



Lisa Estrin &lt;lisa.m.estrin@multco.us&gt;

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**12424 NW Springville**

1 message

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**Jerry** <jerrygbw@aol.com>  
Reply-To: Jerry <jerrygbw@aol.com>  
To: "lisa.m.estrin@multco.us" <lisa.m.estrin@multco.us>

Thu, Apr 21, 2022 at 1:53 PM

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*Note: I submitted an email dated April 20 but on further consideration, decided to make changes and thus submit the following as our amended comment on Case File T2-2021-14981*

**Jerry Grossnickle**  
Chair, Land Use Committee  
Forest Park Neighborhood Association

April 21, 2022  
Ms. Lisa Estrin, Senior Planner  
Multnomah County Land Use Planning  
[1600 SE 190<sup>th</sup> Avenue](#)  
Portland, OR 97231

Submitted by e-mail:  
[lisa.m.estrin@multco.us](mailto:lisa.m.estrin@multco.us)

Re: Case File T2-2021-14981  
[12424 NW Springville Road](#)

Dear Ms. Estrin:

Other than to state the obvious, that it is hardly reasonable to believe that a proposal to build a grand residence on farmland that is not zoned for residential use, can possibly meet County definitional requirements for farmland dwellings, I would like to briefly discuss those requirements.

- 1) **Definition of Farm Use.** Multnomah County Code 39.4265 (B) (3) (f), (g)
  - (B) **Customary Farm Dwelling.** A dwelling is not allowed unless (on)
    - (3) Not high-value farmland soils, capable of producing the median level of annual gross sales. On land not identified as high-value farmland a dwelling may be considered customarily provided in conjunction with farm use if:
      - (f) The dwelling will be occupied by a person or persons who will be principally engaged in the farm use of the land, such as planting, harvesting, marketing or caring for livestock, at a commercial scale; and

(g) If no farm use has been established at the time of application, land use approval shall be subject to a condition that no building permit may be issued prior to the establishment of the farm use required by subsection (c) of this section.

(Subsection (c) requires annual gross sales as defined by subsection (a) and (b), that the subject tract is as large as farm tracts within one mile that are capable of producing \$10,000 in annual gross sales.)

We suggest that an application for a building permit for a farm dwelling at this site should be denied because it fails the fundamental requirement that the dwelling will be by occupied by persons “principally engaged in the farm use of the land”. The applicants have careers wholly unconnected with farming, and their children are school-aged and can thus not be “principally engaged in the farm use of the land.” Their principal engagement must surely be school work. Their parents have not indicated that they intend to abandon their own careers to become “principally engaged” in farming the land. Rather, it would appear that their principal engagement with this land is developing a rural residence. Applicants have not suggested that they intend to build such a large house with so many bedrooms for the purpose of providing accommodations for farmworkers.

ORS 215.203, which governs county zoning ordinance definitions for EFU zones, defines “farm use” as “the current employment of land for the primary purpose of obtaining a profit in money” and goes on to describe those farm activities in some detail, repeatedly premised on the primary purpose of such activities being the “obtaining a profit in money”. Certainly this must be a goal of the applicants in their raising exotic goats and chickens, but is making a profit the primary purpose? Considering the nature of the house they intend to build, it is obvious they do not need the egg money. It is much more likely that their primary purpose is to show they can meet the gross annual sales requirements of the Multnomah County Code and that such a showing should allow them to build their house on EFU land.

We suggest that this effort is not within the meaning of “farm use” as defined by ORS 215.203 and that approving this application for a “customary farm dwelling” on this site undermines the purposes of EFU zoning.

Thank you.

Jerry Grossnickle, Chair  
Land Use Committee  
Forest Park Neighborhood AssociationI have added