

## **STAFF REPORT**

## PLANNING DIRECTOR DECISION

DATE:	December 17, 2012
FILE NO.:	MISC-12-16
REQUEST:	Request for a Flood Management Area (FMA) permit for additions to an existing house at 5650 River Street
PLANNER:	Peter Spir, Associate Planner

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#### SPECIFIC DATA

OWNER: Trent & Mi Lynn Crollard, 5650 River Street, West Linn, OR 97068

**APPLICANT:** Philip Sydnor, Integrate Architecture & Planning, 1715 N. Terry St.,

Portland, OR 97217

**SITE LOCATION:** 5650 River Street

**SITE SIZE:** 0.44 acres

LEGAL

**DESCRIPTION:** 2 2E 30 AC Tax Lot 1608

COMP PLAN

**DESIGNATION:** Low-Density Residential

**ZONING:** R-10, Single-Family Residential Detached

APPROVAL

**CRITERIA:** Community Development Code (CDC) Chapter 27, Flood Management

Area (FMA) Sections 27.060, 27.070 and 27.080

ADDITIONAL APPLICABLE

**CDC CHAPTER:** Chapter 11, Single-Family Residential Detached, R-10

**120-DAY RULE:** The application became complete on November 21, 2012. The 120-day

period ends on March 21, 2013.

**PUBLIC NOTICE:** Notice was mailed to property owners within 100 feet of the subject

property, all neighborhood associations, the US Army Corps of Engineers (USACE) and the Department of State Lands (DSL) on December 4, 2012. The notice was also posted on the City's website. Therefore, public notice

requirements of CDC Chapter 99 have been met.

#### BACKGROUND

The subject property is shown on the following map. It is an R-10 (single family residential-10,000 square foot minimum lot size) zoned parcel in the Bolton neighborhood. The property is occupied by a single family home. All surrounding properties are similarly zoned and occupied.

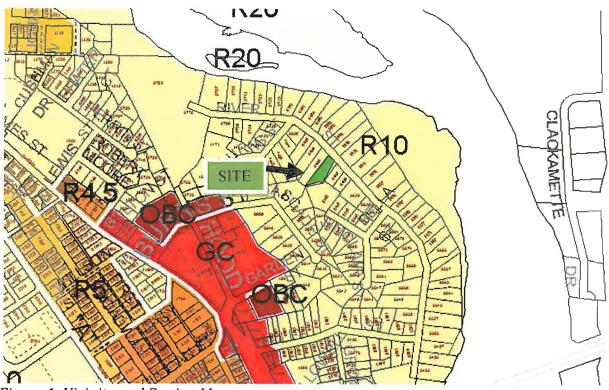


Figure 1: Vicinity and Zoning Map

Table 1 Surrounding Land Use and Zoning

DIRECTION FROM SITE	LAND USE	ZONING
North	Single-family detached residential	R-10
East	Single-family detached residential	R-10
South	Single-family detached residential	R-10
West	Single-family detached residential	R-10

The River Street area is subject to flooding at times of 100 year flood occurances as shown on the map below. The 1996 flood boundary is represented by the brown outline on the same map.

What makes this property unique is that the floodwaters reach River Street downstream from the applicant's property, cross the street and then head "upstream" or in a south easterly direction across low lying land onto the subject property and nearby properties.



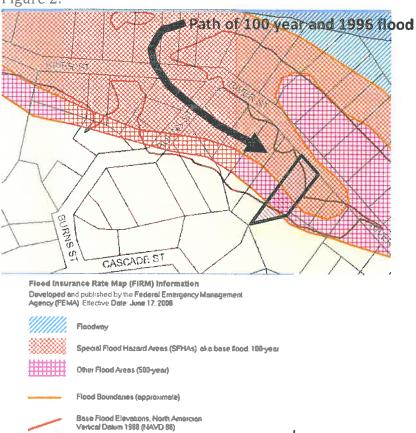
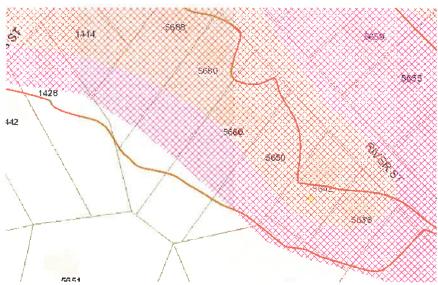


Figure 3: Flood boundaries



(Staff notes that there is a map calibration issue with both the USACE/FEMA maps and the City's mapping in that they show 100 year flood waters (orange) inundating River Street and then extending half way downhill on the subject property. The maps should show the 100 year flood boundaries about 60 feet to the southwest in the low ground generally overlapping the 1996 flood delineation (brown line).)

The applicant proposes three small additions to the house totaling 180 square feet including the creating a 35 square foot entryway at the front porch, a 67 square foot addition to the garage and a 78 square foot addition to the master bedroom.

The central requirements of the Flood Management Area permit application are that (1) habitable/living spaces must be one- foot above the base flood elevation and (2) additions to the building footprint cannot adversely divert floodwaters into areas that were not previously subject to flooding.

The 100-year or base flood elevation is 48 feet. The applicant proposes to build all proposed habitable spaces at 49 feet or higher which puts them one -foot above the base flood elevation. An Oregon licensed engineer's findings accompany the application and they determined that the additions will not have any adverse impacts on floodwaters or modify existing flood patterns.

Figure 4:

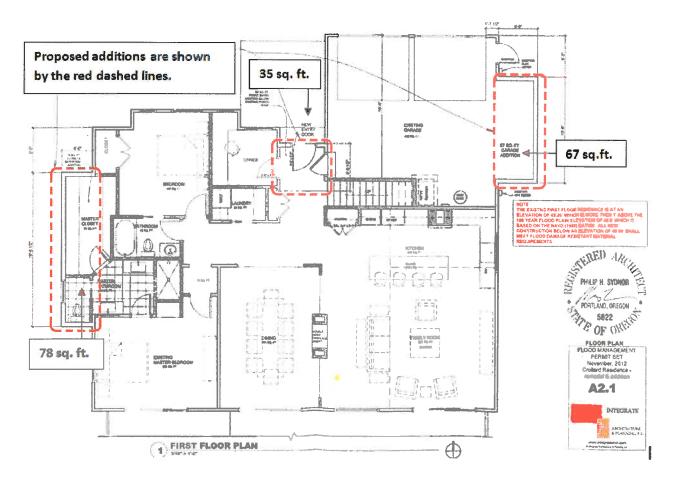
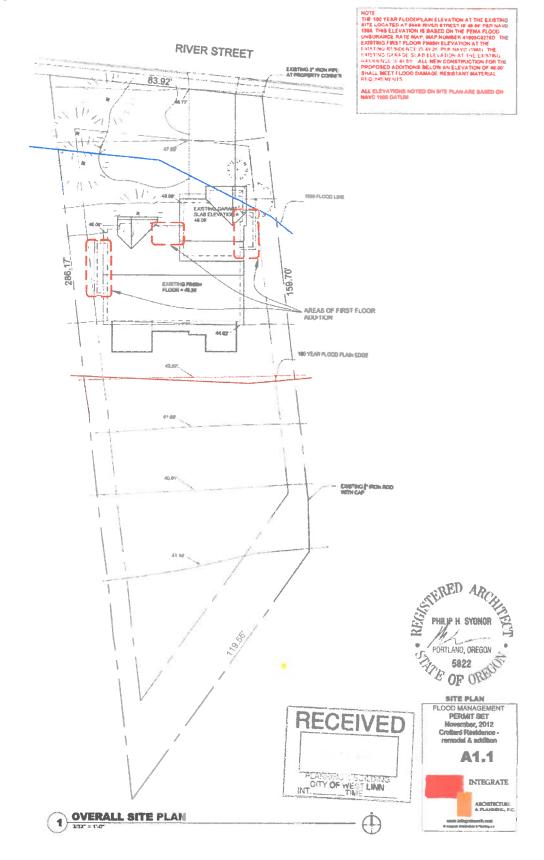


Figure 5:



Site Conditions. The lot slopes very gradually downwards from a 49-foot elevation at River Street to a low spot of 40 feet at the rear of the property. The house occupies the front half of the lot. The rear half of the lot is part of a swale or depression that extends from the northwest in a southeasterly direction. It is along this swale that 100-year flood waters have typically been channeled. The 100-year floodplain boundary reaches an elevation of 48 feet. In a 100-year flood, the perimeter of the house would be surrounded by floodwaters: three and a half feet at the rear to one foot-deep at the front. The applicant's finished floor elevation is at 49.25 feet while the garage slab is at 48.09 feet putting the habitable space one-foot above the 100 year flood elevation.

The 1996 flood waters covered an area similar, but more expansive, than the 100-year flood waters via the swale at the rear of the house to reach an elevation of 46.5 feet. The habitable areas of the house additions will be two to three feet above the 1996 flood elevation.

By using FEMA's 48 foot base flood elevation, in concert with the applicant's elevations on the submitted "Overall Site Plan," an accurate delineation of the expected height of floodwaters was provided for this property.

Floodwaters aside, a notable feature of the site is the mature Douglas firs surrounding the house. It is expected that the additions can be accomplished without damaging the roots.

#### **PUBLIC COMMENTS**

As of December 14, 2012 there have been no public comments.

#### PLANNING DIRECTOR'S DECISION

Based on findings contained in the applicant's submittal in the City record and the staff findings, there are sufficient grounds to **approve** this application (MIS-12-17) subject to the following condition of approval:

- 1. The home additions shall be constructed consistent with the submitted application.
- 2. The applicant shall make necessary excavation on this property to compensate on an equal cubic yard to cubic yard basis for all water displacing structures (foundation walls, slab on grade, etc.) below 48 foot elevation.

I declare to have no interest in the outcome of this decision due to some past or present involvement with the applicant, the subject property, or surrounding properties, and therefore, can render an impartial decision. The provisions of the Community Development Code Chapter 99 have been met.

Dumber 17,201

Appeals to this decision must be filed with the West Linn Planning Department within 14 days of mailing date. Cost is \$400. The appeal must be filed by an individual who has established standing by submitting comments prior to or on January 3, 2013. Approval will lapse 3 years from effective approval date.

Mailed this 17th day of December, 2012.

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

December 31, 2012.

p:/devrvw/projects folder/projects 2012/MIS-12-17-FMA-RIVER STREET

#### **ADDENDUM**

#### APPROVAL CRITERIA AND FINDINGS

#### MISC-12-17

Staff recommends adoption of the findings for approval contained within the applicant's submittal, with the following exceptions and additions:

# Chapter 11 SINGLE-FAMILY RESIDENTIAL DETACHED, R-10

#### 11.030 PERMITTED USES

The following are uses permitted outright in this zoning district

1. Single-family detached residential unit.

#### **STAFF RESPONSE NO. 1:**

The site contains one single-family detached residential home in agreement with 11.030.

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

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

- 1. The minimum lot size shall be 10,000 square feet for a single family detached unit.
- 2. The minimum front lot line length or the minimum lot width at the front lot line shall be 35 feet.
- 3. The average minimum lot width shall be 50 feet.
- 4. The lot depth comprising non-Type I and II lands shall be less than two and one-half times the width, and more than an average depth of 90 feet.

#### **STAFF RESPONSE NO. 2:**

The lot is 19,001 square feet in size which exceeds the 10,000 square foot minimum lot size. The width of the lot as measured at the front lot line is 83.92 feet long. This width continues for most of the lot, so the lot frontage and average lot width exceeds the required 35 and 50 feet respectively. The lot also meets the provision of Subsection 4 above, as the lot area

excluding the 25%-plus slopes in the rear (Type II lands) and the 100-year flood plain (Type I lands) is less than 2.5 times longer than it is wide. The criteria are met.

- 5. 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  $\underline{41.010}$  shall apply; and as specified in CDC  $\underline{26.040}$ (D) for the Willamette Historic District.
  - b. For an interior side yard, seven and one-half feet; except as specified in CDC <u>26.040(D)</u> for the Willamette Historic District.

(...)

- d. For a rear yard, 20 feet.
- 6. The maximum building height shall be 35 feet, except for steeply sloped lots in which case the provisions of Chapter <u>41</u> CDC shall apply.
- 7. The maximum lot coverage shall be 35 percent.

(...)

- 9. The floor area ratio shall be 0.45. Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of 0.30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a non-conforming structures permit under Chapter 66 CDC.
- 10. The sidewall provisions of Chapter 43 CDC shall apply.

#### **STAFF RESPONSE NO. 3:**

Both the existing and proposed house footprints are more than 20 feet from the front and rear property lines, and more than 7.5 feet from the side property lines. The setback criteria are met. The additions will not cause the house footprint or finished area square footage to exceed the lot coverage or floor area ratio limits, respectively. The house will remain one story, so it will continue to meet height standards and Chapter 43 sidewall mass standards. The criteria are met.

#### 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.
- 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 bankful stage shall not count toward compensating for fill.
- C. Excavation to balance a fill shall be located on the same 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.

(...)

- 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.
- 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.

(...)

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.

(...)

#### **STAFF RESPONSE NO. 4:**

The applicant proposes development in the 100-year floodplain and the 1996 flood area, but not the floodway. The porch enclosure/addition on the front elevation will rely on the existing porch slab. The northwest addition will be built on perimeter foundation wall with air vents. The south east addition to the garage will be built with a foundation wall containing the gravel/concrete slab on grade. The applicant has submitted a signed/stamped determination by a licensed Engineer that the additions will not modify the pattern of the floodwaters because of their small size, the shallowness of the expected floodwaters but more importantly because the air vents will allow passage of floodwaters through uninhabitable spaces or crawlspaces so the potential flood area will not be diminished or adversely affected by the additions. Those Engineering comments still do not address flood water displacement criteria 27.060 (A), (B) and (C) above. Therefore, for all additions that displace flood water storage due to the width of the exterior foundation wall and/or gravel and concrete slab on grade construction, those displaced area shall be calculated and a compensatory excavation on the property. The criterion is met by condition two.

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

(...)

#### **STAFF RESPONSE NO. 5:**

The applicant has stated that construction material that is at, or below, the base flood elevations and 1996 flood elevation will be water resistant/pressure treated materials so as to minimize damage. With regards to electrical, plumbing and HVAC, staff adopts the applicant's findings and finds that the criteria are met.

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

#### **STAFF RESPONSE NO. 6:**

All new walls will be anchored to the new foundations or existing slabs, with "hold downs" to prevent flotation, collapse, or lateral movement of the structure. The criterion is met.

#### 27.080 RESIDENTIAL CONSTRUCTION

- A. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to at least one foot above the base flood elevation.
- B. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be certified by either a professional civil engineer or an architect licensed to practice in the State of Oregon, and must meet or exceed the following minimum criteria:
- 1. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
  - 2. The bottom of all openings shall be no higher than one foot above grade.

- 3. Openings may be equipped with screens, louvers, or other coverings or devices; provided, that they permit the automatic entry or exit of floodwaters.
- 4. Fully enclosed areas below the base flood elevation shall only be used for parking, access, and limited storage.
- 5. Service equipment (e.g., furnaces, water heaters, washer/dryers, etc.) is not permitted below the base flood elevation.
- 6. All walls, floors, and ceiling materials located below the base flood elevation must be unfinished and constructed of materials resistant to flood damage.
- C. Crawlspaces. Crawlspaces are a commonly used method of elevating buildings in special flood hazard areas (SFHAs) to or above the base flood elevation (BFE), and are allowed subject to the following requirements:
- 1. The building is subject to the Flood-Resistant Construction provisions of the Oregon Residential Specialty Code.
- 2. They shall be designed by a professional engineer or architect licensed to practice in the State of Oregon to meet the standards contained in the most current Federal Emergency Management Agency's (FEMA) Technical Bulletin.
- 3. 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.
- 4. Flood vent openings shall be provided on at least two sides that equalize hydrostatic pressures by allowing for the automatic entry and exit of floodwaters. The total area of the flood vent openings must be no less than one square inch for each square foot of enclosed area. The bottom of each flood vent opening can be no more than one foot above the lowest adjacent exterior grade. For guidance on flood openings, see FEMA Technical Bulletin 1-93, Openings in Foundation Walls.
- 5. Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls (studs and sheathing), but also any joists, insulation, or other materials that extend below the BFE. For more detailed guidance on flood-resistant materials see FEMA Technical Bulletin 2-93, Flood-Resistant Materials Requirements.

(...)

7. The interior grade of a crawlspace below the BFE must not be more than two feet below the lowest adjacent exterior grade (LAG).

#### **STAFF RESPONSE NO. 7:**

The applicant proposes to use foundation air vents in the crawl space to allow the limited flood waters to pass through and under the house, below habitable spaces. This approach was approved by the applicant's engineer.

8. 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. This limitation will also prevent these crawlspaces from being converted into habitable spaces.

#### **STAFF RESPONSE NO. 8:**

The applicant proposes crawlspaces that will not exceed three feet in height, so the criterion is met.

9. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. Possible options include natural drainage through porous, well-drained soils and drainage systems such as low-point drains, perforated pipes, drainage tiles, or gravel or crushed stone drainage by gravity.

#### **STAFF RESPONSE NO. 9:**

The applicant proposes crawlspaces lined with crushed rock and proposes perforated drain pipes at the foundations. The proposed foundation vents will also help with drainage. The criterion is met.

- 10. The velocity of floodwaters at the site should not exceed five feet per second for any crawlspace. For velocities in excess of five feet per second, other foundation types should be used.
- 11. For more detailed information refer to FEMA Technical Bulletin 11-01 or the most current edition.

(...)

D. A poured slab placed over fill can be used to elevate the lowest floor of a structure above the base flood elevation. However, when a building site is filled, it is still in the floodplain and no basements are permitted.

(...)

#### **STAFF RESPONSE NO. 10:**

The fact that this location represents the upper reaches or terminus of a 100 year flood means that floodwater velocity is expected to be well below the five feet per second standard. The 78 square foot addition on the west side of the house will be an exterior foundation wall with vents and not a poured slab construction. The habitable floor in this 78 square foot addition will be one-foot above the base flood and constructed using the exterior foundation wall. The 65 square foot garage addition is not habitable and the existing garage slab will not be modified or increased in height. No basement is proposed. The criteria are met.

# **EXHIBITS**

PD-1	COMPLETENESS LETTER	16
PD-2	NOTICE MAILING PACKET	17-21
PD-3	AFFADAVIT OF NOTICE	22
PD-4	APPLICANT'S SUBMITTAL	23-37

4



November 21, 2012

Philip Sydnor 1715 N. Terry Street Portland, OR 97217

SUBJECT: MIS-12-16

Dear Mr. Sydnor:

Staff has determined that your application is **complete**. The City has 120 days to exhaust all local review. Per ORS 227.178, that 120 day period will lapse March 21, 2013. Having said that, staff expects that the application will be noticed and a Planning Director decision rendered by December 20, 2012.

You will have a greater sense of the intended decision date when you receive the notice.

Please feel free to contact me at 503-723-2539, or by email at <a href="mailto:pspir@westlinnoregon.gov">pspir@westlinnoregon.gov</a> if you have questions or comments regarding this application.

Best Regards,

Peter Spir

Associate Planner

Peter Spir

P: development review\projects folder\projects 2012\MIS-12-16 river street-fma complete

## PUBLIC NOTICE CHECKLIST

	WL.		
PROJECT MANAGER: P. SPIR	DATE: 11-26-12		
MAILING DEADLINE DATE 10-day o	r 20-day (circle one):		
PUBLISH IN LOCAL PAPER (10 days pr			
MEETING DATE:			
SEND TO (check where applicable):			
Applicant: Name: PHILIP App	licant Address: 1715 TERRY 37.		
<b>SYONOR</b> If Applicant Representative or Owner to receive	PORTLAND, OR 97 ive please list in others below:		
School District/Board	Division of State Lands		
Metro	US Army Corps of Engineers		
Tri-Met	Stafford-Tualatin CPO		
Clackamas County	City of Lake Oswego		
ODOT (if on State Hwy. or over 40 dwelling units)	Dept. of Fish & Wildlife Other(s):		
Neighborhood Assn(s).			
(please specify) Au			
Other(s): TRENT × MI LYNN 5650 RIVER ST. WL 97068	Cher(s):		
Other(s):	Other(s):		
Other(s):	Other(s):		

# CITY OF WEST LINN PLANNING DIRECTOR DECISION FILE NO. MISC-12-16

The West Linn Planning Director is considering a request for three minor additions, totaling 180 square feet, to a house at 5650 River Street. The house is in the 100 year floodplain. Consequently, a Flood Management Area permit is required for the expansion of, and modifications to, the building footprint.

The decision will be based on the approval criteria in Chapter 27 of the Community Development Code (CDC). The approval criteria from the CDC are available for review at City Hall, at the City Library, and at <a href="http://www.westlinnoregon.gov.cdc">http://www.westlinnoregon.gov.cdc</a>.

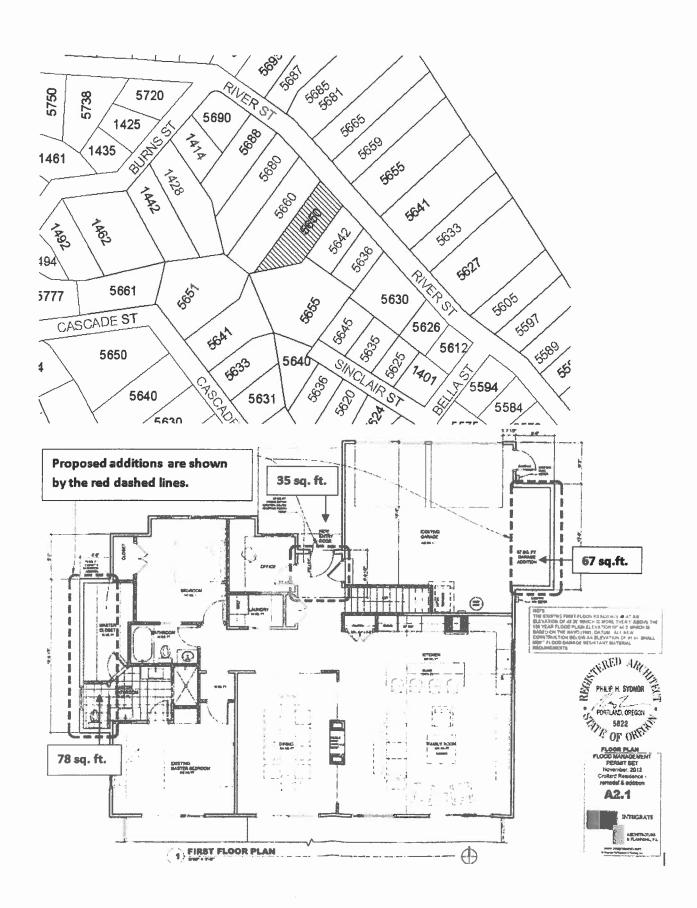
You have received this notice because County records indicate that you own property within 100 feet of this property (tax lots 1608 of Clackamas County Assessor's Map 2-2E-30AC) or as otherwise required by the CDC.

All relevant materials in the above noted file are available for inspection at no cost at City Hall, and on the city web site at <a href="http://westlinnoregon.gov/planning/5650-river-street-additions-existing-residence-flood-management-area">http://westlinnoregon.gov/planning/5650-river-street-additions-existing-residence-flood-management-area</a> or copies may be obtained for a minimal charge per page. Although there is no public hearing, your comments and ideas are invited and can definitely influence the final decision of the Planning Director. Planning staff looks forward to discussing the application with you. The final decision is expected to be made on, and no earlier than, December 17, 2012</a>, so please contact us prior to that date. For further information, please contact Peter Spir, Associate Planner, City Hall, 22500 Salamo Rd., West Linn, OR 97068, (503) 723-2539, <a href="mailto:pspir@westlinnoregon.gov">pspir@westlinnoregon.gov</a>.

Any appeals to this decision must be filed within 14 days of the final decision date with the Planning Department. Failure to raise an issue in person or by letter, or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond to the issue, precludes the raising of the issue at a subsequent time on appeal or before the Land Use Board of Appeals.

SHAUNA SHROYER
Planning Administrative Assistant

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RASZLER CHRISTOPHER H TRUSTEE MARTINS MICHAEL LOUIS & ALLEGRA GODARD DONALD W & TERESA A 5655 RIVER ST ANNA 5665 RIVER ST WEST LINN, OR 97068 PO BOX 132 WEST LINN, OR 97068 WEST LINN, OR 97068 HOLDEN NANCY LEE TRUSTEE TURNBULL KIMBERLY R **GILBURNE ANDREW J 1428 BURNS ST** PO BOX 2194 5660 RIVER ST WEST LINN, OR 97068 KAELAKEKUA, HI 96750 WEST LINN, OR 97068 CROLLARD TRENT P & MI LYNN G STATHAKIS CHRIST DAVIS TERENCE M & DONNA L 5650 RIVER ST PO BOX 2524 5641 CASCADE ST WEST LINN, OR 97068 YELM, WA 98597 WEST LINN, OR 97068 LANG CALVIN E TRUST ZIMMER DONALD A WINDUST GARY G TRUSTEE **PO BOX 276** 17705 S CANTER LN 5636 RIVER ST WEST LINN, OR 97068 OREGON CITY, OR 97045 WEST LINN, OR 97068 PHILIP SYDNOR OREGON DEPT OF STATE LANDS US ARMY CORP OF ENGINEERS 1715 TERRY ST 775 SUMMER ST NE PO BOX 2946 PORTLAND, OR 97217 SALEM, OR 97301-1279 PORTLAND, OR 97208 ATTN: TAMI HUBERT STEVE GARNER SALLY MCLARTY ALEX KACHIRISKY BHT NA PRESIDENT **BOLTON NA PRESIDENT** HIDDEN SPRINGS NA PRESIDENT 3525 RIVERKNOLL WAY 19575 RIVER RD # 64 6469 PALOMINO WAY WEST LINN OR 97068 **GLADSTONE OR 97027** WEST LINN OR 97068 JEF TREECE BILL RELYEA ANTHONY BRACCO MARYLHURST NA PRESIDENT PARKER CREST NA PRESIDENT ROBINWOOD NA PRESIDENT 1880 HILLCREST DR 3016 SABO LN 2716 ROBINWOOD WAY WEST LINN OR 97068 WEST LINN OR 97068 WEST LINN OR 97068 **ED SCHWARZ** KEN PRYOR TRACY GILDAY SAVANNA OAKS NA VICE PRES SAVANNA OAKS NA PRESIDENT SKYLINE RIDGE NA PRESIDENT 2206 TANNLER DR 1341 STONEHAVEN DR

2119 GREENE ST WEST LINN, OR 97068

TROY BOWERS SUNSET NA PRESIDENT 2790 LANCASTER ST WEST LINN OR 97068

SUSAN VAN DE WATER HIDDEN SPRINGS NA DESIGNEE 6433 PALOMINO WAY WEST LINN OR 97068

**BETH SMOLENS** WILLAMETTE NA PRESIDENT 1852 4TH AVE WEST LINN OR 97068

WEST LINN OR 97068

**KEVIN BRYCK** ROBINWOOD NA DESIGNEE 18840 NIXON AVE WEST LINN OR 97068

**ALMA COSTON BOLTON NA DESIGNEE PO BOX 387** WEST LINN OR 97068

WEST LINN OR 97068

**DOREEN VOKES** SUNSET NA SEC/TREAS 4972 PROSPECT ST WEST LINN OR 97068

WEST LINN CHAMBER OF COMMERCE 1745 WILLAMETTE FALLS DR WEST LINN OR 97068

> MAILED MAILED

## **AFFIDAVIT OF NOTICE**

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

GENERAL File No. MISC12-16  Applicant's Name Philip Development Name Scheduled Meeting/Decision Date DLC. 17, 2012	Sydnov
NOTICE: Notices were sent at least 20 days prior to the scheous 99.080 of the Community Development Code. (check below)	
TYPE A	
A. The applicant (date)	/ (signed)/
B. Affected property owners (date)	(signed)
C. School District/Board (date)	(signed)
D. Other affected gov't. agencies (date)	(signed)
E. Affected neighborhood assns. (date)	(signed)
All parties to an appeal or review (date)	(signed)
At least 10 days prior to the scheduled hearing or meeting, notice	waran muhliched (nocted)
At least to days prior to the scheduled hearing of meeting, houce	was published/ posted:
Tidings (published date)  City's website (posted date)	(signed)
SIGN	
At least 10 days prior to the scheduled hearing, meeting or de Section 99.080 of the Community Development Code.	cision date, a sign was posted on the property per
(date) (signed)	
(signed)	
<u>NOTICE</u> : Notices were sent at least 14 days prior to the sched 99.080 of the Community Development Code. (check below)	luled hearing, meeting, or decision date per Section
TYPE B ##	,
A. The applicant (date) $/2-4-/2$	(signed) S. S. M. OVAY
A. The applicant (date) /2-4-/2  B. Affected property owners (date) /2-4-/2	(signed) 5. Shryer
C. School District/Board (date)	(signed)
D. Other affected gov't. agencies (date) /2-4-12	(signed) 5. Survey
E. Affected neighborhood assns. (date) 12-4-12 Robinwood: A.	(signed) S. Sheryer
Notice was posted on the City's website at least 10 days prior to the Date:	
STAFF REPORT mailed to applicant, City Council/Planning C prior to the scheduled hearing.	•
(date) (signed)	
FINAL DECISION notice mailed to applicant, all other parti	
surveyor's office. (date) 12-17-12 (signed) 5.5 hry c	·V
(date) (signed) 5.000.9	



FILE NO.:

**MIS-12-16** 

**REQUEST:** 

APPLICATION FOR A FLOOD MANAGEMENT AREA PERMIT

FOR ADDITIONS TO 5650 RIVER STREET

## APPLICANT'S SUBMITTAL Exhibit PD-4



November 9, 2012

Mr. Tom Soppe Associate Planner 22500 Salamo Rd West Linn, OR 97068

**Subject:** Flood Management Area permit - Written response to sections 27.060, 27.070, and 27.080 of West Linn's Community Development Code, ch. 27 – Flood Management Areas

Applicant: Integrate Architecture & Panning, contact Philip Sydnor 1715 N. Terry Street, Portland, Oregon 97217 503.312.2561 phil@integratearch.com

Property Owners: Trent and Mi Lynn Crollard

5650 River Street, West Linn, Oregon 97068

Property: 5650 River Street, West Linn, Oregon 97068

#### **Project Description:**

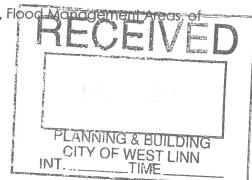
Provide three separate additions to the existing residence:

- A 65 sq. ft. addition at the front of the house and below the existing roof overhang and over the existing outdoor entry area to facilitate a new entryway.
- A 67 sq. ft. addition at the east side of the house, at the existing garage to facilitate additional garage space.
- A 78 sq. ft. addition on the west side of the house at the bedroom side to facilitate space for a larger master bathroom and closet.

### List of permit approvals sought by the applicant:

Flood Management Area Permit

**Response** to sections 27.060, 27.070, and 27.080Chapter 27, Flood West Linn's Community Development Code:



#### 27.060 Approval Criteria

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.

Response: The proposed 78 sq. ft. bedroom side addition and the 35 sq. ft. entryway addition are to be located at the existing first floor elevation which is at an elevation of 49.26' and greater than 1' above the 100 year floodplain elevation of 48.00, based on NAVD 1988 datum. The garage addition is at an elevation of 48.09'. The only excavation required is for the new perimeter footings required for the additions. The new development will not increase design flood elevations.

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 bankful stage shall not count toward compensating for fill.

Response: No fill is required. Approximately 65 sq. ft. of compacted gravel is required as a sub base below the newly proposed addition at the garage. This gravel will replace the existing top soil requiring removal. The addition at the front and on the east side will be above existing grade.

C. Excavation to balance a fill shall be located on the same 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.

Response: No work is required on any other parcels of land. The proposed additions are on a single family residential home and all three will be above existing grade. The minor excavation required for foundations will not increase flood impacts for surrounding properties. The proposed additions, 35 sq. at the front, 78 sq. ft. at the west bedroom side, and 65 sq. ft. at the east garage side, result in small total increase to the existing footprint of the existing residence and have no impact to the surrounding properties.

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.

Response: The residence located at 5650 River Street is an existing residence. The proposed 35 sq. addition at the front and 78 sq. ft. addition at the west bedroom side shall remain at the existing 49.26' finish floor elevation, greater than 1' above the 48.00' 100 tear floodplain elevation. The, 65 sq. ft. addition at the garage side must remain at the existing garage elevation of 48.09'. This is not 1' above the 48.00' elevation however, this is non habitable space and matches the existing garage elevation.

E. Temporary fills permitted during construction shall be removed.

Response: No temporary fill is required during construction.

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.

Response: The total footprint for the new additions is 178 sq. ft. Each of the area meet all standard zoning requirements and will not encroach on any adjacent properties not have an effect on flood levels during the occurrence of the base flood discharge.

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.

Response: No improvements are proposed to the floodplain or floodway and a civil engineer's services are not required.

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.

Response: No culverts, stream crossings, or transportation projects are part of the scope of work.

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.

Response: The project is includes only small additions to an existing single family residence. Detention facilities, levees, etc. are not in the scope of work.

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)

Response: The only other permit required is a building permit to be issued by the City of West Linn. No state or federal review is required for the project.

#### 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.

Response: The existing residence main floor is more than 1' the flood plain elevation of 48.00' which is based on the NAVD 1988 datum. All new construction below an elevation of

49.00' shall meet flood damage resistant material requirements including but not limited to pressure treated lumber and exterior grade plywood sheathing.

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.

Response: All electrical and mechanical equipment will 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 the occurrence of flooding to the design flood elevation in compliance with the flood-resistant construction requirements of the building code." All new mechanical ductwork will be provided above the ceilings in the attic spaces, above the flood plain elevation.

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

Response: The existing residence utilizes the public utility system. No on-site supply systems are part of the scope. Improvements to the existing water supply system shall be installed so that floodwaters do not enter or accumulate within system components and to additionally ensure that floodwater does not contaminate the potable water supply system. Those systems shall be water tight. All new faucets shall be located above the flood plain.

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.

Response: The existing residence utilizes the public sewer system. No on-site sewer systems are part of the scope. An existing toilet will be relocated from within the existing footprint to be within the new addition on the bedroom side of the home. All other plumbing fixtures will remain within the existing footprint. A back flow valve will be installed if required.

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

Response: The existing residence utilizes the public sewer system. No on-site sewer systems are part of the scope.

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

Response: All new walls at the proposed additions shall be anchored to the new foundations with holdowns to prevent foundation, collapse, or lateral movement of the structure. An Oregon licensed structural engineer shall determine all anchoring requirements.

#### 27.080 RESIDENTIAL CONSTRUCTION

A. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to at least one foot above the base flood elevation.

Response: The residence located at 5650 River Street is an existing residence, no substantial improvements are part of the scope. The proposed additions, 35 sq. at the front, 78 sq. ft. at the west bedroom side, and 65 sq. ft. at the east garage side must all remain at the same height as the existing floor elevation to allow for a functional layout. The west side addition and entryway addition shall match the existing finish floor which is greater than 1' above the 100 year floodplain elevation.

B. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be certified by either a professional civil engineer or an architect licensed to practice in the State of Oregon, and must meet or exceed the following minimum criteria:

Response: Philip Sydnor, working under Integrate Architecture & Planning, p.c., is a licensed architect in the state of Oregon.

1. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

Response: All new crawlspaces below the additions will meet or exceed the opening requirement with foundation vents.

2. The bottom of all openings shall be no higher than one foot above grade.

Response: The foundation vents will be located not more than 1' above grade

3. Openings may be equipped with screens, louvers, or other coverings or devices; provided, that they permit the automatic entry or exit of floodwaters.

Response: The foundation vents will be have screens to prevent rodents from entering but will not prevent the flow of water from exiting the crawlspace area.

4. Fully enclosed areas below the base flood elevation shall only be used for parking, access, and limited storage.

Response: No new enclosed areas other than crawlspaces are part of the proposed scope of work.

5. Service equipment (e.g., furnaces, water heaters, washer/dryers, etc.) is not permitted below the base flood elevation.

Response: No new furnaces, water heater, washer/ dryers etc., are part of the scope of the proposed additions.

6. All walls, floors, and ceiling materials located below the base flood elevation must be unfinished and constructed of materials resistant to flood damage.

Response: The residence located at 5650 River Street is an existing residence, no substantial improvements are part of the scope. The proposed additions, 35 sq. at the front, 78 sq. ft. at the west bedroom side, and 65 sq. ft. at the east garage side must all remain at the same height as the existing floor elevation and garage elevation to allow for a functional layout. All new structural materials and finish materials required at the proposed additions below an elevation of 49.00 shall meet the FEMA Flood damage resistant material requirements.

- C. <u>Crawlspaces</u>. Crawlspaces are a commonly used method of elevating buildings in special flood hazard areas (SFHAs) to or above the base flood elevation (BFE), and are allowed subject to the following requirements:
- 1. The building is subject to the Flood-Resistant Construction provisions of the Oregon Residential Specialty Code.

Response: All parts of section 322, Flood Resistant Construction of the ORSSC Shall be met at the proposed additions.

2. They shall be designed by a professional engineer or architect licensed to practice in the State of Oregon to meet the standards contained in the most current Federal Emergency Management Agency's (FEMA) Technical Bulletin.

Response: Philip Sydnor, working under Integrate Architecture & Planning, p.c., is a licensed architect in the state of Oregon and shall provide the required specifications on the permit documents of the proposed additions which shall indicate the where and how the FEMA flood resistance requirements.

3. 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.

Response: All new walls at the proposed additions shall be anchored to the new foundations with holdowns to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. An Oregon licensed structural engineer shall determine all anchoring requirements.

4. Flood vent openings shall be provided on at least two sides that equalize hydrostatic pressures by allowing for the automatic entry and exit of floodwaters. The total area of the flood vent openings must be no less than one square inch for each square foot of enclosed area. The bottom of each flood vent opening can be no more than one foot above the lowest adjacent exterior grade. For guidance on flood openings, see FEMA Technical Bulletin 1-93, Openings in Foundation Walls.

Response: All new crawlspaces below the additions will meet or exceed the opening size requirement with foundation vents. The foundation vents will not be more than 1' above arade.

5. Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls (studs and sheathing), but also any joists, insulation, or other materials that extend below the BFE. For more detailed guidance on flood-resistant materials see FEMA Technical Bulletin 2-93, Flood-Resistant Materials Requirements.

Response: All new structural materials and finish materials required at the proposed additions below an elevation of 49.00' (48.00' + 1') shall meet the FEMA Flood damage resistant material requirements through the use of concrete at foundations, pressure treated lumber and exterior grade plywood at framing and non paper faced gyspum wall board, and all other Flood damage material requirements.

6. 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. For further guidance on the placement of building utility systems in crawlspaces, see FEMA 348, Protecting Building Utilities From Flood Damage. Flood-resistant materials and utilities, access, and ventilation openings in crawlspaces are further addressed in this bulletin.

Response: No utility systems are required in any of the crawlspaces in the proposed additions.

7. The interior grade of a crawlspace below the BFE must not be more than two feet below the lowest adjacent exterior grade (LAG).

Response: No part of the interior grade within a crawlspace below the proposed additions will me more than 2' below the adjacent exterior grade.

8. 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. This limitation will also prevent these crawlspaces from being converted into habitable spaces.

Response: The highest clearance between grade and bottom of floor joists in the crawlspace of the proposed additions will not exceed 3', this is 1' below the maximum height allowed.

9. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. Possible options include natural drainage through porous, well-drained soils and drainage systems such as low-point drains, perforated pipes, drainage tiles, or gravel or crushed stone drainage by gravity.

Response: All open crawlspaces below the proposed additions shall be lined with 3/4" minus crushed rock, and have perforated drain pipes at all foundations. A minimum of (2) Foundation vents will also be provided at all proposed crawlspaces which are fully enclosed.

10. The velocity of floodwaters at the site should not exceed five feet per second for any crawlspace. For velocities in excess of five feet per second, other foundation types should be used.

Response: The crawlspaces below the proposed additions shall be concrete stem walls over spread footings. Those foundation systems shall meet the requirements of ch. 4 of the ORSC as required by R322.2.3 – foundation design and construction of the Flood Resistant Construction section of the ORSC and shall be designed to resist the expected velocities at the site.

11. For more detailed information refer to FEMA Technical Bulletin 11-01 or the most current edition.

Response: The FEMA technical bulletin 11-01 has been reviewed and its requirements will be provided on the permit documents. All parts of the proposed additions below the elevation of 49.00' (48.00' + 1') shall meet those requirements.

12. The use of below-grade crawlspaces to elevate the building to one foot above the BFE may cause an increase in flood insurance premiums, which are beyond the control of the City.

Response: The home owners currently have flood insurance and shall coordinate directly with their provider when necessary.

D. A poured slab placed over fill can be used to elevate the lowest floor of a structure above the base flood elevation. However, when a building site is filled, it is still in the floodplain and no basements are permitted.

Response: No basements are part of the scope of work. A new slab will be provided over structural fill at the proposed addition at the garage side of the home. Ch. 4 of the ORSC shall be met for those foundation systems.

E. Placing a structure on piers, piles, and posts is allowed provided supporting members are designed to resist hydrostatic and hydrodynamic forces. (Ord. 1565, 2008)

Response: Perimeter footings shall be used at the additions.

# RIVER STREET

EXISTING GARAGE SLAB ELEVATION 48.09'

83.92

47.98

111

11

EXISTING 2" IRON PIPE -AT PROPERTY CORNER

1995 FLOOD LINE

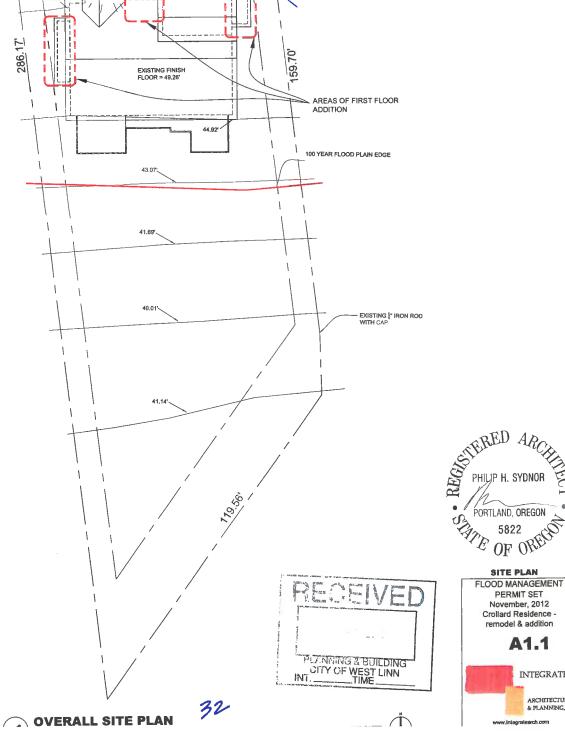
NOTE:
THE 100 YEAR FLOODPLAIN ELEVATION AT THE EXISTING
SITE LOCATED AT 5850 RIVER STREET IS 48.00° PER NAVO
1998. THIS ELEVATION IS BASED ON THE FEMA FLOOD
UNSURANCE RATE MAP, MAP NUMBER 41005C0276D. THE
EXISTING RISTS FLOOR FINISH ELEVATION AT THE
EXISTING RESIDENCE IS 48.26° PER NAVD (1988). THE
EXISTING GARAGE SLAB ELEVATION AT THE EXISTING
RASIDENCE IS 48.09°. ALL NEW CONSTRUCTION FOR THE
PROPOSED ADDITIONS BELOW AN ELEVATION OF 49.00°
SHALL MEET FLOOD DAMAGE RESISTANT MATERIAL
REQUIREMENTS.

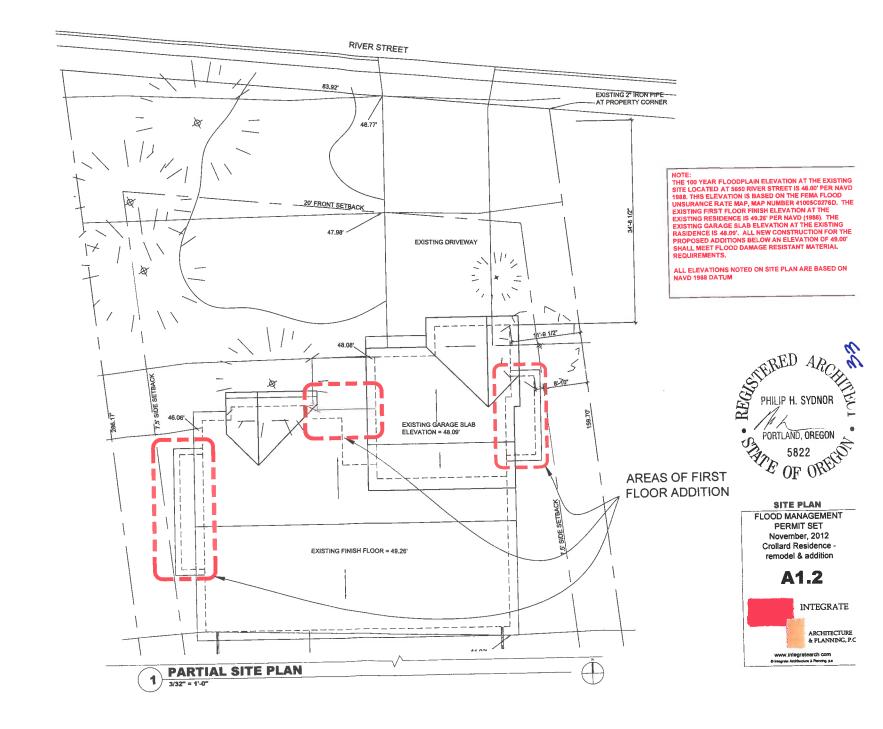
ALL ELEVATIONS NOTED ON SITE PLAN ARE BASED ON NAVO 1988 DATUM

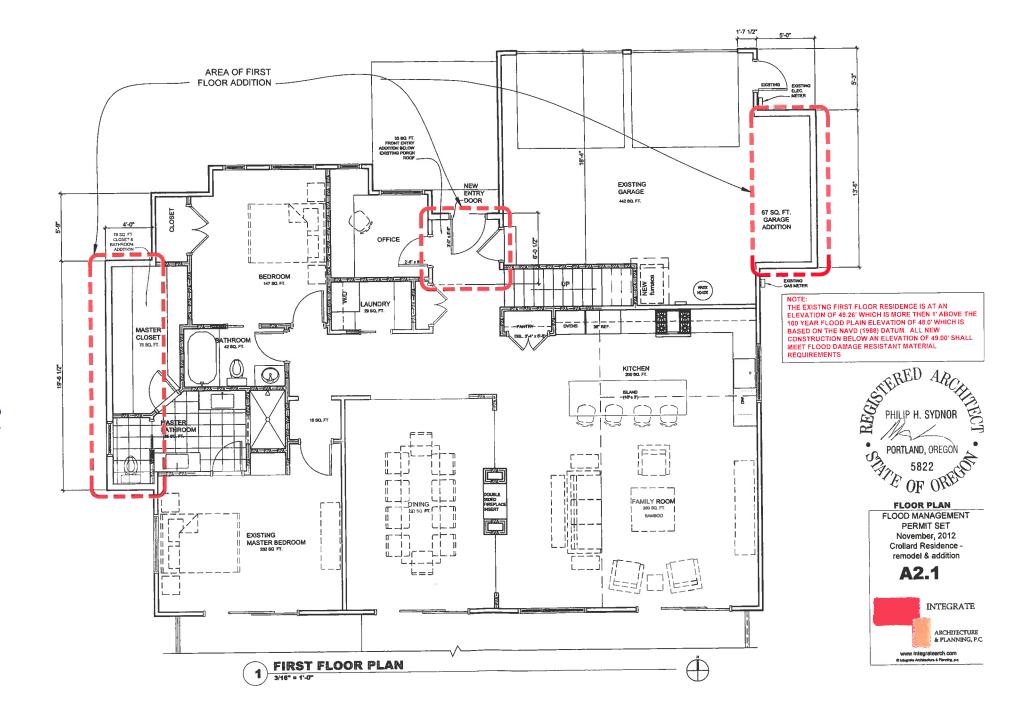
SITE PLAN FLOOD MANAGEMENT PERMIT SET November, 2012 Crollard Residence remodel & addition A1.1

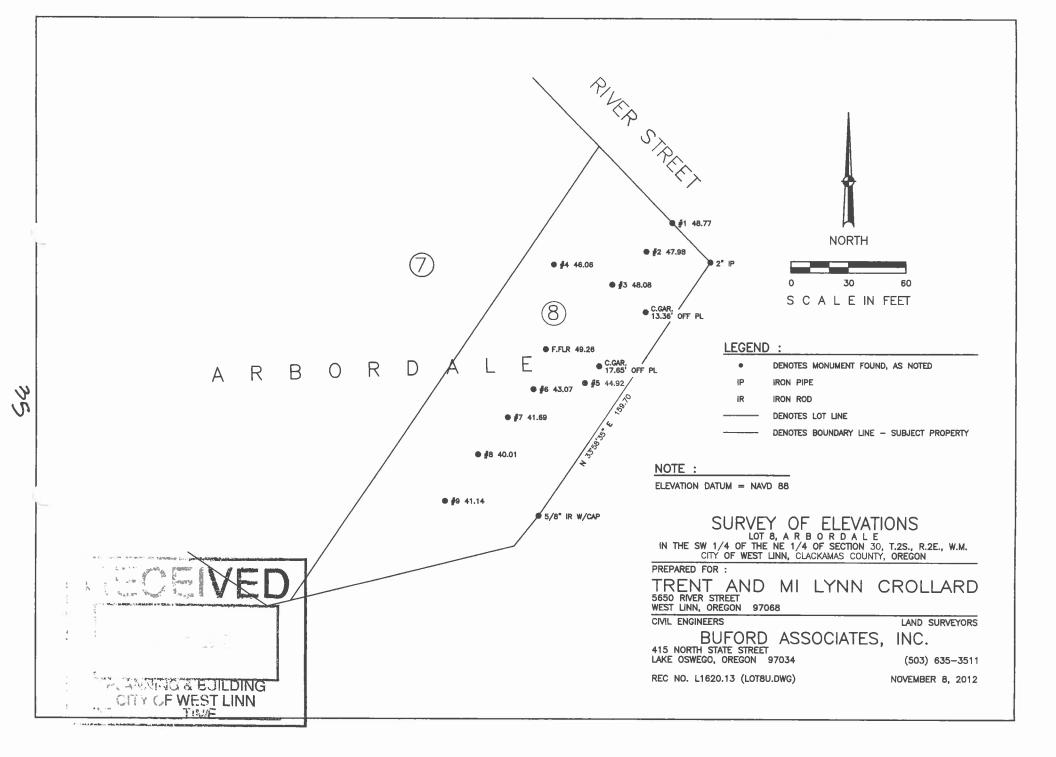
INTEGRATE

ARCHITECTURE & PLANNING, P.C.









Satrifie 27.060(4)

#### **BUFORD ASSOCIATES, INC.**

consulting engineers

land surveyors

415 N. STATE STREET • LAKE OSWEGO, OREGON 97034 • PHONE (503) 635-3511 • FAX (503) 635-2911

November 19, 2012

Rec. No. L1620.17 File: L1620 WL Planning

Mr. Tom Soppe, Associate Planner CITY OF WEST LINN 22500 Salamo Road West Linn, OR 97068

RE:

FLOOD MANAGEMENT

Crollard Residence 5650 River Street West Linn, OR 97068

Dear Mr. Soppe:

The purpose of this letter is to provide a civil engineer opinion as to impact on the flood plain level which might be caused by three separate additions to the subject residence proposed by Integrate Architecture & Planning. I have reviewed the letter to you written by Philip Sydnor which addresses Sections 27.060, 27.070 and 27.080, Chapter 27 of the West Linn Community Development Code relevant Flood Management.

Pertaining to items F and G, Section 27.060 of Chapter 27, there are no encroachments by the proposed residential improvements within the floodway or active flood fringe of the flood plain. Also, pertaining to item B.1 of Section 27.080, the architect has stated that the "opening requirement with foundation vents" will be met or exceeded.

The part of the subject property fronting River Street is generally above the 100-year flood plain elevation; however, the ground slopes downward in a southwesterly direction from the street. Accordingly, much of the property away from the street is below flood plain elevation; and, FEMA mapping appears to indicate that flood waters may enter and exit the property from the north within a drainage swale near the back line of the property.

The volume of the proposed improvements of Integrate Architecture & Planning within the flood plain are minuscule in comparison to the total volume of the floodway and flood fringe in the cross-section of the river at the subject property. Calculations are not even necessary to say there will be no increase in flood plain elevation as a result of the proposed residential improvements.

As a registered professional engineer in the State of Oregon, this letter serves to certify that the base flood (100-year) elevation will not be affected by the proposed residential improvements. I trust this will be adequate certification for the City of West Linn.

Sincerely,

Gary M/Butord, P.E., P.L.S.

Date of Renewal: 12/31/2013

PA 1000



Development Review Application (Rev. 2011.07)

West Linn Plannin Teleph	ng & Development • 2 one 503.656.4211 • Fi	2500 Salam ax 503.656,	o Rd #1000 • West Linn, Oregon 97068 4106 • westlinnoregon.gov
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Type of Review (Please check all that apply		1000	/050
Annexation (ANX)  Appeal and Review (AP) *  Conditional Use (CUP)  Design Review (DR)  Easement Vacation  Extraterritorial Ext. of Utilities  Final Plat or Plan (FP)  Flood Management Area  Hillside Protection & Erosion Control	ric Review lative Plan or Change ne Adjustment (LLA) */*' r Partition (MIP) (Prelimina Conforming Lots, Uses & : ed Unit Development (PL pplication Conference (PA Vacation	ery Plat or Pla Structures JD) A) */**	Water Resource Area Protection/Single Lot (WAP) Water Resource Area Protection/Wetland (WAP) Willamette & Tualatin River Greenway (WRG) Zone Change
Home Occupation, Pre-Application, Sidewa different or additional application forms, av	lk Use, Sign Review Pern ailable on the City webs	nit, and Tem iite or at City	porary Sign Permit applications require Hall.
Site Location/Address:			Assessor's Man No.
SI 50 PIVED OF			Assessor's Map No.: 22530AC01608
SG50 RIVER ST, WEST	LINN, OR.		Tax Lot(s):
Brief Description of Proposal: 3 SEPA 1- 3559. FT. ENTRY ADDIT 2-78 54. PT WEST ADDIT 3-65 80. FT - EAST ADDIT Applicant Name: DILLIA COMMENT	7-10 00		TOTAL Land Area: 44ACRES THE EXISTING RESIDENCE
Applicant Name: PHILIP SYDNER	11 14 15	AIWER	
Address: INTECRATE ARCH	MELTARE LI	S	Phone: 503.528.9899
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Owner Name (required): TRENT + M.	1 1 1 1 1 1 1 1 1		Oh
Address: 5650 RIVER ST	CIZOL	LARD	Phone:
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Consultant Name ST LINN, O	D 970//		TRENTEROLLARDEMSN. LOM
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Address: SAME AS A	DD/1144		Phone:
	" CIZATUT		Email:
City State Zip:  1. All application fees are non-refundable (excluding 2. The owner/applicant or their representative showns 3. A denial or approval may be reversed on appeal.  4. Three (3) complete hard-copy sets (single sided) One (1) complete set of digital application mater if large sets of plans are required in application.	No permit will be in eff of application material: ials must also be submit please submit only two	ect until the s must be s	appeal period has expired
* No CD required / ** Only one hard-copy set ne	eded		
The undersigned property owner(s) hereby authorizes the comply with all code requirements applicable to my applicate to the Community Development Code and to other regulations and subsequent development is not Applicant's signature	filing of this application, an ation. Acceptance of this applications adopted after the applicated under the provision	lication is app	is not iller a complete copposition. All am and a

CITY OF WEST LINN
INT.\_\_TIME