

Legislative Fiscal Office

Oregon State Capitol
900 Court Street NE, H-178
Salem, OR 97301
503-986-1828



Joint Committee on Ways and Means

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To: Natural Resources Subcommittee

From: Kim To, Legislative Fiscal Office

Date: June 2, 2021

Subject: SB 5530 – Department of Land Conservation and Development
Work Session Recommendations

Department of Land Conservation and Development (DLCD)

	2017-19 Actual	2019-21 Legislatively Approved	2021-23 Current Service Level	2021-23 LFO Recommended
General Fund	14,971,597	17,819,643	14,981,191	21,539,984
Other Funds	872,431	1,535,051	1,657,286	1,657,286
Federal Funds	4,477,331	6,949,434	7,004,435	6,666,190
Total Funds	20,321,359	26,304,128	23,642,912	29,863,460
Positions	58	61	56	65
FTE	56.79	58.55	55.09	63.47

Attached are recommendations from the Legislative Fiscal Office for the Department of Land Conservation and Development.

The 2021-23 LFO recommended budget for the Department of Land Conservation and Development is 65 positions (63.47 FTE), and \$29,863,460 Total Funds.

The 2021-23 LFO recommended budget contains the following:

- Package 090: \$1,000,000 General Fund and one position (1.00 FTE) for Equitable Rural Transportation Planning. The bulk of this investment would be made available to local governments in the form of direct technical and financial assistance grants (\$525,000) and contracts (\$200,000) to provide rural communities with data, mapping, outreach and engagement best practices to equip and prepare these communities to participate in the ODOT process for state and federal pass through funding for pedestrian, bicycle, and transit projects. In addition, the package decreases Services and Supplies expenses by (\$218,231) General Fund by reducing budgeted Professional Services, Department of Justice, Travel, and Office expenses.
- Policy Option Package 110 Housing Planning: \$3,904,344 General Fund and 6 positions (5.50 FTE) to continue implementation of HB 2001 (2019) and HB 2003

(2019) to provide technical assistance grants to local governments for the development and adoption of housing production strategies. The request includes \$2,500,000 in technical assistance to local governments, including smaller communities and rural areas, through contracted services and/or grants, to implement middle housing regulations and to develop plans to improve water, sewer, and storm drainage.

- Policy Option Package 111 Climate Adaptation: \$578,070 General Fund to replace federal funding for the Climate Change Resilience Coordinator. Currently, this position is funded through a federal grant from NOAA. This funding is set to expire at the end of the 2019-21 biennium. This package also includes funding to complete a statewide climate change vulnerability assessment.
- Policy Option Package 112 Climate Change Mitigation: \$1,000,000 General Fund and one position (0.88 FTE) to develop rules relating to land use and transportation program development and implementation to meet Oregon’s greenhouse gas reduction goals from the land use and transportation sector. This position would focus on assisting local governments with equity-oriented scenario planning and administrative rule implementation. The request includes \$768,900 to provide grants to cities and counties for updating transportation and land use plans.
- Policy Option Package 113 Wildfire Reduction: \$328,253 General Fund and one position (1.00 FTE) to fund a permanent full-time Planner 3 position to work with the Oregon Department of Forestry and other affected agencies on wildfire mapping and land use recommendations. Funding will be used to identify updates to the statewide land use planning program and local comprehensive plans and zoning codes that are needed in order to incorporate wildfire risk maps and reductions strategies. Updates are anticipated to include provisions regarding sufficient defensible space, building codes, safe evacuation, and development considerations in areas of high wildfire risk.

Adjustments to Current Service Level

See attached “Work Session Presentation Report.”

Note: With the exception of Policy Option Package 099 reflecting Microsoft 365 Consolidation adjustments, statewide adjustments are not included in these recommendations. Any needed adjustments will be made in end of session bills.

Performance Measures

See attached “Legislatively Proposed 2021-23 Key Performance Measures.”

Recommended Changes

LFO recommends a budget of \$21,539,984 General Fund, \$1,657,286 Other Funds, \$6,666,190 Federal Funds, and 65 positions (63.47 FTE), which is reflected in the -2 amendment.

Final Subcommittee Action

LFO recommends that SB 5530, as amended by the -2 amendment, be moved to the Ways and Means Full Committee.

Carriers

Full Committee: _____

House Floor: _____

Senate Floor: _____

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2019-21 Agy. Leg. Adopted	20,231,675	-	1,460,817	6,755,041	-	-	28,447,533	64	62.09
2019-21 Ebds, SS & Admin Act	(2,412,032)	-	74,234	194,393	-	-	(2,143,405)	(3)	(3.54)
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2019-21 Leg Approved Budget	17,819,643	-	1,535,051	6,949,434	-	-	26,304,128	61	58.55
2019-21 Leg Approved Budget (Base)	20,231,675	-	1,460,817	6,755,041	-	-	28,447,533	64	62.09
Summary of Base Adjustments	(337,737)	-	144,798	31,230	-	-	(161,709)	(8)	(7.00)
2021-23 Base Budget	19,893,938	-	1,605,615	6,786,271	-	-	28,285,824	56	55.09
010: Non-PICS Pers Svc/Vacancy Factor	(23,457)	-	22,509	(13,170)	-	-	(14,118)	-	-
020: Phase In / Out Pgm & One-time Cost	(5,465,848)	-	-	-	-	-	(5,465,848)	-	-
030: Inflation & Price List Adjustments	576,558	-	29,162	231,334	-	-	837,054	-	-
2021-23 Current Service Level	14,981,191	-	1,657,286	7,004,435	-	-	23,642,912	56	55.09
Adjusted 2021-23 Current Service Level	14,981,191	-	1,657,286	7,004,435	-	-	23,642,912	56	55.09
Total LFO Recommended Packages	6,558,793	-	-	(338,245)	-	-	6,220,548	9	8.38
2021-23 Legislative Actions	21,539,984	-	1,657,286	6,666,190	-	-	29,863,460	65	63.47
Net change from 2019-21 Leg Approved Budget	3,720,341	-	122,235	(283,244)	-	-	3,559,332	4	4.92
Percent change from 2019-21 Leg Approved Budget	20.9%	0.0%	8.0%	(4.1%)	0.0%	0.0%	13.5%	6.6%	8.4%
Net change from 2021-23 Adj Current Service Level	6,558,793	-	-	(338,245)	-	-	6,220,548	9	8.38
Percent change from 2021-23 Adj Current Service Level	43.8%	0.0%	0.0%	(4.8%)	0.0%	0.0%	26.3%	16.1%	15.2%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2019-21 Agy. Leg. Adopted	14,092,845	-	1,460,817	6,755,041	-	-	22,308,703	64	62.09
2019-21 Ebds, SS & Admin Act	(666,836)	-	74,234	194,393	-	-	(398,209)	(3)	(3.54)
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2019-21 Leg Approved Budget	13,426,009	-	1,535,051	6,949,434	-	-	21,910,494	61	58.55
2019-21 Leg Approved Budget (Base)	14,092,845	-	1,460,817	6,755,041	-	-	22,308,703	64	62.09
Summary of Base Adjustments	(337,737)	-	144,798	31,230	-	-	(161,709)	(8)	(7.00)
2021-23 Base Budget	13,755,108	-	1,605,615	6,786,271	-	-	22,146,994	56	55.09
010: Non-PICS Pers Svc/Vacancy Factor	(23,457)	-	22,509	(13,170)	-	-	(14,118)	-	-
020: Phase In / Out Pgm & One-time Cost	(965,848)	-	-	-	-	-	(965,848)	-	-
030: Inflation & Price List Adjustments	506,089	-	29,162	231,334	-	-	766,585	-	-
2021-23 Current Service Level	13,271,892	-	1,657,286	7,004,435	-	-	21,933,613	56	55.09
Adjusted 2021-23 Current Service Level	13,271,892	-	1,657,286	7,004,435	-	-	21,933,613	56	55.09
Total LFO Recommended Packages	2,764,893	-	-	(338,245)	-	-	2,426,648	9	8.38
2021-23 Legislative Actions	16,036,785	-	1,657,286	6,666,190	-	-	24,360,261	65	63.47
Net change from 2019-21 Leg Approved Budget	2,610,776	-	122,235	(283,244)	-	-	2,449,767	4	4.92
Percent change from 2019-21 Leg Approved Budget	19.5%	0.0%	8.0%	(4.1%)	0.0%	0.0%	11.2%	6.6%	8.4%
Net change from 2021-23 Adj Current Service Level	2,764,893	-	-	(338,245)	-	-	2,426,648	9	8.38
Percent change from 2021-23 Adj Current Service Level	20.8%	0.0%	0.0%	(4.8%)	0.0%	0.0%	11.1%	16.1%	15.2%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 090 Analyst Adjustments

Package Description This package includes \$1,000,000 General Fund and one position (1.00 FTE) for Equitable Rural Transportation Planning. The bulk of this investment would be made available to local governments in the form of direct technical and financial assistance grants (\$525,000) and contracts (\$200,000) to provide rural communities with data, mapping, outreach and engagement best practices to equip and prepare these communities to participate in the ODOT process for state and federal pass through funding for pedestrian, bicycle, and transit projects.

In addition, the package decreases Services and Supplies expenses by (\$218,231) General Fund by reducing budgeted Professional Services, Department of Justice, Travel, and Office expenses.

LFO Recommendation LFO recommended.

LFO Recommended	256,769	-	-	-	-	-	256,769	1	1.00
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 099 Microsoft 365 Consolidation

Package Description Microsoft 365 Consolidation: Microsoft 365 is being consolidated within the Office of the State Information Officer at the E5 level of service. This cost is built into the State Government Service Charge for every agency as a cost increase for the 21-23 biennium. This package makes a corresponding reduction to the agency base budget in an amount equivalent to what agencies should be paying in the current 2019-21 biennium for Microsoft 365 at the E3 level of service.

LFO Recommendation LFO recommended.

LFO Recommended	(33,643)	-	-	(11,503)	-	-	(45,146)	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 110 Housing Planning

Package Description Increases General Fund appropriation by \$1,404,344 to continue funding for six positions (5.50 FTE) and advances the implementation of HB 2001 and HB 2003 (2019) both of which work to increase housing choice and supply for Oregonians in 56 urban areas. The positions would change from limited duration to permanent. With the funding in this package, grants and technical assistance for community planning and development code updates would be available to local government, including smaller communities and more rural areas.

LFO Recommendation LFO recommended.

LFO Recommended	1,404,344	-	-	-	-	-	1,404,344	6	5.50
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 111 Climate Adaptation

Package Description This policy package includes \$578,070 General Fund to replace federal funding for the Climate Change Resilience Coordinator. Currently, this position is funded through a federal grant from NOAA. This funding is set to expire at the end of the 2019-21 biennium. This package also includes funding to complete a statewide climate change vulnerability assessment.

LFO Recommendation LFO recommended.

LFO Recommended	578,070	-	-	(326,742)	-	-	251,328	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 112 Climate Mitigation

Package Description Increases General Funding appropriation by \$231,100 and adds one position (0.88 FTE) to fund one Planner 3 position to develop rules relating to land use and transportation program development and implementation as directed by the Governor's Executive Order 20-4 to meet Oregon's greenhouse gas reduction goals from the land use and transportation sector. This position would be focused on assisting local governments and metropolitan areas with equity-oriented scenario planning and administrative rule implementation. This work is in coordination with Every Mile Counts, the collaborative workplan developed by the Oregon Department of Transportation (ODOT), the Department of Environmental Quality (DEQ), the Department of Energy (DOE), and DLCDC to identify and implement actions to reduce greenhouse gas (GHG) emissions from transportation and to bring Oregon closer to achieving the emission reduction goals.

LFO Recommendation LFO recommended.

LFO Recommended	231,100	-	-	-	-	-	231,100	1	0.88
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 113 Wildfire Reduction

Package Description This package increases General Fund appropriation by \$328,253 and adds one permanent Planner 4 position (1.00 FTE) to work with the Oregon Department of Forestry and other affected agencies on wildfire mapping and land use recommendations. Funding will be used to identify updates to the statewide land use planning program and local comprehensive plans and zoning codes that are needed in order to incorporate wildfire risk maps and reductions strategies. Updates are anticipated to include provisions regarding sufficient defensible space, building codes, safe evacuation, and development considerations in areas of high wildfire risk.

LFO Recommendation LFO recommended.

LFO Recommended	328,253	-	-	-	-	-	328,253	1	1.00
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2019-21 Agy. Leg. Adopted	6,138,830	-	-	-	-	-	6,138,830	-	-
2019-21 Ebds, SS & Admin Act	(1,745,196)	-	-	-	-	-	(1,745,196)	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2019-21 Leg Approved Budget	4,393,634	-	-	-	-	-	4,393,634	-	-
2019-21 Leg Approved Budget (Base)	6,138,830	-	-	-	-	-	6,138,830	-	-
Summary of Base Adjustments	-	-	-	-	-	-	-	-	-
2021-23 Base Budget	6,138,830	-	-	-	-	-	6,138,830	-	-
020: Phase In / Out Pgm & One-time Cost	(4,500,000)	-	-	-	-	-	(4,500,000)	-	-
030: Inflation & Price List Adjustments	70,469	-	-	-	-	-	70,469	-	-
2021-23 Current Service Level	1,709,299	-	-	-	-	-	1,709,299	-	-
Adjusted 2021-23 Current Service Level	1,709,299	-	-	-	-	-	1,709,299	-	-
Total LFO Recommended Packages	3,793,900	-	-	-	-	-	3,793,900	-	-
2021-23 Legislative Actions	5,503,199	-	-	-	-	-	5,503,199	-	-
Net change from 2019-21 Leg Approved Budget	1,109,565	-	-	-	-	-	1,109,565	-	-
Percent change from 2019-21 Leg Approved Budget	25.3%	0.0%	0.0%	0.0%	0.0%	0.0%	25.3%	0.0%	0.0%
Net change from 2021-23 Adj Current Service Level	3,793,900	-	-	-	-	-	3,793,900	-	-
Percent change from 2021-23 Adj Current Service Level	222.0%	0.0%	0.0%	0.0%	0.0%	0.0%	222.0%	0.0%	0.0%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 090 Analyst Adjustments

Package Description This package increases General Fund by \$525,000 for grants to communities as part of the \$1,000,000 General Fund investment for Equitable Rural Transportation Planning.

LFO Recommendation LFO recommended.

LFO Recommended	525,000	-	-	-	-	-	525,000	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 110 Housing Planning

Package Description Increases General Fund appropriation by \$2,500,000. The funding will be used to offer grants and technical assistance for community planning and development code updates for local government, including smaller communities and more rural areas.

LFO Recommendation LFO recommended.

LFO Recommended	2,500,000	-	-	-	-	-	2,500,000	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 112 Climate Mitigation

Package Description This package includes includes \$768,900 General Fund to provide grants to cities and counties that need to amend their individual transportation system plans and land use plans (e.g. zoning maps, development standards, Comprehensive Plans and associated development codes) to achieve state greenhouse gas reduction targets.

LFO Recommendation LFO recommended.

LFO Recommended	768,900	-	-	-	-	-	768,900	-	-
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Legislatively Proposed 2021 - 2023 Key Performance Measures

Published: 5/5/2021 3:56:13 PM

Agency: Land Conservation and Development Department

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.

Legislatively Proposed KPMs	Metrics	Agency Request	Last Reported Result	Target 2022	Target 2023
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.		Approved	73%	75%	75%
2. HOUSING LAND SUPPLY - Percent of cities that have an adequate supply of buildable residential land to meet housing needs.		Approved	80%	90%	90%
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.		Approved	80%	80%	80%
5. TRANSIT SUPPORTIVE LAND USE - Percent of urban areas with a population greater than 25,000 that have adopted transit supportive land use regulations.		Approved	85%	90%	90%
6. TRANSPORTATION FACILITIES - Percent of urban areas that have updated the local plan to include reasonable cost estimates and funding plans for transportation facilities.		Approved	92%	92%	92%
9. URBAN GROWTH BOUNDARY EXPANSION - Percent of land added to urban growth boundaries that is not farm or forest land.		Approved	52%	55%	55%
10. GRANT AWARDS - Percent of local grants awarded to local governments within two months after receiving application.		Approved	0%	100%	100%
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.	Timeliness	Approved	80%	90%	90%
	Accuracy		79%	90%	90%
	Availability of Information		75%	90%	90%
	Overall		81%	90%	90%
	Helpfulness		82%	90%	90%
	Expertise		86%	90%	90%
12. BEST PRACTICES - Percent of total best practices met by the Board.		Approved	98%	100%	100%
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.		Approved	99.80%	99%	99%
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.		Approved	99.90%	99%	99%

LFO Recommendation:

The Legislative Fiscal Office recommends the adoption of the Key Performance Measures as presented.

SubCommittee Action: