



Meeting Notice

Land Conservation and Development Commission



Meeting:
Thursday, April 20, 2023
8:00am

Basement Hearing Room
635 Capitol St NE # 150
Salem, OR 97301

Hybrid Meeting:

- In -Person
- Virtual

*Please see meeting details
on pages six and seven.

Meeting:
Friday, April 21, 2023
8:00am

Basement Hearing Room
635 Capitol St NE # 150
Salem, OR 97301

Times listed are approximations. Agenda items may be addressed earlier or later than noted.
See page 5 for how to view or participate.

Thursday, April 20, 2023

Item 1 [Approve Agenda](#)

Item 2 [\[8:15 AM\] Director's Report](#)

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

Staff Contact: [Brenda Bateman](#), Ph.D., Director
Brenda.o.bateman@dlcd.oregon.gov, (971) 701-0213

No Public Comment will be accepted.

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

Item 3 [\[8:45 AM\] Employment Tables Rulemaking](#)

The Commission will consider adopting a rule amendment that updates employment data and economic forecasts used in the "Simplified Urban Growth Boundary" process (OAR 660-038). The proposed amendment would replace the 2019 employment data currently included in the rule with the most recently available employment data from 2020.

Staff Contact: [Leigh McIlvaine](#), Economic Development Specialist
Leigh.McIlvaine@dlcd.oregon.gov, (971) 701-1041

Public Comment will be accepted.

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

Item 4 **[9:00 AM] CFEC Temporary Rules**

The commission will consider adopting temporary rule amendments that clarify, correct, and adjust the Climate-Friendly and Equitable Communities rules that the commission adopted in July 2022 within division 12 relating to transportation planning. The commission will take public testimony on these rules and may adopt the temporary rule amendments at this meeting. The commission will also consider a separate agenda item to initiate a rulemaking process to adopt permanent rule amendments later in 2023 that address the same clarifications, corrections and adjustments proposed under this agenda item.

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

Bill.Holmstrom@dlcd.oregon.gov, (971) 375-5975

Public Comment

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

Item 5 **[10:45 AM] CFEC Initiate Clarifications – Corrections**

The department will request that the commission initiate rulemaking to make clarifications, corrections, and adjustments to the Climate-Friendly and Equitable Communities rules that the commission adopted in July 2022. The department will also recommend the structure and interests for a rulemaking advisory committee, and request that the commission delegate authority to the director to appoint specific individuals.

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

Bill.Holmstrom@dlcd.oregon.gov, (971) 375-5975

Public Comment will be accepted.

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

[12:00 – 1:00] PM LUNCH

Item 6 **[1:00 PM] Washington County Enforcement Order Decision**

The Commission will consider the hearings officer's draft findings regarding an enforcement order against Washington County for not having clear and objective standards; protecting significant natural areas and will make a decision whether to issue an enforcement order, and if so, the terms of that order.

Staff Contact: [Laura Kelly](#), Regional Representative for Metro, Washington County and select cities of Columbia County

Laura.Kelly@dlcd.oregon.gov, (503) 798-7587

Limited Testimony will be accepted.

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

Item 7 **[3:15 PM] Territorial Sea Plan Part Three – Rocky Habitat Management Strategy Rule Amendment**

The commission will consider proposed amendments to update the Oregon Administrative Rule (OAR) that governs the Territorial Sea Plan (TSP) - OAR Chapter 660, division 036. The proposed amendments are focused on site management designations resulting from a multi-year amendment process stewarded by the Ocean Policy Advisory Council (OPAC) in collaboration with the Department of Land Conservation and Development staff. This amended rule is intended to balance rocky ecosystem conservation with appropriate use as provided in Statewide Land Use Planning Goal 19, the Oregon Territorial Sea Plan, and the Oregon Ocean Resources Management Act, by amending Appendix E to add the site management designations.

Staff Contact: [Andy Lanier](#), Marine Affairs Coordinator

Andy.Lanier@dlcd.oregon.gov, (503) 206-2291

Public Comment will be accepted.

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

Item 8 **[4:00 PM] Petition for Enforcement Against the City of Eugene from Paul Conte**

The Land Conservation and Development Commission has received a petition for enforcement against the City of Eugene for alleged inconsistencies between city plan and zoning designations for properties within the city. The commission will determine whether good cause exists to proceed with the enforcement order process.

Staff Contact: [Patrick Wingard](#), Southern Willamette Valley Regional Representative
Patrick.Wingard@dlcd.oregon.gov, (541) 393-7675

Limited Testimony will be accepted.

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

Friday, April 21, 2023

Item 9 [\[8:00 AM\] Executive Session](#)

The executive session will be held pursuant to ORS 192.660(2)(h), which allows the commission 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 10 [\[8:45 AM\] Robert Liberty](#)

The Commission will be presented with data about the cumulative totals of dwellings and other uses approved in Exclusive Farm Use, Forest and Mixed Farm-Forest zones, as reported to the Department by the counties beginning in 1983.

External Presenter: [Robert Liberty](#)

No Public Comment

Item 11 [\[9:00 AM\] 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. If you bring written summaries or other materials to the meeting, please provide the commission assistant with 10 copies prior to your testimony. The commission is unable to take action, at this meeting, on items brought to their attention in this forum.

Item 12 [\[9:15 AM\] Draft Equity Lens for Policy Making](#)

DLCD staff and consultant Anita Yap, Founder of the MultiCultural Collaborative. will present a draft equity framework for decision making with commission for their review and comment.

Staff Contact: [Kirstin Greene](#), Deputy Director

Kirstin.Greene@dlcd.oregon.gov

No Public Comment

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

Item 13 [\[10:15 AM\] Rural Transportation Equity Update](#)

Staff will present the Rural Transportation Equity program, including program background, status of six projects currently underway, and overall findings about supporting equitable transportation in rural areas.

Staff Contact: [Madeline Phillips](#), Rural Equity Transportation Planner
Madeline.Phillips@dlcd.oregon.gov, (503)507-5167

Public Comment will be accepted.

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

Item 14 [\[11:00 AM\] Commission Business](#)

The commission will Vote on new Local Officials Advisory Committee (LOAC) members and receive updates on the Citizen Involvement Committee (CIAC) work plan. The Commission will receive the Budget and Management (BAM) Subcommittee report.

Staff Contact: [Brenda Bateman](#), Ph. D., Director
Brenda.o.Bateman@dlcd.oregon.gov, (971) 701-0213

No Public Comment

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

[12:00 – 1:00] PM LUNCH

Item 15 [\[1:00 PM\] Salem Spotlight Tour](#)

The purpose of this item is for the Commission to see in person the progress made by the City of Salem in various projects to revitalize its downtown core.

Staff Contact: [Melissa Ahrens](#), Regional Representative of Mid-Willamette Valley

Melissa.Ahrens@dlcd.oregon.gov, (503)206-2291

No Public Comment

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

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 twelve weeks to direct the work of the department.

Commissioners:

Anyeley Hallová, Chair (Portland)
Barbara Boyer (Willamette Valley)
Allan Lazo (Portland)
Kaety Jacobson (Coast)

Nick Lelack, Vice-chair (Bend)
Gerardo Sandoval, Ph.D. (Willamette Valley)
Stuart Warren (Southern Oregon)

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.

Guidelines for Public Testimony:

The commission places great value on testimony from the public. Those items on the agenda indicated for public testimony are the topics where public comment will be accepted. Topics not on the agenda may be introduced and discussed during Public Comment.

- 1) If you do not intend to testify, please view the virtual meeting here, <https://www.youtube.com/user/oregonDLCD>
- 2) If you do not have access to a computer, a telephone option is available:
(253) 205-0468 (Toll Free) or (253) 215-8782 (Toll Free)
Webinar ID: 843 4413 8592
Password: 096393
- 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/84344138592?pwd=amRPcDdGSE85TXdBN0V0UVkyd29TZz09>
- 5) If you intend to testify, and do not have access to a computer, please call Jan Guerrero before **Tuesday, April 18, 2023**. 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 Jan Guerrero, Commission Assistant, at (971)718-3230 or e-mail: jan.guerrero@dlcd.oregon.gov.

Meeting Materials associated with the agenda items will be available at:
<https://www.oregon.gov/lcd/Commission/Pages/Meetings.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>
- Provide a written summary in advance to jan.guerrero@dlcd.oregon.gov (Please submit advance testimony if you wish to have the commission review it prior to the meeting.) If you are unable to supply materials in advance, please bring 20 copies to the meeting for distribution to the commission, staff, and members of the public.

Please address questions to the Commission Assistant at jan.guerrero@dlcd.oregon.gov or (971) 718-3230.

Americans with Disabilities Act: The Oregon Department of Land Conservation and Development will make reasonable accommodations upon request. Please contact us at least three days before the meeting. Call Jan Guerrero at (971) 718-3230, jan.guerrero@dlcd.oregon.gov, or by TTY: Oregon Relay Services (800) 735-2900.