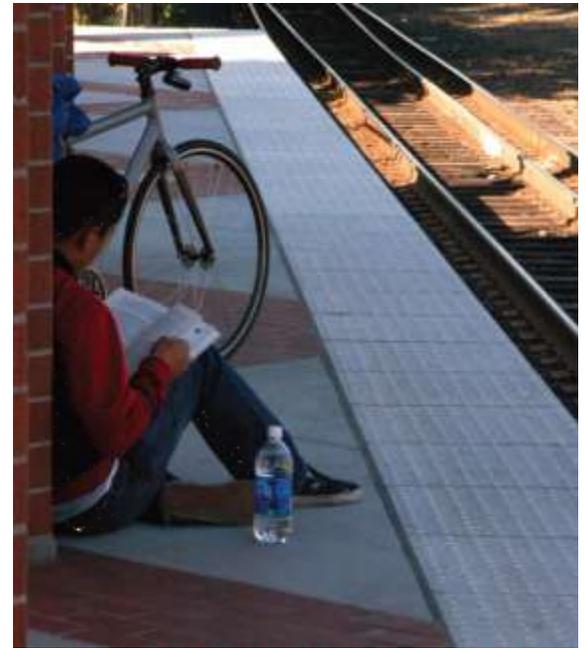


Oregon Department of Land Conservation and Development

Biennial Report

2013-2015





Message from Director Rue

For over 40 years Oregon's state land use program has been working to protect the values held by Oregonians about their land. As the director of the Department of Land Conservation and Development (DLCD), it is a pleasure to share with you some of the accomplishments of the department. Our organization offers guidance on economic growth, high quality development, and maintaining quality of life throughout the state – rural and urban. As needs around our state have grown and changed, we have evolved. As a department, we are a clearinghouse for issues ranging from Urban Growth Boundary expansion to farmland preservation to species protection. Today, we continue to build on the strengths inherent in our program, while striving to continuously improve and change with the times.

This year, we adopted a [Strategic Plan](#) encompassing the issues below and more. A guidance document for policy direction and work over the next eight years, the Strategic Plan serves as a foundation connecting the work of each staff member to the mission, vision, and long term strategy of the department. As we hold ourselves accountable to this document, we will use the same rigor to hold ourselves accountable to the land use planning system for our state. Our success on behalf of the citizens Oregon is our greatest accomplishment.

The [2012-13 Farm & Forest Report](#) illustrates a successful aspect of Oregon's land use legacy, showing how Oregon continues to outpace neighboring states in protection of working farm and forest lands. Working land serves the long term economic stability and productivity of our state. Oregon's agricultural and forest industries remain two primary contributors to the state's economy, directly and indirectly generating close to 20 per cent of the state's economic output.

Another element of our service to the state is planning for resilience. In January 2014, our coastal team published [Preparing for a Cascadia Subduction Zone Tsunami: A Land Use Guide for Oregon Coastal Communities](#). Coastal planners are able to employ the guide along with a suite of technical services in helping create a response plan for this potentially catastrophic event.

Economic recovery picked up in the urban areas of the state but continues to lag in rural areas. In a cooperative effort with Business Oregon and ODOT, DLCD has begun a **Community Economic Development Program** that includes grant funding and staff support. Our goal is to provide resources and additional capacity for struggling local governments.

In addition, the department is fully integrated in State's **Regional Solutions Teams** and members of the newly formed **Regional Solutions Cabinet**, giving us an advantage in understanding and responding to rural issues.

Finally, we continue to update the process for **Urban Growth Boundary** adjustments, by which a city grows to suit future needs. As situations change, so must the policies that guide them. The process has been streamlined over an inclusive, two-year process. The development of a more efficient and effective process was supported unanimously in both houses in the 2013 legislative session. The rules we are writing now will debut with a new process for UGB expansion in January 2016 and make it easier to cities to respond to the demands of growth and planning for the future.

A handwritten signature in black ink, appearing to read "Jim Rue". The signature is stylized and somewhat cursive.

Jim Rue, Director

Contents

Mission.....	3
Guiding Principles	3
Strategic Goals to Guide Our Work.....	3
I. Department.....	4
Who we are	4
What we do	4
Land Conservation and Development Commission (LCDC)	5
Local Governments.....	6
Summary of 2013-15 DLCD Grants to Local Governments	6
Government to Government.....	6
Major Policy Initiatives and Results (2013-15)	6
II. Program Achievements by Strategic Goal and Objectives	9
Goal 1: Conserve Oregon’s Natural Resources – Farm and Forest Lands, and Coastal, Scenic, Unique, and Other Natural Resources Lands are Planned and Managed to Provide a Healthy Environment, and Sustain Oregon’s Communities and Economy	10
Goal 2: Promote Sustainable, Vibrant Communities	19
Goal 3: Engage the Public and Stakeholders in Oregon’s Land Use Planning Program	28
Goal 4: Provide Timely and Dynamic Leadership to Support Local and Regional Problem Solving	31
Goal 5: Deliver Resources that are Efficient, Outcome-based, and Professional	41
Key Performance Measures	44
DLCD Divisions and Offices.....	45
Summary of Oregon’s Statewide Planning Goals.....	47

Mission

To help communities and citizens plan for, protect and improve the built and natural systems that provide a high quality of life. In partnership with citizens and local governments, we foster sustainable and vibrant communities and protect our natural resources legacy.

Guiding Principles

- Provide a healthy environment;
- Sustain a prosperous economy;
- Ensure a desirable quality of life;
- Provide fairness and equity to all Oregonians; and
- Ensure consistency with the [10-year Plan for Oregon](#).

Strategic Goals to Guide Our Work

Goal 1: Conserve Oregon’s Natural Resources – Farm and Forest Lands, and Coastal, Scenic, Unique, and Other Natural Resources Lands are Planned and Managed to Provide a Healthy Environment, and Sustain Oregon’s Communities and Economy	10
Goal 2: Promote Sustainable, Vibrant Communities	19
Goal 3: Engage the Public and Stakeholders in Oregon’s Land Use Planning Program	28
Goal 4: Provide Timely and Dynamic Leadership to Support Local and Regional Problem Solving	31
Goal 5: Deliver Resources that are Efficient, Outcome-based, and Professional	41

I. Department

Who we are

The Oregon Department of Land Conservation and Development (DLCD) is a small state agency with a broad mission. With about 55 permanent staff, the department is responsible for making Oregon's statewide land use program work for communities in all parts of the state. We do this through partnerships with cities and counties, state development agencies (Transportation and Business Oregon), natural resource agencies (Agriculture, Forestry, Water Resources, Environmental Quality, and Fish and Wildlife), and federal agencies to address land use needs of the public, communities, regions and the state. The department is guided in its work by the Land Conservation and Development Commission (LCDC), whose members are appointed by the Governor.

The department is organized into four divisions, with regional offices around the state:

Ocean and Coastal Services: oversees Oregon's federally approved coastal program, and provides planning grants, delivers data and technical assistance to coastal communities relating to: coastal hazards and resilience, climate change adaptation, estuary program updates, and territorial sea plan implementation.

Planning Services: provides technical expertise and services relating to transportation and growth management, natural hazards, climate change mitigation, and property rights.

Community Services: delivers broad technical assistance to local governments and state agencies, reviews local plan amendments for consistency with the statewide planning goals, provides planning grants, and represents DLCD on Regional Solutions Teams.

Administrative Services: provides support for department operations, policy development, and LCDC.

In addition, the Director's Office provides overall management and policy direction.

What we do

We help carry out the vision and legacy of Senate Bill 100, which for 40 years has contributed to the quality and character of the natural and built environment of the state. The program has been charged by the legislature with managing urban growth; protecting farm and forest lands, coastal areas and natural resource lands; and providing for safe livable communities in concert with the vision of local communities.

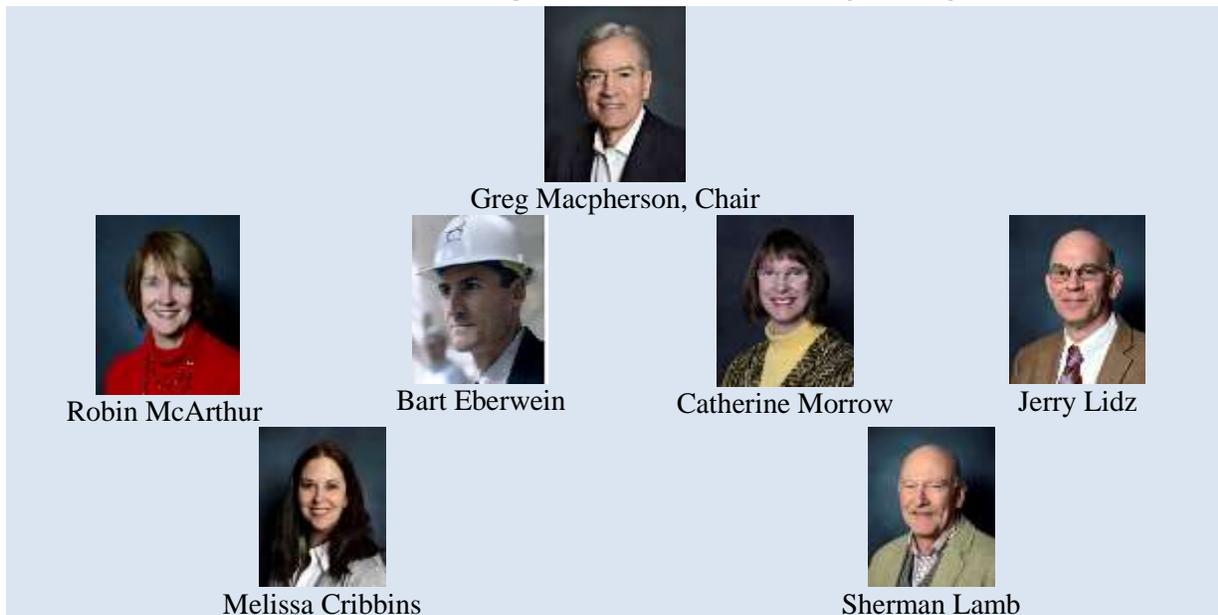
Under the statewide land use planning program, each city and county is called upon to adopt and maintain a comprehensive plan and an implementing zoning code, consistent with 19 statewide planning goals. Recognizing that each city and county has unique values and aspirations, our job is to provide planning guidance and technical assistance to help communities plan for their future while considering the needs of the region and the state.

“The program's success is due to the working partnership between state and local governments and to citizen participation”. – *Renew America (National Conservation Program)*

Helping cities and counties address these functions in the context of a wide range of state and local interests requires that we be problem solvers. The department’s mission reflects this active role.

To help communities and citizens plan for, protect and improve the built and natural systems that provide a high quality of life. In partnership with citizens and local governments, we foster sustainable and vibrant communities and protect our natural resources legacy.

Land Conservation and Development Commission (LCDC)



The Land Conservation and Development Commission is the policy-making arm of the state land use program. It is made up of seven citizens from different geographic areas of the state and includes a current or former elected official of a city and county, as required by statute. The Commissioners are unpaid volunteers, appointed by the Governor and confirmed by the Senate. They are appointed to four-year terms and may not serve more than two terms.

The Commission meets every other month. In the 2013-15 biennium, LCDC held meetings in Burns, Tillamook, Ontario, North Bend/Coos Bay, Eugene, and Portland, as well as in Salem. When the Commission meets “on the road,” it usually tours the local area and hosts roundtable meetings for local, state, and tribal officials.

The Commission approves a biennial policy agenda, which together with the department’s Strategic Plan, guides the policy and much of the programmatic agenda for the agency. Portions of the Commission agenda are reflected throughout this report, with regard to rulemaking, major policy or program

initiatives, such as urban growth boundary review and the Territorial Sea Plan, and relations with local governments and key constituencies.

Local Governments

Oregon’s land use program serves all Oregonians through the work of 242 cities, 36 counties and one metropolitan service district, each of which is responsible for carrying out land use planning. It does this by ensuring that each local government engages its residents in planning for their future, and addresses issues that matter to the economic and environmental sustainability, resiliency, and vibrancy of the community. The department’s regional staff and program specialists provide technical and financial assistance to support local planning efforts.

Direct organizational links with cities and counties, such as the Commission’s Local Official’s Advisory Committee (LOAC), also support the state and local relationship.

Summary of 2013-15 DLCD Grants to Local Governments

Grant assistance to local governments, in addition to technical assistance, has been a key operating arm of the program since the inception of the statewide planning program.

General Fund Grants (budgeted)	TGM Grants (co-awarded but not budgeted or managed by DLCD)	Oregon Coastal Management Program (budgeted federal funds)
\$1,562,635 (115 cities, counties, special districts, and universities)	\$5,270,000	\$649,000 (37 cities, counties, special districts)

Government to Government

The department’s working relationship with Oregon’s nine federally recognized tribes is guided by statute and executive orders. The department has an active relationship with the Legislative Commission on Indian Services (LCIS) that includes serving on several regularly scheduled cluster and working groups comprised of state agency staff and Tribal representatives. A report to the LCIS reporting on the department’s Government-to-Government activity is issued annually and can be accessed through the department’s web page. Activity for the 2013-15 biennium can be found later in this report.

Major Policy Initiatives and Results (2013-15)

Economic Development Planning: DLCD works with state and local partners to ensure that local governments have an adequate land supply, infrastructure and services to meet a variety of economic opportunities. Accomplishments for this biennium included partnership with the Regional Solution Team in southern Oregon to assist a large farm operation in creation of a “food hub facility” that would benefit surrounding farm operations; working with key partners in the Portland metropolitan region to identify and inventory industrial lands; and implementation of SB 766, with rulemaking completed by Business Oregon and identification of regional industrial sites.

Tsunami Land Use Guide: In 2014, the Ocean and Coastal Services Division published “Preparing for a Cascadia Subduction Zone Tsunami: A Land Use Guide for Oregon Coastal Communities.” This guide,

available on the web, is the first detailed tsunami land use guidance available to communities. The guide was developed to help vulnerable communities tailor and incorporate tsunami resilience measures into their local land use programs. Staff is now working with every coastal jurisdiction that faces this risk to assist them in implementing measures in the guide. Staff are also currently developing more detailed guidance for improving tsunami evacuation facilities.

Neskowin Coastal Hazards Adaptation Plan: The Tillamook County Board of Commissioners unanimously adopted, with significant community support, the Neskowin Coastal Hazards Plan and associated land use amendments. DLCD assisted the county in this process and believes the outcomes will be an important model that can be used to assist other coastal communities address increasing coastal erosion.

Providing Tools to Reduce Greenhouse Gas Emissions: DLCD and Oregon Department of Transportation (ODOT) have worked with metropolitan areas to identify how to reduce greenhouse gas emissions from automobiles. LCDC adopted target-setting rules in 2011. Work has proceeded throughout the biennium to assist metropolitan areas to project area greenhouse gas emissions based on current plans, and to identify strategies to reduce those emissions to meet the targets. Metro for example, has adopted a “preferred scenario” through its Climate Smart Communities initiative. Additional funding to continue the joint program is in the governor’s 2015-17 recommended budget.

Portland Metro Urban Growth Boundary Amendments: The department continued to participate in assisting the Portland metro area reach milestones called for in urban development and resource protection policies. Metro is preparing for the next review of its land supply, with a decision on whether the urban growth boundary contains an adequate supply of land scheduled for late 2015.



UGB Rulemaking: HB 2254 (2013) intended to simplify the UGB process and required LCDC to adopt rules to implement the legislation. DLCD was directed to design a new UGB process that meets certain performance standards intended to ensure that urban growth is efficient, and that the rate of conversion of farm and forest lands does not increase in major regions of the state. The department submitted a legislative package that reflected the work of a technical design team and Urban Growth Advisory Committee that concentrated the desired outcomes in four areas: population forecasting, residential growth, employment growth, and growth within and adjacent to existing urban areas

Subsequently, a rule advisory committee (RAC) was appointed by LCDC in October 2013. The committee met six times during 2014, and is expected to meet throughout 2015, with a draft rule recommended in the late summer of 2015. The effective implementation date of the new law is January 1, 2016.

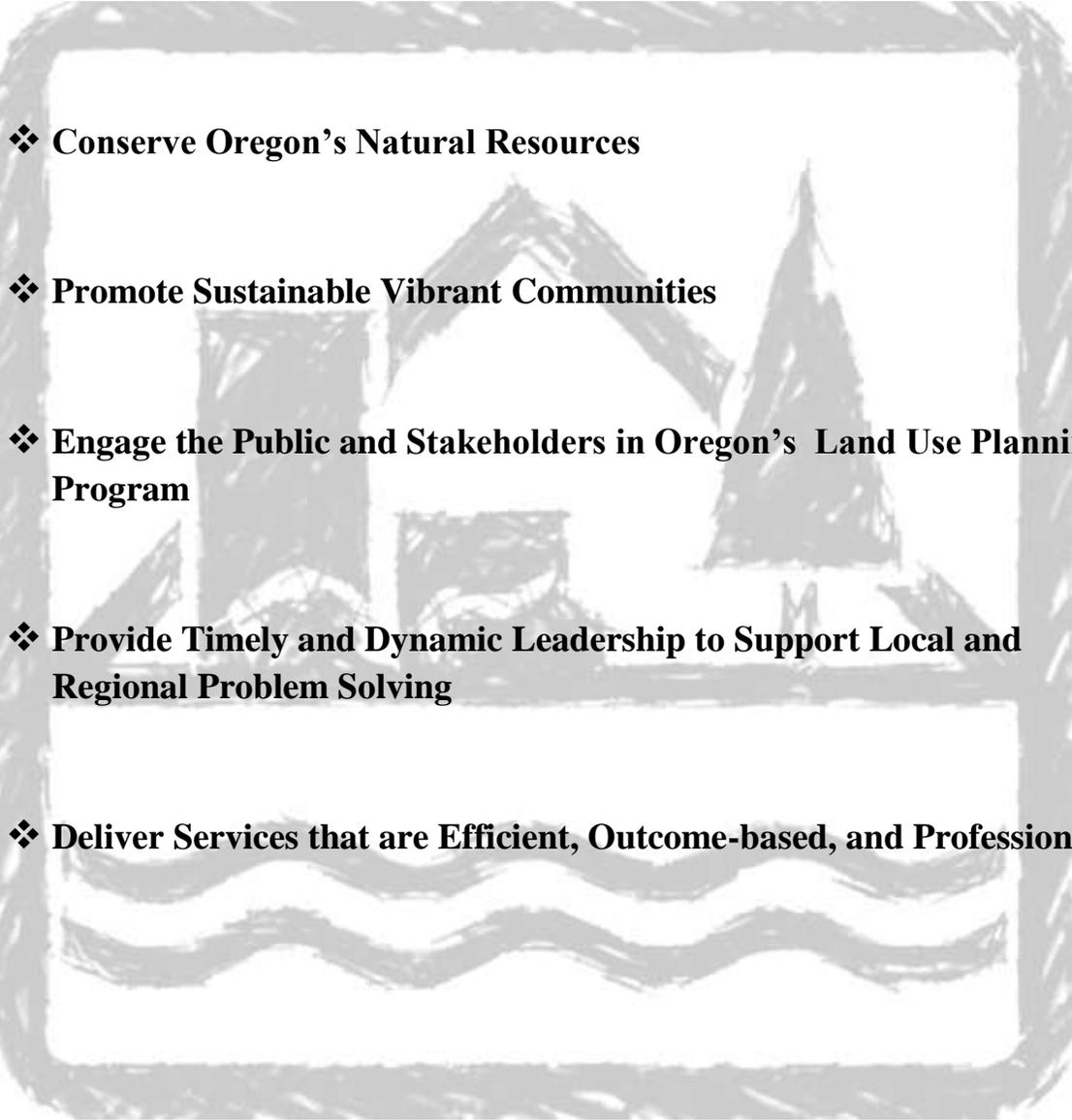
Southern Oregon Regional Pilot Program: At the direction of the Governor's Office and the legislature, the department assisted the Southern Oregon region to explore alternative, regional standards for farm and forest protection. The project calls for Douglas, Jackson, and Josephine counties to work in partnership with the public, the department, and other state agencies in the development of technical data and policy recommendations.

This project began operation in January 2013. A petition for rulemaking by the counties to the Land Conservation and Development Commission is expected in early 2015.

Hazards Planning: During the 2013-15 biennium, DLCDC assumed responsibility for updating and maintaining the Oregon Natural Hazard Mitigation Plan. This plan identifies and prioritizes action the state can undertake that would reduce vulnerability to natural hazards. The plan is required by the Federal Emergency Management Act (FEMA). Without an approved plan, the state would not be eligible for some types of federal assistance after a disaster. The current plan was adopted in 2002. The updated draft plan will be reviewed during the spring of 2015, with final adoption expected in summer or early fall.

Sage Grouse Conservation Partnership (SageCon): In early 2012, the Governor's office, the Bureau of Land Management, and the Natural Resources Conservation Service convened SageCon to serve as an ongoing venue for interagency and stakeholder coordination on issues related to sage grouse habitat conservation. The group includes local, state, and federal agencies and stakeholder organizations. SageCon has been broadly divided into state and federal teams with the state team directed to begin work on an "All Lands, All Threats" (ALAT) plan for nonfederal lands to complement efforts being conducted by the federal agencies. SageCon's goal is to demonstrate that listing the sage grouse is not necessary. The department regularly attends SageCon meetings and has served as a liaison between state government and our local partners. The department is also a member of SageCon's policy focus group and the state's core team.

II. Program Achievements by Strategic Goal and Objectives

- 
- ❖ **Conserve Oregon’s Natural Resources**
 - ❖ **Promote Sustainable Vibrant Communities**
 - ❖ **Engage the Public and Stakeholders in Oregon’s Land Use Planning Program**
 - ❖ **Provide Timely and Dynamic Leadership to Support Local and Regional Problem Solving**
 - ❖ **Deliver Services that are Efficient, Outcome-based, and Professional**

The remaining activities and outcomes described in this 2013-15 biennial report are arranged according to the department’s five strategic goals. Subheads in blue indicate objectives that support the goal.

Goal 1: Conserve Oregon’s Natural Resources – Farm and Forest Lands, and Coastal, Scenic, Unique, and Other Natural Resources Lands are Planned and Managed to Provide a Healthy Environment, and Sustain Oregon’s Communities and Economy

- Conserve productive farm and forest lands
- Protect and conserve coastal and marine resources
- Protect and conserve wildlife habitat, wetlands and riparian areas for their ecosystem values. Protect scenic historic, cultural and recreational values on rural lands.

The protection of natural resources lies at the heart of Oregon’s land use planning program. Oregon’s agricultural lands, forest lands, rangelands, beaches, waters and other natural resources are important economic, environmental and social assets for local communities and for the state. The quality of life made possible by a healthy environment, open spaces, and access to recreation continues to attract new people and business to Oregon. Core department work and strategies identified in this first strategic goal apply primarily to rural areas outside urban growth boundaries.

Conserve productive farm and forest lands

In many ways, Oregon’s efforts to protect its farm and forest lands base since 1975 have comprised the heart of Oregon’s innovative land use planning program. The state’s accomplishments in protecting its working landscapes are unequaled among other states in the nation and even among other nations.

Farm and Forest Land Vital to Economy

Oregon’s agricultural and forest industries remain two primary contributors to the state’s economy, directly and indirectly generating close to 20 percent of the state’s economic output, and accounting for about 15 percent of all employment in the state. Commercial farming and forestry require large land bases. However, both industries are affected by the conversion of land to other uses, by the fragmentation of the resource land base and by conflicts and complaints from nearby landowners who are not engaged in farm and forest activities. That is why sustaining these valuable resource lands is so important to Oregon’s economic strength and stability.

Strong Farm and Forest Land Protections

Statewide Planning Goal 3 (Agricultural Lands) and Goal 4 (Forest Lands) define agricultural and forest lands, and require counties to adopt exclusive farm use (EFU) and forest zoning to protect lands for those uses. State statutes and LCDC rules establish standards for dwellings, uses and land divisions in EFU, forest and mixed farm-forest zones. These standards are designed to limit incompatible development and land fragmentation and to ensure that newly created farm and forest parcels remain commercially viable for farm and forest use. Strong resource land protections keep farm and forest lands affordable for farmers and forest landowners and discourage conflicting uses.

About half of Oregon’s non-federal land base, or 15.5 million acres, is currently zoned EFU, while over 10 million acres are zoned for forest or mixed farm-forest use. Farm and forest property assessment is

available for land in farm or forest use and is automatic in EFU zones.

Monitoring Development on Farm and Forest Lands

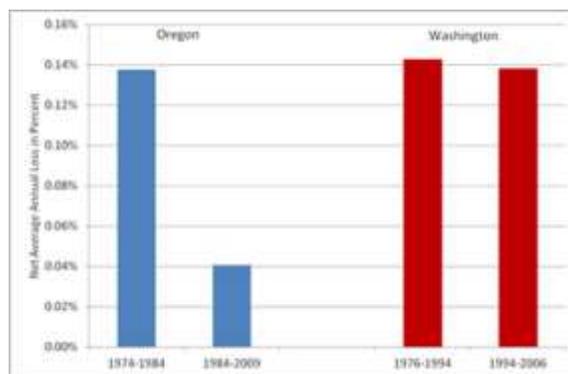
County planning departments have been required since the late 1980s to provide DLCD with annual reports on dwellings, uses and land divisions occurring in farm and forest zones. The reporting system, along with plan amendment data, provide the information needed to regularly review and evaluate existing policy and regulations and to make appropriate adjustments in the program. In 2014, the department instituted an online reporting system for improved efficiency and accuracy and as a convenience to counties. All historic data have been migrated into the new system, enabling more detailed research capabilities. Expanding department GIS capabilities have enabled the production of mapping of development locations as part of the reports. For complete information, please refer to the online 2012–2013 Farm and Forest Report.



State Trends in Farm and Forest Land Conversion

The Oregon Department of Forestry (ODF) has tracked land use change in Oregon from 1974 to 2009, in a series of periodic reports. The reports identify several farm and forest land use classes that reflect land cover and density of existing structures (mostly dwellings). The data on changes in land use represent a more accurate, timely and direct measure of land conversion from farm and forest use to other uses than do changes to zoning and greatly complement DLCD data.

The effectiveness of Oregon’s farm and forest protections can be demonstrated by comparing conversion data for Oregon with that for Washington. Both states have similar amounts of private land and similar development pressures. After the implementation of the two state land use planning programs, the conversion of land in farm and forest zones in Oregon slowed dramatically in Oregon, but only a little in Washington.



[Net average annual loss of private farm and forest land converted to low-density residential or urban uses before and after the implementation of state land use plans (ODF)]

A 2009 U.S. Forest Service publication reported that, without Oregon’s farm and forest land protection program, an estimated 1.2 million acres of forest and farmland in western Oregon alone would have been converted to more developed uses. These facts underscore the effectiveness of Oregon’s farm and forest

lands protection program over the last three decades.

While Oregon's track record for protecting its farm and forest lands is impressive, development pressure on these lands is ever-present. An ongoing concern is that farm and forest lands are often viewed as prime sites for rural homes. Historic data show that over 40,000 dwellings have been approved in farm and forest zones since the acknowledgment of county comprehensive plans in 1986. A similar number of other allowed uses, as well as a couple thousand land divisions, have been permitted as well. The cumulative impacts of these uses, together with the impacts of a growing number and scale of non-farm activities in EFU zones both remove land from resource productivity and create conflicts for remaining resource lands. Of concern as well are several types of large-scale, intensive non-farm uses in productive agricultural areas, including certain aggregate operations, landfill expansions and wetland restoration. A continuing concern in forest zones is the sale of large timber holdings for non-forest purposes, which is threatening to fragment the commercial forest land base, create additional conflicts for forest management and increase potential fire hazard.

Achievements

The department initiated and developed several administrative rules in the 2013-15 biennium that affect farm and forest zones. A forest rule amendment now allows emergency storage facilities to facilitate tsunami preparedness planning. Amendments to the EFU zone now allow youth camps in eastern Oregon and clarify how commercial solar facilities are to be reviewed. The department is currently finalizing rules to authorize counties to establish local programs for the transfer of development rights from Measure 49 properties to alternative locations; this is intended to reduce the adverse impacts of scattered residential development in farm and forest zones.

The department also implemented rulemaking that authorize the review of soils assessments on agricultural land to provide quality control that ensures that alternative soils data, that could be the basis for development or rezoning, is accurate. To-date, the department has reviewed 26 soils assessment for completeness, and has had two soils assessments professionally reviewed by a soils classifier. The new program seems to be well accepted by soils professionals, counties and others.

Department staff is currently working with a consultant and participating counties to develop model EFU and forest zones. This information will be posted online and updated annually to reflect recent legislative and rule changes. The model zones will be used as templates for counties that wish to update their EFU and forest zones, many of which have not been updated for 10 or more years. Current funding will permit the updating of these zones for six counties in 2015. Additional counties will have priority for funding for zone updates in the next biennium

Technical Assistance

In addition to producing the biennial Farm and Forest Report, DLCD staff reviews and provides comments on post-acknowledgment plan amendments that involve rezonings out of farm or forest use, as well as amendments to EFU and forest zone provisions. Staff also provides technical assistance to counties by interpreting statute and rule requirements. Coordinating with other state agencies is an important component of farm and forest protection efforts. Finally, staff provides public outreach through speaking engagements, participation on workgroups and responses to public requests for information and

assistance.

Rulemaking activity related to farm and forestlands

- 1. Youth Camps on Farmland (HB 3098):** A bill enacted in the 2013 session authorized youth camps in EFU zones, and required LCDC to adopt rules to provide for this use. The LCDC rules must be based on current rules authorizing youth camps in forest zones. This legislation was proposed in response to a request for expansion of the existing “Younglife” development in Jefferson and Wasco Counties. Rules were adopted by LCDC at its November 2014 meeting.
- 2. Housekeeping – Align Farm and Forest Rules to New Legislation:** Several existing rules for farm and forest land must be updated to conform to new legislation, including: HB 2393 (small-scale poultry processing), HB 2441 (agricultural buildings in forest zones), HB 2704 (transmission line review criteria), HB 2746 (EFU replacement dwellings), and HB 3125 (forest land divisions). These minor and technical amendments to conform existing rules to the new laws were adopted by LCDC in November 2013.
- 3. Wildlife Standard for Solar Projects:** In February 2013, the Co-Chairs of the 2012 House Interim Committee on Energy, Environment and Water sent a letter to the LCDC chair requesting that the commission “undertake a rulemaking to amend the current wildlife standard that applies to the siting of solar projects on farmland.” The letter included an attachment with specific wording recommended by a workgroup appointed by the interim committee. The department proposed rule revisions (OAR-660-033-0130(38)(h)) to the commission, which approved them in early 2014.
- 4. Measure 49 Transferred Development Rights (TDRs):** Approximately 5,000 new Measure 49 (M49) dwellings are authorized on EFU and Forest land. Many of these potential dwelling rights could be “transferred” to other lands if a functioning transfer of development rights (TDR) program was established for M49 properties. Currently there is no such program, although M49 itself provides authorization for such a program. The department convened an advisory committee to help define and clarify how counties could authorize local TDR programs for M49 properties, and proposed rules will be submitted to LCDC in January of 2015.

Looking Towards the Future

Oregon’s farm and forest land protection program has steadily evolved over the years to respond to new data, changing conditions, regional differences and the needs of agriculture and forestry.

Planning for the rural landscape has yielded unexpected benefits over the years. Farm and forest zoning have helped revitalize many of Oregon’s cities by directing most development into urban growth boundaries. Farm zoning has supported a bounty of new vineyards, world-class wineries and agri-tourism, all of which provide new streams of income for farmers. Large, open land areas uncluttered with rural residences have contributed to making Oregon a leader in alternative wind energy production. Forest zoning has supported the development of a healthy tourism and outdoor recreation industry, while reducing the threat of and losses from forest fires that plague other parts of the country. Farm and forest zoning is also facilitating the development of ecosystem markets for a variety of environmental benefits in a program that is gaining national attention.

Protect and conserve coastal and marine resources

The department houses the Oregon Coastal Management Program (OCMP), which works with local governments, state and federal agencies and stakeholders. The goal is to protect the treasures of the Oregon coast while helping to develop vibrant and sustainable coastal communities.

Estuaries, coastal shorelands, beaches and dunes and ocean resources are a primary focus of the OCMP. The department's Ocean and Coastal Division staff also work closely with coastal cities and counties to plan for economic and community development and to stay safe from coastal hazards. The OCMP collaborates with other state agencies too, as network partners with legal authorities and programs for coastal resources.

Oregon's coastal program is based on the work of the Oregon Coastal Conservation and Development Commission created by the 1971 Oregon Legislature. In 1977, the OCMP received federal approval under the federal Coastal Zone Management Act. This approval is important because:

- Oregon, through the OCMP, has the authority to review federal agency actions and approvals that affect Oregon's coastal zone to make sure that they are "consistent" with Oregon's state laws, statewide planning goals and local government comprehensive plans and ordinances.
- The department receives federal funds from the National Oceanic and Atmospheric Administration (NOAA) to support coastal management. During the 2013-15 biennium, the department received just under \$4.3 million dollars to implement the OCMP.



Helping Coastal Communities

Oregon's coastal communities face challenges found nowhere else in the state. In addition to land use and economic development issues common statewide, coastal local governments must also protect estuarine resources, ocean shores, dunes and other coastal resources. Many coastal communities are on the front line for ocean shoreline erosion, ocean flooding, severe storms, tsunamis and the effects of climate change. A highly seasonal economy, rugged

geography, limited transportation options and reduced funding for local planning add to these challenges. During 2013-15, the OCMP assisted local governments through:

- On-Site Advice and Assistance – During 2013-15, four OCMP staff members worked from a coastal services center in Newport and the Tillamook Regional Solution Center to assist cities and counties on a daily basis with overall planning advice and coastal hazards and shore lands issues. The staff were also involved in a number of Oregon Solutions projects that help resolve land use issues at the local level.
- Financial Assistance – During the 2013-15 biennium the OCMP awarded more than \$650,000 in grant awards to 37 local governments (city, county and special districts) from federal funds including:

- \$612,000 in Coastal Zone Planning Assistance Grants: All jurisdictions receive a minimum grant of \$2,700. Grants enable local governments to maintain core planning services, review development proposals, prepare plan changes, update ordinances and do other planning work.
- \$37,473 in Technical Assistance Grants: Grants range from about \$1,500 to as much as \$10,000. Cities and counties use these funds to conduct special projects related to economic development, coastal hazards, GIS and information technologies and wetland inventories.
- Education and Information - The OCMP provided information and training for local planning staff, including:
 - Local planner conferences: Six local planner conferences provided information on coastal planning, coastal hazard assessments, alternative energy development, and other topics.
 - Citizen's Guide to the OCMP: During this biennium, the OCMP updated its Citizen's Guide to the OCMP to better inform the state's citizens on coastal management in Oregon
 - GIS technical assistance: OCMP's GIS specialist provided GIS assistance to local governments. This assistance helped local staff to avoid the costs of implementing a GIS, acquiring specialized tools, or hiring a contractor.
 - Oregon Coastal Atlas: The Atlas provides a wide range of mapped data and information about the Oregon coast via the Internet: <http://www.coastalatlus.net>.

Addressing Emerging Coastal Issues

The Oregon Coastal Management Program devoted staff resources and expertise to several major issues in the 2013-15 biennium:

1. Coastal Hazards – A major focus of the OCMP is to assist local governments in increasing resilience to a Cascadia subduction zone tsunami, developing beachfront protective structure eligibility guidance, and addressing coastal erosion. The OCMP has developed detailed land use guidance for coastal communities to address tsunami hazards. In addition, OCMP staff worked closely with the community of Neskowin/ Tillamook County to develop and adopt model land use provisions to address ocean shore erosion and storm damage.
2. Ocean Energy Development – The OCMP completed an update to the state's Territorial Sea Plan to address ocean alternative energy in 2013. These policies are now being used to site and regulate ocean energy development in Oregon state waters, including the successful 2014 experimental deployment of the M3 Wave Energy Systems wave pressure device off of Camp Rilea.

The OCMP is working with state and federal agencies on the creation of the Pacific Marine Energy Center (PMEC) South Energy Test Site in federal waters south of Newport. This will be a grid-connected test center run by Oregon State University. Similarly, the OCMP is part of the state-federal collaborative effort to authorize the Seattle-based Principle Power grid-connected 30MW ocean platform wind turbine "WindFloat" project in federal waters off Coos Bay. The

OCMP coordinates the ongoing Oregon Bureau of Ocean Energy Management (BOEM) Task Force and is a member of the BOEM Ocean Action Team or BOAT, which has been established to coordinate leasing and permitting activities in federal waters.

The OCMP is working with the National Oceanic and Atmospheric Administration (NOAA) and BOEM to establish a Geographic Location Description (GLD) outside of state waters for federal license and permit activities that will have a reasonably foreseeable effect on Oregon coastal uses and resources. Once approved, the GLD would allow Oregon to review certain federal activities outside of the state's coastal zone.

3. Resilience - OCSD staff were successful in obtaining a NOAA grant to establish a resilience planning network on the north coast and develop guidance for community hazard assessments and planning. Staff has partnered with Oregon Sea Grant, the Oregon Partnership for Disaster Resilience, Clatsop County, the cities of Seaside, Gearhart and Cannon Beach and other state agencies to develop the framework.

West Coast Governors Alliance on Ocean Health

The OCMP coordinated with the Governor's office to provide policy, planning and technical assistance to support the West Coast Governors Alliance (WCGA). OCMP staff have been involved in several of the WCGA Action Coordination Teams, including Climate Change, Marine Renewable Energy and the West Coast Ocean Data Portal. The West Coast Ocean Data Portal, which debuted in 2013, increases the discovery and connection of ocean and coastal data and people to better inform regional resource management, policy development and ocean planning..

Conserving And Managing Coastal Resources

The OCMP carried out several program activities that assist conserving and managing the unique and valuable resources of the Oregon coast:

- **Estuary Updates:** The OCMP is working with local governments and other stakeholders to update the resource inventory information framework for managing estuaries, some of the most important natural resources on the coast. In the fall of 2014, the OCMP published a comprehensive update of the estuarine habitats on the coast using the new federal Coastal and Marine Ecological Classification Standard. The information generated through the CMECS project has been made available for local governments, sister agencies, and NGO use in a variety of ways, including through an online estuary planning atlas tool, a catalog of GIS data and services, and through training workshops coastalatlasc.org/estuaries. The OCMP is currently working to gain additional funding through a 2015 NOAA grant funding opportunity in order to improve the resolution and quality of information produced during the initial phase of the resource inventory work.
- **ShoreZone :**The OCMP has acquired ShoreZone image data of the Oregon Coast and estuaries. ShoreZone is highly detailed, oblique (from the side), aerial digital shoreline photography that allows users to navigate the coast and view images online through the Coastal Atlas. The collection of images was used along with video tracks to map, using the ShoreZone system, Oregon's outer coast and estuary shorelines. The information is stored in a geospatial database

and can be used for many different resource analyses or habitat investigations. The photographs and GIS data are available from the Oregon Coastal Atlas at: <http://www.coastalatlantlas.net/shorezone/>

- **Regional Sediment Management:** The OCMP has been a strong participant and coordinator for efforts to develop a regional sediment management plan for the Columbia River. During this biennium, years of effort culminated in the test disposal of sediment at a new nearshore dredge material disposal site just south of the mouth of the Columbia River. Significant amounts of sediment need to be removed from the mouth of the Columbia River to keep the river navigable. The new site will keep the sediment in the nearshore sand system to help replenish eroding shorelines.

Protect and conserve wildlife habitat, wetlands and riparian areas for their ecosystem values. Protect scenic, historic, cultural and recreational values on rural lands.

DLCD staff provided assistance to cities and counties that pursued natural resource protection objectives and other Goal 5 updates to their comprehensive plans. While most initiatives stemmed from a local decision to update and improve protection strategies, some were triggered through periodic review. Of the eight southern Willamette Valley cities that participated in the Multi-City/County Water Resources Assessment Project beginning in the 2011-2013 biennium, seven adopted or are in the process of adopting local wetland and riparian protection measures this biennium. This project was designed by Lane Council of Governments and funded by EPA and DLCD.

Interagency communication was a significant component of wildlife habitat, wetland and riparian area protection efforts. DLCD maintained relationships with DEQ TMDL basin coordinators, particularly in connection with water quality improvement efforts in the Willamette, Rogue and Central Coast basins. (DEQ did not complete the “implementation ready” TMDL for the Central Coast as predicted in the 2011-2013 report, however DLCD staff continues to follow this important effort.) Staff has continued to support DSL in their efforts to develop a new protocol for local wetland inventories. The new protocol will produce wetland assessments that will integrate more easily with habitat and water quality protection efforts. Coordination with ODFW staff has been successful in bringing the expertise of regional biologists to the review opportunities made available through the land use program.

The Oregon Sage Grouse Conservation Partnership (SageCon) was convened by the Governor’s Office, the Federal Bureau of Land Management (BLM) and the U.S. Natural Resources Conservation Service (NRCS) to ensure interagency and stakeholder coordination on issues related to sage grouse habitat conservation. The group is working on an “All Lands, All Threats” plan for nonfederal lands to complement efforts already being conducted by the federal agencies. Four workgroups have been established to assist Oregon’s efforts, including a Fire and Invasives team, a Habitat Fragmentation team, and Mitigation and a Technical Team. Each workgroup includes one or more core state agencies and is led by a member of the Governor’s Staff. DLCD continued its participation on these groups during the biennium. A request for rulemaking to LCDC is expected in early 2015. The state’s goal is to provide alternatives to listing the sage grouse as a threatened or endangered species under the Endangered Species Act.

Floodplains and habitat protection

This biennium, floodplain management emerged as a significant issue for the land use program and local governments. In February of 2013, FEMA and NOAA Fisheries entered into ESA Section 7 consultation on implementation of the National Flood Insurance Program (NFIP) in Oregon. NOAA Fisheries' first draft of a biological opinion (BiOp) and "reasonable and prudent alternative" (RPA) to FEMA's proposal was made available to DLCD in June of 2014. Concern was expressed about the consultation process, and questions arose about federal authority to impose new standards on NFIP communities without changes to federal rule. It was also clear that NOAA Fisheries' recommendation, to redefine flood hazard areas to include channel migration zones and to severely limit development in these areas, would conflict with many aspects of the land use program. DLCD followed the consultation, advocated for more direct communication with NOAA Fisheries, and kept both federal agencies informed of potential conflicts with state law and local authority. Staff provided information to, and sought input from, local jurisdictions and other interested parties through the DLCD/ESA Workgroup and list serve. NOAA Fisheries' December 2014 draft of the RPA was much improved over the previous draft, although implementation hurdles and some conflicts with state land use laws and policies remained. DLCD continued to work with FEMA and NOAA Fisheries throughout the biennium to insure that amendments to the NFIP would be implementable at the local level.



Goal 2: Promote Sustainable, Vibrant Communities

- Urban and rural communities have complete and current comprehensive plans with sufficient development capacity (land supply and infrastructure) to accommodate expected growth and economic development.
- Land use and transportation planning are linked to provide for the development of well-functioning, well-designed and healthy communities.
- Enhance the department’s community development activities to support local efforts to revitalize communities, seek public infrastructure solutions and build community participation.
- Support local planning efforts to develop resilience to natural hazards, including those exacerbated by climate change.

How communities are built and developed touches nearly every aspect of our lives: where we live, work, and play; how we get there; and whether we have livable communities and a clean environment. Planning for the full range of what makes a community livable – providing transportation and housing choices, strengthening economies, preserving open spaces and parkland, investing in improvements to public infrastructure, and protecting the environment – improves our quality of life.

The department’s contributions to development of sustainable communities recognize the diversity, richness and aspirations of each community. Successful local comprehensive plans address the unique character of that community: the diversity of the population, landscape, culture, and situation within a region.

Oregon continues to successfully absorb population growth while consuming less land per capita than other states. This success reduces costs for public facilities, transportation, and infrastructure and protects productive farm and forest lands that contribute to regional economies. Community resilience, enabling communities to reduce exposure to natural hazards and respond to climate change, is part of the department’s core work and is highlighted in this plan as a leadership and strategic priority. More recently, the priorities expressed in the [10-year Plan for Oregon](#) for [Jobs and Innovation](#), [Healthy People](#), and [Healthy Environment](#) are influencing the department’s priorities and communications with the public.

Urban and rural communities have complete and current comprehensive plans with sufficient development capacity (land supply and infrastructure) to accommodate expected growth and economic development.

The department provides planning, technical assistance, and grant funding to help local governments keep local comprehensive plans up-to-date. Examples of core work include assistance with updating land use plans so that communities are prepared for economic development opportunities, and that they provide for the housing needs of their citizens. This includes updating comprehensive plan inventories of buildable lands in order to link planning for an adequate land supply to infrastructure planning, community involvement, and coordination between local governments and the state. Grants are awarded to local governments to keep abreast of changes in local circumstances and in state regulations. Department staff also review city and county comprehensive plan amendments to ensure compliance with statewide

planning goals, statutes, and rules.

These technical assistance, grant management, and review functions are primarily accomplished by the department's regional representatives and subject-matter specialists. Regional representatives, often working with other state agencies through the Regional Solutions Teams, are the department's liaisons with cities and counties. With the assistance of urban and rural planning, economic development, transportation planning, and natural hazards specialists, regional representatives help local governments make land use decisions that serve local needs and comply with state land use goals.

Economic Development Accomplishments

Oregon's planning program supports the state's economy by ensuring that local governments have an adequate land supply, infrastructure, and services to meet a variety of economic opportunities. Statewide Planning Goal 9 (Economic Development) is at the center of the state land use program's policy on economic development.

Goal 9 calls for local governments to provide "an adequate supply of sites of suitable sizes, types, locations and service levels for a variety of industrial and commercial uses." The goal encourages local governments to identify urban sites needed for industrial and commercial development to meet both long-term and short-term needs.

Economic development is a priority for available Technical Assistance grants awarded by DLCD. The grant program is guided by a Grants Allocation Plan, which is recommended by a standing Grants Advisory Committee and adopted by LCDC. The allocation plan has listed "economic development" as a priority for five consecutive biennia. These grants are used by local governments to update their comprehensive land use plans to address economic development needs.



In addition, DLCD staff, often through Regional Solutions Teams, provides technical assistance to local governments to help them identify and analyze their economic development opportunities and develop strategies for attracting the identified industries. Through grants and technical assistance, DLCD helps communities throughout the state become better prepared to attract jobs.

During the biennium, DLCD awarded a grant to the City of Tigard related to preparing one of its few industrial sites for development. With this funding, the city retained a consulting firm to develop a Public Infrastructure Finance Plan for the Fields Industrial Property and the surrounding Hunziker Industrial Core. The purpose of this project was to:

- Explore infrastructure scenarios that support development and redevelopment.
- Estimate the cost of those investments.
- Document the economic value of a preferred infrastructure alignment.
- Recommend financing scenarios.

- Draft an agreement that outlines public and private sector actions and responsibilities for public infrastructure financing.

The final deliverable for this project was a public infrastructure development agreement that outlined the roles and responsibilities of public and private sector partners. Also included in this project were several components that other municipalities may find valuable as they create public/private partnerships to encourage development of employment lands in the remaining undeveloped or under-developed parcels around the state.

The most valuable deliverable was not necessarily the findings or documents. As hoped for, but undocumented, benefit of this project was the opportunity to bring a partner with a developing interest into the public/private partnership between the city and the property owner. In November 2014, a private firm signed a purchase sale agreement with the current owner and has subsequently initiated a development project through a pre-application review process with the City of Tigard. This project achieved the tasks and benchmarks defined in the scope of work and it was the process used to initiate a local economic development project.

Community and Economic Development Partnerships

During 2013-15, DLCD partnered with the Regional Solutions Team (RST) to bring focus when state agencies work with communities to increase economic opportunity and bring industrial sites to “shovel-ready” status. RST works with state agencies and local governments to:

- Streamline permitting for business and industry;
- Increase opportunities to link and leverage public and private investments; and
- Provide greater local access to state resources and assistance.

The department participated in a partnership with the Port of Portland, Metro, Business Oregon, NAIOP and the Portland Business Alliance to identify and inventory industrial lands in the Portland metropolitan region. The department contributed financially and in a technical assistance capacity in the project. In addition to helping to fund the effort, DLCD participated in revising the site inventory and, perhaps more importantly, helped craft the report conclusions and recommendations to make them useful to policy-makers in the region. This report will be a basis for a regional industrial land policy discussion.

Another example of this partnership took place in Southern Oregon when DLCD and the RST worked with a local farming family to provide assistance with funding and permit processing. Fry Family Farm, operating in Medford and Talent is the largest producer of fresh vegetables and flowers in Southern Oregon. They approached the RST with plans to construct a “food hub,” consisting of a processing, cold storage, and distribution facility and a farm stand used by their farm but also to be made available to other farms in the region. This would allow smaller scale farms to benefit from such a facility without acquiring their own certifications and also allow these smaller farms to gain access to the wholesale market by bulking products in with the Fry’s.

The Southern Region RST Advisory Board recommended that the Governor provide \$500,000 in grant funding for the project. Without grant funding, the project will have to be scaled down to meet only Fry’s needs. DLCD is working with the Fry’s and Jackson County to navigate and streamline the permitting

process. DLCD worked with the Fry's to modify their proposal to better fit their neighborhood and zoning and has met jointly with the county to develop an outline of information necessary to permit the land use aspect of the project.

Provide Housing Choices

The department provides technical assistance to local governments during consideration of a variety of plan amendments that affect housing and residential land supply— from urban growth boundary amendments to code updates and zoning map amendments—with the objective of promoting an affordable supply. The department has recognized its unique role in promoting the Legislature's policy of requiring clear and objective standards for local approval of residential development. Discretionary design standards can have the effect of increasing the cost of residential construction, so the Legislature enacted a statutory provision requiring cities to offer an objective path for housing developments. DLCD has begun taking an active role in assisting cities become aware of this requirement and ensuring they provide this option in their zoning codes.

DLCD provided grants to three cities (Donald, Gervais, Hood River) to update their comprehensive plans to assess housing and residential land needs and better accommodate needed housing or to plan for public infrastructure for residential lands. These plan updates will aid housing affordability by helping the cities tailor their plans and zoning codes to better match the types and densities of housing that residents can afford to purchase or rent.

Other Initiatives to Assist Cities and Counties Keep Their Comprehensive Plans Up to Date

UGB Rulemaking: A law enacted by the 2013 legislature (HB 2254) is intended to simplify the UGB process and requires LCDC to adopt rules to implement the legislation. DLCD must design a new UGB process that meets certain performance standards intended to ensure that urban growth is efficient and that the rate of conversion of farm and forest lands does not increase in major regions of the state. A rule advisory committee (RAC) was appointed by LCDC in October 2013. The committee met six times during 2014, and is expected to meet twice more in 2015, with a rule draft recommended in the summer of 2015. The effective date of the new law is January 1, 2016.

Population Forecasting Rulemaking

HB 2253 repealed statutes that assigned the responsibility of population forecasting to counties and instead assign that responsibility (outside of Metro) to the Population Forecasting Center at Portland State University (PSU). The law requires new rules by DLCD and PSU. PSU's rules will regulate the process for forecasting, while LCDC rules will clarify the "phasing in" of new PSU forecasts to replace previous forecasts made under the repealed statutes. A draft rule is expected by June 2015.

Land use and transportation planning are linked to provide for the development of well-functioning, well designed and healthy communities

The integration of land use and transportation decisions is critical to urban development in Oregon: land use decisions support transportation investments, and transportation projects support the revitalization and

other goals that communities set for themselves in their local comprehensive plans.

Transportation Planning within the department is coordinated by the **Transportation Planning Unit**, which consists of three related programs:

- Transportation and Growth management
- Oregon Sustainable Transportation Initiative
- Land Use and Transportation Policy

Transportation and Growth Management

Through the Transportation and Growth Management Program (TGM), DLCD and the Oregon Department of Transportation (ODOT) work with local governments to expand transportation choices and promote compact urban development. The program promotes active transportation, better street systems for everyone, and compact, mixed-use walkable communities.

TGM provides grants to local governments, which use the funds to plan transit systems, bicycle and pedestrian networks, street systems, downtown revitalization, and neighborhoods. The grants are administered by ODOT with DLCD input and guidance. In addition to the grants, DLCD manages four community assistance services within TGM:

- Quick Response
- Code Assistance
- Education & Outreach
- Transportation System Plan (TSP) Assessment

The TGM Quick Response Program

Assists local governments who have an immediate need for design assistance with an imminent development. The program provides direct assistance by utilizing consultants with expertise in the matter that the local government is facing. Two examples of Quick Response assistance during the 2013-15 biennium:

- The TGM Quick Response program provided assistance to the city of Independence to help plan for development of a former cement plant site on the banks of the Willamette River adjacent to the historic downtown and the community's signature park. With industrial operations coming to a close, the community wanted to plan for realistic development options that would support downtown. The Quick Response team developed several mixed-use development alternatives, and the option of a boutique hotel which would meet the growing needs of the tourism industry in Polk County.
- Quick Response staff and consultants worked with the city of Canby to determine the feasibility of developing a small scale transloading site along a local short line railroad. The city wanted to be able to offer more connections to businesses in the area that wanted to ship their products by rail. Quick Response provided several potential site design concepts as well as information about potential products or commodities that might be a fit for the community.

TGM Code Assistance

Helps communities align their zoning and development codes with local goals for a quality urban development with good transportation access. Too often, these old codes work at cross purposes with local goals. Among the Code Assistance projects completed during the 2013-2015 biennium are:

- Updated development code updates for Astoria, Ashland, Dundee, and Wilsonville.
- A Model Code module for Transportation Demand Management (TDM) standards for new development.

The Education and Outreach Program

Includes the provision of local workshops, public lectures, conferences and publications to communities across the state. Completed outreach during the 2013-2015 biennium:

- Following up on the success of our Parking Management handbook, TGM Education and Outreach helped Banks, Tillamook, Bend, Stanfield, and Prineville host workshops on parking management issues. The workshops identified management strategies available to help each community balance the parking needs of customers with those of downtown employees. Some workshops addressed larger Main Street issues as well.
- TGM partnered with the Oregon Chapter of the American Planning Association (APA) to sponsor a well-attended series of lectures by Dr. James Sallis, director of Active Living Research at the University of California, San Diego. Dr. Sallis spoke to audiences in Bend, Eugene, Salem, and Portland about the importance of designing communities – and building streets – so that people have opportunities to integrate simple exercise, like bicycling and walking, into their daily lives.

Transportation System Plan Assessment

Most cities and counties have prepared a Transportation System Plan (TSP), and many of these plans are now old enough to consider updating. However, in most cases it is not necessary to redo the entire plan. The TSP Assessment service helps local governments target their update to issues that truly need to be readdressed while avoiding updates for the sake of updating.

Oregon Sustainable Transportation Initiative (OSTI)

The Oregon Sustainable Transportation Initiative (OSTI) is an interdepartmental effort to reduce greenhouse gas (GHG) emissions from transportation while creating healthier, more livable communities and greater economic opportunity. OSTI includes DLCD, the Oregon Department of Transportation (ODOT), the Department of Environmental Quality (DEQ) and the Department of Energy (DOE). OSTI was created to respond to the goal set by the legislature to reduce GHG emissions: “By 2050 ... at least 75 percent below 1990 levels” (Oregon Revised Statutes 468A.205). Subsequently House Bill 2001 (2009) and Senate Bill 1059 (2010), were enacted giving specific guidance to DLCD and ODOT to work together on tasks to reduce GHG emissions in the transportation sector, with particular emphasis on passenger vehicle travel within metropolitan areas.

LCDC and the Oregon Transportation (OTC) took several actions to meet legislative requirements throughout the 2013-15 biennium. Oregon Transportation Commission deliberated a Statewide Transportation Strategy (STS) that outlines how the state can meet state GHG reduction goals. The OTC “endorsed” a draft strategy in spring 2013, and continued working on an implementation plan. The STS includes a number of land use strategies and actions, which DLCD continues to discuss with ODOT. During the biennium DLCD assisted Metro in the establishment of GHG targets and participated in discussion establishing targets for other metropolitan areas as well. State agency and local jurisdiction deliberation is expected to continue into the 2015-17 biennium.

Land Use and Transportation Policy

During the 2013-15 biennium LCDC adopted minor and technical updates to Division 12 of Chapter 660 of the Oregon Administrative Rules, commonly known as the Transportation Planning Rules (TPR).

In the 2011-13 biennium, LCDC adopted more extensive updates to the TPR to permit more flexibility. In the 2013-15 biennium, staff has continued to work with local governments around the state to take advantage of new TPR provisions. One important change has been the introduction of Mixed-use Multimodal Areas (MMA) which may be designated by local governments in areas where they wish to promote compact urban development consistent with TGM principles. To date, Lake Oswego, Springfield, and Oregon City have adopted an MMA, with interest from a number of other communities including Bend and Portland.

Enhance the department’s community development activities to support local efforts to revitalize communities, seek public infrastructure solutions, and build community participation.

Expanding its boundaries to include technical assistance outside its traditional land use planning role, the department provided direct assistance to cities in their community and economic development efforts on a limited basis. For example, the department placed staff in a city (Donald) hall a couple of hours a week to assist in applying for (and receiving) grants, organizing community-improvement groups, and conducting citizen events. Department staff helped the city secure university assistance for planning downtown revitalization and join with other cities in the region on economic development efforts.

While this example stands out, the department assisted several other cities (Gold Hill, Mt. Angel, Nyssa, Cascade Locks, Vale) with projects designed to spur community action and lead to tangible, positive development. The department, either directly or through coordinated involvement with universities, has helped cities with downtown revitalization, preparing land to accept employment opportunities, and analyzing economic development options. The groundwork is being laid for enhanced state assistance in *implementing*, not just creating, good plans.

Support local planning efforts to develop resilience to natural hazards, including those exacerbated by climate change.

Natural Hazards Program

The Natural Hazards Program includes three elements:

- Coastal Hazards (Please see discussion on specific coastal hazards and climate change initiatives under “Protect and Conserve Coastal and Marine Resources pp. 17-21)
- National Flood Insurance Program (NFIP)
- Natural Hazard Mitigation Planning

The National Flood Insurance Program

DLCD helps local governments participate in the National Flood Insurance Program (NFIP), through an agreement with the Federal Emergency Management Agency (FEMA). Two hundred sixty Oregon cities and counties participate in the NFIP. All but two flood prone cities participate in the NFIP, making flood insurance available to nearly all residents and businesses located in state of Oregon.

The NFIP has three basic components: 1) flood hazard mapping; 2) flood insurance; and 3) regulation of areas of special flood hazard.

Flood Hazard Mapping

DLCD receives funding from FEMA to help local communities, through the Risk Mapping and Analysis Program (RiskMAP). RiskMAP develops tools to better assess and communicate exposure to natural hazards, as well as to provide more accurate Flood Insurance Rate Maps. DLCD assisted FEMA throughout the biennium with RiskMAP “Discovery” projects, which are multi-jurisdictional data collection and natural hazards needs assessments. The Natural Hazards Program works closely with the Department of Mining and Mineral Industries and the University of Oregon Partnership for Disaster Resilience to achieve RiskMAP objectives.

Local Government Technical Assistance

The Natural Hazards Program receives funding from FEMA to provide technical assistance and resources to Oregon’s NFIP-participating communities. The Natural Hazard Program helps Oregon’s NFIP communities to ensure they understand and comply with NFIP minimum requirements. The program also trains and answers technical questions from local planners, surveyors, building officials, real estate agents, and others on NFIP regulations and insurance requirements. DLCD also uses grant funds to review local government flood hazard permitting programs to ensure their continued compliance with and eligibility for the NFIP.

Endangered Species

DLCD is involved in a consultation process between two federal agencies regarding how the NFIP affects species protected by the Endangered Species Act (ESA). The primary issue is how development in flood

prone areas could jeopardize salmon. The Fisheries Service of the National Oceanic and Atmospheric Administration (NOAA) is responsible for protecting threatened salmon. FEMA is required to operate the NFIP in a way that does not jeopardize salmon. In the beginning of 2015, the two agencies had not reached consensus. However, the results of this consultation will affect how local governments participate in NFIP, and how they regulate development in flood hazard areas, which is why DLCDC is involved. The department's involvement has been funded by the FEMA NFIP Technical Assistance grant.

Natural Hazards Mitigation Planning

DLCDC took over management of the Oregon Natural Hazard Mitigation Plan (OR NHMP) in the 2013-15 biennium. The OR NHMP maintains state and local eligibility for certain federal disaster assistance and disaster mitigation funds. The purpose of the plan is to understand the state's hazards, vulnerabilities and risks, sets goals and establishes actions for mitigating risk and protecting people, property and natural resources. The OR NHMP must be updated and re-approved by FEMA every five years, effective May, 2014. Oregon is completing the three-year update already in progress with a deadline of March 2, 2015. However, the State requested and received a one-year, no-cost extension to better align the update with the State budget process. We anticipate completion well before that year is up, in late summer or early fall 2015. Approximately 20 state and federal agencies are partners in this effort. DLCDC facilitates this continual statewide collaborative effort with oversight from the Interagency Hazard Mitigation Team (IHMT).



Goal 3: Engage the Public and Stakeholders in Oregon's Land Use Planning Program

- Develop strong, collaborative partnerships with people and communities in all regions of the state through citizen involvement, outreach and collaboration
- Improve communication with, and education of, citizens and stakeholders in all regions of the state.



As shown in [periodic statewide surveys](#), Oregonians greatly value the contribution land use planning makes to what they value about living in Oregon. On average, two-thirds of Oregonians feel strongly about protecting existing farmland and forests from development and urban sprawl and believe that development should be directed to cities and towns; a majority of Oregonians support more investment in public transit; a large majority of Oregonians value the state's natural beauty, outdoor recreation opportunities, and relatively clean air and water. Public comments received by the department

during the biennium urged it to help the public more clearly understand how those outcomes are achieved, and to more robustly engage the public in a better understanding of the land use planning program.

Towards the end of the biennium, a dedicated communications officer was hired as the first step in establishing a proactive, ongoing information and education program and communications plan. Recognizing the importance of the department's existing collaborative relationships, the plan calls for strengthening these relationships with other state agencies, local and tribal governments, colleges and universities, and individuals, organizations, and private businesses by improving coordination and planning for land use, housing, infrastructure, and transportation.

This strategic goal contains two related, but distinct aspects: (1) communicating with and informing the public; and (2) engaging and collaborating with other entities throughout the state.

Develop strong, collaborative partnerships with people and communities in all regions with diverse populations throughout the state through citizen involvement, outreach and collaboration.

Citizen participation is a hallmark of Oregon's planning program. Each city and county plan describes how the public can participate in each phase of the planning process. Local governments must periodically evaluate their efforts to involve citizens, and, if necessary, update their programs. These requirements are established in Statewide Planning Goal 1: Citizen Involvement.

Citizen Involvement Advisory Committee (CIAC)

Oregon Revised Statute Chapter 197 established the Citizen Involvement Advisory Committee (CIAC) to advise LCDC and local governments on matters pertaining to citizen involvement in land use planning. CIAC is an advisory body only; it has no authority over local governments or state agencies. The committee does not set policy or review local land use plans (except for Citizen Involvement Programs). The CIAC can have up to eight members, one from each of Oregon's five congressional districts and three chosen at-large. CIAC members are unpaid volunteers, appointed to four-year terms by LCDC. The committee meets bi-monthly. At least once a year, the committee meets with the LCDC to review themes in citizen involvement, large scale issues, and to make recommendations for improving citizen involvement throughout the state.

During the 2013-15 biennium, the CIAC:

- Assisted a number of communities in developing and improving Citizen Involvement Programs;
- Developed a statewide survey for planners and city/county leaders to obtain data on acknowledged local citizen involvement programs;
- Continued the "Star Awards" program to recognize outstanding programs to involve citizens in local land use decisions;
- Participated in LCDC policy workgroups;
- Began development of a list of no-cost and low cost tools and best practices to improve outreach programs and procedures; and
- Worked to evaluate the process for CIAC review of Local Government requests to assign the role of CCI to Planning Commissions.

Committee members:

- Amy Sheckla-Cox, District 1
- Phil Stenbeck, District 2
- Steve Faust, District 3
- Gregory McClaren (Chair), District 4
- Lisa Phipps, District 5
- Marissa Grass, At-Large
- Jerry Gerspach, At-Large

Local Officials Advisory Committee (LOAC)

Oregon Revised Statute Chapter 197 established the Local Officials Advisory Committee (LOAC) to advise LCDC and the department on matters involving local governments.

The LOAC is made up of seven members representing cities, counties and Metro. They are appointed by LCDC in consultation with the League of Oregon Cities and the Association of Oregon Counties.

LOAC is specifically charged by statute with the responsibility to review and advise LCDC on proposed

goal amendments.

Committee members:

- Mark Davidson, County Commissioner, Union County
- George Endicott, Mayor, City of Redmond
- Dick Gordon, City Councilor, City of Medford
- Larry Givens, County Commissioner, Umatilla County
- Kathryn Harrington, Metro Councilor
- Faye Stewart, County Commissioner, Lane County
- Peter B. Truax, Mayor, City of Forest Grove.

Government to Government

The department's working relationship with Oregon's nine federally recognized tribes is guided by statute and executive orders. The department has an active relationship with the Legislative Commission on Indian Services (LCIS) that includes serving on several regularly scheduled cluster and working groups comprised of state agency staff and Tribal representatives. A report to the LCIS reporting on the department's Government-to-Government activity is issued annually and can be accessed through the department's web page. Activity for the 2013-15 biennium has included participation on a joint DLCD and ODOT selection committee that awarded a Transportation Growth Management (TGM) grant to the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw to use in developing a land use and transportation plan for Coos Head, which the Tribe acquired from the federal government after a former military installation was closed, and the site deemed as surplus. In addition, a representative of the Confederated Tribes of Siletz Indians participated on the department's Urban Growth Boundary (UGB) Rulemaking Advisory Committee. The department also engaged with tribal representatives and local governments on a wide variety of local and statewide land use, and coastal issues.

Improve communication with and education of citizens and stakeholders in all regions of the state.

The department engages and informs the public and stakeholders through availability of online information, up-to-date publications, prompt response to press and media inquiries, direct work with interest groups and other stakeholders, and through public speaking engagements.

The recent addition of a dedicated communications officer allows the agency to begin shaping a communications program that is proactive, comprehensive and accessible. Providing ongoing information for the public, stakeholder groups, and local and state leaders and decision makers, the DLCD will bring clarity to agency fundamentals, and increase information utility for public use.

A successful agency communications program will foster an understanding of the operations, benefits, and tradeoffs of the statewide land use planning program, engage students and educational institutions in an understanding of statewide land use planning issues, and assist the department in development of policies and programs.

Goal 4: Provide Timely and Dynamic Leadership to Support Local and Regional Problem Solving

- Ensure short and long-range policy development for the commission and department.
- Improve capacity of local governments to carry out their land use responsibilities.
- Develop and coordinate strategic initiatives.
- Seek solutions that address immediate and long range challenges, in collaboration with key stakeholders and others.
- Manage and improve information services within the department and for use by a wide array of stakeholders.



The department is a small agency with a big mission. The mission includes stewardship of the state’s land use planning program and the 19 statewide planning goals that encompass it, as well as support for the 279 local jurisdictions that implement the program on the ground. Many land use issues cut across the interests of multiple state agencies, impact regions of the state differently, or implicate conflicting state and local policies. Therefore, as used here, the term “leadership” means selectively and strategically choosing a set of

these cross-cutting issues for which the department will invest significant time and energy.

Ensure short and long-range policy development for the commission and the department

Policy development for the department is conducted through the director’s office. The department’s management and policy staff prepare material for LCDC consideration, and engage the legislature and Governor’s office, both in and out of session.

Approved LCDC Policy Agenda for 2013-2015

In October 2013, the Land Conservation and Development Commission (LCDC) approved its biennial policy agenda, which the department incorporated into its work program for 2013-15. These projects were chosen to improve statewide land use policies, programs and rules and implement land use legislation. A brief description of each topic follows, with a summary of progress toward completion:

Ongoing Policy Projects Continued from the 2011-2013 Biennium

Policy projects listed below were initiated in the previous (2011-2013) biennium and continued into the 2013-15 biennium:

- 1. Provide for Electronic Submission of Post-acknowledgement Plan Amendments (PAPAs):**
In 2011, while adopting new rules to implement 2011 legislation intended to speed up the PAPA process, LCDC instructed the department to consider methods that would authorize electronic submission of local government notices of proposed and adopted plan amendments. *Final adoption of these rules occurred at LCDC's September 2013 meeting.*
- 2. Determine how ODOT's Statewide Transportation Strategy for Reducing Greenhouse Gas Emissions Relates to the Statewide Planning Program:** The 2009 Legislature enacted legislation (HB 2001) directing state agencies to take a series of actions to help meet the state's greenhouse gas (GHG) reduction goals. LCDC and the Oregon Transportation (OTC) took several actions to meet those requirements throughout the 2013-15 biennium. Oregon Transportation Commission deliberated on a Statewide Transportation Strategy (STS) that outlines how the state can meet state GHG reduction goals. The OTC "endorsed" a draft strategy in spring 2013, and continued working on an implementation plan. The STS includes a number of land use strategies and actions, which DLCD continues to discuss with ODOT. During the biennium DLCD assisted Metro in the establishment of GHG targets and participated in discussion establishing targets for other metropolitan areas as well. State agency and local jurisdiction deliberation is expected to continue into the 2015-17 biennium .
- 3. Potential Sage Grouse Listing Under the Federal Endangered Species Act (ESA):** The Oregon Sage Grouse Conservation Partnership (SageCon) was convened by the Governor's Office, the Federal Bureau of Land Management (BLM) and the U.S. Natural Resources Conservation Service (NRCS) to ensure interagency and stakeholder coordination on issues related to sage grouse habitat conservation. The group is working on an "All Lands, All Threats" plan for nonfederal lands to complement efforts already being conducted by the federal agencies. Four workgroups have been established to assist Oregon's efforts, including a Fire and Invasives team, a Habitat Fragmentation team, and Mitigation and a Technical Team. Each workgroup includes one or more core state agencies and is led by a member of the Governor's Staff. DLCD continued its participation on these groups during the biennium. A request for rulemaking to LCDC is expected in early 2015. The state's goal is to provide alternatives to listing the sage grouse as a threatened or endangered species under the Endangered Species Act.
- 4. Southern Oregon Pilot Project:** This pilot project has its roots in 2009 legislation (HB 2229), and was initiated by Executive Order 12-07 and a legislatively approved funding package. The Southern Oregon Regional Pilot Project includes Jackson, Josephine and Douglas counties. The counties continued their work throughout calendar years 2013 and 14, under a contract with the department. They expect to finish their work by the end of the biennium, and may submit a petition for rulemaking to LCDC in 2015.
- 5. Oregon Natural Hazards Mitigation Plan Update:**
Oregon Natural Hazards Mitigation Plan Update: The Oregon Natural Hazards Mitigation Plan (NHMP, Plan) assesses risks and vulnerabilities from 11 hazards statewide, sets goals and establishes actions for mitigating risk and protecting people, property and natural resources. It can be thought of as a comprehensive plan for natural hazard mitigation, with certain federal hazard mitigation and disaster response funds. Previously, state NHMPs were to be updated and re-approved every three years. Effective May 27, 2014, the state mitigation planning update cycle was changed from three to five years. Due to contract obligations, Oregon is completing the three-year update already in progress with a deadline of March 2, 2015. However, the State

requested and received a one-year, no-cost extension to better align the update with the State budget process. We anticipate completion well before that year is up, in late summer or early fall 2015.

- 6. Endangered Species Act (ESA) Consultation Concerning Floodplains:** Floodplain management and habitat protection is the central issue in the ongoing “ESA section 7 consultation” between the Federal Emergency Management Agency (FEMA) and the National Marine Fisheries Service (NMFS) regarding the National Flood Insurance Program (NFIP). One outcome of this process that seems increasingly likely would be a requirement that NFIP jurisdictions in Oregon (many cities and counties) incorporate salmon habitat protection measures into their floodplain permit review criteria. If so, the department may propose changes to the Goal 5 implementing rules (OAR 660, div. 23) to help synchronize state planning requirements with habitat protection measures required under the ESA. The next step in the process will take place with a NOAA Biological Opinion, expected in early 2015.
- 7. Renewable Energy Planning for the Oregon Ocean Stewardship Area:** The department is working with state and federal agencies and stakeholders to delineate a geographic location description of an area beyond the territorial sea, but within the Oregon Ocean Stewardship Area, where federal consistency requirements will apply to renewable energy proposals.
- 8. Oregon Estuary Planning:** The department is in the midst of a major update of the estuary portion of the statewide planning program and several projects are underway that will feed into future updates of estuary plans. Current projects include the Estuary Project of Special Merit, which will update estuary inventory information available to local governments and the public. The department also has completed a contract to begin an estuary trends assessment. In addition, the department is conducting an internal regulatory assessment to determine what types of streamlining or other improvements to the regulatory framework may be needed with regard to estuary management.

New Policy Projects Required by the 2013 Legislature

The following policy projects were pursued in response to legislation enacted in the 2013 session or legislatively adopted budget notes suggesting specific DLCDC action:

- 1. Local “Legislative” Plan Amendments:** The 2013 Natural Resources Ways and Means subcommittee directed the department to convene stakeholders to develop recommendations for improving the process and criteria for “legislative amendments” to local land use plans and report to the 2015 legislature.¹ Meetings have been held in 2014.
- 2. UGB Rulemaking:** A law enacted by the 2013 legislature (HB 2254) intended to simplify the UGB process and required LCDC to adopt rules to implement the legislation. DLCDC was required to design a new UGB process to meet certain performance standards intended to ensure that urban growth is efficient, and that the rate of conversion of farm and forest lands does not increase in major regions of the state. A rule advisory committee (RAC) was appointed by LCDC

¹This recommendation was adopted by the subcommittee as a “budget note” but was not adopted by the full legislature and as such it is not a legislatively “required task” for the department. However, LCDC has directed the department to pursue this project in the manner recommended by the subcommittee.

in October 2013. The committee met six times during 2014, and is expected to meet twice more in 2015, with a rule draft recommended in the summer of 2015. The effective date of the new law is January 1, 2016.

3. **Population Forecasting Rulemaking:** HB 2253 repealed statutes that assigned the responsibility of population forecasting to counties and instead assign that responsibility (outside of Metro) to the Population Forecasting Center at Portland State University (PSU). The law requires new rules by DLCD and PSU. PSU's rules will regulate the process for forecasting, while LCDC rules will clarify the "phasing in" of new PSU forecasts to replace previous forecasts made under the repealed statutes. A draft rule is expected by June 2015.
4. **Youth Camps on Farmland (HB 3098):** A bill enacted in the 2013 session authorized youth camps in EFU zones, and required LCDC to adopt rules to provide for this use. The LCDC rules must be based on current rules authorizing youth camps in forest zones. This legislation was proposed in response to a request for expansion of the existing "Youthlife" development in Jefferson and Wasco Counties. *Rules were adopted by LCDC at its November 2014 meeting.*
5. **Housekeeping – Align Farm and Forest Rules to New Legislation:** Several existing rules for farm and forest land must be updated to conform to new legislation, including: HB 2393 (small-scale poultry processing), HB 2441 (agricultural buildings in forest zones), HB 2704 (transmission line review criteria), HB 2746 (EFU replacement dwellings), and HB 3125 (forest land divisions). These minor and technical amendments to conform existing rules to the new laws were adopted by LCDC in November 2013.

Other Recommended New Policy Projects

LCDC initiated the following new "policy projects" in the 2013-2015 biennium to the extent that sufficient staff and other department resources were available.

1. **State Agency Coordination (SAC):** ORS 197.040 requires that state agencies carry out programs affecting land use consistent with statewide goals and in a manner compatible with acknowledged local comprehensive plans. LCDC last updated state agency coordination administrative rules in 1989. Most existing SAC were approved by the commission around 1990 and have not been updated since. Legislation in 2009 modified related statutes recommended that DLCD update the SAC process and revise related rules (OAR 660, divisions 30, 31). To date, the department's budget has not provided sufficient funding for this project and therefore it has not been pursued. The department did perform exploratory work with one or two state agencies that wanted to update their SAC program during the 2013-15 biennium, with no clear path forward at the end of 2014.
2. **Updating Local Plans:** Over the past decade a series of legislative measures have substantially narrowed the scope of Periodic Review by exempting small cities and all counties from the requirement to periodically update local land use plans. As a result, many local land use plans have not been updated since "acknowledgement" in the 1980s. With diminished funding, and ultimately with the phasing out of periodic review, new strategies are needed to ensure plans are updated and remain in compliance with statewide goals. Related to this, particular requirements in many state laws and rules are "triggered" by Periodic Review. As a result of the reduced scope

of that program, many of these land use requirements have no effect. In a related matter, HB 2254 provides that cities using the new UGB methods (see project B2, above) are excused from Periodic Review. However, the law requires LCDC to, “*by rule, specify alternate means to ensure that the comprehensive plan and land use regulations of [a city that uses the new method] comply with the statewide land use planning goals and are updated over time to reflect changing conditions and needs.*” This project will receive further attention as a follow-up to UGB streamlining under HB 2254.

3. **Citizen Involvement and Engagement:** The commission’s Citizen Involvement Advisory Committee (CIAC) is tasked by LCDC with recommending new methods to improve local citizen involvement that do not impose new costs on local governments. CIAC has also been tasked with evaluating and recommending improvements to current procedures the department uses to notify and involve the public in LCDC activities such as policy work. The CIAC submitted their recommendations to the Commission in August of 2014, and will look to implement those recommendations in the following biennium.
4. **Industrial Land Planning:** The commission considered ways to improve siting and economic development processes under statewide Goal 9 with respect to industrial land, both for urban and rural areas of the state. This project will likely take more than one biennium largely through participation on Regional Solutions Teams. Some examples of recent work include:
 - The department will study the availability of developable industrial sites throughout the state and ensure adequate development-ready sites are being provided in both large and small cities.
 - Wash co and Bend area
 - Ontario, Nyssa Vale
 - Metro area industrial lands identification and inventory
5. **Transportation Planning Rules (TPR) Minor and Technical Changes:** Two minor adjustments to LCDC’s transportation planning rules (the TPR), will be considered:
 - **Exempt Milton-Freewater:** from TPR requirements pertaining to metropolitan areas. Currently, newly designated Metropolitan Planning Organization (MPO) areas must develop “regional Transportation System Plans” within three years. The City of Milton-Freewater is included in a new MPO that straddles the Oregon-Washington border (the Walla Walla Valley MPO). The department will propose to exempt the city from this requirement, as previously done for Rainier, because (in both cases) the major cities that comprise the new MPO are in the State of Washington. *This work was completed in July, 2014.*
 - **Change references to MPOs:** In 2006 LCDC amended the TPR to clarify requirements for planning in metropolitan areas, recognizing that the rules don’t directly regulate MPOs (because MPOs don’t make land use decisions). The 2006 rule amendments suggested, but did not adopt, certain corresponding amendments to the TPR and as such, the rules currently include outdated references to “MPOs”. *This work was completed in July, 2014.*
6. **Urban Service Agreements:** While state law requires urban services agreements (for jurisdictions in UGBs with a population over 2,500), this requirement is implemented through periodic review and compliance has been spotty, especially since periodic review has been

considerably reduced in scope over the last decade. Recent legislation on UGBs (HB 2254) requires such service agreements for cities over 10,000 that opt to use the new UGB process, but does not pertain to cities that do not choose to use the new process. The department sponsored a discussion on service agreements in 2012, which explored expanded requirements for cities not using the new UGB process. Discussion will continue as part of the HB 2254 process.

- 7. Metro Area Annexation Issues:** Metro made a concerted attempt to follow streams and other natural features in establishing its UGB and urban reserve boundaries. However, that has resulted in many properties with portions inside the boundary and portions outside. An unintended consequence is that the planned “urban” portions of properties that straddle the Metro UGB or Reserve boundaries are difficult to annex and urbanize if the portion of the property outside the UGB is smaller than the required minimum lot size for farm and forest land. The department determined that this issue could not be resolved by new or amended administrative rules. Legislation for the 2015 legislature includes HB 2457 as part of the department’s legislative package.
- 8. Wildlife Standard for Solar Projects:** In February 2013, the Co-Chairs of the 2012 House Interim Committee on Energy, Environment and Water sent a letter to the LCDC chair requesting that the commission “undertake a rulemaking to amend the current wildlife standard that applies to the siting of solar projects on farmland.” The letter included an attachment with specific wording recommended by a workgroup appointed by the interim committee. The department proposed rule revisions (OAR-660-033-0130(38)(h)) to the commission, which approved them in early 2014.
- 9. Measure 49 Transferred Development Rights (TDRs):** Approximately 5,000 new Measure 49 (M49) dwellings are authorized on EFU and Forest land. Many of these potential dwelling rights could be “transferred” to other lands if a functioning transfer of development rights (TDR) program was established for M49 properties. Currently there is no such program, although M49 itself provides authorization for such a program. The department convened an advisory committee to help define and clarify how counties could authorize local TDR programs for M49 properties, and proposed rules will be submitted to LCDC in January of 2015.
- 10. Metolius Transfer of Development Opportunities (TDOs):** A bill in the 2013 legislature (HB 3536) was proposed to authorize significant new residential and commercial development at the existing Aspen Lakes golf course in Deschutes County; it did not pass. It proposed using previously authorized Metolius “transferred development opportunities” (TDOs) created through legislation in 2009 to protect the Metolius River. As a result of discussions with legislators and the Governor’s office, the department agreed to sponsor a stakeholder work group to evaluate options to use the TDOs on the Cyrus family property at Aspen Lakes. A workgroup met throughout 2014, but reached no conclusion.
- 11. Ocean Shoreline Protection:** The department worked with Oregon Parks and Recreation Department by jointly sponsoring a Coastal Fellow to conduct a preliminary analysis of the location of shoreline protection structures and the spatial distribution of properties that are eligible or ineligible for future armoring. This analysis will enable a comprehensive overview of locations where balancing competing uses will be especially challenging in coming years, and be used to inform future policy making. Work is ongoing, and recommendations are expected at the conclusion of the Coastal Fellow’s tenure in May, 2015.

Projects to be pursued if resources are available

1. **Natural Hazards:** Study and make recommendations regarding natural hazards requirements as they relate to climate change adaptation. DLCD will work with other agencies in response to the Governor's climate change adaptation plan. This project may or may not result in rules to clarify Goal 7 requirements.
2. **Public Parks in Farm Zones:** The department participated in several meetings of the Oregon Parks and Recreation Department's (OPRD's) 2012-2013 "Parks Forum" with a number of other stakeholders, including other state agencies and county and regional parks providers, a process that resulted in a summary paper by OPRD of the forum's recommendations. The summary paper included recommendations for DLCD to clarify allowed park uses and update the State Agency Agreement with OPRD. DLCD staff and commission considered these recommendations as part of the 2013 – 2015 Policy Agenda, but determined that there were insufficient staff resources to include them in this biennium's projects. This project is important and should be included in the commission's 2015 – 2017 Policy Agenda.

Improve capacity of local governments to carry out their land use responsibilities.

The department, particularly through the regional staff, provides technical assistance and limited grant assistance to local governments.

The department has begun within the last year to provide additional assistance and capacity for local governments. This new effort includes:

1. Coordinating with the Governor's office and state agencies, help local governments assess, plan, and build needed public infrastructure and facilities (*e.g.*, water, sewer, transportation, parks and schools).
2. Improving the distribution and availability of geospatial and scientific data and information to local governments, state agencies, and the public to support land use planning.
3. Developing new processes and resources for keeping local plans up-to-date.

While these initiatives are still nascent, tangible products are beginning to be produced. For example, the department has piloted a project that will assist several counties update out-of-date zoning codes without the need for the county to spend its time on applying for or managing a grant. Department staff members are actively involved in developing online tools for use by local governments to access and analyze geospatial data; these new tools are not yet available, but the department is committed to building this capacity for the benefit of cities and counties and the planning program.

Develop and coordinate strategic initiatives with other state agencies, tribal and local governments.

Big-picture initiatives are developed and supported with key stakeholders, including state agencies, local and tribal governments and a wide range of advocacy organizations (such as those oriented to environmental protection, housing and community development, commercial natural resource interests, energy development and parks and recreation interests).

Southern Oregon Pilot Project: This pilot project has its roots in 2009 legislation (HB 2229) and was initiated by Executive Order 12-07 and a legislatively approved funding package. The Southern Oregon Regional Pilot Project includes Jackson, Josephine and Douglas counties. The counties continued their work throughout calendar years 2013 and 14, under a contract with the department. They expect to finish their work by the end of the biennium, and may submit a petition for rulemaking to LCDC in 2015. This pilot project allows the named counties to consider alternative ways to protect farm and forest lands in their counties, and to redesignate some of these resource lands to non-resource status with increased development. The departments of Agriculture, Forestry and Water are active participants in the process due to impacts on the resources for which they are responsible.

State Agency Coordination (SAC): ORS 197.040 requires that state agencies carry out programs affecting land use consistent with statewide goals and in a manner compatible with acknowledged local comprehensive plans. LCDC last updated state agency coordination administrative rules in 1989. Most existing SAC were approved by the commission around 1990 and have not been updated since. Legislation in 2009 modified related statutes recommended that DLCD update the SAC process and revise related rules (OAR 660, divisions 30, 31). To date, the department's budget has not provided sufficient funding for this project and therefore it has not been pursued. The department did perform exploratory work with one or two state agencies that wanted to update their SAC program during the 2013-15 biennium, with no clear path forward at the end of 2014.

Climate Change Adaptation Framework. Oregon Coastal Management Program staff initiated a regional-scale collaboration on the north coast involving federal and state agencies, Tillamook and Clatsop Counties, cities and NGOs in planning for climate change. This collaboration is based on the Oregon Climate Change Adaptation Framework developed in 2010, and is designed to build capacity at the state and local levels to plan for climate variability and change. It is being conducted as a 'proof of concept' to develop a low-overhead, comprehensive, risk and landscape-based approach to climate adaptation planning. It will result in a regional climate adaptation framework that will foster leadership and provide reliable information to support planning and actions to address the likely effects of climate change on coastal communities. The regional framework is designed to build capacity for adaptation in coastal communities. The framework will identify priority climate risks, management objectives for climate adaptation, and actions to reduce the consequences of climate risks to coastal communities,

During the 2013-2015 biennium the coastal program provided several grants (four technical assistance grants totaling \$23,525) and considerable technical assistance to help Coos County build a GIS. The county was able to hire staff to digitize historic mylar maps and modernize large numbers of critical planning data layers, including many layers relating to the Coos and Coquille estuary plans. Relevant high use planning layers have all been included in the department's online estuary planning tool for ease of access in estuary decision making. In a couple years the County progressed from mylar and zip-a-tone maps from 1970s and 1980s, to a fully functional modern GIS mapping system. It has transformed the work of a cash-strapped local government planning office.

infrastructure, working lands, natural resources, and residents.

The OCMP is also participating in a joint effort with Washington, California, and federal agencies to lay the groundwork for a multi-scale coast-wide system that would provide access to information that can help coastal communities plan for changes in shoreline environments associated with sea level rise and coastal storms.

Seek solutions that address immediate and long-range challenges, in collaboration with key stakeholders and others.

The department cooperates with organizations such as colleges, universities and research institutions to provide research and analysis for identified projects.

In partnership with University of Oregon Digital Library Services, the department now has a public-facing land use planning collection Web site with multiple ways to search and retrieve local planning documents. The department keeps the collection current by submitting catalog entries to the library through an online form. As a result, the library avoids devoting staff time to maintaining the collection, and the department avoids building, hosting and maintaining a Web application.



Similarly, DLCDC has joined with the Secretary of State Archives Division to implement records management via the Oregon Records Management System. The first set of records is being entered now. Not only will the department be able to manage its records and quickly satisfy public records requests, this system enables persistent sharing of documents with the public.

In our quest to make comprehensive resources available, the department partnered with the Institute for Natural Resources to provide an authoritative and interactive Web portal for land use planners in Oregon. Using the latest innovations in portals and user-centric design, local governments, agency partners, scholars, interest groups, and the public now enjoy easy access to rich content on all aspects of Oregon's land use planning program, with interactive mapping built on Web services.

Manage and Improve information services within the department and for use by a wide range of stakeholders.

The department's capacity to generate geospatial data and scientific information for use in local decision-making is incrementally improving. This capacity is increasingly important for jurisdictions where planning resources have been greatly reduced in recent years.

Four poorly operating database repositories critical to the land use planning program were redesigned in the 2013-15 biennium, the data migrated or retrieved from third-party hosting, placed on an enterprise platform, with fresh user interfaces and robust but flexible programming. Internal work and knowledge-

sharing practices were strengthened, resulting in improved outcome reporting. The department can now make maps from tabular data, and information resources are accessible and useable by all employees. Rules were modified to permit digital document submissions by local governments, and counties began submitting farm and forest decisions online instead of on paper through the mail. Jurisdictions will soon be able to submit plan amendments via the Web, as well which will significantly streamline the process for local jurisdiction and department staff. The data collection was significantly improved due to redesign of Web forms, ensuring complete and consistent responses.

Finally, during the biennium the department led targeted efforts to assemble and maintain statewide spatial data for urban growth boundaries, zoning, comprehensive plans, floodplains, shorelines and related information. This involved multi-organization deliberations on standards, publication and stewardship planning. To secure the value of the investment, at least one steward is assigned to and held responsible for maintaining each information asset developed or adopted by DLCD, whether it be data, an application, a workflow, or other system.

Goal 5: Deliver Resources that are Efficient, Outcome-based, and Professional

- Operate a professional organization that is efficient, operates according to best practices and seeks to continually improve operations
- Manage and provide services to local governments to support department and local objectives

The department works to continually deliver pertinent, timely information to partners, and to provide staff with the tools and training they need to provide excellent customer service. Both external and internal processes are monitored and adjusted to meet this goal. This goal is primarily a function of administrative and human resources within the department.

Operate a professional organization that is efficient, operates according to best practices and seeks to continually improve operations.

The department, through the Administrative Services Division and the Director's Office, provides budget development and execution; personnel management, development, and evaluation; and grant and contract administration.



Continuous Process Improvement

The department management and staff regularly engage in actions to update, streamline and improve department and program policies, rules and procedures. In 2013-15, pursuit of the department's Information Management Modernization Initiative (IMMI) generated many efficiencies, and will continue to do so as initiatives continue to be funded.

In addition to the efficiencies arising from projects described (in Goal 4 above), the department has streamlined internal workflows, employees have learned new skills informally and through formal training, capability gaps have been narrowed. For example, more than 325 hours have been conserved in verifying data and compiling reports thus far, and communications quality, quantity and venue have improved. In addition, this initiative will continue to increase the department's capacity to create, store, analyze and distribute key data for local and state land use policy development; eliminate redundancies in programs; minimize waste and ultimately save state dollars; and increase transparency to local, state, and federal partners.

Another example of process improvement includes the revised department strategic plan. The 2014-22 plan covers a longer time-horizon than previous plan, is much more explicit in identifying strategies the department intends to implement and will be tied more closely to staff and management performance review. The plan will also be a more explicit touchstone for budget and other department documents, but will also be subject to revision over time, as state and local needs and priorities change.

Manage and provide services to local governments to support department and local objectives.

Working with Oregon Communities: Oregon's statewide planning program is most effective when communities, regions and state agencies work cooperatively to plan and invest in successful, sustainable futures. Oregon's continued vitality rests, in large part, on the successful implementation of thoughtful local planning. In order to help Oregon communities make the best possible decisions about their futures, DLCD works to make real-time information and state-of-the-art planning practices available in the regions of the state and from its Salem office.

Communications and Technical Assistance: DLCD staff provides technical assistance to local governments through formal and informal communication.

During the past biennium, the department conducted seven planners network meetings around the state (Bandon, Florence, Grants Pass, and Tillamook; twice at each coastal location). Planners network meetings serve as a forum for local governments to exchange information and develop stronger working relationships. The department will continue to host network meetings during the 2015-17 biennium and provide additional opportunities around the state.

Grants to Local Governments: In addition to technical expertise, DLCD offers several grant programs to provide targeted grants to local governments. The Transportation and Growth Management program is dedicated to improving the integration of land use and transportation planning across the state. The Oregon Coastal Management Program also offers grant resources to coastal communities.

The general fund grant program provides resources to help local governments with comprehensive planning updates and other planning activities, with regional planning analysis, and with Periodic Review. During this biennium:

- Oregon communities have utilized about \$640,000 for the biennium in technical assistance and periodic review grant funds on comprehensive plan update projects ranging from regional wetlands identification to regulatory streamlining to planning for new employment opportunities;
- The department managed a multi-county code update project that (1) created model exclusive farm use and forest zones for use by any county to help keep its zoning code up to date and (2) used the model zones to update the codes for several counties. Because the department managed the grant project, the county staffs could devote their limited resources to the work of getting their codes updated without the added work of hiring a consultant, processing grant payments, etc.
- An additional \$113,000 was awarded to cities under 2,500 population and to counties under 15,000 population. Those funds are typically used to support general planning and permitting activities in Oregon's smaller communities. DLCD provided assistance to 93 small communities this biennium.

In total, the general fund grant program was able to fund, in whole or in part, 23 planning projects statewide. Adding the 113 Planning Assistance grants to small communities, DLCD was able to provide

assistance to 136 communities – nearly half of our local partners across the state.

Keeping Plans Up-to-Date: In order for the statewide planning program to function effectively, local comprehensive plans must be updated in keeping with changing markets and developing landscapes. Local governments typically identify needed updates and amend their plans through the Post-Acknowledgment Plan Amendment (PAPA) process.

Periodic Review: Urban development, population growth, economic and market forces and other changes in the landscape can render comprehensive plans obsolete over time. As community visions are realized, plans must be updated to continue to meet the needs of the local government, its citizens, and its property owners. Oregon statutes require many cities to periodically review their plans to ensure they continue to accommodate needed land and infrastructure for economic development and housing. Certain statutory and rule provisions are implemented through Periodic Review as well. During this biennium, the department worked with 10 cities to complete portions of periodic review work programs.

Plan Amendment Review: A local government can amend its comprehensive plan to address local needs outside the Periodic Review process through the Post-Acknowledgment Plan Amendment (PAPA) process. These typically smaller amendments may be initiated by a city or county, or by a property owner who wishes to change the allowed use(s) of land.

DLCD's role in the PAPA process includes reviewing and advising local governments on proposals and providing notice of the proposal to the public. Department staff is frequently asked to provide technical assistance as well. During the first 18 months of the biennium, DLCD received over 500 PAPA notices and responded to approximately one-third of them, providing assistance and feedback to the communities making changes.

Appeals of Land Use Decisions: The department works closely with local communities throughout the planning and ordinance adoption process. Staff provides guidance on local land use proposals and, in the overwhelming majority of cases, the local government and the department work together to address any legal and technical challenges. In cases where the local government makes a decision the department believes violates a statewide planning goal, the department, with LCDC approval, may choose to appeal that local decision to the Land Use Board of Appeals (LUBA) for clarification of the decision or to confirm state policy.

Key Performance Measures

The department's key performance measures for 2014 are submitted to the legislature with the Annual Performance Progress Report (APPR). The measures are legislatively approved, and reflect a wide range of activity performed by the department and local governments. KPMs are one method of capturing the direction, energy and outcomes of the land use program. Seen in the context of this Biennial Report and the full APPR report these numbers take on a richer meaning.

KPM #	Performance Measure	Target	Results
1	Employment Land - Percent of cities that have updated their local plan to assure an adequate supply of employment land for industrial and other employment uses	75	49
2	Housing Land Supply - Percent of cities that have updated their local plan to assure an adequate supply of buildable residential land to meet housing needs	90	56
3	Public Facilities Plan - percent of cities that have updated the local plan to include reasonable cost estimates and funding plans for sewer and water systems	70	52
4	Certified Industrial Sites - Number of sites certified as project-ready added each year	6	9
5	Transit Supportive Land Use - Percent of urban areas with a population of greater than 25,000 that have adopted transit supportive land use regulations	90	88
6	Transportation Facilities - Percent of urban areas that have updated the local plan to include reasonable cost estimates and funding plans for transportation facilities	91	90
10	Farm Land - Percent of farm land outside UGBs zoned for EFU in 1987 that retain that zoning	99.88	99.86
11	Forest Land - Percent of forest land outside UGBs zoned in 1987 for forest use that remains zoned for those uses	99.95	99.92
12	UGB Expansion - Percent of land added to UGBs that is not farm or forest land	55	38
15	Grant Awards - Percent of local grants awarded to local governments within two months of receiving an application	100	90
17	Customer Service - Percent of customers rating their satisfaction with the agency's services as good or excellent	83	73
19	Best Practices - percent of Best Practices met by the board (LCDC)	100	100

DLCD Divisions and Offices

Organization

DLCD is organized into four divisions:

The Community Services Division, Rob Hallyburton, Manager – is composed of regional representatives who assist local governments in the implementation of the statewide land use planning program by providing technical and educational assistance to local government planners and officials, the general public and interest groups. The division also provides financial assistance to urban and rural communities.

The Planning Services Division, Matt Crall, Manager – provides specialized technical assistance and policy consultation to DLCD’s regional representatives serving local governments and citizens. The division includes the Transportation and Growth Management (TGM) Program, natural resources, and natural hazards.

The Ocean and Coastal Services Division, Patty Snow, Manager – works with coastal cities, counties and state and federal agencies to administer Oregon’s federally approved Coastal Management Program, which emphasizes conservation of estuaries, shorelands, beaches and dunes and ocean resources. The division provides financial and planning assistance to local governments, implements a coastal hazards and assessment program, supports the Oregon Ocean Policy Advisory Council (OPAC), maintains an online Oregon Coastal Atlas and has authority under federal law to review federal programs and activities for consistency with Oregon’s federally approved coastal program standards.

The Administrative Services Division, Teddy Leland, Manager – provides services in the following areas: budget, accounting, purchasing, safety, space and facility management, mail distribution, information systems, agency policy and procedure development, inventory and property control and reception. The Director's Office, Jim Rue, Director and Carrie MacLaren, Deputy Director, provide support for the Land Conservation and Development Commission (LCDC), overall direction for the department, human resource, landowner notification, and budget and policy development.

Location

The department is based in Salem but has field staff in other areas

Salem (Main Office)

635 Capitol St., NE, Suite 150, Salem, OR 97301
(503) 373-0050

Portland Regional Solutions Center

1600 NW Fourth Ave., Suite 109
Portland, OR 97201
(503) 725-2182 anne.debbaut@state.or.us
(503) 725-2183 jennifer.donnely@state.or.us

Portland State Office Building

800 NE Oregon St Suite 1145
Portland, OR 97232

**South Valley Regional Solutions Center
(Eugene)**

UO, 720 E 13th Ave, Suite 304
Eugene, OR 97401
(971) 239-9453 ed.w.moore@state.or.us

Central Regional Solutions Center (Bend)

650 SW Columbia St. Millpoint Bldg 7100
Bend, OR 97702
(541) 325-6927 karen.swirsky@state.or.us
(541) 322-2032 jon.jinings@state.or.us

Tillamook Regional Solutions Center

4301 Third St., Rm 206
Tillamook, OR 97141
(503) 812-5448 patrick.wingard@state.or.us

Newport

810 S.W. Alder Street, Unit B,
Newport, OR 97365

South Coast:

(541) 574-1584 dave.perry@state.or.us
(541) 574-1095 matt.spangler@state.or.us
(541) 514-0091 laren.woolley@state.or.us

Eastern Oregon Regional Solutions Center (La Grande)

EOU Badgely Hall, Rm 233A
La Grande, OR 97850
(541) 325-6924 grant.s.young@state.or.us

Southern Oregon Regional Solutions Center

100 E Main St., Suite A
Medford, OR 97501
(541) 414-7932 josh.lebombard@state.or.us

Copies of this report can be obtained by:

MAIL:

Department of Land Conservation and Development

Attn: Communications Officer

635 Capitol St. NE, Ste. 150

Salem, OR 97301-2540

EMAIL: casaria.taylor@state.or.us

PHONE: (503) 934-0065

VIA THE WEB: <http://www.oregon.gov/LCD/publications.shtml>

Questions about this report can be directed to:

MAIL:

Department of Land Conservation and Development

Attn: Michael Morrissey

635 Capitol St. NE, Ste. 150

Salem, OR 97301-2540

EMAIL: michael.morrissey@state.or.us

PHONE: (503) 373- 0050 ext. 320

Summary of Oregon’s Statewide Planning Goals

CITIZEN INVOLVEMENT, Goal 1 calls for “the opportunity for citizens to be involved in all phases of the planning process.” It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.

LAND USE PLANNING, Goal 2 outlines the basic procedures of Oregon’s statewide planning program. It says that land use decisions are to be made in accordance with a comprehensive plan, and that suitable “implementation ordinances” to put the plan’s policies into effect must be adopted. It requires that plans be based on “factual information”; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation.

AGRICULTURAL LANDS, Goal 3 defines “agricultural lands.” It then requires counties to inventory such lands and to “preserve and maintain” them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, division 33.

FOREST LANDS, Goal 4 this goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will “conserve forest lands for forest uses.”

OPEN SPACES, SCENIC AND HISTORIC AREAS AND NATURAL RESOURCES, Goal 5 covers more than a dozen natural and

cultural resources such as wildlife habitats and wetlands. It establishes a process for each resource to be inventoried and evaluated. If a resource or site is found to be significant, a local government has three policy choices: preserve the resource; allow proposed uses that conflict with it; or strike some sort of a balance between the resource and the uses that would conflict with it.

AIR, WATER AND LAND RESOURCES QUALITY, Goal 6 This goal requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS, Goal 7 deals with development in places subject to natural hazards such as floods or landslides. It requires that jurisdictions apply “appropriate safeguards” (floodplain zoning, for example) when planning for development.

RECREATION NEEDS Goal, 8 calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expedited siting of destination resorts.

ECONOMY OF THE STATE, Goal 9, calls for diversification and improvement of the economy. It asks communities to inventory commercial and industrial lands, project future needs for such lands and plan and zone enough land to meet those needs.

HOUSING, Goal 10, specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured

housing. It requires each city to inventory its buildable residential lands, project future needs for such lands and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

PUBLIC FACILITIES AND SERVICES,

Goal 11, calls for efficient planning of public services such as sewers, water, law enforcement and fire protection. The goal’s central concept is that public services should be planned in accordance with a community’s needs and capacities rather than be forced to respond to development as it occurs.

TRANSPORTATION, Goal 12, aims to provide “a safe, convenient and economic transportation system.” It asks for communities to address the needs of the “transportation disadvantaged.”

ENERGY, Goal 13, declares that “land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.”

URBANIZATION, Goal 14, requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an “urban growth boundary” (UGB) to “identify and separate urbanizable land from rural land.” It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.

WILLAMETTE GREENWAY, Goal 15, sets procedures for administering the 300 miles of greenway that protects the Willamette River.

ESTUARINE RESOURCES, Goal 16, requires local governments to classify Oregon’s

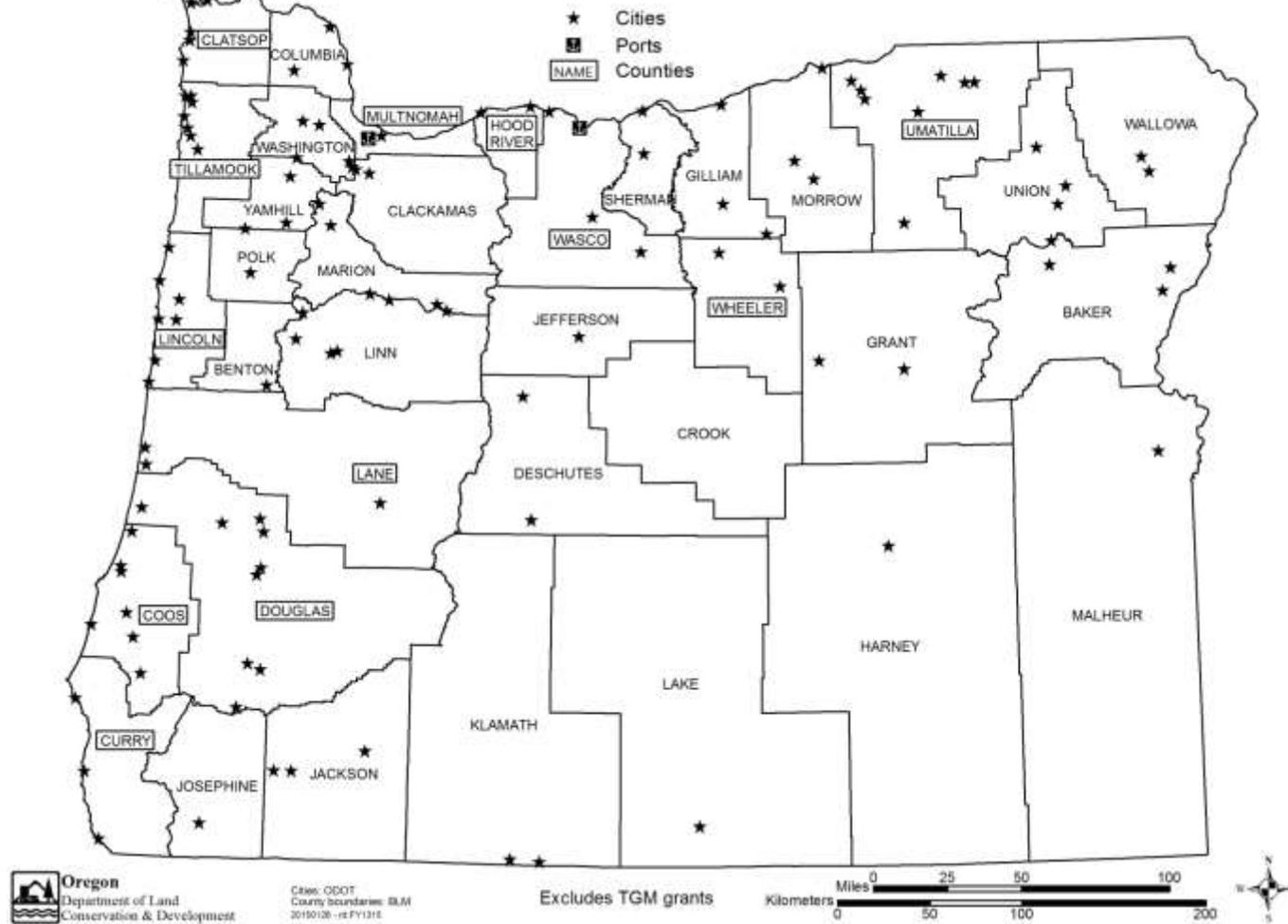
22 major estuaries in four categories: natural; conservation; shallow-draft development; and deep-draft development. It then describes types of land uses and activities that are permissible in those “management units.”

COASTAL SHORELANDS, Goal 17, defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and resources there are to be managed (major marshes, for example) are to be protected. Sites best suited for unique coastal land uses (port facilities, for example) are reserved for “water-dependent” or “water related” uses.

BEACHES AND DUNES, Goal 18, sets planning standards for development on various types of dunes. It prohibits residential development on beaches and active foredunes, but allows some other types of development if they meet key criteria. The goal also deals with dune grading, groundwater drawdown in dunal aquifers and the breaching of foredunes.

OCEAN RESOURCES, Goal 19, aims “to conserve the long-term values, benefits and natural resources of the nearshore ocean and the continental shelf.” It deals with matters such as dumping of dredge spoils and discharging of waste products into the open sea. Goal 19’s main requirements are for state agencies rather than cities and counties.

Jurisdictions Receiving DLCD Grants, 2013-2015



Grant distribution and technical assistance