

**NOTICE OF DECISION ON A TYPE II LAND USE PERMIT**

**Decision: Approved with Conditions**

**Permit Type:** Principal River Conservation Area Review

**File No. Z0147-26**

**Applicant's Proposal:** Installation of a 9' tall and 4' wide steel sculpture and accompanying interpretive signage within the Principal River Conservation Area of the Clackamas River.

**Decision Date:** June 8, 2026

**Deadline for Filing Appeal: June 22, 2026, at 4:00 pm.**

**Issued By:** Taylor Campi, Senior Planner, TCampi@clackamas.us

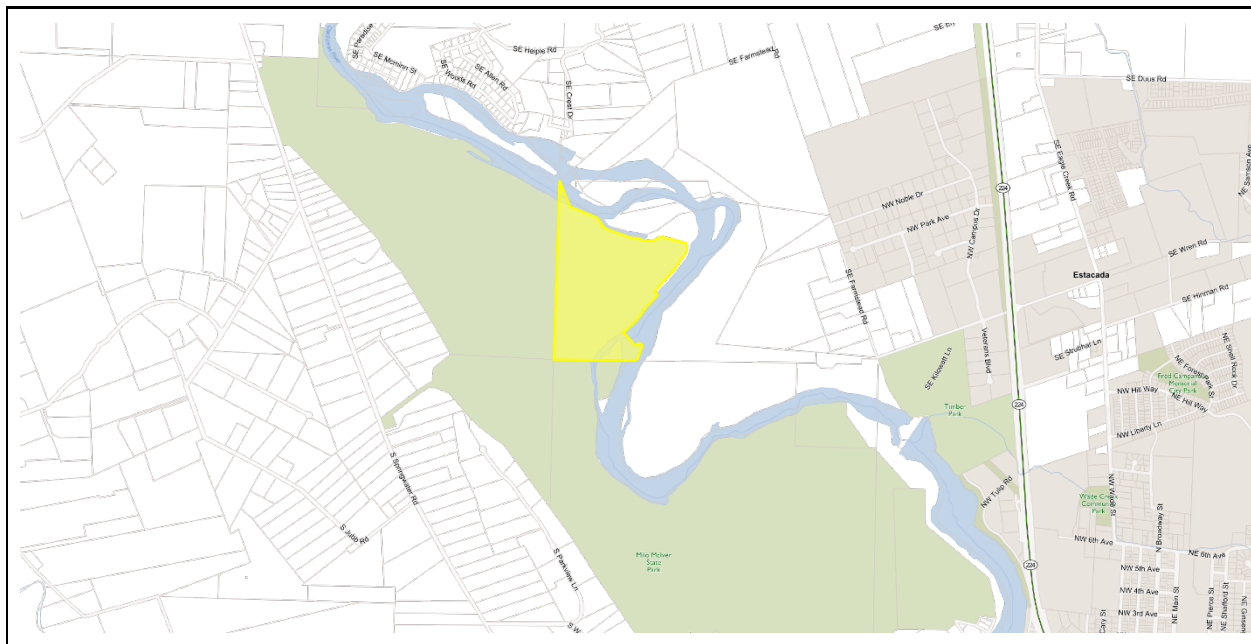
**Applicant:** LOGALBO, MARY

**Owner of Property:** OREGON PARKS & RECREATION DEPT

**Zoning:** TBR – Timber District

**Assessor's Map & Tax Lot(s):** T3S R4E Section 18 Tax Lot 1600

**Site Location:** On the west side of the Clackamas River in Milo McIver State Park.



**Community Planning Organization (CPO) for Area:**

REDLAND-VIOLA-FISCHERS MILL CPO  
LANCE WARD 503-631-2550  
REDLAND-CPO@CCGMAIL.NET

Community Planning Organizations (CPOs) are part of the county's community involvement program. They are advisory to the Board of County Commissioners, Planning Commission and Planning and Zoning Division on land use matters affecting their communities. CPOs are notified of proposed land use actions and decisions on land within their boundaries and may review these applications, provide recommendations or file appeals. If this CPO currently is inactive and you are interested in becoming involved in land use planning in your area, please contact Clackamas County Community Engagement at 503-655-8751.

**Opportunity to Review the Record and Decision:** The complete decision, including findings and conditions of approval, and the submitted application are available for review online at <https://aca-prod.accela.com/CLACKAMAS>. Select the **Planning** tab and enter the file number to search. Select **Record Info** and then select **Attachments** from the dropdown list, where you will find the submitted application. A copy of the decision, application, all documents and evidence submitted by or on behalf of the applicant, and applicable criteria are available for inspection at no cost by contacting the Planner listed above. Copies of all documents may be purchased at a cost established by the County fee schedule.

**Appeal Rights:** This decision will not become final or effective until the period for filing an appeal with the County has expired without the filing of an appeal. Any person who is adversely affected or aggrieved or who is entitled to written notice of the decision pursuant to Subsection 1307.09(C) of the Clackamas County Zoning and Development Ordinance may appeal this decision to the Clackamas County Land Use Hearings Officer by filing a written appeal. An appeal must include a completed Appeal Form available at [www.clackamas.us/planning/supplemental.html](http://www.clackamas.us/planning/supplemental.html) and a \$250.00 filing fee and must be **received** by the Planning and Zoning Division by the appeal deadline identified above.

Appeals may be submitted in person during office hours (8:00 am to 4:00 pm Monday through Thursday, closed Friday and holidays). Appeals may also be submitted by email or US mail.

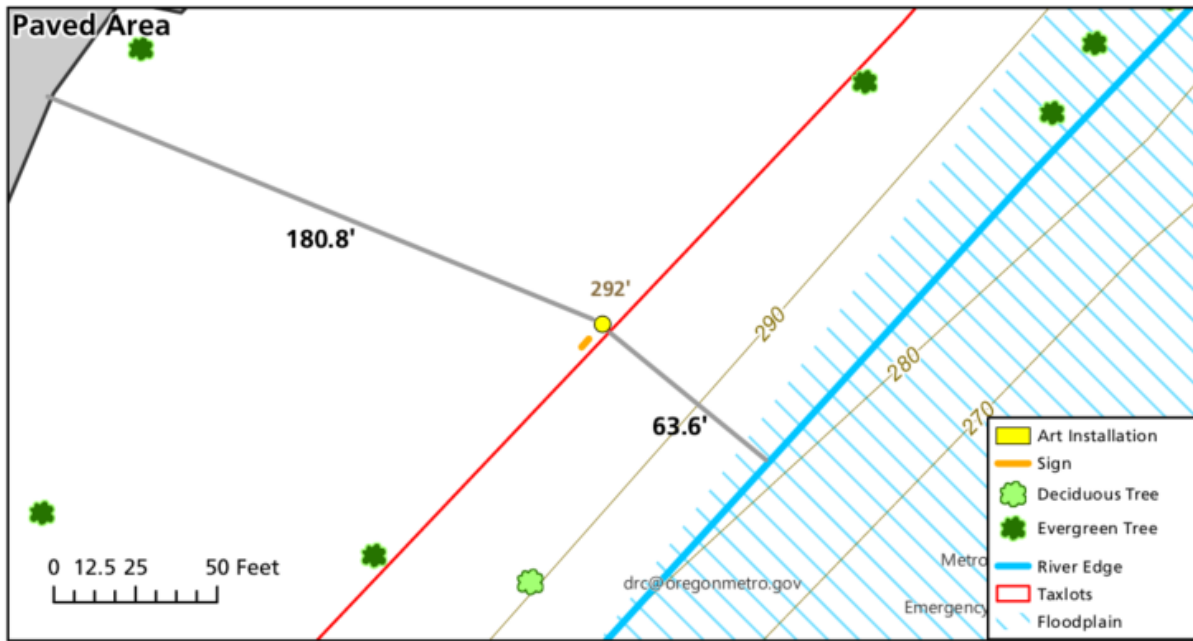
A person who is mailed written notice of this decision cannot appeal this decision directly to the Land Use Board of Appeals under ORS 197.830.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.

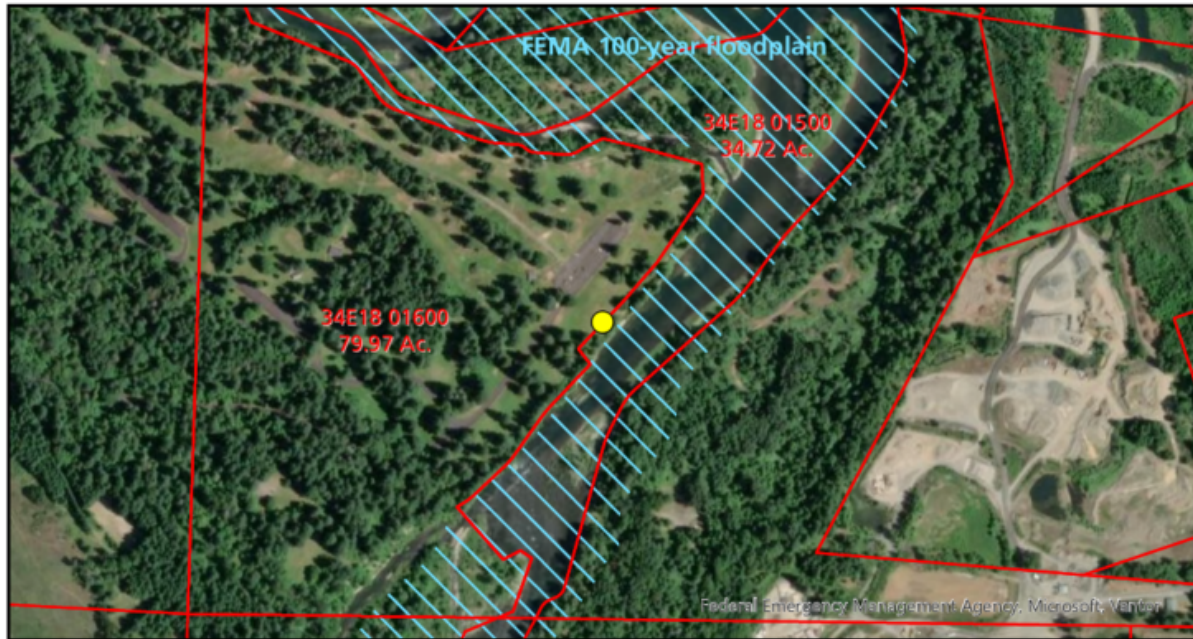
*Clackamas County is committed to providing meaningful access and will make reasonable accommodations, modifications, or provide translation, interpretation or other services upon request. Please contact us at 503-742-4545 or email [DRenhard@clackamas.us](mailto:DRenhard@clackamas.us).  
503-742-4545: ¿Traducción e interpretación? | Требуется ли вам устный или письменный перевод? | 翻译或口译? | Cần Biên dịch hoặc Phiên dịch? | 번역 또는 통?*



# Site Plan



Soil: 19 - Cloquato Silt Loam



## PERMIT EXPIRATION

---

Pursuant to ZDO Subsection 704.09, approval of a Principal River or Stream Conservation Area review is valid for four years from the date of the final decision. Unless an appeal is filed, the date of the final decision is the “decision date” listed above. **During this 4-year period, the approval shall be implemented as described in Subsection 704.09, or the approval will become void.**

This is the only notice you will receive of this deadline.

## CONDITIONS OF APPROVAL

---

The conditions listed are necessary to ensure that approval criteria for this land use permit are satisfied. Where a condition relates to a specific approval criterion, the code citation for that criterion follows in parentheses. At all times, the use shall be sited and conducted in compliance with these conditions of approval. Noncompliance may result in code enforcement action or revocation of this permit.

1. Approval of this land use permit is based on the submitted written narrative and plan(s) filed with the County on 4/27/2026. No work shall occur under this permit other than which is specified within these documents, unless otherwise required or specified in the conditions below. It shall be the responsibility of the property owner(s) to comply with these documents and the limitation of any approval resulting from the decision described herein.

## APPLICABLE APPROVAL CRITERIA

---

This application is subject to Clackamas County Zoning and Development Ordinance (ZDO) Section(s) 202, 704, and 1307.

## PUBLIC AND AGENCY COMMENTS

---

Notice was sent to applicable agencies and owners of property within 750 feet. Comments received relating to the applicable approval criteria listed above are addressed in the Findings Section. Comments from the following were received:

Oregon Department of State Lands

## FINDINGS

---

The findings below identify the standards and criteria that are relevant to this decision, state the facts relied upon in rendering the decision, and explain the justification for the decision.

1. **Background/Overview of Applicant's Proposal:** The applicant is proposing the installation of a 9' tall and 4' wide steel sculpture and accompanying interpretive signage within the Principal River Conservation Area of the Clackamas River.
2. **ZDO Section 704 – River and Stream Conservation Area (RSCA)**

#### 704.03 AREA OF APPLICATION

- A. *Section 704 applies to land that is generally within a quarter mile of the mean high water line of the Clackamas, Sandy/Salmon, Molalla/Pudding, Roaring, Tualatin, and Zig Zag Rivers. These lands are classified as Principal River Conservation Areas and are identified on Comprehensive Plan Maps III-1a, Principal River Conservation Area Clackamas River Design Plan, III-1b, Principal River Conservation Area Sandy-Salmon River Design Plan, III-1c, Principal River Conservation Area Molalla River Design Plan, III-1d, Principal River Conservation Area Tualatin River Design Plan, and III-2, Scenic & Distinctive Resource Areas. The location of these rivers may vary from these maps, if more specific information is provided.*
- F. *Notwithstanding Subsections 704.03(A) through (E), Section 704 does not apply to land that is inside the Metropolitan Service District Boundary or the Portland Metropolitan Urban Growth Boundary, nor does it apply to Oregon Department of Fish and Wildlife, or other state or federally approved, fish enhancement projects.*

**Finding:** The proposed development is within a Principal River Conservation Area because it is located within a quarter mile of the mean high water line of the Clackamas River. Subsection 704.09 requires that "Proposed developments on lands within 150 feet of the mean high water line shall be reviewed through a Type II application pursuant to Section 1307". The proposed development is located within 150 feet of the mean high water line of the Clackamas River and is reviewed herein according to the Type II procedure established in ZDO Section 1307. The project is not a fish enhancement project.

**This criterion is met.**

#### 704.04 RIVER AND STREAM SETBACKS

*The following minimum setbacks shall apply to structures exceeding 120 square feet or 10 feet in height:*

- A. *Structures shall be located a minimum of 100 feet from the mean high water line of a principal river. This minimum setback may be increased up to 150 feet from the mean high water line to lessen the impact of development. In determining the minimum setback, the following shall be considered:*
  1. *The size and design of any proposed structures;*
  2. *The width of the river;*
  3. *The topography of the land between the site and the river;*
  4. *The type and stability of the soils;*

5. *The type and density of existing vegetation between the site and the river;*
6. *Established recreation areas or areas of public access; and*
7. *Visual impact of any structures.*

**Finding:** The applicant is not proposing any structures exceeding 120 square feet or 10 feet in height. The proposed development includes a 9' tall and 4' wide steel sculpture with accompanying interpretive signage. Therefore, the setback established by this subsection does not apply to the proposed development.

**This criterion is not applicable.**

- B. Structures shall be located a minimum of 100 feet from the mean high water line of a large stream.*

**Finding:** The proposed development is not within 100 feet of any stream.

**This criterion is not applicable.**

- C. Structures shall be located a minimum of 70 feet from the mean high water line of a medium stream.*

**Finding:** The proposed development is not within 70 feet of any stream

**This criterion is not applicable.**

- D. Structures shall be located a minimum of 50 feet from the mean high water line of a small stream.*

**Finding:** The proposed development is not within 50 feet of any stream

**This criterion is not applicable.**

#### **704.05 SETBACK EXCEPTIONS**

- A. The following uses are exempt from the minimum setback standards of Subsection 704.04:*

**Finding:** The exemptions listed in this subsection do not apply to the proposed development because the proposed development is not subject to the setback standards of Subsection 704.04 in the first place.

**This criterion is not applicable.**

- B. In addition to the exemptions listed in Subsection 704.05(A), the minimum setback standards of Section 704 may be modified for purposes consistent with the adopted Economic, Social, Environmental, and Energy analyses for the applicable watershed.*

**Finding:** The provision in this subsection does not apply to the proposed development because the proposed development is not subject to the

setback standards of Subsection 704.04 in the first place.

**This criterion is not applicable.**

#### 704.06 DEVELOPMENT STANDARDS

- A. *The maximum height of a dwelling or a structure accessory to a dwelling shall be 35 feet, if the dwelling or accessory structure can be seen from a principal river.*

**Finding:** No structures are proposed and the sculpture and interpretive sign are both under 10 feet in height.

**This criterion is not applicable.**

- B. *Commercial or industrial facilities, such as structures, parking areas, and storage areas shall comply with Subsection 704.04, and signs shall be screened from view of the Principal River or Stream Conservation Area by an opaque vegetation buffer. These facilities shall be subject to design review, pursuant to Section 1102.*

**Finding:** No commercial or industrial facilities are proposed.

**This criterion is not applicable.**

- C. *Subdivisions and partitions shall be designed, where possible, to allow compliance with Section 704.*

**Finding:** No land divisions are proposed.

**This criterion is not applicable.**

#### 704.07 VEGETATION PRESERVATION REQUIREMENTS

- A. *A minimum of 75 percent of the setback area (distance) shall be preserved with native vegetation.*

**Finding:** 99.9% of the setback area will remain undisturbed.

**This criterion is met.**

- B. *Tree cutting and grading shall be prohibited within the buffer or filter strip, with the following exceptions:*

1. *Trees that endanger life or structures may be removed.*
2. *Tree cutting and grading may be permitted in conjunction with those uses listed in Subsections 704.05 and 704.06, to the extent necessary to accommodate those uses. Disturbed areas that are outside the footprint of structures and other improvements shall be restored with native vegetation.*
3. *Vegetation removal may occur when approved by the Oregon Department of Fish and Wildlife, upon written notification that such removal is required*

*as part of a river or stream enhancement project.*

**Finding:** No tree removal is proposed.

**This criterion is met.**

- C. Commercial forest activities and harvesting practices outside an urban growth boundary shall be subject to the Oregon Forest Practices Act. Commercial forest harvesting activities inside an urban growth boundary shall be reviewed pursuant to the Forest Policies of the Comprehensive Plan.*

**Finding:** No forest or harvesting activities are proposed.

**This criterion is not applicable.**

#### **704.08 SUBMITTAL REQUIREMENTS**

*In addition to the submittal requirements identified in Subsection 1307.07(C), an application filed pursuant to Subsection 704.09 shall include:*

- A. A site plan showing existing vegetation and development, and locations of proposed development or tree-cutting activity;*
- B. Elevations of any proposed structures;*
- C. Exterior materials list for any proposed structures, including type and colors of siding and roofing;*
- D. Cross-section of any area within the vegetative buffer or filter strip where grading, filling, or excavating will occur; and*
- E. A stream buffer restoration plan showing the location, number, and species of native trees and vegetation to be planted.*

**Finding:** The applicant has provided sufficient materials to proceed with review of the application.

**This criterion is met.**