



# Oregon

Theodore R. Kulongoski, Governor

**Land Conservation and Development Commission**

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

<http://www.oregon.gov/LCD>

## MEETING NOTICE

### LAND CONSERVATION AND DEVELOPMENT COMMISSION



**October 1 - 2, 2009**

**Hillsboro Civic Center Auditorium**

**150 East Main Street**

**Hillsboro, Oregon**

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](mailto: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. Those items on the agenda with an asterisk (\*) are ones where public comment will be accepted.

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 for individual speakers (usually 3 minutes)*

*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 staff may not be able to distribute written comments received after 5:00 p.m. September 29.*** If you have written testimony you wish to present to the commission, please bring at least twenty copies for distribution to the commission and members of the public.

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. Thursday, October 1, 2009 (Conference Room 113)**

**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](mailto:teddy.leland@state.or.us).

**8:30 a.m. Thursday, October 1, 2009**

- \*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.
2. **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.
3. **Informational Update on the Progress of the City of Damascus' Comprehensive Plan.** Mayor Jim Wright will provide an update to the commission regarding city progress on the comprehensive planning work and political environment of the city. Community Development Director Anita Yap will present progress on the technical elements of the city's comprehensive plan. For additional information, contact Jennifer Donnelly at (971) 673-0963 or by e-mail at [jennifer.donnelly@state.or.us](mailto:jennifer.donnelly@state.or.us).
4. **Informational Update on Metro Planning Efforts.** Metro staff will present an overview of the region's "Making the Greatest Place" effort. This is a follow-up to Metro's January and June 2009 presentations to the commission. For additional information, contact Darren Nichols at (503) 373-0050 ext. 255 or by e-mail at [darren.nichols@state.or.us](mailto:darren.nichols@state.or.us).
  - Overview of Making the Greatest Place Chief Operating Officer Recommendations
    - Key Outcomes
    - Process and decision-making timeline/LCDC role
  - Investments
  - Regional Transportation Plan
    - Key outcomes
    - Mobility standards work with ODOT
  - Urban Growth Report
    - Regional Forecast
    - Housing and employment capacity gap
    - Status of employment/industrial land needs
  - Urban and Rural Reserves

---

\* Public comment accepted. 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.

- County suitability work
- Reserves Steering Committee and state agency participation

**\*5. Initiation of Rulemaking and Appointment of Advisory Workgroup Regarding Religious Land Use and Institutionalized Persons Act (RLUIPA).** For additional information, contact Michael Morrissey at (503) 373-0050 ext. 320 or by e-mail at [michael.morrissey@state.or.us](mailto:michael.morrissey@state.or.us).

**6. Citizen Involvement Advisory Committee (CIAC) Update.** The CIAC will update the commission on its recent work. The CIAC will ask the commission to:

- Approve an amendment to the CIAC Bylaws,
- Approve a second four-year term for CIAC member Chris White,
- Approve CIAC member Gregory McClarren's move from an At-Large position to Congressional District 4, and
- Select recipient(s) for the first STAR Award for Citizen Involvement.

For additional information, contact Cliff Voliva at (503) 373-0050 ext. 268 or by e-mail at [cliff.voliva@state.or.us](mailto:cliff.voliva@state.or.us).

**\*7. Annual Performance Progress Report.** The department will present a draft 2009 Annual Performance Progress Report for review and comment. The Annual Performance Progress Report provides progress updates on key performance measure tracking. For additional information, contact either Teddy Leland at 503-373-0050 ext. 237 or by email at [teddy.leland@state.or.us](mailto:teddy.leland@state.or.us); or Michael Morrissey at (503) 373-0050 ext. 320 or by e-mail at [michael.morrissey@state.or.us](mailto:michael.morrissey@state.or.us).

**8. Update on Measure 49.**

**a.** The department will report to the commission regarding the status of the Measure 49 Services Division process, including recent trends on the department's 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](mailto:judith.moore@state.or.us).

**b.** The compensation and conservation ombudsman will report to the commission on the status of the investigative reports and hardship recommendations provided for in HB 3225, as well as provide an overview of the work performed by the ombudsman. For additional information, contact Carmel Bender Charland at (503) 373-0050 ext. 326 or by e-mail at [carmel.bender@state.or.us](mailto:carmel.bender@state.or.us).

**9. 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](mailto:lisa.howard@state.or.us).

---

\* Public comment accepted. 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.

**10. Commission Business and Reports.**

- a. 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](mailto:teddy.leland@state.or.us).
- b. The Director's Performance Evaluation Subcommittee will report to the commission on the criteria and process to be used for the evaluation of the director, as well as the schedule for the evaluation process. For additional information, contact Lisa Howard at (503) 373-0050 ext. 271 or by e-mail at [lisa.howard@state.or.us](mailto:lisa.howard@state.or.us).
- c. The department will ask the commission to appoint a hearings officer to conduct a public hearing on the adoption of the rule for the Territorial Sea Plan amendment at the Ocean Policy Advisory Council meeting in October. For additional information, contact Paul Klarin at (503) 373-0050 ext. 249 or by e-mail at [paul.klarin@state.or.us](mailto:paul.klarin@state.or.us).
- d. The department will ask the commission to appoint a hearings officer to conduct a public hearing on December 3 on the adoption of the rule for the Metolius Area of Critical State Concern Management Plan. For additional information, contact Michael Morrissey at (503) 373-0050 ext. 320 or by e-mail at [michael.morrissey@state.or.us](mailto:michael.morrissey@state.or.us).
- e. The commission will set their meeting schedule for 2010. For additional information, contact Lisa Howard at (503) 373-0050 ext. 271 or by e-mail at [lisa.howard@state.or.us](mailto:lisa.howard@state.or.us).

- 11. Other.** The commission reserves this time, if needed, for other business or for further consideration of any item on the agenda.

**8:00 a. m. Friday, October 2, 2009**

- 12. Tour of the Hillsboro area.** The tour will begin at the Hillsboro Civic Center and will last approximately two hours. Seating is limited on the tour and preference will be given to invited guests. Members of the public and the media may attend as space allows, or may provide their own transportation. For additional information, contact Lisa Howard at (503) 373-0050 ext. 271 or by e-mail at [lisa.howard@state.or.us](mailto:lisa.howard@state.or.us).

**11:00 a. m. Friday, October 2, 2009 (Conference Room 113)**

- 13. Local Area Presentations.** For additional information, contact Jennifer Donnelly at (971) 673-0963 or by e-mail at [jennifer.donnelly@state.or.us](mailto:jennifer.donnelly@state.or.us).

---

\* Public comment accepted. 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.

- a. North Bethany is an 800-acre planned community in Washington County that is the result of a 2002 UGB expansion to help provide future housing capacity for the region. The plan integrates a range of residential districts with a comprehensive system of parks and trails, a regional concept for stormwater management, three primary school sites and a small commercial core. The county is nearing the end of a planning effort that includes a distinctive community plan and a funding strategy to provide major infrastructure facilities.
- b. SolarWorld will discuss how they decided to site their business in Hillsboro, what the key factors were, and what their green business plan anticipates for the next five years.

### **1:00 p. m. Friday, October 2, 2009 (Conference Room 113)**

14. **Invited Guests will join the Commission for a Discussion of Local and Regional Land Use Issues.** The Roundtable will be held at the Hillsboro Civic Center, Conference Room 113, 150 East Main Street. For additional information, contact Lisa Howard at (503) 373-0050 ext. 271 or by e-mail at [lisa.howard@state.or.us](mailto:lisa.howard@state.or.us).

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 (Portland)  
Christine Pellett (Central Point)  
John H. VanLandingham, Chair (Eugene)  
Marilyn Worrix, Vice-Chair (McMinnville)

The next commission meeting will be November 4-6, 2009, at City Hall, 225 Fifth Street, Springfield, Oregon.

---

\* Public comment accepted. 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.