

**City of Sherwood, Oregon**  
**Ordinance No. 2002-1133**

**AN ORDINANCE APPROVING A RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD) OVERLAY ZONING DISTRICT FOR TAX LOT 100, 200, 202, 203, 300, 301 and 400 WASHINGTON COUNTY ASSESSORS MAP 2S 1 30A, CONSISTING OF 30.53 ACRES MORE OR LESS, AND ESTABLISHING AN EFFECTIVE DATE.**

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**WHEREAS**, the subject property contains approximately 4 acres of sensitive wetland and natural areas identified in the City's wetland Inventory; and

**WHEREAS**, the subject property is within the urban growth boundary and City limits, and is zoned for residential development; and

**WHEREAS**, the Community Development and Zoning Code Section 2.202.02A specifies that "PUDs shall only be considered on sites that are unusually constrained or limited in development potential, as compared to other land with the same underlying zoning designation, because of natural features such as floodplain or extreme topography...". The Sherwood City Council finds that the subject PUD complies because the site contains significant natural areas identified on the City Parks and Open Space Master Plan Map dated July 24, 1991, which would be dedicated to the City in exchange for a density transfer to the developable portion of the property; and

**WHEREAS**, the Sherwood Planning Commission received the PUD application (City File No. PUD 02-01) and report of the City's Planning Staff and the Commission fully considered said materials; and

**WHEREAS**, the Sherwood Planning Commission conducted a public hearing on the proposed PUD 02-01 on September 3, 2002 adopted findings recommending approval with conditions of the proposed Planned Unit Development to the City Council; and

**WHEREAS**, the Sherwood City Council has received the original application materials, the City's Planning Staff report, and the Council has reviewed the materials submitted and the facts of the proposal and conducted a public hearing on September 24, 2002.

**NOW, THEREFORE, THE CITY ORDAINS AS FOLLOWS:**

**Section 1. Commission Review & Public Hearings.** That the application for a Planned Unit Development (City File No. PUD 02-01) Overlay District for Tax Lots 100, 200, 202, 203, 300, 301 and 400 of WASHINGTON COUNTY ASSESSORS MAP 2S 1 30A was subject to full and proper review, and public hearings were held before the Planning Commission on September 3, 2002 and the City Council on September 24, 2002.

Section 2. Findings. That after full and due consideration of the application, the City Staff report, the record, findings, and of the evidence presented at the public hearing, the Council finds that, due to the unique natural features, the site is unusually constrained in development potential as compared to other land with the same underlying zoning designation, and therefore, the Council adopts the findings of fact contained in the staff report dated August 26, 2002.

Section 3. Approval. That a request for a PUD Preliminary Plat and Development Plan is hereby APPROVED subject to the conditions contained in Attachment A.

Section 4. Manager Authorized. The City Manager is directed to take such action as may be necessary to document this amendment, including preparation of a certified modification of the Official City Zoning Map, at such time as all conditions of the approval have been fully satisfied in accordance with City ordinances and regulations, as determined by the City Manager.

Section 5. Effective Date. This ordinance shall become effective the 30<sup>th</sup> day after its adoption by the City Council.

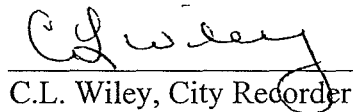
Duly passed by the City Council this 8th day of October, 2002.

Approved by the Mayor this 8th day of October, 2002.



Keith Mays, Council President

Attest:

  
C.L. Wiley, City Recorder

	AYE	NAY
Heironimus	<u>arrived</u>	<u>late/missed vote</u>
Durrell	<input checked="" type="checkbox"/>	_____
Claus	<input checked="" type="checkbox"/>	_____
Mays	<input checked="" type="checkbox"/>	_____
Fox	<input checked="" type="checkbox"/>	_____
Cottle	<u>absent</u>	_____



*Home of the Tualatin River National Wildlife Refuge*

## CITY COUNCIL NOTICE OF DECISION

TAX LOT: 100, 200, 202, 203, 300, 301 and 400  
MAP NO: 2S 1 30D  
CASE NO: PUD 02-01 Heron Ridge Estates  
DATE OF DECISION: October 8, 2002  
DECISION TYPE: TYPE IV – Legislative (PUD)

### **Applicant:**

Joe Schiewe  
J.T. Smith Companies  
22400 Salamo Rd.  
West Linn, OR 97068  
(503) 657-3402

### **Owner(s)**

Nelson Wetzel  
18842 SW Elsner Road  
Sherwood, OR 97140

Lloyd and Deborah Wetzel  
20225 SW Seely Lane  
Sherwood, OR 97140

Glen Wetzel  
20418 SW Roy Rogers Rd.  
Sherwood, OR 97140

Guy M. and Loraine A. Dixon  
20192 SW Roy Rogers Rd.  
Sherwood, OR 97140

Kathleen J. Russell-Gertz  
PO Box 422  
Sherwood, OR 97140

### **Contact**

Kirsten Van Loo, Principal Planner  
CES/NW  
15573 SW Bangy Road, Suite 300  
Lake Oswego, OR 97035  
(503) 968-6655

### **Applicant's Legal Counsel**

Mike Robinson, Attorney  
Perkins Coie, et al  
1211 SW 5<sup>th</sup> Avenue, Suite 1500  
Portland, OR 97204  
(503) 727-2264

## DECISION

On October 8, 2002 the City Council of the City of Sherwood, Oregon adopts Ordinance No. 2002-1133 which approved application PUD 02-01 a two-phase 122-unit single-family detached

Planned Unit Development (PUD) and a preliminary subdivision plat to build the first phase of 112 lots, located on tax lots 100, 200, 202, 203, 300, 301 and 400 of Tax Map 2S130A in the Low Density Residential (LDR) zoning district.

## FINDINGS

This decision was based on the findings of fact contained in the Staff Report addressed to the Planning Commission dated August 26, 2002 and the testimony given at the September 3, 2002 Planning Commission hearing and the September 24, 2002 City Council hearing.

## CONDITIONS

The City Council adopted the Planning Commission recommend conditions as stated in the September 11, 2002 staff report addressed to the City Council with some additional conditions, indicated in underline below:

### A. General Conditions:

The following applies throughout the development and occupancy of the site:

1. Compliance with the Conditions of Approval and compliance agreement is the responsibility of the developer.
2. This land use approval shall be limited to the submitted plans prepared by CES NW Inc. dated "Received by the Planning Department August 14, 2002 except as indicated in the following conditions. Additional development or change of use may require a new development application and approval.
3. The developer is responsible for all costs associated with public facility improvements.
4. **This approval is valid for a period of one (1) year from the date of the decision notice unless substantial construction of Phase 1 has begun.** Extensions maybe granted by the City as afforded by the Sherwood Zoning and Community Development Code.
5. The developer shall comply with Service Provider Letter #2061 issued by Heidi K. Berg, Site Assessment Coordinator, Clean Water Services.
6. Substantial retaining walls (walls in excess of 6 feet) are prohibited unless approved under a future land use application. Walls in excess of 4 feet tall are prohibited on proposed Lots 1 through 11. Backfilling the retaining wall to make the face of the wall shorter is not an acceptable method of reducing wall height.
7. Comply with the letter from Eric T. McMullen, Deputy Fire Marshal Tualatin Valley Fire and Rescue dated June 28, 2002.
8. Unless specifically exempted in writing by the final decision, the development shall comply with all applicable City of Sherwood and other applicable agency codes and standards except as modified below:

### B. Prior to Grading the site or the demolition of structures:

1. The applicant shall submit a tree inventory to the Planning Department. Any

significant trees (trees over 5 inches in diameter at breast height). Trees to be saved shall be fenced around the dripline. Trees to be removed shall be mitigated at an inch to inch caliper by planting new trees in the wetland area. New plantings shall be approved by the Planning Department.

2. Obtain City of Sherwood Engineering Division approval of grading plans and erosion control.
3. Any existing septic systems and underground storage tanks shall be abandoned in accordance with Oregon state law.
4. A demolition permit shall be obtained from the Sherwood Building Department prior to demolishing any structures.
5. Comply with the Clean Water Services, Service Provider Letter #2061 including but not limited to the following conditions:
  - a. Service Provider Letter #2061, Condition #4 - *Prior to any site clearing, grading or construction the vegetated corridor and water quality sensitive areas shall be surveyed, staked, and temporarily fenced per approved plan. During construction the vegetated corridor shall remain fenced and undisturbed except as allowed by Section 3.02.4.b.4., and per approved plans.*
  - b. Service Provider Letter #2061, Condition #5 – *Prior to any activity within the sensitive area, the applicant shall gain authorization for the project from the Oregon Division of State Lands (DSL) and US Army Corps of Engineers (USACE). The applicant shall provide the District with copies of all DSL and USACE project authorization permits. No activities in off-site sensitive areas are proposed at this time. Sewer Connections will require authorizations.*
  - c. Service Provider Letter #2061, Condition #12 – *Prior to any site clearing, grading, or construction, the applicant shall provide the District with the required vegetated corridor enhancement/restoration plan.*
  - d. Service Provider Letter #1393, Condition #13 – *Protection of the vegetated corridors and associated sensitive areas shall be provided by the installation of fencing between the development and the outer limits of the vegetated corridors.*
  - e. Service Provider Letter #1393, Condition #16 – *Appropriate Best Management Practices (BMP's) for Erosion Control, in accordance with USA's Erosion Control Technical Guidance Manual shall be used prior to, during and following earth disturbing activities Extra attention shall be required on the proposed sewer alignment to prevent erosion of the steep slopes.*
6. Prior to grading within the Roy Rogers Road easements granted to Washington County within proposed Lots 68 through 89 and proposed Tracts B and F, these easements shall be vacated, or the applicant must submit grading plans with Washington County approval to the City Engineer.

**C. Prior to Development of the site and connection to public utilities:**

1. Documentation of approval from Portland General Electric (PGE) to used the

- power line easement shall be submitted to the Planning Department
2. Documentation of authorization from the Division of State Lands (DSL) and the Army Corps of Engineers for the sewer line connection in the wetlands of Chicken Creek shall be submitted to the Planning Department.
  3. Documentation of Washington County approval of the sanitary sewer connection outside the Urban Growth Boundary in unincorporated Washington County shall be submitted to the Planning Department.
  4. Receive approval of engineering plans for all public improvements including the stormwater system from Sherwood Engineering Division and other applicable agencies. The plans shall conform with the Sherwood Public Works and other applicable standards. The plans shall be in substantial conformance with the approved plans prepared by CES NW Inc. dated "Received by the Planning Department August 14, 2002" except as modified below:

- a. Elimination of an existing driveway drop behind Lot 70 and reconstruction of the curb, sidewalk, street lighting, and landscaping, as needed
- b. Installation of an ADA ramp where the proposed trail under the power lines meets Roy Rogers Road
- c. Seely Road shall be improved as follows:

Location	Seeley Lane Improvements Required
Adjacent to TL 500	No improvements because this is outside the project area
Adjacent to TL 301 (Phase II PUD)	<ul style="list-style-type: none"> <li>• <b>Widen street on west side to provide 28' of pavement.</b></li> <li>• <b>New curb and gutter on west side</b></li> <li>• <b>Street trees, street lights, and sidewalk</b></li> </ul>
Northern edge of TL 500 to Green Heron Lane	<ul style="list-style-type: none"> <li>• <b>28' of pavement</b></li> <li>• <b>Curb and gutter on both sides</b></li> <li>• <b>Street trees, street lights, and sidewalk on west side</b></li> </ul>
Green Heron Lane to northern project boundary	<ul style="list-style-type: none"> <li>• <b>No street improvements required adjacent to proposed Lot 1 except a gravel access to the property north of the project</b></li> <li>• <b>Extend curb and sidewalk on north side of Green Heron Drive to eastern property line</b></li> <li>• <b>Construct a driveway drop at the end of Seeley Lane for the gravel access road leading north</b></li> </ul>

- d. The paved width of the path should be a minimum of 12 feet.
- e. Curb drops shall be provided for the path at each road crossing
- f. The eastern terminus of the path should be at the intersection of Seely Lane and Plover Court
- g. A paved connection between the Plover Lane sidewalk and the path, just east of Lot 43 shall be provided (no sidewalk on the south side of

- Plover Lane is necessary from this connection point to the path terminus at Seely and Plover)
- h. The water main shall be constructed on Lynnly Way, through Phase II PUD, when Phase II is constructed
  - i. The existing water main on Seely Lane, which ends near Reghetto Street, shall be extended to Green Heron Drive with connections to the water mains proposed on Plover Ct. and Sandhill Way.
  - j. The applicant shall work with TVWD to determine if a portion of the proposed water main, especially that section between the existing Roy Rogers 10" main and the "T" at the intersection of Roosevelt and Sandhill, needs to be 10" to maintain acceptable pressure and flow in the area. If TVWD determines a 10" is required, the applicant shall install it.
  - k. Construction plans for public infrastructure shall not be approved by the city until Washington County and other appropriate agencies approve the sanitary sewer connection to the CWS trunk line.
  - l. The storm sewers shall be extended within the project, as needed, to allow drainage from all lots to be piped directly into the public storm sewer system.
  - m. A storm main shall be installed in Lynnly Way up to either the north or south boundary of the Phase II PUD.
  - n. The storm sewer in Roosevelt Street shall be extended so that it ends at Tax Lot 500.
  - o. The treatment facility shall be designed to treat or designed so that it can be enlarged in the future to treat runoff from a developed Tax Lot 500 and Phase II PUD.
  - p. All retaining walls in excess of 4 feet shall require a separate building permit.
  - q. Any lots graded so that they drain onto other lots shall require a drainage system to prevent runoff from crossing property lines.
  - r. Proposed Lynnly Way between proposed Roosevelt Street and existing Roy Rogers Road shall have a paved-width wide enough to accommodate three lanes of traffic. A curb-tight sidewalk and/or sidewalk easements may be used at this location to achieve the additional paved width required.

**D. Prior to constructing a model home:**

1. Only one model home shall be constructed per existing vacant tax parcel. The site has 6 existing tax parcels and contains five existing homes. Each existing home that remains must be within its own tax parcel (one home per tax parcel).
2. To submit for a model home the developer must have the following public improvements completed and signed off by the Engineering Department:
  - a. Sanitary Sewer connection to model home
  - b. Stormwater connection to model home
  - c. Functioning water system connection to model home

- d. First lift of asphalt installed to provide access from a public street to the model home
3. The applicant shall submit a letter acknowledging that the model home is constructed prior to final plat approval and the home must meet the setbacks and applicable dimensional standards of the future plat. If survey or home is incorrectly placed within an easement or required setback, the developer agrees to move the building to correct the error. No variances will be issued by the City of Sherwood for errors in the construction of the model home.
4. The applicant shall receive approval of a Building Permit for the model home.
5. A compaction study and/or geotechnical report shall be submitted with the Building Permit application if required by the Building Official.

**E. Prior to placing a temporary construction office trailer on-site:**

1. A temporary use permit shall be obtained from the City of Sherwood per SZCDC Section 4.500.
2. The construction trailer shall be located within an exiting or future lot in the development and not within the exiting or future public right-of-way.
3. Appropriate permits for water, sewer and electrical shall be obtained from the Building Department.
4. The construction trailer shall be removed before a building permit can be issued on the lot the trailer is located on.

**F. Prior to construction a ground entry sign:**

1. Adequate sight distance shall be approved by Washington County.
2. Unless exempted by the Building Official, the applicant shall obtain a Building Permit for the sign.
3. The sign shall be maintained by the Home Owner's Association
4. An easement shall be placed over the sign.

**G. Prior to submitting for Final Plat to the City of Sherwood:**

1. The applicant shall receive Engineering Division Approval of Engineering Plans.
2. The Washington County Roy Rogers Road easements (Doc. # 99116504, Doc # 2000024737 and Doc # 2000024741) shall either be vacated or reduced in width so all proposed lots in the subdivision can be constructed upon. If the easement are to be reduced, not vacated, each lot encumbered with the easement shall be shown with building footprints adequate to demonstrate that the lots are buildable.

**H. Prior to Final Plat Approval:**

1. The Chicken Creek Wetland Area on Tax Lot 200 of Tax Map 2S130A was not included within the wetland study prepared by Schott & Associates dated May 2002. The applicant is currently working on revising the wetland study to



include this area. Until this amended study is completed and the results of the study verified, proposed Lots 63 to 69 may not be platted. This area may be platted at a later date as a second stage of the final plat as allowed by SZCDC 7.301.03. Once a revised wetland study has been reviewed and approved by Clean Water Services and DSL, lots 63-69 may be platted. Amendments shall be allowed by staff. Amendments shall not result in additional lots.

2. The applicant shall submit a final plat application and fee. The final plat application shall include a response to these conditions of approval.
3. All public improvements shall be constructed and accepted unless otherwise covered by a performance bond, approved and accepted by the City Engineer and Clean Water Services.
4. "No Parking Signs", hydrants and other fire safety required improvements shall be installed by the developer and approved by Tualatin Valley Fire & Rescue. Required improvements shall comply with the attached letter from Eric T. McMullen, Deputy Fire Marshal dated June 28, 2002
5. An easement for public access shall be placed over the trail from Roy Rogers Road to Plover Court
6. Tract F as indicated on the preliminary plat 'Conceptual Plan' prepared by CES NW Inc. dated received by the Planning Department August 14, 2002 shall be dedicated to the City of Sherwood. Tract B, C, D and E as indicated on the preliminary plat shall be dedicated and maintained by a Home Owner's Association. Tract A may be held by the developer for future development of Phase II. Tract A shall be maintained by the Home Owner's Association until completion of Phase II.
7. Documentation of private CC&Rs and Home Owner's Association shall be provided to the Planning Department for review and approval.
8. The applicant shall comply with condition I as stated in the letter from Anne LaMountain, Associate Planner, Washington County dated July 2, 2002.
9. A copy of the approved Washington County Facility Permit shall be submitted to the Planning Department.
10. Lots shall be developed with a minimum of six (6) different elevations.
11. The final CC&R's shall contain architectural standards consistent with conceptual plans (elevations) submitted by the applicant.
12. A landscaping and enhancement plan for the PGE powerline easement shall be submitted to the Planning Department for review and approval. The landscaping plan shall be consistent with the proposed preliminary plans, however, a flat grass area with a dimension of a least 50 feet by 50 feet shall be provided. An irrigation system shall be provided for all of the landscaped area.

#### **I. Prior to the Building Department Accepting Building Permits:**

1. Three copies of the recorded plat plus one reduced copy (11" by 17"); and a map with Washington County assigned addresses for each lot shall be submitted to the Building Department.
2. The Engineering Department shall issue an approval letter accepting all public improvements and bonding.
3. The Developer shall place a bond with the City Engineering Division covering the

cost of installing all of the required street trees within the subdivision. The street trees shall be installed by the developer once 75 percent of the lots in the development have been issued a final occupancy permit from the Building Department.

**J. Prior to building permit approval:**

1. Building plans shall comply with the letter from Eric T. McMullen, Deputy Fire Marshal, Tualatin Valley Fire & Rescue dated June 28, 2002.
2. A geotech report demonstrating that the slope is stable and recommendations for construction shall be provided if required by the Building Official or City Engineer. This report shall be for each lot with questionable stability or for a specific area of the site.
3. A compaction test shall be completed for each lot in the development as required by the Building Official.
4. The applicant shall comply with condition II as stated in the letter from Anne LaMountain, Associate Planner, Washington County dated July 2, 2002.
5. The applicant shall provided documentation to the Planning Department that Washington County has accepted the required public improvements to Roy Rogers Road including approval of sight distance with the proposed entryway monument sign.

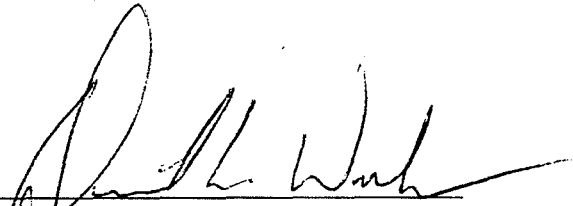
**K. Prior to receiving an occupancy permit:**

1. All other appropriate agency conditions shall be met.
2. Once 75 percent of the subdivision has been occupied the developer shall install street trees.

**L. On-going Conditions:**

1. The dimensional standards for this development shall be as follows:
  - a. **Minimum Lot Area:** 5,000 Square Feet
  - b. **Lot width at front property line:** 25 feet.
  - c. **Lot width at building line:** 50 feet
  - d. **Lot depth:** 80 feet
  - e. **Front setback:** 20 feet
  - f. **Side setback:** 5 feet
  - g. **Street side setback:** 10 feet
  - h. **Rear setback:** 20 feet
  - i. **Maximum Height:** 2 stories or 30 feet whichever is less.
  - j. **Accessory Building:** 3 feet from Side and Rear Property Line.
  - k. **Distance between primary structure and accessory structure:** 6 feet.
  - l. **Decks under 30 inches in height:** 5 feet from side and rear property line.

- m. **Decks over 30 inches in height:** 10 feet from rear property line for interior lots and 5 feet from rear property line for lots backed to open space tracts.
- 2. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code.
- 3. Decks, fences, sheds, building additions and other site improvements shall not be located within any easement.
- 4. The sensitive area shall continue to be protected as required by Clean Water Services, Service Provider Letter #2061.

Signed:   
 Dave Wechner, Planning Director

**Attachments**

- 1. Conceptual Plan prepared by CES NW
- 2. Letter from Eric T. McMullen, Deputy Fire Marshal dated June 28, 2002
- 3. Clean Water Services, Service Provider Letter #2061 dated June 24, 2002

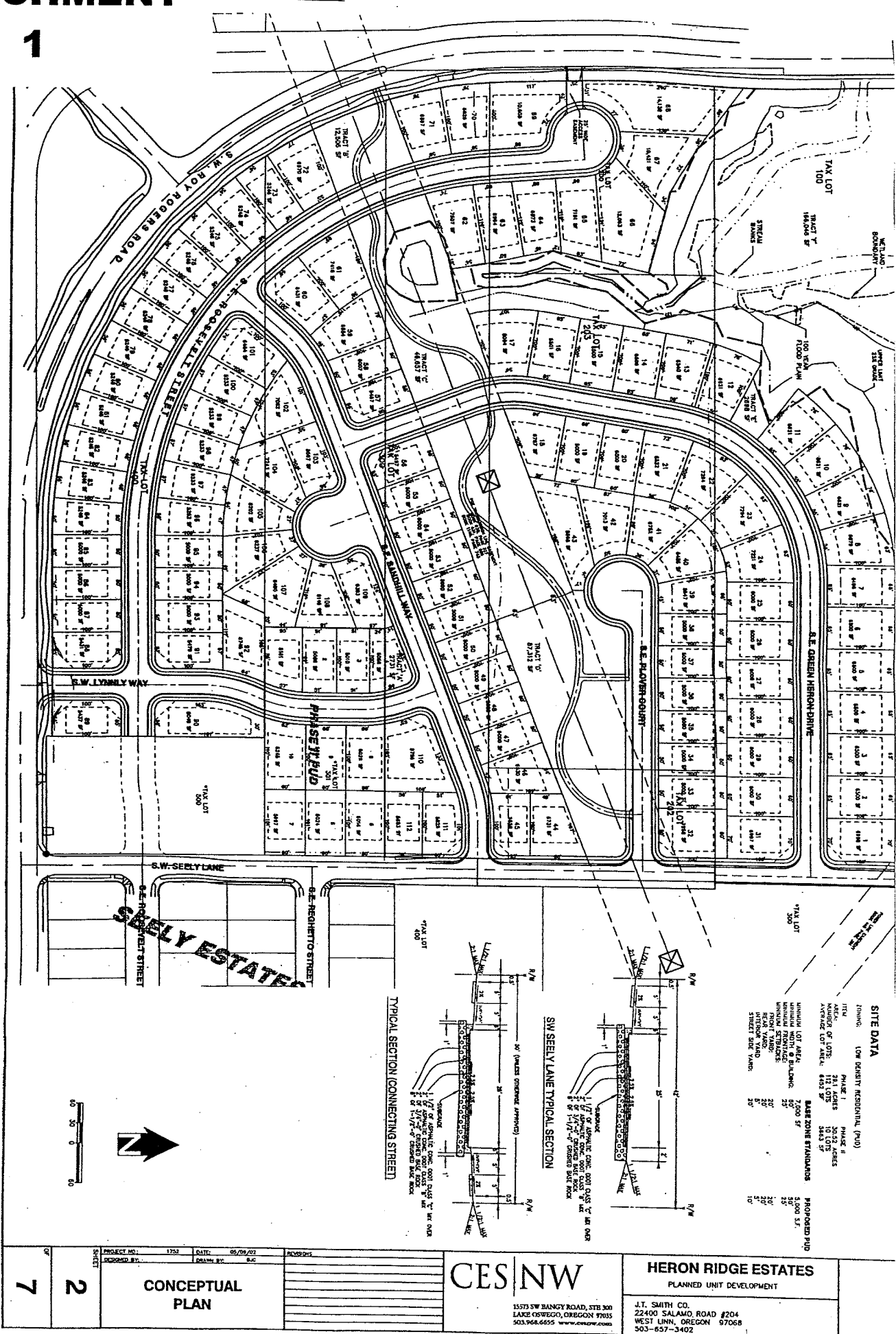
STATE OF OREGON     )  
   )  
 Washington County    )

I, Roxanne Gibbons, Administrative Assistant for the Planning Department of the City of Sherwood, State of Oregon, in Washington County, do hereby certify that the Notice of Decision on Case No. PUD 02-01 Heron Ridge Estates Planned Unit Development was placed in a U.S. Postal receptacle on October 9, 2002.

\_\_\_\_\_  
 Planning Department  
 City of Sherwood

# ATTACHMENT

## 1





# ATTACHMENT

June 28, 2002

2

Keith Jones, Senior Planner  
City of Sherwood  
20 NW Washington  
Sherwood, OR 97140

Re: Heron Ridge Estates

Dear Keith,

I have reviewed the submittal for the above named project and have the following comments:

1. Where fire apparatus roadways are less than 28 feet wide, "NO PARKING" signs shall be installed on both sides of the roadway and in turnarounds as needed. Where fire apparatus roadways are more than 28 feet wide but less than 32 feet wide, "NO PARKING" signs shall be installed on one side of the roadway and in turnarounds as needed. Where fire apparatus roadways are 32 feet wide or more, parking is not restricted. (UFC Sec. 902.2.4)  
  
S.W. Seely Lane reduces in width and shall be signed as appropriate according the previous paragraph.
2. Signs shall read "NO PARKING – FIRE LANE – TOW AWAY ZONE" and shall be installed with a clear space above ground level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have black or red letters and border on a white background. (UFC Sec. 901.4.5.1)
3. An approved fire apparatus turn-around shall be provided at the end of S.E. Roosevelt Street at the point where it dead ends into Tax Lot 200.
4. Public streets shall have a maximum grade of 15%. Private fire apparatus access roadway grades shall not exceed an average grade of 10% with a maximum grade of 15% for lengths of no more than 200 feet. Intersections and turnarounds shall be level (maximum 5%) with the exception of crowning for water run-off. (UFC Sec. 902.2.2.6)
5. Fire hydrant locations shall be identified by the installation of reflective markers. The markers shall be blue. They shall be located adjacent and to the side of the centerline of the access roadway that the fire hydrant is located on. In case that there is no center line, then assume a centerline, and place the reflectors accordingly. (UFC Sec. 901.4.3)
6. The minimum available fire flow for single family dwellings and duplexes shall be 1,000 gallons per minute. Fire flow documentation shall be provided. If the structure(s) is (are) 3,600 square feet or larger, the required fire flow shall be determined according to UFC Appendix Table A-III-A-1. (UFC Appendix III-A, Sec. 5)
7. Approved fire apparatus access roadways and firefighting water supplies shall be installed and operational prior to stockpiling combustibles on-site or the commencement of combustible construction. (UFC Sec. 8704)

Please contact me at (503) 612-7010 with any additional questions.

Sincerely,

Eric T. McMullen

Eric T. McMullen  
Deputy Fire Marshal

## 3

## EIVED



BY PLANNING DEPT. **Clean Water Services**  
**Service Provider Letter**

File Number  
2061

Jurisdiction	<u>Sherwood</u>	Date	<u>June 24, 2002</u>
Map & Tax Lot	<u>2S130BA 100, 202, 203, 300</u> <u>301, 400, 500</u>	Owner	<u>T. Wetzel &amp; Lloyd Wetzel</u>
Site Address	<u>North and west of Roy</u> <u>Rodgers Rd, Sherwood</u>	Contact Address	<u>Schott and Associates</u> <u>11977 S. Tolliver Road</u> <u>Molalla, OR 97038</u>
Proposed Activity	<u>Subdivision and sewer</u> <u>connection</u>	Phone	<u>503-829-6318</u>

This form and the attached conditions will serve as your Service Provider Letter in accordance with Clean Water Services Design and Construction Standards (R&O 00-7).

	YES	NO		YES	NO
Natural Resources Assessment (NRA) Submitted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Alternatives Analysis Required (Section 3.02.5)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
District Site Visit Date	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Tier 1 Alternatives Analysis	<input type="checkbox"/>	<input type="checkbox"/>
Concur with NRA/or submitted information	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tier 2 Alternatives Analysis	<input type="checkbox"/>	<input type="checkbox"/>
Sensitive Area Present On-Site	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Concur with Alternatives Analysis	<input type="checkbox"/>	<input type="checkbox"/>
Sensitive Area Present Off-Site	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Vegetated Corridor Mitigation Required 9113sf	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vegetated Corridor Present On-Site	<input checked="" type="checkbox"/>	<input type="checkbox"/>	On-Site Mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Width of Vegetated Corridor (feet)	Varies 15, 25, 50-200 see attached map		Off-Site Mitigation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Condition of Vegetated Corridor	Degraded		Planting Plan Attached	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Enhancement Required	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Encroachment into Vegetated Corridor (Section 3.02.4)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RSAT (no longer required)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Type and Square Footage of Encroachment	Sewer connection and Lots / 2164sf		Geotechnical Report required	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Allowed Use (Section 3.02.4(b))	<input checked="" type="checkbox"/> sewer connection	<input checked="" type="checkbox"/> lots	Conditions Attached	<input checked="" type="checkbox"/>	<input type="checkbox"/>

This Service Provider Letter does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered on your property.

File Number

2061

**In order to comply with Clean Water Services (the District) water quality protection requirements the project must comply with the following conditions:**

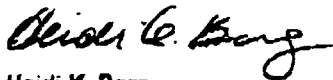
1. No structures, development, construction activities, gardens, lawns, application of chemicals, uncontained areas of hazardous materials as defined by Oregon Department of Environmental Quality, pet wastes, dumping of materials of any kind, or other activities shall be permitted within the sensitive area which may negatively impact water quality, except those allowed by Section 3.02.3.a (1), (2), or (3).
2. No structures, development, construction activities, gardens, lawns, application of chemicals, uncontained areas of hazardous materials as defined by Oregon Department of Environmental Quality, pet wastes, dumping of materials of any kind, or other activities shall be permitted within the vegetated corridor which may negatively impact water quality, except those allowed by Section 3.02.4.b.1) (a through h).
3. The vegetated corridor width for sensitive areas within the project site shall vary according to the attached graphic and the following: For "Wetland B" (less than 0.5 acre in total size) the required vegetated corridor width is 25 feet, for the intermittent drainage, draining less than 50 acres, the required width is 15 feet as measured horizontally from the delineated boundary of the sensitive area. For the vegetated corridor adjacent to Chicken Creek and "Wetland A", the required vegetated corridor is measured 35 feet back from the break in slope, never less than 50 feet. Adjacent to Lots 8, 9, 10, and 11, the applicant proposes to reduce the setback by up to 15.38 feet. This reduction shall be allowed with submittal of a Geotechnical Report (see condition 8).
4. Prior to any site clearing, grading or construction the vegetated corridor and water quality sensitive areas shall be surveyed, staked, and temporarily fenced per approved plan. During construction the vegetated corridor shall remain fenced and undisturbed except as allowed by Section 3.02.4.b.4. and per approved plans.
5. Prior to any activity within the sensitive area, the applicant shall gain authorization for the project from the Oregon Division of State Lands (DSL) and US Army Corps of Engineers (USACE). The applicant shall provide the District with copies of all DSL and USACE project authorization permits. Sewer connection will require authorizations.
6. For vegetated corridors 50 feet wide or greater, the first 50 feet closest to the sensitive area shall be equal to or better than a "good" corridor condition as defined in Section 3.02.6, Table 3.2.
7. For vegetated corridors less than 50 feet wide, the entire vegetated corridor shall be equal to or better than a "good" corridor condition as defined in Section 3.02.6, Table 3.2.
8. For vegetated corridors that extend 35 feet from the top of a ravine, the width of vegetated corridor may be reduced up to 15 feet wide if a stamped geotechnical report confirms that slope stability can be maintained with the reduced setback from the top of the ravine (see Appendix C of R&O 00-7).
9. An approved Oregon Department of Forestry Notification is required for one or more trees harvested for sale, trade, or barter, on any non-federal lands within the State of Oregon.
10. Clean Water Services shall be notified 72 hours prior to the start and completion of enhancement/restoration activities. Enhancement/restoration activities shall comply with the guidelines provided in Appendix E: Landscape Requirements (R&O 00-7: Appendix E).
11. Prior to installation of plant materials, all invasive vegetation within the vegetated corridor shall be removed. During removal of invasive vegetation care shall be taken to minimize impacts to existing native trees and shrub species. The applicant shall submit methods of invasive species removal prior to any clearing, grading, or construction.
12. Enhancement/restoration of the vegetated corridor shall be provided in accordance with the attached planting plan.
13. Protection of the vegetated corridors and associated sensitive areas shall be provided by the installation of fencing between the development and the outer limits of the vegetated corridors.
14. Maintenance and monitoring requirements shall comply with Section 2.11.2 of R&O 00-7. If at any time during the warranty period the landscaping falls below the 80% survival level, the Owner shall reinstall all

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- deficient planting at the next appropriate planting opportunity and the two year maintenance period shall begin again from the date of replanting.
15. Performance assurances for the vegetated corridor shall comply with Section 2.06.2, Table 2-1.4 and Section 2.10, Table 2-2.2.
  16. Appropriate Best Management Practices (BMP's) for Erosion Control, in accordance with the CWS Erosion Control Technical Guidance Manual shall be used prior to, during, and following earth disturbing activities. Extra attention shall be required on the proposed sewer alignment to prevent erosion on the steep slopes.
  17. Prior to construction, a Stormwater Connection Permit from the District or its designee is required pursuant Ordinance 27, Section 4.B.
  18. For any developments, which create multiple parcels or lots intended for separate ownership, the District shall require that the vegetated corridor and the sensitive area be contained in a separate tract.
  19. Activities located within the 100-year floodplain shall comply with Section 3.13 of R&O 00-7.
  20. Removal of native, woody vegetation shall be limited to the extent practicable.
  21. Final construction plans shall clearly depict the location and dimensions of the sensitive area and the vegetated corridor (indicating good, marginal, or degraded condition). Sensitive area boundaries shall be marked in the field.
  22. Final construction plans shall include landscape plans. Plans shall include in the details a description of the methods for removal and control of exotic species, location, distribution, condition and size of plantings, existing plants and trees to be preserved, and installation methods for plant materials. Plantings shall be tagged for dormant season identification. Tags to remain on plant material after planting for monitoring purposes.
  23. A Maintenance Plan shall be included on final plans including methods, responsible party contact information, and dates (minimum two times per year, by June 1 and September 30).
  24. Should final development plans differ significantly from those submitted for review by the District, the applicant shall provide updated drawings, and if necessary, obtain a revised Service Provider Letter.
  25. The vegetated corridor around Wetland B shall not be required to be enhanced (6,875 square feet). The applicant has proposed to leave the vegetated corridor in its current state because it is located under powerlines, and is an isolated feature. The applicant proposes to enhance an equal area adjacent to the drainageway (6,817 square feet), where no restrictions would be placed on planting selection. The District considers this an acceptable plan, resulting in a greater benefit to the overall water quality resource.

Please call (803) 846-3613 with any questions.

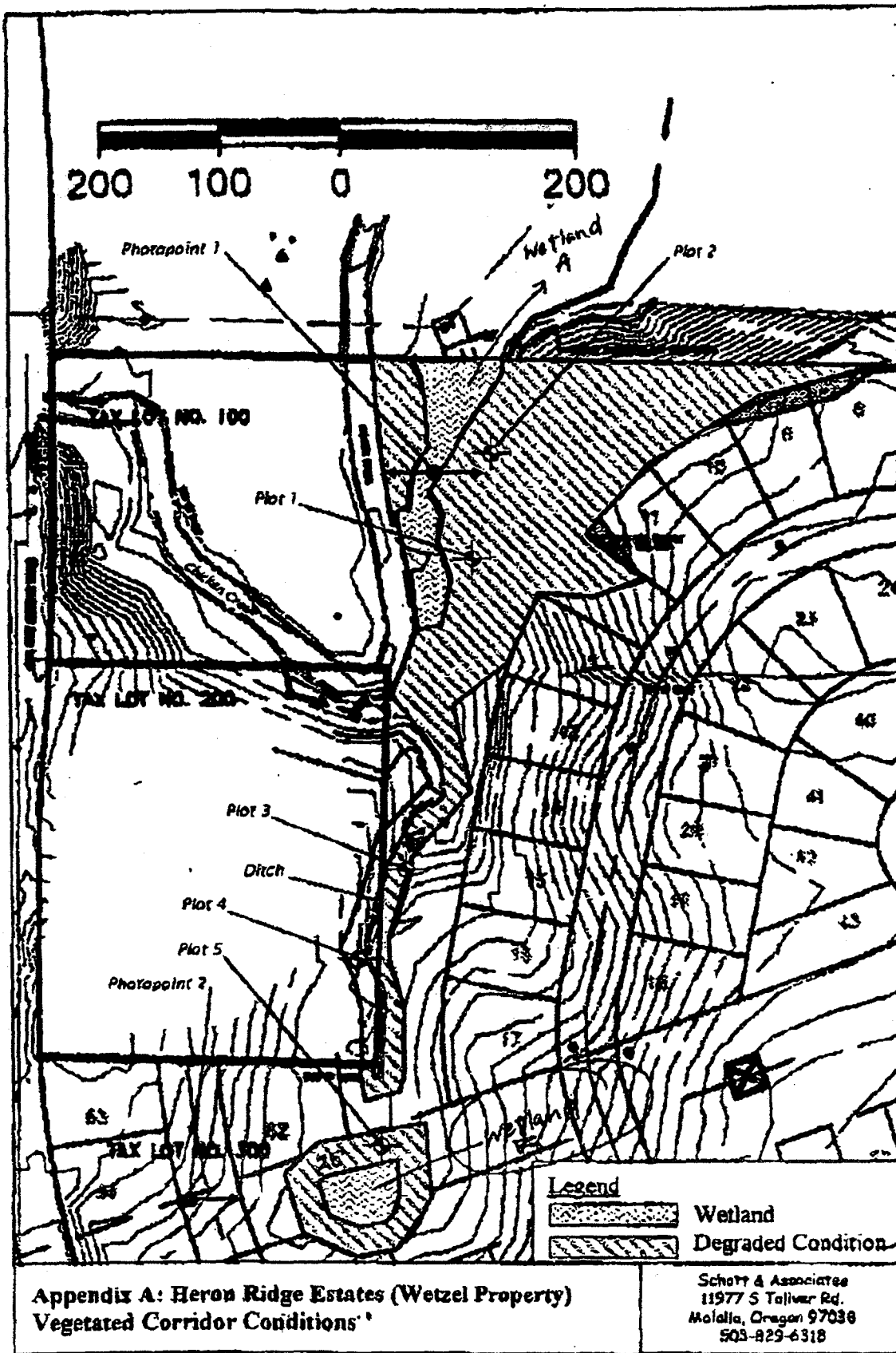


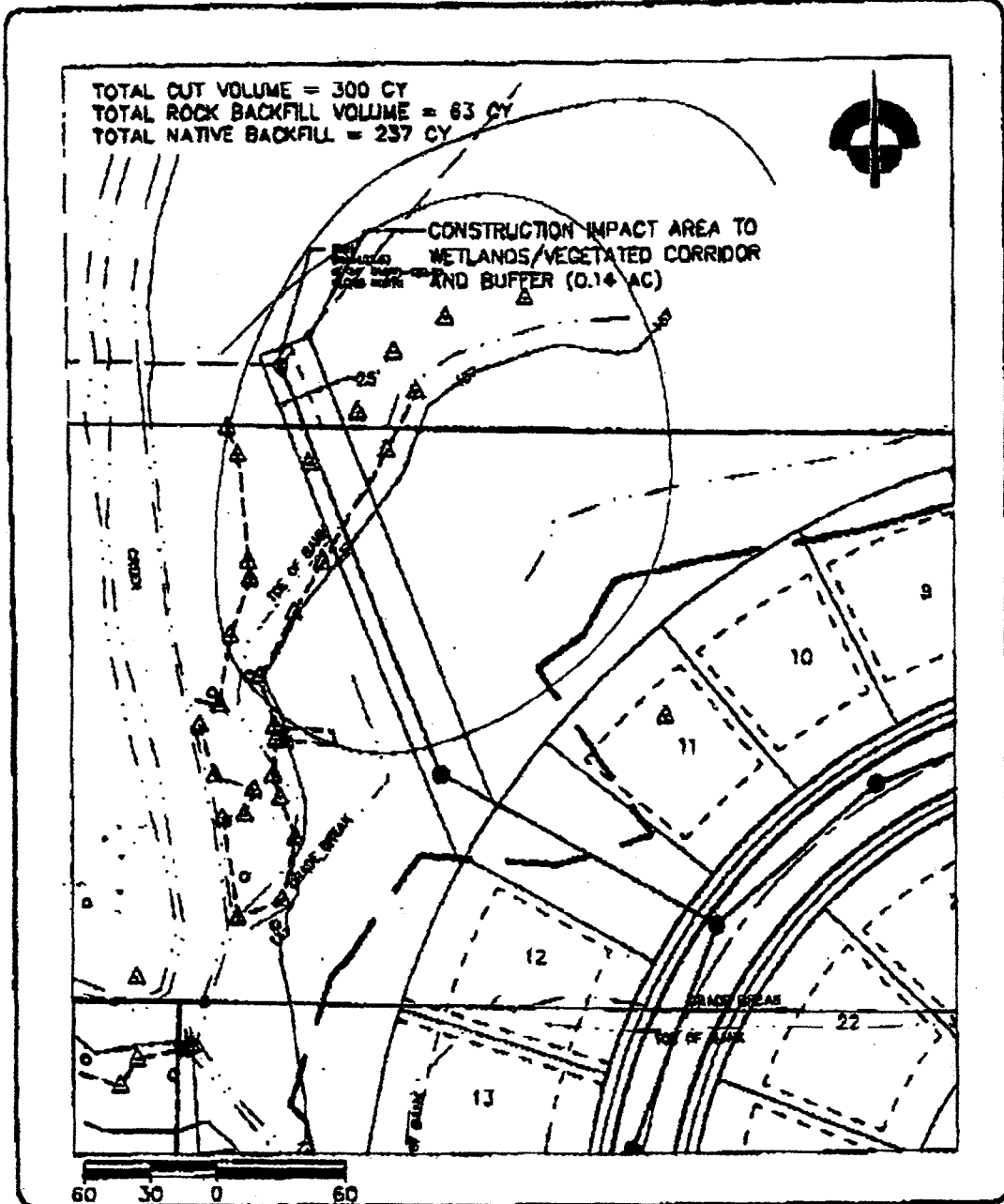
Heidi K. Berg  
Site Assessment Coordinator

#### Attachments

Site map with vegetated corridors  
Site map with sewer alignment  
Planting plan  
~~\_\_\_\_\_~~



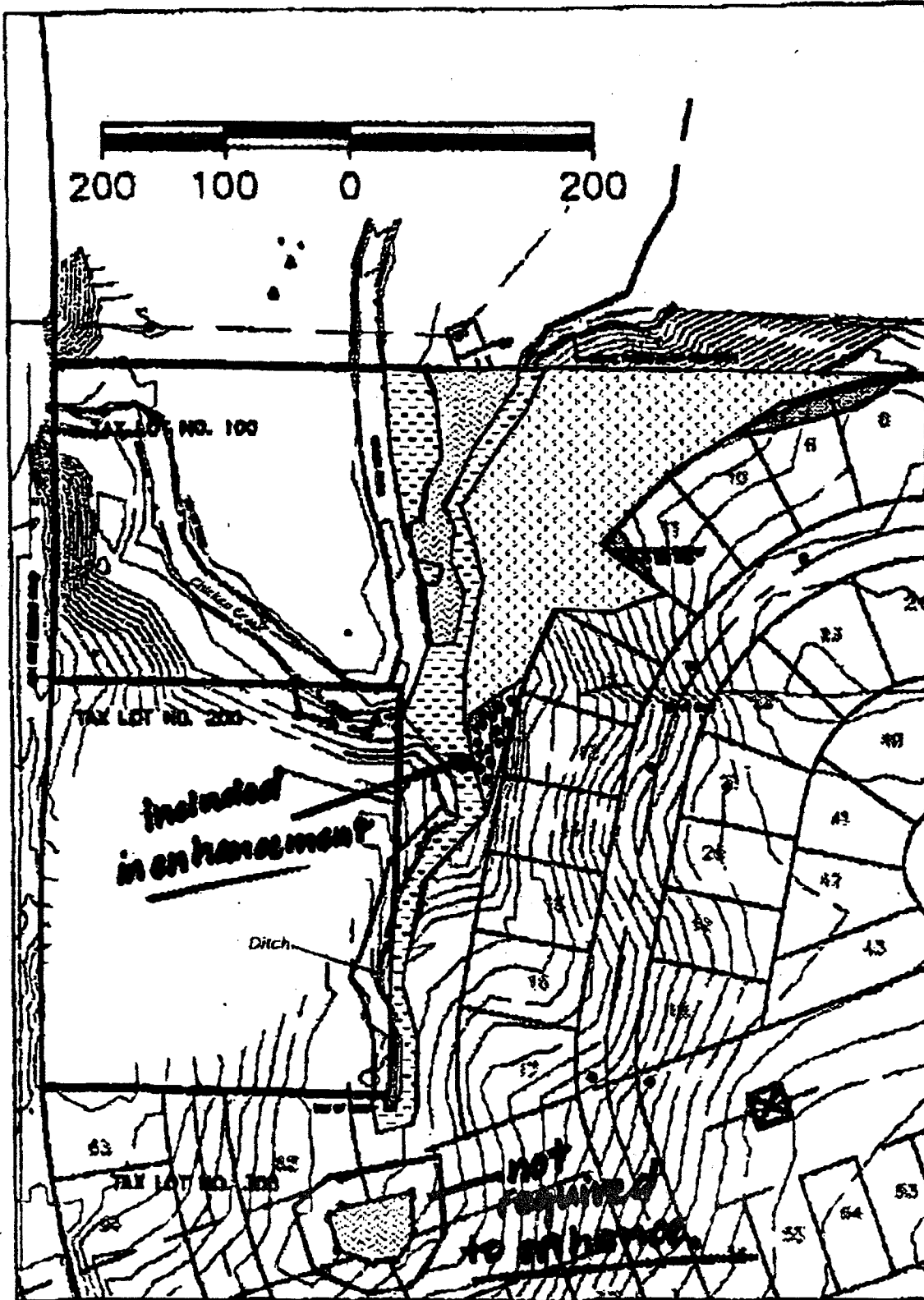




<b>CES NW</b>	15271 SW BANCY ROAD, OTR 300 LAKE OSWEGO, OREGON 97035 503.968.6635 www.cesnw.com	<b>WETZEL FARM ESTATES</b>	DATE
		<b>OFFSITE SEWER CONNECTION</b>	08/01/02
			FIGURE

**Appendix C: Heron Ridge Estates (Wetzel Property)  
 Offsite Sewer Connection**

Schott & Associates  
 11977 S Toliver Rd.  
 Melville, Oregon 97038  
 503-829-6318

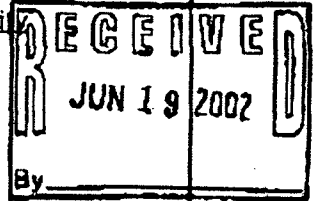


**Appendix E: Heron Ridge Estates (Wetzel Property)  
Buffer Enhancement Plan**

Scharr & Associates  
11977 S Toliver Rd.  
Melalla, Oregon 97038  
503-825-6318

**Planting Legend**

Species	Size	Spacing	Quantity
<b>Buffer Mixture 1</b>			
<b>Trees</b>			
Populus trichocarpa (75%)	1 gal.	15' oc	70
Fraxinus latifolia (25%)	1 gal.	10' oc	159
<b>Shrubs</b>			
Crataegus douglasii (20%)	1 gal.	10' oc	159
Rosa nutkana (20%)	1 gal.	5' oc	211
Oemleria cerasiformis (20%)	1 gal.	6' oc	146
Symphoricarpos albus (25%)	1 gal.	5' oc	211
<b>Buffer Mixture 2</b>			
<b>Trees</b>			
Pseudotsuga menziesii (75%)	1-2	15' oc	64
Acer macrophyllum (25%)	1 gal.	15' oc	64
<b>Shrubs</b>			
Amelanchier alnifolia (30%)	1 gal.	5' oc	228
Holodiscus discolor (30%)	1 gal.	10' oc	72
Ribes sanguineum (20%)	1 gal.	6' oc	199
Mahonia aquifolium (20%)	1 gal.	6' oc	199



**Planting notes:**

Plants will be placed in same species clumps of 3-4 individuals to encourage plant massing.