2) 10d THREADED NAILS OR WOOD SCREWS EACH END

VIEW FACING OPPOSITE SIDE OF BLOCKING

GUARD POST

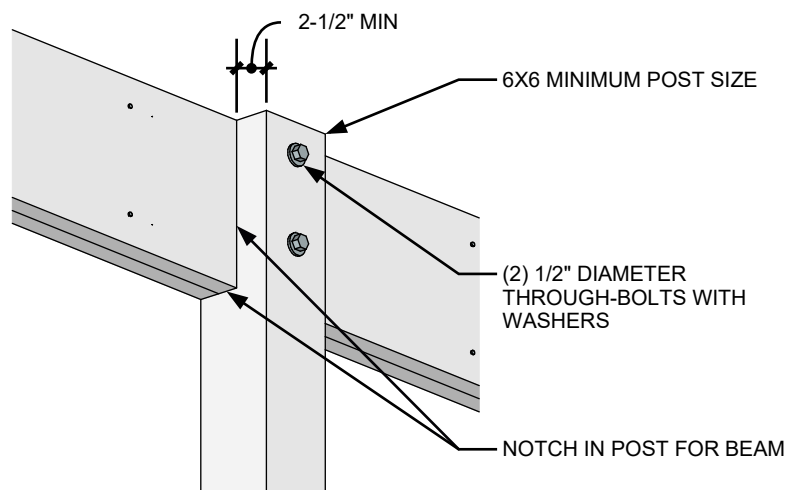


**FROM 2017 ORSC FIGURE R507.2.3(1)**

NOTE: HOLD-DOWN TENSION DEVICES PER THIS DETAIL SHALL HAVE 1,500 LB. MINIMUM CAPACITY, BE INSTALLED IN NOT LESS THAN TWO LOCATIONS, AND BE WITHIN 24 INCHES OF EACH END OF DECK.

1 Guard post to blocking connection  
S06 NTS

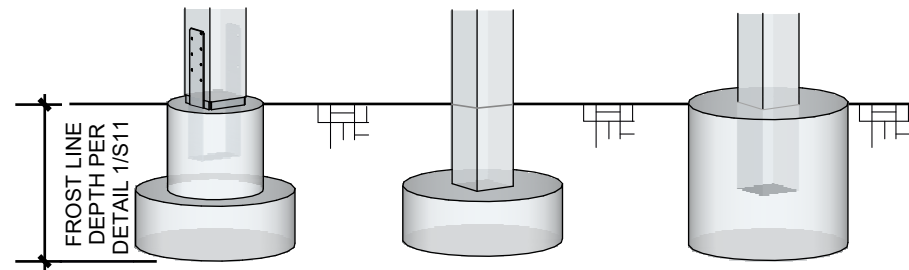
2 Alternate deck attachment for lateral loads  
S06 NTS



**FROM 2017 ORSC FIGURE R507.7.1**

NOTE: ALL BOLTS SHALL HAVE WASHERS UNDER THE HEAD AND NUT.

3 Alternate beam to post connection  
S06 NTS



**FROM 2017 ORSC FIGURE R507.8.1**

NOTE: POSTS SHALL BE RESTRAINED TO PREVENT LATERAL DISPLACEMENT AT THE BOTTOM OF SUPPORT. SUCH RESTRAINT SHALL BE PROVIDED BY MANUFACTURED CONNECTORS INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS OR A MINIMUM POST EMBEDMENT OF 12 INCHES IN SURROUNDING SOILS OR CONCRETE.

4 Alternate post to footing connections  
S06 NTS

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Details

**S06**

**FROM 2017 ORSC TABLE R507.4**

**JOIST SPACING**

DECKING TYPE AND NOMINAL SIZE	MAXIMUM ON-CENTER JOIST SPACING (in.)	
	Perpendicular to joist	Diagonal to joist <sup>a</sup>
5/4-inch-thick wood	16	12
2-inch-thick wood	24	16
Plastic composite <sup>b</sup>	Per decking manufacturer	Per decking manufacturer

a. Maximum angle of 45 degrees from perpendicular for wood deck boards.

b. Plastic composite deck materials shall comply with the requirements of ASTM D7032 and Section R507.3.

1  
S07 NTS Maximum Joist Spacing Table (from 2017 ORSC Table R507.4)

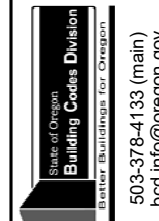
**JOIST SPANS, L<sub>J</sub> (ft.-in.)**

SPECIES <sup>a</sup>	SIZE	SPACING OF DECK JOISTS WITH NO CANTILEVER <sup>b</sup> (in.)			SPACING OF DECK JOISTS WITH CANTILEVER (in.)		
		12	16	24	12	16	24
Douglas Fir- Larch, Hem-Fir, Spruce-Pine-Fir	2x6	9-6	8-8	7-2	6-3	6-3	6-3
	2x8	12-6	11-1	9-1	9-5	9-5	9-1
	2x10	15-8	13-7	11-1	13-7	13-7	11-1
	2x12	18-0	15-9	12-10	18-0	15-9	12-10
Redwood, Western Cedars, Ponderosa Pine, Red Pine	2x6	8-10	8-0	7-0	5-7	5-7	5-7
	2x8	11-8	10-7	8-8	8-6	8-6	8-6
	2x10	14-11	13-0	10-7	12-3	12-3	10-7
	2x12	17-5	15-1	12-4	16-5	15-1	12-4

a. No. 2 grade.

b. Cantilevered spans not exceeding the nominal depth of the joist are considered "with no cantilever" for this table.

2  
S07 NTS Maximum Joist Spans Table From (from 2017 ORSC Table R507.5)



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**PRESCRIPTIVE DECK**

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**S07**

**LEDGER CONNECTION TO BAND JOIST<sup>a</sup>**

CONNECTION DETAILS	JOIST SPAN (ft.), L <sub>J</sub>						
	≤ 6	≤ 8	≤ 10	≤ 12	≤ 14	≤ 16	≤ 18
	ON-CENTER SPACING OF FASTENERS (in.)						
1/2-inch diameter lag screw with 1/2-inch maximum sheathing <sup>b, c</sup>	30	23	18	15	13	11	10
1/2-inch diameter through bolt with 1/2-inch maximum sheathing <sup>c</sup>	36	36	34	29	24	21	19
1/2-inch diameter through bolt with 1-inch maximum sheathing <sup>d</sup>	36	36	29	24	21	18	16

- a. Ledgers shall be flashed with approved corrosion-resistant flashing applied shingle-fashion in a manner to prevent entry of water into the wall cavity or penetration of water to the building structural framing components in accordance with Section R703.4.
- b. The tip of the lag screw shall fully extend beyond the inside face of the band joist.
- c. Sheathing shall be wood structural panel or solid sawn lumber.
- d. Sheathing shall be permitted to be wood structural panel, gypsum board, fiberboard, lumber, or foam sheathing. Up to 1/2-inch thickness of stacked washers shall be permitted to substitute for up to 1/2-inch of allowable sheathing thickness where combined with wood structural panel or lumber sheathing.

1 Minimum Ledger Connection Table (from 2017 ORSC Table R507.2)  
S08 NTS

**PLACEMENT OF LAG SCREWS AND THROUGH BOLTS IN LEDGERS AND BAND JOISTS**

MINIMUM END AND EDGE DISTANCES AND SPACING BETWEEN ROWS (in.)				
	TOP EDGE	BOTTOM EDGE	CUT ENDS	ROW SPACING
LEDGER <sup>a</sup>	2 <sup>d</sup>	3/4	2 <sup>b</sup>	1 5/8 <sup>b</sup>
BAND JOIST <sup>c</sup>	3/4	2	2 <sup>b</sup>	1 5/8 <sup>b</sup>

- a. Lag screws or bolts shall be staggered from the top to the bottom along the horizontal run of the deck ledger in accordance with detail 3/S04.
- b. Maximum of 5 inches.
- c. For engineered rim joists, the manufacturer's recommendations shall govern.
- d. The minimum distance from bottom row of lag screws or bolts to the top edge of the ledger shall be in accordance with detail 3/S04.

2 Ledger Fasteners Placement Table (from 2017 ORSC Table R507.2.1)  
S08 NTS

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**S08**



**BEAM SPANS<sup>a</sup>, L<sub>B</sub> (ft.-in.)**

SPECIES <sup>b</sup>	SIZE <sup>c</sup>	DECK JOIST SPAN, L <sub>J</sub> , (ft.)						
		≤ 6	≤ 8	≤ 10	≤ 12	≤ 14	≤ 16	≤ 18
Douglas Fir-Larch, Hem-Fir, Spruce-Pine-Fir, Redwood, Western Cedars, Ponderosa Pine, Red Pine	3x6 or 2-2x6	5-5	4-8	4-2	3-10	3-6	3-1	2-9
	3x8 or 2-2x8	6-10	5-11	5-4	4-10	4-6	4-1	3-8
	3x10 or 2-2x10	8-4	7-3	6-6	5-11	5-6	5-1	4-8
	3x12 or 2-2x12	9-8	8-5	7-6	6-10	6-4	5-11	5-7
	4x6	6-5	5-6	4-11	4-6	4-2	3-11	3-8
	4x8	8-5	7-3	6-6	5-11	5-6	5-2	4-10
	4x10	9-11	8-7	7-8	7-0	6-6	6-1	5-8
	4x12	11-5	9-11	8-10	8-1	7-6	7-0	6-7
	3-2x6	7-4	6-8	6-0	5-6	5-1	4-9	4-6
	3-2x8	9-8	8-6	7-7	6-11	6-5	6-0	5-8
	3-2x10	12-0	10-5	9-4	8-6	7-10	7-4	6-11
	3-2x12	13-11	12-1	10-9	9-10	9-1	8-6	8-1

- a. Beams supporting deck joists from one side only (with optional joist cantilever).
- b. No. 2 grade.
- c. Beam depth shall be greater than or equal to depth of joists with a flush beam condition.

1 Maximum Beam Spans Table (from 2017 ORSC Table R507.6)  
 S09 NTS

**POST HEIGHT**

SPECIES <sup>b</sup>	DECK POST SIZE	HEIGHT <sup>a</sup> (ft.)
Douglas Fir-Larch, Hem-Fir, Spruce-Pine-Fir, Redwood, Western Cedars, Ponderosa Pine, Red Pine	4x4	8
	4x6	8
	6x6	14

- a. Measured to the underside of the beam.
- b. No. 2 grade.

2 Maximum Post Height Table (from 2017 ORSC Table R507.8)  
 S09 NTS



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**PRESCRIPTIVE DECK**

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**S09**

**FOOTING DIMENSIONS<sup>a</sup>**

BEAM SPAN (ft), L <sub>B</sub>	JOIST SPAN (ft.), L <sub>J</sub>	ROUND FOOTING DIAMETER (in.)	SQUARE FOOTING WIDTH (in.)	MINIMUM FOOTING THICKNESS <sup>b</sup> (in.)
≤ 6	≤ 10	18	16	8
	≤ 14	21	19	8
	≤ 18	24	21	10
≤ 8	≤ 10	20	18	8
	≤ 14	24	22	10
	≤ 18	27	24	11
≤ 10	≤ 10	23	20	9
	≤ 14	27	24	11
≤ 12	≤ 10	25	22	10
≤ 14	≤ 10	27	24	11

- a. Assumes 1,500 psf soil bearing capacity per Section R401.4.1.  
 b. In accordance with Section R403.1.4, footings shall be placed not less than 12 inches below the finished grade on undisturbed ground surface and shall extend below the frost line depth specified in Table R301.2(1). Coordinate footing thickness with post base manufacturer installation instructions.

1 Minimum Footing Sizes Table (Ref 2017 ORSC Section R403)  
 S10 NTS

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**S10**

**2017 ORSC TABLE R301.2(1)  
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA<sup>g,h</sup>**

COUNTY	GROUND SNOW LOAD <sup>a</sup> = 36 psf	ULTIMATE DESIGN WIND SPEED	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE		
				Weathering <sup>d</sup>	Frost line depth (inches)	Decay
Baker	3,200	Note b	Note c	Severe	24	Slight
Benton	400	Note b	Note c	Moderate	12	Moderate
Clackamas	500	Note b	Note c	Moderate	12	Moderate
Clatsop	400	Note b	Note c	Moderate	12	Moderate
Columbia	400	Note b	Note c	Moderate	12	Moderate
Coos	400	Note b	Note c	Moderate	12	Moderate
Crook	4,100	Note b	Note c	Severe	18	Slight
Curry	400	Note b	Note c	Moderate	12	Moderate
Deschutes	4,000	Note b	Note c	Severe	18	Slight
Douglas	1,500	Note b	Note c	Moderate	18	Moderate
Gilliam	3,000	Note b	Note c	Severe	24	Moderate
S.45.5°N		Note b	Note c			
N.45.5°N		Note b	Note c			
Grant	4,100	Note b	Note c	Severe	24	Slight
Harney	4,100	Note b	Note c	Severe	24	Moderate
Hood River	Note e	Note b	Note c	Severe	24	Moderate
Jackson	2,000	Note b	Note c	Moderate	18 <sup>f</sup>	Slight
Jefferson	4,100	Note b	Note c	Severe	18	Moderate
Josephine	4,100	Note b	Note c	Moderate	18 <sup>f</sup>	Moderate
Klamath	4,000	Note b	Note c	Severe	24	Moderate
Lake	4,200	Note b	Note c	Severe	24	Slight
Lane	500	Note b	Note c	Moderate	12	Moderate
Lincoln	400	Note b	Note c	Moderate	12	Moderate
Linn	700	Note b	Note c	Moderate	12	Moderate
Malheur	3,400	Note b	Note c	Severe	24	Slight
Marion	500	Note b	Note c	Moderate	12	Moderate
Morrow	3,000	Note b	Note c	Severe	24	Slight
S.45.5°N		Note b	Note c			
N.45.5°N		Note b	Note c			
Multnomah	500	Note b	Note c	Moderate	18	Moderate
Polk	400	Note b	Note c	Moderate	12	Moderate
Sherman	2,000	Note b	Note c	Severe	24	Slight
S.45.5°N		Note b	Note c			
N.45.5°N		Note b	Note c			
Tillamook	400	Note b	Note c	Moderate	12	Moderate
Umatilla	3,000	Note b	Note c	Severe	24	Slight
S.45.5°N		Note b	Note c			
N.45.5°N		Note b	Note c			
Union	3,000	Note b	Note c	Severe	24	Slight
Wallowa	3,000	Note b	Note c	Severe	24	Slight
Wasco	2,000	Note b	Note c	Severe	24	Slight
S.45.5°N		Note b	Note c			
N.45.5°N		Note b	Note c			
Washington	400	Note b	Note c	Moderate	12	Moderate
Wheeler	4,100	Note b	Note c	Severe	24	Slight
Yamhill	400	Note b	Note c	Moderate	12	Moderate

- a. For locations with elevation higher than the listed values or for a possible reduction in minimum design roof snow load from 25 psf to 20 psf, refer to the Snow Load Analysis for Oregon (including the ground snow load maps) published by the Structural Engineers Association of Oregon in 2007, in conjunction with the 2010 Oregon Snow Load Map update and Interim Guidelines for Snow Load Determination for the State of Oregon, published in 2011.
- b. Refer to Figure R301.2(4) for mapped Ultimate Design Wind Speeds. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- c. Refer to Figure R301.2(2) for mapped Seismic Design Categories.
- d. A severe classification is where weather conditions result in significant snowfall combined with extended periods during which there is little or not natural thawing causing de-icing salts to be used extensively.
- e. For elevations below 500 feet, the ground snow load is 50 psf. Above 500 feet, see Note a.
- f. The frost line depth below 2,500 feet in Jackson and Josephine Counties is 12 inches.
- g. See Section R301.2 and R322 for establishment of flood hazard design criteria.
- h. See Section R327 for establishment of wildfire hazard design criteria.



READY-BUILD PLAN PROGRAM  
**PRESCRIPTIVE DECK**  
2017 ORSC

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**S11**

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Project Specific  
 Information

**S12**

**A DECKING [R507.4]:**

size: 2x five-quarter  
 material: preservative-treated plastic composite naturally durable (e.g. cedar)  
 orientation: perpendicular to joists diagonal to joists

**B JOISTS [R507.5]:**

size: 2x6 2x8 2x10 2x12  
 spacing: 12 in. 16 in. 24 in.  
 span, L<sub>J</sub>: 9 ft. - 5 in.  
 cantilever: 1 ft. - 1 in. (L<sub>J</sub>/4 MAX)  
 rim joist: 2x6 2x8 2x10 2x12 not applicable

**C BEAMS [R507.6]:**

plies: 1 2 3  
 size: 2x6 2x8 2x10 2x12 4x6 4x8 4x10 4x12 \_\_x\_\_  
 span, L<sub>B</sub>: 5 ft. - 6 in.  
 cantilever: 1 ft. - 0 in. (L<sub>B</sub>/4 MAX)

**D POSTS [R507.8]:**

size: 4x4 4x6 6x6 \_\_x\_\_  
 height: 0 ft. - 6 in.

**E FOOTINGS [R507.8.1]:**

size: 20 in. square round  
 thickness: 24 in.

**F LEDGER [R507.2]:** None (detached)

size: 2x8 2x10 2x12  
 fastener: 1/2" through-bolt 1/2" lag screw code-compliant alternate (attach report)  
 fastener spacing: \_\_\_ in. on-center

**G LATERAL LOAD CONNECTION [R507.2.4]:** None (detached)

(4) 750 pound hold-down tension devices (detail 1/S04)  
 (2) 1,500 pound hold-down tension devices (detail 2/S06)  
 code-compliant alternate (attach report)

**H GUARDRAIL POST ATTACHMENT [R301.5]:**

details 1-3/S05 & 1/S06  
 code-compliant alternate (attach detail).

NOTE: THE PERMIT APPLICANT SHALL PROVIDE THE PROJECT SPECIFIC DESIGN BY CHECKING THE APPLICABLE BOXES AND ENTERING THE APPROPRIATE INFORMATION ABOVE PRIOR TO PERMIT APPLICATION.

1 Project Specific Information  
 S12 NTS

**EXHIBIT PD-2 COMPLETENESS LETTER**



CITY OF  
**West Linn**

April 19, 2023

Clement Walsh  
1225 13<sup>th</sup> St West Linn, OR 97068  
West Linn, OR 97068

SUBJECT: Willamette River Greenway and Flood Management Area Permit at 18404 Old River Landing (WRG-23-02 / FMA-23-02)

Clement Walsh:

Your application submitted on March 20, 2023 has been deemed **complete**. The city has 120 days to exhaust all local review; that period ends August 17, 2023.

Please be aware that 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 Director to render a decision on your proposal.

A 20-day public notice will be prepared and mailed. This notice will identify the earliest potential decision date by the Planning Director.

Please contact me at 503-742-6057, or by email at [bgardner@westlinnoregon.gov](mailto:bgardner@westlinnoregon.gov) if you have any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ben Gardner', written in a cursive style.

Ben Gardner  
Assistant Planner

**EXHIBIT PD-3 AFFIDAVIT AND NOTICE PACKET**

**AFFIDAVIT OF NOTICE  
PLANNING MANAGER DECISION**

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

**PROJECT**

File No.: **WRG-23-02/FMA-23-02**

Applicant's Name: **CLEMENT WALSH**

Development Address: 18904 Old River Landing

**Planning Manager Decision no earlier than May 17, 2023**

**APPLICATION**

The application was posted on the website at least 20 days before the decision. All documents or evidence relied upon by the applicant, and applicable criteria are available for review at least 20 days before the decision at City Hall, per Section 99.040 of the Community Development Code.

4/27/23	<i>Lynn Schroder</i>
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**MAILED NOTICE**

Notice of Upcoming Planning Manager Decision was mailed at least 20 days before the decision, per Section 99.080 of the CDC to:

Clement Walsh, applicant	4/27/23	<i>Lynn Schroder</i>
Rick Givens, applicant representative	4/27/23	<i>Lynn Schroder</i>
Matthew & Nancy Smith, property owner	4/27/23	<i>Lynn Schroder</i>
Property owners within 500ft of the site perimeter	4/27/23	<i>Lynn Schroder</i>
Robinwood Neighborhood Association	4/27/23	<i>Lynn Schroder</i>
Division of State Lands	4/27/23	<i>Lynn Schroder</i>
Us Army Corps of Engineers	4/27/23	<i>Lynn Schroder</i>

**EMAILED NOTICE**

Notice of Upcoming Planning Manager Decision was emailed at least 20 days before the decision date to:

Neighborhood Association	4/27/23	<i>Lynn Schroder</i>
Clement Walsh, applicant	4/27/23	<i>Lynn Schroder</i>
Rick Givens, applicant consultant	4/27/23	<i>Lynn Schroder</i>
Matthew and Nancy Smith	4/27/23	<i>Lynn Schroder</i>

**WEBSITE**

Notice was posted on the City's website at least 20 days before the decision.

4/27/23	<i>Lynn Schroder</i>
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**SIGN**

A sign was posted on the property at least 10 days before the decision, per Section 99.080 of the CDC.

4/28/23	BEN GARDNER
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**FINAL DECISION**

Notice of Final Decision was mailed to the applicant, all parties with standing, and posted on the City's website, per Section 99.040 of the CDC.

8/3/23	<i>Chris Myers</i>
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**CITY OF WEST LINN  
NOTICE OF UPCOMING PLANNING MANAGER DECISION  
FILE NO. WRG-23-02**

The West Linn Planning Manager is considering a Willamette River Greenway and Flood Management Area permit for 18404 Old River Landing. The applicant is requesting approval for landscaping improvements and a deck structure.

The Planning Manager will decide the application based on criteria in Chapters 11, 27, 28, and 99 of the Community Development Code (CDC). The CDC approval criteria are available for review on the City website <http://www.westlinnoregon.gov/cdc> or at City Hall and the City Library.

The application is posted on the City's website, <https://westlinnoregon.gov/planning/18904-old-river-landing-willamette-river-greenway-and-flood-management-area-permits>. The application, all documents or evidence relied upon by the applicant and applicable criteria are available for inspection at City Hall at no cost. Copies may be obtained at reasonable cost.

A public hearing will not be held for this decision. **Anyone wishing to submit comments for consideration must submit all material before 4:00 p.m. on Tuesday, May 17 to [bgardner@westlinnoregon.gov](mailto:bgardner@westlinnoregon.gov) or mail them to City Hall. All comments must be received by the deadline.**

**It is important to submit all testimony in response to this notice.** All comments submitted for consideration of this application should relate specifically to the applicable criteria. Failure to raise an issue in a hearing, in person, or by letter, or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond to the issue, precludes appeal to the Oregon Land Use Board of Appeals based on that issue (CDC Section 99.090).

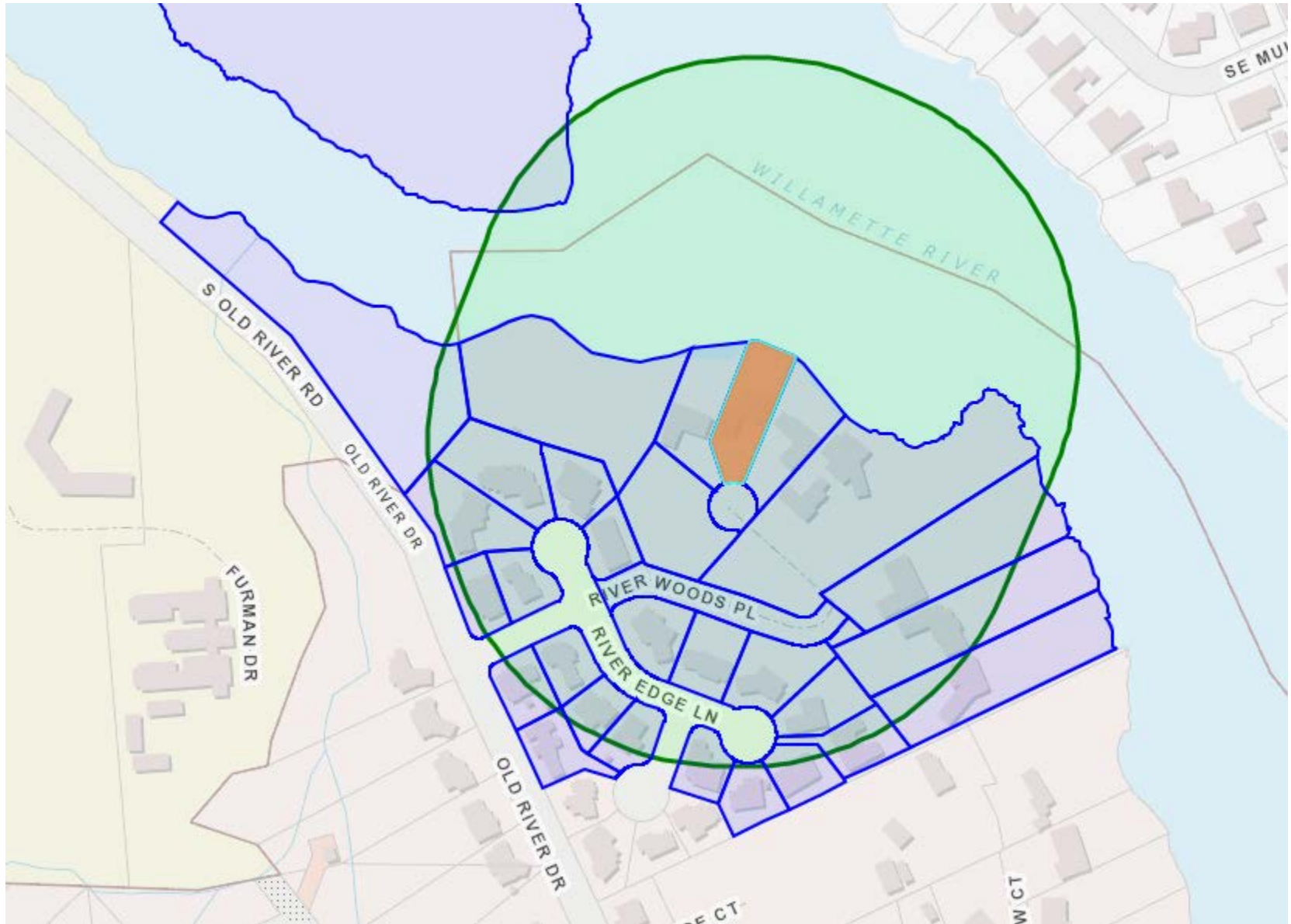
The final decision will be posted on the website and available at City Hall. Persons with party status may appeal the decision by submitting an appeal application to the Planning Department within 14 days of mailing the notice of the final decision pursuant to CDC [99.240](#).

For additional information, please contact Ben Gardner, Assistant Planner, City Hall, 22500 Salamo Rd., West Linn, OR 97068, 503-742-6057.

Scan this QR code to view the project information:



PROPERTIES WITHIN 500 FEET OF 18404 OLD RIVER LANDING





**NOTICE OF UPCOMING  
PLANNING MANAGER DECISION**

**PROJECT #WRG-23-02/FMA-23-02  
MAIL: 4/27/23 TIDINGS: N/A**

**CITIZEN CONTACT INFORMATION**

To lessen the bulk of agenda packets and land use application notice, and to address the concerns 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.



