



Oregon

Theodore R. Kulongoski, Governor

Land Conservation and Development Commission

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MEETING NOTICE

October 17-19, 2007

LAND CONSERVATION AND DEVELOPMENT COMMISSION

Wallowa County Courthouse

101 S. River Street

Enterprise, OR 97828

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, October 18, at the Wallowa County Courthouse (101 S. River Street) Enterprise, 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.

9:00 a.m., Wednesday, October 17, 2007

- 1. Commission Tour of Wallowa County, Including the Cities of Wallowa, Lostine, Enterprise and Joseph.** The tour bus will leave from the Wallowa City Hall (211 E 2nd St.) and will conclude at the Wallowa County Courthouse (101 S. River St.) in Enterprise. Seating is limited on the tour bus to forty-five people 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. *To join the tour, please contact Sarah Watson or Jenny Hill at (503) 373-0050 ext. 271, or by e-mail sarah.watson@state.or.us, or jenny.hill@state.or.us.*

12:30 p.m., Wednesday, October 17, 2007

- 2. Guests are Invited to Join the Commission for a Discussion of Local and Regional Land Use Issues with Representatives From the County and Cities, the Confederated Tribes of the Umatilla Indian Reservation, the Burns-Paiute Tribe, the Confederated Tribes of Warm Springs and Other Invited Guests.** The Roundtable will be held at 309 S. River St. (old Tomas restaurant) in Enterprise. Lunch will be provided for participants who register by October 5, 2007 (those who register after that date will be responsible for their own lunch arrangements). Please join us for this discussion. *To register for lunch, please contact Sarah Watson or Jenny Hill at (503) 373-0050 ext. 271, or by e-mail sarah.watson@state.or.us, or jenny.hill@state.or.us.*

8:30 a.m., Thursday, October 18, 2007

- 3. Presentation of Resolution in Recognition to Wallowa County Commissioner Ben Boswell.** Resolution honoring the public service and contributions of Wallowa County Commissioner Ben Boswell to the State of Oregon. For additional information, please contact Jon Jinings at (541) 318-2890, or by email jon.jinings@state.or.us.
- *4. 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 or Jenny Hill at (503) 373-0050 ext. 271, or by e-mail sarah.watson@state.or.us, or jenny.hill@state.or.us.
- 5. 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

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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.

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

7. Citizen Involvement Advisory Committee (CIAC) Update. The CIAC will give a brief update on its recent work to the Commission. For additional information, please contact Cliff Voliva at 503-373-0050 ext. 268, or by email cliff.voliva@state.or.us.

***8. Public Hearing and Possible Adoption of Proposed LCDC 2007-09 Policy and Rulemaking 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 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. Periodic Review Schedule.** This item will address Commission approval of a periodic review schedule pursuant to ORS 197.629 for jurisdictions entering the periodic review

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during the 2007-09 biennium. For additional information, please contact Rob Hallyburton at 503-373-0050, ext. 239, or by email rob.hallyburton@state.or.us.

10. **Measure 37 Update.** Acting Director Parker will report on the status of Measure 37 and related matters. For additional information, please contact Cora Parker at 503-373-0050 ext. 223, or by email at cora.r.parker@state.or.us.
11. **Director's Report.**
12. **Commission Business and Reports.**
 - Budget and Management Subcommittee Report
 - Discussion of Possible New Commission Minutes Format
 - Review of future agenda and meeting dates
13. **Other.** The Commission reserves this time, if needed, for other business or for further consideration of any item on the agenda.

8:30 a.m. Friday, Oct. 19, 2007

If needed, the Commission will meet to conclude scheduled agenda items. The meeting will conclude no later than 10:30 a.m. in order to permit adequate time for return travel.

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 November 28-30, 2007. The Commission will tour Benton County on November 28, and hold its regular meeting on November 29 and 30, 2007, at the Suislaw Forest Office (4077 SW Research Way), Corvallis, Oregon.

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Tentative Meeting Dates for 2008

(These dates should be confirmed at the Oct. 17-19, 2007, meeting in Enterprise)

January 24-25, 2008	Beaverton
March 5-7, 2008	Ashland
April 30 - May 2, 2008	Baker City
June 18-20, 2008	Damascus
August 6-8, 2008	Tillamook
October 15-17, 2008	Prineville
December 4-5, 2008	Salem

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