

# Oregon Planning News

A quarterly publication of the Oregon Department of Land Conservation and Development — Summer 2006 — Vol. 4

## Statewide planning program reflects regional differences of a diverse state

Lane Shetterly  
Director

“One size does not fit all.” I hear that often as a comment directed toward (and usually against) the state land use planning program. People are surprised when I agree with them, “One size does not fit all.”

Oregon is a large and diverse state. A few years ago a series of articles in *The Oregonian* identified the “Nine States of Oregon.” My experience, as I have traveled the state as Director of DLCD, is that we are even more diverse than that. Some of the differences are easy to identify: urban and rural (and a lot of areas in transition), east side and west side, Willamette Valley and everywhere else, large and small, high-growth and no-growth (or even declining population).

### Director’s Message

Even within what appear from a distance to be clearly defined and generally homogenous areas of the state it is not unusual to encounter distinct communities and interests.

In Jackson County, for instance, the communities of Ashland, Medford and Central Point are within just a few miles of each other and have much in common, but they reflect widely different community values and goals. Other examples around the state include Eugene and Springfield, Salem and Keizer, Bend and Redmond; the list goes on.

So how can a statewide land use program work for all of these diverse communities and areas of the state? By recognizing the differences that exist, and allowing for those differences in applying the laws and regulations.

Fortunately, Oregon’s land use



LANE SHETTERLY

program does account in many ways for the diversity of the state. The 19 Statewide Planning Goals are generally applicable across the state, but even they reflect a regional component. The most obvious example of that is the four coastal goals (Goals 16 through 19), that only apply in the coastal zone. The statewide goals are reflected in the comprehensive plans and ordinances of Oregon’s 241 cities and 36 counties, but each of those comprehensive plans is unique. The statewide goals should be seen as a broad policy framework that provides for local flexibility in implementation and enforcement.

The statutes and administrative rules that govern the statewide program also recognize differences, most typically in terms of population, and area of the state. Periodic review, transportation planning, housing and urban growth boundary requirements all vary according to population. Standards and even definitions relating to agricultural

land, high-value farmland and farm and forest dwellings differ between western and eastern Oregon, and within the Willamette Valley and elsewhere.

Regional Problem Solving (RPS) is another tool to express local differences. Through RPS local communities can create special plans for a specific region, including plans that may be exempt from certain administrative rule requirements.

The SB 82 “Big Look” Task Force is keenly interested in how well the statewide program recognizes and adapts to local and regional differences. I am sure there are ways to make those regional differences more transparent and easier to apply. We can look to some strengthening of that component of the land use program through the work of the task force.

In the meantime, it is important for elected officials, planning professionals and Oregonians in general to know how the statewide program reflects regional differences, and how to make those components of the program work for them and their communities.

For a more complete and up-to-date discussion on regional differences within the statewide land use planning program, see the report, “Oregon’s Land Use Planning Program: Providing regional solutions for a diverse state” at <http://www.oregon.gov/LCD/docs/publications/regdiff.pdf>.

And don’t hesitate to contact your DLCD regional representative or Salem staff if you have any questions about this. We’re here to serve you.

Thanks for taking the time to read this edition of “Oregon Planning News.” I hope you find it helpful and interesting. If there are subjects you would like to see addressed in future issues, please let us know.

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### Land Conservation and Development Commission (LCDC)

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# Task Force picks key issues

Becky Steckler  
Statewide Land Use Review  
Project Manager

The Oregon Task Force on Land Use Planning has made progress in defining key issues to help guide its evaluation of Oregon's land use program.

The Task Force is now in the process of developing work plans that will help identify more specific issues, options, and tradeoffs under each of the general topics.

The Task Force was established under Senate Bill 82 (2005). The purpose of the Task Force is to study and make recommendations on:

1. The effectiveness of Oregon's land use planning program in meeting current and future needs of Oregonians in all parts of the state;
2. The respective roles of state and local governments in land use planning; and
3. Land use issues inside and outside urban growth boundaries, and at the interface between areas inside and outside urban growth boundaries.

On May 24, the Task Force met in Salem and approved the final draft of its work program. The work program was subsequently submitted to and received by Gov. Kulongoski, Senate President Courtney and House Speaker Minnis. The final draft of the work program can be downloaded from DLCD's website at: <http://www.oregon.gov/LCD/BIGLOOK/reports.shtml>

In the interest of framing Oregon's land use program and related public concern, the Task Force conducted outreach efforts to the public and interested parties. Over 3,000 people or groups responded to an Internet survey. Comments and reports were compiled and reviewed prior to its next meeting.

## Members form six work groups

The Task Force met for a two-day work session on July 23-24 in Lincoln City, where it developed six key issues and assigned work groups to each of them.

Each work group was assigned an

issue question of which it will develop a work plan.

The six key issue questions and associated work groups are (the chair of the group is indicated with an asterisk):

■ What are the appropriate roles of state and local governments in land use in Oregon? (\*Judie Hammerstad, Nikki Whitty, Mike Thorne)

■ What is the appropriate role of citizen involvement in land use? (\*Gretchen Palmer, Jill S. Gelineau, Judie Hammerstad)

■ What role should land use planning play in enhancing Oregon's economy now and in the future? (\*Steve Clark, Nikki Whitty, Cameron Krauss, Ken Bailey)

■ What are the most effective tools to manage population growth to achieve community goals? (\*Ken Bailey, Gretchen Palmer, Steve Clark, David Bragdon)

■ How should Oregon's system of infrastructure, finance and governance influence land use? (\*David Bragdon, Wes Hare, Mike Thorne)

■ How can the land use process appropriately address the benefits and burdens that fall on individual land owners and the general public? (\*Jill S. Gelineau, Cameron Krauss, Wes Hare)

Work groups continue to develop work plans and outreach strategies for the issue questions they are assigned.

The next full Task Force meeting will be held Sept. 18 in Pendleton. At that meeting, the work groups will reconvene to share the information they have gathered, propose possible outreach strategies, and identify resources needed to appropriately address the topics.

To stay current on the activities of the Task Force, sign up for free email alerts at: [http://lists.mart.osl.state.or.us/mailman/listinfo/sb82\\_task\\_force](http://lists.mart.osl.state.or.us/mailman/listinfo/sb82_task_force).

Persons who wish to comment on the identified issues and provide information to the Task Force are encouraged to contact it in writing at: Big Look, 635 Capitol Street NE, Suite 150, Salem, OR 97301-2540, or by email at: [big.look@state.or.us](mailto:big.look@state.or.us).

For more information, contact Becky Steckler at 503-373-0050 x286, or via email at: [becky.steckler@state.or.us](mailto:becky.steckler@state.or.us).



### **Umatilla County 'go-below' hearing**

LCDC conducted a five-hour public hearing June 29 on Umatilla County's request for approval of 20- and 40-acre minimum parcel sizes in an area of the county currently zoned Exclusive Farm Use. LCDC decided the county's 40-acre zone complied with ORS 215.780(2), with some specified modifications.

## **M37 division processes more than 200 reports in August**

DLCD's new Measure 37 Services Division recently concluded an extremely busy period that produced more than 200 final reports and orders in August.

The division is also beginning to work with claimants and counties to assure compliance with state waivers. Many counties have been challenged to determine what land use regulations applied decades ago and the department is trying to clarify those regulations from the state's perspective.

The division has added new staff in recent months and a few more positions

will be filled in September.

Litigation is expanding relative to Measure 37 claims. As of the end of August, the Oregon Department of Justice reported the state is involved in more than 70 cases. The initial decisions in circuit courts have trended to support the state's interpretation of the measure, including a Crook County decision that supported the Attorney General's opinion on "transferability."

For more information on Measure 37, please contact Michael Morrissey at 503-373-0050 x324, or via email at: [michael.morrissey@state.or.us](mailto:michael.morrissey@state.or.us).

## **Portland named to Green Streets Hall of Fame**

The city of Portland was recently chosen to the Green Streets Hall of Fame by *Sierra* magazine.

Portland joined Chicago, New York, San Francisco and Seattle as five cities "whose green leadership sets the bar for sustainability," said *Sierra*.

The magazine also had this to say about Oregon's largest city:

"Portland has protected surrounding farms and open space by fitting new developments onto half the usual land area, making it a smart-growth pioneer

— and one of the most livable places in the country.

"The first major city to tackle global warming, Portland creates less greenhouse gases than it did 15 years ago, while saving \$2 million annually on city energy bills — and attracting new business with its efficiency expertise. Its green-building standards are the toughest in the nation."

The Hall of Fame can be found online at: <http://www.sierraclub.org/sierra/200607/halloffame.asp>.

## **Calendar of Events**

**September 18, 2006**  
Big Look meeting  
Pendleton City Hall  
Pendleton

**October 4-6, 2006**  
LCDC meeting  
Deschutes County Building  
Bend

**October 19, 2006**  
CIAC meeting  
Agriculture Building  
Salem

**Nov. 29-Dec. 1, 2006**  
LCDC meeting  
Agriculture Building  
Salem

**October 19, 2006**  
CIAC meeting  
Agriculture Building  
Salem

**October 23-24, 2006**  
Big Look meeting  
Medford

**November 13, 2006**  
Big Look meeting  
Gresham

**December 8, 2006**  
Big Look meeting  
Salem

**January 25-26, 2007**  
LCDC meeting  
Agriculture Building  
Salem

**March 8-9, 2007**  
LCDC meeting  
Agriculture Building  
Salem

## **DLCD Contact info**

Contact information for everyone in the department can be found on the DLCD website at: [http://www.oregon.gov/LCD/contact\\_us\\_directory.shtml](http://www.oregon.gov/LCD/contact_us_directory.shtml)

# LCDC to hold final hearing on UGB rules in October

The Land Conservation and Development Commission (LCDC) met at Pendleton City Hall on June 28-30.

The meeting included a tour of Umatilla County and a “roundtable” discussion with representatives of local governments, tribes and other invited guests regarding regional planning issues.

As part of its June agenda, the Commission:

- Held the first of two public hearings regarding proposed new rules (OAR 660, division 024) concerning the urban growth boundary (UGB) amendment process. LCDC will hold the second and final hearing, and adopt the new rules, at its Oct. 4-6 meeting in Bend.

More information on the UGB amendment process is available online at: [http://www.oregon.gov/LCD/rulemaking.shtml#UGB\\_Rulemaking](http://www.oregon.gov/LCD/rulemaking.shtml#UGB_Rulemaking).

- Held a public hearing on Umatilla County’s request for approval of 20- and 40-acre minimum parcel sizes in an area

of the county currently zoned Exclusive Farm Use (EFU). LCDC decided the county’s 40-acre zone complied with ORS 215.780(2), with some specified modifications.

- Adopted minor ‘housekeeping’ amendments to administrative rules pertaining to procedures and timelines for planning newly incorporated cities (OAR 660, division 14).

- Adopted amendments to the Transportation Planning Rule (see story below).

LCDC held its next meeting on Aug. 9-11 at the Florence Events Center.

Although no public hearings were held, the Commission authorized the department to proceed with an appeal (to the Land Use Board of Appeals) concerning Umatilla County’s request to rezone rural property north of Milton-Freewater for the purpose of locating a ‘big’box’ retail store at the intersection of Stateline Road and state Highway 11.

## LCDC adopts TPR amendments

**Bob Cortright**  
TGM Coordinator

The Land Conservation and Development Commission (LCDC) adopted proposed amendments to the Transportation Planning Rule (TPR) at its meeting in June.

The Commission also continued the rulemaking process to consider whether or not to make additional amendments to the rule as it relates to thresholds for goal exceptions for roadway improvements on rural lands.

The new amendments were filed with the Secretary of State and are in effect. The adopted amendments include:

- Revising the TPR “purpose statement” to more accurately express the overall policy consistent with Goal 12.

- Updating requirements for metropolitan area planning.

- Revising rule provisions for “transportation project development” to clarify that decisions made in TSPs need not be revisited as projects undergo

detailed design and approval.

- Consolidating requirements for goal exceptions for transportation projects into the TPR. (Currently, exceptions must address the Exceptions Rule as well as the TPR).

A series of minor and housekeeping amendments were also adopted. Proposed amendments that would have made 28-foot wide residential streets a “safe harbor” for meeting the skinny streets requirement were not adopted.

On August 15, the Joint OTC/LCDC Subcommittee met in Salem to discuss whether additional amendments should be considered to address the goal exceptions threshold issue. The subcommittee concluded that further rulemaking does not appear to be appropriate at this time. LCDC will review the Subcommittee’s work at its October meeting in Bend.

Additional information on the TPR amendments is available on the DLCD website at: <http://www.oregon.gov/LCD/transplan.shtml>

## DLCD’s Website

### Most Popular Pages

\* Measure 37 home page:  
<http://www.oregon.gov/LCD/MEASURE37/index.shtml>

\* Big Look Meeting Information:  
[http://www.oregon.gov/LCD/BIGLOOK/meeting\\_information.shtml](http://www.oregon.gov/LCD/BIGLOOK/meeting_information.shtml)

\* Measure 37 Summaries of Claims:  
[http://www.oregon.gov/LCD/MEASURE37/summaries\\_of\\_claims.shtml](http://www.oregon.gov/LCD/MEASURE37/summaries_of_claims.shtml)

\* Goals home page:  
<http://www.oregon.gov/LCD/goals.shtml>

\* Public Meetings home page:  
<http://www.oregon.gov/LCD/meetings.shtml>

\* The Big Look home page:  
<http://www.oregon.gov/LCD/BIGLOOK/index.shtml>

\* About Us home page:  
[http://www.oregon.gov/LCD/about\\_us.shtml](http://www.oregon.gov/LCD/about_us.shtml)

\* Contact Us home page:  
[http://www.oregon.gov/LCD/contact\\_us.shtml](http://www.oregon.gov/LCD/contact_us.shtml)

### New DLCD Minisites

\* The Big Look home page:  
<http://www.oregon.gov/LCD/BIGLOOK/index.shtml>

\* Measure 37 home page:  
<http://www.oregon.gov/LCD/MEASURE37/index.shtml>

\* Economic Development home page:  
<http://www.oregon.gov/LCD/ECODEV/index.shtml>

\* Ocean Policy Advisory Council (OPAC) home page:  
<http://www.oregon.gov/LCD/OPAC/index.shtml>

# DLCD's clients rate customer service as 'good' or 'excellent'

More than three out of four clients of the Oregon Department of Land Conservation and Development (DLCD) said the department provided "good" or "excellent" customer service in several key areas, according to a recent survey.

The survey was done by Clearwater Research, Inc., which conducted its study in April. Clearwater also surveyed clients of five other Oregon state agencies for the Oregon Progress Board.

"We're very pleased with the results of this customer service survey," said Lane Shetterly, DLCD Director since February of 2004. "It establishes a strong base line of satisfaction with our services, and still leaves room and incentive for measurable improvement."

The survey sought input from a broad range of the department's clients, including elected officials and planners from cities and counties, representatives from the federal government and other state agencies, legislators and the private sector. It tested opinions in several areas of service, including timeliness, accuracy of information, expertise, availability of information and general overall satisfaction.

The survey concluded that the "largest impact on overall service ratings is the ability of the Department to do the job correctly the first time (accuracy). Over 80 percent of respondents rated the accuracy of the Department as "Good" or "Excellent." The overall mean rating of 3.04 (out of a possible 4.00) indicates the DLCD is doing a solidly good job of providing services accurately the first time.

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***"The overall mean rating of 3.04 indicates the DLCD is doing a solidly good job of providing services accurately the first time."***

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"The Department received the highest rating in the area of knowledge and expertise of employees. The overall mean rating of 3.24 suggests that DLCD employees are perceived as being very

knowledgeable and having expertise in the subject matter and context in which clients interact with them," the survey said.

In general, the survey added: "While the overall mean rating for customer service of 2.98 out of a possible 4.00 points indicated overall service is satisfactory to clients and customers, there is room for improving perceptions of customer service."

Shetterly said the department would study the results of the survey and focus its efforts on maintaining its strengths, and improving in those areas that show room for improvement. "We want to keep doing those things we are doing well, and doing better wherever we can," Shetterly said.

DLCD administers the statewide land use planning program, which was begun in 1973. A seven-member volunteer citizen board known as the Land Conservation and Development Commission (LCDC) guides DLCD.

A 70-page report of the survey can be found on DLCD's website at: [http://www.oregon.gov/LCD/docs/general/2006\\_dlcd\\_customer\\_satisfaction\\_study.pdf](http://www.oregon.gov/LCD/docs/general/2006_dlcd_customer_satisfaction_study.pdf)

## DOGAMI releases phase 2 of new state geologic map

The Oregon Department of Geology & Mineral Industries (DOGAMI) has finished the second phase of a multi-year project to make a new state geologic map and to compile the geologic data in a database form for the entire state.

The effort brings together the best available geologic mapping and data from all published and unpublished sources: state and federal agencies, university thesis work, and other documents.

Creating geologic maps is commonly confused with surveying, and making road maps and topographic maps, which show hills, valleys, roads, and other natural and man-made features on the Earth's surface.

Geologic maps, however, use a combination of colors, lines, and symbols to depict the composition, distribution and relationships of rocks and sediments.

The maps also reveal the structure of the rocks below the Earth's surface by

depicting faults and the orientation of the rocks. Understanding the third dimension is particularly important for the discovery and assessment of mineral and energy resources; the locations of geologic hazards such as landslides and faults; and the locations and types of resources such as sand and gravel, ore deposits, and ground water.

*Oregon Geologic Data Compilation, Version 2 (OGDC-2)* is the second release of this geologic database that now covers both Northeast and Southeast Oregon, and will eventually cover the entire state.

The information is provided as spatial data for Geographic Information System (GIS) software and tabular data for use with Microsoft Access 2000 database software.

No printed maps are available from the product.

"Maps and data created by using OGDC-2 are tools that can be used in many different ways: from learning about the geologic history of an area, to

natural resource and hazard assessment, to providing information for intelligent land-use planning and growth," said Vicki S. McConnell, State Geologist and Director of DOGAMI.

*Oregon Geologic Data Compilation, Version 2 (OGDC-2)* is available on CD-ROM for \$25. It can be purchased from the Nature of the Northwest Information Center, 800 NE Oregon St. #5, Portland, OR 97232. Purchases can also be done over the phone by calling 503-872-2750, or you may order online at: <http://www.naturenw.org>.

"The compiling process that has gone into ODGC-2 brings us closer to having a complete geologic database for the whole state," said McConnell.

"DOGAMI is working in partnership with the U.S. Geological Survey (USGS STATEMAP program) and the Oregon Geographic Information Council (OGIC) under the Oregon Framework Project. Another goal of this project is to develop interactive, Web-based access to these maps and data."