Land Use Board of Appeals

Annual Performance Progress Report

Reporting Year 2024

Published: 9/20/2024 1:01:14 PM

| KPM #	Approved Key Performance Measures (KPMs)
1	TIMELY RESOLVE APPEALS - Percentage of appeals of land use decisions that are resolved within statutory deadlines or, if all parties agree, with no more than a 7 day extension of the statutory deadline.
2	TIMELY SETTLE RECORD - Percentage of record objections that are resolved within 60 days after the record objection is received by LUBA.
3	RESOLVE ALL ISSUES - Percentage of decisions where all issues are resolved when reversing or remanding a land use decision.
4	SUSTAINED ON APPEAL - Percentage of final opinions that are sustained on appeal.
5	CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.

Proposal	Proposed Key Performance Measures (KPMs)
Delete	TIMELY RESOLVE APPEALS - Percentage of appeals of land use decisions that are resolved within statutory deadlines or, if all parties agree, with no more than a 7 day extension of the statutory deadline.
New	TIMELY RESOLVE APPEALS - Percentage of appeals of land use decisions that are resolved within statutory deadlines or, if all parties agree, with no more than a 21-day extension of the statutory deadline.
Delete	RESOLVE ALL ISSUES - Percentage of decisions where all issues are resolved when reversing or remanding a land use decision.
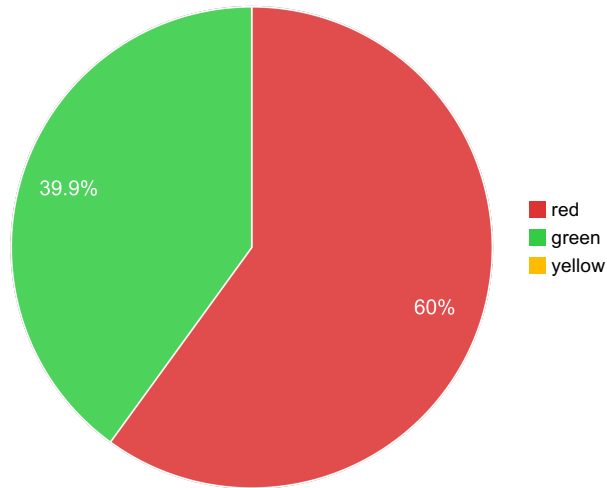
Performance Summary	Green	Yellow	Red
	= Target to -5%	= Target -5% to -15%	= Target > -15%
Summary Stats:	40%	0%	60%

KPM #1	TIMELY RESOLVE APPEALS - Percentage of appeals of land use decisions that are resolved within statutory deadlines or, if all parties agree, with no more than a 7 day extension of the statutory deadline.
	Data Collection Period: Jul 01 - Jun 30

* Upward Trend = positive result
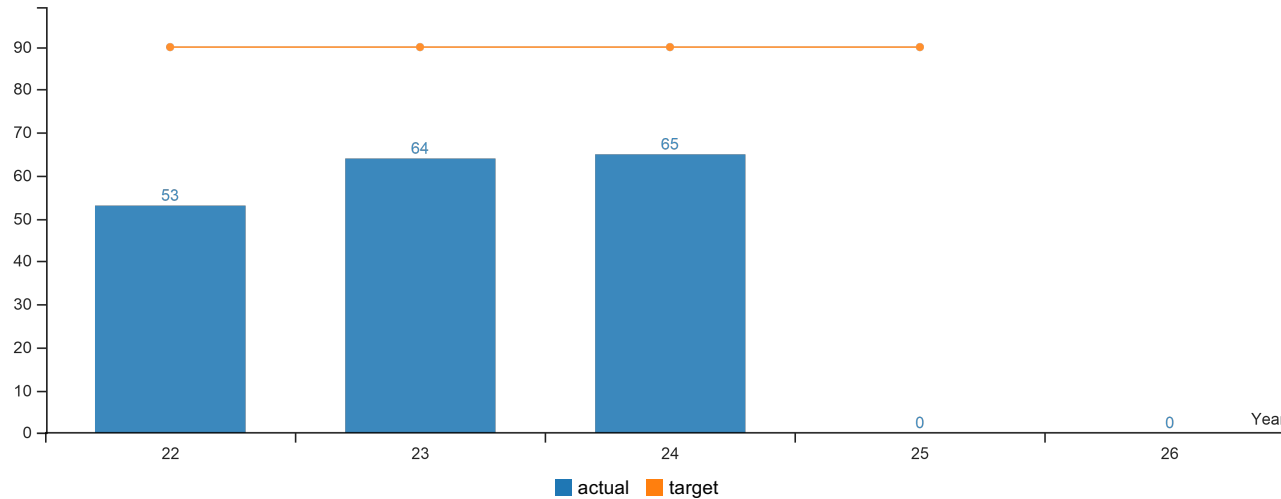
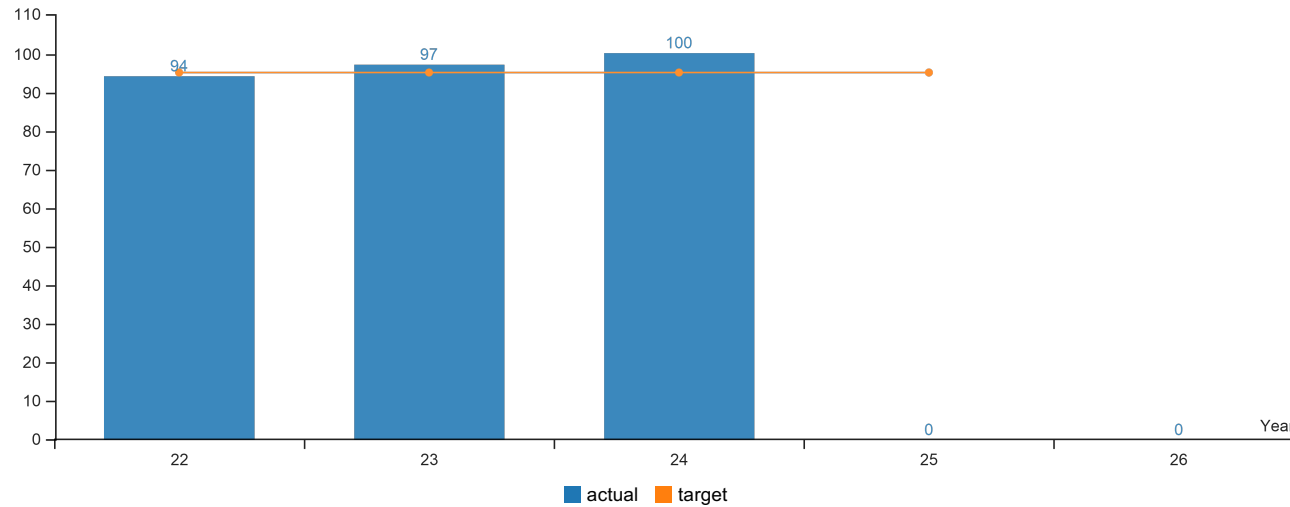| Report Year	2022	2023	2024	2025	2026
Metric Value					
Actual	53%	64%	65%		
Target	90%	90%	90%	90%	

How Are We Doing

Between July 1, 2019 and June 30, 2020, 64% of opinions were issued within the target. Between July 1, 2020 and June 30, 2021, 57% of opinions were issued within the target. Between July 1, 2021 and June 30, 2022 53% percent of opinions were issued within the target. Between July 1, 2022 and June 30, 2023 64% of opinions were issued within the target. Between July 1, 2023 and June 30, 2024 65% of opinions were issued within the target. However, for the opinions that were issued outside of the target, a few were issued within 3 days of the target, and the majority were issued within 7 to 14 days of the target.

Factors Affecting Results

In 2018 and 2019, two Board Members who had served on LUBA for 28 and 20 years, respectively, retired, resulting in a 66% turnover of the Board in approximately seven months. In addition, in 2019 and 2020, and again in 2021, LUBA experienced a full turnover of administrative support staff. The retirements of two Board Members and the ensuing transition as new Board Members on-boarded, and the delays caused by hiring processes and training for support staff has contributed to a delay in issuing final opinions within the target. In addition, between 2020 to 2022, LUBA faced operational changes, turnover, prolonged absences due to the COVID-19 pandemic and other protected leave, and difficulty filling vacant positions.

| KPM #2 | TIMELY SETTLE RECORD - Percentage of record objections that are resolved within 60 days after the record objection is received by LUBA. |
| | Data Collection Period: Jul 01 - Jun 30 |

Upward Trend = positive result

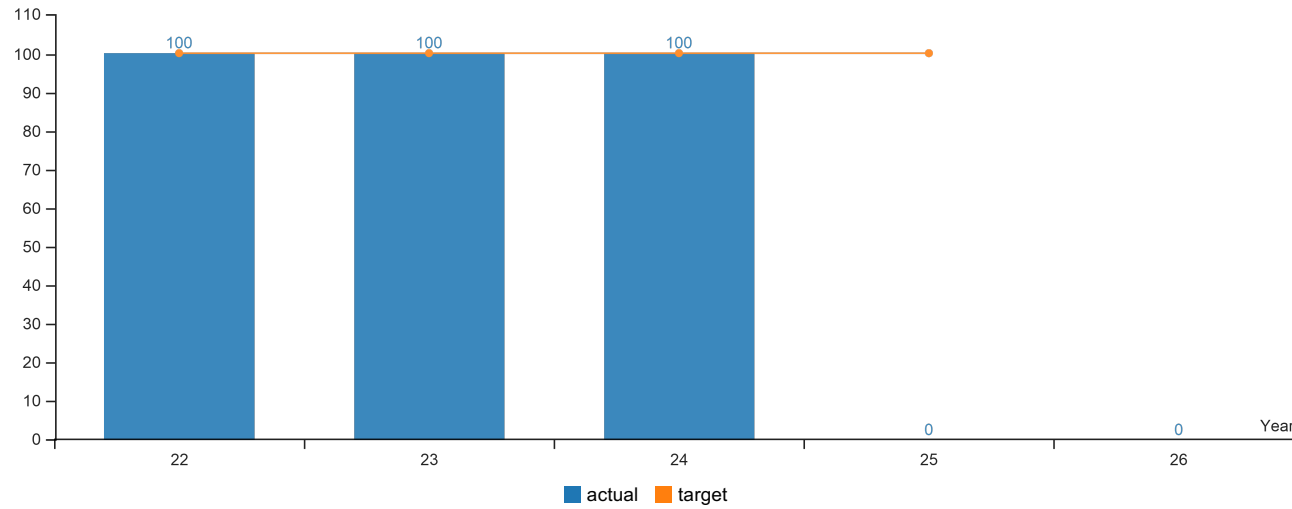| Report Year	2022	2023	2024	2025	2026
Metric Value					
Actual	94%	97%	100%		
Target	95%	95%	95%	95%	

How Are We Doing

LUBA is exceeding the target.

Factors Affecting Results

The addition of a second staff attorney during 2022 has helped the agency achieve the target by closely monitoring record objections and resolving them within the 60 day deadline.

KPM #3	RESOLVE ALL ISSUES - Percentage of decisions where all issues are resolved when reversing or remanding a land use decision.
	Data Collection Period: Jul 01 - Jun 30

Upward Trend = positive result

Report Year	2022	2023	2024	2025	2026
Metric Value					
Actual	100%	100%	100%		
Target	100%	100%	100%	100%	

How Are We Doing

Factors Affecting Results

KPM #4	SUSTAINED ON APPEAL - Percentage of final opinions that are sustained on appeal.
	Data Collection Period: Jul 01 - Jun 30

* Upward Trend = positive result
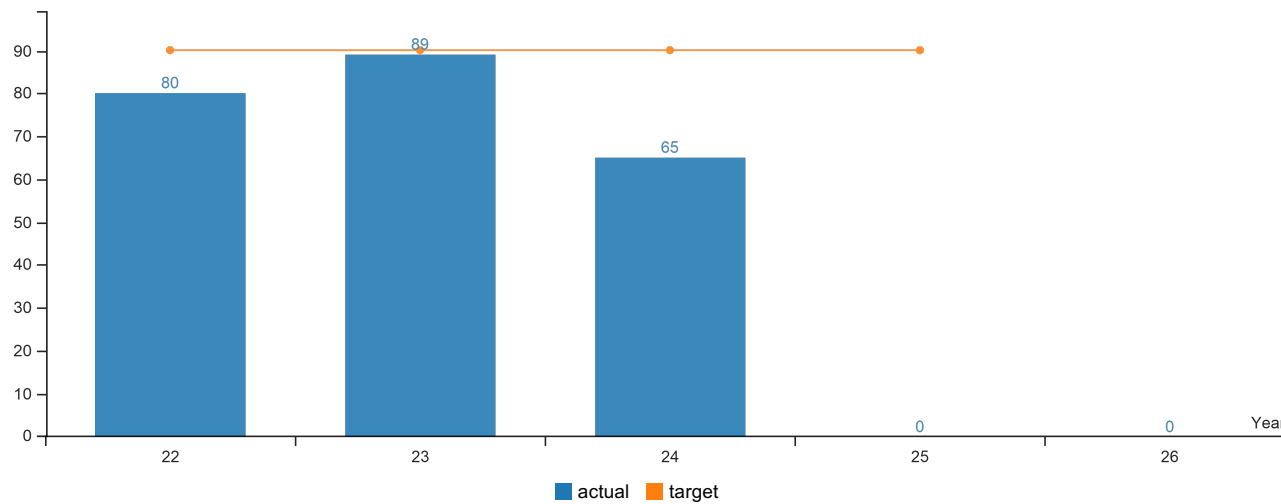
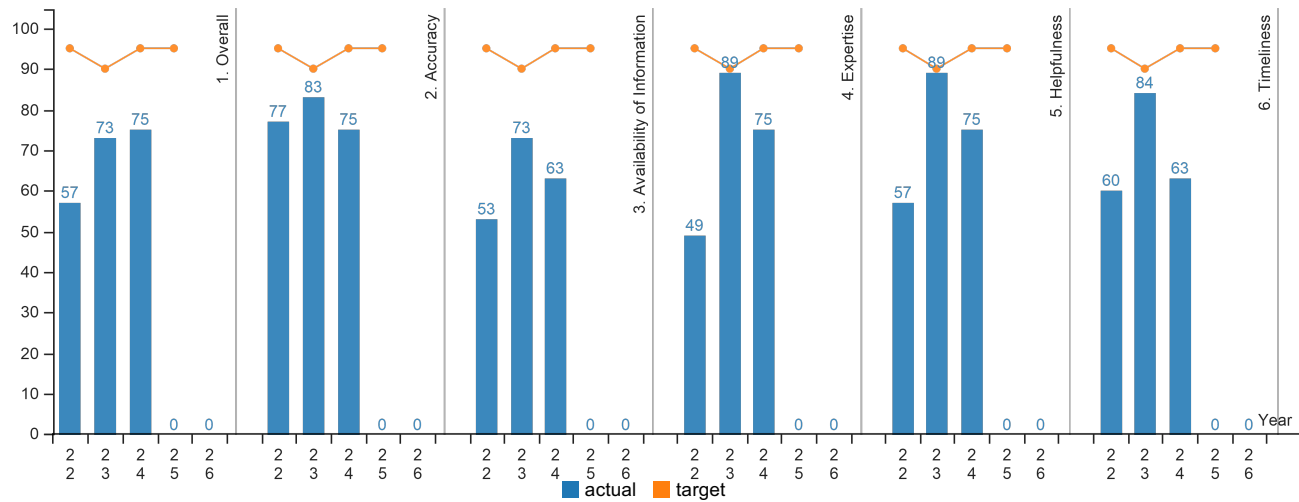| Report Year	2022	2023	2024	2025	2026
Metric Value					
Actual	80%	89%	65%		
Target	90%	90%	90%	90%	

How Are We Doing

LUBA opinions were affirmed on appeal (measured from the date the Court's Appellate Judgment is received by LUBA) 95% during the fiscal year ending on June 30, 2020, 89% during the fiscal year ending on 2021, 80% during the fiscal year ending on 2022, 89% during the fiscal year ending on 2023, and 65% during the fiscal year ending on June 30, 2024.

Factors Affecting Results

The last fiscal year presented several appeals with issues of first impression relating to complex issues involving the intersection of the land use system, housing development and resource lands and short term rental regulation.

KPM #5	CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.
	Data Collection Period: Jul 01 - Jun 30

Report Year	2022	2023	2024	2025	2026
1. Overall					
Actual	57%	73%	75%		
Target	95%	90%	95%	95%	
2. Accuracy					
Actual	77%	83%	75%		
Target	95%	90%	95%	95%	
3. Availability of Information					
Actual	53%	73%	63%		
Target	95%	90%	95%	95%	
4. Expertise					
Actual	49%	89%	75%		
Target	95%	90%	95%	95%	
5. Helpfulness					
Actual	57%	89%	75%		
Target	95%	90%	95%	95%	
6. Timeliness					
Actual	60%	84%	63%		
Target	95%	90%	95%	95%	

How Are We Doing

Factors Affecting Results