

HOUSE COMMITTEE ON NATURAL RESOURCES ENVIRONMENT AND ENERGY SUBCOMMITTEE

March 8, 1993 Hearing Room D 1:30 p.m. Tapes 37 - 41 MEMBERS

PRESENT: Rep. Bob Repine, Chair Rep. Marilyn Dell Rep. Sam Dominy  
Rep. Bill Fisher Rep. Carl Hosticka Rep. Dennis Luke Rep. Bill Markham  
Rep. Ray Baum MEMBER EXCUSED: Rep. Nancy Peterson STAFF

PRESENT: Kathryn Van Natta, Committee Administrator Karen McCormac,  
Committee Clerk MEASURES CONSIDERED: Public Hearing - HB 2197 Work  
Session - Land Use Interest Matrix Public Hearing - HB 2595 - HB 2932

WITNESSES: BILL WARREN, Oregon Public Utility Commission RON EACHUS,  
Oregon Public Utility Commission DENISE McPHAIL, Portland General  
Electric JIM ANDERSON, PacifiCorp MICHAEL GRAINEY, Oregon Department of  
Energy GREG WOLF, Land Conservation and Development Department DALE  
BLANTON, Land Conservation and Development Department KELLY ROSS, Oregon  
Association of Realtors MARY McCURDY, 1,000 Friends of Oregon TOM  
BRAWLEY, Citizen BILL MOSHOFKSY, Oregonians in Action DOROTHY COFIELD,  
Oregonians in Action

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statements made during this session. Only text enclosed in quotation  
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proceedings, please refer to the tapes. Subcommittee on Environment and  
Energy House Committee on Natural Resources March 8, 1993 - Page 2

TOM GALLAGHER, Destination Resorts BILL LYCHE, Resort Destination  
Coalition CHRISTINE COOK, 1,000 Friends of Oregon DON SCHELLENBERG,  
Oregon Farm Bureau

TAPE 37, SIDE A

006 CHAIR BAUM: Calls meeting to order at 1:34 p.m.

OPENS PUBLIC HEARING ON HB 2197

015 KATHRYN VAN NATTA, Committee Administrator: Introduces meeting  
materials, including a Staff Measure Summary (EXHIBIT A), a  
Hand-Engrossed bill with -1 Amendments from the Oregon Public Utility  
Commission (EXHIBIT B), and a Revenue Impact Statement (EXHIBIT C) and  
Fiscal Impact Statement (EXHIBIT D), showing no revenue or fiscal impact  
as a result of HB 2197. We have also included copies of statutes  
regarding utility regulations, and bill references ORS 469.010, which  
includes legislative findings and policy on energy conservation.

035 BILL WARREN, Oregon Public Utility Commission (PUC): Presents  
written testimony (EXHIBIT E) in support of HB 2197. Explains bill.

071 REP. MARKHAM: Will this bill benefit the utilities?

072 WARREN: Yes. - 077 REP. FISHER: How does a utility collect funds  
for new projects if they cannot charge their customers?

080 WARREN: Utilities can borrow funds or issue debt, common stock,  
etc. to finance construction of new facilities. All costs are placed  
into customer rates at the time a facility actually goes into service.

088 REP. FISHER: Is this similar to the WPPSS project?

091 WARREN: That was slightly different. Those were projects  
supported by public entities in the state of Washington, and for the  
most part were not investor-owned utilities. At that time, cost were  
accrued on the company's books, and if the WPPSS facilities had gone

into operation, the collection of charges would have occurred at that time. 110 REP. HOSTICKA: Why should the vote of the people be changed now? 117RON EACHUS, PUC: The intent of the existing law is not to make ratepayers pay the cost of any facility until it is in use. This bill tries to respond to long-range and least-cost planning, and reflects our desire to change to smaller, renewable resources. House Bill 219 7 mod)ifies current law only regarding preconstruction costs, and those are only between one to three percent of total construction budgets. We want to encourage utilities to acquire an option even though it may not be needed or come on-line. The language also allows PUC the discretion to deny cost recovery.

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198 REP. MARKHAM: Would this invalidate construction work in progress which has already been approved by the public?

201 EACHUS: Current law prohibits us from allowing recovery costs if an option site is eventually abandoned. 205 WARREN: Concludes testimony. 294 REP. MARKHAM: Why are coal and nuclear power excluded? 297 EACHUS: Because they are generally large, centralized plants which are also costly. When they come on-line, there is usually a power surplus, and if they do not come on-line, a lot of money has been invested and is at risk. We are finding that more cost-effective resources are smaller resources, such as energy efficiency, co-generation and gas turbines, as well as renewable resources. 352 REP. LUKE: If utilities want to recover these costs, they have to come before the PUC and there will be a public hearing. Will they be only be allowed to recoup actual costs or are they allowed to make a profit? 361 WARREN: The commission would define that by rule. Normally we would allow the utility interest on the money they may have spent for preconstruction costs. 371 EACHUS: What we're talking about is a project that is abandoned without going on-line, but we recognize the value of the utility in having had that option available as a mitigation of risk. If that is the case, we would allow cost recovery plus any interest. Each case would be considered. We would not allow profit on a project that was not in service. 392REP. HOSTICKA: What is an energy storage project? 393 WARREN: A principle example would be an underground gas storage facility. It may also be pump storage or pump hydro. 400 REP. HOSTICKA: Is it possible to recover the costs of acquiring assets, such as equipment or land? 402WARREN: The utility would probably contract out for those services. The costs to acquire a leasehold on land could be recovered. 420 REP. HOSTICKA: I would feel more comfortable with this if I could see the rules which PUC has in mind.

TAPE 38, SIDE A

007 REP. DELL: You are anticipating there will be more projects with the passage of this bill. Is there an estimate as to how this may affect utility rates?

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013 EACHUS: Preconstruction costs are a very small part of total costs. Also, PUC would have the option of approving cost recovery. Lastly, those costs would be part of a utility's overall costs, which may be offset by other cost reductions. Any utility which abandons a project and applies for cost recovery would have to show that the acquisition of the option was consistent with the previous least-cost plan. This does not give utilities a carte blanche to acquire options.

038 CHAIR REPINE: Questions whether the word "abandoned" should have legal definition.

046 EACHUS: We plan to define that by rule. 058REP. DELL: Would PUC be able to deny a utility cost recovery even if all the necessary criteria were met? 066 EACHUS: Yes. It allows us to use the specific facts of each case plus PUC's discretion. The measure does not necessarily guarantee cost recovery. 090DENISE McPHAIL, Portland General Electric: Presents written testimony (EXHIBIT F) in support of HB 2197. 134 REP. MARKHAM: Would the bill be more acceptable if it were amended to require cost recovery? 136 McPHAIL: No. I suspect that might prevent passage of the bill. 150 JIM ANDERSON, PacifiCorp: Presents written testimony (EXHIBIT G) in support of HB 2197. 204 MICHAEL GRAINEY, Oregon Department of Energy: Presents written testimony

(EXHIBIT H) in support of HB 2197. The measure will help PUC in its least-cost planning efforts and its work with the investor and utilities to develop resources. 226 CHAIR REPINE: Have you reviewed the -1 amendments? 229 GRAINEY: Yes. They are acceptable changes recommended by Legislative Counsel. 231 CHAIR REPINE: Let the record show that representatives from PacifiCorp and PGE also indicate that the -1 amendments are acceptable. CLOSES PUBLIC HEARING ON HB 2197 OPENS WORK SESSION ON LAND USE INTEREST MATRIX 252 VAN NATTA: At last week's meeting, we briefly discussed the Land Use Interest Matrix. Rep. Dominy has provided written recommendations (EXHIBIT D, and Rep. Dell has provided an updated version of her original recommendations (EXHIBIT J). I have added another page to the Land Use Interest Matrix (EXHIBIT K), which lists the items discussed during the March 3 meeting.

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305 CHAIR REPINE: Encourages committee members to prioritize land-use issues.

CLOSES WORK SESSION ON LAND USE INTEREST MATRIX OPENS PUBLIC HEARING ON HB 2S95

351 CHAIR REPINE: Explains that due to time constraints in March 3 meeting, some witnesses did not have an opportunity to testify on HB 2595. Those witnesses will testify first during today's testimony.

353 GREG WOLF, Land Conservation and Development Department: We are concerned about some aspects of the appeals process, and will be working with the homebuilders to resolve some of those problems. We do not

believe this bill addresses our concerns regarding the appeals process. The individualized injury standard in this bill would involve much litigation, and its translation into state law will be difficult. The substantial evidence test that is required for land use decisions would still be required, and local governments would have to address that, rather than relying on the applicant to provide that burden of proof.

391 REP. HOSTICKA: Refers to Section 1 of HB 2595. If local government violates state laws and the party who is the subject of that violation is happy with that, how is that handled? 403 WOLF: Currently the burden of proof is on local government, but they often rely on the findings provided by the applicant. If it is a major zone change, LCDC receives 45 days notice of the decision. Individual decisions are only provided to LCDC upon request.

TAPE 37, SIDE B

005 REP. BAUM: When comprehensive plans are amended, LCDC receives notice before the hearing occurs. Within comprehensive plans are zoning ordinances. If a city or county changes a zoning ordinance, LCDC receives notice after the hearing. 014 DALE BLANTON, LCDC: Both zoning ordinance amendments and comprehensive plan amendments require advance notice to LCDC except for minor exclusions. The department is not required to receive notice in advance for individual building permits, conditional use permits, or other minor land-use decisions.

038 WOLF: This bill includes a new standard which requires a person to suffer an individualized injury, which would probably require a lot of litigation. 045 REP. HOSTICKA: If we adopted language on Lines 14 and 15 and if the local government violated the law and the involved party benefitted from the violation, there would be no method to enforce the law. 057 WOLF: The effect of this law on LCDC's ability to monitor local actions would be that LCDC would have to show that an individualized injury had occurred, which would be extremely difficult.

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060 REP. BAUM: Those with an opportunity for injury must live within a specific radius of the affected area. Those outside that area may have to show an individualized injury, which would be difficult to do.

067 WOLF: We do not know what the term "particularized/individualized" means. 074 KELLY ROSS, Oregon Association of Realtors: Testifies in support of HB 259 5. It is reasonable to ask that there be some kind of concrete injury before a land-use decision can be appealed. The courts may need to set new parameters for particularized, individualized injury, but the bill will help to discourage or prevent abstract appeals which may delay the process. Anyone can petition LCDC to start enforcement action against a county for a pattern or practice which violates goals and guidelines or the comprehensive plan. 106 REP. DOMINY: As a realtor, do you think you could prove individual injury if you were trying to sell property you didn't own? 108 ROSS: The current standard would probably only apply to an applicant who was denied an application. Suggests the addition of "suffered or will suffer" to the particularized individualized injury. 118 REP. DOMINY: Would this bill allow you to appeal on behalf of a client? 123 ROSS: Perhaps organizations could appeal if one of their members is a nearby property owner. 132 MARY McCURDY, 1,000 Friends of Oregon: Presents written testimony (EXHIBIT L)

in opposition to HB 2595. 181 REP. BAUM: What notice requirements should we establish for comprehensive plans?

187 McCURDY: I do not think the notice distance is sufficient because you could live outside the notice area and still be affected. LUBA decisions are not generally appealed by citizens outside an affected county. 203 REP. BAUM: Doesn't 1,000 Friends usually find a local citizen who lives within the notice area and use them as the represented party? 205 McCURDY: For local permit applications, local citizens generally come to us. If it is a significant issue, perhaps only 1,000 Friends would become involved, but since we have members in every county, affected individuals could also be involved. 219 REP. FISHER: It is not unusual for an applicant to go through the entire planning process up through a proposed appeal to LUBA, and at that final stage, encounter resistance from 1,000 Friends. 242 McCURDY: Under current statute, only those who participated before the local government have standing to appeal a decision to LUBA. 1,000 Friends would not have standing to appeal to LUBA unless we participated before the local government. Any issue raised before LUBA has . These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks repon a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. Subcommittee on Environment and Energy House Committee on Natural Resources March 8, 1993 Page 7

to have been raised below before the local government so it has the opportunity to respond to that issue.

298 TOM BRAWLEY, Citizen: Expresses concern with HB 2595. Believes current law sufficient, and does not want the appeal process limited. Believes bill is just another step towards the weakening of existing land-use laws. 366 REP. LUKE: How do you think this affects you as a commercial farmer? Are you concerned about potential dwellings being built around your farm which will affect your right to farm? 370 BRAWLEY: Yes. 375 REP. FISHER: Is this anything a good right to farm bill couldn't handle? 377 BRAWLEY: I think a right to farm bill is essential, but it is not the entire answer.

380 CHAIR REPINE: This bill will not change your ability to use the Oregon Farm Bureau or 1,000 Friends.

395 BRAWLEY: I understand that. The other concern I have with HB 2595 is payment to the prevailing party. This is already in the existing law, but this would give more leverage to a local decision without answering to a higher authority. 402 REP. BAUM: Did you say the law already allows prevailing parties to receive attorney fees in land-use decisions? 405 BRAWLEY: Refers committee to Lines 24 though 31. 441 BILL MOSHOFSKY, Oregonians in Action: Presents written testimony in support of HB 2595 (EXHIBIT M). Explains bill.

TAPE 38, SIDE B

126 REP. DELL: Has there been any research as to the number of LUBA appeals which may not have occurred if this standard had been in place? 130 MOSHOFSKY: No. We're patterning this after federal rules. I will ask Dave Smith to get back to you on that. 152 REP. FISHER: Will this also discourage someone from appealing an reasonable decision? 146 MOSHOFSKY: That could occur. 151 REP. HOSTICKA: Questions attorney fee addition. Are you requiring the party which requests attorney fees to have won the case? 165 MOSHOFSKY: Payment of

attorneys' fees is left to the discretion of LUBA or the court.

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162 REP. DELL: Clarifying the definition of "decision" is helpful. Isn't the final outcome usually characterized as an "order"?

179 MOSHOFSKY: A decision is considered the law of the land even though it is being appealed. We want the decision to not be considered final until the appeal process is exhausted. 184CHAIR REPINE: At request of Rep. Baum, clarifies issue of attorneys' fees as "frivolous case." Rep. Baum assures me this has never occurred. 206MOSHOFSKY: That is true. The idea of requiring payment of attorney fees is not unique to land use. A lot of litigation would be eliminated if a plaintiff had to pay the defendant's attorney fees if the plaintiff lost. Additions to the record: HB 2595 Staff Measure Summary (EXHIBIT N) HB 2595 Fiscal Impact Analysis (EXHIBIT O) HB 2595 Revenue Impact Analysis (EXHIBIT P) 234CHAIR REPINE: \_LOSES PUBLIC HEARING ON HB 2595

Calls for ten minute recess, to reconvene at 3:25 p.m.

241 OPENS HEARING ON HB 2932

256 VAN NATTA: Introduces meeting materials, including a copy of the bill, a Preliminary Staff Measure Summary (EXHIBIT Q), a Revenue Impact Analysis (EXHIBIT R) which shows there is no revenue impact, copies of statutes dealing with the siting of destination resorts, and a copy of the statute which gives the definition of conservation easement. House Bill 2932 relates to the siting of destination resorts and amends language in ORS Chapter 197, which deals with the comprehensive land-use planning coordination. It also amends all of the statutes regarding with the siting of destination resorts. We have not yet received a fiscal impact statement on this bill, since it is a comprehensive bill which will affect local government.

317 BILL MOSHOFSKY, Oregonians in Action: Under the land-use regulatory system, all rural land, with the exception of 700,000 acres, is zoned as farm or forest. There are no provisions for destination resorts. It is currently a daunting, nearly impossible task to develop a destination resort. As far as we know, no destination resorts have been sited in Oregon since 1984. 345 DOROTHY COFIELD, Oregonians in Action: Presents written testimony (EXHIBIT S) in support of HB 2932.

TAPE 39, SIDE B

001 REP. MARKHAM: Was the three mile prohibition for destination resorts adopted by LCDC administrative rule?

005 MOSHOFSKY: Yes. That standard was adopted by LCDC in 1984, and in 1987 the legislature . These minutes contain materi&ls which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's czact words. For complete contents of the proceedings, please refer to the tapes. Subcommittee on Ennronment and Energy House Committee on Natural Resources March 8, 1993 Page 9

copied it.

013 COFIELD: Continues testimony. Current statutes prohibit the siting of a destination resort in a big-game habitat. We have changed that to the federal definition of "endangered species" and have allowed destination resorts to be sited if a conservation plan or easement is created. 085 MOSHOFSKY: We have problems with the use of Goal 5 as a way to invade private land, and have eliminated the Goal 5 barrier.

087 REP. DOMINY: Elkton would be considered a big game habitat. If that was the only barrier, would you allow construction at that site?

091 COFIELD: Yes.

100 REP. LUKE: Would Sun River have been sited if today's standards had been in effect when it was developed?

103 COFIELD: Probably not.

119 MOSHOFSKY: A proposed destination resort in the Gearhart area was not sited due to a butterfly which was considered an endangered species.

127 COFIELD: Continues testimony. 168 REP. DOMINY: House Bill 2932 would reduce the distance between farmland and a destination resort from three miles to one thousand feet. If a destination resort was sited next to a cattle farm, how does this affect the right to farm versus a destination resort's desire for a clean and quiet environment?

183 COFIELD: Our bill allows destination resort siting within one thousand feet of a high-value crop. 193 REP. LUKE: Would you be opposed to a right to farm bill in conjunction with this bill?

198 MOSHOFSKY: We introduced an amendment to the right to farm bill last session, and have been in contact with the Oregon Farm Bureau this session. 220 REP. HOSTICKA: Does current law address proximity to industrial forestland? 221 MOSHOFSKY: Current law includes a provision for Class I and II lands. We have decided to allow destination resort siting on such land, but would consider an amendment to restrict siting only to good forestland. 240 REP. HOSTICKA: Is Salishan considered a destination resort? 241 MOSHOFSKY: Yes.

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245 REP. HOSTICKA: I have been told that the Salishan property owners are fighting with Boise Cascade about whether Boise Cascade can clearcut the ridge line above Salishan. Current law requires a minimum of 150 rental units to 150 residential units. Your proposed ratio is 75 rental units and up to 375 residential units. At what point does an area stop being a destination resort and start becoming a rural subdivision?

261 MOSHOFSKY: From industry standards, it would continue to be a destination resort and of value to the state. There is no provision in the law for the establishment of new cities or rural communities. There is bias in Oregon against the establishment of new rural communities.

274 REP. HOSTICKA: Usually a golf course is an excuse to sell lots, where the profit actually is. Isn't the current 1 - 1 ratio the biggest barrier for destination resort siting? 288 MOSHOFSKY: Certainly property values are higher when enhanced by other amenities, such as golf courses. We recognize that there may be a point when a developed area would no longer meet the definition of a destination resort.

307 REP. FISHER: Requests clarification of "resident" versus

"visitor." 312 COFIELD: "Visitor" is defined on Page 2 of the bill.

318 REP. FISHER: So an owner may not necessarily be a resident?

322 MOSHOFSKY: It was our basic intent that property owners qualify as residents.

393 REP. DELL: Questions Section 3 (4) regarding 75 rental units and a 100 -seat restaurant. Are these minimum numbers? In smaller developments, one restaurant seat per rental unit is required. One requirement seems specific, whereas the other is flexible, and there should be continuity.

410 MOSHOFSKY: This is really a zoning code which has no place in state law. We are trying to change these problems one step at a time.

TAPE 40, SIDE A

005 REP. DELL: Small developments can build 74 units on 20 acres, but 76 units require 160 acres. Is there a more reasonable way to establish ratios? 011 MOSHOFSKY: It is rather arbitrary. We didn't have the input, expertise or time to draw finer lines. 041 TOM GALLAGHER, Destination Resorts: Presents written testimony (EXHIBIT T) in support of HB 2932 with recommendations for improvement. 128 REP. DOMINY: Is the current three mile prohibition the biggest problem in siting destination resorts?

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148 GALLAGHER: It is important to change that section by adding positive concepts of mitigation and conservation, because each resort runs into a different problem.

157 BILL LYCHE, Resort Destination Coalition: There have been no new destination resorts in Oregon since 1984. Oregon is losing revenue, jobs and money for schools, and developers and designers need more flexibility to create good destination resorts.

192 REP. LUKE: Can you describe the studies Eagle Crest has provided for Deschutes County?

196 LYCHE: When a county adopts a destination resort ordinance, they must show within the county where destination resorts can be sited. Eagle Crest paid \$30,000 for the mapping of Deschutes County so the ordinance could be passed. Our agreement with Deschutes County is to pay for the costs of the process on an ongoing basis. 215 REP. LUKE: Don't you need stability, such as permanent residents, to hold these communities together? 224 LYCHE: I am very comfortable with a one-to-one or one-to-two ratio. I think a one-to-five ratio is too large. 233 REP. DELL: The bill proposes there be no destination resorts within 24 air miles of population centers with populations of 100,000 or more. However, the best areas for a wine country resort in Yamhill County are within 24 air miles of the Salem or Portland boundaries. 253 LYCHE: I think a resort destination should be allowed to be built within 24 miles of a large population center.

256 GALLAGHER: Many groups are in the process of siting, and each has added their objections to the bill. We did not touch the 24-mile limit because small resorts are not yet represented in the coalition. Believes



rental-residential ratio should be related to acreage. 282 REP. LUKE:  
How much money did Eagle Crest pay in property taxes? 283 LYCHE: I  
farmed Eagle Crest before it was a destination resort, and paid \$489 in  
annual taxes and hired one and one-half people. Last year, we paid over  
one million in taxes, and over half of that went to the school district.  
We employ 275 people, with a five million dollar payroll.  
316 CHRISTINE COOK, 1,000 Friends of Oregon: Presents written  
testimony (EXHIBIT U) in opposition to HB 2932.

TAPE 41, SIDE A

121 COOK: Continues testimony. Describes press release from the Oregon  
Economic Development Department showing that tourism in Oregon is a three  
billion dollar industry with dramatic growth in the past four years. At  
least four destination resorts have been approved for siting in Oregon  
since the statute was enacted.

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136 REP. LUKE: Who paid for the original comprehensive plan?

142 COOK: Many counties were financed through state grants. Resort  
developers may offer to pay for comprehensive plans and periodic  
reviews. It is not a good idea for county taxpayers to bear that burden.

163 REP. DOMINY: Could you provide a list of the four new destination  
resorts?

164 COOK: That information is on Page 2 of my testimony.

187 REP. FISHER: Why haven't these resorts been developed?

200 COOK: Land-use approval has been obtained. The holdup may be  
attributed to economics and totally unrelated to land-use restrictions.  
The Clear Springs Resort in Jackson County underwent a protracted court  
battle because of a successful attempt to change the siting map at the  
time of the destination resort application. 222 REP. FISHER: So the  
developers used the money they needed to build the resort to obtain  
legal permission to do what they had the right to do in the first place,  
and now they can't build due to insufficient funds? 226 COOK: I have  
not heard that Clear Springs is in economic trouble. The Wolf Tree  
destination resort was approved through the exceptions process instead  
of through Goal 8. However, the developers designed the resort to meet  
all the requirements of Goal 8, which knocked approximately one year off  
their application and site approval time. Subsequently, they went  
bankrupt. 248 KELLY ROSS, Oregon Association of Realtors: Testifies  
in support of HB 293 2. Only five counties in Oregon have gone through  
the destination resort procedures, which is a damning indictment of the  
process. 264 GREG WOLF, Department of Land Conservation and  
Development: Requests that changes in the law remain consistent with the  
original intent, which was to not allow the laws to become loopholes  
which would allow rural subdivisions. The Economic Development  
Department and the farming community should be represented and work with  
LCDC to identify problems with existing statutes regarding destination  
resorts. 289 REP. DOMINY: Is LCDC willing to be flexible regarding  
the three-mile limit? 293 WOLF: The three-mile limit was established

due to concern that there would be pressure on to allow rural residential development on farmland that was adjacent to resorts due to increased property values and the desirability of living near a destination resort. If there are restrictions on the type of development which can occur on high-value farmland, the need for the three-mile limit should be re-examined. 311REP. DOMINY: Will LCDC also be flexible regarding definition changes?

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310 WOLF: Yes.

320 REP. DELL: What happens when a three-mile limit comes up against a county line?

329 WOLF: The Land Use Board of Appeals determined that the county line needed to be crossed to determine whether there was high-value farmland within that area.

244 CHAIR REPINE: Problems occur when the exceptions process is used to create a resort instead of the Goal 8 process. Requests witness to facilitate group discussion with parties who are interested in Goal 8 rule changes.

251 WOLF: Agrees to request.

375 DON SCHELLENBERG, Oregon Farm Bureau: An earlier witness insinuated that the solution for the destination resorts problem would be to do away with all agriculture and make the entire state a destination resort. I want it on the record that farmland adds to the economy and pays its share of taxes.

We are not opposed to destination resorts, but are concerned about destination resort siting. Questions language change in HB 2932, Section 6, which appears to give the state preemption over local governments in the siting of destination resorts.

TAPE 40, SIDE B

021 CHAIR REPINE: Asks whether witness will participate in LCDC group discussion. 023 SCHELLENBERG: Agrees to participate. 028 CHAIR REPINE: Adjourns meeting at 5:01 p.m.

Submitted by: Reviewed by:

Karen McCormac Kathryn Van Natta Assistant Administrator

EXHIBIT LOG:

A - HB 2197 Staff Measure Summary - Staff- 1 page B - HB 2197 Hand-Engrossed -1 Amendments - Staff - 2 pages C- HB 2197 Revenue Impact Analysis - Staff- 1 page D - HB 2197 Fiscal Impact Assessment - Staff - 1 page E - HB 2197 Testimony - Bill Warren - 9 pages - These minutes contain materials which paraphrase and/or summarize

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F - HB 2197 Testimony - Denise McPhail - 2 pages G- HB 2197 Testimony - Jim Anderson - 2 pages H - HB 2197 Testimony - Michael Grainey - 2 pages I - Land Use Interest Matrix Recommendations - Rep. Sam Dominy - 2 pages J - Land Use Interest Matrix Recommendations - Rep. Marilyn Dell - 2 pages K - Land Use Interest Matrix, Page 9 - Staff- 1 page L - HB 2595 Testimony - Mary McCurdy - 1 page M - HB 2595 Testimony - Bill Moshofsky - 5 pages N - HB 2595 Staff Measure Summary - Staff - 1 page O - HB 2595 Fiscal Analysis - Staff- 1 page P - HB 2595 Revenue Impact Analysis - 1 page Q - HB 2932 Staff Measure Summary - Staff - 1 page R - HB 2932 Revenue Impact Analysis - Staff- 1 page S - HB 2932 Testimony - Dorothy Cofield - 5 pages T - HB 2932 Testimony - Tom Gallagher - 3 pages U - HB 2932 Testimony - Christine Cook - 8 pages

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