



Balanced development is threatened by I-933

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§ by [Frank Paganelli and Mike Vaska](#)

Initiative 933, which is on the ballot in November, is the latest shot fired in a range war between farmers and environmentalists. Written and promoted by the Washington Farm Bureau, it would force a Hobson's choice on state and local officials: pay private landowners when zoning or other regulations limit or condition the use of their land, or, waive those rules, allowing unregulated development.

Designed to fight the perceived injustices of an existing land-use bureaucracy, I-933 would, ironically, require even more land-use bureaucracy: to administer and judge claims, decide which claims to pay and which rules to waive. Instead of increasing the transparency and consistency of land use regulations, it would create uncertainty, unpredictability and delay.

Waiving the rules would likely result in "haphazard development patterns" that have "negative impacts on quality of life," the Greater Seattle Chamber of Commerce said last month when it voted to oppose the measure. I-933 would thus put a double whammy on our state's business climate, reducing the efficiency of government while at the same time undermining the quality of life that has been key to attracting and retaining the talent to sustain our high-tech economy.

Under I-933, communities would have to decide between using public funds that could be spent either for better schools and transportation improvements, or for paying landowners who propose projects that might harm neighborhoods. This painful process is unfolding in Oregon, which last year passed Measure 37, on which I-933 was modeled.

Oregon property owners have filed 2,755 claims under Measure 37 covering 150,455 acres. These claims seek, according to state officials, more than \$3 billion in compensation. For example, one developer has proposed to build a pumice mine and hydrothermal power plant on a slice of private land inside the Newberry National Volcanic Monument in central Oregon. Either the state must pay him \$203 million in compensation, he says, or waive the rules and let him build.

Oregon -- which is so strapped for cash it was forced to limit the operations of its courts and public schools last year -- has not to date paid any of these claims. It has instead waived the land use regulations.

While we are not predicting anything so dramatic as, say, a resumption of coal mining on Cougar Mountain, Oregon's experience demonstrates the creativity developers will use as they seek to leverage I-933, and the difficult decisions the initiative will force on government, between funding public services that help sustain our quality of life, and payments to private landowners.

Of course the current system of balancing landowner rights and quality of life issues should be improved. Zoning and land-use regulations can be arbitrary, heavy-handed, and costly. Rural

landowners, for example, should not be singled out to bear all of the costs of protecting streams and wetlands that benefit all of us. Regulatory reform should include providing communities the tools to consider the unique characteristics of individual parcels of land and apply rules with flexibility.

The campaign over I-933 will serve the important purpose of driving a public debate about how to balance our private property rights and quality-of-life issues. Hopefully, this valid and important debate will not get lost in the scripted and ideology-driven messages of the campaign.

We can't lose sight of why it is so important to balance these issues: to ensure that we and our children can look forward both to the opportunities created by a vigorous and exciting economy, and to the enjoyment of fishing in clear streams and lakes, hiking through deep forests, and living in thoughtfully planned urban neighborhoods. It is this unique balance that makes our state a very special place to live and do business. We cannot lose sight of the fact that our current system of land use regulations, as imperfect as it may be, seeks to strike a reasonable balance between these goals.

I-933 should be defeated because it fails to respect this necessary and proper balance, with potentially painful consequences for our economy and our way of life.

FRANK PAGANELLI is a Seattle-based attorney and business consultant; MIKE VASKA is a member in the Seattle office of law firm Foster Pepper PLLC.