



# 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

October 4-6, 2006

### LAND CONSERVATION AND DEVELOPMENT COMMISSION

**Deschutes County Building**

**Barnes Room**

**1300 NW Wall St.**

**Bend, Oregon 97701**

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](mailto: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 2:00 p.m., Wednesday, October 4, at the Deschutes County Building, Barnes Room (1300 NW Wall St.) Bend, 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](mailto: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. on Wednesday, Oct. 4 at the Fairfield Inn & Suites (1626 NW Wall St.) Bend, 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](mailto:cliff.voliva@state.or.us).

### **2:30 p.m., Wednesday, October 4, 2006**

- \*1. 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](mailto:sarah.watson@state.or.us).
- 2. 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.” For additional information, please contact Becky Steckler at 503-373-0050 ext. 286, or by email [becky.steckler@state.or.us](mailto:becky.steckler@state.or.us).
- 3. Measure 37 Update.** Director Shetterly will report on the status of Measure 37 and related matters. For additional information, please contact Lane Shetterly at 503-373-0050 ext. 280, or by email at [lane.shetterly@state.or.us](mailto:lane.shetterly@state.or.us).
- 4. Director’s Report.**
- 5. 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](mailto:teddy.leland@state.or.us).
- 6. Report on Joint OTC-LCDC Transportation Subcommittee Meeting Regarding Transportation Planning Rule Amendments.** Staff will report on the August 15, 2006, meeting of the Joint Oregon Transportation Commission – Land Conservation and Development Commission (OTC-LCDC) Transportation Subcommittee. The joint subcommittee met to discuss whether the Commission should consider further amendments to the Transportation Planning Rule (TPR) to clarify requirements related to goal exceptions for transportation facilities on rural lands. For more information, please contact Robert Cortright at 503.373.0050, ext. 241, or by email [bob.cortright@state.or.us](mailto:bob.cortright@state.or.us).

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\* 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.

7. **Minutes.**
8. **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](mailto:sarah.watson@state.or.us).
9. **Other.** The Commission reserves this time, if needed, for other business or for further consideration of any item on the agenda.

**8:30 a.m., Thursday, October 5, 2006**

10. **Citizen Involvement Advisory Committee (CIAC) Update.** The CIAC will give a brief update on its recent work to the Commission. For additional information, please contact Cliff Voliva at 503-373-0050 ext. 268, or by email [cliff.voliva@state.or.us](mailto:cliff.voliva@state.or.us).
11. **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.
12. **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. Oral argument 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.

**City of Salem Tasks 3 and 5.** This item is an appeal of the department's remand of the city's completed task regarding 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, extension 239, or by email [rob.hallyburton@state.or.us](mailto:rob.hallyburton@state.or.us).

- \*13. **Public Hearing and Possible Adoption of Amendments to Administrative Rules Regarding Zoning of Exception Areas** (Amend OAR 660-004-0018). This item includes a minor "housekeeping" amendment regarding clarification that the provision for a single numeric minimum lot size does not apply to non-residential zones. For additional

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- \*14. Public Hearing and Possible Adoption of Proposed New Administrative Rules (OAR 660, division 024) Regarding the Urban Growth Boundary (UGB) Amendment Process**, including rules concerning urban area population forecasts, land need, land inventories, and UGB land exchanges. The Commission will consider written and oral comments. For additional information, please contact Bob Rindy at 503-373-0050 ext. 229, or by email [bob.rindy@state.or.us](mailto:bob.rindy@state.or.us).
- 15. Referral of Metro Regional Resources.** This item is a referral by the department to the Commission of Metro's amendments of the Urban Growth Management Functional Plan adopting a program addressing riparian corridors, wildlife habitat and water quality under Goals 5 and 6 ("Nature in Neighborhoods"). This matter will be considered in the manner of periodic review. Referrals of a periodic review work task or work program are decided by the Commission based on the written record. Oral argument 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. For additional information, please contact Amanda Punton at 971-673-0961, or by email [amanda.punton@state.or.us](mailto:amanda.punton@state.or.us); or Stacy Hopkins at 971-673-0963, or by email [stacy.hopkins@state.or.us](mailto:stacy.hopkins@state.or.us).

### **8:30 a.m., Friday, October 6, 2006**

- 16. Invited Panel Presentation and Discussion with Commission.** Presentation by invited representatives of local communities and interest groups from around the Central Oregon region to discuss regional challenges relating to affordable housing, economic development, transportation and infrastructure. For additional information, please contact Mark Radabaugh at 541-318-2899, or by email [mark.radabaugh@state.or.us](mailto:mark.radabaugh@state.or.us).
- 17. Roundtable Discussion with Local Governments, Confederated Tribes of the Warm Springs Indian Reservation and other invited guests.** The Commission will meet to discuss local 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 Mark Radabaugh at 541-318-2899, or by email [mark.radabaugh@state.or.us](mailto:mark.radabaugh@state.or.us).

<p>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</p>
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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 LCDC meeting will be Nov. 30 and Dec. 1, 2006 in the Basement Conference Room at the Department of Land Conservation and Development (635 Capitol St. NE), Salem, Oregon.

#### Tentative Commission Meeting Dates for 2007

January 25-26, 2007	Salem
March 8-9, 2007	Salem
April 26-27, 2007	Salem
June 14-15, 2007	Salem
August 9-10, 2007	Salem
October 3-5, 2007	Enterprise
November 28-30, 2007	Corvallis

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