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LAND USE APPLICATION FORM

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Type I (OCMC 17.50.030.A)	Type II (OCMC 17.50.030.B)	Type III / IV (OCMC 17.50.030.C)
<input type="checkbox"/> Compatibility Review	<input type="checkbox"/> Extension	<input type="checkbox"/> Annexation
<input type="checkbox"/> Lot Line Adjustment	<input type="checkbox"/> Detailed Development Review	<input type="checkbox"/> Code Interpretation / Similar Use
<input type="checkbox"/> Non-Conforming Use Review	<input type="checkbox"/> Geotechnical Hazards	<input type="checkbox"/> Concept Development Plan
<input type="checkbox"/> Natural Resource (NROD) Verification	<input type="checkbox"/> Minor Partition (<4 lots)	<input type="checkbox"/> Conditional Use
<input type="checkbox"/> Site Plan and Design Review	<input type="checkbox"/> Minor Site Plan & Design Review	<input type="checkbox"/> Comprehensive Plan Amendment (Text/Map)
	<input type="checkbox"/> Non-Conforming Use Review	<input type="checkbox"/> Detailed Development Plan
	<input type="checkbox"/> Site Plan and Design Review	<input type="checkbox"/> Historic Review
	<input type="checkbox"/> Subdivision (4+ lots)	<input type="checkbox"/> Municipal Code Amendment
	<input type="checkbox"/> Minor Variance	<input type="checkbox"/> Variance
	<input checked="" type="checkbox"/> Natural Resource (NROD) Review	<input type="checkbox"/> Zone Change

File Number(s): NR 17-10

Proposed Land Use or Activity: Deck replacement and addition within the NROD.

Project Name: 379 Barker Avenue Project Number of Lots Proposed (If Applicable): N/A

Physical Address of Site: 379 Barker Avenue

Clackamas County Map and Tax Lot Number(s): 32E06BB03903

Applicant(s):

Applicant(s) Signature: _____

Applicant(s) Name Printed: Kevin Dier Date: 7/28/2017

Mailing Address: 379 Barker Avenue

Phone: 503-807-6336 Fax: _____ Email: glacierclimber@gmail.com

Property Owner(s):

Property Owner(s) Signature: 

Property Owner(s) Name Printed: Kevin Dier Date: 7/28/2017

Mailing Address: 379 Barker Avenue

Phone: 503-807-6336 Fax: _____ Email: glacierclimber@gmail.com

Representative(s):

Representative(s) Signature: Tina Farrelly

Representative (s) Name Printed: Tina Farrelly Date: 7/28/2017

Mailing Address: 9450 SW Commerce Circle, Wilsonville, Oregon, 97070

Phone: 503-570-0800 Fax: _____ Email: tf@pacifichabitat.com

All signatures represented must have the full legal capacity and hereby authorize the filing of this application and certify that the information and exhibits herewith are correct and indicate the parties willingness to comply with all code requirements.

Natural Resource Overlay District Report for the 379 Barker Avenue Project in Oregon City, Oregon

(Township 3 South, Range 2 East, Section 6BB, Tax Lot 3903)

Prepared for

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September 21, 2017



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1.0 INTRODUCTION

Pacific Habitat Services, Inc. (PHS) conducted a natural resource assessment of 379 Barker Avenue in Oregon City, Oregon (Township 3 South, Range 2 East, Section 6BB, Tax Lot 3903); see Figures 1 and 2 in Appendix A for limits of the study area. All figures are in Appendix A.

This report presents the definitions and the methodology used to assess the natural resource overlay district (NROD) within the project site as required by the City of Oregon City (City) (Chapter 17.49). The field component of the natural resource assessment for this site was completed on June 8, 2017.

2.0 EXISTING CONDITIONS

The study area is located on Barker Avenue approximately 850 feet southwest of the intersection Telford Road in Oregon City. The study area consists of one tax lot (3903) as shown on Figure 2. The parcel and surrounding areas are zoned as residential (R8 and R10) (Oregon City WebMaps, 2017). The parcel includes a single-family residence that was built in 1997.

The study area is within the Tanner Creek – Willamette River watershed (HUC 170900070405). Coffee Creek flows north approximately 600 feet on the eastern study area boundary, as mapped by the Oregon City Local Wetland Inventory (Shapiro and Associates 1999) (Figure 3A). Oregon City mapping (Figure 3B) identifies a stream and adjacent wetlands as well as the NROD (Oregon City WebMaps, 2017). Site topography slopes down to the east towards Coffee Creek. Dominant vegetation in the riparian area of Coffee Creek is primarily lawn grasses and includes several native and ornamental tree and shrub species.

3.0 DISCUSSION OF NATURAL RESOURCE AREAS

PHS investigated the site in accordance with the Routine On-site Determination, as described in the *Corps of Engineers Wetland Delineation Manual, Wetlands Research Program Technical Report Y-87-1* (“The 1987 Manual”) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region*. The field investigation was conducted on June 8, 2017. Additional measurements were conducted by the Applicant on August 22, 2017.

Below is a discussion of the one stream identified within the property.

Coffee Creek: Coffee Creek is a tributary of the Willamette River that flows northward along the eastern property boundary (Figure 4). The Cowardin class is riverine, intermittent, streambed, cobble/gravel, seasonally flooded (RFSB3C), the Hydrogeomorphic class is Riverine. The stream enters the site through a double culvert under Barker Avenue and continues north beyond the study area boundary.

Riparian vegetation within the property is dominated by lawn species, but also includes several native and ornamental woody species, including Douglas and English hawthorn (*Crataegus douglasii* and *C. monogyna*), big-leaf maple (*Acer macrophyllum*), vine maple (*A. circinatum*), Japanese maple (*A. palmatum*), blue atlas cedar (*Cedrus atlantica*), laurel (*Prunus laurocerasus*), daphne (*Daphne sp.*), and rhododendron (*Rhododendron sp.*). A small amount of slough sedge (*Carex obnupta*) is present within the stream channel.

Coffee Creek adjacent to the Applicant's parcel is not considered to be an anadromous fish-bearing stream (Oregon Department of State Lands [DSL] 2017; Shapiro and Associates 1999; StreamNet 2017). Slopes adjacent to Coffee Creek do not exceed 25 percent within the parcel. One sample point was collected adjacent to the stream channel to document that there are no wetlands within the property.

4.0 VEGETATED CORRIDOR ASSESSMENT

4.1 Vegetated Corridor Extent

The slope adjacent to the delineated edge of Coffee Creek was assessed in order to determine the width of the vegetated corridor. The slope adjacent to the stream was determined to be less than 25 percent and, as described above, the stream is not an anadromous fish-bearing stream. As such, there is a 50-foot-wide vegetated corridor according to Table 17.49.110 of the Oregon City NROD code. The required vegetated corridor area within the subject parcel is approximately 4,194 square feet (0.01 acres); however, this includes approximately 500 square feet of developed area (house and pre-existing deck) (Figure 4).

4.2 Vegetated Corridor Condition

The condition of the vegetated corridor is defined by the combined coverage of trees, shrubs, and groundcover; overall tree canopy coverage; and the coverage of non-native species. Although the combined coverage of vegetation is marginal to good, the vegetated corridor is in degraded condition given the lack of tree canopy coverage.

See Appendix B for plant species and percent cover documented in the vegetated corridor. Appendix B also includes the photographs of the vegetated corridor. See Figure 5 for locations of the photographs.

5.0 PROJECT DESCRIPTION

The existing residence was constructed with a back deck, which is within the NROD district boundary on the City's NROD Map, as well as within the site-specific vegetated corridor shown on Figures 4 and 5. The pre-existing deck was deteriorated, posed a safety risk, and required replacement. In addition, the Applicant expanded the deck surface area and altered the stair configuration from the deck to the yard.

The pre-existing deck was approximately 14 feet long by 8.5 feet wide (119 square feet) and was elevated above the ground surface. The deck was supported by two 4-by-4 timber posts atop 14-inch diameter concrete footings. A stairway (18 square feet) was located on the south side of the deck adjacent to the east side of the residence. A concrete pad (18 square feet) was at the bottom of the pre-existing stairway, and twelve pavers (approximately 14 square feet total) led from the concrete pad to the bank of Coffee Creek. The total surface area of the deck and associated features within the vegetated corridor was 169 square feet.

The deck project replaced the pre-existing deck with a new deck and added a lower deck area and two short stairways (see Figure 5 and attached photos). The new deck includes additional supports, including twelve new 4-by-4 timber posts atop 19-inch diameter concrete footings, and a narrow concrete footing beneath the bottom stair of the lower stairway where it meets the ground surface. Pre-existing impervious surfaces (concrete pad, concrete footings, and pavers) will be removed. The total surface area of the deck, including the replacement area and additional area, is approximately 269 square feet, resulting in a net increase of 100 square feet within the vegetated corridor. No existing native vegetation was removed for the deck project.

The deck replacement and addition totals less than 500 square feet of additional disturbance within the vegetated corridor; however, a portion of the encroachment is closer than one-half the distance of the regulated NROD buffer. As such, the Applicant is required to obtain a Type III permit pursuant to Chapter 17.49. A narrative explaining all aspects of the deck replacement and addition and addressing each of the criteria listed in Chapter 17.49 is provided in Section 5.2 below.

5.1 Vegetated Corridor Impacts

As described above, impacts to the vegetated corridor for the deck project include the addition of 100 square feet to the total disturbance area associated with existing development (Figure 5). Proposed mitigation for the total vegetated corridor impacts resulting from the project are described in Section 5.3 below.

5.2 NROD Development Standards

As the deck project resulted in impacts to the vegetated corridor within the subject property, the project must comply with Oregon City Municipal Code, Chapter 17.49, Natural Resource Overlay District. The applicable sections of the code are discussed below.

17.49.[0]40 – NROD permit

Response: The deck project is regulated under Section 17.49.[0]90, *uses allowed under prescribed conditions*. The NROD permit shall be processed under the Type III development permit as the proposed encroachment is closer than one-half the distance of the regulated NROD buffer. As such, an adjustment of standards is requested, pursuant to Section 17.49.200. The exact location of NROD has been delineated based on the existing resources within the subject property, as identified on Figure 4.

17.49.[0]60 – Consistency and relationship to other regulations.

Response: The Applicant must obtain a building permit for the new deck (per the 2014 Oregon Residential Specialty Code R105.1). No other conflicts with the provisions of the Oregon City Municipal Code; other City requirements; or with regional, state, or federal law have been identified for the proposed project. The project does not propose impacts to potentially jurisdictional wetlands or waters that would warrant coordination with DSL and the Corps. As such, further documentation of coordination with appropriate regulatory/resource agencies, as required in Section 17.49.230C, is not necessary.

17.49.[0]70 – Prohibited uses

- A. *Any new gardens, lawns, structures, development, other than those allowed outright (exempted) by the NROD or that is part of a regulated use that is approved under prescribed conditions. Note: Gardens and lawns within the NROD that existed prior to the time the overlay district was applied to a subject property are allowed to continue but cannot expand further into the overlay district.*

Response: The deck project is a regulated use that is approved under prescribed conditions, as detailed in Section 17.49.[0]90 and Section 17.49.130 below. Even though the project is an approved regulated use, the additional amount of disturbance from the lower deck, has caused the encroachment to be closer than one-half the distance of the regulated NROD buffer; therefore, an adjustment from standards is requested pursuant to Section 17.49.200.

- B. *New lots that would have their buildable areas for new development within the NROD are prohibited.*

Response: Not applicable. The project is a deck replacement and addition for an existing residence.

- C. *The dumping of materials of any kind is prohibited except for placement of fill as provided in subsection D. below. The outside storage of materials of any kind is prohibited unless they existed before the overlay district was applied to a subject property. Uncontained areas of hazardous materials as defined by the Oregon Department of Environmental Quality (ORS 466.005) are also prohibited.*

Response: Not applicable. The project is a deck replacement and addition for an existing residence.

- D. *Grading, the placement of fill in amounts greater than ten cubic yards, or any other activity that results in the removal of more than ten percent of the existing native vegetation on any lot within the NROD is prohibited, unless part of an approved development activity.*

Response: The structural deck supports required for the deck project did not exceed ten cubic yards of fill within the NROD. Lawn/turf grass was the only vegetation affected by the deck project; no existing native vegetation was removed.

17.49.[0]80 – Uses allowed outright (exempted)

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

Response: Per communication with Dilia Vassileva (Assistant Planner, Oregon City), the deck surface area, though permeable, constitutes ground level impervious surface because of the effects to vegetation beneath. As such, the deck project is not a *use allowed outright (exempted)*, but rather a *use allowed under prescribed conditions* (see Section 17.49.[0]90).

17.49.[0]90 – Uses allowed under prescribed conditions.

- A. *Alteration to existing structures within the NROD when not exempted by Section 17.49.080, subject to Section 17.49.130.*

Response: The deck project is an alteration to an existing structure within the NROD that is not exempted under Section 17.49.080. As such, the deck project is subject to the general development standards (Section 17.49.100) and the existing development standards (Section 17.49.130). In addition, because the encroachment is closer than one-half the distance of the regulated NROD buffer, an adjustment from standards is requested pursuant to Section 17.49.200. These standards are detailed in the sections below.

17.49.100 – General development standards

- A. Native trees may be removed only if they occur within ten feet of any proposed structures or within five feet of new driveways or if deemed not wind-safe by a certified arborist. Trees listed on the Oregon City Nuisance Plant List or Prohibited Plant List are exempt from this standard and may be removed. A protective covenant shall be required for any native trees that remain;*

Response: No native trees have been removed for the deck project. The remaining native trees, as well as the proposed mitigation plantings, will be within a protective covenant, as required.

- B. The community development director may allow the landscaping requirements of the base zone, other than landscaping required for parking lots, to be met by preserving, restoring and permanently protecting habitat on development sites in the Natural Resource Overlay District;*

Response: Not applicable. The project is a deck replacement and addition for an existing residence.

- C. All vegetation planted in the NROD shall be native and listed on the Oregon City Native Plant List;*

Response: The proposed mitigation plantings are native and listed on the Oregon City Native Plant List, as detailed in Appendix B and in the Mitigation Plan Report, below.

- D. Grading is subject to installation of erosion control measures required by the City of Oregon;*

Response: The deck project did not require grading. As such, the installation of erosion control measures was not necessary.

- E. The minimum front, street, or garage setbacks of the base zone may be reduced to any distance between the base zone minimum and zero in order to minimize the disturbance area within the NROD portion of the lot;*

Response: Not applicable. The project is a deck replacement and addition for an existing residence.

- F. Any maximum required setback in any zone, such as for multi-family, commercial or institutional development, may be increased to any distance between the maximum and the distance necessary to minimize the disturbance area within the NROD portion of the lot;*

Response: Not applicable. The project is a deck replacement and addition for an existing residence.

- G. Fences are allowed only within the disturbance area;*

Response: The deck project did not include the use or installation of new fences.

- H. Incandescent lights exceeding two hundred watts (or other light types exceeding the brightness of a two hundred watt incandescent light) shall be placed or shielded so that they do not shine directly into resource areas;*

Response: The pre-existing lights associated with the deck will utilize lights with a brightness of less than two hundred watts (or equivalent).

- I. If development will occur within the one hundred-year floodplain, the FEMA floodplain standards of Chapter 17.42 shall be met; and*

Response: The subject parcel is not within the one hundred-year floodplain.

- J. Mitigation of impacts to the regulated buffer is required, subject to Section 17.49.180 or 17.49.190.*

Response: Proposed mitigation for impacts resulting from the deck project meets the standards of Section 17.49.180, described below.

17.49.110 – Width of vegetated corridor

- A. *Calculation of Vegetated Corridor Width within City Limits. The NROD consists of a vegetated corridor measured from the top of bank or edge of a protected habitat or water feature. The minimum required width is the amount of buffer required on each side of a stream, or on all sides of a feature if non-linear. The width of the vegetated corridor necessary to adequately protect the habitat or water feature is specified in Table 17.49.110.*

Response: The City’s NROD map is based on a GIS-supported application of the adopted documents, plans, and maps listed in Section 17.49.020. The NROD map includes a vegetated corridor width of 200 feet on both sides of Coffee Creek, and encompasses the entire subject parcel. According to Table 17.49.110, a vegetated corridor width of 200 feet is applied to anadromous fish-bearing streams or where slopes are greater than 25 percent adjacent to a protected water feature.

Coffee Creek adjacent to the Applicant’s parcel is not considered to be an anadromous fish-bearing stream (DSL 2017; Shapiro and Associates 1999; StreamNet 2017). In addition, slopes adjacent to Coffee Creek do not exceed 25 percent within the parcel (a slope measurement is provided on Figure 4). As such, the width of vegetated corridor is 50 feet from the edge of bankfull flow according to Table 17.49.110.

17.49.130 – Existing development standards

In addition to the General Development Standards of Section 17.49.100, the following standards apply to alterations and additions to existing development within the NROD, except for trails, rights of way, utility lines, land divisions and mitigation projects. Replacement, additions, alterations and rehabilitation of existing structures, roadways, utilities, etc., where the ground level impervious surface area is not increased are exempt from review pursuant to Section 17.49.080J. As of June 1, 2010, applicants for alterations and additions to existing development that are not exempt pursuant to Section 17.49.080J. shall submit a Type II or Type III application pursuant to this section. The application shall include a site plan which delineates a permanent disturbance area that includes all existing buildings, parking and loading areas, paved or graveled areas, patios and decks. The same delineated disturbance area shall be shown on every subsequent proposal for alterations and additions meeting this standard.

- A. *The following alterations and additions to existing development are permitted subject to the following standards.*
1. *Alterations or additions that cumulatively total up to a maximum of five hundred square feet of additional disturbance area after June 1, 2010 shall be processed as a Type II permit pursuant to this chapter. The new disturbance area shall not encroach closer than one-half of the distance of the regulated NROD buffer.*
 2. *Alterations or additions that cumulatively exceed five hundred square feet of additional disturbance area or which propose encroachment closer than one-half of the distance of the regulated NROD buffer after June 1, 2010 shall be processed as a Type III permit pursuant to Section 17.49.200, Adjustment from Standards.*
- B. *Mitigation is required, subject to Section 17.49.180 or 17.49.190.*

Response: The new disturbance area for the deck project totals 100 square feet; however, the encroachment is closer than one-half the distance of the regulated NROD buffer and will require an adjustment from standards pursuant to Section 17.49.200. As such, the deck project shall be processed as a Type III permit.

17.49.180 – Mitigation standards

Response: The mitigation standards of Section 17.49.180 are addressed in Section 5.3 below.

17.49.200 - Adjustment from standards.

If a regulated NROD use cannot meet one or more of the applicable NROD standards then an adjustment may be issued if all of the following criteria are met. Compliance with these criteria shall be demonstrated by the applicant in a written report prepared by an environmental professional with experience and academic credentials in one or more natural resource areas such as ecology, wildlife biology, botany, hydrology or forestry. At the applicant's expense, the City may require the report to be reviewed by an environmental consultant. Such requests shall be processed under the Type III development permit procedure. The applicant shall demonstrate:

- A. There are no feasible alternatives for the proposed use or activity to be located outside the NROD area or to be located inside the NROD area and to be designed in a way that will meet all of the applicable NROD development standards;*

Response: The residence was constructed in 1997, prior to the City's adoption of the NROD or the preceding Water Quality Resource Area Overlay. Consequently, the design and location of the home and deck did not include consideration of impacts to these resource areas. The vegetated corridor width is 50 feet according to Table 17.49.110, resulting in the eastern portion of the home, the pre-existing deck, and the back yard being entirely within the regulated NROD buffer. As such, any alterations to the pre-existing deck that increase the ground level impervious surface area and/or encroach closer than one-half the distance, or 25 feet, of the regulated NROD buffer require City review and the issuance of an NROD permit. Although the deck addition is less than 500 square feet, it encroaches closer than 25 feet from the bank of Coffee Creek and does not meet the standards of Section 17.49.130.A.1. As such, the deck project will be processed as a Type III permit according to Section 17.49.130.A.2, subject to the standards of this Section.

The location of the pre-existing deck ranged from 20 to 35 feet from the western (nearest) bank of Coffee Creek, limiting the possibility of keeping the encroachment 25 feet or further from the resource. Although it would have been possible to meet this standard by designing the deck addition to the north or south of the pre-existing deck along the eastern exterior wall of the home, this alternative was rejected as it would have resulted in the removal of existing woody vegetation, including a mature vine maple. The deck addition described in this report and shown on Figure 5 only impacts lawn, which does not provide the same habitat or water quality benefits as woody vegetation. In addition, functional and aesthetic factors, including the desire to maintain unobstructed views to the east from existing windows, decrease stair lengths for deck users, and to connect with the backyard ground elevations were considered when choosing the deck design.

- B. The proposal has fewer adverse impacts on significant resources and resource functions found in the local NROD area than actions that would meet the applicable environmental development standards;*

Response: As described above, the deck project detailed in this report and shown on Figure 5 impacted only lawn and did not result in the removal of any native plants or woody vegetation.

Although an alternative deck design along the eastern exterior wall of the home would have met the applicable environmental development standards, the alternative would have resulted in the removal of native species and woody vegetation.

- C. The proposed use or activity proposes the minimum intrusion into the NROD area that is necessary to meet development objectives;*

Response: The development objectives for the deck project were to address safety hazards of the pre-existing deck and to provide a modest deck addition that would improve the recreational use and aesthetic quality of the deck. The addition increased the surface area of the deck by 100 square feet, which is less than the allowance for existing development detailed in Section 17.49.130. Further minimization would not have been possible without reducing the recreational use of the new deck area.

D. Fish and wildlife passage will not be impeded;

Response: The project is within the backyard of a developed residential lot and does not impact wetlands or waterways. Fish passage in the existing stream is impeded by off-site fish passage barriers, and the proposed project will not alter the existing fish passage. Wildlife passage through the property is already impeded by existing developments, fences, and adjacent roads. The addition of 100 square feet of new deck is not expected to further impede wildlife passage.

E. With the exception of the standard(s) subject to the adjustment request, all other applicable NROD standards can be met; and

Response: With the exception that the project encroaches closer than one-half the distance of the regulated NROD buffer, all other applicable NROD standards have been met.

F. The applicant has proposed adequate mitigation to offset the impact of the adjustment.

Response: The mitigation plan detailed in Section 5.3 will increase the coverage of native trees, shrubs, and groundcover within the regulated NROD buffer. The mitigation area is twice the size of the impact area, and will provide improved habitat and water quality functions between existing development and the resource area. The mitigation plan meets the standards of Section 17.49.180, and is expected to adequately offset the impact of the adjustment.

17.49.220 – Required site plans

Site plans showing the following required items shall be part of the application:

- A. For the entire subject property (NROD and non-NROD areas):*
 - 1. The NROD district boundary. This may be scaled in relation to property liens from the NROD Map;*
 - 2. One hundred-year floodplain and floodway boundary (if determined by FEMA);*
 - 3. Creeks and other waterbodies;*
 - 4. Any wetlands, with the boundary of the wetland that will be adjacent to the proposed development determined in a wetlands delineation report prepared by a professional wetland specialist and following the Oregon Division of State Lands wetlands delineation procedures;*
 - 5. Topography shown by contour lines of two or one foot intervals for slopes less than fifteen percent and by ten-foot intervals for slopes fifteen percent or greater;*
 - 6. Existing improvements such as structures or buildings, utility lines, fences, driveways, parking areas, etc.*
 - 7. Extent of the required Vegetated Corridor required by Table 17.49.110.*

Response: The required site plan items for the entire parcel are included on Figure 4 and/or Figure 5.

B. Within the NROD area of the subject property:

- 1. The distribution outline of shrubs and ground covers, with a list of most abundant species;*
- 2. Trees six inches or greater in diameter, identified by species. When trees are located in clusters they may be described by the approximate number of trees, the diameter range, and a listing of dominant species;*
- 3. An outline of the disturbance area that identifies the vegetation that will be removed. All trees to be removed with a diameter of six inches or greater shall be specifically identified as to number, trunk diameters and species;*
- 4. If grading will occur within the NROD, a grading plan showing the proposed alteration of the ground at two foot vertical contours in areas of slopes less than fifteen percent and at five foot vertical contours of slopes fifteen percent or greater.*

Response: The required site plan items within the NROD are included on Figure 4 and/or Figure 5.

C. A construction management plan including:

- 1. Location of site access and egress that construction equipment will use;*
- 2. Equipment and material staging and stockpile areas;*
- 3. Erosion control measures that conform to City of Oregon City erosion control standards;*
- 4. Measures to protect trees and other vegetation located outside the disturbance area.*

Response: Because the deck project has already been completed, a construction management plan is not included. The project was completed using hand tools and did not require that construction equipment enter the site. Material staging and stockpile areas were located in the existing driveway, outside of the required vegetated corridor. No native vegetation or trees were disturbed during construction, and lawn/turf grass areas that were temporarily disturbed were replanted in kind when construction was complete.

D. A mitigation site plan demonstrating compliance with Section 17.49.180 or 17.49.190, including:

- 1. Dams, weirs or other in-water features;*
- 2. Distribution, species composition, and percent cover of ground covers to be planted or seeded;*
- 3. Distribution, species composition, size, and spacing of shrubs to be planted;*
- 4. Location, species and size of each tree to be planted;*
- 5. Stormwater management features, including retention, infiltration, detention, discharges and outfalls;*
- 6. Water bodies or wetlands to be created, including depth;*
- 7. Water sources to be used for irrigation of plantings or for a water source for a proposed wetland.*

Response: The mitigation site plan is shown on Figure 6 and includes the items required in this section, as applicable.

17.49.230 – Mitigation plan report

Response: The mitigation plan report is detailed in Section 5.3, below.

17.49.250 – Verification of NROD boundary

The NROD boundary may have to be verified occasionally to determine the true location of a resource and its functional values on a site. This may through a site specific environmental survey or, in those cases where existing information demonstrates that the NROD significance rating does not apply to a site-specific area. Applications for development on a site located in the NROD area may request a determination that the subject site is not in an NROD area and therefore is not subject to the standards of Section 17.49.100. Verifications shall be processed as either a Type I or Type II process.

Response: Based on a site specific environmental survey, it appears that the NROD boundary mapped by the City within the subject parcel does not represent the true location of the resource (Coffee Creek) or its functional values on the site. Further, the City NROD boundary appears to be measured from the edge of additional resources (wetlands) adjacent to Coffee Creek that were confirmed to not be present during the survey.

The site specific environmental survey was conducted by PHS on June 8, 2017. PHS identified Coffee Creek at or just outside of the eastern property boundary. The stream is within a defined channel with no wetlands present along its western bank within the subject parcel. The true location of the stream channel is approximately 15 to 35 feet further east than the Title 3 Stream mapped by the City.

As described above, Coffee Creek adjacent to the Applicant's parcel is not considered to be an anadromous fish-bearing stream (DSL 2017; Shapiro and Associates 1999; StreamNet 2017). In addition, slopes adjacent to Coffee Creek do not exceed 25 percent within the parcel (a slope measurement is provided on Figure 4). As such, the width of vegetated corridor is 50 feet from the edge of bankfull flow according to Table 17.49.110.

17.49.265 – Corrections to violations

For correcting violations, the violator shall submit a remediation plan that meets all of the applicable standards of the NROD. The remediation plan shall be prepared by one or more qualified professionals with experience and credentials in natural resource areas, including wildlife biology, ecology, hydrology and forestry. If one or more of these standards cannot be met then the applicant's remediation plan shall demonstrate that there will be:

- A. No permanent loss of any type of resource or functional value listed in Section 17.49.10, as determined by a qualified environmental professional;*
- B. A significant improvement of at least one functional value listed in section 17.49.10, as determined by a qualified environmental professional; and*
- C. There will be minimal loss of resources and functional values during the remediation action until it is fully established.*

Response: The deck project was completed before obtaining the required City approvals, and is considered a violation. With the exception that the deck addition encroachment is closer than 25 feet from the stream, all of the applicable standards of the NROD have been met by the deck project, as detailed in the code responses and additional narrative included in this report. According to Section 17.49.10, the NROD contributes to the following functional values:

- A. Protect and restore streams and riparian areas for their ecologic functions and as an open space amenity for the community.
- B. Protect floodplains and wetlands, and restore them for improved hydrology, flood protection, aquifer recharge, and habitat functions.
- C. Protect upland habitats, and enhance connections between upland and riparian habitat.
- D. Maintain and enhance water quality and control erosion and sedimentation through the revegetation of disturbed sites and by placing limits on construction, impervious surfaces, and pollutant discharges.
- E. Conserve scenic, recreational, and educational values of significant natural resources.

As described above, the deck project impacted only a small area of lawn (100 square feet of new encroachment); did not result in the removal of native or woody vegetation; and will increase the coverage of native trees, shrubs, and groundcover in the regulated NROD buffer through mitigation. As such, the project will not result in any permanent loss in these functions, and will significantly improve at least one function. The most significant improvement will be to the water quality and erosion and sedimentation control function, which will be improved through the establishment of native trees and shrubs that provide shade to the stream and soil stabilization in the riparian area.

Given the relatively small amount of new encroachment area (100 square feet), the limited habitat value of the lawn within the encroachment area, and the absence of temporary disturbance areas, it is reasonably certain that the temporal loss of resources and functional values during the remediation action will be minimal.

5.3 Mitigation Plan Report

As described above, the deck project includes 100 feet of additional development area within the vegetated corridor. No native vegetation or trees have been removed to complete the deck project. Mitigation Standards require that Option 1 or Option 2 under Section 17.49.180 be selected based on which option will result in more trees planted. Both mitigation options require a minimum of two times the mitigation area for the proposed NROD disturbance area.

The number of trees and shrubs to be planted using Option 1 is based on the number and size of the trees to be removed. As no trees have been removed, Option 1 would result in no trees planted. The number of trees and shrubs to be planted using Option 2 is calculated based on the size of the disturbance area within the NROD. Native trees and shrubs are required to be planted at a rate of five trees and twenty-five shrubs per every five hundred square feet of disturbance area. The total disturbance area for the proposed project is 100 square feet, which results in one tree and five shrubs to be planted.

Option 2 will be used for the mitigation plan as it results in a greater number of trees and shrubs to be planted than Option 1. The mitigation will be conducted on the subject parcel within a 200 square foot area within the vegetated corridor. The existing vegetated corridor has marginal to good combination of trees, shrubs, and groundcover; however, it is in degraded condition overall due the low canopy coverage. It is anticipated that the mitigation will improve the functional value of the vegetated corridor by improving canopy coverage and increasing native plant diversity and overall coverage.

As required for the mitigation plan report (Section 17.49.230), a written response to each applicable Mitigation Standard described in Section 17.49.180 indicating how the proposed development complies with the mitigation standards follows:

- A.** *Mitigation shall occur at a two-to-one ratio of mitigation area to proposed NROD disturbance area [...].*

Response: The proposed disturbance area is 100 square feet. A 200 square-foot mitigation area has been selected from within the existing vegetated corridor and is identified on Figure 6.

- B.** *Mitigation shall occur on the site where the disturbance occurs, [...].*

Response: The proposed mitigation area is within the subject parcel where the disturbance occurs.

- C.** *Mitigation shall occur within the NROD area of a site unless it is demonstrated that this is not feasible because of a lack of available and appropriate area. In such cases, the proposed mitigation area shall be contiguous to the existing NROD area so the NROD boundary can be easily extended in the future to include the new resource site.*

Response: The proposed mitigation area is within the NROD area of the site.

- D.** *Invasive and nuisance vegetation shall be removed within the mitigation area.*

Response: Invasive vegetation listed on the Oregon City Nuisance Plant List will be removed within the mitigation area.

- E.** *Required Mitigation Planting. An applicant shall meet Mitigation Planting Option 1 or 2 below, whichever option results in more tree plantings[...]. All trees, shrubs, and groundcover shall be selected from the Oregon City Native Plant List.*

Response: Mitigation Planting Option 2 will be used as it results in a greater number of trees and shrubs to be planted. As shown on the attached mitigation plan (Figure 6), all trees, shrubs, and ground cover selected for the mitigation plan are from the Oregon City Native Plant List.

2. *Mitigation Planting Option 2.*

a. Option 2 - Planting Quantity. In this option, the mitigation requirement is calculated based on the size of the disturbance area within the NROD. Native trees and shrubs are required to be planted at a rate of five trees and twenty-five shrubs per every five hundred square feet of disturbance area (calculated by dividing the number of square feet of disturbance area by five hundred, and then multiplying that result times five trees and twenty-five shrubs, and rounding all fractions to the nearest whole number of trees and shrubs; for example, if there will be three hundred thirty square feet of disturbance area, then three hundred thirty divided by five hundred equals .66, and .66 times five equals 3.3, so three trees must be planted, and .66 times twenty-five equals 16.5, so seventeen shrubs must be planted). Bare ground must be planted or seeded with native grasses or herbs. Non-native sterile wheat grass may also be planted or seeded, in equal or lesser proportion to the native grasses or herbs.

Response: The total disturbance area for the proposed project is 100 square feet, which results in one tree and five shrubs to be planted. The location of the required plantings is identified on Figure 6. One additional shrub and several groundcover species will also be planted in the mitigation area, as shown on Figure 6.

b. Option 2 - Plant Size. Plantings may vary in size dependent on whether they are live cuttings, bare root stock or container stock, however, no initial plantings may be shorter than twelve inches in height.

Response: The plant sizes for proposed mitigation plantings are shown on Figure 6. No initial plantings are shorter than 12 inches in height.

c. Option 2 - Plant Spacing. Trees shall be planted at average intervals of seven feet on center. Shrubs may be planted in single-species groups of no more than four plants, with clusters planted on average between eight and ten feet on center.

Response: The plant spacing for proposed mitigation plantings is shown on Figure 6. The mitigation tree will be a minimum of 7 feet from other existing trees. Shrubs will be planted with an average spacing of 3 to 4 feet on center.

d. Option 2 — Mulching and Irrigation shall be applied in the amounts necessary to ensure eighty percent survival at the end of the required five-year monitoring period.

Response: The Applicant will apply mulching and irrigation in the amounts necessary to ensure eighty percent survival at the end of the required five-year monitoring period.

e. Option 2 — Plant Diversity. Shrubs shall consist of at least three different species. If twenty trees or more are planted, no more than one-third of the trees may be of the same genus.

Response: The proposed mitigation shrubs include three different species. As only one mitigation tree is required, only a single tree species will be planted.

F. Monitoring and Maintenance. The mitigation plan shall provide for a five-year monitoring and maintenance plan with annual reports in a form approved by the director of community development. Monitoring of the mitigation site is the on-going responsibility of the property owner, assign, or designee, who shall submit said annual report to the city's planning division, documenting plant survival rates of shrubs and trees on the mitigation site. Photographs shall accompany the report that indicate the progress of the mitigation. A minimum of eighty percent survival of trees and shrubs of those species planted is required at the end of the five-year maintenance and monitoring period. Any invasive species shall be removed and plants that die shall be replaced in kind. Bare spots and areas of invasive vegetation larger than ten square feet that remain at the end the five-year monitoring period shall be replanted or reseeded with native grasses and ground cover species.

Response: The proposed mitigation will be monitored and maintained for a minimum of five years, with approved annual progress reports submitted to the City’s planning division. The mitigation area will be inspected annually during the active growing season. During site monitoring, survival rates of the planted tree and shrubs and invasive plant species cover will be documented. This information, along with photo-documentation of the mitigation area, will be used to inform the annual progress report. Given the small size of the mitigation area and the limited number of required mitigation plantings, it is proposed that the Applicant provide the annual progress report in a brief email.

Should the survival rate drop below 80 percent or invasive plant coverage exceed 10 percent at any time during the maintenance period, immediate remedial action will be taken. Monitoring and maintenance is the ongoing responsibility of the property owner, assign, or designee.

G. Covenant or Conservation Easement. Applicant shall record a restrictive covenant or conservation easement, in a form provided by the city, requiring the owners and assigns of properties subject to this section to comply with the applicable mitigation requirements of this section. Said covenant shall run with the land, and permit the city to complete mitigation work in the event of default by the responsible party. Costs borne by the city for such mitigation shall be borne by the owner.

Response: The Applicant will record a restrictive covenant or conservation easement in the form provided by the City that will require owners and assigns of the property to comply with the applicable mitigation requirements. The covenant or easement will run with the land and permit the City to complete mitigation work in the event of default by the responsible party. Should the City need to complete the mitigation work, such cost will be borne by the owner. The covenant or conservation easement is the responsibility of the property owner, assign, or designee.

H. Financial Guarantee. A financial guarantee for establishment of the mitigation area, in a form approved by the city, shall be submitted before development within the NROD disturbance area commences. The city will release the guarantee at the end of the five-year monitoring period, or before, upon its determination that the mitigation plan has been satisfactorily implemented pursuant to this section.

Response: A financial guarantee for establishment of the mitigation area will be provided to the City by the Applicant. The financial guarantee is the responsibility of the property owner, assign, or designee.

5.4 Administration and Procedures

The applicable sections of Chapter 17.50 – Administration and Procedures are detailed below:

17.50.050 Preapplication Conference

A. Preapplication Conference. Prior to submitting an application for any form of permit, the applicant shall schedule and attend a preapplication conference with City staff to discuss the proposal. To schedule a preapplication conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans. The purpose of the preapplication conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal. The Planning Division shall

provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the preapplication conference. Notwithstanding any representations by City staff at a preapplication conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.

- B. A preapplication conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant must schedule and attend another conference before the city will accept a permit application. The community development director may waive the preapplication requirement if, in the Director's opinion, the development does not warrant this step. In no case shall a preapplication conference be valid for more than one year.*

Response: The Oregon City Planning Division waived the pre-application conference requirement, as detailed in an email from Oregon City Planner Diliana Vassileva on November 17, 2016.

17.50.055 Neighborhood Association Meeting

- A. The purpose of the meeting with the recognized neighborhood association is to inform the affected neighborhood association about the proposed development and to receive the preliminary responses and suggestions from the neighborhood association and the member residents.*
- 1. Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, planning commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the city-recognized neighborhood association in whose territory the application is proposed. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.*
 - 2. The applicant shall send, by certified mail, return receipt requested letter to the chairperson of the neighborhood association and the citizen involvement committee describing the proposed project. Other communication methods may be used if approved by the neighborhood association.*
 - 3. A meeting shall be scheduled within thirty days of the notice. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall hold their own meeting after six p.m. or on the weekend, with notice to the neighborhood association, citizen involvement committee, and all property owners within three hundred feet. If the applicant holds their own meeting, a copy of the certified letter requesting a neighborhood association meeting shall be required for a complete application. The meeting held by the applicant shall be held within the boundaries of the neighborhood association or in a city facility.*
 - 4. If the neighborhood association is not currently recognized by the city, is inactive, or does not exist, the applicant shall request a meeting with the citizen involvement committee.*
 - 5. To show compliance with this section, the applicant shall submit a sign-in sheet of meeting attendees, a summary of issues discussed, and letter from the neighborhood association or citizen involvement committee indicating that a neighborhood meeting was held. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, a sign in sheet of attendees and a summary of issues discussed.*

Response: The neighborhood association meeting is not required for this project, as was noted in an email from Oregon City Planner Diliana Vassileva on June 30, 2017.

REFERENCES:

DSL (Department of State Lands). 2017. Essential Salmonid Habitat (2010-2015). Available online: <http://chetco-new.dsl.state.or.us/esh2017/>.

Oregon City Municipal Code. 2017. Title 17 – Zoning. Available online: <https://www.orcity.org/planning/oregon-city-municipal-code>.

Oregon City Native and Nuisance Plant Lists. Available online: <https://www.orcity.org/planning/native-and-nuisance-plant-lists>.

Oregon City Web Maps. 2017. Available online: <https://maps.orcity.org/>.

Shapiro and Associates. 1999. Oregon City Local Wetland Inventory and Riparian Assessment. Available online: <http://www.oregon.gov/dsl/WW/Pages/Inventories.aspx>.

StreamNet. 2017. StreamNet Mapper – Regional Fish Distribution and Stream Referenced Survey Data. Available online: <http://www.streamnet.org/data/interactive-maps-and-gis-data/>.

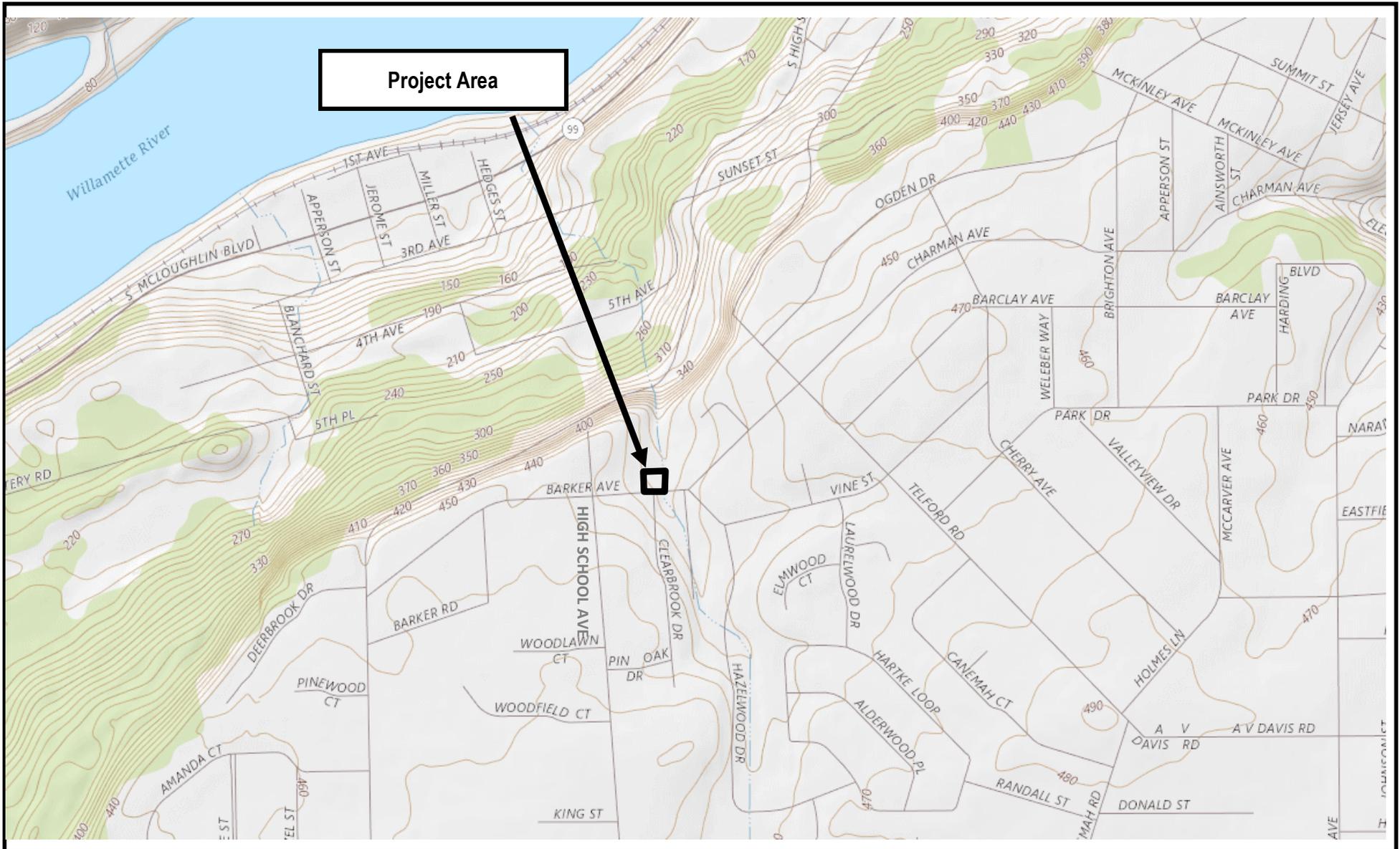
U.S. Army Corps of Engineers, Environmental Laboratory, 1987. *Corps of Engineers Wetland Delineation Manual. Technical Report Y-87-1.*

U.S. Army Corps of Engineers, Environmental Laboratory, 2010. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0).*

Appendix A

Figures





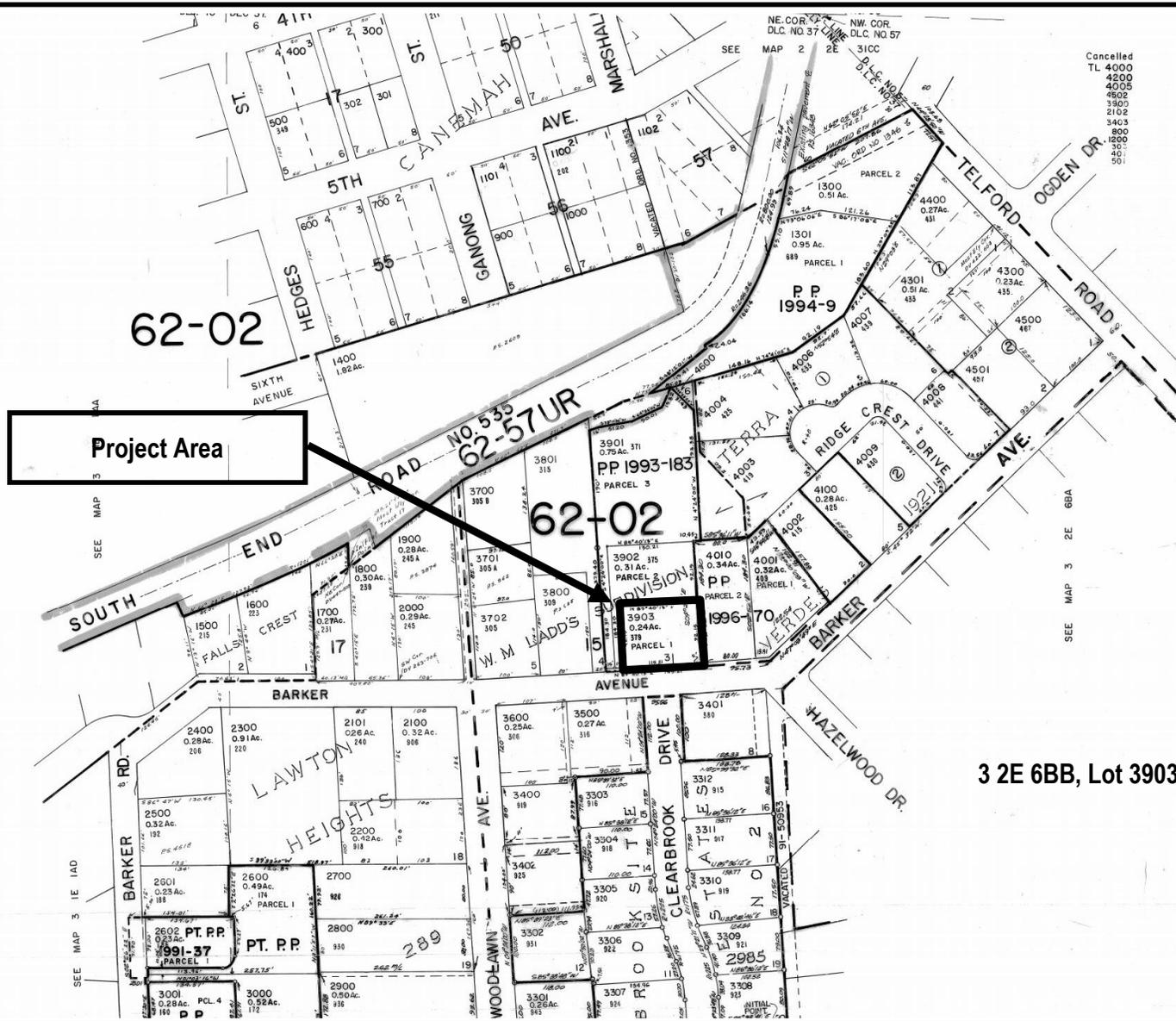
Project Area



Pacific Habitat Services, Inc.
 9450 SW Commerce Circle, Suite 180
 Wilsonville, OR 97070

Location and General topography
 379 Barker Avenue, Oregon City, Oregon
 (USGS The National Map, Oregon City, Oregon quadrangle, 2017)

FIGURE
1



Project Area

3 2E 6BB, Lot 3903

Cancelled
 TL 4000
 4200
 4005
 4502
 3905
 2102
 3403
 800
 1200
 30
 40
 501

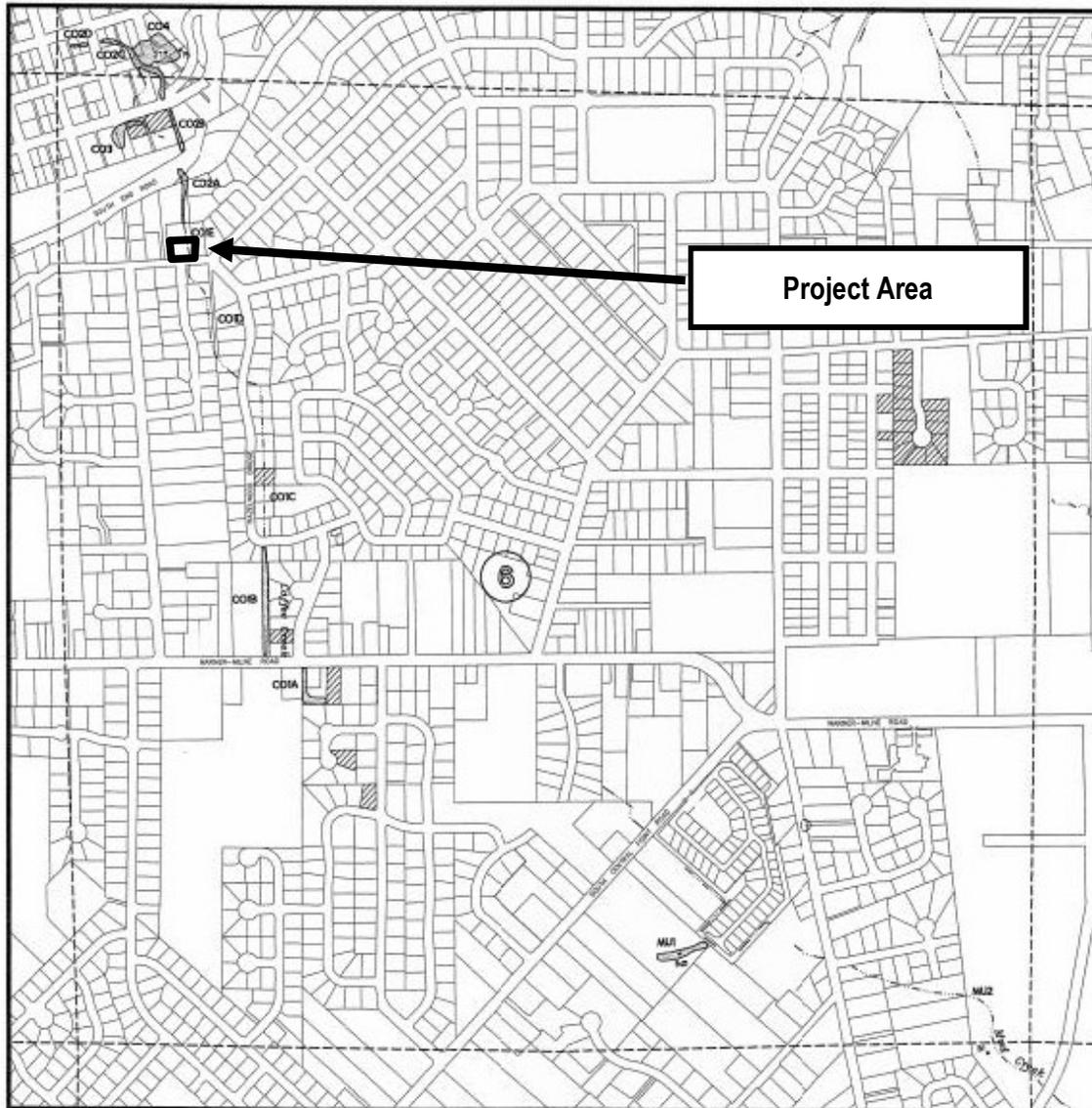


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 Wilsonville, OR 97070

Tax Lot Map
 379 Barker Avenue, Oregon City, Oregon
 (ormap.net, 2017)

FIGURE
 2

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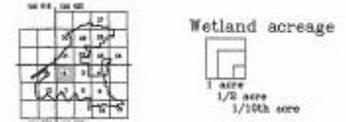


T 3S R 2E Section 06

CITY OF OREGON CITY
LOCAL
WETLAND INVENTORY

LEGEND

- Urban Growth Boundary
- Wetland
- AC2 Wetland label
- R1A Riparian label
- Sample site
- DSL DET wetland
- DSL DET Wetland label
- Mitigation wetland
- Site access not granted
- Stream



WETLAND INFORMATION IS SUBJECT TO CHANGE
 This map is for planning purposes only. Mapped wetland and riparian boundaries were not flagged or surveyed (unless noted as a delineation study). Boundaries for on-site verified wetlands are accurate to within 25'. There may be exceptions or untagged wetlands subject to regulation. In all cases, actual field conditions determine wetland boundaries. If site alteration work is proposed, you are advised to contact the Oregon Division of State Lands or the U.S. Army Corps of Engineers with regulatory questions. This study was funded by an Oregon Department of Land Conservation and Development periodic review planning grant.

City of Oregon City
 320 Warner Milline Road
 Oregon City, Oregon 97045

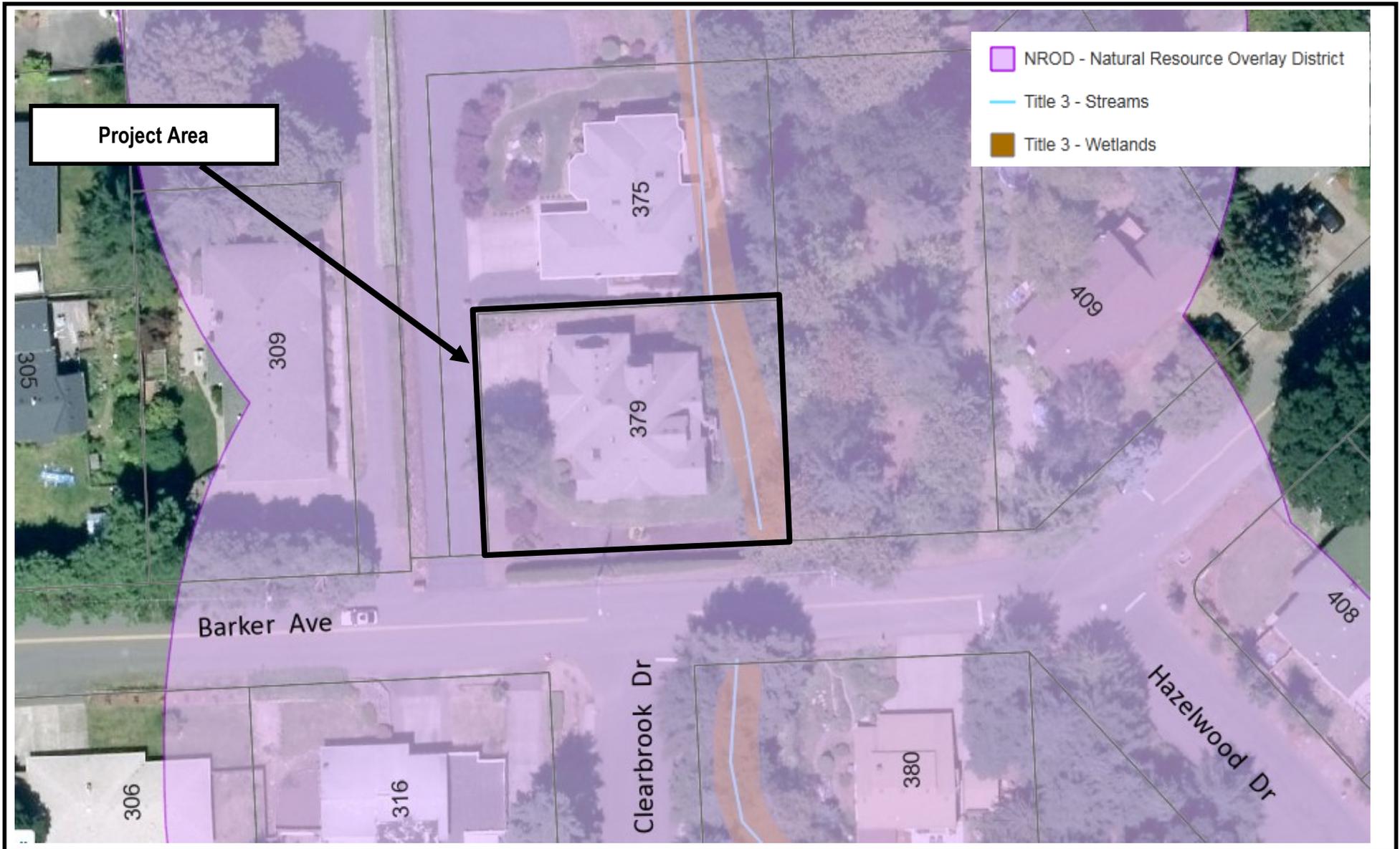


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 7/17/17

 Pacific Habitat Services, Inc.
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 Wilsonville, OR 97070

Local Wetlands Inventory map
 379 Barker Avenue, Oregon City, Oregon
 (Shapiro and Associates, Inc., 9/1/1999)

FIGURE
 3A



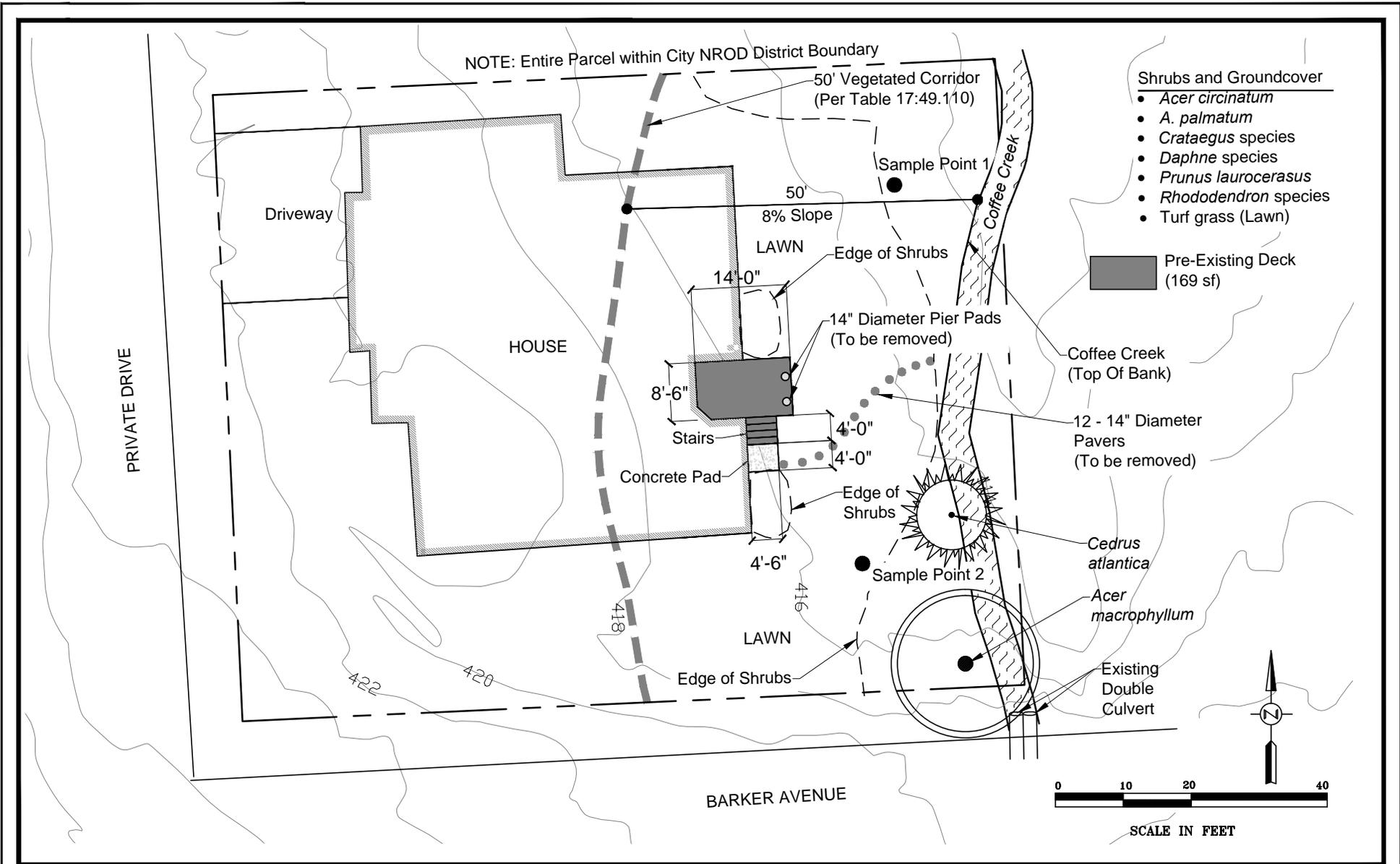
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7/17/17



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Wilsonville, OR 97070

Natural Resources Overlay District map
379 Barker Avenue, Oregon City, Oregon
(Oregon City Web Maps, 2017)

FIGURE
3B

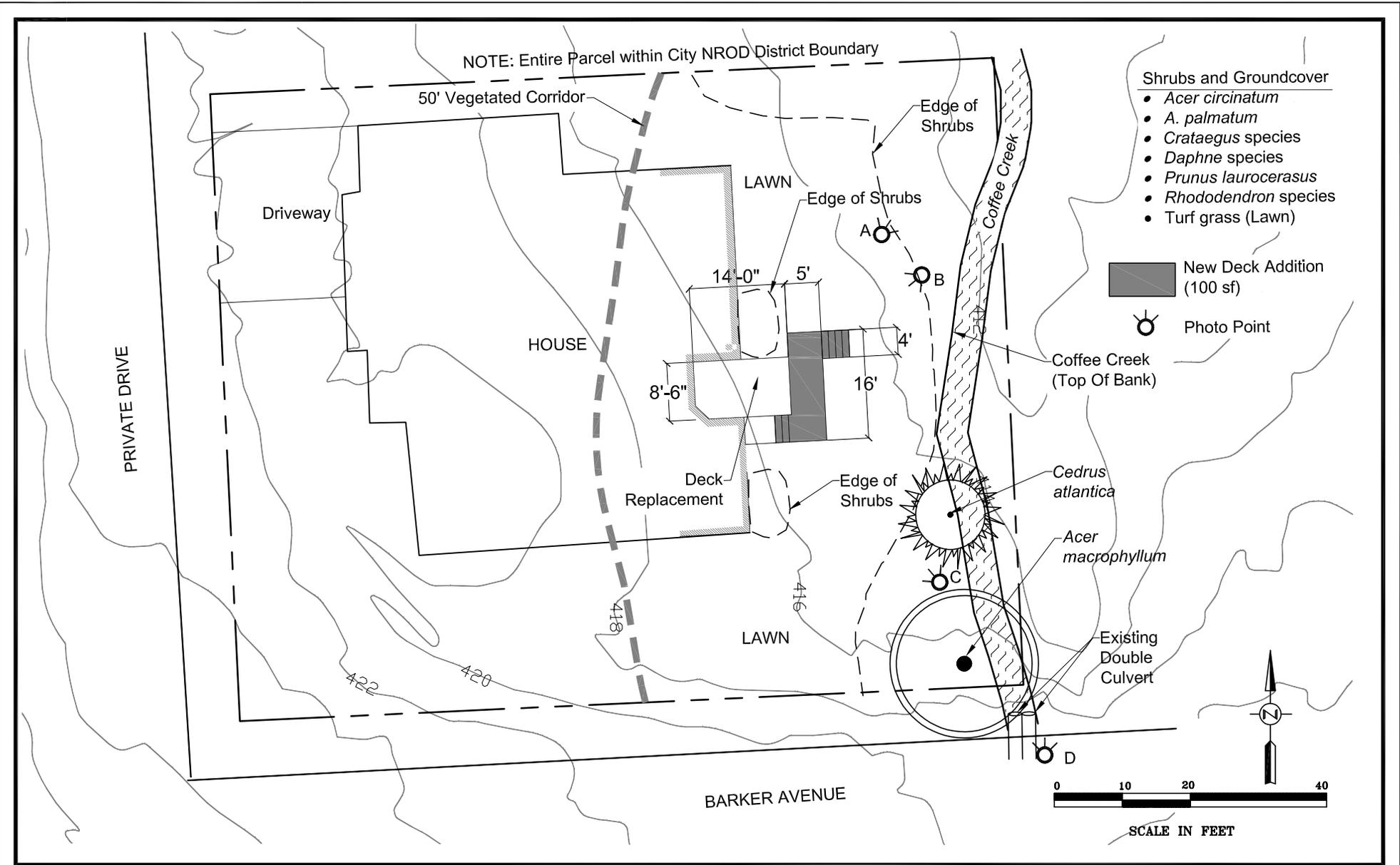


Deck Plans Provided by Kevin Dier

Existing Conditions and Pre-existing Deck and Impervious Surfaces
379 Barker Avenue - Oregon City, OR

FIGURE
4

9-7-2017



Deck Plans Provided by Kevin Dier

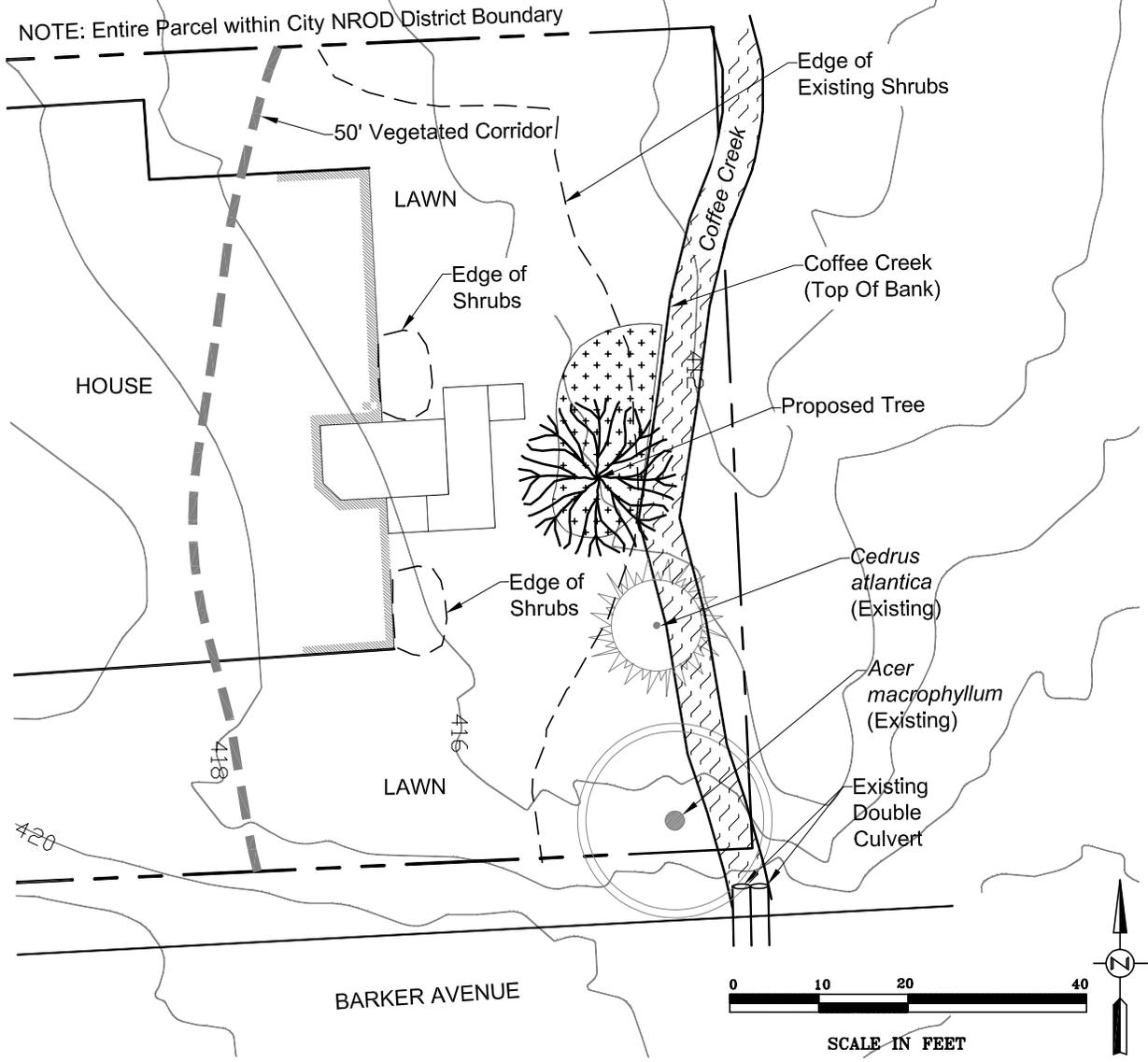
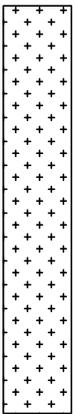
Deck Replacement and Addition
 379 Barker Avenue - Oregon City, OR

FIGURE
5

9-7-2017

MITIGATION AREA PLANTING (200 sf)

Count	Species	Size / Height
Tree:		
1	<i>Acer circinatum</i> / Vine Maple	5ft
Shrubs: (at least 12" Height)		
1	<i>Ribes sanguineum</i> / red flowering current	5 Gal.
3	<i>Mahonia aquafolium</i> / tall Oregon grape	3 Gal.
2	<i>Vaccinium ovatum</i> / evergreen huckleberry	3 Gal.
Rush and Fern:		
8	<i>Juncus effusus</i> / rush	1 Gal. / 16 plugs
7	<i>Polystichum minutum</i> / sword fern	1 Gal.



Deck Plans Provided by Kevin Dier
Landscape Plan Provided By
Donna Giguere, APLD Landscape Design

Mitigation Plan
379 Barker Avenue - Oregon City, OR

FIGURE
6

9-7-2017

Appendix B

Wetland and Vegetated Corridor Data Sheets and Site Photos



WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, and Coast Region

Project/Site: Deck Project / 379 Barker Ave City/County: Oregon City / Clackamas Sampling Date: 6/8/2017
 Applicant/Owner: Kevin Dier State: OR Sampling Point: 1
 Investigator(s): Tina Farrelly, Amy Hawkins Section, Township, Range: Sec 6BB, 3 South 2 East
 Landform (hillslope, terrace, etc.): Terrace Local relief (concave, convex, none): None Slope (%): 1
 Subregion (LRR): LRR A Lat: 45.343594 Long: -122.6176 Datum: WGS84
 Soil Map Unit Name: Delena silt loam, 3 to 12 percent slopes NWI Classification: None
 Are climatic/hydrologic conditions on the site typical for this time of year? Yes X No _____ (if no, explain in Remarks)
 Are vegetation _____ Soil _____ or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? (Y/N) Y
 Are vegetation _____ Soil _____ or Hydrology _____ naturally problematic? If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u>X</u>	No _____	Is Sampled Area within a Wetland?	Yes _____	No <u>X</u>
Hydric Soil Present?	Yes _____	No <u>X</u>			
Wetland Hydrology Present?	Yes _____	No <u>X</u>			

Remarks:

VEGETATION - Use scientific names of plants.

	absolute % cover	Dominant Species?	Indicator Status
Tree Stratum (plot size: _____)			
1	_____	_____	_____
2	_____	_____	_____
3	_____	_____	_____
4	_____	_____	_____
	<u>0</u>	= Total Cover	
Sapling/Shrub Stratum (plot size: <u>5</u>)			
1	<u>3</u>	<u>X</u>	<u>UPL</u>
2	<u>5</u>	<u>X</u>	<u>FAC</u>
3	<u>5</u>	<u>X</u>	<u>FAC</u>
4	_____	_____	_____
5	_____	_____	_____
	<u>13</u>	= Total Cover	
Herb Stratum (plot size: <u>5</u>)			
1	<u>50</u>	<u>X</u>	<u>(FAC)</u>
2	_____	_____	_____
3	_____	_____	_____
4	_____	_____	_____
5	_____	_____	_____
6	_____	_____	_____
7	_____	_____	_____
8	_____	_____	_____
	<u>50</u>	= Total Cover	
Woody Vine Stratum (plot size: _____)			
1	_____	_____	_____
2	_____	_____	_____
	<u>0</u>	= Total Cover	
% Bare Ground in Herb Stratum <u>50</u>			

Dominance Test worksheet:

Number of Dominant Species That are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of Dominant Species That are OBL, FACW, or FAC: 75% (A/B)

Prevalence Index Worksheet:

Total % Cover of	Multiply by:	
OBL Species	x 1 =	<u>0</u>
FACW species	x 2 =	<u>0</u>
FAC Species	x 3 =	<u>0</u>
FACU Species	x 4 =	<u>0</u>
UPL Species	x 5 =	<u>0</u>
Column Totals	<u>0</u> (A)	<u>0</u> (B)

Prevalence Index = B/A = #DIV/0!

Hydrophytic Vegetation Indicators:

_____ 1- Rapid Test for Hydrophytic Vegetation

X 2- Dominance Test is >50%

_____ 3-Prevalence Index is ≤ 3.0¹

_____ 4-Morphological Adaptations¹ (provide supporting data in Remarks or on a separate sheet)

_____ 5- Wetland Non-Vascular Plants¹

_____ Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No _____

Remarks:

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-10	10YR 3/3	90					Silt loam	
0-10	NA	10					Gravel	
10+	NA						Gravel layer	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.

²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils³:

<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> 2 cm Muck (A10)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> Red Parent Material (TF2)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Other (explain in Remarks)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Matrix (F3)	
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Dark Surface (F6)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)	
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Redox Depressions (F8)	

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: Gravel
 Depth (inches): 10

Hydric Soil Present? Yes No

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

Secondary Indicators (2 or more required)

<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water stained Leaves (B9) (Except MLRA 1, 2, 4A, and 4B)	<input type="checkbox"/> Water stained Leaves (B9) (MLRA1, 2, 4A, and 4B)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Salt Crust (B11)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Aquatic Invertebrates (B13)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)	<input type="checkbox"/> Geomorphic Position (D2)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Shallow Aquitard (D3)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Recent Iron Reduction in Plowed Soils (C6)	<input type="checkbox"/> Fac-Neutral Test (D5)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Stunted or Stressed Plants (D1) (LRR A)	<input type="checkbox"/> Raised Ant Mounds (D6) (LRR A)
<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Frost-Heave Hummocks (D7)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)		
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)		

Field Observations:

Surface Water Present? Yes No Depth (inches):
 Water Table Present? Yes No Depth (inches): >10
 Saturation Present? Yes No Depth (inches): >10
 (includes capillary fringe)

Wetland Hydrology Present? Yes No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

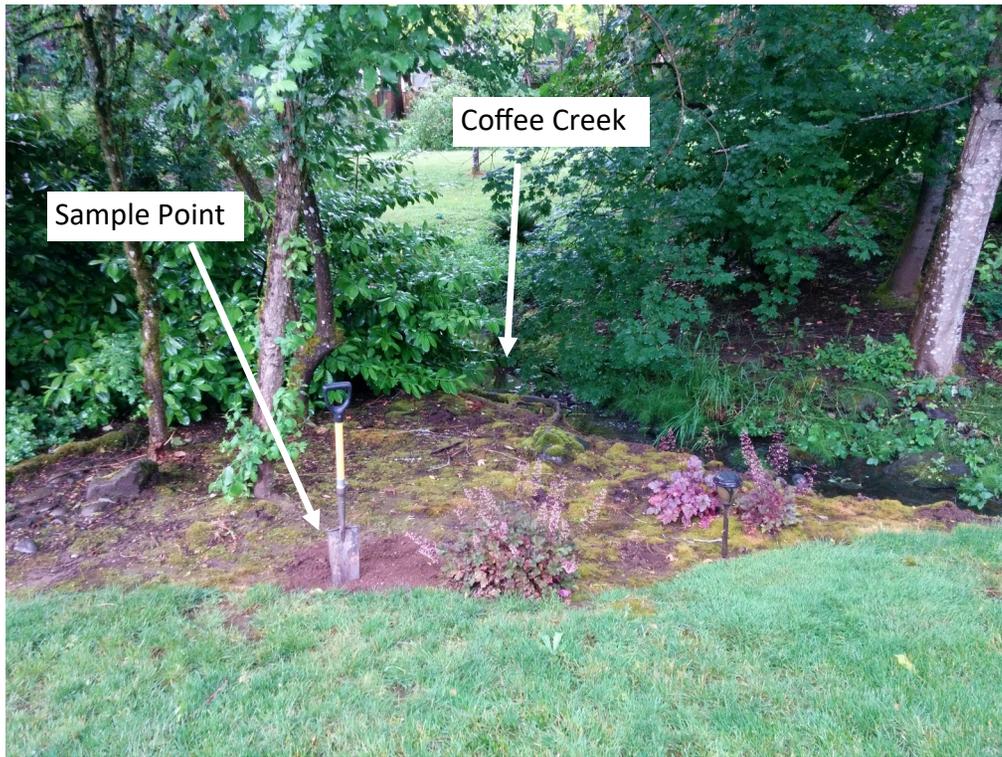


Photo A - Looking northeast at Sample Point (see attached wetland determination data form). Coffee Creek (tributary to the Willamette River) is present but obscured by vegetation.

Photo B - Looking southwest at the deck replacement and addition.



6226
6/27/17



Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

Photodocumentation of the Deck Replacement and Addition at 379 Barker Avenue in Oregon City, Oregon.

Photos taken on June 8, 2017.



Concrete pad and Pavers to be removed

Photo C - Looking northwest at the deck replacement and addition. The pre-existing concrete pad and pavers will be removed as part of the project.

Photo D - Looking north at Coffee Creek. The deck project parcel is left (west) of the stream channel.



6226
6/27/17



Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

Photodocumentation of the Deck Replacement and Addition at 379 Barker Avenue in Oregon City, Oregon.

Photos taken on June 8, 2017.



Property Profile Report

379 BARKER AVE OREGON CITY, OR 97045

Ownership Information

Owner Name:

KEVIN DALE DIER

Mailing Address:

PO BOX 2409 OREGON CITY, OR 97045

Property Description

County: Clackamas
Map / Tax Lot: 32E06BB/03903 Map Grid: 717-B2
Account Num: 01597908 Census:
Property ID: 01597908 Owner Occ.: No
Land Use: 101-
Subdivision: WM LADDS SUBDIV
Legal Description:
1993-183 PARTITION PLAT PARCEL 1 288 WM LADDS SUBDIV PT LTS 2&3

Property Characteristics

Property Type:	SINGLE FAMILY	Building SF:	2,926	Pool:	No
House Style:		Living Area SF:	2,926	Deck SF:	
Year Built:	1997	Square Feet:	2,926	Deck Desc:	
Bedrooms:	4	1st Floor SF:		Patio SF:	
Bathrooms:	3.00	2nd Floor SF:		Patio Desc:	
Heat:		3rd Floor SF:		Foundation:	
Cooling:		Attic SF:		Exterior:	
Lot Size:	10,616	Bsmnt SF:		Ext. Finish:	
Acres:	0.24	Fin Bsmt SF:		Interior:	
Garage Type:		Garage SF:		Roof Style:	
Fireplaces:		Bsmnt Type:		Roof Cover:	

Assessment Information

Real Market Value:	\$ 455,982	Taxes:	\$ 6,718.92
Land Value:	\$ 108,922	Imp. Value:	\$ 347,060
Total Assessed Value:	\$ 371,295	Levy Code:	062002
M-5 Rate:	18.0959	Tax Year:	16-17

Previous Sale Information

Sale Amount:	\$ 280,300	Sale Date:	04/01/1997
Document Num:	1997-030819		

Transaction History

Sale Date	Sale Amount	HPI Sale Amount	Document Type	Reception Num	Book/Page
4/1/1997	\$ 280,300	\$ 679,400		1997-030819	/

This information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said Services may be discontinued. No liability is assumed for any errors in this report.

*All information provided by ValueCheck, Inc is deemed reliable, but not guaranteed.
Accuracy of the information may vary by county.*

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315

P.P. 1993-183

PARCEL 3

62-02

3800

309

P.S. 625

LADD'S

379.40

15

4

3902 375
0.31 Ac.

SUBDIVISION

3903
0.24 Ac.

379
PARCEL 1



4010
0.34 Ac.

PP
PARCEL 2

1996-70

4001
0.32 Ac.
409
PARCEL 1

4002
415

N 85° 40' 13" E 145.21

Barker Ave

Barker Ave

Hazelwood Dr

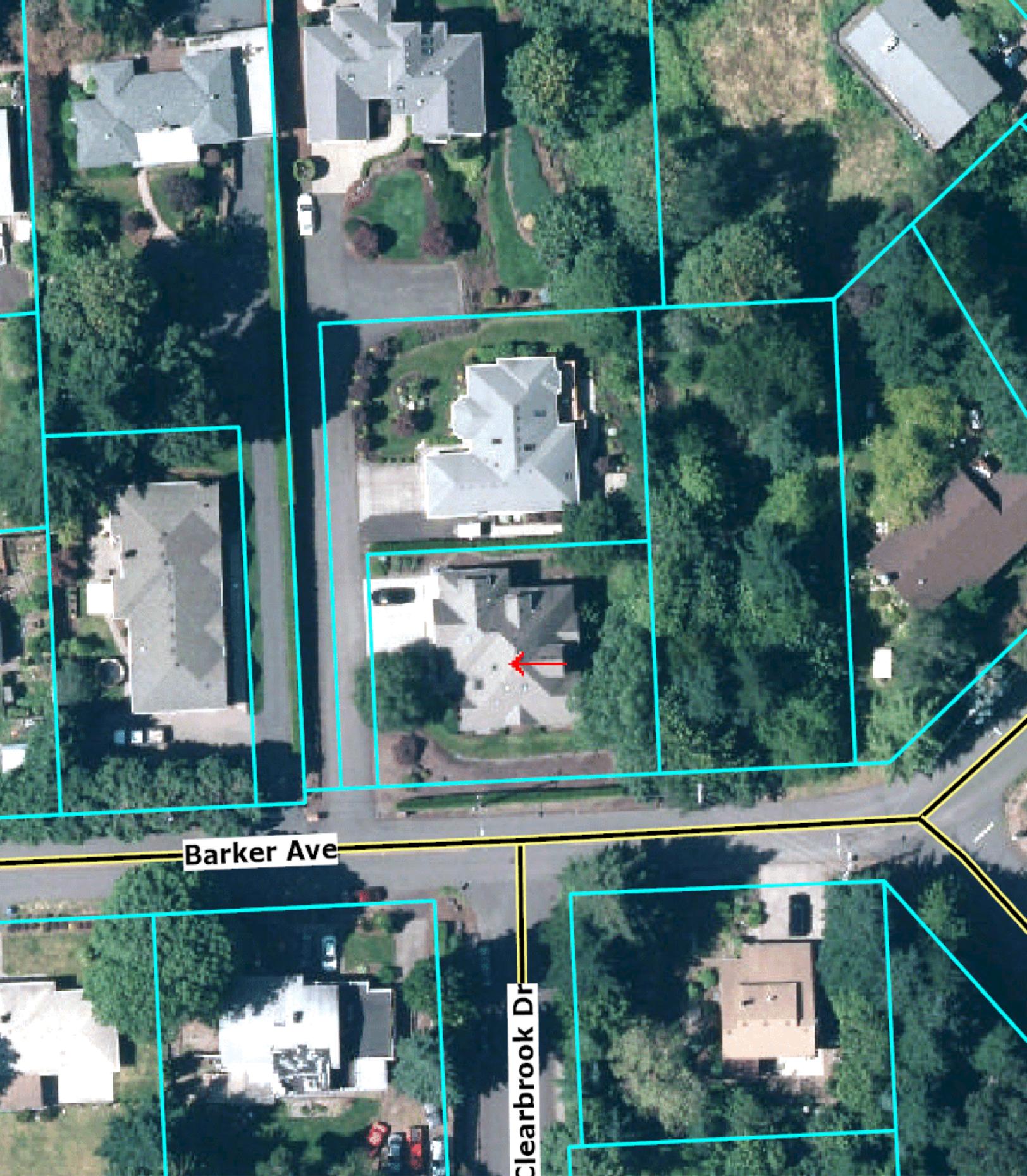
3500
0.27 Ac.
316

DRIVE

Clearbrook Dr

3401
380

This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



Barker Ave

Clearbrook Dr

This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



150 Beaver Creek Rd
Oregon City, OR 97045
503-655-8671

Property Account Summary

7/27/2017

Account Number	01597908	Property Address	379 BARKER AVE , OREGON CITY, OR 97045
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General Information

Alternate Property #	32E06BB03903
Property Description	1993-183 PARTITION PLAT PARCEL 1 288 WM LADDS SUBDIV PT LTS 2&3
Last Sale Price	
Last Sale Date	
Last Sale Excise Number	
Property Category	Land &/or Buildings
Status	Active, Locally Assessed
Tax Code Area	062-002
Remarks	

Tax Rate

Description	Rate
Total Rate	18.0959

Property Characteristics

Neighborhood	13061: Oregon City newer 100, 101
Land Class Category	101: Residential land improved
Building Class Category	15: Single family res, class 5
Year Built	1997
Change property ratio	1XX

Related Properties

No Related Properties Found

Parties

Role	Percent	Name	Address
Taxpayer	100	DIER KEVIN DALE	PO BOX 2409, OREGON CITY, OR 97045
Tax Service Co.	100	CORELOGIC TAX SERVICES	UNKNOWN, MILWAUKIE, OR 00000

Owner	100	DIER KEVIN DALE	PO BOX 2409, OREGON CITY, OR 97045
Mortgage Company	100	PENNYMAC	UNKNOWN, MILWAUKIE, OR 00000

Property Values

Value Type	Tax Year 2016	Tax Year 2015	Tax Year 2014	Tax Year 2013	Tax Year 2012
AVR Total	\$371,295	\$360,481	\$349,982	\$339,788	\$303,372
Exempt					
TVR Total	\$371,295	\$360,481	\$349,982	\$339,788	\$303,372
Real Mkt Land	\$108,922	\$85,294	\$76,073	\$70,310	\$73,192
Real Mkt Bldg	\$347,060	\$330,700	\$304,180	\$273,990	\$230,180
Real Mkt Total	\$455,982	\$415,994	\$380,253	\$344,300	\$303,372
M5 Mkt Land	\$108,922	\$85,294	\$76,073	\$70,310	\$73,192
M5 Mkt Bldg	\$347,060	\$330,700	\$304,180	\$273,990	\$230,180
M5 SAV					
SAVL (MAV Use Portion)					
MAV (Market Portion)	\$371,295	\$360,481	\$349,982	\$339,788	\$339,788
Mkt Exception					
AV Exception					

Parents

Parcel No.	Seg/Merge No.	Status	From Date	To Date	Continued	Document Number
No Parents Found						

Children

Parcel No.	Seg/Merge No.	Status	From Date	To Date	Document Number
No Children Found					

Active Exemptions

No Exemptions Found

Events

Effective Date	Entry Date-Time	Type	Remarks
No Events Found			

Tax Balance

No Charges are currently due. If you believe this is incorrect, please contact the Assessor's Office.

[Installments Payable/Paid for Tax Year\(Enter 4-digit Year, then Click-Here\):](#)

Receipts

Date	Receipt No.	Amount Applied	Amount Due	Tendered	Change
11/15/2016 00:00:00	4157414	\$6,718.92	\$6,718.92	\$6,517.35	\$0.00
11/13/2015 00:00:00	3956660	\$6,548.97	\$6,548.97	\$6,352.50	\$0.00
11/12/2014 00:00:00	3752597	\$6,302.01	\$6,302.01	\$6,112.95	\$0.00

11/12/2013 00:00:00	3557021	\$5,825.49	\$5,825.49	\$5,650.73	\$0.00
11/07/2012 00:00:00	3310089	\$5,156.95	\$5,156.95	\$5,002.24	\$0.00

Sales History

Transfer Date	Receipt Date	Recording Number	Sale Amount	Excise Number	Deed Type	Transfer Type	Grantor (Seller)	Grantee (Buyer)	Other Parcels
04/01/1997		1997-030819	\$280,300.00	97-30819					No
08/01/1996		1996-061720	\$45,000.00	96-61720					No
04/01/1992		1992-022325	\$67,000.00	92-22325					No

Property Details

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths
2926	0 X 0	1997	55	1.0	4	3	0

20
20

AFTER RECORDING RETURN TO:
Kevin Dale Dier

379 Barker Street
Oregon City, OR 97045

Until a change is requested all tax statements shall be sent to the following address:

Same as above

Escrow No. 4500-32309TB
Order No. 164331

WARRANTY DEED - STATUTORY FORM
(INDIVIDUAL or CORPORATION)

WESTSTAR-ONE COMPANY, an Oregon Corporation

Grantor, conveys and warrants to KEVIN DALE DIER

Grantee, the following described real property free of encumbrances except as specifically set forth herein:

Parcel 1, PARTITION PLAT NO. 1993-183, in the County of Clackamas and State of Oregon.

TOGETHER WITH an easement for fire access and private ingress and egress and utilities as delineated on the partition plat.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

ENCUMBRANCES:

1. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Coffee Creek.
- (Continued)

The true consideration for this conveyance is \$280,300.00

97-030819

Dated April 23, 1997 ; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Weststar-One Company

Susan K. Driesel

Susan K. Driesel President

STATE OF OREGON, County of Clackamas) ss.

This instrument was acknowledged before me on

_____, 19____, by

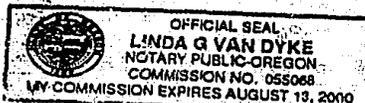
This instrument was acknowledged before me on April 23, 1997

by Susan K. Driesel as President

of WestStar-One Company, an Oregon corporation

Suzanne D. [Signature]

Notary Public for Oregon
My commission expires 8-13-00



CHICAGO TITLE INSURANCE CO. C-1164331

Encumbrances, continued

2. Restrictive Covenants regarding consent to local improvements, including the terms and provisions thereof and including among other things a waiver of right of remonstrance.

Recorded: December 2, 1993
Recorder's Fee No.: 93-90124

3. Non-Access reservation as shown on the recorded plat,
Affects: The Southerly 1 foot of said parcel

4. Easements as dedicated or delineated on the recorded plat.
For: Public Utilities
Affects: The Northerly and Southerly 10 feet and the Easterly 5 feet of said parcel

5. Easements as dedicated or delineated on the recorded plat.
For: Conservation and drainage
Affects: The Easterly portion of said parcel being of variable width

6. Road Maintenance Agreement, including the terms and provisions thereof;

Recorded: December 14, 1993
Recorder's Fee No.: 93-94148

The above document was re-recorded by instrument,

Recorded: February 3, 1994
Recorder's Fee No.: 94-09793

7. Covenants, conditions, restrictions and easements, but omitting restrictions, if any, based on race, color, religion, sex, handicap, familial status or national origin, unless and only to the extent that said covenant, (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons, imposed by instrument, including the terms and provisions thereof.

Recorded: December 14, 1993
Recorder's Fee No.: 93-94149

Said instrument also contains maintenance obligation for private access roadway.

Said covenants, conditions and restrictions were amended by instrument.

Recorded: May 15, 1995
Recorder's Fee No.: 95-027783

8. Easement Agreement, including the terms and provisions thereof;

Dated: September 20, 1994
Recorded: September 21, 1994
Recorder's Fee No.: 94-074319

STATE OF OREGON 97-030819
CLACKAMAS COUNTY
Received and placed in the public
records of Clackamas County
RECEIPT# AND FEE: 53180 \$30.00
DATE AND TIME: 04/25/97 09:26 AM
JOHN KAUFFMAN, COUNTY CLERK

2



City of Oregon City
Permit Receipt
RECEIPT NUMBER 00036682

Account Number: 019483

Date: 7/28/2017

Applicant: KEVIN DALE DIER

Type: check # 494

Permit Number	Fee Description	Amount
NR-17-0010	4332 NROD Fee	979.00
	Total:	\$979.00