



**SUPPLEMENTAL APPLICATION  
WILLAMETTE RIVER GREENWAY CONDITIONAL USE**  
(December - 2010)

**APPLICANT INFORMATION**

Name \_\_\_\_\_ File \_\_\_\_\_

Date \_\_\_\_\_

**WHAT IS A GREENWAY CONDITIONAL USE PERMIT?**

The County Zoning & Development Ordinance (ZDO) allows development or change in use within the Willamette River Greenway through a conditional use permit.

**WHAT IS NEEDED FOR APPROVAL?**

All greenway conditional use permits are discretionary and MAY be permitted after evaluation according to criteria in the ZDO. The County must make written findings to support the decision. The applicant is responsible for providing evidence to support the greenway conditional use request, according to ZDO Section 705.

**WHAT ARE CHANCES FOR APPROVAL?**

Staff cannot predetermine the decision on this or any application. A decision of approval or denial will only be made after the complete application is processed. This includes review of citizen and agency comments. The decision is based on criteria appropriate to this application as listed in the ordinance. In order to address the necessary criteria, the information requested in this supplemental application should be as thorough and complete as possible.

**APPLICATION PROCESS**

Greenway conditional use permits are subject to the Administrative Action process and public notice. Public comments received from the Community Planning Organization (CPO), property owners, agencies and other interested parties may affect the decision on the application. Special conditions may be attached to any approvals. Any decision on this application can be appealed to the County Hearings Officer and to the State Land Use Board of Appeals (LUBA) by the applicant or any other interested party.

**STAFF WILL ATTACH THE FOLLOWING PERTINENT INFORMATION:**

- |       |                      |       |                          |
|-------|----------------------|-------|--------------------------|
| _____ | Land Use Application | _____ | Supplemental Application |
| _____ | Sample Plot Plan     | _____ | River Design Plan        |
| _____ | ZDO Section 705      |       |                          |

**HOW LONG WILL IT TAKE TO GET A FINAL DECISION ON AN APPLICATION?**

Approximately 50 days for Administrative Action applications or 120 days if the initial decision is appealed.

**COMPLETE APPLICATIONS REQUIRE THE FOLLOWING:**

1. Land Use Application – Information on applicant and land involved in application.
2. Supplemental Application – Information requested on this form. Please be as complete and thorough as possible. Use additional sheets as necessary.
3. Application Fee: \_\_\_\_\_ (*Fee is nonrefundable upon decision or staff report; partial refund if withdrawn after notice; full refund if withdrawn prior to notice.*)
4. Plot Plan drawn to scale on 8.5” x 11” or 8.5” x 14” paper, showing the property and your proposal. Also indicate the following:
 

IMPORTANT

  - A. Distances from the proposed development to the property lines and **from a surveyed *mean low water line*** of the Willamette River. Include all tree-cutting/removal activity that is just outside the footprint of any proposed structure or within the protected buffer/filter strip accompanied with a licensed arborist statement why the need for removal exists.
  - B. Identification and location of existing vegetation. (*Photos may be submitted marked on the plot plan by where it was taken and direction of view*)
5. To Scale Drawings: To scale elevation drawings of any proposed structures to include scaled building heights from finished grade elevations at the foundation.
6. Materials List for any proposed structures, including types and colors of siding and roofing.
7. Cross-section of any area along the riverbank where dredging, filling, or excavation will occur.
8. Many sites along rivers are located within the 100 year floodplain. Development within the floodplain requires specific land use approval.

**JUSTIFICATION CRITERIA:** See ZDO Section 705 for specific requirements. Then answer the following questions:

- A. How will the proposed use protect, enhance, and maintain the natural, scenic, historical, agricultural, economic, and recreational qualities of lands along the Willamette River?

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B. What methods will be used to minimize erosion, promote bank stability, and maintain and enhance water quality and fish and wildlife habitats?

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C. How does the proposed use implement the Willamette River Design Plan described in the County Comprehensive Plan? (Refer to the attached copy of the Comprehensive Plan)

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D. Where has public access been provided to and along the Willamette River in the area of the subject property?

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E. What are the characteristics (thick stand of trees and shrubs or sparsely vegetated, lawn, etc.) of the buffer strip of Oregon native vegetation along the riverbank between the proposed development and the river? (*Photographs may be submitted, see submittal requirements*)

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- F. If the lot size or configuration precludes the development from meeting the 100 to 150 foot buffer filter strip setback requirement, please indicate how this request will continue to meet the preservation of a buffer or filter strip of natural vegetation along the river bank to the maximum extent possible as provided in Subsection 705.04(B) of the ordinance.

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**Questions:** Contact Steve Hanschka – Sr. Planner at 503-742-4512 or [stevehan@co.clackamas.or.us](mailto:stevehan@co.clackamas.or.us)

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## COMPREHENSIVE PLAN CHAPTER 3:

### 17.0 Willamette River Design Plan and Policies

- 17.1 Implement the design plan for the Willamette River according to the following map which illustrates uses. Management activities and land classifications shown on the map are consistent with land use policies and designations in the Land Use Chapter. Official maps showing precise boundaries and sites (scale 1"=2000') are on file at the Clackamas County Department of Transportation and Development.
- 17.2 Support regulation of recreational activities in the rural portion of the Willamette Greenway to minimize conflicts between water-based recreational uses, manage the intensity of recreational uses, and buffer bankside uses from water-borne recreational activities including recreational noise levels. The County shall develop a joint land management program with the Oregon State Parks and Recreation Department for all County- and state-owned lands in the rural greenway.
- 17.3 Provide for recreational activities in the urban portion of the Willamette Greenway through a jointly developed management program with all incorporated cities. At a minimum, public safety, recreational use intensity, and recreational noise need to be addressed.
- 17.4 Exempt specified modifications of single family residences from the existing Greenway Conditional Use procedure. For all other uses, change of use, modifications, and intensifications, require Willamette River Greenway Conditional Use approval and compliance with provisions of the design plan and Policies 10.2 and 10.3 of this chapter.
- 17.5 Prohibit private noncommercial docks and moorages in limited-use rural portions of the Greenway to protect the natural river character.
- 17.6 Allow private noncommercial docks and moorages in urban and multiple-use rural portions of the Greenway through the Greenway Conditional Use provisions of the Zoning Ordinance which require an extraordinary exception in the rural portion.
- 17.7 Limit development and intense recreational activities on sites designated Protection Resource Areas on the Design Plan Map. Islands shall not be developed.
- 17.8 Encourage new public access points to minimize trespass and vandalism on private property. Emphasis shall be directed to the area from Gladstone to Milwaukie.
- 18.0 Cooperate with the State Water Resources Department and other appropriate agencies to implement the Willamette River Basin Plan.