

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1125

Amending the Multnomah County Code Chapter 38, National Scenic Area, to Make Technical Corrections for Consistency with the Columbia River Gorge NSA Management Plan and to Update NSA Approval Criteria for Horse Boarding

(Language ~~stricken~~ is deleted; double underlined language is new.)

Multnomah County Ordains as follows:

Section 1. § 38.0030 is amended as follows:

38.0030 Existing Uses and Discontinued Uses

* * *

(C) Replacement of Existing Structures Damaged or Destroyed by Disaster: An existing structure damaged or destroyed by fire, flood, landslide or other similar disaster may be replaced if a complete land use application for a replacement structure is submitted to the reviewing agency within two years of the date the original structure was damaged or destroyed. The replacement structure shall comply with the following standards:

* * *

(5) The replacement structure shall be subject to (B)(1), ~~and (B)(2), and (B)(3)~~ above if it would not comply with (C)(2) and (C)(3) above.

* * *

Section 2. § 38.0045 is amended as follows:

38.0045 Review and Conditional Use Applications - Submittal Requirements

(A) The following additional information shall be submitted for all review and conditional uses:

* * *

(4) In the General Management Area, all applications for structural development involving more than 100 cubic yards of grading with slopes ~~between greater than 10 and 30 percent~~ shall include a grading plan. In the Special Management Area, all applications for structural development involving more than 100 cubic yards of grading with slopes greater than 10 percent (except trails) shall include a grading plan. Grading plans shall include the following:

* * *

Section 3. **§ 38.0080 is amended as follows:**

38.0080 Signs

(A) The following signs may be permitted without review in the General Management Area, and in the Special Management Area subject to MCC 38.0080 (E):

* * *

(4) 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:

(a) signs are not greater than 6 square feet in the General Management Area ~~and the Special Management Area Open Space zone district.~~

(b) signs are not greater than 2 square feet in all Special Management zones, ~~except the Open Space zone district.~~

* * *

Section 4. **§ 38.1005 is amended as follows:**

38.1005 Allowed Uses

(A) The following uses may be allowed without review in all zone districts except General Management Area Open Space (GGO, GGO-GW, and GGO-SP) and Special Management Area Open Space (GSO) zone districts.

* * *

(4) Accessory structures 60 square feet or less in area and 10 feet or less in height, unless within the buffer zone of a wetland, stream, pond, lake or riparian area. This category does not include signs, fences, outdoor lights, retaining walls, flagpoles, transportation facilities, or utility facilities.

(5) Wire-strand or woven-wire fences used for gardens, yards, livestock, and similar uses less than or equal to 500 feet in length and less than or equal to 10 feet in height that are accessory to an existing dwelling, provided woven-wire fences (posts and wire) are brown or black if visible from key viewing areas. Height is measured from the ground to the top wire.

* * *

Section 5. **§ 38.1010 is amended as follows:**

38.1010 Expedited Uses.

(A) The following development may be reviewed using the expedited process listed in MCC 38.0530(B), and are permitted when found to satisfy the applicable approval criteria pursuant to the provisions of MCC 38.7100.

(1) Except in Open Space zoning districts, accessory structures between 60 and 200 square feet in area and 10 feet or less in height. Only one accessory building per parcel may be allowed under this guideline, regardless of whether the parcel already includes an accessory building(s). Additional accessory buildings shall be subject to full review. This category does not include signs, decks, fences, outdoor lights, retaining walls, transportation facilities, or utility facilities.

* * *

(13) Removal/~~D~~demolition of structures that are less than 50 years old, including wells, septic tanks and fuel tanks.

* * *

Section 6. **§ 38.2025 is amended as follows:**

38.2025 Review Uses

(A) The following uses may be allowed on lands designated GGF, pursuant to MCC 38.0530 (B) and upon findings that the NSA Site Review standards of MCC 38.7000 through 38.7085 have been satisfied:

* * *

(17) The following uses when found to comply with MCC 38.7310:

* * *

(g) Boarding of horses or non-profit horse rescue facility, subject to MCC 38.7385.

* * *

(B) The following uses may be allowed on lands designated GSF pursuant to MCC 38.0530 (B) when the use or development will be sited to minimize the loss of land suitable for the production of forest products and upon findings that the NSA Site Review standards of MCC 38.7000 through 38.7085 have been satisfied:

* * *

(13) Removal/~~D~~demolition of structures that are 50 or more years old, including wells, septic tanks and fuel tanks.

* * *

Section 7. **§ 38.2030 is amended as follows:**

38.2030 Conditional Uses

(A) The following conditional uses may be allowed on lands designated GGF, pursuant to the provisions of MCC 38.0045 and 38.7300:

* * *

(4) Life Estates ~~on lands designated GGF—20,~~ pursuant to MCC 38.7355.

* * *

Section 8. **§ 38.2225 is amended as follows:**

38.2225 Review Uses

* * *

(B) The following uses may be allowed on lands designated GSA— 40 pursuant to MCC 38.0530 (B), provided that the use or development will be sited to minimize the loss of land suitable for the production of agricultural crops or livestock and upon findings that the NSA Site Review standards of MCC 38.7000 through 38.7085 have been satisfied:

* * *

(19) ~~Removal/~~Demolition of structures that are 50 or more years old, including wells, septic tanks and fuel tanks.

(20) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

Section 9. **§ 38.2625 is amended as follows:**

38.2625 Review Uses

* * *

(D) The following uses may be allowed on lands designated GSO, pursuant to MCC 38.0530 (B), when consistent with an open space plan approved by the U.S. Forest Service and upon findings that the NSA Site Review standards of MCC 38.7000 through 38.7085 have been satisfied:

* * *

(6) ~~Removal/~~Demolition of structures that are 50 or more years old, including wells, septic tanks, and fuel tanks.

* * *

Section 10. § 38.3025 is amended as follows:

38.3025 Review Uses

* * *

(B) The following uses may be allowed on lands designated GSR, pursuant to MCC 38.0530 (B) and upon findings that the NSA Site Review standards of MCC 38.7000 through 38.7085 have been satisfied:

* * *

(10) ~~Removal/~~Demolition of structures that are 50 or more years old, including wells, septic tanks and fuel tanks.

* * *

Section 11. § 38.2825 is amended as follows:

38.2825 Review Uses

* * *

(C) The following uses are allowed on all lands designated GS– PR pursuant to MCC 38.0530 (B) and upon findings that the NSA Site Review standards of MCC 38.7000 through 38.7085 have been satisfied:

(1) ~~Forest u~~Uses and practices in the Gorge Special Forestry (GSF) district as allowed in MCC 38.2025 (B), except (B)(8) and (B)(9).

* * *

(7) ~~Agricultural u~~Uses in the gorge Special Agriculture (GSA) district as allowed in MCC 38.2225(B), except (B)(7) and B(8).

* * *

(11) ~~Removal/~~Demolition of structures that are 50 or more years old, including wells, septic tanks and fuel tanks.

(12) Docks and boathouses, subject to MCC 38.7325.

(13) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

Section 12. § 38.7035 is amended as follows:

38.7035 GMA Scenic Review Criteria

The following scenic review standards shall apply to all Review and Conditional Uses in the General Management Area of the Columbia River Gorge National Scenic Area:

* * *

(B) All Review Uses and Conditional Uses topographically visible from Key Viewing Areas:

* * *

(13) Additions to existing buildings smaller in total square area than the existing building may be the same color as the existing building. Additions larger than the existing building shall be of dark earth-tone colors found at the specific site or in the surrounding landscape. The specific colors or list of acceptable colors shall be included as a condition of approval. The *Scenic Resources Implementation Handbook* will include a recommended palette of colors specified in the landscape setting for the subject property.

* * *

(C) All Review Uses and Conditional Uses within the following landscape settings, regardless of visibility from KVAs:

* * *

(6) Village

* * *

(f) New commercial, institutional or multi-family residential uses fronting a Scenic Travel Corridor shall comply with the following landscape requirements:

1. Parking or loading areas for 10 or more spaces shall include a landscaped strip at least 5 feet in width between the new use and the Scenic Travel Corridor roadway.

2. The landscape strip required in subsection (e) 1. above shall include shrubs, vegetative ground cover and, at minimum, one tree spaced as appropriate to the species and not to exceed 25 feet apart on the average.

* * *

(8) Gorge Walls, Canyons and Wildlands

* * *

(d) All ~~structures~~ buildings shall be limited in height to 1 1/2 stories.

* * *

(D) All Review Uses and Conditional Uses within scenic travel corridors:

* * *

(6) New production and/or development of mineral resources proposed within one-quarter mile of the edge of pavement of a Scenic Travel Corridor may be allowed upon a demonstration that full visual screening of the site from the Scenic Travel Corridor can be achieved by use of existing topographic features or existing vegetation designed to be retained through the planned duration of the proposed project. An exception to this may be granted if planting of new vegetation in the

vicinity of the access road to the mining area would achieve full screening. If existing vegetation is partly or fully employed to achieve visual screening, over 75 percent of the tree canopy area shall be coniferous species providing adequate winter screening. Mining and associated primary processing of mineral resources is prohibited within 100 feet of a Scenic Travel Corridor, as measured from the edge of pavement, except for access roads. Compliance with full screening requirements shall be achieved within time frames specified in MCC 38.7035 (B) (~~28~~29).

(7) Expansion of existing quarries may be allowed pursuant to MCC 38.7035 (B) (~~25~~26). Compliance with visual subordination requirements shall be achieved within time frames specified in MCC 38.7035 (B) (~~27~~28).

Section 13. **§ 38.7040 is amended as follows:**

38.7040 SMA Scenic Review Criteria

The following scenic review standards shall apply to all Review and Conditional Uses in the Special Management Area of the Columbia River Gorge National Scenic Area with the exception of rehabilitation or modification of historic structures eligible or on the National Register of Historic Places when such modification is in compliance with the national register of historic places guidelines:

(A) All Review Uses and Conditional Uses visible from KVAs. This section shall apply to proposed development on sites topographically visible from KVAs::

* * *

(5) The extent and type of conditions applied to a proposed development or use to achieve the scenic standard shall be proportionate to its degree of visibility from key viewing areas.

* * *

(b) Conditions may be applied to various elements of proposed developments to ensure they meet the scenic standard for ~~are visually subordinate to~~ their setting as seen from key viewing areas, including but not limited to:

1. Siting (location of development on the subject property, building orientation, and other elements),

* * *

(11) The exterior of ~~buildings-structures~~ on lands seen from key viewing areas shall be composed of non-reflective materials or materials with low reflectivity. The *Scenic Resources Implementation Handbook* will include a recommended list of exterior materials. These recommended materials and other materials may be deemed consistent with this guideline, including those where the specific application meets approval thresholds in the “Visibility and Reflectivity Matrices” in the *Implementation Handbook*. Continuous surfaces of glass unscreened from key viewing areas shall be limited to ensure meeting the scenic standard. Recommended square footage limitations for such surfaces will be provided for guidance in the *Implementation Handbook*.

* * *

Section 14. § 38.7045 is amended as follows:

38.7045 GMA Cultural Resource Review Criteria

* * *

(H) An Assessment of Effect shall meet the following standards:

(1) The Assessment of Effect shall be based on the criteria published in *Protection of Historic Properties* (36 CFR Part 800.95) and shall incorporate the results of the Reconnaissance or Historic Survey and the Evaluation of Significance. All documentation shall follow the requirements listed in 36 CFR Part 800.811.

(a) Proposed uses have an effect on cultural resources when they alter or destroy characteristics of the resources that make them significant [36 CFR Part 800.9(a)5].

(b) Proposed uses are considered to have an adverse effect when they may diminish the integrity of the cultural resource's location, design, setting, materials, workmanship, feeling, or association [36 CFR Part 800.9(b)5]. Adverse effects on cultural resources include, but are not limited to:

1. Physical destruction, damage, or alteration of all or part of the cultural resource;
2. Isolation of the cultural resource from its setting or alteration of the character of the resource's setting when that character contributes to the resource's qualification as being significant;
3. Introduction of visual, audible, or atmospheric elements that are out of character with the cultural resource or its setting;
4. Neglect of a significant cultural resource resulting in its deterioration or destruction except as described in 36 CFR 800.5; or
5. ~~Transfer, lease, or sale of the cultural resource.~~

* * *

(J) Mitigation plans shall meet the following standards:

* * *

(3) Mitigation plans shall incorporate the results of the reconnaissance or historic survey, the evaluation of significance, and the assessment of effect, and shall provide the documentation required in 36 CFR Part 800.8(d)11, including, but not limited to:

* * *

(L) Cultural Resources Discovered After Construction Begins

The following procedures shall be effected when cultural resources are discovered during construction activities. All survey and evaluation reports and mitigation plans shall be submitted to

the Planning Director and SHPO. Indian tribal governments also shall receive a copy of all reports and plans if the cultural resources are prehistoric or otherwise associated with Native Americans.

* * *

(3) Survey and Evaluation – The Gorge Commission will survey the cultural resources after obtaining written permission from the landowner and appropriate permits from SHPO (~~see ORS 273.705 and~~ ORS 358.905 to 358.955). It will gather enough information to evaluate the significance of the cultural resources. The survey and evaluation will be documented in a report that generally follows the standards in MCC 38.7045 (C) (2) and MCC 38.7045 (E).

* * *

Section 15. **§ 38.7050 is amended as follows:**

38.7050 SMA Cultural Resource Review Criteria

* * *

(G) If the U.S. Forest Service or Planning Director determines that a cultural resource survey is required for a new development or land use on all Federal lands, federally assisted projects and forest practices, it shall consist of the following:

* * *

(4) Assessment of Effect

(a) For each significant (*i.e.*, National Register eligible) cultural resource inventoried within the area of the proposed development or change in use, assessments of effect shall be completed, using the criteria outlined in 36 CFR 800.9-5 Assessing Effects. Evidence of consultation with tribal governments and individuals with knowledge of the cultural resources of the project area shall be included for subsections (b) through (d) below. The U.S. Forest Service shall review each determination for adequacy and appropriate action.

(b) If the proposed development or change in use will have "No Adverse Effect" (36 CFR 800.84) to a significant cultural resource, documentation for that finding shall be completed, following the "Documentation Requirements Standards" of 36 CFR 800.8(a)11. If the proposed development or change in use will have an effect, then the Resolution of Adverse Effect criteria of adverse effect must be applied (36 CFR 800.5).

(c) If the proposed development or change in use will have an "Adverse Effect" as defined by 36 CFR 800.9(b)5 to a cultural resource, the type and extent of "Adverse Effect" upon the qualities of the property that make it eligible to the National Register shall be documented 36 CFR 800.6 "Resolution of Adverse Effects." This documentation shall follow the process outlined under 36 CFR 800.5(e)11 "Failure to Resolve Adverse Effects."

(d) If the "effect" appears to be beneficial (*i.e.*, an enhancement to cultural resources), documentation shall be completed for the recommendation of that effect upon the qualities of the significant cultural resource that make it eligible to the National Register. This documentation shall follow the process outlined under 36 CFR 800.8-11 Documentation Requirements Standards.

(5) Mitigation

(a) If there will be an effect on cultural resources, measures shall be provided for mitigation of effects pursuant to 36 CFR 800.6 "Resolution of Adverse Effects." These measures shall address factors such as avoidance of the property through project design or modification and subsequent protection, burial under fill, data recovery excavations, or other measures which are proposed to mitigate effects.

* * *

Section 16. **§ 38.7055 is amended as follows:**

38.7055 GMA Wetland Review Criteria

* * *

(C) The following uses may be allowed in wetlands and wetland buffer zones when approved pursuant to the provisions of MCC 38.0045, MCC 38.7055 (E), and reviewed under the applicable provisions of MCC 38.7035 through 38.7085:

- (1) The modification, expansion, replacement, or reconstruction of serviceable structures, if such actions would not:
- (a) Increase the size of an existing structure by more than 100 percent,
 - (b) Result in a loss of wetlands acreage or functions, ~~or~~ and
 - (c) Intrude further into a wetland or wetlands buffer zone.

* * *

Section 17. **§ 38.7075 is amended as follows:**

38.7075 SMA Natural Resource Review Criteria

All new developments and land uses shall be evaluated using the following standards to ensure that natural resources are protected from adverse effects. Comments from state and federal agencies shall be carefully considered.

* * *

(H) Protection of sensitive wildlife/plant areas and sites shall begin when proposed new developments or uses are within 1000 feet of a sensitive wildlife/plant site and/or area. Sensitive Wildlife Areas are those areas depicted in the wildlife inventory and listed in Table 4-2 of the Management Plan titled "Types of Wildlife Areas and Sites Inventoried in the Columbia Gorge", including all Priority Habitats Table. Sensitive Plants are listed in Table 7-3 of the Management Plan, titled "Columbia Gorge and Vicinity Endemic Plant Species." The approximate locations of sensitive wildlife and/or plant areas and sites are shown in the wildlife and rare plant inventory.

* * *

Section 18. **§ 38.7090 is amended as follows:**

38.7090 Responses to an Emergency/Disaster Event

Responses to an emergency/disaster event are allowed in all zoning districts within the Columbia River Gorge National Scenic Area when in compliance with the following standards:

* * *

(E) Post-Emergency/Disaster Response Site Review Approval Criteria

Actions taken in all land use designations that are in response to an emergency/disaster event shall be reviewed for compliance with the following standards:

(1) Scenic Resources

(a) Impacts of emergency/disaster response actions shall be evaluated to ensure that scenic resources are not adversely affected. In the GMA, such actions shall be rendered visually subordinate in their landscape setting as seen from key viewing areas to the greatest extent practicable, except for actions located in the Corbett Rural Center zoning district. In the SMA, such actions shall meet the scenic standard to the greatest extent practicable.

* * *

Section 19. **§ 38.7100 is amended as follows:**

38.7100 Expedited Development Review Criteria

(A) Proposed developments reviewed using the expedited review process shall comply with the following resource protection guidelines:

(1) Scenic

(a) In the General Management Area, the scenic resource protection provisions MCC 38.7100 (A)(1)(b) through (f) shall not apply to woven-wire fences for agricultural use that would enclose 80 acres or less.

(b) Except signs, ~~T~~he colors of structures topographically visible from key viewing areas shall be dark earth-tones found at the specific site or the surrounding landscape. The specific colors or list of acceptable colors shall be included as a condition of approval. This guideline shall not apply to additions, which may match the color of existing buildings.

(c) Except signs, ~~S~~tructures topographically visible from key viewing areas shall use low or non-reflective building materials, including roofing, gutters, vents, and chimneys.

* * *

(2) Cultural

(a) The expedited development review process shall only be used to review proposed development that does not require a reconnaissance survey or historic survey. The GMA

Cultural Resources Reconnaissance Survey Criteria in MCC 38.7045(A)(1), (2), and (3) shall be used to determine if a reconnaissance and/or historic survey is required for a proposed development.

* * *

Section 20. **§ 38.7355 is amended as follows:**

38.7355 Life Estates

A landowner who sells or otherwise transfers real property on lands designated GGA or GGF may retain a life estate in a dwelling and a tract of land surrounding the dwelling. The life estate tract shall not be considered a parcel as defined in MCC 38.0015. A second dwelling may be allowed subject to compliance with MCC 38.7000 to 38.7085, and upon findings that:

(A) The proposed dwelling is in conjunction with agricultural use as determined by MCC 38.2225 (A) (5) (c); or

(B) On lands designated GGF—20, one single-family dwelling on a legally created parcel upon enrollment in the state's forest assessment program. Upon a showing that a parcel cannot qualify, a parcel is entitled to one single-family dwelling. In either case, the location of the dwelling shall comply with MCC 38.7305 and 38.7315. A declaration shall be signed by the landowner and recorded into county deeds and records specifying that the owners, successors, heirs and assigns of the subject parcel are aware that adjacent and nearby operators are entitled to carry on accepted farm or forest practices on lands designated GGF— 80, GGF— 20, GGA— 40, or GGA— 20.

(C) Upon termination of the life estate, either the original or second dwelling shall be removed.

Section 21. **§ 38.7360 is amended as follows:**

38.7360 Cluster Development

* * *

(C) Cluster development may create up to 25 percent more parcels (rounded to the nearest whole number) than otherwise allowed by the minimum parcel size on lands designated GGR— 5 or GGR— 10 and up to 50 percent more on parcels (rounded to the nearest whole number) on lands designated GGA— 20, GGF— 20, or GGF-40.

* * *

Section 22. **§ 38.7970 is amended as follows:**

38.7970 Property Line Adjustment (Lot Line Adjustment)

* * *

(B) In the Special Management Area:

* * *

(6) The lot line adjustment shall not result in a parcel that cannot comply with existing land use and resource protection provisions, including, but not limited to requirements for buffer zones and landscaping.

Section 23. **§ 38.0015 is amended as follows:**

38.0015 Definitions

As used in MCC Chapter 38, unless otherwise noted, the following words and their derivations shall have the following meanings:

* * *

Agricultural use: The current employment of land for the primary purpose of obtaining a profit in money by the raising, harvesting and selling of crops, or by the feeding, breeding, management and sale of livestock, poultry, fur-bearing animals or honeybees, or dairying and the sale of dairy products, or any other agricultural or horticultural use including Christmas trees. Agricultural use does not include livestock feedlots, the boarding of horses or non-profit horse rescue facility and their accessory uses. Current employment of land for agricultural use includes:

- (a) The operation or use of farmland subject to any government agricultural program;
- (b) Land lying fallow for one year as a normal and regular requirement of good agricultural management;
- (c) Land planted to orchards or to other perennial crops prior to maturity; and
- (d) Land under buildings supporting accepted agricultural practices.
- ~~(e) Current employment does not include livestock feed lots.~~

* * *

Animal-unit-month: The amount of forage or feed required to feed one horse, one cow/calf pair, 5 sheep/ 5 goats, 4 llamas/alpacas or other livestock for 30 days.

* * *

Horses, ~~b~~Boarding of Horses (GMA): The stabling, feeding and grooming for a fee, or the renting of stalls and related facilities, such as training arenas, corrals and exercise tracks, for the care of horses not belonging to the owner of the property. The leasing, renting or use of a pasture for horses by an individual or family does not constitute the boarding of horses provided the use of the pasture is for a single individual or family's animals.

* * *

Non-profit Horse Rescue Facility (GMA): The stabling, feeding, grooming, and provision of care for sick, abandoned, or rescued horses, operated by a non-profit organization to facilitate the rehabilitation, adoption, and permanent placement of abused, neglected or unwanted horses.

* * *

Section 24. § 38.2230 is amended as follows:

38.2230 Conditional Uses

(A) The following conditional uses may be allowed on lands designated GGA, pursuant to the provisions of MCC 38.0045 and 38.7300.

* * *

(9) Boarding of horses or non-profit horse rescue facility, subject to MCC 38.7385.

* * *

Section 25. § 38.3030 is amended as follows:

38.3030 Conditional Uses

(A) The following conditional uses may be allowed on lands designated GGR, pursuant to the provisions of MCC 38.0045 and MCC 38.7300 (C):

* * *

(14) Special uses in historic buildings, subject to MCC 38.7380.

(15) Boarding of horses or non-profit horse rescue facility on lands designated GGR-10, subject to MCC 38.7385.

Section 26. § 38.7385 is added as follows:

38.7385 Boarding of Horses or Non-Profit Horse Rescue Facility

(A) The boarding of horses or a non-profit horse rescue facility may be established as authorized in various districts provided the approval authority makes findings on the property characteristics, parcel size and impacts to neighbors and sets a maximum number of horses that may be boarded at any one time based upon those findings.

(B) The applicant shall submit the following information with related supporting evidence to demonstrate compliance with the criteria under (A):

(1) A description of the proposed horse facility with all accompanying accessory uses shall be provided. This shall include the maximum number of horses to be boarded on site, number of employees, accessory uses and services to be provided and hours that the facility will be available to the horse owners. The description shall include a site plan identifying the uses intended for a specific area, and floor plans and building elevations for all proposed buildings.

(2) A Stewardship Plan consisting of an Operations Plan and Maximum Usage Plan shall be created by the applicant in consultation with the Oregon Department of Agriculture, East Multnomah Soil and Water Conservation District or Oregon Extension Service for the proposed

site of the horse boarding facility.

(a) The Operation Plan shall include the following:

1. Soil types and its animal-unit-month rating for all pastures to be used as part of the operation;
2. Irrigation techniques, if proposed;
3. Off-stream stock watering;
4. Pasture management;
5. Manure, waste and compost management;
6. Mud, dust and fly control;
7. Dedicated all-weather paddock;
8. Stream bank and riparian vegetation preservation;
9. Capture and reuse rainwater and snowmelt on the site from areas of animal confinement and impervious surfaces.

(b) The Maximum Usage Plan shall specify the maximum number of horses to be boarded based upon the animal-units-month rating of the site.

1. The plan shall:

- a. Consider all livestock to be pastured on the site in establishing the number of horses to be boarded.
- b. Maintain adequate ground cover and vegetation for all areas to be used as part of the horse boarding use to prevent soil erosion.
- c. Provide basic measurements to verify that the operation plan is achieving the necessary impact reductions for erosion & sediment control, dust control and insect control.

(C) The following accessory uses, if proposed, shall be evaluated as part of the boarding of horses use or non-profit horse rescue facility:

- (1) Riding arena, covered or uncovered;
- (2) Lessons to boarders (minor component)
- (3) Training tracks;
- (4) Hot walkers, covered or uncovered;
- (5) Horse pool, covered or uncovered;

(6) Storage building for hay and grains;

(7) Farrier services & veterinarian services on an intermittent basis provided only for the use of owners of horses boarded at the facility;

(8) Horse trailer storage only for the use of owners of horses boarded at the facility. The area where the horse trailers are to be stored shall be screened by evergreen vegetation or topography from the public road, adjacent properties and from all key viewing areas.

(9) The hosting of fund-raising events for a non-profit horse rescue operation.

Section 27. The amendments to Chapter 38 Columbia River Gorge National Scenic Area shall be effective upon notification of approval by the Columbia River Gorge Commission and, if necessary, concurrence by the Secretary of Agriculture.

FIRST READING:

December 4, 2008

SECOND READING AND ADOPTION:

December 11, 2008



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Sandra N. Duffy, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Department of Community Services