

## Existing Policy Language for FARM and FOREST LANDS

**BACKGROUND:** *The current County Comprehensive Plan and Rural Area Plans contain many policies and strategies pertaining to farm and forest lands that may still be applicable and worth consideration for retaining in whole or in part -- some without changes and some with text changes to update the language for clarity or for countywide applicability. These current policies and strategies could be carried over into the new comprehensive plan so long as they do not conflict with any new policy that emerges from this comprehensive plan update process. Wherever a conflict occurs, the existing policy language would either have to be eliminated or revised to be consistent with the new policy.*

*The source of existing language is given within the parentheses following the statement.*

### Explanation of Different Types of Text

Standard text – means existing language from the County Comprehensive Plan or a Rural Area Plan.

~~Strikeouts~~ – means existing text that is being deleted.

Underlined – means new text that is being added.

*(Italics)* – means the source of an existing policy or strategy abbreviated as follows:

*(MCCP)* Multnomah County Comprehensive Plan

*(ESR)* East of Sandy River Rural Area Plan

*(WSR)* West of Sandy River Rural Area Plan

*(WH)* West Hills

*(SIMC)* Proposed New Sauvie Island/Multnomah Channel Rural Area Plan

**The Farm, Forest and Rural Economy subcommittee recommends the following existing policy language on farm and forest lands be included in the new comprehensive plan.**

### Existing Policy Language Related to Farm Lands

~~POLICY 10:~~ **MULTIPLE USE AGRICULTURAL LAND AREA** *(from the County Comprehensive Plan)*

#### INTRODUCTION

The purpose of the Multiple Use Agriculture Land Area Classification is to conserve those lands agricultural in character which have been ~~heavily~~ impacted by non-farm uses and are not predominantly Agricultural Land as defined in Statewide Planning Goal 3. This conservation is necessary to protect adjacent exclusive farm use areas and, in some cases, the fragile nature of the lands themselves. These lands are conserved for diversified agricultural uses and other uses, such as ~~outdoor recreation~~, open space, residential development, and forestry, when

these uses are shown to be compatible with the natural resource base, character of the area, and other applicable plan policies.

The intent of this classification is to recognize the diminished nature of these areas for commercial ~~resource~~ agricultural production, but to limit the adverse impacts of future development of them on nearby agricultural areas and on other lands of a more fragile nature (e.g., areas subject to flooding, but used for agricultural-related uses). (*MCCP*)

## POLICIES

- A. ~~The County's policy is to d~~Designate and maintain as multiple use agriculture land, those areas which are:
1. Generally agricultural in nature, with soils, slope and other physical factors indicative of past or present ~~small scale~~ farm use; and
  2. Parcelized to a degree where the average lot size, separate ownerships, and non-farm uses are not conducive to commercial agricultural use; and
  3. Provided with a higher level of services than a commercial agricultural area has; or
  4. ~~In agricultural~~ Located in micro-climates which reduce the growing season or affect plant growth in a detrimental manner (flooding, frost, etc.). (*MCCP*)
- B. ~~The County's policy, in recognition of the necessity to protect adjacent exclusive farm use areas, is to r~~Restrict multiple use agricultural uses to those that are compatible with exclusive farm use areas in recognition of the necessity to protect adjacent exclusive farm use areas. (*MCCP*)
- C. Protect farm land from ~~encroachment by~~ adverse impacts of residential and other non-farm uses ~~in a manner that is consistent with the existing Framework Policy 10 Multiple Use Agricultural Land Area~~. (*WSR*)
- D. Amend the Multiple Use Agriculture zone to include deed restrictions protecting surrounding agricultural and forestry practices as a requirement for approval of new and replacement dwellings and additions to existing dwellings. (*SIMC*)

## STRATEGIES

1. ~~The conversion of~~ Redesignating land to another ~~broad~~ land use classification should be in accord with the standards set forth by the Statewide Planning Goals, OARs, and in this Plan. (*MCCP*)

2. Ensure that new, replacement, or expanding uses on MUA zoned lands minimize impacts to farmland and forest land by requiring ~~“right to farm” measures to be implemented. This shall be accomplished by requiring~~ recordation of a covenant that recognizes the rights of adjacent farm managers and foresters to farm and practice forestry on their land. (WSR)

## Existing Language Related to Forest Lands

### ~~POLICY 11: COMMERCIAL FOREST LAND AREA~~ *(from the County Comprehensive Plan)*

#### INTRODUCTION

The purpose of the Commercial Forest Land Area Classification is to conserve forest lands by maintaining the forest land base and to protect the State's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land, consistent with sound management of soil, air, water, and fish and wildlife resources to provide for recreational opportunities and agriculture.

The intent of the Commercial Forest Land Area Classification is to allocate lands which are suitable for commercial forest management, including adjacent or nearby lands which are necessary to permit forest operations or practices and to allocate other forested lands not suitable for commercial forest management that maintain soil, air, water, and fish and wildlife resources.

Forest operations, practices and auxiliary uses shall be allowed on forest lands subject only to such regulation of uses as are found in ORS 527.722. Uses which may be allowed subject to standards set forth in Statewide Planning Goal 4 and Oregon Administrative Rule 660, Division 6 are: (1) uses related to, and in support of, forest operations; (2) uses to conserve soil, water, and air quality, and to provide for fish and wildlife resources, agriculture and recreational opportunities appropriate in a forest environment; (3) locationally dependent uses; (4) large acreage dwellings authorized by OAR ~~660-06-027(1)(c) (December, 1995)~~ Division 6; and (5) template dwellings authorized by OAR ~~660-06-027(1)(d) (December, 1995)~~ Division 6; and (6) heritage dwellings authorized by OAR 660 Division 6. ~~It is the policy of Multnomah County to allow only the two types of dwellings in (4) and (5) above from the listings of authorized types of dwellings in Oregon Revised Statutes and Oregon Administrative Rules. Further, the implementing Zoning Code criteria of approval of those two types of dwellings may be more restrictive than the permitted standards in Statute and Rule. (MCCP)~~

#### POLICIES

- A. Maximize retention of forest land by maintaining Commercial Forest Use designated areas with forestry as the primary allowed use.
- B. ~~The County's policy is to~~ Designate and maintain as commercial forest land, areas which are:
  - 1. Predominantly in Forest Cubic Foot Site Class I, II, and III for Douglas Fir as classified by the U.S. Soil Conservation Service; and

2. Suitable for commercial forest use and small woodlot management; and
3. Potential reforestation areas, but not, at the present, used for commercial forestry; and
4. Not impacted by urban services; and
5. Cohesive forest areas with large parcels; or
6. Other areas which are:
  - a. Necessary for watershed protection or are subject to landslides, erosion or slumping; or
  - b. Wildlife and fishery habitat areas, potential recreation areas, or of scenic significance. (MCCP)
- C. ~~The County's policy is to~~ Allow forest management with related and compatible uses, ~~but to~~ and restrict incompatible uses from the commercial forest land area, recognizing that the intent is to preserve the best forest lands from inappropriate and incompatible development. (MCCP)
- D. Preserve resource-based land uses related to forest practices as the primary favored land use ~~in the West Hills~~. (WH) [NOTE: The highlighted word change comes from the Assistant County Attorney for legal purposes.]

## STRATEGIES

1. Continue to require that applications for new development comply with Lot of Record standards described in the existing CFU zoning code. (WSR)
2. Continue to allow new template dwellings under the current standards of the CFU zone that are more restrictive than state requirements. (WSR)
3. Allow no dwellings or other uses which are incompatible with commercial forestry on lands of the Mt. Hood National Forest and adjacent large commercial timber parcels. (ESR)
4. Allow new dwellings on ~~the remainder of the~~ Commercial Forest Use zoned lands ~~east of the Sandy River~~ not in the Mt Hood National Forest or on large commercial forest tracts adjacent to the National Forest boundary if the lot meets current County standards regarding the "template test" or if a lot meets the legal requirements regarding ownership since 1985 set forth in Oregon Revised Statutes or Oregon Administrative Rules. (ESR)

5. If current statewide planning regulations of Commercial Forest Use lands are changed, Multnomah County should not allow new subdivision lots of less than ~~40 acres in the CFU-2 district or less than~~ 80 acres in the CFU-1 district in order to preserve forest practices and natural resources such as wildlife habitat, streams, and scenic views. (WH)
6. Ensure that any proposed new dwelling in the commercial forest use designated areas receives appropriate public review by providing comprehensive notice and review opportunity prior to any land use decision. (ESR)
7. ~~The conversion of land~~ Redesignating land from Commercial Forest Land Use to another broad land use classification should be in accord with the standards set forth by the LCDC Goals, OAR's, and in this Plan. (MCCP)
8. ~~Multnomah County generally does~~ Do not support zone changes that remove productive forest land from the protections of Goal 4 of the Oregon Statewide Planning Program. (WSR)

The CAC reviewed and approved the following existing policies pertaining to the Agricultural Land Area (EFU zoned lands) at its June 24, 2015 meeting. The Assistant County Attorney has made several word changes for legal reasons. His word changes are shown below in highlights.

**POLICY 9: AGRICULTURAL LAND AREA** *(from the County Comprehensive Plan)*

**INTRODUCTION**

The purpose of the Agricultural Land Area Classification is to preserve the best agricultural lands by protecting them from inappropriate and incompatible development and to preserve the ~~essential~~ environmental characteristics and economic value of these areas.

The intent of this classification is to establish these areas for exclusive farm use, with farm use ~~and the growing and harvesting of timber~~ as the primary favored uses. (MCCP)

**POLICIES**

- A. Maximize retention of the agricultural land base by maintaining Exclusive Farm Use designated areas as farm lands with agriculture as the primary allowed favored use.
- B. ~~The County's policy is to~~ Designate and maintain as exclusive agricultural land, areas which are:
  - 1. Predominantly agricultural soil capability I, II, III, and IV, as defined by the U.S. Soil Conservation Service; and
  - 2. Of parcel sizes suitable for commercial agriculture; and
  - 3. In predominantly commercial agriculture use; and
  - 4. Not impacted by urban service; or
  - 5. Other areas, predominantly surrounded by commercial agriculture lands, which are necessary to permit farm practices to be undertaken on these adjacent lands. (MCCP)
- C. ~~The County's policy is to~~ Restrict the use of these lands to exclusive agriculture and other uses, consistent with state law, recognizing that the intent is to preserve the best agricultural lands from inappropriate and incompatible development. (MCCP)
- D. Ensure that proposed new dwellings in the Exclusive Farm Use designated areas receive appropriate public review by providing notice and review opportunity prior to any land use decision. (ESR)
- E. ~~The conversion of land to another broad land use classification~~ Redesignating land from Agricultural land use to another land use classification should be in accord with the standards set forth by the Statewide Planning Goals, OARs, and in this Plan. (MCCP)

F. ~~Multnomah County generally does~~ Do not support zone changes that remove productive agricultural land from the protection afforded under Goal 3 of the Oregon Statewide Planning Program. (WSR)