

### 3.3-300 Willamette Greenway Overlay District

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#### 3.3-305 Purpose

The Willamette Greenway (WG) Overlay District is established to protect and preserve natural scenic, historic and recreational qualities of lands along the Willamette River. This overlay district delineates the Willamette Greenway area for the City and establishes standards for the delineation of the Greenway Setback Area.

#### 3.3-310 Applicability

The WG Overlay District applies to all lands which are within 150 feet of the ordinary low water line on the channel of the Willamette River, or are adjacent to the river and are publicly owned for park and recreation purposes.

#### 3.3-315 Review

- A. Development proposals shall be reviewed under Discretionary Use procedure as specified in SDC 5.9-100, the Site Plan Review process as specified in SDC 5.17-100, where applicable, and the standards of this Section.
- B. Notice shall be given to the Oregon Department of Transportation by immediately forwarding a copy of the application by certified mail, return receipt requested. Notice of final City action shall also be provided to the Oregon Department of Transportation.

#### 3.3-320 Permitted and Discretionary Uses

- A. Uses allowed in the WG Overlay District are the same as those in the underlying zoning districts (See SDC 4.3-145 for siting standards and review process for certain wireless telecommunications systems facilities).

**EXCEPTION:** Uses within the Greenway Setback Area are limited to water-dependent or water-related uses as may be permitted in SDC 3.3-325.

- B. Any change or intensification of use, or construction that has a significant visual impact shall require Discretionary Use Approval.

<b>3.3-325</b>	<b>Greenway Setback</b>
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A Greenway Setback Line is established to protect, maintain, preserve and enhance the natural, scenic, historic and recreational qualities of the Willamette Greenway. Only water-dependent or water-related uses are permitted between the Willamette River and the Greenway Setback Line. The Greenway Overlay District shall substitute temporarily as the Greenway Setback Line for all properties within this Overlay District that do not have an established Setback Line. Establishment of this Setback Line may occur with or without a request for development approval, but any request for development approval on land without an established Setback Line shall be accompanied by an application for establishment of the Greenway Setback Line. The location of the Greenway Setback Line shall be determined consistent with the following standards derived from Section C.3 of the Willamette River Greenway Goal 15:

- A.** Local, regional and State recreational needs shall be provided for consistent with the carrying capacity of the land. The possibility that public recreation use might disturb adjacent property shall be considered and minimized to the greatest extent possible.
- B.** Adequate public access to the river shall be provided.
- C.** Significant fish and wildlife habitats shall be protected.
- D.** Identified scenic qualities and view-points shall be preserved.
- E.** The maintenance of public safety and protection of public and private property, especially from vandalism and trespass shall be provided for, to the maximum extent practicable.
- F.** The natural vegetative fringe along the river shall be enhanced and protected to the maximum extent practicable.
- G.** The location of known aggregate deposits shall be considered. Aggregate extraction may be permitted outside the Greenway Setback Area subject to compliance with State law, the underlying zoning district and conditions of approval designed to minimize adverse effects on water quality, fish and wildlife, vegetation, bank stabilization, stream flow, visual quality, quiet and safety and to guarantee reclamation.
- H.** Developments shall be directed away from the river to the greatest possible degree; provided, however, lands committed to urban uses shall be permitted to continue as urban uses, including port, public, industrial, commercial and residential uses, uses pertaining to navigational requirements, water and land access needs and related facilities.

<b>3.3-330</b>	<b>Development Standards</b>
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In addition to Discretionary Use criteria specified in SDC5.9-120, applications in the WG Overlay District shall also meet the standards specified in SDC 3.3-325.