



Feb. 11, 2025

Chair Rep. Marsh
Oregon Legislature
House Committee on Housing and Homelessness
Salem, Oregon

Re: HB 4113 as amended: please **OPPOSE**

Dear Rep. Marsh and Members of the Committee,

Oregon Coast Alliance (ORCA) is an Oregon nonprofit corporation whose mission is protection of coastal natural resources, working with communities to enhance livability, and educating people to participate in the land use system.

ORCA writes today concerning the recent amendment on HB 4113, which reignites a transfer of development right (TDR) for a “conservation offset housing opportunity”. This is not a new issue – this is at least the fifth time extension the developer has requested, after having failed to use the previous time extensions. It is outrageous to extend this much time and opportunity without requiring substantive indicators of success. This original impetus, protection of the Metolius in 2009, was *seventeen* years ago.

It is extremely bad public policy to allow a single developer to have an opportunity again and again, to develop where he pleases and what he pleases, without oversight of the land use laws. Having failed many times to complete a development under his original TDO, the developer has lost his opportunity to move ahead.

This bill is even worse than previous time extensions have been. It allows residential and resort development on up to 200 acres of land – with 960 residential units. Let’s think about that for a moment. If each unit is occupied by only 2 people, that is nearly *two thousand* people – a small town. It would be an urban agglomeration out in the rural part of the state somewhere, necessitating sewer, water, transportation network and electricity – none of which at urban densities are found in rural Oregon. It is the essence of the land use laws that this is a waste of resources: urban infrastructure needs to be in urban areas. Rural infrastructure, much less intensely developed, serves rural occupations such as ranching, farming and timber management.

ORCA's mission area covers the entire Oregon coast. There are no places west of the Coast Range where such a massive resort could be placed without serious consequences for the environment, communities and rural occupations.

Ten years ago this developer was looking into a site in Clatsop County for the Metolius TDO resort. ORCA opposed it then, because it was a specific exception to the land use laws, which no developer should be able to get. Those laws are for all to obey, not for some to get exceptions to. A 2015 bill to extend the developer's timeline did then – and this bill would also – create a special category of one to allow special loopholes to apply, and at the same time create a terrible precedent under the land use laws for future developers with sufficient clout to get similar treatment.

However, this bill is not merely another time extension. As mentioned above, it greatly expands the size of the parcel and the number of dwelling units. It is only a sop to current sensibilities to require “affordability restrictions,” since a resort in a rural area is not where affordable housing is needed. The bill also contains significant greenwashing provisions that mask how egregious a proposal this is: granting a single developer the opportunity to ride roughshod over the land use laws until 2037.

This developer has failed for *seventeen* years to create a resort with his TDR opportunities. Enough is enough. There is no reason for giving him another chance after all these years, and abrogating the land use laws for a single special interest.

Please OPPOSE HB 4113.

Thank you,

Cameron La Follette
Executive Director

