



CITY OF OREGON CITY NATURAL RESOURCES COMMITTEE AGENDA

VIRTUAL ONLY
Wednesday, May 27, 2026 at 6:30 PM

Ways to participate in this public meeting:

- Attend the livestream of the meeting on the City's YouTube Channel:
<https://www.youtube.com/user/CityofOregonCity>
 - Register to provide electronic testimony (email ocplanning@orc.org by 3:00 PM on the day of the meeting to register)
 - Email ocplanning@orc.org (deadline to submit written testimony via email is 3:00 PM on the day of the meeting)
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[IGNORE_INDENT]

- 1. CONVENE MEETING AND ROLL CALL**
 - 2. DISCUSSION ITEMS**
 - a. Park Place II Subdivision NROD Application - NROD-24-032
 - 3. COMMUNICATIONS**
 - 4. ADJOURNMENT**
-
-

PUBLIC COMMENT GUIDELINES

When the Chair calls your name, turn on your microphone, and state your name and city of residence. Each speaker is given 3 minutes to speak. As a general practice, the committee does not engage in discussion with those making comments. Complaints shall be addressed at the department level prior to addressing the committee.

Agenda Posted at City Hall, Pioneer Community Center, Library, City Website.

Video Streaming & Broadcasts: The meeting is streamed live on the [Oregon City's website](#) and available on demand following the meeting. The meeting can be viewed on Willamette Falls Television channel 28 for Oregon City area residents as a rebroadcast. Please contact WFMC at 503-650-0275 for a programming schedule.



CITY OF OREGON CITY

625 Center Street
Oregon City, OR 97045
503-657-0891

Staff Report

To: Natural Resources Committee **Agenda Date:** May 27, 2026
From: Pete Walter, Planning Manager

SUBJECT:

Park Place II Subdivision NROD Application - NROD-24-032

STAFF RECOMMENDATION:

ICON Construction is proposing a residential subdivision in the northeastern part of Oregon City located in the Park Place Concept Plan area. Portions of the development are regulated by the Natural Resources Overlay District (NROD) - OCMC 17.49. ICON's natural resources consultant Schott and Associates Ecologists and Wetland Specialists has prepared a revised report which describes existing conditions and impact evaluation within the NROD boundary for residential development, stormwater facility, and alley construction in the eastern portion of the site. The applicant has revised the original applications so that there is no longer a proposed sewer line crossing of the NROD in the northwestern portion of the site. No alterations to the mapped NROD are proposed. The stormwater facility will impact more than one thousand square feet of the NROD. Impacts greater than one thousand square feet shall be processed as a Type III application. Per NRC bylaws, Article 4, Section (3), the Natural Resources Committee shall "Receive notice of and comment on land use applications and City activities that have the potential to impact natural resources in the City and its Urban Growth Boundary." Please note that the Planning Commission is the decision maker for this Type III application, and that only the applicable code criteria may be applied to the decision.

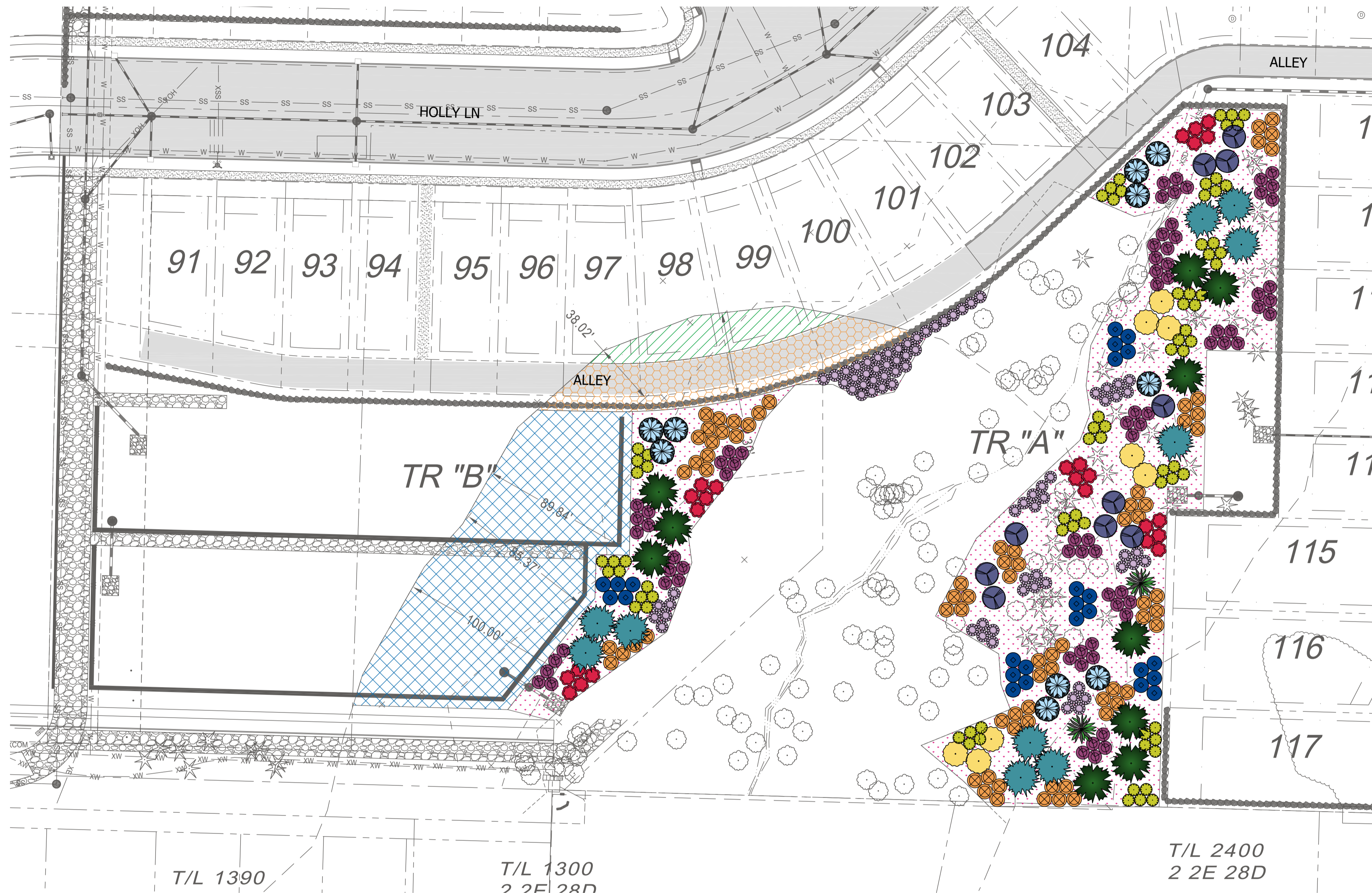
EXECUTIVE SUMMARY:

BACKGROUND:

Staff recommends that the NRC listen to staff's presentation and any information provided by the applicant and provide comments on the proposal. Questions are welcome. There may also be public comments provided at the meeting which staff will record and forward to the Planning Commission.

NEXT STEPS:

OPTIONS:



AREA A - NROD MITIGATION EAST

SCALE: 1" = 40'-0"

(REFER TO PLANTING DETAILS SHEET L102)

NROD MITIGATION EAST		Minimum Species Quantity	Minimum Size	Category	Spacing (OC-On Center)
MITIGATION TREES					
SYM	Scientific name (Common Name)				
	Abies grandis (Grand Fir)	2	2 gal. or bare root	Tree	15' OC
	Alnus rubra (Red Alder)	10	2 gal. or bare root	Tree	15' OC
	Cornus nuttalli (Flowering Dogwood)	10	1 gal. or bare root	Tree	15' OC
	Rhamnus purshiana (Cascara)	8	2 gal. or bare root	Tree	15' OC
	Pseudotsuga menziesii (Douglas Fir)	10	2 gal. or bare root	Tree	15' OC
	Prunus emarginata (Bitter Cherry)	10	2 gal. or bare root	Tree	15' OC
Mitigation Tree Total		50			
MITIGATION SHRUBS					
SYM	Scientific name (Common Name)				
	Acer circinatum (Vine Maple)	25	2 Gal.	Shrub	10' OC
	Corylus cornuta (Hazelnut)	25	1 Gal. or bare root	Shrub	10' OC
	Sword Fern (Polystichum munitum)	75	1 Gal.	Shrub	5' OC (cluster)
	Mahonia aquifolium (Tall Oregon Grape)	75	1 Gal.	Shrub	10' OC (cluster)
	Rosa nutkana (Nootka Rose)	75	1 Gal.	Shrub	10' OC (cluster)
	Symphoricarpos albus (Snowberry)	75	2 Gal.	Shrub	5' OC (cluster)
TOTAL MITIGATION SHRUBS		350			
NATIVE SEED MIX					
Sunmark Companies Upland Mix		Seed	1 lbs/1000 sq.ft.		
*Seed Mix required for all bare areas within NROD mitigation area					

- NROD Mitigation Plantings (total east and west areas)**
- Site Requirements:
- Removal of all invasive species to improve growing conditions for native seedlings/plantings and to encourage regeneration and recruitment of native vegetation is required.
 - Preserve site's existing native vegetation to the maximum extent practicable.
 - Mitigation Planting as follows:
 - NROD impact mitigation required area is 51,424 sq.ft. (2.30 ac.)
 - Tree requirement: 50 Trees required
 - Shrub requirement: 350 Shrubs required
 - Overseed with specified native seed mix in all bare spots larger than 25 sq.ft.
 - No fertilizer to be used in riparian area.
 - Mulching: Mulch new plantings three (3) inches in depth and 18 inches in diameter to retain moisture and discourage weed growth.
 - Temporary Irrigation: Water new plantings one (1) inch per week from June 20th to September 15th for three years following planting.

NROD HATCH LEGEND (EAST)

- NROD IMPACT WQF = 17,348 SF
- NROD IMPACT LOT DEVELOPMENT = 2,602 SF
- NROD IMPACT ALLEY = 5,762 SF
- REQUIRED MITIGATION AREA WITHIN NROD = 51,424 SF

MEARS
 DESIGN + GROUP
 LANDSCAPE ARCHITECTURE & PLANNING
 PO Box 23338 | PORTLAND, OREGON | 97281
 PHONE: 503.601.4516 | FAX: 503.924.4688

REGISTERED
 540
 TROY A. MEARS
 OREGON
 11/21/2003
 LANDSCAPE ARCHITECT

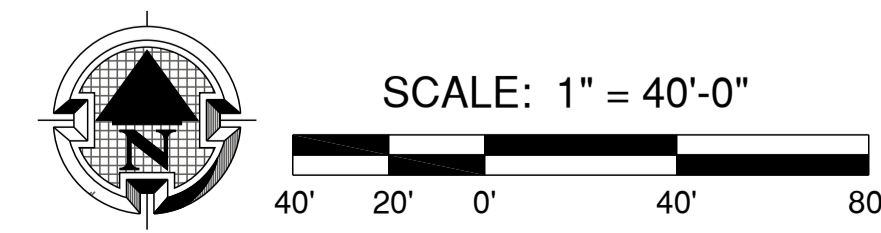
PARK PLACE II
 A SUBDIVISION OF
 TAX LOT 2 2E 28D 100, 190, 302, 400, 500, 502, 3700
 OREGON CITY, OREGON

REVISIONS		
REV.	DATE	DESCRIPTION

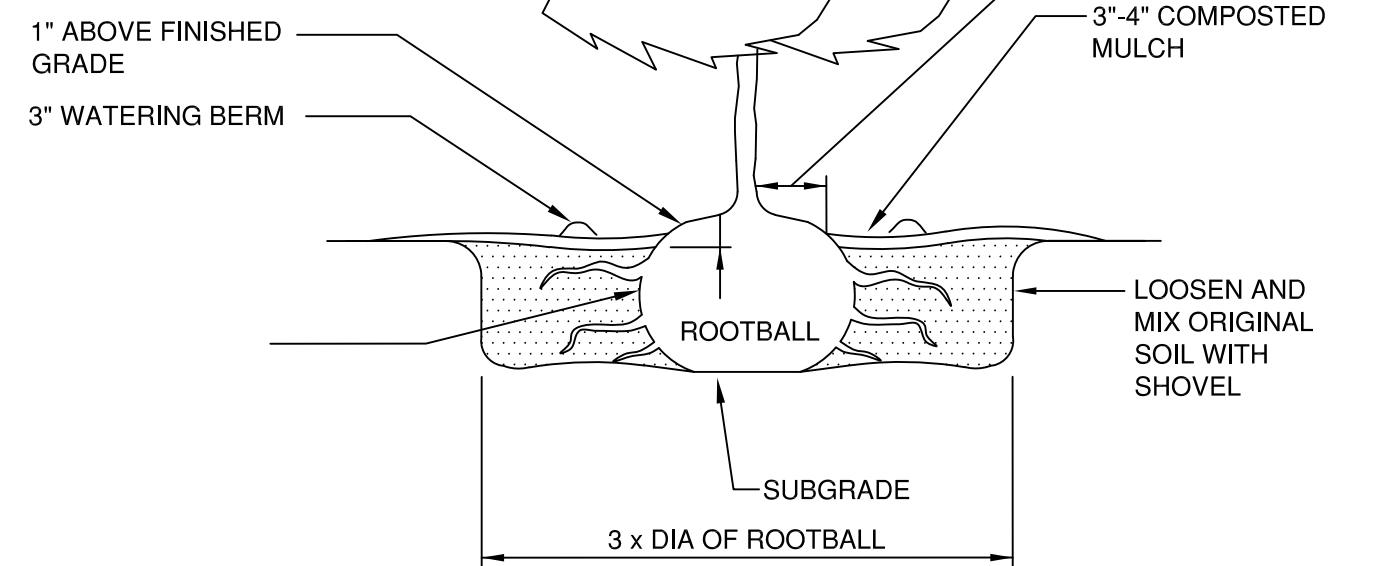
SHEET NAME:
MITIGATION PLANTING PLAN

DRAWN BY: _____ TM
 CHECKED BY: _____ TM
 ISSUE DATE: 5/1/2026
 JOB NO.: 2605

SHEET:
L101
 OF 2



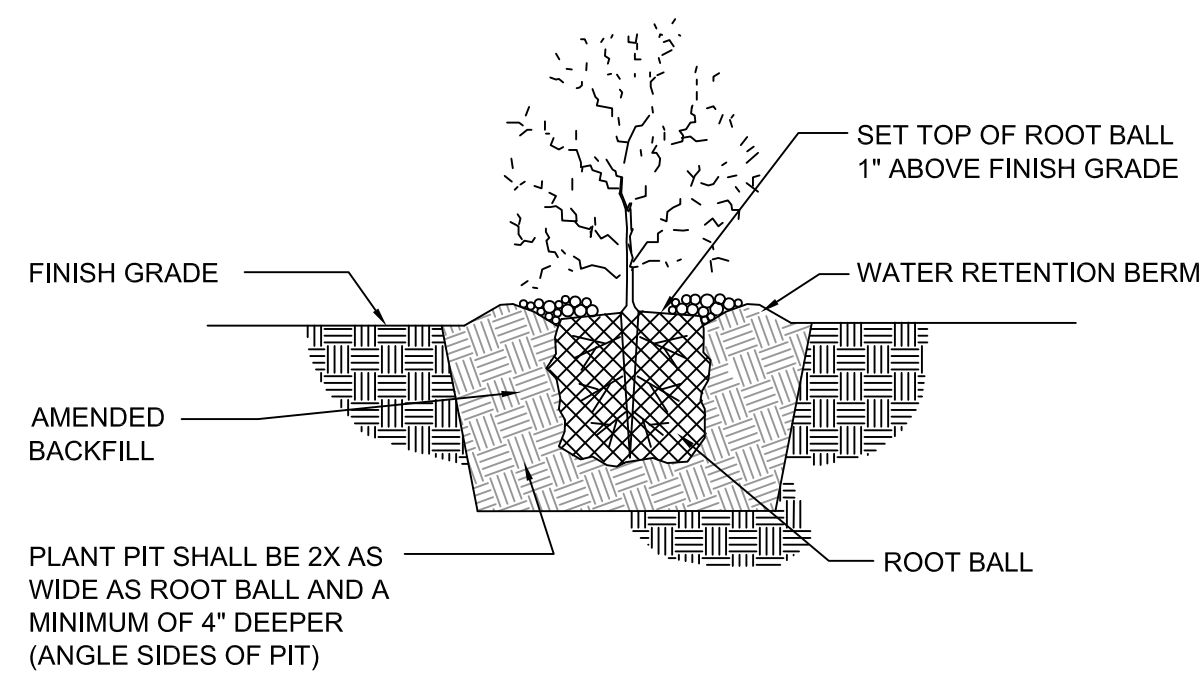
NOTE: IF TREE IS CONTAINER GROWN STOCK, BREAK ROOT BALL APART BEFORE PLACING IN PLANTING HOLE.
IF PLANT IS ROOT BOUND MAKE A VERTICAL CUT THROUGH THE LOWER 1/4 OF THE SOIL MASS. PULL OUT AND STRAIGHTEN LARGE, CIRCLING ROOTS.



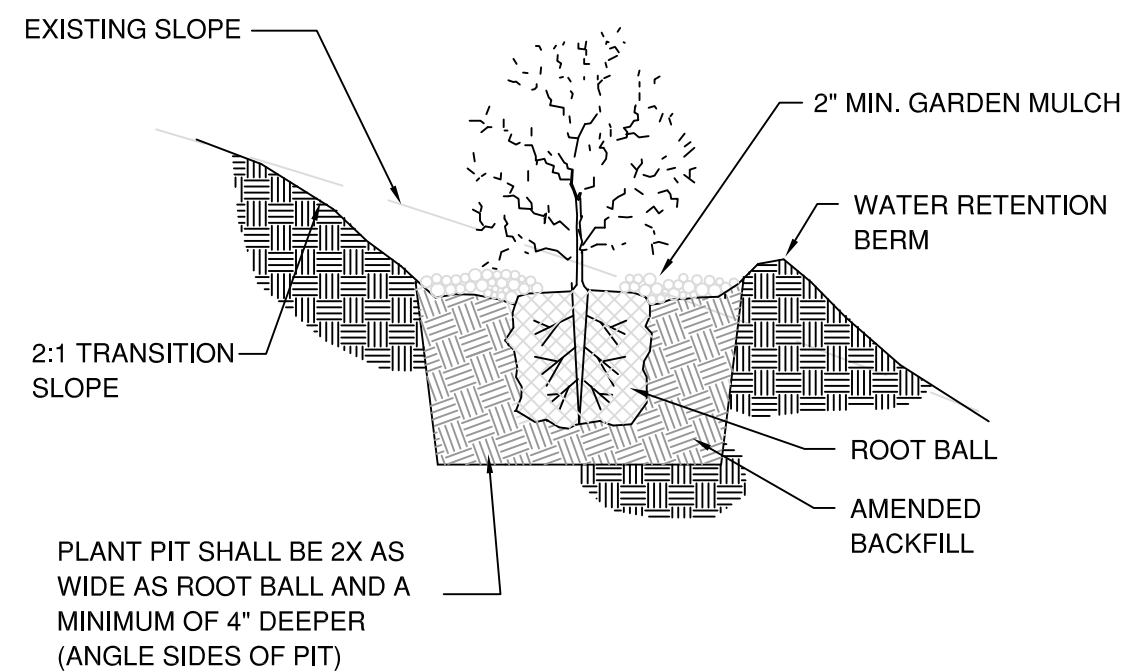
TREE PLANTING - CONTAINER/ BURLAPPED
(WATER QUALITY FACILITY AREAS) N.T.S.

NO FERTILIZER TABLETS REQUIRED FOR NROD MITIGATION PLANTINGS.

NO FERTILIZER TABLETS REQUIRED FOR NROD MITIGATION PLANTINGS.



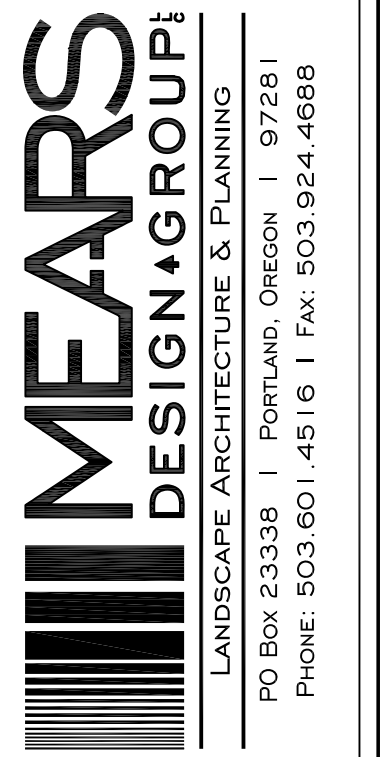
SHRUB PLANTING DETAIL
N.T.S.



SLOPE SHRUB PLANTING DETAIL
CITY OF OREGON CITY NROD MITIGATION PLANTING N.T.S.

TYPICAL PLANTING NOTES:

1. B&B stock may be substituted with container stock of equal grade.
2. Container stock may be substituted with B&B stock of equal grade.
3. Plant material shall conform with American Standard for Nursery Stock, ANSI Z60.1, 2014 edition.
4. All trees shall be branched.
5. Garden mulch all planting beds with 3" min. Layer of specified garden mulch.
6. In the event of a discrepancy between the plant listing and the drawings, the plant listing shall govern the plant species and quantities required.
7. In the event of question or lack of clarity on drawings, landscape contractor is to call landscape architect before proceeding.
8. Landscape contractor is to notify landscape architect prior to installation of plant material to approve final placement.
9. Landscape contractor to verify plant material species and quantities prior to planting.
10. Provide temporary irrigation as approved by City of Oregon City Municipal Code section 17.49.180.
11. Mitigation Planting Requirements
 - a. Warranty/Maintenance period for all environmental mitigation plantings is 5-years.
 - It is recommended to install plant protection from potential wildlife damage.



PARK PLACE II
A SUBDIVISION OF

TAX LOT 2 2E 28D 100, 190, 302, 400, 500, 502, 3700
OREGON CITY, OREGON

REVISIONS		
REV.	DATE	DESCRIPTION

SHEET NAME:
**PLANTING
DETAILS & NOTES**

DRAWN BY: _____ TM
CHECKED BY: _____ TM
ISSUE DATE: 5/1/2026
JOB NO.: 2605

SHEET:
L102
OF 2



Schott & Associates

Ecologists & Wetland Specialists

P.O. Box 589 | Aurora, OR 97002 | (503) 678-6007

NATURAL RESOURCE OVERLAY DISTRICT REPORT for

Park Place II

T2S, R2E, Sec.28D, TL 500, 100, 3700 &
Sec. 28CA, TL 2700
Oregon City, Oregon

Prepared for

Harlan Borow
Icon Construction & Development, LLC
1969 Willamette Falls Drive, Suite 260
West Linn, OR 97068

Prepared by

Juniper Tagliabue
Schott & Associates, Inc.

Date:

December 2025
Revised January 2026
Revised April 2026

Project #: 3287

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- Appendix B: Arborist Report

Introduction

Schott & Associates (S&A) was contracted to conduct a natural resource assessment to support a Type III NROD Permit for the proposed residential development project. Portions of this property contain Natural Resource Overlay District (NROD) subject to Chapter 17.49 of the Oregon City Municipal Code (OCMC). This report is intended to describe existing conditions and impact evaluation within the NROD boundary for residential development, stormwater facility, and alley construction in the eastern portion of the site (T2S, R2E, Sec.28D, TL100, 3700; Figure 1). No alterations to the mapped NROD are proposed. This report addresses Section 17.49.100 *General Development Standards*, Section 17.49.150 *Standards for Vehicular or Pedestrian Paths and Roads*, Section 17.49.155 *Standards for Stormwater Facilities*, and Section 17.49.160 *Standards for Land Divisions*.

Statement of Qualifications

All S&A staff are comprised of well-qualified and experienced individuals with expertise in ecology, wildlife biology, and soil science as well as wetland delineation and functions assessment, natural resource assessments, and local, state, and federal permitting.

Jodi Forgione: Principal, Project manager and Wetland biologist, completed fieldwork, onsite assessment, reporting, and project management for this project. Jodi holds a Bachelor's degree from Oregon State University in Fisheries and Wildlife and provides experience conducting bird and wildlife surveys for habitat and population data as well as wetland determinations, delineations, natural resource and wildlife habitat assessments, and mitigation monitoring.

Juniper Tagliabue: Project manager and Senior wetland biologist, drafted the report and mitigation plan. Juniper has a Bachelor's degree from Lewis & Clark College in Portland, Oregon and over 20 years of experience with S&A preparing wetland determinations, wetland delineations, joint permit applications, and natural resource assessments. She is a permitting specialist proficient in coordinating all phases of project management.

Site Description

The proposed project consists of a residential development including all associated residential streets, utilities, parking and landscape areas. Two drainages with associated NROD buffers are present onsite, along the northern site boundary and in the southeast portion of the site.

Impacts to the City mapped NROD in the southern portion of the site (Appendix A) are proposed and the assessment area is limited to this area. The buffer is associated with an intermittent drainage in the south-central portion of the site, extending southwest offsite (WD2021-0311). The NROD Map identifies a 200-foot Vegetated Corridor extending outward from the drainage (Figure 2).

The proposed impact area was dominated by Douglas fir (*Pseudotsuga menziesii*) trees and dying European white birch (*Betula pendula*). The understory was heavily dominated

by dense Himalayan blackberry (*Rubus armeniacus*). Vegetation in the herbaceous layer was sparse due to the thick blackberry cover, with limited native species observed beneath the canopy. Other trees species present were grand fir (*Abies grandis*) and big leaf maple (*Acer macrophyllum*). Topography within the impact area sloped gradually to steeply to the south and southeast.

The proposed mitigation area consisted of big leaf maple, bitter cherry (*Prunus emarginata*), grand fir, Douglas fir, and birch. The understory was similarly dominated by thick Himalayan blackberry, resulting in limited native shrub or herbaceous vegetation and high cover of bare ground beneath the canopy. Topography was moderate to steeply sloping down to the drainage. The mitigation area was bound by the 25% break in slope.

Overall, both the impact and mitigation areas contained moderate tree cover but exhibited heavily degraded understory condition due to the widespread dominance of blackberry. The dense blackberry thickets have suppressed the native understory vegetation, reduced plant diversity, and limited natural vegetation.

Methods

A combination of onsite and offsite assessment methods was followed. The following existing data and information were reviewed:

- City of Oregon City Natural Resource Overlay District (NROD) Map (Figure 2)
- National Wetland Inventory (NWI)
- Oregon City Local Wetland Inventory (LWI)
- Oregon Department of Forestry (ODF) stream mapping
- U.S. Department of Agriculture (USDA) NRCS gridded Soil Survey Geographic (gSSURGO) database for Clackamas County
- Metro Title 3 lands, stream, and wetland mapping available from the Regional Land Information System (RLIS)
- DEA Memo Park Place II NROD
- Preliminary Plans (Emerio Engineering, Surveying & Design; Appendix A)
- Mary Giersch Consulting Arborist Report (Appendix B).

S&A visited the site on December 12, 2025 and April 23, 2026 to assess and document Vegetated Corridor conditions within the proposed impact and mitigation areas.

The onsite drainage was well defined by topography and OHWM was mapped by AKS and concurred with by DSL. Vegetation data was assessed at representative sample plots to document conditions and determine corridor condition according to the Alternative mitigation standards.

Vegetated Corridor widths and boundaries were based on Oregon City NROD mapping. NROD verification is not requested as part of this application.

Existing trees on the property were surveyed, and an arborist report was prepared documenting species, size, and condition of trees within the proposed impact area.

Only areas of proposed impact/mitigation were physically assessed for this study; areas within 200 feet were assessed remotely via aerial maps, available data, and onsite vantage points.

Results

According to the 1999 Oregon City LWI, a palustrine emergent, palustrine forested (PEM/PFO) wetland (L15) extends through the northern portion of the project site. No impacts are proposed in this portion of the property.

The area of impact is outside of the mapped LWI assessment area. The NWI map identifies a wetland corresponding with the drainage as palustrine forested seasonally flooded (PFO1C) and maps an unknown perennial unconsolidated bottom, permanently flooded riverine (R5UBH) aquatic habitat in the areas of the southern drainage. ODF mapped a small size stream, and the National Hydrography Dataset (NHD) mapped a perennial waterway in both locations. According to Metro mapping sources, Riparian Habitat Class I is mapped in the project area. According to NRCS soil survey mapping, the slopes are mapped as Xerochrepts and Haploxerolls, very steep. Helvetia silt loam at slopes of 8-15% and Woodburn silt loam at slopes of 8-15% are mapped at the break in slope.

Protected Water Features

Drainage 1 is a perennial tributary to Tour Creek which occurred at the bottom of a steep ravine, flowing southwest across the northern portion of the project area. It was delineated by AKS and concurred with by DSL. Due to steep slopes, physical access to this feature was not possible or safe and S&A did not document the drainage. It is assumed to have a seasonal flow regime and may have seasonal fish presence (assumed based on ODF mapping). This drainage will not be impacted by the proposed project and is not discussed further.

Drainage 2 is an ephemeral to intermittent tributary to Abernathy Creek. The drainage outlets from a pipe discharging stormwater from offsite development to the north (Trailview, etc.) and was delineated by AKS and concurred with DSL. Due to steep slopes, physical access to the bottom of the ravine (drainage) was not possible or safe and S&A did not document the drainage. Based on available information, the drainage is assumed to have a seasonal flow regime in its lower section and may have seasonal fish presence (based on ODF mapping).

Vegetated Corridor: West

Ravine slopes adjacent to the stream were 40% or greater and the boundaries were based on City mapped NROD. No impacts are proposed to this Corridor and it is not discussed further.

Vegetated Corridor: South

The applicant has opted to use the City mapped NROD boundary in lieu of requesting NROD verification for onsite resources. The mapped Vegetated Corridor width of 200 feet is shown (Appendix A).

As assessed onsite, the Vegetated Corridor consists of a sloped ravine containing high cover of combined trees, shrubs, and groundcover. Tree cover within the impact area was predominantly Douglas fir with numerous dead or dying European white birch and a dense blackberry understory. The blackberry heavily dominated the top of slopes, limiting native vegetation. Canopy cover was an average of 50% and understory cover ranged from 75-100%, consisting almost entirely of non-native invasive species. According to 17.49.190 if the combination of tree, shrubs, and groundcover are eighty percent present and twenty-five to fifty percent canopy coverage is present, the corridor is classified as Marginal. If vegetation and canopy coverage is less than marginal and/or greater than ten percent surface coverage of any non-native species is present, the corridor is classified as Degraded. Based on these definitions, the impact area was assessed as Degraded.

The proposed mitigation area consisted of the remaining portion of the NROD above the 25% slope on the west side and the NROD above the 25% slope and adjacent upland area on the east side. Canopy cover consisted of a mix of species including big leaf maple, grand fir, Douglas fir, and birch trees with a thick understory dominated by blackberry (65%) and bare ground. Other species observed included hazelnut (*Corylus cornuta*), holly (*Ilex aquafolium*) and swordfern (*Polystichum munitum*). Canopy cover was less than 50% overall within the mitigation area and while shrub and herbaceous cover were overall greater than 80%, dominant species were invasive and the onsite NROD proposed for mitigation is considered Degraded.

Proposed Project

This application is provided to show proposed impacts within the NROD and associated mitigation areas (Appendix A) for construction of a stormwater facility, residential lots, and an access alley:

- Stormwater facility is subject to *OCMC 17.49.100 and 155*
- Land division is subject to *OCMC 17.49.160*.
- The alley (right-of-way) is subject to *OCMC 17.49.150*

17.49.100 General Development Standards

*The following standards apply to all uses allowed under prescribed conditions within the NROD with the exception of **rights-of-way (subject to OCMC 17.49.150)**, trails (subject to OCMC 17.49.170), utility lines (subject to OCMC 17.49.140), **land divisions (subject to OCMC 17.49.160)**, and mitigation projects (subject to OCMC 17.49.180 or 17.49.190):*

Response: The section applies to the stormwater facility only.

A. *Native trees shall be preserved unless they are located 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: A tree survey was completed by Mary Gierch Consulting Arborist on March 9, and April 23, 2026. All areas within the proposed impact area for the WQF were assessed. There were forty-one (41) trees identified. Nineteen (19) of the trees were in fair or poor condition and are Oregon native species. Eighteen (18) of the trees had fallen or were dead/dying. Four (4) of the trees were Oregon Nuisance Species. Trees listed to be removed are outlined in the arborist report (Appendix B).

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: The majority of the subject property is zoned R-5, but a portion of the northwest quadrant is governed by the R-10 zoning district. These zoning districts do not contain specific landscaping standards; rather other municipal code chapters enforce landscaping standards for residential development. Currently being reviewed during this tentative subdivision application is Chapter 17.41 – Tree Protection, Preservation, Removal and Replanting Standards.

To comply with that chapter, the applicant proposes to meet the landscaping standards via preserving, restoring, and replanting in a manner consistent with proposed NROD mitigation measures. If the community development director determines that the preservation and restoration of NROD can also function as mitigation for tree removal elsewhere on-site, the applicant would request the landscaping requirements of Chapter 17.41 be lessened to reflect the NROD improvement efforts.

C. *All vegetation planted in the NROD shall be native and listed 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);*

Response: All vegetation planted within the NROD shall be native and listed on an applicable native plant list. See mitigation plan and Table below.

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

Response: A grading and erosion control plan was submitted and it is assumed that the City will review the erosion control plan for consistency with standards.

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: Response combined with F. below.

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: There is no benefit to deviating from the setbacks for Lots 96 through 100. These lots have frontage on Holly Lane, a collector street. Due to the classification of this street, vehicle access for these lots is limited and a rear alley is required to provide access. This alley accounts for the majority of NROD impact on these lots. Regardless of the exact placement of the future structures on these lots, the impacts will remain relatively the same because all lots must be rear loaded.

G. Fences in compliance with OCMC 17.49.080.N;

Response: No fencing is shown on the shown on the tentative plan set, other than construction fencing which is only temporary. However, if new permanent fencing is proposed it would need to comply with the following standards:

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.

H. Exterior lighting shall be placed or shielded so that they do not shine directly into resource areas;

Response: Once land use approval and engineering are approved, requirements will be followed for street lighting and home construction.

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

Response: Not applicable. The development is not within the one-hundred year floodplain.

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

Response: Mitigation is proposed according to 17.49.190 as shown below.

17.49.150 Standards for vehicular or pedestrian paths and roads.

The following standards apply to public rights-of-way and private roads within the NROD, including roads, bridges/stream crossings, driveways and pedestrian paths with impervious surfaces:

A. Stream crossings shall be limited to the minimum number and width necessary to ensure safe and convenient pedestrian, bicycle and vehicle connectivity, and shall cross the stream at an angle as close to perpendicular to the stream channel as practicable. Bridges shall be used instead of culverts wherever practicable.

B. Where the right-of-way or private road crosses a stream the crossing shall be by bridge or a bottomless culvert;

C. No fill or excavation shall occur within the ordinary high water mark of a stream without the approval of the Division of State Lands and/or the U.S. Army Corps of Engineers;

D. If the Oregon Department of State Lands (DSL) has jurisdiction over any work that requires excavation or fill in a wetland, required permits or authorization shall be obtained from DSL prior to release of a grading permit;

E. Any work that will take place within the banks of a stream shall be conducted between June 1 and August 31, or shall be approved by the Oregon Department of Fish and Wildlife; and

F. Mitigation is required, subject to OCMC 17.49.180 or 17.49.190.

Response: No stream crossings are proposed. No fill or excavation within ordinary high water mark of any stream is proposed as part of this application. All appropriate authorizations shall be obtained as applicable. Mitigation for 5,762sf of impact from the alley is proposed according to OCMC 17.49.190 and described below. These standards are met.

17.49.155 Standards for Stormwater Facilities

Approved facilities that infiltrate stormwater on-site in accordance with public works low-impact development standards, including but not limited to; vegetated swales, rain gardens, vegetated filter strips, and vegetated infiltration basins, and their associated piping, may be placed within the NROD boundary pursuant to the following standards:

A. The forest canopy within the driplines of existing trees shall not be disturbed.

Response: The trees within the WQF disturbance area were assessed by Mary Giersch Consulting Arborist (see attached report, Appendix B). Key findings are summarized below:

- Forty-one (41) trees were identified
 - Twenty-three (23) trees were in fair or poor condition
 - Eighteen (18) of the trees had fallen or were dead/dying
 - Nineteen (19) of the poor and fair condition trees are Oregon native species
 - Four (4) of the poor or fair condition trees are Oregon nuisance species

Disturbance within the existing canopy is unavoidable. Trees will be mitigated as described in the Mitigation Plan.

B. Only vegetation from the Oregon City Native Plant List shall be planted within these facilities.

Response: All planted species shall be listed on the Oregon City Native Plant List.

C. Mitigation is required, subject to OCMC 17.49.180 or 17.49.190.

Response: Mitigation is detailed in the Plan below and shown in Appendix A. Alternative Mitigation Standards 17.49.190 will be followed.

D. The stormwater facility may encroach up to one-half the distance of the NROD corridor.

Response: The WQF will not encroach more than ½ of the NROD corridor (see Appendix A).

E. The stormwater facility shall not impact more than one thousand square feet of the NROD. Impacts greater than one thousand square feet shall be processed as a Type III application.

Response: The impacts will be greater than one thousand square feet (17,348sf) so the proposed development will be processed as a Type III application.

F. The community development director may allow 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 within the natural resource overlay district.

Response: The majority of the subject property is zoned R-5, but a portion of the northwest quadrant is governed by the R-10 zoning district. These zoning districts do not contain specific landscaping standards; rather other municipal code chapters enforce landscaping standards for residential development. Unless the situation has changed, the

application did not propose to meet the landscaping standards via preserving, restoring and permanently protecting habitat on development sites in the natural resource overlay district. If this is now a desirable option, please let us know and we will work with the city and environmental consultant to determine the level of effort required to accomplish this goal.

G. The design of the stormwater facility shall be subject to OCMC 13.12.

Response: Stormwater facility design meets OCMC 13.12.

17.49.160 Standards for Land Divisions

Other than those land divisions exempted by OCMC 17.49.070.G., new residential lots created within the NROD shall conform to the following standards:

B. Protection and ownership of NROD areas in land divisions:

1. New partitions shall delineate the NROD area either as a separate tract or conservation easement that meets the requirements of subsection 2. of this section.

Response: A total of 2,602sf of impact is proposed for development of lots 97-100. Remaining NROD area shall be placed in a separate tract.

2. Prior to final plat approval, ownership and maintenance of the NROD area shall be identified to distinguish it from the buildable areas of the development site. The NROD area may be identified as any one of the following:

- a. A tract of private open space held by the homeowners association;*
- b. For residential land divisions, a tract of private open space held by a homeowner's association subject to an easement conveying stormwater and surface water management rights to the city and preventing the owner of the tract from activities and uses inconsistent with the purpose of this document;*
- c. Public open space where the tract has been dedicated to the city or other governmental unit;*
- d. Conservation easement area pursuant to OCMC 17.49.180.G and approved in form by the community development director;*
- e. Any other ownership proposed by the owner and approved by the community development director; or*
- f. NROD tracts shall be exempt from minimum frontage requirements, dimensional standards of the zoning designation, street frontage requirements, or flag lot standards pursuant to OCMC 16.08.053.*

Response: The NROD will be held in an open space tract by a homeowners association. This standard is met.

17.49.190 Alternative Mitigation Standards

In lieu of the above mitigation standards of OCMC 17.49.180, the following standards may be used. Compliance with these standards shall be demonstrated in a mitigation plan

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.

A. The report shall document the existing condition of the vegetated corridor as one of the following categories:

Good Existing Corridor:	Combination of trees, shrubs and groundcover are eighty percent present, and there is more than fifty percent tree canopy coverage in the vegetated corridor.
Marginal Existing Vegetated Corridor:	Combination of trees, shrubs and groundcover are eighty percent present, and twenty-five to fifty percent canopy coverage in the vegetated corridor.
Degraded Existing Vegetated Corridor:	Less vegetation and canopy coverage than marginal vegetated corridors, and/or greater than ten percent surface coverage of any non-native species.

Response: As assessed onsite and described in results section, the entire NROD was in 'degraded' condition and mitigation shall consist of actions to improve the designated area to 'good' condition according to Alternative Mitigation Standards of 17.49.190.

B. The proposed mitigation shall occur at a minimum two-to-one ratio of mitigation area to proposed disturbance area;

Response: Mitigation for 25,712sf of impact for water quality facility, lots, and alley construction will be provided at greater than the minimum ratio (Table 2 and 3). Mitigation will be located within the existing NROD above the 25% break in slope on both sides and adjacent to the existing NROD on the east side of the drainage. The steeper slopes are generally in good condition and mitigation on the steep slopes within the NROD is not proposed.

Table 1. NROD Impact Area

NROD IMPACT AREA					
WQ Facility Impact (SF)	Lot Impact (SF)	Alley Impact (SF)	Total Impact (SF)	Mitigation Factor	Required Mitigation (SF)
17,348	2,602	5,762	25,712	2	51,424

Table 2. NROD Mitigation Area

NROD MITIGATION AREA	
Location	Area (SF)
West	11,495
East	41,489
Total	52,984

C. The proposed mitigation shall result in a significant improvement to good existing condition as determined by a qualified environmental professional;

Response: Mitigation will consist of removing invasive Himalayan blackberry and other non-native species and replacing with native trees, shrubs, and groundcover species. Native species will be retained as much as possible. Proposed mitigation will significantly improve the ‘degraded’ corridor, as described above, bringing it up to ‘good’ condition as defined by this standard.

D. There shall be no detrimental impact on resources and functional values in the area designated to be left undisturbed;

Response: No detrimental impact on resources and functional values in undisturbed areas will occur.

E. Where the proposed mitigation includes alteration or replacement of development in a stream channel, wetland, or other water body, there shall be no detrimental impact related to the migration, rearing, feeding or spawning of fish;

Response: No development is proposed within the stream channel and no detrimental impact will occur.

F. Mitigation shall occur on the site of the disturbance to the extent practicable. If the proposed mitigation cannot practically occur on the site of the disturbance, then the applicant shall possess a legal instrument, such as an easement, sufficient to carry out and ensure the success of the mitigation.

Response: Mitigation shall take place onsite adjacent to proposed impacts. Proposed mitigation areas are shown in Appendices A.

Mitigation Plan

As outlined in the arborist report, a total of 19 native trees ranging from 6-18” are proposed to be removed within the impact area. Due to existing canopy cover on the site replacement of 50 native trees and 350 shrubs/groundcover are proposed to mitigate for permanent disturbance impacts. Existing native trees/shrubs shall be retained. Mitigation will take place above the 25% break in slope adjacent to the impact area and east of the drainage bringing the entire area to Good condition as described in the Alternative Mitigation Standards.

Table 3. Mitigation Planting

Species	Category	Minimum Size	Spacing	Quantity
Permanent Impact Mitigation (52,984 ft²)				
Red alder <i>Alnus rubra</i>	Tree	2 gal. or bare root	7-15' OC	10
Cascara <i>Rhamnus purshiana</i>	Tree	2 gal. or bare root	7-15' OC	8
Grand fir <i>Abies grandis</i>	Tree	2 gal or bare root	7-15' OC	2
Bitter cherry <i>Prunus emarginata</i>	Tree	2 gal. or bare root	7-15' OC	10
Douglas-fir <i>Pseudotsuga menziesii</i>	Tree	2 gal. or bare root	7-15' OC	10
Flowering dogwood <i>Cornus nuttalli</i>	Tree	1 gal. or bare root	7-15' OC	10
Tree Total				50
Hazelnut <i>Corylus cornuta</i>	Shrub	1 gal. or bare root	10'OC	25
Vine maple <i>Acer circinatum</i>	Shrub	2 gal.	10'OC	25
Oregon grape <i>Mahonia nervosa</i>	Shrub	1 gal.	10'OC clusters	75
Nootka rose <i>Rosa nutkana</i>	Shrub	1 gal.	10'OC clusters	75
Snowberry <i>Symphoricarpos albus</i>	Shrub	1 gal.	5'OC clusters	75
Western swordfern <i>Polystichum munitum</i>	Groundcover	2 gal.	5'OC clusters	75
Total Shrub/Groundcover				350
Sunmark Upland Mix or equivalent	Herb	seed	1 lb/1,000ft ²	51 lbs

Bare ground shall be planted or seeded with native grasses or herbs. Non-native sterilewheat grass may also be planted or seeded, in equal or lesser proportion to the native grasses or herbs.

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

Trees and shrubs will be planted with reference to existing vegetation as directed by a project biologist at the time of planting.

All proposed species are included on the Oregon City Native Plant List. Planting will occur in fall when the rainy season commences (late September-late October). The applicants will provide the following maintenance to ensure tree survival as required by the OCMC for mitigation plantings (Section 17.49.180):

- Manual or mechanical weed control and mulching of new plantings a minimum of three inches in depth and eighteen inches in diameter.
- Irrigation of one inch per week from June 30th to September 15th, as needed, for three years following planting.

Summary and Conclusions

This application proposes a total of 25,712sf of impacts to City mapped NROD for development of stormwater facility, residential lots, and a private alley. Applicable OCMC standards have been addressed. A total of 52,984sf of mitigation is proposed onsite and adjacent to the proposed impacts within and adjacent to the NROD according to *17.49.190 Alternative Mitigation standards*.

FIGURE 1: TAX MAP

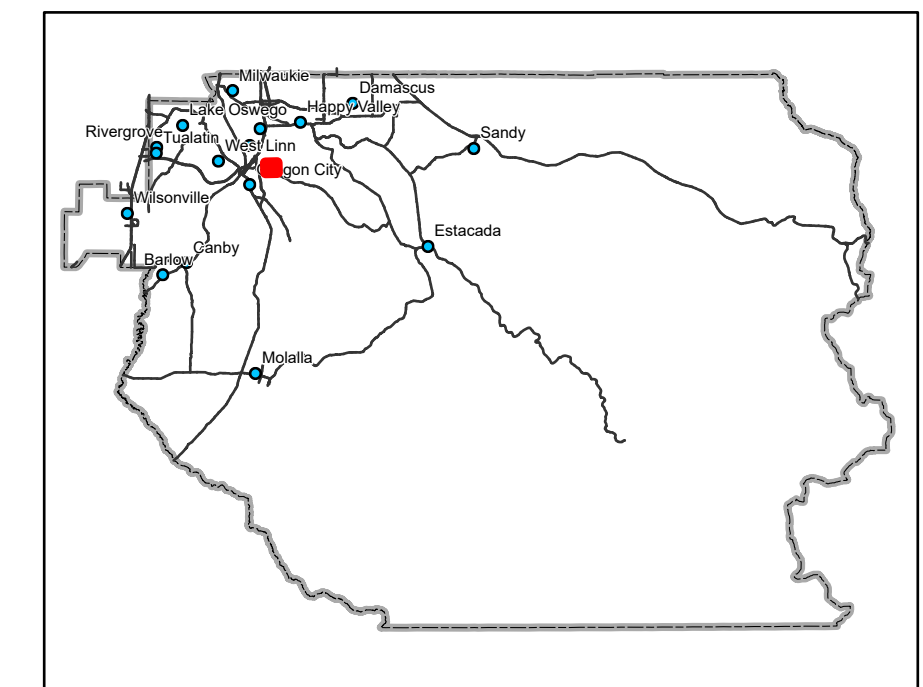
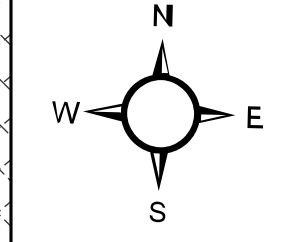
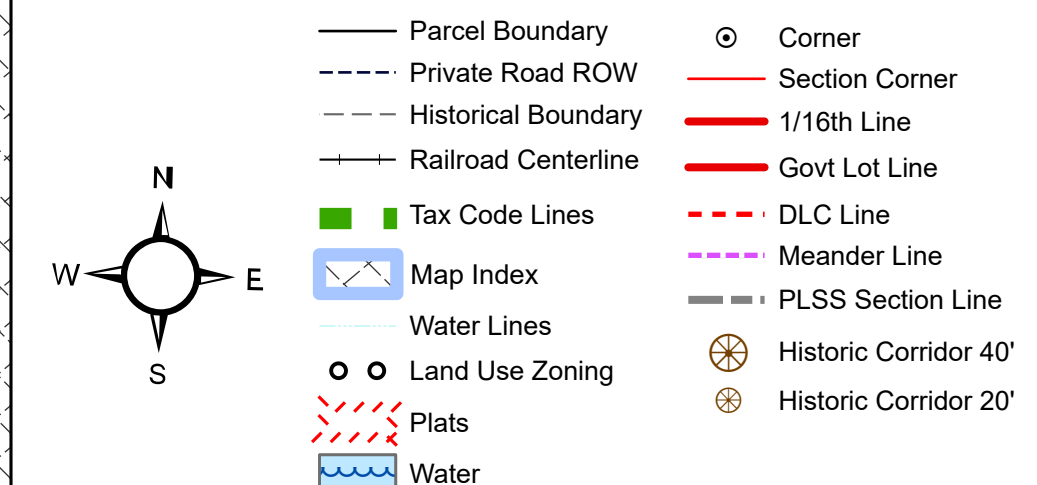
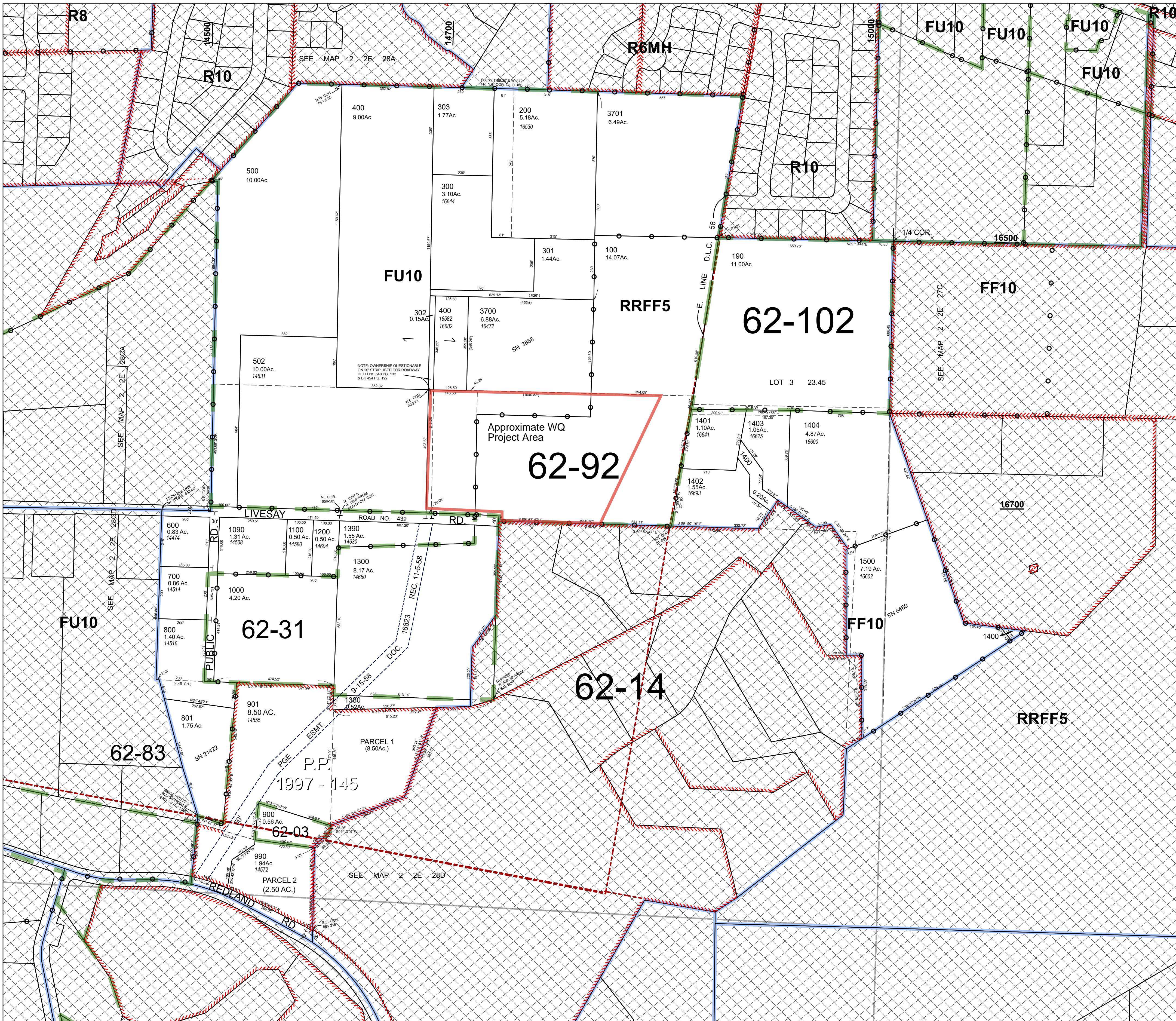
S.E. 1/4 SEC. 28 T.2S. R.2E. W. M.
CLACKAMAS COUNTY

1" = 200'

D. L. C.
GEORGE ABERNETHY NO. 58
EZRA FISHER NO. 44

Cancelled

- 180
- 1390
- 501
- 991
- 1490
- 1480
- 1470



THIS MAP IS FOR ASSESSMENT PURPOSES ONLY

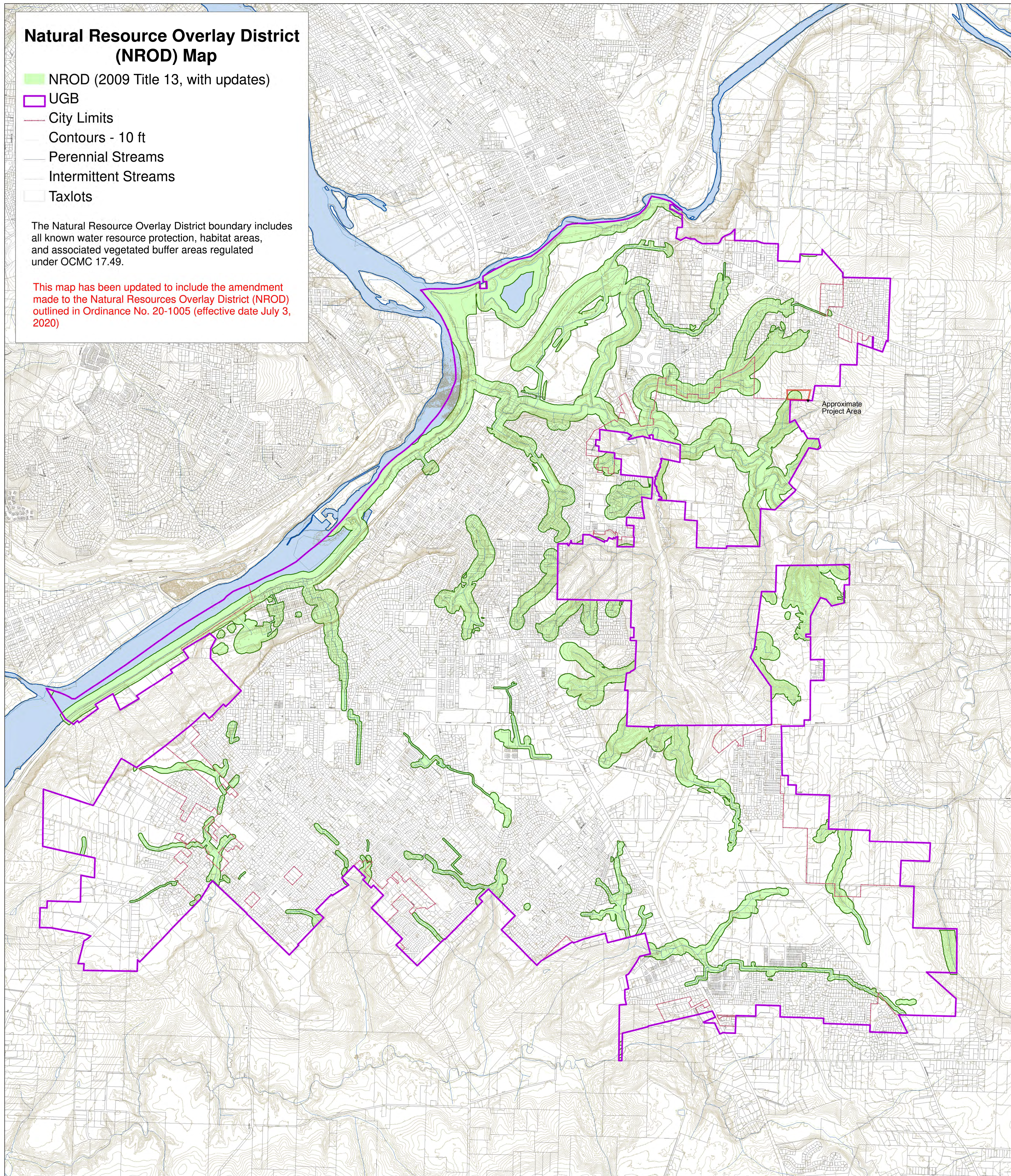
FIGURE 2: OREGON CITY NROD MAP

Natural Resource Overlay District (NROD) Map

- NROD (2009 Title 13, with updates)
- UGB
- City Limits
- Contours - 10 ft
- Perennial Streams
- Intermittent Streams
- Taxlots

The Natural Resource Overlay District boundary includes all known water resource protection, habitat areas, and associated vegetated buffer areas regulated under OCMC 17.49.

This map has been updated to include the amendment made to the Natural Resources Overlay District (NROD) outlined in Ordinance No. 20-1005 (effective date July 3, 2020)

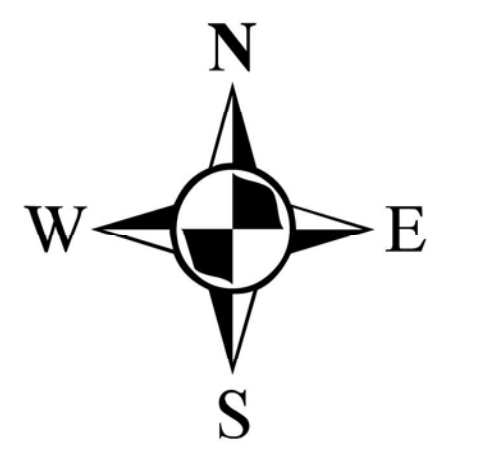


Natural Resource Overlay District



City of Oregon City
 Geographic Information Systems
 PO Box 3040
 625 Center St
 Oregon City, Oregon 97045
www.orcity.org | maps.orcity.org

The information in this map is detailed in Chapter 17.49 --
 Municipal Code of the City of Oregon City



APPENDIX A: DEVELOPMENT PLAN WITH MITIGATION AREA

APPENDIX B: ARBORIST REPORT



ISA Certified Arborist
PN-6732A

MARY GIERSCH CONSULTING ARBORIST

PO Box 621, Tualatin, OR 97062

ASSIGNMENT

To conduct a Limited Visual Assessment for multiple trees within the Park Place 2 development NROD impact area and to prepare a report summarizing my observations.

FIELD OBSERVATIONS

I conducted my assessment on March 9th, and April 23rd, 2026. I met Harlan Borow, Land Development and Acquisitions Manager for ICON Construction and Development, LLC, and was provided an Existing Conditions Survey Map showing the NROD impact area and the trees within it.

There were forty-one (41) trees in the NROD impact area consisting of the following species:

- Grand Fir (*Abies grandis*)
- Bigleaf Maple (*Acer macrophyllum*)
- Red Alder (*Alnus rubra*)
- European White Birch (*Betula pendula*)
- Douglas-fir (*Pseudotsuga menziesii*).

Nineteen (19) of the trees were in fair or poor condition and are Oregon native species. Eighteen (18) of the trees had fallen or were dead/dying. Four (4) of the trees were Oregon Nuisance Species.

The tree Diameter-at-Breast-Height (DBH) measurements ranged from 6 to 14 inches. An Arborist Tree Inventory Table and Arborist Site Map are included as attachments. Tree removal mitigation for the 19 non-dead/dying, and non-nuisance trees is as follows:

Size of Tree (DBH)	Number of Trees	Number of Trees & Shrubs to be Planted	Mitigation TREES	Mitigation SHRUBS
6 to 12"	15	2 Trees & 3 Shrubs	30	45
13 to 18"	4	3 Trees & 6 Shrubs	12	24
19 to 24"	0	5 Trees & 12 Shrubs	0	0
25 to 30"	0	7 Trees & 18 Shrubs	0	0
Over 30"	0	10 Trees & 30 Shrubs	0	0
TOTALS	19		42	69

Please contact me with any questions at 503-523-6411, or mkgiersch@gmail.com.

Sincerely,

Mary Kay Giersch

ISA Certified Arborist PN-6732A

Tree Risk Assessment Qualified TRAQ

Member, American Society of Consulting Arborists



ISA Certified Arborist
PN-6732A

MARY GIERSCH CONSULTING ARBORIST

PO Box 621, Tualatin, OR 97062

ATTACHMENT A – ARBORIST TREE INVENTORY TABLE (Page 1 of 2)

ID	NAME	BOTANIC NAME	DBH ⁽¹⁾	NATIVE/ NUISANCE	CONDITION ⁽²⁾
14677	European White Birch	<i>Betula pendula</i>	6		Dead
14678	Douglas-fir	<i>Pseudotsuga menziesii</i>	8	NATIVE	Fair
14679	Douglas-fir	<i>Pseudotsuga menziesii</i>	8	NATIVE	Fair
14680	Bigleaf Maple	<i>Acer macrophyllum</i>	8	NATIVE	Fair
14681	European White Birch	<i>Betula pendula</i>	6		Dead
14682	Red Alder	<i>Alnus rubra</i>	7	NATIVE	Poor
14683	European White Birch	<i>Betula pendula</i>	6		Dead
14684	European White Birch	<i>Betula pendula</i>	7	NUISANCE	Fair
14685	European White Birch	<i>Betula pendula</i>	10	NUISANCE	Fair
14686	Douglas-fir	<i>Pseudotsuga menziesii</i>	14	NATIVE	Fair
14808	Douglas-fir	<i>Pseudotsuga menziesii</i>	12	NATIVE	Fair
14809	Douglas-fir	<i>Pseudotsuga menziesii</i>	8	NATIVE	Fair
14810	Coniferous		11		STUMP
14811	Douglas-fir	<i>Pseudotsuga menziesii</i>	9		Dead
14812	Douglas-fir	<i>Pseudotsuga menziesii</i>	10		Dead
14813	Douglas-fir	<i>Pseudotsuga menziesii</i>	12	NATIVE	Fair
14815	Douglas-fir	<i>Pseudotsuga menziesii</i>	13	NATIVE	Fair
14817	European White Birch	<i>Betula pendula</i>	10		Dying
14818	Douglas-fir	<i>Pseudotsuga menziesii</i>	10	NATIVE	Fair
14819	European White Birch	<i>Betula pendula</i>	10		Dying
14820	European White Birch	<i>Betula pendula</i>	14	NUISANCE	Fair
14823	Douglas-fir	<i>Pseudotsuga menziesii</i>	8	NATIVE	Fair
14824	European White Birch	<i>Betula pendula</i>	11		Dying
14825	Douglas-fir	<i>Pseudotsuga menziesii</i>	8	NATIVE	Fair
14836	Douglas-fir	<i>Pseudotsuga menziesii</i>	12	NATIVE	Fair
14837	Douglas-fir	<i>Pseudotsuga menziesii</i>	14	NATIVE	Fair
14838	Douglas-fir	<i>Pseudotsuga menziesii</i>	13	NATIVE	Fair
14876	Douglas-fir	<i>Pseudotsuga menziesii</i>	12	NATIVE	Fair
14878	European White Birch	<i>Betula pendula</i>	8	NUISANCE	Poor



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PN-6732A

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PO Box 621, Tualatin, OR 97062

ATTACHMENT A – ARBORIST TREE INVENTORY TABLE (Page 2 of 2)

ID	NAME	BOTANIC NAME	DBH ⁽¹⁾	NATIVE/ NUISANCE	CONDITION ⁽²⁾
14880	Douglas-fir	<i>Pseudotsuga menziesii</i>	12	NATIVE	Fair
14881	European White Birch	<i>Betula pendula</i>	10		Dying
14882	European White Birch	<i>Betula pendula</i>	6		Dead
15012	European White Birch	<i>Betula pendula</i>	7		Dead
15013	Bigleaf Maple	<i>Acer macrophyllum</i>	8	NATIVE	Fair
15014	Grand Fir	<i>Abies grandis</i>	8	NATIVE	Poor
15017	European White Birch	<i>Betula pendula</i>	7		Dying
15018	European White Birch	<i>Betula pendula</i>	7		Dying
15019	European White Birch	<i>Betula pendula</i>	8		Dying
15020	European White Birch	<i>Betula pendula</i>	7		Dying
15021	European White Birch	<i>Betula pendula</i>	6		Dying
15022	European White Birch	<i>Betula pendula</i>	7		Dying

(1) DBH: Diameter-at-Breast-Height = measured at 4.5 feet above natural grade

(2) Condition: Good (No Apparent Problems), Fair (Minor Problems), Poor (Major Problems), Dying or Dead



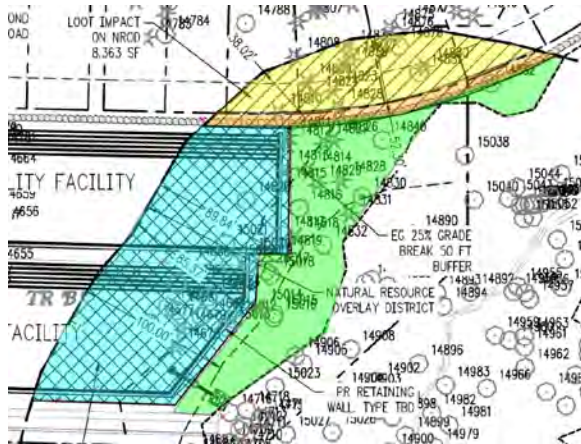
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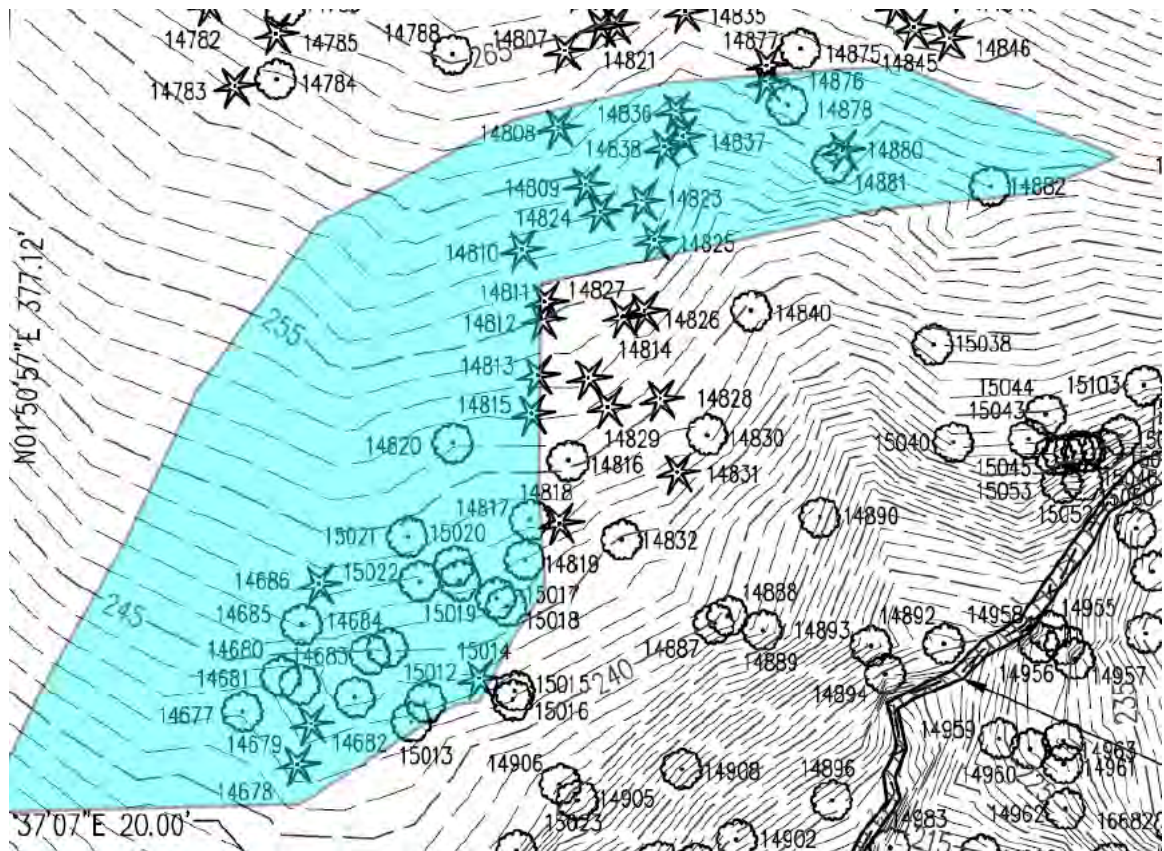
MARY GIERSCH CONSULTING ARBORIST

PO Box 621, Tualatin, OR 97062

ATTACHMENT B – ARBORIST SITE MAP



NROD Impacts Area
Tree Inventory & Assessment
Trees & Development Overlay
Shown to the LEFT
Trees Existing Conditions Map
Blue Area BELOW





ISA Certified Arborist
PN-6732A

MARY GIERSCH CONSULTING ARBORIST

PO Box 621, Tualatin, OR 97062

ATTACHMENT C – CERTIFICATION OF PERFORMANCE

I, Mary Kay Giersch, certify:

- That I have personally inspected the trees and property referred to in this report, and have stated my findings accordingly. The extent of the evaluation is stated in the attached report and the terms of Assignment;
- That I have no current or prospective interest in the vegetation or the property that is the subject of this report and have no personal interest or bias with respect to the parties involved;
- That the analysis, opinions and conclusions stated herein are my own and are based on current scientific procedures and facts;
- That my analysis, opinions and conclusions were developed and this report has been prepared according to commonly accepted arboriculture practices;
- That no one provided significant professional assistance to me, except as indicated within the report;
- That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party nor upon the results if the assignment, the attainment of stipulated results, or the occurrence of any subsequent events;
- Any legal description provided to me is assumed to be correct. Titles and ownerships to property are assumed to be good and marketable;
- Sketches, drawings and photographs in this report are intended as visual aids and are probably not to scale;
- Unless expressed otherwise, information in this report covers only items that were examined and reflects the condition of those items at the time of inspection. The inspection is limited to visual examination of accessible items without laboratory analysis, dissection, excavation, probing or coring, unless otherwise stated;
- There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property may not arise in the future;
- Loss or alteration of any part of the report invalidates the entire report. Ownership of the report passes to the client only when all fees have been paid.

I further certify that I am an International Society of Arboriculture Certified Arborist (PN-6732A) and Tree Risk Assessment Qualified (TRAQ).