

Written Testimony **opposing**
Conditional Use proposal for 14400 Union School Rd Ne Woodburn, OR
Submitted March 6, 2025

My name is Nancy J. Bowman Holt. I reside at 14817 Union School Rd. NE, Woodburn, OR.

I respectfully oppose the granting of the conditional use proposal for 14400 Union School Rd NE Woodburn, OR. Furthermore, at the outset, I request an opportunity to present additional evidence, argument, or testimony. I request that the written record be left open for an additional seven days to allow the submission of testimony from other parties.

My remarks are of two types, one addressing the importance of maintaining agricultural lands; the other addressing the specific proposal.

The intent of Exclusive Farm Use zoning is to protect the agricultural patrimony of Oregon. The soil of the Willamette Valley is rich top soil, having been deposited millennia ago by the Missoula Floods. This soil is reputed to be up to 100 feet deep without rocks and is among the richest soil for food and crop production in the world.

According to the USDA Natural Resources Conservation Service, these are "very productive forest soils. Many areas have been cleared and are used for agricultural crops. The rich soils and the climate of the Willamette Valley provide an ideal setting for the production of many crops, including Christmas trees, various berries, filberts (hazelnuts), sweet corn, wheat, and many varieties of grass seed. The soils are suitable for the grapes used in the expanding wine industry."¹

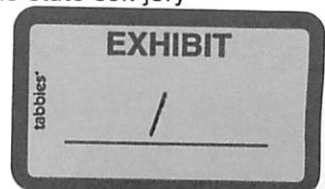
Even when lands are not producing crops, they are valuable to agricultural use. Hedge rows, fallow land, and wild areas support wildlife conservation of birds, small mammals, and pollinators which keep agricultural lands productive. Carbon sequestration in trees and wildlands is also a value of agricultural, undeveloped land even when it is not in annual production.

Maintaining agricultural lands is increasingly important for food security. Many nations, developed nations, are no longer able to feed their populace because farmlands are used for other purposes. In Oregon we have rich soils, abundant water, and hard-working farmers and farm workers. Farmers are the backbone of our nation. As a popular bumper sticker states: If you ate today, thank a farmer.

The USDA further states: "Growing urbanization of the Willamette Valley is resulting in a great deal of pressure for development," often into historically agricultural areas. This is evident in the expansion of urban growth boundaries which provide housing for the growing population of the area. These, however, are adjacent to urban areas. The property under consideration is not adjacent to an urban area. Rather, it is an established property for exclusive farm use. How far will the urban growth boundary be extended especially if farmland is increasingly dotted with residences and the Exclusive Farm Use Zoning loses its force?

The preservation of such rich farmland is important for the future of our state and our nation. We have been blessed with rich soils and thus with the ability to provide food for our population. This capacity becomes more and more critical to preserve. Oregon State Republican Sen. Daniel

¹ <https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/oregon/oregons-state-soil-jory>



Bonham from The Dalles recently made the following statement in support of a proposed bill to restrict agricultural land ownership which summarizes my point of view, “. . . the fundamental argument I’m trying to make here is that we do have assets that should be protected, whether it be our farmland, or whether it is sensitive military operation space.”² While his bill refers to the acquisition of land by Chinese investors, the intent of protection of assets applies. We depend on the Marion County Planning Division to uphold the Exclusive Farm Use zoning to keep lands in agricultural use as per the intent of MCC 17.136 Exclusive Farm Use Zone, to prioritize the production of food and crops, and to preserve the quality of air and water upon which life depends, in other words, to serve the common good.

Regarding the 14400 Union School Rd NE property:

According to 17.136.010, the purpose of the Exclusive Farm Use designation is to provide areas for continued practice of commercial agriculture. It is intended to be applied in those areas composed of tracts that are predominantly high-value farm soils. The Planning Division’s Notice of Decision indicates that the soil classification of the 14400 Union School Rd. property has been reclassified and that this is a key basis for the conditional approval. While I am not equipped to dispute the study, a question arises regarding the significant disparity between the 91.5% high value soils finding by the independent Marion County survey and the 75.7% non-high value farm soils finding by a company financed by the applicant. How does that significant change happen?

The Susa family, who owned the property in question for several decades managed it as small-acreage farmland. In my lifetime, the parcel has produced hazelnuts and Christmas trees, some of which graced our home, and has served as pastureland. It is productive land suitable for agricultural use though not of sufficient size to independently support commercial agriculture. Adjoined to an existing, abutting farmland property, it would be agriculturally viable. As Bev Susa Heller stated in a February 27, 2025 email: “That parcel is zoned farming and had to be 10 acres I think to build but it is only 9 [8.4 acres]. Unless they rezoned it through the county.” It was the Susa family’s understanding and that of the neighborhood of Union School Rd. that the property would remain farmland.

In addition, part of a waterway for drainage flows through this parcel. The waterway will be affected according to how much of the acreage is covered with asphalt or buildings. Asphalt and buildings do not allow the land to absorb water and increases the downstream impact by forcing more water into the stream. If the culvert provided is not of sufficient size, the roadway will be flooded. If the amount of water is increased by the hardscaping downstream erosion will increase.

17.136.030 identifies when a single-family dwelling customarily provided in conjunction with farm use, may be erected. The applicant has proposed a residence and a shop. Both buildings, according to the Notice of Decision for Conditional Use, would be erected on “the only portion of the property that is historically farmed.” Since the land principally used for agriculture would be covered with buildings, how then are the proposed buildings to be used “in conjunction with farm use?”


² Loew, Tracy. “Bill Seeks to Block Chinese Ownership of Ag Land.” **Statesman Journal**. February 28, 2025. pp. 1-2.

The land at 14400 Union School Rd NE is zoned Exclusive Farm Use. Exclusive Farm Use zoning prohibits the erection of non-farm use structures apart from certain exceptions, exceptions which have expanded to 39 pages of Chapter 17 - Exclusive Farm Use of the Marion County Code. The intent of the Exclusive Farm Use zoning, "to conserve farm and forestlands for the production of crops, livestock, and timber products," is whittled away by the approval of exceptions. Every time an exception is made, farmland and productivity are lost. Every time an exception is granted, established land use policy is weakened. Every time an exception is approved, precedent is set and the land use planning division's responsibility to deny incursions of non-farm uses becomes more difficult.

The pattern is apparent. An exception is made for setbacks or for hardship. Building occurs. Arable land is no longer used for agricultural production. Another exception is made. Arable land, especially small tracts, becomes a site, or a supporting site, for a non-farm business. Resident complaints about dust, noise, slow vehicles, and other activities normally associated with farm use then become more frequent. Soon agricultural use becomes the exception. A once productive area is choked by the exceptions made to the law written to protect it.

While my remarks may not influence the planning division's determination concerning this property, I appreciate the opportunity to publicly address the planning division and to encourage your continued support of the primary intent of the Exclusive Farm Use zoning: to conserve farm and forestlands for the production of crops, livestock, and timber products."³

Thank you for your consideration and for your careful work.



Nancy J. Bowman Holt
14817 Union School Rd. NE
Woodburn, Or 97071

³ <https://www.codepublishing.com/OR/MarionCounty/#!/MarionCounty17/MarionCounty17136.html#17.136>

6 MARCH 2025

TO THE PLANNING DIVISION,

I, JAMES BOWMAN, OF

14817 UNION SCHOOL ROAD N.E.

WOODBURN, OR. 97071

WISH TO EXPRESS MY CONCERNS

ABOUT A HOUSE BEING CONSIDERED

FOR CONSTRUCTION ON UNION SCHOOL

ROAD. THE NEIGHBORHOOD IS A

DESIGNATED AND/OR ZONED

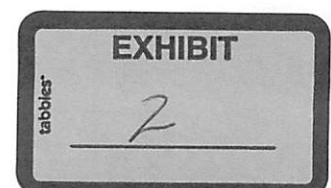
FARM LAND USE ONLY.

MY HOPE IS THAT IT REMAINS

AN AGRICULTURE USE ONLY AREA.

SINCERELY,

James R. Bowman

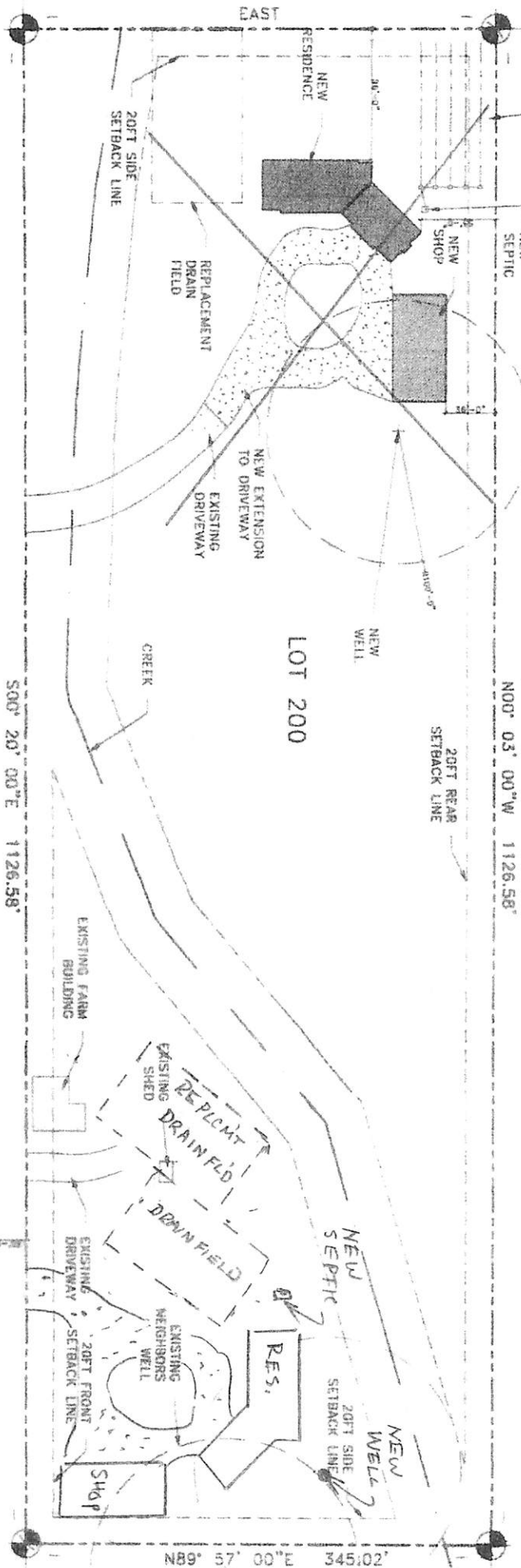


EXHIBIT

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ALT. SITE PLAN # 1
D. HOLT 6 MAR. 2025

FOR CITY
OFFICIAL USE



LOT 700

LOT 500

LOT 600

UNION SCHOOL RD. NE



1" = 20'

ZONE: EFU-DISQUALIFIED
 LOT FARM/FOREST USE
 40(LOT AREA: 8.4 ACRES)

NOTE #1:
 ALL PROPERTY DATA TAKEN FROM MARION COUNTY SURVEY RECORDS, AND IS SUBJECT TO CLIENT VERIFICATION FOR ACCURACY.



EXHIBIT
tabbles
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