

**DEPARTMENT OF GENERAL SERVICES**  
**State Agency Coordination Program**

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**Department of General Services**  
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## SECTION I

### INTRODUCTION

ORS 197.180 requires each state agency to prepare a coordination program for review and certification by the State Land Conservation and Development Commission (LCDC). The purpose of State Agency Coordination (SAC) programs is to assure that state agency rules and programs which affect land use comply with the statewide planning goals and are compatible with acknowledged city and county comprehensive plans and land use regulations.

The Department of General Services (Department) has developed this coordination program to fulfill its land use related responsibilities. The Department prepared its first SAC Program and submitted to LCDC for approval in December, 1977. In its submittal, the Department identified three of its programs as affecting land use. They were: the Capital Construction Program, the Office Facility Leasing Program, and the Historic Properties Preservation Program. LCDC took no final action on the Department's submittal due to certain unresolved technical issues.

Since that time the Department has made no changes to its SAC Program. The requirements for agency coordination (OAR 660, Division 30) have been revised twice as a result of statutory amendments and policy actions by LCDC. It is the Department's intention that this SAC Program complies with all current coordination requirements. Upon certification by LCDC, this SAC Program will replace and supersede the Department's SAC Program submitted in 1977.

The Department is a state agency created by law (ORS Chapter 283). The Department's primary purpose is to provide centralized basic office services for state agencies and the State of Oregon. The Department considers itself as "Creative people dedicated to delivering outstanding service," so that other state agencies served may direct their resources toward their own primary missions. Headed by the Director's Office, the Department is composed of diverse "business" programs serving state agencies. The major programs of the Department are as follows:

1. Director's Office: The Department Director is appointed by the Governor and confirmed by the Senate. Dan Simmons is the current Director. The Director's Office is responsible for Department Management, Policy Development and Analysis, Customer Services, Personnel Office, and Computer Services. The Department headquarters office is located at the General Services Building, 1225 Ferry Street SE, Salem, Oregon 97310.
2. Departmental Support Services: Consolidated business support services for the Department are provided through the Support Services Division, which performs fiscal accounting services, financial analysis, and budget development and oversight functions for the operating Divisions and Programs.
3. State Risk Management: The Department manages the State's self-insurance programs. This program controls and finances costs involving accidental losses and other claims against the State government.

4. Central State Purchasing: Through the Purchasing Division, the Department manages the central purchasing and contracting activities for goods and services for all of the State government and participating political subdivisions of the State of Oregon.
5. State Printing: The Department manages the State Print Plant which performs all state printing work, providing all of the State Government with a modern full-service printing, copy center service and contract printing services.
6. Transportation and Distribution: The Department operates a variety of support services for the State Government. Such services include: the State Motor Pool Services in Salem, Portland and Eugene; the Central State Mail Services, the Shuttle Bus Service, the Office System/Equipment Repair Service, the Property Distribution Centers - the Warehouse and the Central Stores, and other surplus property distribution services.
7. State Facilities Management: The Department is responsible for the operation, maintenance, and management of state-owned, leased office buildings and related facilities including the State telecommunications system. Major operations performed through the Facilities Management Division are as follows:
  - Capital Construction Program, which manages projects for design and construction of state owned facilities, including remodeling or renovation projects. The Department provides capital construction project management services on contract to other state agencies.
  - State Telecommunications Program, which provides state agencies with telephone, data, and electronic media facility and network services, including management and operation of the State Private Automated Network (SPAN) and the Capitol Mall Local Area Network (LAN) and other telecommunications related services for state agencies throughout Oregon.
  - Operation and maintenance of State-owned facilities and certain Department leased office buildings in Salem, Portland, Eugene and other major cities in the State, including the care of the Capitol Mall grounds in Salem.
  - State office facility leasing services for all state agencies throughout Oregon, including supervision and approval of all state agency leases.
  - Operation of State Parking Programs in Salem, Portland and Eugene.
  - Maintenance of state-owned land inventory and management of surplus public service lands.
  - Management of the Capitol Mall housing rental program; and monitoring the State Agency Provided Housing Program.

## SECTION II

### DEPARTMENT OF GENERAL SERVICES RULES AND PROGRAMS

This section addresses the requirements of LCDC's Administrative Rules, OAR 660-30-060(3), describing the Department's statutory charges, administrative rules, and programs. The Department's programs which affect land use will be identified and discussed in this section.

#### A. Enabling Statutes:

<u>ORS CITATION</u>	<u>BRIEF DESCRIPTION: RESPONSIBILITIES</u>
1. Chapter 283	The Department's enabling legislation. It provides for the appointment of the Director and establishes the general organization and rulemaking authority; sets forth the Department's basic purpose as providing basic office and related services to State and other eligible agencies in the State of Oregon.
2. 2.150	Authorizes the Department to print Advance Sheets for the various Courts of Oregon.
3. 30.260 et. seq.	Oregon Tort Claims Act. Establishes tort liability insurance coverage to be administered by the Department.
4. 144.376	Director of the Department to approve Department of Corrections' return contracts.
5. 166.420	State Printer to furnish Revolver Sales Registers to gun dealers in Oregon.
6. 179.055	Authorizes the Department to make facility repair works for Corrections and Mental Health institutions.
7. 181.150	Authorizes the Department to dispose of the State Police surplus property.
8. 182.070	State Printer to furnish 45 copies of all publications to the State Library.
9. 182.425 et. seq.	State Agency Provided Housing Program: Department is to establish rent reduction schedule and monitor application of the law by state agencies in charging rent for the state owned housing.
10. 186.110	Department to determine state buildings required to display the Oregon State flag.

11. 190.240 Relating to Department furnishing billable services to the federal government and political subdivisions in Oregon.
12. 243.005 et. seq. Department to purchase life insurance for policemen and firemen employed by the State and its political subdivisions.
13. 243.115 Director of the Department to serve as a member of the State Employes Benefit Board.
14. 251.165 State Printer to print and bind voters pamphlets for the Secretary of State.
15. 273.201 et. seq. Procedures for sale and purchase of land: Department to monitor and approve certain real property transactions of state agencies.
16. 273.411 Re. Department's authority to dispose public lands.
17. 273.605 et. seq. Re. Surplus Public Service Land Management: Department to manage surplus state institution lands formerly controlled by the State Board of Control and other state surplus lands transferred to Department for management.
18. Chapter 276 Chapter 276 governs Department responsibilities for management and operation of state owned office buildings and related facilities, state office facility leasing functions, capital construction and improvement functions, state parking and office space management.
19. Chapter 278 Chapter 278 outlines Department's powers and responsibilities for providing insurance coverage to state agencies; establishes Insurance Fund the State self-insurance program covering state agencies and participating political subdivisions in Oregon.
20. Chapter 279 Chapter 279 covers the Department's responsibilities relative to public purchasing and public contracting.
21. Chapter 282 Chapter 282 specifies Department's responsibilities for State Printing.
22. 283.030-283.070 Establishes Department as a state agency, providing for appointment of Director, Deputy and subordinate officers and employes.

23. 283.110-283.130 Authorizes Department to prescribe rules by which one state agency may provide services to another, etc.
24. 283.140-283.160 Authorizes Department to establish and exercise budgetary management and control over all state agency telephone services; authorizes Department to operate central mail, shuttle bus or messenger services for state agencies; to operate central office equipment repair shop, and to establish central electrical and stenographic pools to meet unusual work demand of state agencies.
25. 283.305-283.990 Directs Department to control and regulate the acquisition, operation and maintenance of motor vehicles by state agencies. Establishes State Motor Pools and prescribes procedures for their operations.
26. 283.210-283.235 Authorizes Department to inspect and appraise state properties, real and personal, and keep perpetual inventories; to lease or dispose of state property, real and personal, not needed for public use; and to give local government units preference, after other state agencies, to purchase such properties. Such sales to state or local governmental agencies are not subject to competitive bid; sales to local governments at cost less than market value is not required.
27. 291.990 Provides penalty for not complying with rules of the Department promulgated under Chapter 283.
28. 292.065 Authorizes payroll deduction for state employee parking fees.
29. 292.860 Directs Department to fix charges for maintenance provided to certain non-elected state officials.
30. 305.450 Directs Department to print the Tax Court Advance Sheets.
31. 351.210 Requires Department's approval for disposal of surplus personal property by Higher Education.
32. 358.640-358.655 Department's responsibility relating to identification and cataloging of state-owned real property and personal property which has state or national historic significance.

- 33. 396.535 Requires Department review and supervision of all Military Department real property transactions.
- 34. 407.465 Department is to procure bids on Veterans' loan cancellation life insurance.
- 35. 411.811 et. seq. Re. Federal surplus food distribution program for the State.
- 36. 477.775 Re. purchase of fire related insurance by Emergency Fire Cost Committee through the Department.
- 37. 561.180 Directs Department of Agriculture to have its publications printed at the Department Printing Division.
- 38. 657.657 Requires Department approval for the Employment Division's real property transactions.
- 39. 701.410 et. seq. Re. procedures for retainage in administering capital construction contracts.

B. Department Programs:

Oregon Revised Statutes Chapter 283 establishes the Department of General Services and authorizes its general activities. The Department provides a variety of central government support services to state agencies, ranging from office space management, physical facility maintenance, state motor pool operations, central state purchasing, telecommunications, printing and other services. Besides Oregon State Government agencies, its clientele includes the Legislative Assembly and the Constitutional Officers, at their option, and, for selected services, local governments and nonprofit corporations in the State of Oregon.

Brief functional descriptions of the Department's programs are given below listing in the same order as presented in the Department's Budget Request for 1989-91.

1. DEPARTMENT ADMINISTRATION.

- a. The Director's Office: ORS 283.030(2) authorizes the Director to organize the Department as necessary to effectively conduct its mission. This Office is organized into four basic functions:
  - Departmental Management, managing the Department and providing leadership to operating divisions;
  - Policy Development, Analysis, and Customer Service;

- Human Resources, managing personnel services, employee training and development, affirmative action, and Department health and safety programs; and
  - Computer Services, providing data services to the operating divisions and to other state agencies.
- b. Support Services, providing Financial Analysis and Accounting Services to the operating divisions and the Dept. Administration.
2. PRINTING, PRODUCTS & SERVICES.
- a. State Printing Program, providing products and services for state government in accordance with ORS Chapter 282. Its mission is accomplished through the following four sub-programs:
- Printing Administration, which provides the management of State Printing;
  - Contract Services, which administers contract printing services from private vendors for work which cannot economically or physically be done at the State Print Plant;
  - Plant Printing, which provides the centralized full-service printing services for all state agencies; and
  - Copy Center, which provides copy services for large volume work which are not practical on a convenience copier.
- b. Transportation & Distribution Program: This unit is comprised of diverse operations, which include:
- Motor Pool Services, which provides to state agencies vehicle rental/lease, maintenance/repair, and vehicle specification services;
  - Central Mail Service, which provides collection and delivery services for federal mail, interagency mail, and parcels services to state agencies; and
  - Shuttle Services, which provides transportation services for state employes on official business, and for Portland-to-Salem interagency mails.
- c. Office Systems Repair Services, which provides preventive maintenance and on-call repair service for office equipment, word/processing/computer devices, and other electronic office aids;
- d. Property Distribution Centers, which provide storage and distribution services for office supplies, surplus properties, etc.; and

- e. Procurement and Materials Management Program, which consists of Purchasing Administration and Purchasing Operations, which includes the central purchasing activity for goods and services for all of state government, related quality assurance programs and support services.

### 3. FACILITIES MANAGEMENT.

Through Facilities Management Division, the Department provides state agencies with office facilities and related services, both for state-owned and for leased office facilities; performs the Department's Capital Construction and Capital Improvement activities; manages surplus state-owned lands; and provides telecommunications services for all state agencies throughout Oregon. These programs in more specific terms are as follows:

- a. Administration: This program provides support services to the Division, such as program planning, support services, fiscal and management analyses, and administrative/clerical and automated office resources.
- b. Telecommunications: This program provides state agencies with telephone, data, and electronic media facility and network services, including:
  - Management and operation of the State Private Automated Network (SPAN), which provides toll free and discounted bulk telephone service throughout Oregon and the United States;
  - Management of the statewide telecommunication switching systems which are provided and operated for the State under contract by GTE;
  - Management and operation of the Capitol Mall Local Area Network (LAN); and
  - Negotiation and management of contracts with various telephone companies in providing telephone services to state agencies.
- c. State-owned Facilities Operations & Maintenance: This program consists of two sub-programs:
  - State-Owned Buildings Program, which provides maintenance, repair, custodial, security services and heating and cooling system services for buildings owned by the Department and some buildings owned by other state agencies under building service contracts; and
  - Landscape Development & Maintenance Program, which develops and maintains the ground in the Capitol Mall area and also at some state facilities in Portland, Pendleton, and Eugene.

- d. Facilities Planning & Development: Following sub-programs constitute this Program:
- Capital Construction and Capital Improvement Program conducts planning, supervising and coordinating activities for state office facility construction and renovation projects;
  - Construction Consulting Services Program provides other state agencies with capital construction project planning and construction management services; and
  - Performs conservation related activities for the Department owned real properties which are considered to have historic significance, pursuant to ORS 358.635 to 358.655.
- e. Leasing and Lands Management: This Program consists of a variety of sub-programs which involve renting or leasing of facilities for state agencies' use. These programs include: assigning office space, managing parking facilities, leasing office facilities, and managing surplus state owned lands. Six (6) sub-programs perform these functions, as follows:
- State Parking Program, which manages parking facilities for use by state employees and visitors in the Capitol Mall area of Salem and in areas near the Eugene and Portland State Office Buildings;
  - Leased Facilities Program performs property management functions and operates Department-lease office facilities for state agencies in major population centers in Oregon. These are called Common Office Buildings. This sub-program also monitors state agency's compliance with law governing the State Agency Provided Housing;
  - Office Facility Leasing Program performs activities required for leasing office space and ancillary facilities for state agencies' use throughout Oregon, either by leasing existing facilities from the private sector, or by arranging to build to suit for lease to meet specific needs of state agencies;
  - State Office Space Assignment Function is also performed by this Program area, which involves allocating space in state owned buildings and Department-leased facilities;
  - Surplus Public Service Land Management performs assignment of land for state agency use; conducts sale, lease or maintenance of lands under the Department's control; and maintains state owned land inventory. It also provides state agencies with real estate services for managing or disposing of real property; and
  - Mall Housing Program manages houses located in the North Capitol Mall area, which are rented as private residences, pending eventual future development of the area for state office facilities construction.

#### 4. RISK MANAGEMENT.

This Program controls and finances costs arising out of accidental events and from claims against the State government. Controlling risks means helping agencies identify and reduce the number and severity of losses and claims. Financing risks means maintaining the state's self-insurance fund, purchasing commercial coverages and adjusting claims. The fund is kept actuarially sound, i. e., adequate for known and projected claims.

#### C. Administrative Rules

The Department has adopted a number of administrative rules in accordance with its statutory responsibilities. The Department's administrative rules are found in Oregon Administrative Rules (OAR) Chapter 125.

1. Division 1: Procedural Rules
2. Division 10: Public Contract Review Services
3. Division 21: Personal Service Contracts
4. Division 30: State Purchasing
5. Division 31: Retainage Fees and Accounts
6. Division 35: Federal Surplus Property
7. Division 60: Housing and Rentals
8. Division 65: Contractual Procedures for Construction
9. Division 70: Gifts and Donations
10. Division 75: Use of Buildings, Parks and Grounds Under the Department Control
11. Division 80: Sales or Solicitation
12. Division 85: Recyclable Waste Paper
13. Division 90: Parking (Definitions and Rental Rates)
14. Division 95: Parking Facilities in the Capitol Mall Area
15. Division 100: Parking Facilities at the Portland State Office Building and the Parking Structure
16. Division 105: Parking Facilities at the Eugene State Office Building, Motor Pool and Portions of the Lane County Parking Structure

17. Division 110: Land Use Coordination
18. Division 150: State Risk Management
19. Division 300: Public Contract Exemptions (Introduction and Definitions)
20. Division 310: General Exemptions
21. Division 320: Information System Contracts
22. Division 330: State Agency Specific
23. Division 340: Brand Names or Marks
24. Division 350: Property Disposition
25. Division 360: Waiver of Bid Security and Performance Bond

D. Administrative Procedures

Besides OAR Chapter 125, the Department has adopted various agency policy directives and operational procedures to guide the conduct of its activities and business. These include: Policy Manuals, Administrator's Manuals, and Division Operating Procedures. These documents are available for public review at the Department's main office in Salem.

E. Analysis of Programs Affecting Land Use

Four (4) of the Department's programs are considered as "rules or programs affecting land use", as that term is defined in OAR 660-30-005(2). They are discussed below:

1. Capital Construction and Improvement Program:

This Program involves planning, supervising and coordinating construction and remodeling projects for state office facilities, including those in Salem located on the Capitol Mall, Airport Road, the State Fairgrounds areas, and the State Office Buildings in Portland, Eugene and Pendleton. Some of the projects are for other state agencies with the Department acting as a technical advisor and/or a project manager.

The Department's capital projects, technically, and from a budgeting standpoint, are divided into two categories: Capital Construction for projects exceeding \$100,000, and Capital Improvements for projects under \$100,000.

Capital Construction Projects include major remodeling, renovation and new construction. This category includes acquisition of land, purchase or construction of a new structure or group of structures,

public utility assessments, any continuing improvement projects costing in aggregate sum of \$100,000 or more within a six-year period; and construction project planning for the Department's proposed future Capital Construction Projects.

The Department's Capital Construction and Improvement Program will continue to have potential, significant long-term effects on present and future land uses identified in the acknowledged comprehensive plans of cities or counties where the Department's capital construction projects may be located, particularly for the comprehensive plans of the Cities of Salem, Portland and Pendleton and their adjacent counties.

Such effects may include impacts on local policies, requirements and programs relating to parking and traffic circulation, historic buildings protection, aesthetics, public facilities and services, social services and economic development.

In the Salem metropolitan area, the Department's Capital Construction and Improvement projects are reviewed and approved by the Capitol Planning Commission (CPC) for consistency with the Commission's Long Range Development Plans. Under ORS 276.028 et. seq., the CPC is required to adopt development plans for state-owned properties in the Salem area.

Upon adoption, each development plan, which includes maps, policies and standards, becomes a cooperative state-local agreement to assure both the state and affected local jurisdictions (and their neighborhoods) how development in and around state-owned land and facilities will occur.

CPC adoption of these long range plans also is intended to coordinate state capital construction and improvement projects with Salem area acknowledged comprehensive plans, and thereby minimize the need for separate, detailed local planning and zoning relative to state-owned lands and facilities.

The Department's Six Year Capital Construction Plan as well as its Biennial Recommended Capital Construction and Improvement Projects are included in the Department's budget. These documents are available for review at the Department's office at 1225 Ferry Street SE, Salem, Oregon.

## 2. State Office Facility Leasing Program:

The Department is responsible for the supervision and approval of all leases for state agency office quarters and related facilities throughout Oregon. In most cases the Department conducts searches for suitable facilities for lease, performs lease negotiations and prepares lease documents for approval by the parties involved. In instances where no existing facilities are suitable for lease, the Department negotiates for developing build-to-suit facilities for lease.

A build-to-suit lease involves a private developer or property owner building a new facility on a selected site according to the lessee agency's specifications. The Department requires that the developer or the property owner, in addition to various requirements, comply with all applicable land use plans and local zoning regulations relative to the construction project.

The potential effects of the Department's State Office Facility Leasing Program on the acknowledged plans of communities involved may include impacts on local policies, requirements and programs relating to parking and traffic circulation, historic buildings protection, public facilities and services, social services and economic development.

3. Conservation of Buildings of Historical Significance Program:

The Department is directed by the statutes to institute a program to conserve real property of historic significance that the Department owns or controls and assure that such property shall not be inadvertently transferred, sold, demolished, substantially altered or allowed to deteriorate. See ORS 358.653. With respect to operating, maintaining, altering and otherwise managing or acquiring space to meet the office needs of state government, the Department is authorized to acquire or lease and utilize space in suitable buildings of historical, architectural or cultural significance, unless use of such space would not prove feasible and prudent compared with available alternatives. See ORS 276.095.

The potential effects of the Department's Historic Buildings Conservation Program on the Acknowledged Comprehensive plans of the jurisdictions where such structures are located will most likely occur in connection with local inventories, plan policies and land use regulations relating to the protection of historic resources as required under Statewide Planning Goal 5. Other lesser, but possible land use consequences of Department efforts to protect Department-owned historic structures, could include impacts on local policies and requirements dealing with neighborhoods, economic development, traffic and parking, and recreation.

4. Surplus Public Service Land Management Program:

The Department is responsible for the "management" of surplus "public services land," pursuant to ORS 273.605 et. seq. "Management" means supervision, rent, lease, exchange, conveyance, relinquishment of title, donation or sale. "Public Service land" means real property and improvements on that property held for use by the former State Board of Control, or held or acquired for the use of the Mental Health Division, the Corrections Department, the Children's Services Division or the State Board of Education, or property conveyed to the Department from a state agency after the agency determines the property not needed to accomplish that agency's purposes.

The Department currently manages a total of 744 acres of public land, as follows:

- 90 acres at the Airport Road area, Salem; use of which is covered under one of the Capitol Planning Commission's long range development plans and is intended as a possible site for state support function facilities other than an administrative headquarters;
- 78 acres at the Fairview Training Center, Salem; which used to be an old orchard. Currently the old orchard is being cleared by the Fairview Training Center's fire wood cutting program and the land is being maintained for future disposition;
- 280 acres located at the Fairview Training Center area in Salem. This site currently is covered under an option agreement with the City of Salem for development as an industrial park;
- 43 acres at the former Callahan center in Wilsonville area. This site is currently being considered for sale; and
- 253 acres at the Dammasch Hospital, which is a buffer zone land and not considered surplus to the hospital. This site currently is being leased to a farmer for farm use.

The potential effects of the Department's Surplus Service Land Management Program on the acknowledged plans of the jurisdictions where there properties are located will most likely relate to local land use map designations, policies, strategies and regulations dealing with economic development, public facilities and services, and transportation.

F. Agency Programs Subject to LCDC Permit Compliance Rule

The Department's programs affecting land use do not involve issuance of permits and therefore are not subject to LCDC's agency permit compliance and compatibility rule, OAR 660-31.

### SECTION III

#### DEPARTMENT OF GENERAL SERVICES PROGRAM TO ASSURE COMPLIANCE WITH THE STATEWIDE GOAL AND COMPATIBILITY WITH ACKNOWLEDGED COMPREHENSIVE PLANS

This section responds to the requirements in LCDC's rule, OAR 660-30-060(4), and describes how the Department will assure that its land use programs shall comply with the statewide land use planning goals and be compatible with acknowledged city and county comprehensive plans and land use regulations.

#### A. Exempt and Compatible Agency Land Use Programs

The Department's land use programs fall into the category of "compatible land use programs." There is no applicable statute, constitutional provision or appellate court decision which expressly exempt these programs from compatibility with acknowledged comprehensive plans, but not from compliance with the statewide planning goals.

#### B. Department Rules and Procedures to Assure Compliance with the Statewide Planning Goals

##### 1. Department Rules

The Department's four (4) programs affecting land use are described in Section II B and E above. These programs are:

- a. the Capital Construction and Improvement Program,
- b. the State Office Facility Leasing Program,
- c. the Conservation of Department-Owned Historic Real Property Program, and
- d. the Surplus Public Service Land Management Program.

The Department has adopted an administrative rule, OAR 125-110-001, to implement the state agency goal compliance and comprehensive plan compatibility requirements in ORS 197.180 and OAR 660-30 for these four programs.

OAR 125-110-001 (1) establishes the general finding requirement the Department will follow in approving projects under these four programs. The rule states:

##### OAR Chapter 125, Division 110, Land Use Coordination

OAR 125-110-001 (1) This division is applicable to the approval of projects under the following Department programs. These programs are:

- (a) Capital Construction and Improvement Program,

- (b) State Office Facility Leasing Program,
- (c) Surplus Public Service Land Management Program,
- (d) Conservation of Department-Owned Historic Real Property Program,  
and
- (e) Any other Department program subsequently determined to affect  
land use pursuant to OAR 660-30.

(2) In order to approve or undertake a project under a program listed in OAR 125-110-001 (1) (a) - (e), the Department shall find that the project complies with the Statewide Planning Goals and is compatible with acknowledged city and county comprehensive plans and land use regulations. To make its goal compliance and plan compatibility findings, the Department shall comply with OAR 125-110-001 (2) - (6) and shall also adhere to the procedures in the Department's state agency coordination program which is hereby adopted by reference.

In the Salem metropolitan area, state capital construction and improvement projects are subject to approval by the Capitol Planning Commission (CPC). For this reason, and to coordinate Department and CPC land use coordination actions for capital construction projects in the Salem area, the Department has adopted OAR 125-110-001 (3).

OAR 125-110-001 (3) states:

(3) The Department shall satisfy its goal compliance and plan compatibility findings for a project approved under the Capital Construction Program in the Salem metropolitan area and subject to the jurisdiction of the Capitol Planning Commission (CPC) by adhering to the CPC's land use coordination rules in OAR Chapter 110, Division 10, and the procedures contained in the CPC's certified State Agency Coordination Program.

The Department has adopted OAR 125-110-001 (4) and (5) which describe how the Department shall assure that projects approved under the State Office Facility Leasing Program shall comply with the Statewide Planning Goals and are compatible with acknowledged comprehensive plans.

OAR 125-110-001 (4) and (5) state:

(4) The Department shall make its goal compliance and plan compatibility findings for each project approved under the State Office Facility Leasing Program based on information provided to the Department by the project's lessor or developer.

(5) A Lessor or developer seeking approval of a project under the State Office Facility Leasing Program shall provide the Department information documenting the project's compliance with the statewide planning goals and compatibility with applicable acknowledged comprehensive plans and land use regulations. Such documentation shall include one or more of the following:

(a) A copy of the local land use permit, building permit or occupancy permit from the city or county planning agency, building department or governing body that the project has received the jurisdiction's approval; or

(b) A copy of a letter from the local planning agency, building department or governing body stating that the project in question is permitted under the jurisdiction's comprehensive plan, land use regulations and development codes, but does not require specific approval by the jurisdiction; or

(c) A copy of the lessor's covenant in the project's lease agreement that attests to the fact that the proposed use of the leased premises as a state office facility complies with all applicable federal, state and local statutes, regulations, ordinances and codes, including the acknowledged comprehensive plan and land use regulations of the city or county in which the leased facility is located; or

(d) Other information and documentation provided to the Department equivalent to a, b or c above including, but not limited to, written testimony presented to the Department from an authorized representative from the affected city or county.

The Department has adopted OAR 125-110-001 (6) which describes how the Department shall assure that projects approved under the Surplus Public Service Land Management Program and the Conservation of Department-Owned Historic Real Property Program comply with the Statewide Planning Goals are compatible with acknowledged comprehensive plans.

OAR 125-110-001 (6) states:

(6) The Department shall make goal compliance and plan compatibility findings for each project approved under the Surplus Public Service Land Management Program and the Conservation of Department-Owned Historic Real Property Program. Such findings shall be based on information and documentation from one or more of the following:

(a) A copy of the local land use permit from the city or county planning agency or the local governing body that the project has received land use approval; or

(b) A copy of a letter from the local planning agency or governing body stating that the project in question is permitted under the jurisdiction's comprehensive plan and land use regulations, but does not require specific approval by the jurisdiction.

(c) Other information and documentation provided to the Department equivalent to a or b above, including, but not limited to, written testimony presented to the Department from an authorized representative from the affected city or county.

## 2. Department Procedures

OAR 125-110-001 cited above applies to all projects reviewed and approved under the Department's four (4) programs determined to affect land use. This rule requires the Department to find that each project affecting land use complies with the Statewide Planning Goals and is compatible with acknowledged comprehensive plans and land use regulations.

Because all comprehensive plans in the state have been acknowledged to be in compliance with the Statewide Goals, when the Department acts compatibly with an acknowledged comprehensive plan, it is acting in compliance with the Statewide Goals.

The Department, therefore, does not anticipate ever having to adopt findings directly against the Statewide Planning Goals for the reasons described above. However, in the event that such findings are required, the Department, for programs listed in OAR 125-110-001 (1) (a) - (e), and in accordance with OAR 660-30-065 (3) - (5), shall adhere to the following procedures:

The Department, when reviewing a project proposal, shall adopt Statewide Goal findings only for those goals which have not otherwise been complied with by the applicable city or county in its acknowledged comprehensive plan. In fulfilling any obligation to comply with one or more of the goals, the Department shall follow the procedures below:

- a. Confirm that a situation actually exists requiring adopting findings against one or more of the Statewide Planning Goals.
- b. Identify the specific Statewide Goals which must be addressed.
- c. Consult directly with the affected city or county. For capital construction projects proposed in the Salem Metropolitan Area, consult with the affected jurisdiction(s) through the Capitol Planning Commission (CPC) in accordance with procedures in the CPC's certified agency coordination program.
- d. Request interpretive guidance from the Department of Land Conservation and Development and the Attorney General's Office.
- e. Rely on any relevant goal interpretation for state agencies adopted by LCDC under OAR Chapter 660.
- f. Adopt any necessary findings to assure the project's compliance with the Statewide Planning Goals.

C. Department Rules and Procedures for Assuring Compatibility with Acknowledged Comprehensive Plans

1. Department Rules

The Department has adopted OAR 125-110-001 (cited under III. B above) which requires that the Department find that projects under its four (4) programs which affect land use are compatible with acknowledged comprehensive plans and land use regulations.

OAR 125-110-001 (2) through (6) describe the methods and the information the Department will rely on to determine a project's land use compatibility. These methods are summarized below and include:

- a. Adherence to the Capitol Planning Commission's land use coordination rules and procedures (only for Capital Construction Projects in Salem Metropolitan Area);
- b. Obtaining the appropriate local land use, building or occupancy permit for the project;
- c. Written confirmation from the city or county that the project is permitted by the jurisdiction, but does not require specific approval in terms of a permit;
- d. Demonstration by the lessor in a state office facility lease agreement that the project has met all applicable federal, state and local requirements, including compatibility with the applicable acknowledged comprehensive plan and land use regulations; and
- e. Other information or documentation equivalent to a. through d. above.

2. Department Procedures

The Department has adopted OAR 125-110-001 described above which requires the Department to assure that projects approved under its four (4) programs determined to affect land use are compatible with acknowledged comprehensive plans and land use regulations. Because OAR 125-110-001 (3) to (6) list the required information upon which the Department will base its compatibility findings, no additional compatibility procedures are necessary.

3. Dispute Resolution

The Department has adopted the following process in the event a land use dispute arises concerning approval of a project under a Department program determined to affect land use.

The process states:

The Department shall use one or more of the following steps to resolve any land use dispute which may arise before, during or after approval of a project under General Services program listed in OAR 125-110-001 (1) (d) - (e) determined to affect land use. These steps include:

- a. Coordinating closely with local land use planning authorities and, in the Salem Metropolitan Area, with the Capitol Planning Commission, to identify and resolve any potential land use conflicts at an early stage.
- b. Holding direct meetings with the affected local government(s), any affected state agency, and any other interested parties involved with the dispute.
- c. Identifying alternative actions or modifications to the proposed project to avoid or resolve the dispute.
- d. Requesting, if necessary, informal LCDC mediation or compatibility determination under OAR 660-30-070.

D. Compliance and Compatibility of New or Amended Department Land Use Programs

The Department has adopted the following procedure to be used to assure that new or amended agency rules and programs affecting land use will comply with the statewide goals and be compatible with acknowledged comprehensive plans and land use regulations.

The procedure is as follows:

The Department's agency coordination program shall be amended, as necessary, when any of the following occurs which add to, affect or modify Department rules and programs determined to affect land use:

- a. Adoption or amendment of Oregon Revised Statutes;
- b. Adoption or amendment of Oregon Administrative Rules;
- c. Decisions by the Land Use Board of Appeals (LUBA) or Oregon appellate courts;
- d. Attorney General Opinions; or
- e. Other unanticipated actions or decisions.

The Department shall submit notice of any amendment to any Department program affecting land use or any new Department rule or program to the Department of Land Conservation and Development (DLCD) as required by OAR 660-30-075.

## SECTION IV

### DEPARTMENT OF GENERAL SERVICES PROGRAM FOR COORDINATION WITH DLCD, AFFECTED STATE AND FEDERAL AGENCIES AND SPECIAL DISTRICTS

#### A. Agencies Coordinated with by the Department

The Department coordinates as needed with all appropriate local, state and federal agencies which relate to any Department managed state office facility construction projects or Department conducted leased office facility. Federal agencies are rarely contacted. For projects within the Metropolitan Salem area, the necessary coordination with local governments is accomplished primarily through the Department's membership on the Capitol Planning Commission.

Those agencies likely to be coordinated with by the Department are as follows:

##### Local:

- City of Salem
- City of Keizer
- Salem Transit District
- Capitol Mall Area Neighborhood Groups
- Marion County
- Polk County

##### State:

- Department of Land Conservation and Development
- Capitol Planning Commission
- Other state agencies for whom the Department provides construction project management services or office facility leasing services.
- State Historic Preservation Officer (SHPO), State Parks and Recreation Division, ODOT.
- Oregon Art Commission
- Governor's Office/Executive Department

#### B. Interagency Coordination Procedures

In the Metropolitan Salem Area, the Department coordinates with local agencies primarily through the Capitol Planning Commission involving capital construction or real property development projects.

In other areas of the State, the Department coordinates directly with the city or county where a Department's project affecting land use is or may be located. In the case of leasing office facilities, the Department, in most instances, coordinates with cities, counties

and other local agencies indirectly by requiring developers or lessors to comply with the land use regulations and building requirements of the local jurisdiction in which a project is located (See Section III above for more information).

C. Interagency Coordination Contact

The Department's contact for interagency coordination is the Administrator of the Facilities Management Division, or staff person designated by the Administrator. The Administrator can be reached at (503) 378-4692.

The current staff assigned serving as the Interagency Contact is:

Paul Ghim  
Lease and Land Management Section  
Facilities Management Division  
Department of General Services  
1225 Ferry Street SE  
Salem, Oregon 97310-1562  
(503) 378-2863

## SECTION V

### DEPARTMENT OF GENERAL SERVICES PROGRAM FOR COOPERATION AND TECHNICAL ASSISTANCE TO LOCAL GOVERNMENT

#### A. Department of General Services Participation in and Coordination with City and County Land Use Planning

Normally, the Department does not directly participate in and coordinate with city and county planning programs, except in situations where specific issues involve projects undertaken under one of the Department's programs determined to affect land use (see Section III above).

In the Salem Metropolitan Area, participation and cooperation with the City of Salem and other local jurisdiction are accomplished principally through the Department's membership on the Capitol Planning Commission.

In other areas of Oregon, when a Department project requires a local land use change or approval, the Department will work as needed directly with project sponsors, lessors, the local jurisdiction(s) and other affected parties to see that local land use and building requirements are properly addressed.

#### B. Department Contact for Cooperation and Technical Assistance

Same as under Section III. C. above.

#### C. Technical Assistance and Information Available from the Department and Methods Used to Provide the Information to Local Governments

The Department will provide any technical assistance or information regarding any of the Department's land use programs when requested by local jurisdictions. The Department maintains current records of all state office facility leases. The Department also has a statewide inventory of all state-owned real property which is updated on biennial basis. These records on leases and real property can be reviewed by the public at the Department's main office in Salem by contacting the Facilities Management Division.

The Department provides information to the Capitol Planning Commission (CPC) which in turn produces an annual report describing future state building and development needs and plans for agencies in the Salem area. The report is sent by the CPC to the Salem City Recorder, and other jurisdictions and parties upon request.

D. Participation of the Department in Periodic Review Process

The Department will work closely with the Department of Land Conservation and Development (DLCD) to assure that the periodic review notices of affected cities and counties give adequate consideration to Department of General Services land use programs and issues, including the planning and zoning of state owned and leased office facilities and real property.

The Department shall participate in individual periodic reviews when requested by a city or county, DLCD or when a specific General Services interest requires it. A local government request for the Department to become involved in a jurisdiction's periodic review should be made in writing to the Administrator of the Department's Facilities Management Division.

In the Salem Metropolitan Area, the Department shall contribute necessary General Services land use information and requirements to the Capitol Planning Commission (CPC). The CPC, in turn, on behalf of all state agencies under its jurisdiction, will submit information to DLCD for inclusion into the applicable periodic review notices of Salem area counties and cities, in accordance with CPC's certified SAC program.

Information provided by the CPC to the DLCD will most likely focus on periodic review factors dealing with changes in circumstances and new agency programs and plans, including the coordination of amendments to CPC's long range development plans with the comprehensive plans of Salem area jurisdictions.

E. Cooperation and Technical Assistance to Coastal Cities and Counties

These requirements do not specifically apply to the Department. The Department provides the same assistance to coastal cities and counties as to other jurisdictions statewide. Please see Section V.C. above.

F. Technical Assistance Pursuant to ORS 197.712(2)(F) and 197.717(1) and (2)-Local Public Facility Planning, Permit Issuance and Economic Development

These requirements do not apply to the Department or its programs.

## APPENDIX

1. Department Related Oregon Revised Statutes
2. Oregon Administrative Rules, Department of General Services
3. 1989-91 Budget Narrative, Department of General Services
4. Information Guide, Department of General Services

### ITEMS NOT ATTACHED BUT AVAILABLE:

1. Inventory of Department-Owned Real Properties (available for review at the Facilities Management Division of the Department, Salem.)
2. The Capitol Planning Commission SAC Program (available for review at the CPC or DLCD office in Salem.)