



Oregon

Theodore R. Kulongoski, Governor

Land Conservation and Development Commission

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MEETING NOTICE – REVISED†

LAND CONSERVATION AND DEVELOPMENT COMMISSION



April 17, 2009

**Department of Land Conservation and Development
635 Capitol Street, Basement Hearing Room
Salem, Oregon**

†Revised April 15, 2009 to reflect change in Agenda Item #1

The meeting location is accessible to persons with disabilities. To request an interpreter for the hearing impaired or for other accommodations for persons with disabilities, please make requests at least 48 hours before the meeting to Lisa Howard at (503) 373-0050 ext. 271 or by e-mail at lisa.howard@state.or.us or by 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 meetings around the state, staff may not be available to receive written comments (specifically e-mails) for agenda items within 48 hours before the meeting starts. OAR 660-001-0230(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 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.

8:00 a.m. Friday, April 17, 2009

Budget and Management Subcommittee. 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 e-mail at teddy.leland@state.or.us.

8:30 a.m. Friday, April 17, 2009

- 1. Commission Business and Reports.** The Budget and Management Subcommittee will report to the Commission. For additional information, contact Teddy Leland at (503) 373-0050 ext. 237 or by e-mail at teddy.leland@state.or.us.

The Commission will also discuss possible appointments to the Transportation Subcommittee, the Budget and Management Subcommittee, the Director's Performance Evaluation Subcommittee and the Local Officials Advisory Committee.

The Commission will take up a request to reconsider its approval of the Metolius Area of Critical State Concern. The Commission does not intend to take public testimony on this item.

- *2. Public Comment.** This part of the agenda is for comments on agenda items and topics not scheduled for public comment elsewhere on the agenda. The Commission chair will set time limits (usually 3 minutes) for individual speakers. The maximum time for all public comments under this agenda item will be limited to 30 minutes.
- 3. Request to Appeal pursuant to ORS 197.090(2) and (3), and OAR 660-001-0201 to -0230.** State law requires Commission approval of the director's decision to seek review of a local government land use decision, expedited land division, or limited land use decision. Only the director, or department staff on the director's behalf, the applicant, and the affected local government may submit written or oral testimony concerning Commission approval of a director's recommendation to file or pursue an appeal, or an intervention in an appeal, of a land use decision, expedited land division, or limited land use decision.
- 4. Periodic Review pursuant to ORS 197.628 to 197.644 and OAR 660, Division 25.** 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.

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5. **Measure 49 Implementation Update.** The department will report to the Commission regarding the status of the implementation of Measure 49, including recent trends on the issuance of preliminary evaluations and final orders. For additional information, contact Judith Moore at (503) 373-0050 ext. 328 or by e-mail at judith.moore@state.or.us.
 6. **Legislative Update.** The department will report to the Commission regarding the status of land use legislation, including the department's proposed legislation. For additional information, contact Bob Rindy at (503) 373-0050 ext. 229 or by e-mail at bob.rindy@state.or.us , or Michael Morrissey at (503) 373-0050 ext. 320 or by e-mail at michael.morrissey@state.or.us
 7. **Preliminary Discussion of the Commission's 2009-11 Policy and Rulemaking Agenda.** Historically the Commission has approved a Policy Agenda at the beginning of each biennium. This item is intended for the commission to begin a preliminary discussion of next biennium's policy projects. For additional information, contact Michael Morrissey at (503) 373-0050 ext. 320, e-mail at michael.morrissey@state.or.us, or Bob Rindy at (503) 373-0050 ext. 229 or e-mail at bob.rindy@state.or.us
 8. **Director's Report.** The director will report to the Commission regarding the recent operations of the department, including participation in appeals and recent court opinions; program activities and initiatives; organizational and management information; and legislative and policy issues. For additional information, contact Lisa Howard at (503) 373-0050 ext. 271 or by e-mail at lisa.howard@state.or.us.
 9. **Citizen Involvement Advisory Committee (CIAC) Update.** The CIAC will update the Commission on its recent work. The CIAC may also have a recommendation for the Commission to fill an "at-large" vacancy on the committee. For additional information, contact Cliff Voliva at (503) 373-0050 ext. 268 or by e-mail at cliff.voliva@state.or.us.
 10. **Briefing on a Proposed Framework for Planning for Climate Change.** Building on presentations to the Commission in May 2008 and January 2009 about the implications of climate change for land use planning, department staff will present a preliminary draft of a framework and objectives for integrating climate change into the land use program and department activities. The department expects the discussion with the Commission to result in further direction to department staff on how to address land use issues related to mitigating the drivers of climate change and adapting to the effects of climate change. For additional information, contact Jeffrey Weber at (971) 673-0964 or by email at jeff.weber@state.or.us.
 11. **Citizen Involvement in Periodic Review Work Program Development.** Staff will present a summary of discussions with the Citizen Involvement Advisory Committee regarding citizen involvement during periodic review. For additional information, contact Darren Nichols at (503) 373-0050 ext. 255 or by e-mail at darren.nichols@state.or.us.
 12. **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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Oregon's seven-member Land Conservation and Development Commission, assisted by the Department of Land Conservation and Development, adopts state land use goals, assures local plan compliance with the goals, coordinates state and local planning, and manages the coastal zone program. Commissioners are unpaid citizen volunteers appointed by the Governor and confirmed by the Senate. Commissioners are appointed to four-year terms and may not serve for more than two consecutive terms. The statute establishing the Commission, ORS chapter 197, also directs that members be representative of the state. The Commission meets approximately every six weeks to direct the work of the department.

Current Commissioners are:

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

Meeting dates for 2009 are:

June 4–5, 2009	Salem
July 29–31, 2009	Brookings
September 30–October 2, 2009	Hillsboro
November 4–6, 2009	Springfield

The next Commission meeting will be June 4-5, 2009, at the Department of Land Conservation and Development, 635 Capitol Street NE, Basement Hearing Room, Salem, Oregon.

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