



Oregon

Theodore R. Kulongoski, Governor

Land Conservation and Development Commission

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MEETING NOTICE

REVISED 11/28/09

November 28-30, 2007

LAND CONSERVATION AND DEVELOPMENT COMMISSION

Siuslaw National Forest Center

4077 SW Research Way

Corvallis, OR 97339

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.

Please note that in the Commission's efforts to hold their meetings around the state, staff may not be available to receive written comments (specifically emails) for agenda items, one to two days before the meeting is to start. OAR 660-001-230(2): "Unless the director allows a closer deadline, written testimony must be submitted at least five days before the commission meeting to be provided to commission members in advance of the meeting." (emphasis added)

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, November 29, at the Siuslaw National Forest Center (4077 SW Research Way) Corvallis, 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.

7:45 a.m., Wednesday, November 28, 2007

- 1. Commission Tour of Linn and Benton Counties, Including the Cities of Sweet Home, Lebanon, Albany and Corvallis.** The tour bus will leave from the Hilton Garden Inn (2500 SW Western Blvd.), Corvallis. 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.*

8:30 a.m., Thursday, November 29, 2007

- *2. 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.
- 3. 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.
- 4. 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

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task or work program are decided by the Commission. Oral argument is limited to the appellants, parties, and the local government. The Chair may limit time for testimony and may set time limits (usually 3 minutes) for individual speakers.

- a. **Klamath County Remand.** This item is for consideration of Klamath County's progress toward satisfaction of a Commission remand of the county's completed task regarding rural commercial and industrial development. For additional information, please contact Jon Jinings at 541-318-2890, or by email jon.jinings@state.or.us.
- b. **Junction City Request to Enter Periodic Review.** Junction City has requested the Commission permit the city to amend its plan under the statute and administrative rule provisions for "customized periodic review." For additional information, please contact Marguerite Nabeta at 971-673-0963, or by email marguerite.nabeta@state.or.us.
- c. **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 to approve the mediated settlement between the city and the appellants. For additional information, please contact Mark Radabaugh at 541-318-2899, or by email mark.radabaugh@state.or.us.
- d. **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.

10:00 a.m., Thursday, November 29, 2007

5. **Informational Briefing on the Bear Creek Valley "NowX2" Regional Problem Solving Project in Jackson County.** Department staff, Rogue Valley Council of Governments, and local elected officials will update the Commission on the status and current issues related to this project. For additional information, please contact John Renz at 541-858-3189, or by email john.renz@state.or.us.

2:30 p.m., Thursday, November 29, 2007

- *6. **Public Hearing and Commission Work Session on Draft Administrative Rules to establish a process and criteria for Metro Area Urban and Rural reserves, pursuant to 2007 legislation (SB 1011).** LCDC will receive public comment and may issue recommendations to the appointed rulemaking workgroup regarding its ongoing effort to refine the draft rules. A second and final public hearing, and anticipated adoption of the

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proposed new rules, is currently scheduled for the Commission's January 24, 2008, meeting in Beaverton. For additional information regarding this item, please contact Bob Rindy at 503-373-0050, ext. 229, or by email bob.rindy@state.or.us.

7. **Measure 37/49 Update.** Acting Director Parker will report on the status of Measure 49 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.
- *8. **Public Hearing and Possible Adoption of Temporary Rules Regarding Requirements for Ballot Measure 49 Claims Filed Subsequent to December 6, 2007, and Temporary Rules Regarding the Effect of Ballot Measure 49 on Existing Measure 37 Orders.**
The Commission may continue the public hearing or its deliberation on the proposed rules at a special meeting. A draft of the proposed rules is available on the department's website at: www.oregon.gov/lcd. For additional information, please contact Cora Parker at 503-373-0050 ext. 223, or by email at cora.r.parker@state.or.us.
9. **Director's Report.**
10. **Commission Business and Reports.**
 - Budget and Management Subcommittee Report
11. **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, November 30, 2007

12. **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.
13. **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 Grand Ronde, the Confederated Tribes of Siletz and Other Invited Guests.**
The Roundtable will be held at the Siuslaw National Forest Center (4077 SW Research Way) Corvallis, Oregon. Please join us for this discussion. *To RSVP for the Roundtable, 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 .*

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

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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 January 24-25, 2008, at the Beaverton Community Center (4755 SW Griffith Dr.) Beaverton, Oregon.

Tentative Meeting Dates for 2008

March 19-21, 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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