



Meeting Notice and Agenda Land Conservation and Development Commission



Meeting:
Thursday, January 24, 2019
9:00 AM
Salem

Basement Hearing Room
635 Capitol St NE
Salem, OR 97301

Meeting:
Friday, January 25, 2019
9:00 AM
Salem

Basement Hearing Room
635 Capitol St NE
Salem, OR 97301

Thursday, January 24, 2019, 9:00 AM

Item 1 **Approve Agenda**

Item 2 **Public Comment**

This part of the agenda is for comments on topics not scheduled elsewhere on the agenda. The chair may set time limits (usually three minutes) for individual speakers. The maximum time for all public comments under this agenda item will be limited to 30 minutes. If you bring written summaries or other materials to the meeting please provide the commission assistant with 20 copies prior to your testimony. The commission is unable to take action, at this meeting, on items brought to their attention in this forum.

Item 3 **Rulemaking - Amendments to the Simplified UGB amendment process**

The commission will hold a public hearing and consider rule amendments to Oregon Administrative Rules 660-038-0060, 0100, 0110, 0120, 0140, and 0190 - Simplified Urban Growth Boundary amendment process. The changes will 1) clarify the disposition of certain types of lands that are devoted to public and similar uses as part of a buildable lands inventory, 2) clarify the treatment of lands that are split between multiple different plan or zoning designations, 3) update Table 5, which lists measures local governments may adopt to promote housing within an existing urban growth boundary, and 4) update Tables 3 and 4 with more recent information regarding existing employment and projected employment growth.

Staff Contact: **Gordon Howard**, Community Services Division Manager
gordon.howard@state.or.us, (503) 934-0034

Public testimony will be accepted.

Action. The commission will be asked to take an action on this item.

Item 4 Rulemaking - Sequential Submittal of Urban Growth Boundary Amendment Elements

The commission will hold a public hearing and consider adoption of proposed permanent rule amendments to Oregon Administrative Rule chapter 660, division 24, "Urban Growth Boundaries," and division 25, "Periodic Review." The purpose of the proposed amendments is to establish procedures for submittal and review of sequential phases of work tasks related to potential amendment of an urban growth boundary as required by Senate Bill 418 (2017).

Staff Contact: **Rob Hallyburton**, Rural Policy Analyst
rob.hallyburton@state.or.us, (503) 934-0018

Public testimony will be accepted.

Action. The commission will be asked to take an action on this item.

Item 5 2019 Budget & Legislative Preview

The commission will receive a preview of expected 2019 budget and legislative issues, including the department's proposed budget request and legislation.

Staff Contact: **Mason Palmer**, Senior Policy Advisor
palmer.mason@state.or.us, (503) 934-0020

No public comment will be accepted.

Action. The commission will not be asked to take action on this item.

Lunch

Item 6 Rulemaking - Solar Power Generation Facilities on High-value Farmland

The commission will hold a public hearing and consider adoption of proposed permanent rule amendments to Oregon Administrative Rule chapter 660, division 33, "Agricultural Land," concerning criteria for approving photovoltaic solar power generation facilities on high-value farmland. The purpose of the proposed amendments is to provide appropriate protection for high-value farmland while ensuring continuation of a robust solar-energy industry in Oregon.

Staff Contact: **Jon Jinings**, Community Services Specialist
jon.jinings@state.or.us, (541) 318-7920

Public testimony will be accepted.

Action. The commission will be asked to take an action on this item.

Item 7 Airport Economic Development Pilot Program Selection

Pursuant to the provisions of OAR 660-024-0075, the commission may select a community for the Airport Economic Development Pilot Program. The department received one nomination, from the city of Madras.

Staff Contact: **Kirstin Greene**, Economic Development Specialist
kirstin.greene@state.or.us, (503) 934-0017

Public testimony will be accepted.

Action. The commission will be asked to take an action on this item.

Item 8 Annual Sage-Grouse Report

This agenda item will provide an update of Oregon's Sage-Grouse Plan, including the commission's Sage-Grouse Rule and development proposals received within Priority Areas for Conservation for the period of September, 2017 through December, 2018.

Staff Contact: **Jon Jinings**, Community Services Specialist
jon.jinings@state.or.us, (541) 318-7920

Public comment will be accepted.

Friday, January 25, 2019, 9:00 AM

Action. The commission will not be asked to take action on this item.

Item 9 Executive Session-Closed to the Public

The Land Conservation and Development Commission will meet in executive session for the purpose of consulting with legal counsel concerning current litigation or litigation likely to be filed. The executive session is held pursuant to ORS 192.660(2)(h) and is closed to the public.

Item 10 Commission Business

The commission will receive a Budget and Management subcommittee report and other commission business.

Item 11 Adoption of Updated Public Engagement Guidelines

The Citizen Involvement Guidelines, originally developed in 2004, included out of date outreach methods and terminology. With input and guidance from the commission's Citizen Involvement Advisory Committee, the document has been updated to the "Public Engagement Guidelines". It includes public engagement guidance for policy development and other department work.

Staff Contact: **Sadie Carney**, Policy Analyst & Communications Manager
sadie.carney@state.or.us, (503) 934-0036

Public comment will be accepted.

Action. The commission will not be asked to take action on this item.

Item 12 2016-2017 Farm and Forest Report

State law (ORS 197.065) requires the commission to submit a report to the Legislature analyzing applications approved and denied for certain land uses in exclusive farm use and forest zones. The 2016-2017 report will be presented to the commission prior to submittal to the Legislature.

Staff Contact: **Tim Murphy**, Farm and Forest Lands Specialist
timothy.murphy@state.or.us, (503) 934-0048

Public comment will be accepted.

Action. The commission will be asked to take an action on this item.

Lunch

Item 13 Territorial Sea Plan Part 3: Rocky Shores Management Strategy Update

The Oregon Territorial Sea Plan (Plan) provides the planning framework for the State of Oregon's ocean resources. The commission is the decision-making body for the approval of amendments or additions to the Plan. Part Three of the Territorial Sea Plan concerns the management of the rocky shore resources. It provides policy direction for site sensitive management and protection of these unique interconnected ecosystems. In November 2017 and July 2018, department staff briefed the commission on the work program and timeline for amending the Rocky Shores Management Strategy. Department staff will brief the commission on proposed language crafted by the Rocky Shores Working Group, including updated information from sections A-F of the original 1994 strategy. The commission will also receive an update on the next steps in the plan amendment process encompassing public scoping, text adoption, and the start of the Phase 2 work plan.

Staff Contact: [Andy Lanier](mailto:andy.lanier@state.or.us), Marine Affairs Coordinator
andy.lanier@state.or.us, (503) 934-0072

Public comment will be accepted.

Action. The commission will not be asked to take action on this item.

Item 14 Director's Report

The commission will receive an update by the director on recent matters concerning the department.

No public comment will be accepted.

Briefing. The commission will not be asked to take action on this item.

Item 15 Placeholder Request to Appeal

State law requires commission approval of a DLCD director's decision to seek review of a local government land use decision. 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 intervention in an appeal, of a land use decision, expedited land division, or limited land use decision. This item is scheduled as a placeholder as the department does not anticipate making such a request.

Item 16 Other Business

The commission reserves this time, if needed, for other business.

Adjourn

The Land Conservation and Development Commission

Oregon's seven-member Land Conservation and Development Commission, assisted by the Department of Land Conservation and Development, adopts state land use goals, assures local plan compliance with the goals, coordinates state and local planning and manages the coastal zone program. 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 chapter 197, also directs that members be representative of the state. The commission meets approximately every two months to conduct its business and direct the work of the department.

Commissioners:

Melissa Cribbins (Coos Bay) Robin McArthur, Vice-chair (Portland)

Anyeley Hallová (Portland) Catherine Morrow (Bend)

Sherman Lamb (Talent) Katie Pearmine (Portland)

Jerry Lidz, Chair (Eugene)

The meeting location is accessible to persons with disabilities. To request an interpreter for the hearing impaired or for other accommodations for persons with disabilities, please make requests at least 48 hours before the meeting to Amie Abbott at (503) 934-0045, amie.abbott@state.or.us, or by TTY: Oregon Relay Services (800) 735-2900.

Guidelines for Public Testimony:

The commission places great value on testimony from the public. The commission welcomes public comment and testimony for those items so indicated on the agenda.

Persons who wish to testify are requested to:

- Complete a Testimony Sign Up Form, provided at the meeting handout table
- Provide a written summary in advance to amie.abbott@state.or.us (The deadline to submit advance testimony if you wish to have the commission review it prior to the meeting is ten days prior to the meeting.) If you are unable to supply materials in advance, please bring 20 copies to the meeting for distribution to the commission, staff and members of the public
- Recognize that substance, not length, determines the value of testimony
- Endorse, rather than repeat, testimony of other witnesses with whom you agree

Because of the uncertain length of time needed, the commission may address an item at any time in the meeting. Anyone wishing to be heard on an item without 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, Commission Business and Reports, or Other.

Video Conferencing Option

The commission has added the option of testifying by video conference when the commission is holding a travelling meeting outside the Willamette Valley. The video conferencing will be available at the department's office in Salem: Basement Hearing Room, 635 Capitol Street NE, Salem, Oregon 97301. Please note that the quality of video technology is not guaranteed. In addition, written testimony will only be provided electronically. Therefore, if your testimony is critical, please plan to attend the meeting in person.

Those testifying by videoconference are asked to follow the above "Guidelines for Public Testimony."