

COMMITTEE III LAND USE AND
CULTURAL AND RECREATIONAL ACTIVITIES

TUESDAY, July 6, 1976

N O O N

- 1.) Call to Order
- 2.) Allocation of Land Use Responsibility
 - A.) Committee discussion and assignment of function
- 3.) Adjournment

KSM:rr

MINUTES OF COMMITTEE III, LAND USE, RECREATIONAL & CULTURAL ACTIVITIES
MEETING

Held: July 6, 1976

MEMBERS PRESENT: Chairman Gisvold; Vice Chairman Herrell; Blunt, Bullier, Brickley, Jaeger, Kirkpatrick, Moshofsky, Stevenson and Thorgerson

STAFF: Rich, Martin, Kelly, McCarthy and Stamm

The meeting was opened by Chairman Gisvold.

Ken Martin presented a chart of functional assignments which triggered discussion, both critical and supportive. Some disagreement was simply a matter of semantics, some of philosophies. Terminology such as "framework planning", "plan" rather than "planning", "standard setting", etc. came under fire. It was decided that a uniformity of language that would be understood by all the committee was needed. Kay Rich said the staff would compose a memo to help clarify this.

Other discussion covered many subjects, including: 1) Senate Bill 100, the 1973 Oregon Land Use Act which created LCDC. SB 100 is complicated by the appeals process. If the committee thinks there should be a limitation to the appeals rulings, they could make such a recommendation to the Legislature. Some believed that LCDC should have jurisdiction over items of state-wide significance only. Thorgerson thought state laws should be applicable to people throughout the state, with some modifications. Moshofsky thought many legislators from other parts of the state were not interested in our metro area. Residents of the metro districts are not as upset with LCDC as those in outlying areas. There is the question of what is state-wide - - what is of metro significance? The staff was asked to check on what the criteria was in the Minneapolis and Atlanta studies. Rich said he would get a copy of an attempt in Hawaii to develop priorities for determining levels of responsibility for the committee's perusal. He also said that no one has done an excellent job of clearly outlining responsibilities in connection with land use planning.

The chart showed the Middle Tier as status quo. General consensus was that it could be left this way. Regarding local level, Jaeger said that she did not want to see the neighborhoods institutionalized, but that local government should be broken down further than it is now. Thorgerson related an experience with neighborhoods in Forest Grove where the people were not interested in participating unless there was a crisis involving them or their immediate environment. Jaeger felt that neighborhoods were probably needed and used more in Portland and Multnomah County because of the bigness of their governments. She referred to an article in a Vancouver newspaper stating that people wanted smaller units of government. The committee all agreed that anything regional would not be approved by the voters unless they were sure of receiving benefits.

A question was raised, should a Tri-County Council have some limitation similar to what LCDC has?

Brickley said that if the procedure for the appeals process was clearly defined, it would be more equitable.

Rich said that if the government of Portland, for example, were broken down into more local entities, their responsibilities must be identified. Do they provide water - - sewers - - parks? Functions of cities, counties, metro and state should be outlined. Moshofsky said such things as national defense, energy, etc. had to be a federal function. We must analyze things we have and decide where they belong, placing them as locally as possible. Jaeger thought permits for small home improvements could be done on a more local basis than cities. Blunt thought people need to have a say in what the metropolitan body would do. People in outlying districts pay for benefits for metro area.

There was a difference of opinion on whether people needed more than one level of government to seek answers. Some thought they did and others thought that people could always appeal to the courts. Moshofsky said that the more levels people can go to, the more they will use them to stop progress and that the law must exercise some restraint.

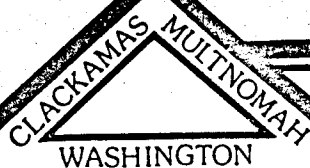
Herrell reminded the committee that their charge was to determine functions and structure and that working procedures would be worked out later; he did not believe that this Commission could deal with administrative law problems.

The committee was assigned the task of each designing his or her chart, delegating functions, in order to make individual thoughts more clear to other members of the committee, and bring them to the meeting in two weeks when Land Use will again be discussed.

The next meeting will cover Cultural Activities.

The meeting was adjourned at 1:35 p.m.

els



TRI-COUNTY LOCAL GOVERNMENT COMMISSION

1912 S.W. SIXTH, ROOM 244

PORTLAND, OREGON 97201

(503) 229-3576

Ronald C. CEASE
Chairman
Carl M. HALVORSON
Vice Chairman
A. McKay RICH
Staff Director

July 6, 1976

MEMORANDUM

TO: COMMITTEE III, LAND USE, RECREATIONAL & CULTURAL
ACTIVITIES

FROM: KEN MARTIN

RE: ASSIGNMENT OF FUNCTIONAL AREAS FOR LAND USE.

Attached is a working draft of a chart indicating possible
assignment of the various aspects of land use planning activity.

The assignments are based on expressions of desire by the
committee and an interpretation of information presented to the
committee by the staff and by resource persons.

KM:els

Attachment

John BAILEY
Herb BALLIN
Marlene BAYLESS
Mary-Elizabeth BLUNT
Philip R. BOGUE
Ilo BONYHADI
Alan BRICKLEY
Dennis BUCHANAN
Albert BULLIER, Sr.
Joy BURGESS
Ted CLARNO
Elsa COLEMAN
John FREWING
Dean GISVOLD
William GREGORY
Lloyd HAMMEL
Hazel G. HAYS
Stephen B. HERRELL
Nancy HOOVER
Barbara JAEGER
Leland JOHNSON
Martin JOHNSON
Charles JORDAN
Hugh KALANI
Julie KELLER
Corky KIRKPATRICK
Loyal LANG
Robert LANDAUER
Ed LINDQUIST
Harold LINSTONE
Raymond MAIER
Tom MARSH
G. H. MATTERS DORFF
Wanda MAYES
Maria Elena Bazan
McCRACKEN
Hugh McGILVRA
Douglas MONTGOMERY
William MOSHOFSKY
Gary NEES
Jack NELSON
John NIGHTINGALE
Mary OPRAY
Mary RIEKE
Frank ROBERTS
Edward ROSENBAUM
Fred RUSSELL
Betty SCHEDEEN
Robert SCHUMACHER
Mildred SCHWAB
Virginia SEIDEL
Mike SHEPHERD
Robert SIMPSON
Estes SNEDECOR
Larry SPRECHER
Marlene STAHL
Ardis STEVENSON
Donna STUHR
Steve TELFER
Ora Faye THORGERSON
Jerry TIPPENS
William B. WEBBER
Julie WILLIAMSON
Roger W. YOST

Upon suggestion of committee members, and, as a result of discussions with resource persons, it is suggested that the functional listing in the matrix be modified to include two subfunctions - - Comprehensive Land Use Planning and Implementation - - with several activities under each, as follows:

Land Use
 Comprehensive Planning
 Framework
 Specific

Implementation
 Zoning
 Subdivision Control
 Building and Housing Code
 Plan Check
 Structural Inspection
 Mechanical Inspection
 Electrical Inspection
 Plumbing Inspection

Framework planning involves the adoption of goals and guidelines on a state or, at least, area-wide basis and the creation of a general plan to accomplish same. Framework planning is intended to include all currently authorized functions of LCDC and CRAG and assumes that these bodies will eventually be performing all of their authorized and mandated roles.

Specific planning is planning done on a local level, i. e. cities and counties. Specific planning is more detailed than framework planning. Specific planning is intended to encompass the majority of planning currently being done by cities and counties. However, specific planning is always assumed to be done in conformance with framework planning.

LCDC's current function should remain at the state level, assuming this function will ultimately be entirely operational as authorized.

Some funding for planning is allotted to the state through LCDC.

Electrical Inspection is assigned to the State level based on the Oregon State Building Codes Division chart. A majority of the counties have electrical inspection done by the state, and there was no indication by committee members that this should be changed.

Framework planning is an upper level function, since all planning must comply with standards set by LCDC. The law allows for a regional body, i.e. CRAG, to ensure all planning meets these standards. CRAG is mandated to create a regional plan and to review all comprehensive plans on a regional basis to determine conformity with state-wide planning goals.

As suggested by resource persons, standard setting for zoning is assigned to the upper tier to ensure uniformity of zoning ordinances and terminology throughout the region.

Specific planning and zoning is traditionally performed at the local level, and there was no indication from the committee or resource persons that this should be changed. Subdivision control remains at the middle tier because the committee expressed no desire to change it from status quo. The various building code inspections are currently assigned to the city/county level in accordance with the chart devised by the Oregon State Building Codes Division. The committee and resource persons again indicated no desire to change this.

KM:els

Land
Use
(LV-32)

State

Framework
Planning ^{Goals}
• Funding
• operations
USC

Specific
Planning
(CDO) • Funding

Electrical ★
Inspection
• Funding
• standard setting
• operations

Resolution conflict

enforcement

Upper
Tier

Framework
Planning
• Funding
• operations
CLAE

Zoning
• standard
setting
*uniform terminology
ordinances*

Middle
Tier

Specific
Planning
• Funding
• operations

Zoning
• Funding
• standard
setting
• operations

Subdivision
Control
• Funding
• standard
setting
• operations

Plan Check
• Funding
• standard
setting
• operations

Lower
Tier

Structural
Inspection
• Funding
• standard
setting
• operations

Mechanical
Inspection
• Funding
• standard
setting
• operations

Plumbing
Inspection
• Funding
• standard
setting
• operations

not status quo *