



Community Development – Planning

695 Warner Parrott Road | Oregon City OR 97045

Ph (503) 722-3789

Planning Review for Natural Resource Overlay District (NROD) Type 1 Exemption Form and Checklist

Staff Only

File #: _____ Reviewed By: _____ Date: _____

Decision: ☐ Approved ☐ Approved with Conditions ☐ Denied

Notes: _____

Submittal Requirements – the following information is required for submission

- ☐ Completed Application
- ☐ A detailed narrative description of the proposed exempt use
- ☐ Site Plan showing required items.
- ☐ Electronic version of all application materials (.pdf)
- ☐ Application Fee (to be paid once invoice is received)

Applicant Name/Company: _____ CCB #: _____

Phone: _____ Email Address: _____

Site Address: _____

or Clackamas County Map and Tax Lot #: _____

Per **OCMC 17.49.080** – Uses allowed outright (exempted)

The following uses (A. through P.) are allowed within the NROD and do not require the issuance of an NROD permit. Planning Staff will review the following information and verify that the proposed use is exempt from further NROD review. A site visit will be conducted to ensure that the proposed use does not impact the NROD. If staff cannot verify that the proposed use is exempt, a Type II or III application will be required.

Check all that apply to your project:

- ☐ **A. Stream, wetland, riparian, and upland restoration or enhancement projects** as authorized by the City.

The project must receive the following department approvals:

Planning Initials: _____ Public Works Initials: _____ Parks Initials: _____

Staff Conditions: _____

- ☐ **B. Farming practices** as defined in ORS 215.203 and farm uses, excluding buildings and structures as defined in ORS 215.203.

Type of farm or forest use proposed (may required proof of tax deferral based on current use): _____

- ☐ **C. Utility service using a single utility pole.** Building or Electrical Permit #: _____

- ☐ **D. Boundary and topographic surveys** leaving no cut scars greater than 3 inches in diameter on live parts of native plants listed in the **Oregon City Native Plant List**.

Surveyor Name: _____ License #: _____

- ☐ **E. Soil tests, borings, test pits, monitor well installations** and other minor excavations necessary for geotechnical, geological or environmental investigation, provided that disturbed areas are restored to pre-existing conditions as approved by the Community Development Director.

Note: To be exempt, the amount of excavation needed for the investigation shall not be sufficient to require a fill or grading permit. In addition, any other activity that results in the removal or more than 10% of the existing vegetation in the NROD area is NOT exempt.

Date of Excavation: _____ Erosion control Permit #: _____

Company Doing Work: _____

Company Contact Name: _____ Phone#: _____

Type of Geological Testing: _____

List of Existing Vegetation: _____

Restoration Method Proposed: _____

- ☐ **F. Trails** meeting ALL of the following:

- ☐ 1. Construction shall take place between May 1 and October 30 with handheld equipment.
- ☐ 2. Widths shall not exceed 48 inches and trail grade shall not exceed 20%.
- ☐ 3. Construction shall leave no scars greater than 3 inches in diameter on liver parts of native plants.
- ☐ 4. Located no closer than 25 feet to a wetland or the top of banks of a perennial stream, or no closer than 10 feet of an intermittent stream.
- ☐ 5. No impervious surfaces.
- ☐ 6. No native trees greater than 1 inch in diameter may be removed or cut, unless replaced with an equal number of native trees of at least 2 inch diameter and planted within 10 feet of the trail.

- ☐ **G. Land divisions** provided the meet the following standards and indicate the following on the final plat:

- ☐ 1. Lots shall have their building sites (or buildable areas) entirely located at least 5 feet from the NROD boundary shown on the City's adopted NROD map. For purposes of this sub-paragraph, "building site" means an area of at least 3500 sq ft, with minimum dimensions of 40 ft wide by 40 ft deep.
- ☐ 2. All public and private utilities (including water lines, sewer lines or drain fields, and stormwater disposal facilities) are located outside the NROD.
- ☐ 3. Impervious streets, driveways and parking areas shall be located at least 10 feet from the NROD.
- ☐ 4. The NROD portions of all lots are protected by:

- ☐ a. A Conservation easement; or
- ☐ b. A lot or tract created and dedicated solely for unimproved open space or conservation purposes.

☐ **H. Site Plan and Design Review applications** where all new construction is located outside of the NROD boundary shown on the City's adopted NROD map, and the NROD area is protected by a conservation easement approved in form by the City.

☐ **I. Routine repair and maintenance** of existing structures, roadways, driveways and utilities.

List Structures: _____

List Roadways: _____

List Driveways: _____

List Utilities: _____

☐ **J. Replacement, additions, alterations and rehabilitation of existing structures, roadways, utilities, etc.,** where the ground level impervious surface area is not increased.

Note: Any existing impervious surfaces may be altered provided there is no increase in surface area and any net changes are directed away from the protected resource.

Impervious Area Calculation:

1. Existing area: _____ sq ft
2. Area to be removed: _____ sq ft
3. Area to be added: _____ sq ft
4. Area to be replaced: _____ sq ft

Describe the type of ground level impervious surface are: _____

Describe any changes proposed: _____

☐ **K. Measures approved by the City to remove or abate nuisances or hazardous conditions.**

Department requesting:

☐ Planning Initials: _____ ☐ Public Works Initials: _____

☐ Parks Initials: _____ ☐ Other: _____

Staff Comments regarding the nuisance or hazard: _____

☐ **L. Tree Removal.** *The Community Development Director may permit the removal of any tree determined to be a dead, hazardous, or diseased tree as defined in OCMC 17.04. Any tree that is removed in accordance with this Section (L) shall be replaced with a new tree of at least ½-inch caliper or at least six-foot overall height. An exception to this requirement may be granted if the applicant demonstrates that a replacement tree has already been planted in anticipation of tree removal, or if the existing site conditions otherwise preclude tree replacement (due to existing dense canopy coverage or other ecological reasons).*

Tree condition: ☐ Dead ☐ Hazardous ☐ Diseased Photos Provided? ☐ Yes ☐ No
 Certified Arborist Name: _____ ISA #: _____
 Arborist Address: _____ Phone #: _____
 Certified Arborist Report provided? ☐ Yes ☐ No

The replacement tree(s) shall be located in the general vicinity of the removed tree(s), somewhere within NROD on the property. The replacement tree(s) shall be identified on the Oregon City Native Plant List or other locally adopted plant list (e.g. Metro or Portland). The owner of the property shall ensure that the replacement tree(s) survives at least two years beyond the date of its planting.

Number of replacement trees: _____ Tree Species Proposed: _____
 Caliper Size: _____ or Height: _____ ft Native Species? ☐ Yes ☐ No
 Native Plant List: _____ (e.g. Oregon City, Portland, Metro, etc.)

Will the owner ensure that the replacement tree(s) survives for at least two years? ☐ Yes ☐ No

Other Comments: _____

- ☐ **M. Planting of native vegetation and the removal of non-native, invasive vegetation** (as identified on the Oregon City Native Plant List or other locally adopted plant list (e.g. Metro or Portland), or as recommended by an environmental professional with experience and academic credentials in one or more natural resource areas such as ecology, arboriculture, horticulture, wildlife biology, botany, hydrology, or forestry, and removal of refuse and fill, provided that:

- ☐ 1. All work is done using hand-held equipment.
- ☐ 2. No existing native vegetation is disturbed or removed.
- ☐ 3. All work occurs outside of wetlands and the top-of-bank of streams.

- ☐ **N. Activities in which no more than 100 sq ft of ground surface is disturbed** outside of the bank full stage of water bodies and where the disturbed area is restored to the pre-construction conditions, notwithstanding that disturbed areas that are predominantly covered with invasive species shall be required to remove the invasive species from the disturbance area and plant trees and native plants pursuant to this Chapter.

- ☐ **O. New Fences** meeting ALL of the following:

- ☐ 1. 2 feet width on both sides of fence shall be planted or seeded with native grasses, shrubs herbs or trees to cover any bare ground.
- ☐ 2. No taller than 3 ½ feet and of split rail or similar open design.
- ☐ 3. Fence posts shall be placed outside the top-of-bank of streams and outside of delineated wetlands.
- ☐ 4. 6 inches of clearance from ground level.

- ☐ **P. Gardens, fences and lawns** within the NROD that existed prior to the time the overlay district was applied to a subject property are allowed to be maintained but cannot expand further into the overlay district.

Note: There may be more information required once your application has been reviewed.