



# Oregon

Theodore R. Kulongoski, Governor

**Land Conservation and Development Commission**

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## MEETING NOTICE

**October 15-17, 2008**



### LAND CONSERVATION AND DEVELOPMENT COMMISSION

**Prineville City Hall  
387 NE 3<sup>rd</sup> Street  
Prineville, Oregon 97754**

*The City of Prineville respectfully requests that attendees reserve those parking spaces closest to the City Hall 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 Commission's **Budget and Management Subcommittee** will meet at 1:30 p.m., Wednesday, October 15, at the Prineville City Hall at 387 NE 3<sup>rd</sup> Street. The subcommittee will report to the full Commission during Commission Business and Reports (agenda item 2). 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).

**Citizen Involvement: Education & Outreach.** The state's Citizen Involvement Advisory Committee (CIAC) will host a meeting to discuss achievements and barriers to Citizen Involvement (Goal 1) in the land use planning process. The CIAC meeting is scheduled from 7:00 p.m.-8:00 p.m. on Thursday, October 16 at the Stafford Inn in the Round-up Room (1773 NE 3<sup>rd</sup> Street) in Prineville. For more information, contact Cliff Voliva, DLCD Communications Officer at 503-373-0050 ext. 268 or by email at [cliff.voliva@state.or.us](mailto:cliff.voliva@state.or.us).

### **2:00 p.m., Wednesday, October 15, 2008**

1. **Director's Report.**
2. **Commission Business and Reports.**
  - Budget and Management Subcommittee Report
3. **Consideration and Possible Adoption of Policy and Process for Director's Performance 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).

### **3:00 p.m., Wednesday, October 15, 2008**

- \*4. **Informational Briefing and Public Hearing<sup>†</sup> Regarding Destination Resorts.**

This item provides an opportunity for the Commission to hear public testimony regarding destination resorts and will include DLCD presentations summarizing current destination resort law and the department's proposed 2009 legislative concept regarding destination resorts. 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).

**This is a joint public hearing before both LCDC and a Subcommittee of the Oregon House Interim Committee on Agriculture and Natural Resources. The legislative committee's Vice Chair, Representative Brian Clem (House District 21) will attend; other state legislators are also invited and may attend.**

*<sup>†</sup> There is no need to sign up in advance for testifying. Testimony sign-up sheets will be available at the hearing and comments will be taken in the order sign-up sheets are received.*

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\* Agenda items where opportunity is given for public comment. The chair may limit time for testimony on any item and may set time limits (usually 3 minutes) for individual speakers. The Commission encourages written testimony in addition to or instead of oral testimony in the event there is not enough time to hear everyone who wishes to speak. Items without an asterisk are not open for public comment.

**8:30 a.m. Thursday, October 16, 2008**

- \*5. 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.
- 6. 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 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.
- 7. 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 for individual speakers.

**City of Salem.** The department will present a settlement proposal to resolve an appeal of the department's remand of periodic review tasks 3 and 5. 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).

- \*8. Public Hearing and Initiation of Rulemaking Regarding Ocean Wave Energy.** The department seeks approval to appoint a rulemaking advisory committee regarding development of a plan for ocean wave energy siting on the Oregon coast. The Governor gave the department the task of leading a process to prepare such a plan, which will be presented to the Commission in December 2009 for adoption by rule as an amendment to the Territorial Sea Plan. The advisory group will be composed of stakeholders and will function throughout the coming year during development of the plan. For additional information regarding this item, please contact Bob Bailey at 503-373-0050 ext. 281, or by email at [bob.bailey@state.or.us](mailto:bob.bailey@state.or.us).
- \*9. Eugene-Springfield Metropolitan Area Transportation Work Plan Review.** The Commission will consider approval of a work plan that allows an extension of time for development and adoption of an updated regional transportation system plan as provided in the Transportation Planning Rule. OAR 660-012-0016(3). For additional information regarding this item, please contact Bob Cortright at 503-373-0050 ext. 241, or by email at [bob.cortright@state.or.us](mailto:bob.cortright@state.or.us).

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- 10. City of Grants Pass Housing Element.** The Commission will review a submittal from the City of Grants Pass, including the city's revised Housing Element, for completeness as referred by the department in the manner of periodic review. For additional information, please contact John Renz at 541-858-3189 or by email [john.renz@state.or.us](mailto:john.renz@state.or.us).
- \*11. Greater Bear Creek Valley Regional Problem Solving.**
- a. Greater Bear Creek Valley Regional Plan.** Department staff will present a staff report and representatives from the region will make a presentation on the plan. The Commission is asked to suggest any necessary changes to the plan and commit to acknowledgement of comprehensive plan amendments conforming to the plan. For additional information, please contact John Renz at 541-858-3189, or by email [john.renz@state.or.us](mailto:john.renz@state.or.us).
  - b. Greater Bear Creek Regional Problem Solving Project.** The Commission will review, provide comment and possibly direct the Chair to sign a participants' agreement related to implementation of the Regional Plan. For additional information, please contact John Renz at 541-858-3189, or by email [john.renz@state.or.us](mailto:john.renz@state.or.us).
- 12. Commission Discussion Regarding the Oregon Task Force on Land Use Planning's Preliminary Recommendations.** The Commission will review and provide comment to department staff regarding the Big Look Task Force's recommendations to the legislature based on the task force's work for the last two years and including the task force's recent public engagement tour. 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).
- \*13. Citizen Involvement Advisory Committee (CIAC) Update.** The CIAC will give a brief update on its recent work to the Commission. 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).

### **8:30 a.m. Friday, October 17, 2008**

- 14. 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 Prineville City Hall, 387 NE 3<sup>rd</sup> Street, Prineville, Oregon. Please join us for this discussion. For additional information, please contact Sarah Watson or Jenny Hill at 503-373-0050 ext. 271, or by email [sarah.watson@state.or.us](mailto:sarah.watson@state.or.us) or [jenny.hill@state.or.us](mailto:jenny.hill@state.or.us).
- 15. Other.** The Commission reserves this time, if needed, for other business or for further consideration of any item on the agenda.

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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 Worrrix (McMinnville)  
Hanley Jenkins (Union)  
Tim Josi (Tillamook)  
Margaret Kirkpatrick, Vice Chair (Portland)  
Christine Pellett (Central Point)  
John H. VanLandingham, Chair (Eugene)

The next regular Commission meeting is currently scheduled for December 3-5, 2008, in the Tillamook County Library at 1716 Third Street in Tillamook.

Meeting Dates for 2008

December 3-5, 2008

Tillamook

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