

Regarding: First Reading of Ordinance No. 20-1005, May 20 2018 Oregon City Commission Meeting
Comments: Doug Neeley, Chair, Greater Oregon City Watershed Council
Residence: 11614 Parrish Road, Oregon City

At the February 10th Planning Commission meeting, the Commission voted unanimously to reduce the code-required wetland vegetative buffer from 50 feet to 0 feet on the property addressed 514 4th Avenue in Canemah.

This was before the City Commission on March 5 for a 1st reading of an ordinance approving the change. I argued that a vegetative corridor strip of 10 to 15 feet should be extended on the property connecting the buffer at address 450 4th Avenue to the buffer on the platted un-built street below the property on the overlay map. The City Commission passed a tentative ordinance supporting my recommendation.

At that City Commission's meeting, Mayor Holiday stated that the Planning Commission had considered the natural resource issues before rendering its decision to remove the vegetative corridor on that property. It did not; it only considered the property owner's objection to the designation of the corridor. The Planning Commission asked the owner if she would accept a 25 foot corridor instead of the 50 foot corridor specified in the City Code, and she said that she would not, and the Planning Commission after minimal deliberation voted unanimously to remove the buffer from the property in its entirety with no discussion about the natural-resource value of the corridor. This may be the reason that no staff findings of fact were presented at that March 5th meeting. I believe that completely removing a vegetative corridor without a code-based basis of doing so sets a dangerous precedent. Since establishing a vegetative corridor is also a Metro Regional Government's requirement, having such a City Commission decision with no findings of fact dealing with the natural resource itself could provide strong grounds for appeal.

Mayor Holladay also stated "Critters that live in the swamp live in the swamp" implying that the vegetative corridor was irrelevant. Many insect and amphibian species spend their juvenile stage in the "swamp" and part or all of their adult stage on land. Aquatic reptiles and birds lay their eggs on land. From the Greater Oregon City Watershed Council's perspective, this is one of the primary benefits of having a vegetative corridor. I should note that the Oregon City Code has a much stronger restriction than Metro's on development along anadromous-fish-bearing streams (a 200 foot corridor as opposed to a 50 foot corridor). This recognizes the need for the larger land habitat for water birds such as eagles and osprey and mammals such as beaver, musk rats, and river otters that depend on both water- and land-based habitats.

I do support the 10 foot corridor recommendation before the City Commission.