

Gov. Straub faces flack from state land use proponents

Proponents of a plan to let voters make changes in Oregon's land use law are having a hard time convincing Gov. Bob Straub they don't want to halt land use planning altogether.

SALEM SCENE

By Jock Zimmerman

The plan—now in the form of an initiative petition—seeks mainly to restore control of land use planning to the State Legislature and the people they represent.

Known as the LUPCAC Initiative, because its drafters call themselves the Land Use Planning Constitutional Amendment Committee, it needs signatures of 61,646 registered voters by July 7 in order to appear on the November ballot. Major supporters are the Oregon State Home Builders Association, Oregon Association of Realtors and Associated Oregon Industries.

Gov. Straub has been particularly critical of AOI's supporting role and appealed in vain for its Board of Directors to withdraw backing by that statewide association of private employers. Although the AOI Board refused to change its mind, the Governor's cudgel has been taken up by editorial writers for major metropolitan newspapers. All either urge supporters to back off or warn the public of dire consequences if the initiative does indeed achieve ballot status.

In essence, the initiative proposes a constitutional amendment that would require the Legislature to adopt statewide land use planning goals and cities and counties to adopt comprehensive plans under established procedures.

It would prohibit the Legislature from delegating the goal-setting responsibility as it has to a seven-member appointed Land Conservation and Development Commission.

It would not abolish LCDC but permit it to function as an advisory, arbitrator and administrative agency with authority to provide funds and technical assistance to cities and counties, make planning recommendations to the Legislature and arbitrate land use conflicts between cities and counties. LCDC would continue to perform all of its present functions with the single exception of establishing policy by setting goals.

It would require the Legislature to establish a procedure for giving notice by mail to property owners whose property is rezoned and make property owners eligible for compensation if the Legislature imposes restrictions on geographic areas not applying throughout the state.

Oddly enough, these points aren't the biggest source of contention. The effective date is. Because if it does appear on the ballot and if the voters do approve it, the constitutional amendment becomes effective March 8, 1979—two months after the next regular session of the Legislature convenes.

Opponents claim the Legislature cannot act on the issue in 60 days. They fear the issue will drag on interminably and the current system will collapse before lawmakers make a decision.

In actuality, the Legislature must make several decisions if the LUPCAC Amendment is approved by voters. Some are more weighty than others. But in the meantime, the state's planning and zoning ordinances are controlled by cities and counties. They will remain unaffected and continue to conduct business as usual.

Another consideration, unique to present land use law and unaffected by the amendment, is the presence of the Legislature's own Standing Committee on Land Use Planning. It is a statutory

body, in existence since passage of Senate Bill 100 in 1973.

This joint committee of both houses of the Legislature is empowered now to conduct hearings on issues raised by the initiative proposal and draft bills for legislative consideration some six months hence. At the latest,

that committee should start reading such legislation as soon as the votes are counted in November.

LCDC Chairman John Mosser expresses fear the agency will not be able to expend already appropriated funds to assist cities and counties in completing comprehensive

plans if the amendment is approved. An opinion by Attorney Gen. James Redden refutes that contention and other contentions that hint land use planning would go down the proverbial drain if voters support the initiative.

Land use planning really got off the ground in Oregon a

decade ago with passage of Senate Bill 10 during the 1968 legislative session. That measure called for statewide zoning, more or less an inventory function to be conducted by local governments.

The Legislature in 1973 enacted Senate Bill 100, establishing LCDC and present

land use law. That Oregonians generally favor land use planning is apparent by the fact a referral of SB 10 failed and so did an initiative to repeal SB 100.

In the light of such strong and continuing public support, it is difficult to understand the fear now being expressed by

those who oppose giving voters a chance to ask their elected legislators to clarify and simplify the existing process.

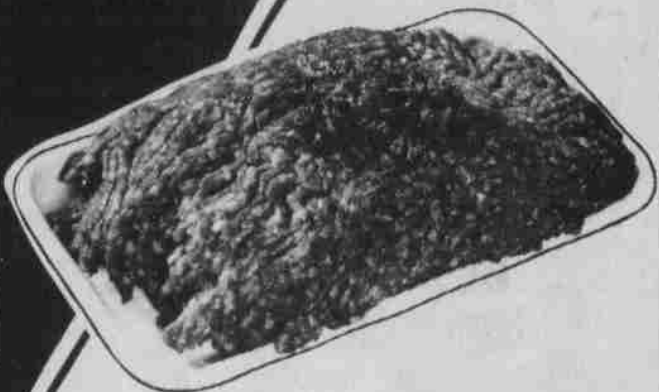
Voter approval of the LUPCAC Amendment would most simply mean the people want land use planning controlled by elected legislators—individuals placed in office by a majority of concerned citizens from all parts of the state.

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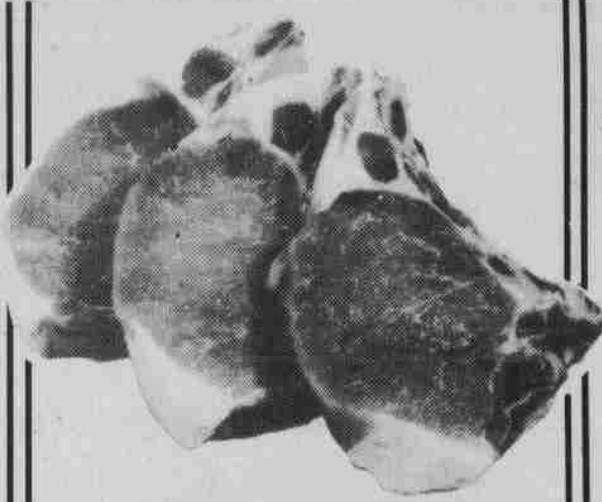


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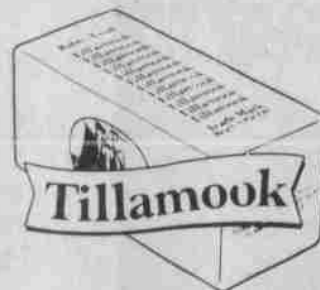
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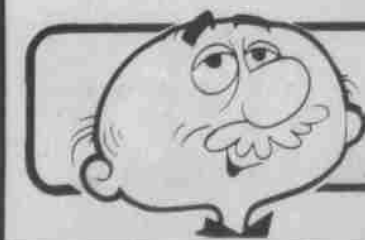
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