



# Oregon

Theodore R. Kulongoski, Governor

## Land Conservation and Development Commission

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## MEETING NOTICE

**January 23-25, 2008**

### LAND CONSERVATION AND DEVELOPMENT COMMISSION

Gresham City Hall  
Council Chambers  
1333 NW Eastman Parkway  
Gresham, OR 97030

*When visiting Gresham City Hall, please do not park in the designated spots with a Visitor or Carpool label on them. With the limited amount of availability, the City needs to keep these spots open for citizens and customers coming in to take care of City business. Feel free to park in other open spots, the back parking (west) lot or the old oil service center to the east of K-mart. Thank you for your consideration.*

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Sarah Watson at 503-373-0050 ext. 271, or by email [sarah.watson@state.or.us](mailto:sarah.watson@state.or.us); TTY: Oregon Relay Services 800-735-2900.

#### **Public Testimony**

*The Commission places great value on testimony from the public. People who wish to testify are requested to:*

- *Provide written summaries (20 copies to the Commission Assistant prior to the agenda item)*
- *Recognize that substance, not length, determines the value of testimony*
- *Endorse, rather than repeat, testimony of other witnesses with whom you agree*
- *The Chair may limit time for testimony on any item and may set time limits (usually 3 minutes) for individual speakers*

*Thank you for taking the time to present your views.*

Note: Because of the uncertain length of time needed, the Commission may deal with any item at any time in the meeting, except those set for a specific time. Anyone wishing to be heard on any item not having a set time should arrive when the meeting begins to avoid missing an item of interest. Topics not on the agenda may be introduced and discussed during the Director's Report, during the Commission's Business and Reports, or under Other.

***Please note that in the Commission's efforts to hold their meetings around the state, staff may not be available to receive written comments (specifically emails) for agenda items, one to two days before the meeting is to start. OAR 660-001-230(2): "Unless the director allows a closer***

deadline, written testimony must be submitted at least five days before the commission meeting to be provided to commission members in advance of the meeting.” (emphasis added)

The Land Conservation and Development Commission (the Commission) may continue its meeting through lunch on any day to deliberate on matters on the agenda. In that event, those persons whose attendance is necessary for any matter of business undertaken during lunch will be required to attend.

The Commission’s **Budget and Management Subcommittee** will meet at 8:00 a.m., Thursday, January 24, at the Gresham City Hall (1333 NW Eastman Parkway). The subcommittee will report to the full Commission during Commission Business and Reports. For additional information, contact Teddy Leland at 503-373-0050 ext. 237, or by email [teddy.leland@state.or.us](mailto:teddy.leland@state.or.us).

### **1:30 p.m., Wednesday, January 23, 2008**

- \*1. Public Hearing on Proposed New and Amended Administrative Rules establishing a process and criteria for Metro Area Urban and Rural reserves, pursuant to 2007 legislation (SB 1011).** LCDC will receive public comment on the proposed rules, and may close or continue the hearing (see Agenda Item 6). For additional information regarding this item, please contact Bob Rindy at 503-373-0050, ext. 229, or by email [bob.rindy@state.or.us](mailto:bob.rindy@state.or.us).

### **8:30 a.m., Thursday, January 24, 2008**

- \*2. Public Comment.** This part of the agenda is for comments on topics not scheduled for discussion elsewhere on the agenda. The Commission chair will set time limits (usually 3 minutes) for individual speakers. The maximum amount of time for all public comments under this agenda item will be 30 minutes. Anyone wishing to appear during Public Comment is encouraged to let the department know in advance by calling Sarah Watson or Jenny Hill at (503) 373-0050 ext. 271, or by e-mail [sarah.watson@state.or.us](mailto:sarah.watson@state.or.us), or [jenny.hill@state.or.us](mailto:jenny.hill@state.or.us).
- 3. Citizen Involvement Advisory Committee (CIAC) Update.** The CIAC will give a brief update on its recent work to the Commission. For additional information, please contact Cliff Voliva at 503-373-0050 ext. 268, or by email [cliff.voliva@state.or.us](mailto:cliff.voliva@state.or.us).
- 4. Request to Appeal Pursuant ORS 197.090(2), (3), and OAR 660-010-0201 to -0230.** State law requires Commission approval of the director’s recommendation to seek review of or intervene in the appeal of a local government land use decision, expedited land division, or limited land use decision. This item is a placeholder. It will take place only in the event that an appeal is contemplated. Only the director, or department staff on the director’s behalf, the applicant, and the affected local government may submit written or oral testimony concerning Commission approval of a director’s recommendation to file or

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pursue an appeal, or an intervention in an appeal, of a land use decision, expedited land division, or limited land use decision.

**5. Periodic Review, Pursuant to ORS 197.628 to 197.644 and OAR 660, Division 025.**

The Commission considers matters related to periodic review usually by way of an appeal of the department's decision or upon referral by the department of a local government's work program or work task submittal. Appeals and referrals of a periodic review work task or work program are decided by the Commission. Oral argument is limited to the appellants, parties, and the local government. The Chair may limit time for testimony and may set time limits (usually 3 minutes) for individual speakers.

- a. City of Salem Tasks 3 and 5.** This item is an appeal of the department's remand of the city's completed task regarding its transportation system plan. The Commission will consider the department's recommendation that the hearing be delayed pursuant to OAR 660-025-0160(5) to allow additional time for mediation between the parties. For additional information, please contact Rob Hallyburton at 503-373-0050, ext. 239, or by email [rob.hallyburton@state.or.us](mailto:rob.hallyburton@state.or.us).

**9:30 a.m., Thursday, January 24, 2008**

- 6. Commission Work Session and Possible Adoption of Proposed New and Amended Administrative Rules establishing a process and criteria for Metro Area Urban and Rural reserves, pursuant to 2007 legislation (SB 1011).** LCDC will consider the proposed new rules and comments received under Item 1, and may adopt the rules. For additional information regarding this item, please contact Bob Rindy at 503-373-0050, ext. 229, or by email [bob.rindy@state.or.us](mailto:bob.rindy@state.or.us).
- 7. Measure 37/49 Update.** Director Whitman will report on the status of Measure 49 and related matters. For additional information, please contact Richard Whitman at 503-373-0050 ext. 280, or by email at [richard.whitman@state.or.us](mailto:richard.whitman@state.or.us).
- 8. Initial Discussion of the Department's 2009-11 Policy Packages and Legislative Concepts.** For additional information regarding this item, please contact Bob Rindy at 503-373-0050, ext. 229, or by email [bob.rindy@state.or.us](mailto:bob.rindy@state.or.us).
- 9. Director's Report.**
- 10. Commission Business and Reports.**
- Budget and Management Subcommittee Report
- 11. Other.** The Commission reserves this time, if needed, for other business or for further consideration of any item on the agenda.

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**8:30 a.m. Friday, January 25, 2008**

*If needed, the Commission will meet to conclude scheduled agenda items. The meeting will conclude no later than noon in order to permit adequate time for return travel.*

Oregon’s seven-member Land Conservation and Development Commission, assisted by the Department of Land Conservation and Development (DLCD), adopts state land use goals, assures local plan compliance with the goals, coordinates state and local planning, and manages the coastal zone program. The Commissioners are unpaid citizen volunteers appointed by the Governor and confirmed by the Senate. Commissioners are appointed to four-year terms and may not serve for more than two consecutive terms. The statute establishing the Commission, ORS 197, also directs that members be representative of the state. The Commission meets approximately every six weeks to direct the work of the Department of Land Conservation and Development (DLCD).

Current Commission members are:

- Dennis Derby (Portland)
- Marilyn Worrix (McMinnville)
- Ron Henri (Talent)
- Hanley Jenkins (Union)
- Tim Josi (Tillamook)
- Margaret Kirkpatrick, Vice Chair (Portland)
- John H. VanLandingham, Chair (Eugene)

The next regular Commission meeting is currently scheduled for March 19-21, 2008, in Ashland, location to be determined.

**Meeting Dates for 2008**

April 30 - May 2, 2008	Baker City
June 18-20, 2008	Damascus
August 6-8, 2008	Tillamook
October 15-17, 2008	Prineville
December 4-5, 2008	Salem

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