



Oregon

Theodore R. Kulongoski, Governor

Land Conservation and Development Commission

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MEETING NOTICE

August 9, 2007

LAND CONSERVATION AND DEVELOPMENT COMMISSION

**Agriculture Building
635 Capitol St. NE
Basement Hearing Room
Salem, OR 97301**

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Sarah Watson at 503-373-0050 ext. 271, or by email sarah.watson@state.or.us; TTY: Oregon Relay Services 800-735-2900.

Public Testimony

The Commission places great value on testimony from the public. People who wish to testify are requested to:

- *Provide written summaries (20 copies to the Commission Assistant prior to the agenda item)*
- *Recognize that substance, not length, determines the value of testimony*
- *Endorse, rather than repeat, testimony of other witnesses with whom you agree*
- *The Chair may limit time for testimony on any item and may set time limits (usually 3 minutes) for individual speakers*

Thank you for taking the time to present your views.

Note: Because of the uncertain length of time needed, the Commission may deal with any item at any time in the meeting, except those set for a specific time. Anyone wishing to be heard on any item not having 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, during the Commission's Business and Reports, or under Other.

The Land Conservation and Development Commission (the Commission) may continue its meeting through lunch on any day 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.

The Commission's **Budget and Management Subcommittee** will meet at 8:00 a.m., Thursday, August 9, at the Agriculture Building, Basement Hearing Room (635 Capitol St. NE) Salem, Oregon. 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, or by email teddy.leland@state.or.us.

8:30 a.m., Thursday, August 9, 2007

- *1. Public Comment.** This part of the agenda is for comments on topics not scheduled for discussion elsewhere on the agenda. The Commission chair will set time limits (usually 3 minutes) for individual speakers. The maximum amount of time for all public comments under this agenda item will be 30 minutes. Anyone wishing to appear during Public Comment is encouraged to let the department know in advance by calling Sarah Watson at 503-373-0050 ext. 271, or by email sarah.watson@state.or.us.
- 2. Request to Appeal Pursuant ORS 197.090(2), (3), and OAR 660-010-0201 to -0230.** State law requires Commission approval of the director's recommendation to seek review of or intervene in the appeal of a local government land use decision, expedited land division, or limited land use decision. This item is a placeholder. It will take place only in the event that an appeal is contemplated. 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.
- 3. Periodic Review, Pursuant to ORS 197.628 to 197.644 and OAR 660, Division 025.** The Commission considers matters related to periodic review usually by way of an appeal of the department's decision or upon referral by the department of a local government's work program or work task submittal. Appeals and referrals of a periodic review work task or work program are decided by the Commission based on the written record. The Commission may decide to hear oral argument. If oral argument is accepted it shall be limited to department staff, the appellants and parties, and the local government. The Chair may limit time for testimony and may set time limits (usually 3 minutes) for individual speakers.

 - a. City of Salem Tasks 3 and 5.** This item is an appeal of the department's remand of the city's completed task regarding its transportation system plan. The Commission will consider the department's recommendation that the hearing be delayed pursuant to OAR 660-025-0160(5) to allow additional time for mediation between the parties. For additional information, please contact Rob Hallyburton at 503-373-0050, ext. 239, or by email rob.hallyburton@state.or.us.
 - b. City of Bend Appeal.** This item is an appeal of the department's remand of the city's completed task regarding its development code update. The Commission will consider the department's recommendation that the hearing be delayed pursuant to OAR 660-025-0160(5) to allow additional time for mediation between

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the parties. For additional information, please contact Mark Radabaugh at 541-318-2899, or by email mark.radabaugh@state.or.us.

4. **Report from Metro Regarding Urban and Rural Reserves.** This item will include a report from Metro about Senate bill 1011, which established requirements for Metro area urban and rural reserves, and may include presentation of Metro's suggested administrative rules to implement the legislation. For additional information, please contact Bob Rindy at 503-373-0050 ext. 229, or by email bob.rindy@state.or.us.
- *5. **Initiation of Rulemaking Regarding Metro Urban and Rural Reserves.** This item will include a report about the LCDC rulemaking required by Senate Bill 1011 and will include the Commission's appointment of a rulemaking workgroup. For additional information, please contact Bob Rindy at 503-373-0050 ext. 229, or by email bob.rindy@state.or.us.
- *6. **Proposed Goal 1 Acknowledgment of the City of Damascus Program for Citizen Involvement.** This item is a request for acknowledgment to the Commission from the City of Damascus on its Citizen Involvement Program. The review of this program is guided by OAR 660-003, ORS 197.251 and Goal 1. The Commission's review of the acknowledgment request shall be confined to the record of proceedings before the local government, any comments, objections and exceptions filed with this agency, and the report of the director. The Commission may entertain oral argument from the director and persons who filed written comments, objections or exceptions. However, the Commission shall not allow additional evidence or testimony that could have been presented to the local government or to the director but was not. For additional information, please contact Stacy Humphrey at 971-673-0963, or by email stacy.humphrey@state.or.us.
7. **Final Report on 2007 Land Use Legislation.** For additional information, please contact Bob Rindy at 503-373-0050 ext. 229, or by email bob.rindy@state.or.us.
- *8. **Informational Briefing and Public Hearing on Proposed LCDC 2007-09 Policy and Rulemaking Agenda (including possible adoption of portions of the agenda).** The Commission will receive public comment on the department's draft 2007-09 Policy and Rulemaking Agenda. Following public comment, the Commission may approve portions of the policy and rule making agenda for the biennium. A copy of the draft Policy and Rulemaking Agenda report is available on the department's website, www.oregon.gov/LCD. For further information, or to obtain a print copy of the report, please contact Bob Rindy at 503-373-0050 ext. 229, or by email bob.rindy@state.or.us.
9. **Measure 37 Update.** Director Shetterly will report on the status of Measure 37 and related matters. For additional information, please contact Lane Shetterly at 503-373-0050 ext. 280, or by email at lane.shetterly@state.or.us.
10. **Director's Report.**

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11. Commission Business and Reports.

- Budget and Management Subcommittee Report
- Best Practices Performance Measure: Assessment Scorecard discussion. LCDC will discuss the results of its completion of its first Best Practices Assessment Scorecard. This discussion will further discussion on the definitions of the Best Practices Criteria. Official completion of the scorecard will occur in 2008 for the September 2008 Annual Performance Progress Report.
- Discussion of process for appointment of new department director
- Approval of Commission Minutes
- Review of future agenda and meeting dates

12. 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 (DLCD), adopts state land use goals, assures local plan compliance with the goals, coordinates state and local planning, and manages the coastal zone program. The 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 197, also directs that members be representative of the state. The Commission meets approximately every six weeks to direct the work of the Department of Land Conservation and Development (DLCD).

Current Commission members are:

Dennis Derby (Portland)
 Marilyn Worrix (McMinnville)
 Ron Henri (Talent)
 Hanley Jenkins (Union)
 Tim Josi (Tillamook)
 Margaret Kirkpatrick, Vice Chair (Portland)
 John H. VanLandingham, Chair (Eugene)

The next regularly scheduled Commission meeting will be Oct. 3-5, 2007. The Commission will tour Wallowa County on October 3 and hold its regular meeting on October 4 and 5, 2007, at the Wallowa County Courthouse (101 S. River Street) Enterprise, OR 97828.

Commission Meeting Dates for 2007

October 3-5, 2007	Enterprise
November 28-30, 2007	Corvallis

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