

Exhibit A2



Measure 37 casts 10,000-acre shadow

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Published: May 21, 2005



The 10,790 acres in Yamhill County's Measure 37 pipeline are equal to 16.86 square miles. The box outlined in red, above, drawn to scale and imposed over a map of McMinnville, shows how much area that is. As of press time late Friday, the amount of acreage covered in six new claims not included in the original calculation would likely bump it up to 17 square miles.

Illustration by Diana Tu.

Every week or so, Martin Chroust-Masin hunkers down over his computer with a stack of Measure 37 documents and uses electronic mapping software to locate the affected tax lots. Then he color codes them.

Every time the Yamhill County Planning Department formally notifies a property owner that current regulations prohibit him from doing what he wants with his land, a necessary precursor to a formal claim filing, Chroust-Masin shades them mustard yellow. When a claim is actually filed, a simple mouse click changes the color to dark blue.

Chroust-Masin, a county planner, has been doing this since Measure 37 took effect Dec. 2. With the six-month mark fast approaching, the county reached a milestone this week:

The steadily growing mass of potentially affected land topped the 10,000-acre mark. As of Tuesday, Chroust-Martin had 10,790 acres shaded in, 5,577 acres representing actual claims and 5,213 acres representing potential claims officials expect to soon see filed.

For perspective, that well exceeds the entire acreage of McMinnville, whose population of roughly 30,000 makes it the largest in the county by far.

As the News-Register reported in February, it took only 60 days for the rush of queries and claims to reach the 4,000-acre mark.

An analysis of claims and pre-claim letters then showed that about 75 percent of the affected land was protected for exclusive farm or farm and forest use under existing zoning. That's more land than the county - home to an internationally renowned wine industry - has planted in wine grapes.

From early on, the split between claims already filed and claims expected has been running about 50-50. As of Friday, county planning director Mike Brandt had mailed 155 letters and 87 of them had produced claims.

"We're running about 50-50, and it's not slowing down," said Linda Lowe, who spends a lot of her time handling Measure 37 paperwork. Just since Chroust-Martin updated the map a few days ago, six more claims have come in.

However, land-use regulations will not, in the end, be relaxed on all of the land involved in the claims. Some claims will be found invalid and others only partially valid.

In addition, waivers only negate regulations adopted during current ownership. While that means total relaxation where ownership pre-dates the advent of land-use planning in Oregon, it means only partial relaxation where ownership is more recent.

The county's decision this week on two significant claims illustrates the point that those filing claims don't necessarily get everything they ask for.

Jeffery Magar of Newberg wanted to divide nine acres into 24 homesites, but the county granted him a land-use waiver only dating back to 2002. That won't allow him to put up even one house.

In the other case, Larry and Karen Waide of Dundee sought authorization to carve 100 lots out of 175 acres. The county didn't go along with their argument about the timing of their ownership, however, so most of that acreage was effectively taken off the table.

Even so, Measure 37's capacity to rapidly gobble up high-value farmland has become evident. That has surprised many and alarmed some.

How much land are we talking about?

More than 16 square miles, most of it prime farmland. More than 2.2 percent of the county's total land area of 718 square miles.

Pushed up together to form a square, the Measure 37 acreage would overlay all of McMinnville but the portion protruding out to take in the airport, museum and hospital. It would more than compensate for that omission by overlaying lots of surrounding countryside.

"I was amazed," Chroust-Martin said. "It is surprising, and it isn't slowing down.

"People are coming in every day. I'll probably have more to do next week."

Source: http://www.newsregister.com/news/results.cfm?story_no=193930