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February 4, 2021

Rep. Julie Fahey, Chair
Committee Members
House Committee on Housing
900 Court Street NE
Salem, OR 97301

Re: HB 2655: 1-acre rural residential lots

Dear Chair Fahey and Committee Members:

1000 Friends of Oregon is a nonprofit, membership organization that has worked with Oregonians for more than 40 years to support livable urban and rural communities; protect family farms, forests and natural areas; and provide transportation and housing choice.

1000 Friends of Oregon opposes HB 2655. This bill proposes that a “county may not require a minimum size of more than one acre for a lot or parcel that is zoned for rural residential use.” The scope of this bill is unclear to us: does it apply to all rural residential lands, or only to rural residential lands on which an accessory dwelling use (ADU) is or may be allowed. In either case, the impact could be significant and adverse – to surrounding farm, ranch, and forest operations; septic systems and wells; wildlife migration corridors; and more.

Rural residential lands are lands outside urban growth boundaries (UGBs) that largely pre-existed the land use planning program, with development patterns that preclude farming or forestry. There are approximately 750,000 acres of lands zoned for rural residential use statewide, which is almost the same acreage as all lands inside UGBs. These rural residential areas range from a few scattered houses to older larger subdivisions. The appropriate zoning for rural residential areas has been established through rules and case law for over 30 years: rural lot sizes are over 2 acres; most are 5 to 10 acres, some are larger. These lot sizes are based on considerations such as septic and well capacity, rural road networks, wildlife, and more.

We have already seen the problems that are likely to arise with the possibility of 1-acre rural residential lots. When septic systems fail or drinking water is contaminated, cities and local service districts can be compelled to extend services under a health hazard annexation. When these development patterns adjoin urban growth boundaries, it makes it more difficult for cities to expand UGBs because these development patterns are much harder to provide with urban services. And now we also understand the increased wildfire risk that results with increasing populations in high wildfire risk areas, which is where many of these rural residential areas are located.

We urge you to not pass HB 2655. 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 style with a large, stylized "M" and "C".

Mary Kyle McCurdy
Deputy Director