


8-20-1974

Talks on Comprehensive Plans and Land Use

Ernest Bonner

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Talks at Land Use Seminar at U. of Oregon. Aug. 19-21, 1974

The Comprehensive Plan as an Expression of Public Policy

E. Banner

[1:30 p.m. Aug. 20]

Moderator: Westling

Co-instructor: Sullivan

I. Who wants Public Policy?

- A. Certainly not those who are responsible for adopting it, unless it keeps all their options open
- B. Probably not planners if they ever saw what an articulated public policy looks like.
- [C. "Suppose we had a public policy party and no one came."]
- D. Some would like (and often say they need) public policy articulated so that they may proceed with private plans secure that they will make it through the maze of permit counters that confront any significant private development. But even they will not like public policy from which there is no appeal.

II. Planning and the Plan in the Decision-Making Process

- A. My concept of planner, planning and the plan
 1. Planners are only one of the actors in the decision-making process
 2. They bring two important dimensions to that process
 - a. A "rational," "comprehensive" view of the interrelatedness of people and things.
 - b. An appreciation of the relationship between decisions made today and outcomes in the future, including an understanding of those "larger forces" over which local institutions have little control.
(the interests of future generations)

B. The traditional comprehensive land use, transportation and public facilities plan. (See ALI excerpt in your material)

1. Too little and too much

a. Too little in that:

i. not all important matters for local decision-makers were addressed by the plan and, thus, the plan did not provide the basis for advice on those matters.

[For example, little or no attention to social problems and little attention to the institutions and laws which would eventually spell doom for most of these plans]

ii. The relationship between land use and infrastructure was assumed to be the reverse of what it actually was.

[Development and growth followed the transportation arteries and the water and sewer lines, not the general plan]

The result was often to make planners irrelevant in many important decisions.

b. Too much in that:

i. In areas where the plan did pay attention proposals were usually relatively specific and unwavering; i.e., as if that particular use of land were the only way that plan goals could be accomplished. This left no room for necessary negotiation.

The result was to make the planners seem utopian, dogmatic or crazy.

C. The Policies Plan

1. Designed to address problems of the traditional comprehensive plan.
 2. Did not attempt to specify completely
 3. From vantage point of selected objectives, derived policies to guide day-to-day decisions.
 4. Meant to be an "expression of public policy."
 5. Policies could cover more than physical development:
 - a. New York plan covered poverty, crime, etc.
 6. But often policies which receive political acceptance are policies which give no direction.
 7. Also, policies are "negative" in that they are meant to be used in the review of others' proposals.
8. Policies of the Planning Commission or policies of the governing body?

D. Where do we go from here?

1. Politically acceptable goals or objectives
2. Policies of the Planning Commission
3. An aggressive, yet conservative planning professional.
4. More lobbying at State and Federal level for changes in laws, institutions and proceedings which make our job frustrating as well if not impossible.

Changing Goals and Values in Land Use

E. Bonner

[9:00 a.m. Monday, Aug. 20]

Moderator: Westling

Respondent: Pease

I. A Basic Value: Growth as an ideal — Bigger is Better.

A. It is slowly coming to be realized that "growth" is often a partner to:

1. changes in traditional ways of life
(on the Oregon coast, for example)
2. diminutions to the quality of immediate environments
(along major transportation corridors, for example)
3. higher costs to all

(the costs of "growth" are not usually paid entirely by those who benefit — as in the provision of basic utilities or schools)

B. Responses range from no-growth to managed growth, but never include "business as usual."

C. The use of land has been the principal handle for those who advocate regulation of growth. This has fostered new questions about our traditional notions of land itself.

D. "Spaceship Earth" advocates.

1. Resources are finite
2. All ~~processes~~ ^{exponential} produce inputs to all other processes
3. Thus, growth (parse) cannot continue to guide our public and private actions. (particularly the exponential growth occurring in some ~~processes~~ areas)
4. Will technology save us?

E. Need for land use planners to insert some modicum of rationality into the discussion of uses of land use controls as regulators of growth.

1. Land use policies (usually local in nature) are not as effective as other policies in regulating growth:
 - a. Federal income tax laws
 - b. Local assessment practices
 - c. State Transportation policies
 - d. Federal income maintenance policies
2. The connection between land use controls and worthy social purposes must be clear and convincing, not ethereal and utopian.

II. The Concept of Land as private property and as a commodity

A. The "Frontier Ethic" [The "Ponderosa Syndrome" (Kelly)]

Land is a commodity to be "possessed, exploited, conquered."

B. Land as a Commodity

The early forms of land use regulation were ~~not~~ acceptable to real estate dealers because these rules ~~were~~ maximized the value of land as a commodity of exchange.

Sub. Regs. ~~wanted~~ encouraged land to be divided into tradable units.

Early zoning regulations permitted dealers to determine in advance the type of use permitted and, thus, the value to be expected.

Bulk and yard regulations assured owner that if development proceeded on that basis, the relationship between his land and that of his neighbors was, by public fiat, a desirable one.

In sum, regulations were meant, or at least used, to create and maintain property values — particularly values in residential areas.

(1919 zoning ordinance for Portland)

A set of regulations of this kind is a necessary ingredient in the operation of our system. At its extreme, "...it enables bankers to sell lots in Florida in Grand Central Station."

C. Land as both a resource and a commodity

1. Growing recognition that land use controls should go beyond the protection of the commodity value of land.
2. Viewed as a resource, within the context of limited resources, land use controls are beginning to exercise more control as a means of protecting that resource.
3. The question is changing somewhat, from "Will this use reduce the value of surrounding land?" to "Will this make the best use of our land resources?"
4. Hawaii seeks to conserve the land for agriculture and to preserve scenic beauty. Idaho and S.T. seek to preserve amenities of the area. Maine and Vermont are seeking to protect the rural character of their state. New Jersey want to preserve Hackensack Meadows in some ideal "combination of development and conservation.

5. We are seeking that balance between land as a commodity and land as a resource, which recognizes the value of both concepts, that recognizes the need for both kinds of regulations.

In the long run, regulations meant to conserve land as a resource will also maintain the value of land, for in the long run, land values will reflect our ability to maintain a society in which people will want to own land.

B. Some random thoughts
~~on~~
of Windfall

III. The Concept of Family & Community

A. The unitary (nuclear) family and traditional methods of child-rearing are being challenged by a small band of counter-culturists.

B. With increasing affluence, and without the discipline of survival, individuals are beginning to search for new meaning in life — one of the forms this takes is "community-oriented" values, either in rhetoric or practice.

* [People seem to be looking for smallness and identity within a framework of bigness — something urban regions can provide. Decentralization of institutions and decisions is the standard ploy.
(The Dispersion Concept in CRAC's land use options)]

C. Hard to tell where this will go and how soon.

D. Definition of Family Ordinance

IV. From Investment to Consumption in our Way of Life — back to Investment?

A. Investment, discipline, family

B. Consumption, freedom, individual

C. Communes, Jesus freaks, Gestalt therapy and Gerald Ford.

VI. The Good Neighbor Policy and The Golden Rule

A. Govt. is a poor instrument for resolving many of the conflicts it is called upon to adjudicate. People must do more for themselves.

B. Higher Densities vs. Territorial Imperative.

Comp. plans How many comp. plans?

● The legislature is where it's at

Tools are:

1. Taxing
2. Spending
3. Regulation

● With these tools, they can affect all important public and private decisions.

● How do planners affect those decisions of the legislature and in what direction do they affect them?

*Comp. plan as basis for planners advice to decision makers rather than as legal base for regulation.