

WHAT DO PROPERTY OWNERS, BUILDERS AND DEVELOPERS NEED TO DO?

1 LOOK AT THE MAP.

Before beginning the design process, check the City's Sensitive Lands Map to see if the land contains a natural resource regulated as part of the Sensitive Lands code.

2 CLARIFY BOUNDARIES.

If the land contains a natural resource, the next step is to work with the Planning Department to determine if delineation of the resource and/or development review is necessary.

3 DESIGN SMART.

Once the exact location of the natural resource is established, it is easier to design a project that incorporates setbacks and other requirements.

4 CONSTRUCT WITH CARE.

During construction near a natural resource, the resource must be protected by fencing. Stockpiling, parking, and storage of equipment must be outside the resource area.

WHAT ARE SENSITIVE LANDS?

Areas designated as environmentally sensitive natural resources. They consist of:

1. Stream corridors and wetlands designated as Resource Protection (RP) Districts.
2. Tree groves designated as Habitat Benefit Areas (HBA) or Resource Conservation (RC) Districts.

The Sensitive Lands code (LOC 50.05.010) regulates development in or near Sensitive Lands in order to protect the function and value of the natural resources.

HOW DO I KNOW IF THERE ARE SENSITIVE LANDS ON MY PROPERTY?

The Sensitive Lands Map shows the areas that are subject to protections. The Map is available at City Hall and online at:

www.ci.oswego.or.us/planning/sensitive-lands-maps

WHAT IS RESOURCE DELINEATION?

The Sensitive Lands Map illustrates the general location of a natural resource. Delineation is the process of determining the exact boundaries of a protected resource area. Delineation requires a survey map of the resource area prepared by a professional surveyor or engineer. The map of the resource area is permanently recorded with the property deed.



WHAT DEVELOPMENT ACTIVITIES ARE ALLOWED WITHIN SENSITIVE LANDS?

The following development activities are allowed within a resource area and do not require delineation; however staff review may be required in some cases:

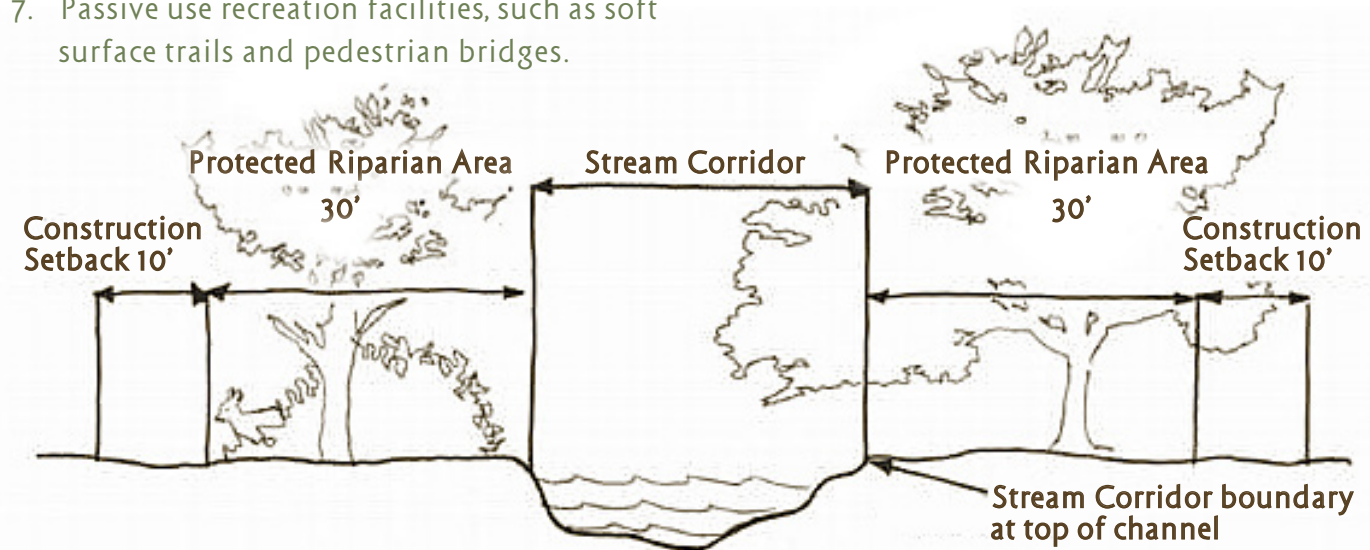
1. Routine maintenance and repair of existing legal structures and landscaping.
2. Replacement or vertical expansion of an existing structure within the footprint of that structure.
3. Normal or emergency replacement of a utility that is not closer to a protected water feature.
4. Expansion of an existing house into a resource area, if the footprint of the new intrusion is not more than 700 square feet.
5. Development under 200 square feet that does not require a grading permit (like a shed, garden, or barbecue pit), as long as it is outside of a wetland or stream channel.
6. Fences, as long as they are located outside of a wetland or stream channel.
7. Passive use recreation facilities, such as soft surface trails and pedestrian bridges.

WHAT DEVELOPMENT ACTIVITIES REQUIRE DELINEATION AND DEVELOPMENT REVIEW?

Resource delineation and special review are required for development within:

1. An RP District;
2. An RC District;
3. An HBA Protection Area, if pursuing incentives;
4. The construction setbacks established in LOC 50.05.010.6.c.ii(1)(e); and
5. Land divisions, lot line adjustments, mitigation proposals and zoning boundary adjustments on properties containing a protected resource.
6. Modification of previously approved partitions, subdivisions, or Planned Developments that would impact or modify prior protection measures.

*Please note that topography will dictate how a stream corridor is measured, and that the diagram below does not apply to all stream corridors. Additional diagrams can be found in LOC 50.07.004.8.



HOW CAN A PROPERTY BE REMOVED FROM SENSITIVE LANDS REGULATION?

Natural resources may be removed from regulation by a map correction in the following circumstances:

1. The resource no longer exists because it was lawfully filled, culverted, logged, or developed;
2. The boundaries of the resource have changed since adoption of the resource inventory;
3. There was a mistake in the analysis of resource quality, quantity, or location during the original designation, or there was a mistake in the location, size, or configuration of the designation; or
4. The tree grove is an isolated grove not located on public open space, on a private designated open space tract, or on property brought into the Urban Growth Boundary after July 10, 2012.

Land cannot be removed from regulation as a result of damage caused by the property owner or another party.

WHAT IS A PROTECTED RIPARIAN AREA?

A 25-30' area of land on each side of a stream corridor or wetland. There is an additional construction setback of 10 feet next to the PRA in which limited development activities can occur. To the left is a typical diagram of a stream corridor, the PRA, and the construction setback.*

ARE THERE OTHER REQUIREMENTS FOR DEVELOPING NEAR SENSITIVE LANDS?

This brochure summarizes the Sensitive Lands code regulations. The full text of LOC 50.05.010 is available online at www.codepublishing.com/or/lakeoswego. Other code requirements may also apply to the development project. For more information, please contact City staff.

WHY REGULATE NATURAL RESOURCES?

Lake Oswego residents are committed to protecting the community's unique landscape and natural environment. These stewardship values are embodied in City policy. The City of Lake Oswego also has mandates from both Metro and the State that require preservation of Lake Oswego's natural resources. Regulation of lands containing wetlands, stream corridors and certain tree groves falls under the Sensitive Lands code. More information about the code is available from:

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OTHER USEFUL SITES

Lake Oswego Natural Resource Program
www.ci.oswego.or.us/planning/natural-resources

Urban Forestry Program
www.ci.oswego.or.us/planning/urban-community-forestry

Backyard Habitat Certification Program
www.ci.oswego.or.us/planning/backyard-habitat-certification-program



SENSITIVE LANDS REFERENCES

Sensitive Lands Map
www.ci.oswego.or.us/planning/sensitive-lands-maps

Sensitive Lands Code
www.codepublishing.com/or/lakeoswego/
Navigate to Chapter 50, Section 50.05.010

Sensitive Lands Program
www.ci.oswego.or.us/planning/sensitive-lands

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CITY OF LAKE OSWEGO

DEVELOPING NEAR SENSITIVE LANDS