

## **Background:**

The 1997 SIMC Rural Area Plan included policy language about recreation activities that are “complementary” to natural and environmental resources, so use of the word is not new in this context.

In 2015, a new SIMC Rural Area Plan was developed and adopted by the county. Metro chose not to participate in that process. The SIMC plan included these policies:

**8.9** Continue to coordinate with Metro to ensure compliance with Rural Reserve designations, implementation of Metro’s Greenspaces Master Plan, and planning for Howell Park. In particular, work with Metro to:

Strategy 1. Ensure activities will complement natural and environmental resources of local and regional significance; and

Strategy 2. Ensure that Howell Territorial Park uses and improvements maintain harmony with the rural character of the plan area as well as natural and cultural resources.

**8.10** Support only those recreational activities within the SIMC area that are complementary to and do not negatively impact natural and environmental resources on Sauvie Island and along Multnomah Channel and its tributaries that are identified in Goal 5.

The Comprehensive Plan CAC adapted one of these SIMC policies for the West Hills, making it slightly less restrictive:

**8.8** Support only those recreational activities within the West Hills area that are complementary to, and do not cause undue negative impacts on natural and environmental resources that are identified in Goal 5.

Because Metro expressed written concern that the word “complementary” would prevent any recreation in Goal 5 resource areas, more clarity was needed.

## **Proposal**

We request that the draft Comprehensive Plan be amended to restore the language from the adopted SIMC Plan and that was approved by the CAC. To reassure everyone about the meaning of “complementary,” we are providing definitions of complementary and undue, as well as an a more detailed explanation of the policy intent, to provide assurance that these policies, are not intended to block all recreation in Goal 5 resource areas. Lastly, we ask for an explicit statement that subarea policies control where there is overlap with countywide policies.

These four elements are presented below.

## **1. New Definitions to add**, probably in the glossary:

**Complementary:** *Going together well; working well together; harmonious.*

**Undue:** *Not appropriate, unsuitable.*

We also suggest additional language for Chapter 8 (below) to explain how the definition of *complementary* relates to the parks and recreation policies, making it clear that some recreation can be allowed.

## **2. Clarify relationship between subarea and countywide policies**

We couldn't find a statement in the Comp Plan that makes the relationship between the subarea specific policies and the countywide policies explicit. We've all been assuming that where they overlap the subarea specific policies would control, so we would like to add this statement for clarity:

*Where subarea specific policies apply and overlap with countywide policies, the subarea policies control.*

That sentence could go in Chapter 8, but since there are subarea specific policies in several chapters and it should apply to all of them, we suggest that it be added in Chapter 1, p. 22, in the section about Subareas, near this language:

"Many of those former Rural Area Plan policies and strategies are appropriate to apply to the entire County, while others continue to be unique to specific subareas. This Plan includes narrative information describing unique conditions or circumstances in each of the subareas in order to continue to address the unique attributes of specific subareas."

## **3. Language to add in Chapter 8, Parks and Recreation (in blue):**

### **Key Planning Issues and Supporting Information**

A number of key planning issues affect parks and open space planning policies and practices in the rural portions of Multnomah County:

....

- **Balancing recreational use with protection of natural resources.**

Oftentimes, recreational facilities are located within environmentally sensitive areas where it is important to balance recreation needs with natural resource management and protection objectives, particularly for riparian areas and wildlife habitat. This issue was raised by community members during preparation of this Comprehensive Plan and a number of policies direct the County to balance these two different types of objectives.

In the subarea policies for SIMC and West Hills, while a high bar is intended for recreational development in Goal 5 resource areas, passive recreational and educational

use without degrading natural resources is acceptable. Appropriate opportunities to experience enjoyment of resources can be allowed, to the extent it can be done without impairing them. When there is a conflict between conserving, restoring and enhancing resources and providing for enjoyment of them, the conservation, restoration and enhancement are to be predominant.

## **4. Chapter 8 policy language to be restored to the original versions**

### **GOAL, POLICIES, AND STRATEGIES**

**Goal:** To help meet the recreational needs of Multnomah County rural residents and visitors to its rural areas through support of, and coordination with local, regional, state, and federal agencies that manage recreation facilities and sites within the County.

#### **Policies and Strategies Applicable County-wide**

The policies in this section focus on coordination with other agencies in planning for and providing recreational facilities and services and with balancing recreational needs with goals for natural resource protection. Additional related policies are found in Chapter 5 of this plan and in the County's Transportation System Plan (referenced in Chapter 12).

#### *Parks and Recreation Planning*

8.1 Support efforts of the Intertwine Alliance and other organizations in establishing a coordinated approach to create and maintain a strong, interconnected regional network of parks, trails, and natural areas.

8.2 Encourage the development of recreation opportunities by public agencies and private entities consistent with wildlife habitat and wildlife corridor protection.

8.3 Coordinate with other agencies in strategically siting new public recreational facilities to take advantage of existing infrastructure that allow for multi-modal access opportunities and shared parking. An example would be joint use of park and school facilities by locating them adjacent, or close, to each other.

***Strategy 8.3-1:*** *Include provisions in the Zoning Code for privately owned and operated recreational facilities as conditional uses in appropriate zones.*

8.4 Ensure that the residents of areas outside of the urban growth boundary are represented on parks and open space issues.

***Strategy 8.4-1:*** *Encourage Metro to appoint residents representing different rural areas of Multnomah County to Metro's parks and greenspaces citizens' advisory boards.*

8.5 Consider the impacts of proposed recreation facilities on nearby private properties and require applicants to avoid and minimize significant adverse impacts to nearby properties.

## West Hills Policies and Strategies

8.7 Support the natural systems and recreational values of Forest Park and adjacent areas in concert with the City of Portland, Metro, and other agencies.

*Strategy 8.7-1: Promote and provide incentives for voluntary use of conservation easements and habitat protection by property owners.*

**8.8** Support only those recreational activities within the West Hills area that are **complementary to ~~consistent with~~**, and do not cause undue negative impacts on natural and environmental resources that are identified in Goal 5.

**8.9** Continue to coordinate with Metro to ensure compliance with Rural Reserve designations, implementation of Metro's Greenspaces Master Plan, and planning for Howell Park. In particular, work with Metro to:

Strategy 1. Ensure activities will **complement ~~be consistent with~~** natural and environmental resources of local and regional significance; and

Strategy 2. Ensure that Howell Territorial Park uses and improvements **maintain harmony ~~are consistent with~~** with the rural character of the plan area as well as natural and cultural resources.

**8.10** Support only those recreational activities within the SIMC area that are **complementary to ~~consistent with~~** and do not negatively impact natural and environmental resources on Sauvie Island and along Multnomah Channel and its tributaries that are identified in Goal 5.



Rithy KHUT <rithy.khut@multco.us>

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## [Comprehensive Plan] Form submission from: Comprehensive Plan and Transportation System Plan - Board of County Commissioners Comment Form

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**Multnomah County** <webmaster@multco.us>

Mon, Aug 1, 2016 at 5:28 PM

To: compplan@multco.us

Submitted on Monday, August 1, 2016 - 5:28pm

Submitted values are:

Name: Rena Snyder

Organization/Affiliation:

Address: 16705 NW Johnson Rd

City/State/Zip: Hillsboro, OR 97124

E-mail address: [rena\\_snyder@msn.com](mailto:rena_snyder@msn.com)

Comments: I have a 35-acre farm on the west side of Skyline ridge. I do not believe my property can be seen from the Sunset corridor or the Sunset Highway. I take strong exception to the SEC-V designation. To assess me for "a view" is beyond reasonable or prudent. It is unconscionable This is agricultural property. I didn't buy this property 25 years ago for the view, I bought it to create an agriculture-based business.

The results of this submission may be viewed at:

<https://multco.us/node/28556/submission/60902>

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Rithy KHUT <rithy.khut@multco.us>

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## [Comprehensive Plan] Form submission from: Comprehensive Plan and Transportation System Plan - Board of County Commissioners Comment Form

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Multnomah County <webmaster@multco.us>

Mon, Aug 1, 2016 at 5:42 PM

To: compplan@multco.us

Submitted on Monday, August 1, 2016 - 5:42pm

Submitted values are:

Name: Gabriell Quenneville

Organization/Affiliation:

Address: 12845 NW Skyline Blvd

City/State/Zip: Portland, OR 97231

E-mail address: [gabe\\_quenneville@msn.com](mailto:gabe_quenneville@msn.com)

Comments:

County Commissioners,

I strongly object to the recommendation to the West Hills policy and strategies Chapter 5.47 to expand the significant environmental concern overlay for views to the west slope. The impact to the homeowners with respect to structure restrictions,, increased assessments due to the "view index", increased tax liability, zoning restrictions and overlays is an undue burden. Additionally, it will only affect the view from Washington County which has no view overlay. This change will make living in the West Hills more difficult and expensive and likely make living here untenable for those living on fixed incomes.

Please do not support this recommendation.

Thank You

Gabe Quenneville

The results of this submission may be viewed at:

<https://multco.us/node/28556/submission/60905>

[Quoted text hidden]

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**William V. Bierek & Heidi M. Bierek**

12006 NW Valley Vista Road  
Hillsboro, OR 97124  
(503) 645-7116  
heidih07116@gmail.com

*Marie Condit*  
8/3/2016

2nd August 2016

**Multnomah County Board of Commissioners**

501 SE Hawthorne BLVD  
Portland, OR 97214

Subject: SEC-V Designation To Comprehensive Plan Scheduled at 9:30am on August 25, 2016 in Board Conference Room 100

Dear Commissioners,

We are against the enactment by you of this proposed designation.

The reasons are:

1. The configuration of northwest Multnomah County is such that all property views south are in Washington County and this is of no benefit to Multnomah County voters and is not within the jurisdiction of this commission.
2. The proposed "View Index" and addition of market value for said increase in our opinion is against current law as the voters of Oregon have enacted limitations to said realty tax increases.
3. The proposal is discriminatory and punitive as it applies only to "Scenic View Properties" and, if passed, subjects owners to penalties, which if imposed, could subject property owners to monetary fines and possible jail if violated and is therefore, unconstitutional under Oregon and U.S. constitutions as "Ex Post Facto" among other constitutional violations.
4. The proposal is completely illogical but from our experience your commission has done enactments such as:
  - (a) Enactment of water quality standards and inspections of rental properties in rural Multnomah County where at a hearing overlays were presented by your staff of NW Multnomah

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County showed no contamination or illnesses by contaminated water in that area. I mentioned this at the hearing at Sauvies Island school with all other property owners present objecting. It passed and then I had to write a letter saying we have never rented a structure on our property.

- (b) The Fred Bender episode where your commission withdrew 6 building permits contiguous to our property and he appealed and spent nearly \$500,000 and your decision was reversed and 6 houses were subsequently built and the county received substantial taxes from same.

5. I would suggest this commission should consider instead:

- (a) Assisting Portland in the "Homeless" matter;
- (b) Assisting Portland in the union caused problem with terminal 6 in the Port of Portland;
- (c) In examining the westside rail problems, costs and possible termination.

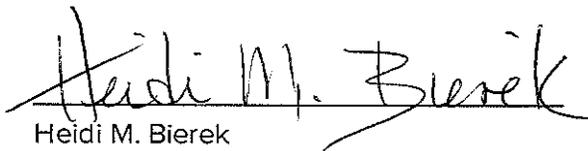
We have lived in our location since 1975 and have dutifully paid our taxes as have other owners. Our property should not be servient to Washington County residents and we believe this measure is primarily for political reasons. We are deeply disappointed and you should be ashamed for what is proposed.

Respectfully submitted,



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William V. Bierek



Heidi M. Bierek

cc: Oregonians in Action  
John L. Scott, Realtors



Rithy KHUT <rithy.khut@multco.us>

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## [Comprehensive Plan] Form submission from: Comprehensive Plan and Transportation System Plan - Board of County Commissioners Comment Form

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Multnomah County <webmaster@multco.us>

Wed, Aug 3, 2016 at 9:46 PM

To: compplan@multco.us

Submitted on Wednesday, August 3, 2016 - 9:46pm

Submitted values are:

Name: Katharine van der Hoom

Organization/Affiliation: Ms.

Address: 16377 NW Johnson Rd

City/State/Zip: Hillsboro, OR 97124

E-mail address: [katharine.vanderhoom@gmail.com](mailto:katharine.vanderhoom@gmail.com)

Comments:

Hello,

I am writing to share my profound displeasure with everything I have read about the Multnomah County Comprehensive Plan. As a farm owner with a farm in rural Multnomah County, it seems that with the "environmental overlay" and new restrictions on Forestry properties, there is absolutely no consideration whatsoever of the needs of actual property owners, and rather there is a highly theoretical benefit to those who do not live in our area or have any concept of the challenges we face. From what we have read of the environmental overlay, it seems that there will be new restrictions on buildings, as well as potential higher property taxes, which are already outrageously high. Most of us moved to a rural setting so as to escape the restrictions imposed by HOAs and condo boards, and yet these new proposed restrictions will treat our properties as if they are solely for the benefit of those who live in the city and for their views. It seems that you have not in any way consulted those of us who actually live in Rural Multnomah County, contribute to our local communities with raising food and keeping Rural Multnomah county character, and instead have relied on your ideals of a perfect pastoral fantasy that is not the financial or vocational reality for us.

Thank you for considering our comments, and please do not add the environmental overlay and additional property restrictions to Rural Multnomah County.

Katharine van der Hoom

The results of this submission may be viewed at:

<https://multco.us/node/28556/submission/61035>

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Rithy KHUT <rithy.khut@multco.us>

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## [Comprehensive Plan] Form submission from: Comprehensive Plan and Transportation System Plan - Board of County Commissioners Comment Form

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**Multnomah County** <webmaster@multco.us>

Wed, Aug 3, 2016 at 12:50 PM

To: compplan@multco.us

Submitted on Wednesday, August 3, 2016 - 12:50pm

Submitted values are:

Name: Carol Reifsteck

Organization/Affiliation:

Address: 11557 NW PLAINVIEW RD

City/State/Zip: Portland, OR. 97231

E-mail address: [extex55@gmail.com](mailto:extex55@gmail.com)

Comments:

I am very concerned about the rezoning in your proposal. I'm first upset because the only reason I know about it is due to a realtor in Beaverton and not the Board which has as its vision: " community knows about and is engaged in what we do" and also to be transparent. This area you are talking about is rural/residential and is why we bought the house. This new proposal would limit tree cutting which would affect Christmas tree businesses as well as the farming areas. Why would you want to have Multnomah county pay taxes for the "view" of Washington county residents? I can only assume there is really another, unspoken point to all this like maybe increase taxes here in an area that can't vote? Lobbying by realtor associations? It would be greatly appreciated if your Board would be truly transparent and inform the people affected by this proposal what you are doing and meet your Mission/Vision goals. Your current method is NOT working. Thanks for your time.

The results of this submission may be viewed at:

<https://multco.us/node/28556/submission/61002>

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Rithy KHUT &lt;rithy.khut@multco.us&gt;

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**[Comprehensive Plan] Fwd: comprehensive plan comments**

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**Rick.Jansen@comcast.net** <Rick.Jansen@comcast.net>  
To: compplan@multco.us

Wed, Aug 3, 2016 at 3:46 PM

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**From:** "Rick Jansen" <[Rick.Jansen@comcast.net](mailto:Rick.Jansen@comcast.net)>  
**To:** "rich faith" <[rich.faith@multco.us](mailto:rich.faith@multco.us)>  
**Sent:** Wednesday, August 3, 2016 12:16:32 PM  
**Subject:** comprehensive plan comments

Mr. Faith,

I have just received a letter from a local realtor stating that the new Comprehensive Plan being studied includes a section for significant environmental concern-view. The letter further states that a view index is assigned to properties and that each level of the index adds an additional amount to the property's assessed value. The amounts given in the letter are not insignificant as they top out at \$150,000. I have followed the progress of the new plan through fliers sent by the County. However, I have not seen any mention of view index or increase of assessed property values. I went to the County's comprehensive plan website and could not find any mention of these concerns. Would you please verify if the claims made in the realtor's letter are valid and if so where I can see the entire plan? The letter states that time is of the essence. If these claims are true and the County is considering adding to the assessed value of my property due to view I cannot agree with the plan. Thank you in advance for your help.  
Sincerely,  
Rick Jansen

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Rithy KHUT <rithy.khut@multco.us>

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## [Comprehensive Plan] Form submission from: Comprehensive Plan and Transportation System Plan - Board of County Commissioners Comment Form

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**Multnomah County** <webmaster@multco.us>

Thu, Aug 4, 2016 at 7:49 AM

To: compplan@multco.us

Submitted on Thursday, August 4, 2016 - 7:49am

Submitted values are:

Name: Lane Cobb

Organization/Affiliation: Self

Address: 11021 NW Skyline

City/State/Zip: Portland/Oregon/97231

E-mail address: [lanesscobb@yahoo.com](mailto:lanesscobb@yahoo.com)

Comments: The west slope views in question make NO sense because there are no public viewpoints of the west side of the west slope within Multnomah county. The slopes cannot be seen or appreciated from I-26 as suggested by the council. the community was not informed that his would be discussed at the April community meeting an the comprehensive plan. A public forum has not been scheduled for residents to voice their concerns before the plan is presented on august 25th.

The results of this submission may be viewed at:

<https://multco.us/node/28556/submission/61044>

[Quoted text hidden]



Rithy KHUT <rithy.khut@multco.us>

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## [Comprehensive Plan] Form submission from: Comprehensive Plan and Transportation System Plan - Board of County Commissioners Comment Form

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Multnomah County <webmaster@multco.us>

Thu, Aug 4, 2016 at 8:33 AM

To: compplan@multco.us

Submitted on Thursday, August 4, 2016 - 8:33am

Submitted values are:

Name: Herb Doumitt

Organization/Affiliation: Self

Address: 6808 NW Skyling Blvd.

City/State/Zip: Portland, Oregon 97229

E-mail address: [hdoumitt@spiritone.com](mailto:hdoumitt@spiritone.com)

Comments:

Multnomah County Board of Commissioners

I am writing in regards to a proposed environmental overlay being applied to the land west of the West Hills.

The problem with this well intentioned proposal is that it will have very negative consequences. Adding more, unnecessary regulations to our living conditions will further decrease our quality of living.

Housing costs in the county are sky high. Limited property supply and rising costs of construction have driven costs through the roof. Fixed income couples like me and my wife can barely afford our property taxes. We built our empty nester house with the intention of retiring and enjoying the bounty of the Northwest. The costs of living, driving and medical care have seriously altered our retirement. This proposal has the expected outcome of raising our property taxes further. This proposal will exasperate the already serious housing crisis in the county.

The first question I ask you to ask the Planning Department of their proposal is "What problem are you trying to solve?" Without the proper public process being followed, we did not have an opportunity to comment on this draconian proposal. There wasn't any public involvement at all. None! This is not the kind of transparency we expect of our elected Commission.

Do the right thing. Make living in Multnomah County more affordable, not less. Reject this environmental overlay proposal.

Besides, if the intent is to improve the view in the western area, then take this simple, inexpensive step: Install DO NOT LITTER signs on Cornell, Thompson, Springville, Germantown and West Union roads.

The results of this submission may be viewed at:

<https://multco.us/node/28556/submission/61047>

[Quoted text hidden]



Rithy KHUT <rithy.khut@multco.us>

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## [Comprehensive Plan] Form submission from: Comprehensive Plan and Transportation System Plan - Board of County Commissioners Comment Form

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**Multnomah County** <webmaster@multco.us>

Thu, Aug 4, 2016 at 9:09 AM

To: compplan@multco.us

Submitted on Thursday, August 4, 2016 - 9:09am

Submitted values are:

Name: Jim

Organization/Affiliation: Pickett

Address: 10933 NW Skyline Blvd.

City/State/Zip: Portland

E-mail address: [jim.m.pickett@gmail.com](mailto:jim.m.pickett@gmail.com)

Comments: It is 8/4/2016 and I just learned of the board considering the SEC-v expansion from a concerned neighbor who also was made aware from a realtor friend. It feels like the Multnomah County Board of Commissioners was surreptitious in their discussion of this expansion in their 4/11/2016 meeting. Without my, or my neighbor's ability and opportunity to discuss this issue openly with the Board prior to consideration, I am in complete opposition to this expansion.

The results of this submission may be viewed at:

<https://multco.us/node/28556/submission/61049>

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Rithy KHUT <rithy.khut@multco.us>

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## [Comprehensive Plan] Form submission from: Comprehensive Plan and Transportation System Plan - Board of County Commissioners Comment Form

1 message

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**Multnomah County** <webmaster@multco.us>  
To: [compplan@multco.us](mailto:compplan@multco.us)

Thu, Aug 4, 2016 at 9:53 PM

Submitted on Thursday, August 4, 2016 - 9:53pm  
Submitted values are:

Name: EDWIN D. VONDE VELD  
Organization/Affiliation:  
Address: PO BOX 514  
City/State/Zip: PENN VALLEY, CA 95946  
E-mail address: [jodyvv@yahoo.com](mailto:jodyvv@yahoo.com)  
Comments:

My wife and I own 4.66 acres on NW Beck Road, Multnomah County identified as R325786 and R325789. We are concerned that the proposed Multnomah Comprehensive Plan may negatively impact the development of our property with a single family dwelling.

The Plan shows the property entirely within a greater than 25% slope zone and within a historical landslide area. The slope is much steeper than that as it drops into the creek, but there is approximately 1/2 acre above and beyond the Significant Environmental Concern (SEC) zone required setbacks from the creek, which ranges from 5% to 20% slope. An aerial photo of our NW Beck Road property shows no indication of landslides within the last 30 years at least. We feel it is wrong to unnecessarily encumber property owners with additional requirements based on conditions which may not accurately represent a particular piece of property.

We recognize the need to protect wildlife habitat and streams, but feel the existing SEC Zones with their potential for multiple overlays, adequately safeguard the environment and foster safety in the rural environment in which we choose to live.

The results of this submission may be viewed at:  
<https://multco.us/node/28556/submission/61086>

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August 4, 2016

Board of County Commissioners  
Multnomah County  
c/o Land Use Planning Division  
1600 SE 190<sup>th</sup> Avenue  
Portland, Oregon 97233

**RE: METRO COMMENTS – Draft Comprehensive Plan Updates**

Dear Chair Kafoury and County Commissioners:

On behalf of Metro, I want to thank you for the opportunity to participate in this Comprehensive Plan Amendment process. Through this letter, I hope to share a bit more background on Metro's Parks and Nature Program; provide general comments and concerns on the proposed Comprehensive Plan amendments; and propose plan language amendments for your consideration. Metro seeks edits that support Metro's role as a park service provider and to balance recreational needs and uses with natural resource protection and neighborhood concerns. I would also like to thank Planning Director Michael Cerbone and Multnomah County staff for their work on this complex project.

**The Comprehensive Plan Amendment Process:**

The County's Comprehensive Plan update process is largely a citizen-driven process, with the Citizen Advisory Committee (CAC) submitting its recommendations to the County Planning Commission for consideration and discussion. The Planning Commission was the first county government body to review the draft plan and thereafter provide policy guidance to the Board of County Commissioners.

Before the Planning Commission, Metro presented comments and concerns, as well as proposed revisions to the County's draft comprehensive plan language. The Planning Commission heard testimony that supported Metro's positions. The Planning Commission also heard testimony that sought to isolate the County's rural lands and residents. Additional testimony was received that requested that the commissioners downplay Metro's role as a natural area and parks provider and to support language that, in Metro's respectful opinion, would:

- Incorrectly describe Metro;
- Misstate Metro's actual policies regarding land management and program objectives;

- Regulate recreational uses on resource lands more stringently than other forms of development; and
- Thereby frustrate and burden Metro's ability to serve a diverse and growing population of County residents and their needs within Metro's parks and natural areas program.

Through amendments and clarifications to the draft plan, the Planning Commission addressed some of Metro's concerns, while leaving others for the Board of County Commissioners to consider.

Metro's remaining primary concerns are inaccurate statements and descriptions of Metro and our Bond program, and language that appears to regulate public recreational uses more stringently than other permitted and conditional uses on resource lands. Metro requests that the County Commission adopt the amendment language proposed below. In adopting this language, Metro is seeking to have the proposed comprehensive plan language be consistent with the language found elsewhere in the County's zoning code so as to promote efficient and effective application and implementation.

**Metro's role as a park, recreation, and natural resource provider:**

Metro, as a park service provider, has its roots in Multnomah County and the County's park system. In 1995, Multnomah County transferred ownership, responsibility and staff for its parks, cemeteries and boating and recreation facilities to Metro. Metro is now the de-facto park service provider for county residents, owning and managing approximately 8,500 acres in Multnomah County. As provided for in Metro's 2016 Parks and Nature System Plan, Metro's Parks and Nature mission is to protect water quality, fish and wildlife habitat, and create opportunities to enjoy nature close to home through a connected system of parks, trails, and natural areas.

With the passage of two regional bond measures in 1995 and 2006, Metro began a natural areas acquisition program that vastly expanded publicly owned natural lands in Multnomah County. The operations levy, passed by regional voters in 2013, made it possible for Metro to begin restoring and promoting the health of local ecosystems, and to provide access for county residents of all ages and abilities to learn and enjoy them. As the greater Portland area grows and becomes more diverse, the County, Metro and partners see a shared opportunity to make parks and nature relevant to the communities they serve.

Metro owns, operates and manages well loved parks and open spaces in the County, including Oxbow and Blue Lake Regional Parks, Sauvie Island's Howell Territorial Park, and Glendoveer Golf Course and Fitness Trail. Additional Metro facilities such as the Sauvie Island Boat Ramp, Gleason Memorial Boat Ramp, Broughton Beach and Chinook Marine Facility provide close-in access to the Columbia River for County residents. Numerous

natural areas throughout the county provide more passive recreational opportunities, in addition to providing important water quality and wildlife habitat benefits. Metro's facilities provide a diverse range of outdoor recreational opportunities and experiences, including boating, hiking, bicycling, bird watching, and general scenic and recreational access.

Metro parks in Multnomah County serve approximately 1 million visitors a year. In 2016, Metro Park's youth educational programs served nearly 9,000 children, with over 6,000 children served at Smith and Bybee, Oxbow, and Blue Lake alone.

**Consistent/Compatible word choice issue:**

With this background in mind, Metro's objective with the Comprehensive Plan amendments is to have recreational uses regulated on an even playing field with other permitted uses, in a manner that balances recreational uses with wildlife and resource objectives, which is compatible with resource concerns, and does not cause significant impacts. Of note, this is how other uses (such as dwellings) are discussed in the draft Comprehensive Plan and regulated in the County's resource land zoning code.

In hearings before the Planning Commission, much of the discussion centered on the use of words which may regulate recreational uses more stringently than other permitted uses, and that were ambiguous and inconsistent with the County's zoning code. This issue is reflected in Metro's proposed amendment nos. 5-7 discussed below, as well as in response to comments received to date, also discussed below. Metro suggested that "compatibility" was a better, more commonly understood, and more appropriate standard to apply when reviewing the potential impacts of recreational uses on natural resources and the surroundings.

After a public review of all the dictionary definitions of "consistent," the Planning Commission chose to use the word "consistent" with the understanding that it meant or was otherwise synonymous with "compatible." Additionally, for consistency and clarity, the Planning Commission recommended that "consistent" be used repeatedly as the standard, replacing other words such as "harmonious" and "complementary," which they found to be ambiguous after hearing Metro's concerns.

Metro respectfully requests that the Board of County Commissioners, at a minimum, adopt the reasoning of the Planning Commission and find that "consistent," as used in the plan, is synonymous with "compatible."

However, it is our opinion that "compatible" is a better word choice for a land use standard, as is represented in other sections of the draft Comprehensive Plan and in the County zoning code. In our revisions offered below, we have proposed the term "compatible."

For example, in draft plan Chapter 4, Forest Land, and the discussion of dwellings, policy 4.11 states: "Allow no dwellings, or other uses which are **incompatible** with commercial forestry...." 4.14 states that new dwellings are only allowed when "they will have no **significant impact** upon forestry practices, open spaces, public facility, wildlife habitat, and rural community character." In the land use profession, compatibility and significant impact tests are normal and easily applied standards, with developed judicial guidance on how to do so.

As an additional example, County Zoning Code Chapter 33 (West Hills Rural Plan Area) demonstrates that "compatibility" is the standard used when reviewing a proposed use to its surrounding (for example, is the use proposed compatible with wildlife habitat), while "consistent" is used when addressing a specific standard (for example, is the use proposed consistent with § 33.2030). In fact, nowhere in the County code regulating resource areas are the words "consistent" used when reviewing a use to its surroundings, and nowhere is "complementary" or "undue impacts" used.

By comparison, the draft Comprehensive Plan language requires that recreational uses be "consistent" with wildlife and area uses and not cause "undue impacts." Respectfully, these standards are not good fits. In Metro's opinion, the draft language may create ambiguity in application and can be improved by using the word "compatible."

#### **PROPOSED DRAFT PLAN REVISIONS:**

In Metro's opinion, the three most critical elements of a comprehensive planning update process are diverse citizen involvement, partnering public agency coordination, and transparency. The plan should reflect the interests, goals and strategies that meet the needs of all County residents. The process also attempts to ensure the compatibility of County planning programs with those of other jurisdictions and agencies. Coordination with other governmental agencies and refining the plan are essential to achieve this end.

The Statewide Planning Goals are Oregon's mandatory standards for comprehensive planning. With respect to the County's natural resources and open space/recreational policies, Statewide Planning Goal 8 calls for the County to evaluate its recreational areas and facilities and develop plans to deal with the projected demand for new recreational opportunities. Similarly, Statewide Planning Goal 5 directs the County to protect natural resources and conserve open spaces, which includes land for recreational uses. In Goal 5 we see the carrying capacity of the natural resources as a planning consideration.

Throughout the planning and policy directives in these Statewide Goals are the requirements of ensuring adequate recreational opportunities for a diverse and growing public with different abilities, to conserve energy by providing opportunities close to urban centers, and highlighting the importance of properties and areas that can meet multiple

needs and objectives and within the carrying capacity of the land. All of those policy objectives pertain to Metro, its lands, and its role as a County natural area, park and recreation service provider.

Metro respectfully requests the following proposed revisions to the June 2016 Draft Comprehensive Plan. This document focuses solely on the Introduction and Citizen Involvement (Chapter 1); Natural Areas (Chapter 5); and Parks and Recreation (Chapter 8).

Revisions are shown with strikethrough/underline text to denote ~~deleted~~ and new text. The recommendations are intended to clarify and correctly represent Metro's role as a service provider; improve and clarify policy language; and eliminate conflicts between other County policies and land use standards. For each revision, Metro offers an explanation for the requested amendment.

**#1: Chapter 1 - Introduction and Citizen Involvement:**

**At page 1-31: Discussing the characteristics of the West Hills**

**"Public lands:** Metro owns over 1,000 acres near the northern end of Forest Park ~~to ensure wildlife connectivity. Metro is actively restoring this former timber land to a diverse native habitat to protect water quality, promote fish and wildlife habitat, and create opportunities for county residents to enjoy nature.~~ These Metro properties are part of a large and extensive network of protected natural and recreational areas in the West Hills that extend into the city of Portland's jurisdiction, including Forest Park Conservancy's Ancient Forest Preserve, over 5000 acres in Portland's Forest Park and the Audubon Society of Portland's 150-acre Nature Sanctuary, Washington Park, and the Hoyt Arboretum. The Bureau of Land Management owns land north of Cornelius Pass Road used for forestry and recreation. Nearby Burlington Bottoms is part of this network of public land, providing high value breeding ponds for amphibians that migrate to and from our upland forests."

**Explanation:** The proposed amendments seek to accurately state the existing condition of the land and the reasons why Metro owns it. Metro requests the phrase "ensure wildlife connectivity" be deleted and replaced with a correct statement of why Metro holds over 1,000 acres north of Forest Park. The land is not held specifically and only to ensure wildlife connectivity as represented in the draft. Rather, the land is held to promote Metro's park and nature department mission that has three elements: "to protect water quality, fish and wildlife habitat, and create opportunities to enjoy nature close to home through a connected system of parks, trails, and natural areas." Metro's park mission and vision statement are found in the 2016 Parks and Nature System Plan.

During the Planning Commission hearings, County Counsel stated that any representation in the Comprehensive Plan about Metro, including why land is held

and what Metro intends, should be truthful and verifiable in a public document, such as a planning document. The draft plan language currently includes statements about Metro and its West Hills holdings that are not accurate.

Additionally, the public lands located in the Tualatin Mountains include a large and extensive network of interconnected trails, providing access to nature for all County residents. As drafted, there is no mention of the recreational element and the role that public lands play in providing parks and recreational opportunities to County citizens. Metro is of the opinion that this community service should be recognized. As such, Metro requests including "and recreational" areas in describing the West Hills.

## #2 Chapter 5 - Natural Resources:

### At page 5-28: Fish and Wildlife Habitat

5.27 "Protect significant native fish and wildlife habitat and wildlife corridors and specifically limit conflicting uses within ~~natural ecosystems and~~ sensitive big game winter habitat areas."

**Explanation:** Metro does not understand what the phrase "within natural ecosystems" in the context of limiting conflicting uses within natural ecosystems means. It seems to be a very broad term and could present problems for both the County and landowners in trying to implement it.

## #3 Chapter 8 - Parks and Recreation:

### At page 8-3: Discussing agencies/recreational service providers

"Metro. Metro is a regional government agency serving Multnomah County residents and the greater Portland area. Metro, as a parks service provider, and as an owner and operator of open space generally, has its roots in Multnomah County and the County's park system.

In 1995, Metro assumed ownership and operation of a number of park and recreational facilities previously owned and operated by the County, including Oxbow Regional Park, Blue Lake Regional Park, Glendoveer Golf Course and Fitness Trail, Howell Territorial Park, Gleason Memorial Boat Ramp, Broughton Beach, Chinook Marine Facility, historic cemeteries, and a number of other facilities. Metro also owns and manages a number of natural areas and nature preserves in Multnomah County to protect water quality, promote fish and wildlife habitat, and provide citizen access to nature.

With the passage of two regional bond measures in 1995 and 2006, Metro began a natural areas acquisition program that vastly expanded publicly owned natural lands in Multnomah County. The operations levy, passed by regional voters in 2013, made it possible for Metro to begin restoring and promoting the health of local ecosystems, and to provide access for county residents of all ages and abilities to learn and enjoy them.

Metro's facilities provide a diverse range of outdoor recreational opportunities and experiences, including boating, hiking, bicycling, bird watching, and general scenic and recreational access.

Today, Metro's Parks and Nature mission is to protect water quality, promote fish and wildlife habitat, and create opportunities to enjoy nature close to home through a connected system of parks, trails, and natural areas."

**Explanation:** This section is intended to introduce the public agencies (State of Oregon, Metro, BLM, etc.) that provide parks and recreation services to Multnomah County residents. Respectfully, the description provided in the draft document does not completely describe Metro, its history with Multnomah County, and the degree to which it is park service provider for County residents. Metro is of the opinion that it is important to reflect Metro's role, its park and recreational assets in the County, and its management objectives. As such, Metro proposes language that provides some historical perspective of Metro's role as a park service provider and more accurately reflects the agency and its public mission.

#### **#4 At page 8-9: "Goals, Policies, and Strategies"**

**"Goal:** To help meet the recreational needs of Multnomah County ~~rural~~ residents and visitors to its rural areas through support of, and coordination with local, regional, state, and federal agencies that manage recreation facilities and sites within the County."

**Explanation:** Metro is uncertain why the County's Comprehensive Plan, and specifically the Goal of the Parks and Recreation chapter, is described as only intended to meet the recreational needs of the county's *rural* residents. Metro understands Multnomah County and its Comprehensive Plan to represent and govern all County residents, and not just rural residents.

The Plan at page 1-18 details County-wide demographics, with county population increasing dramatically. The data indicates that rural areas are characterized by significantly less racial/ethnic diversity and higher median household incomes, with the West Hills having a significantly higher median household income.

Limiting the Goal of the County's recreational policies to rural residents may conflict with other elements of the draft Comprehensive Plan, and specifically Chapter 1

Equity goals and policies. There, the intent of the plan is "to incorporate and embody the County's commitment to racial/ethnic equity and empowerment." Its Goal is: "To support access to all people and to ensure that planning policies and programs are inclusive." Plan at page 1-36.

**#5 At page 8-9: "Parks and Recreation Planning"**

8.2 "Encourage the development of recreation opportunities by public agencies and private entities ~~consistent~~ compatible with wildlife habitat and wildlife corridor protection."

**Explanation:** Metro is of the opinion that "consistent" is not an appropriate word/connecting element in the policy statement. "Consistent" means happening in the same way. Recreation opportunities cannot "happen in the same way" as wildlife habitat and wildlife corridor protection. Using the adjective "consistent" in the draft policy will create implementation problems which can be avoided by using the correct adjective in its place. Metro believes it is more appropriate that recreational opportunities be "compatible" with wildlife habitat. "Compatible" is an understandable and common adjective to describe the relationship between a use and its impact on wildlife habitat.

**#6 At page 8-10: "West Hills Policies and Strategies"**

8.8 "Support only those recreational activities within the West Hills area that are ~~consistent~~ compatible with and do not cause ~~undue negative~~ significant impacts on natural and environmental resources that are identified in Goal 5."

**Explanation:** The first amendment request is similar to the issue in section 8.2 above.

Regarding the second amendment, without further clarification of what "undue negative impacts" constitutes, Metro is concerned the phrase may result in an overly restrictive standard. As commonly understood and according to Webster's "undue" means: "1: not due; not yet payable 2: exceeding or violating proprietary or fitness." Metro does not believe that "undue" is an appropriate land use planning regulatory term. Instead, Metro recommends the "significant impact" test be used here, as it is elsewhere in the draft plan and throughout the County's zoning code.

**#7 At page 8-10: "Sauvie Island and Multnomah Channel Policies and Strategies"**

8.9.1. "Ensure activities will be ~~consistent~~ compatible with natural and environmental resources of local and regional significance; and"

8.9.2. "Ensure that Howell Territorial Park uses and improvements are ~~consistent~~ compatible with the rural character of the plan area as well as natural and cultural resources."

8.10 "Support only those recreational activities within the SIMC area that are ~~consistent~~ compatible with and ~~do not negatively impact~~ do not significantly impact natural and environmental resources on Sauvie Island and along the Multnomah Channel and its tributaries that are identified in Goal 5."

**Explanation:** The edits here are intended to promote consistency: to make the language in the West Hills policies and strategies above, which seek the same policy objectives, consistent with the Sauvie Island policies and strategies.

**Response to Comments Received to Date:**

To date, the County has received a number of public comments. Metro respectfully offers the following responses to four specific comments.

The first comment proposes that the word "consistent" be replaced with "complementary" throughout the plan as the standard by which a new Metro park needing a plan amendment would be reviewed. We object to this proposal. As stated above, and for purposes of clarity and confirming legislative intent, the Planning Commission chose to use the word "consistent" with the understanding that it meant or was otherwise synonymous with "compatible." The public comment request is for that effort to be undone.

Although "complementary" is used in the SIMC rural area plan, Metro is of the opinion that word is not appropriate for a land use planning standard. The use of an ambiguous and inappropriate word standard should not be repeated, particularly given the importance of the task the County is performing.

As commonly understood and according to Webster's: "Complementary" means: "1: relating to or constituting one of a pair of contrasting colors that produce a neutral color when combined in suitable proportions 2: serving to fill out or complete 3: mutually supplying each other's lack 4: being complements of each other. "Complement" means: 1a: something that fills up, completes or makes perfect b: the quantity or number required to make a thing complete c: one of two mutually completing parts. Metro does not understand how a park use, and trails generally, could be found to make the forest land perfect. Respectfully, the word "complementary" is an unworkable standard.

The comment also references the need to include the word "undue" as in "do not cause undue negative impacts" as a standard. As commonly understood and according to Webster's, "undue" means: "1: not due; not yet payable 2: exceeding or violating proprietary or fitness." This also appears to be an unworkable standard.

The commenter offers their own definitions of "complementary" and "undue" that do not exist in dictionary resources. Metro is of the opinion that creating definitions that are not commonly understood should not be encouraged as it will bring uncertainty, ambiguity, and conflict into administration of the County's Comprehensive Plan.

The second specific comment requests clarification of the relationship between the subarea and countywide policies, stating that the county's draft plan does not do so. Metro respectfully disagrees with the request. The plan already includes language describing the relationship between the plan's goals, policies, and strategies. That is found in the plan's introduction section at pages 1-6, which also highlights the traditional and expected balancing process that occurs when reviewing any proposal for compliance with a comprehensive plan. The offered language would upset that balancing process.

The third comment seeks to impose additional regulations on public park uses and to further regulate them more stringently than any other use permitted in the resource zone. There is already a requirement to balance recreational facilities with environmental concerns. However, the request would create a higher bar for any recreational facility proposed on rural lands by including restrictive and ambiguous language that we believe may be difficult to meet. For example, it is proposed that only "passive recreational and educational use without degrading natural resource is acceptable" and that any resource conflicts must be resolved in favor of no recreational uses.

As commonly understood and defined by Webster's, "degrade" means: "1a: to lower in grade, rank, or status 2: To bring to low esteem or into disrespect 3: to impair in respect to some physical property." Again, words such as "degrade" or "degrading" are not traditional or appropriate standards.

Assuming the third definition of degrade may be applicable, the word "impair" is itself ambiguous – from simply something that damages at one degree to something that is only a material damage to another degree. Again, Metro is of the opinion that using words that are not commonly and traditionally used in land use planning would create hurdles for public park uses that may be impossible to overcome and may forever prevent new parks from serving County residents.

The fourth comment reiterates the request to replace the planning commission's use of the word "consistent" with "complementary." See Metro's response to first comment above. The comment also seeks to have Metro removed from Chapter 8 policy 8.1, which in

its draft form correctly represents Metro's role in promoting an interconnected regional network of parks, trails, and natural areas. Metro requests that its reference not be removed from policy 8.1.

Metro thanks you for the opportunity to address these matters and appreciates your considerations.

Respectfully,

A handwritten signature in black ink, appearing to read "Kathleen Brennan Hunter". The signature is fluid and cursive, with a large loop at the end.

Kathleen Brennan Hunter, Director  
Parks and Nature Department



Rithy KHUT <rithy.khut@multco.us>

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## [Comprehensive Plan] Form submission from: Comprehensive Plan and Transportation System Plan - Board of County Commissioners Comment Form

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Multnomah County <webmaster@multco.us>

Fri, Aug 5, 2016 at 12:37 PM

To: compplan@multco.us

Submitted on Friday, August 5, 2016 - 12:37pm

Submitted values are:

Name: Mark Tesauro

Organization/Affiliation: Landowner / small farmer in West Hills area

Address: 15245 NW Cornelius Pass Rd

City/State/Zip: Portland, OR 97231

E-mail address: [mark.tesauro@qorvo.com](mailto:mark.tesauro@qorvo.com)

Comments:

I attended all the presentations and discussion at the Skyline School meeting on this plan and am reasonably well informed as to its contents.

While there are many reasonable aspects to the proposal and some apparent improvements, I find the proposed SEC-v overlay extension to the west side of the West Hills particularly objectionable. It is an unjustifiable taking of private property rights and could be interpreted as primarily a means of increasing property tax revenues. The primary beneficiaries would be persons in Washington County, with the costs resting on Multnomah County property owners. I do not believe this proposal enhances the community enough to justify its imposition and strongly urge that it be discarded.

The results of this submission may be viewed at:

<https://multco.us/node/28556/submission/61110>

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Rithy KHUT <rithy.khut@multco.us>

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## [Comprehensive Plan] Form submission from: Comprehensive Plan and Transportation System Plan - Board of County Commissioners Comment Form

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Multnomah County <webmaster@multco.us>

Fri, Aug 5, 2016 at 2:13 PM

To: compplan@multco.us

Submitted on Friday, August 5, 2016 - 2:13pm

Submitted values are:

Name: Dave Hunnicutt

Organization/Affiliation: Oregonians In Action

Address: 11735 SW Queen Elizabeth St.

City/State/Zip: King City, OR 97227

E-mail address: [dave@oia.org](mailto:dave@oia.org)

Comments:

Commissioners:

Oregonians In Action (OIA) has two concerns with the proposed Comprehensive Plan update. First, it appears that the County is attempting to re-adopt the rural reserves which the County has originally adopted in 2010, but which were invalidated by the Oregon Court of Appeals in 2014. The proposed Comp Plan update includes a map of the County's rural reserves as Figure 1-3. This appears to be a map of the 2010 reserves. In Policy 2.4(1) (pg. 2-10), the Comp Plan states:

"Areas shown as rural reserve on the County plan and zone map shall be designated and maintained as rural reserves to protect agricultural land, forest land, and important landscape features."

Although we recognize that the County has authority to designate rural reserves, your authority is limited by statute, LCDC administrative rule, and the intergovernmental agreement which the County signed with Metro in March, 2010. In addition, the County has yet to follow the requirements set out by the Court of Appeals and LCDC on remand. Unless and until the County complies with the state requirements, the remand requirements, and its obligations under the IGA with Metro, the County cannot designate rural reserves, and your efforts to do so in this proposed Comp Plan amendment must fail.

One way to remedy this situation would be to simply remove the map included as Figure 1-3 from the proposed amendments. If at some point the County is able to follow through with its procedural obligations and amend the Comp Plan to designate rural reserves, there is nothing wrong with the language set out in Policy 2.4(1). But you cannot adopt reserves maps at this time.

The second concern we have is with Policy 5.47. There is no need for the County to include language in the Comprehensive Plan that requires it to "consider" expansion of the SEC-v overlay zone to the west slope of the West Hills area. If the County wants to amend its Goal 5 scenic views inventory, you are certainly free to do so, provided you comply with all the procedural requirements for a post-acknowledgment plan amendment, and are willing to process and litigate all of the Measure 49 claims that will follow from property owners who are now limited in the use and enjoyment of their homes as a result of the many new requirements that follow from inclusion of their property in the scenic view overlay zone. However, it is of no use to adopt a policy that requires the County to consider Goal 5 amendments. If the Board decides to do so at some point in the future, you are free to do so - you don't need language in your Comp Plan that requires you to do so, particularly since the language is not specific enough to bind you to any type of process or any level of review should you undertake the task. Why clutter the Comp Plan with unnecessary policies?

Please enter these comments in the record.

Dave Hunnicutt

President

Oregonians In Action

The results of this submission may be viewed at:

<https://multco.us/node/28556/submission/61116>

[Quoted text hidden]