

April 6, 2015

**House Committee On Rural Communities, Land Use, and Water**

**RE: HB3416**

Chairman Rep. Clem , and Members of the House Committee on Rural Communities, Land Use, and Water,

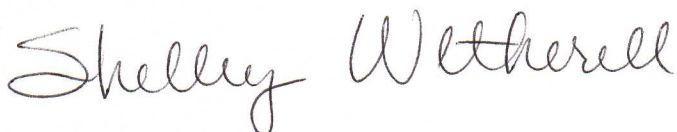
Thank you for the opportunity to comment in opposition of this bill.

Appeals to LUBA are the checks and balances of Oregon's land use system. In Douglas County where I reside, decisions are made either by the planning director or by a planning commission. The director answers to the county commissioners and planning commission individuals are appointed by the county commissioners. With all due respect to those serving in the thankless positions on the planning commission, these individuals often have a limited knowledge of Oregon's land use rules and statutes and depend on the advice from the staff of the county planning department. Often the planning commission values what staff tells them as the only applicable answer. This opens the possibility for a one-sided analysis resulting in a questionable decision. LUBA provides the only opportunity for a review on the legal merits of an application in a bias free environment.

The cost of a LUBA challenge done by an attorney is already cost prohibitive for most parties adversely affected by a questionable decision. To add the risk that the cost could be doubled if one does not prevail would be unconscionable.

I urge you not to move this bill forward. Thank you.

Respectfully submitted,



Shelley Wetherell  
577 Mode Road  
Umpqua, OR 97486