



Oregon

Theodore R. Kulongoski, Governor

Land Conservation and Development Commission

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MEETING NOTICE

LAND CONSERVATION AND DEVELOPMENT COMMISSION

May 1-2, 2008

Agriculture Building

Basement Hearing Room

635 Capitol St. NE

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.

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 660-001-0230(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 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, May 1, at the Agriculture Building, Basement Hearing Room (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.

8:30 a.m. Thursday, May 1, 2008

- *1. 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 amount of time for all public comments under this agenda item will be 30 minutes.
- 2. 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.
- 3. 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.
 - b. Klamath Co. Task 22.** This item is for consideration of Klamath County's progress toward satisfaction of a Commission remand of the county's completed task regarding rural commercial and industrial development. For additional

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information, please contact Jon Jinings at 541-318-2890, or by email jon.jinings@state.or.us.

4. **Pendleton Periodic Review.** The City of Pendleton requests that the Commission and the department initiate Periodic Review for the city in May 2008, one year ahead of the Commission's initial schedule. For additional information, please contact Grant Young at 541-663-1393, or by email grant.s.young@state.or.us.

9:30 a.m. Thursday, May 1, 2008

5. **Informational Briefing on Climate Change and Land Use Planning.** The Commission will hear presentations from Reid Ewing, a principal author of the "Cool Growth" report and from Rex Burkholder, a member of the state Global Warming Commission. Professor Ewing will review the results of the Cool Growth study. Mr. Burkholder will review the findings and recommendations of the Climate Change Integration Group and the planned work of Global Warming Commission. For additional information, please contact Constance Beaumont at 503-373-0005 ext. 277, or by email at constance.beaumont@state.or.us.
- *6. **Metro Regional Transportation Plan Schedule and Review.** The Commission will consider two requests from Metro related to adoption of the 2035 Regional Transportation Plan. Metro has requested that the Commission agree to review the state RTP in the manner of periodic review as provided in ORS 197.274(2). Metro has also requested that the Commission approve a work program that allows an extension of time for development and adoption of the state RTP as provided in the Transportation Planning Rule. (OAR 660-012-0016(3)) For additional information, please contact Bob Cortright at 503-373-0005 ext. 241, or by email at bob.cortright@state.or.us.
7. **Informational Briefing on Federal Coastal Grant Funding for '08 and '09.** The Commission will receive an overview of the national efforts to re-envision and re-authorize the national Coastal Zone Management Act that will affect us directly. For additional information, please contact Bob Bailey at 503-373-0050, ext. 281, or by email bob.bailey@state.or.us.

1:00 p.m. Thursday, May 1, 2008

- *8. **Public Hearing and Possible Rule Adoption of Measure 49 Permanent Rules.** The Commission will hear testimony and consider adopting permanent rules interpreting and implementing Ballot Measure 49, 2007. The latest version of the Measure 49 rules that the Commission will be considering is available at the following link: http://www.lcd.state.or.us/LCD/rulemaking.shtml#2007_09_Rulemaking_Projects. For additional information, please contact Michael Morrissey at 503-373-0050 ext. 320, or by email michael.morrissey@state.or.us.
- *9. **Discussion on the Department's 2009-11 Policy Packages.** The department will summarize its proposal for 2009-11 Agency Request Budget Policy Packages. Policy

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packages reflect proposed additions to the department's 2009-11 base budget. For additional information, please contact Teddy Leland at 503-373-0050 ext. 237, or by email teddy.leland@state.or.us.

- *10. Discussion and Approval of the Department's 2009-11 Performance Measures Target Extensions for 2010 and 2011.** The department requests review and approval of key performance measure targets for 2010 and 2011. For additional information, please contact Teddy Leland at 503-373-0050 ext. 237, or by email teddy.leland@state.or.us.

8:30 a.m. Friday, May 2, 2008

- 11. Citizen Involvement Advisory Committee (CIAC) Update.** CIAC will discuss with the Commission, at length, its role and priorities with LCDC and the department in an effort to improve citizen involvement statewide. For additional information, please contact Cliff Voliva at 503-373-0050 ext. 268, or by email cliff.voliva@state.or.us.
- 12. Director's Report.**
- 13. Commission Business and Reports.**
- Budget and Management Subcommittee Report
- 14. 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:

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

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The next regular Commission meeting is currently scheduled for June 18-20, 2008, in Damascus, Oregon.

Meeting Dates for 2008

June 18-20, 2008	Damascus
August 6-8, 2008	Baker City
October 15-17, 2008	Prineville
December 3-5, 2008	Tillamook

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