



## **Attachment D**

**TO:** Columbia River Gorge Commission

**FROM:** Joanna Kaiserman, Senior Land Use Planner

**DATE:** October 13, 2020

**SUBJECT:** **Action Item\*:** Proposed edits for agricultural products sales

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The purpose of this staff report is to follow up on the Gorge Commission's request at the September 8, 2020 Commission meeting that the staff develop new language expanding the allowed use for sale of agricultural products. Staff requests that the Commission discuss the suggested edits and vote to approve it as an amendment to the August 27, 2020 Draft Gorge 2020 Management Plan.

### **Public Comments Received in June 2020**

During the public engagement process for the Land Uses Focus Topic, staff gathered input through public open houses and workshops, quarterly meetings with Gorge county planners, meetings with county planning directors, and comments received during the June 2020 public comment period. One of the topics that came up from agricultural producers, as well as county planners, was the need to recognize and allow for the sale of agricultural products. These suggestions stemmed from a desire to clarify the intent of what is and is not allowed, and to provide greater economic opportunities for agricultural producers. Staff heard suggestions that these uses could be incorporated into the existing guidelines for other similar uses. Many landowners in agricultural land use designations commented that they would like to see the Management Plan allow a wider variety of uses on agricultural lands to support economic development.

Many comments received during the public comment period were related to the importance of agritourism for the economy in the area and encouraged the Commission to consider allowing a wider variety of uses to support agritourism beyond just wineries and wine sales. Commenters raised questions about why wine and wine sales seem to be favored in the Draft Management Plan over other farm products and why wine sales and tasting rooms are considered commercial, but fruit and produce stands are not. At its September 8, 2020 meeting, the Commission approved allowing cideries to be added to wineries as a commercial use. The Commission directed staff to draft policy that will allow agricultural producers to sell of a wider variety of products, while

ensuring that these sales are incidental to the main agricultural use of the property. The Commission requested that the language convey support for small scale agriculture.

### **Agricultural Produce and Products**

Staff suggests modifying the proposed definition for “Fruit and Produce Stand.” Although fruit and produce stands are currently an allowed use, the Management Plan does not have a definition for this use. Staff heard from county planners that defining this use would help to clarify the intent of what is allowed as a fruit and produce stand. It is already clarified in the Plan that fruit and produce stands are not considered a commercial use, and therefore cannot hold commercial events, so no changes are necessary to satisfy the Commission’s request of no commercial events at these venues.

In response to the Commission’s request, staff looked at the existing provisions in the Plan to determine how to incorporate the sale of value-added agricultural products and other incidental product sales. Staff also wanted to keep the edits simple, minimizing changes to the Draft Plan, while still addressing the Commission’s request. Staff believes this achieves the Commission’s desired outcome to allow for the sale of agricultural products and incidental sales, while not allowing commercial events at the venue where these sales are allowed. The suggested revised definition for fruit and produce stands specifies that the use be located on a farm or ranch, and that the products sold be from the farm and local region. Following the Commission’s direction to ensure that this use be small scale, staff suggests amending the draft definition of fruit and produce stands as follows:

Current glossary definition:

**Fruit and produce stand:** A venue on a property selling agricultural products primarily grown on the subject parcel. Fruit and produce stands are not a commercial use.  
*(From Draft Management Plan August 27, 2020 version)*

Change to:

**Fruit and produce stand:** A venue on a ~~property~~ farm or ranch selling produce and agricultural products primarily grown on the subject parcel ~~farm and associated incidental products from the local region~~. Fruit and produce stands are not a commercial use.

And amend the following review use language in the Plan:

~~“Fruit and produce stands upon a showing that sales will be limited to agricultural products primarily grown on the subject farm.”~~

Staff also suggests deleting the language above where fruit and produce stands are listed as an allowed review use in the Plan because the revised glossary entry already clarifies the definition of the use and expands it beyond “agricultural products primarily grown on the subject farm” to also include associated incidental products from the local region.

Where language for fruit and produce stands is found in the 8/27/2020 Tracked Changes Draft of the Management Plan:

#### Part II, Ch 1 Agricultural Land

GMA p. 213: 2.C.

SMA p. 226: 1.L.

Part II, Ch 2 Forest Land

GMA p. 240: 2. C

Glossary p. 499

Fruit and produce stands are allowed in the following LUDs:

**GMA:** Large-Scale Ag

Small-Scale Ag

Commercial Forest

Large Woodland

Small Woodland

**SMA:** Agriculture

**Suggested Commission Motion**

I move to adopt the following changes to the 8/27/2020 Draft Management Plan:

Amend the glossary definition for fruit and produce stand to say:

**Fruit and produce stand:** A venue on a farm or ranch selling produce and agricultural products primarily grown on the subject farm and associated incidental products from the local region. Fruit and produce stands are not a commercial use.

And where fruit and produce stands are listed as a review use, it will suffice to say “fruit and produce stands” since it will be referring to the amended glossary definition. [and delete upon a showing that sales will be limited to agricultural products primarily grown on the subject farm.]