



PLANNING DEPARTMENT ATTACHMENT 3
6101 SE JOHNSON CREEK BLVD.
MILWAUKIE, OREGON 97206

PHONE: (503) 786-7630
FAX: (503) 774-8236

Application for Land Use Action

WATER QUALITY RESOURCE REVIEW

Admin. I Minor QJ Leg.
 Admin. II Major QJ

RESPONSIBLE PARTIES:

(Please print or type)

APPLICANT(S): <i>Paul Shirey, COM Operations Director</i>	Phone: <i>503-786-7614</i>
Address: <i>6101 SE Johnson Creek Blvd, Milwaukie</i>	Zip: <i>97206</i>
PROPERTY OWNER(S): <i>City of Milwaukie</i>	Phone: <i>503-786-7555</i>
Address: <i>10722 SE Main Street, Milwaukie</i>	Zip: <i>97222</i>

SITE INFORMATION: *"Pond House"*

151E36 BB 01600 +

Address: <i>2245 SE Harrison St.</i>	Map & Tax Lot(s): <i>151E25 CC00900</i>
Comprehensive Plan Designation: <i>TC</i>	Zoning: <i>R-1-B</i> Size of property: <i>~11651 sq.ft.</i>

PROPOSAL (describe briefly):

Replace worn deck adjacent to Spring Creek pond at Ledding Library Pond House facility and improve landscaping.

PLEASE NOTE: The Land Use Committee (LUC) of your Neighborhood District Association (NDA) will receive a review copy of this application. They may contact you and/or you may wish to contact them:

NDA: *Historic Milwaukie* LUC Chair: *Ed Zumwalt* Phone: *503-654-2493*

ATTEST: I am the property owner or I have attached the owner's authorization to submit this application. To the best of my knowledge, the information provided within this application package is complete and accurate.

Submitted by: *[Signature]* Date: *May 28, 2010*

THIS SECTION FOR OFFICE USE ONLY:

File #: <i>WQR-10-02</i>	Fee: \$ <i>0</i>	Rcd. by: <i>SPS</i>	Date stamp:
Notes:			<p>RECEIVED</p> <p>MAY 28 2010</p> <p>CITY OF MILWAUKIE PLANNING DEPARTMENT</p>

SEE REVERSE SIDE FOR APPLICATION CHECKLIST

WATER QUALITY RESOURCE REVIEW APPLICATION CHECKLIST

THE FOLLOWING REQUIRED ATTACHMENTS ARE TO BE PROVIDED AT COUNTER:

General requirements:

- Submission Requirements checklist (please note that additional submission requirements may be contained in applicable code sections below)
- Site Plan Checklist
- Submission Requirements for Fire Protection & Access

Application-specific requirements:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Review Procedures: <ul style="list-style-type: none"><input type="checkbox"/> Type I Administrative (Section 19.1011.1)<input type="checkbox"/> Type II Administrative (Section 19.1011.2)<input checked="" type="checkbox"/> Minor Quasi-Judicial (Section 19.1011.3)<input type="checkbox"/> Major Quasi-Judicial (Section 19.1011.4)<input type="checkbox"/> Legislative (Section 19.1011.5) | <input checked="" type="checkbox"/> Applicable Code sections: <ul style="list-style-type: none"><input checked="" type="checkbox"/> 19.103 Definitions<input checked="" type="checkbox"/> 19.322 Water Quality Resource Regulations<input checked="" type="checkbox"/> Water Quality Resources Maps 1-6<input type="checkbox"/> Other: _____ |
|---|---|

Underlying zone requirements:

- Code section for applicable zone: R-1-B 19.307
- Minimum Vegetation worksheet
- Lot Coverage worksheet
- Floor Area worksheet

Preapplication conference:

A preapplication conference may be desirable or required for this action. Please discuss with Planning staff.

Public notification (by City of Milwaukee):

- Administrative process:
 - Type I: No notification required
 - Type II: Notify property owners and/or residents within 300 feet of site. (If a public hearing is requested, follow notification for Minor Quasi-Judicial below.)
- Minor/Major Quasi-Judicial process:
 - Notify property owners and/or residents within 300 feet (Minor) or 400 feet (Major) of site.
 - Advertise public hearing in local newspaper.
 - Post sign at site 10 or more days prior to public hearing.
- Legislative process
 - Advertise public hearing in local newspaper.
- Other notifications as may be required.

Other requirements:



PLANNING DEPARTMENT
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Milwaukie OR 97206

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FAX: 503-774-8236
E-MAIL: planning@ci.milwaukie.or.us

Application for Land Use Action

COMMUNITY SERVICE USE

- Admin. I Minor QJ Leg.
 Admin. II Major QJ

Type of Community Service Use: *Public Meeting Space*

RESPONSIBLE PARTIES:

(Please print or type)

APPLICANT(S): <i>Paul Shirey, COM operations director</i>	Phone: <i>503-786-7614</i>
Address: <i>6101 SE Johnson Creek Blvd, Milwaukie</i>	Zip: <i>97206</i>
PROPERTY OWNER(S): <i>City of Milwaukie</i>	Phone: <i>503-786-7555</i>
Address: <i>10722 SE Main Street, Milwaukie</i>	Zip: <i>97222</i>

SITE INFORMATION: *"Pond House"*

1S1E36BB011000 &

Address: <i>2215 SE Harrison St.</i>	Map & Tax Lot(s): <i>1S1E25CC00900</i>
Comprehensive Plan Designation: <i>TC</i>	Zoning: <i>R-1-B</i> Size of property: <i>~11651 sqft.</i>

PROPOSAL (describe briefly):

Replace worn deck adjacent to Spring Creek pond at Ledding Library Pond House facility and improve land scaping.

PLEASE NOTE: The Land Use Committee (LUC) of your Neighborhood District Association (NDA) will receive a review copy of this application. They may contact you and/or you may wish to contact them:

NDA: *Historic Milwaukie* LUC Chair: *Ed Zomwalt* Phone: *503-654-2493*

ATTEST: I am the property owner or I have attached the owner's authorization to submit this application. To the best of my knowledge, the information provided within this application package is complete and accurate.

Submitted by: *[Signature]* Date: *May 28, 2010*

THIS SECTION FOR OFFICE USE ONLY:

File #: <i>CSU-10-06</i>	Fee: \$ <i>0</i>	Rcd. by: <i>SPS</i>	Date stamp:
Notes:			<p>RECEIVED</p> <p>MAY 28 2010</p> <p>CITY OF MILWAUKIE PLANNING DEPARTMENT</p>

SEE REVERSE SIDE FOR APPLICATION CHECKLIST

COMMUNITY SERVICE USE

APPLICATION CHECKLIST

THE FOLLOWING REQUIRED ATTACHMENTS ARE TO BE PROVIDED AT COUNTER:

General requirements:

- Submission Requirements checklist (please note that additional submission requirements may be contained in applicable code sections below)
- Site Plan Checklist
- Submission Requirements for Fire Protection & Access

Application-specific requirements:

- Review Procedures:
 - Type I Administrative (Section 19.1011.1)
 - Type II Administrative (Section 19.1011.2)
 - Minor Quasi-Judicial (Section 19.1011.3)
 - Major Quasi-Judicial (Section 19.1011.4)
 - Legislative (Section 19.1011.5)

Applicable Code sections:

- 19.321 Community Service Use CSU includes specific standards by type of use:
 - 19.321.10 Schools
 - 19.321.11 Nursing or Convalescent Homes
 - 19.321.12 Institutions--Public, Private, Religious, and Other Facilities not covered by Other Standards
 - 19.321.13 Solid Waste Facilities
 - 19.321.14 Wireless Communication Facilities
- 19.400 Supplemental Regulations
- 19.500 Off-Street Parking and Loading
- 19.1400 Transportation Planning, Design Standards and Procedures (as applicable)
- Other: _____

Underlying zone requirements:

- Code section for applicable zone: R-1-B 19.307
- Minimum Vegetation worksheet
- Lot Coverage worksheet
- Floor Area worksheet

Preapplication conference:

A preapplication conference may be desirable or required for this action. Please discuss with Planning staff.

Public notification (by City of Milwaukee):

- Administrative process:
 - Type I: No notification required
 - Type II: Notify property owners and/or residents within 300 feet of site. (If a public hearing is requested, follow notification for Minor Quasi-Judicial below.)
- Minor/Major Quasi-Judicial process:
 - Notify property owners and/or residents within 300 feet (Minor) or 400 feet (Major) of site.
 - Advertise public hearing in local newspaper.
 - Post sign at site 10 or more days prior to public hearing.
- Legislative process
 - Advertise public hearing in local newspaper.
- Other notifications as may be required.

Other requirements:

Applicant must demonstrate that the proposal is in the general public interest and that the benefits to the public outweigh the potential adverse impacts of the use in accordance with Zoning Ordinance Section 321.4.D.



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For all Land Use Applications
(except Annexations)

Submittal Requirements

All land use applications must be accompanied by a signed copy of this form (see reverse for signature block) and the information listed below. The information submitted must be sufficiently detailed and specific to the development being proposed to allow for adequate public review. Failure to submit this information may result in the application being deemed incomplete per the Milwaukie Municipal Code (MMC) and Oregon Revised Statutes.

Contact Milwaukie Planning staff at 503-786-7630 or planning@ci.milwaukie.or.us for assistance with Milwaukie's land use application requirements.

- 1. Detailed and comprehensive description** of all existing and proposed uses and structures, including a summary of all information contained in any site plans.
Depending upon the development being proposed, the description may need to include both a written and graphic component such as elevation drawings, photo simulations, etc.
- 2. Detailed statement** that demonstrates how the proposal meets all applicable approval criteria, zoning and land use regulations, and development standards.
- 3. Site plan(s), preliminary plat, or final plat** as appropriate.
See Site Plan, Preliminary Plat, and Final Plat Requirements for guidance.
- 4. All required land use application forms and fees**, including any deposits.
Applications without the required application forms and fees will not be accepted.
- 5. A signed statement** from all property owners authorizing the applicant to submit the proposal for land use action where the applicant is not the owner of all property included in the proposal.
Applications without written owner authorization will not be accepted.

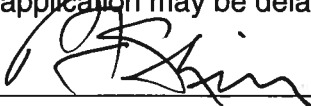
APPLICATION PREPARATION REQUIREMENTS:

- Five copies of all application materials are required at the time of submittal. Staff will determine how many additional copies are required, if any, once the application has been reviewed for completeness.
- All application materials larger than 8½ x 11 in. must be folded and be able to fit into a 10- x 13-in. or 12- x 16-in. mailing envelope.
- All application materials must be collated, including large format plans or graphics.

ADDITIONAL INFORMATION:

- Milwaukie's community involvement policies are implemented through its Neighborhood District Associations (NDA). Applicants are strongly encouraged to present their proposal to all applicable NDAs prior to the submittal of a land use application and, where presented, to submit minutes from all such meetings. NDA information: <http://www.ci.milwaukie.or.us/nda/nda.html>.
- Submittal of a full or partial electronic copy of all application materials is strongly encouraged.

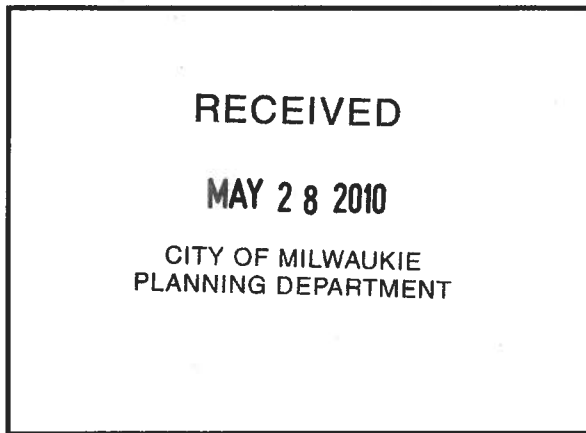
As the authorized applicant I, (print name) Paul Shirey, attest that all required application materials have been submitted in accordance with City of Milwaukie requirements. I understand that any omission of required items or lack of sufficient detail may constitute grounds for a determination that the application is incomplete per MMC Subsection 19.1001.5 and Oregon Revised Statutes 227.178. I understand that review of the application may be delayed if it is deemed incomplete.

Applicant Signature: 

Date: May 28, 2010

Official Use Only

Date Received (date stamp below):



Received by: 



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For Building Permit and
Land Use Applications

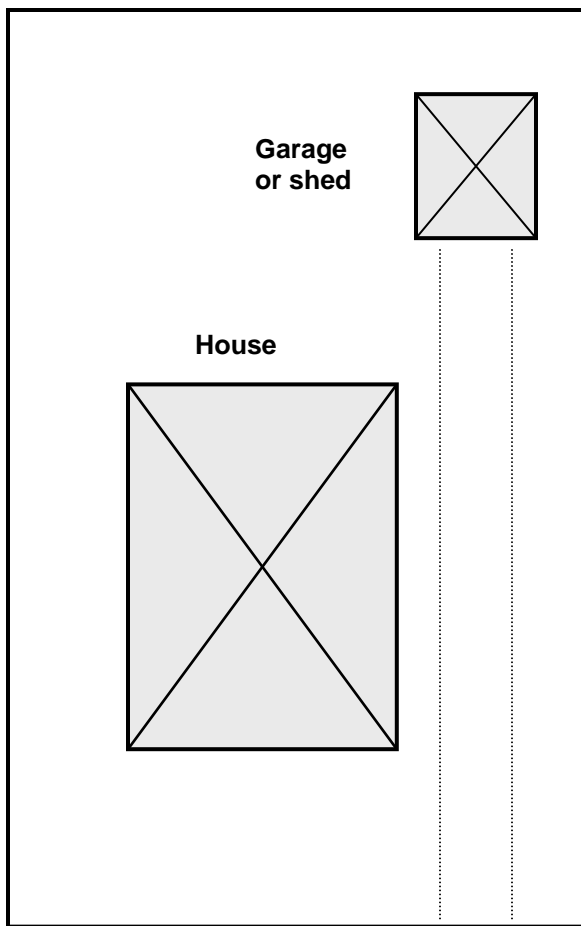
Zoning Instructions

Lot Coverage

Milwaukie zoning regulations limit the area that can be covered by buildings. The zoning standard that governs this is called “lot coverage.” Applicants must demonstrate that their proposal meets this standard when applying for building permit or land use approval. The following format is to be used to show how lot coverage is measured for building permits or land use applications. Be sure to check the Zoning Ordinance for the maximum lot coverage for the zoning district in which the property is located.

Milwaukie Zoning Ordinance Section 100 defines “lot coverage” as the area covered by a building or buildings expressed as percentage of lot area. The plan and tables below illustrate how to measure lot coverage.

Sample Site Plan



Lot Coverage Calculation

1. Draw and dimension footprints of all buildings on a site plan.
2. Calculate the area of all footprints.
3. Add all footprint areas.
4. Lot coverage (%) equals total footprint area divided by lot area, times 100.

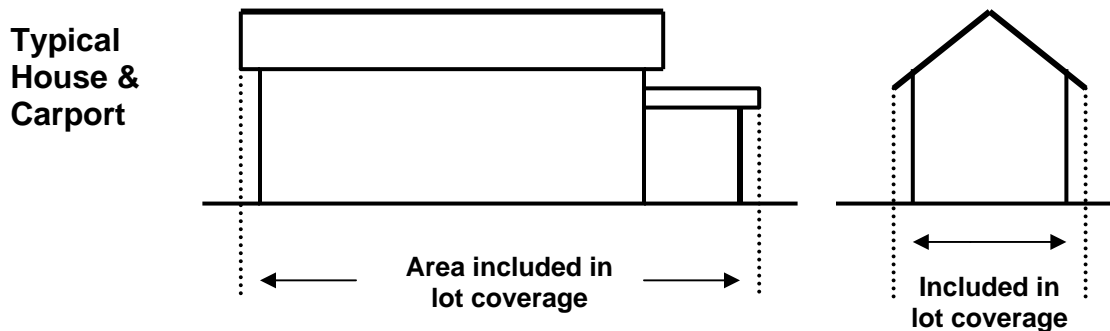
Example

House = 40 x 30 ft. = 1,200 sq. ft.
Garage = 20 x 24 ft. = 480 sq. ft.
Total area = 1,680 sq. ft.
Lot Area = 5,000 sq. ft.

Lot coverage
 $1,680/5,000 (x 100) = 33.6\%$

All lot coverage worksheets must be based on the site plan that is submitted for building permit or land use application and are to include the following.

1. The location and dimension of all building footprints. This is the area of the site that the building covers, as seen from above. It includes building foundations and architectural projections such as eaves, overhangs, and canopies. See the illustration below for more information on how to measure lot coverage.
2. A summary table of all areas measured and their dimensions.
3. The maximum coverage for the zoning district in which the property is located.
4. The lot area and source of lot-area information.
5. The proposed maximum lot coverage, shown as a percentage of lot area.



LOT COVERAGE CALCULATIONS

Pond House roofline measured from GIS (See Figure 1 for Existing Conditions):

North section 20 ft wide × 15 ft long = 300 sq. ft.

Middle section 35 ft wide × 45 ft long = 1575 sq. ft.

South section 20 ft wide × 20 ft long = 400 sq. ft.

Proposed deck measured beyond roofline (See Figure 1 for Proposed Conditions):

24 ft × 4 ft (approximate) = 96 sq. ft.

Total Lot Coverage = 2371 sq. ft.

Lot Area from County Assessor = 11,651 sq. ft.

% Total Lot Coverage = 20%

Maximum lot coverage in R-1-B zone is 50% of lot area.

Please contact Milwaukie Planning staff at 786-7630 for any questions or help with this form.



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For Building Permit and
Land Use Applications

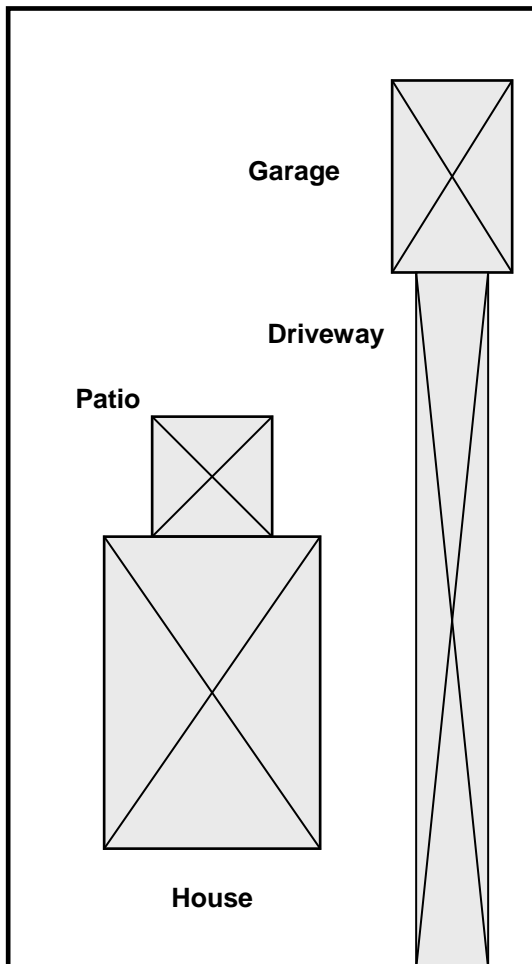
Zoning Instructions

Minimum Vegetation

All zoning districts require that some portion of the lot be landscaped. This zoning standard is called the “minimum vegetation” area. Applicants must demonstrate that their proposal meets this standard when applying for building permit or land use approval. The following format is to be used for showing how minimum vegetated area is calculated. The minimum vegetated area differs by zoning district, so be sure to check the requirements of the zone in which the property is located.

The Milwaukie Zoning Ordinance defines “minimum vegetation” as the area that must be planted in trees, shrubs, lawns, or planted beds. The plan and tables below illustrate how to show “minimum vegetation” area.

Sample Worksheet



Vegetated Area

1. Draw and dimension footprints of all buildings on the site plan.
2. Draw and dimension all driveways, patios, and other impervious areas.
3. Calculate the area of building footprints and paved or concrete areas.
4. Vegetated area (%) equals lot area minus all building footprint, asphalt, or exposed concrete areas.

Example

House (30 x 42 ft.) = 1,260 sq. ft.
Garage (16 x 24 ft.) = 384 sq. ft.
Paved Driveway (12 x 75 ft.) = 900 sq. ft.
Patio (24 x 24 ft.) = 576 sq. ft.
Total Covered Area = 3,120 sq. ft.

Lot Area = 6,095 square feet
Vegetated Area = Lot area minus covered areas = 6,095-3,120= 2,975 sq. ft., or 51% of lot area.

All minimum vegetated area worksheets must be based on the site plan that is submitted for building permit or land use application and are to include the following.

1. The location and dimension of all buildings, structures, paving, and other impervious surfaces.
2. A summary table of all areas measured and their dimensions.
3. The minimum vegetated area for the zoning district in which the property is located.
4. The lot area and source of lot-area information.
5. The proposed minimum vegetated area, shown as a percentage of lot area.

VEGETATION CALCULATIONS

Existing Pond House roofline measured from GIS (See Figures 1 and 3 for Existing Conditions):

North section 20 ft wide × 15 ft long = 300 sq. ft.

Middle section 35 ft wide × 45 ft long = 1575 sq. ft.

South section 20 ft wide × 20 ft long = 400 sq. ft.

Existing Driveway (now pervious) based on field measurement:

38 ft × 12 ft = 456 sq. ft.

Existing Sidewalk based on field measurement:

70 ft × 6 ft = 420 sq. ft.

Existing Rock landscape wall by field measurement:

60 ft × 3 ft = 180 sq. ft.

Proposed deck measured beyond roofline (See Figure 1 & Landscape Plan for Proposed Conditions):

24 ft × 4 ft = 96 sq. ft.

Proposed landscaping improvements:

Bench Footings 8 in x 8 in (right back leg) + 8 in x 8 in (left back leg) = 1 sq. ft.

Art Footing 2 ft x 2 ft = 4 sq. ft.

Stepping Stones 2 ft x 17 ft = 34 sq. ft.

Total Unvegetated Area = 3466 sq. ft.

Total Vegetated Area = 8185 sq. ft.

Lot Area from County Assessor = 11,651 sq. ft.

% Total Vegetated Area = 70%

Minimum vegetation standard in R-1-B zone is 15% of lot area.

Please contact Milwaukie Planning staff at 786-7630 for any questions or help with this form.

Narrative in Support of Pond House Deck Replacement and Landscape Improvements

(modified by PFS on 6/2/10)

The City of Milwaukie Ledding Library proposes to replace the back outdoor deck of the Pond House (see Figure 1 and 1A) and improve the front yard landscaping through the planting of native and adapted shrubs and trees and the installation of stepping stones, bench, and artwork (see Landscape Plan). The Pond House is a former single family residential dwelling located at 2215 SE Harrison Street, Milwaukie, Oregon, but is now used as a public facility for meetings and related low-intensity activities such as book and poetry readings. These activities are coordinated with the Friends of the Ledding Library. The former garage section of the Pond House is used as a bookstore also run by the Friends of the Ledding Library. The Pond House is adjacent to Spring Creek but outside the 100-year floodplain (see Figure 2). Due to its adjacency to Spring Creek, a protected natural resource, the Pond House property is completely within the City's water quality resource overlay zone (see Figure 3). The Pond House property was developed (including the deck), and the pond immediately adjacent to the house was created (including the rock retaining walls), prior to the adoption of the City's water quality resource overlay zone

PROPOSED PROJECT DESCRIPTION: DECK REPLACEMENT

The Ledding Library proposes to replace the deck of the Pond House, which has become too worn and weathered to remain safe for public use (Photograph 1), with a nearly identical, somewhat smaller structure (Figure 1A). The deck requiring replacement is attached to the rear of the Pond House adjacent to and partially overlying a constructed pond that is marginal to Spring Creek, draining northward to the creek. Drainage into the pond is from its topographic and engineered catchment bounded on the east and south by Harrison Street and on west by the slope down from the Ledding Library. Drainage into the pond also occurs from the municipal storm sewer system, with an outfall 50 feet south of the Pond House (Figure 1).

The pond is separated from the creek by a concrete wall that serves as a walkway during low flow periods but can be overtopped during floods (Figure 4). Spring Creek itself is piped underneath the front yard of the pond house and is discharged through a small building just downstream of the wall. It is not known whether there is additional through-drainage on this structure, although there may be enough to allow the water surface elevation in the elevation to remain relatively stable given the inflow of stormwater from the drainage catchment.

The original deck dimensions were 22 feet long (north-south along the Pond House wall) by 9 feet wide (east-west, extending out from the Pond House based on a site photo and discussions with Public Works staff). Stairs on the north end led down from the interior of the house to the deck, and from the deck northward to the ground surface between the house and the pond. These stairs added approximately 4 feet to the length of the wood-covered surface. The total surface area of the original deck was approximately 198 square feet, not including the stairs. A portion of the deck extended over the pond

by up to 3 feet (Figure 5). The house itself is set within 20 inches of the retaining wall at its closest point (dINETTE area) and is rarely more than 3-feet from the wall. The space between the house and the concrete wall is backfilled with rounded drainage rock (approximately 2-inch minus). The deck surface consisted of wood decking slates supported by 4 concrete posts that were either square (12-inch by 12-inch) or round (again, approximately 12-inch) metal filled with concrete. Beams parallel to the house rested on reinforcing bar centered in the concrete posts; joists perpendicular to the length of the deck were supported by the parallel beams and brackets on the exterior wall of the house. Tied into the shoreline concrete retaining wall is another retaining wall extending to the southwest house corner that also provided support for the original deck. Drainage on the original deck beyond the Pond House roofline was through the deck slats to the underlying drainage rock backfill.



PHOTOGRAPH 1. Pond House original deck

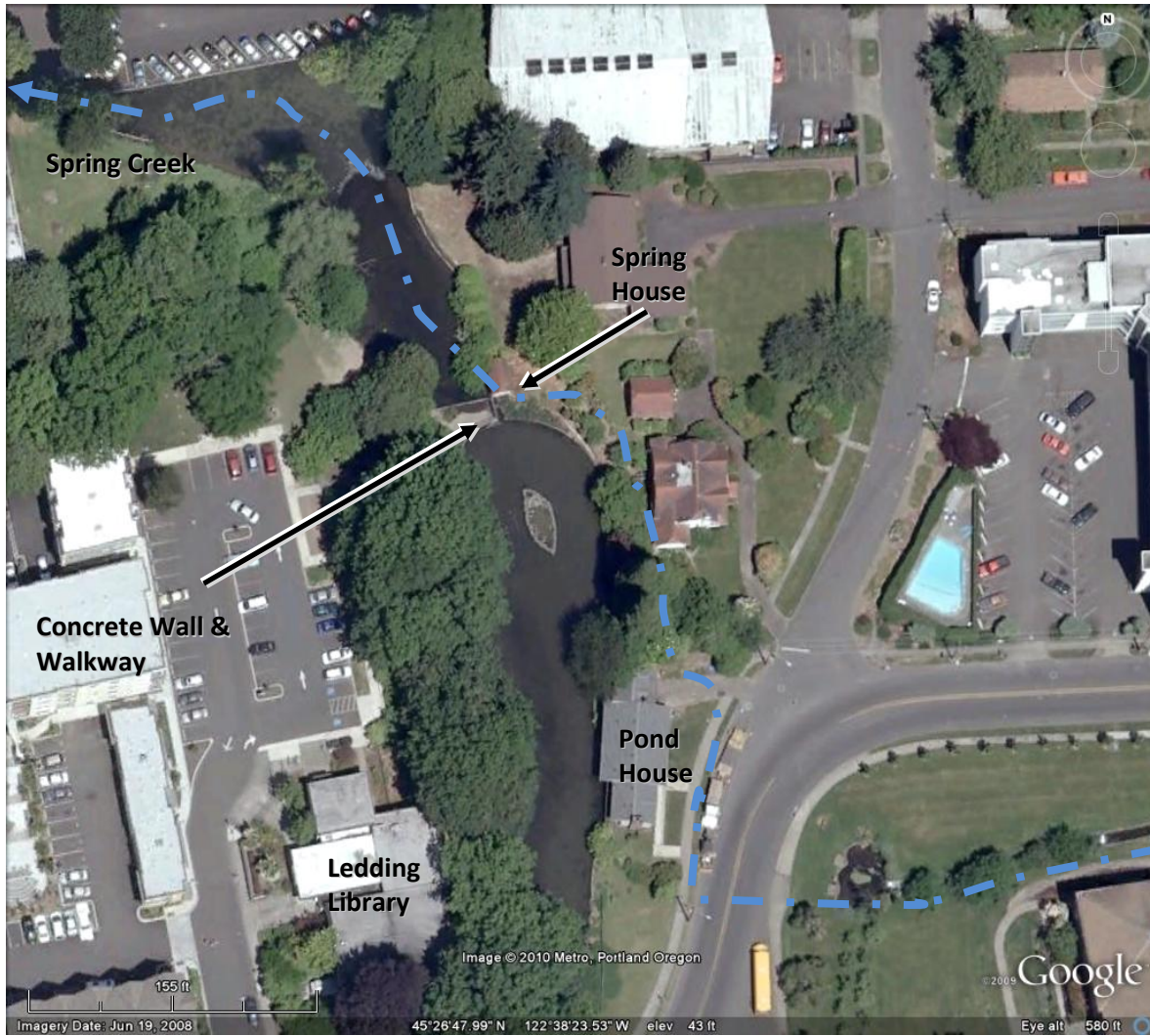


Figure 4. METRO Aerial Photograph dated June 19, 2008, showing the pond and concrete wall and walkway barrier in relation to approximate course of Spring Creek. Note that the creek is fully piped from the small pond in the lower right hand corner to the Spring House in the upper center of the photograph. The creek flows from right to left. Beyond the limits of the photograph to the left, Spring Creek is again piled under McLoughlin Boulevard. Piped path of Spring Creek shown in greater detail adjacent to the Pond House in Figure 3.

The replacement deck (Figure 1A) will be nearly identical to the deck it replaces (Photograph 1). The original deck had 18, 2x6-inch top boards, 17 of which can be seen in Photograph 1. The board closest to the outer wall of the house cannot be seen. The total depth of the original deck taking into account approximately one-quarter to three-eighths of an inch separation between each of the top deck boards is 9 feet. Therefore the replacement deck will be slightly narrower than the original deck at 8.5 feet, with 2.5 feet extending over the surface of the pond. The total surface area of the new deck will be approximately 187 square feet, for a decrease in deck size of 11 square feet. However, additional deck surface is proposed on the northern end, in the form of a stair landing, to accommodate the

reconfigured north stairway. Figure 5 shows the difference in footprint between the original deck and the replacement deck.

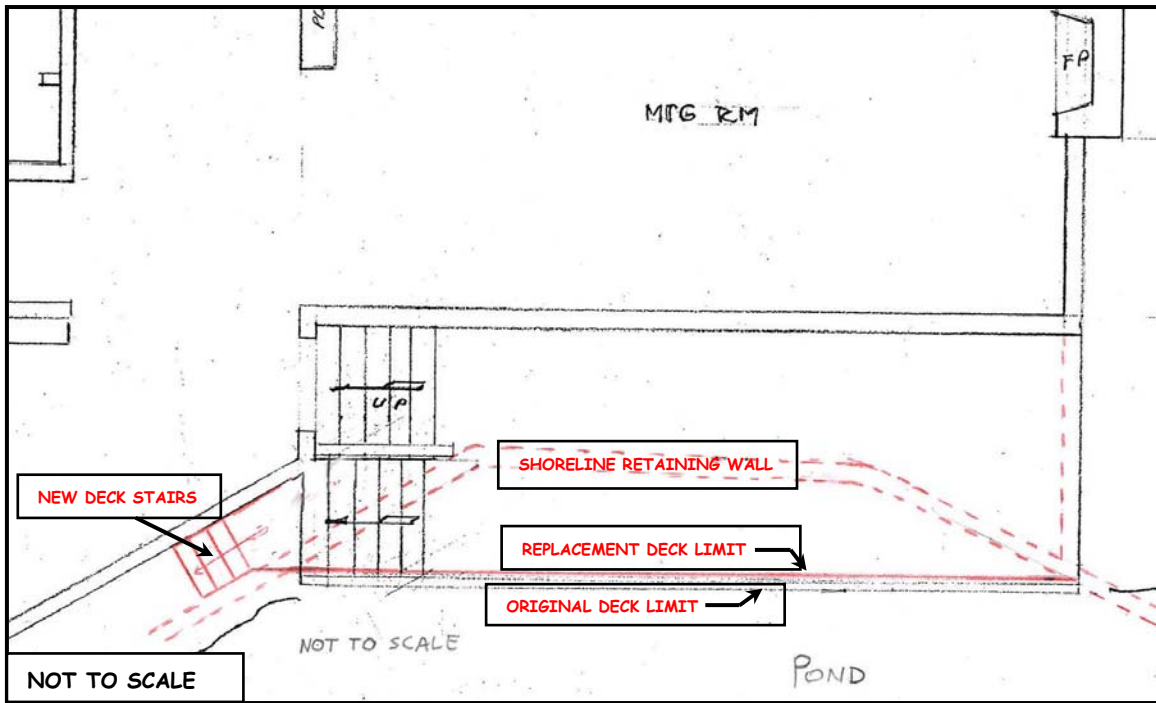


Figure 5. Footprint of original deck (base) and proposed replacement deck (red). **Source drawings and photographs are Photograph 1 and Figure 1A.**

The replacement deck will be supported by 2×10-inch joists 12-inches on center. These joists will be supported via attachment to the house using brackets and two glue-lam beams: the inner one a 4×8 beam and the outer one a 3-1/2×11-1/2 beam. The inner beam will be supported by the existing concrete piers, while the outer beam will be supported by two additional concrete piers with concrete footings totaling 8.6 square feet of new impervious surface.

The replacement decking material will be composed of synthetic (plastic) decking such as Trex. Unlike wood materials, this synthetic material does not require repeated applications of sealant (e.g., Thompson’s Water Seal© or similar) to remain viable for many years.

In conformance with the 2006 Edition of the International Building Code (Section 2304.11.5), materials supporting the deck are required to be treated wood or wood classified as naturally resistant to decay (e.g., redwood, red cedar) to resist insect and rot damage. Redwood and cedar beams of sufficient strength would be substantially larger than those specified and are also not easily available. Therefore, treated wood is proposed for the joists and beams and the vertical handrail supports. In total, there would be 67,802 square inches of treated wood surface area extending beyond the backfill behind the concrete retaining wall at the edge of the pond.

Wood treating introduces pentachlorophenol or copper-based metal salts into the wood while pressurizing the wood. (Note: copper chromium arsenate or CCA-treated wood is no longer allowed for residential use.) All wood treating compounds are designed to be toxic to invertebrates, and leach into the environment in small quantities. Pentachlorophenol-treated wood is proposed for use at this site, as it appears to have a slightly lower toxicity to aquatic organisms than the copper-based treatments (Lebow, 2004; USEPA, 2005a)¹ and is readily available in the range of sizes needed for the project. Unfortunately, rates of leaching of pentachlorophenol to the soil are not well established. Pentachlorophenol preferentially partitions to soil and sediment, particularly under acidic conditions, and degrades in the environment through photodegradation and microbial action to carbon and chloride. Once in soil, it is not mobile. Therefore, pentachlorophenol leaching to the backfill behind the concrete retaining wall at the edge of the pond is not considered to present a risk to the environment. Nor will the public be generally exposed to pentachlorophenol-treated surfaces, except for the handrail supports. To reduce leaching of pentachlorophenol into the water of the pond, an encapsulating coating or membrane will be applied to the portions of the deck. Such treatments are known to reduce leaching of metals-based treatment compounds to the environment, although they are not tested on pentachlorophenol-treated materials (USEPA, 2005b).² The Western Wood Preservers Institute (WWPI) issues a BMP quality mark³ to manufacturers of treated wood products who employ treatment and pressurization/post-treatment procedures that reduce release of the treatment chemicals to the environment when installed. The City will seek to use such designated materials.

PROPOSED PROJECT DESCRIPTION: LANDSCAPE IMPROVEMENTS

The Ledding Library proposes to improve the landscape around the Pond House by replacing some of the existing lawn at the front of the building and the weedy shrub/lawn areas to the south of the building with more appropriate plantings that include Pacific NW native plants and others that are well adapted to the existing site conditions. In addition to improving the planting areas the plan calls for the addition of one Teak wood bench, a stepping stone path, as well as a sculpture or other art piece.

The landscape surrounding the Pond House needs to transition from its previous residential use to its new community use. The Pond House is the first City property that visitors to Downtown Milwaukie see when arriving from Highway 224 via Harrison Street. The landscape in its current state is not putting Milwaukie's best face forward.

¹ Lebow, S. 2004. Alternatives to Chromated Copper Arsenate (CCA) for Residential Construction. Prepared for Proceedings of the Environmental Impacts of Preservative-Treated Wood Conference, Orlando, Florida. February 8–10, 2004.

USEPA. 2005a. Preliminary Risk Assessment, Pentachlorophenol ("Penta"), HCB and Dioxin.

<http://www.epa.gov/opp00001/factsheets/chemicals/pentachlorophenol.htm>

² USEPA. 2005b. Evaluation of the Effectiveness of Coatings in Reducing Dislodgeable Arsenic, Chromium, and Copper from CCA Treated Wood. Interim Data Report. Category II/Sampling and Analysis. EPA/600/R-05/050. Prepared by: ARCADIS G&M, Inc., Durham, North Carolina.

http://www.epa.gov/oppad001/reregistration/cca/sealant_study.pdf.

³ WWPI. 2006. Best Management Practices For the use of treated wood in aquatic and other sensitive environments. See quality mark information at:

<http://www.wwpinstitute.org/mainpages/bmps/qmarkannounce.html>

The proposed plants and materials have all been chosen with the understanding of the sensitivity of the stream side location, the limited city maintenance resources available, and the Library's desire to make the Pond House a "show case" for Milwaukie. The proposed landscape improvements will more than make up for the proposed disturbances/new impervious areas by improving the water holding capacity of the landscape and by making the site more enjoyable for Pond House visitors.

While all of the proposed plants are not strictly Pacific Northwest natives, all should be well adapted to the Pond House site. Four small to medium sized trees are specified on the plan: two native Vine Maple (*Acer circinatum*), one Crape Myrtle (*Lagerstroemia indica* 'Catawba'), and one Flowering Dogwood (*Cornus* 'Eddies White Wonder' - a hybrid of the Pacific Northwest native dogwood, *Cornus nuttallii*, and *Cornus florida*). Over 100 other plants are specified on the plan, including Evergreen Huckleberry (*Vaccinium ovatum*), Oregon Grape (*Mahonia nervosa*), and Western Sword Fern (*Polystichum munitum*). All of the proposed plants should be well adapted to the site and are not invasive; for example, the Crape Myrtle is not a PNW native, however it will grow very well next to the south facing brick chimney, enjoying the heat of the reflected sun, it is also easily pruned/maintained, and has four seasons of visual interest

The proposed bench is made of teak wood, a naturally decay resistant wood, so no harsh preservatives will need to be applied to it. The location for the bench was chosen to take advantage of the existing concrete walkway as a place to anchor its front legs. The back legs will be anchored to 8" x 8" x 16" concrete block set into the ground, eliminating the need for a new concrete pad. The bench will offer a place for Pond House visitors to sit and rest before ascending or after descending the ramp to the front entrance, and will serve as a spot to sit and enjoy the plants and art in the new landscape.

The proposed art/sculpture has not yet been selected, however something fitting with the Pond House's streamside setting will be chosen. The proposed concrete base is intended to act only as a place to secure/stabilize the art; it is not intended to be a visual element so it will be made no larger than necessary. Sizing it properly will not only minimize the non pervious surface but to also limit its visual impact on the landscape.

The proposed stepping stone path from the existing concrete walk to the existing stone steps to the lower lawn area will guide visitors through the garden. Individual dry set stepping stones were chosen over a solid concrete or paver walkway to not only limit the non-pervious ground cover, but to also slow visitors down as they walk though the garden, allowing them to fully appreciate the beauty of the stream side landscape.

Throughout construction, efforts will be made to minimize soil disturbance. Once construction is complete the disturbed areas will be improved by planting and or covering with mulch. While not all of the proposed plants are Pacific Northwest natives, all of the proposed plants are well adapted to the site and are not invasive; for example, the Crape Myrtle is not a PNW native, however it will grow very well next to the south facing brick chimney, enjoying the heat of the reflected sun, it is also easily pruned/maintained, and has four seasons of visual interest. See Landscape Plan, Notes, and Planting Lists on the following pages for more detail.

APPLICABLE USE & DEVELOPMENT STANDARDS

This section describes standards and compliance with applicable portions of the City of Milwaukie zoning code. Language from this code and related or referenced code is shown in italics.

1. Base Zoning

The Pond House is an outright permitted use in a RESIDENTIAL-BUSINESS OFFICE-COMMERCIAL ZONE R-1-B (Milwaukie Municipal Code Section 19.307.1; Figure 1), which includes:

I. Offices of administrative, editorial, educational, executive, financial, governmental, philanthropic, insurance, real estate, religious, research, scientific or statistical organizations whose activities generate a minimal amount of traffic;

The Pond House constitutes a government office which generates a minimal amount of traffic. The Pond House is used primarily to house the Pond House Bookstore, whose proceeds benefit the adjacent Ledding Library. It is used on occasion for poetry readings and related activities.

The applicable standards for this zoning designation related to site improvements are as follows:

19.307.3 Standards

In an R-1-B Zone the following standards shall apply:

- B. Front yard. A front yard shall be at least 15 feet.*
- C. Side yard. A side yard shall be at least 5 feet, and there shall be 1 additional foot of side yard for each 3 feet of height over 2 stories or 25 feet, whichever is less, except on corner lots a side yard shall be at least 15 feet on the side abutting the street.*
- D. Rear yard. A rear yard shall be at least 15 feet.*
- H. Lot coverage. Maximum area that may be covered by the principal structure and accessory buildings shall not exceed 50% of the total area of the lot.*
- I. Minimum vegetation. Minimum area that must be left or planted in trees, grass, shrubs, etc. shall be 15% of the total area of the lot.*

A plan of the Pond House and adjacent facilities is shown in Figure 1, along with the applicable setbacks. The lot on which the Pond House is situated (equivalent to the Study Area in Figure 1) is approximately 11651 square feet in area. The Pond House covers 2275 square feet, or 19% of the lot. The proposed replacement deck brings the lot coverage up to 20%, which is well under the maximum lot coverage allowance of 50%. Sidewalks, including an accessible ramp, and the former driveway area and rock walls cover an additional 1056 square feet. The proposed impervious landscape improvements cover an additional 39 square feet. As proposed, the deck and landscape improvements bring the vegetated area on the lot down to 70%, which is well above the minimum vegetation requirement of 15%. It is also worth noting that the 456 square-foot driveway is no longer an impervious surface. This area was recently disconnected from the curb and gutter system, pervious pavers were installed in lieu of impervious concrete west of the Harrison Street sidewalk, and a remaining segment of driveway was incorporated into the parking strip between the curb and sidewalk.

2. Community Service Use Facility

The Pond House is a Community Service Use facility by virtue of being a community meeting building.

19.321 COMMUNITY SERVICE USE (CSU)

19.321.1 Purpose

This section allows development of certain uses which, because of their public convenience, necessity, and unusual character, may be appropriately located in most zoning districts, but which may be permitted only if appropriate for the specific location for which they are proposed. This section provides standards and procedures for review of applications for such community uses. Community service uses may be sited in any zone, except where expressly prohibited, if they meet the standards of this section. Approval of a CSU does not change the zoning of the property.

19.321.2 Applicability

Any community service use shall be subject to the provisions of this section. Application must be submitted to establish or modify a community service use. Community service uses include certain private and public utilities, institutions, and recreational facilities as listed below:

A. Institutions—Public/Private and Other Public Facilities

- 7. Community meeting building;*

Minor modifications to CSUs use this procedure:

C. The Planning Director may approve minor modifications to an approved community service use pursuant to a Type I procedure, provided that such modification:

- 1. Does not increase the intensity of any use;*
- 2. Meets all requirements of the underlying zone relating to building size and location and off-street parking and the standards of Title 19;*
- 3. Does not result in deterioration or loss of any protected natural feature or open space, and does not negatively affect nearby properties;*
- 4. Does not alter or contravene any conditions specifically placed on the development by the Planning Commission or City Council; and*
- 5. Does not cause any public facility, including transportation, water, sewer and storm drainage, to fail to meet any applicable standards relating to adequacy of the public facility.*

The deck replacement and landscape improvements do not change the use intensity of this facility. No additional uses or increased frequency of use is anticipated as a result of these improvements.

The proposed improvements meet all relevant requirements of the underlying R-1-B zone as described in Item 1 above. The only CSU applicable development standard is contained in 19.321.12.C, which requires that setbacks be equal to a minimum of two-thirds the height of the principal structure. Given that the deck does not extend further into the rear and side yard setbacks than the existing structure, this standard is met.

Impacts of the deck replacement and landscape improvements on the pond (a protected natural

feature) are described in Item 3 below and in the discussion on wood treating compounds in the deck replacement project description above. Limited use of pressure treated materials (the primary potential source of pollutants from the deck replacement project) and minimal addition of new impervious surfaces, combined with the proposed mitigation measures and improved landscaping, will result in no measurable deterioration of the adjacent protected natural feature. Also, the deck is on the back side of the Pond House and barely visible even from across the pond at the Ledding Library. Consequently, the minor change to the deck footings and stairs will not negatively affect nearby property owners. Moreover, since there is no anticipated change in use intensity, there will not be additional noise impacts from the either the deck replacement or the landscape improvements.

No conditions have been placed on the deck replacement by the Planning Commission or City Council, and no change to applicable standards will result from the deck replacement.

While the size of the deck has increased slightly from the added north staircase, the deck itself consists of slatted boards so is pervious, so drainage patterns and water quality are not affected by the deck replacement. Rainfall which would naturally go to the Pond will land on the inert deck surface or the coated/encased supporting structure before dripping into the pond, and rainfall which falls beyond the Pond House roofline but behind the retaining wall will drain to the backfill rock as before.

The 39 square feet of impervious area proposed as part of the landscape improvements is spread out in different locations on the lot, with no one area larger than four square feet. Storm water runoff from these small impervious areas will be minimal and will be easily managed by surrounding vegetated areas. Runoff will not affect any public facility on or near the site.

3. Water Quality Resource Area

The Pond House is also in a Water Quality Resource Area overlay zone, described below.

19.322 WATER QUALITY RESOURCE REGULATIONS

19.322.1 Purpose, General Policies, and Declarations

- A. *Many of the City's original wetland and riparian resources have been adversely affected by historical development. These regulations seek to minimize additional adverse impacts and restore and improve resources where possible while balancing property rights and development needs of the City.*
- I. *Conditions legally existing as of December 17, 2002 that are inconsistent with this chapter are declared legal nonconforming situations.*
- J. *Evidence of physical conditions for sites existing at the time this chapter was adopted shall consist of City, County, and Metro records, aerial photography, and other information that may be available.*

The Pond House was built prior to December 17, 2002, as shown on the Google Earth aerial photograph on the following page dated April 30, 2002 (Figure 6). Architecture of the Pond House and wear on the concrete retaining walls at the edge of the pond suggests that it was built in the 1950s or 1960s, but a construction date could not be confirmed.

Water Quality Resource Areas are defined as setbacks from protected water features as indicated in the

table below. The combined setbacks from the pond and Spring Creek (though the latter is piped) are shown on Figures 1 and 3.

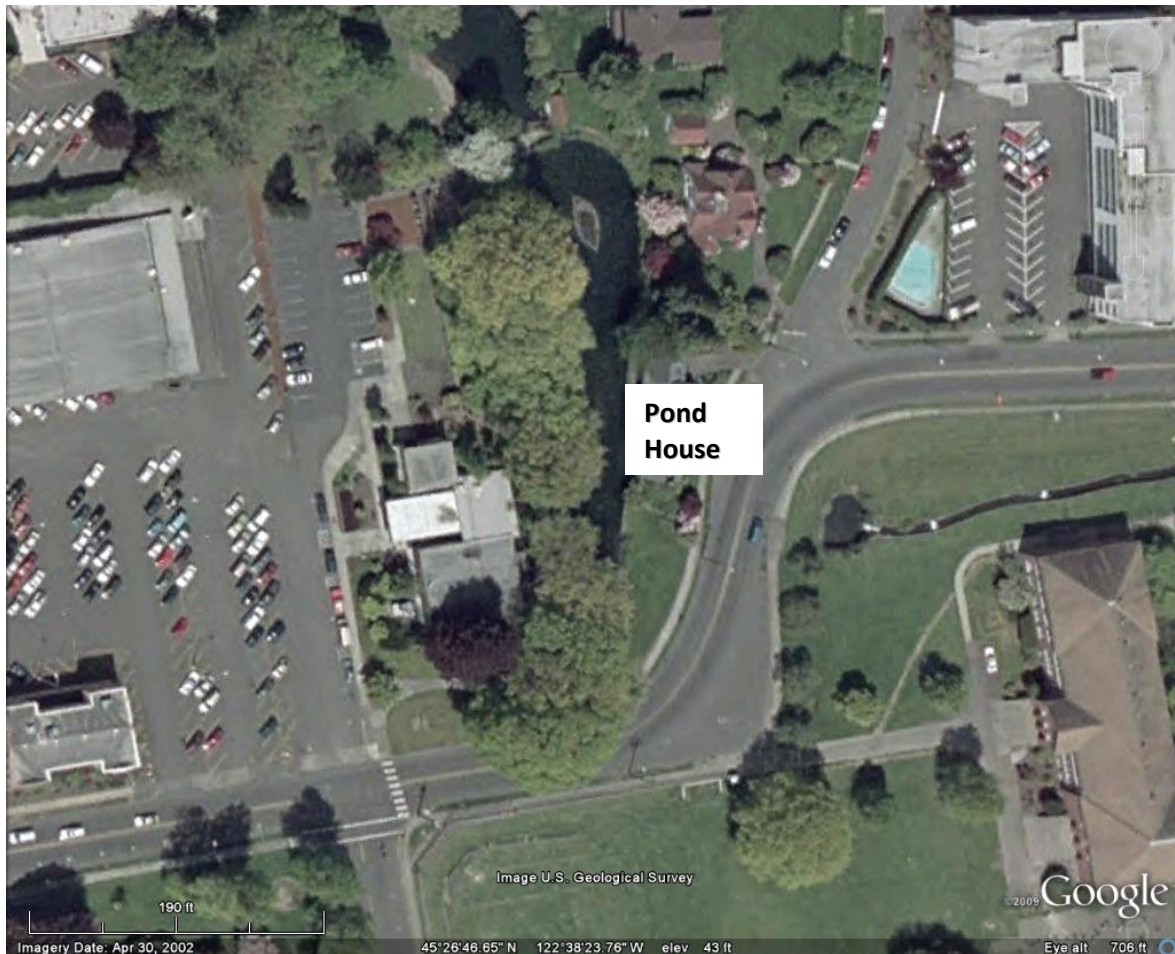


Figure 6. METRO Aerial Photograph dated April 30, 2002, showing the existence of Ledding Library and the Pond House prior to the effective date of the Water Quality Resource Area designation.

19.322.3 Applicability

Water Quality Resource Area regulations apply to all properties containing protected water features as shown on the adopted Water Quality Resource and Flood Hazard Maps. Application for development activity shall be made in accordance with Title 19, this chapter, and Subsections 19.322.9 Application Requirements and 19.322.10 Development Standards.

This application is submitted in accordance with Title 19 and Chapter 19.322 Water Quality Resource Regulations.

19.322.7 Activities Permitted Under Minor Quasi-Judicial Review

The following activities are allowed within the Water Quality Resource Areas subject to approval by the Planning Commission under Subsection 19.1011.3 Minor Quasi-Judicial Review and compliance with Subsection 19.322.10 Development Standards:

- G. Additions, alterations, rehabilitation, or replacement of existing structures, roadways, accessory uses, and development that increase the structural footprint or disturbed area within the Water Quality Resource Area.

The proposed deck replacement and landscape improvements require minor quasi-judicial review.

19.322.9 Application Requirements

Applications for Type II and Minor Quasi-Judicial review shall provide the following information in addition to the information required for the base zone:

- A. A topographic map of the site at contour intervals of 5 feet or less showing a delineation of the Water Quality Resource Area, which includes areas shown on the Water Quality and Flood Management Area maps, and that meets the definition of Water Quality Resource Area in Table 19.322.9.A.

Table 19.322.9.A Vegetated Corridor Measurement by Protected Water Feature Type			
Protected Water Feature Type (see definitions)	Slope Adjacent to Protected Water Feature	Starting Point for Measurements from Water Feature	Width of Vegetated Corridor ⁶
Primary Protected Water Features ¹	< 25%	<ul style="list-style-type: none"> Edge of bank full flow or 2-year storm level; Delineated edge of Title 3 wetland 	50 feet

- B. The location of all existing natural features including, but not limited to, all trees of a caliper greater than 6 inches diameter at breast height (DBH), natural drainages on the site, springs, seeps, and outcroppings of rocks or boulders within the Water Quality Resource Area.
- C. Location of Wetlands
Where wetlands are identified, the applicant shall follow the Division of State Lands wetlands delineation process. The delineation shall be prepared by a professional wetlands specialist and will be accepted only after approval by the Oregon Division of State Lands.
- D. An inventory and location of existing debris and noxious materials.
- E. An assessment of the existing condition of the Water Quality Resource Area in accordance with Table 19.322.9.E.
- F. An inventory of vegetation, including percentage ground and canopy coverage.

Figures 1, 2, and 3 support the information required for a Minor Quasi-Judicial review. Topography is shown on Figure 1, Water Quality and Flood Management areas are shown on Figure 2, and natural features are shown on Figure 3. The limits of the pond on these figures are from the Metro database, and extend above the actual limits of the pond observed onsite. Wetlands are present on the southern and western bank of the pond, but are outside of the area of disturbance so have not been formally delineated. Ordinary high water mark for the pond was determined on the basis of transition from herbaceous wetland vegetation (e.g., cattails) to woody vegetation, as expressed in the natural area in the southwestern portion of the Pond House lot (red cross on Figure 3) in accordance with Division of

State Lands regulations. The elevation of ordinary high water determined through the use of a Spectra LL500 Precision Laser Level is 0.36 feet below the top of the concrete retaining wall behind the Pond House. Therefore, all work proposed for the deck replacement will be performed above ordinary high water mark.⁴

The area that will be disturbed by the deck replacement is currently unvegetated, as it was fully shaded by the original deck and will be shaded by the replacement deck. This constitutes a “Degraded Existing Vegetated Corridor” There is no opportunity for revegetation at the location of the deck disturbance as required in Table 19.322.9.E (below) due to the proposed deck location and the existing site conditions.

The deck structure itself provides shading of surface waters. Because surface tributary waters to Johnson Creek are subject to a temperature Total Maximum Daily Load by Oregon Department of Environmental Quality, any shading is considered useful. However, shading by either the original or replacement decks is minimal compared to the unshaded surface area of the pond, so is not expected to produce a measurable positive impact on water quality.

Except for the area shown as “natural” on Figure 3, the remaining yard area consists primarily of lawn, with ornamental shrubs along the rock wall south of the Pond House and along the northern property boundary. The “natural area” consists of a mix of native wetland and riparian species and non-native invasive plants (primarily Himalayan blackberry). The proposed landscape improvements would remove a portion of this lawn area and replace it with native and adapted species.

Table 19.322.9.E Water Quality Resource Area Requirements	
Existing Condition of Water Quality Resource Area	Requirements Applicable to Portions of the Water Quality Resource Area Disturbed During Development or Land Disturbance
<p>Degraded Existing Vegetated Corridor:</p> <p><i>Less vegetation and canopy coverage than Marginal Vegetated Corridors, and/or greater than 10% surface coverage of any nonnative species.</i></p>	<p><i>Vegetate disturbed and bare areas with appropriate plants from the Milwaukie Native Plant List.</i></p> <p><i>Remove nonnative species and revegetate with nonnuisance plantings from the Milwaukie Native Plant List.</i></p> <p><i>Plant and seed to provide 100% surface coverage.</i></p> <p><i>Restore and mitigate according to approved plan using nonnuisance plantings from the Milwaukie Native Plant List.</i></p> <p><i>Inventory and remove debris and noxious materials.</i></p>

G. Alternatives analysis demonstrating that:

1. No practicable alternatives to the requested development exist that will not disturb the Water Quality Resource Area; and

⁴ Topography in Figure 1 is obtained from the Metro LiDAR database and is the best generally available without a detailed site survey. However, this topography appears to be affected by trees and shrubs and does not represent a bare earth condition. In the area adjacent to where the Ordinary High Water Mark was surveyed, contour intervals are approximately 5 to 7 feet higher than ground surface.

- 2. Development in the Water Quality Resource Area has been limited to the area necessary to allow for the proposed use; and*
- 3. The Water Quality Resource Area can be restored to an equal or better condition in accordance with Table 19.322.9.E; and*
- 4. An explanation of the rationale behind choosing the alternative selected, including how adverse impacts to resource areas will be avoided and/or minimized.*

The alternatives analysis below is for the proposed landscape improvements and not the deck. The alternatives analysis for the deck, given that it is a replacement structure and not new impervious surface, is discussed under 19.322.9.H.

No practicable alternatives to the requested development exist that will not disturb the Water Quality Resource Area due to the fact that the entire site is within the Water Quality Resource Area. The addition of a bench, artwork, and stepping stones will enhance the community's enjoyment of the site and add a very small amount of impervious surface area to this already developed lot.

Development in the Water Quality Resource Area has been limited to the area necessary to allow for the proposed improvements. The footings for the bench and artwork are small in size, totaling approximately 5 square feet, and are located near existing concrete areas. The material used for the stepping stones is native rock. New plantings will surround the new stepping stone path, which will lead to existing steps in the existing rock wall along the pond's edge.

The Water Quality Resource Area can be restored to an equal or better condition in accordance with Table 19.322.9.E. The plants chosen to replace the existing lawn/weedy planting bed area are a combination of Pacific Northwest Natives (PNW) and others that are well adapted to the existing site conditions. Approximately 175 square feet of turf lawn will be replaced with PNW native and non-nuisance plantings on the east side of the building; and approximately 350 square feet of weeds, bark mulch, and grass will be replaced with PNW native and non-nuisance plantings on the south side of the building. Once the plants mature their canopies will fill in the area. Right after planting any bare soil will be covered with bark mulch to reduce the possibility of erosion and to help control weeds.

An explanation of the rationale behind choosing the alternative selected, including how adverse impacts to resource areas will be avoided and/or minimized is as follows:

The bench legs need to sit on concrete both for security/stability, and, to keep them off of the soil, extending their useable life. The site for the proposed bench was chosen to take advantage of the existing concrete walkway. The bench's front legs can be bolted to the existing concrete, which then requires only two 8" x 8" (or smaller) areas of new concrete under its back legs.

The proposed art (not yet selected) will need a concrete base to support and secure it; however, the concrete will be sized only large enough to do its job. It is not a decorative element, so all efforts will be made to reduce its area.

The proximity to the existing walkway for both the art and the bench will allow many of the buildings visitors the opportunity to enjoy them.

The proposed stepping stone path is situated to direct foot traffic from the existing concrete walkway, through the new garden area, to the existing stone steps which lead to the lower lawn area. Stepping

stones were chosen not only to cover less ground than a concrete path would, but to also slow walkers down so they may take the time to fully experience the lush plantings and creek side setting.

Once construction is complete any disturbed soil will be restored by planting plants or covering with bark mulch. The diverse variety of the proposed plants will be a huge improvement over the existing lawn and weeds. Once the plants grow in, the layers of foliage will help to capture some rain water before it hits the ground level and the plant roots will absorb moisture from the soil. The dense plant spacing will also help to slow any run-off that could occur during severe storm water events.

H. For applications seeking an alteration, addition, rehabilitation, or replacement of existing structures located within the Water Quality Resource Area:

- 1. Demonstrate that no reasonably practicable alternative design or method of development exists that would have a lesser impact on the Water Quality Resource Area than the one proposed; and*
- 2. If no such reasonably practicable alternative design or method of development exists, the project should be conditioned to limit its disturbance and impact on the Water Quality Resource Area to the minimum extent necessary to achieve the proposed addition, alteration, restoration, replacement, or rehabilitation; and*
- 3. Provide mitigation to ensure that impacts to the functions and values of the Water Quality Resource Area will be mitigated or restored to the extent practicable.*

The original deck had become unsafe and requires replacement to allow its use as a feature of the Pond House in the mission to serve its Community Service Use status. The Pond House is now used for low-key cultural events and receptions, and the deck supports traffic flow through the house and out to the back side gardens. It has also been a pleasant amenity for the house and surrounding grounds; during summer months, acoustic musicians occasionally play on the deck. The deck connects to the kitchen area of the Pond House and provides the only alternative egress from the house during public meetings other than the front door. A deck behind the house was original to the house, presumably as a way to provide for enjoyment of the pond during mealtime when weather was favorable.

To retrofit the back egress with stairs alone would direct the public to a very narrow (20-30 inch wide now) strip of ground between the house and the pond (Figure 7). Without the addition of a deck, the stairs would have to cover half this area because of the elevation of the door above the ground surface (approximately 6 feet). Additional stairs would be required to cross over the second retaining wall that extends from the southwest corner of the house to the shoreline wall. Negotiating both sets of stairs in such a narrow space is not safe for more than one person at a time. Without a deck and stairs, the back outdoor area of the Pond House becomes an unusable space. The narrowness of the strip between the house and the shoreline wall, and shading of this space by the roofline, also makes this area unsuited for revegetation with perennial native species that could provide habitat benefit in this context.

Because the Pond House is already a non-conforming structure based on prior development, maintaining existing resource quality is a suitable goal. The replacement deck will provide equivalent water quality resource quality to that provided by the original deck.

Hand construction and limited access to the site will be employed to minimize adverse site impacts. Particular care is exercised by City workers to assure that no excess concrete is disposed of in the pond, and that general good housekeeping will be employed during construction of the new deck surface and

wooden supports. Encasing pressure-treated wood structural support pieces is a key means of minimizing water quality impacts to the pond from the leaching of pentachlorophenol.



Figure 7. View to north of area behind Pond House in which replacement deck will be installed. Plans (Figure 1A) call for stairs to extend from doorway behind person down to deck (see prior stair and deck supports on back wall of house) with a second set of stairs extending away from the camera along the back wall to the north. Note Spring House in background (white building). This is where the section of Spring Creek that is piped under Harrison is discharged. Flow is to north away from viewer.

- I. *A Water Quality Resource Area mitigation plan that contains the following information:*
 1. *A description of adverse impacts that will be caused as a result of development;*
 2. *An explanation of how adverse impacts to resource areas will be avoided, minimized, and/or mitigated in accordance with, but not limited to, Table 19.322.9.E;*
 3. *A list of all responsible parties including, but not limited to, the owner, applicant, contractor, or other persons responsible for work on the development site;*
 4. *A map showing where the specific mitigation activities will occur;*
 5. *An implementation schedule, including timeline for construction, mitigation, mitigation maintenance, monitoring, reporting, and a contingency plan. All in-stream work in fish-bearing streams shall be done in accordance with the Oregon Department of Fish and Wildlife in-stream timing schedule.*

The adverse impacts caused by replacement of the deck at the Pond House with one nearly identical in size and dimension are: (1) the potential for spilling concrete or construction debris into the pond, and (2) the leaching of pentachlorophenol into the pond. Minimization of these impacts would occur as a result of employing suitable construction-phase best management practices for control of cement and other solid waste, and by encapsulating the portions of pressure-treated lumber that extend beyond the backfill of the pond (see project description above). All work will be performed by City public works staff, which have a stewardship responsibility toward the Pond House. All work will occur above ordinary high water during the in-water work period of July 15-August 31, 2010.

The adverse impacts created by the addition of 39 square feet of new impervious surface to accommodate a bench, artwork, and stepping stones is minimal and will be more than mitigated by the replacement of nonnative lawn area with native and adapted species.

4. Other Relevant Code Requirements

Building Codes

The Pond House Deck Replacement requires compliance with the spirit of City Building Codes (Title 15), but does not require full compliance with the code, as follows,

15.04.050 SCOPE

A. This chapter shall apply to the construction, alteration, moving, demolition, repair, maintenance, and work associated with any building or structure except those located in a public way.

The public does expect public facilities to provide suitable safety in construction. The City addresses this through the building code standards

15.04.170 VARIOUS SPECIALTY CODES AND STANDARDS ADOPTED

The following specialty codes, rules, and standards are adopted and incorporated herein by this reference as included in this chapter:

A. Structural Code

The Oregon Structural Specialty Code, as adopted by OAR 9184600010 through 9184600015, except as modified in this chapter, is enforced as part of this chapter.

Oregon Administrative Rules Division 460 (Structural Specialty Code) requires adherence to the 2006 Edition of the International Building Code.

918-460-0010

Adopted Oregon Structural Specialty Code

*Effective April 1, 2007 the 2007 **Oregon Structural Specialty Code** is the 2006 Edition of the **International Building Code**, as published by the International Code Council, and amended by the Building Codes Division.*

As a result of the International Building Code, wood support for the replacement deck must be pressure treated lumber or naturally insect and decay resistant lumber.

Stormwater Code

The City has its own stormwater code, as amended by Ordinance 2014 adopted April 20, 2010 :

13.14.010 PURPOSE

The City finds and declares that absent effective maintenance, operation, regulation, and control, existing stormwater drainage conditions in all drainage basins and subbasins within the City constitute a potential

hazard to the health, safety, and general welfare of the City. The City Council further finds that natural and manmade stormwater facilities and conveyances together constitute a stormwater system and that the effective regulation and control of stormwater can best be accomplished through formation, by the City, of a stormwater utility. (Ord. 1755 § 6 (part), 1994)

The City is also a co-permittee with Clackamas County on an NPDES Phase I Municipal Separate Storm Sewer System (MS4) permit. As a co-permittee, the City does not have specific standards regarding required treatment of stormwater runoff (including erosion control) and management of stormwater runoff volumes. According to the 2008 Stormwater Management Plan, the City currently follows the City of Portland approach to management of stormwater runoff.

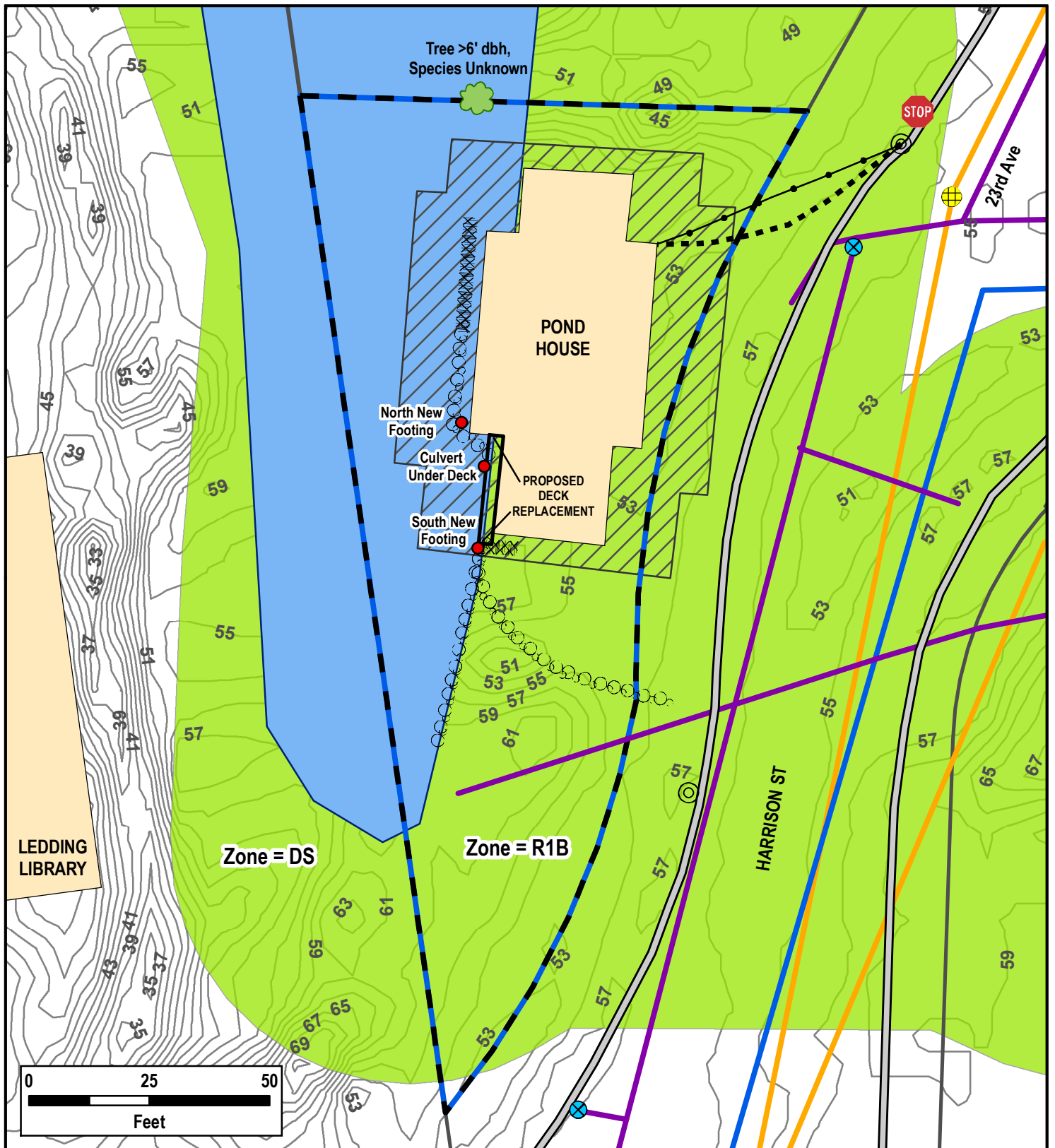
Pertinent sections of the 2008 City of Portland manual are excerpted below.

*All development and redevelopment¹ proposals are subject to the requirements of the Stormwater Management Manual during a number of reviews and permit processes. These processes generally include land use reviews and zoning, site development, and building permits. Each development proposal will have a unique set of reviews and permits, based on what is proposed and the location. **Exhibit 1-1** provides a general overview of the development review process and shows when stormwater management requirements apply.*

The thresholds for proposals that are subject to the requirements are:

- *Projects that develop or redevelop over 500 square feet of impervious surface.*

The proposed deck replacement and landscape improvements fall below the threshold for redeveloped impervious area because a) the deck surface allows through drainage and is therefore not impervious and b) the total deck area and new hardscape surfaces is less than 500 square feet.



**Pond House Deck Replacement
City of Milwaukie, Oregon**



Rivergrove Environmental Consulting
18955 Redwing Way
Lake Oswego, OR 97035

Mapping Services by
Blue Moon Cartography
February 16, 2010

Legend

















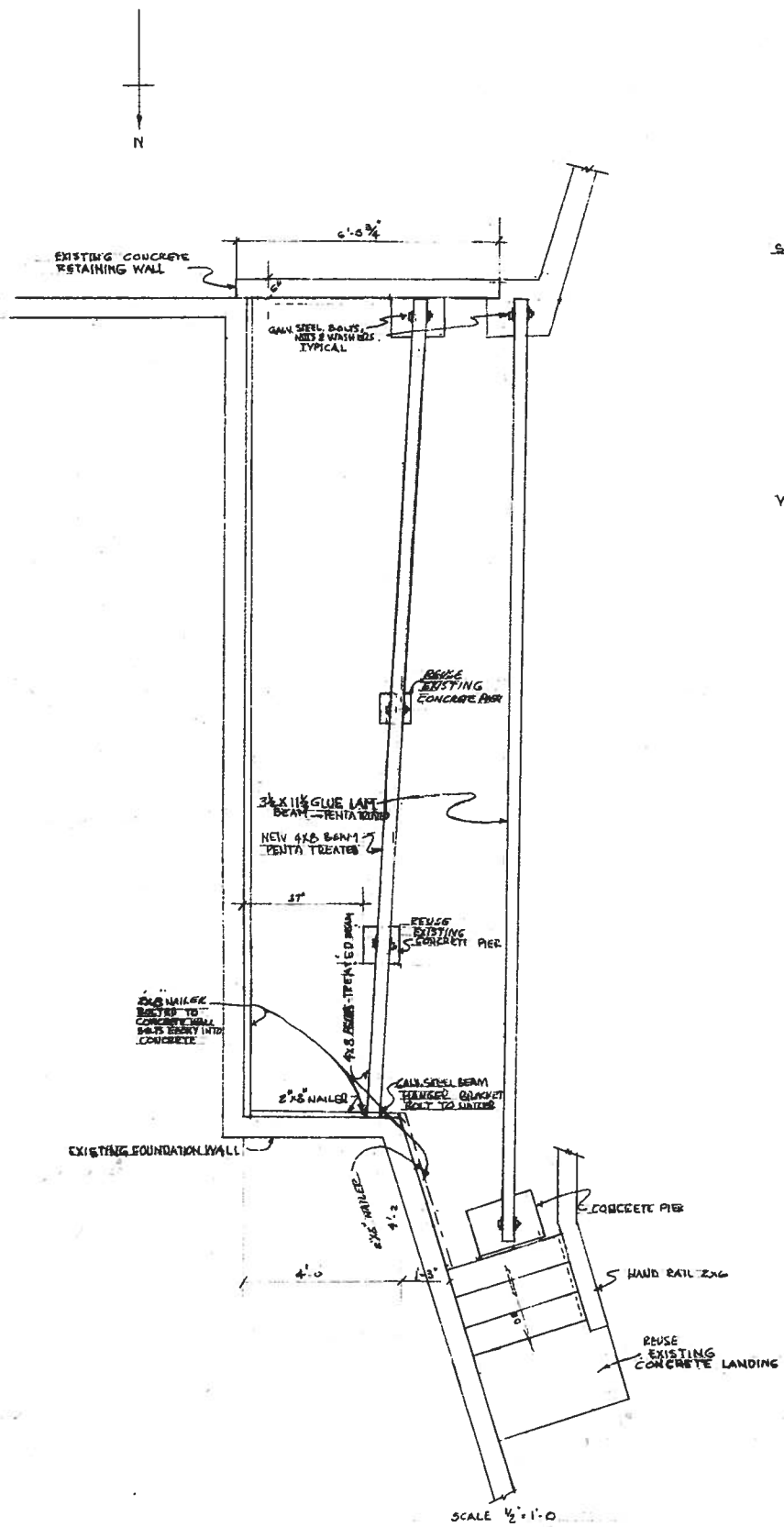
-  Study Area
-  Catch Basin
-  Manhole
-  Utility Pole
-  Water Body
-  2-Foot Contours
-  R1B Setback
-  50' Vegetated Corridor
-  Sewer Line
-  Storm Pipe
-  Water Line
-  Edge of Curb
-  Vertical Concrete Retaining Wall
-  Rock Wall
-  Electricity Overhead
-  Phone and Cable

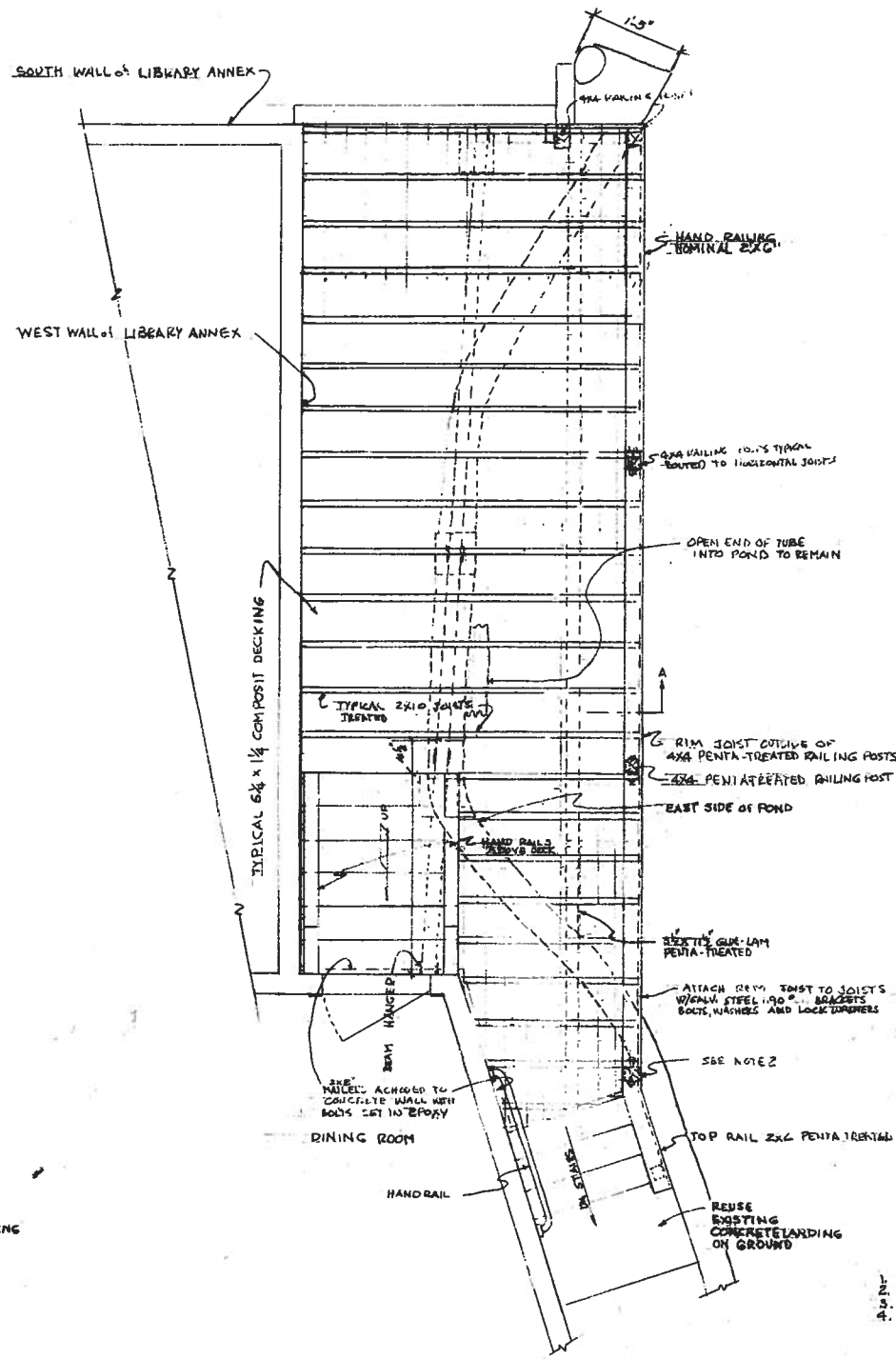
Figure 1. Study Area Utilities, Zoning and Setbacks

Data Sources: City of Milwaukie GIS, Metro Data Resource Center, DOGAMI Lidar, and Rivergrove Environmental Consulting

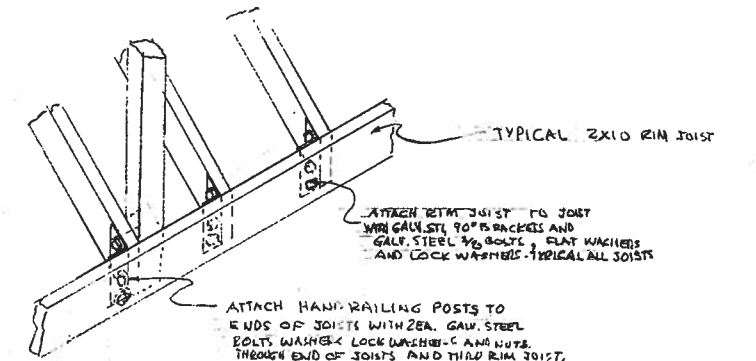
FIGURE 1A



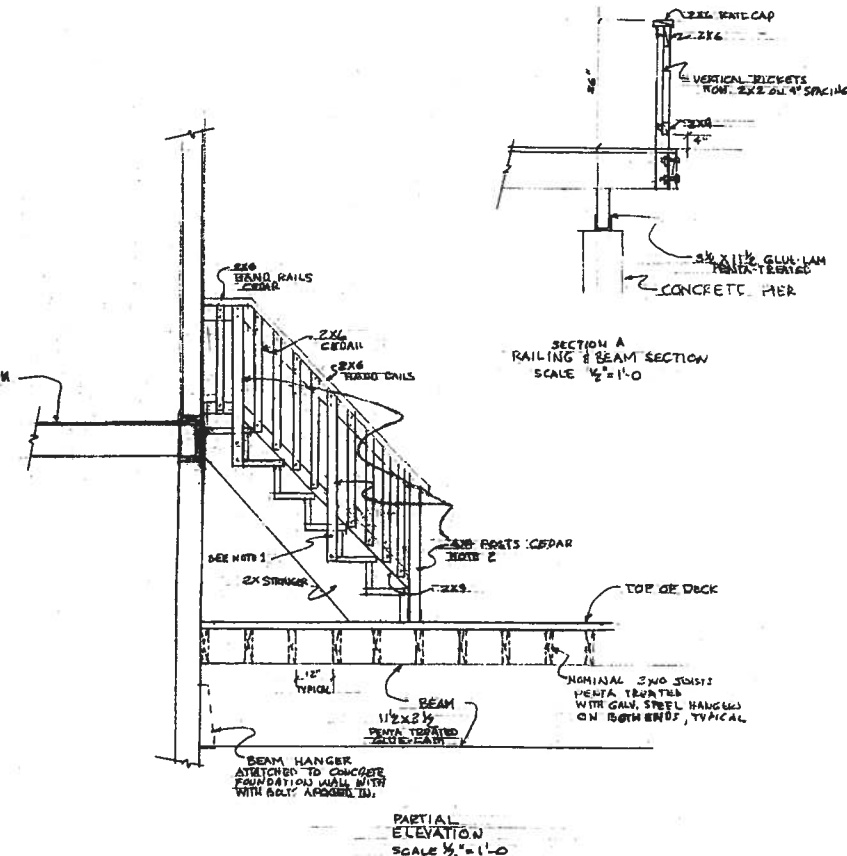
PLAN VIEW OF DECK STRUCTURE
SCALE 1/2"=1'-0"



PLAN VIEW OF DECK RAILING
SCALE 1/2"=1'-0"



TYPICAL 2x10 RIM JOIST
ATTACH RIM JOIST TO JOIST WITH GALV. STEEL 90° BRACKETS AND GALV. STEEL 1/2" BOLTS, FLAT WASHERS AND LOCK WASHERS - TYPICAL ALL JOISTS
ATTACH HAND RAILING POSTS TO ENDS OF JOISTS WITH 2EA. GALV. STEEL BOLTS, WASHERS, LOCK WASHERS AND NUTS THROUGH END OF JOISTS AND THIRD RIM JOIST.

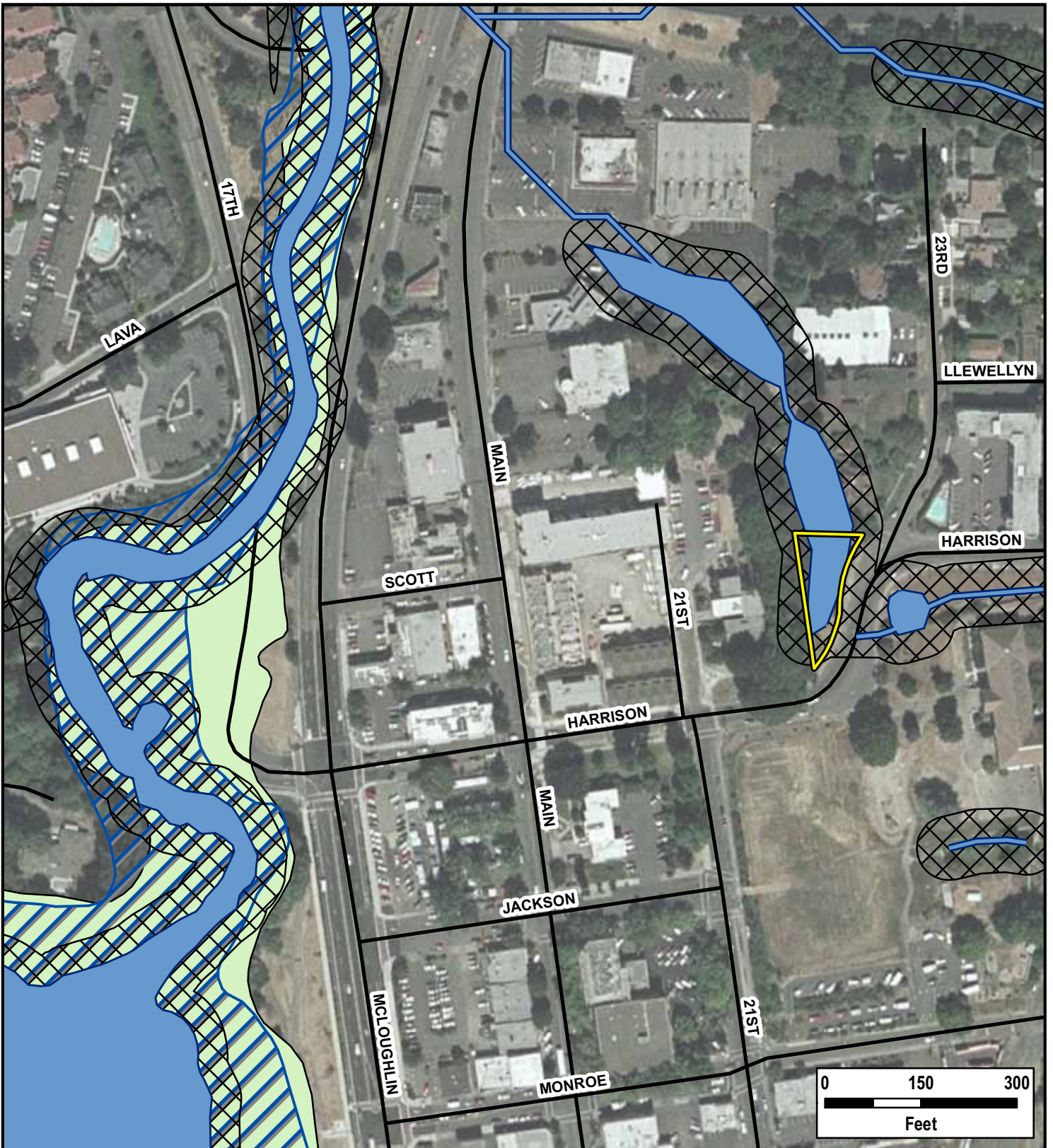


SECTION A
RAILING & BEAM SECTION
SCALE 1/2"=1'-0"

PARTIAL ELEVATION
SCALE 1/2"=1'-0"

- NOTES
1. 3" BRASS SCREW, COUNTER SUNK.
2. TYPICAL 2x10 RIM JOIST
3. 2x4 TOP RAIL
4. TYPICAL 4x4 RAILING POST PENTA-TREATED

NEW REAR DECK for POND HOUSE TO REPLACE DEGRADED DECK		
SCALE: 1/2"=1'-0"	APPROVED BY:	DRAWN BY: B.J. NIELSEN
DATE: JUNE 9, 2009	REVISION:	REVISION:
LEDDING LIBRARY POND HOUSE, CITY of MILWAUKIE		
DRAWING NUMBER		62-09









**Pond House Deck Replacement
City of Milwaukie, Oregon**



Rivergrove Environmental Consulting
18955 Redwing Way
Lake Oswego, OR 97035

Mapping Services by
Blue Moon Cartography
February 16, 2010

Legend

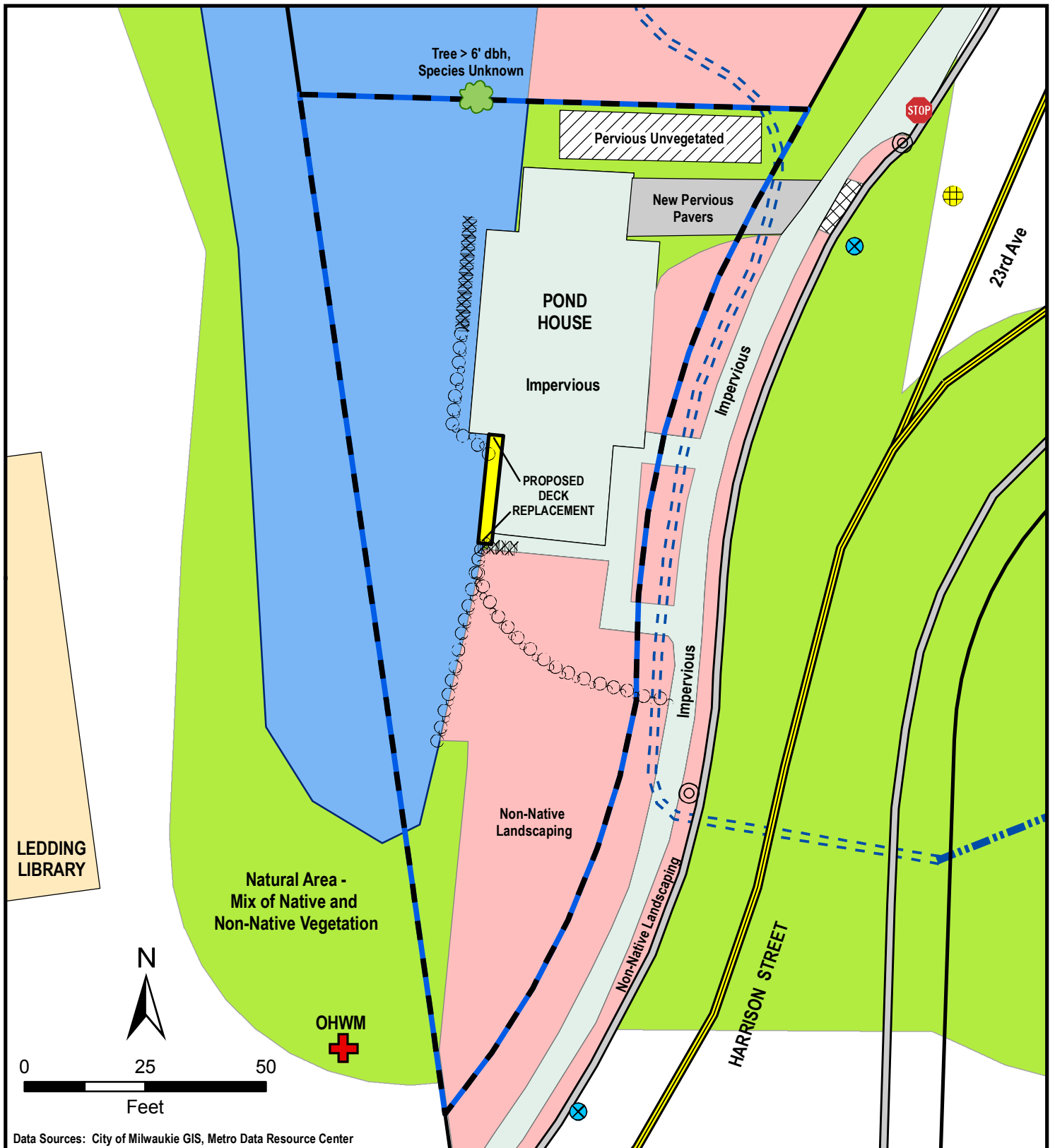
-  Study Area
-  Water Body
-  Creek
-  FEMA 100-Year Flood
-  February 1996 Flood
-  50' Vegetated Corridor



Flood information from FEMA (FIRM)
Map Panel #9 of 1175, Flood Zone
41005C0009D, Effective June 17, 2008.

Data Sources: City of Milwaukie GIS,
Metro Data Resource Center

Figure 2. Water Resources Map



Data Sources: City of Milwaukie GIS, Metro Data Resource Center

Pond House Deck Replacement City of Milwaukie, Oregon



Rivergrove Environmental Consulting
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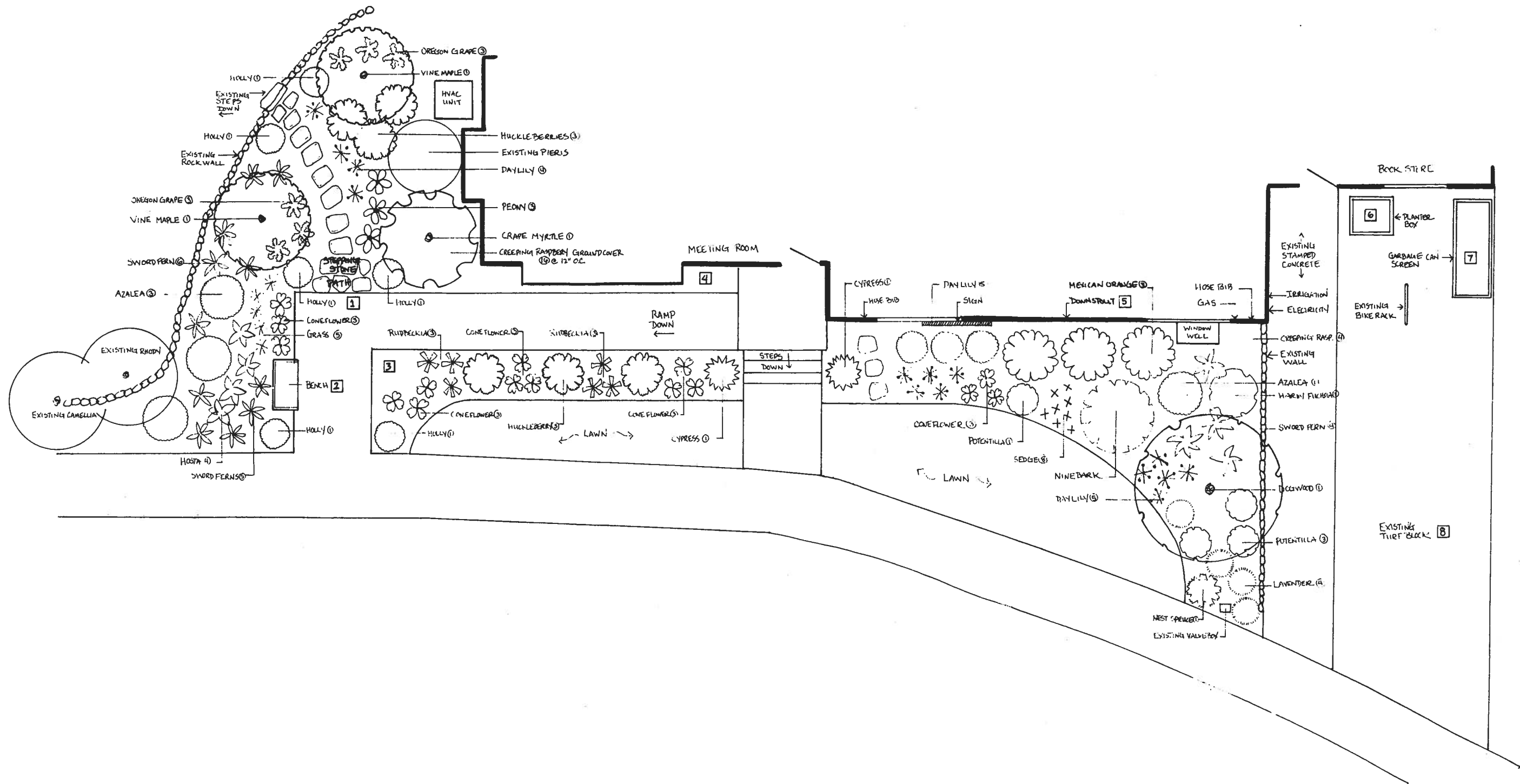
Mapping Services by
Blue Moon Cartography
February 20, 2010

Legend

- | | | |
|----------------------------------|--------------------------|-------------------------|
| Study Area | 50' Vegetated Corridor | Catch Basin |
| Proposed Deck Replacement | Non-Native Landscaping | Manhole |
| Water Body | New Pervious Unvegetated | Utility Pole |
| Vertical Concrete Retaining Wall | New Pervious Pavers | Edge of Curb |
| Rock Wall | Pervious Unvegetated | Spring Creek |
| | Impervious | Spring Creek Subsurface |

Figure 3. Study Area Natural Resources and Drainage Detail

LANDSCAPE PLAN



Landscape Plan
 Ledding Library
 Pond House
 2215 SE Harrison St
 Milwaukie, OR 97222
 Carol Kay, Friends of
 Ledding Library Presi-
 dent 503-698-2762

THE GARDENSMITH
 www.TheGardensmith.com
 Sarah M. Smith
 503-653-0015 Office
 503-313-0638 Cell
 Sarah@TheGardensmith.com

North →
 Scale: 1/4" = 1'

Please Note:
 The existing property conditions including property line locations shown on plan are approximate and do not represent a field-surveyed condition. Owner shall verify all property lines, dimensions, easements, and existing underground utility and irrigation locations prior to construction. Call the Oregon Utility Notification Center (811) 48 hours before digging.

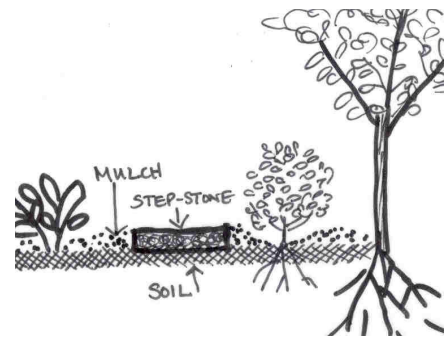
All of the accompanying illustrations show design intent only. They are not construction details and are not engineered or analyzed structurally. Licensed construction professional(s) should approve before any digging, building, changing grade, or other installation begins.

Contractors who bid on any part of this plan agree to completely clean work area upon completion. No materials shall be buried.

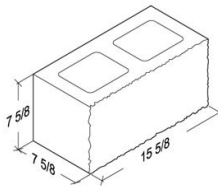
All plant material shall be nursery grown under climatic conditions similar to or harder than those at the site. All plants shall be of normal habit and growth, healthy, vigorous, and free of disease/insects.

Prepared by Sarah M. Smith 503-653-0015 office, 503-313-0638 cell

1 Stepping stone path: 1 ½ to 2 inch thick thin split Columbia River Basalt, or comparable natural gray colored stone. Dry set on existing soil, excavating only to level the stone; the installed height should end up level with mulch. A small amount of sand can be used under the stones to help level them. Care should be taken to disturb the soil only as absolutely necessary; once the stones are set, all bare soil must be covered with mulch.



2 Bench: 5' Teak wood bench, model "Bristol" or "Boston" from Julie Evans Home and Garden (503-233-2550). Front Legs should be bolted with "L" brackets to the existing concrete walkway; the back legs should be bolted with "L" brackets to 8" x 8" x 16" concrete masonry blocks buried on end or on poured concrete footings. All bolts should be vandalism/theft resistant. Care should be taken to limit soil disturbance; once the bench installation is complete, all bare soil must be covered by mulch and/or plants.



Concrete Masonry Unit



Bristol Bench, Julie Evans Teak

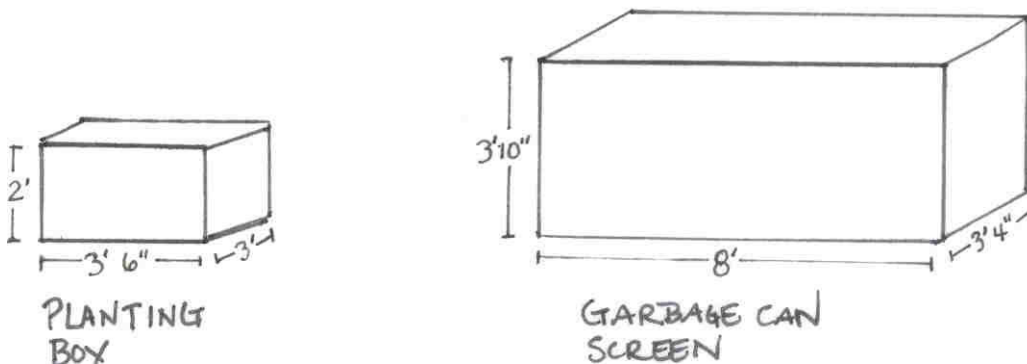
3 Art. The art has not been selected yet. We are looking for some sort of a duck sculpture; possibly with the feel of the "Make way for ducklings" sculpture by Nancy Schon, in the Boston Public Garden. Depending on the art chosen, a concrete footing/pedestal may need to be installed for both security and stability. The footing/pedestal is not intended to be a visual part of the art, its size should be as small as possible to both minimize it's appearance and to limit the amount of impervious surface added to the site. Care should be taken to limit soil disturbance; once the footing/pedestal installation is complete, all bare soil must be covered by mulch and/or plants.

4 Area Below the bay window. This area currently has a ground cover of medium sized river rock. If desired, 5 or so manageable boulders could be added. The walls on both sides of the bay window are another opportunity for incorporating art into the Pond House Landscape.

5 Downspout: This down spout is not connected to a drain. The spout should be extended to the area where the Sedge is to be planted; the sedge will be happy with the extra water.

6 Planter Box: Wood box for high-impact flowers or colorful foliage plants; built of exterior grade materials. Painted or stained the same color as the building siding. Drainage should be provided for in the bottom of the box. The box should be filled with Black Gold All Purpose planting mix or equivalent. (See drawing below)

7 Garbage & Recycling Can Screen: Wood enclosure built of exterior grade materials. The enclosure is sized to accommodate garbage, recycling, and yard debris cans. It is designed to be enclosed on the back and two sides with wood and the front (south) side will be covered by a curtain made of Sunbrella or equivalent outdoor canvas. The top of the enclosure will be open for ease of trash disposal.



Plants: The plants on the Pond House plant list were chosen because they are adapted to this site. None of the proposed plants are considered a nuisance in the Pacific Northwest. Their mature size require limited pruning; once they are established they will need only occasional watering through the dry season; and the combination of deciduous and evergreen plants should provide year-round interest. The plants should be available locally seasonally. If substitutions need to be made, please contact designer Sarah Smith for recommendations on alternatives.

The plants will need extra TLC including water and weeding through the first two growing seasons. The plant list has information on any special care each of the plants need; if more guidance is needed, please contact designer Sarah Smith.

Irrigation: Existing irrigation should be re-configured to accommodate the new planting beds and reduced lawn area.

Lighting: If it is decided to add landscape lighting, please consult with designer Sarah Smith before choosing fixtures and determining placement. Solar lights are NOT recommended.

Mulch: All planting beds should be covered with 2 to 3 inches of mulch, preferably medium sized Douglas Fir or Hemlock Bark, once plant installation is complete. The mulch should cover all bare soil; however, it should be kept away from the stems/trunks of the plants. The mulch will help to conserve moisture in the soil, reduce the sprouting of weed seeds, and give the beds a finished look.

Pond House, 2215 SE Harrison St, Milwaukie, OR

Plant List

These plants should all be available locally, depending on the season. Please call The Gardensmith (503-653-0015 or 503-313-0638) before making any substitutions.

Before planting the plants, be sure their root balls are thoroughly moistened and any bound roots are loosened. After planting keep weeds under control. The plants will need extra TLC until their roots have a chance to grow into the surrounding soil; plants planted under mature trees/shrubs and near buildings may need to be watered in the winter for the first few seasons.

Azalea	Azalea 'Glacier'	Evergreen shrub with white flowers in early spring. The foliage is dark green and looks nice year round. Prune right after blooming, can be sheared. Grows 4-6' tall, but can be pruned smaller.
Cone Flower	Echinacea purpurea	Perennial with large daisy-like flowers with drooping petals in mid to late summer. Deadhead as needed and cut back to the ground after frost. 2'
Crape Myrtle	Lagerstroemia 'Catawba'	Deciduous large shrub/small tree. Grown for bright papery flowers in late summer, good fall color and interesting winter bark. Prune in early spring, blooms on new wood. 15' x 15'
Creeping Raspberry	Rubus calycioides	Evergreen creeping/trailing groundcover. Deep green foliage, white flowers, and orange fruit. Sun to part shade. About 8" tall.
Cypress	Cupressus sempervirens 'Swane's Golden'	Evergreen conifer. Narrow columnar form with golden yellow new growth. Slow growing and formal in appearance. Nice in containers. Full sun. 2-3' x 15-20'
Day Lily	Hemerocallis 'Stella de Oro' or 'Happy Returns'	Perennial with grassy-strappy foliage and yellow flowers. If dead headed it will bloom from spring into fall. 12-18" tall. For the best appearance deadhead regularly and dead leaf as needed.
Dogwood	Cornus 'Eddies White Wonder''	Deciduous Tree. Slow to medium growing tree with tons of white flowers in spring. Red fall color. If needed, prune when dormant. 15' x 20'
Hardy Fuchsia	Fuchsia magellanica	Deciduous fast growing shrub with graceful arching stems. Prefers light shade. Red and purple flowers. Prune by cutting all stems back to 10-12" from ground in spring. 3-4' x 4-5'

Holly	<i>Ilex crenata</i> 'Lemon Gem'	Dwarf evergreen shrub. Small yellow-green leaves, nice low hedge for full sun. Listed as growing anywhere from 2-3' Prune in late summer.
Hosta	Hosta hybrids	Herbaceous perennial grown for its attractive foliage. Many varieties to choose from. Slugs can be a major pest, start baiting for them in late winter. Generally prefer shade. Drought tolerant, but best with ample summer water.
Huckleberry	<i>Vaccinium ovatum</i>	Evergreen native shrub. Small dark green leaves, white bell shaped flowers, edible dark blue berries (enjoyed by the birds, pick fast!). Can be sheared for a formal look. Grows to 2-3' if planted in sun, can grow to 8' if planted in shade. Prefers no hot sun.
Japanese Forest Grass	<i>Hakonechloa macra</i> 'Aureola'	Small grass, slightly resembling bamboo. Prefers shade and moist soil. Yellow striped leaves, 18" x 24"
Lavender	<i>Lavendula intermedia</i> 'Munstead'	Perennial grown for its fragrant medium purple flowers. Compact growing, 14" x 12". Flowers dry well. Deadhead after blooming. Cut back in spring, but not into old wood. Needs full sun and well drained soil.
Mexican Orange Blossom	<i>Choisya ternata</i>	A mounded evergreen shrub with white orange scented flowers in spring into summer and fall. Prune off frost damaged branches in spring and remove spent flower stems in summer. May suffer dieback in cold winters, but will recover quickly. 6' x 6'
Nest Spruce	<i>Picea abies</i> 'Nidiformis'	Evergreen conifer. Low growing with a bird's nest-like appearance. Slow growing to 5' x 5'. Full sun and well drained soil.
Ninebark	<i>Physocarpus opulifolius</i> 'Summer Wine'	Deciduous shrub with purple foliage and creamy white flowers. Upright to slightly arching branches. An interesting addition to a mixed hedge. Best color in full sun. 6-8' x 6'
Oregon Grape	<i>Mahonia nervosa</i>	Evergreen, native, low growing shrub/ground cover. Dark green leaves are toothed like holly, yellow flowers in early spring are followed by blue berries (edible, but not tasty, leave for the birds). Shade to part sun, good for holding slopes, 12-18" tall.
Peony	Peony hybrids	Herbaceous perennial. Large flowers in spring, color depends on variety. 3' x 3'. Need to be deadheaded, spent flowers are unattractive. Most need to be staked. Don't plant too deep, growth

		eyes should be only 1-1/2" below soil. Full sun to light shade.
Potentilla	Potentilla fruticosa 'Red Star'	Deciduous shrub. Densely branched shrub with red-yellow flowers in summer. Drought tolerant. Full sun. 2-3' x 3'. Prune in spring, shorten vigorous shoots by up to 1/2, cut back a few of the oldest stems to the base. Shear after blooming.
Rudbeckia	Rudbeckia fulgida 'Goldstrum'	Herbaceous perennial with bright yellow daisy-like flowers July-October. 30" x 24"
Sedge	Carex elata 'Aurea' or 'Bowles Golden'	Grass-like plant with yellow striped foliage. Moist soil and full sun 2 to 2-1/2 ' tall.
Sword Fern	Polystichum munitum	Evergreen native fern. Very dependable, grows in moist sun or dry shade. Good for erosion control. Can be left as it is, but looks best if it is cut back to the ground in late winter each year before the new fronds start to unfurl. 24-36"
Thyme	Thymus serpyllum 'Elfin'	Evergreen groundcover with dark green leaves and pink flowers. Very low growing groundcover, good for use in stepping stones.
Vine Maple	Acer circinatum	Large deciduous native shrub/small tree. Orange fall color. An excellent small tree for a shaded garden, will tolerate full sun, but the leaves will burn in August. 10-20' tall, usually with multiple trunks.

Pond House, 2215 SE Harrison St, Milwaukie, OR
Plant Shopping List

These plants should all be available locally, depending on the season. Please call The Gardensmith (503-653-0015 or 503-313-0638) before making any substitutions.

Quantity	Plan Name	Botanical Latin Name	Purchase Size	Notes
4	Azalea	<i>Azalea</i> 'Glacier'	2 gallon +	
15	Cone Flower	<i>Echinacea purpurea</i>	4" or 1 gallon	
1	Crape Myrtle	<i>Lagerstroemia</i> 'Catawba'	5 gallon +	Look for one trained to a standard
20	Creeping Raspberry	<i>Rubus calycinooides</i>	4"	
2	Cypress	<i>Cupressus sempervirens</i> 'Swane's Golden'	5 gallon	
14	Day Lily	<i>Hemerocallis</i> 'Stella de Oro' or 'Happy Returns'	1 gallon	May be donated/transplanted
1	Dogwood	<i>Cornus</i> 'Eddies White Wonder''	7-8' or larger	Choose one with nice branch structure
1	Hardy Fuchsia	<i>Fuchsia magellanica</i>	1 gallon	
6	Holly	<i>Ilex crenata</i> 'Lemon 'Gem	2 gallon +	
4	Hosta	<i>Hosta</i> hybrids	1 gallon	
3	Huckleberry	<i>Vaccinium ovatum</i>	2 gallon +	
5	Japanese Forest Grass	<i>Hakonechloa macra</i> 'Aureola'	1 gallon	
4	Lavender	<i>Lavendula intermedia</i> 'Munstead'	1 gallon	
3	Mexican Orange Blossom	<i>Choisya ternata</i>	5 gallon	
1	Nest Spruce	<i>Picea abies</i> 'Nidiformis'	2 gallon	Have already, from plant sale

1	Ninebark	<i>Physocarpus opulifolius</i> 'Summer Wine'	2 gallon +	
6	Oregon Grape	<i>Mahonia nervosa</i>	1 gallon	
3	Peony	<i>Peony</i> hybrids		Have already, from plant sale
4	Potentilla	<i>Potentilla fruticosa</i> 'Red Star'	1 gallon +	
6	Rudbeckia	<i>Rudbeckia fulgida</i> 'Goldstrum'	4" +	
8	Sedge	<i>Carex elata</i> 'Aurea' or 'Bowles Golden'	4"	
15	Sword Fern	<i>Polystichum munitum</i>	1 gallon	
See Note	Thyme	<i>Thymus serpyllum</i> 'Elfin'	plugs or growers Flat	Recommended for planting in turf block driveway
2	Vine Maple	<i>Acer circinatum</i>	5-6'	Choose a multi- trunked specimen