



Natural Resources Overlay Zone (NROZ) Exemption

This application is intended to be submitted to the Planning Division to identify that a proposed use and/or activity is exempt from the Natural Resources Overlay Zone. The Planning Division may be reached at 503.783.3800, Monday-Friday from 8am-5pm.

Applicant Name: _____

Phone: _____ Email Address: _____

Site Address or Clackamas County Map and Tax Lot: _____

Summary of Proposed Development:

Overall Site Exemptions (No Fee):

- 16.34.030.B:** A building permit for a lot platted prior to local adoption of the NROZ on May 5, 2009 (ORD 389).
Submit a copy of the plat and the date of platting.
Plat Name: _____ Date Platted: _____
- 16.34.030.C:** A residential property that was platted prior to September 29, 2005. *Submit a copy of the plat and the date of platting.*
Plat Name: _____ Date Platted: _____

Project Exemptions (No Fee):

- 16.34.030.A:** Development outside the mapped overlay onsite, including any temporary disturbances. *Submit a site plan to scale showing the extent of the overlay and the proposed activity, including all temporary disturbances.*
- 16.34.030.B:** Development in a phased project included in a previous approval with no new NROZ disturbances. *Submit a site plan to scale showing the proposed activity, including all temporary disturbances, and the previously delineated areas as well as a copy of the previous approval.*
Previous File Number: _____
- 16.34.030.C:** Development outside of a recorded NROZ conservation easement or open space tract. *Submit a site plan to scale showing the extent of the overlay and the proposed activity, including all temporary disturbances.*
- 16.34.030.D:** Farming practices and farm uses on land within an exclusive farm use zone established under ORS 215.203, within an area designated as marginal land under ORS 197.247 (1991 Edition), or on other agricultural lands, except that this exemption does not apply to buildings associated with farm practices or farm uses. "Farming practice" as used in this subsection shall have the meaning set out in ORS 30.930. "Farm use" as used in this subsection shall have the meaning set out in ORS 215.203. *Submit description of farming practice and associated site plan to scale and any previous approvals.*

- 16.34.030.F:** Maintenance, alteration, expansion, repair and replacement of existing structures provided that the building footprint is not increased. *Submit a site plan to scale showing the extent of the overlay and the proposed activity, including all temporary disturbances and a description of the development.*
- 16.34.030.G:** Routine repair and maintenance of existing roadways, driveways, utility facilities, manmade water control facilities, stormwater pretreatment facilities, accessory uses and other development when no additional incursion into the NROZ is proposed and any disturbed areas within the NROZ are restored. *Submit a site plan to scale showing the extent of the overlay and the proposed activity, including all temporary disturbances, and a description of the development.*
- 16.34.030.H:** Maintenance of existing gardens, pastures, lawns and landscape perimeters, including the installation of new irrigation systems within existing gardens, pastures, lawns, and landscape perimeters. *Submit a site plan to scale showing the extent of the overlay and the proposed activity, including all temporary disturbances, and a description of the development.*
- 16.34.030.I:** Removal of plants identified as nuisance or prohibited plants on the Happy Valley Plant List. Handheld tools must be used to remove nuisance or prohibited plants, and after such removal all open soil areas greater than 25 square feet must be replanted. *Submit a site plan to scale showing the extent of the overlay and the proposed activity, including all temporary disturbances, the square footage of the removal, a list of the plant species, and description of the species for replanting (if needed).*
- 16.34.030.I:** Planting or propagation of plants identified as native plants on the Happy Valley Plant List. *Submit a site plan to scale showing the extent of the overlay and the proposed activity, including all temporary disturbances, and a description of the plant species proposed and location of plantings.*
- 16.34.030.J:** Projects with the sole purpose of restoring or enhancing wetlands, streams, or fish and wildlife habitat areas, provided that the project is part of an approved local, State, or Federal restoration, enhancement or mitigation plan. *Submit a site plan to scale showing the extent of the overlay and the proposed activity, including all temporary disturbances, and a description of the plant species proposed and location of plantings.*
- 16.34.030.K.1:** Development outside of the Water Quality Resources (feature and vegetated corridor) on property with a residence completed before January 1, 2006, if the development was allowed prior to September 29, 2005 and did not require a land use decision, building permit, or an erosion control/grading permit. *Submit a site plan to scale showing the extent of the overlay and the proposed activity, including all temporary disturbances, and a description of the development, documentation of the year the home was constructed, and explanation of development.*
- 16.34.030.K.2:** Outside of the Water Quality Resources (feature and vegetated corridor) alteration, expansion, or replacement of existing structures, provided that:
- The alteration, expansion, or replacement of a structure will not intrude more than 500 square feet into the NROZ in addition to the area defined as the building footprint as of January 1, 2006; and
 - The new intrusion into the NROZ is no closer to the protected water feature than the pre-existing structure or improvement.
- Submit a site plan to scale showing the extent of the overlay and the proposed activity, including all temporary disturbances, and a description of the development, building footprint on January 1, 2006, and square footage of development.*
- 16.34.030.K.3:** Outside of the Water Quality Resources (feature and vegetated corridor) minor encroachments not to exceed 120 square feet of impervious surface such as accessory buildings, eave overhangs, exterior building improvements for access and exiting requirements, or other similar features. *Submit a site plan to scale showing the extent of the overlay and the proposed activity, including all temporary disturbances, and a description of the development and square footage of development.*

16.34.030.K.5: Outside of the Water Quality Resources (feature and vegetated corridor) temporary and minor clearing not to exceed 200 square feet for the purpose of site investigations and pits for preparing soil profiles, provided that such areas are restored to their original condition when the investigation is complete. *Submit pictures of the existing condition of the site, a site plan to scale showing the extent of the overlay and the proposed activity, including all temporary disturbances, and a description and square footage of the development.*

16.34.030.K.6: Outside of the Water Quality Resources (feature and vegetated corridor) low-impact outdoor recreation facilities for public use, including, but not limited to, multi-use paths, access ways, trails, picnic areas, or interpretive and educational displays and overlooks that include benches and outdoor furniture, provided that the facility meets the following requirements:

- It contains less than 500 square feet of new impervious surface; and
- Its trails are constructed using nonhazardous, pervious materials, with a maximum width of 4 feet.

Submit a site plan to scale showing the extent of the overlay and the proposed activity, including all temporary disturbances, and a description of the development, and square footage of development.

Project Exemptions (Fee Required):

16.34.030.A: Development within the overlay district with a study from a qualified professional demonstrating that the delineated water quality resources (water feature and vegetated corridor) and all habitat conservation area (HCA) do not extend to the area of development. *Submit a construction management site plan to scale showing:*

- All development, site access, construction access, equipment/material staging and stockpile areas are outside the water quality resources and HCA including erosion and sediment control measures.
- Measures to protect trees and other vegetation located within water quality resources and HCAs, but outside of the disturbance area.

Submit a study from a qualified professional showing the delineation of the water quality resources and habitat conservation area, site plan to scale showing the extent of the overlay and the proposed activity, including all temporary disturbances, and a description of the development.

16.34.030.E: Emergency procedures or activities necessary to remove or abate hazards and nuisances or for the protection of public health, safety and welfare; provided that such remedial or preventative action must take place within a timeframe too short to allow for compliance with the requirements of this Code. After the emergency, the person or agency undertaking the action shall fully restore any impacts to the natural resources resulting from the emergency action. Hazards that may be removed or abated include those required to maintain aircraft safety. *Submit a description of the hazard, site plan to scale showing the extent of the overlay and the proposed activity, including all temporary disturbances, a description of the development, and plan to remedy after the hazard.*

16.34.030.K.4: Outside of the Water Quality Resources (feature and vegetated corridor) existing water-dependent uses that can only be carried out on, in, or adjacent to water because they require access to the water for waterborne transportation or recreation. *Submit a site plan to scale showing the extent of the overlay and the proposed activity, including all temporary disturbances, and a description of the development.*

City Decision

Planning Division Approval? Yes No Date: _____ Approved By: _____