

Kirkpatrick

COMMITTEE III

LAND USE, RECREATIONAL AND CULTURAL ACTIVITIES

June 8, 1976

Noon

A G E N D A

- 1. Call to order
- 2. Land Use Planning: The View from the Receiving End

Resource persons:

Steve Janik, Attorney

Robert E. Stacey, Counsel, 1000 Friends
of Oregon

Robert McDougal, Director, Homebuilders
Ass'n. of Metropolitan
Portland

- 3. Other business
- 4. Adjournment

BSL:els

MINUTES OF THE LAND USE, RECREATIONAL AND CULTURAL ACTIVITIES COMMITTEE III MEETING

Held: June 8, 1976

MEMBERS PRESENT: Gisvold, Chairperson; Blunt; Brickley; Bullier; Moshofsky; Sprecher; Stevenson; Commission Chairperson Cease

EXCUSED: Herrell, M. Johnson, Kirkpatrick

STAFF: Rich, Lamb, Garbutt, Martin

GUEST SPEAKERS: Robert E. Stacey, Counsel - 1000 Friends of Oregon
Steve Janik, Attorney

The chairperson called the meeting to order, introduced Mr. Stacey and explained this was the second meeting of this committee on land use planning to determine at what level of government the functions should be assigned. Gisvold asked Stacey to include in his talk the relationship of CRAG with land use planning.

Stacey:

My starting point is LCDC Goal 14; urban growth boundary around cities to determine water usage, etc. and estimate the population growth and design a boundary to serve these needs.

The role of the county becomes one of reconciling the goals of agriculture, natural resource preservation and residential needs. Rural development is not addressed in LCDC goals; this has become a county problem. We would like to see a program for rural living developed - what is needed and what is compatible with natural resources including farmland, timber lands, stream banks and wild like habitat. Every small area has an impact on the environment and therefore must be considered in the entire plan. Multnomah County has a policy that new rural home sites shall be located around existing rural home sites in order to minimize the destruction of undeveloped land.

Within the urban growth boundaries the county also enters into the planning; therefore, cooperation with the cities is essential. New roads and approval for subdivisions are part of the counties' responsibility within the boundary but outside the cities. State-wide, LCDC is supposed to meet the coordination goal. In the CRAG region this is the responsibility of CRAG. The size and complexity of the area creates special problems which do not exist in other parts of the state, and necessitates an agency such as CRAG.

In December, 1975, CRAG talked about what form regional growth should take. Planning then addressed major issues of growth; water table stability, densities desired, transportation route locations, etc. CRAG planning shifted to implementation of LCDC growth boundary goals.

The present framework plan is to draw up urban growth boundaries. These boundaries are being negotiated through a task force of the counties and cities. The negotiated plan will be a composite of local plans, not a

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Stacey - continued
regional plan developed from a regional perspective.

Two areas of concern in planning for development and population expansion are Wilsonville and Sherwood. In Wilsonville, where they are planning for 30,000 people, there is great concern that farmland will be taken over by the developers to provide housing for the work force of Tektronix, Inc. and other industry going in the one-half of the land which is zoned for industry. If Wilsonville wants to use undeveloped land for light industry, rail and truck freight hauling must also be considered in the planning. The CRAG plan recognizes the Sherwood plan that calls for a population of 28,000 people. That plan allows more development in the area than the Washington County framework plan.

Stacey expressed the following as his own views and not necessarily those of "1000 Friends of Oregon."

CRAG is not constituted properly to do the job it has. One of the problems is that the politicians involved represent their own jurisdictions rather than the region as a whole. When the CRAG board dropped their 1974 plan it was a signal that they were not interested in grand policies but in a gradual approach.

What is needed is a regionally-elected body responsible for the implementation of the policies of Port of Portland, Tri-Met, CRAG, etc. The body should act in close liaison with local service districts. There should be some well thought out designs for handling neighborhood needs in order to subdue the feeling that the agency is a powerful czar. It should be outlined in statutory language that prohibits a regional agency from interfering with matters which are strictly local. A state body would welcome the help of a metro council. Cities should have clearly defined responsibility. Regional growth goals depend on maintaining a healthy urban core. I feel this could be accomplished by the system of voting for elected officials.

It is to the advantage of all entities in the area to cooperate on regional planning; each is affected by the decisions and actions of the other. If this idea is not presented at this time, it may not happen at all.

The chairman introduced Steve Janik, attorney, Davies, Biggs, Strayer Stoel and Boley, who has taken appeals to LCDC.

Janik:

I represent developers, although I am selective about the ones I represent. I am in general agreement with ideas Stacey has expressed.

The court has decided that once a zoning ordinance has been put into effect it cannot be changed without a showing of public need. I believe this is a serious mistake. The question should be: Is this particular project suitable for this site and whether it has a net public value.

I am concerned that the planners do not have an accurate forecast for population expansion in order to design an effective program. Their plans are not flexible enough to reflect the facts we have to go on. I suggest we must be

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Janik - continued

more sensitive to the power we give planners. They need to build within themselves the mechanism for change and adjust with the needs.

There are two kinds of planning: Responsive planning, which is a study of the projections, then an attempt to meet those needs - Tri-Met is an example of this. Then there is Leadership planning - deciding how we want the community to be and designing a plan to accomplish it. This kind of planning is more difficult. We should identify which resources are critical and which ones we want to use to guide our planning. Priorities are different in each area. More detailed studies on the local level are needed to determine if it is the right time and place for facilities. Also, the state is not providing enough in terms of economic development planning.

LCDC is playing a watch-dog role and trying to do too much. There are only a few areas such as the coast which have state-wide interest. The coastal areas are so valuable to the rest of the state that those who live there must expect to consider input from other parts of the state. LCDC should not be the review agency; this role should be provided by the courts. LCDC should resolve conflicts between jurisdictions only when its goals and guidelines would be violated; otherwise, this should be done by a regional body.

The question is, how do we produce a decision making process which is responsive to the voters? Can the voters make informed decisions on land use planning issues? They do not always have all the facts necessary to make a workable decision, and it is not always in the public's best interest to allow such issues to be decided by the public. A board appointed by the Governor with skilled people who have the best interest of the area in mind and the time to provide this service, rather than people elected by name familiarity only, would do a better job. Elected officials might interject their own short-term political goals into land use planning. Local elections cannot serve the over-all planning needs.

With regard to the "public need" question, Mr. Stacey replied that the problem was improperly drawn plans which lacked clarity.

Meeting adjourned

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