



Oregon

Theodore R. Kulongoski, Governor

Land Conservation and Development Commission

635 Capitol Street NE, Suite 150

Salem, OR 97301-2540

(503) 373-0050

FAX (503) 378-5518

Web Address: <http://www.oregon.gov/LCD/index.shtml>

MEETING NOTICE

Feb. 1-3, 2006

LAND CONSERVATION AND DEVELOPMENT COMMISSION

Agriculture Building

635 Capitol St. NE, Basement Hearing Room

Salem, OR 97301

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; 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.

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, Feb. 2, in the Basement Hearing Room of the Agriculture Building (635 Capitol St. NE) Salem, Oregon. 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.

1:30 p.m., Wednesday, Feb. 1, 2006

1. **Informational Briefing on the Department's Natural Hazards Program.** Staff will provide information about department efforts related to Goal 7, the National Flood Insurance Program, flood hazard map modernization and intergovernmental partnerships in support of natural hazard mitigation. For additional information, please contact Christine Valentine at 503-373-0050 ext. 250, or by email christine.valentine@state.or.us.
2. **Informational Briefing on the Draft Oregon Transportation Plan by the Oregon Department of Transportation.** Staff from the Oregon Department of Transportation (ODOT) will outline proposed amendments to the Oregon Transportation Plan (OTP) that are under consideration. For additional information, please contact Bob Cortright at 503-373-0050 ext. 241, or by email bob.cortright@state.or.us.
3. **Informational Briefing on Periodic Review.** Staff will provide information regarding the regulations and policies relating to periodic review of local comprehensive plans. For additional information, please contact Rob Hallyburton at 503-373-0050 ext. 239, or by email rob.hallyburton@state.or.us.

8:30 a.m., Thursday, Feb. 2, 2006

- *4. **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 at 503-373-0050 ext. 271, or by email sarah.watson@state.or.us.
5. **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 pursue an appeal, or an intervention in an appeal, of a land use decision, expedited land division, or limited land use decision.

9:00 a.m., Thursday, Feb. 2, 2006

- *6. **Public Hearing and Possible Adoption of Proposed Administrative Rule Amendments - OAR 660-012 (Transportation Planning Rule).** The revisions are based on the work of the Transportation Planning Rule Work Group and a joint subcommittee of the Commission and the Oregon Transportation Commission. The Commission will accept

* Agenda items where an opportunity is given for public comment. The chair may limit time for testimony on any item and may set time limits (usually 3 minutes) for individual speakers. The Commission encourages written testimony in addition to or instead of oral testimony in the event there is not enough time to hear everyone who wishes to speak. Items without an asterisk are not open for public comment.

written and oral comments. Persons wishing to comment should be prepared to limit oral testimony to three minutes. Detailed information on the proposed amendments is available on the department's website at: <http://www.oregon.gov/LCD/transplan.shtml>. For additional information, please contact Bob Cortright at 503-373-0050 ext. 241, or by email bob.cortright@state.or.us.

7. **Possible Reconsideration of Commission Decision (December 2005) Denying Request for Approval of Resource Zone Minimum Lot Size in Yamhill County.** At its meeting on December 1, 2005, the Commission denied, by a vote of 3 to 2, a request to approve a minimum lot size of less than 80 acres on land within a mixed farm-forest zone in Yamhill County. Because of uncertainty about the required vote majority at the December 1 meeting this item is scheduled for possible reconsideration of the Commission's decision. A motion for reconsideration may only be made by a member who voted on the prevailing side. If a motion for reconsideration is made and approved, the Commission will proceed directly to deliberation and action; no evidence, testimony, or argument will be received. If a motion for reconsideration is not made, or is not adopted, there will be no further action on this item and the December 1 denial will stand. For additional information, please contact Rob Hallyburton at 503-373-0050 ext. 239, or by email rob.hallyburton@state.or.us.
- *8. **Public Hearing and Possible Adoption of Amendments to Administrative Rules Regarding Periodic Review and Unincorporated Communities (OAR 660, Divisions 022 and 025).** The proposed amendments are intended to conform these rules to statutes amended by the 2005 legislature through HB 3310 and also to clarify and streamline periodic review procedures. For additional information, please contact Rob Hallyburton at 503-373-0050 ext. 239, or by email rob.hallyburton@state.or.us.
- *9. **Public Hearing and Possible Adoption of Amendments to Goal 8 in Response to Amended State Laws Regarding Destination Resorts.** The proposed goal amendments are intended to conform the goal to statutes amended by the 2003 and 2005 legislature through SB 911 (2003) and SB 1044 (2005), concerning mapping and overnight lodging requirements for destination resorts. For additional information, please contact Bob Rindy at 503-373-0050 ext. 229, or by email bob.rindy@state.or.us.
- *10. **Public Hearing and Possible Adoption of Amendments to Administrative Rules Regarding Farm Land, Forest Land, and Goal Exceptions (OAR 660, Divisions 004, 006, and 033).** The proposed amendments are intended to conform these rules to statutes amended by the 2005 legislature through HB 2069, 2438, 2932, 3117, and 3313 and SB 346 and 863 and to clarify farm stand provisions in Exclusive Farm Use areas. For additional information, please contact Ron Eber at 503-373-0050 ext. 247, or by email ron.eber@state.or.us.
11. **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 based on the written record. The

* Agenda items where an opportunity is given for public comment. The chair may limit time for testimony on any item and may set time limits (usually 3 minutes) for individual speakers. The Commission encourages written testimony in addition to or instead of oral testimony in the event there is not enough time to hear everyone who wishes to speak. Items without an asterisk are not open for public comment.

Commission may decide to hear oral argument. If oral argument is accepted it shall be limited to department staff, the appellants and parties, and the local government. The Chair may limit time for testimony and may set time limits (usually 3 minutes) for individual speakers.

Appeal of Dallas Task 6 - Urban Growth Boundary (UGB) Expansion. An appeal of the department's approval of a 79-acre expansion of the Dallas UGB. For additional information, please contact Geoff Crook at 503-373-0050 ext. 289, or by email geoff.crook@state.or.us.

***12. Discussion and Possible Amendment of the Commission's 2005-07 Policy Agenda.**

The Commission adopted its Biennial Policy Agenda in September 2005 but also scheduled this status update and further discussion regarding policy and rulemaking projects. For further information, or to obtain a copy of the current Policy Agenda, please contact Bob Rindy at 503-373-0050 ext. 229, or by email bob.rindy@state.or.us.

13. Director's Report.

9:00 a.m., Friday, Feb. 3, 2006

14. Citizen Involvement Advisory Committee (CIAC) Update. The CIAC will update the Commission on its progress, including highlights of the committee's meeting on Dec. 16, 2005. In addition, the CIAC will make its recommendation for filling an at-large vacancy. For additional information, please contact Cliff Voliva at 503-373-0050 ext. 268, or by email cliff.voliva@state.or.us.

15. Commission Business and Reports. Budget and Management Subcommittee will report to the Commission. For additional information, contact Teddy Leland at 503-373-0050 ext. 237, or by email teddy.leland@state.or.us.

16. Minutes.

17. Review of Future Agenda. For additional information, please contact Sarah Watson at 503-373-0050 ext. 271, or by email sarah.watson@state.or.us.

18. Other.

The Commission reserves this time, if needed, for other business or for further consideration of any item on the agenda.

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

* Agenda items where an opportunity is given for public comment. The chair may limit time for testimony on any item and may set time limits (usually 3 minutes) for individual speakers. The Commission encourages written testimony in addition to or instead of oral testimony in the event there is not enough time to hear everyone who wishes to speak. Items without an asterisk are not open for public comment.

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 Commission meeting will be March 22-24, 2006, at the Hotel Oregon, Mattie’s Conference Room (310 N.E. Evans Street), in McMinnville, Oregon 97128.

Tentative Commission Meeting Dates for 2006

March 22-24, 2006	McMinnville
May 3-5, 2006	Roseburg
June 28-30, 2006	Pendleton
Aug. 9-11, 2006	Florence
Oct. 4-6, 2006	Bend
Nov. 29-Dec.1, 2006	Salem

* Agenda items where an opportunity is given for public comment. The chair may limit time for testimony on any item and may set time limits (usually 3 minutes) for individual speakers. The Commission encourages written testimony in addition to or instead of oral testimony in the event there is not enough time to hear everyone who wishes to speak. Items without an asterisk are not open for public comment.