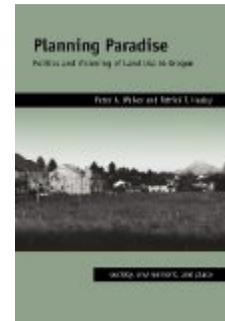


Peter A. Walker, Patrick T. Hurley. *Planning Paradise: Politics and Visioning of Land Use in Oregon*. Tuscon: University of Arizona Press, 2011. xii + 287 pp. \$26.00 (paper), ISBN 978-0-8165-2883-7.

Reviewed by Stephanie Pincetl (UCLA-Institute of the Environment)

Published on H-HistGeog (May, 2012)

Commissioned by Robert M. Wilson



The Fate of Land-Use Planning in Oregon

It was time that the exceptional path the state of Oregon has taken relative to land use since 1973 was updated to include Measure 37, passed in 2004 and subsequently partially overturned in 2007. Peter A. Walker and Patrick T. Hurley attempt to explain the backlash to SB 100, the famous land-use bill that controlled urban development on agricultural and other resource-rich lands through the creation of urban growth boundaries (UGBs) to encourage in-fill development over sprawl. In the 1970s a number of state land-use measures were passed in the country, differing in emphasis and success. Vermont, Florida, South Carolina, and New Jersey passed land-use controls in the 1970s; Hawaii instituted state-wide land-use controls in the 1960s. California passed the landmark California Environmental Quality Act in 1970, requiring environmental impact statements for any major project, with the express intent of slowing development at the urban periphery.

This book takes the reader through the context of land-use planning out of which SB 100 emerged. This included early work on growth management by F. P. Bosselman and D. L. Callies in 1972 and other approaches developed to better manage soaring suburban land transformation.[1] Walker and Hurley show that SB 100 was supported by a coalition of vested economic interests, including farmers, timber interests, and urban growth management advocates, brought together under the aegis of charismatic Governor Tom McCall, a Republican. The impetus for the bill was to protect the prosperous

Willamette Valley from urban encroachment by Portland, and to maintain a viable timber industry. At the same time, these economic interests found allies among the urban and political elite of Portland who did not want Oregon to follow the pattern of California–topsy-turvy urban growth on prime agricultural and scenic lands.

The book has the following organization: after describing the social and political context of the early 1970s relative to land-use controls, the institutional framework and organization of land management established by SB 100, including its governing body, are laid out. Walker and Hurley then explore the impacts of changing political, economic, and social conditions leading to the growth of opposition to SB 100. There is a close examination of Ballot Measure 37 (2004), including the interests supporting the campaign and in the background, shifting beliefs about private property rights. While there seemed to be a common thread of concern about the protection of private property rights against the state that animated opposition to SB 100, Walker and Hurley show that opposition was nuanced and reflected the particularities of Oregon’s regions and land-use pressures. The authors conducted interviews and developed three case studies from different areas of the state to illustrate how the same land-use planning system had specific impacts in the state due to regional specificities: an attempt by the Portland Metro Council to expand the Urban Growth Boundary to the Damascus area, struggles around “destination resorts” in the eastern portion

of the state (Crook, Deschutes, and Jefferson counties), and the Rogue River Valley Region. By 2007 Oregonians reversed course—partially—and voted Ballot Measure 49 (2007), giving some flexibility to counties to reconsider what lands are zoned farm and forest land and refining how counties and local governments can engage in regional problem-solving. Interestingly, the issue of flexibility has been a recurrent criticism of SB 100 nearly since its inception. In 1994 Oregon State University produced an edited volume examining SB 100's accomplishments twenty years later.[2] The issues reflected in the rural uprising against SB 100 were already flagged—the Portland metro area against the rural areas, larger rural farming and timber interests disconnected from smaller rural interests, inflexibility and lack of democratic accountability of the Land Conservation and Development Commission (LCDC) in charge of managing state land-use planning. Most telling is that already in 1994 concerns were being raised about the bureaucratization of SB 100, with declining public participation and involvement.[3]

Walker and Hurley point out the significant ideological shift that has taken place since the halcyon 1970-80s decade of the environment. The election of President Reagan ushered in the rise of individualism and private property rights claims. It is difficult today to imagine that in 1971 Senator Henry Jackson (a force behind the National Environmental Policy Act, NEPA), sponsored a National Land Use Policy and Planning Assistance Act which was passed by the Senate in 1973. The bill was supported by President Nixon and encouraged national land-use policy by assisting states in developing land-use planning and by improving the coordination of federal activities having significant land-use impacts. Land-use controls have been the object of contention for decades, ranging from antiregulatory advocates arguing that extensive single-family zoning is the source of sprawl and that less regulation would enable denser urban development, to those who cast land-use planning in an evolutionary framework of regulations generally intended to reward vested interests.[4] Political geographers have theorized land-use planning decision making within an urban growth machine, urban regime perspective, further drawing attention to the nexus of power, property interests, and regulation, and regulationists have also explored systemic bias.[5] Today, concerns include the ecological footprints of cities, the problems of climate change, and, at the same time, fiscal capacity of localities to fulfill their basic obligations.

Planning Paradise comes at a time when there is a resurgence of interest in land use and land-use change

as it impacts the environment and climate, and new tools to describe land use and change, including satellite imagery and GIS. At the same time, these new studies often suffer from an ahistorical perspective, taking past trends and projecting them into the future with no social, economic, political, or historical context to understand patterns or how they might evolve.[6] Walker and Hurley provide an important narrative that shows how history is important in understanding the conditions of land-use change. Clearly the beliefs of the 1970s that enabled the passage of SB 100 no longer hold in the same way in the early twenty-first century, and it is useful to know why. Paradoxically perhaps, in a time when concern about climate impacts on the future of the earth as we know it are pointing to a need for profound change in land-use patterns toward more compact development, less dependence on automobiles, and more parsimonious lifestyles, private property rights protections seem to have taken precedence politically and in legal findings, undermining potential regulatory approaches to addressing one major source of climate-change emissions—the transportation sector. And the transportation sector is a function of land use.

While Ballot Measure 49 reaffirms statewide land-use planning in Oregon, Walker and Hurley offer caution. The decline in robust public outreach and creating forums for genuine public involvement by the LCDC and staff, the concern about equity in treatment of similar types of land, and the expectation that land value should be compensated if there is a regulatory decision preventing development, all undermine the public's commitment to Oregon's unique planning framework. One can point to many contradictions in the public's alienation from predictable and long-term land-use planning, but the fact remains that the framework's future seems precarious. Many years ago Donald Hagman, a land-use lawyer at UCLA, and Dean Misczynski, who went on to advise the California state legislature about land use, proposed in *Windfalls for Wipeouts* that to create more equity in land-use decisions, land owners who benefit from governmental decisions should be taxed while those who lose from land-use decision making should be compensated.[7] This seems like a fair strategy, but today it seems that everyone wants to be a winner, with the state creating all those wins through advantageous land-use designations, and compensating the losers too. What is forgotten is that, in a democracy, we are all the state, so winning and losing affects the body politic and all our futures. Land-use controls may be unpopular, but land is a nonrenewable resource. While each locality is different,

as Walker and Hurley point out, balancing the long-term public good against short-term private interests still remains contentious, but must be the first order of the day such that future generations inherit a viable planet. Land use is laden with history and expectations; scholars need to continue to engage in understanding our implication with the places we live, and how we regulate ourselves to ensure livability.

Notes

[1]. F. P. Bosselman and D. L. Callies, *The Quiet Revolution in Land Use Controls*, prepared for the Council of Environmental Quality, (Washington, DC: U.S. Government Printing Office), 1972.

[2]. C. Alder, D. Howe, and S. Adler, eds., *Planning the Oregon Way: A Twenty-Year Evaluation* (Corvallis: Oregon State University Press, 1994).

[3]. *Ibid.*, xxi.

[4]. B. H. Siegan, *Land Use without Zoning* (Lexing-

ton, MA: Lexington Books, 1972); and M. Heiman, *The Quiet Evolution in Land Use Controls, Power, Planning and Profits in New York State* (New York: Praeger Publishers, 1988).

[5]. J. R. Logan and H. L. Molotch, *Urban Fortunes: The Political Economy of Place* (Berkeley: University of California Press, 1988); C. Stone, *Regime Politics: Governing Atlanta, 1946-1988* (Lawrence: University of Kansas Press, 1989); B. Jessop, "The Regulation Approach, Governance, and Post-Fordism: Alternative Perspectives on Economic and Political Change?" *Economy and Society* 24, no. 5 (1995): 307-33.

[6]. K. C. Seto, R. Sánchez-Rodríguez, and C. Fragkias, "The New Geography of Contemporary Urbanization and the Environment," *Annual Review of Environmental Resources*, 35 (2010): 167-94.

[7]. D. G. Hagman and D. J. Misczynski, eds., *Windfalls for Wipeouts, Land Value Capture and Compensation* (Washington, DC: Planners Press, American Planning Association, 1978).

If there is additional discussion of this review, you may access it through the network, at:

<https://networks.h-net.org/h-histgeog>

Citation: Stephanie Pincetl. Review of Walker, Peter A.; Hurley, Patrick T., *Planning Paradise: Politics and Visioning of Land Use in Oregon*. H-HistGeog, H-Net Reviews. May, 2012.

URL: <http://www.h-net.org/reviews/showrev.php?id=35706>



This work is licensed under a Creative Commons Attribution-Noncommercial-No Derivative Works 3.0 United States License.