



Oregon

Theodore R. Kulongoski, Governor

Land Conservation and Development Commission

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MEETING NOTICE

March 22-24, 2006

LAND CONSERVATION AND DEVELOPMENT COMMISSION

Hotel Oregon

310 N.E. Evans Street

McMinnville, Oregon 97128

Joint Meeting with the Local Officials Advisory Committee

March 23, 2006

12:00 – 1:30 p.m.

Hotel Oregon

310 N.E. Evans Street

McMinnville, Oregon 97128

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, March 23, in Mattie's Room of the Hotel Oregon (310 N.E. Evans Street) in McMinnville, 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 at teddy.leland@state.or.us.

Citizen Involvement - Education & Outreach. The state's Citizen Involvement Advisory Committee (CIAC) will be hosting a meeting to discuss achievements and barriers to citizen involvement in the land use planning process (Goal 1). The meeting will be held from 6:00 - 7:00 p.m., Thursday, March 23 in Mattie's Room of the Hotel Oregon, (310 N.E. Evans Street) McMinnville, Oregon. For more information, contact Cliff Voliva, DLCD Communications Officer, at 503-373-0050 ext. 268, or by email at cliff.voliva@state.or.us.

The **Local Officials Advisory Committee** will meet with the Commission at 12:00 noon on Thursday, March 23, in Mattie's Room of the Hotel Oregon (310 N.E. Evans Street) in McMinnville, Oregon. See Agenda Item 9. For additional information, contact Lane Shetterly at 503-373-0050 ext. 280, or by email at lane.shetterly@state.or.us.

1:00 p.m., Wednesday, March 22, 2006

1. **Tour of Yamhill County.** A one-hour walking tour of downtown McMinnville will leave from the Hotel Oregon at 1:00 p.m. and return at 2:00 p.m. to load onto the tour bus. The tour bus will leave from the Hotel Oregon in McMinnville at 2:00 p.m. and return at 5:00 p.m. The tour bus capacity is limited to 40 people. Citizens are invited to tour with the Commission, but may have to supply their own mode of transportation. For additional information, please contact Rob Hallyburton at 503-373-0050 ext. 239, or by email at rob.hallyburton@state.or.us.

6:30 p.m., Wednesday, March 22, 2006

2. **Roundtable Discussion with Local Governments, Confederated Tribes of Grand Ronde, and other invited guests.** The Commission will meet to discuss development challenges, opportunities and needs by the communities, local planning issues, economic development concerns, and streamlining issues with invited representatives of local governments, tribes and other invited guests. The public is invited; however, no public testimony will be taken. For additional information, please contact Rob Hallyburton at 503-373-0050 ext. 239, or by email at rob.hallyburton@state.or.us.

8:30 a.m., Thursday, March 23, 2006

- *3. **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

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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 at sarah.watson@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 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, March 23, 2006

- *5. **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 at rob.hallyburton@state.or.us.
- *6. **Public Hearing and Possible Adoption of Amendments to Administrative Rules Regarding Park Uses on Agricultural Land and Forest Land in State Parks (OAR 660, Division 034).** For additional information, please contact Bob Rindy at 503-373-0050 ext. 229, or by email at bob.rindy@state.or.us.
7. **Senate Bill 82 Land Use Task Force Update.** Senate Bill 82 (2005) established the Oregon Land Use Review Task Force to "study and make recommendations on: (a) The effectiveness of Oregon's land use planning program in meeting current and future needs of Oregonians in all parts of the state; (b) The respective roles and responsibilities of state and local governments in land use planning; and (c) Land use issues specific to areas inside and outside urban growth boundaries and the interface between areas inside and outside urban growth boundaries." The task force was appointed by the Governor, the Speaker of the House and the Senate President on January 26, 2006. The director will present a report on the activities of the task force. For additional information, please contact Lane Shetterly at 503-373-0050 ext. 280, or by email at lane.shetterly@state.or.us.
8. **Measure 37 Update.** On February 21, 2006, the Oregon Supreme Court issued its decision in the appeal of *Macpherson vs. DAS*, which reversed the trial court, declared Measure 37 to be constitutional, and reinstated the measure. Director Shetterly will report on the status of Measure 37 following the court's decision and the department's response. For additional information, please contact Lane Shetterly at 503-373-0050 ext. 280, or by email at lane.shetterly@state.or.us.

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12:00 noon, Thursday, March 23, 2006 – Lunch Meeting with the Local Officials Advisory Committee

- 9. Local Officials Advisory Committee (LOAC) and Ex-Officio Members will meet with the Commission.** The Commission will discuss issues relating to the land use planning program, economic development concerns, and the role of LOAC with the committee and ex-officio members. The public is invited; however, no public testimony will be taken. For additional information, please contact Lane Shetterly at 503-373-0050 ext. 280, or by email at lane.shetterly@state.or.us.

1:30 p.m., Thursday, March 23, 2006

- 10. 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 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.
- a. Bend Periodic Review - Transportation System Plan (TSP) Subtask.** The Commission will reconvene a hearing continued from the October meeting in Bandon. The hearing is regarding an appeal of the department's approval of the City's completed TSP subtask relating to the widening of minor arterial streets. The City and appellant have agreed to mediated language that resolves the appeal and have requested the Commission approve the periodic review subtask upon adoption of the specific language by the City. For additional information, please contact Eric Jacobson at 503-373-0050 ext. 265, or by email at eric.jacobson@state.or.us.
 - b. Metro Remand.** The Commission will consider a referral of Portland Metro's response to the Commission's July 2005 remand for additional employment (industrial) land into the Urban Growth Boundary. For additional information, please contact Meg Fernekees at 971-673-0965, or by email at meg.fernekees@state.or.us.
- *11. Commission Approval of the Department's Proposed 2007 Legislative Concepts.** For additional information, please contact Bob Rindy at 503-373-0050 ext. 229, or by email at bob.rindy@state.or.us.

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8:30 a.m., Friday, March 24, 2006

12. **Citizen Involvement Advisory Committee (CIAC) Update.** The CIAC will update the Commission on its progress, including highlights of the committee's meeting on Feb. 16. 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 at cliff.voliva@state.or.us.
13. **Informational Briefing by the Oregon Forestry Department on the Forestry Program for Oregon.** Staff from the Department of Forestry will present an informational briefing on the Forestry Program for Oregon, the strategic plan established by the Oregon Board of Forestry. The program sets forth the Board of Forestry's mission and vision for Oregon's forests and the values and strategies that will guide the board's decisions over the next eight years. For additional information, please contact Lane Shetterly at 503-373-0050 ext. 280, or by email at lane.shetterly@state.or.us.
14. **Informational Briefing by Portland Metro on their "New Look at Regional Choices."** Metro Councilors and staff will give a presentation on the Portland metropolitan area's effort to take a New Look at Regional Choices. The New Look is intended to focus on how to implement the Region 2040 Growth Concept that was adopted in 1995. For additional information, please contact Meg Fernekees at 971-673-0965, or by email at meg.fernekees@state.or.us.
15. **Director's Report.**
16. **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 at teddy.leland@state.or.us.
17. **Minutes.**
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 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:

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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 May 3-5, 2006, at the Douglas County Library, Ford Community Room (1409 N.E. Diamond Lake Blvd.), in Roseburg, Oregon 97470.

Tentative Commission Meeting Dates for 2006

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

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