

Memorandum

Comprehensive Plan Update

August 26, 2015

To: Community Advisory Committee
From: Kevin Cook, Multnomah County Planner
Re: Parking Lot Item #20 (uses listed in the Rural Residential Zone introductory language)

OVERVIEW

20	6/24/15 CAC	Is "limited forest product processing" as an allowed use, an issue in Mult Co? (ie. Is a bark removal facility a limited forest product processing use?)
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The question was raised in the context of introductory language to the Rural Residential land use category. The following is the language from the current comprehensive plan that was approved by the CAC for carry over to the new plan. Staff analysis of the listed uses follows the current CAC text.

The intent of this classification is to provide for rural residential development in areas which are not suitable for commercial farm or forest operations because of the existing land use pattern of development, small parcel sizes, non-aggregated ownership, and largely non-commercial resource uses. Small scale agriculture and forestry operations may occur and are, in fact, considered to be an integral part of the rural residential environment. Such uses as wholesale and retail sales for agricultural products grown on the premises, limited forest product processing, cottage industries, limited rural service commercial and tourist commercial may be developed as conditional uses in accord with established criteria.

STAFF ANALYSIS

- Wholesale and retail sales for agricultural products grown on the premises...
Rural Residential – RR

§ 33.3125 REVIEW USES

(C) Wholesale or retail sales, limited to those products raised or grown on the premises, subject to the following condition:

The location and design of any building, stand or sign in conjunction with wholesale or retail sales shall be subject to approval of the Planning Director on a finding that the location and design are compatible with the character of the area; provided that the decision of the Director may be appealed to the Hearings Officer pursuant to MCC 33.0785 and 33.0790.

The sale of agricultural products grown or raised on the premises is supportive of farming operations within the RR zone. It should be noted that retail sales of ag products in the RR zone differ from uses allowed at farm stands in EFU zones. Ag sales in the RR zone cannot include promotional events and activities.

- **Limited forest product processing...**

There is no provision for this use in the RR zone. Therefore, it would be appropriate to delete the reference to it and staff recommends doing so.

- **cottage industries, limited rural service commercial and tourist commercial**

The CAC has elected to delete the reference to these uses. This is not necessarily an issue in terms of stating the purpose of the zone. However, it should be noted that the following uses are listed as a Conditional Use in the RR zone:

§ 33.3130 CONDITIONAL USES

The following uses may be permitted when found by the Hearings Officer to satisfy the applicable Ordinance standards:

(B) The following Conditional Uses under the provisions of MCC 33.6300 through 33.6660:

(9) Cottage industries, under the provisions of MCC 33.6300 through 33.6350.

(10) Limited rural service commercial uses, such as local stores, shops, offices, repair services and similar uses.

The provision for cottage industry predates provisions for home occupations, which allows similar kinds of activities, but of a smaller scale, to be conducted within the home. A cottage industry is defined as:

§ 33.0005 DEFINITIONS.

Cottage Industry – A processing, assembling, packaging or storage industry, generally employing fewer than 20 persons, conducted wholly within an enclosed building located on a site isolated from other such uses, generating low traffic volumes and with little or no noise, smoke, odor, dust, glare or vibration detectable at any property line.

Given that both cottage industries and limited rural service commercial uses are called out in code but the CAC opted to remove them from the Comprehensive Plan's introductory language to the RR land use category, is it the CAC's desire to see these uses removed from the list of conditional uses in the RR zone itself. The same question is applicable to the MUA-20 zone which also lists these as conditional uses. The CAC may want to consider, at the policy level, the appropriateness of these uses in RR and MUA-20 zones as opposed to the Rural Center zones, which are programmed for some degree of commercial and industrial uses.

OTHER CONSIDERATIONS

To staff's knowledge, listing of cottage industries and limited rural service commercial uses has not been an issue in the past. We are not aware of any of these uses creating problems. As conditional uses, there is more latitude to impose mitigating conditions on the use to address potential conflicts with surrounding properties.

If these remain as conditional uses in the RR and MUA zones, additional standards, similar to those that apply to home occupations, could be established to further protect against conflict with surrounding properties. This would be consistent with the following policy pertaining to both the Rural Residential and Mixed Use Agricultural land use categories that have already been approved by the CAC.

New non-agricultural businesses should be limited in scale and type to serve the needs of the local rural area.