



Planning and Zoning
Department of Transportation and Development
Development Services Building
150 Beavercreek Road | Oregon City, OR 97045
503-742-4500 | zoninginfo@clackamas.us
www.clackamas.us/planning

STAFF USE ONLY

Staff Initials: _____ File Number: _____

Land use application for:

WATER QUALITY RESOURCE AREA DEVELOPMENT

Application Fee: \$1,737

APPLICANT INFORMATION

| | | | |
|--|-----------------------|-----------------------|------|
| Applicant name: | Applicant email: | Applicant phone: | |
| Applicant mailing address: | City: | State: | ZIP: |
| Contact person name (if other than applicant): | Contact person email: | Contact person phone: | |
| Contact person mailing address: | City: | State: | ZIP: |

PROPOSAL

Brief description of proposal:

SITE INFORMATION

| | | |
|--|---------------------------------|------------------|
| Site address: | Comprehensive Plan designation: | Zoning district: |
| Map and tax lot #: Township: _____ Range: _____ Section: _____ Tax Lot: _____ Township: _____ Range: _____ Section: _____ Tax Lot: _____ Township: _____ Range: _____ Section: _____ Tax Lot: _____ | | Land area: |
| Adjacent properties under same ownership: Township: _____ Range: _____ Section: _____ Tax Lot: _____ Township: _____ Range: _____ Section: _____ Tax Lot: _____ | | |

| | | |
|--|------------------------------------|----------|
| Printed names of all property owners: | Signatures of all property owners: | Date(s): |
| <i>I hereby certify that the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.</i> | | |
| Applicant signature: | | Date: |

A. Review applicable land use rules:

This application is subject to the provisions of [Section 709, Water Quality Resource Area District \(WQRAD\)](#) of the [Clackamas County Zoning and Development Ordinance](#) (ZDO).

It is also subject to the ZDO's definitions, procedures, and other general provisions, as well as to the specific rules of the subject property's zoning district and applicable development standards, as outlined in the ZDO.

B. Turn in all of the following:

- ☐ **Complete application form:** Respond to all the questions and requests in this application, and make sure all owners of the subject property sign the first page of this application. Applications without the signatures of *all* property owners are incomplete.
- ☐ **Application fee:** The cost of this application is **\$1,737**. Payment can be made by cash, by check payable to "Clackamas County", or by credit/debit card with an additional card processing fee using the [Credit Card Authorization Form](#) available from the Planning and Zoning website. Payment is due when the application is submitted. Refer to the FAQs at the end of this form and to the adopted [Fee Schedule](#) for refund policies.
- ☐ **Engineer's or surveyor's report:** Provide a report stamped by a registered professional engineer or surveyor licensed by the State of Oregon that includes the following:
 - A topographic map of the site at contour intervals of five feet or less showing a delineation of the Water Quality Resource Area (WQRA);
 - Location of all existing natural features including, but not limited to, all trees of a caliper greater than six inches diameter at a height of four feet, natural or historic drainages on the site, springs, seeps, outcroppings of rocks, and boulders within the WQRA;
 - Location of wetlands that qualify as primary protected water resources. Where such wetlands are identified, a delineation shall be made by a qualified wetlands specialist pursuant to the Division of State Lands' recommended wetlands delineation process;
 - An inventory and location of existing debris, nuisance vegetation, and noxious or hazardous materials;
 - An assessment of the existing condition of the WQRA in accordance with ZDO Table 709-2;
 - An inventory of vegetation, including percentage ground and canopy coverage;
 - An Impact Evaluation and Alternatives Analysis that addresses the requirements of ZDO Subsections 709.09(A) and (B); and
 - A mitigation plan containing the following information:
 - a. A description of adverse impacts that will be caused as a result of development;
 - b. An explanation of how adverse impacts to resource areas will be avoided, minimized, and/or mitigated in accordance with, but not necessarily limited to, Table 709-2;
 - c. A list of all responsible parties including, but not necessarily limited to, the owner, applicant, contractor, or other persons responsible for work on the subject property;
 - d. A map showing where the specific mitigation activities will occur; and
 - e. An implementation schedule, including a timeline for construction, mitigation, mitigation maintenance, monitoring, and reporting and a contingency plan. All in-stream work in fish-bearing streams shall be done in accordance with the Oregon Department of Fish and Wildlife in-stream timing schedule.

C. Describe the proposed development:

In the box below, describe all of your proposed development, including any grading, filling, vegetation removal, utility improvements, and the installation/construction of any roads, wells, driveways, fences, septic systems, dwellings, and accessory structures. Attach additional pages, if necessary.

D. Demonstrate with supporting plans and narrative:

Through a combination of attached plans, a written narrative, and other supporting evidence as necessary, demonstrate that the proposal meets and/or can meet all applicable approval criteria in ZDO Subsections 709.10(A)-(F).

Note:

If proposed development is in a Habitat Conservation Area (HCA) regulated pursuant to ZDO [Section 706, Habitat Conservation Area District \(HCAD\)](#), it shall comply with either Subsection 706.10(B) or 709.10, except that if the subject parcel contains an HCA and a WQRA *and* is the subject of a land use application for a partition or subdivision, the partition or subdivision shall comply with the requirements of Subsections 706.10 *and* 709.11, and if the provisions conflict, the most restrictive standard shall apply.

FAQs

When is a WQRA Development permit required?

The County's Zoning and Development Ordinance (ZDO) requires a Water Quality Resource Area (WQRA) Development permit for development within a Water Quality Resource Area (WQRA), defined in ZDO [Subsection 709.02](#) and for property that contains a WQRA and is the subject of a partition or subdivision.

What is the permit application process?

WQRA Development permits are subject to a "Type II" land use application process, as provided for in [Section 1307](#) of the ZDO (unless the application is filed concurrently with another land use application that requires review as a Type II application). Type II decisions include notice to owners of nearby land, the Community Planning Organization (if active), service providers (sewer, water, fire, etc.), and affected government agencies. If the application is approved, the applicant must comply with any conditions of approval identified in the decision. The Planning Director's decision can be appealed to the County Land Use Hearings Officer.

What is needed for the County to approve a land use permit?

A WQRA Development permit *may* be approved after an evaluation by the County of applicable standards of the ZDO. The applicant is responsible for providing evidence that their proposal does or can meet those standards. In order to address the standards, the information requested in this application should be as thorough and complete as possible. A permit will only be approved or denied after a complete application is received and reviewed. The County approves an application only if it finds that the proposal meets the standards or can meet the standards with conditions.

How long will it take the County to make a decision about an application?

The County makes every effort to issue a decision on a Type II land use application within 45 days of when we deem the application to be complete. State law generally requires a final County decision on a land use permit application in an urban area within 120 days of the application being deemed complete, and within 150 days for a land use permit in a rural area, although there are some exceptions.

If an application is submitted and then withdrawn, will a refund be given?

If a submitted Type II application is withdrawn before it is publicly noticed, 75% of the application fee paid, or the fee paid minus \$250, whichever is less, will be refunded. If a submitted application is withdrawn after it is publicly noticed, but before a decision is issued, 50% of the application fee paid, or the fee paid minus \$500, whichever is less, will be refunded. No refund will be given after a decision is issued. The \$5 Technology Fee is non-refundable.

Who can help answer additional questions?

For questions about the County's land use permit requirements and this application form, contact Planning and Zoning at **503-742-4500** or zoninginfo@clackamas.us. You can also find information online at the Planning and Zoning website: www.clackamas.us/planning.

Clackamas County is committed to providing meaningful access and will make reasonable accommodations, modifications, or provide translation, interpretation or other services upon request. Please contact us at 503-742-4545 or drenhard@clackamas.us.

503-742-4545: ¿Traducción e interpretación? | Требуется ли вам устный или письменный перевод?
翻译或口译? | Cần Biên dịch hoặc Phiên dịch? | 번역 또는 통역?