

**HOUSE COMMITTEE ON**  
**ENVIRONMENT AND LAND USE**

May 1, 2003 Hearing Room E  
8:30 AM Tapes 69 - 70

**MEMBERS PRESENT:**      **Rep. Bill Garrard, Chair**  
                                 **Rep. Dennis Richardson, Vice-Chair**  
                                 **Rep. Cliff Zauner, Vice-Chair**  
                                 **Rep. Robert Ackerman**  
                                 **Rep. Mitch Greenlick**  
                                 **Rep. Diane Rosenbaum**

**MEMBER EXCUSED:**    **Rep. Dan Doyle**

**STAFF PRESENT:**        **Ray Kelly, Committee Administrator**  
                                 **Kelly Fuller, Committee Assistant**

**MEASURES HEARD:**            **HB 2909 Work Session**  
   **HB 3626 Public Hearing**

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These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

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<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 69, A</b>		
<b><u>HB 2909 – WORK SESSION</u></b>		
003	Chair Garrard	Calls the meeting to order at 8:48 and opens a work session on HB 2909. Announces the -3 amendments ( <b>EXHIBIT A</b> ).
005	Jon Chandler	Oregon Building Industry Association (OBIA). Testifies in favor of HB 2909, introducing the intentions and effects of the -3 amendments.
066	Rep. Greenlick	Asks Chandler to address the substantive changes rather than the technical changes.
075	Chair Garrard	Comments to the significance of HB 2909 in attempting to streamline the land use system.
080	Chandler	Begins presentation and comments on Page 6 of the -3 amendments. Comments on services to cities and counties.
133	Rep. Greenlick	Asks if economic development is synonymous with employment.
135	Chandler	Responds to Rep. Greenlick's question in relation to Goal 9. Continues presentation by touching on periodic review.
174	Rep. Doyle	Asks Chandler to address the standardized goals checklist.
180	Chandler	Gives background to the reasons for the checklist.
207	Rep. Doyle	Asks what the checklisted items are, and how they pertain to specific goals.
212	Chandler	Addresses Goal 10 as an example of a work task which would be checklisted.
230	Dan Cooper	Attorney, Metro. Discusses the periodic review process as it relates to the checklist.
252	Rep. Richardson	Expresses concern for a standardized checklist and its burden on

		counties and cities. Asks how the checklist will assist counties and cities, rather than impede them.
270	Linda Ludwig	League of Oregon Cities (LOC). Notes that the process has not been completely worked out, but states their dedication to making it an efficient system.
285	Rep. Richardson	Restates skepticism on the idea of a checklist being of help rather than a hindrance.
290	Chandler	Addresses simplifying the public process and responds to Rep. Richardson's concerns regarding burdens on smaller cities.
419	Rep. Greenlick	Asks for clarification on Goals 6 and 7 and where Goal 5 fits in.
425	Chandler	Discusses Goal 5 and its importance. Cross references the buildable lands inventory issue with the wetlands issue.
<b>TAPE 70, A</b>		
023	Rep. Greenlick	Comments on Goal 5 as it relates to Urban Growth Boundary (UGB) expansion.
034	Cooper	Comments that Metro is continuing its Goal 5 adoption process and touches on its intricacies.
055	Rep. Greenlick	Asks if Metro has a grant for Goal 5 application.
057	Cooper	States that he's not sure, but remarks that Metro is spending much of their own money on Goal 5.
063	Chandler	Comments on Goal 5. Continues his presentation, discussing periodic review. Discusses Section 10-12
282	Cooper	Comments on implications on the LUBA process. Addresses deadlines for appeals.
339	Rep. Rosenbaum	Asks whether OBIA or LOC plan to incorporate concerns of the Planning Directors Association in amending the bill further.
345	Ludwig	Affirms that they will work their concerns into the amendments.
365	Ludwig	Recapitulates her argument in support of the bill.
396	Randy Franke	Chair, Land Conservation and Development Commission (LCDC). Testifies that LCDC's goals can be met through HB 2909. Addresses concerns which he'd like to see enacted.
<b>TAPE 69, B</b>		
002	Chair Garrard	Commends Franke for his work with Chandler and Ludwig on HB 2909.
005	Rep. Richardson	Asks what factors have been taken into consideration while putting forth amendments.
018	Franke	Discusses population thresholds and growth rates and different approaches.
032	Rep. Richardson	States that he'd like to see LCDC have more flexibility to address case-by-case demographics.
039	Bob Rindy	Addresses the fiscal impact statement and notes that there will be no impact.
060	Art Slack	Association of Oregon Counties (AOC). Comments on the fiscal impact to the state. Closes by noting that under the proposed legislation, local government will continue to subsidize the periodic review process.
086	Rep. Ackerman	References Page 8 and 9 of the -3 amendments and asks if it amounts to a substantive change in evaluation comprehensive plans
097	Rindy	Addresses process as it relates to economic development.
113	<b>Rep. Richardson</b>	<b>MOTION: Moves to ADOPT HB 2909-3 amendments dated 5/1/03.</b>
116		<b>VOTE: 6-0</b>

**EXCUSED: 1 - Doyle**  
**118 Chair Garrard Hearing no objection, declares the motion CARRIED.**  
**121 Rep. Richardson MOTION: Moves HB 2909 to the floor with a DO PASS AS**  
**AMENDED recommendation.**  
**126 VOTE: 6-0**  
**EXCUSED: 1 - Doyle**  
**128 Chair Garrard Hearing no objection, declares the motion CARRIED.**  
**REP. GARRARD will lead discussion on the floor.**  
130 Chair Garrard Closes the work session on HB 2909 and opens a public hearing  
on HB 3626.

The following prepared testimony is submitted for the record without public testimony.

Ken Gibb Submits **(EXHIBIT H)**

**HB 3626 - PUBLIC HEARING**

147 Dave Riley Submits written testimony in support of HB 3626 from

- Mt. Hood Meadows **(EXHIBIT B)**,
- Anthony Lakes **(EXHIBIT C)**,
- Hood River County Chamber of Commerce **(EXHIBIT D)**.

Testifies in favor of the bill as it would decrease the minimum acreage requirement for destination resorts.  
220 Ken Maddox Submits **(EXHIBIT E)** and testifies in opposition of HB 3626. Asserts that the legislation is aimed at creating residential development for special interest groups.  
273 Mike McCarthy Submits **(EXHIBIT F)** and testifies in opposition to HB 3626 as it will compromise high value farm land.  
320 Rep. Greenlick Cites the concerns of the agricultural community in his own district and asks McCarthy to expand upon the effect on farming.  
340 McCarthy Offers a personal anecdote on how his farms and land will be adversely affected.

**TAPE 70, B**

005 Jay Ward Natural Resources Council. Testifies in opposition of HB 3626 in that it would fundamentally change the methodology by which Oregon has historically cited Destination Resorts.  
036 Carrie MacLaren 1000 Friends of Oregon. Submits **(EXHIBIT G)** and testifies in opposition to HB 3626. States concerns to the bill which would change the character of destination resorts.  
080 Don Schellenberg Oregon Farm Bureau (OFB). Affirms that HB 3626 is being driven by a single issue. Points out OFB's concerns and opposes HB 3626.  
129 Rep. Greenlick Asks for confirmation on the size of forty acres.  
136 Senator Jason SD 2. Attests that HB 3626 would do away with a double  
Atkinson standard in Oregon and speaks in support of HB 3626.  
195 Rep. Greenlick Asks for confirmation on the effects of consistency in application.  
200 Sen. Atkinson Restates that this legislation will improve consistency.  
214 Charlie Williamson Attorney, Portland. Asserts that HB 3626 changes the rules in the middle of the game in favor of a large developer.  
255 Chair Garrard Closes the public hearing on HB 3626 and adjourns the meeting at 10:40 A.M.

The following prepared testimony was submitted for the record without public testimony for HB 3626.

John Ledger Submits **(EXHIBIT I)**.

Paige Rouse Submits **(EXHIBIT J)**.

## **EXHIBIT SUMMARY**

- A – HB 2909, -3 amendments, staff, 26 pp.
- B – HB 3626, written testimony, Dave Riley, 3 pp.
- C – HB 3626, written testimony, Dave Riley, 2 pp.
- D – HB 3626, written testimony, Davie Riley, 1 p.
- E – HB 3626, written testimony, Ken Maddox, 2 pp.
- F – HB 3626, written testimony, Mike McCarthy, 2 pp.
- G – HB 3626, written testimony, Carrie MacLaren, 1 p.

The following exhibits are listed out of order in the body of the tape log.

- H – 2909, written testimony, Ken Gibb, 2 pp.
- I – HB 3626, written testimony, John Ledger, 1 p.
- J – HB 3626, written testimony, Paige Rouse, 1 p.