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Dear Chair Kabeisman and Commission Members,

Comment on Non- Agenda Item for May PC Meeting : Conditional Use Revisions

Last month's meeting took up the topic of revising and simplifying our Conditional Use criteria. It has been recommended to begin with the as yet adopted small cities model ordinance (and yet to be published) and then add caveats to address farm and forest issues. While this may be a fine starting point, my view is that land use planning in Multnomah County has a vastly different mission than a small city and that caution should follow. The focus in many cities when it comes to conditional uses is often centered around nuisances and traffic concerns in accommodating development, not natural resource protections.

At the very top of the Multnomah County Land Use web page it states:

***“We ensure the preservation and protection .of forest lands, farm and nursery production, wildlife, streams, scenic views and the Columbia River Gorge“***

Given the mission here, we need tailored, effective, criteria where emphasis is resource protection that is applicable to MUA and RR zones that lack the statewide EFU and CFU farm and forest protections. Further, when it comes to wildlife and streams, we can not count on SEC overlays entirely. In an SEC Stream zone for example, development can, subject to conditions and a type 2 process, be sited anywhere in a riparian area (no setbacks).

A good portion of the nursery production and farming which we endeavor to preserve takes place on exception land (primarily MUA). Last time I checked, the nursery business is Oregon's and Multnomah County's number one agricultural product. Please keep this in mind when crafting new criteria. Further, it might be useful to review a few past decisions to see the current criteria at work. Personally, I have some skepticism over casting aside the criteria of policy compliance with the the Comprehensive Plan which seems like a good safeguard for something falling through the cracks.

In closing, the Comprehensive Plan revision of (2017?) on the subject of Conditional Uses states at 3.16-1 ( and 2.8-1) a yet to be completed task:

***“Review the appropriateness of review uses, conditional uses and community service uses through a public process that involves community stakeholders prior to amending the Zoning”***

I'm hoping that the Conditional Use criteria update here will be completed with eyes on that list of uses in the Zoning Code, yet I haven't heard anyone cite the list of uses to which the criteria will apply. As compared with others, Multnomah County is relatively small, and split down the middle by the state's largest urban area with an array of uses that might seek locating in the rural area in the future. If we are serious about protections, it may take ore than somewhere in the middle to ensure it.

Thanks for the opportunity to comment and your consideration,- Chris Foster