



Natural Resource Overlay District (NROD) Application for Exemption from NROD Review

Staff use:

File Number: _____ Reviewed By: _____ Date: _____

Decision: Approved Denied

Site Address or Clackamas County Map and Tax Lot: _____

Applicant Name/Company: _____ Phone Number: _____

Email Address: _____

The following uses are allowed within the NROD and do not require the issuance of an NROD permit. Indicate which exemption your project falls under:

- Stream, wetland, riparian, and upland restoration or enhancement projects as authorized by the City.
- Farming practices as defined in ORS 215.203 and farm uses, excluding buildings and structures, as defined in ORS 215.203.
- Utility service using a single utility pole.
- Boundary and topographic surveys leaving no cut scars greater than three inches in diameter on live parts of native plants listed in the Oregon City Native Plant List.
- 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.
- Trails meeting all of the following:
 1. Construction shall take place between May 1 and October 30 with hand held equipment;
 2. Widths shall not exceed forty-eight inches and trail grade shall not exceed twenty percent;
 3. Construction shall leave no scars greater than three inches in diameter on live parts of native plants;
 4. Located no closer than twenty-five feet to a wetland or the top of banks of a perennial stream, or no closer than ten feet of an intermittent stream;
 5. No impervious surfaces; and
 6. No native trees greater than one-inch in diameter may be removed or cut, unless replaced with an equal number of native trees of at least two-inch diameter and planted within ten feet of the trail.
- Land divisions provided they 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 five feet from the NROD boundary shown on the City's adopted NROD map. For the purpose of this subparagraph, "building site" means an area of at least 3,500 square feet with minimum dimensions of forty feet wide by forty feet 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 ten feet from the NROD; and

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.

____ 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.

____ Routine repair and maintenance of existing structures, roadways, driveways and utilities.

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

____ Measures approved by the City of Oregon City to remove or abate nuisances or hazardous conditions.

____ 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).

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 property owner shall ensure that the replacement tree(s) survives at least two years beyond the date of its planting.

____ 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; and
3. All work occurs outside of wetlands and the top-of-bank of streams.

____ Activities in which no more than one hundred square feet of ground surface is disturbed outside of the bankfull 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.

____ New fences meeting all of the following:

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

____ 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.

Describe how your project meets one of the items in the list above.

Attach a map showing the location of the proposed work.

Attach any other documentation, such as photos, plans, or reports needed to demonstrate compliance with the code.