



Oregon

John A. Kitzhaber, M.D., Governor

Land Conservation and Development Commission

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

<http://www.oregon.gov/LCD>

MEETING NOTICE



LAND CONSERVATION AND DEVELOPMENT COMMISSION

December 7-9, 2011

**Columbia Gorge Discovery Center, Classroom
5000 Discovery Drive
The Dalles, Oregon**

The meeting location is accessible to persons with disabilities. To request an interpreter for the hearing impaired or for other accommodations for persons with disabilities, please make requests at least 48 hours before the meeting to Lisa Howard at (503) 373-0050 ext. 271, lisa.howard@state.or.us, or by TTY: Oregon Relay Services (800) 735-2900.

Public Testimony: The commission places great value on testimony from the public. Those items on the agenda with an asterisk (*) are ones where public comment will be accepted.

People who wish to testify are requested to:

- Complete a *Testimony Sign Up Form* provided at the meeting handout table
- Provide a written summary in advance to lisa.howard@state.or.us (**December 5** is the deadline to submit advance testimony. If you are unable to meet this deadline, please bring at least twenty copies to the meeting for distribution to the commission, staff and members of the public.)
- Recognize that substance, not length, determines the value of testimony
- Endorse, rather than repeat, testimony of other witnesses with whom you agree

Because of the uncertain length of time needed, the commission may deal with an item at any time in the meeting. Anyone wishing to be heard on an item without a set time should arrive when the meeting begins to avoid missing an item of interest. Topics not on the agenda may be introduced and discussed during the Director's Report, Commission Business and Reports, or Other.

The commission may continue its meeting through lunch to deliberate on matters on the agenda. In that event, those persons whose attendance is necessary for any matter of business undertaken during lunch will be required to attend.

Wednesday, December 7, 2011

1. **12:00 – 2:30 p.m.: Tour of The Dalles and Surrounding Area.** The tour will begin and end at The Discovery Center. Seating is limited on the tour and preference will be given to invited guests. Members of the public and the media may attend as space allows, or may provide their own transportation. For additional information, contact Karen Swirsky at (541) 325-6927, karen.swirsky@state.or.us.
2. **2:30 – 3:15 p.m.: DLCD and Columbia River Gorge Commission Presentation.** DLCD and Gorge Commission staff will provide short descriptions of the scope and activities of each commission, as well as ideas for working collaboratively into the future. Speakers will be Jill Arens, Gorge Commission Executive Director; Jennifer Kaden, Planner for the Gorge Commission; Darren Nichols, DLCD Community Services Division Manager, and Karen Swirsky, DLCD Central Oregon Regional Representative. For additional information, contact Karen Swirsky at (541) 325-6927, karen.swirsky@state.or.us.
3. **3:30 – 5:00 p.m.: Local and Regional Land Use Issues Roundtable.** Invited guests will join the commission for this discussion. For additional information, contact Lisa Howard at (503) 373-0050 ext. 271, lisa.howard@state.or.us.

8:00 a.m. Thursday, December 8, 2011

Budget and Management Subcommittee will meet in the Board Room. The subcommittee will report to the full commission during Commission Business and Reports. For additional information, contact Teddy Leland at (503) 373-0050 ext. 237, teddy.leland@state.or.us.

8:30 a.m. Thursday, December 8, 2011

- *4. **Public Comment.** This part of the agenda is for comments on topics not scheduled elsewhere on the agenda. The chair may set time limits (usually 3 minutes) for individual speakers. The maximum time for all public comments under this agenda item will be limited to 30 minutes.
5. **The Dalles Outreach Committee.** The Dalles Outreach Team serves as ambassadors for the promotion of community development and partnerships for solutions in the region of The Dalles. The Team will make a short presentation on their purpose, history, and accomplishments. For additional information, contact Karen Swirsky at (541) 325-6927, karen.swirsky@state.or.us.
6. **Oregon Consensus Program Proposal to Amend Dispute Resolution Grant.** The Oregon Consensus program will present a proposal to the commission, requesting to amend a DLCD grant previously used to provide direct mediation services. The commission will decide whether to approve the amendment or to reauthorize the

* Public comment accepted. The chair may limit time for testimony on any item and may set time limits (usually 3 minutes) for individual speakers. The commission encourages written testimony in addition to or instead of oral testimony in the event there is not enough time to hear everyone who wishes to speak. Items without an asterisk are not open for public comment.

organization's existing grant. For additional information, contact Darren Nichols at (503) 373-0050 ext. 255, darren.nichols@state.or.us.

7. **Possible Adoption: Proposed Amendments to Rules Regarding Department Facilitation of Soils Assessments on Farmland.** The proposed rule amendments would implement House Bill 3647 (2010) and create a process for assessing agricultural land capability. Public testimony was taken at the commission's meeting in Grants Pass on October 6 and the public hearing was closed. For additional information, contact Katherine Daniels at (503) 373-0050 ext. 329, katherine.daniels@state.or.us.
- *8. **Public Hearing and Possible Adoption: Proposed Amendments to Rules Regarding Post Acknowledgement Plan Amendments.** The proposed rule amendments to OAR 660, division 18 would implement new laws regarding changes to comprehensive plans and land use regulations. Following public testimony the commission may adopt the proposed amendments. For additional information, contact Bob Rindy at (503) 373-0050 ext. 229, bob.rindy@state.or.us.
- *9. **Public Hearing and Possible Adoption: Proposed Amendments to Rules Regarding Periodic Review.** The proposed amendments to OAR 660, division 25 would modify rules pertaining to periodic review and related topics. The proposed amendments are needed in order to implement new laws regarding periodic review and to conform existing rules to these new laws. Following public testimony the commission may adopt the proposed amendments. For additional information, contact Bob Rindy at (503) 373-0050 ext. 229, bob.rindy@state.or.us.

1:00 p.m. Thursday, December 8, 2011

- *10. **Public Hearing and Possible Adoption: Proposed Amendments to Rules Regarding Transportation Planning.** The proposed rule amendments would modify OAR 660, division 12 and related rules to simplify, clarify and streamline local plan amendments and rezonings. Following public testimony the commission may adopt the proposed amendments. For additional information, contact Matt Crall at (503) 373-0050 ext. 272, matthew.crall@state.or.us.

8:30 a.m. Friday, December 9, 2011

11. **Citizen Involvement Advisory Committee (CIAC) Update.** The department will update the commission on recent work by the CIAC. The commission will be asked to reappoint two CIAC members whose terms are expiring. For additional information, contact Bob Rindy at (503) 373-0050 ext. 229, bob.rindy@state.or.us.
12. **Metro Climate Smart Communities Update.** House Bill 2001 – adopted by the 2009 Legislature – directs Metro to prepare two or more land use and transportation scenarios that meet state-established targets to reduce greenhouse gas emissions from light vehicle

* Public comment accepted. The chair may limit time for testimony on any item and may set time limits (usually 3 minutes) for individual speakers. The commission encourages written testimony in addition to or instead of oral testimony in the event there is not enough time to hear everyone who wishes to speak. Items without an asterisk are not open for public comment.

travel for the year 2035. Metro staff will present results of work completed to date as part of its Climate Smart Communities project. For additional information, contact Bob Cortright at (503) 373-0050 ext. 241, bob.cortright@state.or.us.

- *13. Metro Scenario Planning: Rulemaking Advisory Committee Appointments.** House Bill 2001 – adopted by the 2009 Legislature – directs the commission to adopt administrative rules to guide Metro and Portland metropolitan area local governments in the selection and implementation of a preferred land use and transportation scenario to reduce greenhouse gas emissions from light vehicle travel. The department recommends that the commission appoint a rulemaking advisory committee to advise the commission on proposed rules. For additional information, contact Bob Cortright at (503) 373-0050 ext. 241, bob.cortright@state.or.us.
- 14. Request to Appeal pursuant to ORS 197.090(2) and (3), and OAR 660-001-0201 to -0230.** State law requires commission approval of the director’s decision to seek review of a local government land use decision, expedited land division, or limited land use decision. Only the director or department staff on the director’s behalf, the applicant, and the affected local government may submit written or oral testimony concerning commission approval of a director’s recommendation to file or pursue an appeal, or an intervention in an appeal, of a land use decision, expedited land division, or limited land use decision.

Review of Director’s Decision to Appeal Jefferson County Plan Amendment (DLCD File No. 001-09, Jefferson County 10-PA-02). The department submitted a notice of intent to appeal a Jefferson County decision to the Land Use Board of Appeals. The county decision approved a “reasons” exception to convert about 189.5 acres from an Exclusive Farm Use and Range Land designation to a Rural Residential and RR-10 designation. The subject property includes lands designated Urban Reserve by the city of Madras and Jefferson County. The director seeks approval from the commission under OAR 660-001-0210(2) to pursue the appeal. For additional information, contact Karen Swirsky at (541) 325-6927, karen.swirsky@state.or.us.

- 15. Local Officials Advisory Committee (LOAC) Update.** The director will update the commission on LOAC’s recent work. A recommendation will be made for an appointment to fill a vacancy on the committee. For additional information, contact Lisa Howard at (503) 373-0050 ext. 271, lisa.howard@state.or.us.
- 16. Director’s Report.** The director will provide an update to the commission on recent matters concerning the department. For additional information, contact Lisa Howard at (503) 373-0050 ext. 271, lisa.howard@state.or.us.
- 17. Commission Business and Reports.**
- a.** Budget and Management Subcommittee Report.
 - b.** Election of Chair and Vice-Chair.

* Public comment accepted. The chair may limit time for testimony on any item and may set time limits (usually 3 minutes) for individual speakers. The commission encourages written testimony in addition to or instead of oral testimony in the event there is not enough time to hear everyone who wishes to speak. Items without an asterisk are not open for public comment.

c. Grants Advisory Committee Appointment.

18. **Other.** The commission reserves this time, if needed, for other business or for further consideration of any item on the agenda.

Oregon's seven-member Land Conservation and Development Commission, assisted by the Department of Land Conservation and Development, adopts state land use goals, assures local plan compliance with the goals, coordinates state and local planning, and manages the coastal zone program. Commissioners are unpaid citizen volunteers appointed by the governor and confirmed by the senate. Commissioners are appointed to four-year terms and may not serve for more than two consecutive terms. The statute establishing the commission, ORS chapter 197, also directs that members be representative of the state. The commission meets approximately every six weeks to direct the work of the department.

Current commissioners:

Bart Eberwein (Portland)
 Hanley Jenkins (Union)
 Tim Josi (Tillamook)
 Jerry Lidz (Eugene)
 Greg Macpherson (Lake Oswego)
 Marilyn Worrix, Vice-Chair (McMinnville)

Meeting dates for 2011-12 (subject to change):

January 26-27	Salem
March 14-16	Newport
May 10-11	Salem
July 18-20	Lakeview
September 20-21	Salem/Independence
November 14-16	Newberg

The next commission meeting will be January 26-27, at the Department of Land Conservation and Development, 635 Capitol Street NE, Basement Hearing Room, Salem, Oregon.

* Public comment accepted. The chair may limit time for testimony on any item and may set time limits (usually 3 minutes) for individual speakers. The commission encourages written testimony in addition to or instead of oral testimony in the event there is not enough time to hear everyone who wishes to speak. Items without an asterisk are not open for public comment.