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1600 SE 190<sup>th</sup> Avenue, Portland Oregon 97233-5910 • PH. (503) 988-3043 • Fax (503) 988-3389

Date: January 27, 2017  
To: Multnomah County Planning Commission  
From: Rich Faith, Senior Long-range Planner  
Subject: February 6, 2017 Planning Commission Work Session on Zoning Code  
Amendments Pertaining to Agri-Tourism, Farm Stands, and Wineries

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This work session on draft zoning code amendments pertaining to agri-tourism, farm stands, and wineries is a follow up to the one held on December 5. At the previous work session the Planning Commission requested some changes and raised a number of questions for staff to research and to report back on. Attachment A is a compilation of the instructions and questions put to staff at the December Planning Commission meeting along with our responses.

Additionally at the last meeting, County resident Mark Greenfield submitted a letter (Attachment B) with suggested revisions to the draft agri-tourism and farm stand amendments including explanations for his suggested revisions. The Planning Commission discussed some of Mr. Greenfield's requested changes and provided staff with direction on these; however, the Planning Commission was not able to address all of the changes he had requested. Staff has further evaluated his requested revisions and agrees with some while disagreeing with others. Attachment C to this staff report provides a table of Mr. Greenfield's requested changes together with the staff position on each.

Since the December work session County legal counsel also conducted a more in-depth review of the draft amendments, which resulted in other revisions being made. Legal counsel has not yet completed their review of all the proposed zoning code amendments, and thus, from their perspective more changes may be needed. This is particularly the case with wineries, which are governed by rather lengthy, complex statutes.

Attachments D, E and F are the draft zoning code amendments as revised since the December 5 work session in response to the Planning Commission's instructions, in response to Mark Greenfield's letter, as or as otherwise deemed appropriate. The following is a summary of those revisions.

### **Summary of Revisions to Draft Code Amendments**

#### **AGRI-TOURISM**

1. The definition for Agri-tourism Event has been modified. The definition of Tract has been deleted because it already occurs in the code under the EFU zone and is therefore unnecessary to include here.

2. Agri-tourism has been added as an allowed use in the MUA -20 zone but only as a one-time, one-day event per calendar year and subject to the same standards as those within the EFU zone.
3. The allowed start time for events has been changed from 7:00 AM to 9:00 AM
4. The allowed start time for use of amplified sound has been changed from 8:00 AM to 9:00 AM to correspond with the new start time for events.
5. Two required findings have been added for approval of Type II permits for agri-tourism events.
6. On County counsel's recommendation, the modification provisions for approved Type I events has been deleted because of concerns about its need and proper procedure.
7. Section .6815, Elements of the Application, has been deleted because application requirements in Chapter 37 of the zoning code already adequately cover what needs to be included in a land use permit application. Accordingly, references to this section elsewhere in the amendments have also been deleted.

## FARM STANDS

1. The definition for Promotional Activity has been revised to qualify when farm-to-plate meals are a promotional activity.
2. Much of Section .6765, Standards for Farm Stands, has been significantly changed from the previous version due to reorganization of the various standards, removal of some and a rewrite of others for improved wording and clarity. Because of the scope of these revisions, there has been no attempt to highlight those changes in the new version.
3. The allowed start time for use of amplified sound has been changed from 8:00 AM to 9:00 AM to be consistent with the standard for agri-tourism events.
4. An amendment to the Off-Street Parking and Loading standards has been added. Current code language allows gravel surfaces on "parking fields for intermittent uses such as special events associated with farm stands ...". This language conflicts with a proposed new standard that prohibits gravel surface on temporary parking areas for farm stand promotional activities. The change to the off-street parking and loading section aligns with the proposed farm stand parking standard.

## WINERIES

1. The standard for maximum attendance has been removed for both winery and large winery-related agri-tourism and other commercial events in order to be consistent with the proposed farm stands standard which does not set a maximum attendance.
2. The allowed start time for use of amplified sound has been changed from 8:00 AM to 9:00 AM to be consistent with the standard for agri-tourism events and farm stand promotional activity.

3. A standard has been added limiting the land area that can be occupied by either a winery or a large winery and its associated permanent parking to two acres. This is consistent with the standard being proposed for farm stands.
4. The maximum land area that can be used for events has been reduced from ten percent to five percent of the tract on which the winery is located (or five acres, whichever is less).

### **Attachments**

- A. Staff response to questions raised at the December 5, 2016 Work Session
- B. December 5, 2016 Letter from Mark Greenfield
- C. Staff's Position on Mark Greenfield's Requested Changes
- D. Draft Agri-tourism Code Amendments
- E. Draft Farm Stand Code Amendments
- F. Draft Winery Code Amendments