

Rep. Susan McLain, Chair of the House Transportation Committee

I am writing in opposition to HB 4092.

Oregon's legislature will be voting on House Bill 4092. It has the Catchline/Summary of "Establishes standards for expansion of state airport on land zoned for exclusive farm use." The title might more realistically be "Removes standards for expansion of state airport on land zoned for exclusive farm use." What HB 4092 does is change the list of approved uses on EFU land. On EFU land, there are certain uses which are always allowed, and other uses which are allowed when the proper permits are obtained, after following the required notice provisions. For example, no permit is required to engage in ordinary farming, nor to run a farm stand to sell your farm products, provided you meet all of the specific conditions in ORS 215.283(1)(o)(A)&(B). But a permit and public input are required for many other uses, such as having rental yurts, or to have a playground.

This proposed bill desires to change the definition of EFU to make the extension of a state-owned airport a use that doesn't require any permits or public input. That is insulting to me. In order for me to have, for example, a bed and breakfast on my farmland, I would need to pay a fee to the state. I would need to draw up plans which are approved by regulatory agencies. I would have to do a traffic study. I would have to publish notice of the proposed action in the newspapers. This bill would eliminate an airport expansion from any and all of these provisions.

It should be noted, that in the first half of ORS 215.283, in the list of uses which don't require the permits and public input, there is mention of airplanes! Airplanes are already an allowed use – that is, model airplanes. The law currently says an allowed use is "A site for the takeoff and landing of model aircraft, including such buildings or facilities as may reasonably be necessary." However, even for model airplanes, any "Buildings or facilities shall not be more than 500 square feet in floor area or placed on a permanent foundation unless the building or facility preexisted the use approved under this paragraph. The site shall not include an aggregate surface or hard surface area unless the surface preexisted the use approved under this paragraph." Even model airplanes have restrictions, but this bill proposes removing them for real airplanes...

Interestingly, despite owning a farm, and land zoned EFU that is quite close to the airport, I didn't know anything about this bill until I read about it on Facebook. Although I have an Aurora address, I'm not in the city limits, so even though I found out in time by happenstance, I had no chance to have input on the city of Aurora's official position on the matter. Ostensibly, Janet Carlson, Kevin Cameron, and Samuel Brentano represent my interests, as they represent Marion County. However, there was no outreach whatsoever to any of the farmers here in rural northern Marion County that I'm aware of. I can say with certainty that the owner of the hazelnut orchard on the adjacent property had no idea, nor did my other neighbor who runs cattle next to him. But this bill has that covered too, it starts off by saying that it shall eliminate all requirements for "the post-acknowledgement procedures under ORS 197.610 to 197.651." In fact, the bill eliminates the airport from being "[r]equired to demonstrate compliance with

any statewide planning goal” or being “[r]equired to obtain an exception to any statewide planning goal.”

As for the actual airport expansion, I’m not fully decided as to whether or not I think expanding the airport is a good idea or not. However, I am fully opposed to this change in the definition of allowed uses on EFU land.

Supporters of the airport expansion say that passing this bill will “create jobs.” That may or may not be true. But I am certain that an airport expansion should undergo the same public scrutiny that any new factory would. If the land north of Ehlen Rd. was going to have any other business put in, it would require minimally a conditional use permit, if not a zoning change. The airport should not be exempt.

Best Regards,

P. Breckenridge Cartwright