



Oregon

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November 16, 2007

TO: Land Conservation and Development Commission

FROM: Cora Parker, Acting Director
Marguerite Nabeta, Regional Representative

SUBJECT: **Agenda Item 4.b., November 29-30, 2007 LCDC Meeting**

JUNCTION CITY REQUEST TO ENTER PERIODIC REVIEW

I. AGENDA ITEM SUMMARY

A. Type of Action and Commission Role

On October 4, 2007 the department received a request from Junction City to approve initiating the use of a "customized" voluntary periodic review as provided in ORS 197.639(2) and OAR 660-025-0035(3)¹ (Attachment A). The Commission's role is approve or deny the request.

B. Staff Contact Information

If you have questions about this agenda item, please contact Marguerite Nabeta, Regional Representative at (971) 673-0963 or marguerite.nabeta@state.or.us.

¹ (3) The Economic Revitalization Team may work with a city to create a voluntary comprehensive plan review that focuses on the unique vision of the city, instead of conducting a standard periodic review, if the team identifies a city that the team determines can benefit from a customized voluntary comprehensive plan review. In order for a voluntary comprehensive plan review to be initiated by the commission, the city must request initiation of such a modified periodic review. The provisions of this division apply except as follows:

(a) If the city is subject to the periodic review schedule in OAR 660-025-0030, the periodic review under this section will not replace or delay the next scheduled periodic review;

(b) If the city misses a deadline related to an evaluation, work program or work task, including any extension, the commission must terminate the evaluation, work program, or work task or impose sanctions pursuant to OAR 660-025-0170(3).

II. BACKGROUND

The Oregon Departments of Corrections and Human Services have announced plans to construct major new state facilities in Junction City. These facilities will have significant impacts on infrastructure and housing in the city. Since those announcements, the city and Economic Revitalization Team agencies have met to discuss land use, transportation, housing, infrastructure, and economic development issues and opportunities. Customized periodic review has been identified as the appropriate tool to address many of the preparedness issues before the city.

The rule on customized periodic review requires the city to work with the Economic Revitalization Team in creation of a customized periodic review. A letter supporting the city's request from the Economic Revitalization Team is included in Attachment B.

Junction City is smaller than 10,000 population and not within a Metropolitan Planning Organization, and is therefore not required to complete periodic review.

III. REVIEW CRITERIA AND PROCEDURES

A. Decision-making Criteria

The applicable criteria for consideration of a request for voluntary periodic review are in OAR 660-025-0035(2), as follows:

In consideration of the request [for voluntary periodic review], the commission must consider the needs of the jurisdiction to address the issue(s) identified in periodic review, the interrelationships of the statewide planning goals to be addressed in the periodic review project, and other factors the commission finds relevant. . .

B. Procedural Requirements

The periodic review rules do not provide specific requirements regarding Commission approval of a request to enter periodic review voluntarily. OAR 660-025-0035(3) states that, with some minor exceptions, the provisions of the rule for scheduled periodic review pertain. If the Commission approves Junction City's request, the department will prepare and deliver a notice to the city of the requirements of periodic review as required by OAR 660-025-0050, "Commencing Periodic Review."

IV. ANALYSIS

Department staff believes the city's request is well-reasoned and that the plan needs to be updated to account for changing circumstances. The potential for this request was known well in advance, so the periodic review grant program has been able to anticipate and accommodate any request it might receive.

V. DEPARTMENT RECOMMENDATION AND DRAFT MOTION

The department recommends that the Commission approve the city's request.

If the Commission agrees, the recommended motion is:

I move that the Commission approve the city's request to amend its plan under the statute and administrative rule provisions for "customized periodic review."