

Oregon Department of Land Conservation and Development



DLCD

2021 Ways and Means Presentation Materials



Table of Contents

Executive Summary.....	Page 1
Agency Mission.....	Page 4
Agency Program Structure.....	Page 7
Key Performance Measures.....	Page 13
Agency Collaborations.....	Page 14
2021-23 Governor’s Budget.....	Page 15
2021-23 Budget Drivers and Risks.....	Page 16
Additions in 2021-23 Governor’s Budget.....	Page 16
Reductions in 2021-23 Governor’s Budget.....	Page 17
Current Projects.....	Page 18
Interim Budget Reductions 2019-21.....	Page 18
Agency Proposed Legislation 2021.....	Page 20
Policy Option Package Requests.....	Page 20

Appendices

NOTE: the DLCD 2021-23 Governor’s Budget may be found on the following webpage under the heading of “Department Budget”:

<https://www.oregon.gov/lcd/About/Pages/Administration-and-Support.aspx>

EXECUTIVE SUMMARY

The Oregon legislature created DLCD in 1973 to help “provide the highest quality of life possible” for Oregonians. Oregon Revised Statutes (ORS) 197.005-010 provides that DLCD should promote coordinated administration of land uses consistent with comprehensive plans adopted throughout the state. Statutory desired outcomes include providing for the health, safety, order, convenience, prosperity and welfare of the people of Oregon.

As Governor Brown has committed to diversity, equity and inclusion, DLCD in its entirety is committed to identifying disparities based on race, ethnicity and ability and addressing them through policy, program and technical assistance. Everything in this budget reflects that commitment.

From housing and economic development to ensuring opportunities for equitable community engagement, DLCD partners with local governments to create the more than 276 unique comprehensive plans that shape our cities and towns. These plans provide certainty for urban development while protecting natural resource lands for current and future generations. DLCD delivers on its statutory mission of protecting working lands and supporting community development through technical assistance, grants and direct service.

Growth management, responding to climate change, and the challenges of increasing housing supply are increasingly pressing today. Utilizing an approach to land development and associated public investments that recognize past harm, DLCD staff includes technical experts and regional staff work directly in and with communities for more equitable outcomes, centering the most vulnerable community members.

To implement this landmark land conservation and development program, DLCD’s core service areas are described below. A more extensive explanation of the department’s services is outlined in each Program Unit detail section and in our [Strategic Plan](#).

- **Climate Friendly, Equitable Communities:** Helping communities [respond to climate change](#) is part of DLCD’s core work in three ways: adaptation to climate change, mitigation of the increasing effects through land use and transportation planning and choice, and sequestration of carbon in Oregon farms, forests and estuaries.
- **Community Economic Recovery:** The COVID-19 pandemic presents an opportunity to rethink local codes and planning programs, and consider the best, most effective ways to use them as tools for recovery planning and community development. With the state’s Regional Economic Recovery Teams, staff are assisting local governments as the lead agency [Community Planning and Capacity Building \(SFR#1\)](#).
- **Comprehensive Plan Updates:** As part of our core work, we provide [broad assistance to local governments, state agencies and the public on land use](#)

[planning in Oregon](#). We review local comprehensive plans for consistency with the statewide planning goals and provide grants to local jurisdictions.

- **Diversity, Equity and Inclusion:** Aligned with Governor Brown's leadership on Diversity, Equity and Inclusion, director's office staff and managers are working within our program areas of planning, community services, ocean and coastal management to identify data sources that could be used to describe disparity from an urban planning perspective. Staff also are working with community serving organizations including local governments to develop strategies to reduce tangible disparities. We are updating our grant criteria with a requirement for equity analysis for submission and developing a dashboard of information to measure impact over time. The [charter for DLCD's Diversity, Equity and Inclusion](#) committee indicates internal as well as external action.
- **Employment Land and Economic Development:** Implementation of [Economic Development](#) ensures that cities plan and designate an adequate land supply for future economic development and employment growth in Oregon. DLCD offers a variety of resources to assist local governments in achieving their economic development planning goals. Staff provide training, information, and resources on economic development planning, with a particular focus on particularly economically disadvantaged communities.
- **Farm and Forest Lands:** Preserving Oregon [farm and forestlands](#) protects a key economic engine in our state. Our specialists and regional representatives assist local governments in planning and managing agricultural and forest land to provide a healthy environment and sustain Oregon's communities and economy.
- **Government to Government Relations:** Through our [Tribal Liaison program](#) with the guidance of the Legislative Commission on Indian Services, we support the coordination with the nine Federally-Recognized Tribes in Oregon.
- **Grants:** Grants are a critical element of Oregon's partnership with local governments in implementing the statewide planning program. We have long standing grant programs for local and regional governments to support a variety of planning activities. [DLCD's grant programs](#) are funded from state General Fund and Federal Fund sources. Our largest source of one-time grant money at DLCD, 3.4M dollars, for the implementation of House Bills 2001 and 2003 (2019) is statutorily directed to support increased housing choice and supply. Grant funds also provide for [population forecasts](#) for every city and county in Oregon.
- **Housing:** State law requires that communities identify and, with the private market, provide for the Oregonians. In 2019, the Oregon Legislature passed [House Bills 2001 and 2003](#). House Bill 2001 aims to provide Oregonians with more, and more affordable housing choices. House Bill 2003 aims to improve local housing supply

through development and implementation of localized housing production strategies.

- **Natural Resources and Renewable Energy:** DLCD staff support the implementation of state [natural resource protection goals](#) by promoting adoption of local protections for significant natural resource sites and collaborating with state and federal agencies.
- **Oregon Coastal Management Program:** the OCMP is Oregon's [federally approved coastal management program](#). Heavily funded with federal funds, OCMP staff at DLCD deliver data and technical assistance to coastal communities relating to coastal hazards and resilience, climate change adaptation, and estuary and territorial sea planning. Staff ensure that federal actions are consistent with our state program by reviewing federal permits, projects and funding.
- **Resiliency to Natural Hazards:** We help make a disaster-resilient Oregon by managing and supporting sustained, local mitigation planning. DLCD staff assist cities, counties, tribes and special districts with adding [natural hazards data](#) to land use plans and regulations. This advances local and state resilience and post-disaster recovery planning.
- **Rural Community and Economic Development:** Development in rural areas supports a variety of lifestyles and community needs. These are areas outside of urban growth boundaries and include both resource and non-resource lands. We provide assistance to local governments on the planning and management of rural lands in Oregon. In 2017, the Oregon Legislature set aside funds for DLCD to help eastern Oregon cities and counties prepare Economic Opportunity Assessments. We prioritized economically distressed counties with a population less than 20,000, [providing technical and consulting assistance to 32 cities in eight counties](#).
- **Technical Assistance:** DLCD staff includes planning specialists who provide expert advice in the areas of equitable public involvement, economic development, housing, urban and rural planning, preserving historic resources, farm and forest resources, natural resources, transportation, climate adaptation, natural hazards and floodplains, coastal and ocean policy, estuary planning, coastal shores, coastal permits, and local-state-federal coordination. The Oregon Coastal Management Program also provides mapping and [direct technical assistance](#) to community partners. [Technical assistance](#) grants stretch this assistance further into communities.
- **Transportation and Growth Management:** TGM is a joint program with the Oregon Department of Transportation that [supports local efforts to expand transportation choices by providing technical and financial assistance to local](#)

[governments](#). We link land use and transportation planning to create places where people can walk, bike, take transit or drive where they want to go.

- **Urban Planning:** All Oregon cities, large and small, plan for the future to help their residents and businesses thrive. We advise and assist cities so they can address their [community needs](#) for affordable housing, employment, parks and public facilities.

MISSION STATEMENT AND STATUTORY AUTHORITY

As stewards of Oregon’s visionary land use planning program, the department helps communities and citizens plan for, protect and improve the built and natural systems that provide a high quality of life. In partnership with local governments, we foster equitable, sustainable and climate prepared communities and protect our way of life and natural resources legacy.

LCDC and the DLCD operate under the Oregon Revised Statutes, the Oregon Administrative Rules and the statewide planning goals.

The program rests on a foundation of 19 statewide planning goals that are implemented through city and county comprehensive plans. The goals are broad statements of adopted state policy for local governments to use in developing comprehensive plans and land use ordinances. At the program’s creation, LCDC and DLCD conducted an extensive public outreach effort. More than 100 public hearings and workshops were held and more than 10,000 Oregonians participated. Originally developed in the 1970’s, the goals have been amended over time. Most of the goals are accompanied by “guidelines,” which are suggestions on how a goal may be applied and are not mandatory. However, the goals that have been adopted as administrative rules (Oregon Administrative rules Chapter 660, Division 015) and are mandatory. Oregon’s 19 planning goals state the following:

GOAL 1: CITIZEN INVOLVEMENT-To develop a public involvement program that insures the opportunity for the public to be involved in all phases of the land use planning process.

GOAL 2: LAND USE PLANNING-To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions. Requires local governments to take into consideration social, economic, energy and environmental needs, and to keep plans up-to-date.

GOAL 3: AGRICULTURAL LANDS-To preserve and maintain agricultural lands.

GOAL 4: FOREST LANDS-To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water and fish and wildlife resources and to provide for recreational opportunities and agriculture.

GOAL 5: NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES-To protect natural resources and conserve scenic and historic areas and open spaces for current and future generations. Promote a healthy environment that contributes to Oregon's livability.

GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY -To maintain and improve the quality of the air, water and land resources of the state. Air quality maintenance plans should be based on state rules and include transportation and industrial facilities.

GOAL 7: AREAS SUBJECT TO NATURAL HAZARDS -To protect life and property from natural disasters and hazards.

GOAL 8: RECREATIONAL NEEDS -To satisfy the recreational needs of the residents of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

GOAL 9: ECONOMIC DEVELOPMENT -To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare and prosperity of Oregon's residents. Base economic development plans on inventories of areas suitable for development.

GOAL 10: HOUSING -To provide for the housing needs of citizens of the state. Requires local governments to inventory buildable land and housing needs within urban growth boundaries.

GOAL 11: PUBLIC FACILITIES AND SERVICES -To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

GOAL 12: TRANSPORTATION -To provide and encourage a safe, convenient and economical transportation system that considers all modes, including mass transit, air, water, rail, highway, bicycle, and pedestrian. Plans are required to consider the social consequences of local plan implementation and minimize adverse social, economic and environmental impacts and costs, conserve energy, and meet the needs of the transportation disadvantaged.

GOAL 13: ENERGY CONSERVATION -To conserve energy.

GOAL 14: URBANIZATION -To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide to livable communities.

GOAL 15: WILLAMETTE RIVER GREENWAY -To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

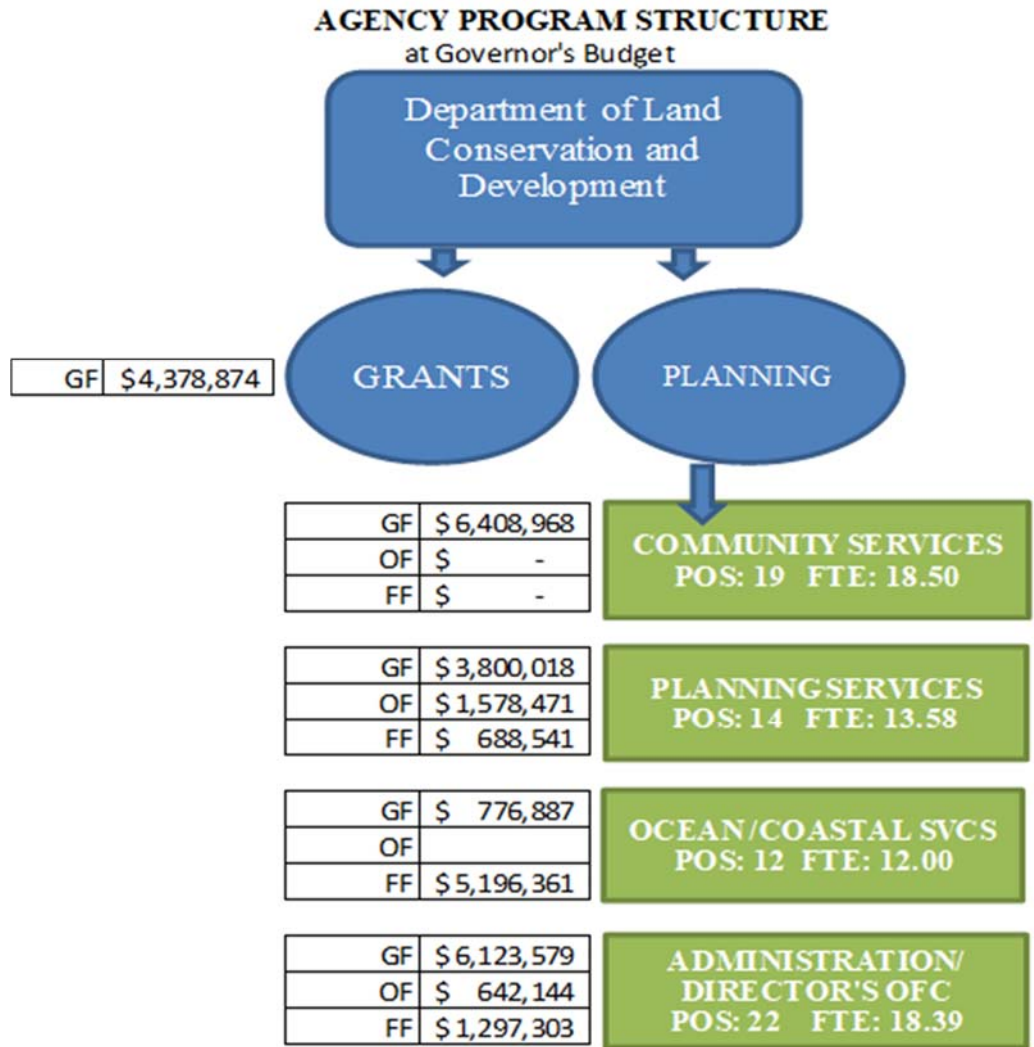
GOAL 16: ESTUARINE RESOURCES- To recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and to protect, maintain, and where appropriate develop and restore, the long-term environmental, economic, and social values, diversity and benefits of Oregon's estuaries.

GOAL 17: COASTAL SHORELANDS- To conserve, protect, and where appropriate, develop and restore, the resources and benefits of all coastal shore lands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics. The management of these shore land areas shall be compatible with the characteristics of the adjacent coastal waters; and to reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon's coastal shore lands.

GOAL 18: BEACHES AND DUNES- To conserve, protect, and where appropriate, develop and restore the resources and benefits of coastal beach and dune areas; and to reduce the hazard to human life and property from natural or man-induced actions associated with these areas.

GOAL 19: OCEAN RESOURCES -To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations.

Planning Programs



The Planning Program Unit contains four main organizational divisions through which the department provides services to local governments and Oregon residents:

- Direct support and planning assistance to local governments for local and regional housing, climate change adaptation and mitigation planning efforts is provided through the Community Services Division;
- Direct support and specialized technical expertise to coastal communities through the Ocean and Coastal Services Division and through the Community Services Division;
- Program expertise and policy analysis on specific planning areas, such as transportation, greenhouse gas reduction, natural resource protection, and natural hazards through the Planning Services Division;

- Operational services in support of internal agency support functions are provided through the Administrative Services Division; and in addition to management oversight and direction for the department's divisions, the Director's Office provides for geospatial and data analysis, policy development and support for the Land Conservation and Development Commission (LCDC), communications, and support for the Citizen Involvement Advisory Committee (CIAC) and the Local Officials Advisory Committee (LOAC).

DIRECTOR'S OFFICE /ADMINISTRATIVE SERVICES DIVISION

The Director's Office provides supervision and direction to the management and staff in carrying out the operations of the department and implementing the statewide planning program, including the policies and directives of the legislature, the Governor and the Land Conservation and Development Commission. The Director's Office includes the Tribal Liaison program and sets the strategy for Diversity, Equity and Inclusion for internal and external action. Each biennium, the Director's Office includes a substantial policy development function, to support LCDC and to work with other interests involved in land use legislation. As part of this work, the Director's Office works closely with the Citizen Involvement Advisory Committee, the Local Government Advisory Committee, and other community-serving organizations and interest groups.

The Administrative Services Division (ASD) manages the executive functions of the agency along with the Director's Office, provides external communications, maintains the department's computer infrastructure, administers human resource functions, and manages the agency's accounting, budget, and contracting functions. The division also oversees facilities and maintenance, and provides business-related support to agency programs and customers.

COMMUNITY SERVICES DIVISION

The Community Services Division (CSD) assists local governments in the implementation of the statewide planning program by providing education and technical assistance to local government planners and officials, the general public and interest groups. The division also provides financial assistance to urban and rural communities through grants.

Specific services provided by the CSD include:

- Implementing housing legislation passed in 2018 and 2019 including House Bills 2001 and 2003 to increase housing choice and supply for Oregonians;
- Support for COVID-19 recovery as part of the Economic Revitalization Team as the lead agency for Community Revitalization and Recovery;

- Advice and assistance concerning the application of state statutes, statewide planning goals, administrative rules and court cases to specific land use planning issues at the local level;
- Participation with other department staff in review of major urban growth boundary and urban reserve decisions;
- Administration of grants to local governments to support local and regional planning efforts;
- Review of local government comprehensive plan amendments and advice to local governments on issues related to compliance with state planning requirements;
- Review and approval of local government periodic review work programs and work tasks;
- Advice to local governments on comprehensive plan and ordinance organization and content;
- Helping communities assess their economic development opportunities and then implement a plan to realize those opportunities;
- Assistance in local and regional problem-solving regarding land use planning issues; and
- Coordination of local planning with the programs of other state and federal agencies, and special districts.

CSD maintains field offices, which are primarily located in Regional Solutions Centers, to provide direct, face-to-face assistance to local governments, tribal governments, other agencies, interest groups, and citizens. The regional representatives and specialists work directly with local government elected officials and planners. The regional representatives also deliver critically important customer service to local governments engaging in land use planning activities, especially comprehensive plan updates through plan amendments and periodic review processes. The department continues to implement a policy to place as many field staff as possible in or near the communities they serve. Currently the division has representatives in Bend, Medford, Eugene, Portland, Salem, Tillamook, Newport, and La Grande.

The division is responsible for two of the department's principal statutory duties: (1) the periodic review of the comprehensive plans and land use regulations of larger Oregon cities, to reflect legislative priorities for updating those plans, and to ensure continued compliance with statewide planning goals and address state and regional land use issues due to changes in population and the enactment of new state laws and agency programs, and (2) the review of amendments to comprehensive plans and land use regulations outside of periodic review to ensure compliance with state law including state statutes and the statewide planning goals.

The department's regional representatives work directly with the Regional Solutions / Economic Recovery Teams and local governments to address complex development issues and to identify and promote certified industrial sites. They are also responsible for working with local partners regarding the department's grant programs.

OCEAN AND COASTAL SERVICES DIVISION

The Ocean and Coastal Services Division (OCSD) contains two programs: 1) the Oregon Ocean Resources Management Program (ORS 196.405 to ORS 196.515); and 2) the federally approved Oregon Coastal Management Program (OCMP) (see Coastal Zone Management Act of 1972, as amended). These programs are part of Oregon's statewide planning program and are guided by four coastal goals that apply to estuaries, beaches and dunes, coastal shore lands, and ocean resources. The programs also include a network of local government comprehensive plans and state authorities and programs. Thus, 32 coastal cities and seven coastal counties are partners in implementing this program, as are state agencies whose programs and authorities apply to coastal resources and development.

1. Oregon Ocean Resources Management Program
OCSD also coordinates planning in Oregon's territorial sea. OCSD staff support the Ocean Policy Advisory Council (OPAC) in amending the state's Territorial Sea Plan (TSP). The OCSD also supports the marine reserve planning process primarily through data and decision support tools. The OSCD also developed MarineMap and now SeaSketch, spatial decision support tools designed to assist the stewardship of the Territorial Sea Plan through visualization of ocean data including natural resources, existing uses and important fishery areas.
2. Oregon Coastal Management Program (OCMP)
The OCMP's mission is to ensure that Oregon's coastal resources are conserved by assisting coastal communities to plan for development consistent with statewide planning goals and by coordinating the programs and activities of local, state, and federal agencies to meet state land use and coastal management policies. The program seeks to create a balance between conservation and development and to resolve conflicting private and public interests.

The OCMP program affects the geographic area of the Oregon coastal zone, defined as the area from the Columbia River south to the California border, and from the crest of the Coast Range to the seaward extent (3 nautical miles) of the state's territorial sea. The program involves local government coastal planners; city, county and special district elected officials, state and federal agency environmental and regulatory staff and private individuals affected by land use actions. Management decisions affecting Oregon's coastal and ocean resources can ultimately affect all Oregonians. Funding for the Ocean and Coastal Management Program comes primarily from an annual federal grant authorized under the federal Coastal Zone Management Act (CZMA) of 1972, through the National Oceanic and Atmospheric Administration (NOAA).

PLANNING SERVICES DIVISION

The Planning Services Division (PSD) provides technical assistance and policy consultation in natural hazards (especially floodplain), natural resources, transportation (including reducing greenhouse gas emissions), and Measure 49 authorizations for home sites where a loss in property value can be identified.

The division provides services implementing key DLCD's responsibilities, including:

- Collaborating with other state agencies and Regional Solutions Centers to link policies, programs and actions to find solutions for complex development issues at the local and regional level;
- Coordinating with partner state agencies on the state's greenhouse gas reduction strategy, focusing on the land use and transportation sector.
- Developing model ordinances, handbooks and other technical assistance materials;
- Conducting policy analysis work, including the review and development of legislation, new or amended statewide goals and administrative rules;
- Assisting local governments with updating zoning codes to promote great communities;
- Compiling and interpreting data and carrying out research to assist in policy development;
- Conducting workshops for citizens, planners, developers, decision-makers and others interested in land use issues; and
- Assisting landowner and local jurisdictions with implementation of the home sites authorized under Measure 49.

There are four sections within the Planning Services Division:

1. Transportation and Climate Change Mitigation – Reducing Greenhouse Gas Pollution from the Land Use and Transportation Sector
This includes a joint program with the Oregon Department of Transportation (ODOT) to work with local governments on transportation and growth management issues (TGM). The Planning Services Division (PSD) helps communities link their land use plans with their transportation plans and provides technical assistance and grants to special districts, cities and counties. The division also partners with ODOT in Every Mile Counts program to implement Executive Order 20-04 to reduce greenhouse gas emissions from transportation. PSD also develops policies and updates administrative rules for transportation planning, and supports local compliance.
2. Natural Hazards
The Planning Services Division works with flood-prone communities to help them plan for and regulate floodplains in ways that will reduce losses from flooding. By doing so, these communities are eligible to participate in the National Flood Insurance Program administered by the Federal Emergency Management Agency, which makes flood insurance available to their

residents. PSD also provides education and outreach to local governments, developers, realtors and the public to help them understand natural hazards and take steps to reduce risks. Staff in this division also update and maintain the Oregon Natural Hazards Mitigation Plan, centering vulnerable and historically marginalized community members.

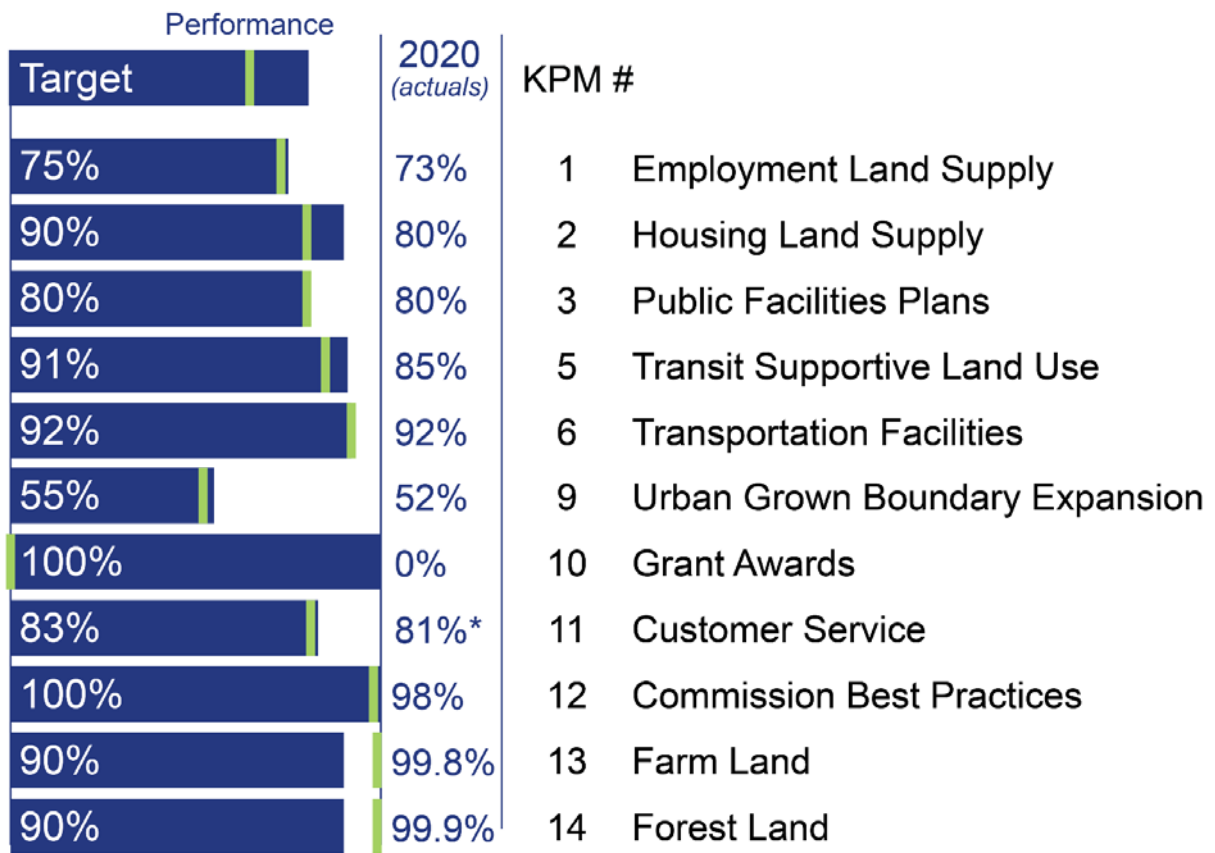
3. Natural Resources

Division staff work with staff at other state and federal agencies who have primary responsibility for specific natural resources to ensure that natural resources issues are integrated into the comprehensive plans and land use regulations of local governments. Staff in this division also support the interagency work of the 100-year vision and implementation strategy for water in Oregon.

4. Measure 49

Measure 49 was approved by the voters in 2007 to modify Ballot Measure 37 (2004) “to ensure that Oregon law provides just compensation for unfair burdens, while retaining Oregon’s protections for farm and forest uses and the state’s water resources.” The measure authorizes a specific, but limited, number of home sites for claimants who had previously filed M37 claims, and allows some M37 claims to continue if the development was “vested”. In addition, M49 allows for new claims to be filed, but only against new land use regulations. While processing of M49 authorizations based on M37 claims are now complete, ongoing assistance to landowners continues. Staff monitor and assist counties with implementing M49, and answer questions from property owners and others.

Key Performance Measures



*Represents an average of all categories of Customer Service

This shows the Key Performance Measures and DLCD's progress as reflected in the 2020 Annual Performance Progress Report (APPR). As you can see, we met our goal for KPM #'s 3, 6, 13, and 14. For KPM's #1, 9, 11, and 12, we fell just short of the goal. And for KPM #2 (Employment Land Supply) KPM #5 (Transit Supportive Land Use) and KPM #10, (Grant Awards) we have some work to do.

KPM #2 - Although the 90% target has not been met for this reporting period, the current result at 80%, marks a significant improvement in performance from last year's 69% mark, and a departure from the declining performance of this metric over the last five years. There are a few reasons that may account for this improvement. Housing affordability has been a key concern of the Oregon Legislature in recent years, and the passage of a series of housing-related bills has reinforced the importance of housing planning.

KPM #5 - This performance measure demonstrates whether local governments in metropolitan areas or other larger cities have adopted transit-supportive development regulations (i.e., assure that land use and public transit systems are integrated and mutually supportive). Transit-supportive regulations are necessary to allow development

at densities adequate to support transit service and to ensure that pedestrian and transit facilities are provided as part of new developments. Factors that have improved results in recent years include increased concerns about housing affordability, demographic changes, and the desire to reduce greenhouse gas emissions. Several of these aspects will be addressed in the greenhouse gas reduction rulemaking underway.

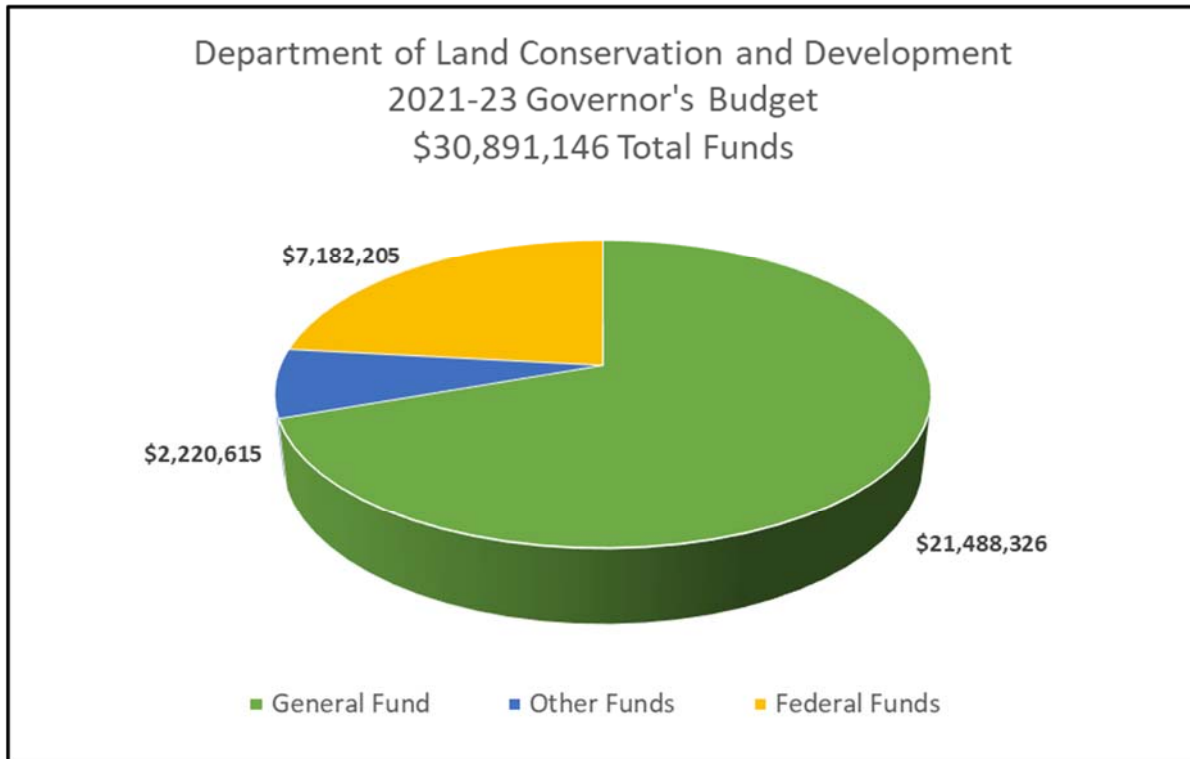
KPM #10 - The Legislature funded separate technical assistance grant programs for cities to comply with two new housing-related laws passed during the 2019 Legislative Session, HB 2001 and HB 2003. Several of the applications for this TA grant program were also potentially eligible for grants in the housing technical assistance grant programs, so department staff had to complete extra coordination to make sure which grants were qualified for which programs, make funding decisions accordingly, and then also develop a “contingency list” of applications that might be eligible for funding depending upon legal interpretation of the legislature’s adopted statutory language and potential legislative action in the February, 2020 session to modify that language. As a result, grant distribution took longer than is typical.

For a more detailed narrative, please see the 2020 Annual Performance Progress Report included in the appendices to this document.

Shared Programs and Collaborations

For a small agency, building strategic alliances is a critical component for success. DLCD has established foundational alliances with federal, state, and local stakeholders. Some examples are:

- Climate Change – DLCD partners with 25 other agencies to build a climate knowledge network.
- Transportation and GHG reduction – The department currently works with OHA, DEQ, ODOE, and ODOT on the Every Mile Counts program.
- Housing – DLCD has partnerships with OHCS, AOC, LOC, and housing providers.
- Natural Hazards Mitigation – The department works with OEM, DOGAMI, and Oregon Climate Change Research Institute.
- Oregon Emergency Response System – DLCD serves with 30 other state agency partners.
- Sage Grouse Conservation – In partnership with ODFW, the Governor’s office, and Federal BLM.
- Oregon Coastal Zone Management Program – Funded by NOAA in collaboration with 10 other state agencies.
- Population Forecasting – Funding is provided to PSU through DLCD’s General Funds grant program.



CRITERIA FOR 2021-23 BUDGET DEVELOPMENT

DLCD is funded through the General Fund, Federal Funds, and Other Funds. Federal Funds come from the Federal Emergency Management Agency (FEMA) for administration of the National Flood insurance Program and from the National Oceanic and Atmospheric Administration (NOAA) for planning and management of the Coastal Zone Management Program (CZM). Other Funds are derived from federal transportation funds, and FEMA funds for hazards mitigation. These primarily come through the Oregon Department of Transportation (ODOT), and the Office of Emergency Management (OEM). The department also collects a small amount of Other Funds revenue from miscellaneous receipts.

To develop our budget, DLCD identifies biennial priorities that provide timely and necessary services to local government with respect to gubernatorial and legislative priorities. Policy Option Packages, or POPs, are developed using these priorities. We focused on identifying ongoing needs within our programmatic work, gaps in our service, and new or emerging needs of the state or local governments. DLCD develops its policy option packages according to the LCDC-adopted biennial priorities, and in consultation with community members, partner state agencies and others stakeholders.

DLCD accepts the [Governor's direction](#) to reconsider all our work through an informed equity lens. These strategies use data and other information to focus on the needs of historically marginalized community members through policy, engagement and investment strategies.

2021-23 Budget Drivers-

You can see below the top seven budget drivers for the DLCD 2021-23 biennial budget. These themes are imbedded in each of our budget requests; and all envisioned through an equity lens:

- Housing Needs
- Climate
- Hazards
- Economic Development
- Assistance to Local Governments
- Legislative Mandates

Budget Risks

New legislation requiring Rulemaking, Technical Assistance or both. – In each legislative session there is the possibility that DLCD could receive multiple mandates that require the Agency to absorb the costs related to rulemaking. Although this does not have a large impact individually, the collective impact can be substantial.

Competing Demands on Limited Staff Time – DLCD's total funds budget has grown by over 40% in the last 10 years, but staff counts have not grown proportionately. Continuing this trend could limit the Agency's ability to respond to the unanticipated planning needs of Oregonians.

Unpredictable Other Funds Revenue – Other Funds revenue is dependent on a number of factors outside of the control of the Agency. Current issues affecting Other Funds cash flow include insufficient beginning cash balances, and a reduced overall budget resulting from the August 2020 budget rebalance.

Unforeseen Measure 56/49 impacts – Unanticipated Measure 56 and Measure 49 impacts can be a substantial factor in balancing the DLCD budget. The Agency is currently engaged in Measure 56 reimbursements to counties that could total \$50,000 or more. The budget allotted to these reimbursements was eliminated during the August 2020 Budget Rebalance.

Federal Funds insufficiency – Although Federal Funds (FF) revenue received directly have represented a more stable funding vehicle for the Agency than Other Funds – FF revenue still represents a \$7.2 million biennial budget for the Agency. Federal budget cuts, or Federal grant changes could have a profound effect on our Ocean and Coastal Management Program.

Additions in the Governor's Budget

Rural Transportation Equity- \$1,000,000 - This appropriation would fund DLCD's work toward helping to increase resilience in the rural transportation system from an equity

perspective. This work will be done in coordination with ODOT and the Oregon Department of Energy (ODOE).

Environmental Justice in Land Use Scoping- \$800,000 - DLCD and the Land Conservation and Development Commission will lead a review of Oregon's land use planning goals and will work toward the development of new rules in support of environmental justice, equity and climate.

DOGAMI Geological Survey and Services (GS&S) – Arising from the proposed dissolution of DOGAMI, the Governor's budget recommended the transfer of seven staff and **\$4,889,242** in total funds to DLCD beginning in July 2022. The staff additions include six GS&S positions, along with one Accountant 3 to support grant accounting.

2021-23 Budget Reductions

The department has established the following criteria in developing its 2021-23 budget and in addressing possible legislative reductions to the program. The reduction criteria reflect the department's commitment to continue work on the agency's core mission, goals and strategic initiatives, even if funding is reduced.

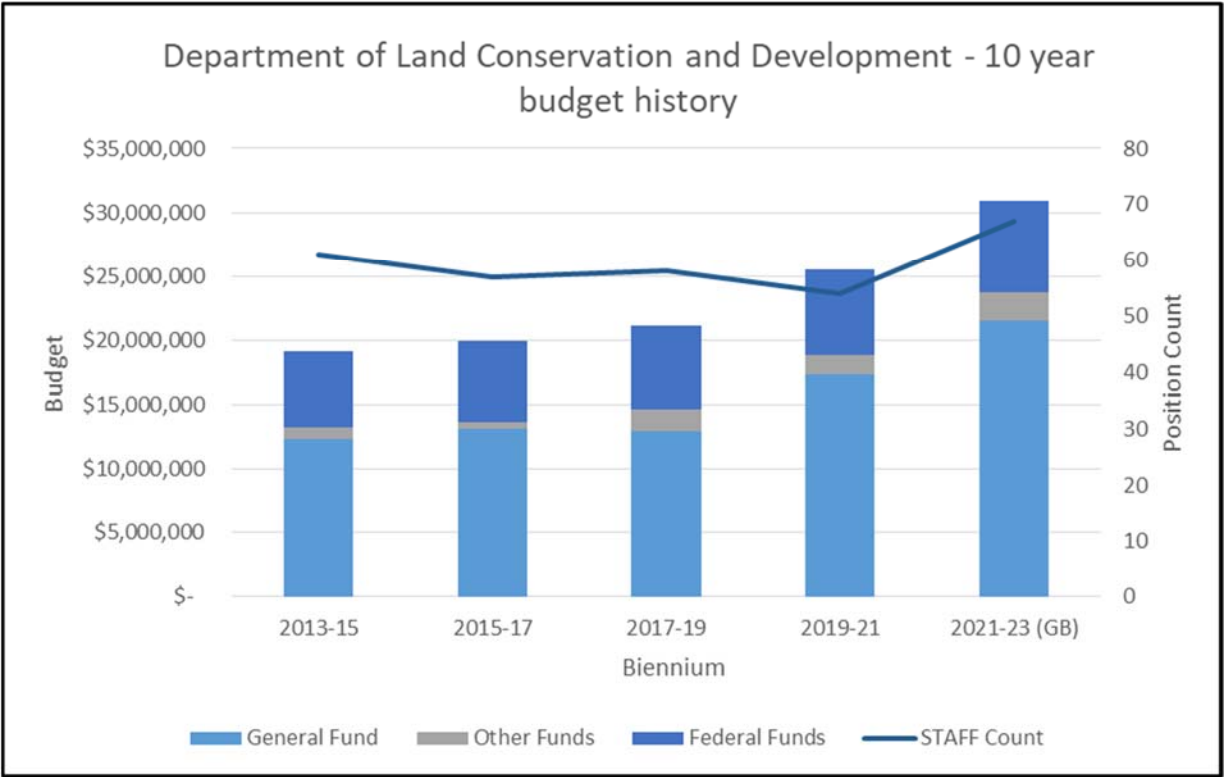
Criteria for developing 2021-23 Proposed Reduction Plan

In line with Governor and Legislative direction on climate, equity and modernizing housing policy, DLCD has organized its proposed reduction plan to protect this work and associated direct services to local governments and their residents.

Reserve capacity to assist local governments to update their housing plans in response to House Bills 2001 and 2003 (2019) and to complete UGB and urban reserve reviews in a timely fashion.

It is also critical to maintain capacity to support the work of the Commission, and resolve major land use issues (economic development planning, natural hazards mitigation planning, climate change, housing planning, coastal community resiliency planning, sage grouse conservation coordination, and transportation planning).

And finally, DLCD has made every effort to maintain appropriate controls in the Agency's central operations, minimize impacts on field staff, regional representatives, and retain capacity to provide direct technical assistance to communities.



2019-21 Projects

Housing Choice and Supply - In 2019, the Oregon Legislature passed legislation to provide Oregonians with more housing choices, especially housing choices more people can afford. The new law lets people build certain traditional housing types, like duplexes, in residential zones. These housing types already exist in most cities, but were outlawed for decades in many neighborhoods.

In particular, HB 2003 aims to improve local housing production strategies. The law requires medium and large cities to study the future housing needs of their residents and to develop strategies to make sure that housing is produced. The bill also directs the Oregon Housing and Community Services Department to look at what housing needs exist for the next 20 years in each region of the state and for all income levels, and to examine how those needs can be met.

2019-21 Interim Budget Reductions

During the August 2020 Legislative special session, DLCD received interim cuts to the 2019-21 budget totaling \$2,898,132 in GF. The summary of these cuts by appropriation is as follows:

Appropriation 81000 General Fund Planning Programs: (\$965,463)

- Laid off 3.0 FTE for 9 months

- Switched all staff to cell phone only and got rid of staff landlines
- Eliminated permanent vehicles and related parking spots
- Cancelled all training and employee professional membership reimbursement

Appropriation 83000 General Fund Grants: (\$289,301)
Reduction to Technical Assistance grants to local governments

Appropriation 81004 Mariculture/Shellfish : (\$17,000)
This reduction was covered by project contingencies

Appropriation 81005: (\$396,368)

- Laid off 0.5 FTE for 9 months
- Eliminated engineering consultant
- Eliminated travel

Appropriation 83001 HB2001 Grants: (\$1,115,000)
Reduction to grants to local governments

Appropriation 83002 HB2003 Grants: (\$115,000)
Reduction to grants to local governments

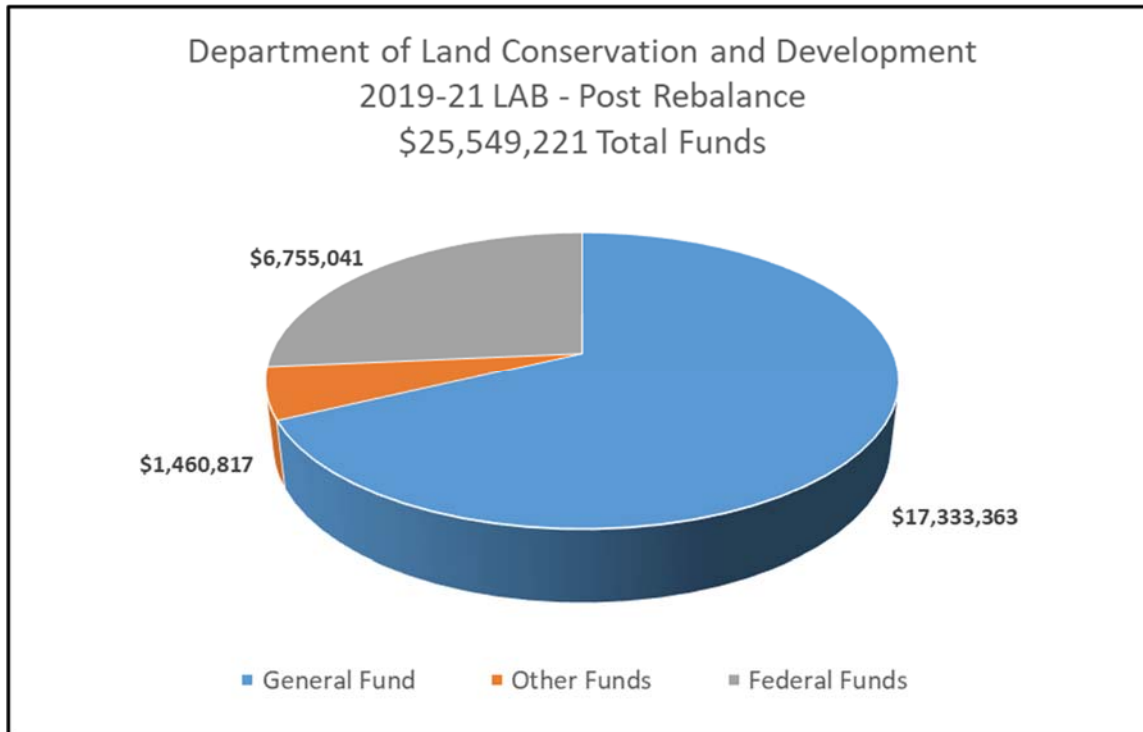
NOTE: Due to the timing of the August 2020 special session, the Department had only nine months to capture 12 months of vacancy/layoff savings from position funding elimination. The receipt of salary pot appropriation in December 2020 was impactful enough to allow the Department to manage within the remaining appropriations.

Covid Relief Funds - DLCD received Covid relief funds for reimbursement of agency costs as follows:

General Fund reimbursement - \$75,672.90

Other Funds reimbursement - \$32,188.83

These funds represented reimbursement for Covid related staff leave, as well as funds for sanitizing supplies and equipment for telework.



Agency Proposed Legislation

HB 2109 – This bill relates to county land use permits to establish renewable energy facilities, and is proposed by DLCD to correct an error in 2019 legislation (HB 2329) that established an alternative siting process for certain solar, wind and geothermal facilities.

Because of this error, counties are required to mail notices to affected property owners under Measure 56. DLCD must reimburse counties for these mailings. This error wasn't identified until 2020 so no funding was provided for this purpose. Both key legislators and stakeholders support the intent of HB 2109.

Summary of Policy Option Package Requests Included in Governor's Budget

POP #110: Housing

This continues funding for six positions provided to implement [House Bills 2001 and 2003](#) to improve housing choice and supply. House Bills 2001 and 2003 worked together to create more housing choice at all income levels for Oregonians.

Procurement staff would continue to manage community-serving technical assistance grants and contractors provided to local governments. Planners would assist with code implementation, adaptation and customization. These positions would change from

limited to permanent duration as additional support is envisioned to implement requirements of meeting not just housing but location specific regional greenhouse gas reduction strategies. Starting this biennium, grants and technical assistance for community planning and development code updates would be available for cities less than 10,000, including smaller communities and more rural areas.

Housing Planning Policy Option Package Request						
	GF	OF	FF	TF	POS	FTE
Planning SCR	\$ 1,404,344			\$ 1,404,344	6	5.5
Grants SCR	2,500,000			\$ 2,500,000	-	-
TOTAL request	\$ 3,904,344	\$ -	\$ -	\$ 3,904,344	6	5.50

POP #111: Climate Change Adaptation

This POP requests general funding for DLCDC’s Climate Change Resilience Coordinator; which will allow the agency to implement the 25-agency 2020 [Climate Change Adaptation Framework](#). Currently, the position is funded by federal funds through a grant from NOAA, but the federal funding will expire at the end of the current biennium. If funding is continued through this POP request, the Climate Change Resilience Coordinator will continue working to assess state government’s response to changes in Oregon’s environment and economy resulting from changes to Oregon’s climate. This position would lead coordination of implementation with other agencies to conduct a vulnerability analysis and set associated budget and policy priorities.

The integrated, cross-agency vulnerability assessment of specific geographic areas, populations, or sectors that are more susceptible to climate change related impacts would provide Oregon specific data on the physical, economic, and equity considerations of climate change. This information would provide information to policymakers and agencies to better prioritize limited resources to communities based on agreed-upon goals such as threat to natural resources, places, people and businesses with the greatest vulnerabilities to a changing climate.

Climate Change Adaptation						
	GF	OF	FF	TF	POS	FTE
Planning SCR	\$ 578,070	-	-	\$ 578,070	-	-
Grants SCR	-	-	-	\$ -	-	-
TOTAL request	\$ 578,070	\$ -	\$ -	\$ 578,070	-	-

POP #112: Climate Change Mitigation

This would fund approximately one position to support local governments with the implementation of rules for metropolitan areas relating to land use and transportation planning. This work implements the [Statewide Transportation Strategy](#) and DLCD’s lead work on the four agency [Every Mile Counts](#) work program. The interagency Every Mile Counts work program supports implementation of Executive Order 20-04 to meet Oregon’s greenhouse gas reduction goals from the land use and transportation sector. This position would be focused on providing data and assisting local governments and Metropolitan Planning Organizations (MPOs) to support scenario planning, more equitable outcomes, and administrative rule implementation. This POP also includes \$768,900 in technical assistance funding for local governments and MPOs to modernize their codes and prioritize context-specific regional actions.

Climate Change Mitigation						
	GF	OF	FF	TF	POS	FTE
Planning SCR	231,100			231,100	1	0.88
Grants SCR	768,900			768,900		
TOTAL request	1,000,000	-	-	1,000,000	1	0.88

Appendices

- A. Other Funds Balance Report
- B. Detailed Reductions List
- C. Biennial Report
- D. 2020 Annual Performance Progress Report
- E. 2019 Annual Government-to-Government Report

UPDATED OTHER FUNDS ENDING BALANCES FOR THE 2019-21 & 2021-23 BIENNIA

Agency: Department of Land Conservation & Development
 Contact Person: Richelle Corbo, 971-375-3557

(a) Other Fund Type	(b) Program Area (SCR)	(c) Treasury Fund #/Name	(d) Category/Description	(e) Constitutional and/or Statutory reference	(f) (g) 2019-21 Ending Balance		(h) (i) 2021-23 Ending Balance		(j) Comments
					In LAB	Revised	In CSL	Revised	
Limited	001 Planning Programs	0020 - Main OF fund	Operations - Interagency Agreements	ORS 197.095 - 2019 Regular Session - HB 5027		33,562		149,521	Main sources are Transfers In from OEM and ODOT. Incorrect increase in revenues 2017-19, so 19-21 Base was adjusted by (\$709,177). Currently OEM is approximately \$115,000 behind in reimbursements. Projecting to have this resolved next biennium.
Limited	001 Planning Programs	0023 - Soils Assmt	Operations - Fee for Service	ORS 215.212 - 2010 Special Session - HB 3647		106,878		144,962	Revenues outpace expenditures
Limited	001 Planning Programs	0024 - City Ec Dev Pilot	Operations - Pilot Program in Madras	2018 Regular Session - HB 4031		36,743		0	Project will end and any excess funds will be returned to City of Madras
Limited	001 Planning Programs	0026 - CRF for GF Exps	Operations - Covid 19 related reimbursements for General Fund Expenditures	ORS 190.110 and 283.110 - Federal: Section 5001 of the CARES Act		0		0	
Limited	001 Planning Programs	0027 - CRF for OF Exps	Operations - Covid 19 related reimbursements for Other Funds Expenditures	ORS 190.110 and 283.110 - Federal: Section 5001 of the CARES Act		0		0	
Total					1,269,066	177,184	415,091	294,483	

Objective: Provide updated Other Funds ending balance information for potential use in the development of the 2021-23 legislatively adopted budget.

Instructions:

Column (a): Select one of the following: Limited, Nonlimited, Capital Improvement, Capital Construction, Debt Service, or Debt Service Nonlimited.

Column (b): Select the appropriate Summary Cross Reference number and name from those included in the 2019-21 Legislatively Approved Budget. If this changed from previous structures, please note the change in Comments (Column (j)).

Column (c): Select the appropriate, statutorily established Treasury Fund name and account number where fund balance resides. If the official fund or account name is different than the commonly used reference, please include the working title of the fund or account in Column (j).

Column (d): Select one of the following: Operations, Trust Fund, Grant Fund, Investment Pool, Loan Program, or Other. If "Other", please specify. If "Operations", in Comments (Column (j)), specify the number of months the reserve covers, the methodology used to determine the reserve amount, and the minimum need for cash flow purposes.

Column (e): List the Constitutional, Federal, or Statutory references that establishes or limits the use of the funds.

Columns (f) and (h): Use the appropriate, audited amount from the 2019-21 Legislatively Approved Budget and the 2019-21 Current Service Level at the Agency Request Budget level.

Columns (g) and (i): Provide updated ending balances based on revised expenditure patterns or revenue trends. **Do not include** adjustments for reduction options that have been submitted unless the options have already been implemented as part of the 2019-21 General Fund approved budget or otherwise incorporated in the 2019-21 LAB. The revised column (i) can be used for the balances included in the Governor's budget if available at the time of submittal. Provide a description of revisions in Comments (Column (j)).

Column (j): **Please note any reasons for significant changes in balances previously reported during the 2019 session.**

Additional Materials: If the revised ending balances (Columns (g) or (i)) reflect a variance greater than 5% or \$50,000 from the amounts included in the LAB (Columns (f) or (h)), attach supporting memo or spreadsheet to detail the revised forecast.

Oregon Department of Land Conservation and Development - Agency 66C

2021 - 2023 Biennium

Detail of Reductions to 2021-23 Current Service Level Budget

1	2	3	4	5	6	8	10	11	12	13	14	15	16
Priority (ranked most to least preferred)	Agency	SCR or Activity Initials	Program Unit/Activity Description	GF	OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	Used in Gov. Budget Yes / No	Impact of Reduction on Services and Outcomes	
Dept	Prgm/ Div												

First 5% reductions

1	1		Planning	Eliminate the vacant PAPA specialist position	(63,775)				\$ (63,775)	1	0.50	Yes	The elimination of this vacant position would remove the Department's Plan Amendment specialist; which represents the only dedicated role for this purpose. This will mean that the responsibilities will continue to be shared by several other employees, and response times will be slower.
2	2		Planning	Reduce budget for temporary staff	(26,961)				\$ (26,961)			Yes	Removal of this budget item will eliminate the ability for DLCD to hire temporary workers to assist with the many critical projects in the Department that are not funded by outside sources.
3	3		Planning	Reduce budget for travel and office supplies	(66,375)				\$ (66,375)			Yes	DLCD's normal operations requires substantial travel from many key employees, along with the DLCD Commissioners. Cuts to this budget will mean fewer commission meetings in the field, and reduced travel by the Department's regional representatives.
4	4		Planning	Reduce facilities rent	(120,319)				\$ (120,319)			Yes	This reduction will require the closure of one (or more) of DLCD's satellite offices.
5	5		Planning	Reduce budget for Professional Services	(41,193)				\$ (41,193)			Yes	This reduction will reduce the amount that the Department has for engaging professional planning support for the many ongoing projects required to complete our core work.
6	6		Planning	Reduce Database Administrator position to 1/2 time	(140,814)				\$ (140,814)		0.50	Yes	This reduction will mean that administration and maintenance of the many database systems in the Department will need to be covered by a single part-time employee, with no additional funds for IT projects and upgrades.
7	7		Planning	Eliminate Measure 49 Specialist Position	(289,623)				\$ (289,623)	1	1.00	No	Elimination of such a critical position in one of the State's most populous regions is already being felt due to the extended vacancy in the role. This gap has been particularly hard to cover given the wildfire response. 2020 interim budget cuts required this vacancy savings; and DLCD's remaining regional representatives are already having a difficult time covering the need.

Second 5% reductions

Oregon Department of Land Conservation and Development - Agency 660

2021 - 2023 Biennium

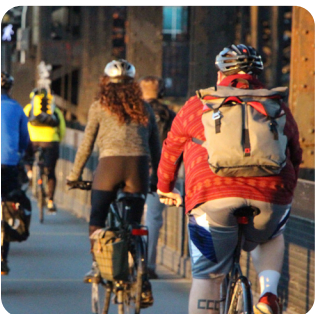
Detail of Reductions to 2021-23 Current Service Level Budget													
1	2	3	4	5	6	8	10	11	12	13	14	15	16
Priority (ranked most to least preferred)	Agency	SCR or Activity Initials	Program Unit/Activity Description	GF	OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	Used in Gov. Budget Yes / No	Impact of Reduction on Services and Outcomes	
Dept	Prgm/ Div												
8	8		Planning	Reduce budget for DOJ expenses	(42,296)				\$ (42,296)			Yes	DOJ expenses for DLCD are hard to project, and can represent a budget category that can vary widely. A reduction of this amount could mean that the Department would need to make an Emergency Board request if a substantial unexpected need for legal support arises.
9	9		Planning	Eliminate vacant Willamette Valley regional representative position	(289,623)				\$ (289,623)	1	1.00	Yes	This position is the Department's expert on Measure 49. If this role is eliminated, there would be no dedicated Measure 49 specialist at DLCD.
10	10		Grants	Reduce GF Grant Funds	(417,140)				\$ (417,140)			Yes	This would be a substantial reduction to the GF Grants program administered by DLCD, which is already at the lowest point in five biennia. GF grants are the ongoing funds used to give grants to local governments.
					(1,498,119)	-	-	-	\$ (1,498,119)	3	3.00		

Target \$ (1,498,119)
 Difference \$ -

CSL GF total	\$	14,981,191
5%	\$	749,060
10%	\$	1,498,119

Oregon Department of Land Conservation and Development

Biennial Report 2019-2021



DLCD

Planning for thriving communities and protecting our natural resources legacy.

*This document is currently a **draft**. Information contained herein is subject to future revision.*

About this report

With all the challenges of the 2020 calendar year, this 2019-21 Biennial Report shares the Oregon Department of Land Conservation and Development (DLCD) accomplishments, themes in our work, and our response to direction from the legislature, the Governor, and the Land Conservation and Development Commission. It also features work inspired by the ideas and contributions of our staff and regional representatives, many of whom are experts in their field. Agency initiatives come from listening to the needs of Oregon communities, partner state agencies, and cities and counties.

With COVID-19, this biennium included a major shift to telework, then reduced services to support the state budget rebalancing needs. In September, many staff turned their focus to wildfire response as DLCD leads the state's Community Resilience and Capacity Building efforts.

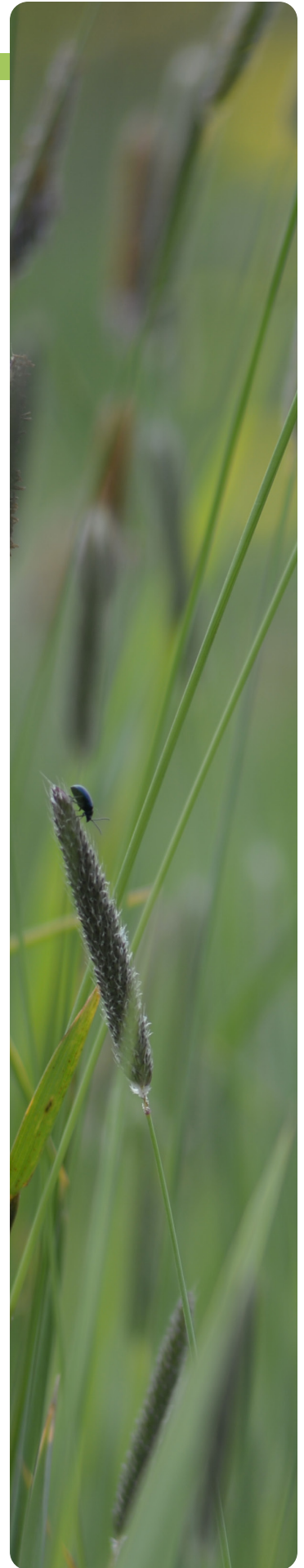
This report illustrates the ways our department continues to evolve to meet the changing conditions in our state, our environment, economic development opportunities, and the political will of the State. Our 2014-22 Strategic Plan creates the roadmap that guides our actions and also creates the framework for the content and flow of this report. In the pages that follow, you will find numerous examples of the ways the department has responded to the legislature and communities throughout Oregon.

We are proud to support Governor Brown's focus on Diversity, Equity and Inclusion. While we are making progress on these fronts in our rulemaking initiatives, there is more to be done. We are committed every day to making Oregon the best place it can be.

We welcome your review and feedback on this material. We hope that it reflects the dynamic relationship the department has with Oregon's communities and our partners.

Thank you,

Director Jim Rue



Contents

About this report	3
Agency Mission	6
Agency Service Priorities	7
What We Do	8
Land Conservation and Development Commission (LCDC)	9
Government-to Government Relations	10
Grants for Local Governments	12
General Fund Grant Program.....	12
Technical Assistance Grants	12
Oregon Coastal Management Program (OCMP) - Coastal Grants	14
Transportation and Growth Management (TGM) Planning Grants.....	14
Major Policy Initiatives 2019-2021	16
Housing Choice and Supply for Oregonians - House Bills 2001 and 2003	16
Regional Housing Needs Analysis	18
Executive Order (EO) 20-04	22
Citizen Involvement and Land Use Program Outreach Improvements	23
Rocky Habitat Rulemaking	23
Wildfire Response	24
Planning for Rural Community Economic Development	25
Program Achievements by Strategic Plan Goal	26
Goal 1: Conserve Oregon’s Natural Resources	27
Farm and Forest Lands	28
Oregon’s Agriculture Industry	28
Oregon’s Forest Lands.....	32
Coastal and Marine Resources	36
Assisting Coastal Communities.....	36
Estuary Updates.....	40
Habitat, Wetlands and Riparian Areas & Scenic, Historic, Cultural and Recreational Values	43
Supporting Native Species	43
Floodplain and Habitat Protection	44
2020 Floods and Ongoing Wildfire Response	45
Goal 2: Promote Sustainable, Vibrant Communities	46
Housing	47

Contents

Land Use and Transportation Planning	51
Transportation and Growth Management.....	51
The Education and Outreach Program.....	52
Transportation System Plan Assessment.....	53
Community Development Activities	53
Natural Hazards and Climate Change.....	54
Natural Hazards Mitigation Planning.....	54
The National Flood Insurance Program	60
Planning for Climate Change	61
Goal 3: Engage the Public and Stakeholders	62
Strong, Collaborative Partnerships.....	62
Citizen Involvement Advisory Committee (CIAC).....	62
Local Officials Advisory Committee (LOAC).....	63
Government to Government: Working with Oregon’s Tribes.....	63
Communication and Education	64
Goal 4: Provide Timely and Dynamic Leadership	66
Policy Development.....	66
Completed 2019-2021 Policy Projects	66
Ongoing 2019-2021 Policy Projects	68
New Policy Projects for 2019-21	71
Deferred Policy Projects	72
Local Government Capacity	73
State Agencies, Tribal and Local Governments.	76
Solutions to Immediate and Long-Range Challenges.....	78
Information Services.....	79
Goal 5: Deliver Efficient, Outcome-based, and Professional Resources.....	81
Professional and Efficient Operations	81
Key Performance Measures	85
DLCD Divisions and Offices	86
A Summary of Oregon’s Statewide Planning Goals.....	88

Agency Mission

Mission Statement

To help communities and citizens plan for, protect and improve the built and natural systems that provide a high quality of life. In partnership with citizens and local governments, we foster sustainable and vibrant communities and protect our natural resources legacy.

Guiding Principles

- Provide a healthy environment;
- Sustain a prosperous economy;
- Ensure a desirable quality of life; and
- Provide fairness and equity to all Oregonians

Strategic Goals

Goal 1: Conserve Oregon's Natural Resources

- Conserve productive farm and forest lands.
- Protect and conserve coastal and marine resources.
- Protect and conserve wildlife habitat, wetlands and riparian areas for their ecosystem values.
- Protect scenic, historic, cultural, and recreational values on rural lands.

Goal 2: Promote Sustainable, Vibrant Communities

- Support local governments to have complete and current comprehensive plans with sufficient development capacity (land supply and infrastructure) to accommodate expected growth and economic development.
- Support community efforts to expand transportation choices for well-functioning, well-designed, and healthy communities.
- Enhance local efforts to revitalize communities, seek public infrastructure solutions, and build community participation.

- Support local planning efforts to develop resilience to natural hazards, including those exacerbated by climate change.

Goal 3: Engage the Public and Stakeholders in Oregon's Land Use Planning Program

- Improve communication with and education of citizens and stakeholders.
- Develop strong, collaborative partnerships with people and communities through citizen involvement, outreach, and collaboration.

Goal 4: Provide Timely and Dynamic Leadership to Support Local and Regional Problem Solving

- Ensure short- and long-range policy development for the commission and department are delivered.
- Improve capacity of local governments to carry out their land use responsibilities.
- Develop and coordinate strategic initiatives with other state agencies, tribal and local governments.
- Seek solutions that address immediate and long-range challenges, in collaboration with key stakeholders and others.
- Manage and improve information services within the department and for use by a wide array of stakeholders.

Goal 5: Deliver Services that are Efficient, Outcome-Based and Professional

- Operate a professional organization that is efficient, operates according to best practices, and seeks to continually improve operations.
- Manage and provide services to local governments to support department and local objectives.

Agency Service Priorities

The Oregon Department of Land Conservation and Development (DLCD) works in partnership with local governments, and state and federal agencies, to address the land use needs of the public, communities, regions, and the state.

The Land Conservation and Development Commission (LCDC) provides policy direction for the land use planning program and oversees DLCD operations. We provide government to government collaboration and consultation with Oregon's nine federally recognized Tribes on issues of interest.

The department is organized into interrelated divisions, all of which work collaboratively to accomplish the work of the agency.

Ocean and Coastal Services: Oversees Oregon's federally approved coastal management program, provides planning grants, delivers data and technical assistance to coastal communities relating to: coastal hazards and resilience, climate change adaptation, estuary program updates, public access, and territorial sea plan implementation.

Planning Services: Provides technical expertise and services relating to transportation and growth management, natural hazards, climate change mitigation and property rights.

Community Services: Delivers broad technical assistance to local governments and state agencies regarding urban issues including but not limited to housing and economic development, reviews local plan amendments for consistency with the statewide planning goals, provides planning grants and represents DLCD on Regional Solutions Teams.

Administrative Services: Manages the executive functions of the agency through the Director's Office, provides external communications, maintains the department's computer infrastructure, administers human resource functions, manages the agency's budget, oversees facilities and maintenance, manages policy direction and Tribal liaison

responsibilities, and provides business-related support to agency programs and customers.

DLCD's Approach to Diversity, Equity and Inclusion

As a state agency, DLCD takes inspiration from Governor Brown's June, 2020 [State of Oregon Equity Framework in COVID 19 Response and Recovery](#) wherein she writes "...our state is at a juncture that demands our state government take proactive and anti-racist measures to build a more equitable Oregon while reflecting the state's values of accountability, equity, excellence, and integrity." DLCD responds with enthusiasm to this call. For too long has the very foundation of land use planning in Oregon been rooted in dislocation and disparity.

DLCD staff honor our Government to Government relation status and obligations with members of Oregon Tribal Nations. A staff-led Diversity, Equity and Inclusion committee has developed a draft agency work plan to guide our work over the next year. Our outreach and policy strategies center historically marginalized community members by ensuring the lived experience of being a Black, Indigenous or Person of Color, having Limited English Proficiency, living with disabilities, being extremely low income and / or homeless are represented in policy-making discussions. Agency staff are incorporating an equity lens in the work we do every day including but not limited to the Climate Change Adaptation Framework and its associated Equity Blueprint, the Climate Friendly and Equitable Communities rulemaking initiative and the recently completed rules for Housing Choice and Supply in accordance with the Oregon Legislature's 2019 House Bill 2001 and 2003.

What We Do

We help carry out the vision and legacy of Senate Bill 100, which for 40 years has contributed to the quality and character of the natural and built environment of the state. The program has been charged by the Legislature with managing urban growth; protecting farm and forest lands, coastal areas, and natural resource lands; and providing for safe, livable communities in concert with the vision of the local communities.

Under the statewide land use planning program, each city and county is called upon to adopt and maintain a comprehensive plan and an implementing zoning code consistent with 19 statewide planning goals. Recognizing that each city and county has unique values and aspirations, our job is to provide planning guidance and technical assistance to help communities plan for their future while considering the needs of the region and the state.

Helping cities and counties address these functions in the context of a wide range of state and local interests requires that we be problem solvers. The department's mission reflects this active role.



Newport, Oregon. Photo credit: Ken Gagne



Land Conservation and Development Commission (LCDC)

Oregon’s Land Conservation and Development Commission (LCDC), assisted by the department, adopts state land-use goals and implements rules, assures local plan compliance with the goals, coordinates state and local planning, and manages the coastal zone program.

The seven 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 full terms. The statute establishing the commission, ORS 197.030, requires the members be representative of certain regions of the state. At least one member must be or have been an elected city official in Oregon and at least one member must be an elected county official at the time of appointment.

Current commission members:

Robin McArthur – Commission Chair
Katie Pearmine – Vice-Chair
Anyeley Hallová
Gerardo Sandoval
Stuart Warren
Nick Lelack
Kaety Jacobson



Badlands Landscape, Oregon

The commission meets approximately every two months to conduct its business and direct the work of the department. Before COVID-related travel restrictions, LCDC held meetings in Condon, Tigard, and Reedsport. When the commission has a traveling meeting, it usually tours the local area, hosts a roundtable meeting for local, state, and tribal officials, and has an opportunity to hear from the Regional Solutions Team for that area.

The commission approves the department’s biennial Policy Agenda, which together with the department’s Strategic Plan, guides the policy creation and much of the programmatic agenda for the agency.

Government-to Government Relations

The department's working relationship with Oregon's nine federally recognized tribes is guided by statute and executive orders. The department has an active relationship with the Legislative Commission on Indian Services (LCIS) that includes serving on several regularly scheduled cluster and working groups comprised of state agency staff and tribal representatives. A report to the LCIS documenting the department's Government-to-Government activity is issued annually and can be accessed through the department's web page. A brief summary of those activities follow.

At the guidance of the then Legislative Commission on Indian Services Executive Director Mitch Sparks, agency staff invited consultation on the following rulemaking and major policy initiatives:

- Housing HB 2001 (Housing Choice) and HB 2003 (Housing Supply)
- Regional Housing Needs Analysis (HB 2003)
- Climate Change Adaptation Framework
- Climate Change Mitigation – Reducing

Greenhouse Gas Pollution

- State Natural Hazard Mitigation Plan Update
- Coos County Natural Hazard Mitigation Plan development
- Umatilla County Natural Hazard Mitigation Plan development

Ocean Coastal Management

In the 2019-21 biennium, the Oregon Coastal Management Program (OCMP) has also been working closely with the tribes through the West Coast Regional Planning Body and now the West Coast Ocean Alliance. The Oregon coastal tribes have been participating in these processes and the Ocean Data Portal. The department was pleased to have a fully participating tribal representative on the Ocean Policy Advisory Council.

In other coastal work, the Rocky Shores Management Strategy (TSP Part 3) update process has welcomed the guidance and participation of Tribal Nations. OCMP staff held tribal work sessions with members of the five coastal nations in advance of the formal designation process.



Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indian Chair and Vice-Chair meet with Land Conservation and Development Commission in Reedsport, Oregon, November, 2019

Government-to Government Relations



“Umatilla National Forest, Umatilla Breaks.jpg” by Forest Service Pacific Northwest Region is licensed under [CC PDM 1.0](https://creativecommons.org/licenses/by/4.0/).

Natural Hazards

DLCD Natural Hazards Team planners are working to engage Tribal Nations in Natural Hazards Mitigation Plan projects including those for the Burns Paiute Tribe, the Confederated Tribes of the Umatilla Indian Reservation, the Coos, Lower Umpqua and Siuslaw Indians, the Cow Creek Band of the Umpqua Tribe of Indians. Staff also invited consultation on development of the update of the State’s Natural Hazards Mitigation Plan.

DLCD’s Floodplain Manager has been supporting local communities that are processing floodplain development permits where members or representatives of Tribal Nations are the applicants. These are primarily for stream restoration projects and associated technical questions regarding the requirements. Nations include the Confederated Tribes of Siletz Indians of Oregon and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians.

Other Initiatives

Tribal Cultural Items. In November 2018 the Cultural Resources Task Force recommended, “agencies perform an initial survey of tribal cultural items within six months of orientation training of agency liaisons.” DLCDC submitted this report to the Governor’s office, LCIS and the

nine federally recognized Tribes on Wednesday, November 13, 2019. Agency staff provided a follow-up response regarding Goal 5 inventories on November 29, 2020.

Land Acknowledgement, Government to Government Relations. LCDC welcomes tribal participation at their [meetings](#) and makes an effort to coordinate with potentially interested Tribes well in advance. Developed with LCIS guidance, commissioners read a land acknowledgement statement at the beginning of commission meetings. Additionally, staff have developed a draft Land Acknowledgement Guidance document of which staff will request LCIS review in early 2021.

Regional Housing Needs Analysis. To implement House Bill 2003 on Housing supply and a Regional Housing Needs Analysis study required by the Oregon Legislature, Housing Policy Analyst Sean Edging has been reaching out to housing staff for each Tribal Nation.

Support for Local Governments

Oregon’s land use program serves all Oregonians through the work of 242 cities, 36 counties and one metropolitan service district, each of which is responsible for carrying out land use planning. It does this by ensuring that each local government engages its residents in planning for their future, and addresses issues that matter to the economic and environmental sustainability, resiliency, and vibrancy of the community. The department’s regional representatives and program specialists provide technical and financial assistance to support local planning efforts.

Grants for Local Governments

DLCD offers grants to empower local and tribal governments to improve planning. The grants can be used to update comprehensive plans, modernize land use ordinances, or augment other planning activities. The department has a variety of grant options for communities to consider. However, these grant programs are often tied to state (general fund) or federal budget allocations and may be periodically unavailable.

General Fund Grant Program

Managed by the Community Services Division, DLCD’s General Fund grants are used primarily for Oregon communities’ comprehensive planning and plan updates. The fund is divided into functional categories and made available for specific types of projects. The Grants Allocation Plan provides guidance on the grant application categories and the available funds for each category. The plan is developed by the Grants Advisory Committee with assistance from DLCD staff. The Land Conservation and Development Commission then approves the plan at the beginning of each biennium. The general fund grants must be awarded and spent within the biennium the plan is approved.

In 2020, with reduced state revenues due to the COVID-19 pandemic, the department was required to reduce technical assistance grant funding for the 2019-2021 biennium by \$289,000, an 18 percent reduction. As a result, the department reduced the Population Forecasting

GENERAL FUND GRANTS	ALLOTTED MONEY
Population Forecasting – Portland State University Population Research Center	\$505,000
Columbia Gorge National Scenic Area Counties	\$240,000
Grant Young Memorial Planning Assistance Grants	\$123,000
Dispute Resolution Grants	\$20,000
Technical Assistance Grants	\$736,850
Total	\$1,624,850

grant from \$505,000 to \$430,000, the Columbia Gorge grants from \$240,000 to \$206,000, and the Technical Assistance Grants from \$736,850 to \$571,814. The remaining monies were taken from reserve funds.

Technical Assistance Grants

On a biannual basis, the Oregon Legislature appropriates funds to assist cities with needed updates to various provisions of their comprehensive plans that they might not otherwise be able to afford. DLCD consistently receives three times the requests for funding as resources area available. Grant priorities are determined by members of the Land Conservation and Development Commission Grants Advisory Committee.

Example of Maupin, Oregon

Among the recommendations in the 2019 Economic Opportunities Analysis (EOA) was the rezoning of certain employment lands for residential uses as well as identifying potential residential lands that would more appropriately be used for commercial and industrial purposes. This, along with the realized and anticipated residential needs, made it important to follow up with a Housing Needs Analysis (HNA) in order to address the full picture of growth being experienced by Maupin. This project is currently underway with a great deal of public interest and a target completion date of May 30, 2021.



Small Group Discussion at a Community Economic Opportunities Analysis Advisory Committee Meeting, Maupin, Oregon. 2019.

Grants for Local Governments



Hood River Valley, Oregon.

2019 Awards

- **Baker City**, housing needs analysis
- **Canby**, economic opportunities analysis
- **Coos Bay**, buildable lands inventory and housing needs analysis
- **Coquille Indian Tribe**, Coquille Wharf master plan
- **Cornelius**, housing needs analysis
- **Deschutes County**, comprehensive plan update with focus on wildlife habitat and wildfire issues
- **Elkton**, land development and division ordinance audit and update
- **Gladstone**, housing needs analysis and development code amendments
- **Harney County**, an employment lands inventory and evaluation, and an economic visioning/opportunities analysis report - implementation of SB 2 (2019)
- **Maupin**, housing needs analysis
- **McMinnville**, urban growth boundary

‘In spite of the pandemic, with a DLCD Technical Assistance Grant, Oregon City was able to form a broad and diverse 35-member Project Advisory Team to guide and assist with updating their Comprehensive Plan. The Project Advisory Team meets virtually.’

Pete Walter, AICP, Senior Planner

“This [continued grant] funding is crucial for Hood River County to continue its role in protecting the Columbia River Gorge National Scenic Area within its boundaries.”

Eric Walker, Hood River County Community Development Director

- analysis
- **Newberg**, economic opportunities analysis
 - **Oregon City**, comprehensive plan update
 - **Pendleton**, local wetland inventory
 - **Philomath**, buildable lands inventory, economic opportunities analysis, housing needs analysis, and downtown main street plan
 - **Portland**, marine industrial lands analysis
 - **St. Helens**, an industrial lands study
 - **Shady Cove**, a buildable lands inventory and housing needs analysis;
 - **Sisters**, comprehensive plan updates to Goal 9 - Economic Development, Goal 10 - Housing and Goal 14 - Urbanization
 - **Springfield**, local wetland and riparian inventories & assessments for urban growth boundary (UGB) expansion areas
 - **St. Helens**, industrial business park master plan
 - **Wallowa County**, employment lands inventory and evaluation - implementation of SB 2 (2019)
 - **Warrenton**, economic opportunities analysis
 - **Woodburn**, development planning project for the city’s Southwest Industrial Reserve

“Having access to a Technical Assistance Grant was very important for a City the size of Sisters. Our community has experienced a high rate of growth lately and our Comprehensive Plan hasn’t been updated since 2005. The TA grant allowed us to do a full update.”

Scott Woodford, Community Development Director

Grants for Local Governments

Oregon Coastal Management Program (OCMP) - Coastal Grants

The OCMP typically assists coastal governments in their land use activities by providing federal money for comprehensive plan maintenance, plan amendments, and other land use activities. All coastal jurisdictions that have acknowledged comprehensive plans, that are also approved by the National Oceanic and Atmospheric Administration (NOAA), are eligible for a coastal planning assistance grant. However, these grants are only available if funds are provided by the federal government (NOAA).

At this time, any anticipated awards of new coastal planning assistance grants are suspended indefinitely. This is due to a funding penalty imposed by the January 30, 2015 EPA and NOAA disapproval of the State of Oregon's coastal nonpoint pollution control program. During the 19-21 biennium, the OCMP was able to award \$48,000 in technical assistance grant awards to seven local governments from federal funds. Cities and one county were awarded these funds to conduct special projects related to tsunami resilience land use planning and tsunami risk reduction as well as other hazard reduction.

COASTAL GRANT AWARDS	AMOUNT
City of North Bend	\$5,000
City of Waldport	\$5,000
Tillamook County	\$7,000
City of Bandon	\$6,000
City of Yachats	\$8,000
City of Astoria	\$10,000
Tillamook County	\$7,000

Transportation and Growth Management (TGM) Planning Grants

Transportation and Growth Management (TGM) is a joint program between DLCD and the Oregon Department of Transportation. TGM Planning Grants help local communities plan for transportation and land use needs that will increase transportation choices.

TGM awards grants on an annual basis. In the 2019-2021 biennium, the following grants were awarded:

TGM GRANT AWARDS	AMOUNT
2019 Grant Awards	
City of Albany	*
City of Cannon Beach	*
Clatsop County	\$118,300
Oregon's coastline is managed through a networked partnerships of state and federal agencies	
City of Jefferson	*
City of Oregon City	*
City of Portland (Lower Southeast)	*
City of Portland (Parkrose)	\$140,000
TriMet	*
Umpqua Public Transportation District	*
Wasco County	*

Grants for Local Governments

TGM GRANT AWARDS	AMOUNT
* Award negotiations in process	
2020 Grant Awards	
Bend MPO	*
Clackamas County	*
Confederated Tribes of the Umatilla Indian Reservation	*
City of Cottage Grove	*
Curry County Deschutes County	*
City of Estacada	*
City of Fairview	*
City of Florence	*
Lane Council of Governments	*
City of North Plains	*
City of Roseburg	*
City of Sweet Home	*

TGM GRANT AWARDS	AMOUNT
City of Tigard	*
* Award negotiations in process	
Code Assistance Projects	
City of Banks	\$59,660
City of Bay City	\$32,010
City of Lowell	\$57,460
City of Monmouth	\$33,700
City of Madras	\$142,800
Education and Outreach Projects	
City of the Dalles	\$25,900
Quick Response Projects	
Clackamas County	\$68,350
City of Fairview	*
City of Milwaukie	\$63,650
City of North Plains	*
* Award negotiations in process	



Economically vibrant downtowns – such as Oregon City’s, pictured – are a key part of TGM work. TGM sponsors the Oregon Main Street Conference, helping cities learn from each other. TGM has also provided grants for downtown visioning, streetscape, housing, and economic development plans.

Photo: Oregon City Main Street

Major Policy Initiatives 2019-2021

While the 2019-2021 biennium was full of challenges, including a worldwide pandemic and devastating wildfires in the summer of 2020, DLCD also focused on two long-term challenges to our state — housing shortages and climate change. The department’s major policy initiatives are in addition to our core work and were centered on addressing these complex issues.

On the issue of housing, DLCD primarily focused on the implementation of HBs 2001 and 2003 (2019), LCDC adopted four new sets of implementing rules in the fall of 2020. To accomplish these rule-writing processes, staff worked with a charge from LCDC and a diverse group of advisors to address housing choice and supply, equity, housing production and regional housing needs.

On the issue of climate change, DLCD undertook to implement Governor Brown’s Executive Order 20-04, reducing greenhouse gas pollution from the land use and transportation sectors and to continue on-going work to update the 2010 Climate Change Adaptation Framework. Substantial progress was made on each of these issues but particularly on housing with the adoption of the first-in-the nation statewide rules on middle housing.

Housing Choice and Supply for Oregonians - House Bills 2001 and 2003

In 2019, the Oregon Legislature passed, and Governor Brown signed into law, House Bill 2001 (HB 2001) and House Bill 2003 (HB 2003). These bills address housing choice and supply issues facing the state and its population.

HB 2001 aims to create more housing choices. The requires middle housing to be allowed in all areas zoned for single-family residential development for cities with population above 10,000 and, within the Portland Metro Urban Growth Boundary (UGB), all cities with population greater than 1,000 and urbanized portions of counties. Non-Metro cities (“medium cities”) between 10,000 and 25,000 population must

allow a duplex on all lots or parcels where single-family detached residences are currently allowed by city zoning. Cities greater than 25,000 population and the affected Portland Metro Area jurisdictions (“large cities”) must, in addition to the duplex requirement noted above, allow triplexes, quadplexes, townhomes, and cottage clusters in areas zoned for single-family residential development. Medium cities must allow duplexes by June 30, 2021. Large Cities must allow all middle housing types by June 30, 2022.

The bill has several other provisions that advance or are peripherally related to these basic requirements including directing the department to establish a process through which a city may request a deadline extension to enact middle housing provisions in areas with a significant infrastructure deficiency.

HB 2003 aims to increase housing supply. This bill has three key components, and several other provisions that are peripherally related to or refine these components. First, the bill directs Oregon Housing Community Services (OHCS) to develop a methodology and conduct a regional housing needs analysis (RHNA) for different regions of the state. DLCD is called to evaluate and report to the Oregon Legislature on the results, with an assessment of how to implement this new methodology if continued by the Legislature in its 2021 legislative session. Legislature (see discussion under Agenda Item #8). Second, the bill requires a city with a population of 10,000 or greater to update its housing needs analysis (HNA) once every eight years for cities outside of the Portland Metropolitan Area or once every six years for cities inside the Portland Metropolitan Area. Third, the bill requires these same cities to approve housing productions strategies (HPS) after completion of the housing needs analysis, proposing and implementing measures to ensure that needed and affordable housing gets built in the city.

In September 2019, department staff initiated a joint HB 2001/HB 2003 rulemaking process. With commission guidance, staff convened a

Major Policy Initiatives 2019-2021



Commission Liaisons Former Chair Jerry Lidz and Commissioner Anyeley Hallova opened the first Rules Advisory Committee meeting in October, 2019

rulemaking advisory committee (RAC) and a series of technical advisory committees (TACs) to assist in the development of rules in three key ways, 1) develop middle housing model codes and compliance requirements for medium and large cities; 2) create the process and criteria to be used for consideration of infrastructure-based time extension requests (IBTERs); and 3) formulate the review process, criteria, and required elements of Housing Production Strategies (HPSs). The advisory committees consist of a wide variety of housing, planning, and advocacy stakeholders and are co-chaired by two LCDC liaisons – Commissioner Anyeley Hallova and former Chair Jerry Lidz. The RAC and TACs met a total of 40 times between September 2019 and November 2020 to discuss, review, and refine the rules.

To inform the rule and committee guidance, staff conducted extensive community outreach via webinars and in-person meetings throughout various locations in Oregon. This outreach effort included a series of six community conversations on housing held in McMinnville, Medford, Beaverton, Milwaukie, Hermiston, and Redmond. Department staff also sought guidance from communities representing those

"They have worked hard to develop a set of rules that are solution-oriented, not a set of compromises."

Jerry Lidz, Former LCDC Chair

that have been historically impacted by housing policies or not able to or asked to participate in a major rulemaking process. These outreach efforts included focus groups with community organizations across the state, ensuring and supporting space for community members on the advisory committee roster. The department staff allocated funds for several groups to participate in focus groups or rulemaking advisory committee meetings. These organizations included the:

- Native American Youth and Family Center (NAYA)
- Portland African American Leadership Forum (PAALF)/ Imagine Black
- Community Alliance of Tenants (CAT)
- Lane Independent Living Alliance (LILA)
- Portland State Homelessness Research & Action Collaborative (HRAC)

Department staff also established a separate email address – housing.dlcd@state.or.us – to collect written comments. At each meeting, the

Major Policy Initiatives 2019-2021

rulemaking advisory committee and technical advisory committee considered comments the department received through this email address.

Oregon Administrative Rules implementing HB 2001 were adopted by LCDC in the second half of 2020 – Medium Cities Middle Housing Rules were adopted on July 23, 2020. Rules establishing the IBTER process were adopted at a special LCDC meeting on August 6, 2020. Large Cities Middle Housing Rules were adopted at a special LCDC meeting on December 9, 2020.

Oregon Administrative Rules implementing HB 2003 for Housing Production Strategies were adopted by LCDC on November 12, 2020.

Regional Housing Needs Analysis

HB 2003 directed Oregon Housing and Community Services (OHCS) to develop a methodology to estimate the number of households in each region and housing need for each income level now and over the next 20 years. The RHNA methodology allocates those housing units from the regional level to the city level. The result is an estimate of the number

of homes needed by household income level for each of Oregon's 241 cities. The bill also directed OHCS to conduct a pilot RHNA project to calculate housing needs on a regional level. OHCS developed a methodology to conduct a RHNA for all regions in the State of Oregon adapted from the existing RHNA model utilized in the State of California. DLCD staff have been working in conjunction with OHCS to complete this effort mostly in a technical support capacity.

The bill also directs DLCD to develop a report to the Legislature that provides an assessment of the RHNA conducted by OHCS, a comparison of a RHNA to the existing statewide housing capacity analyses, and recommendations for how a RHNA could best be incorporated into the existing statewide housing planning framework. There are various elements required in the report outlined by the bill, but fundamentally, the report will address three questions:

1. How the OHCS-recommended RHNA methodology compares to the existing statewide housing planning framework.
2. How a RHNA could be best implemented to support the legislative intent of better



House Bill 2001 and 2003 Community Conversation in McMinnville, Oregon

Major Policy Initiatives 2019-2021

achieving affordable, fair, and equitable housing outcomes.

3. If a RHNA is not implemented, what alternatives to a RHNA could be implemented that support the legislative intent of better achieving affordable, fair, and equitable housing outcomes.

Developing a comprehensive legislative report will require extensive dialogue with local governments, housing providers, advocates and other community members throughout the state. To reach these priority populations, staff has been engaging in various meetings to discuss implementation, equity, and regional considerations to incorporate into the report for Commission review in January, 2021. Meetings are organized into two broad categories: 1) meetings with local governments and entities to discuss broader, more regional considerations and 2), specific meetings with advocates and experts to discuss narrow implementation topics.

The report to the Legislature is due in March 1, 2021.

As part of this landmark bill ending exclusive single-family residential zoning in most of Oregon, the Oregon Legislature also allocated \$3.5 million in technical assistance for local governments to implement provisions of the bill in their comprehensive plans and development and zoning codes. In 2020 the Legislature cut this technical assistance fund to \$2.1 million in response to revenue losses resulting from the COVID-19 pandemic. However, the department was still able to fund all 33 proposed grant applications from 29 local governments required to implement the “middle housing” provisions of HB 2001. The department has obligated \$2,128,247 toward “middle housing” implementation.

Consistent with a budget note requiring consultation with the League of Oregon Cities and the Association of Oregon Counties, DLCD offered local governments two options for how to manage these contracts. The department offered direct services from state-approved code experts to local governments, or allowed local governments to choose and contract with their own chosen experts, with the department reimbursing their costs.



Infill middle housing in NE Portland. Photo credit: Gordon Howard

Major Policy Initiatives 2019-2021

House Bill 2001

Grant assistance by category follow.

CITY	TYPE	AMOUNT
Small Cities (10,000 - 25,000 Population)		
Coos Bay	Local Contract	\$80,000
Hermiston	State Contract	\$47,885
Newberg	Local Contract	\$60,000
Ontario	Local Contract	\$50,000
Pendleton	State Contract	\$51,918
Roseburg	State Contract	\$67,976
Silverton	State Contract	\$71,973
The Dalles	Local Contract	\$67,008

Large Cities (>25,000 Population + Portland Metro Counties & Cities > 1,000 Population)

Albany	Local Contract	\$100,000
Bend	Local Contract	\$14,105
Clackamas Co.	Local Contract	\$114,500
Corvallis	State Contract	\$65,732
Eugene	Local Contract	\$145,000
Grants Pass	State Contract	\$52,795
Gresham	State Contract	\$85,000
Hillsboro	State Contract	\$84,760
King City	Local Contract	\$29,500
Lake Oswego	Local Contract	\$42,500
McMinnville	Local Contract	\$20,000
Milwaukie	Local Contract	\$92,500
Portland	State Contract	\$50,000
Sherwood	Local Contract	\$100,000
Tualatin	State Contract	\$79,095
Washington Co.	Local Contract	\$80,000
West Linn	State Contract	\$80,000
Wilsonville	Local Contract	\$95,000
Woodburn	Local Contract	\$45,000

CITY	TYPE	AMOUNT
Infrastructure-Based Time Extension Request Analysis		
Forest Grove	Local Contract	\$56,000
McMinnville	Local Contract	\$75,000
Newberg	Local Contract	\$25,000
Portland	Local Contract	\$65,000
Woodburn	Local Contract	\$35,000

House Bill 2003

The Legislature included in this bill a technical assistance grant fund of \$1 million to assist local governments to complete housing needs analyses, complete more specialized housing studies called for in existing housing needs analyses, and work on prototype housing production strategies. Between the contracts listed below and some additional qualifying contributions to technical assistance grants, the department has obligated \$829,895 toward these projects. In 2020 the Legislature also reduced this grant fund amount due to COVID-19-related revenue shortfalls.

CITY	TYPE	AMOUNT
Housing Needs Analysis		
Ashland	State Contract	\$35,000
Coos Bay	Local Contract	\$28,000
Cornelius	Local Contract	\$40,000
Gladstone	Local Contract	\$26,160
Grants Pass	State Contract	\$45,173
Gresham	State Contract	\$40,000
Hermiston	State Contract	\$44,318
Happy Valley	Local Contract	\$70,000
Keizer	State Contract	\$18,000
Medford	State Contract	\$40,000
Newberg	Local Contract	\$10,000

Major Policy Initiatives 2019-2021

CITY	TYPE	AMOUNT
Portland	Local Contract	\$80,000
Tigard	Local Contract	\$42,000
West Linn	State Contract	\$42,042
Housing Strategy Implementation Plan		
Coos Bay	State Contract	\$29,987
Tigard	Local Contract	\$18,000
Housing Production Strategy		
La Grande	State Contract	\$49,960
Medford	State Contract	\$45,000
Tualatin	State Contract	\$50,005

"The City of Milwaukie is using a DLCD grant award to help fund a code amendment project that will result in code language that will begin to implement the city's new comprehensive plan. "This grant is matched with City funds when enabled us to include a much more robust public engagement strategy and include residential parking and urban forestry into the code amendment package – both of which must be part of the discussion when looking at middle housing particularly as the city has a goal of 40% tree canopy. Housing is a key goal of the City Council, which is why this set of code amendments was the first priority after adoption of the comp plan."

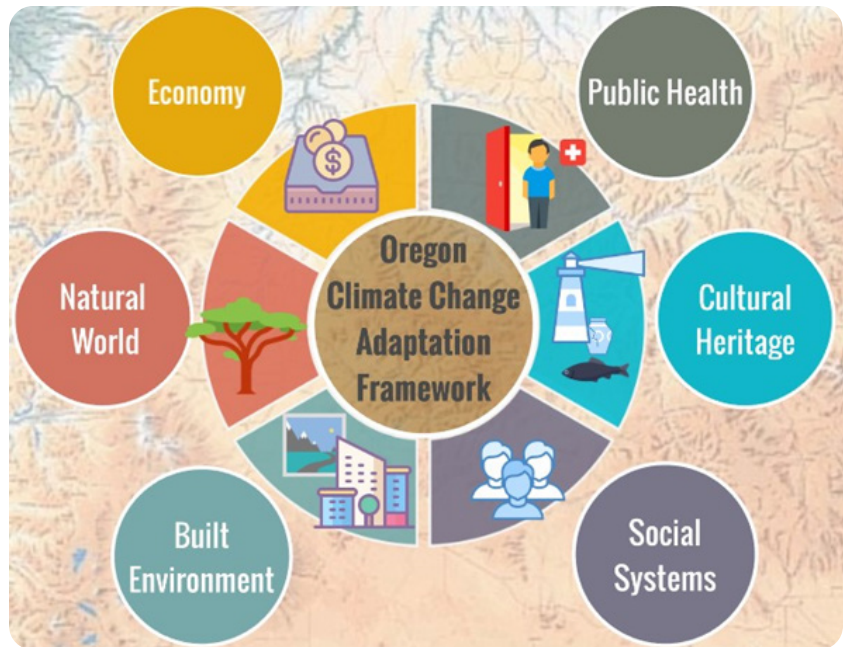
Vera Kalias, Senior Planner, City of Milwaukie

In addition, the department is negotiating a contract for \$30,000 with Portland State University Urban and Regional Planning faculty to prepare a guide for local governments to measure gentrification and displacement of historically marginalized communities as a result of housing development. The recommendations will include measures appropriate to mitigate and even reverse such displacement. Funds come from the HB 2003 technical assistance fund to benefit local government compliance.

Major Policy Initiatives 2019-2021

Executive Order 20-04

Governor Brown's Executive Order 20-04 directed DLCD to identify current and potential actions within its authority that reduce greenhouse gas (GHG) emissions and mitigate climate change impacts (Section 3D). Based on our 2019-21 Policy Agenda and input from policy and technical staff, DLCD has focused on the following actions during the 2019-2021 biennium:



1. DLCD expected to launch a project in the fall of 2020 to scope whether and how the Statewide Planning Goals and other implementing rules can be revised to incorporate climate mitigation, adaptation and sequestration. DLCD had planned to invite consultation with Oregon's nine Tribal nations and host several meetings with stakeholders to discuss whether the Statewide Planning Goals should be revised to reflect climate issues, what public process is appropriate for revising goals, what types of data or research would be useful, and how to fund potential future work. However, due to budget cuts enacted during the August 2020 Special Session, DLCD has forced to defer this project.
2. DLCD worked with 25 state agencies to update the 2010 Oregon Climate Change Adaptation Framework and, more importantly, recommend how best to implement programmatic and policy changes that will prepare our environment, economy, local governments, and people for the effects of climate change. Expected in December of 2020, the update will address how to collect information on current adaptation efforts, identify gaps in resources and efforts, address impacts to marginalized communities, and renew state government's focus on climate change adaptation. A diversity, equity, and inclusion toolkit were developed as part of this effort.

3. DLCD worked with the Oregon Department of Transportation, Oregon Department of Energy, and the Oregon Department of Environmental Quality to implement the Statewide Transportation Strategy. The four agencies developed an initial Statewide Transportation Strategy Multi-Agency Implementation Work Plan that covers a two year period, from June 2020-June 2022 and, as part of this work plan, DLCD has initiated the Climate Friendly & Equitable Communities rulemaking that will reduce greenhouse gas emissions from the transportation sector by requiring plans in metropolitan areas to meet greenhouse gas reduction goals.

In conjunction with the Oregon Global Warming Commission (OGWC), DLCD involved with the effort to implement Section 12 of Executive Order 20-04. This section directs the OGWC to submit a proposal to the Governor no later than June 30, 2021 that considers the "adoption of state goals for carbon sequestration and storage by Oregon's natural and working landscapes, including forest, wetland, and agricultural lands ..." By protecting the state's farm and forests through urban growth boundaries, Oregon's planning program already incorporates a fundamental policy of carbon

Major Policy Initiatives 2019-2021

sequestration. Also, knowing that Oregon's coastal resources sequester large amounts of carbon, DLCD intends to work with OGWC on how the proposal might account for the state's estuaries and other coastal resources.

As a member of the Governor's Interagency Workgroup on Climate Impacts to Impacted Communities, created by EO 20-04, DLCD helped develop policies to ensure that historically marginalized and rural communities, especially those most vulnerable to the effects of climate change, are included in state decisions, programs and grant criteria, such as those described in this memo.

Citizen Involvement and Land Use Program Outreach Improvements

The commission's Citizen Involvement Advisory Committee (CIAC) updated the agency's Public Participation Guidelines to follow current best practices. Committee members presented best practices on this work at the LCDC meeting in Tigard Oregon in September, 2019 and at the 2020 Oregon Chapter of the American Planning Association conference.

Rocky Habitat Rulemaking

The Oregon Territorial Sea Plan (TSP) was adopted in 1994 and provides detailed guidance to state and federal agencies to manage uses within the state's territorial sea. State ocean resources are governed by multiple authorities at different government scales, and the TSP acts as a coordinating framework from which individual agencies establish regulations and management activities. The current Rocky Habitat Management Strategy was included as a chapter of the initial TSP. The Oregon Ocean Policy Advisory Council (OPAC) has the responsibility to steward and periodically amend the plan as needs and conditions change, and as new information becomes available. Much has changed since the plan was adopted. The OPAC has determined it is time to assess and amend the Rocky Habitat Management Strategy to reflect these changes and proactively manage Oregon's rocky shores. DLCD is assisting the OPAC in the policy process of amending the TSP. This rulemaking is in progress.



CIAC members present to LCDC at Tigard in September, 2019.

Major Policy Initiatives 2019-2021

Wildfire Response

DLCD responded to the catastrophic 2020 fires in two ways. The first is temporary rules drafted by DLCD staff and adopted by LCDC to make it easier for local governments to approve transitional housing for those who lost their homes in the fires. The second is leading State Recovery Function (SRF) 1 “Community Planning and Capacity Building.”

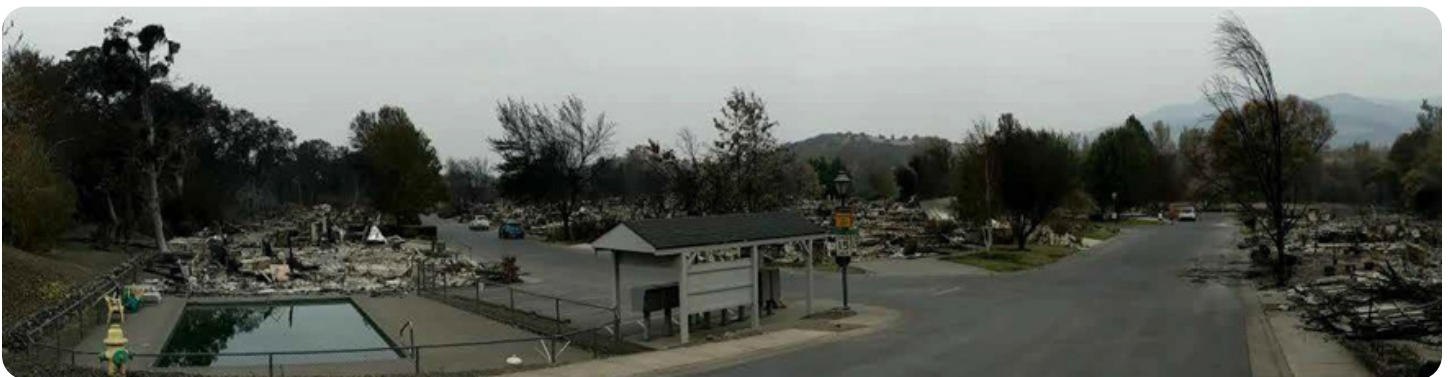
To support the recovery of local capacity for community planning, DLCD regional representatives have been in regular contact with cities and counties impacted by the fires. DLCD is watching for gaps in local capacity, and then looking for ways to fill any gaps.

In some cases DLCD staff have provided direct technical assistance to local governments to respond to the specific needs of that city or county. For example, Jackson County asked the DLCD regional representative to be the coordinator for housing planning for all of the burned areas, especially in the Cities of Talent and Phoenix. DLCD staff are training and supporting local staff to address the overlapping challenges of fire recovery in flood hazard areas. When a fire destroys or substantially damages

a building in a flood hazard area, the local government must ensure that rebuilding complies with federal flood hazard regulations, and carefully document compliance. Several cities asked DLCD staff to review local development regulations to identify changes that could be made to increase the amount of transitional housing that would be available. Regional representatives are participating with their Wildfire Economic Recovery Teams.

When cities and counties need help that goes beyond what can be provided directly by DLCD staff, DLCD has found outside assistance. For examples, DLCD staff are identifying recovery planning projects that would also address transportation planning, and thus would be eligible for funding from the Oregon Transportation and Growth Management Program. DLCD staff is also coordinating with the Oregon Office of Emergency Management, the Federal Emergency Management Agency (FEMA), non-profit organizations, and philanthropic funding sources to close gaps in local capacity for community recovering planning.

Also in wildfire response, Community Services Specialist Jon Jinings led a team of planners and



Aftermath of the 2019 Alameda Fire. Photo credit: Josh LeBombard

“Josh LeBombard and the DLCD has literally been the conduit in Jackson County for planning and setting emergency policy for the recovery of the long term housing within Talent city limits. But perhaps more importantly, for interim housing plans very specifically designed to bring our families back home, so we recover together. Talent owes our future to this great work.”

Mayor Darby Ayers-Flood, Talent, Oregon

Major Policy Initiatives 2019-2021

hazards specialists to develop the new temporary rule for shelter and interim housing, passed by LCDC 6-0 on October 22, 2020. Next steps will be to consider aspects for permanent rulemaking in 2021.

Planning for Rural Community Economic Development

Following up on the work of Eastern Oregon Economic Opportunities Analysis in 2017-2019, DLCD made an additional \$100,000 of technical assistance funds available to advance rural economic development planning.

In October 2019, DLCD engaged with ten Eastern Oregon counties on implementation of Senate Bill 2, which allows those jurisdictions to undertake countywide economic opportunities analyses to identify and designate up to 50 acres outside of urban growth boundaries for industrial and other employment uses. Funding designated to this project was sufficient to provide two counties with grants to support the analysis required by the legislation. The ten eligible counties were convened in early 2020 for an orientation to the initiative, during which it was mutually agreed that Harney and Wallowa Counties would pilot work under this legislation.

Both counties engaged PARC Resources, a planning consulting firm with deep experience working with rural communities in Oregon. Wallowa and Harney Counties have each completed several phases of the process including identifying and convening technical advisory committees (TACs) with local stakeholders, conducting economic trend analyses, creating county-wide inventories of vacant and available employment land, and identifying shared community economic visions. Beginning in November, both projects progressed to a public outreach phase to vet and ground truth the work of their TACs. Public meetings



Moro, Oregon. Photo credit: Kirstin Greene

and other outreach methods are unfortunately impeded by ongoing COVID-19 restrictions, but work on this project has been reasonably progressing toward identifying opportunities for expansion of employment lands in both counties.

DLCD continues to provide technical assistance to rural communities pursuing economic and community development throughout the state. The Eastern Oregon Economic Opportunities Analysis project, initiated in 2018, receives continuing support (despite a vacancy in the Eastern Oregon Regional Representative position) from DLCD's Economic Development Specialist, who joined the agency this year. DLCD continues to provide support for EOA adoption in these communities, including providing technical assistance and other planning support.

Program Achievements by Strategic Plan Goal

The department has five strategic goals as expressed in the 2017-2022 Strategic Plan adopted by LCDC. The remaining activities and outcomes in this report are arranged according to those goals. Subheadings within a goal indicate objectives that have been identified in DLCD's Strategic Plan.

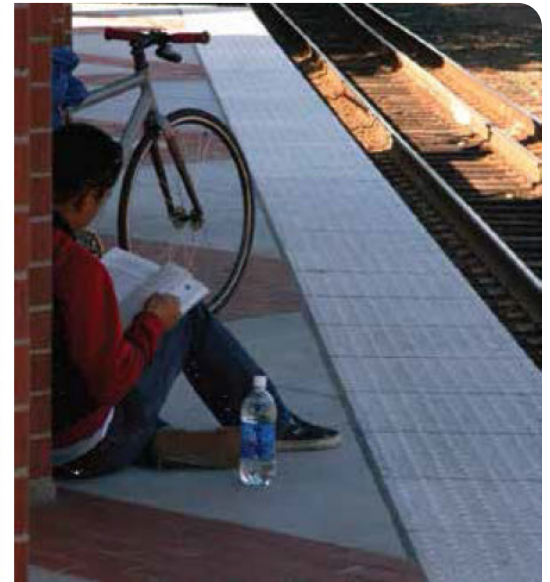
1. Conserve Oregon's Natural Resources

2. Promote Sustainable Vibrant Communities

3. Engage the Public and Stakeholders in Oregon's Land Use Planning Program

4. Provide Timely and Dynamic Leadership to Support Local and Regional Problem Solving

5. Deliver Services that are Efficient, Outcome-based, and Professional



Goal 1: Conserve Oregon's Natural Resources

Farm and Forest Lands, and Coastal, Scenic, Unique, and Other Natural Resources Lands are Planned and Managed to Provide a Healthy Environment, and Sustain Oregon's Communities and Economy

The protection of natural resources lies at the heart of Oregon's land use planning program. Oregon's agricultural lands, forest lands, rangelands, beaches, waters and other natural resources are important economic, environmental and social assets for local communities and for the state. The quality of life made possible by a healthy environment, open spaces, and access to recreation continues to attract new people and business to Oregon. Core department work and strategies identified in this first strategic goal apply primarily to rural areas outside urban growth boundaries.

"Working lands support many different kinds of fish and wildlife habitats. Sagebrush habitat on large ranches is critical for sage grouse. Flood-irrigated hay meadows in southeast Oregon sustain seasonal wetlands for migratory birds. Oak woodlands and savannas support almost 200 species of wildlife. And streams and rivers crisscross most working lands, providing fish habitat and wildlife corridors. Keeping farmers and ranchers who are good stewards of these lands in business through generational changes will help maintain these important habitats for years to come."

"How - and why - to save the family farm," Capital Press by Doug Krahmer and Bruce Taylor. November 14, 2018.



A variety of Oregon's working landscapes.

Goal 1: Conserve Oregon’s Natural Resources

Conserve productive farm and forest lands

For more than four decades, Oregon has maintained a strong policy of protecting farm and forestland. The state legislature adopted an agricultural land use policy in 1973. It calls for the “preservation of a maximum amount of the limited supply of agricultural land.” The purpose of this legislation was to retain agricultural land for food production and support the agricultural industries that are a critical component of Oregon’s economy. The Statewide Planning Goals similarly seek to ensure that forest resources remain available for timber harvest, wildlife habitat, natural resource values and recreation. The main tool for carrying out these policies is the statewide planning program.

Counties are required to inventory and designate farm and forest lands in their comprehensive plans, to zone these lands for exclusive farm use (EFU) or forest use, and adopt provisions to protect these lands from incompatible development through limitations on allowed uses, restrictions on land divisions and special assessment tax incentives.

Land use laws allow a variety of uses that support farm and forest operations, and other uses not related to farming or forestry. These uses range from farm-related dwellings, farm worker dwellings, farm stands, and farm and forest product processing facilities to parks, schools, and solar generation, to events, destination resorts, and golf courses.

Oregon provides persuasive evidence that zoning has been able to protect large areas of land from conversion to other uses, particularly sprawling residential subdivisions. The comparison to other parts of the country is stark, especially at the edges of urban areas, where in most states low-density residential development continues to leap-frog across the landscape, forcing the

premature conversion of farms and forestlands to other uses and encroaching into the wildland-urban interface.

Oregon’s Agriculture Industry

Agriculture is the second largest sector of Oregon’s economy contributing directly and indirectly \$12.12 billion in taxes, \$29.71 billion in wages and over 680,000 jobs¹ Oregon boasts a diverse landscape supporting a variety of agricultural activities. As reported in the 2017 Census of Agriculture, over 220 high-quality agricultural products are produced in the state. The top commodities produced reflect that diversity ranging from cattle and calves, hay, grass seed, milk, wheat, wine grapes, blueberries, hazelnuts, nursery products and Christmas trees. Important agri-clusters are located in all areas of our state.

Roughly 26 percent of Oregon’s land base – 15.9 million acres – is in nonfederal farm use, according to the 2017 USDA Census of Agriculture.² This includes all places from which \$1,000 or more is earned annually from the sale of agricultural products.

Emerging Issues on Agricultural Lands

Viticulture: Oregon has experienced substantial growth in its wine grape industry over the last 50 years. Oregon now contains 1,297 vineyards and 908 wineries. Total planted acreage in 2019 was 37,399 acres, an increase of 4% from 2018 with a commensurate increase in production of 5.4%.³ Sales growth >9% across all channels reflects the increasing demand for Oregon wines.⁴

Agritourism: There has been a growing trend and interest in recent years in a wide variety of types of agritourism and non-farm related events on farmland. Agri-tourism allows visitors

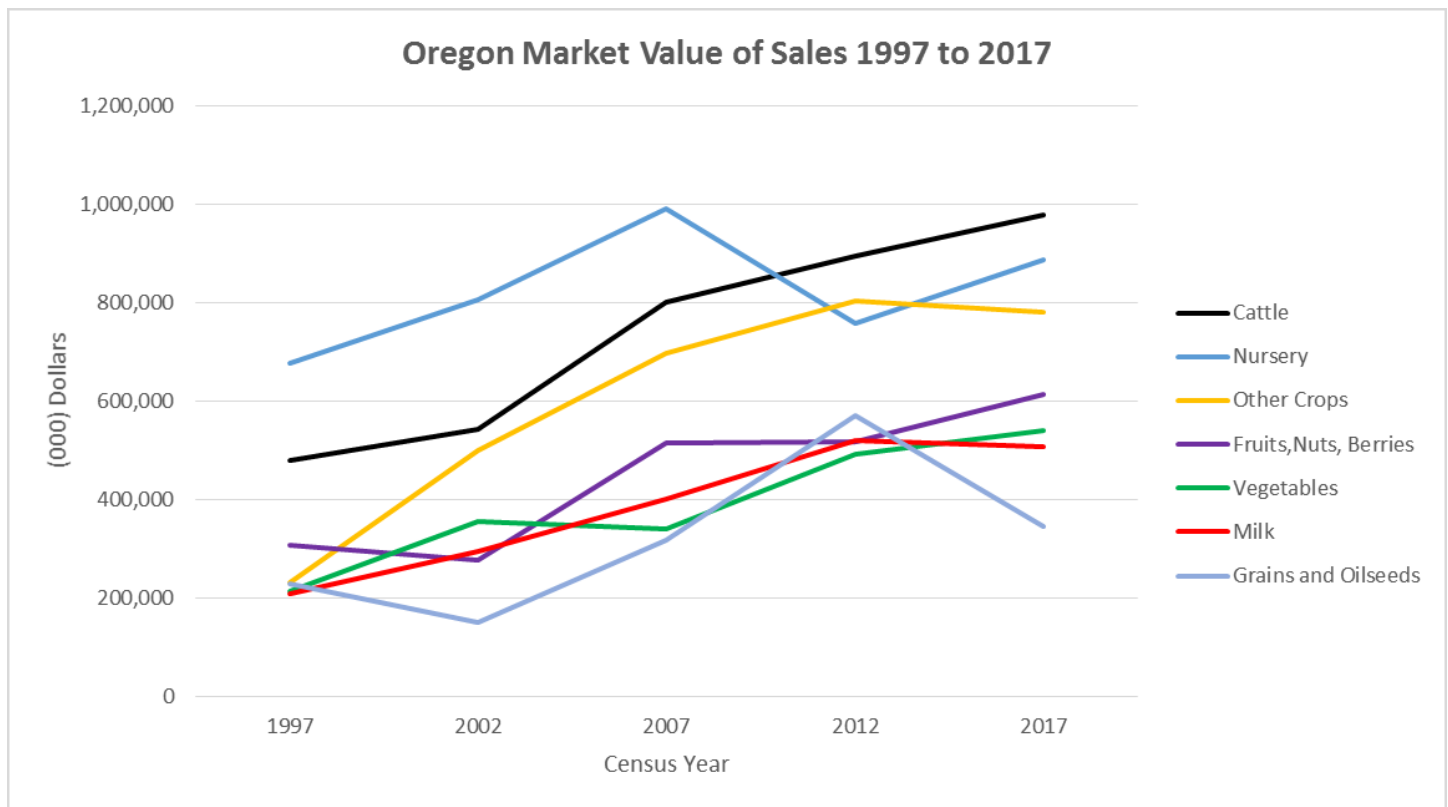
1 Oregon Agricultural Statistics & Directory 2020.

2 USDA NASS 2017 Census of Agriculture.

3 [Oregon Wine Board, 2019 Oregon Vineyard and Winery Report](#)

4 [Oregon Wine Board, 2019 Oregon Vineyard and Winery Report](#)

Goal 1: Conserve Oregon's Natural Resources



USDA NASS 2017 Census of Agriculture presentation to the Oregon House Committee on Ag. And Land Use September 16, 2019.

to experience and learn about Oregon agriculture while providing additional income for farmers, and has been growing in popularity over the past decade. USDA reports \$16M in 2017 revenue earned from Oregon agri-tourism and recreational services (hunting, fishing, farm or wine tours, hay rides, etc.).⁵ This represents an increase of 51% over 2012 revenues (\$10.6M).

However, the burgeoning industry has its share of controversy as operators and neighboring farmers negotiate a series of challenging conflicts, such as noise, litter, trespass, traffic, parking and spraying. Questions also remain about the degree to which such activities should be in conjunction with or subordinate to farm use and how to achieve consensus on the scope of activities that should be included in a definition of 'Agritourism'.

Local Food Systems: There is growing interest nationwide in the development of local and regional food systems that help ensure resiliency and access to healthy, local, sustainable food sources. Oregon's urban growth boundaries facilitate ready access to u-picks, community supported agriculture, and farm stands near cities, while Exclusive Farm Use (EFU) zoning has kept arable land in diverse working farm use. Our land use planning program also plays a significant role in ensuring sufficient lands are designated for rural commercial and rural industrial uses and are available for critical food infrastructure like co-packing plants and livestock processing facilities. Appropriately sited food infrastructure reduces transportation miles, create jobs through localized economic networks in our rural communities, and keeps agricultural land in agricultural production – all of which also contribute positively to climate mitigation strategies.

Goal 1: Conserve Oregon's Natural Resources

Renewable Energy: Oregon has more than 3,400 megawatts (MW) of wind energy generation capacity, ranking tenth in the nation in installed wind energy capability.⁶ Many wind energy installations are located on farmland and are clustered along Columbia Gorge. Solar energy development is also rapidly growing in Oregon. In 2020, Oregon's installed solar capacity was 881 MW - almost double the installed capacity in 2017.⁷ Many utility scale solar facilities are opting to locate on land zoned EFU due to proximity to high voltage powerlines and substations with interconnection opportunities, lower land acquisition or lease costs, availability of unobstructed sunlight, and ease of development due to flatter slopes.

The rise in renewable energy production on farmland, together with new major transmission line corridors to bring that energy to market, has raised questions and concerns about potential impacts to farm operations, wildlife habitat, scenic viewsheds, and tourism. Other concerns have been raised about the need for a state energy policy and more proactive state and regional roles in the siting of major transmission line corridors and energy facilities that may have regional impacts. At the same time Oregon is committed to the important role renewable energy development will play in addressing climate change and a balance is needed that affords renewable energy developers a degree of security in pursuing certain development sites over others while protecting our limited supply of working farmland for food production.

Marijuana: House Bill 3400 (2015) designated marijuana as a crop for the purposes of "farm use," effectively granting marijuana production the same protections provided to other crops grown in an EFU zone. Although marijuana

production is allowed in the EFU zone, commercial activities such as distribution of marijuana at a farm stand are prohibited. New dwellings in conjunction with a marijuana crop are not allowed in an EFU zone. In 2018-2019, thirty-one percent of commercial activities in conjunction with farm use and eighty percent of processing facility permits were reported as associated with marijuana or hemp processing.⁸

Climate Impacts, Adaptation and Carbon Sequestration: Climate-related changes in temperatures and precipitation patterns compound and alter pest pressures, crop maturation, and livestock productivity. Oregon's agriculturalists are already experiencing increased disturbances from pest-related losses, prolonged drought, and changing growing seasons.⁹ Of particular concern is the projected impacts to availability of irrigation water. Oregon's limited water supplies are already being stressed by climate and population changes.¹⁰ Reduced availability of water will affect junior irrigators, change water supply planning in many basins, and proposals for surface water storage may increase.¹¹ Irrigated agriculture is a primary economic driver in Oregon, so without careful planning strategies to mitigate water-related impacts from climate and from permitted development, the economy may suffer.

Productive agricultural lands can also serve as a sink for the absorption and sequestration of greenhouse gasses back into both plants and soils in the form of carbon. Practices contributing to the maintenance of soil health are key to this aspect of agriculture's contribution to climate solutions. DLCD remains engaged conversations addressing soil health metrics as they relate to definitions and valuations of farmland for the state.

6 [American Wind Energy Association \(2019\). Wind Energy in Oregon.](#)

7 [Solar Energy Industries Association \(2020\). State Solar Spotlight – Oregon.](#)

8 DLCD (2020) Oregon Farm & Forest Land Use Report: 2018-2019.

9 [Oregon Climate Adaptation Framework \(2010\).](#)

10 [Mucken, A., & Bateman, B. \(Eds.\) \(2017\). Oregon's 2017 Integrated Water Resources Strategy. Oregon Water Resources Department. Salem, OR.](#)

11 [Oregon Climate Adaptation Framework \(2010\).](#)

Goal 1: Conserve Oregon's Natural Resources



"Without Oregon's land use program, Aspen Valley Ranch probably wouldn't be here...we would have been driven out by vacation homes and hunting lodges"

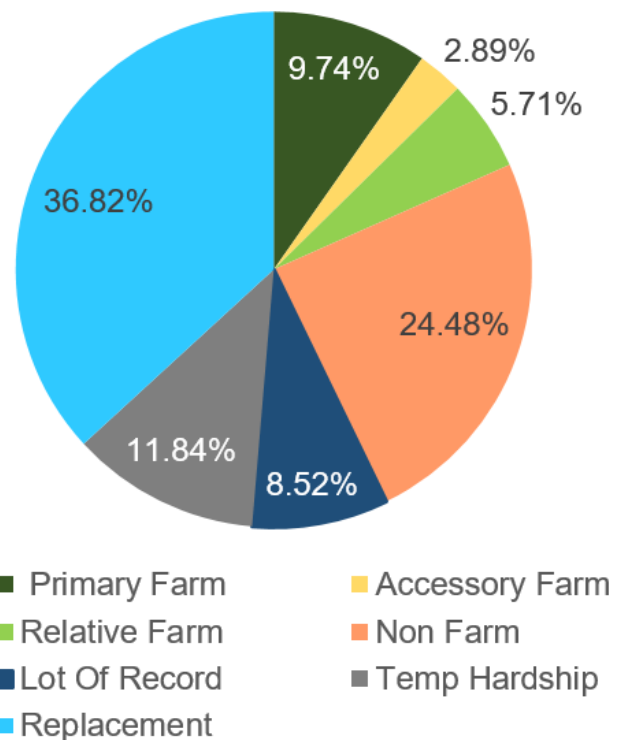
Jim Wood, Aspen Valley Ranch as quoted in *'Too Many Homes on the Range, the Impact of Rural Sprawl on Ranching and Habitat'*

Dwellings on Agricultural Land

One way the department seeks to prevent conflicts with agricultural operations and prevent conversion of working land protected under Exclusive Farm Use zoning to other uses is to limit the number and type of new dwellings. Since 1994, only 18 percent of dwelling approvals on land zoned EFU have been approved in conjunction with farm use. Thirty-three percent have been nonfarm or Lot of Record dwelling approvals, 37 percent have been replacement dwellings - which may or may not be associated with a farm - and 12 percent have been temporary health hardship dwellings.

Zoning Changes from Agricultural Land

One of the metrics by which DLCD is evaluated in the legislatively directed Key Performance Measures for the agency is the percent of land outside UGBs zoned for EFU in 1987 that retain that zoning. From a base of 16.1 million acres of EFU-zoned land in 1987, in 2019, the percentage retained was 99.80%. In the 30-year measurement period from 1987- 2019, a total of 37,983 net acres have been rezoned to other urban and rural uses.



EFU dwellings by type, 1994-2019

Goal 1: Conserve Oregon's Natural Resources

Oregon's Forest Lands

The conservation of forest land is one of the primary objectives of Oregon's statewide planning program. Oregon has determined that it is in the state's interest to protect the land resource foundation of one of its largest industries – forestry – as well as to protect other forest values, including soil, air, water and fish and wildlife resources.

Oregon's forested landscape consists of a mosaic of land uses including working forests, conservation reserves, and those associated with human-dominated uses. Oregon is home to some of the world's most productive forests, ranging from dense Douglas-fir forests of the Willamette Valley and Coast Range to the high desert Ponderosa Pine stands in the Cascades and Blue Mountains.

Forests cover over 30.5 million acres of Oregon, almost half of the state. Sixty percent of the forest land base, approximately 16 million acres, is owned and managed by the federal government under management plans for different benefits. The Oregon Department of Forestry (ODF) estimates that there are approximately 10.4 million acres of nonfederal wildland forests and approximately 853,000 acres of mixed forest/agriculture. 11.8 million acres of the forest land base have been inventoried by counties as forest and mixed forest/agricultural lands and protected under zoning designations.

Oregon's Forest Industry

Forestry products and services employ nearly 61,000 people directly in Oregon and are critical to Oregon's rural communities.¹² Global competition, environmental controls and rising forest management costs have created challenges to the continued economic viability of Oregon's working forests. Large areas of industrial forestland have changed hands in recent years and there is growing pressure to

divide and convert forestland to residential and other developed land uses. Many mills across the state have closed.

Oregon is the nation's top producer of softwood lumber and plywood. Development of advanced wood products, such as cross-laminated timber, are opening new market opportunities for use of wood in large commercial and multifamily residential buildings.

Emerging Issues on Forest Lands

Wildfire: Climate change, population growth, and record levels of forest fuel volumes all contribute to the growing wildfire risk in Oregon. Population growth adds increasing pressure for development of housing stock within the Wildland Urban Interface (WUI). Climate change is anticipated to result in higher rates of tree mortality from droughts, insects and disease, warmer temperatures and changes to hydrologic cycles. All of these factors contribute to increased risk and severity of wildland fires.

Oregon requires residential and other developed uses in forest zones to incorporate fire safety measures, such as fuel-free breaks around buildings. Development in forest zones is still prone to wildfire damage and increases the cost of emergency wildfire protection. In addition to the increased risk for causing wildfires, the presence of dwellings can significantly alter fire control strategies and can increase the cost of wildfire protection by 50 to 95 percent.¹³ In order to protect dwellings, firefighters must devote manpower and resources to activities like establishing fire perimeters, conducting burnouts around structures and addressing combustible materials commonly found around residential structures – like gas, propane and electrical lines. Isolated rural dwellings particularly increase suppression costs. The incremental cost of protecting two homes instead of one within six miles of a wildfire is estimated to be over \$31,000. For comparison, the incremental cost of

12 [Oregon Forest Resources Institute \(2020\). Oregon Forest Facts 2019 Edition.](#)

13 [Gorte, Ross \(2013\). The Rising Cost of Wildfire Protection. Headwaters Economics.](#)

Goal 1: Conserve Oregon's Natural Resources

protecting 100 homes instead of 99 homes within six miles of wildfire is estimated at \$319.¹⁴

Approximately 9,550 km² (3,687 sq. mi.) or 3.8% of Oregon's land base is considered to be Wildland Urban Interface (WUI). These are areas where conditions are conducive to a large scale wildland fire disturbance event, thereby posing a significant threat to human life or property. Thirty-six percent of the homes built in Oregon today are built within the WUI and 80.4% of the vacation homes in Oregon are built in the WUI.¹⁵ Oregon's statewide land use planning program significantly limits this kind of residential development on resource lands which helps to minimize wildfire risk, reduces firefighting costs, and protects human lives.

Recreation and Tourism: Both public and private forest lands have long provided a variety of recreational opportunities. Interest in outdoor activities continues to grow across the state. Recreation and tourism in and around forest areas provides personal and societal benefits and generates significant economic activity. Many locations within Oregon, including those near forests, serve as appealing day and overnight destinations for both Oregon residents and out-of-state visitors who participate in outdoor activities. Forest zones allow a variety of recreation and tourism pursuits appropriate to a forest environment. Recreation and tourism opportunities in and near forest areas can be expected to continue to grow in the future.

Carbon Sequestration and Ecosystem Markets: Forested ecosystems are a basic component of the carbon, oxygen and water cycles. Oregon's forests make an enormous contribution to carbon sequestration. Oregon Department of Forestry (ODF) has recently released a report with estimates for the status and trends of carbon in Oregon's forest



ecosystems and ownerships and concludes that Oregon's forests have been functioning as a net sink of carbon even after accounting for forest land use conversions and non-CO₂ greenhouse gas emissions from wildfire.¹⁶ The report also notes that 58% of the net CO₂ sequestered annually from tree growth occurs in the forests of the Western Cascades and the Oregon Coast Range. ODF concludes that these two regions are the most important in the state for annual carbon flux due to their high rate of annual tree growth, output of wood products and relatively less area impacted by tree mortality making them the most important regions to the state for annual carbon flux.

14 [Gude, P.H., Jones, K., Rasker, R., and Greenwood, M.C. \(2012\). How much do homes contribute to wildfire suppression cost? Evidence from Oregon and California. Headwaters Economics.](#)

15 [Radeloff et. al. The 1990-2010 wildland-urban interface of the conterminous United States - geospatial data. 2nd Edition. Forest Service Research Data Archive.](#)

16 [Christensen et al. 2019. Region Forest Ecosystem Carbon Inventory: 2001-2016.](#)

Goal 1: Conserve Oregon's Natural Resources



Oregon's coordinated land use program was founded to preserve the state's working forest lands for resource use and the value they provide for soil, air and habitat. That includes keeping these lands in production, rather than converting them to other developed uses that release sequestered carbon as well as protecting them for their tremendous potential to store carbon in biomass and in soils. DLCD is currently collaborating with other state agencies to identify opportunities for aligning our various programs and regulatory frameworks to expand on that capacity in ways that can mitigate climate related impacts to our natural working lands.

Land Use Changes in Oregon Forest Lands

Statewide Planning Goal 4 (Forest Lands) calls for maintaining the forest land base for protecting the forest economy by assuring that tree growth and harvesting is the leading use of forest land. One of the Key Performance Measures designated by the legislature to assess the success of the land use program is the retention of land zoned for this use. In 2018-2019, 475

acres of forest and mixed farm/forest land were rezoned or added to urban growth boundaries (UGBs). From a base of nearly 11.8 million acres of land zoned forest and mixed farm/forest in 1987, a total of 10,813 net acres have been rezoned to urban and other rural uses through 2019. This means that 99.9 percent of land zoned forest and mixed farm/forest in 1987 was in the same zoning in 2019.

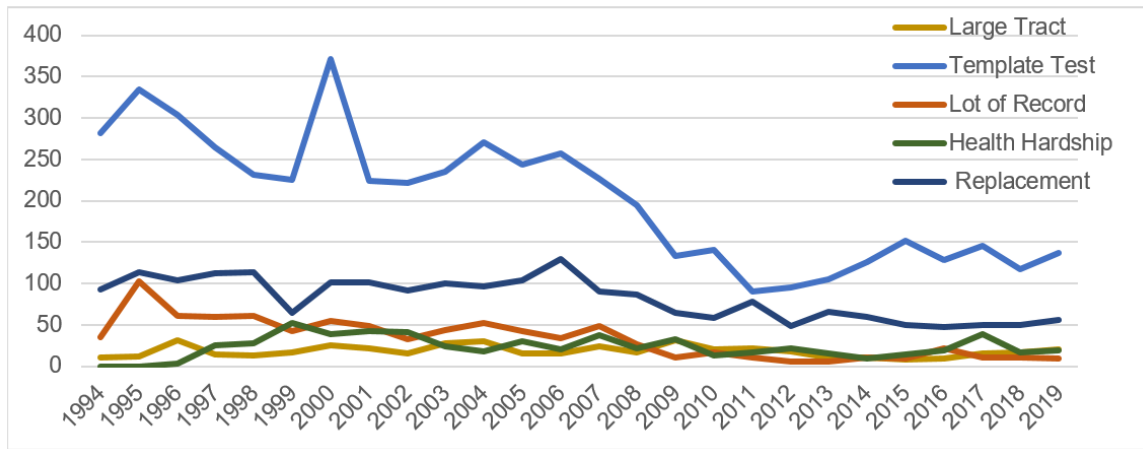
Dwelling Approvals on Forest Lands

Between 1994 and 2019, over 9,000 dwellings of all types were approved on forest land across the state. In 2019 HB 2225 introduced statutory changes intended to tighten the criteria for permitting template dwellings, the most commonly approved dwelling, in the Forest zone. The new provisions are currently in effect in five counties and will become effective in the remaining 31 counties by 2023.

Monitoring Development on Farm and Forest Lands

Oregon's farm and forest land protection program

Goal 1: Conserve Oregon's Natural Resources



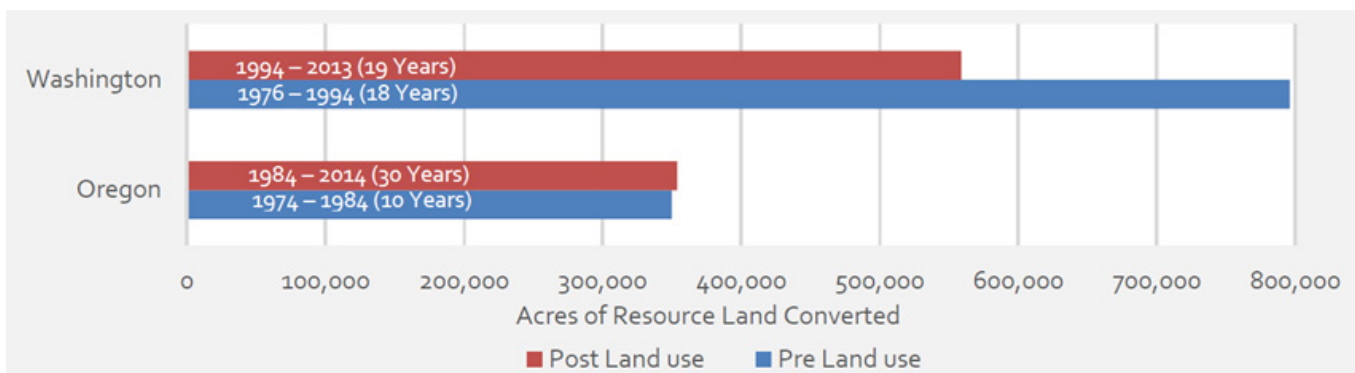
Total dwelling approvals on forest land by year, all counties, 1994-2019

has provided a significant level of protection to the state's working landscapes over the last several decades. As shown in Figure 26 below, the total acres of farm and forest lands converted to low density residential and urban uses in Oregon has slowed considerably since the adoption of county comprehensive plans in 1984.

As Oregon continues to change, it is important to remember the valuable role that agricultural and forest lands provide to the food and economic needs and health of all Oregonians. Agricultural and forest lands are also critical for the various industries that depend on Oregon produced farm and forest products and businesses that thrive on recreation and tourism opportunities.

Over the years, the Legislature and LCDC have continued to refine the state's agricultural and forest land protections to accommodate changing

needs and regional variation. County planning departments have been required since the 1980s to provide DLCDC with decisions on dwellings, nonresidential uses and land divisions occurring in farm and forest zones. The reporting system, along with plan amendment data, provide the information needed to regularly review and evaluate existing policy and regulations and to make appropriate adjustments in the program. In 2014, the department instituted an online reporting system for improved efficiency and accuracy and as a convenience to counties. All historic data have been migrated into the new system, enabling more detailed research capabilities. Expanding department GIS capabilities have enabled the production of mapping of development locations as part of the reports. For complete information, please refer to the online 2018-2019 Farm and Forest Report.



Land use based on aerial photo interpolation. Oregon Department of Forestry, 2017.

Goal 1: Conserve Oregon's Natural Resources

Protect and conserve coastal and marine resources

The department is home to the Oregon Coastal Management Program (OCMP). OCMP was approved by the National Oceanic and Atmospheric Administration (NOAA) in 1977. The OCMP is the state of Oregon's implementation of the national Coastal Zone Management Program, with a local mission. The program operates in partnership with coastal local governments, state and federal agencies, and other stakeholders to ensure that the resources in the Oregon coastal zone are protected.

Estuaries, coastal shorelands, beaches and dunes and ocean resources are a primary focus of the OCMP. The department's Ocean and Coastal Services Division staff work closely with coastal cities and counties to plan for economic and community development, to stay safe from coastal hazards, including landslides and tsunamis, and to plan for sustainable management of coastal and ocean resources and uses.

The City of Warrenton was awarded a \$58,000 grant through the 2019-2021 Technical Assistance Grant Program to support the City's Economic Opportunities Analysis "Charting a New Economic Development Future"

The federal approval of our OCMP is important because:

- Oregon, through the OCMP, has the authority to review federal agency actions and permit/license approvals that affect Oregon's coastal zone to make sure that they are "consistent" with Oregon's coastal policies including portions of state laws, statewide planning goals and local government comprehensive plans and ordinances.
- The department receives federal funds from the National Oceanic and Atmospheric Administration (NOAA) to support coastal management. During the 2019-21 biennium, the department received four million dollars to implement the OCMP.

2021-2025 Assessment and Strategy

The Oregon Coastal Services Division (OCMP) has completed its NOAA-mandated 5-year assessment of the OCMP, identifying priorities for program improvement. This strategic planning process included a robust public engagement component and the department received an incredible amount of feedback through an online survey, two stakeholder engagement workshops, and a formal public comment opportunity. Priorities for program improvements over the next five years are Resilience Planning, Estuary Management Planning, Ocean Resources Planning and Public Access Planning.

Assisting Coastal Communities

Oregon's coastal communities face challenges found nowhere else in the state. In addition to land use and economic development issues common statewide, coastal local governments must also protect estuarine resources, ocean shores, dunes and other coastal resources. Many coastal communities are on the front line for coastal erosion, ocean flooding, severe storms, tsunamis and the effects of climate change. A highly seasonal economy, rugged geography, limited transportation options and reduced funding for local planning add to these challenges. During 2019-21, the OCMP assisted local governments through:

On-Site Advice and Assistance: During 2019-21, three OCMP staff members worked from a coastal services center in Newport and the Tillamook Regional Solution Center to assist cities and counties on a daily basis with overall planning advice and coastal hazards and shore lands issues. The staff were also involved in a number of Oregon Solutions projects that help resolve land use issues at the local level.

Financial Assistance: During the 2019-21 biennium the OCMP awarded \$480,000 in technical assistance grant awards to 7 local governments from federal funds for tsunami

Goal 1: Conserve Oregon's Natural Resources



Warrenton, Oregon. Photo credit: Joni Kabana and Astoria Warrenton Chamber of Commerce

resilience, natural hazard risk reduction, and general land use planning.

Education and Information: The OCMP provided information and training for local planning staff, including:

- Local planner conferences: Five local planner conferences provided information on coastal planning, coastal hazard assessments, alternative energy development, findings, plan amendments, and other topics.
- Geographic Information System (GIS) technical assistance: OCMP's GIS specialist provided GIS assistance to local governments. This assistance helped local staff to avoid the costs of implementing a GIS, acquiring specialized tools, or hiring a contractor.
- Oregon Coastal Information: The OCMP is home to a NOAA-funded server that hosts a wide array of coastal and ocean web sites, data archives and planning related tools. The webserver hosts seven major web sites and associated web services, including a large

collection of data and information for different coastal systems, a large collection of photos and video of the Oregon coast, training materials related to land use planning in the state of Oregon, a directory of online geospatial analysis tools, interactive map applications, and an archive of planning and natural resource geospatial data sets.

Federal grant money awarded to the Department of Land Conservation and Development (DLCD) supported the efforts of three coastal communities in preparing for a local Cascadia tsunami this biennium; North Bend, Tillamook County, and Waldport. The project, which began in August 2017, has resulted in new tsunami evacuation maps, comprehensive evacuation facility improvement plans, and innovative land use strategies for over ten coastal communities.

Goal 1: Conserve Oregon’s Natural Resources

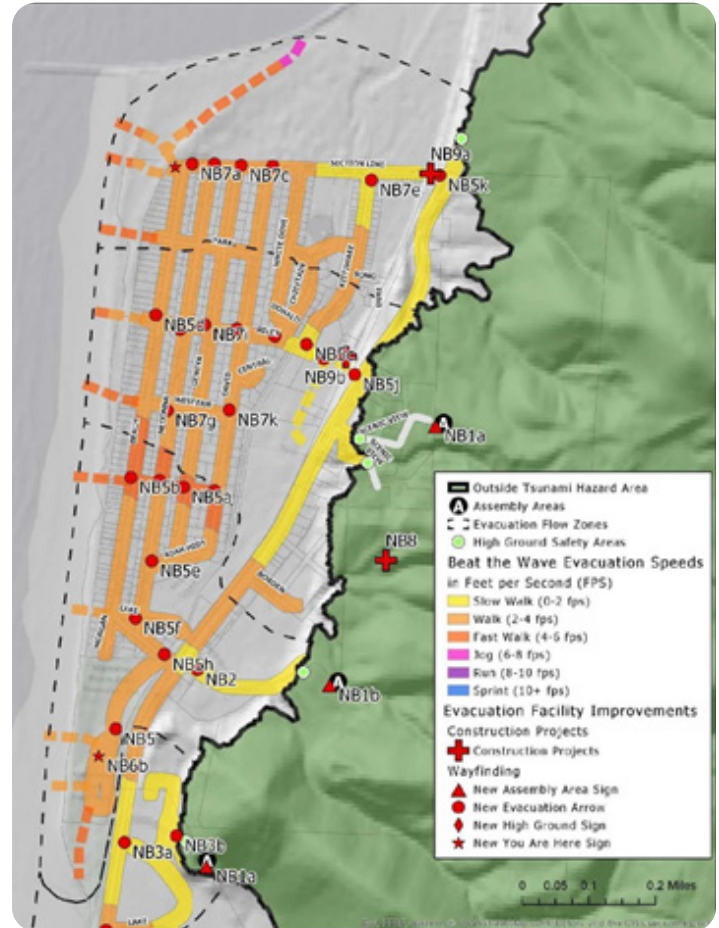
Emerging Coastal Issues

Tsunami Planning: The greatest hazard facing the Oregon coast is a Cascadia Subduction Zone (CSZ) earthquake and tsunami that could occur at any time. OCMP is coordinating with coastal communities to help them prepare for a local tsunami through land use planning. This work uses tsunami inundation and evacuation maps produced by the Oregon Department of Geology and Mineral Industries (DOGAMI). The

maps allow communities to understand their risk and vulnerability to a tsunami event. With this understanding, they can look for ways to improve evacuation, and implement land use strategies to improve community resilience. ‘Resilience’ is the ability of a community to “bounce back” after a disaster. This type of land use planning can influence the development of the landscape over time, improving both the short- and long-term resilience of a community.

“The adoption of the Tsunami Evacuation Facility Improvement Plan and tsunami hazard overlay zone is an important first step towards creating a more resilient Rockaway Beach. As we spoke with members of the public during the planning process, we found that there is very strong support for the City to increase tsunami preparedness and resilience in our community. These adopted documents will help guide the City as we move forward with evacuation route improvements, new wayfinding signage, education and training programs, and relocating our critical facilities.”

Terri Michel, [former] City Manager for Rockaway Beach.



Tsunami evacuation planning meeting in Rockaway Beach (left) in July 2019 and results of evacuation improvement planning depicted in the City’s adopted map (right).

Goal 1: Conserve Oregon's Natural Resources

Hazard Mitigation: Oregon's dramatic and beautiful coastline is the result of dynamic, powerful, natural forces of weather, climate, ocean waves and currents, and plate tectonics. These forces continually shape the coast, creating an environment that is beautiful but dangerous. Most development on the Oregon coast has taken place in less hazardous areas. New development is increasingly proposed for hazardous areas, such as steep slopes, ocean bluffs, landslide-prone sites, and low-lying areas subject to ocean flooding, coastal erosion, and tsunami inundation. People may purchase or occupy developments in hazard prone areas with no knowledge of the risk. The department assisted four local governments (Coos County, Bandon, Yachats, and Astoria) to adopt updated natural hazard data and regulations to inform land use planning in these hazardous areas.

King Tides: Every year in early winter, high tides in Oregon are higher than usual. These extreme high tides, commonly called "King Tides," occur at a few specific times during the year when the moon is closest to the Earth, and the Earth is closest to the sun. These tides are being documented all over the world to help visualize and understand the impacts of sea level rise (like flooding and erosion) in the coming decades. These tides are especially important to document in the winter when storm surge and high winds and waves are more frequent, creating even higher water levels. Through the King Tides Project, citizen scientists all over the world are contributing to the study of sea level rise and the changing climate.

Link to King Tides Photo Gallery: <https://www.flickr.com/photos/orkingtide/albums>.

This is the 11th year that Oregon has participated in this international citizen science effort.

The King Tides project is sponsored by the CoastWatch Program of the Oregon Shores Conservation Coalition, the Oregon Coastal Management Program of the Department of Land Conservation and Development, and local



Paddle Park in Toledo, during an average high tide (top) and king tide (bottom).

partners such as watershed councils, South Slough National Estuarine Research Reserve, and others. During the summer of 2020, coastal division staff worked hard to completely revamp the King Tides Project website and photo submission form to be more mobile-device friendly, easy to navigate, and photo centric. The website has been a tremendous new asset to the project: www.oregonkingtides.net.

Goal 18: Pre-1977 Development Focus Group:

From January through September 2019, the department convened a Policy Focus Group to discuss concepts related to the application of the shoreline armoring "eligibility" provision of Statewide Planning Goal 18: Beaches and Dunes, which produced a final report. Based on the information in that report and observations of the goal's implementation over time, the department recognizes that the efficacy of the goal and its original intention, especially in regards to critical public infrastructure, should be evaluated. With that in mind, the department will initiate the research necessary to move forward some of the action items discussed and

Goal 1: Conserve Oregon's Natural Resources

prioritized by the Focus Group related to allowing beachfront protective structure protection of critical public (pre-1977) infrastructure such as Highway 101. These next steps will include rulemaking in the fall of 2021. The department does not intend to pursue a goal amendment process for Goal 18 at this time.

Planning for Offshore Wind: OCMP staff are coordinating with the Bureau of Ocean Energy Management on the Oregon Offshore Energy Task Force to look at and plan for the possibility of offshore wind development. The southern Oregon coast has some of the best offshore wind resources off the continental United States. OCMP staff have helped develop the Data Development and Engagement Plan for the Task Force. OCMP staff are also heavily engaged in the Oregon Renewable Energy Siting Assessment project which is a statewide comprehensive study of renewable energy.

Climate Change Adaptation: With additional federal dollars, the OCMP was able to hire a Climate Change Adaptation Coordinator who worked with the Governor's Office, other agencies and interested parties to update Oregon's 2010 Climate Change Adaptation Framework. The 2021 Oregon State Agency Climate Change Adaptation Framework will be published in January 2021.

Conserving and Managing Coastal Resources

The OCMP carried out several program activities that help conserve and manage the unique and valuable resources of the Oregon coast.

Estuary Updates

DLCD is working with local government and other stakeholders to update the estuary resource inventory information available for understanding some of the most important natural resources on the coast. DLCD staff published a comprehensive update of estuarine habitats in Oregon using the Coastal and Marine Ecological Classification Standard (CMECS). The information which

will be used to update estuary management plans, is available to local governments, partner agencies, and NGO's to use in a variety of ways, including through an online estuary planning atlas tool, a catalog of GIS data and services, and through training workshops. DLCD continues to participate and offer support to the Partnership for Coastal Watersheds in the Coos Bay Estuary Management Plan update process.

Federal Grants Awarded

NOAA 2020 Projects of Special Merit

The Oregon Coastal Services Division received a \$220,000 project of special merit grant award to further DLCD's efforts to modernize severely outdated Estuary Management Plans (estuary plans). The title of the project is "Updating Oregon's Estuary Management Plans: Facilitating a Multi-Jurisdictional Plan Update Process and Developing a Plan Update Guide for Local Jurisdictions". Oregon's estuary plans were first adopted in the 1980s and act to guide development and conservation within these important locations. Although estuary plans are extremely important to the comprehensive management of estuarine resources, none of them have been successfully updated since their original adoption. The main barrier to updating these plans come from the cost, complexity of the environment, and the technical need. The project will serve to create a process and guidance document for updating Oregon's estuary plans which can be implemented by local jurisdictions.

To accomplish this work, DLCD will work with a contractor and local jurisdiction steering committee to update the Yaquina Bay estuary plan and utilize the process as a pilot to develop guidance that can be used by other jurisdictions during their respective estuary plan update processes. This will be accomplished through extensive coordination, hazards and resources data assessment, plan drafting, outreach and engagement, adoption of plans and associated ordinances, and the development of planning guidance.

Goal 1: Conserve Oregon’s Natural Resources



Whiskey Creek Shellfish Hatchery. Photo credit: DLCD Staff

NFWF/NOAA Coastal Resilience Fund

DLCD received a grant award of \$250,000 from the National Fish and Wildlife Foundation Coastal Resilience Fund (funded through a partnership between NFWF and NOAA). The title of this project is “Planning for Community and Ecosystem Resilience on the Oregon Coast”. The project aims to engage coastal communities in a formal process to identify specific resilience needs and develop a planning framework to push projects forward to advanced stages of coastal resilience activities in Oregon’s estuarine areas. This will empower coastal communities to plan and implement coastal resilience activities and leverage existing planning frameworks to accomplish broader resiliency goals and restoration priorities in highly vulnerable estuaries. This project takes a comprehensive planning approach that will enable successful local resilience action and avoids piece-meal restoration in favor of landscape scale resilience strategies. OCMP will work with Coos and Tillamook counties to draft Estuarine Resilience Action Plans in a three phase process: (1) conducting coastal

resilience needs assessments, (2) site planning cost-benefit analyses, and (3) coastal resilience goals and priorities setting. Project activities include education and engagement, plan process facilitation, and project evaluation. Outcomes will be that local communities are empowered to implement coastal resilience activities, understand estuarine resilience threats and needs, costs and benefits to coastal resilience projects and prioritize them based on a variety of planning contingencies. Project evaluation will inform needs for improvements and adjustments and then apply coast wide.

Beach and dune updates

The department was able to contract with the Department of Geology and Mineral Industries to complete new lidar based mapping along the Tillamook County coast. This mapping provides updated spatial extents of beaches and dunes that may be subject to existing and future storm-induced wave erosion, runup, overtopping, and coastal flooding. Side-by-side maps of the spatial extent of beaches and dunes in 1975 and now (2020) show changes that have taken place.

Goal 1: Conserve Oregon's Natural Resources



Newport Jetty Mouth. Photo credit: Ken Gagne

These data will help communities implement Oregon Statewide Planning Goal 18: Beaches and Dunes. Learn more and download this report here: <https://www.oregongeology.org/pubs/ofr/p-O-20-04.htm>.

Rocky Shores Updates

Managing Oregon's rocky coastline is a shared responsibility. In fall 2017, DLCD and the Ocean Policy Advisory Council initiated an amendment to Part Three of the Oregon Territorial Sea Plan: The Rocky Shores Management Strategy. The Territorial Sea Plan acts as a coordinated vision for Oregon coastal resources and guides the actions of state and federal agencies responsible for managing coastal and ocean resources in the public trust. The amended strategy incorporates the best available science and consider the

needs, concerns, and values of Oregonians balanced with the state's goals for a resilient coastal ecosystem that can provide enduring opportunities for its users. The updated strategy also outlines a new adaptive management process by which members of the public can propose changes to site-specific rocky habitat resource management which may be considered by the Land Conservation & Development Commission for potential adoption. Rulemaking for this update is currently in progress.

Rocky Habitat Web Mapping Tool

The department launched a Rocky Habitat Web Mapping Tool intended to help users visualize Oregon's marine rocky habitat data, create data reports for specific rocky habitat areas, and facilitate site management designation proposals.

Goal 1: Conserve Oregon's Natural Resources

Site designation proposals collected by this tool will be reviewed for potential incorporation into Oregon's Territorial Sea Plan: Part Three - The Rocky Habitat Management Strategy.

Shellfish Aquaculture Database Initiative

In 2019, the Oregon legislature passed HB 2574, which tasked DLCD to aggregate public records related to shellfish aquaculture and develop a tool to provide that information to the public in an effort to improve the process of aquaculture siting. Since spring of 2020 DLCD has been working in cooperation with ODA, ODFW, other State and Federal agencies, and Oregon State University's Institute for Natural Resources (INR) to develop an aquaculture siting tool to fulfill the mandate from HB 2574. DLCD has contracted with INR for the tool development. Pertinent data layers have been gathered from various agencies and delivered to INR for initial development of the siting tool. Two new aquaculture pre-application meetings have occurred since this work began, and in one meeting the data layers were used in real time to help inform the applicant and other meeting participants of proposed site suitability.

Protect and conserve wildlife habitat, wetlands and riparian areas for their ecosystem values. Protect scenic, historic, cultural and recreational values on rural lands.

Conservation of natural resources is a priority for Oregon and an important element of the land use program. The quality of life made possible by a healthy environment and open spaces continues to attract new people and business to the state. Statewide planning goals and administrative rules require local governments to address a variety of resources such as wetlands, fish and wildlife habitat, renewable energy sources, and water quality when making land use decisions.

Department staff routinely provide assistance to cities and counties that pursue natural resource protection objectives and other Goal 5 updates to their comprehensive plans.

Due to COVID-related budget cuts, DLCD's Natural Resource Specialist is on rotation part

A beta model of the siting tool should be ready for testing in spring of 2021, with the project completed by the end of June 2021.

Public Access

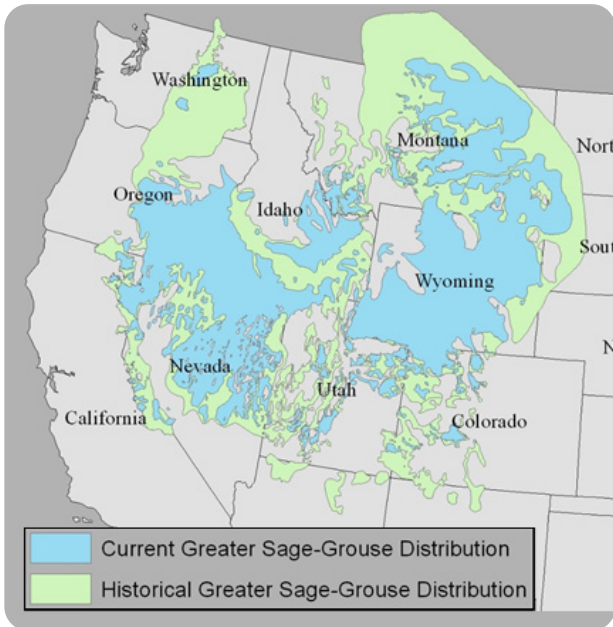
DLCD has significantly expanded their focus on public access to coastal shorelines through field work, inter-agency coordination, and tool development this biennium. DLCD staff are currently conducting field work to collect information about over 1,200 public access sites. This data will be shared with other state agencies and with the general public. The department leads a Shoreline Access Work Group, which regularly convenes the primary agencies involved in managing public access (Oregon Parks and Recreation Department, Oregon State Marine Board, and Oregon Department of Environmental Quality) to share updates, develop data sharing agreements, and coordinate management planning. Public access data will be publicly available through a newly developed tool, the Oregon Shore Explorer. This tool was designed with support from the Oregon Coast Visitor's Association and is shared on their website.

time to ODOT to improve aggregate development processes, and is working quarter time for the Ocean and Coastal Management Program on coastal non-point source pollution issues.

Supporting Native Species

The Sage Grouse conservation efforts to which the department contributed, and that successfully prevented listing of the Sage Grouse as an endangered species by the US Department of Fish and Wildlife in 2015, authored its first two annual reports and presented them to commissioners in September 2017, and January 2019 (for 2018). The report for 2020 will be delivered to LCDC in January, 2021. The department created a central registry, also called

Goal 1: Conserve Oregon's Natural Resources



Greater Sage-Grouse Range, Nevada Fish and Wildlife Service

the Sage-Grouse Development Registry, in a collaborative process involving counties, state agencies, federal agencies, and key stakeholder groups. The registry is an online, geo-spatial tool for recording development in key habitat areas. In 2017-18, the annual Sage-Grouse report to the commission reported that four of the six affected counties reported no new development in the Priority Area for Conservation. The remaining two counties reported a total of nine acres of new development approved in 2018. The year-over-year data trends suggest that efforts to preserve this critical habitat are largely successful.

Floodplain and Habitat Protection

The National Flood Insurance Program (NFIP) provides flood insurance for homeowners and property owners generally. In Oregon, 261 cities, counties, and tribes participate in the NFIP.

For several years, the National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS) and the Federal Emergency Management Agency (FEMA) have been discussing potential changes that would reduce negative impacts from the National Flood Insurance Program (NFIP) on salmon, steelhead and other species listed as threatened under the Endangered Species Act (ESA). As the coordinating agency for Oregon's participation in the NFIP, DLCD continues to participate in these conversations.

In 2019, FEMA initiated an implementation planning project to move forward with development of new guidance for Oregon's NFIP participating communities to address the 2016 NMFS Biological Opinion (BiOp) and meet the overarching intent of the Reasonable and Prudent Alternatives developed by NFMS. FEMA hired contractors and established a core team for guidance development and initiated new community and stakeholder engagement activities. FEMA requested that DLCD participate in the core team to provide information on potential conflicts between any proposed guidance and state and local planning statutes, rules, and policies. Draft guidance is anticipated to be released in 2020 and plans are underway



"GREATER SAGE-GROUSE" by Aquila-chrysaetos is licensed under CC BY-NC 2.0

Goal 1: Conserve Oregon's Natural Resources

for another round of community and stakeholder engagement to accompany that guidance. The latest information on the FEMA BiOp and the FEMA Region X implementation planning projects available online: <https://oregonnfip.org/nfip-resources/>

2020 Floods and Ongoing Wildfire Response

In February of 2020, a flood disaster impacted Umatilla, Union, and Wallowa Counties and many of their incorporated communities. DLCD's National Flood Insurance Program (NFIP) staff responded to requests for assistance from Umatilla and Union Counties and their incorporated communities during this flood event. The State NFIP Coordinator travelled to the area and provided communities immediate training and assistance with: assessing flood damage to structures, conducting outreach to flood impacted residents, and developing a plan and procedures to expedite recovery and rebuilding activities. DLCD NFIP staff continues to assist the impacted communities with flood recovery and consideration of flood risk mitigation opportunities. The NFIP Coordinator is sharing

information with the DLCD Natural Hazards Planner who is leading the update of the Umatilla County Natural Hazards Mitigation Plan (NHMP) so that work is integrated.

The Labor Day fires impacted over 500 properties within flood hazard areas. DLCD NFIP staff assisted communities with meeting their NFIP requirements to assess and determine the damage to all structures impacted by the fires within floodplains. Staff also conducted outreach to local communities regarding the increased risk of flooding, debris flow, and mud flow damage that exists after a wildfire, and the benefits of purchasing flood insurance since flood season was approaching. The State NFIP Coordinator worked with FEMA and the local communities to support the FEMA direct housing mission efforts to find safe sites to place emergency housing. Staff is working to assist communities and residents with rebuilding safely within flood hazard areas and considering options to mitigate flood risk when rebuilding.



Alameda Fire Destruction, Jackson County, Oregon. Photo credit: Josh LeBombard

Goal 2: Promote Sustainable, Vibrant Communities

How communities are built and developed touched nearly every aspect of our lives: where we live, work, and play; how we get there; and whether we have livable communities and a clean environment. Planning for the full range of what makes a community livable – providing transportation and housing choices, strengthening economies, preserving open spaces and parkland, investing in improvements to public infrastructure, and protecting the environment – improves our quality of life.

The department’s contributions to development of sustainable communities recognize the diversity, richness and aspirations of each community.

Successful local comprehensive plans address the unique character of that community: the diversity of the populations, landscape, culture, and situation within a region.

Oregon continues to successfully absorb population growth while consuming less land per capita than other states. This success reduces costs for public facilities, transportation, and infrastructure and protects productive farm and forest lands that contribute to regional economies. Community resilience, enabling communities to reduce exposure to natural hazards and respond to climate change is part of the department’s core work.

“Hui is available, dependable, responsive, resourceful, knowledgeable, respectful and empathetic. Hui has been instrumental to Curry County in providing advice, research, technical assistance, guidance, education and direction on multiple land use issues to assist the County in navigating through these sometimes difficult situations.”

Becky Crockett, Curry County Planning Director



Regional Roundtable in Reedsport, Oregon November, 2019

Goal 2: Promote Sustainable, Vibrant Communities

Increasing Oregon’s Housing Supply

An adequate housing supply is a fundamental building block of a healthy community, and planning to fulfill the housing needs of all Oregonians is more crucial than ever. Provision of housing for a community is one of the primary elements in a comprehensive plan for cities in Oregon. DLCDC encourages cities to provide adequate housing for Oregonians at every level of income. Goal 10 provides planning guidelines for addressing the housing needs of local communities. The guidelines, tools, and resources provided by the department are employed at a local level to assist planners in the implementation of Goal 10 at a community level.

In addition to the new rules associated with House Bill 2001 and House Bill 2003 for housing choice and supply described earlier in this report, staff continue to implement the requirements of House Bill 4006 from 2018. This legislation required cities with population 10,000 or more experiencing severe rent burden to report

annually to the department with a survey and to hold a public meeting on housing issues. HB 2003 amended this requirement, tying the reporting to the city’s requirement to complete a housing production strategy every six or eight years (see ORS 197.290).

House Bill 4006 Permitted and Produced Data: DLCDC creates an annual report of the total number of building permits and certificates of occupancy issued in a calendar year, including single-family, middle housing, and multi-family dwelling types. For the 2019 calendar year, the department received the required report from 49 cities, up from 46 in 2018.

DLCDC staff have developed an online platform to allow jurisdictions to complete required annual housing reporting. In 2021, we will be using this platform to allow jurisdictions to complete Housing Production Strategy surveys and reporting required by House Bill 2003.



Goal 2: Promote Sustainable, Vibrant Communities

DLCD staff have also developed guidance, model code, and tool kits for local governments to promote healthy, inclusive housing markets. These publications have been inspired by the urgent local government need for information about housing alternatives, code barriers, and the need to present these ideas in a fresh and appealing way. Please find these and other examples on TGM's website.

- February 2020: [“Strategic Guide to Implementing Parking Reform”](#) is published by the TGM program (a joint program of DLCD and ODOT). The guide helps cities reduce costly parking mandates, often a hurdle for housing development.
- February 2020: [“Eight Quick Ways Cities Can Improve Parking Codes”](#) is published by the TGM program. The guide provides examples of best-practices in parking policy, cities that use them, and code language, allowing cities to ease the burden of parking mandates on businesses and home builders.
- September 2018: [“Housing Choices Guide Book”](#) is published by the TGM program. A pictorial guide for local government use in creating community will for housing choices, more walkable housing forms, and traditional “missing-middle” housing like duplexes.
- March 2018: [“Guidance on Implementing the Accessory Dwelling Units \(ADU\) Requirement”](#) is published by the department. It includes model code and guidance related to Accessory Dwelling Units, in response to SB 1051. In the 2017-

19 biennium, in many cases inspired by the passage of this legislation, at least 48 cities and counties have adopted up to date local code related to ADUs.

- February 2017: [“Measures to Encourage Affordable Housing”](#) is published by the department. A one-page guidance and reference tool and summarizes possible local code provisions to encourage more affordable and needed housing.
- May of 2016: [“Character-Compatible, Space-Efficient Housing Options for Single-Dwelling Neighborhoods”](#) is published by the TGM program to help local governments encourage more space-efficient housing options in Oregon’s cities.
- November 2015: [“Model Code for Small Cities”](#) is published by the TGM program to give cities guidance and technical expertise in zoning, development standards, review procedures, and implementation of state planning rules and statutes.

A Housing Needs Analysis is an important step in the development readiness of Oregon communities. It allows a community to assess current housing stock, identify gaps in supply or demand, determine local needs, and prepare for the future by rezoning, incentivizing development of a certain type, or redefining areas needed for housing. Our regional representatives, urban planners, and economic development specialist offer technical assistance to communities going through a Housing Needs Analysis (HNA).

Goal 2: Promote Sustainable, Vibrant Communities



“How the city is advocating for and enabling the provision of housing options for residents experiencing homelessness and how the city is partnering with other organizations to promote services that are needed to create permanent supportive housing and other housing options for residents experiencing homelessness; ”

4. Housing Options for Residents Experiencing Homelessness

Dr. Marisa Zapata, Director of the Homelessness Research & Action Collaborative at Portland State University served on the Housing Production Strategy Advisory Committee and helped ensure community members experiencing homelessness were included in the rules and recommendations.

DLCD was pleased to collaborate with the staff and leadership at the Homelessness Action and Research Collaborative, Portland State University, Oregon Housing and Community Services. The needs of homeless community members will now be an integral part of cities Housing Production Strategies.

Policy Option Package #110 continues funding for six positions to implement HBs 2001 and 2003 at the local level and provides technical assistance funding of \$2.5 million (\$1 M for HB 2001 and \$1.5 M for HB 2003). Staff also would support the Climate Friendly and Equitable Communities rulemaking to help ensure historically marginalized community members are engaged and receive benefit from Oregon’s compliance with greenhouse gas reduction strategies.

The positions would convert from limited to permanent duration. To expand the state’s housing, cities of less than 10,000 would be eligible for grants to develop Housing Needs Analyses and Housing Production Strategies.

Urban growth around the state

All cities amending their UGBs must submit information about the proposed UGB expansion, both before and after adoption, to the department as a Post Acknowledgment Plan Amendment (PAPA). In 2016, a process for online submission of PAPAs was created as part of the department’s Information Modernization and Management Initiative. At present, 95% of local jurisdictions (cities, counties, and Metro) are registered users of the online system. Most submit PAPAs via the online system instead of submitting hard copies, creating an efficiency for local jurisdictions and the department. Using these records, during the past biennium 18 cities have submitted PAPAs for a UGB adjustment. Among those: 12 expanded their UGBs to provide land for housing or employment, 5 expanded for park or public facility needs, and 2 expanded to correct mapping errors. Two of the proposals are the result of legislative action, including a 1,100 acre UGB expansion for lands surrounding the Madras Airport to provide employment opportunities and a 40 acre expansion to the Redmond UGB to accommodate affordable housing. Of the 18 submittals, eight are final and ten are still in process.

Goal 2: Promote Sustainable, Vibrant Communities



The City of Salem, Oregon is in the process of updating the city's Comprehensive Plan

There were some notable UGB-related actions by local governments around the state this biennium:

- Metro completed its Urban Growth Update process with findings that 196,900 new dwelling units would be needed to serve anticipated residential growth within the region by the end of the planning period in 2038. Metro also found that all but three percent of the additional residential units could be accommodated within the current UGB. However, the Portland Metro Area needs an additional 2,181 gross acres within the Metro UGB to accommodate the remaining needed dwelling units. LCDC reviewed and approved the UGB expansion decision in July 2019. The Department issued the final order in January, 2020. One party (Housing Land Advocates) appealed the Commission's decision to the Oregon Court of Appeals, which still has the matter under consideration.
- Metro initiated another amendment to the Portland Metropolitan Area UGB at the behest of the City of Lake Oswego to accommodate parks and recreation activities on the 83.3 acre Luscher Farm property. No decision has yet been made on this proposal.
- The City of McMinnville recently approved an 862.4 acre expansion of their UGB which has been in process since 2003. The department and commission will complete review of the decision in early 2020.
- The City of Pendleton recently completed a UGB adjustment that removed 69.2 acres from one portion of the UGB and added 69.2 acres to the UGB in the vicinity of the City's airport, in order to support the growth of aviation-related employment opportunities. In recent years a number of businesses have begun utilizing the Pendleton Airport for the development and testing of unmanned aircraft. This employment sector is expected to grow in Pendleton, as the airport is very favorably situated for this type of work.
- The City of Umatilla is seeking a 150-acre UGB expansion to accommodate a growing need for large-lot industrial employment lands in the city.

HB 3450 - Certainty for a Mix of Land Uses

In 2019 the Oregon Legislature passed HB 3450, which authorized the City of Bend to use a special process to allow more residential development on selected commercially-zoned parcels within the city totaling up to 40 acres. The Legislation directed LCDC to review and approve the City's decision. Bend submitted its decision to the Department in October, 2020, and the Commission is scheduled to make a decision on the proposal at its January, 2021 meeting. The City of Bend has seen high levels of population growth and housing need in recent years, and the city wishes to make more efficient and productive use of existing commercially zoned lands for new residential development.

Goal 2: Promote Sustainable, Vibrant Communities

Land use and transportation planning are linked to provide for the development of well-functioning, well designed and healthy communities.

The integration of land use and transportation decisions is critical to urban development in Oregon: land use decisions are supported by investments in transportation infrastructure, and transportation projects support revitalization and other goals that communities set for themselves in their local comprehensive plans.

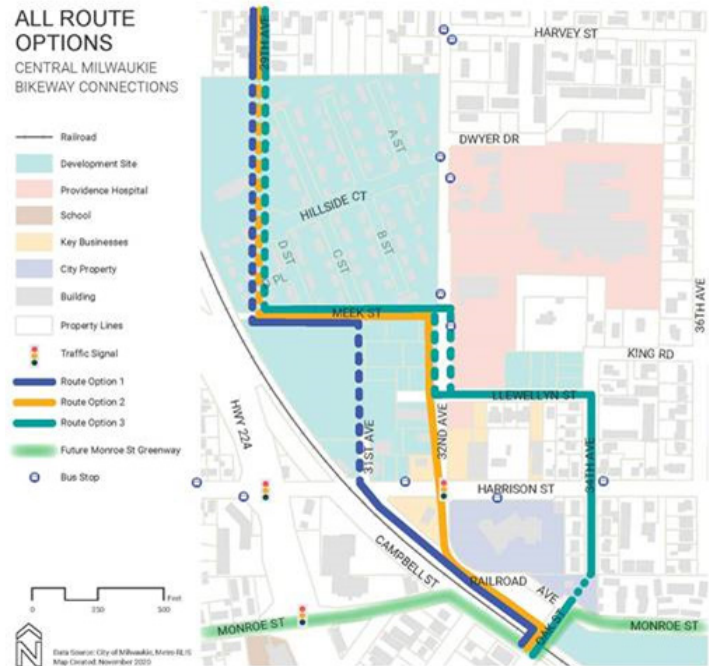
Transportation planning at DLCD includes three related programs: Transportation and Growth Management, the Oregon Sustainable Transportation Initiative and Land Use and Land Use and Transportation Policy.

Transportation and Growth Management

Through the Transportation and Growth Management Program (TGM), DLCD and the Oregon Department of Transportation (ODOT) work with local governments to expand transportation choices and promote compact urban development. The program promotes community efforts to expand transportation choices. By linking land use and transportation planning, TGM works in partnership with governments to create vibrant, livable places in which people can walk, bike, take transit, or drive where they want to go.

TGM Planning Grants help local jurisdictions plan for streets and land to lead to more livable, sustainable, and economically vital communities. This planning increases opportunities for transit, walking and bicycling. From the beginning of the program in 1993 through the end of 2020, TGM had funded over 800 grant projects across Oregon. In addition to grants, DLCD manages four community assistance services within TGM:

- Quick Response
- Code Assistance
- Education and Outreach
- Transportation System Plan Assessments



Central Milwaukie Bikeway Connection Map. Image credit: ALTA Planning

TGM Quick Response Program

The Quick Response (QR) program helps cities find ways to implement transportation and land use plans and assists with multi-modal problem solving. QR projects are typically site specific, small scale, and short term. They facilitate future development that can occur within three years. These projects meet local goals, as well as TGM goals. Using consultants, the program provides direct assistance to communities. Notable Quick Response projects include:

- Clackamas County in partnership with Mt. Hood Holdings, LLC and the Rhododendron Community Planning Organization, requested a TGM Quick Response project to prepare a site design plan to guide redevelopment of two underused parcels for ski resort workforce housing, overnight lodging, and retail uses. This project is anticipated to provide a template for highway frontage improvements associated with future development of community areas in

Goal 2: Promote Sustainable, Vibrant Communities

the Villages of Mt. Hood. Project components include active transportation connections and streetscape improvements, along with locating safe and equitable access to transit stops.

- TGM helped the City of Milwaukie plan for a safe, low-stress, family friendly multimodal connections between two neighborhood greenways and linking three key development sites. The project refines the design of an important bikeway and pedestrian connection to Downtown Milwaukie and neighborhoods to the east. Project objectives include planning level cost estimates with drawings illustrating the preferred concept.

TGM Code Assistance

TGM Code Assistance helps local governments identify and remove barriers to smart growth in their zoning and development codes. Code Assistance projects enhance opportunities for people to walk, bike, and use transit; provide alternatives to, or delay the need for, major road expansions; and provide alternatives to, or delay the need for, the expansion of an urban growth boundary.

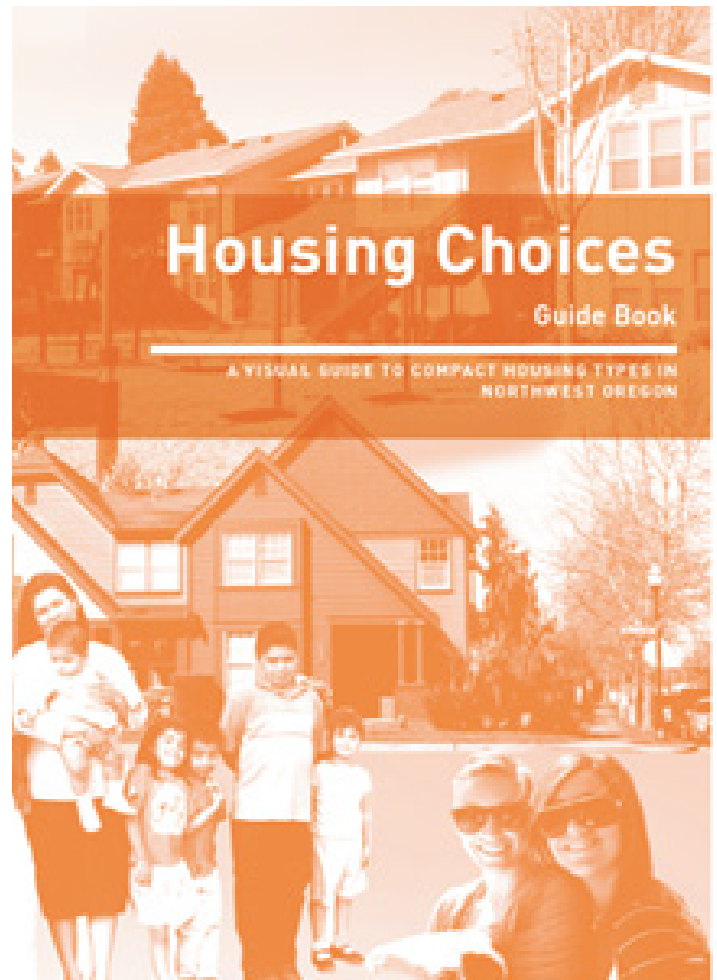
The Code Assistance projects carried out during the 2019-21 biennium are:

- City of Banks: various amendments including removing barriers to space-efficient housing, use and design standards to improve downtown walkability, and lower parking mandates
- City of Bay City: code evaluation
- City of Lowell: implementation of Downtown Master Plan
- City of Madras: housing and downtown parking code
- City of Monmouth: code evaluation

The Education and Outreach Program

Education and Outreach services include workshops, lectures, conferences and public forums for local governments at no charge. The program also provides publications, references, and guidance documents to support local transportation and land use planning. Some of the notable publications in the 2019-21 biennium are:

- To help communities address local housing needs, TGM distributed hundreds of copies of its [Housing Choices Guide Book](#), which provides 43 concrete examples of housing options in Northwest Oregon. Each example is more compact than detached single dwellings; most are more affordable. This publication supported a housing choices community presentation in North Plains, Oregon.



Goal 2: Promote Sustainable, Vibrant Communities

- February 2020: [“Strategic Guide to Implementing Parking Reform”](#) is published by the TGM program (a joint program of DLCDC and ODOT). The guide helps cities reduce costly parking mandates, often a hurdle for housing development.
- February 2020: [“Eight Quick Ways Cities Can Improve Parking Codes”](#) is published by the TGM program. The guide provides examples of best-practices in parking policy, cities that use them, and code language, allowing cities to ease the burden of parking mandates on businesses and home builders.
- April 2020: [“Managing On-Street Parking in Residential Areas”](#) provided information on how Oregon cities from Beaverton to La Grande manage parking in residential areas.
- The [Guide to Funding Walking and Biking Improvements](#) was refreshed and updated in February 2020. This guide reviews over 40 ways to fund improvements to walking and biking. It covers local options, state funds, federal funding, and private options.

Transportation System Plan Assessment

TGM helps communities evaluate their Transportation System Plans (TSPs) for potential issues and solutions at no charge. A TSP is a long-range document local governments use to

Enhance the department’s community development activities to support local efforts to revitalize communities, seek public infrastructure solutions, and build community participation

There are several land use planning goals that have a direct impact on the economic development and success of our cities. The one that resonates most with cities, counties, and Oregon residents who are struggling right now is Goal 10: Housing.

Housing and employment opportunities are critically important to every city in the state. However, many cities are unprepared for development opportunities due to outdated city

8 Quick Ways Cities Can Improve Parking Codes

Is your community concerned about housing costs, the cost of doing business, walkability, climate pollution, historic preservation or age-friendly development? Have you seen wasted land, turned away restaurant proposals in downtowns, or wished housing was cheaper to build?

There’s something easy you can do – improve your parking code. Parking requirements affect all of these issues. While a thorough updating of parking codes is in order for most cities, these improvements can be made quickly.

Eight things cities can do today:

1. Allow required parking to be off-site, within walking distance

There’s no reason for most required parking to be located on the same site as the use. Yet in too many local ordinances, builders are required to provide parking on the *exact site* of the development, instead of just providing residents and visitors who drive with space to park.

This can mean central buildings in downtowns never get redeveloped, as they were initially built before parking requirements. Or it can mean builders have to buy and raze adjacent buildings – an expensive proposition that also decreases a city’s walkability.

Cities should allow any required parking to be provided within a reasonable walking distance. The Transportation and Growth Management program (TGM) recommends one-half mile – a distance often used to gauge transit accessibility. If it’s reasonable to walk that far to access transit, it’s reasonable to walk that far to access other modes. This creates efficiencies, allows for more shared parking, and removes barriers to the redevelopment of vacant or underused properties.

Cities that do some version of this:

Albany (for some uses such as theaters, up to 1000 feet), Ashland, Baker City (500 feet), Cascade Locks (required parking may be located anywhere downtown), Corvallis (in the downtown zone, 750 feet), Klamath Falls (500 feet for some uses), Lafayette, Lake Oswego, Roseburg, Salem (for employees and residents downtown, up to 2000 feet), Stayton (500 feet), TGM Model Code.

Sample code language:

Vehicle parking spaces required by this Chapter may be located on another parcel of land within *one-quarter mile/2000 feet/one-half mile* of the use it serves. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route.

[Additional option for on-street] On-street parking in non-residential zones within one-quarter mile of the building may be used toward fulfilling the minimum parking requirements. [An on-street parking space may be counted only once to fulfill an off-street parking requirement, except as provided in [shared parking reference – see #6, below.] The City shall maintain a record of on-street spaces that are



Parking and walking has multiple benefits for people and cities.

plan for future transportation investments. The TSP assessment is the first step in finding out next steps to update an old transportation system plan. In the 2019-20 biennium, TGM provided TSP Assessments to the cities of Albany, Florence, La Grande, and Myrtle Creek.

comprehensive plans and development codes. Local capacity to address these planning needs has decreased over time. Without assistance, many cities are unable to address the barriers to development of new housing that exist within their own communities.

Goal 2: Promote Sustainable, Vibrant Communities

Support local planning efforts to develop resilience to natural hazards, including those exacerbated by climate change

The mission and vision of Oregon’s natural hazards program are: to create a disaster-resilient state of Oregon such that natural hazard events result in no loss of life; events cause minimal property damage; and the long-term impacts to the economy are reduced. In 2020 fire unfortunately took center stage, but other hazards continue to present significant risks in the future. This includes drought, rising sea levels and higher tides, large storms that lead to landslides and flooding, and the ever present threat of a Cascadia Subduction Earthquake. The DLCD Natural Hazards Program includes four elements:

- Coastal Hazards (specific coastal hazards and related climate change initiatives can be seen in “Protect and Conserve Coastal and Marine Resources.”)
- Natural Hazards Mitigation Planning
- National Flood Insurance Program (NFIP)
- Planning for Climate Change

Natural Hazards Mitigation Planning

A Natural Hazards Mitigation Plan (NHMP) identifies and examines the hazards, vulnerabilities, and risks facing local, state, and tribal governments. DLCD maintains the Oregon NHMP and assists local governments and tribes with developing, updating, and maintaining their NHMPs. These plans are most effective when implemented with comprehensive, long-term planning such as plans, programs, and policies.

Oregon’s NHMP provides statewide and regional information on the natural hazards most likely to occur in the state. The NHMP also reports on the potential impacts of natural hazards on people, property, and the environment, and establishes a mitigation strategy to reduce those impacts. The first Oregon NHMP was completed in 1992.

Each five-year update to Oregon’s NHMP must be approved by FEMA so that the state can receive federal funds to carry out mitigation planning and projects. In 2018, DLCD applied for and was awarded funding from FEMA to update



Figure 43. Oregon has a variety of hazards that affect the lives and property of residents. DLCD helps communities plan effectively for resilience to these risks.

Goal 2: Promote Sustainable, Vibrant Communities

the 2015 Oregon NHMP. The FEMA grant from the Pre-Disaster Mitigation Program covers 75% of the cost, and DLCD provides 25% from the General Fund. DLCD staff worked with subject matter experts in many state agencies to gather data about hazards and mitigation actions. DLCD staff assembled and integrated the information to create a multi-hazard state plan that met all of the FEMA requirements. The updated NHMP, called the 2020 Oregon NHMP, was approved by FEMA on September 21, 2020, and will be valid through 2025.

DLCD staff also led updates on many local NHMPs and one Tribal NHMP during this 2019-2021 biennium. This work is described below. It was also partially funded by grants from FEMA. Local governments provided some of the match, and DLCD provided the remaining match from the General Fund.

The work that DLCD's natural hazards planners do is largely focused on updating Natural Hazards Mitigation Plans (NHMPs) at the local, state, and Tribal level. NHMPs are required to be updated by the jurisdiction and approved by FEMA every five years. Current NHMPs maintain the eligibility of the jurisdiction for FEMA's pre- and post-mitigation funds. Without a current NHMP, communities are not eligible for certain FEMA funds.

DLCD's work with communities to update their NHMPs is conducted with FEMA Hazard Mitigation Assistance (HMA) grants. HMA grants include the Pre-Disaster Mitigation (PDM) grant which, with the 2020 grant cycle, is now the Building Resilient Infrastructure and Communities (BRIC) grant; the Hazard Mitigation Grant Program (HMGP); and the Flood Mitigation Assistance (FMA). Most DLCD's NHMP work has been funded Pre-Disaster Mitigation (PDM) grants. Currently, DLCD has one NHMP update funded by HMGP; with several proposals for NHMP updates in the application process for HMGP funding. When DLCD collaborates with jurisdictions on NHMPs, we make an IGA/SOW with the involved jurisdictions.

The work with jurisdictions that occurred during the 2019-2021 biennium is described below, by funding type and year.

PDM 16

Burns Paiute Tribe: The Burns Paiute Tribe was not originally part of the two PDM 16 grant awards that DLCD obtained for eight counties (Harney, Wasco, Hood River, Gilliam, Sherman, Wheeler, Lake, and Malheur). The Burns Paiute Tribe's Emergency Manager was invited to and attended the first meeting of the Harney County NHMP Steering Committee in December 2017. Harney County and the Burns Paiute Tribe work together on many things and additional collaboration was being fostered. The Burns Paiute Tribe's NHMP had expired in 2014. It was agreed that DLCD would take on the update of the Burns Paiute Tribe NHMP and the PDM grant was updated to reflect that, which took approval of OEM and FEMA.

This is the first Tribal NHMP that DLCD has updated. The Tribe's NHMP is a national NHMP and has slightly different requirements than state and local NHMPs. The Tribe's NHMP was prepared primarily through the interaction of DLCD staff with the Tribe's Emergency Manager. Harney County's Emergency Manager was also very engaged in the Tribe's NHMP. The Tribe added air quality to the existing identified natural hazards that impact the community. A lot of discussion occurred on integrating NHMP information and mitigation actions into other plans, policies, and provisions. Some of the most noted plans for integration were the Emergency Operations Plan and the Strategic Plan.

DLCD submitted the draft NHMP to OEM and FEMA on 8/26/20. The Tribe requested both OEM and FEMA review it so the Tribe maintains eligibility on grants as a sub-recipient. OEM has reviewed the draft NHMP and sent it to FEMA on 11/24/20 for their review. DLCD requested an extension on the grant for this work; the grant closed 8/30/20.

Goal 2: Promote Sustainable, Vibrant Communities

Harney County: Harney County was the first jurisdiction under the two PDM 16 grants to have a NHMP Steering Committee meeting; that occurred in December 2017. There were three in person NHMP Steering Committee meetings. The NHMP includes Harney County, City of Burns, and City of Hines. During the update process, Harney County added air quality to the existing identified natural hazards that impact the community. A lot of discussion occurred on integrating NHMP information and mitigation actions into other plans, policies, and provisions. Some of the most noted related plans were the Community Wildfire Protection Plan, the Emergency Operations Plan, the Comprehensive Plan, and the Strategic Plan. Harney County's Emergency Manager was the main point person with DLCD staff. Harney County GIS provided maps for the NHMP.

DLCD submitted the draft NHMP to OEM on 12/17/19. FEMA issued the APA letter on 3/11/20. The local jurisdictions have approved the NHMP: Hines on 3/24/20, Harney County on 3/25/20, and Burns on 4/8/20. DLCD staff sent the local approval resolutions to FEMA and OEM on 4/9/20. The FEMA Approval letter is dated 4/14/20. DLCD requested an extension on the grant for this work; the grant closed 8/30/20.

Wasco County: Wasco County had an Emergency Manager and a staff planner assigned to work with DLCD staff. The staff planner worked closely with the DLCD staff. There were six in person NHMP Steering Committee meetings. A lot of discussion occurred on integrating NHMP information and mitigation actions into other plans, policies, and provisions. Some of the most noted related plans were the Community Wildfire Protection Plan, the Emergency Operations Plan, the Comprehensive Plan, and the Zoning Code. Wasco County applied for and received a national grant for wildfire planning work during the NHMP update.

Wasco County's NHMP received the Approval Pending Adoption (APA) letter dated 3/20/19 from FEMA for the NHMP which includes Wasco

County and The Dalles. The Wasco County Board of County Commissioners voted and approved the NHMP on 4/17/19. The Dalles City Council voted and approved it on 5/13/19. The FEMA Approval letter was dated 6/4/19 and is valid through 5/16/24.

Hood River County: Hood River County's Emergency Manager worked on the NHMP with DLCD staff. For this NHMP update, DLCD obtained agreement with the University of Oregon's RARE program to have a master's student embedded with the Emergency Manager to collaborate with DLCD staff.

The Hood River County NHMP was approved by FEMA on 11/13/18 for Hood River County, City of Hood River, and City of Cascade Locks. The Port of Hood River and the Port of Cascade Locks participated and FEMA approved the addendums on 3/21/19.

Malheur County: Malheur County's Emergency Manager was the main point of contact for this collaboration. A large and engaged NHMP Steering Committee participated in the NHMP update. The NHMP Steering Committee decided to consider adding air quality as a natural hazard in the next update of the NHMP. There were three in person NHMP Steering Committee meetings. In addition, Malheur County's Emergency Management Team met every month and DLCD staff attended those via Zoom so that additional information could be gathered, shared, and discussed.

Overall, a lot of discussion occurred on integrating NHMP information and mitigation actions into other plans, policies, and provisions. Some of the most noted related plans were the Community Wildfire Protection Plan, the Emergency Operations Plan, the Comprehensive Plan, and the Zoning Code. The existing identified natural hazards that impact the community were retained.

The NHMP includes Malheur County, Ontario, Nyssa, and Vale. The Malheur County Board of County Commissioners approved the NHMP

Goal 2: Promote Sustainable, Vibrant Communities



Ontario, Oregon Fire Station. Apr 2018. Photo credit: Tricia Sears

on 6/26/19. Ontario's City Council approved the NHMP on 7/3/19. Both Nyssa's City Council and Vale's City Council approved the NHMP on 7/9/19. The resolutions were sent to OEM and FEMA on 7/10/19. The FEMA Approval letter was dated 7/24/19 and is valid through 7/23/24.

Sherman County: The Sherman County Emergency Manager was the main point of contact for this collaboration. The NHMP Steering Committee gathered for multiple in person meetings. A lot of discussion occurred on the value of the NHMP and integrating NHMP information and mitigation actions into other plans, policies, and provisions. Some of the most noted related plans were the Community Wildfire Protection Plan, the Emergency Operations Plan, the Comprehensive Plan, and the Zoning Code.

FEMA's APA letter was dated 6/25/19. Over the next few weeks, the Sherman County Emergency Manager was successful in coordinating with the participating jurisdictions – Sherman County, Grass Valley, Moro, Wasco, and Rufus - to complete the local adoption process. The resolutions were then sent on to FEMA. The FEMA Approval letter is dated 8/6/19.

Gilliam County: Gilliam County's Emergency Manager worked on the NHMP with DLCD staff. For this NHMP update, DLCD obtained agreement with the University of Oregon's RARE program to have a master's student embedded with the Emergency Manager to collaborate with DLCD staff. There were several in person NHMP Steering Committee meetings. A lot of discussion occurred on integrating NHMP information and mitigation actions into other plans, policies, and provisions.

The NHMP was approved by FEMA on 1/17/19. The NHMP includes Gilliam County, Cities of Arlington, Condon, and Lonerock.

Lake County: A lot of discussion occurred on integrating NHMP information and mitigation actions into other plans, policies, and provisions. Some of the most noted related plans were the Community Wildfire Protection Plan, the Emergency Operations Plan, the Comprehensive Plan, and the Zoning Code. Lake County's identified natural hazards that impact the community did not change; air quality was already on the list.

Goal 2: Promote Sustainable, Vibrant Communities



Lakeview, Oregon City Hall. Oct 2018. Photo credit: Tricia Sears

This NHMP update involved Lake County, the City of Paisley, and the Town of Lakeview. There were five in person Steering Committee meetings. DLCD submitted the NHMP to OEM for review on 3/19/20. Since OEM was quite busy with the COVID-19 pandemic, FEMA began the NHMP review process. FEMA's Approval Pending Adoption letter is dated 5/20/20. Lakeview approved the NHMP on 6/11/20, Paisley approved the NHMP on 6/16/20, and Lake County approved the NHMP on 6/17/20. DLCD staff sent the three local approval resolutions to FEMA and OEM on 6/18/20. FEMA's Approval letter is dated 7/8/20 and was emailed to DLCD on 7/13/20. DLCD requested an extension on the grant for this work; the grant closed on 8/30/20.

Wheeler County: Wheeler County's Emergency Manager was the point person with DLCD. A lot of discussion occurred on the value of the NHMP and integrating NHMP information and mitigation actions into other plans, policies, and provisions. Wheeler County noted their very limited resources as a substantial challenge to their ability to do this NHMP and implement it.

Wheeler County and the Cities of Fossil, Mitchell, and Spray were involved in this NHMP update. The NHMP was submitted to OEM on 7/30/19. FEMA's APA letter is dated 11/22/19. After receiving the APA letter, Wheeler County approved the NHMP on 12/4/19. On 12/13/19, FEMA approved the NHMP. The cities of Fossil, Mitchell, and Spray had not yet provided

approval resolutions. Those cities then approved the NHMP. The Wheeler County Emergency Manager sent the resolutions from Spray (sent 1/27/20), Fossil (sent 1/9/20), and Mitchell (sent 1/8/20) to OEM. FEMA then revised the approval after receiving all the resolutions; the revised FEMA Approval letter is dated 1/27/20 with all four jurisdictions included.

PDM 17

Clatsop County: The final version of the NHMP is being prepared for submittal and review with OEM and FEMA.

Baker County: FEMA provided their APA letter in December 2020 and the jurisdictions are in the process of adopting the NHMP.

Grant County: All jurisdictions have adopted the 2020 Grant County Multi-Jurisdictional Natural Hazard Mitigation Plan update and the finalized document including the approval letters, review tool, and the adoption instruments has been provided to FEMA, OEM and all the jurisdictions in Grant County.

Lincoln County: The Oregon Partnership for Disaster Resilience (OPDR) at the University of Oregon continues to update the NHMP in collaboration with DLCD.

PDM 18

DLCD submitted an application to FEMA proposing to update the NHMPs of the City of Sweet Home, Coos County, Curry County, and Wallowa County. Pre-award work has been in process with these jurisdictions. Planners were alerted on 10/8/20 that the paperwork errors had been corrected on the award documents; therefore it was okay to move forward since FEMA obligated the funds for PDM 18. The post-award phase began 9/2/20.

Sweet Home: DLCD and Sweet Home had a pre-award NHMP Steering Committee meeting on 12/3/19. Dialogue continued while waiting to move into post-award work. With the funds obligated, DLCD and Sweet Home can have

Goal 2: Promote Sustainable, Vibrant Communities

post-award NHMP Steering Committee meetings. One meeting was held on 12/4/20 and additional meetings will be held each month in 2021.

Coos County: Coos County has eleven jurisdictions participating in the NHMP update, seven of which have approved the DLCD IGA. Coos County Sheriff Captain Gabriel Fabrizio is the acting EM through July 2021. A second pre-award meeting occurred 3/03/20 solidified public engagement plans and Steering Committee operating norms. A short Steering Committee meeting occurred on 5/05/20 to affirm a joint consultation letter to the Tribal Nations with interest in the planning area. All three Tribal Nations have confirmed interest in the planning process.

Curry County: Curry County is planning on seven jurisdictions participating, three of which have executed IGAs. A second pre-award meeting occurred 04/16/20 to re-invigorate interest in the project and ensure that IGA adoption is moving forward.

Wallowa County: IGAs with Wallowa County, the Cities of Wallowa and Enterprise, the Soil and Water Conservation District, the Wallowa Lake County Service District and Wallowa School District were signed. Other IGAs are anticipated from the Cities of Lostine and Joseph along with the Joseph School District, Enterprise School District and the Wallowa Lake Irrigation District for a total of 11 entities to join this multi-jurisdictional plan. Post award work has begun including preparations for the hazard vulnerability analysis to be conducted at the next Steering Committee meeting in February 2021.

PDM 19

DLCD applied for PDM 19 funds to do NHMP updates with Albany, Cottage Grove, Tillamook County, and Marian County.

Hazard Mitigation Grant Program

Umatilla County: The project is to update the expired Umatilla County Multi-Jurisdictional NHMP so that it is FEMA-approved and provides

eligibility for Hazard Mitigation Assistance (HMA) funds. As of 10/12/20, Umatilla County, the twelve incorporated cities, and four special districts within Umatilla County have signed IGAs with DLCD and will participate to update the NHMP. The twelve cities are: Adams, Athena, Echo, Helix, Hermiston, Milton-Freewater, Pendleton, Pilot Rock, Stanfield, Ukiah, Umatilla, and Weston. The four special districts are: Walla Walla River Irrigation District, Stanfield Irrigation District, Hermiston Irrigation District, and the Umatilla County Soil and Water Conservation District.

FEMA sent a letter dated 8/31/20 that says they approved the project and obligated the funds on 8/24/20. Thus far, the post-award Umatilla County NHMP Steering Committee meetings have been held on 9/29/20, 10/27/20, 11/17/20, and 12/15/20. The next meetings are on 1/26/21 and 2/23/21. The plan is for the entire update of the Umatilla County NHMP to occur within nine months of the HMGP funds for DR-4432 being obligated.

Sample Presentations during the timeframe July 1, 2019 – December 17, 2020

The following are related to *Preparing for Landslide Hazards: A Land Use Guide for Oregon Communities*:

- Oregon City, joint meeting of the Planning Commission and City Council 10/8/19
- Coastal Planners Meeting 10/14/19
- Webinar 11/7/19
- Cooperating Technical Partners Region 10 Quarterly Meeting 8/21/20
- Oregon City Geologic Hazards Community Forum 9/23/20
- The Seminar Group's Landslides Conference 10/9/20
- AEG (the Oregon Chapter of the Environmental and Engineering Geologists) Monthly Meeting 11/17/20

Goal 2: Promote Sustainable, Vibrant Communities

Other Presentations during the timeframe July 1, 2019 – December 17, 2020

- Eastern Oregon Regional Solutions Team, Natural Hazards Mitigation Planning in Oregon 8/11/20
- Oregon APA and APA Washington joint conference, Planning for Hazard Mitigation and Economic Resilience in Oregon 10/14/20
- Hazard Happenings, Integrating Hazards Planning for Economic Resilience 10/29/20

COVID-19 Recovery Resources for Communities

<https://www.oregon.gov/lcd/UP/Pages/Economic-Development.aspx#Recovery>

#1. Tips for Planners

#2. Public Right-of-Way

#3. Development Code Reform

The National Flood Insurance Program

The National Flood Insurance Program (NFIP) aims to protect lives and property by reducing the impact of flooding on private and public structures. It does so by requiring communities to adopt and enforce floodplain management regulations, and the state to ensure its laws, rules, and policies comply with the provisions of the NFIP. In exchange, federally backed flood insurance is made available to property owners and renters, and disaster assistance is provided to Oregon communities when major flood disasters occur. These efforts help protect lives and property from flooding and help Oregon residents rebuild after a flood event

Through an agreement with the Federal Emergency Management Agency (FEMA), two hundred sixty-one Oregon cities, counties and tribes participate in the NFIP, making flood insurance available to nearly all residents and businesses in the state of Oregon. Flood insurance is essential to off-setting the costs of repairing flood damage and rebuilding for residents, local communities, the state, and

FEMA associated with a flood disaster. Flood insurance is also required for any homes within a FEMA mapped floodplain that are purchased with a federally backed mortgage loan. As the coordinating agency for Oregon's participation in the National Flood Insurance Program, DLCD helps local communities understand, implement, and adhere to the program's requirements. The department offers assistance and training to local floodplain managers, property owners, surveyors, building officials, real estate agents, state agency staff, and others.

In the last -biennium, 50 Oregon cities or counties have updated their flood map information to continue to qualify for NFIP. The department maintains a database of Floodplain Managers and communicates critical information about the NFIP on a regular basis.

The NFIP has three basic components: 1) flood hazard mapping; 2) flood insurance; and 3) regulation of special flood hazard areas (the 100 yr. floodplain). Each local community adopts local floodplain management regulations that comply with the minimum standards of the NFIP, and has a Floodplain Administrator. DLCD floodplain management staff assist the 260+ local floodplain managers, community residents, and other parties when they have questions or issues regarding implementation of local floodplain management programs and NFIP requirements. Currently this is handled by one staff member the state NFIP Coordinator. The Coordinator also assists communities with updating their local flood hazard regulations and conducting outreach regarding flood risks and the importance of purchasing flood insurance to protect properties within high risk flood hazard areas.

In addition after any disaster that impacts floodplain areas, the NFIP coordinator provides assistance to local communities with assessing the damage, conducting outreach to residents, navigating local floodplain requirements when rebuilding, and identifying opportunities to build back safer. The NFIP requires local communities to document the damages to structures and

Goal 2: Promote Sustainable, Vibrant Communities

issue permits for all rebuilding activities within regulatory floodplains (the 100 year floodplain). The community requests for assistance after the multiple flood disasters and the large Labor Day wildfire disaster that has impacted numerous communities has created a substantial additional workload for the one dedicated DLCD floodplain staff person, and caused the community assistance workload to significantly surpass staff capacity.

Planning for Climate Change

Climate change is a consideration for land use, transportation, natural hazards, and coastal management planning. It involves a two-pronged approach: mitigation and adaptation. Mitigation consists of actions taken to slow or stop climate change – to keep the problem from occurring. Reduction of greenhouse gases is an obvious example. Adaptation refers to actions that deal with the effects of climate change, such as revising floodplain ordinances to address higher water levels. In general, there are planning strategies that can be applied to address both the causes and effects of climate change.

There are three main policy areas for mitigating, or reducing, carbon emissions from the transportation sector: improving fuel efficiency, lowering the carbon content in fuels, and reducing Vehicle Miles Traveled (VMT). Building walkable, bikeable neighborhoods that allow residents to access schools, grocery stores, jobs, and the other goods and services needed for day to day life is a good way to meet these goals. By reducing the number of trips that require us to get into our car, we make walking, biking, and transit trips feasible.

Climate change has the potential to make Oregon's natural hazards more frequent and severe, and to bring new natural hazards that we haven't typically experienced. The [Oregon Natural Hazards Mitigation Plan](#) identifies eleven natural hazards in Oregon. The natural hazards that will continue to disrupt the lives of Oregonians include: coastal erosion, drought,

dust storms, earthquakes, wildfire, floods, landslides, tsunamis, volcanic eruptions, windstorms, and winter storms. While it is impossible to predict when an event will occur or the extent to which it will affect a community, we know there will be an interaction between natural systems, the built environment, and social systems. With careful planning and collaboration we hope to reduce the loss that occurs and build resilient communities.

On the Oregon coast, sea level rise means waves will break closer to the coastline and reach bluff bases more frequently, increasing the rate of erosion and cliff retreat. Dunes are also predicted to retreat under rising sea levels and larger waves. Dunes provide a natural buffer against erosion and flooding. Their retreat will jeopardize their natural buffering function as well as any development located behind the dunes. With higher sea levels, especially in areas with hardened shorelines (e.g. riprap), beach accessibility is likely to decline as the width of the beach decreases. This is problematic not only for people who wish to access the beach, but also for marine animals who utilize the beach, such as seals for haul-out sites, and other tidally-dependent organisms. Hardened shorelines can also prevent habitat (like dunes or wetlands) from migrating upland with sea level rise. With increased levels of erosion and flooding, the threat to oceanfront development will increase, including to private property, and public facilities and infrastructure.

DLCD has a Policy Option Package (POP 111) proposed which will add a position for Climate Change Adaptation. The first goal of this position will be to assist the Governor's Office and other agencies and interested parties implement the 2021 Oregon Climate Change Adaptation Framework. The second goal of the position will be to assist local governments with addressing climate change adaptation in their planning and projects. Finally, the position will oversee production of a statewide climate change vulnerability assessment.

Goal 3: Engage the Public and Stakeholders in Oregon's Land Use Planning Program

A 2013 statewide survey¹⁹ found that Oregonians value the state's natural beauty, outdoor recreation opportunities, and relatively clean air and water. The survey reported that economic development is seen by Oregon residents as something that needs to take place while simultaneously recognizing the importance of our state's natural environment on the quality of life here. Protection of clean air and water was judged important by 74% of respondents, and 58% say growth should be directed to take place inside existing cities and towns. 57% favor protection of the environment even at the risk of slowing economic growth.

DLCD typically employs 9 Regional Representatives that actively work with local

governments within a region to assist with land use decisions and processes, build relationships, and actively collaborate with other members of the state's Regional Solutions Teams in creating good outcomes for their coordinated efforts. Regional representatives receive frequent recognition and praise for the role they serve in local planning processes from the planning community and beyond. Due to COVID-related budget rebalancing, seven are currently employed.

This strategic goal contains two related, but distinct aspects: 1) communicating with and informing the public; and 2) engaging and collaborating with other entities throughout the state.

Develop strong, collaborative partnerships with people and communities in all regions with diverse populations throughout the state through community engagement, outreach and collaboration.

Community engagement is a hallmark of Oregon's planning program. Each city and county plan describes how the public can participate in each phase of the planning process. Local governments must periodically evaluate their efforts to involve the public in decision making, and if necessary, update their program. These requirements are established by Statewide Planning Goal 1: Citizen Involvement.

Citizen Involvement Advisory Committee (CIAC)

Oregon Revised Statute Chapter 197 established the Citizen Involvement Advisory Committee (CIAC) to advise LCDC and local governments on matters pertaining to citizen involvement in land use planning. CIAC is an advisory body only; it has no authority over local governments or state agencies. The committee does not set policy or review local land use plans (except for Citizen Involvement Programs). The CIAC can have up to eight members, one from each of

Oregon's five congressional districts and three chosen at-large. CIAC members are unpaid volunteers, appointed to four-year terms by LCDC. The committee meets quarterly. In non-COVID years, the committee meets with LCDC to review themes in citizen involvement, large scale issues, and to make recommendations for improving citizen involvement throughout the state. During the 2019-21 biennium, the CIAC:

- Awarded an Achievement in Community Engagement (ACE) Award to recognize the public engagement efforts in Estacada Oregon;
- Finalized the "Putting the People in Planning" guidebook, originally published in 1986;
- Offered feedback on the outreach plan for development of the Policy Agenda and climate rulemaking
- Provided a panel overview on best practices for community engagement to LCDC in July, 2019

¹⁹ <http://oregonvaluesproject.org/findings/top-findings/>

Goal 3: Engage the Public and Stakeholders



Presenting the Achievement in Community Engagement (ACE) Award to recognize public engagement efforts in Estacada, Oregon.

- Presented on engaging community in COVID as part of the Oregon Chapter of the American Planning Association conference

Current committee membership:

- Steve Faust (Chair), District 3
- Leah Rausch, At-Large
- Zechariah Heck, (Vice Chair), At-Large
- Katie Pearmine, Vice-Chair, LCDC

Recruitment efforts to rebuild full membership will resume in 2021.

Local Officials Advisory Committee (LOAC)

Oregon Revised Statute Chapter 197 established the Local Officials Advisory Committee (LOAC) to advise LCDC and the department on matters involving local governments.

The LOAC is made up of seven members representing cities, counties and Metro. They are appointed by LCDC in consultation with the League of Oregon Cities and the Association of Oregon Counties.

LOAC is specifically charged by statute with the responsibility to review and advise LCDC on proposed goal amendments.

Current committee membership:

- Mark Davidson, County Commissioner (Union County)
- George Endicott, Mayor (City of Redmond)
- Larry Givens, County Commissioner (Umatilla County)
- Dick Gordon, City Councilor (City of Medford)
- Bob Stacey, Metro Councilor
- Jerry Lidz, LCDC Commissioner
- Ken Kestner, County Commissioner (Lake County)
- Peter Truax, Mayor (City of Forest Grove)
- Stan Primozych, County Commissioner (Yamhill County)

New members will include Mayor Cathy Clark, City of Keizer Oregon and Judge Melissa Lindsay, Morrow County.

Government to Government: Working with Oregon's Tribes

The department's working relationship with Oregon's nine federally recognized tribes is guided by statute and executive orders. The department has an active relationship with the Legislative Commission on Indian Services

Goal 3: Engage the Public and Stakeholders

(LCIS) that includes serving on several regularly scheduled cluster and working groups comprised of state agency staff and Tribal representatives. A report to the LCIS reporting on the department's Government-to-Government activity is issued annually and can be accessed through the department's web page.

Improve communication with and education of citizens and stakeholders in all regions of the state.

DLCD staff consistently receives high marks in our evaluation of employee helpfulness, knowledge and expertise, and timely provision of services. The results of our 2020 Customer Satisfaction Survey indicate that over 75% of our survey audience interacts with the agency at least a few times annually.

The primary public communication tool for the agency is the department website, which was migrated to the new state platform in 2018. Robust community, customer, and internal feedback was considered as the agency built out a new version of the website that answered not only to department needs, but also the DAS standards for accessibility and readability.

In 2019 the department launched a new GovDelivery email subscription service that allows users to receive emails on a variety of land use planning topics, as well as, administrative information like DLCD jobs, budget information, and publications. This new tool allows the agency to better communicate with the public, stakeholders, and other interested parties based on their specific interests. This service has an employee team to manage the content and frequency of information dissemination to ensure agency communications are broad and encompassing of all pertinent agency activities.

Other public education and communication accomplishments in the 2019-21 biennium include the following. Many more events were held by zoom.

- The department held seven Planners Network Meetings around the state, to

Activity for the 2019-21 biennium is discussed in detail on the DLCD Biennial Report Government to Government section earlier in this report.. The 2020 Annual Government to Government Report is also available to view on DLCD's website.

engage with and educate local planning staff and train new planning commissioners

- The department held 6 Planning Commissioner Trainings, in conjunction with Planners Network Meetings, focused on newly appointed commissioners, staff to planning commissions, and commissioners wanting to freshen up their understanding of the role and responsibility of a Planning Commission member.
- The department held additional, one-on-one Planning Commissioner trainings on an as-needed basis, typically using Regional Representatives as trainers.
- The Farm/Forest specialist organized a panel for the Association of Oregon County Planning Directors as well as at legal issues seminars

"The regional reps are critical in keep in touch with communities. Specifically Patrick Wingard represents his region very well and is a huge asset."

"Our regional rep, Scott Edelman, is awesome. Super responsive, supportive, if he doesn't know the answer helps us get in touch with the right person."

"Hui Rodomsky and Celinda Adair have been very helpful - and provided links; I would welcome specific training."

Testimonials received in the 2020 Customer Satisfaction Survey

Goal 3: Engage the Public and Stakeholders

Case Study: Forest Grove

An important feature of the project was an analysis that identified regulatory barriers to achieving the mixed-use and residential development the City desired. The main regulatory strategy used was to allow greater densities, which has been successful because it has allowed projects to pencil out that could not before. One regulatory barrier that has remained is off-street parking requirements, which have prevented some development proposals from achieving maximum densities. A simple change in regulation can make the difference between development happening or not. Since the development code amendments, Forest Grove has approved (and seen built) several housing and mixed-use projects, including:

The Jesse Quinn Apartments (Town Center)



Cedar Manor (commercial corridor)



- The TGM program hosted education and outreach events in The Dalles, presented at the Oregon Public Health Association Conference and the Oregon Main Street Conference, held two webinars on parking management, and presented at the Build Large, Live Small conference.
- DLCDC Coastal staff held one in-person Coastal Planner Network meeting in 2019 and three Coastal Planner Network meetings via webinar in 2020 and 2021 due to COVID-related travel restrictions. Coastal staff also held a webinar on findings for coastal local governments in 2020.

Ongoing education and communication efforts include:

- The department continues to perform extensive outreach efforts in development of the biennial Policy Agenda, reaching out to a list of hundreds to solicit input on drafts

and inviting public comment at multiple public hearings

- LCDC meeting materials are available to the public in a timely and organized manner
- Within limits imposed by travel restrictions, the commission held travelling meetings as frequently as they were able, engaging with different communities and areas of the state
- The DLCDC Coastal Program continued their partnership in the King Tides Project, a citizen science effort to better document the effects of rising ocean levels by encouraging members of the public to photograph and share their photos through an online, collaborative platform
- The department continues to host an annual Student Planning Day with students pursuing a master's degree in Planning at Portland State University and University of Oregon

Goal 4: Provide Timely and Dynamic Leadership to Support Local and Regional Problem Solving

The department is a small agency with a big mission. We help carry out the vision and legacy of Senate Bill 100, which for 40 years has contributed to the quality and character of the natural and built environment of the state. The program has been charged by the Legislature with managing urban growth; protecting farm and forest lands, coastal areas, and natural resource lands; and providing for safe, livable communities in concert with the vision of the local communities.

Our mission includes not only stewardship of the land use program and the 19 statewide land use

planning goals that direct our work, but support and assistance for the 278 local jurisdictions – city governments, county governments, and regional governments – that implement the program on the ground. Many land use issues intersect with the interests of multiple state agencies, impact regions of the state differently; or implicate conflicting state and local policies. “Leadership,” as it is being used here, means selectively and strategically choosing which of these intersecting issues the department will invest time and energy in addressing and resolving.

Ensure short and long-range policy development for the commission and the department

Each biennium a Policy Agenda is developed to assist in identifying and prioritizing the policy items the department will pursue over the coming two years. When the policy agenda is created, it is done so with an approach that considers a variety of inputs:

- Legislatively directed work
- The authority of the department and commission
- Staff capacity
- The need for change to help local governments to carry out their land use planning activities

Approved LCDC Policy Agenda for 2019-2021

In November 2020, the LCDC approved an update to the biennial Policy Agenda. The projects included were chosen because they improve statewide land use policies, clarify the intention of existing rules, and implement legislation. A summary description of the included policy items and an update on progress follows.

Completed 2019-2021 Policy Projects

The policy projects below were initially adopted in the 2019-21 Final Policy Agenda in September 2020 and were included in the Revised 2019-21 Revised Policy Agenda.

1. Conforming Rulemakings Required by 2019 Legislation

a. HB 2106 – Permit Expiration and Dog Training

DLCD rules conform legislation allowing dog training classes to be conducted in farm buildings existing on January 1, 2019 within counties that adopted marginal lands provisions (Lane and Washington counties).

b. HB 2225 – Forest Template Dwellings

DLCD rules conform legislation clarifying the method used for determining “center of tract” when establishing a forest template dwelling, prohibiting the use of property line adjustments to qualify a parcel for a template dwelling and prohibiting the use of deed transfer to qualify parcels for template dwellings.

Goal 4: Provide Timely and Dynamic Leadership

c. **HB 2435 – Removing Sunset on Guest Ranches**

DLCD rules conform legislation that repeals the sunset on law allowing guest ranches to be established on lands zoned for exclusive farm use in eastern Oregon.

d. **HB 2469 – Forest Relative Dwellings**

DLCD rules conform legislation allowing a second dwelling on forestlands within the rural fire protection district near an existing dwelling for the owner or relative who supports the owner's forestry practices.

e. **HB 2573 – Cranberry Farms**

DLCD rules conform legislation reducing the income test for adding a dwelling on a cranberry farm provided the farm owner or operator agrees to a deed restriction preventing the use of the dwelling for rentals.

f. **HB 2790 – Outdoor Mass Gatherings**

DLCD rules conform legislation allowing counties to require mass outdoor gatherings of more than 3,000 people, except for agri-tourism events, to obtain a land use permit.

g. **HB 3024 – Farm Replacement Dwelling**

DLCD rules conform legislation that prohibits a county from considering property tax classification of dwellings that were previously removed, destroyed, demolished or converted to nonresidential uses when reviewing application for replacement dwelling on lands zoned for exclusive farm use.

h. **HB 2844 – On-site Farm Processing**

DLCD rules conform to legislation allowing facilities for processing farm products under 2,500 sq. feet on lands zoned for exclusive farm use without regard to siting standards.

i. **HB 3384 – Non-Conforming Schools**

DLCD rules conform to legislation allowing for property expansion of non-conforming secondary schools as long as the school was established on or before January 1, 2009 and the additional property is contiguous and on the same tax lot on which the school was established.

j. **SB 287 – Farm Breweries**

DLCD rules conform to legislation allowing a farm brewery on lands zoned for exclusive farm use or mixed farm and forest use provided the brewery produces less than 150,000 barrels annually, less than 15,000 barrels on the farm brewery site and either owns an on-site hop farm of 15 acres or obtains hops from contiguous properties.

k. **SB 408 – Minimum Lot Size for Utilities on EFU Lands**

DLCD rules conform to legislation allowing partitions smaller than the minimum parcel size in EFU lands for utility facilities necessary for public service.

2. **Goal 18: Pre-1977 Development Focus Group**

The Department of Land Conservation & Development led a focus group to review the usage of Statewide Planning Goal 18: Beaches and Dunes, Implementation Requirement #5. This Goal relates specifically to what type of development is eligible to apply for beachfront protective structure (e.g. riprap) permits. The Focus Group reviewed the provisions of Goal 18, Implementation Requirement #5, relating to shoreline armoring rather than other provisions of the Goal. The principal issues are the protection of Highway 101 and other public assets developed prior to 1977, private property not currently eligible for shoreline armoring, impacts of armoring on public beach access and the management of oceanfront development. A final report was published in October 2019 recommending that the department consider a limited exception to Goal 18 for public facilities.

Goal 4: Provide Timely and Dynamic Leadership



Jon Jinings leads an advisory committee discussion for the Green Energy Corridor Rule, Boardman, Oregon, November 2019.

3. Governor's Council on Wildfire Response

The Governor's Council on Wildfire Response delivered its final report in November 2019. Since that time, the 2020 Legislature considered but did not enact legislation related to the Council's wildfire risk mapping and land use recommendations. Similar legislation is expected for the 2021 Session.

4. Green Energy Corridor Pilot (NE Oregon)

This rulemaking authorized Morrow and Umatilla counties to designate corridors for siting electrical transmission lines on lands designated for exclusive farm use. The proposed revisions do not have statewide application and do not, in of themselves, designate the location of any corridor. LCDC approved this rule in January, 2020.

5. Measure 49 Processing Fee

Landowners may file claims for compensation based on an administrative rule or a state statute under the commission's jurisdiction that is adopted after January 2007. Valid claims are those that would restrict residential, farm or forest uses and reduce the fair market value of the property. While the department must review the claims for completeness and legal sufficiency, at present, the department has no source of project-related funding to pay for staff review, retain

property appraisers or cover legal fees. To date, this cost and analysis has relied upon sufficient general fund resources.

Based on HB 2225 relating to forest template dwellings in the 2019 Session, DLCD is expecting a potentially significant number of Measure 49 claims as of January 2021. As result, the commission approved initiation of a rulemaking to establish a processing fee at the July 2020 meeting and, later at the November 2020 LCDC meeting, this rule was adopted.

Ongoing 2019-2021 Policy Projects

The policy projects below were included in the 2019-21 Final Policy Agenda but still on-going at the time of the 2019-21 Revised Policy Agenda:

1. Mariculture Geospatial Database – HB 2574

HB 2574 required the department to develop an online, electronic, geospatial information system to collect, consolidate, and organize public record information about shellfish mariculture in Oregon waters. The bill appropriated \$200,000 for the biennium to support the work. DLCD hired one limited-duration position to undertake this work and, at the present time, the information system is planned to be operational by the spring of 2021.

Goal 4: Provide Timely and Dynamic Leadership

2. HB 2329 – Energy Facility Siting Council Changes

Passed in the 2019 session, HB 2329 raised acreage thresholds for the review and approval of solar energy facilities by the Energy Facility Siting Council resulting in more review and approval of these facilities by local governments. However, contrary to legislative intent, the legislation was inadvertently drafted to require new local siting standards for mid-tier renewable energy facilities, including solar, wind, geothermal and biomass operations. Under the Measure 56 statute, DLCD is required to notify counties of new statutory restrictions and then reimburse counties for the notices mailed to affected property owners.

Because no funding was appropriated for this purpose, DLCD staff had hoped to work with the Governor's Office and key legislators to amend the statute during a special session or, should that prove unsuccessful, request the needed funding from the legislative Emergency Board. As time passes, due to the legislative focus on the overwhelming issues of the COVID-19 pandemic and wildfires, the issues will be addressed in the 2021 Session.

3. Climate Change Adaptation Framework Update

In 2018, by virtue of federal funds, DLCD Oregon Coastal Management Program (OCMP) staff started a project to update the Climate Change Adaptation Framework originally published in December 2010. The framework will identify the major climate risks in Oregon and suggest key objectives and actions to address these risks along with an appropriate governance structure to ensure renewed focus and leadership from state agencies on climate change adaptation. Staff lead Christine Shirley coordinates a 25-agency work group comprised of state agency staff who provide specific content. The work group draws on the expertise of a multi-agency technical advisory team to ensure that best available data are used to develop climate change adaptation actions.

The draft report on the Framework Update and key recommendations should be published by December 2020.

4. Every Mile Counts and Climate Friendly & Equitable Communities Rulemaking

As directed by Governor Brown's September 2019 letter and pursuant to Section 9 of Executive Order 20-04, DLCD continues to work with the Oregon Department of Transportation (ODOT), Oregon Department of Energy (ODOE), and the Oregon Department of Environmental Quality (DEQ) to implement the Statewide Transportation Strategy (STS). Additional interested and affected agencies include the Oregon Health Authority, Oregon Housing and Community Services and Business Oregon.

The Statewide Transportation Strategy: A 2050 Vision for Greenhouse Gas Reduction was completed in 2013, following legislative direction to identify ways to reduce transportation related greenhouse gas emissions. The four agencies have completed a draft STS Multi-Agency Implementation Work Plan that covers a two year period from June 2020-June 2022. This multiagency effort is known as the Every Mile Counts initiative. Within the initial work plan, DLCD has initiated the Climate Friendly & Equitable Communities rulemaking to reduce greenhouse gas emissions from the transportation sector by requiring plans in metropolitan areas to meet regional reduction goals. Policy Option Package 112 would continue this work with resources for local government community engagement.

5. Missing Middle Housing – HB 2001

HB 2001 is intended to address the statewide deficit of housing by adjusting allowable development standards in areas zoned for single family residential development. This legislation directed DLCD to develop a model ordinance, establish a grant program, and secondary rulemaking related to the review and approval of extensions based on infrastructure deficiencies.

Goal 4: Provide Timely and Dynamic Leadership

The legislation also directed the department to adopt model ordinances for medium cities (populations between 10,000 and 25,000) and larger cities (populations greater than 25,000) and cities in the Metro region with a population greater than 1000. HB 2001 requires final action by LCDC on the model ordinances no later than December 31, 2020.

After months of work and many meetings, major pieces necessary to implement HB 2001 have been adopted. Technical assistance grants are ready for distribution to aid local governments in adopting local middle housing ordinances or addressing infrastructure constraints. The model code and minimum criteria rules for allowing duplexes on every lot or parcel have been formally adopted. Finally, in December 2020, LCDC adopted final rules for a model code and minimum criteria to address triplexes and other dense types of middle housing in larger and Metro cities.

6. Regional Housing Methodology/Housing Production Strategies – HB 2003

HB 2003 directs Oregon Housing and Community Services (OHCS), in consultation with DLCD and the Department of Administrative Services (DAS), to develop a regional housing needs methodology and then apply the methodology to defined regions of the state on or before July 1, 2020. It also directs OHCS and DLCD to report to an interim legislative committee on this analysis by September 1, 2020 and to provide final legislative reports by March 31, 2021. Specifically, DLCD is directed in consultation with OHCS and DAS to evaluate the regional housing needs methodology.

OHCS has finished its sample regional housing needs analysis required under HB 2003. DLCD will prepare a report to the 2021 Legislature on how we propose to integrate the regional housing needs analysis into Oregon's statewide planning program. Over the next few months, staff will host a series of meetings with stakeholders and public, including meetings targeted to the

different regions of Oregon, to gather input on whether and how this regional methodology should be incorporated into local analyses of needed housing. Ultimately, during the 2021 Session, the Legislature will decide whether to require a regional housing needs methodology.

In addition, HB 2003 required cities with populations over 10,000 to develop and adopt a housing production strategy (HPS) based on a schedule for housing needs analyses (HNAs) to be adopted by LCDC. Delegating authority to the Director, the HNAs schedule was adopted as statutorily required by December 31, 2019. The HPS rules were adopted in November 2020.

Future work on Housing Production Strategies will center on finalizing minimum compliance and guidance requirements for the Housing Production Strategy report, finalizing annual and mid-reporting requirements for cities, and defining a methodology for a progression of enforcement measures. Adoption was done at the November LCDC meeting.

7. City of Bend Pilot / Housing in Areas Zoned for Employment – HB 3450

HB 3450 authorizes a city with a population over 75,000 not located within a metropolitan service district (i.e. City of Bend) to adopt land use regulations authorizing mixed-use housing within areas zoned for employment uses under certain conditions. The bill also allows the city to use "alternate means" to comply with several statewide land use planning goals (i.e., Goal 9 – Economy, Goal 10 – Housing, Goal 11 – Public Facilities & Services, and Goal 12 – Transportation). Both the land use regulations and "alternate means" of compliance, as well as any related comprehensive plan amendments, are subject to LCDC review and approval.

Commission review and possible action on the comprehensive plan amendment and land development regulations is expected in January, 2021.

Goal 4: Provide Timely and Dynamic Leadership

8. Affordable Housing Pilot Project – HB 2336

In 2016, the Legislative Assembly enacted House Bill 4079, creating an affordable housing pilot program to be implemented by the Land Conservation and Development Commission (LCDC). The measure specified that two projects would be selected from sites nominated by local governments: a city with a population less than 25,000, and a city with a population more than 25,000. Bend and Redmond were the only two applicants and both have populations over 25,000, so they were in competition with one another, and Bend was selected. Bend's population is over 90,000 and Redmond is just under 30,000. House Bill 2336 allows Redmond to participate in the pilot program since no cities with populations less than 25,000 were nominated.

There are no DLCD deliverables for this policy project and the department is wanting for applications from the cities of Bend and Redmond.

9. Rocky Habitat Update to Territorial Sea Plan Part III

The update to the Territorial Sea Plan Part Three was organized into a phased approach to manage the diverse needs of the plan. The development of updated language for Part Three follows a Community Based Proposal Process. The intent of this process is to create a transparent update mechanism and a user friendly final product for managing Oregon's rocky habitat resources. The final product of this process is an updated Territorial Sea Plan Part Three for incorporation by reference into a single administrative rule. After a new rule has been adopted, enforceable policies will be extracted and submitted to the National Oceanic and Atmospheric Administration for federal consistency purposes. This work is anticipated to continue through the fall of 2021.

New Policy Projects for 2019-21

This list includes newly defined policy projects for the 2019-2021 biennium:

1. Undersea Cable Policy

Ocean Policy Advisory Committee and LCDC will generate rule amendments to update Subsea Cables chapter IV of the Territorial Sea Plan. The OPAC recommendation on appropriate rule language occurred May 6, 2020. OCMP staff would begin an amendment process in 2021, concluding by late 2021 to mid-2022.

2. Goal 18 Limited Exception for Public Facilities

This proposed rulemaking stems from the research and policy discussions conducted under the Goal 18: Pre-1977 Development Focus policy project. An update to the rule would refine the existing exception process to allow shoreline armoring for limited public facilities. Initial work would commence in the summer or fall of 2021, led by DLCD OCMP staff.

3. Carbon Storage & Sequestration Goals (Exec. Order 20-04)

At the direction of the Oregon Global Warming Commission (OGWC), DLCD is working to support implementation of Section 12 of Executive Order 20-04. This section directs the OGWC to submit a proposal that considers the "adoption of state goals for carbon sequestration and storage by Oregon's natural and working landscapes, including forest, wetland, and agricultural lands ..." By protecting the state's farm and forests through urban growth boundaries, Oregon's planning program already incorporates a fundamental policy of carbon sequestration. Also, knowing that Oregon's coastal resources sequester large amounts of carbon, DLCD intends to work with OGWC on how the proposal might account for the state's estuaries and other coastal resources.

Goal 4: Provide Timely and Dynamic Leadership

4. Wildfire & Natural Hazards Recovery Rulemaking

On October 22, 2020, LCDC adopted a temporary rule valid for 6 months that relaxes or removes existing limitations to housing and related infrastructure in rural lands outside of urban growth boundaries for declared wildfires emergencies. In first quarter of 2021, DLCD expects to undertake permanent rulemaking to codify these same policies.

5. Rural-Resource Lands

There are currently no standards to guide counties in identifying and zoning non-resource lands. As approved by LCDC at the November 2020 meeting, DLCD staff will develop guidance on these issues.

Deferred Policy Projects

Due to recent budgetary cuts and other priorities, DLCD had to defer the policy projects below beyond the 2019-21 biennium:

1. Farmland Protection Improvements

Originally proposed in the 2015-2017 biennium, this project was structured to research, define and potentially develop review criteria for commercial activities in conjunction with farm use and private parks, to consider potential new agri-tourism related uses, to perform revisions and specify intent of some definitions, and to seek to create a firm understanding and quantifiable measures for the cumulative impacts of non-farm uses on long term preservation of exclusive farm use land in Oregon. Some progress was realized in the 2015-2017 and 2017-2019 biennia on this project. Specifically, DLCD's research was focused on analyzing available agricultural data at the state and county level and conducting GIS analyses to determine correlations between land use decisions and impacts to agriculture.

2. Review of Statewide Planning Goals & Climate Change

Starting in September 2020, DLCD planned to host a series of meetings with stakeholders to ask whether and how the Statewide Planning Goals and other implementing rules can be revised to incorporate climate mitigation, adaptation, and sequestration. Staff intended to seek to consult a broad group of citizen, local government, business and environmental stakeholders, including members of the Environmental Justice Task Force as well as community serving organizations that represent Black, Indigenous, Communities of Color, and other historically disadvantaged groups. The policy discussions are intended to collect comments and suggestions on key questions such as:

- Whether any or all of Oregon's planning goals should be revised to reflect climate issues?
- Whether a new planning goal specifically addressing climate change should be adopted?
- What public process would be appropriate for revising goals to address climate change issues?
- What types of data or research would be useful?
- How to fund potential work on goal revisions?

3. Statewide Planning Goal 10 & Federal Fair Housing Act

Given the current housing shortage, including the effects of pricing and displacement of disadvantaged communities, DLCD staff recognizes the 1997 Planning for Housing Guidebook should be updated to reflect best current practices and information relating to the federal Fair Housing Act. While fair housing issues will be considered within the scope of the HB 2003 rulemaking, particularly under the rules related to Housing Production Strategies, this project will be deferred in the 2019-21

Goal 4: Provide Timely and Dynamic Leadership

biennium as a part of subsequent outreach and implementation.

4. Metropolitan Transportation Rulemaking

In 2018, DLCD staff began to identify potential ways to amend the Transportation Planning Rule (TPR) to “integrate” the GHG emissions reduction targets into regional and local planning. The goal was to clarify that state TPR requirements apply directly to cities and counties, not MPOs. Local governments are required to increase “transportation choices” with broad latitude for how to measure local compliance. Local actions to increase “transportation choices” would have included infrastructure investments, development strategies and transportation policies such as the following:

- Providing more infrastructure for transit, biking and walking;
- Increasing development densities, particularly residential, near transit corridors;
- Reducing parking requirements



Downtown Burns, Oregon. Photo credit: Gary Halvorson

- Establishing pricing strategies for parking and driving; and
- Increasing transportation demand management (e.g., policies that encourage a shift from driving to other transportation options).

While this rulemaking was initially deferred in 2019, work on these changes will proceed under the Climate Friendly and Equitable Communities rulemaking.

Improving capacity of local governments to carry out their land use responsibilities

The department, particularly through the regional staff, provides technical assistance and limited grant assistance to local governments.

Model Codes

DLCD uses staff experts and consultants to develop model code that can be used by cities and counties. Model code is typically created to help a local government follow best practices, or adhere to new state standards, rules, or statutes. Model codes are often tailored to suit the needs of a community. During the 2019-21 biennium DLCD created or updated the following model codes for local planning departments in Oregon.

- Middle Housing for Medium-Sized Cities (2020)
- Middle Housing for Large-Sized Cities (2020)
- Oregon Model Flood Hazard Ordinance (2019)

- Guidance on Implementing the Accessory Dwelling Units (ADU) Requirements (2019)
- Guide to Funding Walking & Biking Improvements (2020)

DLCD also provides the following publications, manuals and toolkits to assist local planning efforts.

- EFU and Forest Zones Model Code, Forms, and User Guide
- Model Development Code for Small Cities
- Preparing for a Cascadia Subduction Zone Tsunami: A Land Use Guide for Oregon Coastal Communities
- Coastal Erosion Overlay Zone Model Code
- Smart Development Code Handbook
- Transportation Demand Management Module
- Space Efficient Housing

Goal 4: Provide Timely and Dynamic Leadership

- The Housing Choices Guidebook
- Measures to Encourage Affordable Housing
- The Housing Development Toolkit

Staff Resources

The 2019-21 base budget includes nine Regional Representatives located around the state and serving specific regions. Each Regional Representative participates in the area Regional Solutions Team, and offers critical planning assistance to local governments in that area. Currently, due to COVID-related budget reductions, eight professionals are covering these nine regions through the end of the biennium.

When at continuing service level, DLCD provides a number of topic specialists on staff to answer questions for communities and local governments. Areas that the department routinely provides technical assistance to local planners and the public include:

- Hazards Planning
- Transportation Planning
- Public Engagement
- Wetlands
- Habitat Protection
- Housing
- Economic Development
- Climate Adaptation
- Riparian Areas
- Farm and Forest Development and Protection
- Coastal Development and Protection

Training Resources

In our ongoing efforts to build relationships, educate, and convene planning staff from local governments to discuss planning related topics in a timely fashion, DLCD convenes several Planners Network Meetings each year. Hosted in partnership with the Oregon Chapter of the American Planning Association, these meetings are held in different areas of the state. In addition,



the Ocean and Coastal Services Division hosts one coastal planners network meeting each year. Many areas of training included in these meetings are the result of recent legislation that leaves local planners with questions about impacts and interpretation. Some of the training areas and/or discussions over the last biennium at Planners Network Meeting include:

- Planning Commissioner Training
- Addressing Housing Needs in Urban Areas
- Writing Legally Defensible Findings
- Resources for Community Planning
- Columbia River Gorge National Scenic Area Management Plan
- Wildfire and Natural Hazards Planning in Rural Areas
- Small City Urban Issues
- Agri-tourism Best Practices
- Wetlands: Pathways to Success
- Doing an Economic Opportunities Analysis
- An Anatomy of Housing Costs
- Parking Matters: Mandates and Management
- Multi-Cultural Outreach
- How to Research LUBA and Court of Appeals Cases

Unfortunately, the COVID-19 pandemic required the department to curtail the Planners Network meeting schedule for 2019-2021. The department hosted two meetings in October, 2019 and January, 2020, and then held a virtual meeting in coordination with the City of Cornelius in September, 2020. The department looks forward to renewing the Planners Network program in the next biennium with four yearly meetings

Goal 4: Provide Timely and Dynamic Leadership

in conjunction with the Oregon Chapter of the American Planning Association.

In addition to training and resource development following a legislative session, DLCD prepares and presents information during the legislative session to keep stakeholder organizations and local governments abreast of legislation that may affect the work they do and the places they live and work. In addition to other presentations, DLCD staff provide legislative updates for the Association of County Planning Directors, and AOC Land Use Committee, Planners Network Meeting, and the Citizen Involvement Advisory Committee.

Webinars are a tool recently added to DLCD's outreach tools. In the 2019-21 biennium staff hosted a number of public webinars to address the needs of local governments and interested parties. Several webinars were provided to address the implementation of House Bills 2001 and 2003 for housing choice and supply, and others were on Governor Brown's Executive Order 20-04 and DLCD's policy agenda.

Online Resources

There is enterprise wide acknowledgment that most people are seeking information about state government online. Recognizing this, DLCD

has taken steps to make reporting tools, agency reports, and natural resources information available online.

- Our PAPA Online Tool allows local governments to submit a Post Acknowledgment Plan Amendment online.
- Our PAPA Reporting Service allows any user to search for a proposed or adopted PAPA that has been submitted to DLCD.
- The Simplified UGB Calculator was developed to support the Simplified UGB option.
- A searchable list of adopted rules.
- A searchable list of LCDC agenda items.
- The ability to submit a public records request online.
- Expanded data sets available through the Oregon Explorer map viewer.

COVID-19 Recovery Resources for Communities

<https://www.oregon.gov/lcd/UP/Pages/Economic-Development.aspx#Recovery>

- #1. Tips for Planners
- #2. Public Right-of-Way
- #3. Development Code Reform



Marian Lahav presents on Natural Hazards Planning to graduate students in planning, 2019.

Goal 4: Provide Timely and Dynamic Leadership



"Panoramic View of Forest Fire Aftermath in Winter east of Fall Creek Reservoir, Oregon" by mharrsch is licensed under CC BY-NC-SA 2.0.

Develop and coordinate strategic initiatives with other state agencies, tribal and local governments.

DLCD develops big-picture initiatives in collaboration with key interest groups, including state agencies, local and tribal governments and a wide range of advocacy organizations (such as those oriented toward environmental protection, housing and community development, commercial natural resource interests, energy development, and parks and recreation interests).

Some the avenues pursued for this kind of coordination include participation in the Natural Resources Cabinet, staff participation on the Governor's Regional Solutions Teams, co-development of policy options packages that straddle the work of more than one state agency (e.g. Housing work with the Oregon Housing and Community Services Department.)

Climate Change Adaptation Framework: Oregon Coastal Management Program (OCMP) staff updated the Climate Change Adaptation Framework, last published December 2010. The framework identifies climate risk drivers, management objectives for climate change adaptation, and strategies that state agencies might employ meet those objectives. OCMP coordinated a work group comprised of state agency staff who provided specific content. The work group drew on the expertise of a technical advisory team to ensure that best available data were used to develop climate change adaptation strategies. OCMP anticipates a final report to be published in January 2021.

Sage Grouse Protection: DLCD is part of a coordination program, called the Sage-Grouse Conservation (SageCon) Partnership. SageCon



Oregon Solar Farm, Willamette Valley

Goal 4: Provide Timely and Dynamic Leadership



"036014-IMG_6709 Greater Sage-grouse (*Centrocercus urophasianus*)" by ajmatthehiddenhouse is licensed under CC BY-NC 2.0.

is comprised of local, state, and federal partners who work to preserve sage-grouse habitat and increase the sage-grouse populations in Oregon. To prevent the bird from being listed under the federal Endangered Species Act (ESA), SageCon created an action plan, data, and tools to support the implementation of the Oregon Sage-Grouse Action Plan.

Tsunami Resilience Planning: The Oregon Coastal Management Program (OCMP) is coordinating with coastal communities to help them prepare for a local Cascadia Subduction Zone (CSZ) tsunami through land use planning. This work uses tsunami inundation and

evacuation maps produced by the Oregon Department of Geology and Mineral Industries (DOGAMI). The maps allow communities and planners to understand their risk and vulnerability to a local tsunami event. When they understand the vulnerabilities, they can look for ways to improve evacuation, and implement land use strategies to improve community resilience.

Transportation and Growth Management: The TGM program is a partnership of the Oregon Department of Land Conservation and Development and Oregon Department of Transportation. The program helps governments across Oregon with skills and resources to



Agritourism gives visitors an opportunity to experience farm activities in person.

Goal 4: Provide Timely and Dynamic Leadership

plan long-term, sustainable growth in their transportation systems in line with other planning for changing demographics and land uses. TGM encourages governments to take advantage of assets they have, such as existing urban infrastructure, and walkable downtowns and main streets.

TGM is primarily funded by federal transportation funds, with additional staff support and funding provided by the State of Oregon. Since 1993, TGM has provided funds and services to over 270 cities, counties, tribes, and transit districts.

State Agency Coordination (SAC): ORS 197.040 requires that state agencies carry out programs affecting land use consistent with statewide goals and in a manner compatible with acknowledged local comprehensive plans. The result has been for each agency to submit a State Agency Coordination Program to the department. LCDC last updated state agency coordination administrative rules in 1989. Most



Sage Grouse planning efforts required coordination between local government, multiple state and federal agencies.

existing SAC programs were approved by the commission around 1990 and have not been updated. Legislation that passed in 2009 modified related statutes recommending that DLCD update the SAC process and revise related rules (OAR 660, divisions 30, 31). To date, the department's budget has not provided sufficient funding for this project.

Seek solutions that address immediate and long-range challenges, in collaboration with key stakeholders and others.

The department cooperates with organizations such as colleges, universities and research institutions to provide research and analysis for identified projects.

The Population Research Center (PRC) is an interdisciplinary public service, research and training unit for population-related data and research for the State of Oregon. The mission of the PRC is to provide population data, information, research, and analysis for Oregon and its communities. Oregon's land use and growth management system relies on population forecasts as the primary tool for determining Urban Growth Boundary (UGB) expansions.

Oregon law now requires that counties prepare coordinated population forecasts according to "generally accepted" demographic methods. The prohibitive cost of forecasting meant that not all communities could update their forecasts on a regular basis. Recognizing the need to be more responsive to accounting for current population trends by preparing population forecasts on a more regular basis, DLCD worked with the Oregon House of Representatives and Senate in 2013 to begin permanently diverting grant funding from DLCD to PSU. This funding supports the coordinated population forecasting through the Oregon Population Forecast Program.

Goal 4: Provide Timely and Dynamic Leadership



"Rural Oregon" by eric surfdude is licensed under CC BY 2.0

Manage and improve information services within the department and for use by a wide range of stakeholders.

During the 2019-21 biennium, the department focused its information resources on three primary areas: supporting our stakeholders, effective management of resources through cost-efficient implementation of information and Infrastructure Technology (IT) solutions, and enhancing the security of agency information and IT infrastructure. These areas highlight how information resources are vital to the daily operation of the department and the delivery of services to its stakeholders.

Born from 2019 legislation, the department created a new Housing Program to advance middle housing choices and supply in Oregon. To support this program and legislation, a new Housing Portal was created to streamline the collection of information from local governments and to provide the agency the ability to analyze these data for housing trends occurring at the local level.

In addition to creating new information resources like the Housing Portal, the department continues to support its applications and databases that were created and updated through the Information Management and Modernization Initiative which concluded in 2015. These resources require ongoing maintenance and support as they are heavily used by local jurisdictions to fulfill their statutorily required reporting and DLCD's review processes. These tools include PAPA Online, the Farm and Forest Decisions Application, and the Sage Grouse Development Registry.

The department also partnered with Oregon's Chief Data Officer to aid in the creation of the new Open Data Strategy including an enterprise data inventory standard and data publishing guidelines. Oregon's Data Strategy will be a catalyst to future data sharing of spatial and non-spatial data in formats intended to increase

Goal 4: Provide Timely and Dynamic Leadership



The Land Conservation and Development Commission at the City of Tigard. 2019.

public availability and consumption of data. DLCD continues to partner with the Office of Data Governance and Transparency to advance data sharing among government bodies in Oregon.

During the 2019-21 biennium, the department completed a project to plan, design and implement a new GIS architecture to support agency GIS needs. This modernization of the GIS system is designed to support better integration of GIS in agency operations, reduced licensing costs, improved infrastructure performance, and an overall increase in data governance and stewardship of spatial data for internal and external needs. The department also supported its technical workforce through specialized training specifically targeted at components of the new GIS system.

Information resources were also pivotal to the department's COVID-19 response. As DLCD moved to a 100% telework environment, several IT policies and procedures were reviewed and

adjusted as needed. The information resources team revisited the department asset tracking policy, maintenance schedules, acceptable use of equipment policies, and statewide information security policies as they relate to the new working environment. The department provided extensive staff training for online meeting platforms and transitioned all staff to laptops and state-issued cell phones for cost savings and IT support efficiencies.

Finally, the department transitioned all Land Conservation and Development meetings, rulemaking advisory committee meetings, and other public meetings to a virtual platform. This transition was a significant, but successful lift of agency operations. This work has enabled the department to continue to engage the public, interested parties, and stakeholders in key programmatic policy projects.

Goal 5: Deliver Resources that are Efficient, Outcome-based, and Professional

The department works to continually deliver pertinent, timely information to partners, and to provide staff with the tools and training they need to provide excellent customer service. Both external and internal processes are monitored in

relationship to this goal. Adjustments are made to consistently improve, and as outcomes improve, our goal expands. This goal is primarily a function of administrative and human resources within the department.

Operate a professional organization that is efficient, operates according to best practices and seeks to continually improve operations.

The department, through the Administrative Services Division and the Director's Office, provides budget development and execution; personnel management, development, and evaluation; and grant and contract administration. With the assistance of our Human Resources manager, the Director's Office also oversees recruitments and hiring, makes promotions for capable employees, reassigns job duties as necessary and appropriate, and finds the best candidates available for each role within the department.

state land use policy development, eliminating redundancies in programs, minimizing waste, and increasing transparency to local, state, and federal partners. A secondary result is the significant cost savings to the department and state.

Improvement of the department communications platform, along with website governance that builds on the 2018 website update, is another area of significant time and energy investment. Using a robust tool for proactive external communications, coupled with a continuous refresh of website content, has translated into better information dissemination and streamlined workflows for external communications. This effort allows the department to better reach targeted audiences with relevant land use and important department operations information.

Continuous Process Improvement

Department management and staff routinely engage in activities that update, streamline, and improve department and program policies, rules and procedures. In the 2019-21 biennium the department has continued to capitalize on the investments made in the Information Management and Modernization Initiative. Examples of efficiencies gained are: staff time savings in verifying data and compiling reports. The real outcomes for the department in these efforts however, are in ways that we service communities. The department continues to develop new and better ways of creating, storing, analyzing, and distributing key data for local and

The 2014-22 Strategic Plan for the department continues to serve as a foundational guidance document. The explicit strategies identified therein are tied to development of the biennial Policy Agenda, to agency public communications, and serve as an explicit touchstone for budget development, and department presentations and documents.

Goal 5: Deliver Resources

Manage and provide services to local governments to support department and local objectives.

Oregon's statewide planning program is most effective when communities, regions and state agencies work cooperatively to plan and invest in successful, sustainable futures. Oregon's continued vitality, climate resilience, and economic success rests, in large part, on the successful implementation of thoughtful local planning. In order to help Oregon communities make the best possible decisions about their futures, DLCD works to make real-time information and state-of-the-art planning practices available in the regions of the state and from its Salem office.

Communications and Technical Assistance

DLCD staff provides technical assistance to local governments through formal and informal communication. We learned a lesson in our Customer Satisfaction survey this past year. By relying on Gov Delivery to reach subscribers, rather than more active participants in agency programs, our results shifted. Through the universe was greater, satisfaction was uncharacteristically lower. We believe this is due to subscribers having a much less engaged interaction with agency services. In 2020, we will revert to earlier methodologies to survey rules advisory committee members, local government staff and other primary consumers of agency services.

During the past biennium, the department conducted seven Planners Network Meetings update around the state: in Eugene, Central Point, Umatilla, Fairview, Corvallis, Grants Pass, and Madras. Four Coastal Planner Network Meetings were held, focused specifically on topics unique to the coast. One Coastal Planner Network Meeting was held in Florence, and three were held as webinars due to COVID travel restrictions. . The Coastal Program also held a webinar on findings for coastal local governments. As discussed above, planners network meetings serve as a forum for local

governments to exchange information and develop stronger working relationships. The department will continue to host network meetings during the 2021-23 biennium and provide additional opportunities around the state.

Grants and Direct Assistance for Local Governments

DLCD offers several grant programs to provide targeted grants to local governments. In addition to DLCD's general grant program, and small assistance program (that allocates up to \$1000 to any small city that applies), the Transportation and Growth Management program has grant money available that is dedicated to improving the integration of land use and transportation planning across the state. The Oregon Coastal Management Program offers a small amount of grant resources to coastal communities, though much of the previously available federal grant money is being withheld as a result of a lawsuit related to forestry practices.

In addition to our general fund grants, DLCD is able to offer assistance to local governments in the form of direct assistance. This approach pairs a consultant with eligible and interested cities for the purpose of addressing Oregon's housing crisis and to build economic development capacity. In choosing consultants, DLCD solicits recommendations from the Association of Oregon Counties and the League of Oregon Cities to formulate the qualifications and assessment criteria required of contracted planning firms.

The general fund grant program provides resources to help local governments with comprehensive planning updates and other planning activities, and with regional planning analysis. During this biennium:

- Oregon communities have utilized about \$580,780 (not including funds dedicated to the multi-county code project) for the

Goal 5: Deliver Resources

biennium in technical assistance grant funds on comprehensive plan update projects ranging from regional wetlands identification to planning for new employment opportunities;

- An additional \$152,000 was awarded to cities under 2,500 population and to counties under 15,000 population and coastal counties. Those funds are typically used to support general planning and permitting activities in Oregon's smaller communities. DLCDC provided assistance to 110 small communities this biennium.

Keeping Plans Up-to-Date

In order for the statewide planning program to function effectively, local comprehensive plans must be updated in keeping with changing markets and developing landscapes. Local governments typically identify needed updates and amend their plans through the Post-Acknowledgment Plan Amendment (PAPA) process.

Periodic Review

Urban development, population growth, economic and market forces and other changes in the landscape can render comprehensive plans obsolete over time. As community visions are realized, local governments must update plans to continue to meet the needs of the local government, its citizens, and its property owners. Oregon statutes require many cities to periodically review their plans to ensure they continue to accommodate needed land and infrastructure for economic development and housing. Certain statutory and rule provisions are implemented through Periodic Review as well.

However, since reductions in the 2009-2011 biennium as a result of the Great Recession, the technical assistance grant fund has been inadequate to supply local governments with sufficient financial support to complete new Periodic Review. Prior to the 2009-2011 the department provided approximately \$300,000 in technical assistance each biennium to local

governments required to enter Periodic Review.

Since 2009-2011 there have been no new periodic review grants. Technical assistance grants typically address one portion of a comprehensive plan or needed revisions to a zoning ordinance.

Without funding to assist local governments, and with local governments lacking financial resources to pay for new Periodic Review, LCDC has not required any new jurisdictions to begin Periodic Review since 2009. As a result, the only Periodic Review that the Department assisted with during the 2017-2019 biennium was a voluntary effort by Wasco County not supported by any state technical assistance grants. The department is currently reviewing the final product.

Plan Amendment Review

A local government can amend its comprehensive plan to address local needs outside the Periodic Review process through the Post-Acknowledgment Plan Amendment (PAPA) process. These typically smaller amendments may be initiated by a city or county, or by a property owner who wishes to change the allowed use(s) of land. In the 2019-21 biennium DLCDC created an application that allows local governments to submit their PAPAs online. At the time of writing, 95% of local governments were registered users of the new online tool.

DLCDC's role in the PAPA process includes reviewing and advising local governments on proposals and providing notice of the proposal to the public. Department staff is frequently asked to provide technical assistance as well. During the first 18 months of the biennium, DLCDC received over 900 PAPA notices with staff acknowledging 73% of them with internal database journal entries or through jurisdictional contact. In many cases, staff experts or regional staff provide direct assistance and feedback to the communities making changes.

Goal 5: Deliver Resources

Appeals of Land Use Decisions and Enforcement Orders

The department works closely with local communities throughout the planning and ordinance adoption process. Staff provides guidance on local land use proposals and, in the overwhelming majority of cases, the local government and the department work together to address any legal and technical challenges. In cases where the local government makes a decision the department believes violates a statewide planning goal, the department, with LCDC approval, may choose to appeal that local decision to the Land Use Board of Appeals (LUBA) for clarification of the decision or to confirm state policy.

ORS 197.320 provides a list of local government land use actions for which either the Commission can issue an enforcement order or a citizen can petition the Commission to issue an enforcement order. During the past two years the Commission was petitioned to issue five enforcement orders. The Commission declined to issue an order in response to four of the petitions, but did issue one enforcement order.

In May 2020, the Commission found that Washington County's zoning code provisions to protect significant riparian and wildlife habitat areas no longer complied with environmental protection requirements of Statewide Planning Goal 5. The Oregon Court of Appeals determined that these standards when applied to applications for housing, were not clear and objective, which is required by ORS 197.307. Thus, the County could not enforce them on development applications. Neighbors of a project that the County was compelled to approve without

protection measures for riparian and wildlife habitat areas petitioned the Commission to issue an enforcement order. After deliberating, the Commission issued an enforcement order directing the County to amend its riparian and wildlife habitat protection provisions, making them clear and objective. The Commission also directed the County to not approve any development applications on lands with significant riparian or wildlife habitat areas until it had amended its zoning and development code. The County adopted amended code provisions in December, 2020, so the Commission lifted the enforcement order.

The Washington County enforcement order is important to the rest of the state because the County lost its compliance with the environmental protection provisions of Statewide Planning Goal 5 as a result of a statutory amendment to ORS 197.307 made by the Legislature in 2017. Formerly a local government needed to apply clear and objective review standards to urban residential development applications only on "buildable" lands, which do not include lands in riparian or significant wildlife habitat areas. However after the statute was amended a local government must now apply such clear and objective standards to all residential development, including on environmentally sensitive lands, as well as lands within hazard areas such as floodplains and landslide-prone areas. The department expects additional jurisdictions to find that they no longer are in compliance with Statewide Planning Goal 5 for environmental protection, or Statewide Planning Goal 7 for natural hazards, as a result of this 2017 Legislative change.

Key Performance Measures

The department's key performance measures for 2020 are submitted to the legislature with the Annual Performance Progress Report (APPR). The measures are legislatively approved, and reflect a wide range of activity performed by the department and local governments. KPMs are

one method of capturing the direction, energy and outcomes of the land use program. Seen in the context of this Biennial Report and the full APPR report these numbers take on a richer meaning.

KPM #	PERFORMANCE MEASURE	TARGET	RESULTS
1	Employment Land Supply - Percent of cities with a population over 10,000 that have an adequate supply of land for industrial and other employment needs to implement their local economic development plan.	75%	73%
2	Housing Land Supply - Percent of cities that have updated their local plan to assure an adequate supply of buildable residential land to meet housing needs	90%	80%
3	Public Facilities Plan - Percent of cities that have updated the local plan to include reasonable cost estimates and funding plans for sewer and water systems	80%	80%
5	Transit Supportive Land Use - Percent of urban areas with a population of greater than 25,000 that have adopted transit supportive land use regulations	91%	85%
6	Transportation Facilities - Percent of urban areas that have updated the local plan to include reasonable cost estimates and funding plans for transportation facilities	92%	92%
9	UGB Expansion - Percent of land added to urban growth boundaries that is not farm or forest land	55%	52%
10	Grant Awards - Percent of local grants awarded to local governments within two months of receiving an application	100%	0%
11	Customer Service - Percent of customers rating their satisfaction with the agency's services as good or excellent	83%	80.5%
12	Best Practices - percent of Best Practices met by the board (LCDC)	100%	98%
13	Farm Land - Percent of farm land outside UGBs zoned for EFU in 1987 that retain that zoning	90%	99.8%
14	Forest Land - Percent of forest land outside UGBs zoned in 1987 for forest use that remains zoned for those uses	90%	99.9%

DLCD Divisions and Offices

The Community Services Division, Gordon Howard, Manager – is composed of regional representatives who assist local governments in the implementation of the statewide land use planning program by providing technical and educational assistance to local government planners and officials, the general public and interest groups. It is also home to a number of staff Planning Specialists in the areas of Economic Development, Farms and Forests, Community Services, and Urban Planning. There is currently a Hatfield Fellow conducting a study on a specialized topic for the agency working in coordination with Community Services staff.

This division also provides grants, technical, and direct service assistance to urban and rural communities.

The Planning Services Division, Matt Crall, Manager – provides specialized technical assistance and policy consultation to DLCD's regional representatives serving local governments and citizens. The division includes the Transportation and Growth Management (TGM) Program, natural resources protection, and natural hazards. This division is also home to the department specialist on Measure 49.

The Ocean and Coastal Services Division, Patty Snow, Manager – works with coastal cities, counties and state and federal agencies to administer Oregon's federally approved Coastal Management Program, which emphasizes conservation of estuaries, shorelands, beaches and dunes, and ocean resources. The division

provides financial and planning assistance to local governments, implements a coastal hazards and assessment program, supports the Oregon Ocean Policy Advisory Council (OPAC), maintains an online Oregon Coastal Atlas and has authority under federal law to review federal permits and activities for consistency with Oregon's federally approved coastal program standards. This division includes a limited duration General Fund position for creating an aquaculture siting tool for estuaries and a limited duration position for updating the rocky habitat portion of the Territorial Sea Plan.

The Administrative Services Division, Carol Bovett, Manager – provides services in the following areas: budget, accounting, purchasing, safety, space and facility management, mail distribution, and agency policy and procedure development. The Director's Office, Jim Rue, Director and Kirstin Greene, Deputy Director, provide support for the Land Conservation and Development Commission (LCDC), overall direction for the department, human resources, information resources, landowner notification, and budget and policy development. The Director and Deputy Director directly oversee a small legislative team (1.5FTE), and communications team (.5FTE). Both the legislative coordinator (.5 FTE) and the communications staff (.5 FTE) are on rotation due to COVID-related budget reductions.

DLCD Divisions and Offices

The department is based in Salem but has field staff in other areas

**Department of Land Conservation and Development
(Main Office)**

635 Capitol St., NE, Suite 150
Salem, OR 97301
503-373-0050

Metro Regional Solutions Center

1600 NW Fourth Ave., Suite 109
Portland, OR 97201

503-804-0902

anne.debbaut@state.or.us

971-239-9451

jennifer.donnelly@state.or.us

Portland State Office Building

800 NE Oregon St Suite 1145
Portland, OR 97232

North Coast Regional Solutions

Tillamook Bay Community College
4301 3rd St, Room 206
Tillamook, OR 97141

503-812-5448

lisa.phipps@state.or.us

Newport

810 S.W. Alder Street, Unit B,
Newport, OR 97365

541-514-0091

meg.reed@state.or.us

541-270-3279

hui.rodinsky@state.or.us

South Valley Regional Solutions Center

1715 Franklin Blvd., Room 221
Eugene, OR 97401

541-393-7675

patrick.wingard@state.or.us

Southern Oregon Regional Solutions Center

37 North Central Ave.
Medford, OR 97501

541-414-7932

josh.lebombard@state.or.us

Central Regional Solutions Center

1011 SW Emkay Dr., Suite 108
Bend, OR 97702

541-306-8530

scott.edeleman@state.or.us

541-325-6928

jon.jinings@state.or.us

Eastern Oregon Regional Solutions Center

EOU Badgely Hall, Rm 233A
La Grande, OR 97850

Currently vacant

A Summary of Oregon's Statewide Planning Goals

- 1. CITIZEN INVOLVEMENT** Goal 1 calls for “the opportunity for citizens to be involve in all phases of the planning process.” It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also require local government to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.
- 2. LAND USE PLANNING** Goal 2 outlines the basic procedures of Oregon’s statewide planning program. It says that land use decisions are to be made in accordance with a comprehensive plan, and that suitable “implementation ordinances” to put the plan’s policies into effect must be adopted. It requires that plans be based on “factual information”; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should be applied to a particular area or situation.
- 3. AGRICULTURAL LANDS** Goal 3 defines “agricultural lands.” It then requires counties to inventory such lands and to “preserve and maintain” them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, Division 33.
- 4. FOREST LANDS** This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will “conserve forest lands for forest uses.”
- 5. OPEN SPACES, SCENIC AND HISTORIC AREAS AND NATURAL RESOURCES** Goal 5 covers more than a dozen natural and cultural resources such as wildlife habitats and wetlands. It establishes a process for each resource to be inventories and evaluated. If a resource or site is found to be significant, a local government has three policy choices: preserve the resource, allow proposed uses that conflict with it, or strike some sort of a balance between the resources and the uses that would conflict with it.
- 6. AIR, WATER AND LAND RESOURCES QUALITY** This goal requires local comprehensive plans and implementing measure to be consistent with state and federal regulations on matters such as groundwater pollution.
- 7. AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS** Goal 7 deals with development in places subject to natural hazards such as floods or landslides. It requires that jurisdictions apply “appropriate safeguards” (floodplain zoning, for example) when planning for development there.
- 8. RECREATION NEEDS** This goal calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expedited siting for destination resorts.
- 9. ECONOMY OF THE STATE** Goal 9 calls for diversification and improvement of the economy. It asks communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

A Summary of Oregon's Statewide Planning Goals

- 10. HOUSING** This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.
- 11. PUBLIC FACILITIES AND SERVICES** Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.
- 12. TRANSPORTATION** This goal aims to provide "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged."
- 13. ENERGY** Goal 13 declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."
- 14. URBANIZATION** This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary: (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is converted to urban uses.
- 15. WILLAMETTE GREENWAY** Goal 15 sets forth procedures for administering the 300 miles of greenway that protects the Willamette River.
- 16. ESTUARINE RESOURCES** This goal requires local governments to classify Oregon's 22 major estuaries in four categories: natural conservation, shallow-draft development, and deep-draft development. It then describes types of land uses and activities that are permissible in those "management units."
- 17. COASTAL SHORELANDS** The goal defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and resources there are to be managed: major marshes, for example, are to be protected. Sites best suited for unique coastal land uses (port facilities, for example) are reserved for "water-dependent" or "water related" uses.
- 18. BEACHES AND DUNES** Goal 18 sets planning standards for development on various types of dunes. It prohibits residential development on beaches and active foredunes, but allows some other types of development if they meet key criteria. The goal also deals with dune grading, groundwater drawdown in dunal aquifers, and the breaching of foredunes.
- 19. OCEAN RESOURCES** Goal 19 aims "to conserve the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf." It deals with matters such as dumping of dredge spoils and discharging of waste products into the open sea. Goal 19's main requirements are for state agencies rather than cities and counties.



Cannery Pier Hotel on the Columbia River, Astoria Oregon. Photo credit: Andy Lanier

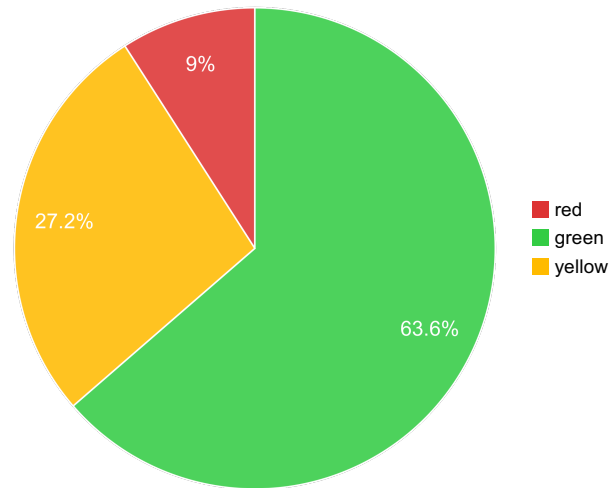
Land Conservation and Development Department

Annual Performance Progress Report

Reporting Year 2020

Published: 10/6/2020 12:49:22 PM

KPM #	Approved Key Performance Measures (KPMs)
1	EMPLOYMENT LAND SUPPLY - Percent of cities that have an adequate supply of land for industrial and other employment needs to implement their local economic development plan.
2	HOUSING LAND SUPPLY - Percent of cities that have an adequate supply of buildable residential land to meet housing needs.
3	PUBLIC FACILITIES PLANS - Percent of cities that have updated the local plan to include reasonable cost estimates and funding plans for sewer and water systems.
5	TRANSIT SUPPORTIVE LAND USE - Percent of urban areas with a population greater than 25,000 that have adopted transit supportive land use regulations.
6	TRANSPORTATION FACILITIES - Percent of urban areas that have updated the local plan to include reasonable cost estimates and funding plans for transportation facilities.
9	URBAN GROWTH BOUNDARY EXPANSION - Percent of land added to urban growth boundaries that is not farm or forest land.
10	GRANT AWARDS - Percent of local grants awarded to local governments within two months after receiving application.
11	CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.
12	BEST PRACTICES - Percent of total best practices met by the Board.
13	FARM LAND - Percent of farm land zoned for exclusive farm use in 1987 that retains that zoning. Accounts for the conversion of EFU lands resulting from expansion of urban growth boundaries and changes in zoning.
14	FOREST LAND - Percent of forest land zoned for forest or mixed farm/forest use in 1987 that remains zoned for those uses. Accounts for the conversion of forest lands resulting from expansion of urban growth boundaries and changes in zoning.

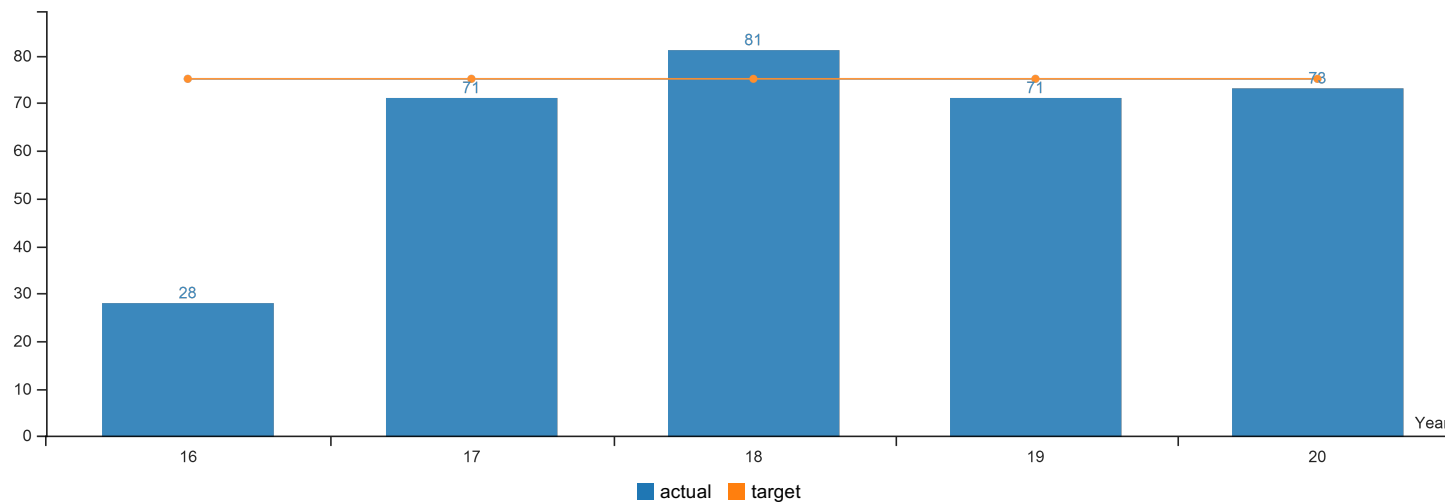


Performance Summary	Green	Yellow	Red
	= Target to -5%	= Target -5% to -15%	= Target > -15%
Summary Stats:	63.64%	27.27%	9.09%

KPM #1 EMPLOYMENT LAND SUPPLY - Percent of cities that have an adequate supply of land for industrial and other employment needs to implement their local economic development plan.

Data Collection Period: Jul 01 - Jun 30

* Upward Trend = positive result



Report Year	2016	2017	2018	2019	2020
EMPLOYMENT LAND SUPPLY					
Actual	28%	71%	81%	71%	73%
Target	75%	75%	75%	75%	75%

How Are We Doing

This measure tracks the percentage of cities with a population over 10,000 that have updated their land use plans in the past 10 years in order to provide a 20-year supply of land for employment-related uses. Planning and zoning a sufficient amount of land, based on up-to-date economic opportunities analyses, helps ensure enough land of the right type(s) is available for the development of new employment uses in a community. The department provides technical and financial assistance to local governments for evaluations of the supply of industrial and other employment lands.

For 2020, we report 73% of cities have updated land use plans within the previous 10 years. This represents a slight increase over 2019, during which we reported 71%. A significant cohort of nine cities out of 49 adopted an Economic Opportunities Analysis (EOA) in 2018, representing a cyclical bulge in KPM 1. During the past year Lebanon and Newberg dropped off the list. Newberg is in the process of conducting an updated EOA with grant assistance from DLCD and we expect it will be adopted in 2021. We are pleased to report that Forest Grove, Corvallis, and Central Point adopted updated EOAs this year, representing a net gain of one city. Several other EOAs for cities with robust economic growth are in progress but not yet adopted, including Portland and Albany.

Factors Affecting Results

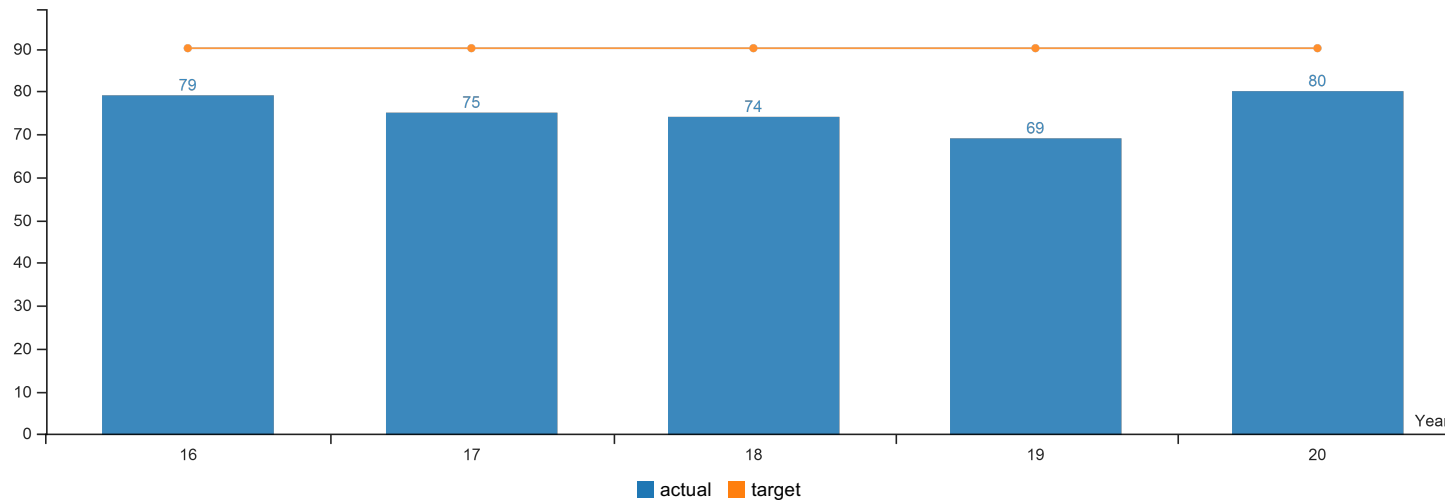
Technical assistance grant funding from DLCD facilitates cities completing an EOA. The department provided funding for an EOA for McMinnville in the 2017-2019 biennium and is currently providing funding for EOAs in Canby and Newberg.

Funding for Eastern Oregon EOAs from both the 2018 legislature (House Bill 5201) and the 2019 legislature (Senate Bill 2) has facilitated DLCD's success in helping communities in Eastern Oregon plan for economic opportunity and growth. This funding is critical to economically distressed rural communities. However, because many of these communities have fewer than 10,000 residents, their work is not reflected in this KPM.

The COVID-19 pandemic has also prevented or delayed many cities from engaging in the robust community-driven process required to conduct an EOA. Uncertainty about timelines and capacity has prevented many cities from making progress on their EOAs. Some cities that planned to complete an EOA in spring and early summer have pushed back their projects in order to incorporate virtual conferencing technologies and make other accessibility accommodations for residents. DLCD has also lacked a dedicated Economic Development Specialist for the majority of this reporting period. The department filled this role in April 2020.

KPM #2	HOUSING LAND SUPPLY - Percent of cities that have an adequate supply of buildable residential land to meet housing needs.
	Data Collection Period: Jul 01 - Jun 30

* Upward Trend = positive result



Report Year	2016	2017	2018	2019	2020
HOUSING LAND SUPPLY					
Actual	79%	75%	74%	69%	80%
Target	90%	90%	90%	90%	90%

How Are We Doing

This measure tracks the percentage of cities with a population over 10,000 that have completed a major update of their local land use plans in order to provide a 20-year supply of buildable residential land within the city's urban growth boundary (UGB). Planning and zoning a sufficient amount of land, based on an up-to-date housing needs analysis, helps ensure that enough land is available for construction of new housing at various price ranges and rent levels in these communities. An increasing percentage of lower- and middle-income households pay more than 30 percent of their income for housing costs. This emphasizes the importance of the department's work with local governments to help ensure an adequate supply of residential land exists within UGBs. Residential land supply is one factor that directly affects a city's ability to provide for affordable housing needs. The department provides technical and financial assistance to local governments for evaluation of the supply of residential lands.

The passage of House Bill 2003 in 2019 will have a significant effect on this metric. The bill requires all cities with a population over 10,000 to regularly update their housing needs analyses (HNA). Cities within the Portland Metro region must update their HNAs every six years and those outside Portland Metro must update their HNAs every eight years. The first HNA updates required by the bill are anticipated in 2022. The department is charged with maintaining the HNA update schedule and will monitor compliance with this new requirement. Based on these new requirements, staff expect performance on KPM #2 will improve significantly beginning in 2022.

Factors Affecting Results

Although the 90% target has not been met for this reporting period, the current result at 80%, marks a significant improvement in performance from last year's 69% mark, and a departure from the declining performance of this metric over the last five years. There are a few reasons that may account for this improvement. Housing affordability has been a key concern of the Oregon Legislature in recent years, and the passage of a series of housing-related bills has reinforced the importance of housing planning. In 2018, the Legislature passed House Bill 4006, which provided \$1.73 million to

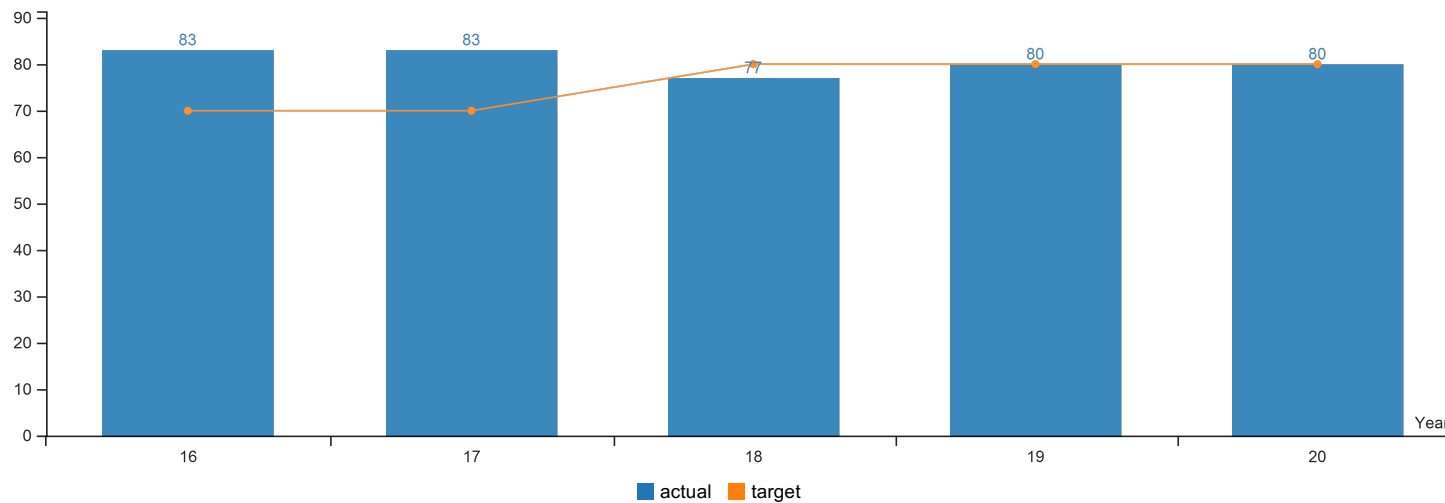
support local government housing planning efforts, including 22 HNA update projects.

As noted above, the passage of House Bill 2003 in 2019 establishes a requirement for regular HNA updates. Although HNA update requirements from the bill will not take effect until 2022, HB 2003 also provided \$1 million to support housing planning work by local governments. The work supported by that funding includes 12 HNA updates for cities that will be subject to the update requirement. Based on the new update requirement and funding to support HNA updates, we anticipate a significant improvement in performance on KPM #2 in upcoming years.

The measure is not meeting the target for two reasons: 1) inadequate past technical assistance funding for local governments, and 2) reluctance of some local governments to provide enough buildable land to satisfy a 20-year need for housing. However, additional technical assistance funding from the Legislature since 2018 and a new statutory requirement for local governments in 2019 have led to a reduction in the target deficit.

KPM #3	PUBLIC FACILITIES PLANS - Percent of cities that have updated the local plan to include reasonable cost estimates and funding plans for sewer and water systems.
	Data Collection Period: Jul 01 - Jun 30

* Upward Trend = positive result



Report Year	2016	2017	2018	2019	2020
PUBLIC FACILITIES PLANS					
Actual	83%	83%	77%	80%	80%
Target	70%	70%	80%	80%	80%

How Are We Doing

Planning for the timely provision of public facilities is a prerequisite for urban development, allowing for the development of affordable housing and market-ready industrial sites, among other uses. This measure tracks the percentage of cities with a population over 10,000 that have completed an update of their local plan for water, stormwater, or sewer system facilities needed to serve future land development within the urban growth boundary (UGB), including cost estimates and funding plans.

The passage of House Bill 2001 in 2019 may lead to a slight increase in frequency of updates to public facility plans due to the additional infrastructure demand created by middle housing development enabled by the bill for cities with a population over 10,000. HB 2001 also included provision for the Infrastructure-Based Time Extension Request (IBTER) process, which allows local governments to delay enactment of middle housing provisions in areas with significant infrastructure deficiencies. Because the IBTER process requires local governments to develop plans to ultimately address the identified deficiencies, there may be a slight increase in facility master plan updates in future years to address this requirement.

The number of jurisdictions meeting the standard was 39, or 80% of the 49 jurisdictions within the dataset. Performance meets the target of 80%, up from 70% in 2018. Performance last year was the same (80%), and has remained relatively constant between 2015 and 2020, fluctuating between 75% and 83% within that time span. Many cities have independent revenue sources from rates derived from their water, stormwater, and sewer utilities to complete and update facility master plans, enabling cities to grow as capacity expands.

Factors Affecting Results

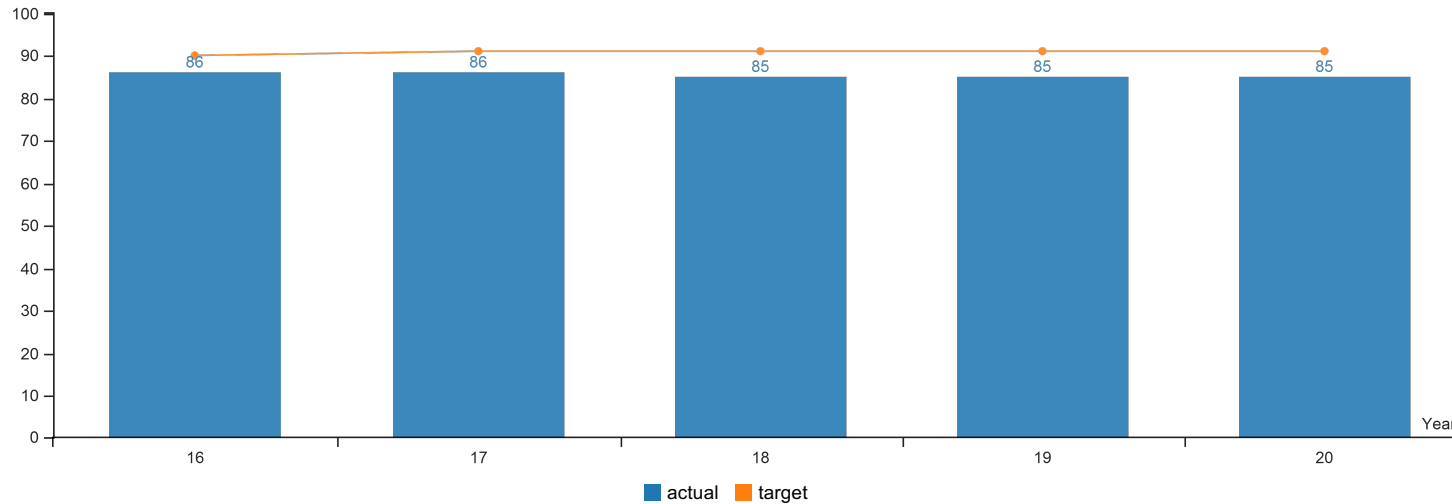
Factors leading to a positive outcome include: (1) a city is in periodic review, and its periodic review work program includes a task to do or update a public facilities plan; (2) state grant funds are available for public facilities plans, either during periodic review or otherwise; and (3) evolving federal regulations and legal opinions regarding water quality standards have compelled some recent

master plan updates to address new requirements. Additional factors include: (1) water and sewer master plans often have independent funding sources derived from utility rates that allow for preparation and adoption of these plans; (2) stormwater master plans are mandated in order to meet federal clean water standards, and thus cities have strong incentives to prepare and adopt such plans; and (3) cities experiencing significant growth must plan for infrastructure expansions to serve growth in underserved or new areas. Additionally, it is possible that the passage of House Bill 2001 in the 2019 legislative session will increase the frequency of updates to public facility plans by cities with a population above 10,000 in order to accommodate additional and more intensive development that may result from the required adoption of “middle housing” provisions.

Barriers to a positive outcome include: (1) historically, state grant funds have not covered all qualified and needed local projects, and the department's ability to provide financial assistance to cities decreases each biennium; (2) cities that are not experiencing significant growth would not collect significant systems development charges that could support necessary infrastructure plans and improvements, placing the local funding burden on existing rate-payers (who have limited financial capacity); (3) public facilities master plans are sometimes adopted by resolution by local governments, which does not require going through a comprehensive plan amendment process and subjecting the adopted plan to legal challenge as a land use decision (Such decisions are not captured in this database); and (4) some cities receive utility services from special districts, private service providers, or regional service providers, and thus have less incentive to complete public facilities plans for the area within the city boundaries.

KPM #5	TRANSIT SUPPORTIVE LAND USE - Percent of urban areas with a population greater than 25,000 that have adopted transit supportive land use regulations.
	Data Collection Period: Jul 01 - Jun 30

* Upward Trend = positive result



Report Year	2016	2017	2018	2019	2020
TRANSIT SUPPORTIVE LAND USE					
Actual	86%	86%	85%	85%	85%
Target	90%	91%	91%	91%	91%

How Are We Doing

This performance measure demonstrates whether local governments in metropolitan areas or other larger cities have adopted transit-supportive development regulations (i.e., assure that land use and public transit systems are integrated and mutually supportive). Transit-supportive regulations are necessary to allow development at densities adequate to support transit service and to ensure that pedestrian and transit facilities are provided as part of new developments.

The department assists local governments in adopting land development regulations intended to improve transportation options and enhance the efficiency of public transportation systems. Government partners include local governments, transit districts, and the Oregon Department of Transportation through the joint Transportation and Growth Management Program. Other partners include property owners, developers, and realtors who participate in planning and outreach efforts to promote transportation-efficient land use patterns.

The number of jurisdictions meeting the standard was 38, or 85%; the target is 91%. The target was largely achieved until a few years ago, as local governments adopted transit-supportive land use regulations. Moving forward, the targets are increasingly difficult to meet as there are fewer jurisdictions where improvements are needed. As the compliance rate reaches 100%, the remaining cities are those who often have the most difficult challenges.

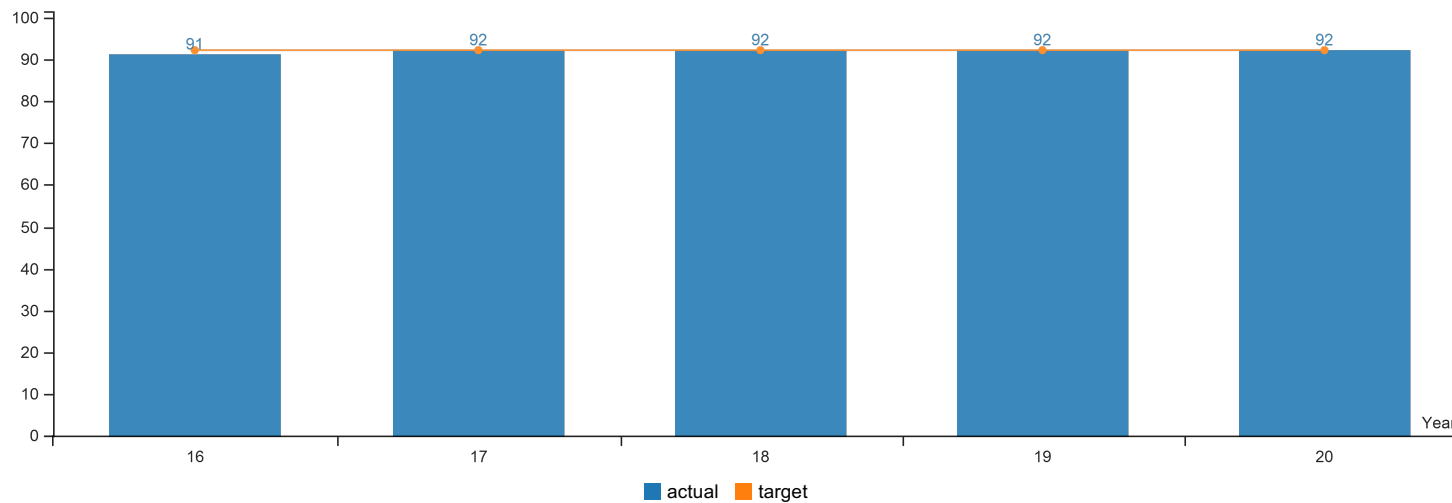
Factors Affecting Results

Factors that have improved results in recent years include increased concerns about housing affordability, demographic changes, and the desire to reduce greenhouse gas emissions. Factors that continue to make progress difficult include limited funding to update plans, the complexity and controversy often associated with planning for transit supportive land uses, limited public understanding and support for transit and related development regulations, and concern from some local elected officials that transit supportive regulations may be inconsistent with real estate market trends.

Absent periodic review, most jurisdictions do not make changes in the applicable development standards from year-to-year. The level of compliance has flattened accordingly in the past few years.

KPM #6	TRANSPORTATION FACILITIES - Percent of urban areas that have updated the local plan to include reasonable cost estimates and funding plans for transportation facilities.
	Data Collection Period: Jul 01 - Jun 30

* Upward Trend = positive result



Report Year	2016	2017	2018	2019	2020
TRANSPORTATION FACILITIES					
Actual	91%	92%	92%	92%	92%
Target	92%	92%	92%	92%	92%

How Are We Doing

This measure indicates the percentage of cities with a population over 2,500 that have an acknowledged Transportation System Plan (TSP), as required by LCDC's Transportation Planning Rule (OAR 660, division 12) and Statewide Planning Goal 12. TSPs address streets and highways, pedestrian and bicycle facilities, mass transit for large cities, and air, rail, and other freight facilities, and are intended to assist local and state efforts to improve transportation facilities. These plans are coordinated at the city, county and state level and contain lists of major transportation projects which are needed to support compact, urban development for the next 20 years. The department assists local governments in adopting TSPs and related land development regulations. Government partners include local governments, transit districts and the Oregon Department of Transportation through the joint Transportation and Growth Management Program. Other partners include property owners, developers, and realtors who participate in planning and outreach efforts to promote efficient transportation systems and supportive land use patterns.

The target of 92% was met for 2020. Progress continues as local governments adopt TSPs, but not as fast as anticipated in the targets. There are 98 cities with a population above 2,500 that have acknowledged TSPs and eight cities with a population above 2,500 that do not have acknowledged TSPs.

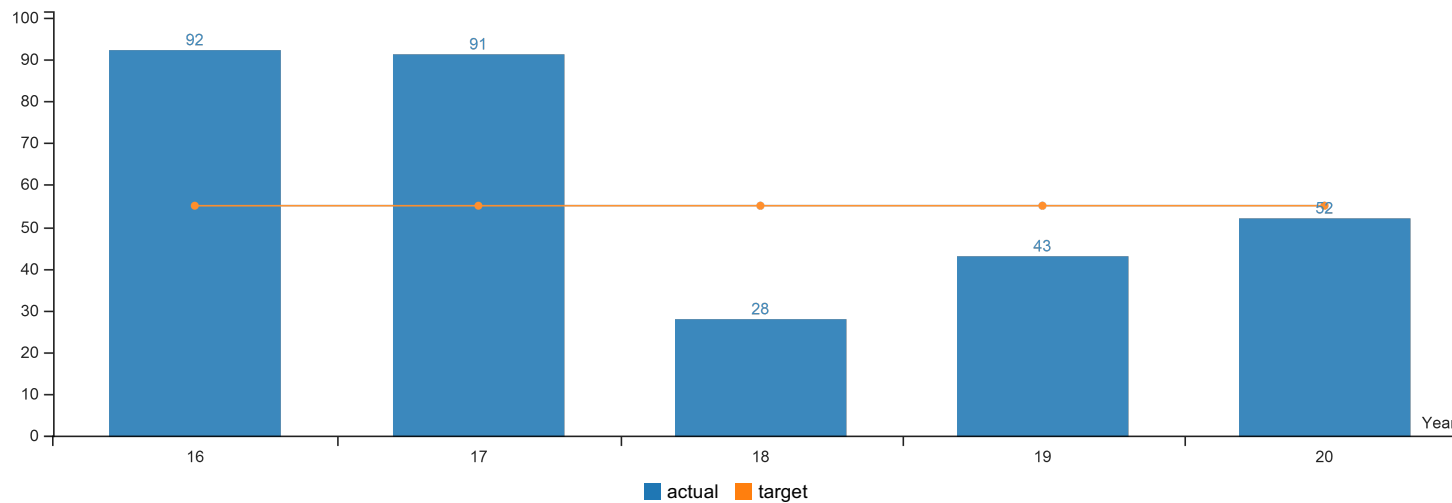
The eight cities that have a population above 2,500 that do not have an acknowledged TSP are: Coquille, Gervais, King City, Myrtle Point, Ontario, Seaside, Shady Cove, and Sublimity.

Factors Affecting Results

The slow rate of improvement to this performance measure in recent years is not surprising because there are very few cities that have not already adopted a TSP. Most of the remaining cities are small, with less than 4,000 in population. For these cities, the barriers are a lack of funding and a lack of staff for the complex process of transportation planning.

KPM #9	URBAN GROWTH BOUNDARY EXPANSION - Percent of land added to urban growth boundaries that is not farm or forest land.
	Data Collection Period: Jan 01 - Dec 31

* Upward Trend = positive result



Report Year	2016	2017	2018	2019	2020
URBAN GROWTH BOUNDARY EXPANSION					
Actual	92%	91%	28%	43%	52%
Target	55%	55%	55%	55%	55%

How Are We Doing

Statewide Planning Goal 14 requires establishment of an urban growth boundary around each urban area to separate urban land from rural farm and forest land, and to assure that urban areas have sufficient land for long-term growth while providing for an orderly and efficient transition from rural to urban land use. Land included in a UGB must be selected consistent with priorities set forth in ORS 197A.320 (ORS 197.298 for Metro) and Goal 14 in order to conserve farm and forest land as much as possible. These priorities require that farm or forest lands be the last selected for a UGB expansions. This Key Performance Measure documents the percentage of land added to UGBs annually that was previously zoned exclusive farm use (EFU), forest, or mixed farm-forest.

In 2019, 2,497 acres were added to UGBs statewide. 1,294 acres (52 percent) were previously zoned EFU, 0 acres were previously zoned forest or mixed farm/forest, and 1,203 acres (48 percent) were in rural zones not subject to Statewide Planning Goals 3 and 4. The 55 percent target was met in 2019.

Performance on this measure has varied widely from year to year over the past decade reaching a low of 8% converted resource lands in 2015 and reaching a high of 86% of converted resource lands in 2014. The 10-year average, however, has been under target. Since 2010, 52% of lands added to UGBs have been converted from resource lands.

Factors Affecting Results

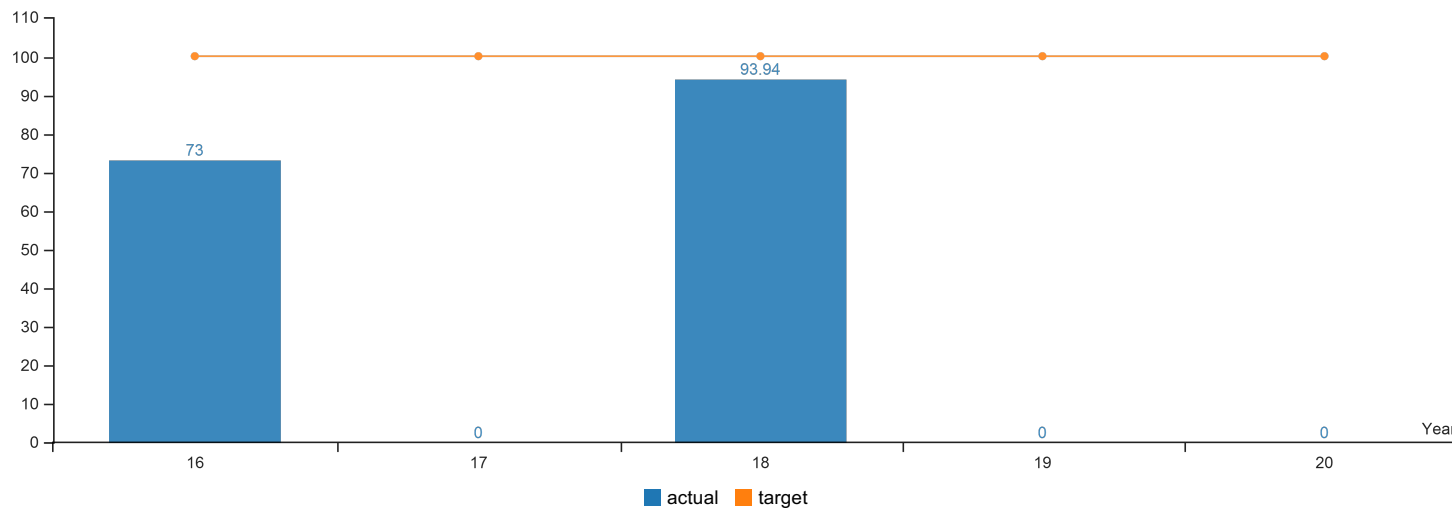
Land use decisions are subject to state statutes, planning goals, and rules design to limit the conversion of agricultural and forest lands to urban use. Decisions to include EFU, forest, or mixed farm/forest zoned land in a UGB expansion are made by local elected officials. Such decisions are subject to appeal, which helps ensure that land use decisions comply with applicable statutes and rules. LCDC has some authority to remand (to local governments) UGB amendments that do not follow statutory priorities regarding agricultural and forest land.

The number of UGB expansions and the previous zoning of lands included in the expansion have potential to vary considerably from year to year. Many UGB amendments occur in areas surrounded by lands zoned EFU, forest or mixed farm-forest. In some areas, rural lands not subject to Statewide Planning Goals 3 and 4 are unavailable, so cities have no choice but to include lands zoned EFU, forest or mixed farm-forest as the urban area expands.

The target was met in 2019. However, as noted above, performance under this target can vary widely from year to year and are heavily influenced by larger UGB expansions. For example, in 2016, the City of Bend accounted for 91 percent of the land added to UGB's statewide and did not contain any land subject to Goals 3 or 4. In 2017, the City of Eugene's UGB expansion accounted for 52 percent of the land added to UGB's statewide and was 97 percent composed of land previously zoned EFU. As a result, the target was met in 2016 but not in 2017. The 10-year average, however, has been under target. Since 2010, 52% of lands added to UGBs have been converted from resource lands.

KPM #10	GRANT AWARDS - Percent of local grants awarded to local governments within two months after receiving application.
	Data Collection Period: Jul 01 - Jun 30

* Upward Trend = positive result



Report Year	2016	2017	2018	2019	2020
GRANT AWARDS					
Actual	73%	No Data	93.94%	No Data	0%
Target	100%	100%	100%	100%	100%

How Are We Doing

This measure reflects technical assistance and periodic review grant awards. The grant program operates on a biennial basis, with the planning grants are awarded at the start of each biennium. This report therefore includes the grant awards made by the department during the fiscal year July 1, 2019 through June 30, 2020.

DLCD failed to meet the KPM target during this reporting period, 0 of the 48 applications getting a response within 60 days. The most recent KPM measures for this matter were: 94% of the applications got a response within 60 days for the 2017-2019 biennium, and 78% of the applications got a response within 60 days for the 2015-2017 biennium.

As a mitigating factor, in 2019 DLCD actually notified all but two of the 48 applicants of our funding decision prior to December 11, 2019, which was the date the department informed all applicants in 2017. The department foresaw the complications in coordinating among the three grant funds and moved the application deadline up from 2017 (October 1, 2019 vs. October 13, 2017) to plan for this contingency.

Factors Affecting Results

Explanation for DLCD's failure to satisfy this Key Performance Measure: The Legislature funded separate technical assistance grant programs for cities to comply with two new housing-related laws passed during the 2019 Legislative Session, HB 2001 and HB 2003. Several of the applications for this TA grant program were also potentially eligible for grants in the housing technical assistance grant programs, so department staff had to complete extra coordination to make sure which grants were qualified for which programs, make funding decisions accordingly, and then also develop a "contingency list" of applications that might be eligible for funding depending upon legal interpretation of the legislature's adopted statutory language and potential legislative action in the February, 2020 session to modify that language.

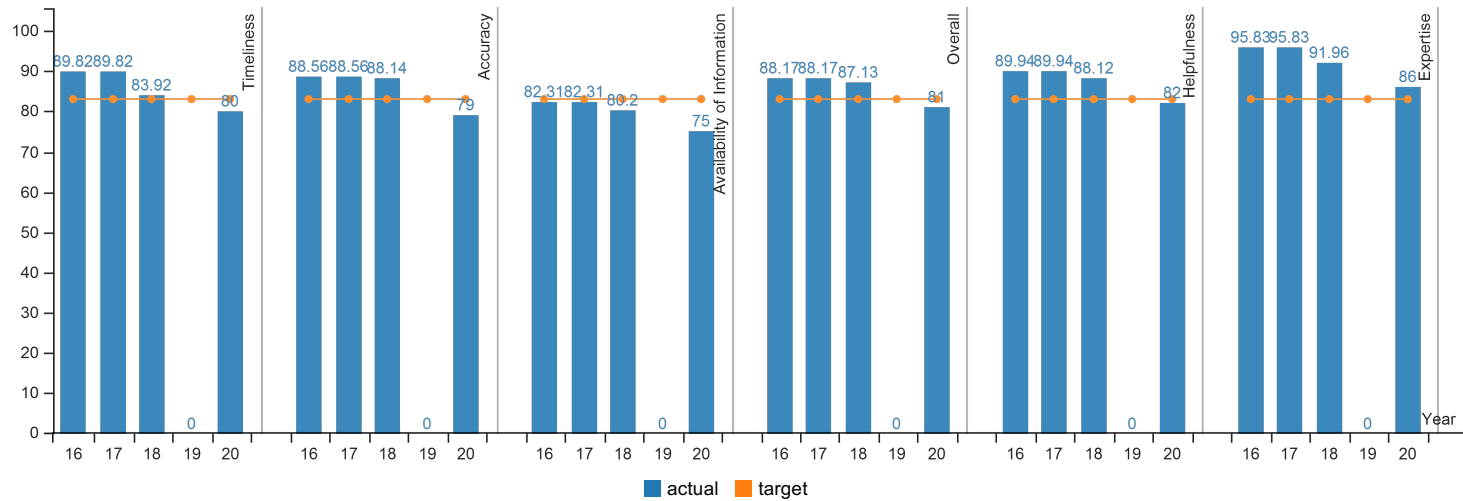
The department expects that this needed coordination between three different technical assistance grant programs is a unique situation, and will not recur in future biennia.

Facilitators: The department has a streamlined system for review of applications based upon criteria set by the department with advice from our Grants Advisory Committee. The review involves the community services division manager and the department's regional representatives. The department grades and ranks projects in a streamlined manner, and then makes decisions based upon the amount of funding appropriated by the legislature for the biennium.

Barriers: As discussed above, the unusual situation this year that required coordination between three different technical assistance grant funding sources resulted in enough delay so that the department was unable to satisfy the 60-day deadline for any of the grants. However, the department was able to respond from between 62 and 68 days to 44 of the 48 grant applications received. The department would have been able to meet the 60-day requirement, but for the unique situation involving the three different technical assistance grant funding sources.

Only one of the applications, from McMinnville, greatly exceeded the 60-day target. McMinnville's application, which pertained to its very controversial urban growth boundary policies, was the subject of extensive negotiations between the city and the department, which greatly exceeded the 60-day standard.

KPM #11 CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.
 Data Collection Period: Jul 01 - Jun 30



Report Year	2016	2017	2018	2019	2020
Timeliness					
Actual	89.82%	89.82%	83.92%	No Data	80%
Target	83%	83%	83%	83%	83%
Accuracy					
Actual	88.56%	88.56%	88.14%	No Data	79%
Target	83%	83%	83%	83%	83%
Availability of Information					
Actual	82.31%	82.31%	80.20%	No Data	75%
Target	83%	83%	83%	83%	83%
Overall					
Actual	88.17%	88.17%	87.13%	No Data	81%
Target	83%	83%	83%	83%	83%
Helpfulness					
Actual	89.94%	89.94%	88.12%	No Data	82%
Target	83%	83%	83%	83%	83%
Expertise					
Actual	95.83%	95.83%	91.96%	No Data	86%
Target	83%	83%	83%	83%	83%

How Are We Doing

The 2005 Legislature approved Statewide Customer Service Performance Measures and required all state agencies to survey and report on customer satisfaction. The survey is conducted biennially. The department conducted its seventh survey in 2018. Previous surveys were conducted by the Oregon Progress Board in 2006 and 2008. The 2020 survey was the sixth department biennial survey conducted online, rather than by telephone. The last survey was done in August 2018. As the survey is biennial, a survey did not occur in 2019.

The Customer Service performance measure assesses “customer” satisfaction with DLCD services. To conduct this survey, DLCD uses a strategy of direct outreach to and feedback from key audiences. Due to COVID-related workload impacts, we changed our methodology to surveying our subscriber groups in GovDelivery. This was a distinct change in methodology. In past years, we used a very specific list of local government, state agency partners, rules advisory committee members and others who were more directly involved as “customers” of the department’s statutory mission and associated services.

This year, using an online survey, the customer service questions are posed to those who have signed up on the Gov Delivery email list as opposed to necessarily having direct interaction with agency services, either through its website, over the phone, on an advisory committee, in a public hearing, or otherwise over the last two years. In contrast, the past two surveys have been conducted through direct email messages sent from the office of the Director to lists of known users. No legislative changes affected the strategy.

Using the Gov Delivery survey methodology, we sent the survey to 6,561 recipients; which represents a five-fold increase over the 2018 sample of 1,172 recipients.

Survey response increased this biennium, from 324 respondents in 2018 to 441 respondents in 2020. Response rate for 2020 was 6%. This is a significant decrease from the 28% response rate when DLCD used a more customized approach. With COVID-related staff impacts and associated pressures, such customization was not possible this year.

Regardless, the overall trend is that those who responded – as a universe – were on the whole less satisfied than in 2018. In objective terms as context, the global pandemic, associated unemployment and budget pressures may also be a factor.

According to the customer service targets set by DAS, DLCD met and exceeded the Knowledge goal. We did not meet our targets in the other areas.

Finally, as the Oregon Legislature, to help solve the \$4B budget deficit in August, 2020, reduced DLCD’s previously adopted budget by 34%. This resulted in laying off of four critical staff in an agency of 6. This decreased staff capacity, including in communications and legislative services will certainly have an impact on DLCD’s ability to deliver services as well to our local government and associated customers as they have grown accustomed to in the past.

Though only 25% of respondents chose to make comments about how to improve our services, DLCD’s Regional Representatives, who serve local governments received accolades for their work. DLCD specialists also received compliments for their knowledge and collaboration. Sample quotes follow.

“The regional reps are critical in keep in touch with communities. Specifically Patrick Wingard represents his region very well and is a huge asset. “

“Our regional rep, Scott Edelman, is awesome. Super responsive, supportive, if he doesn't know the answer helps us get in touch with the right person.”

“Hui and Celinda have been very helpful - and provided links; I would welcome specific training. “

The 2020 Customer Service Survey was deployed with a unique methodology in comparison with the previous two surveys. (Described above.) Without doubt, the broader distribution (6,561 original recipients in 2020 versus 1,172 recipients in 2018) of these survey questions delivered the opportunity to respond to an interested but much larger audience. Without defining the characteristics and list of who “customers” are (GovDelivery is a self-selected audience), there is less certainty about how well informed survey recipients are. There are indications of this in the open ended question responses. Some responses seem to confuse our agency with local planning departments, others name personnel that are not part of DLCD staff.

Going forward, we will include participants in recent rulemaking and document development processes.

Even before COVID began, the Oregon Secretary of State’s audit division issued a letter (dated February of 2018) confirming that DLCD lacked adequate staff in critical areas. The broad mission of the agency and the task of supporting Oregon’s statewide planning program is an ambitious assignment, and necessarily coordinated with local governments. Recent additions of staff and legislatively directed money have been issue specific technical (housing, mariculture, economic opportunities analysis in Eastern Oregon), rather than to core infrastructure such as communications and community service per se. As an agency, we are reliant upon the general fund for our core services. Since the lack of funding for periodic review of comprehensive plans, DLCD lacks the consistent funding necessary to keep local comprehensive plans up-to-date, has low administrative support, and needs to stagger our

work to staff and support rulemaking and policy activities.

In trend data terms, in 2018, we had nine regional representatives providing direct technical assistance to local governments. At the time of this writing, we have seven, a 22% reduction in front line staff. Due to the state's COVID-related budget deficit, and associated AY 21 general fund reductions, we do not expect to be able to replace these staff this biennium, and perhaps even next. One of those regional representatives was responsible for ten counties and more than 50 cities in Eastern Oregon. While remaining regional representatives will attempt to cover these counties, in addition to their existing duties, the response times will necessarily grow. With that stretch in service, while we expect some drop in customer service, we will continue to do our best to serve local governments and implement our statutory mission.

Factors Affecting Results

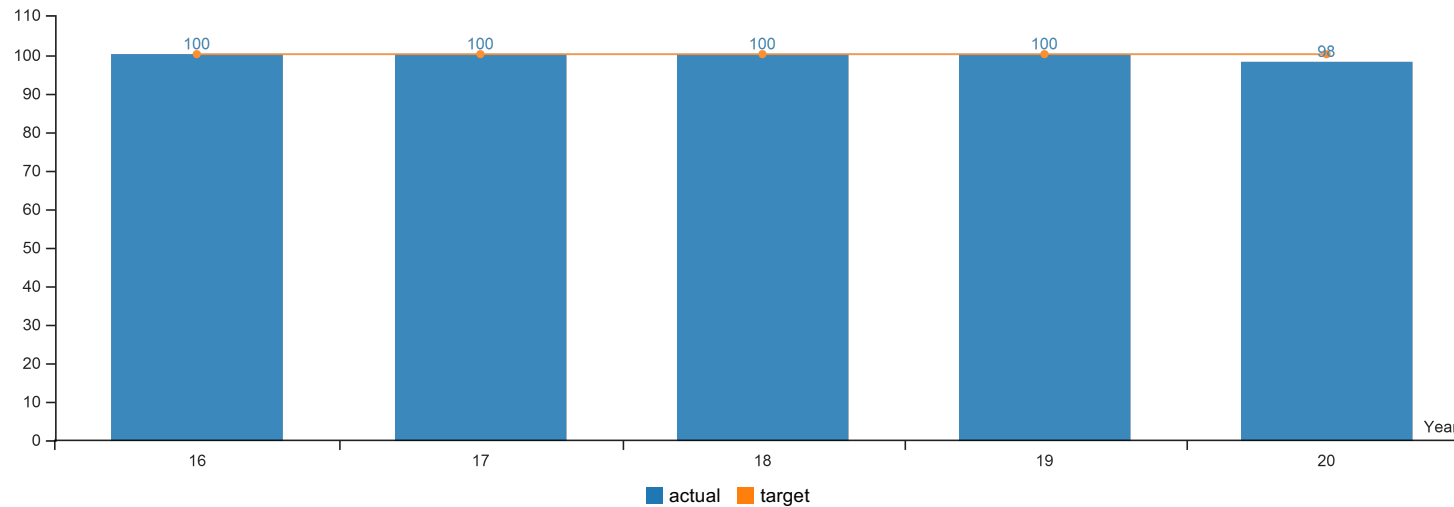
We feel the change in methodology is the primary driver on the results that are dramatically different from previous years, compounded by social difficulties associated with the COVID-19 pandemic. However, we are committed to updating our protocols for returning calls, explaining issues with front line staff including regional representatives. We have had some vacancies as well that could certainly have caused frustration in the field while we work to fill those positions. With the current budget reductions, we will not be filling those positions for the rest of the biennium. That will certainly impact results going forward. The .5 FTE DLCD had for communications and engagement has been laid off in association with the 34% 2020 reductions. While the Deputy Director and CIO will help fill this gap with subject matter staff for content creations, this is a significant barrier to getting out technical assistance guidance documents, updating our website and sending timely Gov Delivery listserv updates.

With fewer staff due to COVID budget reductions, and staff teleworking with school-age, kindergarten, preschool and younger children at home, our response times are at times, longer.

With fewer staff covering vacant positions, that is also a barrier to keeping up response times of one to two days. We simply have fewer staff to do the work associated with our statutory mission. Even with these challenges, we look forward to doing the very best job we can to serve Oregon's communities with the resources available.

KPM #12	BEST PRACTICES - Percent of total best practices met by the Board.
	Data Collection Period: Jul 01 - Jun 30

* Upward Trend = positive result



Report Year	2016	2017	2018	2019	2020
BEST PRACTICES					
Actual	100%	100%	100%	100%	98%
Target	100%	100%	100%	100%	100%

How Are We Doing

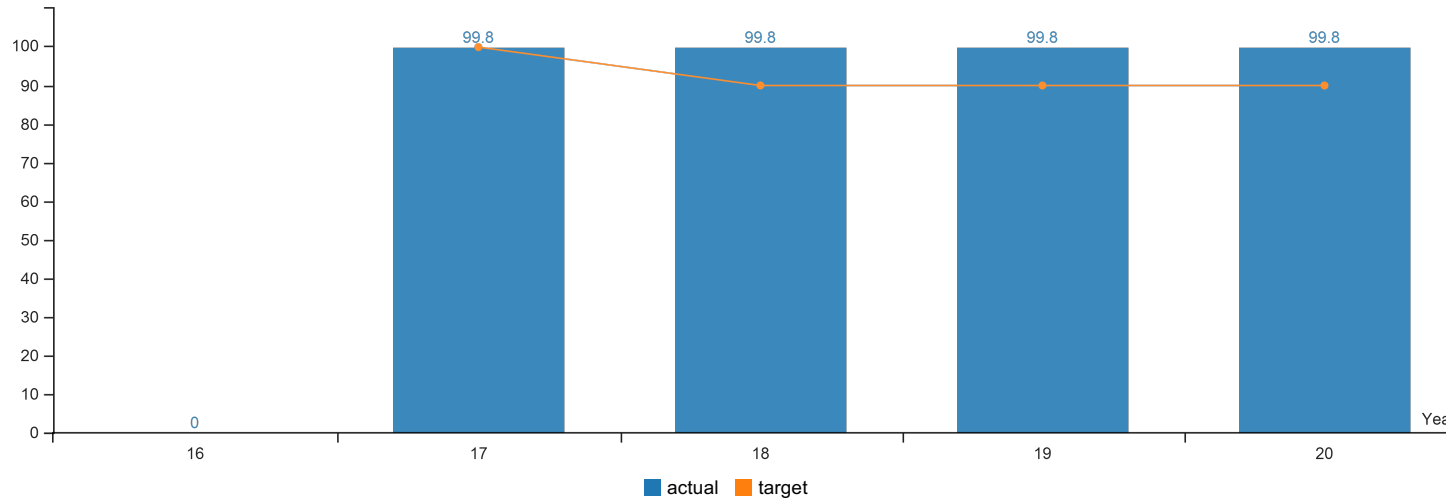
The 2007 Legislature approved a Statewide Best Practices Measure and required certain boards and commissions to report on their ability to meet established criteria. Implementation of this performance measure for affected boards and commissions includes an annual commission self-assessment of the state best practices criteria. To meet this requirement, the LCDC defined how it will meet the established criteria. Each member of LCDC rates the commission against 15 best practices criteria established by the Department of Administrative Services and the Legislative Fiscal Office. In September 2020, the commission completed its best practices scorecard for fiscal year 2019. Three of the seven commissioners did not complete the scorecard as they were appointed to LCDC near the end or after the 2019 fiscal year. Two others were quite new to the commission, and were learning processes at the time of survey completion.

Factors Affecting Results

Department policies and workflows ensure appropriate commission review and/or oversight of department mission, communication, policy-making, budget development, financial reporting, etc. The commission has proven to operate efficiently for some time. The success of this measure is largely due to the commission itself, although staff resources and support also play a role.

KPM #13	FARM LAND - Percent of farm land zoned for exclusive farm use in 1987 that retains that zoning. Accounts for the conversion of EFU lands resulting from expansion of urban growth boundaries and changes in zoning.
	Data Collection Period: Jan 01 - Jan 01

* Upward Trend = positive result



Report Year	2016	2017	2018	2019	2020
Farm Land					
Actual	No Data	99.80%	99.80%	99.80%	99.80%
Target	TBD	99.95%	90%	90%	90%

How Are We Doing

The state's Agricultural Land Use Policy in ORS 215.243 and Statewide Planning Goal 3 (Agricultural Lands) call for the preservation of a maximum amount of the limited supply of agricultural land. Exclusive farm use (EFU) zoning limits the conversion of agricultural land to non-farm uses. KPM #13 documents how much land has been removed from EFU zoning or added to urban growth boundaries (UGBs) during the previous year and since 1987.

In 2019 1,865 acres of exclusive farm use land were rezoned or added to urban growth boundaries. The majority of conversion, 1,112 acres, was to industrial zoning in conjunction with urban growth boundary expansions. 143 acres were also rezoned to EFU resulting in a net loss of 1,722 acres.

From a base of 16.1 million acres of EFU-zoned land in 1987, a total of 37,983 net acres have been rezoned from EFU to other urban and rural uses through 2019. This means that 99.8 percent of land zoned EFU in 1987 was still zoned EFU in 2019. The 2019 KPM target was met.

Factors Affecting Results

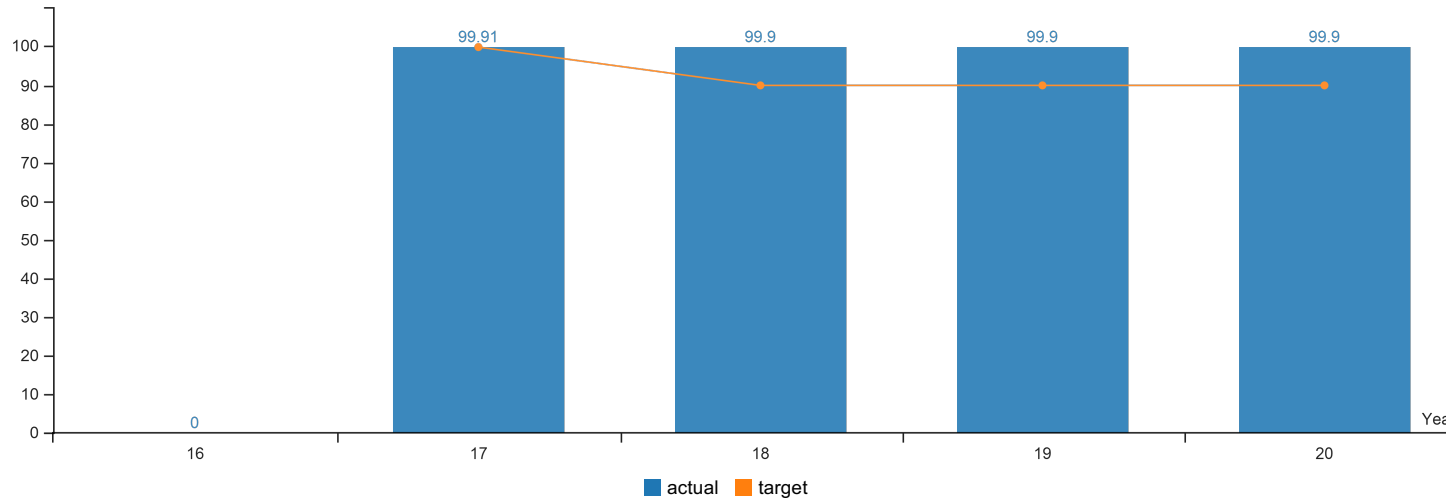
Land use decisions are subject to state statutes, planning goals, and rules which reflect the goal of preserving the maximum amount of agricultural land as set forth in the Agricultural Land Use Policy in ORS 215.243. Decisions to include EFU zoned land in a zone change or UGB expansion are made by local elected officials at the request of landowners. Such decisions are subject to appeal, which helps ensure that land use decisions comply with applicable statutes and rules.

In addition to zone changes and UGB expansions, land zoned EFU is also converted to nonfarm uses that are allowed by statute within an EFU zone or through development rights established by

Measures 37 and 49. Those conversions are not documented by this KPM.

KPM #14	FOREST LAND - Percent of forest land zoned for forest or mixed farm/forest use in 1987 that remains zoned for those uses. Accounts for the conversion of forest lands resulting from expansion of urban growth boundaries and changes in zoning.
	Data Collection Period: Jan 01 - Jan 01

* Upward Trend = positive result



Report Year	2016	2017	2018	2019	2020
FOREST LAND					
Actual	No Data	99.91%	99.90%	99.90%	99.90%
Target	TBD	99.92%	90%	90%	90%

How Are We Doing

Statewide Planning Goal 4 (Forest Lands) calls for maintaining the forest land base and protecting the forest economy by assuring that tree growth and harvesting is the leading use of forest land. This measure tracks the percent of forest land that remains zoned for forest or mixed farm-forest use over time, as compared to the acreage zoned for forest or mixed farm-forest uses in 1987. The less forest land rezoned for urban and rural development relative to the amount zoned forest or mixed farm-forest in 1987, the greater the indication that local plans and ordinances are working to protect forest land for commercial and other forest uses.

Since 1987, a total of 10,813 net acres of forest land have been rezoned to other urban and rural uses through 2019. 99.9% of the nearly 11.8 million acres of forest lands in Oregon have been maintained under the protective forest zoning designation for over 30 years. In 2019 a net total of 435 acres were converted from forest zoning to other zones as described in the table below. The 2019 KPM target of maintaining 90% of the 1987 forest land base under protective zoning designation was met.

Factors Affecting Results

Land use decisions are subject to state statutes, planning goals, and rules. Statewide Planning Goal 4 (Forest Lands) call for maintaining the forest land base and protecting the forest economy by assuring that tree growth and harvesting is the leading use of forest land. Decisions to include forest or mixed farm-forest zoned land in a zone change or UGB expansion are made by local elected officials. Such decisions are subject to appeal, which helps ensure that land use decisions comply with applicable statutes and rules.

In addition to zone changes and UGB expansions, land zoned forest or mixed farm-forest is also converted to nonforest uses that are allowed by statute or rule within a forest or mixed farm-forest

zone or through development rights established by Measures 37 and 49. Those conversions are not documented by this KPM. And while this performance measure provides a good overall assessment of the longevity of forest and mixed farm-forest zoning over time, the modest amount of land rezoned or added to UGBs compared to the very large base of current forest and mixed farm-forest zoning is relatively minimal. This measure offers only a partial assessment of the type or level of development and land division activity that may occur on lands zoned out of forest or mixed farm-forest. It is estimated that several times as much acreage is converted within forest and mixed farm-forest zones as is rezoned out each year.



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

www.oregon.gov/LCD



2020 Annual Government-to-Government Report

The Department of Land Conservation and Development (DLCD or the department) appreciates the opportunity to provide this annual report on Government-to-Government Relations in accordance with Oregon Revised Statutes 182.166. The report summarizes the department's Government-to-Government relations with Oregon's nine federally recognized Tribal Nations throughout 2020. Department policies (DO 120.02 and DO 120.03) were created to facilitate positive relations with the nine Tribes, working cooperatively on environment and economic development areas of interest.

Recognizing that each sovereign tribal nation has unique values and aspirations, the department works to provide assistance within the broad direction provided by state statute and executive orders. The department appreciates the support of and relationship with the Legislative Commission on Indian Services (LCIS), which includes serving on the LCIS working groups. This and prior annual reports to the LCIS can be accessed through the department's [Tribal Relations web page](#).

At the guidance of the then Legislative Commission on Indian Services Executive Director Mitch Sparks, agency staff invited consultation on the following rulemaking and major policy initiatives:

- Housing HB 2001 (Housing Choice) and HB 2003 (Housing Supply)
- Regional Housing Needs Analysis (HB 2003)
- Climate Change Adaptation Framework
- Climate Change Mitigation – Reducing Greenhouse Gas Pollution
- State Natural Hazard Mitigation Plan Update
- Coos County Natural Hazard Mitigation Plan development
- Umatilla County Natural Hazard Mitigation Plan development

Key Contacts and Policies

The department's primary and alternate key contacts are responsible for assuring that the department is kept apprised of activities that may be of interest to the Tribes, to provide appropriate Tribal contacts, and to ensure that the Tribes are informed of department activities. The department recognizes that maintaining good communication is a benefit to the Tribes and to the State of Oregon.

Primary Key Contact

Jim Rue, Director

503-881-0667

jim.rue@state.or.us

Alternate Key Contact

Kirstin Greene, Deputy Director

503-934-0017

kirstin.greene@state.or.us

Director Jim Rue attended the 2020 Annual Tribal-State Government-to-Government Summit by Zoom on December 1 and 2, 2020.

Deputy Director Kirstin Greene served as DLCD's primary contact for the Cultural Resources Cluster Work Group in 2020. Natural Resources Specialist Amanda Punton was DLCD's primary Natural Resources Work Group liaison through September 2020.

Leigh McIlvaine is DLCD's primary contact to the Economic and Community Development Cluster Work Group.

The department's "Policy on Government to Government Relations with Oregon Tribes" and "Local and Tribal Government Communication Policy" are attached for reference.

Oregon Coastal Management Program

The department is the administering agency for the Oregon Coastal Zone Management Program (OCMP). This federally approved management program results in two primary benefits to the state: (1) funding to administer the program and support coastal communities; and (2) federal consistency authority. The Program includes 12 state agencies and dozens of local jurisdictions in the coastal zone. OCMP funded coastal program staff encourage coordination with all impacted tribes on programmatic initiatives and strategic planning for the program.

As a matter of practice, department staff continue to proactively coordinate with the Tribes in review of upcoming federal permits. Coastal program staff are formulating a process for tribal coordination during federal consistency reviews in the coastal zone.

In 2020, as a part of conducting Federal Consistency Review under the Coastal Zone Management Act, staff conducted staff to staff consultation and coordination with the Coos, Lower Umpqua and Siuslaw Indians as well Coquille, Siletz and Grand Ronde on the proposed Jordan Cove Energy Project and DLCD's role. Staff provided information to CTCLUSI and other coastal nations on cultural resource enforceable policies under the Coastal Zone Management Act administration. Staff reviewed letters from Tribal Nations as part of our federal consistency review. Staff fielded additional requests for information regarding OCMP enforceable policies with respect to Oregon's land use system and responsibilities for review of federal activities. Coastal program staff would like to continue discussions with staff and/or leadership of Tribal Nations regarding how we can improve enforceable policies and processes.

Coastal program staff have posted all pertinent information at <https://www.oregon.gov/LCD/OCMP/Pages/Federal-Consistency.aspx>. DLCD continues to participate in interagency and staff to staff tribal coordination meetings related to the project.

In 2021, agency staff will be able to offer financial assistance for staff participation in the National Oceanographic and Atmospheric Administration-funded Project of Special Merit for an update to the Yaquina Bay Estuary Management Plan.

Coastal program staff have also appreciated working within the framework of the West Coast Ocean Alliance. Staff participated in the 2019 annual meeting and participated in a tribal engagement training with representatives of Tribal Nations, federal and state government representatives from across the West Coast. The work of the Alliance also resulted in the development of a Guide developed by members of the West Coast Tribal Caucus, entitled:

“Guidance and Responsibilities for Effective Tribal Consultation, Communication, and Engagement.” Coastal program staff are drafting a DLCDC specific version of a land acknowledgement guide incorporating many of these guiding principles. We will seek LCIS review of this document in early 2021.

Coastal program staff including the Marine Affairs Coordinator, Rocky Habitat Project Coordinator, and Coastal Program Manager worked with staff from coastal Tribal Nations as part of the Territorial Sea Plan (TSP) Amendment process for the Rocky Habitat Management Strategy (TSP Part 3). Staff have communicated with these nations governmental staff through email, and in-person (remote) meetings to provide information on the amendment process in order to facilitate discussions regarding coastal Tribes’ feedback on the proposed plan amendments. Staff from the Tribal Nations as well as the coastal program have been focused on identifying the future coordination and consultation process needs associated with any proposals for site designations with the potential for impacting Tribal practices and lifeways.

These specific activities have been part of the process

Rocky Habitat Tribal Work Sessions - two roundtable work sessions were convened in September and October primarily with natural resources staff invited from the five Tribal Nations with land in the coastal zone. The focus of these meetings was to better engage with Tribal Nations on the TSP amendment process, help DLCDC’s Ocean and Coastal Management Program (OCMP) staff better understand Tribal Nation perspectives and concerns related to coastal rocky habitats and resources, and identify opportunities for coordination and collaboration to help ensure these views are appropriately incorporated and represented throughout the process.

Several tasks and opportunities were identified as a result of these meetings. Plans for coordination between OCMP and Tribal staff now include a) the appropriate inclusion and representation in relevant sections of the Rocky Habitat Management Strategy text, b) appropriate inclusion and representation on SeaSketch and OregonOcean.info, c) notifications and clearer expectations for engagement in the proposal processes and meetings, and d) scheduling a follow-up work session meeting in early 2021. As of this reporting, each of the above tasks are currently in progress.

In the Strategy text, participants identified a need to include clarification of the possibility that rocky habitat site management regulations, in some instances now or in the future, may not apply to Tribal Nations who have external harvest agreements with the state. This was reviewed and approved by all parties. Other sections of the Strategy relevant to the Tribal Nations may be reviewed and updated as necessary in winter and spring.

Opportunities for Tribal Nation inclusion and representation on OregonOcean.info and the SeaSketch tool have been identified through this process, drafted by agency staff and forwarded to Tribal staff for review and approval. This includes coordination on implementing Tribal lands data and information.

Modifications to the steps of the proposal review process were developed, reviewed, and approved by all parties. This change clarifies the responsibilities and expectations for

communicating with Tribal Nations through the rocky habitat proposal process, and when coordination and/or consultation may be appropriate.

Staff have sent invitations to schedule a third work session in early 2021 to Tribal Nation natural resource staff contacts. Work to schedule that meeting is underway.

On December 8, 2020, at the CTCLUSI's request, staff convened between several Tribal Nations representatives, DLCD staff, and DLCD's Department of Justice representative to discuss what consultation could look like regarding the designation process and staff recommendation to Ocean Policy Advisory Council (OPAC), OPAC's role in consultation, and a multi-agency approach to consultation as that time comes (Oregon Parks and Recreation Department, Oregon Department of Fish and Wildlife, et al). Meeting summary information will be forwarded to OPAC members.

Future work in the TSP3 amendment process will include ongoing coordination with Tribal Nations to fulfill the tasks identified above, and identify any additional tasks and opportunities for coordination with Tribal Nations. Following receipt of the public rocky habitat proposals after December 31, 2020, proposals will be forwarded to Tribal Nations staff for review and to invite feedback or consultation as necessary. Strategy text revisions to appropriately include and represent Tribal Nations will be made and included in the final Strategy draft which will be submitted for OPAC approval in their spring 2021 meeting.

The Marine Affairs Coordinator worked with the Governor's Natural Resources Office and the OPAC to appoint a new tribal government representative to the Council. This action was associated with an OPAC discussion that resulted in a letter to the Governor's office recommending removal of the statutory requirement for senate confirmation of the nominee. There was also discussion at the OPAC meeting of each coastal tribal government having a seat on the Council, but there was not support at the Council for that recommendation. This discussion resulted in a letter to LCDC from the CTCLUSI tribal government. LCDC wrote a letter to the Governor's office in support of better representation of Coastal tribes at OPAC on August 19, 2020.

In another project funded by the US Department of Defense funding to avoid conflicts between sites needed for military activities and natural resource protection, the Oregon Renewable Energy Siting Assessment project staff from DLCD and the Oregon Department of Energy (ODOE) have communicated with tribal governments in regards to their participation in project surveys and comment opportunities related to the production of a siting tool for consideration of development of renewable energy in the state. Several tribal governments have received approval for funding through Interagency Agreements to receive reimbursement for time spent on project review and feedback activities. Collaboration with tribal entities is occurring by project contractors, upon review and approval by DLCD and ODOE staff.

Coastal program staff also have been working with members of the Cultural Cluster to identify deficiencies in cultural resource protection under statewide land use planning Goal 5. Those discussions are expected to continue in 2021, with a goal of a rule update on LCDC's policy agenda for 2021-2023.

Heather Wade (971-239-9467 | heather.wade@state.or.us) is the DLCDC contact for the Jordan Cove project and other federal consistency reviews of interest to the Tribes.

Patty Snow (503-508-2215 | patty.snow@state.or.us) and Andy Lanier (503-934-0072 | andy.lanier@state.or.us) are the DLCDC contacts for regional ocean issues. Both staff are engaged with the West Coast Ocean Alliance, which is an ocean management coordinating body between the three west coast states, west coast tribes and federal agencies. Patty is also the best contact for the Goal 5 inquiry prior to July 1, 2021. After July 1, we expect that the best contact for this work will be Amanda Punton (503-206-2291 | Amanda.punton@state.or.us) when DLCDC's funding for the Natural Resources Specialist position is restored.

Natural Hazards Planning

DLCDC Hazards Team planners are working to engage Tribal Nations in regional Natural Hazards Mitigation Plan projects. Specific initiatives follow.

Planners have been working with the Burns Paiute Tribe for several years on their Natural Hazard Mitigation Plan (NHMP). Agency staff submitted the NHMP to the Oregon Office of Emergency Management (OEM) and the Federal Emergency Management Agency (FEMA) on August 26. The plan is currently at FEMA for review.

Members of the Confederated Tribes of the Umatilla Indian Reservation are participating on the Umatilla County Steering Committee for the NHMP in that region. Funding for this work was accelerated in response to the 2020 flood events.

Staff are also working with the Coos County NHMP project manager to help ensure the Coquille Indian Tribe, the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, and the Cow Creek Band of Umpqua Tribe of Indians are supported to consult with staff and engage in development of this plan, in addition to supporting Tribal hazard mitigation plan updates directly with FEMA.

Finally, staff have reached out to the Confederated Tribes of the Umatilla Indians as well as the Nez Piece Tribe regarding the Wallowa County Natural Hazard Mitigation Plan update and are in the process of following up on those communications.

DLCDC's Floodplain Manager has been supporting local communities that are processing floodplain development permits where members or representatives of Tribal Nations are the applicants. These are primarily for stream restoration projects and associated technical questions regarding the requirements. Nations include the Confederated Tribes of Siletz Indians of Oregon and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians.

Staff also invited consultation on development of the update of the State's Natural Hazard Mitigation Plan, currently under review at FEMA.

Marian Lahav (503-689-2522 | marian.lahav@state.or.us) is the DLCDC contact for the Oregon Natural Hazards Mitigation Plan 2020 update and coordinator of the Natural Hazards group. Celinda Adair (503-930-9739 | celinda.adair@state.or.us) is the Floodplain Manager.

Regional Solutions Teams

The department participates throughout the state in Regional Solutions Teams (RST) coordinated by the Governor's office. For example, DLCD Regional Representative Lisa Phipps (503-812-5448 | lisa.phipps@state.or.us) has reached out to the Confederated Tribes of the Siuslaw Indians to inquire about interest participating in the Yaquina Bay Estuary Management Plan update. They also helped to connect CTSI staff to the Echo Mountain Wildfire Task Force.

Technical Assistance Grants

The department offers grant assistance through four department subprograms; the Oregon Coast Management Program, General Fund Grant Program, Natural Hazards Mitigation Program, and Transportation Growth Management Program.

For the 2019-2021 cycle, agency staff sent letters to each of the nine Tribes announcing it was accepting applications for General Fund Technical Assistance grants for the 2019-2021 biennium. Grant priorities for the biennium include; economic development, affordable and workforce housing, natural hazard and climate change resilience, planning for infrastructure financing, and updates to comprehensive plans and local ordinances.

Southern Oregon Regional Representative Josh LeBombard (541-414-7932 | josh.lebombard@state.or.us) met with the Cow Creek Band of Umpqua Tribe of Indians to discuss partnership opportunities regarding housing, and Central Oregon Regional Representative Scott Edelman (541-306-8530) | scott.edelman@state.or.us spoke with the Confederated Tribes of the Warm Springs Reservation about a potential grant application prior to the October 1, 2019 deadline. Ultimately, two tribes applied for grant assistance and in December 2019 the Coquille Tribe was awarded a grant for their Coquille Wharf Master Plan Development project. This project is underway.

More information about grant opportunities can be found at <https://www.oregon.gov/lcd/About/Pages/Grants.aspx> or by contacting Community Services Division Manager Gordon Howard at (503-856-6935) | Gordon.howard@state.or.us.

Transportation and Growth Management Grants

The Transportation and Growth Management (TGM) program is a partnership between DLCD and the Oregon Department of Transportation. TGM supports community efforts to expand transportation choices. [TGM Planning Grants](#) help local governments plan for streets and land use that lead to more livable, sustainable, and economically vital communities. This planning increases opportunities for transit, walking and bicycling. The table below shows the status of TGM grants awarded to Tribes over the past five years.

Tribe	Project	\$ Authorized	Project Completion	TGM #
Confederated Tribes of the Umatilla Indian Reservation	Transportation System Update	In development	2021	TBD
Klamath	Klamath Tribes & City of Chiloquin Bike-Pedestrian Master Plan	\$114,530	JAN 2019	4A-16
Coos, Lower Umpqua and Siuslaw	Coos Head Area Master Plan	\$182,080	AUG 2018	3B-14
Coquille	Empire Comprehensive Plan	\$192,895	JULY 2018	3B-15
Umatilla	Mission Community Master Plan	\$195,100	MARCH 2018	5A-15
Klamath	Chiloquin Walkability Study	\$18,240	APRIL 2016	C2F4-15
<i>Total Authorized Funds</i>		<i>\$702,845</i>		

Completed in March 2018, the Confederated Tribes of the Umatilla Indian Reservation’s Mission Community Master Plan will help create a “*vibrant, engaged, and multi-modal community that fosters cultural and environmental connectedness, economic vitality, health, and well-being.*” The Coquille Indian Tribe’s Empire Comprehensive Plan encompasses approximately 1,100 acres, and designates land use zones and a transportation network to meet pedestrian, bicyclist, and motorist needs. The CTCLUSI Coos Head Area Master Plan envisions redevelopment of 43 acres previously under U.S. Department of Defense ownership into an integrated development that will benefit Tribal members, meet Tribal economic development objectives, and provide a mix of uses available to the greater Charleston and Coos Bay communities. CTCLUSI and DLCDC staff are currently working on a scope of work to implement the rezone needed for the vision to be realized.

The 2016 TGM Bike-Pedestrian Master Plan award to the Klamath Tribes builds on a completed TGM Education and Outreach project focused on bicycle and pedestrian safety in the City of Chiloquin. The prior Education and Outreach project was managed by DLCDC Community Assistance planner Evan Manvel (503-934-0059 | evan.manvel@state.or.us).

Local Government Coordination

The department continues to serve as a resource to local governments with questions relating to coordination with Oregon's Tribal Nations. Department staff recognize and seek to underscore the importance of tribal relationships with local governments including but not limited to the area of local land use regulations on fee lands.

To ensure department wide awareness, DLCD provides regular training to staff members on government-to-government relations. The iLearn on Tribal Nations is now an annual requirement for all staff.

The Coastal Program and Farm Forest Specialist are responsible for the department's involvement in the Bureau of Indian Affairs (BIA) fee-to-trust process. To our knowledge, no fee-to-trust transfer notices were received in 2020.

Other Activities of Interest

Tribal Cultural Items. In November 2018 the Cultural Resources Task Force recommended, "agencies perform an initial survey of tribal cultural items within six months of orientation training of agency liaisons." DLCD submitted this report to the Governor's office, LCIS and the nine federally recognized Tribes on Wednesday, November 13, 2019. Agency staff provided a follow-up response regarding Goal 5 inventories on November 29, 2020.

Land Acknowledgement, Government to Government Relations. LCDC welcomes tribal participation at their [meetings](#) and makes an effort to coordinate with potentially interested Tribes well in advance. Developed with LCIS guidance, commissioner read a land acknowledgement statement at the beginning of commission meetings. Additionally, staff have developed a draft Land Acknowledgement Guidance document of which staff will request LCIS review in early 2021.

Regional Housing Needs. To implement House Bill 2003 on Housing supply and a Regional Housing Needs Analysis study required by the Oregon Legislature, staff member Sean Edging has been reaching out to housing staff for each Tribal Nation.

The Regional Housing Needs Analysis is a pilot methodology intended to assess whether a statewide analysis of housing need would support more equitable, affordable, and fair housing outcomes. A clear priority for DLCD was assessing whether such an analysis, if implemented, could be used by Tribal Nations to better support their housing planning efforts. Through conversations with housing and planning staff at various Tribal Nations, we have taken away the following draft key insights to incorporate into the report and recommendations.

- *Eroding Federal Support* – As we understand it, much of the housing planning landscape for Tribal Nations is driven by federal programs, including the Indian Housing Block Grant Program administered by the U.S. Department of Housing and Urban Development. Over time, the support from federal programs has diminished, especially as distribution of funding driven by Census data has become increasingly austere.
- *Measuring Need for Tribal Members* – Incorporating tribal-owned lands into the Oregon Population Forecast Program is a good first step towards better measuring housing

needs for tribal members, but it is important to recognize that many tribal members live elsewhere in the state. A separate data collection effort would be necessary to measure and better address that need. Any effort should recognize and anticipate a lack of trust in government within these communities.

- *Need for State Policy Action* – While better measuring need is a good step forward, the effort spent measuring these issues means little if they are not accompanied with policy actions to address the need. There is a clear need for policy direction that better supports the provision of housing to support tribal nations, especially publicly supported housing.


Agency staff are also planning a follow-up conversation with Housing Executive Director for the Siletz Tribal Housing Department and Housing Stability Council Member, Sami Jo Difuntorum, to discuss more discreet state policy recommendations into the RHNA legislative reports developed by DLCD and OHCS.

Cultural Resource Protection. The Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians requested an update to the Goal 5 rules for cultural resources be included on the agency's revised policy agenda for 2019-2021. While this was not possible in the short term due to COVID-related budget reductions and temporary rule writing to support wildfire recovery, staff continue to meet in a staff to staff setting to scope out what a rule update would address and the remedies such an activity would endeavor to provide. Agency staff expect to recommend some form of rule update to better respond to the need to protect cultural resources in the 2021-2023 biennium. At that time, DLCD's Natural Resource Specialist will be back from rotation and able to devote staff time to this important suite of issues.

Land Use Planning Goal Review for Equity. The Governor's Revised Budget assigns DLCD to complete a review of Oregon's 19 land use planning goals for equity and climate. We would appreciate close coordination with Tribal nations on those updates.

Conclusion

DLCD looks forward to continuing to strengthen its government-to-government relationships with Oregon's nine federally recognized Tribes. The department is grateful for Tribes participation in agency programs, and for guidance received. The department will continue to strive to provide early opportunities for meaningful tribal consultation and guidance in 2021. In 2021, the department anticipates working with the Tribes on ocean and coastal issues, climate change adaptation and mitigation, hazards planning and cultural resource protection.

 <p>Department of Land Conservation and Development</p> <p>POLICY AND PROCEDURES MANUAL</p> <p>Issuing Division: Director's Office</p>	<p>NUMBER: 06-01</p> <p>Effective Date: December 28, 2006</p> <p>Page 1 of 3</p>
<p>SUBJECT: Local and Tribal Government Communication Policy</p>	<p>Approval: Lane Shetterly</p>

PURPOSE:

The purpose of this policy is to recognize that local governments play the central role in carrying out the statewide planning program, which is administered by the Oregon Department of Land Conservation and Development (DLCD). The purpose of this policy is also to recognize government-to-government relations that exist between the department and each of Oregon's federally recognized tribes.

Local governments have the following relationships with DLCD:

- Partners in implementing the statewide planning program, instituted in 1973 by SB 100
- Customers requesting technical assistance and planning grants
- Advisors to help with policy development and legislative concepts

Maintaining positive relationships with local and tribal governments is a fundamental goal of the department. The Local and Tribal Government Communication Policy is intended as a checklist to ensure DLCD's consistent relationships with local government and tribes remain intact.

Local governments most affected by agency programs and authorities include:

- Cities and counties, especially those that are experiencing high levels of population growth or economic development, or transportation problems
- Regional governments, which help coordinate regional planning in urban areas
- Special districts (ports, transit, utilities, education service, fire/ambulance, parks & recreation, etc.)

In addition, agency programs have an effect on tribal planning efforts, even though many tribal lands are not directly subject to the state and local regulatory authority. To foster government-to-government relations with each of the tribes, the department serves on several state/tribal cluster groups. The department also serves as lead staff for two independent bodies: the Ocean Policy Advisory Council (OPAC) and the Oregon Task Force on Land Use Planning. OPAC is a legislatively mandated marine policy advisory body to the governor. The Task Force on Land Use Planning was created by SB 82 (2005) to conduct a

comprehensive review of Oregon's statewide planning program. DLCD has no authority over either body, but keeps local governments up to date on the work of both bodies.

REFERENCE: Authorities are Oregon Administrative Rules and Oregon Revised Statutes that govern state/tribal relations and the actions and responsibilities of the Oregon Department of Land Conservation and Development.

POLICY: It is the policy of the Oregon Department of Land Conservation and Development to ensure that local and tribal governments have the ability, information and access they need to actively participate in the statewide planning program. To accomplish this policy, the department will strive to:

- Proactively contact local governments and, if applicable, their membership associations, and tribes to make them aware of pending decisions, policy changes, rule modifications, or other actions of the department that may affect the interests or operations of a local government or tribe. Such notification will be made far enough in advance so that affected local governments and tribes can be in a position to provide meaningful feedback.
- Engage local government elected officials, primarily through the Local Officials Advisory Committee (LOAC), in a continuing dialog – both formal and informal – as to how the department can best assist local governments in the statewide planning program. (LOAC advises the Land Conservation and Development Commission on policies and programs affecting local governments.)
- Ensure that the avenues of communication between local governments and tribes, and the department staff working with OPAC and the Oregon Task Force on Land Use Planning are consistently open, clear and accessible.
- Collect feedback from local and tribal government officials on how the department is doing in serving the needs of local and tribal governments.
- Create and update publications that can assist local governments. Key examples of this type of assistance are the Model Development Code for Small Cities and an economic development guidebook.
- Continue to make more information available on the department's Web site and through other outreach efforts.
- Host, sponsor and participate in a variety of meetings with local government staff, council or commission meetings, community forums, association conferences, etc. Conduct LCDC roundtable discussions with

officials throughout the state.


- Participate in coordination opportunities with tribes, individually or collectively, as needed to address individual land use issues and larger policy considerations.

DISPUTE RESOLUTION

Although every attempt will be made by the department to adhere to the letter and spirit of the Local Government Communication Policy, there may be occasions where disagreements arise as to whether a good-faith attempt was made by staff within the department to meet this policy.

In the event a local or tribal government, or group of local or tribal governments, wish to dispute the application of this policy, a written statement to that effect should be made to the manager in charge of the program area in question. That manager will respond to the submitted statement and, if necessary, take action to remedy the situation. If no action is deemed necessary, a written explanation will be provided to the local or tribal government.

If a satisfactory result cannot be achieved through this process, a local or tribal government may appeal to the DLCD director. The director will, at his or her discretion, work to resolve the issue to the best of his or her ability.

 <p>Department of Land Conservation and Development</p> <p>POLICY AND PROCEDURES MANUAL</p> <p>Issuing Division: Director's Office</p>	<p>NUMBER: 07-02</p> <p>Effective Date: May 14, 2007 (DLCD "Interest Statement" has been in effect since September 23, 1997.)</p> <p>Page 1 of 2</p>
<p>SUBJECT: Policy on Government to Government Relations with Oregon Tribes</p>	<p>Approval: Lane Shetterly</p>

PURPOSE: The purpose of this policy is establish, improve and maintain partnerships with Oregon's Indian Tribal governments, while seeking to better understand each other, and work cooperatively to identify and address mutual goals and concerns arising from state land use policy that affects Tribal interests. To the extent possible, work to have the growth management and resource conservation objectives of both the State and the Tribes compatible with one another. Improve upon or design solutions and programs to help reach these objectives

REFERENCE: Authorities are Oregon Administrative Rules and Oregon Revised Statutes that govern state/tribal relations and the actions and responsibilities of the Oregon Department of Land Conservation and Development. In addition, the policy reflects gubernatorial direction as outlined in Executive Order 96-30 and legislative direction as provided in Senate Bill 770 (2001).

POLICY: It is the policy of the Oregon Department of Land Conservation and Development to:

- Facilitate better relations between the Tribes and state and local government.
- Establish a notification process to better coordinate and inform Tribes, and state and local governments about development projects under consideration, and about long-term economic and community land use objectives. Determine what projects and land use policy issues are of interest to the Tribes and keep them informed.
- Continue "Government-to-Government" relations on land use matters at the regional level between state agency contacts in the field (or region), local government planning department staff and Tribal administrators within the region, including Regional Partnerships and Regional Economic Revitalization Teams.
- Work with Tribal governments to share information that supports

development and maintenance of resource management plans, development policies and Tribal zoning ordinances applicable to lands held in trust. In the interests of state, local and Tribal governments, encourage Tribal land use policies and zoning to be similar and compatible with Oregon's land use planning system, including policies for preserving Oregon's best agricultural lands.

- Continue to assist local governments and the Tribes in natural and cultural resource site protection programs under the statewide planning goals.
- Be accountable for a land use program that is coordinated and consistent with the efforts under the Governor's Coastal Salmon Restoration Initiative, and keep the Tribes informed of such actions that may affect Tribal interests.
- Work with Tribal governments and stakeholders to find ways to continue government-to-government relations with fewer resources.
- In conjunction with the work plans of the Natural Resources Work Group and Cultural Resources Cluster Group, continue to work with Tribal governments to assess what implications state and local waivers issued under ORS 197.352 will have on Tribal interests, particularly with respect to natural and cultural resources and sites.
- Involve Tribal Governments, through a Working Group and Economic Development Cluster, in the development of a work plan to address the process by which sewer service may be extended to tribal lands located adjacent to urban growth boundaries or unincorporated communities.

In addition to the provisions of this policy aimed specifically at relations with Oregon's Tribal governments, the Department has reflected its overall communication policy with local governments, included Tribes, within DLCD Policy No. 06-01: Local and Tribal Government Communication Policy.

Accomplishments made by the Department in response to this policy, and since the Executive Order (EO-96-30) was established in 1996, are found in the Annual Reports presented each year to the Governor and Legislative Commission on Indian Services.