2009-11 Biennial Report

to the

76th Legislative Assembly

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Oregon Department of Land Conservation and Development
February 2011

Message from Director Whitman

letter from Director here

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Who We Are

The Oregon Department of Land Conservation and Development (DLCD) is a small state agency. We work in close partnership with local governments, state development agencies (Transportation and Business Oregon), and natural resource agencies (Agriculture, Forestry, Water Resources, State Lands, Environmental Quality and Fish and Wildlife). LCDC provides the policy direction for the statewide land use system, and reviews certain major local land use decisions (other land use decisions are reviewed by a seperate agency - the Land Use Board of Appeals. We are organized into four divisions:

- **Coastal** - oversees Oregon's federally delegated coastal program, providing grants and technical assistance to coastal communities.
- **Planning Services** - reviews over 1,300 local plan amendments per year and provides technical expertise in urban, rural and transportation/growth management areas.
- **Community Services** - administers grants programs to local governments and provides technical assistance from four regional offices around the state.
- **Administration** - provides support for the LCDC, policy development and operations.

What We Do

"The program's success is due to the working partnership between state and local governments and to citizen participation." - Renew America (National Conservation Program

We help communities across the state plan for their future. Cities, counties and districts are the "front line" of the statewide program. We recognize that each city and county has unique values and aspirations, and that it is our job to help them, within the broad direction provided by state policy. The core functions of the program are management of urban growth and conservation of rural lands, which are carried out throughout the statewide planning goals and city and county comprehensive plans. Helping cities and counties address these functions in the context of a wide range of state and local interests, requires that we be problem solvers. The department's mission reflects this active role for our department.

"To help communities and citizens plan for, protect and improve the built and natural systems that provide a high quality of life. In partnership with citizens and local governments, we foster sustainable and vibrant communities and protect our natural resources legacy."

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What We Have Accomplished - A partial summary of accomplishments and outcomes for the 2009-11 biennium

$2.1 million general fund grants awarded as technical assistance grants to local governments for comprehensive plan updates (see page xx)	Completed phase I of the Territorial Sea Plan - Text and policies for alternative (wave) energy (see page xx)		Assisted in Vernonia recovery efforts through the Director's Office, TGM Rapid Response, hazards mapping and Community Services Staff (see page xx)	
		Recommended creation of Metolius Area of Critical Concern to legislature (approved)		Reviewed over 1,300 Plan Amendments submitted by local governments
Acres added to UGBs = 13,182 approved or pending (see page xx)			% of farm land zoned EFU in 1987 that retains that zoning today = 99.87%	
	$750,000 in Oregon Coastal Management Program (federal) grants awarded	Expected Completion of the Bear Creek Valley (Jackson County) Regional Problem Solving Project		
Completed M49 claims processing				$5 million in TGM grants co-awarded with ODOT
		Waivers issued for new dwellings under M49 = 6,131 New parcels = 3,878		

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Oregon's Statewide Land Use Program

Oregon's land use planning program is an innovative response to the pressures of development and urban growth on the state's communities and landscape. The essential framework for the program was established by the legislature in the early 1970's under the leadership of an iconic Governor. Thirty-five years later the framework remains, but with changes reflecting changing values, needs and conditions.

Statewide Planning Goals

Senate Bill 100 adopted in 1973, created an ambitious program to plan for growth and development across the entire state. Broad statewide goals set standards for city and county comprehensive plans as well as state agencies. These goals expressed the state's interest in protecting farmlands and forests, the orderly conversion of rural uses to urban development, ensuring that housing, transportation and public facilities were fully considered and protecting coastal and other natural resources as well as air and water quality. *(see Goals page 38)*

Land Conservation and Development Commission (LCDC)

LCDC is the policy-making arm of the state land use program. LCDC is made up of seven citizens from different geographic areas of the state and includes a current or former elected official of a city and a county, as required by statute.

The Commissioners are unpaid 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 terms. As of December 2010, LCDC was comprised of:

- John VanLandingham, Chair (Eugene)
- Marilyn Worrix, Vice-Chair (McMinnville)
- Barton Eberwein(Portland)
- Greg Macpherson (Lake Oswego)
- Christine Pellett (Central Point)
- Tim Josi (Tillamook)
- Hanley Jenkins (Union)

The Commission meets about every six weeks. In the 2009-11 biennium, LCDC held meetings around the state, in Madras, Brookings, Hillsboro, Springfield, Bend, Lincoln City and John Day, as well as in Salem. When the Commission meets "on the road," it usually tours the local area and hosts roundtable meetings for local and state officials and tribes.

The Commission regularly approves a biennial policy agenda, which sets both the policy and much of the programmatic agenda for the agency. Portions of this agenda are reflected throughout this report with regard to rulemaking, major policy or program initiatives, such as Climate Change and the Territorial Sea Plan, and relations with local governments and key constituencies.

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Local Governments

Ultimately, Oregon's land use program is designed to serve all of the people living in the state. It does this by creating a framework for each city and county to engage its residents in planning for their particular aspirations. The most immediate clients or consumers of the program are, therefore, Oregon cities and counties.

The Oregon land use program supports the work of the 242 cities and 36 counties in the state. It does this through a small staff of regional representatives and program specialists, and through several financial assistance programs to assist local planning efforts. Under state law, the program focuses some of its resources on larger cities (generally those over 10,000 in population); however technical assistance is provided to all cities and counties.

Services, grants and communications with/to local governments are portrayed throughout this report. Organizational links with cities and counties also assist the state and local relationship, and include the department's Local Official's Advisory Committee (LOC).

> *"The program's success is due to the working partnership between state and local governments and to citizen participation."* - Renew America (National Conservation Program)

Summary of 2009-11 DLCD Grants to Local Governments

Grant assistance to local governments, in addition to technical assistance, has been a key operating arm of the program since the inception of the statewide planning program.

General Fund Grants (budgeted)	TGM Grants (co-awarded but not budgeted nor managed by DLCD)	Oregon Coastal Management Program (budgeted federal funds)
$2,100,000 (150 cities, counties, special districts)	**$5,000,000**	**$750,000 (37 cities, counties, special districts)**

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Major Policy Initiatives and Results

1. Implementation of Ballot Measures 37 and 49 successful completion of this program to compensate long-term property owners in rural areas for the application of state regulation)
In November 2000, 53 percent of Oregon voters approved Ballot Measure 7, amending Oregon's Constitution to require compensation for land use regulations that restrict the use and reduce the value of private property. Although that ballot measure was subsequently struck down by the Oregon Supreme Court, in November 2004, Oregonians approved Measure 37, a statutory measure that required payment or "waiver" of land use regulations. Measure 37 contained virtually no detail regarding how it was to be administered, except that property owners were entitled to payment unless the government acted to waive regulations within 180 days of a demand presenting state and local government with an enormous administrative challenge and fiscal risk (particularly in the face of legislative inaction). Close to 7,000 Measure 37 claims were filed with state and local government

each requiring review to determine what the owners were entitled to do with the property when they acquired it. Remarkably, the state and local governments were able to review claims within the 180-day deadline, and avoid incurring liability.

In November 2007, the voters approved Measure 49, amending Measure 37 to substitute more limited relief for property owners, in the form of authorizations for a limited number of dwellings on rural lands. The state now has completed review of the 4,700 Measure 49 claims. Although a small number of additional claims remain to be reviewed in late 2010 and early 2011, the work to resolve the long-standing dispute over the lack of fairness in Oregon's land use system is virtually complete. In contrast to 2002, when there were substantial questions about the survival of the statewide land use program, the system is now on relatively stable footing with Oregonians and local government. *(For more information see the department's "Final Measure 49 Report")*

Table 2: Measure 49 Authorization Statistics by County

County	Home Site Authorizations	New Dwellings	Average New Dwellings Per Claim	New Parcels
Baker	145	112	1.7	54
Benton	125	90	1.6	53
Clackamas	1687	1145	1.7	802
Clatsop	74	51	1.8	33
Columbia	123	87	1.9	60
Coos	246	180	1.9	103
Crook	57	42	2.1	26
Curry	123	96	2.0	46
Deschutes	210	135	1.6	96
Douglas	306	201	1.7	142
Grant	9	5	1.7	5
Hood River	287	5	1.7	5
Jackson	650	434	1.7	298
Jefferson	215	182	2.2	111
Josephone	183	132	1.8	98
Klamath	234	193	2.1	76
Lake	3	1	1.0	1
Lane	630	450	2.0	279
Lincoln	142	109	1.8	49
Linn	463	327	1.8	214
Malheur	25	17	1.5	10
Marion	504	356	1.7	221
Multnomah	105	79	1.7	36
Polk	424	305	1.8	184
Tillamook	90	70	2.0	41
Umatilla	68	55	2.2	30
Union	41	27	1.5	19
Wallowa	76	61	2.2	37
Wasco	59	44	1.7	21
Washington	826	593	1.7	383
Yamhill	551	389	1.7	238
State Total	**8,681**	**6,131**	**1.8**	**3,878**

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2. 30-Year Review of Oregon's land Use System (completion of an independent review of the statewide land use system)

Senate Bill 82 (2005) launched a four-year "Big Look" review of Oregon's land use program by an independent task force. The task force found that Oregon's land use program has been successful on conserving farm and forest lands and in avoiding sprawl. The task force recommended modest changes to the program, which were enacted by the 2009 Legislative Assembly in House Bill 2229. Much work remains to implement the task force recommendations, although the agency has begun some aspects of the work using existing resources (for example, review of mis-zoned rural lands).

3. Protecting the Metolius (removing threats from large scale development fron an iconic river basin)

In 2007, two separate development companies proposed constructing over 6,000 second homes and lodging units in and near the Metolius River Basin. In response, Governor Kulongoski asked the agency to consider using a tool created by Governor Tom McCall in the original state land use system- designation of an Area of Critical State Concern (ACSC). After holding multiple hearings in the Metolius area, and many meetings with affected local governments, the agency proposed an ACSC and associated management plan to the 2009 legislature. Although the plan was controversial, it preserved both development opportunities for the landowners and protected the unique landscape and resources of the Metolius for all Oregonians. The agency worked closely with the Confederated Tribes of the Warm Springs Reservation, local governments, state agencies and the U.S. Forest Service to evaluate the long-term carrying capacity of the basin and its resources as the basis for the management plan. *(For more information see the department's "Final Metolius Basin Area of Critical Concern" report Submitted to the Oregon Legislature April 2, 2009)*

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4. Portland Metro Urban and Rural Reserves (a landmark decision to identify and protect both development and resource areas for 50 years)

LCDC first authorized the use of urban reserves as a tool for planning for urban growth in the early 1990's. Portland Metro made an initial, unsuccessful attempt to designate urban reserves in the late 1990's. Following this effort, Metro, the Portland-area counties, and the agency developed a more balanced approach to identify which areas will remain rural in the long-term, and which are more suited for urbanization. The purpose of this effort is to provide the certainty for rural landowners needed to encourage long-term investments in agriculture and forest operations, while allowing communities to plan for the most efficient forms of urbanization. Lessons from this Metro reserves process will help inform efforts to improve the urban reserve planning process for other regions of the state.

In early 2010, Metro and the three area counties adopted intergovernmental agreements representing a regional consensus on urban and rural reserve designations. Although the reserve designations are still being finalized, the fact that the region has arrived at a consensus vision for long-term growth management is in itself a significant accomplishment. The agency played an important supporting role to the region, and coordinated eight other state agency participants in the regional planning effort.

5. Jackson County Regional Plan (facilitation of a mutli-jurisdiction process in Southern Oregon to designate urban reserves - the priority areas for the future growth of this importatnt region)

Jackson County and six cities in the Rogue Valley have been working on their own regional planning effort, known as the Greater Bear Creek Valley Regional Problem Solving Project. This effort, which is expected to be completed in late 2010, will designate urban reserves in this area of Southern Oregon, opening the way for long-term protection of important agricultural areas and long-term planning for transportation and other key infrastructure for the region. The agency has, again played a key role in facilitating the regional effort and in coordinating the state agency involvement.

6. Economic Development Planning (collaboration with key state agencies focusing on job growth)

Under Goal 9 of the land use program, communities are required to plan for their future economic development. This means that each community evaluates what its relative strengths are for employment growth (through an economic opportunities analysis (EOA), and adjusts its land use plans to assure that it has sufficient land and adequate public facilities to serve that future development. In the past two years, DLCD has funded close to 20 economic development planning efforts that help local communities make sure they have the land and services needed to support business developmetn and retention.

Through the state's certified "shovel-ready" industrial site program, industrial lands are "pre-certified" as having necessary state and local permits for development, allowing state and local economic development staff to market the sites aggressively. Oregon has certified 56 sites in 24 counties, of which 19 have been sold or partially sold, leading to 2,500 jobs. Importantly, the program has served to focus efforts of business Oregon, the department and the Oregon Department of Transportation in working together to create new economic development opportunities in locations around the state. The agencies now meet regularly at the senior staff, director and commission levels.

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7. Ocean Alternative Energy Planning (alternative energy planning and fisheries protection)

In March 2008, Governor Kulongoski directed the department to work with a variety of stakeholders and other agencies to prepare a plan for development of ocean wave energy resources and to adopt that plan by the end of 2009 as an amendment to the Oregon Territorial Sea Plan. The agency led a successful effort to complete Phase 1 of this plan—the policy and process element—in November 2009.

The agency is currently working with other state agencies, local fishermen, organizations, coastal communities and non-governmental organizations to prepare Phase 2 of the plan, which is the spatial planning element that will identify areas important to fisheries that should be protected, ecological areas that should be off limits, and areas where energy development may be permitted. That work is expected to be completed in the first half of 2011. The Federal Energy Regulatory Commission has agreed, via an intergovernmental agreement with the State of Oregon, that it will consider provisions of this plan in making decisions about licensing ocean energy. OPAC endorsed three Marine reserves in December 2010.

8. Climate Chanage Adaption and Greenhouse Gas Reduction (invigorating the department's ongoing contribution to sustainability)

Greenhouse Gas Reduction

Legislative direction to reduce greenhouse gas reduction began in 2007 with House Bill 3543 with

a development objectives leading to implementation by the six MPO's. In the 2009-2011 biennium, DLCD, working together with Metro, and the cities and counties in the Metro region will adopt a state target of 75 percent reduction by the year 2010. Additional direction was given in 2009 (Senate Bill 2001, applying primarily to the Portland metropolitan area) and 2010 (SB 1059, applying to five other metropolitan areas in the state). DLCD and ODOT are lead agencies that share planning and target, by rule for the Portland metropolitan area for the reduction of greenhouse gas emissions from light vehicles for the year 2035. Additional activity, including rulemaking, will be required of the department in the 2011-13 biennium. The department is able to call on the expertise of its Transportation and Growth Management (TGM) program staff, whose responsibility it has been to help jurisdictions coordinate land use and transportation planning to achieve a variety of beneficial outcomes required by the Transportation Planning Rule.

Climate Change Adaptation

The 2007 legislature directed the Oregon Climate Change Research Institute (OCCRI) to assess the state of climate change science as it pertains to Oregon at least once per biennium. In January 2009, LCDC began to consider the role of the land use program in adapting to the effects of climate change. In July 2009, the LCDC adopted an interim strategy for climate change, which included elements for both mitigating the drivers of climate change and adapting to the effects of climate variability and change. In October 2009, Governor Kulongoski asked the department and about 20 other agencies and entities in the Oregon University System to develop a state-level climate adaptation plan. In consultation with a team of state agency directors, DLCD staff facilitated a process to develop a framework for climate change adaptation planning, which was completed and released in December 2010. The Framework and a Summary of Key Findings and Recommendations are available on the department's website at http://www.lcd.state.or.us. *(see The Oregon Climate Change Adaption Framework—Dec. 2010)*

9. Forest Land Conversion/Transfer of Development Rights (seeking non-regulatory solutions to conversion of forest lands)

Although Oregon's land use program is effective in preventing sprawl, it still allows a low level of dispersed residential use, even on timber lands. Research by the U.S. Forest Service shows that even sparse residential development effectively converts surrounding lands from active timber management to very large lot residential uses over time (as a result of management conflicts and changes in land values).

In cooperation with the Department of Forestry, department's rural planning program has researched the scope and effects of conversion of commercial forest lands and the limit of what regulatory tools can do in this regard. This activity during 2009-11, has shownt he need to integrate new market-based solutions in the land use program, such as transfer of development rights (TDRs) and easements for working forests to conserve these lands in active timber management. In 2009, the legislature passed several bills that allow the agency to begin this work, and the department has begun implementing provisions of that legislation seeking participation in TDR pilot projects.

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The department's five strategic goals support its mission, informs the DLCD biennial policy agenda and is central to the department's budget submittal. The remaining activities and outcomes described in this 2009-11 biennial report are, therefore, arranged according to these strategic goals.

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Strategic Goal: Promote Sustanable Vibrant Communities

- Integrate land use transportation and public facilities planning
- Provide housing choices
- Encourage economic development

Integrating Land Use and Transportation Planning

The Oregon Transportation and Growth Management Program (TGM)

Through the Oregon Transportation and Growth Management Program (TGM), DLCD teams up with the Oregon Department of Transportation (ODOT) and local governments to improve transportation options while enhancing the livability and economic vitality of Oregon's communities.

Recognizing that transportation decisions affect land use patterns, and that land use policies affect transportation choices, TGM encourages the integration of transportation and land use planning. The program does this by providing grants (administered by ODOT) and technical services managed by DLCD. The three technical services offered by this non-regulatory program are Quick Response, Code Assistance, and Outreach.

Technical Services

Through Quick Response, DLCD helped Newport develop a long-term vision for a transportation network intended to connect several major destinations: the Marine Operations Center of the National Oceanic and Atmosphere Administration (NOAA), the Hatfield Marine Science Center, the Oregon Coast Aquarium and the Port of Newport. Two projects recommended in the plan – a new roundabout and pedestrian path – are already under construction. The TGM-funded plan puts the city in a better position to take advantage of economic development opportunities resulting from NOAA's decision to locate its new Marine Operations Center in Newport.

DLCD's Quick Response service also worked with Vernonia to identify an appropriate site for a new high school. The city's old high school had been destroyed by a severe flood in 2007. During the site selection process, DLCD helped the city balance the need to find a site on higher ground with the importance of giving students the opportunity to walk and bike to school. The city recently broke ground on the new school at the site selected.

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Through Code Assistance, DLCD helps cities to align their zoning and development codes with local goals for enhanced mobility and livability. Too often, these codes and goals work at cross purposes. Among the Code Assistance projects completed during the 2009-2011 biennium are:

- a form-based code in **Eugene** designed to encourage greater use of public transit, and less reliance on single-occupancy vehicles, around the city's Walnut Station transit area;
- design standards in **Carlton** aimed at protecting the downtown's unique, pedestrian-friendly character; and
- residential design standards in **Milwaukie** that will remove procedural barriers to the types of growth the city wants and that will ensure compatibility between new infill and existing development.

Through Outreach, DLCD supported local workshops on such topics as safe routes to school, downtown revitalization, and transportation-efficient community design. Workshops took place in Junction City, Troutdale and other cities. Meanwhile, educational conferences supported by Outreach were held in Bend, Medford, Eugene and Albany. These events enabled local officials and civic leaders to hear from experts on climate change, transportation policy options, and tools for rejuvenating main streets. The Outreach service also completed a new handbook, Cool Planning, which will serve as a resource for local governments seeking to reduce their carbon footprints while making it easier – and less expensive – for people to get around.

Ideas and plans "seeded" by these technical services often put local governments in a better position to take advantage of funding opportunities when they come along. This was the case in Irrigon, for example, where the city obtained federal American Recovery and Reinvestment Act (ARRA) funds to build streetscape and other improvements recommended by TGM during a previous biennium. "I want you to know how much we appreciate the Code Assistance work you did for us," writes Jerry Breazeale, city manager of Irrigon.

In Canby, where Quick Response has helped the city identify new uses for old railroad properties, Long-Range Planner Mathilda Deas, AICP, says: "TGM has been an amazing building block for our community. The program has enabled us to demonstrate that we have thought things through, and it has helped us to get things done that we couldn't have accomplished in-house." Regarding an Outreach-sponsored event, Nathan Broom, a transportation options planner with the Rogue Valley Transit District, writes: "Thank you for making our Walk + Bike Summit possible. It was a strong event that drew officials from ten jurisdictions as well as business, nonprofit, and tourism representatives from Southern Oregon."

More projects are in the works at this writing, but the TGM technical services administered by DLCD have already provided direct, on-site assistance to 16 jurisdictions during the 2009-11 biennium while supporting nine educational events designed to give local officials and citizens an opportunity to exchange ideas with their peers in other communities and to obtain advice from national experts on critical issues.

In short, through TGM's technical services, DLCD helps local governments in Oregon provide better ways to better places. *(For more information see the Oregon Transportation and Growth Management 2009-2011 Annual Report)*

The TGM program helps local governments meet the requirements of the Transportation Planning Rule (TPR), which is codified in Division 12 of Oregon Administrative Rules Chapter 660. The TPR encourages the availability of a variety of transportation choices and a key objective of the TPR is to reduce vehicle miles traveled (VMT) throughout the state. A measurement of the change in VMT can be found in The Oregon Shines Benchmarks report (2009). Measurement of VMT is benchmark #71, and modest progress has been shown between 1998 and 2007.

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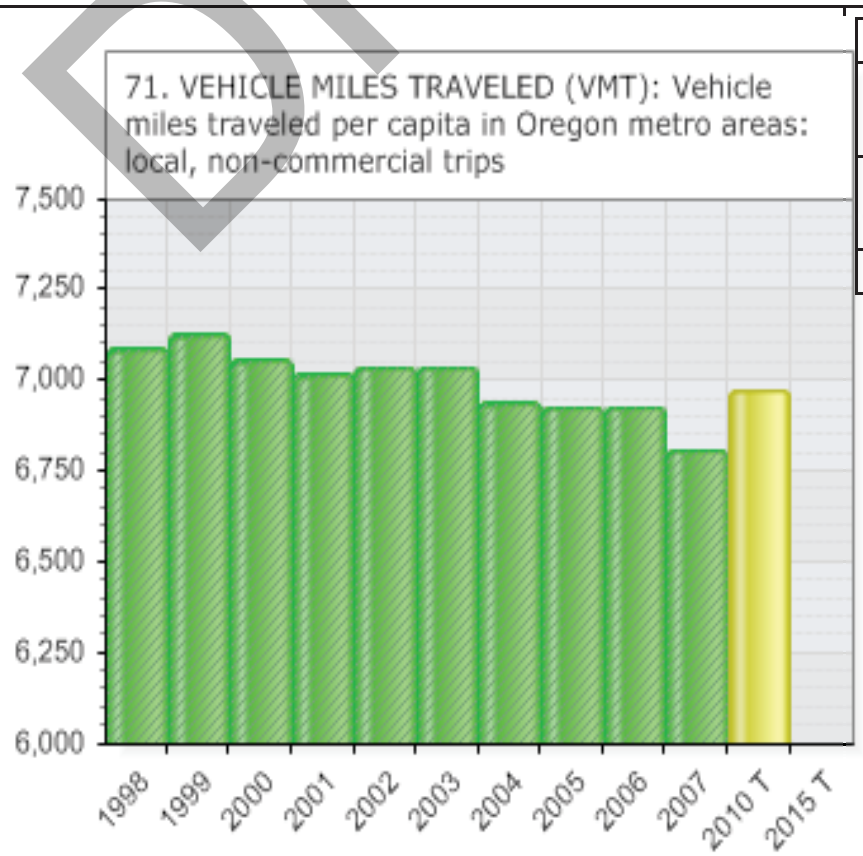
What it measures	This benchmark measures the per capita vehicle miles traveled (VMT) annually in Benton, Clackamas, Deschutes, Lane, Jackson, Marion, Multnomah, Washington and Polk counties for local, non-commercial trips. Historically VMT has been positively correlated to economic growth. However, decreasing VMT is encouraged in order to promote efficient development patterns, decrease commuting time, road maintenance and resource consumption, while increasing air and water quality and open space.
Why it is important	Contributes to Oregon Shines Goal 3, Healthy, Sustainable Surroundings (Community Development)
About the targets	Targets are based on an old data series which showed a 10-year upward trend. The current data series is a result of newly revised methodology, which properly adjusts for trucks and through traffic and is now consistent with the Transportation Planning Rule. Targets will be revised in the future to reflect the revised data series. Targets assume that the Transportation Planning Rule is successfully implemented.

Updated: 12/13/2008

Module 1: OREGON'S PROGRESS **71. VEHICLE MILES TRAVELED (VMT)**	Making Progress? **Yes**

Why this answer	The 2007 data suggests a continued decline in vehicle miles traveled per capita in metro areas. However, VMT is correlated to economic activity and the 2007 data may reflect the economic slowdown. Decoupling the connection between VMT and economic growth will be a challenge for Oregon's 21st century economy.

1998	7090
1999	7130
2000	7060
2001	7020
2002	7040
2003*	7040
2004	6940
2005	6930
2006	6930
2007	6810
2010 Target	6977
2015 Target*	



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Economic Development

Economic Development Accomplishments
Oregon's planning program supports the state's economy by ensuring that local governments have an adequate land supply, infrastructure and services to meet a variety of economic opportunities. Statewide Planning Goal 9 (Economic Development) is at the center of the state land use program's policy on economic development.

The goal calls for local governments to provide "an adequate supply of sites of suitable sizes, types, locations and service levels for a variety of industrial and commercial uses." Goal 9 encourages local governments to identify sites needed for industrial and commercial development to meet both long-term (up to 50 years) and short-term needs.

Economic development is the highest priority for available Technical Assistance grants awarded by DLCD. The grant program is guided by a Grants Allocation Plan, which is recommended by a standing Grants Advisory Committee and adopted by LCDC. The allocation plan has listed "economic development" as the top priority for three consecutive biennia. These grants are used by cities and counties to update their comprehensive land use plans to address needed land for employment under Goal 9, as described above.

In addition, DLCD staff provides technical assistance to local governments to help them identify and analyze their economic development opportunities and develop strategies for attracting the identified industries. Through grants and technical assistance, DLCD helps communities throughout the state become better prepared to attract jobs.

A major revision to the 2005 Employment Land Planning Guidebook was initiated in early 2010, with the first review draft available in November. This guidebook revision project has included approximately 40 volunteer professionals from around the state, including a mix of city and county planning directors, economic development professionals, consultants from a variety of practice specialties, even a banker. The revision will provide methods to comply with existing policies that are easier, cheaper, faster and more relevant. The current draft will be updated to include the impact of certain recent court decisions, as well as any legislative direction from the 2011 session, then published online for use by local governments. The new guidebook is designed in a format that is easy to keep up-to-date, and is written in plain language, or as close as possible given the subject matter.

Although not expected to be complete until June of 2011, four significant economic development planning projects are described below. In addition, two significant projects completed late in the 2007-09 biennium but not reported are mentioned.

Cities and counties in Central Oregon are in the midst of a large-lot industrial site Regional Economic Opportunities Analysis (REOA) project. This project is intended to create a new way to identify, entitle and serve competitive industrial sites throughout Crook, Deschutes and Jefferson Counties. This project is funded with $40,000 in DLCD Technical Assistance grant funding.

The cities Salem, Keizer and Turner along with Polk and Marion Counties are conducting a Regional Economic Opportunities Analysis (REOA) funded with $100,000 in DLCD Periodic Review grant funding. This is the first planning project to use the ideas in the new guidebook, most notably the concept of high value employment land to better ensure that local governments end up with sites that are desirable to the market.

Cities in Linn and Benton Counties are using a $75,000 DLCD Technical Assistance Grant, along with resources from the Governor's Strategic Reserve Fund, to resolve the wetlands

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dilemma on zoned industrial land inside the UGB. With assistance from the OCWCOG, the region is preparing to submit a Regional General Permit application to the federal government. When complete, significant predictability will be available to site developers faced with regulatory wetlands on key industrial sites.

The City of Toledo is using DLCD grant funding to conduct a local Economic Opportunities Analysis (EOA) to take a new look at their employment land needs. One of the significant features of this project is that it will include the creation of a peer-reviewed model employment land zoning and development code. This model code will eventually be packaged with guidance and made available to small cities statewide many of whom have archaic code systems no longer appropriate for the modern economy.

At the end of the 2009-11 biennium two projects identified economic development opportunities in wine country, one with Yamhill County, the other in Milton-Freewater in Umatilla County. Both studies looked at the planning challenges and potential solutions to capturing the potential of ag-related economic activity in nearby cities.

Partnering with Other State Agencies
During 2009-11, DLCD partnered with the Governor's Economic Revitalization Team (ERT). ERT was established by the 2003 legislature (House Bill 2011) to focus state agencies on working together at the local level to increase economic opportunity and bring industrial sites to "shovel-ready" status. ERT works with state agencies and local governments to:

- Streamline permitting for business and industry;
- Increase opportunities to link and leverage public and private investments; and
- Provide greater local access to state resources and assistance.

*Tim Sullivan of **John Burns Real Estate Consulting (Irvine, California)** agreed. He said building permits for single-family homes in the metro area exceeded 10,000 annually every year but one between 1993 and 2005. By contrast, single-family building permits fell far below 4,000 in 2009 and 2010.*

"It could be far worse in Oregon", Sullivan added, "if not for the state's strict land-use laws. Oregon avoided Las Vegas style overbuilding because of the land use laws frequently assailed by the Home Builders political wing."

"It's because of your urban growth boundary," Sullivan said. "You're the antithesis of Phoenix, where you can build anything, anywhere at any time." (Homebuilders Association of Metropolitan Portland, annual forecast breakfast (2010), as reported in the Oregonian)

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Strategic Goal: Secure Oregon's Legacy

- Conserve coastal farm, forest, riparian and other resource lands
- Promote a sense of place in the built and natural environments
- Protect unique and threatened resources by guiding development to less sensitive areas

Sustaining Oregon's Farm and Forest Industries

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In many ways, Oregon's efforts to protect its farm and forest lands base since 1975, have comprised the heart of the state's innovative land use planning program. The state's accomplishments in protecting its working landscapes compare favorably with other states in the nation, and even with other nations.

Farm and Forest Land Vital to Economy

Oregon's agricultural and forest industries remain two primary contributors to the state's economy, directly and indirectly generating close to 20 percent of the state's economic output ($12 billion farming and $13 billion forestry in 2007). Commercial farming and forestry require large supplies of land. However, both industries are seriously affected by the loss of land to other uses, by the fragmentation of the resource land base, and by conflicts and complaints from nearby landowners who are not engaged in farm and forest activities. That is why sustaining these valuable resource lands is so important to Oregon's economic strength and stability.

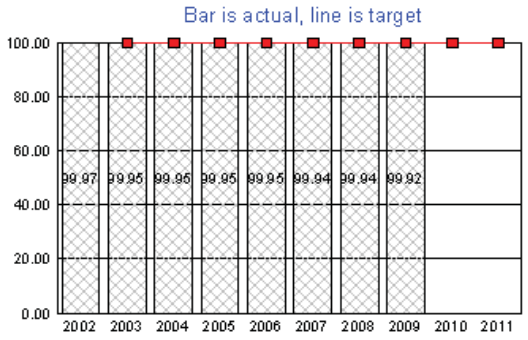
Strong Farm and Forest Land Protections

Statewide Planning Goals 3 (Agricultural Lands) and 4 (Forest Lands) define agricultural and forest lands and require counties to adopt exclusive farm use (EFU) and forest zoning to sustain them. State statutes and LCDC rules (Chapter 660, divisions 6 and 33) establish standards for dwellings, uses and land divisions in EFU, forest and mixed farm-forest zones. These standards are designed to limit incompatible development and land fragmentation and to ensure that newly created farm and forest parcels remain commercially viable for farm and forest use. Strong resource land protections keep farm and forest land affordable for farmers and forest landowners, and discourage conflicting uses.

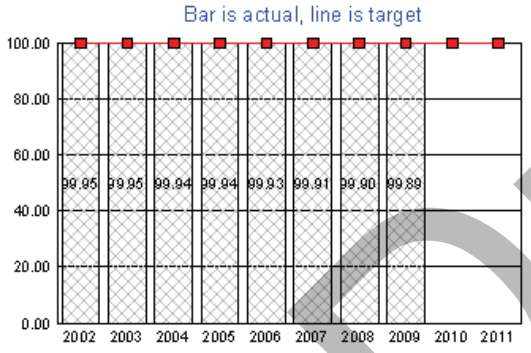
About half of Oregon's non-federal land base, or 15.5 million acres, are currently zoned EFU, while over 10 million acres are zoned for forest or mixed farm-forest use. Farm and forest property assessment is available for land in farm or forest use and is automatic in EFU zones.

Success Story:
DLCD responded to farmers, farm groups and counties in eastern Oregon who feared a major transmission line from Boardman to Hemingway, Idaho would harm high value crop land and farmland in Treasure and Baker Valleys. A letter from the department was instrumental in getting the line re-routed away from the most fertile farmland according to Malheur County's planning director.

Farm land - Percent of farm land outside urban growth boundaries zoned for exclusive farm use in 1987 that retains that zoning



Forest land - Percent of forest land outside urban growth boundaries zoned in 1987 for forest or mixed farm/forest use that remains zoned for those uses



The 2007 Census of Agriculture shows that between 1978 and 2007, the rate of conversion of farmland to other uses in Oregon was only about one-third what it was for the nation as a whole. A 2009 U.S. Forest Service publication reported that, without Oregon's farm and forest land protection program, an estimated 1.2 million acres of forest and farmland in western Oregon alone would have been converted to more developed uses. These facts underscore the effectiveness of Oregon's farm and forest lands protection program over the last three decades.

Monitoring Development on Farm and Forest Lands: Conversion as an Emerging Issue

County planning departments have been required since the late 1980s to give DLCD annual reports on dwellings, uses, and land divisions occurring in farm and forest zones. The reporting system, along with plan amendment data, provide the information needed to regularly review and evaluate existing policy and regulations and to make appropriate adjustments in the program. *(For complete information and tables, please refer to the 2008 – 2009 Farm and Forest Report currently available online.)*

In 2008 – 2009, counties approved a total of 1,261 new dwellings in EFU zones and 628 new dwellings in forest and mixed farm-forest zones. Of these 1,889 new dwellings in resource zones, 633 were replacement dwellings. These numbers are lower than previous years, most likely reflecting the current economic downturn. Nearly 1,000 other uses, many of them accessory or farm-related structures, were also approved. Nearly 500 land divisions in EFU, forest and mixed farm-forest zones were approved in 2008 – 2009, numbers that are also down from previous years.

Each year, farm and forest lands are rezoned by counties to other uses, usually through the "exceptions" process. In 2008 and 2009, more than 6,000 acres of farm and forest lands were rezoned to non-resource uses. About one-quarter of this acreage was added to UGBs, while three-quarters of the acreage rezoned occurred in rural areas.

In addition to producing the biennial Farm and Forest Report, DLCD staff reviews and offers technical assistance on post-acknowledgment plan amendments that involve rezonings out of farm or forest use, as well as amendments to EFU and forest zone provisions. An ongoing concern is that farm and forest lands are often viewed as prime sites for rural homes. Another growing problem is the sale of large timber holdings for non-forest purposes, which is threatening to fragment the commercial forest land base, create additional conflicts for forest management and increase potential fire hazards.

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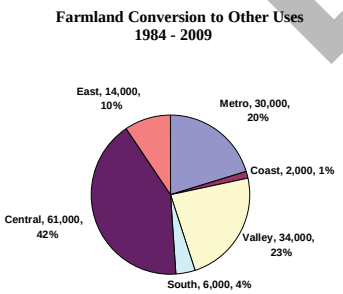
State Trends in Farm and Forest Land Conversion

The Oregon Department of Forestry (ODF) has tracked land use change in Oregon from 1974 to 2009, in a series of periodic reports. The reports identify several land use classes in farm and forest lands that reflect land cover and density of existing structures (mostly dwellings). These data on changes in land use representa more accurate, timely and direct measure of land conversion from farm and forest use to other uses than do changes to planning or zoning.

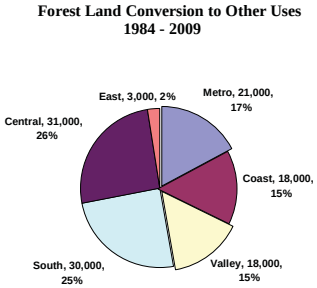
Oregon Department of Forestry data shows that, in the 25-year period between 1984 and 2009, approximately 147,000 acres of farm and range land transitioned from land use classes more conducive to commercial farm or forest practices into more developed land classes. Almost half of all farm land conversion occurred in central Oregon, while nearly one-quarter took place in the Metro area and one-quarter in the valley.

Similarly, in this time frame, 121,000 acres of forest and mixed farm-forest land transitioned out of these classes and into more developed classes, about one-quarter of this conversion occurring in southern Oregon and one-quarter in central Oregon, with the remainder of conversion split fairly evenl among the Metro area, valley and coast.

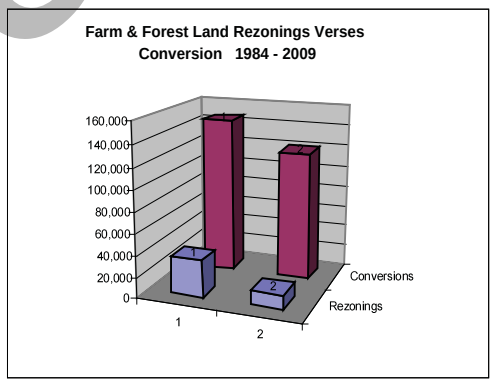


The 147,000 acres of farm land that transitioned out of farm classifications during the study period is approximately four times the acreage (34,856) that was rezoned from farm to other rural and urban zones in a similar time frame.

This means that a significant amount of land is being lost to coomercial farm use within farm zones as well as being rezoned out of farm zones.



The 121,000 acres of forest land that transitioned out of forest classifications during the study period is approximately twelve times the acreage (12,000) that was rezoned from forest to other rural and urban zones in a similar time frame. ODF research shows that lands with low density residential uses typically are not managed for timber production. The greater proportion of forest land is being converted residential uses within forest zones is a significant concern tot he department than is true for farmland loss within farm zones.



An important caveat to these comparisons, and that is that the ODF definitions of conversion of farm and forest land confersion reflect lower development densities than typically follow rezonings to rural or urban uses. That is, land is no longer considered in commercial farm or forest use by ODF when development densities exceed one dwelling per 80 acres, while rezonings from farm or forest zones typically result in development densities of one dwelling per ten acres or higher.

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ODF data suggest two conclusions: a) that there continues to be significant flexibility within resource zones to accommodate dwellings, and b) that the cumulative increase in numbers of dwellings within resource zones raises concerns about de facto conversion of these lands to allow low-density residential use, particularly for forest lands, where low-desntiy residential uses signal an end to active timber management.

Looking Towards Tomorrow

Oregon's farm and forest land protection program has steadily evolved over the years to respond to new data, changing conditions, regional differences and the needs of agriculture and forestry. DLCD sponsored a bill in the 2009 legislative session (House Bill 2228) that led to the adoption of a pilot Transfer of Development Rights program that offers landowners and local jurisdictions new incentives to permanently protect forest land. A second legislative bill (Senate Bill 763) authorizes all local jurisdictions in Oregon to use Transfer of Development Rights programs to protect a variety of working, resource and cultural landscapes. *(For more information see the Department's "2008-2010 Farm Forest Report")*

Natural Resource Protection

Local jurisdictions throughout the state have made modifications to their comprehensive plans and land use codes to reduce potential impacts from development on natural resources. Bandon and Medford established new Goal 5 protection for riparian areas. One adopted its first Statewide planning Goal 5—Open Spaces, Scenic and Historic Areas and Natural Resources,inventory and protection program consistent with the 1996 rule amendments, the other amended its inventory to recognize new data on the fish bearing status of its streams, extending protection measures to additional stream reaches. Eleven cities—Gearhart and Newport (Coastal Program grant); Florence (EPA grant); Adair Village, Monroe, Scio, Mill City, Harrisburg, Creswell, Cottage Grove, Lowell (includes riparian inventory, EPA Grant)--are working on local wetland inventories or combined wetland and riparian inventories that are scheduled to be completed by the end of the biennium.

Several cities—Port Orford, Klamath Falls, Monmouth, Tangent, Sisters--
have adopted or are in the process of adopting plan and code provisions to implement local protection measures in response to pollutant load limits assigned to them by DEQ, or to reduce impacts on a federally listed fish species. Some of these are designed to preserve the water quality functions of riparian areas. Others are designed to reduce the quantity of urban stormwater entering streams.

Goal 5 tasks have been included on some periodic work programs. The Goal 5 rule allows flexibility in applying the rule at periodic review. Department staff has worked with cities to draft Goal 5 PR tasks that support efforts to develop robust buildable lands inventories, while recognizing that budgets are limited.

The department has worked to identify the shifting position our natural resource Goals have in a matrix of federal envonmental laws. Since adoption of OAR 660-023, DEQ has developed its Total Maximum Daily Load program in response to Federal Clean Water Act requirements. As a result, many local governments are required to develop local programs to reduce water poluutant from development activities, and protect riparian areas and wetlands that provide water quality functions. The Goal 5 rules for riparian areas and wetlands are not always conducive for meeting these requirements. A recent challenge to implementation of the Federal Flood Insurance Program and concerns about its impact on endangered fish species, also has impllications for how local governments manage development in riparian areas and wetlands. It is not cleat at this time how Goal 5 and division 23 will fit within a response to higher federal standards for flood management.

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Managing Oregon's Coastal and Ocean Resources

The department houses the Oregon Coastal Management Program (OCMP), which works with local governments, state and federal agencies, and stakeholders to protect the treasures of the Oregon coast, while helping to develop vibrant, sustainable coastal communities.

Estuaries, coastal shorelands, beaches and dunes and ocean resources are of primary interest to the OCMP. But the department's Ocean and Coastal division staff work closely with coastal cities and counties to plan for economic and community development and stay safe from coastal hazards. The OCMP works closely with other state agencies, too, as network partners with legal authorities and programs for coastal resources.

Oregon's coastal program is based on the work of the Oregon Coastal Conservation and Development Commission created by the 1971 Oregon Legislature. In 1977 the OCMP received federal approval under the federal Coastal Zone Management Act. This approval is important in two critical ways:

1. The department receives federal funds from the National Oceanic and Atmospheric Administration (NOAA) to support coastal management. During the 2009-11 biennium, the department received over $4.5 million dollars to implement the OCMP.
2. Oregon, through the OCMP, has the authority to review federal agency actions and approvals that affect Oregon's coastal zone to make sure that they are "consistent" with Oregon's state laws, statewide planning goals, and local government comprehensive plans and ordinances.

During 2009-11, the OCMP focused on three program initiatives:

Helping Oregon's Coastal Communities

Oregon's coastal communities face challenges found nowhere else in the state. In addition to land use and economic development issues common statewide, coastal local governments must also protect estuarine resources, ocean shores, dunes and other coastal resources. Many coastal communities are on the front lines for ocean shoreline erosion, ocean flooding, severe storms, tsunamis, and the effects of climate change. A highly seasonal economy, rugged geography, and limited transportation options add to these challenges.

The OCMP assists local governments with:

- **On-Site Advice and Assistance** - During 2009-2011, three OCMP staff members worked from a coastal services center in Newport to assist cities and counties on a daily basis. Two regional representatives provide overall planning advice and assistance while a third specialist assists with coastal hazards and shoreland issues. The three Newport-based staff were also involved in a number of Oregon Solutions projects that help resolve land use issues at the local level. Other OCMP specialists in Salem and Portland provide advice and assistance as needed and often travel to meet with coastal local governments.
- **Financial Assistance** - During the 2009-11 biennium, OCMP Grants Administrator managed more than $750,000 in grant awards to 37 local governments) city, county and special districts) from federal funds including:
- **$680,000 in Coastal Zone Planning Assistance Grants:** These are awarded on a formula basis for which a 1:1 local match is required. All jurisdictions receive a minimum grant of $3,000. Grants enable local governments to maintain core planning services, review development proposals, prepare plan changes, update ordinances, and do other planning work.

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Success Story:
Due to its beautiful location, burgeoning artist community, unique civic character and strategic investment, the City of Astoria is a growing and vital community. Astoria's waterfront has become a magnet for new in-fill and redevelopment projects and proposals in recent years. While these developments have helped transform Astoria's economy, the pace of change has caused concern that the community's unique character could be compromised. To address these concerns, the City of Astoria launched an ambitious effort to engage the community in establishing a vision for the future development of Astoria's historic waterfront area. This planning effort was supported by a Technical Assistance Grant from the Department of Land Conservation and Development's Coastal Division

The resulting Astoria Riverfront Vision Plan represents the culmination of a nearly two-year community-wide effort to create a comprehensive riverfront vision, intended to ensure equitable riverfront growth by balancing development in the area with the desire to preserve Astoria's quality of life and connection to its unique history. The plan was developed from spring 2008 through summer 2009, during which time hundreds of Astorians participated in steering committee meetings, stakeholder interviews and surveys, four community-wide forums, three open houses and additional community meetings. After a series of public hearings, the final plan was adopted by the Astoria City Council in December, 2009. With a strong foundation in a broad-based community consensus, the Astoria Riverfront Vision Plan now provides city leaders with a blueprint for public and private investments and development decisions over the coming years.

The city received national recognition for this effort when they were selected by NOAA as a 2010 recipient of the Walter B. Jones Memorial Award for excellence in local government. (Spangler)

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- **$140,500 in Technical Assistance Grants:** These are awarded based on specific project proposals and merit; a 1:1 local match is required. Grants range from about $3,000 to as much as $20,000. Cities and counties use these funds to conduct special projects related to economic development, coastal hazards, GIS and information technologies, and wetland inventories. Jurisdictions often use conferences to provide information on current issues in coastal planning, coastal hazard assessments, alternative energy development, and other topics. The OCMP engages staff from other state agencies and Oregon Extension Sea Grant to par the OCMP award to leverage other funds. **Education and Information** - The OCMP provides provided information and training for local planning staff, including:
- **Local planner conferences:** The OCMP held six local planner ticipate in and provide information during these sessions.
- **GIS technical assistance:** An OCMP GIS specialist provided GIS training and trouble-shooting assistance for local governments. This over-the-shoulder assistance helped local staff to avoid start-up and training costs while providing a hands-on learning experience.
- **Oregon Coastal Atlas:** The OCMP maintains the Oregon Coastal Atlas, a website that provides a wide range of mapped data and information about the Oregon coast. Although this site is accessible to the public, it is frequently used as a source of information by local government planners and officials. A principal function of the Atlas is to serve data from other state agencies, such as the Department of Human Services beach water quality monitoring data and natural hazards data from the Department of Geology and Mineral

Industries. The Atlas contains more than 3,500 data bases and can be found at: http://www.coastalatlas.net.

Addressing Emerging Coastal Issues

The Oregon coast generated a variety of front-page news across the state. As a result, the OCMP devoted considerable staff resources and expertise to working with the Governor's office, the Department of Justice, and other state agencies to address five emerging issues:

- **Liquefied Natural Gas Facilities** - One high-profile proposed LNG facility (Bradwood Landing, Columbia River) was withdrawn while two others remain active and locally controversial. Because of the OCMP's "federal consistency" review authority, the Department was at the center of the state response to all three and worked with the applicants, local governments, the Oregon Department of Justice, the Governor's office, the public, nongovernmental organizations, federal agencies such as the Federal Energy Regulatory Commission, and others to identify and resolve issues.
- **Coastal Shoreline Hazards** - A major focus of the OCMP was to assist local governments in addressing coastal erosion, ocean flooding, and other hazards. OCMP staff worked closely with the City of Bandon to adoptregulation to protect development from ocean flooding, assisted Tillamook County and residents in Neskowin to address problems of ocean shore erosion and storm damage, and supported the City of Newport in its efforts to adopt updated regulations for areas subject to erosion and damage along the ocean shore.
- **Ocean Wave Energy Development** - The OCMP led an unprecedented effort to develop a coast-wide plan for ocean alternative energy development (aka wave energy) in response to a Governor's Executive Order of March 2008. Working with several dozen stakeholders, the Department
- completed Phase One in November 2009, when the Land Conservation and Development adopted an amendment to the Oregon Territorial Sea Plan with, policies, procedures, and standards for siting energy facilities. Phase Two, determining which areas may be available for ocean energy, will likely be completed in late 2011. The OCMP continues to work closely with coastal communities, commercial and recreational fishermen, the energy industry, other agencies and stakeholders to gather critical information about ocean fisheries and other uses, as well as ecological data. Community workshops to assess the information and identify areas where energy facilities might be located are scheduled for late winter and spring of 2011.
- **Marine Reserves** - OCMP staff played a critical behind-the-scenes role in assisting the Oregon Department of Fish and Wildlife's work with community groups to designate marine reserves. The OCMP provided data, GIS services (i.e. maps and analyses), and website expertise to enable ODFW to provide information to the public and community groups via http://www.oregonocean.info.
- **West Coast Governor's Agreement on Ocean Health** - The OCMP worked closely with the Governor's Office to provide policy, planning, and technical assistance to support the West Coast Governors Agreement (WCGA). In summer 2010, the OCMP applied on behalf of the WCGA for federal funds from NOAA to enable the Action Coordination Teams to carry out tasks identified in Action Plans. In early winter 2010, the OCMP assisted the WCGA to develop a substantial grant

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application to NOAA for funds to enable the WCGA to develop the technical and administrative infrastructure necessary to support future marine spatial planning along the West Coast as called for in the July 2010 National Ocean Policy.

Conserving Coastal Resources

The OCMP carried out several program activities to assist in conserving the unique and valuable resources of the Oregon coast:

- **The Coastal and Estuarine Lands Conservation Program (CELCP)** - Created by Congress, CELCP provides competitive grants to states and local governments to acquire and conserve special coastal areas. The OCMP administers this program for Oregon. During the biennium, the OCMP assisted the Oregon Parks and Recreation Department to apply for funds to acquire several coastal properties.
- **Public Access** - Oregon places great emphasis on public access to coastal beaches, shorelands, and waters. The OCMP completed an inventory of the more than 1200 public access sites along the Oregon coast.
- **Community Conservation Assistance** - The OCMP provide small grants to a number of coastal organizations to support local conservation efforts. Recipients included the Haystack Rock Awareness Program in Cannon Beach which is celebrating its 25th year of education and on-site interpretation as a proactive means of protecting Haystack Rock, one of the icons of the Oregon coast. The Port Orford Ocean Resource Team received funds to support the annual Port Orford Water Festival, a well-attended community event that promotes stewardship of coastal watersheds and ocean resources.
- **LiDAR Acquisition** - The OCMP provided some of its federal funds to the Oregon Department of Geology and Mineral Industries to help acquire detailed LiDAR (a special kind of radar image) data for the Oregon coast. The OCMP is now providing this extremely accurate data as maps to local governments to aid planning for coastal hazards, landslides, and flooding.

(For more information see the department's "2009-2011 Oregon Coastal Management Program Biennial Report")

Natural Hazards Program

DLCD's Natural Hazards Program is the state's coordinating agency for the National Flood Insurance Program (NFIP), through an agreement with the Federal Emergency Management Agency (FEMA). Oregon has 260 cities and counties that are subject to flooding. All but one floodprone city (population 295) participates in the NFIP, thereby making flood insurance available to nearly all residents and businesses located in the floodprone areas in the state of Oregon.

The NFIP has three basic components: flood hazard mapping; flood insruance; and regulation of areas of special flood hazard (areas with a 1 percent annual chance of flooding). The Natural Hazards Program contributes to each of these components.

Since 2005, the Natural Hazards Program has received federal grants to support FEMA's Map Modernization Program. One hundred sixty five (165) Oregon cities and counties, mostly in western Oregon, will receive digital flood insurance rate maps by the end of 2011. Over half of these communities (90) received digital maps during the 2009-11 biennium. Grant funds were used to:

- Review draft maps and prepare maps showing where flood hazard zones changed;
- Assist cities and counties with map adoption

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- and flood hazard ordinance amendments as necessary to remain in good standing with the NFIP;
- Provide technical assistance to ensure cities and counties are able to efficiently use digital flood insurance rate maps in their planning programs; and
- Support community outreach and education related to revised mapping.

The Natural Hazards Program entered into an interagency agreement with the Oregon State University to make the digital flood maps and accompanying flood studies available to the public via the "Oregon Explorer" website. Older maps also will be available.

Digital maps are continually refined using annual grants provided by FEMA's RiskMAP Initiative. RiskMap aims to develop tools to better assess and communicate exposure to natural hazards, as well as to provide more accurate Flood Insurance Rate Maps. The Natural Hazards Program works closely with the Department of Mining and Mineral Industries and the University of Oregon Partnership for Diseaster Resilience to achieve RiskMap objectives.

The Natural Hazards Program participates in the flood hazard regulation componenet of the NFIP by providing technical assistance and resources to Oregon's NFIP-participating communities. FEMA provides DLCD with an annual grant to support these activites. The Natural Hazard Program works iwth Oregon's NFIP communities to ensure they understand and comply with NFIP minimum requirements. The program also trains local planners, surveyors, building officials and real estate agencts on NFIP regulations and insurance requirements. The program answeres technical questions from local governments, building contractors, surveyors, real estate agencts and the public about NFIP standards and requirements.

Finally, the Natural Hazards Program works with the Oregon Office of Emergency Management before, during and after natural disasters (particularly floods) to ensure that recovery complies with both the NFIP and the state of Oregon planning goals. During the 2009-11 biennium the Natural Hazards Program participated on two Oregon Solutions Projects in Tillamook County and the City of Milton-Freewater, aimed at identifying projects to reduce risk of flooding. The Natural Hazards Program continues to work with the City of Vernonia as they recover and rebuild from devastating floods of 2007.

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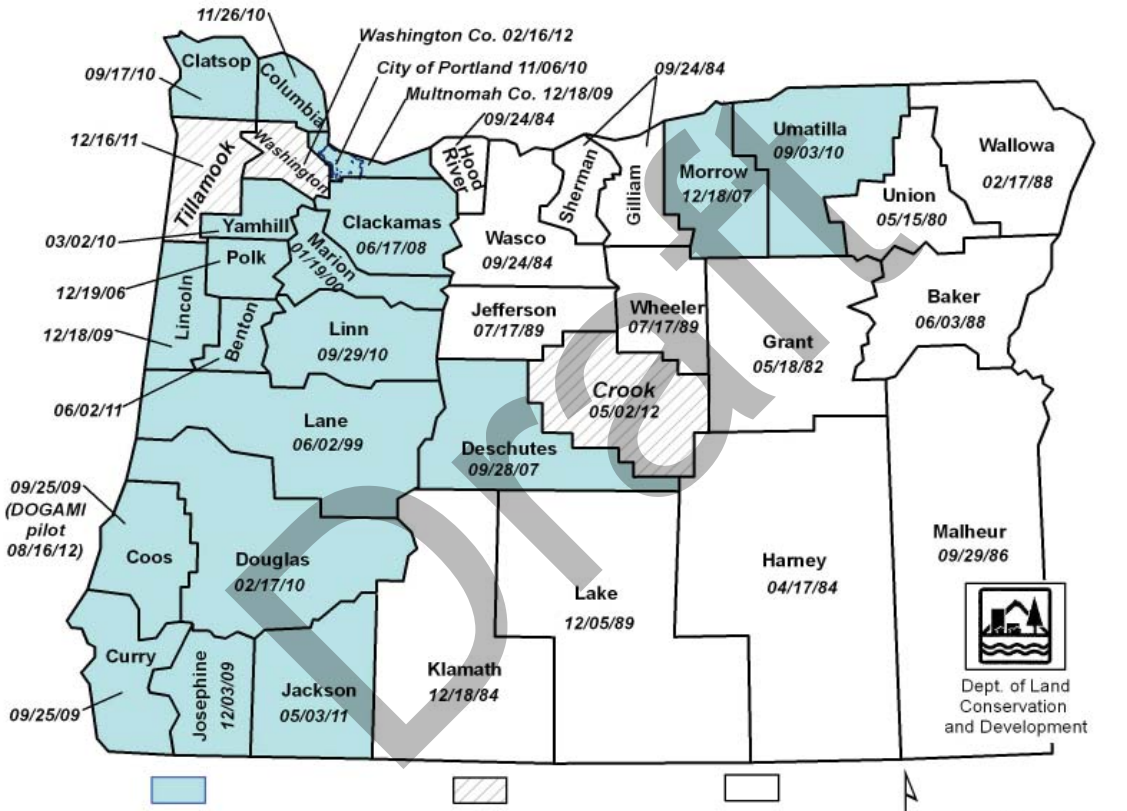
Status of Map Mod/Risk Map projects, with completed or projected effective dates



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Strategic Goal: Engage Citizens and Stakeholders in Continued Improvements of Oregon's Land Use Planning Program

- Support regional perspectives and strengths
- Ensure equitable application of regulatory programs
- Develop strong, collaborative partnerships with citizens and communities

Citizen Involvement Advisory Committee (CIAC)

Oregon Revised Statute Chapter 197 established the Citizen Involvement Advisory Committee (CIAC) to advise LCDC and local governments on matters pertaining to citizen involvement in land use planning. CIAC is an advisory body only; it has no explicit or implied authority over any local government or state agency. The committee does not set policy or review local land use plans (except for Citizen Involvement Programs) or decisions. The CIAC has eight members, one from each of Oregon's five congressional districts and three chosen at large. CIAC members are unpaid volunteers and are appointed to four-year terms by LCDC. The committee meets bi-monthly in Salem.

During the 2007-09 biennium, the CIAC:

- Assisted a number of communities in developing and improving Citizen Involvement Programs;
- Surveyed local web sites regarding citizen involvement;
- Initiated the "Star Awards" program to recognize outstanding programs to involve citizens in local land use decisions;
- Participated in LCDC policy workgroups; and
- Began development of Citizen Involvement training programs for local citizens and officials.

Citizen participation is a hallmark of Oregon's planning program. Each city and county plan includes a citizen involvement program that describes how the public can participate in each phase of the planning process. Local governments must periodically evaluate their efforts to involve citizens, and, if necessary, update their programs. These requirements are established in Statewide Planning Goal 1: Citizen Involvement.

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Local Officials Advisory Committee (LOAC)

Oregon Revised Statute Chapter 197 established the Local Officials Advisory Committee (LOAC) to advise LCDC and the department on matters involving local governments.

The LOAC is made up of seven members representing cities, counties and Metro. They are appointed by LCDC in consultation with the League of Oregon Cities and the Association of Oregon Counties.

LOAC is specifically charged by statute with the responsibility to review and advise LCDC on proposed goal amendments. After a period of dormancy, the LOAC reinitiated its work in 2010.

Strategic Goal: Provide Timely and Dynamic Leadership

- Develop and coordinate strategic initiatives with other state agencies and local governments
- Seek solutions that address immediate and long-range challenges including climate change, in collaboration with local governments, community and academic partners

LCDC Biennial Policy Agenda

Each biennium the Land Conservation and Development Commission (LCDC) adopts a policy agenda upon recommendation from the department and with public input. This policy agenda drives much of the work load of the department, and sets the scope, direction and tenor of the department's work plan. Several items from the 2009-11 agenda have been listed earlier in this report under "Major Policy Items." Other items follow here:

- **Rulemaking in response to a LUBA decision regarding RLUIPA**: In response to recent LUBA and related court decisions applying the federal Religious Land Use and Institutionalized Persons Act (RLUIPA), the commission directed the department to work with an appointed workgroup to consider amendments to the subject farmland administrative rules (OAR 660, division 33) regarding uses allowed on EFU zoned lands within 3 miles of an Urban Growth Boundary.

  Status: The rule was adopted by DLCD in June, 2010. The rule revisions limit the design capacity of structures for uses involving assemblies of people. The design capacity for such structures is limited to 100 people. The rules apply to "assembly" uses identified in the LUBA decision including schools, churches, parks facilities that are not master-planned, golf courses, certain community centers and living history museums.

- **Measure 49 Rulemaking Required by 2009 Legislation**: Adopt procedural amendments to LCDC's Measure 49 implementing rules to carry out adjustments to the claims process enacted by 2009 House Bill 3225.

  Status: The commission adopted permanent amendments to Measure 49 rules (OAR 660, division 41) in January 2010 to implement House Bill 3225 (2009). The commission also adopted permanent rules and rule amendments to Measure 49 rules during its regular meeting on July 22-23, 2010 to implement Senate Bill 1049 (2010).

- "Housekeeping" amendments to LCDC's farmland rules to make the rules consistent with recently amended statutory provisions in House Bill 3099 regarding farm uses.

  Status: This rulemaking is complete. In January 2010 the commission adopted conforming amendments to farmland rules in response to statutory changes enacted by House Bill 3099.

- **Coastal Zone Management Act Federal Consistency**: Update LCDC rules (OAR 660, division 35) that implement the "consistency requirements" of the Federal Coastal Zone Management Act, to address changes to NOAA's federal consistency rules and other changes since the last update (1988) of OAR 660, division 35.

  Status: The commission formally initiated the process to revise the commission's Federal Consistency rules (OAR 660-Division 35) at its meeting on January 21, 2010. Since that time, DLCD staff met with the state Citizen Involvement Advisory Committee (CIAC) to discuss the content of the rules and rule adoption process. The staff has developed draft language for legal review. DLCD continues to work with legal counsel at Oregon DOJ and with staff at the NOAA Office of Ocean and Coastal Resource

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Management (OCRM) to refine the language to ensure the proposed rules are consistent with state and federal law. The department intends to begin the formal rulemaking process during the spring of 2011?

TDR Pilot Program Rules: Adopt procedural rules for DLCD's Transfer of Development Rights Pilot Project authorized under House Bill 2228.
Status: The commission and the department have completed the rulemaking scheduled under this Policy Agenda task. LCDC adopted TDR Pilot Program rules at its January 2010 meeting and agreed to allow the department to extend its deadline for acceptance of pilot project applications to November 30, 2011.

- **Willamette Greenway Plan**: The Land Conservation and Development Commission has initiated an administrative rulemaking action to consider an amendment to the Willamette River Greenway Plan boundary and OAR chapter 660, division 20 in response to a request by the city of Portland.

  Status: In January, 2011 department will propose to LCDC that, since the rulemaking affects a limited geographical area, that a hearings office conduct a hearing within the affected area, consistent with ORS 183.335(3)(b).

- **Climate Change Adaptation**: The 2007 Legislature directed the Oregon Climate Change Research Institute (OCCRI) to assess the state of climate change science as it pertains to Oregon at least once per biennium. In July 2009, LCDC adopted an interim strategy for climate change, which included elements for both mitigating the drivers of climate change and adapting to the effects of climate variability and change. In October 2009, Governor Kulongoski asked the department and about 20 other agencies and entities in the Oregon University System to develop a state-level climate adaptation plan.

  Status: In consultation with a team of state agency directors, DLCD staff facilitated a process to develop a framework for climate change adaptation planning, which was completed and released in December 2010. (For more information see the multi-agency "The Oregon Climate Change Adaption Framework-Dec 2010")

- **Urban Policy Forum**: Conduct a public "policy forum" (or a series), including local governments and other stakeholders, to consider the following topics and determine consensus and future direction: Coordinated population forecasts; Public facilities finance and planning issues; Urban growth management process and policy issues, especially concerning UGBs and urban reserves.

  Status: In November and December, 2010, senior department staff met with Portland State University and the consensus Center to explore potential university participation in this effort, and to review a draft white paper on population forecasting that is being prepared by the department. The department has tentatively targeted late spring of 2011 for the forum regarding population forecasting.

- **Transportation Planning Rule Revisions**: The department has received requests for rulemaking to revise the Transportation Planning Rule (TPR) from cities (Ashland, Beaverton, Bend, Corvallis, Eugene, Lake Oswego, Madreas, Metro, Newberg, Portland, Redmond, Tigard) and organizations (League of Oregon Cities, Oregon City Planning Director's Association, and the Central Oregon Cities Organization). The cities and organizations are concerned that provisions of the TPR that apply to certain plan amendments and zone changes may be creating barriers to economic development and to efficient urban development. Problems occur when the proposal would increase motor vehicle traffic on a state highway and improvements would be needed to meet ODOT's mobility

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standards. In this situation the local government must identify how needed improvements will be funded before a plan amendment can be approved.

Status: ODOT has adopted administrative rules to carry out the provisions for House Bill 3379 to establish a process for OTC to authorize alternate funding for extensions to meeting funding requirements in the TPR for economic development. LCDC and OTC have established a joint sub-committee that will make a recommendation in April 2011, about rulemaking to amend the TPR and the Oregon Highway Plan.

- **Metro Urban and Rural Reserve Rule Adjustments**: In January 2010, and again in April 2010, LCDC directed staff to convene stakeholders and consider amendments to these rules in response to concerns regarding restrictions on future amendments to plans and land use regulations in urban and rural reserves.

  Status: The commission adopted minor rule amendments to the Metro urban and rural reserve rules at its April 2010 meeting, and additional amendments at its December meeting.

- **Division 33 Rulemaking with Regard to Energy Worker Housing**: Several counties in central and eastern Oregon reported an influx of workers associated with wind energy projects, and also reported a shortage of housing accommodations for such workers. The counties requested rule-making to allow temporary recreational vehicle (RV) campgrounds in exclusive farm use (EFU) zones under OAR 660-033-0130 in order to accommodate workers on wind energy projects during the coming construction season.

  Status: LCDC approved temporary rules in July 2010, with a focus on expanding temporary campground opportunities for utility workers. In October the commission approved permanent rules in OAR 660-033-0130 that established temporary housing facilities as an incidental use to an energy or transmission facility, and allowing such facilities on the construction facility site, or offsite.

- **General "Housekeeping" Rulemaking, Including Farm and Forest Rules**: LCDC typically conducts at least one "housekeeping rulemaking" per biennium to clean up or clarify various rules. This housekeeping rulemaking proposes clarification, streamlining and updating needed for Division 6, Forest Lands and Division 33 Agricultural Lands: For uses authorized in forest zones, proposed housekeeping changes would be necessary for clarification and consistency of the Definitions and Inventory sections with Oregon Department of Forestry standards for identifying forest land, clarification on some uses allowed in forest zones (outdoor gatherings, commercial power generating facilities, youth camps), minor clarification of some land division and dwelling standards, and minor technical corrections to spelling, grammar and statutory or rule references. For division 33 Agricultural Lands proposed changes include moving parts of the Definitions section to the Identifying Agricultural Land section and amending the latter to incorporate new language for compliance with HB 3647 (soils bill). Other proposed changes include clarification on uses authorized on agricultural land (outdoor gatherings, commercial power generating facilities), updating for consistency with new Oregon Department of Environmental Quality standards for composting, minor clarification on some standards for permitted and conditional uses and dwellings in conjunction with farm use, a requirement for consistency with the Brentmar ruling, and minor technical corrections to spelling, grammar and statutory or rule references.

  Status: The rules will be considered by LCDC at its January 2011 meeting.

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- **Division 33 Agricultural Land Requirements and Solar Energy**: This rulemaking, requested by counties and interests in central and eastern Oregon, proposes to modify energy facility rules for solar energy as was done two years ago for wind energy. Issues may include footprint, water usage, and land disturbance. The current 12- and 20-acre thresholds that apply to commercial energy generating facilities on farmland, require an exception to be taken for virtually all such facilities. This threshold will be analyzed for revision relative to siting a use that is coming more into use and that has a legitimate role to play in rural areas.

  Status: Rulemaking began in September 2010, with a rules advisory committee. Several rules advisory committee meetings were held in central Oregon in the fall, and the work continues into the winter of 2010/2011.

- **Irrigation Reservoirs on Farm Land:** The department received a request from the Oregon Board of Agriculture for consideration of a rule clarifying when reservoirs are allowed on lands zoned for exclusive farm use. Reservoirs are allowed as a farm use when located on property that is being irrigated, but are not clearly allowed on EFU lands that are not irrigated from the reservoir.

  Status: This rulemaking began in October 2010, and continues into 2011 with the creation of a rules advisory committee.

Coordinating Programs of State Agencies

The statewide planning program relies on cooperation and coordination among state agencies whose plans and programs affect land use and local governments that adopt and implement local land use plans. An important goal of the statewide planning program is to ensure that all state agency programs and state permits regarding land use issued under such programs are consistent with the statewide planning goals and are compatible with local land use plans.

Consistency among state and local governments is maintained through state agency "Coordination Agreements," completed and approved by LCDC in the late 1990s. However, the department has not engaged in a formal and concerted effort to update its coordination agreements since that time. In the meantime, and Community Development Department. State agency coordination also occurs through the Governor's Economic Revitalization Team (ERT), which brings together 26 state and regional agencies on a regular basis to coordinate economic development programs and activities in all regions of the state.

local government comprehensive plans and land use regulations, and state agency rules, plans and programs affecting land use, have changed substantially.

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Strategic Goal: Deliver Resources and Services that are Efficient, Outcome-based and Professional

- Provide local government with services and resources to support their comprehensive planning process
- Communicate with the public in a timely and transparent manner
- Focus on communications, staff training and administrative systems to ensure continued improvement of customer service

Working with Oregon Communities

Oregon's statewide planning program works most effectively when communities, regions and state agencies work cooperatively together to plan for and invest in successful, sustainable futures. And the fate of Oregon's future rests in large part on the successful implementation of thoughtful local planning. In order to help Oregon communities make the best possible decisions about their futures, DLCD works to make real-time information and state-of-the-art planning practices available in the regions of the state and from its central Salem office.

Communications and Technical Assistance

DLCD staff provides technical assistance to local governments through formal and informal communication.

During the past biennium, the department conducted six planners network meetings around the state (Medford, Springfield, Monmouth, Hillsboro, Bend and Baker City) and four coastal planners network meetings (Yachats, Rockaway, Bandon and Florence). Planners network meetings serve as a forum for local governments to exchange information and develop stronger working relationships. The department will continue to host network meetings during the 2009-11 biennium.

Awards and Recognition First Time Event

The Coastal Program hosted a Coastal Awards dinner at a Coastal Planners Conference in October 2010, and made first-ever awards to a number of coastal jurisdictions, individuals, and organizations. The winners of the 2010 Coastal Planners Awards were):

- Excellence in Local Government Planning: City of Astoria
- Problem Solving: City of Newport
- Habitat Protection: City of Cannon Beach/ Friends of Haystack Rock
- Urban Vitality: City of Waldport
- Waterfront Revitalization: City of Florence
- Public Access: City of Brookings
- Information Technology: Curry County
- Local Government (two awards): City of Lincoln City and Tillamook County
- Elected Official: James Auborn, Mayor, City of Port Orford
- Professional Service: Diane Morris, City of Brookings
- Non-Profit: Oregon Coastal Zone Management Association (OCZMA)
- Award of Special Merit: Against All Odds: Port of Newport

Department staff also participate regularly on the following:

- Technical advisory committees for local planning projects;
- Regional Economic Revitalization Teams (ERT);
- Area Commissions on Transportation (ACT);
- Regional investment panels for economic and community development; and
- Other local government discussions.

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Informally, DLCD staff also responds to inquiries regarding statewide planning goals, rules, laws, and general planning, development and conservation practices. Questions frequently come to the department by phone, e-mail, and at various meetings. The nature of this technical assistance varies depending on the request and needs of the local jurisdiction, and ranges from short exchanges regarding planning procedures to substantive engagements on planning policy, development proposals, or plan amendments.

Grants to Local Governments

In addition to technical expertise, DLCD offers several grant programs to provide targeted resources to local governments. The Transportation and Growth Management program is dedicated to improving the integration of land use and transportation planning across the state (please see "Integrating Land Use and Transportation planning," page xx). The Coastal Zone Management Program offers resources to coastal communities (please see "Managing Oregon's Coastal and Ocean Resources," page xx).

The general fund Technical Assistance grant program provides resources to help local governments with individual comprehensive planning activities, with regional planning analysis, and with Periodic Review. During this biennium:

- Oregon communities have utilized about $1.6 million in technical assistance grant funds on comprehensive plan update projects ranging from regional wetlands identification to housing needs analyses to regional planning for large-scale industrial development;
- Nearly $1 million went to cities and counties for Periodic Review programs, providing opportunities for large scale plan updates; and
- An additional $135,000 was awarded to cities under 2,500 population and to counties under 15,000 population. Those funds are typically used to support general planning and permitting activities in Oregon's smaller communities. Thanks in part to DLCD's partners, including the League of Oregon Cities and the Association of Oregon Counties, the department significantly stepped up its efforts to alert local governments to the opportunity. As a result DLCD provided assistance to 107 small communities this biennium a 22 percent increase from the previous biennium.

In total, the Technical Assistance grant program was able to fund in whole or in part 44 planning projects statewide. Adding the 135 Planning Assistance grants to small communities, DLCD was able to provide assistance to 179 communities – nearly two thirds of our local partners across the state.

Keeping Plans Up to Date

In order for the statewide planning program to function effectively, local comprehensive plans must be updated in keeping with changing markets and developing landscapes. Local governments typically identify needed updates and amend their plans through the Post-Acknowledgment Plan Amendment (PAPA) process.

DLCD's role in the PAPA process includes reviewing and advising on proposals and providing notice of the proposal to the public. Department staff is frequently asked to provide technical assistance as well. Oregon's larger communities, including cities with populations greater than 10,000 are also required to review and update their plans through the process of Periodic Review.

Reasons for Periodic Review

Urban development, population growth, economic and market forces and other changes in the landscape can render comprehensive plans obsolete over time. As community visions are realized, plans must be updated to continue to meet the needs of the local government, its citizens, and its property owners. Oregon statutes require many cities to periodically review their plans to ensure they continue to

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accommodate needed land and infrastructure for economic development and housing. Certain statutory and rule provisions are implemented through Periodic Review as well. During this biennium, the department worked with eleven cities to complete portions of periodic review work programs.

Plan Amendment Review

A local government can amend its comprehensive plan to address local needs outside the Periodic Review process through the Post-Acknowledgment Plan Amendment (PAPA) process. These typically smaller amendments may be initiated by a city or county, or by a property owner, who wishes to change the allowed use(s) of their land.

For any proposed PAPA, the appropriate local government is required to send notice of proposed amendments to DLCD. As previously stated, DLCD's primary role is to review the proposal and provide guidance where appropriate. During the first 18 months of the biennium, DLCD has received just under 1,000

PAPA notices. The department expects to receive up to 1,300 before the end of the biennium. Of the projected 1,300 proposals, the department will respond to approximately one-third of them, providing assistance and feedback to the communities making changes.

Appeals of Land Use Decisions

The department works closely with local communities throughout the planning and ordinance adoption process. Staff provides guidance on local land use proposals and, in the overwhelming majority of cases, the local government and the department work together to address any legal and technical challenges. In cases where the local government makes a decision the department believes violates a statewide planning goal, the department, with LCDC approval, may choose to appeal that local decision to the Land Use Board of Appeals (LUBA) for clarification of the decision or to confirm state policy. As of November 20, 2008, 342 local decisions have been appealed to LUBA statewide.

Of the 342 decisions appealed statewide, eight were initiated by DLCD:

- A comprehensive plan/land use regulation interpretation that would have allowed an urban-scale retail development in Douglas County's rural industrial zone;
- A comprehensive plan amendment that would have permitted a large-scale RV park on high value agricultural land in Linn County

Continuous Process Improvement

The department of Land Conservation and Development management and staff regularly engage in actions to update, streamline and improve department and program policies, rules and procedures. In 2009, the department began to implement a formal and department wide effort to review department activities. The department use d a 5 day event featuring a powerful set of process improvement tools to analyze and implement rapid process improvements. The 5 day event call Kaizen - which is Japanese for "take apart and make good" includes tools designed to:

- Empower staff to design and implement better, smarter, faster processes advancing the mission of the department;
- Eliminate redundancies between programs and streamline processes in a relatively short timeframe;
- Create a culture of continual improvement freeing staff to develop solutions focusing on high-value work products;
- Minimize waste and save dollars through streamlined processes and procedures;
- Increase transparency;
- Enable staff to spend quality time on value added activities and eliminate non-value added activities.

The department's first applciation of Kaizen related to periodic review and urban growth boundary decisions. Some outcomes from the event included:

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Insert text about Kaizen and pictures

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Supplementary Information

Key Performance Measures

The department's key performance measures for 2010 are submitted to the legislature with the Annual Performance Progress Report (APPR). The measures are legislatively approved, and reflect a wide range of activity performed by the department and local governments. KPMs are one method of capturing the direction, energy and outcomes of the land use program. Seen in the context of this Biennial Report and the full APPR report these numbers take on a richer meaning.

KPM #	Performance Measure	Target	Results
1	Employment Land - Percent of cities that have an adequate supply of employment land for industrial and other employment uses	79	39
2	Housing Land Supply - Percent of cities that have an adequate supply of buildable residential land to meet housing needs	70	65
3	Public Facilities Plan - percent of cities that have updated the local plan to include reasonable cost estimates and funding plans for sewer and water systems	44	42
4	Certified industrial Sites - Number os sites certified as project-ready added each year	6	1
5	Transit Supportive Land Use - Percent of urban areas with a population of greater than 25,000 that have adopted transit supportive land use regulations	85	86
6	Transportation Facilities - Percent of urban areas that have updated the local plan to include reasonable coast estimates and funding plans for transportation facilities	69	87
7	ERT - Percent of local participants who rank DLCD involvement in the ERT process as good-to-excellent	66	65
8	Coastal Development Zoning - Percent of estuarine areas designated as "development management units" in 2000, that retain that designation	100	100
9	Natural Resource Areas - Percent of urban areas that have updated buildable lands inventories to acount for natrual resource and hazardous areas	6	3
10	Farm Land - Percent of farm land outside UGBs zoned for EFU in 1987 that retain that zoning	99.92	99.89
11	Forest Land - Percent of forest land outside UGBs zoned in 1987 for forest use that remains zoned for those uses	99.94	99.92
12	UGB Expansion - Percent of land added to UBGs that is not farm or forest land	55	20
13	Periodic Review Remands - Percent of periodic review work tasks that are returned to local jurisdictions for further action	<15	11
14	Timely Comments - Percent of DLCD concerns or recommendations regarding local plan amendments taht are provided to local governments within the statutory dealdine for such comments	100	100

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KPM #	Performance Measure	Target	Results
15	Grant Awards - Percent of local grants awarded to local governments within two months of receiving an application	90	94
16	Land Use Appeals - Percent of agency appeal of local land use decisions that were upheld by LUBA and the courts	100	100
17	Customer Service - Percent of customers rating their satisfaction with the agency's services as good or excellent	83	71
18	Task Review - Percent of periodic review work tasks under review at DLCD for no longer than four months	95	100
19	Measure 49 - Percent of (new) Measure 49 claims assigned to the agency that are processed within 180 days	100	100
20	Best Practices - percent of Best Practices met by the board (LCDC)	100	100

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Looking to the Future

The budget situation facing the 2011 legislative session looks to be as daunting as any in recent memory: Nonetheless, as the state seeks to right itself economically, and prepare for renewed growth and vitality, land use issues are likely to be central to strategies adopted by the legislature and the governor. The following list of short-term and long-term issues, some mentioned previously in this report, are among those the department believes merit consideration and discussion:

Helping communities begin to adapt to the effects of climate change
Through the Oregon Climate Change Research Institute (OCCRI), we are beginning to obtain data concerning how temperatures and precipitation are projected to change particular areas of the state. These climatic changes will drive effects on our natural and human environments in terms of water supply, energy use, fire, flooding, land slides, crops, timber and crop management, road location and public health.

Developing and communicating data for Oregon communities and helping them to begin to plan to adapt their built environments over time are major challenges for Oregon and the nation. The department has completed facilitation of a multi-agency task force that has resulted in a n Oregon Climate Change Adaption Framework. The department has also signed a Cooperative Agreement with Oregon Sea Grant to work together to assist coastal communities plan for the effects of climate change.

Economic development planning
Collaborate with key state agencies focusing on job growth and industrial site availability. Support the state's economy by ensuring that local governments provide and adequate land supply, infrastructure and services to meet economic opportunities.

Continue work with ODOT and larger urban areas to reduce greenhouse gas emissions from autos
The 2009 and 2010 legislatures gave the agency and ODOT important responsibilities to begin planning to reduce greenhouse gas emissions from automobiles. By the end of the current biennium, the department will have met one directive from HB 2001 (2009)—to set a target for the Portland Metropolitan area for the reduction of greenhouse gas emissions from light vehicles for the year 2035. For the 2011-13 biennium, HB 2001 tasks the department with helping the Portland Metro area to develop at least two land use scenarios that portray how the Metro region could meet these targets

Improve efficiency and transparency of review of UGB expansions
LCDC made major strides in this regard with two rounds of rulemaking concerning the standards and process for review of UGBs in the past five years. However it has been 20 years since the fundamental statutory and goal provisions for UGB management were adopted. At present, UGB amendments often take too long to complete, and are too expensive for the system to be clearly understood by citizens and sustainable for the long term.

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Improve how state and local governments plan and pay for infrastructure
Oregon's public finance system is fundamentally Broken. Short of constitutional amendments, state and local governments need to explore new ways of planning for and paying for the infrastructure needed to meet the demands of a growing population, and make communities attractive sustainable places to live and work. The agency is beginning an effort along with local governments to address these issues in 2011.

Forest land conversion
Continue to implement the Transfer of Development Rights Program and work with others including the Department of Forestry, to find non-regulatory methods for moving development rights off of commercial timber lands.

Complete ocean alternative energy planning
Oregon is at the forefront of planning for ocean renewable energy resources (wave and tidal). The agency, through the Coastal Management Program is leading the state's efforts to develop a comprehensive plan for siting new ocean energy projects within the territorial sea. While the initial planning work is expected to be completed in the first half of 2011, additional tasks will remain to assure that the plans are fully integrated into Oregon' coastal program and appropriately considered by the Federal Energy Regulatory Commission.

Natural hazards mapping and risk avoidance
The agency has been awarded a Continuing Technical Partner grant by the Federal Emergency Management Agency (FEMA) to develop the state strategy for identifying, assessing and communicating information about natural hazards. The five-year project is called RiskMap (mapping assessment and planning, and combines floodplain hazard mapping, risk assessment tools and mitigation planning into one-seamless program.

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Funding for Oregon's Planning Program

2009-11 Legislatively Approved Budget

General Funds	$20,794,123
Other Funds	$798,687
Federal Funds	$6,363,069
All Funds	$27,955,879
Full Time Employees	85.5

DLCD revenues derive from three funding sources. Federal funds are budgeted primarily in the coastal division. DLCD does not administer permit programs and therefore does not generate any revenue from permit fees. The department is among the smallest of state agencies.

DLCD Divisions and Offices

DLCD is organized into four divisions:

The **Community Services Division**, Darren Nichols, Manager--is composed of regional representatives who assist local governments in the implementation of the statewide land use planning program by providing technical and educational assistance to local government planners and officials, the general public, and interest groups. The division also provides financial assistance to urban and rural communities.

The **Planning Services Division**, Rob Hallyburton, Manager--provides specialized technical assistance and policy consultation to DLCD's regional representatives serving local governments and citizens. The division includes the Transportation and Growth Management Program (TGM) and specialists dealing with urban development, farm and forest land protection, mineral and aggregate resources, economic development, natural resource management, and floodplain management.

The **Ocean and Coastal Services Division,** Bob Bailey, Manager--works with coastal cities, counties, and state and federal agencies to administer Oregon's federally approved Coastal Management Program, which emphasizes conservation of estuaries, shorelands, beaches and dunes, and ocean resources. The division provides financial and planning assistance to local governments, implements a coastal hazards and assessment program, supports the Oregon Ocean Policy Advisory Council, maintains an online Oregon Coastal Atlas, and has authority under federal law to review federal programs and activities for consistency with Oregon's federally approved coastal program standards.

Administration—which includes the **Operations Services Division**, Teddy Leland, Manager--provides services in the following areas: human resources, labor relations, budget, accounting, purchasing, payroll, safety, space and facility management, mail distribution, information systems, landowner notification, agency policy and procedure development, inventory and property control, and reception; and the Director's Office, Richard Whitman, Director, provides support for the Land Conservation and Development Commission, overall direction for the department, and budget and policy development.

The department is based in Salem, but has field staff stationed in Portland, Springfield, Newport, Bend, La Grande and. The following is a list of DLCD regional staff and contact information:

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Department of Land Conservation and Development

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(503) 373-0050 x320

VIA THE WEB
http://www.oregon.gov/LCD/publications.shtml

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A Summary of Oregon's Statewide Planning Goals

1. CITIZEN INVOLVEMENT Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.

2. LAND USE PLANNING Goal 2 outlines the basic procedures of Oregon's statewide planning program. It says that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information"; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation.

3. AGRICULTURAL LANDS Goal 3 defines "agricultural lands." It then requires counties to inventory such lands and to "preserve and maintain" them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, Division 33.

4. FOREST LANDS Goal 4 This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will "conserve forest lands for forest uses."

5. OPEN SPACES, SCENIC AND HISTORIC AREAS AND NATURAL RESOURCES Goal 5 covers more than a dozen natural and cultural resources such as wildlife habitats and wetlands. It establishes a process for each resource to be inventoried and evaluated. If a resource or site is found to be significant, a local government has three policy choices: preserve the resource, allow proposed uses that conflict with it, or strike some sort of a balance between the resource and the uses that would conflict with it.

6. AIR, WATER AND LAND RESOURCES QUALITY Goal 6 This goal requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

7. AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS Goal 7 deals with development in places subject to natural hazards such as floods or landslides. It requires that jurisdictions apply "appropriate safeguards" (floodplain zoning, for example) when planning for development there.

8. RECREATION NEEDS Goal 8 This goal calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expedited siting of destination resorts.

9. ECONOMY OF THE STATE Goal 9 calls for diversification and improvement of the economy. It asks communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

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10. HOUSING Goal 10 This goal specifies that each
city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

11. PUBLIC FACILITIES AND SERVICES Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should to be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

12. TRANSPORTATION Goal 12 The goal aims to
provide "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged."

13. ENERGY Goal 13 declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."

14. URBANIZATION Goal 14 This goal requires
cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.

15. WILLAMETTE GREENWAY Goal 15 sets forth procedures for administering the 300 miles of greenway that protects the Willamette River.

16. ESTUARINE RESOURCES Goal 16 This goal requires local governments to classify Oregon's 22 major estuaries in four categories:, natural, conservation, shallow-draft development, and deep-draft development. It then describes types of land uses and activities that are permissible in those "management units."

17. COASTAL SHORELANDS Goal 17 The goal defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and resources there are to be managed: major marshes, for example, are to be protected. Sites best suited for unique coastal land uses (port facilities, for example) are reserved for "water-dependent" or "water related" uses.

18. BEACHES AND DUNES Goal 18 sets planning standards for development on various types of dunes. It prohibits residential development on beaches and active foredunes, but allows some other types of development if they meet key criteria. The goal also deals with dune grading, groundwater drawdown in dunal aquifers, and the breaching of foredunes.

19. OCEAN RESOURCES Goal 19 aims "to conserve the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf." It deals with matters such as dumping of dredge spoils and discharging of waste products into the open sea. Goal 19's main requirements are for state agencies rather than cities and counties.

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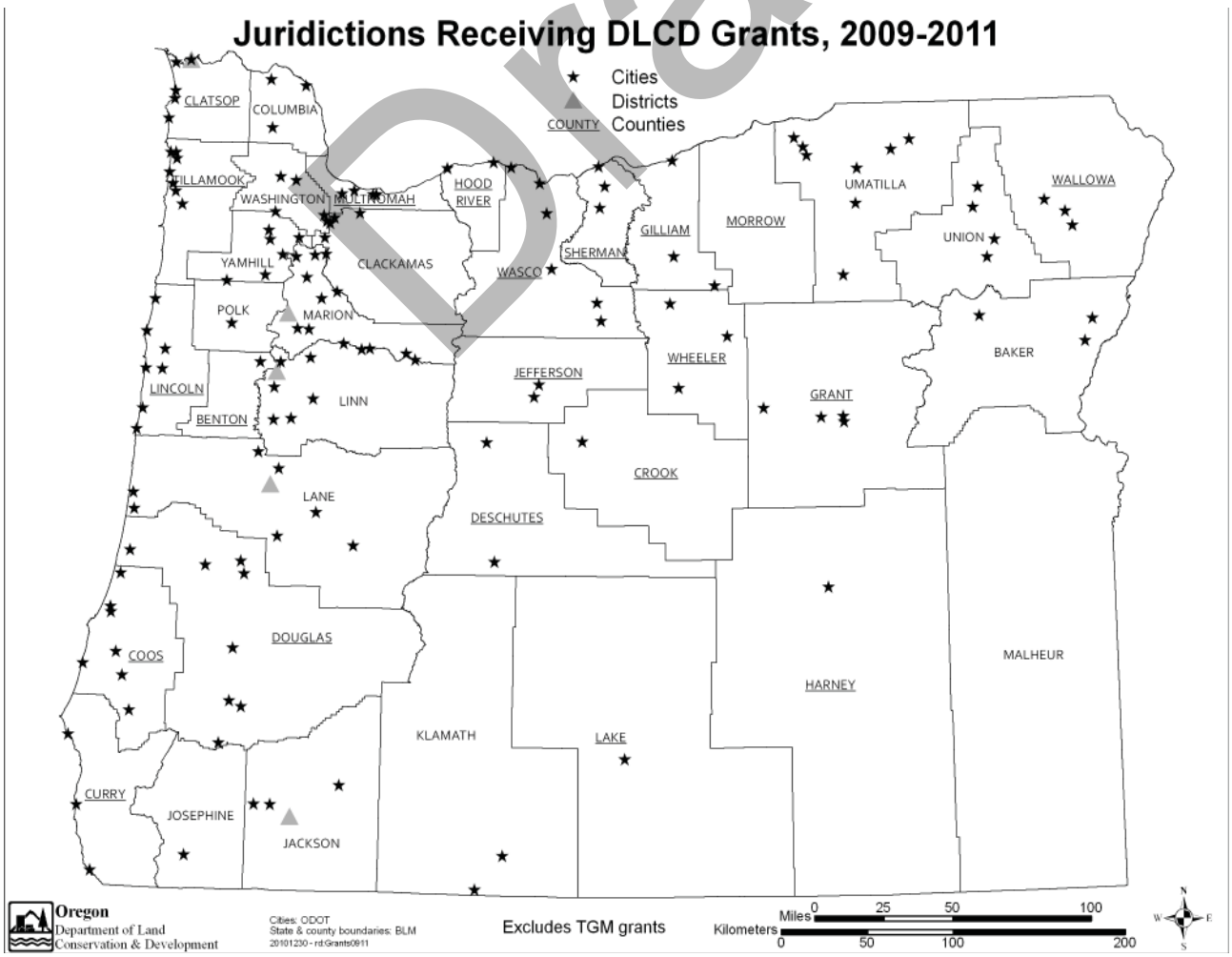

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