

CHAPTER 255—GREENWAY DISTRICT¹**255.010 PURPOSE:**

The purpose of the Greenway district is to implement the goals and policies of the Bear Creek Greenway Plan and related documents on publicly owned land and water. The major goals of the Bear Creek Greenway are environmental protection and public access for recreation. This district is intended to fulfill those goals and policies described in the Bear Creek Greenway Plan: Management Policies and Guidelines (1982) and the Bear Creek Greenway Plan: Ashland to Central Point (1988). The district is also intended to comply with Statewide Planning Goals 5 and 8.

255.020 APPLICATION:

This zoning district is to be applied to all publicly-owned land and water under County jurisdiction and within the Bear Creek Greenway from Mountain Avenue in Ashland to the vicinity of the Seven Oaks/Blackwell Road interchange of Interstate-5. This zoning district is to be applied in addition to the Area of Special Concern established in Subsection 280.110(3)(D) and supersedes that Section in the event of any conflicting provisions. New areas may be added to this district as plans for other greenway segments are adopted.

255.025 DEFINITIONS:

- 1) SITE MASTER PLAN: A plan for the conservation and development of specific sites, such as parks, stream reaches or nature study areas adopted by Jackson County after a properly noticed public hearing.
- 2) MITIGATION BANK: A publicly owned and operated wetland site, created, restored or enhanced by the Division of State Lands in accordance with ORS 541.550 to 541.587 to compensate for unavoidable adverse impacts of activities requiring a state or federal fill or removal permit.

255.030 PERMITTED USES:

The following uses shall be permitted subject to all other applicable rules, standards, or statutes governing such uses, including: the Jackson County Comprehensive Plan and implementing regulations; Bear Creek Greenway Plans and related documents; the Land Development Ordinance; Jackson County Park Regulations; and Oregon Administrative Rules governing land use, water, transportation, fish and wildlife, and environmental quality. When permitted uses occur in special flood hazard areas, the uses shall be processed pursuant to Chapter 254.

- 1) Agriculture, including accessory uses but excluding animal husbandry.

¹ Amended by Ordinance #88-18, Adopted on December 15, 1988; Effective February 13, 1989 (File #87-3-OA)

- 2) Bike paths (subject to the standards of Section 05.095) and other trails and related facilities, such as signs, viewpoints and informational displays.
- 3) Parks, picnic areas, playgrounds, scenic, historic, nature study areas or botanical areas as provided in approved site master plans for these areas.
- 4) Bridges or stream crossings at points identified in the Bear Creek Greenway Plan or site master plans, subject to the requirements of Chapter 254.
- 5) Fairgrounds and related facilities when located or relocated within, adjacent to, or in the immediate vicinity of the Jackson County Exposition Park.
- 6) Campgrounds, including recreational vehicle parks as provided in approved site master plans for these areas.
- 7) Fish hatchery, fish culture, fishing ponds or platforms, wildlife management or refuge area.
- 8) Water impoundments and irrigation facilities, including diversion points for irrigation purposes, necessary for, or incidental to, another permitted use.
- 9) Utility facilities, pipelines, or buried cable necessary for public service. Maximum utilization of existing easements and rights-of-way shall be made.
- 10) Small scale energy producing facility in conjunction with permitted and approved conditional uses.
- 11) Water gauging station.
- 12) Pond creation, relocation of stream channel, removal or fill for wetland creation, riparian habitat enhancement, and mitigation bank actions when consistent with Chapter 254.
- 13) Uses permitted in Section 254.040.

255.040 CONDITIONAL USES:

The following uses may be permitted subject to the standards listed below and the provisions of Chapter 260:

- 1) Excavation, removal, and processing of sand, gravel, stone, loam, dirt or other earth or natural materials, except when this use is part of environmental enhancement or mitigation projects, provided that the standards of Chapter 272 are satisfied.
- 2) Golf courses.
- 3) Community center.
- 4) Parks, picnic areas, playgrounds, scenic, historic, nature study areas or botanical areas when not provided for in approved site master plans for these areas.

- 5) Campgrounds, including recreational vehicle parks when not provided for in approved site master plans for these areas.
- 6) Equestrian arenas or other facilities outside of parks with approved master site plans.
- 7) Public utility building or structure.

255.050 STANDARDS:

Development shall follow the policies and standards of the Bear Creek Greenway Plan and approved site master plans for parks, nature study areas, and associated development; Chapters 254 and 272 of this Ordinance; and rules for Division of State Lands and U.S. Army Corps of Engineers fill and removal permits issued under the authority of ORS 541.550 to 541.685 and 33 U.S.C. Sections 1251 through 1376.