

## **Chapter 17.60**

# **~~STREAM CORRIDOR AND WETLAND DISTRICT~~**

### **~~(SCWD)~~**

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#### **~~17.60.010 Intent.~~**

~~The stream corridor and wetland district (SCWD) is intended to conserve the significant stream corridors, significant wetlands and approved wetland mitigation sites consistent with the Goal 5 Administrative rule (OAR Chapter 660, Division 23). [Ord. [1095](#) § 2, 2001; Ord. [950](#) Appx. G, 1991.]~~

#### **~~17.60.020 Application.~~**

~~Applications for development on properties within, or partially within, the SCWD shall be filed with City Hall on a form prescribed by the city administrator at least three weeks prior to the planning commission's public hearing. The application shall be accompanied by the fee set forth in the city's fee schedule. [Ord. [1095](#) § 2, 2001; Ord. [950](#) Appx. G, 1991.]~~

#### **~~17.60.030 Designation criteria.~~**

~~Land and water areas designated within this overlay district include Crow Creek and significant wetlands.~~

~~A. All perennial streams, including Crow Creek, shall have a riparian corridor (building setback area) of 50 feet from the top of bank.~~

~~B. Significant wetlands, based on delineations approved by the Division of State Lands (DSL).~~

~~C. Wetland mitigation sites approved by the Division of State Lands (DSL). [Ord. [1095](#) § 2, 2001; Ord. [950](#) Appx. G, 1991.]~~

#### **~~17.60.040 Survey requirements.~~**

~~A site-specific topographical survey, prepared by a licensed surveyor, shall be submitted with any development application affecting land within the SCWD. This survey shall show two-foot contour lines for the area within this special district, and the following:~~

~~A. The top of bank, as defined in OAR 660-23-090(1)(g).~~

~~B. The 50-foot stream-corridor building setback area.~~

~~C. Delineations of significant wetlands on the site.~~

~~D. Approved or proposed wetland mitigation sites as approved by DSL. [Ord. [1095](#) § 2, 2001; Ord. [950](#) Appx. G, 1991.]~~

#### **~~17.60.050 Uses.~~**

~~The following uses may be permitted within the SCWD, subject to a mitigation plan approved by the city:~~

~~A. A single-family residence on a legal lot of record, where imposition of the standards of this chapter prohibit reasonable economic use of lot.~~

~~B. Passive park and recreation uses, including trails.~~

~~C. Public facilities necessary to support development on nearby buildable lands.~~

~~D. Water-related development. [Ord. [1095](#) § 2, 2001; Ord. [950](#) Appx. G, 1991.]~~

#### **~~17.60.060 Standards.~~**

~~The following standards shall apply to land divisions and development on parcels within, or partially within, the SCWD:~~

~~A. No new lots shall be created within the SCWD unless the significant stream corridor, delineated wetlands or wetland mitigation sites on the property(ies) are protected by a conservation easement or other legally binding instrument approved by the city attorney.~~

~~B. Building and parking lot construction, grading and removal of native riparian vegetation shall be prohibited within the designated riparian corridor, except for uses listed in JCMC [17.60.050](#).~~

~~C. All permitted uses shall be located so as to minimize impacts on the stream corridor, wetlands and wetland mitigation sites and their respective vegetation, flood storage capacity, and water quality.~~

~~D. Where adverse impacts are identified, mitigation plans shall be required. Such plans shall be approved by the city and, when required by state law, DSL.~~

~~E. Public facilities necessary to support permitted development may only be permitted within the SCWD where there is no practicable alternative and mitigation is approved by the city and, when required by state law, DSL. [Ord. [1095](#) § 2, 2001; Ord. [950](#) Appx. G, 1991.]~~

### ~~**17.60.070 Conditions.**~~

~~Reasonable conditions may be imposed in connection with development within or adjacent to the SCWD to ensure that the purposes of this chapter are met. [Ord. [1095](#) § 2, 2001; Ord. [950](#) Appx. G, 1991.]~~

### ~~**17.60.080 Compliance with conditions of approval.**~~

~~Compliance with conditions imposed on development within the SCWD and adherence to approved development plans shall be required. Any departure from these conditions of approval and approved plans constitutes a violation of this chapter. [Ord. [1095](#) § 2, 2001; Ord. [950](#) Appx. G, 1991.]~~