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To: Members of the House Rules Committee
From: Rhett Lawrence, Oregon Chapter Sierra Club
Date: June 4, 2013
RE: House Bill 3536

Chairman Garrett and members of the House Rules Committee: I write you today on behalf of the more than 20,000 members and supporters of the Oregon Chapter of the Sierra Club to strongly urge you not to pass HB 3536. Our organization has many concerns about this bill, which would allow the development of a resort-style development on agricultural and rural zoned lands in Sisters, Oregon, using a "transfer of development opportunity" from a failed proposal to build an "eco-resort" in the Metolius Basin. Following is a brief summary of our concerns:

- This plan is the latest in a series of controversial proposals by one family to skirt county and state land use laws in order to realize large returns by building roughly 650 units of housing and lodging on productive farm and rural land only two miles from Sisters city limits.
- HB 3536 would create a new type of land use designation – the "heritage guest ranch" – which would allow a developer to avoid destination resort requirements that protect natural resources and nearby property owners from impacts and assure that such developments are more than just housing subdivisions.
- This new type of zoning, which has had no public hearing, would reduce the overnight lodging requirement from the 40% required for resorts to only 25%, and would skirt the provision (from resort case law) that guarantees that 50 units of overnight lodging must be built first, before residences can be built.
- The bill essentially creates "most-favored-developer" status for one family over another hotel developer who already has a fully-approved permit for a 90+-unit lodge in downtown Sisters – a project that abides by all land use statutes, would increase commerce for downtown Sisters businesses, and would provide lodging for those visiting Aspen Lakes golf course.
- HB 3536 would remove county authority over development, eliminating any opportunity for the public to weigh in at the local level, allowing the developer to ignore county land use statutes, and making enforcement of the development requirements difficult.
- Most concerning is that the bill would gut Oregon's long-established goal of preventing sprawl and preserving our valuable and unique natural resources by encouraging building within urban growth boundaries, creating damaging precedents that other developers will surely try to duplicate.

In short, House Bill 3536 would set a very bad precedent for our state by creating a sweetheart deal to benefit one private landowner at the expense of Oregon's longstanding land use system. It should be the intent of state land use policy to create laws and rules that apply equally to ALL property owners, so every landowner is on the same level playing field, and development can proceed in an orderly way, based on consistent rules. For these reasons, the Oregon Chapter of the Sierra Club opposes HB 3536 and encourages this committee to do the same. Thank you very much for considering our comments and please do not hesitate to contact me for more information.