

Healthy Ecosystems Goals and Policies - 1994 Plan

Goal 5 Open Spaces, Scenic & Historic Areas & Natural Resources

Section 1, Fish and Wildlife Habitat

GOAL

Lake Oswego shall preserve and restore environments which provide fish and wildlife habitat.

POLICIES

1. Preserve and restore natural resources and lands which are important to fish and wildlife habitat including:
 - a. Wetlands, water bodies, stream corridors and associated vegetation;
 - b. The Willamette Greenway and the Urban Service Boundary's (USB) floodplains and floodways;
 - c. Surface water and groundwater quality;
 - d. Tree cover and understory vegetation, including downed trees and nesting snags; and,
 - e. Upland areas, especially forested hillsides.
2. Protect rare, threatened, and endangered fish and wildlife species and their associated habitats.
3. Preserve and restore fish and wildlife habitat through:
 - a. Land and habitat management practices on public and private lands; and,
 - b. Providing linkages to various habitats for access and safe passage of wildlife to food, water, nesting and cover.
4. Require developers to preserve and restore inventoried and identified fish and wildlife habitat through:
 - a. Site design and development standards and construction methods;
 - b. Preservation of habitat associated with floodways and floodplains and their meandering channels;
 - c. Protection, restoration and buffering of wetlands, stream corridors, water bodies; and,
 - d. Protection and restoration of upland habitat, especially forested hillsides.
5. Require the preservation or establishment and ongoing maintenance of vegetated buffer areas when development occurs on property adjacent to stream corridors and wetlands.
6. Preserve and restore native plant communities to provide wildlife food, cover and nesting opportunities.
7. Provide public education to promote preservation and enhancement of fish and wildlife habitat.
8. Utilize a systems-wide management approach to preserve, restore and manage fish and wildlife habitat.
9. Ensure linkage among wildlife habitat areas as a key component of the Lake Oswego parks, open space and surface water management systems.

10. The City shall emphasize protection rather than mitigation of fish and wildlife habitat functions and values.

Section 2, Vegetation

GOAL

The City shall protect and restore the community's wooded character and vegetation resources.

POLICIES

1. Protect, restore and maintain existing vegetation which has environmental, wildlife habitat and aesthetic qualities, including tree groves and forested hillsides and vegetation associated with wetlands, stream corridors and riparian areas.
2. Protect, restore and maintain native plant communities, including identified threatened plant species.
3. Require developers to maximize the preservation of trees and to maintain and enhance the cohesive quality of tree groves through:
 - a. Site design and construction methods; and,
 - b. Open space dedication of areas which contain these resources.
4. Require the protection of significant or historic individual trees pursuant to a heritage tree protection program.
5. Ensure vegetation is maintained, protected and restored through:
 - a. Regulation of tree removal;
 - b. Conditions of development approval;
 - c. Monitoring of development to ensure compliance with the City's regulations and conditions of development approval; and,
 - d. Enforcement of regulations.
6. Require landscaping for all development other than individual single family dwellings and duplexes to:
 - a. Visually enhance development projects;
 - b. Provide buffering and screening between differing land uses;
 - c. Reduce surface water runoff, improve water quality and maintain soil stability;
 - d. Provide wildlife habitat; and,
 - e. Reduce energy use by using vegetation for shade and windbreaks.
7. Require the establishment and maintenance of landscaped areas in all new parking lots and expansion of existing lots, to provide shade and visual amenity. Parking lot landscaping shall emphasize:
 - a. The planting of broad spreading trees for shade and to mitigate the negative visual and environmental impacts of parking lots; and,

- b. Effective screening and buffering between parking lots and adjacent uses.
8. Require tree planting for all development other than individual single family homes and duplexes, unless landscape standards are met by existing vegetation. When required, trees shall be planted along the street and throughout the development site.
 9. Allow innovative site and building design including the clustering of buildings to preserve trees and other vegetation.
 10. Ensure the continued maintenance of vegetation required pursuant to development approval, within landscaped and common areas.
 11. Design and construct public works projects to preserve existing vegetation to the extent practical.
 12. Protect and enhance vegetation resources within rights-of-way and other public lands through measures such as:
 - a. Regulations to protect public trees;
 - b. The provision of adequate right-of-way to ensure sufficient space for tree planting; and,
 - c. An ongoing planting and maintenance program for trees and other vegetation in public rights-of-way, open spaces and parks.
 13. Preserve natural resource sites, through public acquisition and other methods such as conservation easements, to permanently limit development.
 14. The City shall emphasize protection rather than mitigation of the functions and values of vegetation.

Section 3, Wetlands

GOAL

The City shall protect, maintain, enhance and restore wetlands.

POLICIES

1. Protect, maintain, enhance, and restore the natural functions and values* of wetlands including enhancement of water quality, flood protection, fish and wildlife habitat, open space and natural areas.
2. Designate wetlands within a Resource Protection District overlay zone on the Comprehensive Plan Land Use Map.
3. Enact and enforce standards and ordinances which regulate development, including filling and grading, within delineated wetlands, wetland buffer* areas and buffer edges. These regulations shall require:
 - a. Preservation of the natural functions and values of wetlands;
 - b. No net loss of the total inventoried area of wetlands within Lake Oswego;
 - c. That wetlands which are designated as “distinctive natural areas,” are forested or which contain rare or endangered plant or animal species, shall have the highest level of protection; and,
 - d. Preservation of wetlands, wetland buffer areas and buffer edges through dedication, deed

restrictions, covenants and other means as a condition of development on properties containing such features.

4. Require activities which use wetlands to be compatible with the preservation of wetland functions and values. These activities include uses such as public and private recreation, surface water management and flood control.
5. Require the review of any development proposal that could impact a wetland with the appropriate local, state and federal agencies.
6. Require all public and private development, including fill, removal and grading, proposed within or adjacent to wetlands to:
 - a. Incorporate and maintain wetland features, functions and values in the project design, such as ponds, streams, marshes, wetland vegetation, and fish and wildlife habitat;
 - b. Preserve non-invasive vegetation and provide and maintain buffer areas around wetlands; and,
 - c. Prevent the placement of contaminants or discharge of water pollutants into wetlands or buffer areas.
7. Allow development density on parcels containing wetlands to be transferred to other portions of the development site when wetlands and the required buffer areas are permanently dedicated as open space.
8. Allow innovative site and building design, including the clustering of buildings to preserve wetlands.
9. The City shall emphasize protection rather than mitigation of the functions and values of wetlands.

Section 4, Stream Corridors

GOAL

The City shall protect, restore and maintain stream corridors to maintain water quality and to provide open space and wildlife habitat.

POLICIES

1. Protect, maintain, enhance and restore the functions and values of stream corridors, including maintenance of water quality, storm and flood water conveyance, fish and wildlife habitat, open space and aesthetic values.
2. Identify stream corridors within the USB and designate stream corridors with Resource Protection overlay zones on the Comprehensive Plan Land Use Map. [ZC 1-95-1204 Revised; 5/20/97]
3. The City shall emphasize protection rather than mitigation of stream corridor functions and values.
4. Enact and enforce standards and ordinances which regulate development, including filling and grading, within delineated stream corridors, stream corridor buffer* areas, and buffer edges*. These regulations shall require:

- a. Preservation of the functions and values of stream corridors;
 - b. No net loss of the total inventoried area of stream corridors within Lake Oswego;
 - c. That stream corridors which are designated as “distinctive natural areas,” or which contain rare or endangered plant or animal species shall have the highest level of protection; and,
 - d. Preservation of stream corridors, stream corridor buffer areas and buffer edges through dedication, deed restrictions, covenants and other means as a condition of development approval for properties containing such features.
5. Require activities which use stream corridors to be compatible with the preservation of stream corridor functions and values. These activities include uses such as private development, public and private recreation, surface water management and flood control.
 6. Require the review of any development proposal that could impact stream corridors with the appropriate local, state and federal agencies.
 7. Require all development proposed within or adjacent to stream corridors to:
 - a. Incorporate and maintain stream corridor features, functions and values in the project design such as stream banks, riparian* vegetation, and fish and wildlife habitat; and,
 - b. Dedicate land or easements to preserve stream corridors and adjacent riparian areas.
 8. Allow development density on parcels containing stream corridors to be transferred to other portions of the development site when stream corridors and the required buffer areas are permanently dedicated as open space.
 9. Allow innovative site and building design, including the clustering of buildings to preserve stream corridors.
 10. Prohibit diversion or impoundment of streams from their natural channels, except where:
 - a. Diversion would return a stream to its original location; or,
 - b. A stream channel occupies all or most of a legally created lot; or,
 - c. An impoundment is designed to reduce flooding or improve water quality.
 11. Restore and enhance the environmental quality of streams.
 12. Design and construct public works projects to preserve existing stream banks and adjacent riparian vegetation.
 13. The City shall emphasize protection rather than mitigation of the functions and values of stream corridors.

Section 5, Sensitive Lands

GOAL

The City shall protect, enhance and maintain the wooded character and natural features of Lake Oswego that are prized by residents. [ZC 1-95-1204 Revised; 5/20/97]

POLICIES

1. Protect, enhance, maintain and restore the functions and values* of existing and future wetlands, stream corridors, tree groves and other sensitive nature areas, such as:
 - a. Water and air quality enhancement;
 - b. Fish and wildlife habitat;
 - c. Community identity benefits*;
 - d. Open space, passive recreation, and visual enjoyment; and,
 - e. Public protection from natural hazards, such as areas subject to flooding, geological instability, or high erosion potential.
2. Designate the specific locations of significant Goal 5 resources through development of a Sensitive Lands Atlas and special overlay zone designations.
3. Supplement the Sensitive Lands Atlas, pursuant to Statewide Planning Goal 5, as additional distinctive features are brought to the City's attention and as sensitive, threatened or endangered species are identified.
4. The City shall emphasize protection rather than mitigation of the functions and values of sensitive lands areas.
5. Enact and maintain regulations and standards which require:
 - a. Preservation of the functions and values of sensitive lands;
 - b. No net loss* in the quantity or volume of wetland or stream corridor functions or values when development is allowed within such resource, buffer or edge. Such development shall only be allowed after an alternatives analysis and a finding that a development cannot practicably be placed entirely outside of the resource and its buffer and edge areas;
 - c. Preservation of the most significant resources (i.e. no loss of area, functions, or values);
 - d. Protection of sensitive lands designated as RC or RP;
 - e. Establishment and maintenance of buffer and edge areas; and,
 - f. Establishment of wider buffer areas around the most significant sensitive lands.
6. Allow development density on parcels containing sensitive lands overlay zones to be transferred to other portions of the development site.
7. Allow innovative site and building design, including the clustering of buildings to preserve sensitive lands.
8. Require activities within sensitive lands overlay zones to be compatible with the preservation of

resource functions and values. These activities include uses such as public and private development, public and private recreation, surface water management and flood control.

9. Require all development proposed within or adjacent to sensitive lands to:
 - a. Incorporate and maintain sensitive lands resource features, functions and values in the project design;
 - b. Preserve vegetation and provide and maintain buffer areas;
 - c. Prevent the placement of contaminants or discharge of water pollutants or sediments into sensitive lands and their buffer areas; and,
 - d. Restore and enhance disturbed sensitive lands with restoration landscaping to match the plant community of the resource.

Section 6, Open Space

GOAL

The City shall protect, enhance, maintain and expand a network of open space* areas and scenic resources within and adjacent to the Urban Services Boundary.

POLICIES

1. Establish an open space network within and adjacent to the Urban Services Boundary (USB) which:
 - a. Preserves natural areas* in an intact or relatively undisturbed state;
 - b. Provides for maintenance of scenic resources and distinctive aesthetic qualities such as views of Mount Hood, Oswego Lake, the Willamette River, the Tualatin Valley and forested ridge lines;
 - c. Preserves areas valued for community identity benefits* such as stands of trees and rock outcroppings;
 - d. Protects the public from natural hazards, such as areas subject to flooding, geological instability or high erosion potential;
 - e. Provides buffers between incompatible uses;
 - f. Preserves fish and wildlife habitat; and,
 - g. Provides land which meets the open space and recreation needs of the community.
2. Preserve open space through dedication, deed restrictions, covenants, or other methods as conditions of development approval which, when possible, shall be consistent with the City's parks, open space and pathways plans.
3. Promote an open space network that:
 - a. Maintains the existing tree canopy;
 - b. Provides aesthetic and visual relief from urban development;
 - c. Provides opportunities for pedestrian and bicycle linkage; and,
 - d. Preserves essential natural systems*.
4. The City shall emphasize protection rather than mitigation of open space functions and values.

5. Manage publicly-owned, natural open space areas to control access and to maintain a balance of protected natural areas and areas open to the public.
6. Provide regulations such as the Sensitive Lands program and the Open Space Development Standard to preserve natural resources, including essential natural systems, lands containing natural hazards and unique natural areas valued for scientific, educational, recreational, scenic resource and community identity benefits*. Development will be allowed when compatible with natural systems that are present. [ZC 1-95-1204 Revised; 5/20/97]
7. Require a higher level of protection where all or a portion of a resource is designated within an RP or RC Zone (see Sensitive Lands Policies). [ZC 1-95-1204 Revised; 5/20/97]
8. Establish community open space buffers and protected view corridors between Lake Oswego and adjacent communities, for the purpose of defining the edge of the urban area and preserving the open, rural character of lands outside of the city.
9. Consider the following resources eligible for protection: [ZC 1-95-1204 Revised; 5/20/97]
 - a. Stream corridors and natural drainage ways;
 - b. Flood plains;
 - c. Willamette River Greenway;
 - d. The Tualatin River corridor;
 - e. Wetlands;
 - f. Oswego Lake, its bays and its canals;
 - g. Tree groves;
 - h. Forested ridge lines;
 - i. View points;
 - j. Steep slopes;
 - k. Weak foundation soils;
 - l. High ground water areas;
 - m. Areas of geologic hazard (unstable soils); and,
 - n. Scenic resources.

Section 7, Oswego Lake (recreation component moved to Community Culture)

GOAL

The City shall protect the natural resource, energy, aesthetic and recreation values of Oswego Lake.

POLICIES

1. Cooperate with the Lake Oswego Corporation to protect the natural resource, energy, aesthetic and recreation values of Oswego Lake.
2. Establish significant public viewpoints to assure that residents of the community can identify with and enjoy Oswego Lake.
3. Identify wetlands, mouths of streams and tree groves on the shores and hillsides surrounding Oswego

Lake and protect them with a sensitive lands overlay on the Comprehensive Plan Land Use Map. Regulate development and other activities in ways which provide protection of these resources and ensure the smooth functioning of the reservoir and removal of silt. [ZC 1-95-1204 Revised; 5/20/97]

4. Provide and support programs that improve the water quality of Oswego Lake. This could include silt prevention and silt removal programs in streams and storm water inflows where sediment buildups have the potential to limit beneficial uses.
5. Require all development proposed within or adjacent to Oswego Lake to:
 - a. Minimize negative impacts on upland vegetation, slopes, fish and wildlife habitat, wetlands, stream corridors and scenic views, while allowing reasonable recreational use by landowners;
 - b. Incorporate and maintain natural features, functions and values in the project design such as tree groves, steep slopes, riparian* vegetation, scenic views and habitat for fish and wildlife;
 - c. Prevent damage caused by upstream erosion and siltation; and,
 - d. Prevent the placement of pollutants or contaminants, including sediments, into the Lake and its tributaries.
6. Allow development density on parcels containing natural resources associated with Oswego Lake to be transferred to other portions of the development site when steep slopes, tree groves, or wetlands are permanently protected as open space.
7. Allow innovative site and building design, including the clustering of buildings to preserve natural features associated with Oswego Lake.
8. Work with the Lake Oswego School District to preserve its rights to the existing swimming easement in the Lake Grove Area Swim Park.
9. Design, construct and operate public works projects to preserve natural features of the Lake and to preserve the water quality of the Lake.
10. Cooperate with the Corporation to safeguard the hydroelectric potential of the Lake as an energy source.

Goal 6: Air, Water and Land Resource Quality

Section 2. Water Resources Quality (only. Remainder of Goal 6 is in the Community Health and Public Safety action area)

GOAL

The City shall:

- a. Reduce water pollution and ensure that future land use activities protect and enhance area water quality, and;
- b. Protect and enhance the functions and values of the natural ground and surface water drainage systems.

POLICIES

1. Protect the natural surface water drainage systems and enhance water quality by treating and controlling run-off and pollution at the source.
2. Favor the use of the natural drainage system and other non-structural methods to treat, convey and dispose of run-off.
3. Lake Oswego's management of surface water shall:
 - a. Restore, protect and enhance water quality and the physical and biological integrity of rivers, lakes and stream corridors and their associated environmental values including natural vegetation, fish and wildlife habitats;
 - b. Promote public safety and minimize damage to public and private property by surface water run-off; and,
 - c. Educate and involve the community in opportunities to restore, protect and enhance water quality.
4. Fund surface water management programs in a manner which allocates costs based upon the impact a development has upon the surface water management system.
5. Require all development to:
 - a. Comply with applicable local, state and federal water quality and erosion control standards; and,
 - b. Implement measures to minimize run-off from the development site during and after construction.
6. Develop and implement intergovernmental agreements with local, regional, state and federal agencies to implement measures to minimize the quantity of pollutants entering ground and surface waters from both point and non-point sources.
7. Facilitate the extension of the City's sanitary sewer systems to areas within the Urban Services Boundary where failing septic systems are contaminating ground and surface waters, provided:
 - a. Those properties benefiting from sewer extension pay their commensurate share of the cost of service; and,
 - b. Annexation occurs prior to any property receiving service.
8. Improve the water quality of Oswego Lake by working with DEQ, Oswego Lake Corporation and area residents and businesses within the Lake's drainage basin to implement water quality programs and projects.
9. Restore the environmental functions and values of stream corridors as a means to enhance water quality.

Goal 15: Willamette River Greenway (recreation component moved to Community Culture)

GOAL

The City shall protect, conserve, enhance and maintain the natural, scenic, historic, economic, and recreational qualities of the Willamette River Greenway.

1. POLICIES

Designate the Willamette Greenway Boundary on the City's Comprehensive Plan Map, consistent with the location established by the Oregon Land Conservation and Development Commission.

2. Require non-water related and non-water dependent structures to be set back from the Willamette River.
3. Manage lands within and adjacent to the Greenway to protect and restore natural vegetation.
4. Protect, enhance, and restore the fish and wildlife habitat values of the Willamette River and the Greenway.
5. Minimize the visual impact of development on the Willamette River and the Greenway through measures such as setbacks, height restrictions, building materials and color choices and landscape screening.
6. Protect the water quality of the Willamette River by:
 - a. Regulating development to prevent pollutants and soil erosion from entering the River;
 - b. Ensuring discharge practices conform to state and federal standards, and other requirements; and,
 - c. Protecting and enhancing the natural functions and values of the ground and surface water systems which drain into the River.
7. Preserve significant view corridors to the Willamette River.
8. When appropriate, require dedication of public access easements within the Greenway and to the Willamette River, as part of the development review and approval process.
9. Designate the Willamette Greenway as Protection Open Space.