



Meeting Notice and Agenda Land Conservation and Development Commission



Meeting:
Thursday, February 3, 2022
8:30 AM

Teleconference/Webinar
Please see page five for
details

Meeting:
Friday, February 4, 2022

8:30 AM - 9:30 AM
Executive Session

9:30 AM (AGENDA ITEM 8)

Thursday, February 3, 2022, 8:30 AM

Item 1 **Approve Agenda**

Item 2 **Director's Report**

The commission will receive an update by the director on recent matters concerning the department.

No public comment will be accepted.

Briefing. The commission will not be asked to take action on this item.

Item 3 **Housing Needs Analysis and Housing Production Strategy Rulemaking**

The commission will consider proposed amendments to two Oregon Administrative Rule Division 8 (Interpretation of Goal 10 Housing) attachments. Proposed rule updates include amendments to the Housing Needs Analysis (HNA) Schedule for cities above 10,000 population completing housing needs assessments to reflect recent HNA adoptions and cities newly certified with populations of more than 10,000 residents. Proposed updates also include changes to the Housing Production Strategy list of tools, actions, and policies to incorporate findings from the Anti-Displacement and Gentrification Toolkit.

Staff Contact: **Ethan Stuckmayer**, Senior Planner of Housing Programs
ethan.stuckmayer@dlcd.oregon.gov, (503) 302-0937

Public testimony will be accepted.

Action. The commission will be asked to take an action on this item.

Item 4 **Public Comment**

This part of the agenda is for comments on topics not scheduled elsewhere on the agenda. The chair may set time limits (usually three minutes) for individual speakers. The maximum time for all public comments under this agenda item will be limited to 15 minutes. The commission is unable to take action, at this meeting, on items brought to their attention in this forum. Sign up here: <https://www.oregon.gov/LCD/Commission/Pages/Public-Comment.aspx>

Item 5 Public Hearing for Amendment to Part Three of the Territorial Sea Plan

Staff will introduce proposed amendments to the Territorial Sea Plan Part III: Rocky Habitat Strategy administrative rules. These updates have been adopted by the Ocean Policy Advisory Council (OPAC) and referred to the commission for adoption. This is the first hearing with the second hearing for recommended adoption to take place at the commission's meeting March 31-April 1, 2022.

Staff Contact: **Andy Lanier**, Marine Affairs Coordinator

andy.lanier@dlcd.oregon.gov, (503) 206-2291

Public testimony will be accepted.

Briefing. The commission will not be asked to take an action on this item.

Lunch

Item 6 Climate-Friendly and Equitable Communities Rulemaking Update

The commission will hear from Oregon Department of Transportation (ODOT) Director Kris Strickler about federal and state resources ODOT has identified to help implement the Climate-Friendly and Equitable Communities rules. Staff will provide the commission with an update on rulemaking progress, including the draft rules most recently sent to the Rulemaking Advisory Committee. Staff will ask the commission for guidance on aspects of the rulemaking in progress.

Staff Contact: **Bill Holmstrom**, Transportation Planner

bill.holmstrom@dlcd.oregon.gov, (971) 375-5975

Public testimony will be accepted.

Briefing. The commission will not be asked to take an action on this item.

Friday, February 4, 2022

Item 7 Executive Session, 8:30 AM - 9:30 AM

The commission will meet in Executive Session to discuss potential litigation and is closed to the public. The Executive Session will be held pursuant to ORS 192.660(2)(f),(h).

The commission will discuss attorney-client privileged written advice and to discuss pending litigation:

(f) To consider information or records that are exempt by law from public inspection.

(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Item 8 Director Recruitment Update

Members of the commission will appoint a subcommittee to help recommend the next director of the Department of Land Conservation and Development.

Staff Contact: **Taylor Sorgenfrie**, Human Resources Manager
taylor.sorgenefrie@dlcd.oregon.gov, (971) 718-6489

Public comment will be accepted.

Action. The commission will be asked to take action on this item.

Item 9 2022 Legislative Preview

The commission will receive a preview of expected 2022 legislative issues, including potential legislation.

Staff Contact: **Emma Land**, Legislative Coordinator; **Palmer Mason**, Senior Policy Advisor
emma.land@dlcd.oregon.gov; palmer.mason@dlcd.oregon.gov, (503) 779-9821; (503) 269-2040

Public comment will be accepted.

Briefing. The commission will not be asked to take action on this item.

Item 10 Wildfire Adapted Communities: Senate Bill 762 Update

Staff will brief the commission on rulemaking activities in progress with the Oregon Department of Forestry, and on the status of staff work on the Land Use report required by Senate Bill 762, Section 11.

Staff Contact: **Susan Millhauser**, Natural Hazards Planner - Wildfire
susan.millhauser@dlcd.oregon.gov, (971) 718-1584

Staff Presenter: **Sadie Carney**, Policy Analyst & Communications Manager
sadie.carney@dlcd.oregon.gov, (503) 383-6648

Public comment will be accepted.

Briefing. The commission will not be asked to take action on this item.

Lunch

Item 11 Commission Business

The commission will receive a Budget and Management subcommittee report and conduct other commission business.

Staff Contact: **Carol Bovett**, Administrative Services Division Manager
carol.bovett@dlcd.oregon.gov, (503) 798-3621

Public comment will not be accepted.

Briefing. The commission will not be asked to take action on this item.

Item 12 Consideration to Terminate Enforcement Order Against Corvallis

The commission will consider whether the City of Corvallis has complied with the enforcement order LCDC issued in 2016. In 2016, LCDC adopted an enforcement order against the City of Corvallis directing the city to apply clear and objective standards to needed housing and allow properties under the city's Planned Development Overlay to opt for a clear and objective process for needed housing. If the commission finds that the city has complied with the enforcement order, commission must terminate the enforcement order.

Staff Contact: **Gordon Howard**, Community Services Division Manager
gordon.howard@dlcd.oregon.gov, (503) 856-6935

Limited testimony will be accepted.

Action. The commission will be asked to take an action on this item.

Item 13 **North Coast Overview**

Staff will provide an overview of the north coast identifying priority projects and issues including DLCD funded grants.

Staff Contact: [Lisa Phipps](#), North Coast Regional Representative
lisa.phipps@dlcd.oregon.gov, (503) 812-5448

Public comment will be accepted.

Briefing. The commission will not be asked to take action on this item.

Item 14 **Other Business**

The commission reserves this time, if needed, for other business.

Item 15 **Placeholder Request to Appeal**

State law requires commission approval of a DLCD director's decision to seek review of a local government land use decision. Only the director or department staff on the director's behalf, the applicant, and the affected local government may submit written or oral testimony concerning commission approval of a director's recommendation to file or pursue an appeal, or intervention in an appeal, of a land use decision, expedited land division, or limited land use decision. This item is scheduled as a placeholder as the department does not anticipate making such a request.

Adjourn

The Land Conservation and Development Commission

Oregon's seven-member Land Conservation and Development Commission, assisted by the Department of Land Conservation and Development, adopts state land use goals, assures local plan compliance with the goals, coordinates state and local planning and manages the coastal zone program. Commissioners are unpaid citizen volunteers appointed by the Governor and confirmed by the Senate. Commissioners are appointed to four-year terms and may not serve for more than two consecutive terms. The statute establishing the commission, ORS chapter 197, also directs that members be representative of the state. The commission meets approximately every two months to conduct its business and direct the work of the department.

Commissioners:	Robin McArthur, Chair (Portland)	Barbara Boyer (Portland)
	Anyeley Hallová, Vice-chair (Portland)	Nick Lelack (Bend)
	Gerard Sandoval, P.h.D. (Willamette Valley)	Stuart Warren (Southern Oregon)
	Kaety Jacobson (Coast)	

Although the Department of Land Conservation and Development (DLCD) offices are closed to the public right now due to Coronavirus Health concerns, community members can view or participate in the Department of Land Conservation and Development Commission's (LCDC) **February 3-4, 2022 meeting** in a number of ways. Please participate according to your intent below:

- 1) If you do not intend to testify, please view the **virtual** meeting here,
https://lcd.granicus.com/ViewPublisher.php?view_id=1
- 2) If you do not have access to a computer, a telephone option is available:
(888) 683-5191 (Toll Free) or (855) 880-1246 (Toll Free)
Webinar ID: 894-1870-8504
Passcode: 202202
- 3) If you intend to testify, please pre-register here so that we have your name in the queue:
<https://www.oregon.gov/lcd/commission/pages/public-comment.aspx>
- 4) If you intend to testify, please join by Zoom - Thursday, Friday or both.
Webinar link: <https://us02web.zoom.us/j/89418708504?pwd=VIZnU0Fvd1dLNzBSSXM1VUpJRk5hZz09>
(Passcode: 202202)
- 5) If you intend to testify, and do not have access to a computer, please call Esther Johnson before Tuesday, February 1, 2022. Phone participants will be able to enter the testimony queue the day of the meeting by pressing *9.

The **virtual commission** meeting will be conducted using Zoom Webinar. When you join, please use your full name so it is easier to identify attendees and manage public comments. Participants will be in listen-only mode **until they are called on to testify**. To indicate your desire to make public comment, please sign up online. If you have any questions, please contact Esther Johnson, Commission Assistant, at (503) 383-8911 or esther.johnson@dlcd.oregon.gov.

Meeting Materials associated with the agenda items will be available at:
<https://www.oregon.gov/lcd/Commission/Pages/LCDC-Meeting-February.aspx>

You may submit public testimony up to the day of the meeting, however, we kindly ask that you submit testimony at least five business days in advance of the meeting so the commission has the opportunity to review and consider your comments. Submission options include:

Complete a Testimony Sign Up Form here:

<https://www.oregon.gov/LCD/Commission/Pages/Public-Comment.aspx>

Submit your written comments to esther.johnson@dlcd.oregon.gov

Please Note: Every effort will be made to consider items as they are indicated. However, the agenda and the order of agenda items are subject to change.

Please address questions to the Commission Assistant at esther.johnson@dlcd.oregon.gov or (503) 383-8911.

Americans with Disabilities Act: The Oregon Department of Land Conservation and Development will make reasonable accommodations upon request. Please contact Esther Johnson at least 72 hours before the meeting, or by TTY: Oregon Relay Services (800) 735-2900.