

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

DATE: January 27, 1993 TAPES: 10 -13 PLACE: Hearing Room  
C TIME: 8:00 AM MEMBERS PRESENT: Senator Ron Cease, Chair  
Senator Jim Bunn, Vice-Chair Senator Joyce Cohen Senator Bob Kintigh  
Senator Bob Shoemaker Senator Gordon Smith Senator Dick Springer STAFF  
PRESENT: Chris Warner, Administrator Kus Soumie, Clerk

MEASURES CONSIDERED: INFORMATIONAL MEETING for LCDC (Invited testimony only)

THESE MINUTES CONTAIN MATERIALS WHICH PARAPHRASE AND/OR SUMMARIZE STATEMENTS MADE DURING THIS SESSION. ONLY TEXT ENCLOSED IN QUOTATION MARKS REPORTS A SPEAKER'S EXACT WORDS. FOR COMPLETE CONTENTS OF THE PROCEEDINGS, PLEASE REFER TO THE TAPES.

TAPE 10 SIDE A 005 CHAIR CEASE CALLS MEETING TO ORDER 8:10 AM

012 BILL BLOSSER, LCDC, gives agency overview and EXHIBITS A, B and C.

056 DICK BENNER, Director, LCDC, presents overview of EXHIBIT C, and gives agency overview.

- coordination of growth and development - comprehensive planning 234  
BENNER: - continues agency overview

305 SEN KINTIGH: Comments on Small Woodlands Owners' opposition to present policy practices.

320 BENNER: Acknowledges opposition from small agricultural interests. Seurlte Axriculture & Natural Resources Jlulu~rr 27, 1993 Page 2

- continues agency overview - periodic review process as imperative - special residential uses and programs implemented through periodic review process - review of changes made in 1991 Session regarding Periodic review

TAPE 1 1 SIDE A

008 BENNER: - continues overview

- waiver of planning commission review for builders aggregate citing convenient for metro needs - proposed legislation for 1993 Session - success of coastal zone management - federal matching funds for Coastal zone management - LUBA process and alternatives - annexation of farm and forest lands and rule changes

141 SEN KINTIGH: Gives testimony on Permit process and reads comments from, reports of hearing officers illustrating mistrust generated by LCDC.

185 BENNER: Rules on farmland side offer flexibility for Counties in identifying.....

- flexibility given to local governments by LCDC implementation of SB 100

227 BLOSSER: Comments on Sen Kintigh's collected comments form parties opposed to LCDC's permit processes

263 SEN SMITH: Comments on zoning variances and constant requests to address secondary lands rules.

279 BLOSSER: Secondary Lands issues are very complex. Cost issues once decided upon should make things less costly.

325 BENNER: - continues discussion on Secondary Lands issues for counties.

350 SEN SMITH: - LUCAS V CAMPBELL Supreme court case and its relation to Oregon LCDC problems.

- Lucas cases effect on Oregon discussed (dealing with beach property)

TAPE 10 SIDE B Seunte Agriculture & l~ntural Resources January 27, 1993  
Page 3

005 BENNER: - discussion on the Lucas v Campbell case continues

- cost of compensation - windfalls used for funding compensation of lost value through zoning changes - presents overview of issues concerning and introduces Representatives of Association of Oregon Counties. 100 RUSS NEBON and ART SCHLACK, Association of Oregon Counties, give testimony on Land Use Planning issues. - unwillingness to provide ground rules for criteria for UGB's (Urban Growth Boundaries)

187 ART SCHLACK. Land Use specialist, Association of Oregon Counties, offers testimony on LCDC issues and refers to document "Legislative Priority Document"

- wet lands issues

247 JOHN RUSSELL, Russell Development, gives testimony with examples from his company's experiences with LCDC and other State agencies.

- issues within real estate industry - profiteering from stability of land owners - who profits from land use planning? - quotes from the CEO of Mitsubishi Corporation - certain persons profit from property value instability

360 BILL MOSHOFSKY, Oregonians in Action, gives testimony on LCDC issues and presents overview of EXHIBIT E.

- mentions "Draconian restrictions" placed on farmers

TAPE 1 1 SIDE B

010 MOSHOFSKY: - continues testimony and overview of EXHIBIT E.

- LCDC should take broader view and deal with real conflicts - highest priority is adopting realistic processes - recent LCDC rules are disastrous - 20 acre minimums for building unfair - economic value to community enhanced due to owners presence on land - repeal legislation adopted in August needed - revision of 1989 legislation - 1983 law providing for destination resorts is too restrictive . Se''ale Agaculture & Nntural Resources Jmlully 27, 1993 Puge 4

100 MOSHOFSKY: continues testimony and overview of EXHIBIT E

200 MOSHOFSKY: continues testimony and overview of EXHIBIT E

- Benefits of residents in rural areas have been neglected - fire concerns seen as a "gimmick" and are unfounded and contrary - coordination not up to par at LCDC - planning for citizens is not occurring in LCDC - private parties oppositions not heard

300 KEITH BARTHOLOMEW, Staff Attorney, 1000 FRIENDS of Oregon, gives testimony on LCDC issues. 340 BLAIR BATSON, Staff Attorney, 1000 FRIENDS of Oregon. gives testimony on LCDC issues.

TAPE 12 SIDE A

005 BATSON: - continues testimony and speaks of complicated regulations and boundaries of the Legislature in LCDC issues.

- legislature is urged to consult with the commission when contemplating rule and structural changes.

030 BARTHOLOMEW: Presents overview of population growth and land use issues in relation to natural resources.

- refers to SB 100 - provision for economic growth in SB 100 protection of natural resources - Oregon is noted nationally for its protection of natural resources and quality of life Oregon's competitive edge is its quality of life - These values need to be retained for future generations

154 BARTHOLOMEW: - continues testimony on LCDC issues

- in model for the year 2010, sprawl is indicated for entire tri county area

167 SEN SMITH: Would like to go on record as applauding LCDC 's attempts in urban problems and notes UG issues possibly overshadowing rural needs. I would like to be the one to heal that. Satisfactory solution livable for all is needed.

203 JOHN CHANDLER. Home Builders Association, gives testimony on LCDC and issues surrounding the 1 993 Legislative Session. Senate Agriculture & Natural Resources January 27, 1993 Page 5

- 1973 rural boundaries and difficulties in building within and without those boundaries - rules vague and uncertain - building not occurring in Portland area due to overly complex land use procedures - industry planning system not realistic - developers ignored within LCDC - rising no growth sentiment viewed as unrealistic - UGB concept must be dealt with

TAPE 13 SIDE A

005 CHANDLER: - continues dialog with Chair Cease and testimony on LCDC issues relating to home building industry.

- overview of proposed legislation for 1993 Legislative Session - opponents of land use planning are sophisticated - Grid-locking on rural land issues - rural issues are not most pressing - regional land use issues very different - focus in Urban Land use arena needed

126 CHANDLER: - continues overview of LCDC issues.

159 PHILLIP FELL, MAGGIE COLLINS. Planners for the City of Milwaukie Oregon, gives testimony on Urban Growth Management programs, pros and cons of the process.

- problems cities must deal with - residue of local decisions - local programs not state but locally imposed - plan implementation is local problem - frustration with rules imposed on cities

273 COLLINS: continues testimony on LCDC issues as they relate to cities.

- local decision makers know where their policies are - program weaknesses/strengths - resource issues take more time than UG issues - definition of net result of urban planning - growth and development unsatisfactory

TAPE 12 SIDE B

005 COLLINS: continues testimony on LCDC issues as they relate to Cities in Metro Area Senote Agaculture & Nalund Resources January 27, 1993 Page 6

024 DICK ANGSTROM, Managing Director of Aggregate Producers of Oregon, gives testimony on the effects of LCDC regulations on the aggregate industry. - goal 5 critical - periodic review important - assistance of field staff in reviews - amendments and narrow focus desired

154 CHAIR CEASE ADJOURNS MEETING AT 11:05 AM

EXHIBIT LOG: A - Proposed Legislation LCDC - Dick Benner - 2 pages B - Oregon Planning Program LCDC - Bill Blosser- 2 pages C - Oregon LCDC Plan - Dick Benner- 13 pages D - Testimony on LCDC Overview - Bill Moshofsky - 1 page

Submitted by:  
Green Assistant

Reviewed by: Kus Soumie  
Administrator

Peter