



Department of Planning and Building Services
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Checklist for Non-conforming Structures in Resource Protection (RP) or Resource Conservation (RC) Districts

Applicability: This checklist may be used for the alteration or replacement of an existing non-conforming structure that is within a delineated or non-delineated RP or RC District or RP/RC construction setback. The alteration or replacement must have the same or smaller footprint and area as the original structure; this checklist may not be used to expand or reconfigure the footprint of a non-conforming structure.

Instructions:

1. Confirm with the Planning Department that the proposed alteration or replacement can be processed using this checklist.
2. Check with the Engineering Department to determine whether an erosion control permit or stormwater permit will be required for the project.
3. Submit the items from the checklist outlined below, along with the appropriate building permit application(s):
 - Proof of legal non-conformity of the structure and legal status of lot(s). This may include photographs, building permits, deeds, and/or signed affidavits from the property owner, former property owner, or abutting property owners to verify the location, size, dimensions, and construction date.
 - Site plan showing a construction zone not larger than 10 feet around the footprint of the structure within the resource areas. No storage of materials or supplies is permitted in this zone. Staging areas and construction access areas shall be noted on the plan and shall be located outside of the resource where feasible or in already impacted areas such as driveways, parking areas, or paths. Tree protection fencing, erosion control fencing, or other types of barriers may be required around all or portions of the construction zone in order to prevent damage to the resource.
 - Mitigation plan for the replacement of displaced or destroyed vegetation in the construction zone, staging areas, and access routes within the resource showing type, size, and location of new plant materials. The replacement vegetation shall be selected from the City's Master Plant List and shall be temporarily irrigated until the plants have established themselves. The mitigation plan shall be implemented prior to final building inspection. No dumping of yard debris, or planting of invasive species shall be allowed in resource areas.

- Mitigation plantings shall be maintained and monitored by the applicant for a period of one to three years in accordance with LOC 50.05.010.4.g. The applicant shall submit a maintenance report to the Planning and Building Services Department on October 31st of each year for the maintenance period.

Please note that a tree protection permit and fencing will be required around all trees that are 6" in diameter or greater when the tree canopy is within any construction activity, including trees that may be off site. Construction activity includes, but is not limited to, digging, grading, stockpiling dirt or materials, driving vehicles or equipment, and filling. An arborist may be required to prepare the tree protection plan and be on site during excavation if any construction activities are proposed inside the tree protection zone. Staff reserves the right to adjust the construction zone, or to require additional measures to protect resource areas during construction.