

Chapter 18.69: WETLANDS

18.69.020 Designation procedure.

Wetland areas within the Molalla urban growth boundary are identified on inventory maps prepared by the U.S. Department of Interior, Fish and Wildlife Service. A field investigation was conducted by representatives of the U.S. Fish and Wildlife Service, State of Oregon, Department of Fish and Wildlife, and City staff to determine the significance of the identified wetland areas. The result is the inclusion of significant wetland areas on the Molalla Comprehensive Plan, wetland map.

18.69.030 Area of application.

The provisions of this section shall apply to all areas identified as wetlands on the Molalla Comprehensive Plan wetland map or any subsequent City wetland map prepared as part of a Goal 5 inventory.

18.69.040 Review requirements.

- A. The approval authority may allow development of identified wetland areas, pursuant to the Type I land use procedures.
- B. Approval is subject to:
 - 1. Administrative review pursuant to Type I land use procedures; and,
 - 2. Review by the Oregon Division of State Lands.

18.69.050 Criteria for development approval.

The approval authority shall not approve development in identified wetland areas unless all of the following criteria are satisfied:

- A. The proposed use or alteration of the wetland is approved by the U.S. Army Corps of Engineers and the State of Oregon, Division, if necessary;
- B. The wetland can be altered without substantial adverse impact on the character of the area and function of the wetland;
- C. The wetland does not support rare or endangered species of fish, wildlife, or vegetation;
- D. Elimination, alteration, or relocation does not significantly alter water movement, including normal levels of rates or runoff into and from wetlands;

- E. The benefit to the public from the proposed use clearly outweighs the public good from retaining the wetland area;
- F. The wetland must be disturbed for reasonable use of the site and, if not disturbed, the applicant would be substantially damaged;
- G. Disturbance of the wetland will not require any public costs, including maintenance due to secondary impacts;
- H. The disturbance to the wetland will be the minimum necessary to accommodate reasonable development of the property. Efforts should be made to integrate the wetland area into the proposed development.