

Land Uses and Development in the National Scenic Area

Gorge Commission Work Session

April 14, 2020

Overview

- Follow up from January: topics for further discussion
- Additional information on each topic and questions for the Commission
- Commission discussion and policy guidance



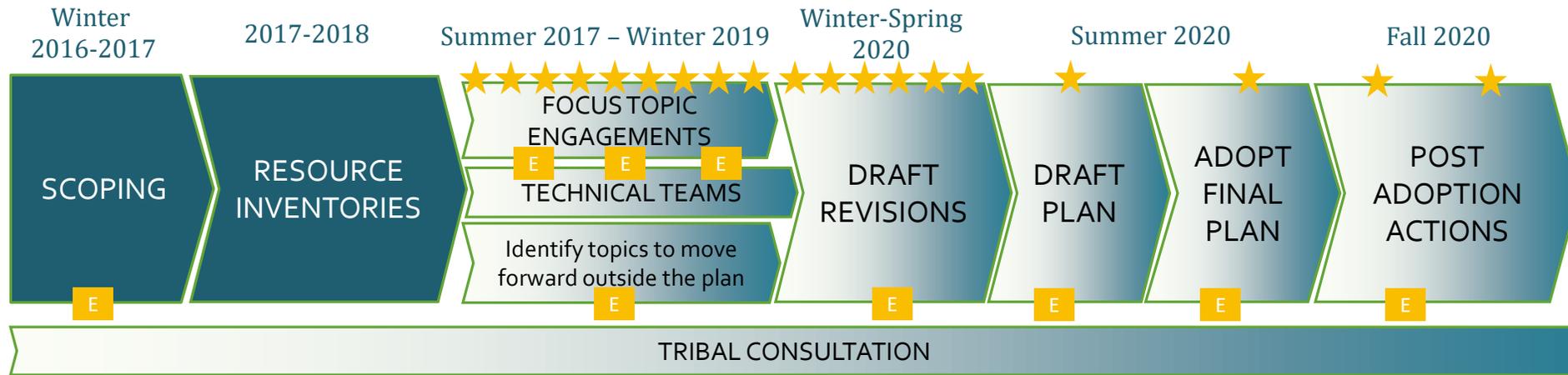


GORGE 2020

At-A-Glance Timeline



We are here
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E Public or Stakeholder Engagement Opportunity (Workshop / Open House / Public Comment Period)

★ Commission Discussion

The 4 Parts of the Management Plan

Part I Goals, objectives, policies, and guidelines for resource protection and enhancement

Part II Land Use Designations and General Policies and Guidelines.

Part III outlines an action program.

Part IV Role of the Gorge Commission, the Forest Service, and Indian tribal treaty rights and consultation



Topics for discussion

Short-term rental (STR) regulation

Commercial uses regulations

Renewable energy

Mining

Cluster developments

Land use designation policies for public lands

Big picture: Resource Protections

How would new policy lead to greater protection and enhancement of resources and support economic development in accordance with Act?

Next Steps

1. Staff gathers perspectives from the Commission today.
2. Staff uses Commission feedback to develop draft revisions.
3. Staff presents draft revisions to Commission.

Topic 1: Overnight Accommodations

Background:

Short-term rentals are not mentioned in the Plan, and thus not allowed. However, “B & B’s”, “travelers accommodations” and “overnight accommodations” are allowed. Clear language in the Management Plan expressly allowing or prohibiting the use of short-term rentals and defining the intent will help to clarify regulations for residents and planners alike.

Topic 1: Overnight Accommodations

“Bed and Breakfast Inns”:

- 3 to 5 rooms rented on a daily basis
- Up to 14 days in a row
- incidental use to an owner-occupied single-family dwelling

Allowed in:

- GMA Rural Center & Commercial lands
- GMA Residential lands
- GMA Agriculture lands
- GMA Forest lands
- SMA in historic dwellings in other designations.

Topic 1: Overnight Accommodations

Staff Recommendations:

1. Remove “travelers accommodations”, replace with umbrella term of “overnight accommodations” if allowing STRs along with BnBs
2. If allowing STRs, consider the following regulations used by jurisdictions in NSA counties:
 - Limit timeframe of rentals
 - Require neighbor notification
 - Special parking requirements
 - Must take place in legal dwelling unit
 - Require that the rental unit be the primary residence of the host

Topic 1: Overnight Accommodations

Questions:

Would allowing short-term rentals support the purposes of the Act of allowing economic development in a way that is consistent with resource protections?

Is there a reason to continue allowing Bed & Breakfasts but not Short-Term Rentals?

Topic 2: Commercial Uses

Background:

The Plan allows different types of commercial uses in different Land Use Designations, some of which overlap, which leads to challenges in implementation at the permitting level.

Questions:

Should the language in the Management Plan be changed to allow for cideries in a manner similar to wineries?

What goal is achieved by allowing commercial uses such as value-added agriculture?

Topic 3: Renewable Energy

Background:

Renewable energy production, incidental and secondary to the primary use of a property, is already permitted in the National Scenic Area, but not mentioned in the Plan.

- Solar developments are currently approvable uses in the plan as accessories or additions.
- Wind turbines accessory to a primary residential or agricultural use generating power for onsite use are allowed.

Topic 3: Renewable Energy

Staff recommendation:

Add language to allow solar and wind power generation as accessory to residential or agricultural use, making clear that power generation for commercial use is prohibited. Adding this to the Plan is one of the Commission's draft Climate Change mitigation actions and aligns with the draft strategy to support renewable energy.

Question:

Should the Management Plan include language that explicitly allows solar and wind energy generation for non-commercial use?

Topic 4: Mining

Background:

Section 6d(d)((9) of the Act states:

“The management plan and all land use ordinances and interim guidelines adopted pursuant to sections 544 to 544p of this title shall include provisions to—

....

(9) require that the exploration, development and production of mineral resources, and the reclamation of lands thereafter, take place without adversely affecting the scenic, cultural, recreation and natural resources of the scenic area.”

Topic 4: Mining

Glossary Definition: “**Exploration, development (extraction and excavation), and production of mineral resources:** Includes all or any part of the process of surface, underground, or submerged mining of mineral resources. Minerals include For the Management Plan, this definition includes all exploration and mining, regardless of area disturbed or volume mined. Production of mineral resources means the use of portable crushing, onsite stockpiling, washing, milling, screening, or sorting equipment or other similar methods of initial treatment of a mineral resource to transport to another site for use or further processing.”

New use allowed in:

GMA – Commercial Forest

GMA – Large or Small Woodland

Topic 4: Mining

Questions:

1. Does section 6d(d)(9) require the Commission to permit mining in the National Scenic Area?

2. Should the definition of what constitutes mining in the Management Plan more expressly include the transportation of materials offsite?

3. Should other business activities, such as maintaining state permits, reporting, leasing, maintenance, etc. be added to the glossary definition?

4. Are there other changes the Commission wishes to make regarding the authorization and conditions of operation of surface mines?

Topic 5: Cluster Developments

Background:

Public comment received on this topic suggested defining the term “cluster” and prohibiting cluster developments on lands designated for agriculture and forest uses.

Staff does not see the value in keeping this provision because it is rarely used and there is little opportunity left for these types of land divisions.

Question:

Should the provision for cluster developments be removed from the Plan?

Topic 6: Ownership & Land Use

Background:

Land Use Designations in the National Scenic Area were developed based on resource inventories, not solely based on ownership. We heard from public scoping the suggestion that Commission consider requiring future land acquisitions by public entities to be re-designated as Open Space or Recreation.

Staff recommendation: Not amending the plan to designate newly acquired public lands Open Space or Recreation.

Question:

How would requiring a change in land use designation protect resources more than the current guidelines do?