

# Friends of French Prairie

Friends of French Prairie  
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February 7, 2016

Representative Brian Clem, Chair  
Committee on Rural Communities, Water & Land Use  
900 Court St. NE, H-284,  
Salem, Oregon 97301

Cc: Speaker Tina Kotek

Greetings;

This letter is submitted in opposition to HB 4079, scheduled to be heard before your committee tomorrow, February 8.

Reading this bill makes it clear that while it is positioned as a bill to increase affordable housing, it does not pass the test of achieving this without doing great harm to Oregon's land use laws, and will significantly and negatively impact Oregon's farm, forest and resource lands.

Current land use law more than adequately supports a city's ability to address the need to expanded affordably housing within the requirements to show a need to expand the UGB and working through the "priority of lands" structure. This bill would allow UGB expansion without following the priority of lands statute, but allow going to farm and forest land first.

Maintaining a 20-year supply of land with adequately zoning to supply affordable housing, is the intent of current land use law, but most cities fail to do so. Providing short cuts to expand the UGB at the expense of farm land is not the solution to the affordable housing crisis. Rather, it is a solution for and crafted by the housing developers.

Friends of French Prairie speaks from experience, were involved in the appeal of a UGB expansion by the City of Donald in 2008. We were on record then in supporting the UGB expansion for three of four separate parcels in the proposal that were required to expand businesses in the City adjacent to the city's UGB. However, the proposal included a fourth 27 acre parcel of prime farmland that was being promoted by a developer for warehouse development.

The basis of the appeal was that the city had not demonstrated the need to urbanize the 27 acre parcel, had not coordinated it's 2028 population projection, and did not follow the "safe harbor" methodology. In the LUBA remand it was stated that "The problem with the approach adopted by the city is that the city did not identify an estimate of job growth over the planning period and then determine how much additional employment land is needed to meet that estimated job growth. instead, the city identified a type of employer that it hopes to attract to the city by adding the amount of land it believes that employer will require."

Following remand, the City went back and did what was required by state land use laws, and managed to demonstrate the estimate of job growth and the consequent employment land needed in spite of the fact that it was now 2009, there were over 1 million square feet of warehouse space available in Wilsonville (five miles to the north), and the economy was entering recession.

The result: the City of Donald UGB expansion included the 27 acres of prime farm land which still sits vacant with real estate agent signs on it. This occurred under current land use law, clearly demonstrating that if a City complies with current law, UGB expansion is quite possible—even if not fiscally prudent.

The aspects of this bill to undermine current land use law will only assure that it is easier still for Cities to be influenced by developers and take all the available shortcuts to expand UGBs for housing development at the expense of prime farm land.

We strongly oppose the bill as written and its potential effect on Orgeon's farm, forest and resource lands.

Sincerely



Benjamin D Williams

President, Friends of French Prairie