

From the desk of

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Land use 'grand bargain': A triumph of pragmatism over process (editorial)

The Hillsboro Argus By **The Hillsboro Argus**

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The so-called "grand bargain" that would resolve metro area land-use disputes amongst farmers, developers, environmentalists and local government officials is moving forward in the Oregon Legislature.

The legislative fix that many feared and now nearly everyone embraces passed out of a House committee Thursday, Feb. 17, still needing approval from the House and Senate before landing on the governor's desk for signature.

If and when the heavily amended **House Bill 4078** is signed into law, it will affirm the Metro Council's 2011 approval of the urban growth boundary, bringing roughly 2,000 acres inside for potential development, as well as parcels near Hillsboro, Forest Grove and Cornelius.

The legislation also will set Washington County's urban and rural reserves map in statute, remove urban reserves from the hotly contested Helvetia area north of U.S. 26, and dial back urban reserves near Hillsboro, Forest Grove and Cornelius.

Finally, the bill will clear away potential legal challenges that might have added even more years and heartburn to a tedious planning process that had already gone on too long. Without a master plan to say where development could occur, the crucial element of certainty – for property owners, builders and businesses – would have remained out of reach.

Now, thanks to a weekend negotiating session amongst adversaries that **produced a deal** all parties say they can live with, we look forward to passage of HB4078 before this 35-day session of the Legislature ends as scheduled on March 9.

That we got here is a minor miracle. Washington County Board Chair Andy Duyck, Hillsboro Mayor Jerry Willey and Metro Council President Tom Hughes **all squawked** at the prospect of state lawmakers wading in to settle disputes over urban and rural reserves.

"We spent eight years in the process of developing the reserves bill, passing the reserves bill, studying what should go into the reserves, having the public hearings on reserves. We spent millions of dollars," Hughes said. "At the end of the day these guys think they can put five special interest lobbyists in a back room with no input at all, and come up with a better solution than we did."

Well, they did. Call it a triumph of pragmatism over process.

We at the Argus will admit we were concerned when it became known in January that lawmakers would consider wading into the issue. We worried that this might set a bad precedent if the planning and legal review process were disrupted.

But after the **Oregon Court of Appeals** last week rejected the 50-year growth plan and sent it back to the state Land Conservation and Development Commission for further review, it was plain the process was broken. The court specifically criticized Washington County officials for using **"pseudo" factors** instead of other soil rating systems to determine what land to include in its rural reserves.

Metro approved the reserves agreement way back in 2010 and the **urban growth boundary expansion in 2011**. LCDC **signed off in 2012**, but opponents took their objections to the Court of Appeals. Without the grand bargain reached Sunday, who knows how many more years would have been eaten up?

"I think it's great. Quite frankly, I was skeptical that we would get there," Duyck said this week. "Now that we have this solution, I think it's in our best interest to get behind it and make it happen."

We couldn't agree more.