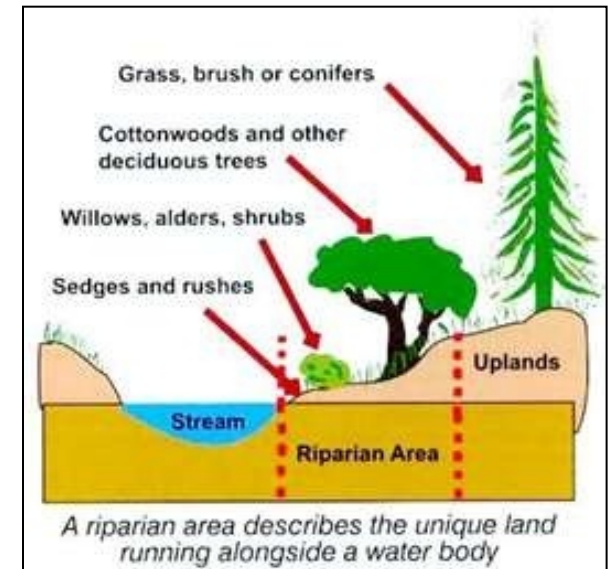


# JOSEPHINE COUNTY COMMUNITY DEVELOPMENT



## DEVELOPMENT IN A RIPARIAN CORRIDOR

- 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 ODFW 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 ODFW, the Division of State Lands, and the Department of Environmental Quality consistent with the notice requirements contained in Section 19.32.030 (*JCC*) (*Mailed Notice*).

**WILLIAMS CREEK WATERSHED COUNCIL**  
PO BOX 94, Williams, OR 97544

**ILLINOIS VALLEY WATERSHED COUNCIL**  
PO Box 352, Cave Junction, OR 97523  
541-592-3731  
[kevin@ivstreamteam.org](mailto:kevin@ivstreamteam.org)

**ILLINOIS VALLEY SOIL & WATER  
CONSERVATION DISTRICT**  
219 S. Redwood Highway, Cave Junction, OR 97523  
541-592-3731  
[tracey@ivstreamteam.org](mailto:tracey@ivstreamteam.org)

**OREGON DEPT OF AGRICULTURE**  
Natural Resources Division  
635 Capitol Street NE, Salem, OR 97301  
(541) 302-3043 Fax: (541) 302-3043  
[www.oregonstatelands.us](http://www.oregonstatelands.us)

### Disclaimer

This brochure is for information purposes only and does not share all aspects of the development in a riparian corridor. A complete set of codes is available online and at the Community Development Department. Rules are subject to change, and likely will. Please always check to verify you have the most current flyer or codes, both available on the website.



Josephine County Oregon

Community Development  
700 NW Dimmick Street, Suite C  
Grants Pass OR 97526  
541.474.5421

Email: [planning@co.josephine.or.us](mailto:planning@co.josephine.or.us)  
Website: [www.co.josephine.or.us/planning/](http://www.co.josephine.or.us/planning/)



## AGENCY INFORMATION

**OREGON DEPARTMENT OF FISH AND WILDLIFE**  
1495 East Gregory Road, Central Point, OR 97502  
(541) 826-8774 Fax: (541) 826-8776  
[www.dfw.state.or.us/](http://www.dfw.state.or.us/)

**TWO RIVERS SOIL & WATER CONSERVATION  
DISTRICT**  
1440 Parkdale Drive, Grants Pass, OR 97527  
(541) 474-6840

**ROGUE WATERSHED COUNCIL**  
89 Alder Street, Central Point, OR 97502  
(541) 423-6158 info(at)rogueriverwc.org

**APPLEGATE RIVER WATERSHED COUNCIL**  
PO Box 899, Jacksonville, OR 97530  
(541) 899-9982 Fax: (541) 899-125  
[www.arwc.gov](http://www.arwc.gov)

## **PURPOSE**

Josephine County has adopted regulations that control development in riparian corridor areas for the purpose of protection of riparian resources. (*Ordinance 2006-001 ~ Effective date June 6, 2006*)

**Value of Healthy Riparian Area.** Healthy riparian areas and wetlands are natural features providing important functions which contribute to the overall quality of the community, including enhancing water quality, reducing erosion, moderating stream water temperature and stream flows, as well as providing important fish and wildlife habitat.

Josephine County crosses eight watersheds. These include the South Umpqua, Chetco, Lower Rogue, Smith, Illinois, Lower Klamath, Applegate, and Middle Rogue watersheds.

## **RIPARIAN AREA 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 Corridor.** A space that surrounds a riparian area that includes the water areas, fish habitat, adjacent riparian areas, and wetlands within the riparian area setback boundary.

**Riparian Area Boundary.** A line located a certain distance back from the Ordinary High Water Line (OHWL) 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 Section 19.72.040.B Josephine County Code (JCC) (Riparian Corridor Setbacks).*

**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.

## **PERMIT PROCEDURES**

The Planner identifies the information required for the review to obtain a development permit from the following list:

- ❖ Site description with photographs
- ❖ Plot Plan depicting the OHWL and riparian corridor boundary and the proposed development to include any removal of vegetation
- ❖ Location of any flood hazard areas
- ❖ Narrative of the project and any drawings, plans, or details
- ❖ Cross Section of channel showing OHWL and placement of proposed structure
- ❖ Riparian Landscape Plan

## **RIPARIAN CORRIDOR SETBACK AREA**

### ***Section 19.72.040 – Special Setback Requirements***

1. Setback distances are 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 – (ODFW).*)
2. 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 on review (technical plan) pursuant to Section 19.42.030 (*JCC*) (*Initiation of Site Plan Review*), and must be authorized by a development permit pursuant to Section 19.41.020 (*JCC*) (*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 of 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.
3. Exceptions may be granted to the general prohibition of uses specified in subsection 2 above. Requests for development shall require pre-application on review (technical plan) procedures for site plan review as set forth in Section 19.42.030 (*JCC*) but shall be judged using the following standards only: