Josephine County, Oregon

Community Development – Planning Division
700 NW Dimmick, Suite C / Grants Pass, OR 97526
(541) 474-5421 / Fax (541) 474-5422
E-mail: planning@co.josephine.or.us

RIPARIAN CORRIDOR SITE PLAN REVIEW APPLICATION

PROPERTY & APPLICATION INFORMATION

ASSESSOR'S LEGAL DESCRIPTION:

TWN_____ RNG_____ SEC_____ QQ_____ TAX LOT_____

TWN_____ RNG_____ SEC_____ QQ_____ TAX LOT_____

PROPERTY ADDRESS: _____

EXISTING ZONING: _____ PARCEL SIZE: _____

DESCRIBE THE PROPOSED USE: _____

_____

_____

_____

_____

_____

OWNERSHIP & APPLICANT INFORMATION

OWNER'S NAME: _____ TEL: _____

MAILING ADDRESS: _____

APPLICANT'S NAME: _____ TEL: _____

MAILING ADDRESS: _____

REPRESENTATIVE: _____ TEL: _____

MAILING ADDRESS: _____

EMAIL ADDRESS: _____ _____

APPLICANT'S STATEMENT OF UNDERSTANDING

I _____, have filed an application for an **RIPARIAN CORRIDOR SITE PLAN REVIEW APPLICATION** with the Community Development – Planning Division to be reviewed and processed according to state and county requirements. I acknowledge the following disclosures:

1. I understand that any representations, conclusions or opinions expressed by staff in the pre-application review of this request do not constitute final authority or approval, and that I am not entitled to rely upon any such expressions in the place of final approval.

2. I understand I may ask questions and receive input from planning staff, but acknowledge that I am ultimately responsible for all information and documentation submitted with this application. I further understand planning staff cannot legally bind the county to any fact or circumstance that conflicts with state or local laws, and in the event a conflict occurs, all such statements or agreements are void.

3. I understand I have the burden of demonstrating my application meets all of the applicable standards and criteria. The standards and criteria for approving or denying my request have been furnished to me as a part of this application and I acknowledge receipt.

4. I understand planning staff is entitled to ask for additional information or documentation any time after the submission of this application if it is determined such information is needed for the review of my application.

5. In the event my application involves a farm or forest use or a Comprehensive Plan Zone Change, I understand it may be reviewed by the Oregon Department of Land Conservation and Development (DLCD). If this happens, and DLCD comments on the application, I understand DLCD has the authority to appeal the county's decision to the Oregon Land Use Board of Appeals if it chooses to do so.

6. I understand it is the function of the planning office to impartially review my application and to address all issues affecting it regardless of whether the issues promote or hinder the approval of my application. In the event a public hearing is required to consider my application, I agree it is my sole responsibility to establish the case in favor of the application.

7. I understand I am entitled to have a lawyer or a land use consultant help me with my application and to appear with me (or for me) at any appointment, conference or hearing relating to the application.

8. I understand the processing of my application may require a site visit, which may include officials from other agencies, and photographs are commonly taken. Advance notice of the visit will be provided when the site is also a personal residence.

DATE: _____, 20_____.

_____ _____

OWNER/APPLICANT * OWNER/APPLICANT *

* *If the applicant is someone other than the owner, a power of attorney must be on file from the owners authorizing the application*

RIPARIAN LANDSCAPE PLAN

To replace or manage vegetation, or reduce a setback within a Riparian Setback Area

NAME of APPLICANT: _____ TEL: _____

MAILING ADDRESS: _____

PROJECT LOCATION: Site Address: _____

TWN_____ RNG_____ SEC_____ QQ_____ TAX LOT_____

TWN_____ RNG_____ SEC_____ QQ_____ TAX LOT_____

PROJECT DESCRIPTION

1. What is your purpose for filing this plan? _____

2. Stream/River Name: _____

3. Approximate length of Stream/River affected: _____

4. By definition, is this a Class I or Class II stream? _____

5. Describe your basic proposal: _____

6. Does your proposal include ***planting*** new trees and/or understory vegetation? _____

7. If you answered YES to question 6, list the species of trees/plants you are proposing to use and the quantity. Include an estimate of the area of vegetation removal, species to be removed, replacement species to be used, with the number ***and*** size of plants to be planted (seedlings, 1 gallon, 5 gallon etc.). This must be in accordance with the provided list of Oregon native trees and plants and be shown on your submitted plot plan. (For noxious weed control, contact the OSU Extension Office at (541) 776-7371).

8. Are you proposing a maintenance plan for the riparian area? _____, if YES, please describe: _____

_____

_____

_____

_____

9. a. Proposed date of vegetation removal: _____

b. Vegetation will be replaced by (date): _____

10. What is your *justification* for impacting the riparian setback area? _____

_____

_____

_____

_____

_____

_____

- -

_____ _____

Applicant's Signature Date

_____ _____

Oregon Dept. of Fish and Wildlife Date

Please submit completed form to:

Oregon Department of Fish and Wildlife

1495 East Gregory Road

Central Point, Oregon 97502

(541) 826-8774 Fax: (541) 826-8776

www.dfw.state.or.us

JOSEPHINE COUNTY OREGON
RIPARIAN CORRIDOR PROTECTION PROGRAM
Effective June 6, 2006

Josephine County Rural Land Development Code

ARTICLE 72.040 - SPECIAL SETBACK REQUIREMENTS

Special use and structure siting restrictions shall apply to development within the following protected riparian areas:

* * * * *

Riparian Corridor Setback Area. Development within riparian corridors shall be limited as follows:

Setback Distances. The riparian corridor setback area shall be 50' wide for Class 1 Streams and 25' wide for Class 2 Streams (based upon stream classifications established and maintained by the Oregon Department of Fish and Wildlife).

1. **Riparian Corridor Development**. Development within a riparian corridor setback area by fill or excavation, by placement of structures, by construction of impervious surfaces, or by removal of vegetation (with or without other development) is generally prohibited, except as listed in subsections 2.a through 2.j below. Approval of the following activities shall require a pre-application review pursuant to Article 42.030 (*Initiation of Site Plan Review*), and must be authorized by a development permit pursuant to Article 41.020 (*Development Permits*), prior to development. A riparian area mitigation plan may be required.

    a. Streets, Roads, and paths;
    b. Drainage facilities, utilities, and irrigation pumps;
    c. Water-related and water-dependent uses, such as boat ramps, landings, docks, platforms for irrigation equipment, push up dams;
    d. Replacement of existing structures with structures in the same location that do not disturb additional riparian surface area;
    e. Reclamation activities intended to enhance riparian habitat;
    f. Improvements to fish habitat or fish passage;
    g. Aggregate mining between the banks of the stream;
    h. Forest practices in the farm or forest resource zones where the forest practice is authorized by a permit issued under the Oregon Forest Practices Act;
    i. On-going trimming and/or maintenance programs for the improvement of riparian and non-riparian vegetation; and
    j. Removal of non-native vegetation when replaced with native plant species.

2. **Exceptions.** Exceptions may be granted to the general prohibition of uses specified in subsection 2 above. Requests for development shall require pre-application review procedures for site plan review as set forth in Article 42.030, but shall be judged using the following standards only:

a. The development will result in equal or better protection for the riparian area because the riparian area will be restored, buffered, or enhanced through other special measures; and

b. The exception will not authorize alterations to occupy more than 50 percent of the width of the riparian area measured from the upland edge of the corridor; or

c. An existing lot or parcel proposed for development is rendered not buildable by application of the riparian setback.

d. A riparian area mitigation plan shall be required for all circumstances covered by subsections a, b and c above. The requirement for a mitigation plan may be waived if both the county and the Oregon Department of Fish and Wildlife agree a mitigation plan is unnecessary.

e. Notice of all proposed exceptions, to include copies of proposed mitigation plans, if not waived, shall be given to the Oregon Department of Fish and Wildlife, the Division of State Lands, and the Department of Environmental Quality consistent with the notice requirements contained in Section 32.030 (*Mailed Notice*).

ARTICLE 11.030 - NEW DEFINITIONS

RIPARIAN AREA. The area adjacent to a river, lake, stream, or wetland consisting of the area of transition from an aquatic ecosystem to a terrestrial ecosystem.

RIPARIAN AREA BOUNDARY. A line located a certain distance back from the ordinary high water line for riparian areas in which certain uses or activities are prohibited and/or regulated to protect or enhance beneficial riparian attributes. The area within a riparian area boundary or boundaries is considered the riparian corridor setback area. See Article 72.040.B (*Riparian Corridor Setbacks*).

RIPARIAN CORRIDOR. A space that surrounds a riparian area that includes the water areas, fish habitat, adjacent riparian areas, and wetlands that are within the riparian area setback boundary.

ORDINARY HIGH WATER LINE (OHWL). A line on the bank or shore of a riparian area to which high water ordinarily rises annually in season. The OHWL excludes exceptionally high water levels caused by large flood events. The OHWL shall be used to designate the upland edge of a riparian area for the purpose of measuring riparian corridor setbacks. The OHWL may be determined in the field by observing the following physical characteristics:

A. The location of a clear, natural line impressed on the shore;

B. Changes from riparian to upland vegetation (e.g., from willows to oak or fir trees);

C. Changes in the texture of sediment deposits or the character of soils (e.g., from sand, sand and cobble, cobble and gravel to upland soils);

D. The location below which fine debris (such as, needles, seeds, leaves, cones) are no longer present;

E. The location at which water-carried litter or debris, water stained leaves and water lines on tree trunks become apparent; and/or

F. Any other appropriate physical or scientific evidence that is credible to show the place where high water ordinarily rises annually in season.

ARTICLE 42.030 - INITIATION OF SITE PLAN REVIEW

1. Development within a Floodway Hazard Area, or development that requires review of a riparian corridor development mitigation plan required by Article 72 (*Special Setback Standards*), an erosion control plan and/or storm drainage facility pursuant to Article 83 (*Erosion Control & Storm Drainage Facilities*), or development that requires review of a wildfire hazard mitigation plan pursuant to Article 76 (*Wildfire Safety Standards*) or some other land use approval; and

ARTICLE 42.060 - SITE PLAN MAP REQUIREMENTS

When site plan review is required by the Director, the applicant shall prepare and submit a site plan map with two copies and one 8 1/2 x 11 inch copy for the entire parcel where the development is proposed to occur. The site plan map shall be drawn to scale and shall show some or all of the following items, as determined in the Pre-Application Review pursuant to Article 21.

- Location of the parcel by address and Assessor's legal description.
- The length of lot lines in feet and parcel size(s) in acres (to 10ths).
- The scale used to draw the map, a north arrow and the date of preparation.
- The location, size, height and dimensions of existing and proposed buildings and structures, including the distances between the buildings and the nearest property line.
- A notation describing the existing and proposed uses for the structures shown on the site.
- The slopes on the property (by % of grade), the nature and area of any proposed grading or earth movement, and the features of the proposed erosion control plan, if one is required (see Article 83).
- The location and conceptual design for storm drainage or detention facilities.
- The location of existing and proposed roads or driveways, including the location and width of existing rights-of-way(s) called for in the Josephine County Roadway and Traffic Management Plan, points of entry and exit for motor vehicles, and a description of other existing or proposed uses for streets (e.g., parking, walkways, bike paths, etc.).
- The location, dimensions and uses for all existing and proposed easements serving or burdening the parcel.
- The location and layout of existing and proposed off-street parking, including the number and dimensions of spaces, the surface material, the internal circulation pattern and loading facilities.
- The location and layout of existing and proposed public and private utilities on and adjoining the site, including septic systems.
- The location of off-street walkways and bike paths.
- The location, height and construction materials of walls and fences.

- The location and nature of exterior lighting fixtures, including a depiction or description of the area to be illuminated.

- The location, size, height and purpose for existing and proposed exterior notification or advertising signs or structures.

- The location and description of receptacles or areas for trash and garbage collection and/or disposal.

- The location of natural or man-made water features, such as, springs, rivers, creeks, ponds, lakes, drainage ways, irrigation ditches and other similar features.

- The location of the 100-year floodplain and floodway lines.

- Architectural or engineering data needed to show the criteria or standards of site plan review have been met.

- The boundary limits of the phases of development when phased development is proposed.

- A depiction or description of adjoining structures and land uses, together with the approximate distances between the subject parcel lines and the adjacent structures or uses.

- When an addition or remodel is proposed to an existing structure the site plan map shall indicate the relationship of the proposed addition or remodel to the existing development.

- If a mitigation plan is required, please complete the following *Project Description for Oregon Department of Fish and Wildlife* on the next page.

In addition to the Site Plan Map Requirements noted above and the attached *Riparian Landscape Plan*, the following is required for a full parcel plot map:

- Location of Ordinary High Water Line (OHWL) as determined by the Oregon Department of Fish and Wildlife (ODFW); and

- Location of riparian corridor setback boundaries.

A Plot Plan Map of the riparian corridor setback shall contain the following:

- square footage of the vegetation to be disturbed;
- existing and proposed structures;
- the amount of the excavation/fill areas;
- any development that is proposed;
- OHWL;
- boundary line(s).

Cross Section of the Channel, Riparian Corridor Setback Areas shall contain the following:

- square footage of the vegetation to be disturbed;
- existing and proposed structures;
- the amount of the excavation/fill areas;
- any development that is proposed;

- OHWL;
- boundary line(s).

Photographs are required of the stream channel, riparian corridor setback areas, and the vegetation areas.