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April 3, 2013

Helping to shape the use of our natural resources to protect the quality of life in Yamhill County.

House Land Use Committee
State Capitol, Room 347
Salem, OR 97301

Re: HB 2255

Dear Chair Clem and Committee members:

Friends of Yamhill County (FYC) works to protect natural resources through the implementation of land use planning goals, policies, and laws that maintain and improve the present and future quality of life in Yamhill County. Our members include farmers, foresters, vintners, and many other urban and rural residents. We strongly oppose HB 2255.

- HB 2255 threatens our most productive farmland by allowing cities to circumvent the long-standing protections that have made agriculture the #2 industry in the state. According to the attached report from the Oregon Employment Department agriculture accounts for 23.3% of the total employment (direct and indirect) in the Mid-Willamette Valley.

Cities can already provide for future industrial needs on farmland under existing law. Every urban reserve in state history, including Newberg, Metro, Ontario, and the Rogue Valley/Bear Creek cities has included farmland. HB 2255 would greatly weaken the standard of review. Cities do not have the expertise, the interest, or the motivation to properly apply the weak agricultural considerations contained in the bill.

- The shortage of industrial lands that some cities assert is a problem of their own making. Newberg has re-zoned hundreds of acres of prime industrial land served by rail and highway to retail commercial and single-family subdivisions. Keizer squandered its prime rail-served industrial land at the I-5 interchange on a mega big-box center. Both cities now assert that they need even more prime farmland to replace what they have squandered. Right now, a big-box developer is producing a new Economic Opportunities Analysis for McMinnville so that it can justify rezoning prime industrial land for retail.

HB 2255 encourages even more bait and switch. Under the bill, if the land doesn't develop with industrial uses in a set period of time, cities can rezone it for

big-box commercial or cookie-cutter subdivisions, based on assertion of a “significant change in circumstances.”

- HB 2255 severely curtails the public's right to participate in critical decisions that will have tremendous impacts on their communities. The huge projects that would be “super-sited” outside existing UGB’s could alter the future of a community in many ways. They deserve heightened public involvement, not the restricted public notice, reduced public hearings, very limited appeal opportunities, and restricted the legal grounds for overturning a decision provided for in the bill.

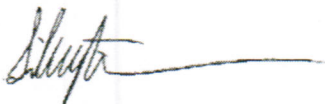
A streamlined process may be appropriate for land that is *already* within a UGB and zoned industrial. Planning for those lands have *already* had robust public involvement opportunities and it should be relatively easy to locate a conforming use on that land. That is *not* the case with the huge-impact projects that would be “super-sited” outside existing UGB’s. The community deserves a thorough, public, comprehensive process in determining that its UGB should expand for a particular use in a particular location. Under the super-siting in HB 2255, it will never have that opportunity.

HB 2255 offers an empty promise- that more empty land at urban fringe will grow jobs by attracting new, large employers. The vast majority of new jobs are created by small employers who are already here. Adequate infrastructure and an educated work force are what really matters. Oregon should be growing jobs close-in, where people already live and where transit is often available. Instead, HB 2255 will undercut our thriving agricultural industry, bring farmland into the UGB for purported industrial use, and then allow its conversion to other uses in the time it takes a developer can say “significant change of circumstance.”

For “super-siting,” the bill doesn’t even pay lip service to its weak agricultural considerations. Nor does it look to existing alternatives beyond 5 miles. In other words, super-siting can occur on farmland north of Keizer or outside Woodburn, even though there is already serviced land in the Salem UGB at Mill Creek.

Please vote NO vote on HB 2255.

Sincerely,



Sid Friedman
Friends of Yamhill County

Attachment: *Agriculture in Marion, Polk and Yamhill Counties*, (Oregon Employment Department)