

SECTION 3.180 “OS” Open Space Zone (GMA & SMA)

A. Purpose

Protect those most significant, sensitive and representative, scenic, cultural, natural and recreation resources on unimproved lands from conflicting uses and enhance them where appropriate.

B. Uses Permitted Without Review

The following uses and activities may be allowed without review on lands designated Open Space subject to the applicable property development standards. (GMA & SMA)

1. Repair, maintenance and operation of existing structures, including, but not limited to, dwellings, agricultural structures, trails, roads, railroads, and utility facilities.
2. The following transportation facilities:
 - a. Replace existing safety or protective structures, including guardrails, access control fences and gates, barriers, energy attenuators, safety cables, and traffic signals and controllers, as well as existing traffic detection devices, vehicle weighing devices, and signal boxes provided the replacement structures are:
 - (1) The same location and size as the existing structures and
 - (2) The same building materials as the existing structures, or building materials that are dark brown with a flat, non-reflective finish, or building materials consistent with the Historic Columbia River Highway Master Plan for the Historic Columbia River Highway or the scenic highway corridor strategy for Interstate 84 prepared according to the GMA policies in the section of the Scenic Resources chapter of the Management plan title “Scenic Travel Corridors
 - b. New raised pavement markers, guide posts, object markers, inlay markers, and pavement markings and striping.
 - c. Permanent public regulatory, guide, and warning signs, except those excluded below, provided:
 - (1) The signs comply with the Manual for Uniform Traffic Control Devices and
 - (2) The support structures and backs of all signs are dark brown with a flat, non-reflective finish. This category does not include specific service

signs; destination and distance signs; variable message signs; or signs that bridge or are cantilevered over the road surface.

- d. Extensions of existing guardrails less than or equal to 50 feet in length and new guardrail ends for existing guardrails, provided the guardrails and guardrail ends are
 - (1) Located inside rights-of-way that have been disturbed in the past; and
 - (2) Constructed of materials that match the existing structure, natural wood, weathering steel (e.g., Corten), or materials consistent with the Historic Columbia River Highway Master Plan for the Historic Columbia River Highway or a scenic highway corridor strategy for Interstate 84 prepared according to the GMA policies in the section of the Scenic Resources chapter of the Management Plan titled "Scenic Travel Corridors."
- e. New guardrails and guardrail ends, provided the structures are
 - (1) Located inside rights-of-way that have been disturbed in the past and
 - (2) Constructed of natural wood, weathering steel (e.g., Corten), or materials consistent with the Historic Columbia River Highway Master Plan for the Historic Columbia River Highway or a scenic highway corridor strategy for Interstate 84 prepared according to the GMA policies in the section of the Scenic Resources chapter of the Management Plan titled "Scenic Travel Corridors." This category does not include jersey barriers.
- f. Replace and/or expand existing culverts, provided the entity or person owning or operating the culvert shall obtain all necessary federal and state permits that protect water quality and fish and wildlife habitat before construction. (GMA Only)
- g. Replace and/or expand existing culverts for ephemeral streams or ditches, provided the visible ends of culverts shall be dark and non-reflective. (SMA Only)
- h. Resurface or overlay existing paved roads, or grade and gravel existing road shoulders provided the activity does not:
 - (1) Increase the width of a road,
 - (2) Disturb the toe of adjacent embankments, slopes or cut banks, or
 - (3) Change existing structures or add new structures.
- i. Apply dust abatement products to non-paved road surfaces.

- j. Replace the superstructure of bridges (e.g., decks, beams) for bridges less than or equal to 30 feet in length and less than or equal to 1,000 square feet in area. This category does not include guardrails or the substructure of bridges (e.g., foundations, abutments).
3. The following underground utility facilities:
- a. Replace or modify existing underground utility facilities located inside road, utility or railroad rights-of-way or easements that have been disturbed in the past or co-locate new underground utility facilities with existing underground facilities located inside road, utility or railroad rights-of-way or easements that have been disturbed in the past, provided no excavation would extend beyond the depth and extent of the original excavation.
 - b. Replace or modify existing underground utility facilities located inside road, utility or railroad rights-of-way or easements that have been disturbed in the past or co-locate new underground utility facilities with existing underground facilities located inside road, utility or railroad rights-of-way or easements that have been disturbed in the past, provided:
 - (1) No excavation would extend more than 12 inches beyond the depth and extent of the original excavation;
 - (2) No ditch for linear facilities would be more than 24 inches wide;
 - (3) No excavation for non-linear facilities would exceed 10 cubic yards, and;
 - (4) No recorded archaeological site is located within 500 feet of the development. To comply with (4), the entity or person undertaking the development shall contact the Oregon State Historic Preservation Office and obtain a letter or other document stating no recorded archaeological site is located within 500 feet of the development.
4. The following aboveground and overhead utility facilities:
- a. Replace existing aboveground and overhead utility facilities including towers, pole/tower-mounted equipment, cables and wires, anchors, pad-mounted equipment, service boxes, pumps, valves, pipes, water meters, and fire hydrants, provided the replacement facilities would have:
 - (1) The same location and size as the existing facilities and;
 - (2) The same building materials as the existing facilities, or building materials that are dark brown with a flat, non-reflective finish, or building materials

consistent with the Historic Columbia River Highway Master Plan for the Historic Columbia River Highway or the scenic highway corridor strategy for Interstate 84 prepared according to the GMA policies in the section of the Scenic Resources chapter of the Management plan title "Scenic Travel Corridors

- b. Replace existing utility poles, provided the replacement poles are
 - (1) Located within 5 feet of the original poles;
 - (3) No more than 5 feet taller and 6 inches wider than the original poles, and;
 - (3) Constructed of natural wood, weathering steel (e.g., Corten), materials that match the original poles, or materials that are dark brown with a flat, non-reflective finish.
 - c. New whip antennas for public service less than or equal to 8-feet in height and less than or equal to 2 inches in diameter, cables, wires, transformers, and other similar equipment, provided all such structures are on existing utility poles or towers.
5. The following signs:
- a. Election signs. Removal must be accomplished within 30 days of election day.
 - b. "For sale" signs not greater than 12 square feet. Removal must be accomplished within 30 days of close of sale.
 - c. Temporary construction site identification, public service company, safety, or information signs not greater than 32 square feet. Exceptions may be granted for public highway signs necessary for public safety and consistent with the Manual for Uniform Traffic Control Devices. Removal must be accomplished within 30 days of project completion.
 - d. Signs posted on private property warning the public against trespassing, danger from animals, the private nature of a road, driveway or premise, or signs prohibiting or otherwise controlling fishing or hunting, provided such signs are not greater than 6 square feet in the GMA and 2 square feet in the SMA.
 - e. Temporary signs advertising civil, social, or political gatherings and activities, provided such signs do not exceed 12 square feet. Removal must be accomplished within 30 days of the close of the event.

- f. Signs posted by governmental jurisdictions giving notice to the public. Such signs shall be no larger than that required to convey the intended message.
- g. Signs associated with the use of a building or buildings, if placed flat on the outside walls of buildings (not on roofs or marquees). (GMA Only)

C. Uses Permitted Subject To Expedited Review

The uses and activities listed in Section 3.110 may be allowed on a legal parcel designated Open Space subject to Expedited Review and Subsection G - Property Development Standards, as well as all other listed or referenced standards

D. Uses Permitted Subject to Review

The following uses and activities may be allowed on a legal parcel designated Open Space subject to Chapter 14 - Scenic Area Review, Subsection G - Property Development Standards, as well as any other listed or referenced standards.

1. Low-intensity recreation uses and developments (GMA & SMA), including educational and interpretive facilities (SMA Only) subject to Section 14.700 in the GMA and Section 14.710 in the SMA.
2. Repair, maintenance, operation, and improvement and expansion of existing serviceable structures, including roads, railroads, hydro facilities and utilities that provide sewer, transportation, electric, gas, water, telephone, telegraph, telecommunications. (GMA Only)
3. Changes in existing use, including reconstruction, replacement, and expansion of existing structures and transportation facilities, except for commercial forest practices. (SMA Only)
4. Resource enhancement projects for the purpose of enhancing scenic, cultural, recreation and/or natural resources, subject to subject to the Resource Enhancement standards prescribed in Chapter 10. (GMA & SMA)
5. Removal/demolition of structures that are 50 or more years old, including wells, septic tanks and fuel tanks. (GMA & SMA)
6. Land Divisions and Replats subject to the property development standards listed in G below, Section 21.100, and all other applicable provisions of Chapter 21. In the GMA land division will only be allowed to facilitate efforts to protect and enhance scenic, cultural, natural, or recreation resources. (GMA & SMA)
7. Property line adjustments and Replats subject to the property development standards listed in G below, Section 21.200, and all other applicable provisions of Chapter 21. (GMA Only)
8. Utility facilities for public service, upon a showing that: (SMA Only)

- a. There is no alternative location with less adverse effect on Open Space land.
 - b. The size is the minimum necessary to provide the service.
9. Treatment of noxious weeds shall be permitted without completion of an SMA Open Space plan when the following criteria have been met: (SMA Only)
- a. Noxious weed infestation is new and eradication is still viable.
 - b. Delayed or deferred treatment could have widespread or major adverse impacts to one or more of the following resources:
 - (1) Displacement of native and traditionally gathered plants;
 - (2) Degradation of wildlife habitat and forage;
 - (3) Degradation or loss of agricultural uses of land, such as cropland or livestock forage;
 - (4) Limitation of recreational uses.
 - c. For federal lands, treatment effects have been thoroughly evaluated in an environmental assessment.
10. For those areas designated Gorge Walls and Canyonlands - The following uses may be authorized: (GMA Only)
- a. Livestock grazing;
 - b. Fish and wildlife management activities conducted by federal, tribal or state resource agencies;
 - c. Soil, water and vegetation activities performed in accordance with a conservation plan approved by a county conservation district;
 - d. Harvesting of wild crops;
 - e. Educational or scientific research;
 - f. Continued operation of existing quarries if determined to be consistent with guidelines to protect scenic, cultural, natural and recreation resources.
11. For those areas designated Chenoweth Table Natural Area - The following uses may be authorized: In addition to those above. (GMA Only)

- a. Low-intensity recreation, subject to the guidelines for Recreation Intensity Classes and after consultation with the Oregon Natural Heritage Program;
 - b. Wildlife management activities conducted by federal, tribal or state resource agencies, after consultation with the Oregon Natural Heritage Program;
 - c. Educational or scientific research, after consultation with the Oregon Natural Heritage Program.
12. For that area designated Squally Point Natural Area - The following uses may be authorized: In addition to those above. (GMA Only)
- a. Except in the upland dunes south of the railroad, low-intensity recreation, subject to the guidelines for the Recreation Intensity Classes and after consultation with the Oregon Natural Heritage Program;
 - b. Repair and maintenance of railroads except measures to stabilize dunes, only after consultation with the Oregon Natural Heritage Program;
 - c. Except as limited by Criterion 12(a), all those uses allowed in Section D, Uses Permitted Subject to Review above.
13. For those areas designated State Park Recreation Areas - The following uses may be authorized on those portions of state park ownerships not suitable for major recreation facilities: In addition to those above. (GMA Only)
- a. Fish and wildlife management activities conducted by federal, tribal or state resource agencies;
 - b. Soil, water or vegetation activities performed in accordance with a conservation plan approved by a local conservation district;
 - c. Harvesting of wild crops;
 - d. Educational or scientific research.

E. Special Management Area - Open Space

1. The primary managing agency for open space areas for the SMA shall prepare an open space management plan. The management plan shall be completed prior to any new land uses or development, and shall be reviewed by the Forest Service.
2. The open space management plan shall include the following:
 - a. Direction for resource protection, enhancement, and management.

- b. Review of existing uses to determine compatibility with open space values.
 - c. Consultation with members of the public, and agency and resource specialists.
3. Upon request, the Forest Service will help located mapped boundaries of Open Space areas in cases of new land uses or developments.

F. Prohibited Uses

All other uses not listed.

G. Property Development Standards

1. Property Size:

- a. In the GMA there is no minimum property size.
- b. In the SMA land divisions are prohibited unless the creation of a new parcel will facilitate land acquisition by the federal government to achieve the policies and guidelines of the Management Plan. The provisions of Chapter 14 are not applicable and there is no minimum parcel size.

2. General Setbacks - all structures other than approved signs and fences shall comply with the following general setback standards:

Front Yard	25'
Interior Side Yard	15'
Exterior Side Yard	20'
Rear Yard	20'

3. Agricultural Setbacks - In addition to the general setback standards listed in criterion 2 above, all new buildings to be located on a parcel adjacent to lands that are designated Large-Scale or Small-Scale Agriculture and are currently used for or are suitable for agricultural use, shall comply with the following setback standards:

Adjacent Use	Open or Fenced	Natural or Created Vegetation Barrier	8 foot Berm or Terrain Barrier
Orchards	250'	100'	75'
Row crops/ vegetables	300'	100'	75'
Livestock grazing, pasture, haying	100'	15'	20'
Grains	200'	75'	50'
Berries, vineyards	150'	50'	30'
Other	100'	50'	30'

- a. Earth berms may be used to satisfy, in part, the setback guidelines. The

berm shall be a minimum of eight (8) feet in height, and contoured at 3 to 1 slopes to look natural. Shrubs, trees and/or grasses shall be employed on the berm to control erosion and achieve a finished height of fifteen (15) feet.

- b. The planting of a continuous vegetative screen may be used to satisfy, in part, the setback guidelines. Trees shall be 6+ feet high when planted and reach an ultimate height of at least fifteen (15) feet. The vegetation screen shall be planted along the appropriate lot/parcel line(s), and be continuous.
 - c. The necessary berming and/or planting must be completed during the first phase of development and maintained in good condition.
 - d. If several crops or crop rotation is involved in the adjacent operation, the greater setback shall apply.
 - e. A variance to the setback requirements may be made in accordance with Chapter 6.
4. Height - Maximum height for all structures shall be thirty-five feet (35') unless further restricted in accordance with Chapter 14 - Scenic Area Review.
6. Floodplain: Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.240, Flood Hazard Overlay.
7. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.
8. Parking - Off street parking shall be provided in accordance with Chapter 4.