LAND MANAGEMENT DIVISION

RIPARIAN REGULATIONS

PUBLIC WORKS DEPARTMENT *3050 NORTH DELTA HIGHWAY, EUGENE OR 97408*
PLANNING: 541-682-3577 BUILDING: 541-682-4651 SANITATION: 541-682-3754

This guide outlines the Lane County riparian regulations. This guide is for informational purposes only and is not to be considered a substitute for the language of federal, state or local regulations. Specific language may be found in Lane Code 16.253.

WHAT DOES "CLASS I STREAM" MEAN?

Class I Streams are designated by the Oregon Department of Fish and Wildlife (ODFW), as indicated on maps produced by ODFW and formally adopted by Lane County.

HOW DO RIPARIAN STANDARDS APPLY TO YOUR PROPERTY?

All structures must be setback from the ordinary high water line of the stream to protect the riparian habitat which parallels the stream. This is called the Riparian Setback Area.

The setback is 100 feet for F1 (Nonimpacted Forest), F2 (Impacted Forest) and EFU (Exclusive Farm Use) zoned properties. The setback for all other zones is 50 feet. The distance is measured perpendicular from the ordinary high water line into the property. In addition, vegetation removal is limited in this area. The amount of removal depends on the length of river frontage of the property. Prior to any removal of vegetation within the riparian setback area, the land owner must have an approved Riparian Enhancement permit from the Land Management Division, or an enhancement plan approved by the Soil and Water Conservation District (SWCD) after consultation with the Oregon Department of Fish and Wildlife.

HOW DO YOU IDENTIFY THE ORDINARY HIGH WATER LEVEL?

The ordinary high water level is determined by Planning staff after a land owner submits a Riparian Declaration. This will allow staff to visit the site and place stakes to identify the location of the ordinary high water line. As defined by ORS 274.005(3), "ordinary high water" means the line on the bank or shore to which the high water ordinarily rises annually in season. It does not include levels attained during exceptional or catastrophic floods. It is often identifiable by physical characteristics such as changes in character in the soil, destruction or absence of vegetation not adapted for life in saturated soils, or the annual accumulation or presence of debris or driftwood. The high water level can also sometimes be defined by a topographic feature such as a steep embankment, scour line on a shoal or gravel bar, and terraces within the historic river channels.

If you wish to encroach into the Riparian Setback Area, a Riparian Modification is required. Your proposal must address the criteria of Lane Code 16.253(3). This subsection of the Code allows a modification to the restrictions against siting of structures within the riparian setback area. A copy of the entire Lane Code 16.253 is available at http://lanecounty.hosted.civiclive.com/cms/one.aspx?portalId=3585881&pageId=4119453 .

CALCULATING THE MAXIMUM ALLOWED REMOVAL OF VEGETATION WITHIN THE RIPARIAN SETBACK AREA

Lane Code 16.253 contains the vegetation removal limits within the riparian setback area. The amount of vegetation removal is determined by the amount of river frontage. For example, if your property is zoned RR and contains 210 feet of river frontage, the maximum allowed removal is 52.5 linear feet and 2,265 square feet. The table on the next page summarizes these limits. Refer to Lane Code 16.253 for details.

(over)

Linear Frontage	=	Linear removal	sf removal	F1, F2 and EFU zones
210 feet	=	52.5 linear feet	2,625 sf	5,250 sf
220 feet	=	55.0 linear feet	2,750 sf	5,500 sf
230 feet	=	57.5 linear feet	2,850 sf	5,750 sf
240 feet	=	60.0 linear feet	3,000 sf	6,000 sf
250 feet	=	62.5 linear feet	3,125 sf	6,250 sf
260 feet	=	65.0 linear feet	3,250 sf	6,500 sf
270 feet	=	67.5 linear feet	3,375 sf	6,750 sf
280 feet	=	70.0 linear feet	3,500 sf	7,000 sf
290 feet	=	72.5 linear feet	3,625 sf	7,250 sf
300 feet	=	75.0 linear feet	3,750 sf	7,500 sf
310 feet	=	77.5 linear feet	3,875 sf	7,750 sf
320 feet	=	80.0 linear feet	4,000 sf	8,000 sf
330 feet	=	82.5 linear feet	4,125 sf	8,250 sf
340 feet	=	85.0 linear feet	4,250 sf	8,500 sf
350 feet	=	87.5 linear feet	4,375 sf	8,750 sf
360 feet	=	90.0 linear feet	4,500 sf	9,000 sf
370 feet	=	92.5 linear feet	4,625 sf	9,250 sf
380 feet	=	95.0 linear feet	4,750 sf	9,500 sf
390 feet	=	97.5 linear feet	4,875 sf	9,750 sf
400 feet	=	100.0 linear feet	5,000 sf	10,000 sf