



February 23, 2018

Clackamas County Board of Commissioners
Policy Position
Potential Amendment to HB 4031: Regarding Rural Industrial Up-zoning

The Board of County Commissioners opposes a potential amendment to HB 4031, which would allow a single parcel of land in the rural reserves within Clackamas County to be up-zoned to rural industrial. Specifically, the potential amendment would address a single landowner's desire to enhance the type of uses that can occur on an 18-acre property currently zoned exclusive farm use (EFU) and designated as a Clackamas County rural reserve.

This amendment represents an egregious attempt to override both the state rules governing the Metro region's rural reserves, as well as Clackamas County's Comprehensive Plan. At the local level, jurisdictions develop and adopt comprehensive plans after robust public involvement and extensive review by planning commissions and elected officials. Legislative action to amend, overrule, or otherwise change a local jurisdiction's comprehensive plan is not in keeping with the local land use process, and it sets a dangerous precedent of the Legislature overriding local authority to benefit an individual landowner.

Both the adopted policies in the Clackamas County Comprehensive Plan and the state rules governing rural reserves do not authorize rezoning of land in the rural reserves or the creation of new lots smaller than 80 acres. Rezoning this property to rural industrial would allow both new uses and the creation of new lots, violating state and local regulations on the rural reserves.

In addition, a property zoned rural industrial could be used in many ways not limited to automobile storage, including but not limited to bus shelters, indoor recreational facilities, metal fabrication, lumber sales, veterinary hospitals, and even dwellings. These uses are a far cry from land currently known to have agriculturally-valuable soil and that has always been used for agricultural purposes. While Clackamas County's comprehensive plan does allow for land to be designated rural industrial, this is only for lands within an unincorporated community or where there is an historical commitment to a rural industrial use. The property in question meets neither of these criteria.

Finally, the urban and rural reserves of Clackamas and Multnomah Counties have yet to be finalized, pending final action by the Land Conservation and Development Commission. One-off changes within rural reserves by the Legislature would risk further delays and only serve to confuse the process of resolving the remaining reserve designations. Such delays have prevented cities like Wilsonville from advancing their own growth strategies and have had impacts on other communities as well.

We strongly urge a "NO" vote for this potential amendment to HB 4031.

Please contact Chris Lyons at clyons@clackamas.us for more information.