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April 13, 2015

Representative Brian Clem, Chair  
Committee Members  
House Committee on Rural Communities, Land Use and Water  
State Capitol  
900 Court St. NE  
Salem Oregon 97301

Re: HB 3520

Dear Chair Clem and Committee Members:

1000 Friends of Oregon is a 40-year old, non-profit, statewide organization. We advocate for livable urban and rural communities, protecting family farms and forests, and conserving natural areas, largely through the implementation and improvement of Oregon's land use planning program.

1000 Friends opposes HB 3520. This bill would prohibit a local government from requiring that land zoned for regionally significant industrial use actually be restricted to industrial use, unless the landowner consents. This bill should go no further for the following reasons:

- HB 3520 is the antithesis of zoning. Planning and zoning decisions are made based on local plans that have been adopted by elected government officials after many public hearings and citizen input. Planning organizes communities to further the shared interests of individuals and the community. Will we start saying that residential areas cannot be limited to housing without the consent of each landowner?
- The "regionally significant industrial area" tool has been used by Metro, and has been adopted by the state pursuant to legislative direction, to preserve for industrial use those lands that are particularly valuable for industrial use. They might have site characteristics, access to key transportation modes, or other aspects that cannot easily be replicated if the site is lost to a non-industrial use. Often, these lands have value as industrial lands because of significant public investment in things like infrastructure, without which the lands would decrease greatly in value. Those public investments for industrial use should be maintained through the zoning.
- This bill has been introduced by a legislator from Clackamas County. However, just last week the Clackamas County Board of Commissioner testified in favor of SB 716, claiming, among other things, that:

*"Having an adequate supply of usable, large-lot industrial land is critical to creating living-wage jobs and bolstering Clackamas County's economy. \* \* \* \* SB 716 provides the County with a necessary tool to ensure usable, large-lot industrial lands are available*

*to attract investments, create and retain jobs, and ensure the type of economic prosperity that we desire for the region and the entire state.”<sup>1</sup>*

HB 3520 would take away from Metro, local governments, and the state an important tool to maintain the existing large lot industrial sites that Clackamas County says it needs.

1000 Friends of Oregon supports economic development, and recommends that the legislature focus on the tools needed to bring the existing industrial land supply to ready-to-develop status, including infrastructure investment, wetlands delineation, site aggregation, and brownfield redevelopment.

Thank you for consideration of our comments.

Sincerely,

A handwritten signature in black ink that reads "Mary Kyle McCurdy". The signature is written in a cursive, flowing style.

Mary Kyle McCurdy  
Policy Director and Staff Attorney

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<sup>1</sup> Written testimony of John Ludlow, Chair, Clackamas County Board of Commissioners. April 6, 2015. <https://olis.leg.state.or.us/liz/2015R1/Downloads/CommitteeMeetingDocument/60182> . See also testimony of Clackamas County Commissioner Tootie Smith , also stating the need for large-lot industrial land. <https://olis.leg.state.or.us/liz/2015R1/Downloads/CommitteeMeetingDocument/61319>