



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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July 8, 2010

TO: Land Conservation and Development Commission (LCDC)

FROM: Richard Whitman, Director

SUBJECT: **Agenda Item 12, July 22-23, 2010, LCDC Meeting**

DIRECTOR'S REPORT

I. INFORMATION UPDATES

A. PARTICIPATION IN APPEALS, AND RECENT LUBA AND APPELLATE COURT OPINIONS

ORS 197.090(2) requires the director to report to the commission on each appellate case in which the department participates, and on the position taken in each such case.

ORS 197.040(1)(c)(C) requires the Land Conservation and Development Commission (LCDC) to determine whether recent Land Use Board of Appeals (LUBA) and appellate court decisions require goal or rule amendments.

1. Department participation in appeals

Between May 09, 2010, and June 09, 2010 the department received 15 notices of appeal filed with LUBA. The department filed none of these notices.

2. LUBA opinions

Between May 09, 2010, and June 09, 2010, the department received copies of 14 recently-issued LUBA opinions. Of these, LUBA dismissed 7, remanded 4, reversed 0, affirmed 3, invalidated 0 local decisions, and transferred no petitions to circuit court.

Four decisions concern the application or interpretation of a statewide planning goal or LCDC administrative rule:

- **Goal 5, OAR 660-016-0000, -0005, & -00010:** Eric Hoffman and Ronna Hoffman v. Deschutes County, LUBA Nos. 2009-061 & 062, decision filed May 17, 2010. LUBA remanded county's conditional use permit and site plan approval for resumption of a

mining operation on an 80-acre parcel that is in the Surface Mine Zone, partially in the Deschutes River State Scenic Waterway, and within view of Tumalo State Park. The County's 1990 Goal 5 mineral & aggregate resources inventory, policies, and regulations were acknowledged under division 16. The permit authorizes removal of 3.7 million cubic yards of tuff. The 1990 ESEE Findings and Decision for the site did not address potential impacts of mining and removing tuff. LUBA concluded that the estimated quantity and quality of mineral resources determined to be on a site play a larger role in the Goal 5 planning process than merely determining whether the resources cross a threshold of significance. The county needs to either explain why the impacts are no different than in the acknowledged plan, or amend the ESEE Findings and Decision.

- **Goals 3, 11, 12, & 14; OAR 660-004-0020 & -0022, 660-011-0060 & -0065, 660-012-0005, -0020, -0065, & -0070:** Paul E. Foland and Constance J. Foland v. Jackson County, LUBA Nos. 2009-109, -112, -113, decisions filed on June 04, 2010. LUBA remanded county decision approving reasons exceptions to Statewide Planning Goal 3 (Agricultural Lands), Goal 11 (Public Facilities) (for extension of a sanitary sewer line), and Goal 14 (Urbanization) (for an urban-intensity use) and related comprehensive plan map and zoning map amendments for ODOT to site an I-5 rest area and welcome center on land zoned EFU. LUBA determined that for transportation facilities and improvements, the TPR exception standards applied instead of the division 004 exception standards. The welcome center and rest area findings satisfy the exception standards, and the county correctly determined that the non-public access road doesn't require a TPR exception, but the county incorrectly concluded that a Goal 11 exception isn't required to extend city water service to the rest area. When an exception to Goal 14 is required in order to site an urban use on rural land, a corresponding exception to Goal 11 is required where the intensity of urban use of land requires provision of public sewage facilities and services for health and safety reasons.
- **Goal 14, OAR 660-004-0040, 660-014-0040:** Columbia Riverkeeper v. Clatsop County, LUBA No. 2009-118, decision filed on June 04, 2010. LUBA remanded county decision that approved an exception to Goal 14 and comprehensive plan and zoning map amendments on 129.59 acres of land between the Westport Slough and the Columbia River. OAR 660-0040-0040(7)(i)(B) doesn't apply because no Goal 3 or 4 exception has been adopted for the site; the OAR 660-014-0040 reasons exception standards apply. LUBA found the exception findings inadequate. (LUBA mentioned that the county possibly should have required a Goal 3 exception instead of a Goal 14 exception, because the acreage re-zoned from Open Space, Parks and Recreation to rural residential is likely agricultural land, but this issue wasn't raised on appeal.)
- **Goals 3, 11, 12 & 14; OAR 660-004-0040(7)(i), OAR 660-011-0060, OAR 660-012-0060, Table 1 to OAR 660, division 033 & OAR 660-033-0130, OAR 660-034-0010, -0035, & -0040; ORS 195.120 & 215.283:** Linn County Farm Bureau, et al v. Linn County, LUBA No. 2010-006, decision filed on June 09, 2010. LUBA remanded county decision approving its own conditional use application to establish a new county park, including a 60-acre full service recreational vehicle park/campground, 5 restroom and shower buildings, camp store, 2 enclosed clubhouse shelters, full-time park ranger's dwelling, administrative office, shop, equipment storage building, and 110-acre day use

area, on a 175-acre tract zoned for exclusive farm use, located at the intersection of I-5 and State Highway 34, between the Albany and Tangent urban growth boundaries. LUBA agreed with petitioners and DLCD that the conditional use permit isn't adequate. In the absence of a master park plan, the county must take exceptions to Goal 3 for provision of septic, water and electric service to individual RV camp sites, the clubhouses, and the camp store, or remove these facilities from the proposal. The RV park/campground is not an urban use of rural land that would require a Goal 14 exception, primarily due to the 7-day occupancy limit. The sewage disposal system doesn't require a Goal 11 exception because (1) the proposal is not a "residential planned development," and (2) OAR 660-011-0060(1)(f) defines "sewer system" as serving more than once parcel, and the two parcels here will be consolidated into one prior to development. The TPR is triggered only if the county chooses to adopt a Goal 3 exception on remand. NOTE: DLCD filed a state agency brief in this appeal.

None of these decisions requires goal or rule amendments.

3. Appellate court opinions

Between May 09, 2010, and June 09, 2010, the department received a copy of one recently-issued opinion from the Court of Appeals. The Court affirmed LUBA's decision.

4. Decisions of interest

- **Commercial weddings on EFU land:** Coy Reed v. Jackson County, LUBA No. 2009-136, decision filed June 2, 2010. LUBA affirmed a violation order in a code enforcement proceeding, in which the hearings officer found that the wedding did not qualify as a "commercial activity in conjunction with a farm use" under county code, nor was the wedding associated with a place of worship on the property permitted under ORS 215.441.

5. Appeal notices of interest

Measure 37/49: None.

Others

- Randall L and Angela M. Schock, et al v. Jackson County, LUBA No. 2010-045, filed May 26, 2010: Authorization to remove the Gold Ray Dam on the Rogue River.
- **Goals 3 & 12, OAR 660, divisions 004 & 012:** Central Oregon Landwatch v. Deschutes County, LUBA No. 2010-042, filed on May 14, 2010: An appeal of an ordinance adopting amendments to the Deschutes County Transportation System Plan with an exception to Goal 3 to add a future rural county arterial between Redmond and Deschutes Junction on land zoned EFU.

B. GRANTS, INTERGOVERNMENTAL AGREEMENTS AND CONTRACTS

The department has received notification from the National Oceanic and Atmospheric Administration that the department's FY10 Coastal Zone Management Grant has been approved for \$2,246,000. This is \$33,000 less than FY09 due to the fact that Congress did not fund the Section 310 Coastal Nonpoint Pollution element of coastal grants. Otherwise this is the sixth consecutive year of essentially "level funding" by Congress.

Even with a slight drop in funds, the Coastal Program intends to allocate \$340,000 to maintain the planning assistance grant program to coastal local governments, the same amount as FY09. Grant agreements for these have been completed and signed with nearly all coastal cities and counties. In addition, the Coastal Program has allocated \$70,000 for technical assistance grants to local governments and has received 12 proposals for local projects totaling \$63,500. The Coastal Program has inserted a new grant "task" for FY10 that allocates \$5,000 for "mini-grants" to coastal non-profit or community groups to help support projects or activities that align with the mission of the Coastal Program. An Announcement of Opportunity will be advertised in the next month or so.

DLCD's general fund technical assistance grants program was reduced by \$106,000 due to the Governor's allotment reductions adopted in response to the May 2010 revenue forecast. Remaining funds are awarded and under contract. DLCD staff is working closely with local and regional governments to complete successful planning projects on or before May 31, 2011.

II. DEPARTMENT PROGRAM ACTIVITIES AND INITIATIVES

A. COASTAL MANAGEMENT PROGRAM

Bob Bailey, Coastal Program Manager, and Dave Perry, South Coast Regional Representative, participated in a two-day Sustainable Development workshop at Southwestern Oregon Community College in Coos Bay sponsored by the South Coast Economic Development Council. The workshop was convened to assist a team of experts sponsored by the American Institute of Architects to assess the situation in Coos County and make recommendations about how the county can transition to a sustainable future.

Paul Klarin, Marine Affairs Specialist, convened an afternoon conference with state agency staff and representatives of Aquamarine Power, a Scottish company that is interested in siting its ocean wave energy transfer devices in the nearshore ocean along the Oregon coast. See also <http://www.aquamarinepower.com/>. The company has been meeting with coastal local governments and businesses but had not yet met with state agencies.

The Coastal Division continued its work with a wide variety of agencies and stakeholders on ocean alternative energy planning and is making preparations to enter the spatial analysis and map-based decision-making phase of the planning work as a number of crucial data-gathering projects proceed toward completion. These projects include fisherman-based mapping of

important fishery areas, mapping of ocean recreational uses, mapping of ecologically important areas, and seafloor bathymetric mapping.

B. COMMUNITY SERVICES

The Community Services Division currently has two regional representative vacancies: one in Central Oregon and one in Southern Oregon following the retirements of Mark Radabaugh and John Renz. During the interim, teams of existing staff are providing technical assistance and coordination to local governments in those regions.

Community Services Division staff Steve Oulman, Larry French, and Angela Houck participated with other DLCDC staff and external partners in a Continuous Improvement Process exercise to review the efficiency of the department's periodic review administrative process. With special thanks to the entire CIP team, DLCDC now has a comprehensive outline of the historic periodic review process and several recommendations for making the process more efficient, more effective, and easier to navigate (see details below).

C. DIRECTOR'S OFFICE

Staff in the director's office have been working on the department's legislative concepts, elements of the 2011-2013 proposed budget, completing the commission's order on the Bend UGB, work with the Association of Oregon Counties on ancillary uses of farmland, work with the Senate Environment Committee on destination resorts, and the Metro Reserves Rulemaking.

Other activities in the director's office during May, June and early July included:

- Week of May 24 – Destination resorts sub work group; meeting with Oregon Department of Agriculture regarding the East Valley Irrigation District; TGM advisory committee; met with Tim Wood, Oregon Parks & Recreation Department; climate change adaptation framework group meeting; natural resources cabinet; ODOT/OBDD/DLCDC/ERT senior staff meeting; Metro urban and rural reserves work group.
- Week of May 31 – LCDC meeting in John Day
- Week of June 7 – Governor's agency advisors; meeting with legislators regarding climate change adaptation planning efforts.
- Week of June 28 – PAPA/Periodic Review work group; meeting with Mike Carrier and others regarding marine spatial planning and the territorial sea plan; destination resorts work group; Metro reserves work group; meeting with Ray Naff and Christine Valentine regarding ERT.
- Week of July 5 – Marine spatial planning meeting; follow-up to CIP; meeting with natural resource agency directors; initial work on review of Metro urban and rural reserves.

D. OPERATIONS SERVICES

The Operations Services team continues preparing for financial year end activities including: establishing a new accounting structure for upcoming federal coastal and FEMA grant awards; working with DAS in federal and statewide financial reporting; and continuing 2011-13 Agency Request budget development activities. A 2011-13 Agency Request Budget document is due to the Department of Administrative Services on August 2, 2010. Additional budget development will continue through the fall and during the next legislative session.

The accounting team continues its efforts in evaluating and updating its employee travel training materials and has implemented updates to travel claim forms because DAS revised these forms. Additional effort towards updating training materials is occurring. Once materials have been updated, it plans to provide training at upcoming division meetings.

The payroll staff, Operations Services Manager, and Human Resources Manager continue working with department staff in the implementation of the Mandatory Unpaid Furlough Time Off (MUFTO) processes. Scheduling of timesheet training with divisions has been delayed but is still anticipated.

The Information Technology unit and reception is finalizing its efforts in working with department management in the evaluation and determination of office equipment needs for the department, including updated copier leases for two regional field offices and the Salem office second floor. The Information Technology unit is receiving training in Windows 7 and is continuing their efforts in implementing Windows 7 according to state standards.

Continuous Improvement Process Project

The department recently initiated a process to improve the functionality of how it does business. The Continuous Improvement Process (CIP) is a tool that other natural resource agencies have used successfully to:

- Empower staff in a team-oriented approach to design and implement better, smarter, faster processes advancing the mission of the department;
- Eliminate redundancies between programs and streamline processes in a relatively short timeframe;
- Create a culture of continual improvement enabling staff to develop solutions focused on high-value work product;
- Minimize waste and save dollars through streamlined processes and procedures;
- Increase transparency both internally and externally;
- Enable staff to spend time on value added activities and minimize or eliminate non-value added activities.

The scope of the event was as follows:

Evaluate DLCD roles, practices, processes, and forms used to implement periodic review starting with the development of the periodic review (PR) schedule and ending when local governments submit complete updated periodic review plans.

IN SCOPE

- Amendments in the manner of PR work task (e.g. urban reserves)
- Appeals to LCDC
- Appeals to Court of Appeals (e.g. record preparation)
- Roles of individual staff (e.g. work assignments, how PR plan is analyzed)

OUT OF SCOPE

- Items outside DLCD control (e.g. communities' internal processes for evaluating plans, developing work programs, or completing and submitting tasks)
- Grant processing
- Appeals to Court of Appeals
- Should PR be replaced by something else

On June 11, 2010, the CIP participants celebrated the success of their first event and the establishment of new internal processes for administrative periodic review.

Deputy Director Jim Rue and the CIP participants determined the pilot project was successful because it will establish mechanisms that meet its objectives, including:

- Improve consistent use of process and consistency in PR.
- Improve ability to track progress or status of cases.
- Provide better communication and transparency of process.
- Improve quality of work product.
- Provide for better staff teamwork.
- Improve customer understanding and satisfaction.

Additional continuous improvement process events are anticipated. The department will use the lessons learned from this first event to determine its next process for evaluation using continuous improvement tools.

E. PLANNING SERVICES

The Farm and Forest Lands Specialist has been leading the department's efforts regarding development of a framework to make Transfer of Development Rights (TDR) programs viable in Oregon. Since the commission's last update, the Farm and Forest Lands Specialist and other department staff have continued to initiate, respond to, and meet with forest landowners and local governments on potential pilot projects. A legislative concept workgroup has been created to explore additional incentives for TDR pilot project participation. The TDR webpage and pilot project application form have been updated to reflect the extended application submittal date of Nov. 30, 2010.

III. DEPARTMENT ORGANIZATIONAL AND MANAGEMENT INFORMATION

A. NEW STAFF AND PROMOTIONS

The Coastal Division will have a new Federal and State Relations Coordinator as of July 19. Juna Hickner was selected from a field of 20-plus applicants to fill the position being vacated by Jay Charland who is returning to graduate school at Oregon State University. Ms. Hickner is a graduate of Western Washington University with a Bachelor's degree in Environmental Policy and Planning and a graduate of the University of Oregon Ocean and Coastal Law Program. She most recently worked at the Oregon Department of Fish and Wildlife in Newport on marine reserve issues. She brings a good legal and policy background, writing skills, and enthusiasm to the position.

The Coastal Division also has hired Kate Sherman as a part-time Graduate Student Intern through the Oregon State University Marine Resources Management Program. Ms Sherman is an in-coming student with several years of experience working for the Ocean Conservancy in Washington, DC. She will be completing a spatial inventory of marine research or monitoring activities in Oregon's nearshore waters.

The Coastal Division is hosting a NOAA Hollings Fellow for the summer in a project co-sponsored by the NOAA Office of Ocean and Coastal Resources Management. Lexi Brewer is a recent graduate of the University of Washington in Marine Affairs and will be working on a study to assess the potential impacts of climate change on strategies for acquiring and protecting coastal habitats.

B. DEPARTING EMPLOYEES

Following successful completion of the review of Measure 49 claims by the Measure 49 Division, Judith Moore is leaving as the Division Manager for a post at another state agency. The department expects to announce her replacement prior to the Commission meeting.

Jay Charland will be leaving the Coastal Program after nearly four years to work on his Doctorate at Oregon State University. Jay has brought tremendous enthusiasm, intellect, work ethic, and a great personality to the program. He was also a leader in the annual Christmas Toy Drive and the Canned Food Drive. He will be missed.

Amy Albrich has accepted an opportunity with the Department of Energy. Amy has been our Payroll Specialist for over two years in a limited duration position. We wish Amy the best in her new position.

Measure 49 continues to reduce other staff as work is completed. Valya Rizzo (Neighbor Notice Specialist), Alyssa Boles (Claims Analyst), and Dee Monday (Completeness Review Specialist) all ended their employment with the division on June 30th.

Southern Oregon Regional Representative John Renz retired from the department's Central Point office on June 1. During his tenure with DLCD, John served urban and rural communities in Jackson, Josephine, Grant, and Douglas counties. John's work with the department included his instrumental role in Jackson County's Bear Creek Valley Regional Problem Solving effort. Special thanks to John for his years of service to Oregon and its communities.

Central Oregon Regional Representative Mark Radabaugh also retired from DLCD's Bend office on June 1. Mark served DLCD in the Willamette Valley and in Central Oregon during his tenure with the department. His recent efforts with DLCD included a vital coordination role in the department's review of Bend's proposed UGB expansion. Special thanks to Mark for his years of service to the state of Oregon and Oregon communities.

C. RECRUITMENTS

The Planning Services Division has initiated recruitments for three of the five positions approved under SB 1059 (2010) to assist in carrying out the mandates of that bill. SB 1059 relates to reducing greenhouse gas emissions from light vehicles in Oregon's metropolitan areas. The three open recruitments are for two Planner 3s and one Planner 4. Recruitment for the other two positions (another Planner 3 and half-time administrative assistant) will commence shortly.

The Community Services Division completed an open recruitment for the Southern Oregon Regional Representative position. This position will not be filled during the 2009-2011 biennium due to budget reductions. Current staff will assume the duties in this region.

The Community Services Division also completed an open recruitment for the Central Oregon regional representative position. At the writing of this report, CSD manager Darren Nichols is scheduling interviews with qualified candidates and a panel of local government officials for a date in late July. The department hopes to have the Central Oregon position filled within the next few weeks.

IV. LCDC POLICY AND RULEMAKING UPDATES

A. CURRENT RULEMAKING

A rules advisory committee is considering possible amendments to the commission's Metro Reserves Rule concerning uses allowed on urban and rural reserves following their designation. See Agenda Item 10 for more information.

B. INITIATION OF RULEMAKING

The department proposes to initiate rulemaking for one item: 1) Willamette Greenway Boundary Amendment. In the department's opinion, this item does not require a rulemaking advisory committee, or involves a large commitment of staff time.

The commission's procedures for rulemaking derive from ORS Chapter 183 and ORS 197.040, and are specified in LCDC's procedural rules at OAR 660-001-0000. The commission has also approved its own "Citizen Involvement Guidelines for Policy Development" (the CIG) "*...to provide and promote clear procedures for public involvement in the development of commission policy on land use...*"

Willamette Greenway Boundary Amendment: The City of Portland made a request pursuant to OAR 660-020-0065 to the Oregon Parks and Recreation Department to adjust the Willamette River Greenway boundary in several locations within the North Reach Plan Overlay District so that the boundary will be coincident with property lines and the district boundary. The Parks and Recreation Department has submitted that request to LCDC for consideration, also as required by OAR 660-020-0065. This is a straightforward amendment and no rules advisory committee appointment is recommended. A rule amendment hearing is expected at the commission's September meeting. See attachment A for more information on this agenda item.

C. LEGISLATIVE CONCEPTS

The director met with a small working group to continue review of proposed legislation clarifying requirements for notice of post-acknowledgement plan amendments, and process requirements for periodic review. The department also will meet with a small working group concerning proposed amendments to the TDR program on July 12.

V. ATTACHMENTS

- A.** Staff Memo on Willamette Greenway Boundary Amendment



Oregon

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July 8, 2010

TO: Land Conservation and Development Commission

FROM: Amanda Punton, Natural Resource Specialist

SUBJECT: **Agenda Item 12, Attachment A, July 20-22, LCDC Meeting**

CITY OF PORTLAND REQUEST TO AMEND WILLAMETTE RIVER GREENWAY BOUNDARY

I. AGENDA ITEM SUMMARY

The purpose of this agenda item is to provide the commission with the opportunity to initiate rulemaking as part of the process to review and potentially adopt an amendment to the state Willamette River Greenway Plan Boundary. The City of Portland has made a request to the Oregon Parks and Recreation Department (OPRD) to adjust the Greenway boundary in several locations within the North Reach Plan Overlay District so that the boundary will be coincident with property lines and the district boundary. In accordance with OAR 660-20-65 OPRD has submitted that request to LCDC for consideration. (See Attachment A).

II. BACKGROUND

Initial acknowledgement of a complete Willamette Greenway Plan was completed in 1982 using the criteria and process described in Goal 15 of the Statewide Planning Goals and ORS 390.310 to 390.368. OAR 660-20 was adopted in 1980 to provide a process for amending the acknowledged state plan. The State Greenway plan is a composite of local government plan elements, which identify the Greenway boundary, the boundaries of areas in which interests in property may be acquired, use intensity classifications for areas acquired by the state, and the location of existing public access and access to be acquired. [Goal 15 D.]

Goal 15 requires jurisdictions to establish, by ordinance, provisions for the review of intensifications, changes in use and new development to insure compatibility with the Greenway. In urban areas, the compatibility review area must extend at least 150 feet from the ordinary low water line, but may extend to the Greenway boundary where the Greenway boundary is further upland. [Goal 15 F. 3] The City of Portland implements the Greenway compatibility review using several greenway overlay zones. Once the North Reach Plan is in effect, code provisions associated with the plan will implement

the Greenway Plan for the North Reach District. The city has conducted a Greenway compatibility review throughout its entire Greenway, and intends to continue this practice through the North Reach Plan zoning.

The City of Portland has adopted the North Reach Plan Overlay District, which incorporates city plan and code elements for Greenway implementation. In finalizing the North Reach Plan, the city identified locations where minor changes in the boundary are desirable to better capture the target area for Goal 15 implementation. The North Reach Plan zone boundaries are drawn to follow property lines and in some cases follow street or railway right of ways. There are a few places where the current Greenway boundary does not follow this convention. In all cases the diversions are minor.

Although local plan amendments are sufficient to change some elements of a local Greenway plan, the boundary shown on local comprehensive plan maps must be consistent with the state boundary. Thus, Portland has requested a change to the state Greenway boundary and has postponed the effective date for the North Reach Plan until January 2011, in order to allow time for the OPRD and LCDC to review and act on the amendment request.

ATTACHMENTS

- A. Letters from the City of Portland and Oregon Parks and Recreation Department



City of Portland
Bureau of
**Planning and
Sustainability**

Sam Adams, Mayor
Susan Anderson, Director

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April 28, 2010

Kathy Schutt
Oregon Parks and Recreation Department
725 Summer St, N.E. Suite C
Salem, Oregon 97301

Dear Kathy,

The City of Portland, Oregon requests that the boundary of the Willamette Greenway Plan within the city be amended consistent with the boundary that was recently adopted by the Portland City Council as part of the River Plan / North Reach. The former and the newly adopted boundaries of the Willamette Greenway in the North Reach are shown on the attached map. The River Plan / North Reach was adopted by ordinance (Ordinance #183694), and the ordinance will not be in effect until January 1, 2011. The City is just now beginning the update of the Willamette Greenway Plan for the Central Reach, and the South Reach will follow.

The boundary of the Willamette Greenway and the regulatory overlay zones associated with the greenway are coincident. With adoption of the River Plan / North Reach the extent of the regulatory overlay zones in the North Reach changed. This means that the boundary of the Willamette Greenway in the North Reach also changed.

The changes adjust the boundaries of the overlay zones so that they do not capture parcels that are not connected to the riverfront or are across a street or rail right-of-way from the river. The changes are minor and technical in nature, and will only exclude parcels that are currently exempt from the greenway regulations because they are disconnected from the river. The extent of the greenway overlay zones, and Willamette Greenway boundary, in the North Reach continues to be at least 150 feet from the ordinary low water mark of the river.

I request that Oregon Parks and Recreation submit the change to the Land Conservation and Development Commission on behalf of the Portland City Council. Please contact Shannon Buono if you have questions, and to inform us of the next steps in the process. Shannon can be reached by phone at (503) 823-7662, by email at shannon.buono@portlandoregon.gov, or by mail at 1900 SW 4th Ave., Suite 7100, Portland, Oregon 97201.

Sincerely,

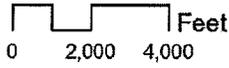
Susan Anderson, Director

cc: Sallie Edmunds, River Planning Manager
Shannon Buono, City Planner
Amanda Punton, Oregon Department of Land Conservation and Development

River Plan / North Reach Willamette Greenway Boundary

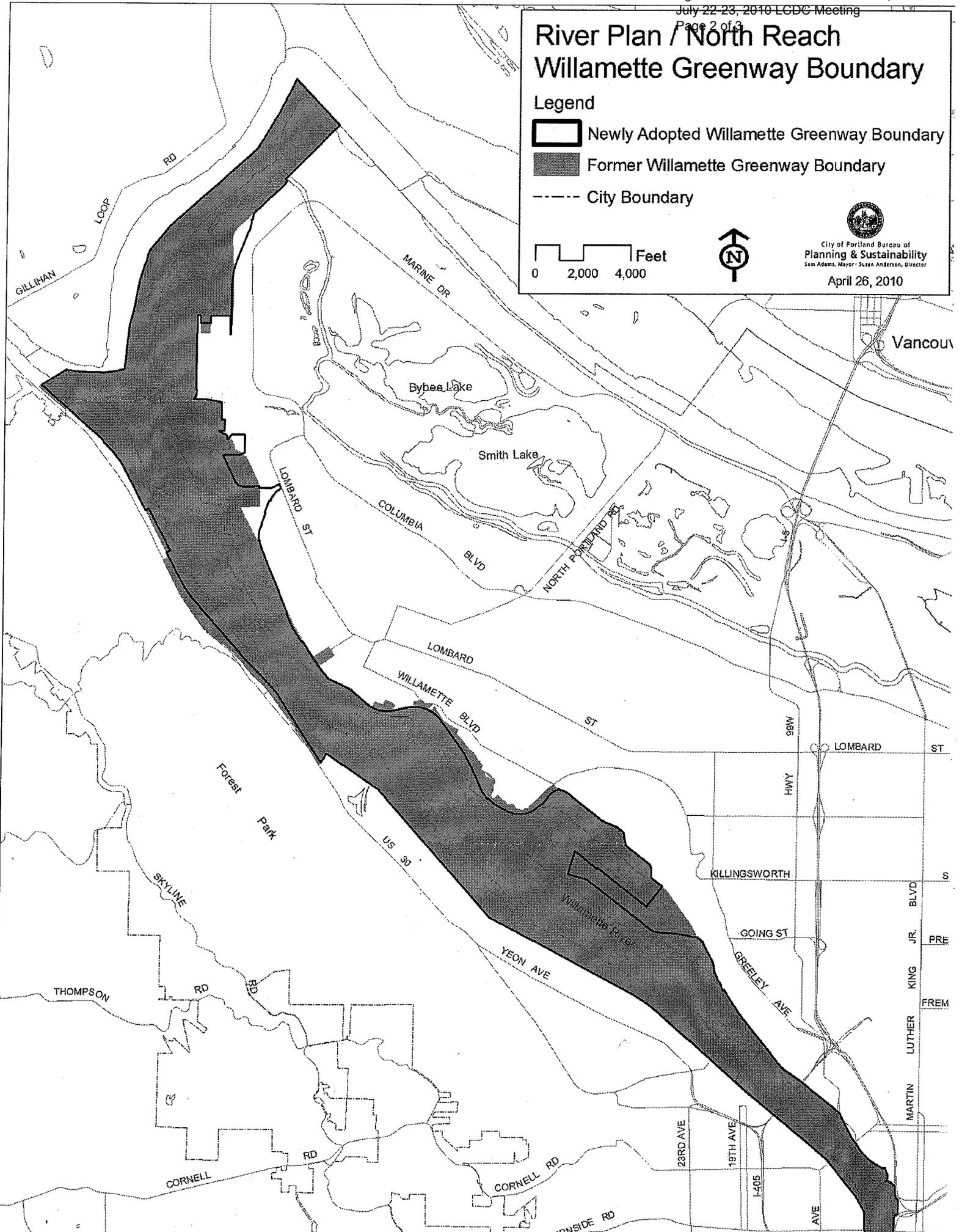
Legend

-  Newly Adopted Willamette Greenway Boundary
-  Former Willamette Greenway Boundary
-  City Boundary



City of Portland Bureau of
Planning & Sustainability
Sara Adams, Mayor; Susan Anderson, Director

April 26, 2010





Oregon

Theodore R. Kulongoski, Governor

Parks and Recreation Department

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LAND CONSERVATION
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Nature
HISTORY
Discovery

June 8, 2010

Richard Whitman
Department of Land Conservation and Development
635 Capitol Street NE, Ste. 150
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Dear Mr. Whitman:

In accord with the provisions of OAR 660-20-065 the Oregon Parks and Recreation Department (OPRD) has reviewed the City of Portland's request for a Willamette Greenway boundary change, (attached). OPRD staff has discussed the request with City of Portland staff.

This request focuses only on ensuring that parcels within the city's North Reach River Plan and related zoning area, that are partially included in the boundary or are separated from the river by a road or rail, are corrected to include only those that are contiguous with the river. OPRD believes this is a prudent approach to take in defining water-dependent or water related uses. The request appears to be consistent with the purpose and intent of Goal 15, the Willamette Greenway Goal. I am forwarding the city's request to you for your action.

For questions, please contact our Planning Manager, Kathy (Kate) Schutt, at 503.986.0745 or Kathy.Schutt@state.or.us.

Sincerely,

Tim Wood
Director

