

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***  
A Statement of Need and Fiscal Impact accompanies this form

**FILED**  
9-15-16 2:50 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

Land Conservation and Development Department  
Agency and Division  
Casaria Taylor  
Rules Coordinator  
Land Conservation and Development Department, 635 Capitol St. NE, Suite 150, Salem, OR 97301  
Address

660  
Administrative Rules Chapter Number  
(503) 373-0050, ext. 322  
Telephone

**RULE CAPTION**

Procedures for updating comprehensive plans after a simplified urban growth boundary evaluation

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
11-18-16	8:00 a.m.	Deschutes County Fairgrounds Expo Center, North Sister Main Hall,	LCDC

**RULEMAKING ACTION**

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**ADOPT:**

660-038-0210

**AMEND:**

660-025-0030 ; 660-038-0020

**REPEAL:**

**RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**AMEND AND RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**Statutory Authority:**

ORS 197.040; ORS 197A.325(3)

**Other Authority:**

**Statutes Implemented:**

ORS 197A.325(3)

**RULE SUMMARY**

Creating procedures to ensure that comprehensive plan and land use regulations of a city complies with the statewide land use planning goals and are updated over time to reflect changing conditions and needs subsequent to an urban growth boundary evaluation under the simplified method in OAR chapter 660, division 38.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

11-18-2016 Close of Hearing  
Last Day (m/d/yyyy) and Time for public comment

Casaria Taylor  
Rules Coordinator Name

casaria.taylor@state.or.us  
Email Address

\*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

Secretary of State  
**STATEMENT OF NEED AND FISCAL IMPACT**  
A Notice of Proposed Rulemaking Hearing accompanies this form.

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9-15-16 2:50 PM  
ARCHIVES DIVISION  
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Land Conservation and Development Department  
Agency and Division

660  
Administrative Rules Chapter Number

Procedures for updating comprehensive plans after a simplified urban growth boundary evaluation

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Creating procedures to ensure that comprehensive plan and land use regulations of a city complies with the statewide land use planning goals and are updated over time to reflect changing conditions and needs subsequent to an urban growth boundary evaluation under the simplified method in OAR chapter 660, division 38.

**Statutory Authority:**

ORS 197.040; ORS 197A.325(3)

**Other Authority:**

**Statutes Implemented:**

ORS 197A.325(3)

**Need for the Rule(s):**

The Land Conservation and Development Commission is required by statute to promulgate these rules. ORS 197A.325(3) exempts cities from requirements to commence or complete periodic review in ORS 197.628 and ORS 197.629 when the city has completed an evaluation of its urban growth boundary under the simplified method directed by ORS 197A.300-197A.325. ORS 197A.325(3) also requires the commission to provide an alternate procedure to ensure these cities' plans and land use regulations comply with the statewide planning goals and are updated over time.

**Documents Relied Upon, and where they are available:**

OAR 660-038 and OAR 660-025. Available online at [http://arcweb.sos.state.or.us/pages/rules/oars\\_600/oar\\_660/660\\_tofc.html](http://arcweb.sos.state.or.us/pages/rules/oars_600/oar_660/660_tofc.html)

**Fiscal and Economic Impact:**

The proposed rule applies to certain local governments. The department anticipates that the procedures required in the proposed rules will have less fiscal and economic impact on local governments than do the procedures they replace. The proposed rules are intended to carry fewer requirements for the cities and provide comparatively streamlined process. The fiscal and economic impact should be to reduce costs for local government land use planning functions.

**Statement of Cost of Compliance:**

**1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):**

The proposed rule applies only to the land use planning function at local governments. The rule does not prescribe an outcome that affects the planning or zoning of any property, but rather provides certain procedural requirements. The rule will have no cost effect for any business entity or the public. It will have no effect on housing cost.

**2. Cost of compliance effect on small business (ORS 183.336):**

**a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:**

None

**b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:**

None

**c. Equipment, supplies, labor and increased administration required for compliance:**

None

**How were small businesses involved in the development of this rule?**

Small business and other interests were provided an opportunity to comment on the proposed rule during a public comment period at each rulemaking advisory committee meeting.

**Administrative Rule Advisory Committee consulted?:** Yes

**If not, why?:**

<u>11-18-2016 Close of Hearing</u>	<u>Casaria Taylor</u>	<u>casaria.taylor@state.or.us</u>
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address

# HOUSING COST IMPACT STATEMENT

FOR ESTIMATING THE EFFECT OF A PROPOSED RULE OR ORDINANCE ON THE COST OF DEVELOPING A \*TYPICAL  
1,200 SQ FT DETACHED SINGLE FAMILY DWELLING ON A 6,000 SQ FT PARCEL OF LAND.  
(ORS 183.534) FOR *ADMINISTRATIVE RULES*

**AGENCY NAME:** Department of Land Conservation and Development

**HEARING DATES:** 11/18/2016

**ADDRESS:** 635 Capitol St. NE, Suite 150

**EFFECTIVE DATE:** 11/18/2016

**CITY/STATE:** Salem, Oregon 97301

**PHONE:** (503) 373-0050

**PERMANENT:**

**TEMPORARY:**

**BELOW PLEASE PROVIDE A DESCRIPTION OF THE ESTIMATED SAVING OR ADDITIONAL COSTS THAT WILL RESULT FROM THIS PROPOSED CHANGE.**

PROVIDE A BRIEF EXPLANATION OF HOW THE COST OR SAVINGS ESTIMATE WAS DETERMINED. IDENTIFY HOW CHANGE IMPACTS COSTS IN CATEGORIES SPECIFIED.

**DESCRIPTION OF PROPOSED CHANGE:** *(Please attach any draft or permanent rule or ordinance)*

Creating procedures to ensure that comprehensive plan and land use regulations of a city complies with the statewide land use planning goals and are updated over time to reflect changing conditions and needs subsequent to an urban growth boundary evaluation under the simplified method in OAR chapter 660, division 38.

**DESCRIPTION OF THE NEED FOR, AND OBJECTIVES OF THE RULE:**

The Land Conservation and Development Commission is required by statute to promulgate these rules. ORS 197A.325(3) exempts cities from requirements to commence or complete periodic review in ORS 197.628 and ORS 197.629 when the city has completed an evaluation of its urban growth boundary under the simplified method directed by ORS 197A.300-197A.325. ORS 197A.325(3) also requires the commission to provide an alternate procedure to ensure these cities' plans and land use regulations comply with the statewide planning goals and are updated over time.

**LIST OF RULES ADOPTED OR AMENDED:**

Adopt: 660-038-0210; Amend: 660-025-0030; 660-038-0020

**MATERIALS AND LABOR COSTS INCREASE OR SAVINGS:**

None

**ESTIMATED ADMINISTRATIVE, CONSTRUCTION, OR OTHER COSTS INCREASE OR SAVINGS:**

None

**LAND COSTS INCREASE OR SAVINGS:**

None

**OTHER COSTS INCREASE OR SAVINGS:**

None

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**PREPARER'S NAME:** Casaria Taylor

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