



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:

PRINCIPAL RIVER CONSERVATION AREA REVIEW

Application Fee: \$1,685

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 704, River and Stream Conservation Area \(RSCA\)](#) 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 **\$1,685**. 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.
- ☐ **Site plan:** Provide a site plan (also called a plot plan). A [Site Plan Sample](#) is available from the Planning and Zoning website. The site plan must be accurate and drawn to-scale on paper measuring no larger than 11 inches x 17 inches. The site plan must illustrate all of the following (when applicable):
 - Lot lines, lot/parcel numbers, and acreage/square footage of lots;
 - Contiguous properties under the same ownership;
 - Principal rivers, as defined in ZDO Subsection 704.03;
 - All existing and proposed structures, fences, retaining walls, roads, driveways, parking areas, other impervious surfaces, and easements, each with identifying labels and dimensions;
 - Setbacks of all structures from lot lines, easements, and principal rivers;
 - Existing vegetation and locations of proposed tree-cutting and grading activity;
 - Elevation contour lines of the area between the river and area proposed for development;
 - Other significant natural features (streams, wetlands, geologic hazards, drainage areas, etc.);
 - Established recreation areas or areas of public access on the subject property, if applicable; and
 - Location of utilities, wells, and all onsite wastewater treatment facilities (e.g., septic tanks, septic drainfield areas, replacement drainfield areas, drywells).
- ☐ **Elevations of proposed structures:** Attach to-scale drawings of each side of all proposed structures that include all measurements (height, length, width, and area).
- ☐ **Cross-sections:** Provide cross-section drawings of any area within the vegetative buffer or filter strip where grading, filling, or excavating will occur.
- ☐ **Buffer restoration plan:** Provide a river buffer restoration plan showing the location, number, and species of native trees and vegetation to be planted.
- ☐ **Evidence of required vegetation removal:** If any proposed vegetation removal within a river's required setback area is required by the Oregon Department of Fish and Wildlife, provide a copy of written notification that such removal is required as part of a river or stream enhancement project.

C. Answer the following questions:

Accurately answer the following questions in the spaces provided. Attach additional pages, if necessary.

1. In the box below, provide a detailed description of all of your proposed development, repair work, and site preparation activities *and* identify the purpose of all proposed structures:

2. ZDO [Subsection 704.04](#) requires that all structures exceeding 120 square feet or 10 feet in height be setback at least 100 feet from the mean high water line of a principal river, *or as much as 150 feet if necessary to lessen the impact of development*. In determining whether the setback is more than 100 feet (but not more than 150 feet), the following is considered:

- The size and design of any proposed structures;
- The width of the river;
- The topography of the land between the site and the river;
- The type and stability of the soils;
- The type and density of existing vegetation between the site and the river;
- Established recreation areas or areas of public access; and
- Visual impact of any structures.

Explain how the seven factors listed above have been considered and why a setback of between 100 and 150 feet is not warranted:

3. ZDO Subsection 704.05 allows certain exceptions to the required principal river setback. In the box below, explain how the use(s) described in your response to Question 1 is *allowed* within the setback because of an exception listed in Subsection 704.05:

4. Are you proposing a dwelling, or a structure accessory to a dwelling, that is taller than 35 feet?
- ☐ NO
- ☐ YES, but no proposed dwelling, or structure accessory to a dwelling, taller than 35 feet will be visible from a principal river, as demonstrated in the attached site plan and elevations.
5. Are you proposing any commercial or industrial facility, such as a structure, parking area, or storage area?
- ☐ NO
- ☐ YES, but the commercial or industrial facility will comply with the setbacks required by ZDO Subsection 704.04, and signs will be screened from view of the principal river by an opaque vegetation buffer, as shown in the attached plans. I understand that commercial and industrial facilities are subject to design review, pursuant to Section 1102.

6. What percentage of the required setback area (distance) that will be preserved with native vegetation with *all* of the uses you've proposed in response to Question 1?

_____ %

7. Will your proposal include tree cutting or grading?

- ☐ NO
- ☐ YES. Trees that endanger life or structures will be removed. Those trees are identified on the attached site plan and evidence (e.g., a report from a licensed arborist) that they endanger life or structures has been provided.
- ☐ YES. The tree cutting and/or grading is necessary to accommodate the proposal, as described in the box below *and* disturbed areas that are outside the footprint of structures and other improvements will be restored with native vegetation, as also described in the box below:

- ☐ YES. Vegetation removal has been approved by the Oregon Department of Fish and Wildlife, as part of a stream enhancement project and as described in the box below:

8. How will you restore disturbed areas of the stream buffer with native vegetation following your proposed development, repair work, and/or site preparation with native trees and vegetation? When will the restoration work be completed?

FAQs

When is a Principal River Conservation Area Review permit required?

Per Zoning and Development Ordinance (ZDO) [Section 704, River and Stream Conservation Area \(RSCA\)](#), tree cutting, grading, and development can only occur within a specified distance of principal rivers of the County in certain cases and under certain circumstances. Principal rivers include the Clackamas, Molalla/Pudding, Sandy/Salmon, Roaring, Tualatin, and Zig Zag Rivers. Determination of whether any tree cutting, grading, or development is allowed within the buffer, and of the conditions that will apply to an approval, requires a Principal River Conservation Area Review permit.

What is the permit application process?

Principal River Area Review permits are subject to a "Type II" land use application process, as provided for in [Section 1307](#) of the ZDO. 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 Principal River Conservation Area Review 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?