

Natural Resource Overlay Project

Nestled on the bank of the Willamette between two small urban streams, Milwaukie is located in an exceptional natural landscape. Conservation and enhancement of these natural resources are important for Milwaukie's local identity and future goals.



Why is the City updating its natural resource regulations now?

In 2005, the Metro Council adopted Title 13 (Nature in Neighborhoods) to help local jurisdictions meet Statewide Land Use Planning Goal 5, which established standards for protecting natural resources. Title 13 identified Habitat Conservation Areas (HCAs) in proximity to streams and wetland areas and established rules to protect them. The City is combining those new rules for HCAs with the regulations that already exist to safeguard Milwaukie's streams and wetland areas that are designated as Water Quality Resource (WQR) areas. The proposed amendments to the City's municipal code will bring Milwaukie into compliance with regional and state regulations.

How are natural resources currently protected in Milwaukie?

The current City's zoning code includes an overlay designation for streams, creeks, and wetlands, including 50-ft-wide buffers along their edges. The overlay is designed to protect and improve water quality, so these natural resource areas are referred to as Water Quality Resource (WQR) areas. Aside from normal landscaping maintenance, most activities that would result in disturbance of WQR areas require some review before they can be approved and permitted.

Who will be affected by these amendments to the city's zoning code?

Approximately 475 Milwaukie properties contain WQR areas or HCAs. In addition, on properties within 100 ft of a WQR area or HCA, construction projects will be reviewed to ensure they will not impact the resource area.

To view how the proposed Water Quality and Natural Resource map may affect your property, look online at <http://www.ci.milwaukie.or.us/planning/project-maps>.

How will the rules change what I do with my property?

- Will not change most of the legal, everyday activities that property owners already do within designated natural resource areas.
- Will apply primarily to new development, such as new structures and other land disturbance.
- Disturbance of land and vegetation may be allowed, but only if the owner demonstrates that there is no real alternative and that all disturbed areas will be restored or mitigated for by restoring the rest of the resource area.
- No requirement for property owners to restore or enhance resource areas unless they propose some new development.

What activities are exempt from the new regulations?

- Most landscape planting and lawn maintenance where no native vegetation is removed, no invasive vegetation is planted, and no restricted pesticides are used.
- Small-scale restoration efforts, such as invasive plants removal.
- Maintenance and repair of existing structures as long as there is no new disturbance within the resource area.
- Removal of trees that present an immediate danger, are downed by natural forces, or are identified as nuisance-species.

For more information:

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