



# Oregon

Theodore R. Kulongoski, Governor

## Land Conservation and Development Commission

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## MEETING NOTICE



### LAND CONSERVATION AND DEVELOPMENT COMMISSION

**August 6 - 7, 2008**

**Baker City Hall**

**Council Chambers**

**1655 First Street**

**Baker City, Oregon 97814**

*While visiting the Baker City Council Chambers we request that you please use free on-street parking spots other than those spaces on First Street directly in front of the City Hall. The City respectfully requests that we keep those spaces open for citizens and customers conducting City business.*

*Thank you for your consideration.*

The meeting location is accessible to persons with disabilities. To request an interpreter for the hearing impaired or for other accommodations for persons with disabilities, please make requests at least 48 hours before the meeting to Sarah Watson at 503-373-0050 ext. 271 or by email [sarah.watson@state.or.us](mailto:sarah.watson@state.or.us) or by TTY: Oregon Relay Services 800-735-2900.

#### **Public Testimony**

*The Commission places great value on testimony from the public. People who wish to testify are requested to:*

- *Provide written summaries (20 copies to the Commission Assistant prior to the agenda item)*
- *Recognize that substance, not length, determines the value of testimony*
- *Endorse, rather than repeat, testimony of other witnesses with whom you agree*
- *The Chair may limit time for testimony on any item and may set time limits (usually 3 minutes) for individual speakers*

*Thank you for taking the time to present your views.*

Note: Because of the uncertain length of time needed, the Commission may deal with any item at any time in the meeting, except those set for a specific time. Anyone wishing to be heard on any item not having a set time should arrive when the meeting begins to avoid missing an item of interest. Topics not on the agenda may be introduced and discussed during the Director's Report, during the Commission's Business and Reports, or under Other.

***Please note that in the Commission's efforts to hold their meetings around the state, staff may not be available to receive written comments (specifically emails) for agenda items within 48 hours before the meeting starts. OAR 660-001-0230(2): "Unless the director allows a closer***

deadline, written testimony must be submitted at least five days before the commission meeting to be provided to commission members in advance of the meeting.” (emphasis added)

The Land Conservation and Development Commission (the Commission) may continue its meeting through lunch on any day to deliberate on matters on the agenda. In that event, those persons whose attendance is necessary for any matter of business undertaken during lunch will be required to attend.

The Commission’s **Budget and Management Subcommittee** will meet at 8:00 a.m., Thursday, August 7, at the Baker City Council Chambers, 1655 First Street, Baker City, Oregon. The subcommittee will report to the full Commission during Commission Business and Reports. For additional information, contact Teddy Leland at 503-373-0050 ext. 237, or by email [teddy.leland@state.or.us](mailto:teddy.leland@state.or.us).

### **8:30 a.m., Wednesday, August 6, 2008**

- 1. Tour of Baker Valley and Communities in Baker and Union Counties.** The tour will depart from the Geiser Grand Hotel<sup>†</sup> at 1996 Main Street in Baker City. Seating is limited on the tour and preference will be given to invited guests. Members of the public and the media may attend as space allows or may provide their own transportation. *To register for the tour, please contact Sarah Watson or Jenny Hill at 503-373-0050 ext. 271 or by e-mail [sarah.watson@state.or.us](mailto:sarah.watson@state.or.us) and [jenny.hill@state.or.us](mailto:jenny.hill@state.or.us).*

### **Noon – 3:30 p.m., Wednesday, August 6, 2008**

- 2. Guests are Invited to Join the Commission for a Discussion of Local and Regional Land Use Issues with Representatives From the County and Cities, Tribes and Other Invited Guests.** The Roundtable will be held at the Geiser Grand Hotel<sup>†</sup> at 1996 Main Street in Baker City. Please join us for this discussion. *To register for the Roundtable, please contact Sarah Watson or Jenny Hill at 503-373-0050 ext. 271, or by e-mail [sarah.watson@state.or.us](mailto:sarah.watson@state.or.us) or [jenny.hill@state.or.us](mailto:jenny.hill@state.or.us).*

<sup>†</sup>For anyone attending the Tour or the Roundtable – please use the off-street parking lot at the southeast corner of Washington and Resort Streets, behind the Geiser Grand.

### **8:30 a.m. Thursday, August 7, 2008**

- \*3. Public Comment.** This part of the agenda is for comments on agenda items and topics not scheduled for public comment elsewhere on the agenda. The Commission chair will set time limits (usually 3 minutes) for individual speakers. The maximum time for all public comments under this agenda item will be limited to 30 minutes.
- 4. Request to Appeal Pursuant ORS 197.090(2)&(3), and OAR 660-001-0201 to -0230.** State law requires Commission approval of the director’s decision to seek review of a

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local government land use decision, expedited land division, or limited 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 an intervention in an appeal, of a land use decision, expedited land division, or limited land use decision.

**5. Periodic Review, Pursuant to ORS 197.628 to 197.644 and OAR 660, Division 025.**

The Commission considers matters related to periodic review usually by way of an appeal of the department's decision or upon referral by the department of a local government's work program or work task submittal. Appeals and referrals of a periodic review work task or work program are decided by the Commission. Oral argument is limited to the appellants, parties, and the local government. The Chair may limit time for testimony and may set time limits (usually 3 minutes) for individual speakers.

**City of Salem Tasks 3 and 5.** This item is an appeal of the department's remand of the city's completed task regarding its transportation system plan. The Commission will consider the department's recommendation that the hearing be delayed pursuant to OAR 660-025-0160(5) to allow additional time for mediation between the parties. For additional information, please contact Steve Oulman at 503-373-0050 ext. 259 or by email [steve.oulman@state.or.us](mailto:steve.oulman@state.or.us).

**6. Periodic Review Update.** Following the direction of the Commission, staff will provide additional information regarding outstanding and overdue periodic review work tasks, including a briefing on the status of periodic review tasks with those local governments that are in periodic review. For additional information regarding this item, please contact Darren Nichols at 503-373-0050 ext. 255 or by email at [darren.nichols@state.or.us](mailto:darren.nichols@state.or.us).

**7. Initiation of Rulemaking Regarding Wind Energy Facilities on Farmland.** For additional information regarding this item, please contact Doug White at 541-318-8193 or by email [doug.white@state.or.us](mailto:doug.white@state.or.us), or Jon Jinings at 541-318-2890 or by email [jon.jinings@state.or.us](mailto:jon.jinings@state.or.us)

**8. Informational Briefing from the Oregon Department of Forestry on Forestland Conversion Studies.** For additional information regarding this item, please contact Richard Whitman at 503-373-0050, ext. 280 or by email [richard.whitman@state.or.us](mailto:richard.whitman@state.or.us).

**9. Informational Briefing from the City of Baker City Regarding Behavioral Based Land Use Planning.** Baker City Planning Director Donald R. Chance, PhD, will present a draft of *The Theory and Application of Incentive Strategies in Growth Management* for discussion and comment by the Commission. For additional information regarding this item, please contact Grant Young at 541-663-1393 or by email [grant.s.young@state.or.us](mailto:grant.s.young@state.or.us).

**10. Commission Discussion Regarding the Oregon Task Force on Land Use Planning's Preliminary Recommendations.** For additional information regarding this item, please contact Richard Whitman at 503-373-0050, ext. 280 or by email [richard.whitman@state.or.us](mailto:richard.whitman@state.or.us).

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- 11. Consideration and Possible Adoption of Policy and Process for Director's Performance Expectations and Evaluations.** For additional information regarding this item, please contact Cora Parker at 503-373-0050 ext. 223 or by email [cora.r.parker@state.or.us](mailto:cora.r.parker@state.or.us).
- 12. Director's Report.**
- Federal Timber Payments Update
- 13. Commission Business and Reports.**
- Budget and Management Subcommittee Report
- 14. Other.** The Commission reserves this time, if needed, for other business or for further consideration of any item on the agenda.
- 15. Citizen Involvement Advisory Committee (CIAC) Update.** The CIAC will give its recommendation to LCDC for filling two vacancies on the committee. For additional information, please contact Cliff Voliva at 503-373-0050 ext. 268, or by email [cliff.voliva@state.or.us](mailto:cliff.voliva@state.or.us).

Oregon's seven-member Land Conservation and Development Commission, assisted by the Department of Land Conservation and Development (DLCD), adopts state land use goals, assures local plan compliance with the goals, coordinates state and local planning, and manages the coastal zone program. The 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 197, also directs that members be representative of the state. The Commission meets approximately every six weeks to direct the work of the Department of Land Conservation and Development (DLCD).

Current Commission members are:

Dennis Derby (Portland)  
 Marilyn Worrix (McMinnville)  
 Hanley Jenkins (Union)  
 Tim Josi (Tillamook)  
 Margaret Kirkpatrick, Vice Chair (Portland)  
 John H. VanLandingham, Chair (Eugene)  
 Vacancy (previously filled by Ron Henri)

The next regular Commission meeting is currently scheduled for October 15-17, 2008, at Prineville City Hall (387 NE Third Street) in Prineville, Oregon.

#### Meeting Dates for 2008

October 15-17, 2008

Prineville

December 3-5, 2008

Tillamook

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