

1 *Oregon's Statewide Planning Goals & Guidelines*
2 **GOAL 8: RECREATIONAL NEEDS**

3 **OAR 660-015-0000(8)**

4 *Amendments adopted February 2, 2006, are underlined in bold or ~~[struck]~~*

5
6 ***To satisfy the recreational needs of the citizens of the state and visitors***
7 ***and, where appropriate, to provide for the siting of necessary recreational***
8 ***facilities including destination resorts.***

9
10 **RECREATION PLANNING**

11 The requirements for meeting such needs, now and in the future, shall be
12 planned for by governmental agencies having responsibility for recreation areas,
13 facilities and opportunities: (1) in coordination with private enterprise; (2) in
14 appropriate proportions; and (3) in such quantity, quality and locations as is
15 consistent with the availability of the resources to meet such requirements. State
16 and federal agency recreation plans shall be coordinated with local and regional
17 recreational needs and plans.

18
19
20 **DESTINATION RESORT SITING**

21 Comprehensive plans may provide for the siting of destination resorts on
22 rural lands subject to the provisions of **state law, including ORS 197.435 to**
23 **197.467, [the] this and other Statewide Planning Goals,** and without an [Goal
24 2] exception to Goals 3, 4, 11, or 14.

25
26 **Eligible Areas**

27 (1) Destination resorts allowed under the provisions of this goal ~~[shall]~~
28 **must** be sited on lands mapped as eligible by the affected county. A map
29 adopted by a county ~~[shall]~~ **may** not allow destination resorts approved under the
30 provisions of this goal to be sited in any of the following areas:

31 (a) Within 24 air miles of an urban growth boundary with an existing
32 population of 100,000 or more unless residential uses are limited to those
33 necessary for the staff and management of the resort;

34 (b) On a site with 50 or more contiguous acres of unique or prime farm
35 land identified and mapped by the ~~[Soil Conservation Service]~~ **United States**
36 **Natural Resources Conservation Service or its predecessor agency;** or
37 within three miles of ~~[farm land within]~~ a High Value Crop Area except that “small
38 destination resorts” ~~[shall]~~ **may** not be closer to a high value crop area than one-
39 half mile for each 25 units of overnight lodging or fraction thereof;

40 (c) On predominantly Cubic Foot Site Class 1 or 2 forest lands, as
41 determined by the State Forestry Department, ~~[which]~~ **that** are not subject to an
42 approved goal exception;

43 (d) In the Columbia River Gorge National Scenic Area as defined by the
44 Columbia River Gorge National Scenic Act, P.L. 99-663;

1 (e) ~~In an~~ [E]especially sensitive big game habitat as generally mapped by
2 the Oregon Department of Fish and Wildlife in July 1984 and as further refined
3 through development of comprehensive plans implementing this requirement.

4 ~~(2) [Consistent with (a)-(e) above,]~~ “~~S[s]~~mall destination resorts” may be
5 allowed consistent with the siting requirements of section (1), above, in the
6 following areas:

7 (i) ~~a~~ On land that is not defined as agricultural or forest land under Goal 3
8 or 4; **or**

9 (ii) ~~b~~ On land[s] where there has been an exception to Statewide Planning
10 Goals 3, 4, 11, or 14.

11 **Siting Standards**

12 (1) Counties shall ensure that destination resorts are compatible with the
13 site and adjacent land uses through the following measures:

14 (a) Important natural features, including habitat of threatened or
15 endangered species, streams, rivers, and significant wetlands shall be
16 maintained. Riparian vegetation within 100 feet of streams, rivers and significant
17 wetlands shall be maintained. Alterations to important natural features, including
18 placement of structures which maintain the overall values of the feature may be
19 allowed.
20

21 (b) Sites designated for protection in an acknowledged comprehensive
22 plan designated pursuant to Goal 5 which are located on the tract used for the
23 destination resort shall be preserved through conservation easements as set
24 forth in ORS 271.715 to 271.795. Conservation easements adopted to implement
25 this requirement shall be sufficient to protect the resource values of the site and
26 shall be recorded with the property records of the tract on which the destination
27 resort is sited.

28 (c) Improvements and activities shall be located and designed to avoid or
29 minimize adverse effects of the resort on uses on surrounding lands, particularly
30 effects on intensive farming operations in the area. At a minimum, measures to
31 accomplish this shall include:

32 (i) Establishment and maintenance of buffers between the resort and
33 adjacent land uses, including natural vegetation and where appropriate, fences,
34 berms, landscaped areas, and other similar types of buffers.

35 (ii) Setbacks of structures and other improvements from adjacent land
36 uses.

37 (iii) Measures which prohibit the use or operation in conjunction with the
38 resort of a portion of a tract that is excluded from the site of a destination resort
39 pursuant to ORS 197.435(7). Subject to this limitation, the use of the excluded
40 property shall be governed by otherwise applicable law.

41 **Implementing Measures**

42 (1) Comprehensive plans allowing for destination resorts shall include
43 implementing measures which:

44 (a) Adopt a map consisting of eligible lands for “large destination
45 resorts” within the county. The map shall be based on reasonably available
46

1 information, and shall not be subject to revision or refinement after adoption
2 except in **conformance with ORS 197.455, and 197.610 to 197.625,**
3 ~~[connection with periodic review]~~ **but not more frequently than once every 30**
4 **months. The county shall develop a process for collecting and processing**
5 **concurrently all map amendments made within a 30-month planning period.**

6 A map adopted pursuant to this section shall be the sole basis for determining
7 whether tracts of land are eligible for siting of large destination resorts under the
8 provisions of this goal **and ORS 197.435 to 197.467.**

9 (b) Limit uses and activities to those permitted by this goal.

10 (c) Assure developed recreational facilities and key facilities intended to
11 serve the entire development and visitor oriented accommodations are physically
12 provided or are guaranteed through surety bonding or substantially equivalent
13 financial assurances prior to closure of sale of individual lots or units. In phased
14 developments, developed recreational facilities and other key facilities intended
15 to serve a particular phase shall be constructed prior to sales in that phase or
16 guaranteed through surety bonding.

17 **DEFINITIONS**

19 ***Destination Resort*** -- **A[a] self-contained development providing visitor-oriented**
20 **accommodations and developed recreational facilities in a setting with high**
21 **natural amenities, and that qualifies under the definition of either a “large**
22 **destination resort” or a “small destination resort” in this goal. Spending**
23 **required under these definitions are stated in 1993 dollars. The spending**
24 **required shall be adjusted to the year in which calculations are made in**
25 **accordance with the United States Consumer Price Index.**

27 ***Large Destination Resort*** -- To qualify as a “large destination resort” under **this**
28 **Goal [8], a proposed development must meet the following standards:**

29 (1) The resort ~~[is]~~ **must be** located on a site of 160 acres or more except
30 within two miles of the ocean shoreline ~~[and]~~ **where** the site ~~[is]~~ **shall be** 40 acres
31 or more.

32 (2) At least 50 percent of the site ~~[is]~~ **must be** dedicated **as** permanent
33 open space excluding yards, streets and parking areas.

34 (3) At least \$7 million ~~[is]~~ **must be** spent on improvements for onsite
35 developed recreational facilities and visitor-oriented accommodations exclusive
36 of costs for land, sewer, and water facilities and roads. Not less than one-third of
37 this amount shall be spent on developed recreational facilities.

38 **(4) Commercial uses allowed are limited to types and levels**
39 **necessary to meet the needs of visitors to the development. Industrial**
40 **uses of any kind are not permitted.**

41 ~~[(4)5]~~ Visitor-oriented accommodations including meeting rooms,
42 restaurants with seating for 100 persons, and 150 separate rentable units for
43 overnight lodging ~~[are]~~ **must be** provided. Accommodations available for
44 residential use shall not exceed two such units for each unit of overnight lodging.
45 However, the rentable **overnight lodging** units may be phased in as follows:

46 (a) **On land that is not in Eastern Oregon, as defined in ORS 321.805:**

1 **(A)** A total of 150 units of overnight lodging [shall] **must** be provided [as
2 follows:].

3 ~~(A)~~**(B)** At least 75 units of overnight lodging, not including any individually
4 owned homes, lots or units [shall] **must** be constructed or guaranteed through
5 surety bonding or equivalent financial assurance[s] prior to the closure of sale of
6 individual lots or units.

7 ~~(B)~~**(C)** The ~~[remainder of the]~~ **remaining** overnight lodging units [shall]
8 **must** be provided as individually owned lots or units subject to deed restrictions
9 that limit their use to overnight lodging units. The deed restrictions may be
10 rescinded when the resort has constructed 150 units of permanent overnight
11 lodging as required by this section.

12 ~~(b)~~**(D)** The number of units approved for residential sale [shall] **may** not be
13 more than two units for each unit of permanent overnight lodging provided under
14 **paragraph B** ~~[(A(a))]~~ of this **subsection**.

15 ~~(e)~~**(E)** The development approval shall provide for the construction of other
16 required overnight lodging units within five years of the initial lot sales.

17 **(b) On lands in Eastern Oregon, as defined in ORS 321.805:**

18 **(A) A total of 150 units of overnight lodging must be provided.**

19 **(B) At least 50 units of overnight lodging must be constructed prior**
20 **to the closure of sale of individual lots or units.**

21 **(C) At least 50 of the remaining 100 required overnight lodging units**
22 **must be constructed or guaranteed through surety bonding or equivalent**
23 **financial assurance within five years of the initial lot sales.**

24 **(D) The remaining required overnight lodging units must be**
25 **constructed or guaranteed through surety bonding or equivalent financial**
26 **assurances within 10 years of the initial lot sales.**

27 **(E) The number of units approved for residential sale may not be**
28 **more than 2-1/2 units for each unit of permanent overnight lodging**
29 **provided under paragraph (B) of this subsection.**

30 **(F) If the developer of a resort guarantees the overnight lodging units**
31 **required under paragraphs (C) and (D) of this subsection through surety**
32 **bonding or other equivalent financial assurance, the overnight lodging**
33 **units must be constructed within four years of the date of execution of the**
34 **surety bond or other equivalent financial assurance.**

35 ~~[(5) Commercial uses provided are limited to types and levels necessary~~
36 ~~to meet the needs of visitors to the development and industrial uses are not~~
37 ~~permitted.]~~

38 **(6) When making a land use decision authorizing construction of a**
39 **“large destination resort” in Eastern Oregon, as defined in ORS 321.805,**
40 **the governing body of the county or its designee shall require the resort**
41 **developer to provide an annual accounting to document compliance with**
42 **the overnight lodging standards of this definition. The annual accounting**
43 **requirement commences one year after the initial lot or unit sales. The**
44 **annual accounting must contain:**

45 **(a) Documentation showing that the resort contains a minimum of**
46 **150 permanent units of overnight lodging or, during the phase-in period,**

1 **documentation showing the resort is not yet required to have constructed**
2 **150 units of overnight lodging.**

3 **(b) Documentation showing that the resort meets the lodging ratio**
4 **described in section (5)(b) of this definition.**

5 **(c) For a resort counting individually owned units as qualified**
6 **overnight lodging units, the number of weeks that each overnight lodging**
7 **unit is available for rental to the general public as described in section (2)**
8 **of the definition for “overnight lodgings” in this goal.**

9
10 ***Small Destination Resort --*** To qualify as a “small destination resort” under
11 Goal 8, a proposed development must meet **standards (2) and (4) under the**
12 **definition of “large destination resort” and** the following standards:

13 ([a]1) The resort [shall] **must** be located on a site of 20 acres or more.

14 ([b]2) At least \$2 million [shall] **must** be spent on improvements for onsite
15 developed recreational facilities and visitor-oriented accommodations exclusive
16 of costs for land, sewer, and water facilities and roads. Not less than one-third of
17 this amount [shall] **must** be spent on developed recreation facilities.

18 ([c]3) At least 25 but not more than 75 units of overnight lodging shall be
19 provided.

20 ([d]4) Restaurant and meeting rooms with at least one seat for each unit of
21 overnight lodging [shall] **must** be provided.

22 ([e]5) Residential uses [shall] **must** be limited to those necessary for the
23 staff and management of the resort.

24 ([f]6) The county governing body or its designee [shall] **must** review the
25 proposed resort and determine that the primary purpose of the resort is to
26 provide lodging and other services oriented to a recreational resource which can
27 only reasonably be enjoyed in a rural area. Such recreational resources include,
28 but are not limited to, a hot spring, a ski slope[,] or a fishing stream.

29 ([g]7) The resort shall be constructed and located so that it is not designed
30 to attract highway traffic. Resorts shall not use any manner of outdoor advertising
31 signing except:

32 ([i]a) Tourist oriented directional signs as provided in ORS 377.715 to
33 377.830; and

34 ([ii]b) Onsite identification and directional signs.

35 [~~(h) Spending required under this section is stated in 1993 dollars. The~~
36 ~~spending required shall be adjusted to the year in which calculations are made in~~
37 ~~accordance with the United States Consumer Price Index.~~]

38
39 ***Developed Recreation Facilities --*** are improvements constructed for the
40 purpose of recreation and may include but are not limited to golf courses, tennis
41 courts, swimming pools, marinas, ski runs and bicycle paths.

42
43 ***High-Value Crop Area --*** an area in which there is a concentration of
44 commercial farms capable of producing crops or products with a minimum gross
45 value of \$1,000 per acre per year. These crops and products include field crops,
46 small fruits, berries, tree fruits, nuts, or vegetables, dairying, livestock feedlots, or

1 Christmas trees as these terms are used in the 1983 County and State
2 Agricultural Estimates prepared by the Oregon State University Extension
3 Service. The High-Value Crop Area Designation is used for the purpose of
4 minimizing conflicting uses in resort siting and is not meant to revise the
5 requirements of Goal 3 or administrative rules interpreting the goal.

6
7 **Map of Eligible Lands** -- a map of the county adopted pursuant to ORS
8 197.455.

9
10 **Open Space** -- means any land that is retained in a substantially natural
11 condition or is improved for recreational uses such as golf courses, hiking or
12 nature trails or equestrian or bicycle paths or is specifically required to be
13 protected by a conservation easement. Open spaces may include ponds, lands
14 protected as important natural features, land preserved for farm or forest use and
15 lands used as buffers. Open space does not include residential lots or yards,
16 streets or parking areas.

17
18 **Overnight Lodgings** -- are permanent, separately rentable accommodations
19 [which] **that** are not available for residential use. Overnight lodgings include hotel
20 or motel rooms, cabins, and time-share units. **Tent sites, recreational vehicle**
21 **parks, manufactured dwellings, dormitory rooms, and similar**
22 **accommodations do not qualify as overnight lodgings for the purpose of**
23 **this definition.** Individually owned units may be considered overnight lodgings if:

24 **(1) With respect to lands not in Eastern Oregon, as defined in**
25 **ORS 321.805,** they are available for overnight rental use by the general public for
26 at least 45 weeks per calendar year through a central reservation and check-in
27 service, **or** [~~Tent sites, recreational vehicle parks, mobile homes, dormitory~~
28 ~~rooms, and similar accommodations do not qualify as overnight lodgings for the~~
29 ~~purpose of this definition].~~

30 **(2) With respect to lands in Eastern Oregon, as defined in ORS**
31 **321.805, they are available for overnight rental use by the general public for**
32 **at least 38 weeks per calendar year through a central reservation system**
33 **operated by the destination resort or by a real estate property manager, as**
34 **defined in ORS 696.010.**

35
36 **Recreation Areas, Facilities and Opportunities** -- provide for human
37 development and enrichment, and include but are not limited to: open space and
38 scenic landscapes; recreational lands; history, archaeology and natural science
39 resources; scenic roads and travelers; sports and cultural events; camping,
40 picnicking and recreational lodging; tourist facilities and accommodations; trails;
41 waterway use facilities; hunting; angling; winter sports; mineral resources; active
42 and passive games and activities.

43
44 **Recreation Needs** -- refers to existing and future demand by citizens and visitors
45 for recreations areas, facilities and opportunities.

46

1 **Self-contained Development** – means a development for which community
2 sewer and water facilities are provided onsite and are limited to meet the needs
3 of the development or are provided by existing public sewer or water service as
4 long as all costs related to service extension and any capacity increases are
5 borne by the development. A "self-contained development" [shall] **must** have
6 developed recreational facilities provided on-site.

7
8 **Tract** -- means a lot or parcel or more than one contiguous lot or parcel in [the
9 same] **a single** ownership. A tract may include property that is not included in the
10 proposed site for a destination resort if the property to be excluded is on the
11 boundary of the tract and constitutes less than 30 percent of the total tract.

12
13 **Visitor-Oriented Accommodations** -- are overnight lodging, restaurants,
14 meeting facilities which are designed to and provide for the needs of visitors
15 rather than year-round residents.

16 17 18 **GUIDELINES FOR GOAL 8**

19 20 **A. PLANNING**

21 1. An inventory of recreation needs in the planning area should be made
22 based upon adequate research and analysis of public wants and desires.

23 2. An inventory of recreation opportunities should be made based upon
24 adequate research and analysis of the resources in the planning area which are
25 available to meet recreation needs.

26 3. Recreation land use to meet recreational needs and development
27 standards, roles and responsibilities should be developed by all agencies in
28 coordination with each other and with the private interests. Long range plans and
29 action programs to meet recreational needs should be developed by each
30 agency responsible for developing comprehensive plans.

31 4. The planning for lands and resources capable of accommodating
32 multiple uses should include provision for appropriate recreation opportunities.

33 5. The *State Comprehensive Outdoor Recreation Plan* could be used as a
34 guide when planning, acquiring and developing recreation resources, areas and
35 facilities.

36 6. When developing recreation plans, energy consequences should be
37 considered, and to the greatest extent possible non-motorized types of
38 recreational activities should be preferred over motorized activities.

39 7. Planning and provision for recreation facilities and opportunities should
40 give priority to areas, facilities and uses that

41 (a) Meet recreational needs requirements for high density population
42 centers,

43 (b) Meet recreational needs of persons of limited mobility and finances,

44 (c) Meet recreational needs requirements while providing the maximum
45 conservation of energy both in the transportation of persons to the facility or area
46 and in the recreational use itself,

- 1 (d) Minimize environmental deterioration,
2 (e) Are available to the public at nominal cost, and
3 (f) Meet needs of visitors to the state.
- 4 8. Unique areas or resources capable of meeting one or more specific
5 recreational needs requirements should be inventoried and protected or
6 acquired.
- 7 9. All state and federal agencies developing recreation plans should allow
8 for review of recreation plans by affected local agencies.
- 9 10. Comprehensive plans should be designed to give a high priority to
10 enhancing recreation opportunities on the public waters and shorelands of the
11 state especially on existing and potential state and federal wild and scenic
12 waterways, and Oregon Recreation Trails.
- 13 11. Plans ~~[which]~~ **that** provide for satisfying the recreation needs of
14 persons in the planning area should consider as a major determinant, the
15 carrying capacity of the air, land and water resources of the planning area. The
16 land conservation and development actions provided for by such plans should
17 not exceed the carrying capacity of such resources.

18 **B. IMPLEMENTATION**

19 Plans should take into account various techniques in addition to fee
20 acquisition such as easements, cluster developments, preferential assessments,
21 development rights acquisition, subdivision park land dedication ~~[which]~~ **that**
22 benefits the subdivision, and similar techniques to meet recreation requirements
23 through tax policies, land leases, and similar programs.

24 **C. RESORT SITING**

25 Measures should be adopted to minimize the adverse environmental
26 effects of resort development on the site, particularly in areas subject to natural
27 hazards. Plans and ordinances should prohibit or discourage alterations and
28 structures in the 100 year floodplain and on slopes exceeding 25 percent. Uses
29 and alterations ~~[which]~~ **that** are appropriate for these areas include:

- 30 1. Minor drainage improvements ~~[which]~~ **that** do not significantly impact
31 important natural features of the site;
 - 32 2. Roads, bridges and utilities where there are no feasible alternative
33 locations on the site; and
 - 34 3. Outdoor recreation facilities including golf courses, bike paths, trails,
35 boardwalks, picnic tables, temporary open sided shelters, boating facilities, ski
36 lifts and runs. Alterations and structures permitted in these areas should be
37 adequately protected from geologic hazards or of minimal value and designed to
38 minimize adverse environmental effects.
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