

**HB 5028 BUDGET REPORT and MEASURE SUMMARY**

**Joint Committee On Ways and Means**

**Prepared By:** Breanna McGehee, Department of Administrative Services

**Reviewed By:** Matt Stayner, Legislative Fiscal Office

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**Land Use Board of Appeals**

**2019-21**

PRELIMINARY

## **Budget Summary\***

|                     | <b>2017-19 Legislatively<br/>Approved Budget<sup>(1)</sup></b> | <b>2019-21 Current Service<br/>Level</b> | <b>2019-21 Committee<br/>Recommendation</b> | <b>Committee Change from 2017-19 Leg.<br/>Approved</b> |                 |
|---------------------|--|--|---|--|-----------------|
|                     |  |  |   | <b>\$ Change</b>                                       | <b>% Change</b> |
| General Fund        | \$ 1,952,556   | \$ 2,083,485                             | \$ 2,083,485                                | \$ 130,929   | 6.7%            |
| Other Funds Limited | \$ 33,700  | \$ 34,981                                | \$ 34,981                                   | \$ 1,281   | 3.8%            |
| Total               | \$ 1,986,256   | \$ 2,118,466                             | \$ 2,118,466                                | \$ 132,210   | 6.7%            |

## **Position Summary**

|                                      |      |      |      |      |
|--------------------------------------|------|------|------|------|
| Authorized Positions                 | 6    | 6    | 6    | 0    |
| Full-time Equivalent (FTE) positions | 6.00 | 6.00 | 6.00 | 0.00 |

<sup>(1)</sup> Includes adjustments through December 2018

\* Excludes Capital Construction expenditures

## **Summary of Revenue Changes**

The Land Use Board of Appeals (LUBA) is supported almost entirely by the General Fund. The Board generates a small amount of Other Funds revenues from filing fees, publication sales, and other miscellaneous fees.

## **Summary of Natural Resources Subcommittee Action**

The Board hears appeals of land use decisions made by state agencies, special districts, and local governments. In 1979, the Board was created by legislation to ease workload in the court system and provide a forum to resolve land use disputes quickly and consistently.

The Natural Resources Subcommittee approved a budget of \$2,118,466 total funds, which includes \$2,083,485 General Fund and \$34,981 Other Funds expenditure limitation. The total budget is a 6.7 percent increase from the 2017-19 Legislatively Approved Budget and is funded at the current service level. The budget includes six positions (6.00 FTE).

## **Summary of Performance Measure Action**

See attached Legislatively Adopted 2019-21 Key Performance Measures form.

**DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION**

Land Use Board of Appeals  
Breanna McGehee (971) 301-0189

| DESCRIPTION   | GENERAL FUND | LOTTERY FUNDS | OTHER FUNDS |            | FEDERAL FUNDS |            | TOTAL ALL FUNDS | POS | FTE  |
|---|--------------|---------------|-------------|------------|---------------|------------|-----------------|-----|------|
|   |              |               | LIMITED     | NONLIMITED | LIMITED       | NONLIMITED |                 |     |      |
| 2017-19 Legislatively Approved Budget at Dec 2018 * | \$ 1,952,556 | \$ -          | \$ 33,700   | \$ -       | \$ -          | \$ -       | 1,986,256       | 6   | 6.00 |
| 2019-21 Current Service Level (CSL)*                | \$ 2,083,485 | \$ -          | \$ 34,981   | \$ -       | \$ -          | \$ -       | 2,118,466       | 6   | 6.00 |
| <u>SUBCOMMITTEE ADJUSTMENTS (from CSL)</u>          |              |               |             |            |               |            |                 |     |      |
|   | \$ -         | \$ -          | \$ -        | \$ -       | \$ -          | \$ -       | -               |     |      |
| TOTAL ADJUSTMENTS                                   | \$ -         | \$ -          | \$ -        | \$ -       | \$ -          | \$ -       | -               | 0   | 0.00 |
| SUBCOMMITTEE RECOMMENDATION *                       | \$ 2,083,485 | \$ -          | \$ 34,981   | \$ -       | \$ -          | \$ -       | 2,118,466       | 6   | 6.00 |
| % Change from 2017-19 Leg Approved Budget           | 6.7%         | 0.0%          | 3.8%        | 0.0%       | 0.0%          | 0.0%       | 6.7%            |     |      |
| % Change from 2019-21 Current Service Level         | 0.0%         | 0.0%          | 0.0%        | 0.0%       | 0.0%          | 0.0%       | 0.0%            |     |      |

\*Excludes Capital Construction Expenditures

PRELIMINARY

# Legislatively Approved 2019 - 2021 Key Performance Measures

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**Agency:** Land Use Board of Appeals

**Mission Statement:**

To provide an accessible forum for resolving land use disputes quickly and efficiently and make LUBA decisions available as a decision making resource to state and local legislators, land use decision makers, property owners and the citizens of Oregon.

| Legislatively Approved KPMs   | Metrics                     | Agency Request | Last Reported Result | Target 2020 | Target 2021 |
|---|-----------------------------|----------------|----------------------|-------------|-------------|
| 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.         |                             | Approved       | 89%                  | 90%         | 90%         |
| 2. TIMELY SETTLE RECORD - Percentage of record objections that are resolved within 60 days after the record objection is received by LUBA.  |                             | Approved       | 96%                  | 95%         | 95%         |
| 3. RESOLVE ALL ISSUES - Percentage of decisions where all issues are resolved when reversing or remanding a land use decision.  |                             | Approved       | 100%                 | 100%        | 100%        |
| 4. SUSTAINED ON APPEAL - Percentage of final opinions that are sustained on appeal.   |                             | Approved       | 93%                  | 90%         | 90%         |
| 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. | Timeliness                  | Approved       | 97%                  | 95%         | 95%         |
|   | Expertise                   |                | 90%                  | 95%         | 95%         |
|   | Accuracy                    |                | 100%                 | 95%         | 95%         |
|   | Overall                     |                | 100%                 | 95%         | 95%         |
|   | Helpfulness                 |                | 98%                  | 95%         | 95%         |
|   | Availability of Information |                | 86%                  | 95%         | 95%         |

**LFO Recommendation:**

Approve the Key Performance Measures as proposed.

**SubCommittee Action:**

The Natural Resources Subcommittee approved the Key Performance Measures and Targets as recommended by LFO