



# The Homestead

Spring 2008



## Yes on M49 – A Major Success!

Thanks to all volunteers who helped with the campaign. The passage of Measure 49 was a big step in limiting subdivisions and commercial developments in rural areas across the state. We had many volunteers helping with campaign efforts in Polk County including house parties, phoning and fundraising events. Measure 49 was approved by over 15,000 voters in Polk County, 65% of the total. This is a clear message to our elected officials that Polk County citizens do not want inappropriate levels of development in our farm and forest zones. Let's hope that this message helps promote better land use planning practices in Polk County.

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## FPCO's Annual Meeting

March 27, 2008

Monmouth Library

168 S. Ecols St.

Business meeting: 6:15-6:45 pm



*Guest Speaker: 7:00-8:00 pm*

Richard Whitman,  
Director of the Department of Land  
Conservation and Development

## Topic: “The Measure 49 Process”

the state planning system, will help create a sustainable Oregon.

### Has Oregon’s Land Use Plan Been Successful?

The Big Look Task Force published a preliminary evaluation of Oregon’s Land Use Plan in July 2007 and states **11 conclusions-**

- Oregon’s land use system has protected agricultural and forest lands.
- Oregon has contained urban sprawl and managed growth.
- Oregonians support land use planning, but they also believe in private property rights.
- Oregon’s land use program is viewed as a regulatory program rather than as a resource for planning.
- The land use program has become a complex mix of statute, case law, amendments, administrative rules and specific exceptions.
- Our land use system should adapt to distinct differences between the high growth and low growth areas of the state.
- One-quarter to one-third of Oregon’s land outside UGBs has been designated exclusive farm use (EFU), and can only be amended by the state legislature.
- Oregon will be challenged to finance and maintain the infrastructure that will accommodate the growth of 2 million more Oregonians by the year 2035.
- There are lessons to be learned from land use planning approaches in other states and countries.
- The state of Oregon does not have a strategic method for understanding the values of Oregonians, particularly as those values shift or change over time.
- Most Oregonians share a few basic goals that, when properly balanced in

For full text of preliminary conclusions see: <http://www.oregonbiglook.org> “Preliminary Findings & Recommendations”

### Revision of Oregon’s Land Use Plan?

The Big Look Task Force suggests four alternatives for accommodating Oregon’s growth-

#### **Alternative 1: Status Quo**

This alternative largely would reflect Oregon’s existing land use planning system. Land use policies are governed by the state and implemented through plans by local and state governments, as per the state’s administrative rules and 19 state-wide planning goals.

#### **Alternative 2: Regional and Local; Performance Standards**

This alternative would rely more heavily on regional and local governments, particularly as it relates to implementation. This would call for a planning process that is guided by four overarching planning goals and then primarily implemented at the regional and local level, using 19 or more policies that can be adjusted for regional differences.

#### **Alternative 3: State Strategic Planning**

Like Alternative 2, this alternative would rely on a state-wide strategic plan with four planning goals; however they would be implemented primarily through a combination of state, regional and local regulations and financial incentives.

#### **Alternative 4: Local Control; State Standards**

Under this alternative, planning processes and systems would be optional for local jurisdictions. Local jurisdictions could develop their own independent standards and processes, with little or no state oversight.

For full description and meeting calendar see:  
<http://www.oregonbiglook.org>

## Measure 49 Update for Polk County

Under the new regulations of Measure 49 The Department of Land Conservation and Development (DLCD) has 120 days from December 7, 2008 to notify all Measure 37 applicants of their options under the new law. The three options are: express processing for 1-3 new dwellings, conditional review for 4-10 new dwelling sites, or approval of vesting for developments that are already substantially completed.

As of March 21, DLCD has notified 230 (about 70%) of the Polk County claimants of their options. Polk County claims include about 23,000 of farm and forest land and more than 3,000 new dwellings were proposed. Claimants have 90 days to choose an option once notified by DLCD. As of March 21, 25 replies were received from Polk County claimants: 23 have chosen the express option for 1-3 dwellings, one has withdrawn and one is N/A.

<b>What will be the effect of Measure 49 on proposed Measure 37 developments?</b>
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Statewide most applicants have chosen the Express option and the predicted effect is a reduction of the number of new approved dwelling sites to 10% of the level proposed under Measure 37. In order to preserve resource land, Measure 49 also restricts the location of new dwellings to parcels of 2-5 acres. Measure 49 also removed the option of commercial and industrial developments on farm and forest land.

Election returns and logs of notices are posted on DLCD web page and updated twice a week:  
<http://www.oregon.gov/LCD/>

## Polk County Measure 49 Election Returns

See table below for comparison of development proposed under Measure 37 and allowed under Measure 49\* for Polk County claims where applicants have submitted their choice for a Measure 49 option.

Polk County Measure 49 Claims

Claim No.	Claim Name	Acres	M37	Estimated
			Proposed Dwellings	Express Dwellings
M118649	Bellamy	25	4	3
M131016	Brateng	2	2	2
M133329	Cobine	14	3	
M124318	Cunningham	28	5	3
M130750	Daum	153	7	3
M130751	Daum	44	3	0
M129551	Gross	68	68	3
M122801	Finster	10	3	3
M122802	Finster	10	3	0
M124701	Fisher	300	60	0
M129945	Haas	29	4	2
M118561	Hoekstre	99	10	3
M119304	Hoekstre	172	3	3
M121685	Irvin	13	1	1
M131584	King	211	42	3
M118539	Lamb	1	1	1
M130016	Morey	43	4	3
M129945	Nisly	62	3	3
M129666	Raffety	12	2	1
M124842	Richardson	45	8	3
M130547	Schwanke	14	?	3
M118637	Seibert	77	17	1
M130623	Stork	43	1	1
M118545	Stuivenga	13	1	1
M125192	Turner	54	3	3
	Total	1542	258	49

\* The exact number of allowed new dwelling sites is pending review by DLCDC.

Committees (AACs) in 2006. Polk County is self-insured and seeks to avoid liability whether perceived or real.

The Planning Commission (PC) members were instructed by BOC to find an alternative to AACs that would satisfy the law (Goal 1) of the Comprehensive Plan) and eliminate liability. The Planning Department asked the Committee for Citizen Involvement for their input. The CCI presented a citizen involvement plan to the Planning Commission for consideration but it was quickly rejected. The Planning Commission did not want any citizens who were self-appointed to a neighborhood group to have the ability to comment on planning application at the pre-notice stage. They expressed the opinion that pre-notices of land use applications made applicants a “target”.

The PC favors eliminating the seven area advisory groups and creating a Citizen Advisory Committee appointed by the BOC. They believe that this option would allow more control over who participates in land use planning.

One more PC work session and a joint meeting with the BOC will take place before public hearings are held. We will provide updates to our members on this issue via our website. Notices of the public hearings will be posted in the Itemizer-Observer.

Contact Karen Lippsmeyer (503 838-0864) for more information. Contact the Board of Commissioners (503 623-8173) and express your opinion about the importance of citizen involvement.

**Polk County Plans to Deactivate Citizen Area Advisory Committees**

The Polk County Board of Commissioners (BOC) became concerned about liability related to indemnification of Area Advisory

**Our Mission Statement**

*Who are the friends of Polk County, Oregon, and what is our purpose?*

**Mission:** Friends of Polk County, Oregon, seeks to protect farm and forest lands which form the base of Polk County, to maintain the health and livability of our communities in the face of increasing population, and to preserve the quality of life we presently enjoy.

**Implementation:**

These objectives will be achieved in part through involvement in the following activities:

- Preservation & enhancement of the statewide land use planning system by, for example, contact with individual legislators, testifying at committee hearings, & providing information to the media.
- Monitoring local land use decisions at the county and city level to ensure compliance with regulations and ordinances.
- Organizing opposition to proposals, regulations, & decisions not consistent with our objectives.
- Improvement & strengthening of local land use regulations through participation in citizen's advisory committees & planning commissions.
- Education of the public about land use issues & their importance to livability, the local farm & forest economy, & the cost & efficiency of local government, through media contact, work shops, & forums.

**Calendar**

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April 17 FoPC Board Meeting, 7 pm  
Independence Public Library

May 15 FoPC Board Meeting, 7 pm  
Independence Public Library

June 19 FoPC Board Meeting, 7 pm  
Independence Public Library