623-16-000109-PLNG

City of Newberg

TYPE III APPLICATION - 2016
(QUASI-JUDICIAL REVIEW)

File #: MISC - 16 - 011

TYPES – PLEASE CHECK ONE:

___ Annexation
___ Comprehensive Plan Amendment (site specific)
___ Zoning Amendment (site specific)
___ Historic Landmark Modification/alteration
___ Conditional Use Permit
___ Type III Major Modification
___ Planned Unit Development
X Other: (Explain) STREAM CORRIDOR VARIANCE

APPLICANT INFORMATION:

APPLICANT: Andrew Parker
ADDRESS: 714 Dayton Ave - Newberg, OR - 97132
EMAIL ADDRESS: asparker@frontier.com
PHONE: 503-537-6227 MOBILE: 503-341-1646 FAX: ____
OWNER (if different from above): Same PHONE: ____
ADDRESS: ____
ENGINEER/SURVEYOR: ____ PHONE: ____
ADDRESS: ____

GENERAL INFORMATION:

PROJECT NAME: Parker Treehouse PROJECT LOCATION: 714 Dayton Ave.
PROJECT DESCRIPTION/USE: Family treehouse - Recreation
MAP/TAX LOT NO. (i.e.3200AB-400): R3216DB04701 ZONE: ____ SITE SIZE: ____ SQ. FT. ☐ ACRE ☐
COMP PLAN DESIGNATION: ____ TOPOGRAPHY: ____
CURRENT USE: ____
SURROUNDING USES:
NORTH: ____ SOUTH: ____
EAST: ____ WEST: ____

SPECIFIC PROJECT CRITERIA AND REQUIREMENTS ARE ATTACHED

General Checklist: ☐ Fees ☐ Public Notice Information ☐ Current Title Report ☐ Written Criteria Response ☐ Owner Signature

For detailed checklists, applicable criteria for the written criteria response, and number of copies per application type, turn to:

Annexation ..... p. 15
Comprehensive Plan / Zoning Map Amendment (site specific) ..... p. 19
Conditional Use Permit ..... p. 21
Historic Landmark Modification/Alteration ..... p. 23
Planned Unit Development p.26

The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief. Tentative plans must substantially conform to all standards, regulations, and procedures officially adopted by the City of Newberg. All owners must sign the application or submit letters of consent. Incomplete or missing information may delay the approval process.

Applicant Signature ____ Date 4-8-2016
Owner Signature ____ Date 4-8-2016

Print Name: Andrew Parker
Print Name: Andrew Parker

Attachments: General Information, Fee Schedule, Noticing Procedures, Planning Commission Schedule, Criteria, Checklists

RECEIVED
APR 8 2016
Initial: ____

Stream Corridor Variance

File # MISC-16-011

Proposal: Allow the Construction of a Treehouse inside the Stream Corridor

714 Dayton Ave
Newberg, Or 97132

Stream Corridor Impact Report

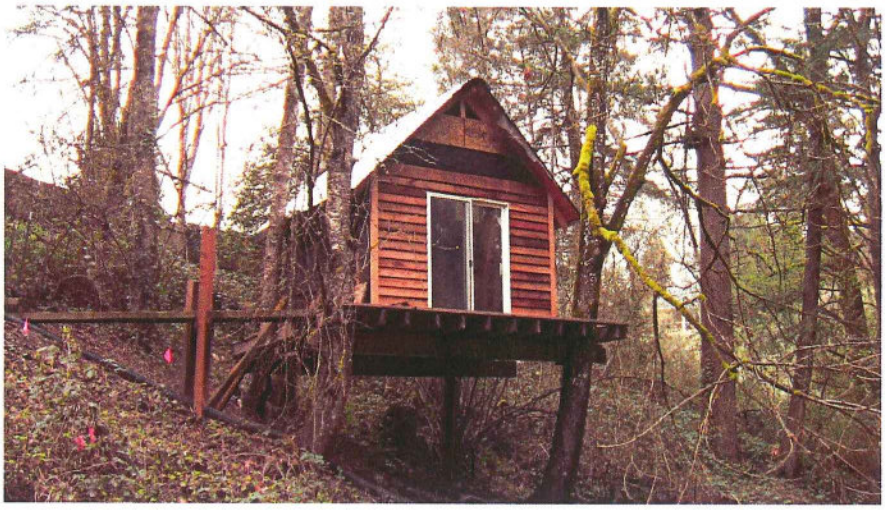
Proposed Development

Location:

The area identified in this report is located at 714 Dayton Ave. (Tax Lot #R3216DB 04701). The treehouse is located along the north edge of the property approximately 38 feet from the west bank of the Dayton fork tributary of Chehalem Creek

Accessory Structure Description:

The platform is 11 feet off the ground at its highest point (southeast corner). At its lowest the platform is approximately 3 feet above the ground in the northwest corner. The platform is supported by 3 trees and one post located in the northeast corner. The platform is approximately 16 feet by 14 feet. The structure is approximately 100 square feet. (The dimensions of the platform and structure were determined by the recycled materials used in their construction).



This is a recreation structure only and will not have water or sewer connected to it. As resources permit, solar powered low voltage lighting will be installed.

Great care has been taken to assure that the disturbance to the site has been kept to a minimum. The only disturbances are the limited holes dug to receive posts, primarily for stairs and elevated pathway supports. The largest post is 6"X8" used to support the platform and is located in the northeast corner of the structure. In addition to the post holes small areas were leveled in order to place loose bricks to support the pathway to the treehouse. The largest of these areas is approximately 28" by 18".

Pathway and Stairs:
The current pathway and stairs leading down to the structure are temporary and will eventually be replaced using materials better designed for this type of use. (Prior to the installation of the stairs the area of the property in the stream corridor was considered inaccessible)

Physical Analysis

Soil

The soil series for this area consists of very deep, somewhat excessively drained soils that formed in loamy and sandy alluvium from sedimentary and basic igneous rocks. The establishment of a soil profile is difficult due to the disturbance caused by the installation of the sewer line.

Stream Research Assessment

The Dayton fork is a tributary to Chehalem Creek. Dominant land use surrounding this small stream is dense residential. Hill slopes are steep and the vegetation is dominated by Big Leaf Maple Douglas fir and English Ivy. Vegetation in the upper half of the stream has generally been replaced with ornamental species in the back yards for residences. The flood plane is narrow and limited for most of the stream except at the confluence with Chehalem Creek where it broadens to more than 50 feet.
Hill slope Dominant Vegetation of the Dayton Fork includes: Big Leaf Maple, Douglas fir, Oregon White Oak, Black Cottonwood, Cherry, Red Elderberry, Western Hazelnut, Himalayan Blackberry, English Ivy and Misc. Ornamentals

Environmental Values

Erosion potential is considered high in the area where the slope is greater than 20%
The Riparian water quality protection is moderate and majority of the slope has dense patches of Himalayan blackberry and English ivy which limits the organic duff (Invasive species issue will be addressed in the enhancement proposal).

Other natural conditions are low due to the area being surrounded by dense residential. Impacts which include urban surface runoff, the installation of the sewer line and invasive species (dense patches of Himalayan blackberry and English Ivy).

Wildlife Habitat is moderate with seasonal water, woody debris, trees and shrubs. The wildlife inventory includes deer, squirrels, skunks, possums, raccoons. This is only a partial list of mammals that have been observed by the author and in the case of the skunks the observation was made by the property owners' dog.

Impact review

1. Avoid Impact:

   Multiple steps have been taken to avoid any type of impact to the stream corridor. This includes building stairs and access ramps above the ground. There is no foundation associated with this structure; it has been secured to the identified trees using the latest technology in treehouse attachment. The total area of the treehouse and ramps is approximately 300 square feet.

2. Impact on the stream corridor will be my limiting degree or magnitude of action of the action by using appropriate technology, or taking affirmative steps to avoid reduce mitigated impact:

   In order to avoid impact on the mitigated area no fill or grading was used. The only disturbance to the site has been the 5 post holes dug to support the treehouse, walkway and stairs. Four small areas of less than 3 square feet each were excavated for ramps leading to the structure.
   There has been no change to the water course, the structure has been constructed at a distance far enough from the water course that there is no anticipated future impact.

3. The impact to the stream corridor will be rectified by restoring rehabilitating comparable resources values on the site or within the stream corridor.

   Steps have been taken to rehabilitate the area surrounding the treehouse. This rehabilitation will include removing invasive species including Himalayan blackberry, English Ivy and Morning Glory. This is an ongoing process that will take many years until native vegetation

can be established that will shade out the invasive species. The area to be mitigated is approximately 5,700 square feet.

4. The remaining resource values on the stream corridor site shall be protected and enhanced with consideration given to the following:

    a. Impact to the wildlife travel and migratory function shall be maintained to maximum extent possible:

        This area has no associated migratory function and observations have shown that wildlife continue to visit the area and have been observed thwarting the mitigation efforts by eating the new growth on the recently planted trees.

    b. Native vegetation shall be utilized for landscaping to the extent practicable:

        Mitigation efforts have been ongoing for several years this includes planting a variety of native species this includes:

        4 - Western Red Cedar
        5 - Vine Maple
        6 - Oregon Ash
        3 - Oregon White Oak
        2 - Western Dogwood
        3 - Big Leaf Maple
        3 - Sedge
        1- Flowering Currant
        1 - Douglas Spirea

        In addition to the species listed above other native ground cover plants have also been planted with limited success. Natural reseeding has also been encouraged through the use of hand release and pruning.

    c. The stream bed shall not be unnecessarily or detrimentally altered.

        There has been no change to the water course

5. The fill shall primarily consist of natural materials

No fill was used in the construction of this treehouse.

6. The amount for fill shall be the minimum required

   No fill was used in the construction of this treehouse

7. If the fill or grading is within a designated floodway, the proposed action shall maintain the flood storage capacity of the site.

   No fill was used in the construction of this treehouse

8. The proposed fill or grading shall not significantly increase existing hazardous conditions or create significant new hazardous

   No fill was used in the construction of this treehouse

9. Stream turbidity shall not be significantly increased by any change in a water course that results from the fill measures shall be taken to minimize turbidity during construction.

   There has been no change to the water course and no fill was used in the construction of this treehouse

10. The removal of trees over six inches in diameter shall be minimized to the extent possible to provide the necessary improvements.

    No trees were removed during the construction of the treehouse.

Enhancement Proposal

In order to maintain and enhance the stream corridor and the property, owners will focus on abatement of invasive species and the introduction of native species. Invasive species abatement has been conducted primarily through the use of mechanical processes. This is an ongoing multiyear process that is focused on the removal of English Ivy, Morning glory and Himalayan blackberry.

Establishment of native species with an emphasis on water quality and soil/slope stabilization will continue to be a priority for this area

In order to enhance water quality, the following species have been planted within 30 feet of the west bank of the Dayton fork tributary: Western red cedar, Oregon ash, Sedge and Douglas Spirea. Although this area has a slope of less than 20% the addition of this vegetation will increase soil stability and eventually work to shade out

invasive species that are not shade tolerant. This would include Himalayan Blackberry and Morning Glory.

The steeper areas of the property where the slope is up to 60% and slope stabilization is a high concern, the property owners have been planting and encouraging the natural reseeding of native trees. In order to increase the survival rate we will continue to hand release native and planted trees and shrubs until they become dominate and are no longer threatened by invasive species. The following species have been planted in the steeper areas of the property:

Vine maple
Western Dogwood
Salala
Red Flowering Currant
Big Leaf Maple
Oregon Ash
Oregon White Oak

In order to increase wildlife population, increased habitat will be created. This will be accomplished through the introduction of bird houses and bat boxes. As other habitat restorative processes are identified these will be added to the area.

Debris Removal: there is an ongoing concerted effort to remove garbage that has been deposited in the stream corridor by previous owners of the property.

Conservation Proposal:
In order to offset any impact on this area created by the construction of the tree house, the following mitigation proposal has been developed. Restorative actions have been and will continue to be conducted to enhance the natural and scenic resources of the stream corridor. The area receiving this mitigation is approximately 5,700 square feet, the impact of the treehouse is 300 square feet this, include the stairs and approach to the treehouse. The remaining open spaces shall be retained as a permanent open space with no plans to for additional development.

Protect
Throughout the construction of the treehouse as well as during the ongoing mitigation process, great care has been taken to retain existing native plants. When necessary, only light pruning has been done to allow for the placement of the treehouse. In addition, great care has been taken to ensure all construction debris is removed from the area, in an effort to eliminate any impact on the stream. The construction of the treehouse has not changed the stream location and there has been no affect on stream turbidity.

Conserve

Hand release techniques have been used to clear non-native species away from native plants providing them with an opportunity to grow without competing for light and water. This process has helped species like Bracken Fern, Sword Fern and other native ground covers to start to reclaim the areas of the property once covered by Himalayan Blackberry.

Future conservation efforts include the removal of old fencing material along the lower edge of the property that has become not only an eyesore but has also become a trellis of sorts for non-native vine like Morning Glory and English Ivy.

Enhance

Native trees and plants will be used to create an area of biodiversity that will complement adjoining areas of land and are consistent with other parts of the Willamette River Greenway. To date over three dozen native trees and plants have been planted in the area with additional plants on order through the City of Newberg Stream Corridor enhancement program. The removal of non-native species will continue to be a priority for this area. This is done by cutting back the non-native species and the continued removal from areas where native species are growing or have been planted. This removal will reduce the new plantings' competition for available sunlight, water and nutrients. When possible, non-native species are pulled from the ground, exposing their root system. Although it would be ideal to remove all non-native species in this manner, it appears only to be a viable option for new plants with limited root systems and in the spring when the ground is soft.

Impact Report Author Curriculum Vitae

- Associate of Science Forest Management
- Associate of Science Forest Engineering
- Associate of Science Survey Engineering
- Bachelor of Science Forest Resource Management
- 1991-97 Vocational Forestry Instructor Clackamas School District

STREAM REACH ASSESSMENT

SITE NO.	STREAM:	% SLOPE:	FP WIDTH:	RFZ: (ft)
C2	Tributary of Chehalem Creek	≈ 40%	≤ 20 ft	≈ 175
MAP NO.	**LOCATION:**		**AERIAL:**	**DATE:**
F 13	Dayton Fork; south of 5th Street		SW	1-19-95
OBSERVATION POINT:		**ADJACENT LAND USE:**		
West end of 8th Street, 5th Street		Residential		

GENERAL DESCRIPTION: C2, Dayton Fork, is a tributary to Chehalem Creek. Dominant land use surrounding this small stream is dense residential. Hillslopes are steep and vegetation is dominated by big leaf maple, Douglas fir, and English ivy. Vegetation in the upper half of the stream has generally been replaced with ornamental species in the back yards of residences. The flood plain is narrow and limited for most of the stream except at the confluence with Chehalem Creek where it broadens to more than 50 ft.

DOMINANT VEGETATION:

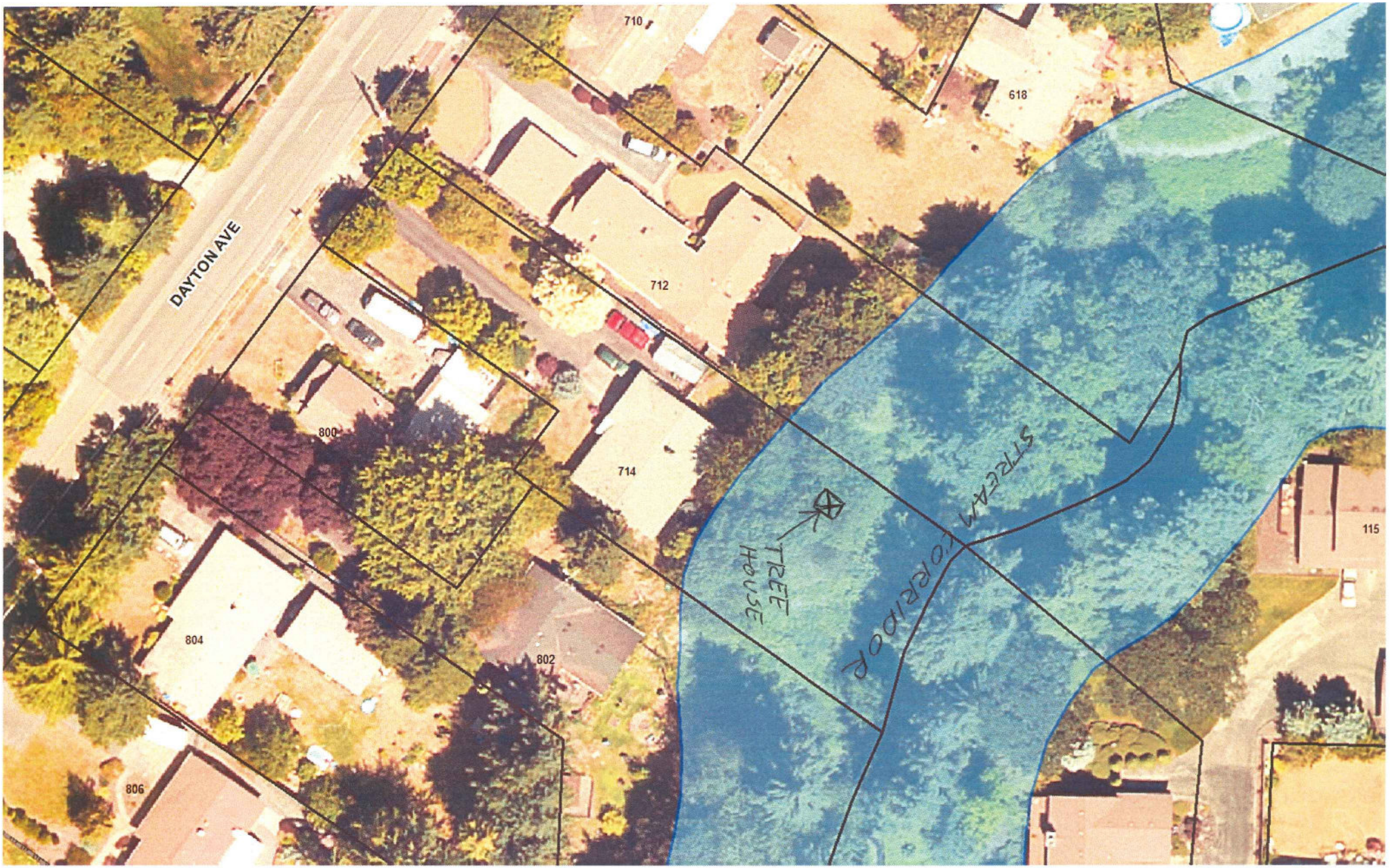
HILLSLOPES		FLOOD PLAIN	
		upper	mouth
* big leaf maple	western hazelnut	creeping buttercup	* reed canarygrass
* Douglas fir	* Himalayan blackberry	horsetail	red alder
Oregon white oak	* English ivy	stinging nettles	Oregon ash
black cottonwood	ornamentals		
red elderberry			

ENVIRONMENTAL VALUES	Rating **	comments
1. EROSION POTENTIAL	H	slopes > 20%
2. WILDLIFE HABITAT	M	seasonal water, woody debris, trees & shrubs
3. RIPARIAN WQ PROTECTION	M	south & east bank protected, ivy limits organic duff
4. FLOOD PLAIN WQ PROTECTION	M	limited flood plain except ≈ 50 ft at mouth
5. NATURAL CONDITION	L	surrounded by dense residential
6. ECOLOGICAL INTEGRITY	M-L	English ivy ubiquitous, canopy native in lower half

CONTRIBUTING FEATURES: ∅

IMPACTS: Urban surface runoff; sewer line; invasive species (dense patches of Himalayan blackberry & English ivy)

* major dominant
** L = Low, M = Moderate, H = High

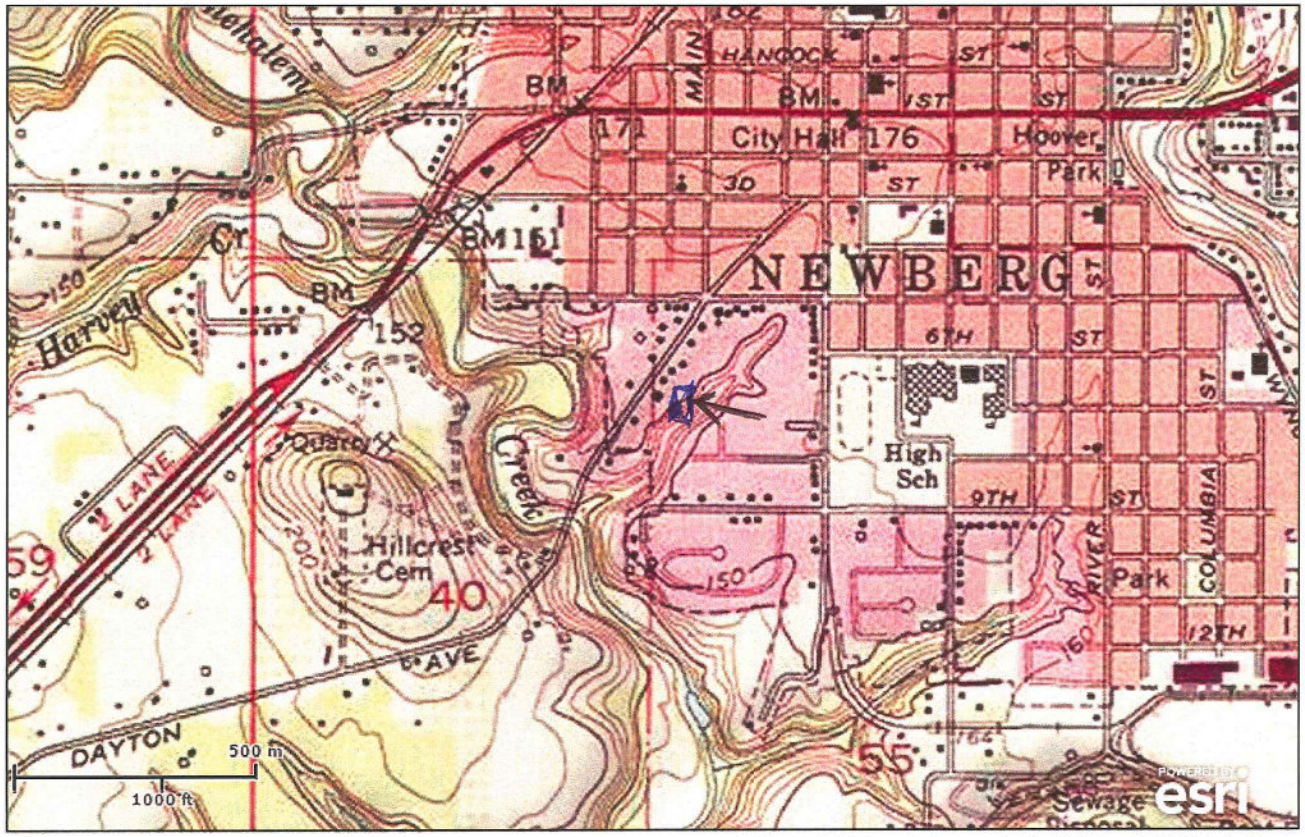

DAYTON AVE
710
618
712
800
714
804
802
806
115
TREE HOUSE
STREAM CORRIDOR

U.S. Fish and Wildlife Service

National Wetlands Inventory

714 Dayton Ave

May 6, 2016



Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond
- Lake
- Riverine
- Other

Riparian

- Herbaceous
- Forested/Shrub

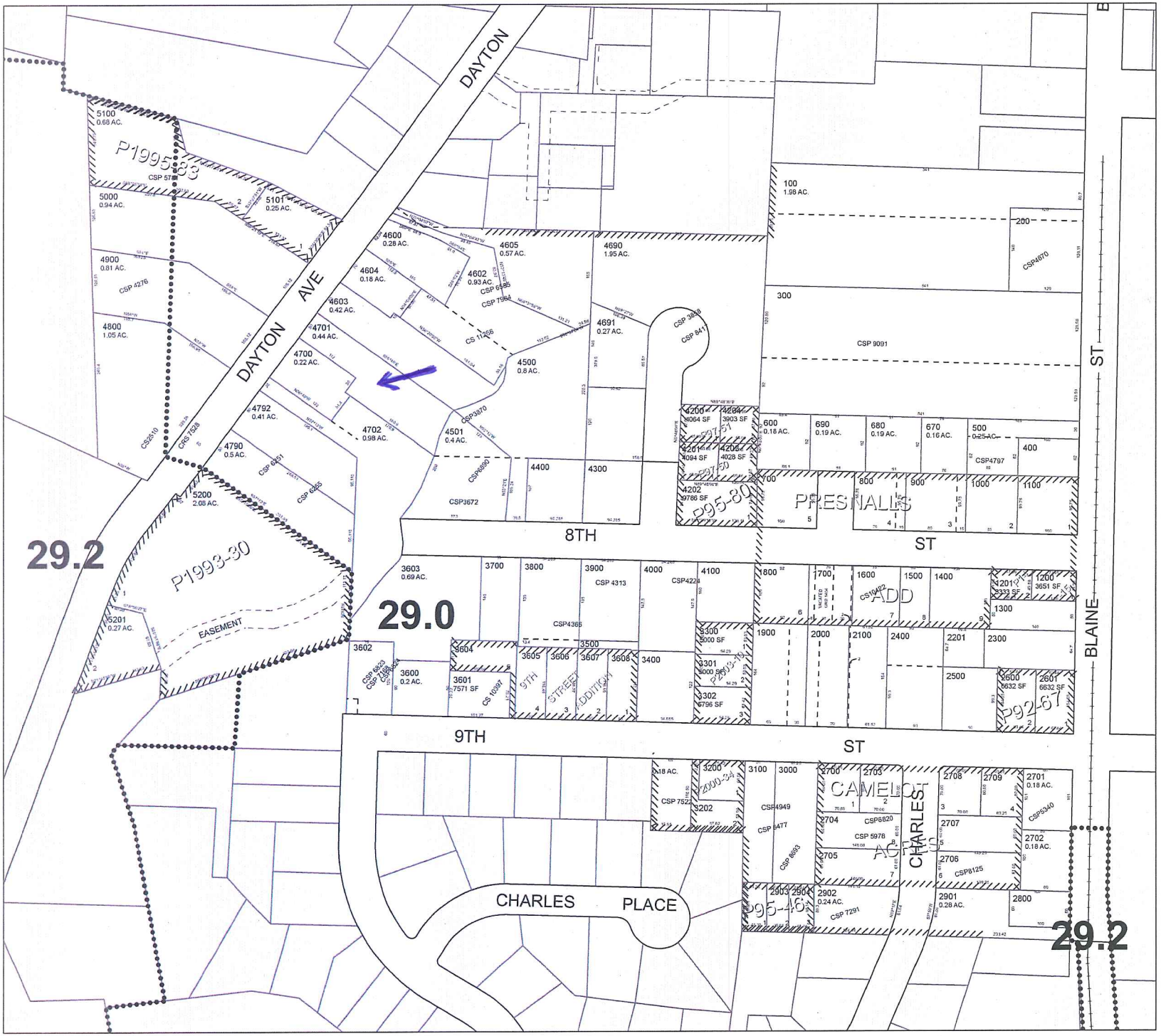
Riparian Status

- Digital Data

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:

No wetlands shown on National Wetlands Inventory map



1843 YAMHILL COUNTY

ASSESSMENT & TAX CARTOGRAPHY

N.W.1/4 S.E.1/4 SEC.19 T.3S. R.2W. W.M.
YAMHILL COUNTY OREGON
1" = 100'

CANCELLED TAXLOTS:
4791
4601
3690
3501
2200
2102
2101
671

DATE PRINTED: 11/12/2014

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