

CHAPTER 17.49 NATURAL RESOURCE OVERLAY DISTRICT

DETERMINATION: COMPLETE

The City of Oregon City (the City) has contracted with David Evans and Associates, Inc. (DEA), to review permit applications located within the Natural Resource Overlay District (NROD) and mitigation plans, as applicable, to ensure they are complete and meet Oregon City Municipal Code, Title 17, Zoning, criteria. This memorandum provides DEA's completeness review related to the applicant's application. This review is based solely on the materials provided. A site visit was not conducted in conjunction with this review.

The applicant proposes to construct a retaining wall in order to mitigate a landslide at 14155 Beaver Creek Road (3-2E-04C-00807). The City's NROD mapping shows a portion of the proposed location of the retaining wall as being within the NROD.

The applicant requests a Type I verification per 17.49.255.

17.49.255 - Type I verification.

- A. *Applicants for a determination under this section shall submit a site plan meeting the requirements of Section 17.49.220, as applicable.*

Finding: Not applicable. The applicant selected to make an application per 17.49.255 B., below.

- B. *Alternatively, an applicant may request a Type I Verification determination by the community development director by making an application therefore and paying to the city a fee as set by resolution of the city commission. Such requests may be approved provided that there is evidence substantiating that all the requirements of this chapter relative to the proposed use are satisfied and demonstrates that the property also satisfies the following criteria, as applicable:*

1. *No soil, vegetation, hydrologic features have been disturbed;*
2. *No hydrologic features have been changed;*
3. *There are no man-made drainage features, water marks, swash lines, drift lines present on trees or shrubs, sediment deposits on plants, or any other evidence of sustained inundation.*
4. *The property does not contain a wetland as identified by the city's local wetland inventory or water quality and flood management areas map.*
5. *There is no evidence of a perennial or intermittent stream system or other protected water feature. This does not include established irrigation ditches currently under active farm use, canals or manmade storm or surface water runoff structures or artificial water collection devices.*
6. *Evidence of prior land use approvals that conform to the City's existing Water Quality Resource Area Overlay District.*

There is an existing physical barrier between the site and a protected water feature, including:

- a. *Streets, driveways, alleys, parking lots or other approved impervious areas wider than fifteen feet and which includes drainage improvements that are connected to the city storm sewer system, as approved by the city.*
- b. *Walls, buildings, drainages, culverts or other structures and which form a physical barrier between the site and the protected water features, as approved by the city.*

Finding: Complete. The applicant submitted a report by AKS Engineering and Forestry, LLC (April 8, 2016) that addresses B.1-6.