

Chapter 61

Open Space (OS)

61.005 Purpose. The Open Space Zone shall preserve and protect natural, scenic, or recreational resources by managing such resources primarily for open space and recreational purposes. The Open Space Zone shall only be applied upon application of the property owner. [Ord 26, Ord 90-0069]

61.010 Standards of Application. The Open Space Zone may be applied to the following types of areas:

- (1) Wetlands, as recorded on the U.S. Fish and Wildlife Service National Wetland Inventory Maps.
- (2) Privately owned wildlife refuge or sanctuary, as defined in ORS 501.045.
- (3) Land approved for open space use assessment under the provisions of ORS 308.740 to 308.790.
- (4) Land approved for riparian habitat protection under the provisions of ORS 308.025 and Chapter 720.
- (5) Open space area identified by the County or City Comprehensive Plan.
- (6) Historical, archaeological or geological sites. [Ord 26, Ord 90-0069, Ord 92-0092]

61.105 Site Management Plan. An application for a zone change to Open Space shall include a site management plan. Such plan shall limit the nature and type of uses allowed in the Open Space Zone consistent with the nature of the resource designed to be protected by the plan. The following information shall be represented on the site management plan:

- (1) A brief narrative of intent and proposed uses, including an adequate description of unique natural features or areas that may be located on site.
- (2) Site topography, drainage areas, creeks or ponds, and areas of major vegetation types.
- (3) Existing structures, improvements, roadway access and utilities, if any.
- (4) Existing land uses, ownership, property lines and building locations on adjoining property within 350 feet of the subject property.
- (5) Proposed uses for the subject site, including all proposed structures, vehicular and pedestrian circulation patterns and a site drainage plan; and
- (6) Any other appropriate information requested by the Planning Official. [Ord 26, Ord 90-0069]

61.110 Criteria for Review of Plan. The following criteria shall be used to evaluate whether the site management plan is consistent with the nature of the resource it is designed to protect:

- (1) The proposed uses will not result in the loss of rare, irreplaceable, or irreplaceable natural features, or scientific opportunity;
- (2) The proposed uses will not disturb substantially unaltered natural features or areas, or areas possessing natural features;
- (3) The proposed uses will result in a public benefit which would be maximized on the subject site when compared to similar properties not possessing unique features;
- (4) Adequate buffers shall exist within the proposed open space zone to assure compatibility between proposed uses and surrounding farming and forestry uses, where applicable; and

(5) The site management plan shall be applied along with other standards and requirements to determine if the proposed uses meet the intent of this zone. [Ord 26, Ord 90-0069]

61.115 Amendment of an Adopted Plan. Proposed changes to an approved site management plan shall be reviewed by the County in the same manner as the original approval. [Ord 26, Ord 90-0069]

61.205 Permitted Uses. The following uses are allowed in an Open Space Zone, subject to the limitations or requirements of a site management plan approved pursuant to this chapter:

- (1) A public or private park, recreation area, or open space use, including a hunting and fishing preserve.
- (2) A public campground or picnic sites and public playlot, playground or playfield.
- (3) A public boat launching and fishing facility.
- (4) A public bicycle and/or pedestrian path or trail system outside a County or public right-of-way.
- (5) An equestrian path or trail system.
- (6) A golf course, with a minimum of fifty (50) acres, excluding support buildings.
- (7) Farm use.
- (8) Forest use. [Ord 26, Ord 90-0069]

61.305 Conditional Uses Approved by the Planning Official. The following uses may be allowed in the Open Space Zone by conditional use permit approved by the Planning Official, subject to the site management plan submitted pursuant to this chapter:

- (1) One dwelling for a caretaker or watchman, in conjunction with a permitted use.
- (2) Temporary structures as may be required during construction of an authorized permanent structure. Such temporary structure shall be removed upon final inspection of the permanent structure by the Building Inspector.
- (3) Driving range not in conjunction with a golf course.
- (4) Support buildings in conjunction with a golf course. [Ord 26, Ord 90-0069]

61.405 Minimum Parcel or Lot Size. The minimum parcel or lot size shall be consistent with the site management plan. [Ord 26, Ord 90-0069]

61.505 Siting Standards. All structures allowed in the Open Space Zone shall be sited in compliance with BCC Chapter 99 and the following additional standards:

- (1) The maximum building height for any dwelling shall be thirty-five (35) feet. Structures such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles, agricultural buildings, and other similar objects not used for human occupancy are not subject to the building height limitations of this code.
- (2) A dwelling located within 200 feet of a forested area shall be provided with a spark arrestor on each chimney and a fire-retardant roof.
- (3) A structure which is not a water dependent use shall be placed at least fifty (50) feet from the ordinary high water line of any river or major stream. In the case of a creek or minor stream, a structure which is not a water dependent use shall be placed at least twenty-five (25) feet from the ordinary high water line. [Ord 26, Ord 90-0069, Ord 92-0092]