



Oregon

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Memorandum

To: Appellants and Objectors, City of Bend UGB Expansion
From: Richard Whitman, Director DLCD
Re: LCDC Meeting to Consider the City of Bend UGB Expansion
Date: March 9, 2010

This memorandum supplements the prior notice to appellants and objectors concerning the meeting of the Land Conservation and Development Commission on the appeals of the City of Bend's urban growth boundary (UGB) decision.

Commission Tour of Bend Area

The commission tour is being organized by the city. A map showing the city's intended route for the tour is enclosed with this memo. Requests related to the tour and the tour route have been forwarded to the city. The correct start time and location for the tour is 1:30 p.m. on Wednesday, March 17th, at Bend City Hall, 710 NW Wall Street, Bend. If you wish to participate in the tour, please contact Lisa Howard by 5:00 p.m. on March 15 at lisa.howard@state.or.us or by phone at (503) 373-0050 x 271.

Commission Meeting on the Appeal

In response to requests from several parties, we have made some revisions to the *tentative* LCDC Meeting Schedule, which is enclosed. I want to emphasize that this schedule is still tentative, the conduct of the meeting is at the direction of the chair and the commission, and is subject to change. Also, please note that the commission chair likely will ask parties to come up and testify to the commission as a panel for each (or many) of the "issue areas" described in the schedule. The practice of the commission is to use this format to foster more of a dialogue between the parties and the commission, as opposed to formal, one-way, presentations.

We have had several questions about whether power point or other types of demonstrative presentations are acceptable. While these presentations are allowed, they may *not* include evidence that is not in the record. *Short* power point or other similar presentations are most appropriate for opening statements. Please note that we have "budgeted" an hour and a half for these statements, and we have eleven appellants. If parties want to combine their arguments or statements, that would be appreciated.

The tentative schedule is intended to help organize the meeting, and to help give parties an *approximate* sense of when particular issues are likely to be addressed, but it is your responsibility to be present when the commission takes up issues. We do expect the commission to consider issue areas in the order presented in the schedule, but the times are only our effort to estimate how long the commission will have on each issue while still completing the hearing by the end of the day on Friday.

The revised schedule does allow somewhat more time for several preliminary matters, including time for commissioners to describe what they observed on the site visit, and an opportunity for parties to rebut those observations. Also added, is time for objectors who did not file an appeal to make their arguments, following the opening statements of the appellants.

Please note that the commission *may* decide to continue past 5 p.m. on into the evening on Thursday, March 18th. On Friday, March 19th, the commission *will* end its meeting by 4 p.m. If additional time is required to consider the appeals, the commission likely will do so by continuing the meeting to a subsequent meeting of the commission.

Copies of the exceptions filed in this matter are enclosed. If you have any remaining questions about the Bend Appeal procedure, please contact Lisa Howard at (503)373-0050 x 271 and she will direct you to a staff person who can answer your question.

Encl: LCDC Meeting Schedule (revised 3/9/2010)
City of Bend's Tentative Site Visit Route
Exceptions

cc. LCDC Commissioners
Steve Shipsey
Mark Radabaugh

**City of Bend Appeals – LCDC Meeting Schedule
3/18 – 3/19/2010**

Wednesday, March 17 @ 1:30 – 4:30 p.m.	LCDC Site Visit - Tour of Bend Area (commencing at Bend City Hall)
Thursday, March 18 @ 9 a.m - 5:30 p.m.	LCDC Meeting to Consider Appeals of Director's Decision (Bend Municipal Court @ 555 NE 15th Street, Bend, adjacent to the Bend Police Department)
Friday, March 19 @ 8:30 a.m. – 4:00 p.m.	LCDC Meeting to Consider Appeals of Director's Decision (Bend Municipal Court @ 555 NE 15 th Street, Bend, adjacent to the Bend Police Department)

Thursday Tentative Meeting Schedule

Commissioners' Descriptions of Site Visit & Opportunity for Rebuttal
(9:00-10:00 Thursday)

Opening Statements (10:00-11:30 – Thursday)

Statements by Objectors (11:30 – 12:00 – Thursday)

Issue Area 1 – Required Findings and Standard of Review (12:00 – 1:00 Thursday, with a short lunch break)

DLCD Introduction of Issues

Argument

- City of Bend
- Newland
- DLCD

Commission Questions and Initial Deliberation

Issue Area 2 - Residential Land Need (1:00 – 3:00 Thursday)

DLCD Introduction of Issues

Argument

- City of Bend
- Newland
- Bayard
- Anderson
- Central Oregon LandWatch
- DLCD

Commission Questions and Initial Deliberation

Issue Area 3 - Efficiency Measures (3:00 – 4:00 Thursday)

DLCD Introduction of Issues

Argument

- City of Bend
- Newland
- Central Oregon LandWatch
- DLCD

Commission Questions and Initial Deliberation

Issue Area 4 - Other (non-employment) Land Need (4:00 – 5:00 Thursday)

DLCD Introduction of Issues

Argument

- City of Bend
- Bend – LaPine School District
- Bend Metro Parks District
- Central Oregon LandWatch
- DLCD

Commission Questions and Initial Deliberation

Friday Tentative Hearing Schedule

Issue Area 5 - Employment Land Need (8:30 – 10:00 Friday)

DLCD Introduction of Issues

Argument

- City of Bend
- Central Oregon Land Watch
- Bayard
- Anderson
- Rose and Associates
- DLCD

Commission Questions and Initial Deliberation

Issue Area 6 - Goals 5 and 7 - Natural Resources and Hazards (10:00 – 10:45 Friday)

DLCD Introduction of Issues

Argument

- City of Bend
- Central Oregon LandWatch
- Bayard
- Anderson
- Shevlin
- DLCD

Commission Questions and Initial Deliberation

Issue Area 7 - Goal 11 – Public Facilities Planning (10:45 – 12:00 Friday)

DLCD Introduction of Issues

Argument

- City of Bend
- Newland
- Bayard
- Anderson
- Hunnell
- Garrett
- Central Oregon LandWatch
- DLCD

Commission Questions and Initial Deliberation

Issue Area 8 - Goal 12 - Transportation Planning (12:00 – 1:15 Friday, with a short lunch break)

DLCD Introduction of Issues

Argument

- City of Bend
- Bayard
- Anderson
- Hunnell
- Central Oregon LandWatch
- DLCD

Commission Questions and Initial Deliberation

Issue Area 9 - UGB Location (1:15 – 3:00 Friday)

DLCD Introduction of Issues

Argument

- City of Bend
- Newland
- Bayard
- Anderson
- Hunnell
- Garrett
- Central Oregon LandWatch
- DLCD

Commission Questions and Initial Deliberation

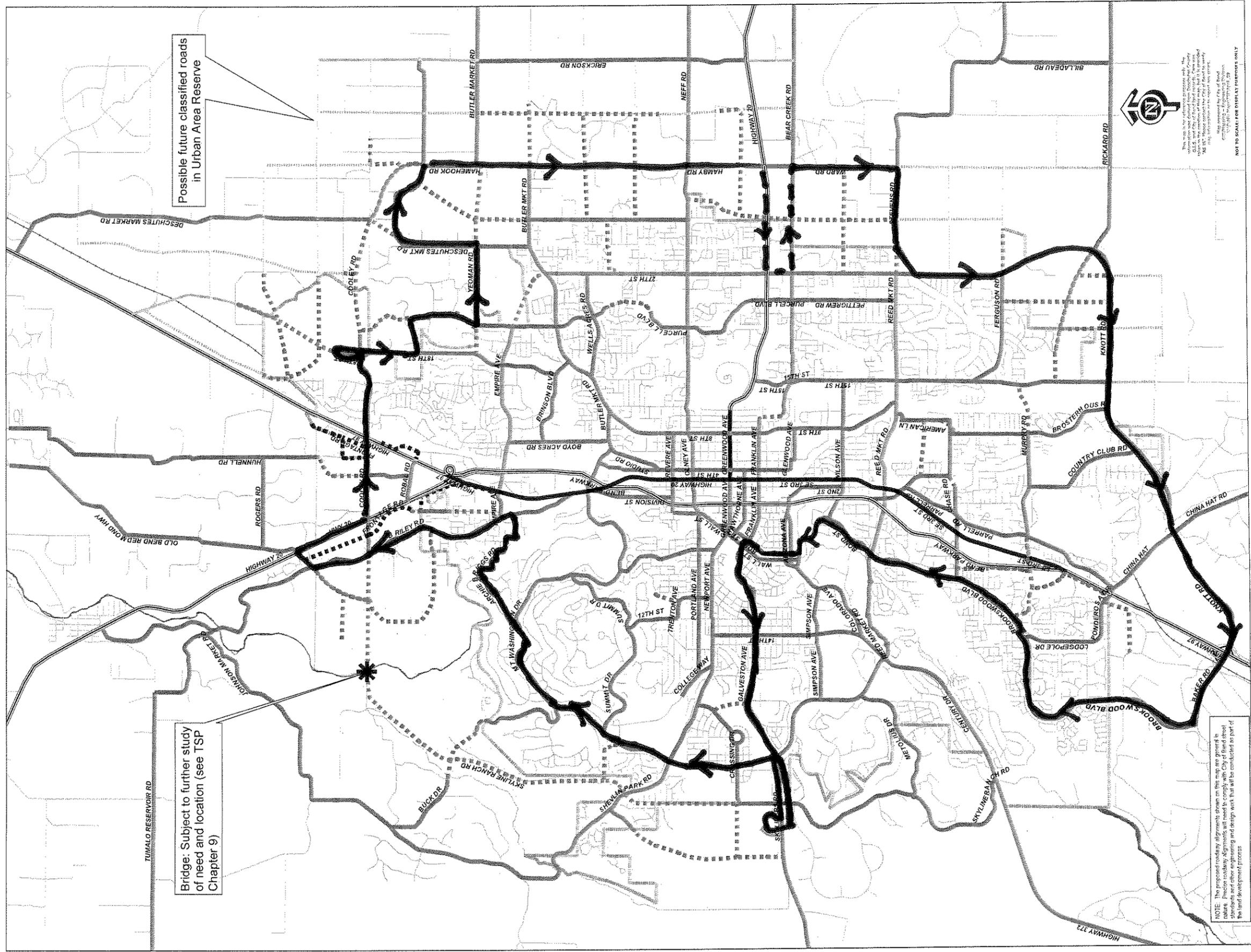
Issue Area 10 - Other Issues (3:00 – 4:00 Friday)

DLCD Introduction of Issues

Argument

- City of Bend
- Central Oregon LandWatch
- Swalley
- Bayard
- Anderson
- Hunnell
- DLCDC

Commission Questions and Initial Deliberation



Possible future classified roads
in Urban Area Reserve

Bridge: Subject to further study
of need and location (see TSP
Chapter 9)

This map was prepared by the City of Bend, Oregon, and is for informational purposes only. It is not intended to be used as a legal document. The City of Bend is not responsible for any errors or omissions on this map. The City of Bend is not responsible for any damages, including consequential damages, arising from the use of this map. The City of Bend is not responsible for any claims, including consequential claims, arising from the use of this map. The City of Bend is not responsible for any claims, including consequential claims, arising from the use of this map.

NOTE: The proposed roadway alignments shown on this map are general in nature. Final roadway alignments and design work that will be completed as part of the land development process.



Bend Urban Area Roadway System Plan

Print Date: April 3, 2009

- Expressway
- Principal Arterial
- Major Arterial
- Proposed Major Arterial
- Minor Arterial (UGB Area)
- Rural Arterial (non-UGB Area)
- Proposed Minor Arterial
- Major Collector (UGB Area)
- Rural Collector (non-UGB Area)
- Proposed Major Collector (UGB Area)
- Proposed Rural Collector (non-UGB Area)
- Frontage Road
- Possible future classified roads in Urban Area Reserve
- City Limits*
- Unacknowledged Urban Growth Boundary* City Ordinance NS 2112
- * Boundaries include all existing right-of-way

NOT TO SCALE: FOR DISPLAY PURPOSES ONLY