The Big Look Task Force on Oregon Land Use Planning

Part One Evaluation Report

June 2007
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Report to the: Oregon Task Force on Land Use Planning
Prepared by: Big Look Task Force Consulting Team
Acknowledgements

Oregon Task Force on Land Use Planning Members

- **Ken Bailey**: Vice President and Shareholder in Orchard View Farms, Inc. in The Dalles. Orchard View Farms grows, packs and ships premium fresh cherries for domestic and international sales. Ken grew up on the family farm and returned to farm after his graduation from Oregon State University with a BS in horticulture. Ken’s service on community and industry boards includes: Oregon State Board of Agriculture, Mount Hood Economic Alliance, Wasco County Economic Development Commission, Wasco County Board of Adjustment (land use board of appeals), Wasco County Fruit and Produce League, National Council of Agricultural Employers, Oregon Farm Bureau and The Food Alliance Stewardship Council.

- **David Bragdon**: Became the Metro Council’s first regionally elected President in January 2003 after first being elected to the council in 1998. Prior to his service on the council, David spent most of his career in the private sector, primarily in the international trade and freight transportation industry. He developed and administered transportation strategies at Oregon-based companies such as Nike, Lasco Shipping Co. and Evergreen Airlines. He then worked for five years as the Port of Portland’s marketing manager. A graduate of Harvard University, he lives in Southeast Portland.

- **Steve Clark**: President of the Portland Tribune newspaper and President and Publisher of Community Newspapers, a group of 19 weekly and monthly and community newspapers published in Multnomah, Washington and Clackamas counties. Steve is active in the region and the state in working to address and link livability, land use, economic strategy and transportation issues and solutions. As a board member of the Westside Economic Alliance, he led the development of an economic strategy for Portland area’s Westside. He is co-chair of the Oregon Business Council’s efforts to expand the availability of land in Oregon for jobs. He is a member of the steering committee that has developed a Portland regional economic development strategy and chairs that effort’s land use committee. He lives in Tigard.

- **Jill S. Gelineau**: A litigator who represents landowners in condemnation and land use litigation, Jill represented the Dolan family in the Dolan v. City if Tigard trial following its remand from the United State Supreme Court. She has been a speaker at numerous conferences locally, nationally and internationally, primarily speaking on the topics of condemnation and land use. She recently participated in the rewriting of the chapter on Compensation in Nichols on Eminent Domain, the preeminent treatise in the field of condemnation law. She is a shareholder with Schwabe, Williamson and Wyatt, P.C. in Portland.

- **Judie Hammerstad**: In addition to her elected terms on the Lake Oswego School Board (1980-88), in the State Legislature (1987-88), and the Clackamas County Commission (1990-99), other government experience includes service on the Metropolitan Policy Advisory Committee, member of the Board of Directors for Portland State Institute, Portland Streetcar, Inc., and recent chair of Metro’s Task Force on Measure 37. Her second term as mayor of Lake Oswego began on January 4, 2005 and expires December 31, 2008. Mayor Hammerstad has a Bachelor of Arts degree in history from the University of Oregon and is a retired teacher, education specialist and editor.

- **Wes Hare**: Albany City Manager who has served Oregon local governments since 1984, when he was elected to Eugene’s Bethel School District board of directors. He has since worked as the city administrator or manager in Oakridge, La Grande and Albany. Wes earned a B.S degree in political science and an M.S. in public administration from the University of Oregon following service in the United States Navy.

- **Cameron Krauss**: General Counsel for Swanson Group, Inc., a forest products company, headquartered in Glendale, OR. Along with handling the company’s day-to-day legal issues, Cameron devotes a great amount of time to natural resource issues at the state and federal levels. This work includes land use. A native Oregonian born and raised in Grants Pass, Cameron received his B.S. in Fisheries and Wildlife from Oregon State University in 2001 and his law degree from the University of Oregon School of Law in 2004. He currently serves on the Board of Directors of Oregonians for Food and Shelter and the Executive Committee of the American Forest Resource Council.

- **Gretchen Palmer**: With a degree in elementary education from the University of Oregon, Gretchen taught pre-school for several years, owned and managed a restaurant, and then went to work full time as Secretary/Treasurer for Palmer Homes, a business she has owned with her husband for 25 years. She currently serves as Principal Broker for Palmer Homes Sales, Inc. She has lived in Central Oregon for nearly 30 and worked extensively with the City of Bend on its Development Code Revision and been very active on the local, state and national levels of the National Association of Home Builders.
• **Mike Thorne**: A Pendleton rancher, Mike is the former Executive Director of the Port of Portland and CEO of the Washington State Ferry System in Seattle. He served in the Oregon Legislature from 1973 to 1991 and was a member of the committee that wrote the original Oregon land use planning act. He and his wife, Jill, reside in Pendleton and he is currently a member of the Board of Directors of StanCorp Financial headquartered in Portland.

• **Nikki Whitty**: Coos County Commissioner, 1998-present. Previously South Coast Area Manager for CCD Business Development Corporation. Also served in a variety of staff positions for legislators and other elected officials in Salem. Nikki is very active in local and state boards and commissions – currently serving as the Chair for Rural Development Initiatives. She also serves on the Community Development Forum, the Governor’s Oregon Solutions Team, and the local Regional Investment Board.

**Big Look Task Force Consultant Team**

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- Civic Results, Inc., Denver, CO
- Robert Grow Consulting, Salt Lake City, UT
- Sorin Garber Consulting Group, Portland, OR
- Jeanne Lawson Associates, Portland, OR
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The Oregon Task Force on Land Use Planning is assisted in its work by four staff members at the Oregon Department of Land Conservation and Development. They are:

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- **Jody Haury**, Administrative Support Specialist. She can be reached at 503-373-0050 x230, or via email at: jody.d.haury@state.or.us.
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**Technical Advisory Committee**

<table>
<thead>
<tr>
<th>Name</th>
<th>Organization/Role</th>
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This interim report is being completed as part of a larger effort by the Oregon Big Look Task Force to evaluate the state’s land use program’s mission and procedures, and to chart the future of land use planning by the state and local agencies.

This project is funded through the Oregon Department of Land Conservation and Development through funds provided by the State Legislature in its 2005 session.

The contents of this document do not necessarily reflect views or policies of the State of Oregon.
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Executive Summary

The Oregon Task Force on Land Use Planning (also known as the Big Look Task Force), created by Senate Bill 82 (2005), is charged with conducting a comprehensive review of the Oregon Statewide Planning Program and to make recommendations for any needed changes to land use policy to the 2009 Legislature.

The bill required members of the Task Force to be appointed jointly by the Governor, Senate President and Speaker and to be ‘knowledgeable about Oregon’s land use system and … familiar with Oregon’s economic and employment base.’

Specifically, the Task Force is charged with studying and making recommendations on:

1. Oregon’s land use planning program in meeting the current and future needs of Oregonians in all parts of the state;
2. Respective roles and responsibilities of state and local governments in land use planning; and
3. Land use issues specific to areas inside and outside urban growth boundaries and the interface between areas inside and outside urban growth boundaries.

Mission

The mission of the Oregon Big Look Task Force is to make recommendations to ensure that the state’s land use system sustains the quality of our environment and the beauty of our landscape while building an economy that assures the prosperity of Oregon's citizens and communities. The Task Force believes these outcomes will be achieved by investing in future as well as present generations and by insisting upon timely, adaptable and reasonable programs and policies that recognize regional differences and emphasize partnerships between our people and businesses and state, regional and local governments to provide the best public services.

Big Look Task Force Work Program,

In May 2006, the Big Look Task Force prepared its work program:

- Phase I – Identify major issues (May-July 2006)
- Phase II – Frame the issues (July-December 2006)
- Phase III – Conduct targeted outreach to garner stakeholder and public reaction on specific topics (2007)
- Phase IV – Assemble information from outreach efforts, prepare a report regarding the findings, and Task Force discussion on recommendations for solutions
- Phase V – Promote recommendations to the Governor and Legislature before the 2009 Legislature

In winter 2007, the Task Force elected to spend time synthesizing the work of its six work groups and revisiting the foundation and original intent of the land use program at its inception.

This interim report synthesizes the research and conclusions made by the Big Look Task Force in Phases I (identification of major issues) and II (framing of the issues) of its work program. Work has begun on Phase III (targeted outreach), which is anticipated to coincide with Phases IV and V, for compilation in a final report between 2009 and 2010.

1 Link to Senate Bill 82 [http://www.leg.state.or.us/05reg/measures/sb0001.dir/sb0082.en.html](http://www.leg.state.or.us/05reg/measures/sb0001.dir/sb0082.en.html); full text is provided in Appendix A of this report.
Preliminary Task Force Findings
As of the spring 2007, the research completed by the Task Force’s six working groups has been synthesized and integrated with several common themes emerging:

- Oregon’s land use system has protected the agriculture and forestry land base.
- Oregon’s land use system has contained sprawl.
- Oregonians are generally pleased to have a land use planning system.
- Oregon’s land use program, including the DLCD, has evolved more and more into a regulatory program.
- Many people feel that the existing program is very complex and does not have the flexibility for a changing Oregon.
- The state will face infrastructure, water and environmental challenges related to growth.
- There are lessons to be learned from other states’ growth management programs.
- Future growth will challenge ability to preserve prime agriculture and forestry lands in seven or eight counties - but not in every county.
- Many of the state’s 19 existing goals don’t fit the definition of “goals” – rather they are strategies, tactics or tools.

Developing Recommendations
The Task Force has been identifying issues that may need to be reconciled and evaluated for accomplishing the state’s land use goals. Before making recommendations, the Task Force proposed that they first test preliminary ideas about the state land use program with more experts, interest groups, and the public, in order to think through the impact of those ideas on Oregon’s economy, environment, quality of life, government structure and processes, and their roles within a fair and equitable land use planning system. Repeating this type of impact analyses with all of the new ideas to be circulated will provide the Task Force and the public with information about advantages and disadvantages, costs, needs, and associated processes.

The Task Force has proposed beginning a comprehensive public engagement process, using the press, speaking engagements, written materials, public service announcements, forums, conferences, one-on-one meetings, public opinion surveys, web broadcasts, etc., using both state resources and new resources from outside the state budgeting process, in the fall of 2007.
I. Introduction

This interim report of the Big Look Task Force synthesizes the research and conclusions made by the Task Force in Phase I (identifying major issues) and Phase II (framing the issues) of its work program. Work has begun on Phase III (targeted outreach), which is anticipated to coincide with Phases IV and V, for documentation in a final report sometime between 2009 and 2010.

With the passage of Senate Bill 82 in the 2005 Oregon Legislative Session, a 10-member Task Force was established with the objective of studying and making recommendations on:

1. Oregon’s land use planning program in meeting the current and future needs of Oregonians in all parts of the state;
2. Respective roles and responsibilities of state and local governments in land use planning; and
3. Land use issues specific to areas inside and outside urban growth boundaries and the interface between areas inside and outside urban growth boundaries.

At the time of the preparation of this interim report (June 2007), the Task Force completed research and prepared preliminary findings. Its next step – beginning in July 2007 – is to review these preliminary conclusions with additional experts, interested parties, and the general public.

Participants in the Process
In support of work by the Big Look Task Force, numerous experts from throughout the state, as well as outside Oregon, have provided testimony, data and other documentation to the Task Force. A list of these experts can be found on the project website: http://www.oregonbiglook.org/pageview.aspx?menu=4327&id=15300.

In addition, a national Technical Advisory Committee (TAC) has reviewed specific topic areas, the analytic process, preliminary findings, and the Task Force’s public engagement proposals (see Table 1 for TAC members). Additionally, members of the Oregon Chapter of the American Planning Association have assisted in a variety of ways, including documentation of analyses, participation in TAC meetings, and testifying to the Task Force.

From its inception, staff from the Oregon Department of Land Conservation and Development (DLCD), have provided research assistance, and administrative and management support to the Task Force. DLCD staff will continue in these important roles through the completion of the Task Force’s work.

In winter 2007, a consultant team led by Fregonese Associates, Inc. of Portland, Civic Results, Inc. of Denver, CO, and Robert Grow Consulting of Salt Lake City, UT were selected to assist the Task Force in its analyses; assist in developing policy and legislation; and to help conduct and support a corresponding public engagement effort.
Table 1- Members of the Big Look Task Force Technical Advisory Committee

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Organization of this Report

The following sections of this interim report lay out the work completed by the Task Force and potential strategies for overcoming the challenges faced by the Oregon land use system. The next section of the report identifies conclusions reached by the Task Force about land use programs in three other states – Washington State, Colorado and Maryland – and compares these states’ methods of addressing land use issues with Oregon’s.

Section IV summarizes a three-session discussion of the goals of Oregon’s land use program. This discussion essential molds the current 19 state land use goals into a set of broad, over-arching goals and values.

Section V summarizes the potential land use impacts by county that could result from Oregon’s projected population and employment growth for the 2000-2040 period.

Section VI describes the Task Force’s proposed public engagement work program and Section VII outlines the Task Force’s next steps through June 2009.

For most of these sections, more detailed information is provided in the appendix of this report or in the form of links to the more detailed reference sources.
II. Task Force Issues -- Working Groups

This section summarizes the work plans and preliminary findings of each of the six Big Look Task Force working groups: Benefits and Burdens; Economy; Growth Management; Role of State and Local Government; Citizen Involvement; and Infrastructure, Finance and Governance.

II.A Benefits and Burdens Work Group


The work group has been charged with evaluating the state’s land use program to assess whether the benefits and burdens of the program on individuals or groups of individuals are appropriately distributed. By its nature, the state land use program is a regulatory approach to managing land uses for the benefit of residents and businesses throughout the state. In so doing, in the process of providing broad based benefits to society at large, the question arises as to whether there is an undue burden placed on certain individuals or property owners. Similarly, there can be instances where certain individuals or property owners realize a disproportionate benefit, or a windfall, significantly greater than the general benefits received by the typical individual.

Regulation of property for the general benefit of the community is a fundamental action taken by government. The origin of zoning was to protect residential neighborhoods from the negative affects of industry (at that time a dangerously polluting land use). These restrictions that “zoned” certain areas for residential purposes had the affect of taking away the rights of the property owners to use their property for any use other than residential. Since many other land uses have potentially higher value, this action resulted in a de facto reduction in property value.

However, in this example, the rights of the all property owners in the area are also being collectively protected and therefore their property value sustained by limitations on their neighbors’ ability to develop a land use type that may be incompatible and therefore have the affect of reducing property value. All of the property owners in the neighborhood give up a certain degree of property rights and value in return for all of the property owners realizing a certain level of preservation of their property rights and value.

In this example, the benefits and burdens of the regulation are evenly distributed throughout the neighborhood. That is, no single property owners suffer a disproportionate loss in property rights or value, nor does any property owner realize a disproportionate windfall in property rights or value.

Using this simple case as a guide, the task of this work group is to evaluate the broad application of the state land use program to determine whether there are disproportionate burdens being suffered by certain individuals or groups. In doing this evaluation, it is important to assess to whom the benefits are being realized. If the benefits and burdens are applied to the same group of individuals, there shouldn’t be a reason to adjust the program. However, if the benefits of the regulation are realized by one group while the burdens are realized by another, there may be a reason to seek a remedy. This is particularly true if the burdens are significant and fall on a very narrow group of individuals or property owners.

In general, this evaluation should establish what the regulatory mandates are and what societal benefit they are intended to produce. In contrast, there should in turn be an evaluation of whether these regulatory mandates produce an undue burden, whether that burden is significant and whether that burden is borne by a narrow segment of society. Finally, the evaluation should consider whether a remedy, either regulatory or non-regulatory, is appropriate.
This work group is also charged with evaluating whether the state land use program produces disproportionate private benefits and whether there should be some action taken for society to share in those private benefits. In the simple neighborhood example described above, there could easily be a situation where a small part of the area is “zoned” for commercial in order to provide goods and services to the neighborhood. Since property that can be used for commercial development generally has greater value, the designation of certain property for commercial produces a property value windfall for that narrow segment of the neighborhood. Is this appropriate or should there be some remedy that allows the rest of the neighborhood to share in the windfall?

**Legal basis for property rights and regulation**

The legal underpinning controlling the degree to which government can limit an individual’s use of their property through regulations is based upon the Fifth Amendment to the U.S. Constitution – the “Takings Clause” which reads:

> “nor shall private property be taken for public use without just compensation.”

The typical application of this clause comes into play when the government needs to acquire private property for a public facility, such as a road or city hall. In this situation, there is a clear transfer of ownership and the guarantee provided by the Constitution ensured just compensation to property owners so that they would not suffer unduly. Through various interpretations by the courts, this principle has been extended to include a) when regulation for other than health and safety reasons takes all or nearly all of the value of the property and b) when government attaches unreasonable or disproportionate permit conditions on the use of property. In addition, the courts have provided for a “nuisance exception” to recognize that property rights do not include the ability to use the property in ways that will injure their neighbors. For example, there is no need for compensation for regulations that prohibit uses that injure a neighbor through various forms of pollution.

These federal protections of property rights were altered by Ballot Measure 37 approved by Oregon voters in November 2004. The effect of Ballot Measure 37 is to extend the provision that requires compensation when regulations take all or nearly all of the property value as a result of regulation to a new standard based upon any loss in property value. In this circumstance, the property owner has the right to seek from the government compensation or waiver of the regulation if the regulation having the affect of the loss in property value occurred during the period of ownership by the property owner. Applying this change for a condition that occurs during the period of ownership is intended to acknowledge that the original purchase price of a piece of property reflects its value taking into account whatever land use regulations might be in effect at the time of purchase.

**What about windfalls?**

Many actions undertaken by government also have the affect of increasing property values. Extension of the most basic public facilities such as sewer and water services produces property values that are greater than for properties without sewer and water services. Similarly, construction of a new interchange on a highway increases the accessibility of the adjacent properties providing an increase in property values. Similar to the situation where there is a requirement for just compensation for “taking” private property for a public facility, these examples involve an increase in private property value as a result of a physical public improvement. Another example is when the government enacts regulations that produce an increase in private property value, such as through an “up zoning.” Such an up zoning could be within an urban context, such as from single-family to multi-family residential or a change in zoning from rural uses to urban uses through an expansion to the urban growth boundaries.
In the case of constructing a public facility, whether there is a “windfall” property value increase depends upon how the public facility is financed. In the case of sewer and water services, the properties that benefit are generally the properties that pay for the facilities, therefore it can be said that no windfall exists. Similarly, in the case of the new interchange, if it is financed through a cost sharing arrangement with benefitting property owners or through fees on new development, there may not be a windfall (see also the work group charged with evaluating Infrastructure, Finance and Governance). However, in the case of the regulatory action taken by the government, there is no provision for allowing the public to capture some of the windfall increase in property value.

What’s fair?
The conclusion to this evaluation is really a value judgment of what society considers fair. While an objective assessment of where the incidence of benefit and burden exists and whether any of those benefits or burdens are disproportionately large or disproportionately placed on different segments of society, there is no objective way to determine whether the specific situation is “fair” or whether a remedy should be pursued. Therefore, the fundamental approach to this evaluation is to delineate the conditions where there is an imbalance in benefits and burdens and seek policy input on which should be considered fair or unfair.

What remedies?
Remedies could take the form of both regulatory and non-regulatory approaches.

Regulatory Remedies:
- Revising restrictions on the use of land to ensure there is a “reasonable” use of the property that is allowed; in other words, allow enough uses that seem fair while not unduly undermining the broader benefits that the regulation was intended to provide to society.
- Allow a broader set of land uses but shift the regulatory approach to focus on mitigating impacts, commonly used now to evaluate and mitigate impacts on storm water and traffic congestion.
- Transfer of Development Rights – Allow the private market to limit the uses on a property by purchasing these development rights and transferring them to properties where a limitation on the uses of property is not desired.

Non-regulatory Remedies:
- Establish a compensation program to be accessed when there is a certain level of reduction in property values.
- Purchase of conservation easements through public or non-profit agencies.
- Creation of binding contractual agreements between property owners.
- Creation of a mechanism to capture windfall property increases to compensate for regulations that unduly reduce property values.

Methods of evaluation
1. Develop a series of case studies of specific property cases to see if a pattern exists that illustrates the regulations that might be considered unfair, their intended benefit, the incidence and magnitude of benefit, the reduction of property rights and value and the magnitude of reduced property value.
2. Seek input from people knowledgeable in the field to identify the most common complaints (or frustrations) of the Oregon land use program and create a theoretical case study of each example.
3. Remove from consideration case studies that are a fair application of the “nuisance exception.”
4. Develop a mechanism to solicit feedback on a series of cases to establish where Oregonian’s values rest on the fairness scale.
5. Compare these situations to conditions in other states.
II.A.2 Possible New Framework: The following framework could be used to consider the benefits and burdens which may result from land use regulation in Oregon:

<table>
<thead>
<tr>
<th>Benefits</th>
<th>Burdens</th>
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<tbody>
<tr>
<td>How can the state or jurisdictions be compensated for windfalls that result from changes to land use regulations?</td>
<td>How can the state or jurisdictions compensate land-owners for excessive burdens by land use regulations?</td>
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<tr>
<td>Two examples which have been discussed in the working group or among the consultant team:</td>
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<tr>
<td>* Landowners significantly benefiting from new land that is brought into the UGB</td>
<td>* Landowners burdened by being unable to build a home on their property</td>
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<tr>
<td>* Landowners significantly benefiting from rezoning or upzoning</td>
<td>* Property owners burdened by significant loss of land value due to setbacks, stream setbacks or other regulations</td>
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Key Questions:
1. What are other benefit-related issues?
2. How should these be addressed?

Key Questions:
1. What are other burdens-related issues?
2. How should these be addressed?
II.B Economy Work Group


The importance of the state economy, particularly the rural economy, was foremost in mind when the Oregon Land Use Program was originally established by the Legislature. The very construct of the program was designed to contain urban areas through the establishment of urban growth boundaries (UGB) in order to preserve lands outside of UGBs for the agriculture and forest products industries. At that time, in the early 1970s, Oregon had a largely resource-dependent economy with agriculture and forestry being the largest components. This economic foundation of Oregon was threatened by a prevalent sprawling development pattern not only consuming valuable farm and forest lands but also encroaching into farm and forest areas with residential neighbors who are not compatible with these operations. Since the agriculture and forest products industries are considered “traded-sector” industries, which bring new income and wealth into the state, it was especially important to protect these areas from conversion and encroachment.

The urban interests of the original state land use program was primarily aimed at using urban land efficiently in order to minimize the need for expansion in resource lands and to ensure a development pattern that can be provided with public services and facilities as cost-effectively as possible. While the comprehensive planning process included attention to the economy, it was only in later years that requirements to address and meet the needs of the urban economy were fully developed.

In the intervening 30+ years, the economy of Oregon has changed dramatically. While the agriculture and forest products industries have been able to maintain and, in some cases, improve their prosperity, the importance of the urban economy has mushroomed. In fact, the profile of the urban economy or Oregon is stronger than that of most of the rest of the U.S. Oregon continues to have a higher share of its economic base in manufacturing, especially with the rapid growth of the high-tech industry. This is important because, like the agriculture and forest products industries, manufacturing is a “traded-sector” industry that also brings new income and wealth into the state. With the strong emphasis on expansion of the high-tech industry, Oregon has benefited further by attracting a highly qualified and educated labor force, bringing higher incomes and positioning Oregon well for future economic expansion in these fields. In fact, Oregon is among the highest in the country in attracting the population sector of highly educated and mobile 25-35 year olds, a group that is declining as a share of population in most other metropolitan areas.

In addition to the growing importance of the urban economy, there are important and growing linkages between the urban and the rural economies. For example, the ability to build, maintain and operate an international marine system on the Columbia River is economically feasible through the export of agricultural and mineral products. As a result of these facilities being built, Oregon urban manufacturing industry has access to economical international container export services to access a global economy. Similarly, while the air passenger services into Portland are largely based upon serving the critical mass of the Portland area, the rural economy benefits by providing the ability to ship high-value agriculture products nationally and internationally. The urban areas provide important professional services and markets to rural industries, such as legal, financial, health care and retailing. In a reciprocal manner, rural Oregon provides a highly desirable “playground” for urban residents, making the aesthetic quality of the state one of its most attractive features.

II.B.2 Evaluation of the Oregon Land Use Program

It is a timely question to evaluate whether the state land use program adequately supports the interests of the state to maintain a strong economy. In order to do this it is necessary to consider the following questions:
1. What are the interests of the agriculture industry that the program should be supporting? Does the program as currently structured still support those interests? How has the change in the global agriculture industry affected Oregon’s agriculture base and are there changes in the state land use program needed to acknowledge these changes?

2. What are the interests of the forest products industry that the program should be supporting? Does the program still support those interests? How has the changes in harvest practices on federal lands changed the state forest products industry and are there changes in the state land use program needed to acknowledge these changes?

3. What are the interests of the urban economy that should be supported by the program?

4. What are the secondary aspects of the program that are important to economic prosperity that need to be supported such as affordable housing, transportation and environmental quality?

II.B.3 Profile of Oregon’s Economy (2006)

Income
- Ranked 28th for per capita income; Idaho is ranked 42nd, Washington is ranked 16th
- Wages are 105% of the US average; ranked 24th
- Unemployment rate of 5.5% ranked 41st
- Below poverty level; 14% of population; ranked 34th worst (between Idaho and NY)

Traded-Sector Economy
- Manufacturing represents 19% of the state’s GSP, ranked 8th between Kentucky and Michigan
- Overall non-agriculture employment growth ranked 9th
- Traded sector economy employed 300K in 2005, which far out-paced the U.S. average
- Exports as % of GSP is 8.5%, ranked 10th in US

Innovation
- Total R&D expenditures at universities, ranked 23rd
- Venture capital investment/capita, ranked 17th
- Patents granted/1000 population, ranked 6th
- New companies/1000 workers, ranked 12th

Population
- 1.4% growth from 2004-2005, ranked 10th
- K-12 spending/capita, ranked 30th
- Higher-ed/capita spending, ranked 43rd
- Population with BA or higher, ranked 18th

Social
- Cost of living, ranked 13th most expensive
- Median housing cost, ranked 16th highest
- Visitation to state parks and recreational areas, ranked 4th
- Voter turnout/population, ranked 3rd
- Commuting in minutes, ranked 16th lowest
- VMT (2004), ranked 15th lowest
Productivity
- Cost of doing business, ranked 22nd (tied with Colorado, cheaper than business costs in Texas)
- Commercial electricity cost, ranked 13th lowest
- Industrial electricity cost, ranked 6th lowest
- Manufacturing output (value added/hour), ranked 5th best

Public Finance
- State/local taxes/income, ranked 9th lowest
- State and local expenditures/capita, ranked 16th lowest
- Personal income taxes as a share of State and Local Revenue, ranked 2nd highest
- Corporate income taxes as a share of State and Local Revenue, ranked 19th highest

II.B.4 Selected responses to web survey related to the Economy
2,762 people participated in July 2006:
- 40% stated that the program does a good job in supporting Oregon’s economy
- 75% agreed that the program should support economic development strategies of local communities
- 58% agreed that program should be flexible to accommodate changing needs of businesses
- 34% believe the application process is expensive
- 37% believe the LUBA process is expensive
- 44% believe UGBs should be expanded to accommodate economic development
- 18% believe that UGBs unfairly prevent property owners from developing outside UGBs

II.B.5 Selected responses to Issue Identification Questionnaire
Key statewide organizations and elected officials were given a questionnaire from which to identify key issues for the Task Force. In response, 39 organizations and one legislator answered the question “what is the most important issue that the Task Force should address? and why?”
- Economy -- one respondent stated it is the most important, two respondents said it was the 2nd and 3rd most important, respectively, one said it was the 4th most important, and four respondents said it was the 5th most important issue
- Reasons include:
  - Jobs must be a consideration in the land use discussion; and in comprehensive planning process
  - Land use program gives priority to farms and forest land with no accommodation for the changing economic needs of the state.
  - More consideration is needed about economic feasibility of land use decision-making
  - Opportunity to preserve a strong agricultural economy
  - Link economic development needs with the land use and transportation goals of the state
  - Land use program could be more responsive to the needs of businesses – especially small businesses, farmers and industrial firms.
II.C Growth Management Work Group

(11/3/2006)
The work group is charged with evaluating the growth management tools available in the State of Oregon, their effectiveness in meeting the goals that have been set; whether there are any unintended consequences that must be addressed and, based upon this evaluation, recommend changes. To carry out this evaluation, the work group is concerned with answering the questions presented here.

In the coming decades, Oregon will grow from a state of 3.6 million people to a state of 6 or 7 million people. Oregon’s current box of land use planning tools to deal with population growth is derived from the system devised in the 1970s, and this toolbox has been used as Oregon grew from a population of 2.2 million people to what it is today.

How have those tools worked, and are they adequate and appropriate today? Should there be a broadly accepted vision for how an Oregon with 6 or 7 million people would look and function, and would new tools be needed to create and fulfill such a vision?

What are the most effective tools to manage population growth to achieve community goals?

An underlying objective of the Oregon system is that population should be concentrated in cities rather than in low-density exurban and formerly rural areas. As the state’s population nearly doubles in the coming decades, is this underlying objective more valid or less valid?

What are the respective consequences of accommodating 3-4 million people in either (a) urban settings or (b) exurban settings?

In order to answer the primary question, the work group seeks to research the following questions:

Goal 14 and Urban Growth Boundaries -- Goal 14: Urbanization states:
“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 for livable communities.”

Through this goal, a tool central to the Oregon land use program is the establishment and periodic update to the Urban Growth Boundary (UGB) around each city and region in the state. Through establishment of this line, various requirements of the state program are focused on preserving farm and forest uses outside the UGB and containing of urban job and housing growth inside the UGB. Are these still valid goals? Has the tool been an effective means of managing growth in a way that contributes to vibrant, economically viable communities? Has it produced the intended results? Are there unintended consequences that have occurred that need to be addressed? Are there changes needed to make this tool more effective?

1. What was the purpose of Goal 14 and UGBs and are they accomplishing what they were intended to accomplish?
2. What have been the unintended consequences of Goal 14 and UGBs?
3. Should the UGB process for expansion be modified? Does the hierarchy of lands for where to expand UGBs reflect the most effective locations to both accommodate urbanization and preserve essential rural areas?
4. Should the requirements be different in high growth vs. low growth areas?
5. Given that the UGB is a growth management tool, should UGB decisions be tied to performance within the UGB?

6. Planning for New Urban Areas - Does the planning program provide too much, too little or about the right amount of direction on the efficient conversion of land newly added to UGBs to urban uses over time?

7. Should the “need” to expand UGBs be based upon a 20-year forecast of expected growth (as presently required) or a revised method that is more sensitive to current conditions?

8. If the philosophy of concentrating growth in cities is revised in favor of a philosophy which facilitates more low-density development in exurban (i.e. currently rural areas which would become exurban or suburban), what are the potential impacts on transportation, natural resource industries, infrastructure, etc.?

Other tools in use in Oregon -- In addition to UGBs, state and local governments use a variety of other tools to manage growth. Are these tools effective? Are they producing the intended results? Are there unintended consequences that have occurred that need to be addressed? Are there changes needed to make the tools more effective?

1. Population Coordination – The land use program assigns to each County and Metro the job of coordinating population forecasts for the various cities within their jurisdiction. In this manner, the expected growth of the county could be disproportionately assigned to one jurisdiction rather than another, allowing the overall 20-year land supply requirement to be targeted to different locations. Should this tool be expanded to allow this approach regionally (i.e., across county lines)?

2. Periodic Review - The legislature added "periodic review" to the land use statutes to ensure that communities re-visit their plans from time to time to ensure they continue to reflect their visions for the future and remain in compliance with the 3 statewide planning goals. How can the periodic review process be improved to be a better way for cities to re-envision their communities and change their plans to implement their visions? Is there a better way than periodic review?

3. "Regional Planning” - With some exceptions, the planning program has focused its planning requirements on cities and counties. Increasingly, planning issues are regional issues involving more than one city and often more than one county.

   Should the state provide more guidance and tools for coordinated planning in regions that share transportation facilities, "commute-sheds", and economies? Do the instances in which regional planning has been undertaken in Oregon – Metro in the Portland region; the Columbia River Gorge National Scenic Area; the Oregon coastal zone; regional problem-solving in the Rogue Valley – provide models for other regions in the state? Are there promising models for regional planning from other places?"

4. Goal 11: Public Facilities – Local comprehensive plans within UGBs are required to develop a public facilities plan defining needed infrastructure to support expected growth called for in the plan. This is intended to ensure that expected urban development is facilitated with needed public facilities. In addition, DLCD regulations limit local governments’ ability to extend urban facilities outside UGBs. In light of Ballot Measure 37 and the possibility of more rural residential, should these rules be revised?

5. Density Targets – In the Portland Metro area, local governments are required under the Metropolitan Housing Rule to zone land to meet a target density (6, 8 or 10 units per net acre depending upon size) and to zone land for a 50/50 mix of single family/multi-family housing. In addition, the Metro
Council has adopted the 2040 Growth Concept providing guidance on where higher density development should be encouraged. These requirements are intended to ensure efficient use of land within the UGB in order to minimize the need for expansion of the UGB. In addition, it is intended to link higher density to the design of the transportation system and to ensure that all jurisdictions share the burdens and benefits of accommodating higher density and affordable housing.

Should there be broader application of density targets outside the Metro area? Do the requirements need to be refined?

6. Urban Reserves – Areas are permitted under the state land use program to establish Urban Reserves for an area to accommodate up to another 30-years of growth beyond the areas 20-year UGB. Upon adoption of such Urban Reserves, when that area amends their UGB, the state mandated hierarchy requires that they first move it into the Urban Reserve area before considering other levels of the hierarchy.

How can urban reserves be more useful for planning beyond the 20-year UGB 4 horizon? Do the requirements for establishing Urban Reserves need refinement?

7. Rural Preserves – Should there be a complement to Urban Reserves in the state hierarchy allowing the adoption of Rural Preserves that designate the areas of greatest importance for preservation of farmland, forestry or significant wildlife areas. In the same manner that Urban Reserves would be the first priority for expansion of UGBs, Rural Preserves would be the last priority. This would give these areas greater certainty that they are not simply holding zones for future urban development.

Should there be areas outside UGBs that should be off-limits to UGB expansion because of their great importance? If so, how should these areas be protected?

8. Metropolitan Planning Organizations (MPOs) and Area Commissions on Transportation (ACTs) – Federal law requires MPOs to carry out a coordinated transportation planning process in urban areas larger than 50,000 population. ODOT encourages the formation of ACTs throughout the state to develop a consensus on funding priorities.

Is there a need for LCDC to establish formal multi-jurisdiction coordination bodies as part of the state land use program?

9. Coordination with Public Schools - It is common for school districts to look to the edge of urban areas for sites for new schools for cheaper land and larger parcels. These sites are sometimes removed from the families they serve and require expensive busing and driving to get students to the schools. Planning for public schools is subject to the statewide planning goals and to acknowledge comprehensive plans, but these plans cannot guarantee good sites for schools. Are there ways the planning program can help find sites for schools in the hearts of our communities?

10. Goal 12 and the Transportation Planning Rule (TPR) require systematic planning for all modes of transportation at all levels of government, coordinated closely with land use planning. Are there transportation planning tools - such as Interchange Management Plans and Special Transportation Areas from the Oregon Transportation Plan - that can improve transportation planning and make it a more effective contributor to livable communities? Should changes be made in light of diminished sources of state and federal revenues for transportation facilities?

11. Infrastructure finance – the way in which we design, fund and construct infrastructure has a huge impact on the function, shape and viability of our communities.
12. Tax system – both the tax abatement program and the way in which we tax land affects our growth patterns.

13. Targeted Investments through state funding programs – Existing state funding programs could be refined to establish a stronger tie to implementation of local comprehensive land use plans. The most notable example nationally is the experience of the State of Maryland that realigned all of its programs around areas designated for development vs. those designated for preservation. The Oregon Community Solutions Team pursued a similar direction through the adoption of the Oregon Investment Strategy in October 2000.

14. Development incentives – there are a multitude of federal, state and local programs that can be used to incent development. Do all communities have the capacity and understanding of these programs to use them effectively?

15. Brownfields – many communities are blighted with numerous tracks of land that are unusable. What assistance do these communities need to overcome this obstacle and put land to good use?

16. Design – do communities have the tools they need to make sure new development is compatible with existing neighborhoods?

17. Has the complexity and legalistic nature of the system resulted in unnecessary confusion, delay and increased cost?

Other tools in common use outside Oregon
1. Scenario Planning – Rather than implement a land use system designed around forecasting growth for a 20-year period and adopting a plan to meet the forecasted growth, an alternative approach would be to evaluate a range of plausible scenarios for the future. Under this approach, a set of policies and short-term actions would be identified for each of the plausible futures. In this manner, the jurisdiction could adapt their actions to the actual conditions that develop over time rather than put a long-range plan in place based upon a single forecast for the future. The key elements of this process would be as follows:

a) Evaluate alternative plausible futures for the community to understand what might occur with future growth, to identify the driving factors that the community can and cannot impact through local actions and to develop potential actions to take depending upon which future evolves.
b) Establish a Vision and Goals for the community
c) Adopt a policy document to serve as a guide for how to make decisions for the community in a consistent manner
d) Adopt a 3-5 year set of strategic actions to implement
e) Monitor conditions on a real-time basis to understand how the community is changing, which of the plausible scenarios is occurring and what adjustments in the 3-5 year action plan is needed given current conditions.

2. Environmental Impact Reports – Some other states require the evaluation of proposed developments through an environmental impact evaluation to serve as the basis for considering approval of permits (in some cases only larger developments). The Oregon system relies upon an evaluation of impacts at the comprehensive planning step rather than the individual development permitting step. Is this a model to use in Oregon?
3. Infrastructure Provision and Concurrency – Some other states require the consideration of the adequacy of available public infrastructure as part of the development permitting process. If public facilities are inadequate (or in some cases, expected to be inadequate considering facilities that will be built within the next 5-years), the development permit cannot be approved. The Oregon system is designed to ensure that the comprehensive plan defines needed infrastructure rather than considering that for each individual development permits. (Note: some local governments have established their own concurrency requirements).

Is this a model to use in Oregon?

4. Exactions tied to a rezoning action – In some other states, legislative actions to adopt changes in zoning are more commonplace than in Oregon. In situations where a zoning change allows for a higher valued development than would previously be allowed (such as from industrial to commercial), there is a substantial increase in property value. In these jurisdictions, there is typically a negotiated process between the jurisdiction and the property owner (or developer) defining the public facilities and amenities that will be provided by the developer in conjunction with their proposed development. Is this a model to use in Oregon?

5. Transfer of Development Rights – In some other states, it is more common that development rights may be transferred between different properties, commonly as a sale/purchase transaction between the property owners. For example, the development rights for one parcel are purchased, ensuring that parcel does not develop, and sold to another parcel, thereby allowing a higher density than the zoning would otherwise permit. Is this a model to use in Oregon?

6. Value Capture – The legislative act of a local government to change the zoning to a higher use results in an increase in property value for that property. The most extreme example is the extension of the UGB resulting in the property having urban property value rather than rural property value. Should there be a mechanism for the public sector to capture a portion of that windfall? What should the windfall capture be used for by that local government?
II.D  Role of State and Local Government Work Group

Oregon statute enables state agencies and local governments to plan for, regulate and implement the state’s land use program.

Need to incorporate a description of:
- State goals and administrative rules that local governments must meet
- Minimum requirements inside/outside UGBs
- Other Land use, finance, infrastructure tools/authority that locals have the option to use
- The role of other State agencies - transportation, water, environmental issues, etc.

The general division of responsibilities between the state and local government is one that involves the Oregon Department of Land Conservation and Development adopting and administering the Goals and their administrative rules to implement statutory direction adopted by the Legislature. Through these goals and rules, local governments are expected to adopt Comprehensive Plans that meet certain minimum standards and mandates established by the state. Within these minimum standards and mandates, state statutes have provided local governments with broad flexibility to implement a variety of land use plans and regulations, implement financing mechanisms for infrastructure and public services and permit private development.

The overriding question is: “What is the right balance between the role of the state in establishing minimum standards and mandates vs. the allowance of flexibility at the local level to plan for and meet the values and goals of their local citizenry?” The answer lies in the higher interest of the state as a whole that represents a need to have a state mandate or minimum override a local interest. If there is no higher state interest, there is no good reason for the state requirement to override the local interest. In order to evaluate whether the current state land use program strikes the right balance between the roles of state vs. local government it is necessary to examine each state mandate and ask: “What is the higher state interest that this mandate is carrying out? Is it still valid in today’s circumstances?” Should there be a greater allowance for local flexibility? This paper examines those questions in two components, rural and urban.

Rural Lands
When the state land use program was created by the Legislature, a basic premise was to protect farm and forest lands from conversion to urbanization. At that time, there was a clear state interest in maintaining two very significant components of the state’s economic base, agriculture and forest products, from being undermined by thousands of individual land use decisions by hundreds of units of local government all over the state. To accomplish this goal, urban growth boundaries were required to be established around all of Oregon’s cities with the expectation that urbanization would be contained within those boundaries. In turn, certain minimum requirements were established to ensure the counties regulated land uses outside that boundary in a manner consistent with maintaining the agriculture and forest products industries (summary of specific requirements in rural are provided elsewhere).

In today’s conditions, the questions to address include:
- Has the program been successful in supporting the agriculture industry?
- Does the agriculture industry continue to represent an important part of the state’s economy that merits continued protection through state mandates?
- Are there areas outside UGBs that are being protected for agriculture by state mandates that are not suitable for agriculture?
- Are there areas outside UGBs that are not effectively protected for agriculture that should be?
- How should we classify lands suitable for protection for agriculture?
• Do these conditions vary in different parts of the state?
• Are the state requirements for protection of agricultural lands consistent with other state policies and programs affecting agricultural practices and taxation policies?
• Should the lands that should be protected for agriculture purposes be designated by the state or county governments?
• Should the state or counties determine how to protect agriculture lands?
• Is the program able to adapt in the future as conditions change?
• Has the program been successful in supporting the forest products industry?
• Does the forest products industry continue to represent an important part of the state’s economy that merits continued protection through state mandates?
• Has the shift in timber supply on federal lands (that are not regulated by the state programs) changed conditions in the forest products industry such that the state mandates should also change?
• Are there areas outside UGBs that are being protected for forestry by state mandates that are not suitable for forestry?
• Are there areas outside UGBs that are not effectively protected for forestry that should be?
• How should we classify lands suitable for protection for agriculture?
• Do these conditions vary in different parts of the state?
• Are the state requirements for protection of forest lands consistent with other state policies and programs such as the forest practices act and taxation policies?
• Should the lands that should be protected for forestry purposes be designated by the state or county governments?
• Should the state or counties determine how to protect forestry lands?
• Is the program able to adapt in the future as conditions change?

If lands outside UGBs are not intended to be preserved for farm or forest purposes then what should be allowed on these lands?
• Should these lands be allowed to urbanize? If so, what is the implication to nearby urban areas?
• Should these lands be allowed to develop as rural residential? If so, what are the implication on:
  o Drinking water supply?
  o Ground water pollution (from septic)?
  o Traffic burdens on rural arterials and state highways?
  o Provision of other public services such as police and fire protection?
  o Is this rural development pattern happening anyway as a result of Ballot Measure 37?

Urban Lands
When the state land use program was first created, it was on the basis of guiding both conservation and development (hence the name of the department – the Oregon Department of Land Conservation and Development). The counterpart to limiting development outside UGBs was to accommodate and facilitate development inside UGBs. As a result, the state mandates are focused on requirements designed to develop and implement the plans for growth, construct the needed infrastructure and facilitate permitting of private investment. Every city and county in Oregon (plus Metro in the Portland region) have responded to state mandates by adopting comprehensive plans that balance the values and goals of their citizens with the mandates and minimums established by the state.

In today’s conditions, the questions to address include:
• There is a state interest in ensuring that local land use plans support the economy of the state for the benefit and welfare of the citizens and to provide resources for to the state budget for public services (see also the “Economy” work group). In addition, the economy of individual urban
areas are intertwined with other urban areas and with the rural economy. Because of this interdependence, there is a higher state interest in ensuring local plans support the economy.

- Is the higher state interest still valid?
- Are the state mandates being effective in supporting the economy?
- Are the state mandates appropriate? Are other requirements appropriate?

- There is a state interest in providing an adequate statewide transportation system providing statewide, domestic and international connections?
  - Is the higher state interest still valid?
  - Are the state mandates being effective?
  - Are the state mandates appropriate? Are other requirements appropriate?

- There is a state interest in protecting the environment, especially as urbanization affects air and water pollution.
  - Is the higher state interest still valid?
  - Are the state mandates being effective?
  - Are the state mandates appropriate? Are other requirements appropriate?

- There is a state interest in ensuring that urban lands are used efficiently so that future UGB expansion on to farm or forest lands is minimized (to support those industries).
  - Is the higher state interest still valid?
  - Are the state mandates being effective?
  - Are the state mandates appropriate? Are other requirements appropriate?

- There is a state interest in the social welfare of the citizenry that adequate housing choices and levels of affordability be available.
  - Is the higher state interest still valid?
  - Are the state mandates being effective?
  - Are the state mandates appropriate? Are other requirements appropriate?

- Are the state requirements for urbanization consistent with other state programs and policies relating to taxation, infrastructure and governance (see also the “Infrastructure, Finance and Governance” work group).

State Agencies
A number of state agencies are given a state role to carry out programs that impact the same areas that the state land use program is designed to implement. As such, the question of the role of state vs. local governments doesn’t just relate to the role of the DLCD to administer regulations that must be complied with by local governments, but also the role of other state agencies in carrying out their aspects of the program. At a minimum, the following state agencies should be evaluated:

- Department of Transportation
- Department of Housing and Community Development
- Economic Development
- Water Resources
- Environmental Quality
- Agriculture
- Forestry
- Others?

Are the programs being carried out by these state agencies consistent with the state land use program? If these are changes to the state land use program, are there changes that these agencies should also implement? Do the state agency coordination agreements between these agencies and DLCD adequately ensure the actions of the agency are consistent with the state land use program?
The Role of Regions
The general framework for the state land use program involves administration of a statewide framework by DLCD and implementation at the local level. However, the actions taken by a single jurisdiction can have an impact on nearby jurisdictions. The current state program includes some features that facilitates coordination between local governments. However, if there is a reduction of some of the state mandates and an allowance for greater flexibility, there will likely be the possibility that actions taken by one jurisdiction will have an impact on neighboring jurisdiction.

- Are the current requirements for coordination adequate?
- If there is an allowance for greater local flexibility, is there a greater need of regional coordination?
- Is it appropriate for certain of the state mandates and minimums to be established on a sub-state level (i.e. the Willamette Valley, Eastern Oregon, Southern Oregon, and the Coast)?
- Should the state appeals system (i.e. LUBA) be administered on a sub-state basis (such as in Washington State)?
- If there are different requirements developed for different sub-state areas, is there a need to establish some form of coordination mechanisms in these sub-state areas?
II.E Citizen Involvement Work Group

II.E.1 Proposed Work Plan -- Citizen Involvement Work Group: Evaluation Approach
(2/13/2006)

Citizen involvement is an essential component of the Oregon land use program. The importance is recognized by establishing the requirements for citizen involvement in Goal 1 of the program, which calls for responsible units of government:

“To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.”

There is such a strong emphasis on citizen involvement because decisions that affect land use plans have widespread impact on individuals that should have a say in the plans that will affect them. Furthermore, many of the decisions represent trade-offs between meeting the values and goals held important by one constituency rather than meeting the values and goals held by another constituency. It is only through the effective involvement of the public that the right balance between competing values and goals can be ascertained. And it is only through the support of the citizenry that the program will be sustained.

In addition to the requirements that support the philosophical expectation that the public should be effectively engaged at every stage of the planning process, the Oregon program also establishes legal procedures relating to standing and rights to participate, intervene or appeal a decision. The exercise of these rights by individuals or advocacy groups provides the enforcement of requirements to involve the public by establishing recourse for individuals that disagree with decisions.

What is the right balance between providing individuals with the right to appeal vs. having a result that the action of these individuals simply have the affect of overriding the interests of others that are satisfied with the balance that has been struck? What constitutes adequate and effective involvement vs. abuse of the system?

So, the issue under evaluation is where on a continuum from broad public engagement to legalistic standing and appeals should the Oregon land use system be positioned? For the sake of ensuring public involvement, has the system established too many opportunities for too many individuals to appeal a decision? Has this, in turn, resulted in land use plans and decisions that the majority of the public support being overturned? Conversely, has the system become so legalistic and difficult to engage that the average person has chosen to disengage?

In order to evaluate this question, it is useful to understand the nature of the requirement for public involvement, which varies at different steps of the process. Presented below is a possible framework for evaluation.

1. Comprehensive Plan Development
   A comprehensive planning process is one that would evaluate a broad range of issues for an entire jurisdiction or a large sub area of the jurisdiction. This was carried out in the 1970s and 1980s throughout Oregon in response to the newly adopted state requirements. It would also be carried out when a local government goes through “periodic review” of their comprehensive plan, for areas newly added to the UGB and through sub area or neighborhood plans that may be undertaken to refine the comprehensive plan for that area.

   At this stage, the broadest public outreach is essential. Mechanism to solicit input on values and preferences should be employed to ensure the final result is responsive to the issues at hand. It is
at the conclusion of this process that the basic decisions are made on what land uses will be allowed, where and under what conditions. It is also through this final conclusion that plans for infrastructure is aligned with plans for private development. Finally, it is through this action that local governments demonstrate how they met the state requirements and how that overlays with trade-offs in meeting local values. The final decision of the local government is a legislative one adopted by the governing body (City Council, County Commission, Special District Board of Directors, and Metro Council).

Certain decisions of the governing body are subject to approval by the Oregon Land Conservation Commission. Others can be appealed to the Oregon Land Use Board of Appeals (LUBA), a branch of the state court system.

2. **Comprehensive Plan Amendment**
   An amendment to a comprehensive plan is generally much narrower than to broader comprehensive plan development stage. It may involve only a few parcels of property or a single topic or project. Rather than a process aimed at comprehensively evaluating values throughout the community and setting goals based upon competing interests, an amendment could be characterized as evaluating whether the proposed change is compatible with the broader goals and values that have already been set. Often, the amendment is conducted as a quasi-judicial process wherein a hearings officer is required to consider very specific criteria for the amendment to be approved.

   At this stage, the appropriate citizen involvement is much narrower than at the plan development stage. The magnitude of the issue is smaller in scope and therefore the potential to impact other areas or instigate other issues is more limited.

   Most decisions would be appealable from the Hearings Officer to the governing body and then appealable to LUBA.

3. **Approval by the Oregon Land Conservation and Development Commission**
   Under state statute, the LCDC is the body appointed to develop state land use policy direction and ensure it is carried out through local comprehensive plans and through the plans and actions of state agencies. Under this process, LCDC has adopted the 19 statewide goals and administrative rules for their implementation. Through the goals and administrative rules, certain minimum standards and mandates, as well as guidelines, are established which must be met through local comprehensive plans. Local governments are required to submit their comprehensive plans (and certain amendments) to LCDC for “acknowledgment” that the state requirements have been met.

   At this stage, the appropriate citizen involvement should be limited to whether the local government had adequately met the state requirement. Often, this is a discretionary decision that requires the judgment of the LCDC on how the state requirements were balanced against other competing local values of the community. This is not the appropriate opportunity for citizens that were involved at the local comprehensive planning step to revisit the many issues considered at the local level. It is the role of the state to evaluate how the state mandates were implemented, not superimpose the judgment of the LCDC as a substitute for the judgment of the local governing body on issues and values of local concern.

   Decisions of the LCDC are appealable to the Oregon Court of Appeals.

4. **Development Permitting**
   Once a comprehensive plan has been adopted (or amended) and approved by the state (and
survived any appeals), permitting of individual development proposals can occur consistent with the plan. These could take the form of a subdivision approval, a conditional use approval, a variance and/or a building permit. Certain of these actions are purely administrative in nature and provide no opportunity for citizen input at all. Others have an established public input procedure and certain approval steps that are required.

At this stage, the appropriate citizen involvement would relate to design and impact issues rather than allowable land uses. The earlier steps of the process would have decided what land uses are allowed with this step dealing with the specifics of how it is designed and how to mitigate the expected impacts that may occur as a result of building the development. If the nature of the citizen concern that is being raised involves whether the development should be permitted at all rather that design and impact mitigation, then the governing body should initiate a broader sub area plan amendment process.

Permitting decisions generally have appeal opportunity to the local government planning commission, the governing body and then LUBA.

Public Education
In addition to public involvement in the various planning decisions, it is important for state and local governments to engage the public in a continuous education program. Through this, it is important to provide an easy understanding of the plans for the community, the values upon which they are based and methods of providing the appropriate type of input into decisions that may be forthcoming. This is important both to ensure the plans of the community are supported by the citizenry and to assist the public in understanding the type of input appropriate to ongoing permitting activity vs. reconsidering the plans through a future update process.

Issues/Approach
- Describe the requirements that guarantee access to the process
- Describe the requirements that establish standing
- Describe key differences in standing at the legislative, quasi-judicial, permitting and appeal steps
- Describe actions taken in the past to modify/limit standing
- Lay out options
- Summarize best practices
II.F Infrastructure, Finance and Governance Work Group

II.F.1 Work Group Description of Issues

Government action influences land use patterns in a multitude of ways besides land use regulation. Local governance structures, infrastructure provision, and taxation and fees all shape settlement and development patterns. These mechanisms may operate to reinforce or undermine adopted land use plans and may be apparent or invisible. How should Oregon optimize these systems?

Local Governance Structures: Oregon’s land use system is structured around establishment of urban growth boundaries, within which growth is intended to be accommodated. In order for urban growth to occur, institutional structures are needed to provide needed infrastructure and services, and to provide citizens with access to the decision-making process for regulating land use, normally a planning commission responsible to a city council. Current mechanisms include incorporated cities and a wide mixture of special purpose service districts that operate both within and outside incorporated cities.

1. When urbanization occurs within the limits of an incorporated city, the body responsible for decisions (a city council) is clearly delineated and the cost of infrastructure and services is more readily attributable to the area receiving the services. However, state law controlling annexation and incorporation results in a difficult process, so in many instances annexation to an incorporated city does not occur even though urbanization does.

2. When incorporation or annexation to a city does not occur, it is sometimes feasible to patch together urban service districts (sewers, parks, water, fire, etc.) to provide some urban infrastructure and services and enable urbanization outside city limits. Those different districts do not necessarily coordinate their capital planning with one another, and they have no responsibility for (and limited allegiance to) a comprehensive land use plan. In situations where the financial responsibility for providing that new infrastructure and services falls on the area urbanizing, this method can be an equitable method of delivering needed services and facilities.

3. There are also instances where needed services and facilities are provided, enabling urbanization, but are financed by taxpayers in areas other than the area being served. This cross-subsidy places the financial burden on one area while the benefit is realized in another. Adopted land use plans of the areas may be reinforced but at the expense of areas not benefiting.

4. There can also be instances where urbanization occurs outside cities and needed infrastructure and services are not provided. Inadequate streets, parks or sewer systems lead to higher costs at a later date, and the land use plans may be undermined due to lack of adequate public facilities.

5. In the final instance, an area may be included within the urban growth boundary, intended as part of the area’s 20-year land supply. However, actions of property owners to avoid annexation may result in the area simply not developing at urban levels. In this instance, the land use system (and the marketplace) is expecting this territory to accommodate expected growth but in practical terms the area is not available for expected growth.
Governance Issues:
1. Should all areas within the urban growth boundary be required to be located within incorporated cities in order to urbanize?
2. Should all areas within urban growth boundaries be required to have governance structures to provide adequate urban services and facilities in order to urbanize? What should those structures be, and what defines “adequacy”?
3. Should governance structures to provide urban services and facilities ensure cost-responsibility rests with the area receiving the benefit?
4. In rapidly urbanizing areas with multiple cities, would some form of regionalism be a useful governance tool?

Infrastructure Provision: many units of government at the state, regional, county, special district and city level build infrastructure that shapes urbanization patterns. These infrastructure investments can either reinforce or undermine the community aspirations that are reflected in adopted land use plans.
1. Major highways throughout Oregon are built by the Oregon Department of Transportation to serve statewide (intercity) travel and freight needs. However, within and through urban areas, those roads also serve local travel needs. Areas with improved accessibility become more attractive for urbanization, and the design and form of that accessibility helps to dictate the type of urbanization. The result might either be urbanization pressure in an area designated for urbanization or, conversely, growth inducement in an area not intended for urbanization. Similarly, if an improved facility serves urban travel needs, that function might compromise the intercity travel need which state highways were originally intended to serve.
2. Sewer and water systems in urban areas are intended to accommodate the level of urbanization adopted in local land use plans. Particularly with the demise of federal funding, these systems may or may not be being built in locations and at a timely pace to accommodate growth. Similarly, it is not clear if they are being built to serve the area covered by a 20-year land use plan or in a manner that can adapt to plans that extend in the future over 30, 40 or 50 years.
3. State investments in housing, economic development and construction of state office buildings also can be made in a manner that is coordinated with and reinforces adopted land use plans. Governments’ capital planning processes have an impact on land use patterns.

Infrastructure Issues:
1. Are infrastructure decisions adequately coordinated with adopted land use plans to ensure they are reinforced rather than undermined?
2. Are multi-jurisdictional mechanisms (either among different state agencies and/or among different levels of government within a given region) in place to create such coordination?
3. In the absence of the federal funding which underwrote much suburban sewer, water, and road-building in the mid-to-late 20th century, what new mechanisms are needed to provide infrastructure given modern fiscal circumstances?
Finance: Taxes and fees have an impact on how land is used.

1. Property tax base – Due to ballot measures re-writing Oregon’s property tax system in the 1990s, local property tax base rates are frozen and property taxes paid by individual property owners are limited to a 3% per year growth rate, except new development. This relatively new fiscal system adds a fiscal dimension to land use decisions. In some instances, local governments “chase” high value development and “shun” low value development in order to add to their tax base and limit their cost of providing public services and facilities. For example, industrial property may be “high value” and “low service demand” compared to residential property, so cities may zone to maximize the former and minimize the latter. In other instances, local governments may not have or be able to attract high value development or avoid low value development (for example, they have a limited industrial base and an abundance of low-rated residential assessments) and those jurisdictions become increasingly financially stressed.

2. System development charges (SDCs) – These fees are intended to be levied on new development to pay for the acquisition and construction cost of new facilities needed to serve the new development. SDCs are authorized under state statute for transportation, sewer, water and parks and the rate is limited to the facilities that can clearly be linked to providing services and facilities to the new development. To the extent the service or facility is needed to provide a service to existing development or correct a deficiency caused by existing development, another source of funds must be used.

SDCs do not cover the full cost of providing needed services and facilities to new growth. In some instances, local governments have chosen to limit the SDC rates to cover a portion of the cost of new facilities and use other general-purpose revenues to fill the gap. In other instances, state law prohibits the use of SDCs to provide certain public facilities and services, including city hall, libraries, fire stations, police stations and schools. In these situations there is a cross-subsidy of existing taxpayers paying for services and facilities needed for new development. The manner in which SDCs are levied, and the manner in which proceeds are expended, may not always be reflective of the community’s desired growth patterns.

3. Utility fees – Sewer and water rates are levied on users to pay the cost of upgrading, maintaining and operating sewer and water facilities. State law requires that the rate be based upon the cost of those facilities and services and that the expenditure be only on eligible sewer or water purposes. Both the methodology and amounts of these fees sometimes provoke the question of whether the respective costs of new growth and existing systems are fairly apportioned, and whether the expenditure pattern supports the community’s land use goals.

4. Redevelopment and infill – In general, Oregon’s land use system is intended to confine and encourage growth within urban growth boundaries, in order to limit unnecessary development outside urban growth boundaries. In order to use land within urban growth boundaries as efficiently as possible, a variety of tools such as tax increment financing are often needed. These tools are sometimes different from the tools historically used to finance growth in greenfield areas.

Finance Issues:
1. Are existing finance mechanisms sufficient to support the infrastructure required to support expected growth either within urban growth boundaries or in expansion areas
added to urban growth boundaries? Are particular financial tools needed to reflect Oregon’s emphasis on encouraging more growth within urban growth boundaries?

2. Do existing finance mechanisms place the burden of the fees or taxes appropriately on those that benefit? In instances where fees or taxes are collected in one area to build, operate or maintain facilities for another area, is that transfer transparent and implemented for an intended public policy reason, or merely a hidden cross-subsidy?

3. Do existing fees and taxes reinforce or undermine adopted land use plans? In particular how do the property tax system post-Measures 5, 47, and 50 influence land use? How do the calculations guiding assessment of SDCs and the expenditure of their proceeds influence the use of land?

NEXT STEPS:
1. Refine the problem description (above) with input from the working group and the full task force (via conference calls and at the next meeting on August 18).
2. Define research projects
3. Delineation of existing governance mechanisms
4. Development of case studies that document examples of each governance situation described above; development of case studies where governance reinforces or undermines adopted land use plans.
5. Delineation of existing finance mechanisms
6. Development of case studies that document examples of finance mechanisms that undermine or reinforce adopted land use plans; development of case studies that document examples of finance mechanisms that result in cross-subsidies and examples that do not involve cross-subsidies.
7. Development of case studies that document examples of infrastructure implementation that reinforce or undermine adopted land use plans.
8. Develop choices and trade-offs for retaining the status quo or implementing change, either through changing practices within current authorities or seeking new authorities from the Legislature.
9. Schedule opportunities to obtain input in further framing the problem statement with the League of Oregon Cities, Association of Oregon Counties, Oregon City/County Management Association, Special Districts Association of Oregon, COGs, MPOs, and government finance managers, collection of experts throughout Oregon. Identify individuals that can address the full Task Force to assist in a greater understanding of the issues.
10. Obtain consultant or university support for research work program and consultation with interest groups to assist in framing the problem description.
III. Research on Other States

The Big Look Task Force divided its work into six topical areas that they labeled the key issues. Those six issues included: the Role of State & Local Government; Citizen Involvement; Economy; Growth Management; Infrastructure Finance & Government; and Benefits and Burdens. The members of the Task Force formed subcommittees for each of these key issues and began to gather information and identify problem areas. After much discussion the issues subcommittees narrowed their findings in each issue area to a set of questions that could lead to identification of alternative approaches and best practices.

It was at this point that the Task Force selected a consultant team to help identify the answers to their questions and propose possible solutions for the key issues. The first step for the consultants was to take each of the key issues and the questions that further defined them, and ask how the questions were being addressed in other states. In order to compress this effort into the available time period a set of typical states using different but well understood approaches to land-use were identified by the consultant team and the Task Force’s questions were then analyzed against optional land-use systems based on these four states.

The four states that are the inspiration for the approaches used for this analysis are:

1. Oregon — Currently a top-down, state mandated land-use system implemented by local government with the oversight of DLCD. The comparable system described in the matrix is: A state land use system based on statewide goals which are implemented through comprehensive planning at the city and county level, with strong State oversight.

   The system’s purpose is to address matters of statewide concern through a statewide planning process guided by 19 statewide planning goals. Cities and counties create comprehensive plans which are approved by the state. Regions develop land use and transportation plans which are consistent with the 19 goals. The system is enforced through statutes and administrative rules, which guide a state agency and statewide land use appeals process.

2. Washington — A state mandated system with some variation on the Oregon system. The comparable system described in the matrix is: A state land use system based on statewide goals which are implemented through comprehensive planning at the city and county level, also with State oversight.

   The system’s purpose is to address matters of statewide concern through a combined statewide and regional planning process. Cities and counties create comprehensive plans which are reviewed and approved by a state agency. Regions may be contiguous urbanized areas, existing counties, portions of counties, etc., and develop localized systems to achieve the overarching goals. If a regional system is not in place, the state standards are the default. The system is enforced by statutes and rules which guide a state agency and a regionally-focused land use appeals process.

3. Maryland — A state system where the state’s involvement is to collaborate with local governments in identifying areas for protection and smart growth practices and then to provide incentives to local governments that use their land-use authority to ensure that protection and implement those practices. The comparable system described in the matrix is: A state land use system based on a state strategic plan, which is advanced into regional planning priorities and associated strategic investments. Regional and local planning priorities are implemented at the local level; with State oversight.

   The system’s purpose is to integrate local and regional planning with the goals of a state strategic
plan, which is largely implemented through actions taken at the regional and local levels. This system is guided by overarching goals and a set of identified strategic objectives. Regions develop and implement regional strategies, based on the state strategic plan. Local governments develop their comprehensive plans in conformity with the regional strategies. The cities and counties work with regions to implement the strategies through local plans and capital improvement plans. There are minimum standards for local planning. Local governments must adopt and maintain plans. The system is enforced through some statutes and rules, but relies equally on incentives such as tax credits, investments, public-private partnerships, and access to state and federal funds.

4. **Colorado** is a state where local control is the watchword, and other than some limited guidelines and enabling authority from the legislature, local governments run the land use system. The comparable system described in the matrix is: *Except for issues of statewide concern, land uses and development regulations are planned and executed at the local level, with minimal or no State oversight.*

Except for planning necessary to comply with federal laws and rules, there is no statewide planning function. Cities and counties have the option to complete plans and planning processes, which may receive little or no state oversight. Land use planning is guided by goals and objectives adopted at the local level. Participation in regional planning is the decision of local jurisdictions. Land use planning is not enforced by the state; however, local governments can be sued if they do not achieve state standards. The State Attorney General is empowered to enforce state planning laws. There is an opportunity in statute to identify areas of statewide concern to limit local authority over certain specific matters but it is not used very often.

After the initial analysis and creation of a matrix to summarize the 4 approaches for the 6 Key Issues and the underlying questions, the Big Look Task Force identified four overarching goals that should drive the land-use system. The goals are:

1. Healthy Environment
2. Prosperous Economy
3. Quality of Life and Livable Communities
4. Equity and Fairness

After the identification of these four goals, the Consultant team reorganized the previous analysis of the Task Force questions under the new goals and refined the analysis, adding additional questions. The result of that work is the Goals Matrix (see Appendix B) showing the way that four different land-use system approaches address a variety of questions within each overarching goal arena. The four different systems and the analysis of the various questions enable the creation of the four scenarios that have become the framework for the alternatives that Oregonians will review.
IV. Goals, Values and Leadership Associated with Big Look Task Force Mission

As part of its work, the Task Force closely examined each of Oregon’s 19 land use goals in order to assess their clarity and scope; as well as the foundation principles of the state land use program. The Task Force, with the help of the consultant team, identified four broad goals for Oregon: Sustainable Environment, Sustained Economic Prosperity, Quality of Life/Livable Community, and Equity/Fairness. At its March 15-16th, 2007 meeting, the Task Force categorized each of the 19 existing goals within these four broader groups; and added a Miscellaneous category to capture several topics. Through this exercise, the Task Force essentially evaluated which of the 19 “goals” were truly “goals” and which were actually better characterized as “tools” or “strategies” related to land use planning.

Table 2. Categorizing Oregon’s 19 Land Use Goals and Other Objectives, as Discussed at March 15-16, 2007 Task Force Meeting

<table>
<thead>
<tr>
<th>(Sustainable) Environment</th>
<th>(Sustained) Economic Prosperity</th>
<th>Quality of Life/ Lovable Communities</th>
<th>Equity/Fairness</th>
<th>Miscellaneous</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goal 5 - Natural Resource, Scenic and Historic Areas, Open Space</td>
<td>Goal 3 - Protect and Enhance Ag</td>
<td>Goal 1 - Citizen Involvement</td>
<td>• Public perception of fairness</td>
<td>• Water Supply</td>
</tr>
<tr>
<td>Goal 6 - Air, Water, Land</td>
<td>Goal 4 - Protect and Enhance Forestry</td>
<td>Goal 2 - Natural Resources, Scenic and Historic Areas, Open Space</td>
<td>• Minimum basic uses</td>
<td>• Equity/Fairness</td>
</tr>
<tr>
<td>Goal 13 - Energy Conservation</td>
<td>Goal 8 - Recreation and Forestry</td>
<td>Goal 7 - Hazard Planning</td>
<td>• System is user friendly</td>
<td>• Education</td>
</tr>
<tr>
<td>Goal 15 - Willamette River Greenway</td>
<td>Goal 9 - Provide Job Sites</td>
<td>Goal 8 - Recreation</td>
<td>• Rural lands</td>
<td>• Sustainability</td>
</tr>
<tr>
<td>Goal 16 - Estuarine Resources</td>
<td>Goal 17 - Coastal Economic Resources</td>
<td>Goal 10 - Housing</td>
<td>• Citizen involvement for openness, transparency, and engagement</td>
<td>• Healthy Living</td>
</tr>
<tr>
<td>Goal 17 - Coastal Shorelands</td>
<td>Goal 19 - Ocean Resources</td>
<td>Goal 14 - Urbanization</td>
<td>Notice of standing</td>
<td>• Healthcare</td>
</tr>
<tr>
<td>Goal 18 - Beaches and Dunes</td>
<td></td>
<td></td>
<td>• Judgment based on facts (quality and completeness of analysis)</td>
<td>• Enjoyment of Property</td>
</tr>
<tr>
<td>Goal 19 - Ocean Resources</td>
<td></td>
<td></td>
<td>• Certainty</td>
<td>• Adaptability of System</td>
</tr>
</tbody>
</table>

Tools
• Goal 2 – Land Use Planning
• Goal 1 – Citizen Involvement
• Goal 12 – Transportation Planning
• Goal 11 – Infrastructure Planning (and Funding)
• Market forces
• Tax policy

At their May 24, 2007 meeting, Task Force members further analyzed Oregon’s 19 land use goals in relation to specific public opinion research on Oregonians’ values. This analysis was based on research data from Davis, Hibbits, and Midghall, a Portland-based consulting firm. This research provided insight into personal decision making behavior and what drives consensus among diverse groups and identified several key Oregonian values:
  ■ Environmental Quality
  ■ Education
Section IV: Goals, Values and Leadership Associated with the Big Look Task Force Mission

- A Good Economy
- Protection of Existing Neighborhoods
- Great communities with Access to Nature and the Outdoors
- Convenient Access/Transportation

These values spark questions insight into key divisive issues regarding growth.
- What are the appropriate levels of growth?
- How should we balance the economy and the environment?
- Where should the growth be located? Should we grow only in existing urban areas or do we need new Centers (neighborhoods, villages, towns, and cities)?
- What is the effect of increased density in my neighborhood? (Are existing neighborhoods being adequately protected?)
- Does the UGB increase housing prices? Are its impacts worth the perceived benefit?
- Is the land use system fair enough?
- How do we balance investments in roads, transit and other transportation modes?

A comprehensive values study is needed in order to ascertain the needs of Oregonians and adequately assess the strengths and weaknesses of the land use program. Data developed of values studies conducted in other states can provide general information about decision making behavior. The chart below is excerpted from a values study completed in Tampa, FL which gives the specific value and the factors contributing to it, as well as groups who share the value in particular. In addition, other organizations could use the values study information in order to benefit their work.

For the complete presentation on Oregonian Values and values studies from other states, please go to:

Leadership
At the May 24-25, 2007 Task Force meeting a discussion was held about “Implementing Change – Strategies and Leadership Needs”, which is outlined in a memorandum found in Appendix C.
V. Forecasts

There has been considerable discussion about the land use impacts, and distribution, of Oregon’s projected growth. The Big Look Task Force consultant team conducted detailed analysis to translate this growth into estimates of land need inside and outside of existing UGB boundaries.

This analysis confirmed that a few counties in the state are likely to absorb the majority of Oregon’s growth. Specifically, seven counties – Washington, Clackamas, Marion, Deschutes, Multnomah, Jackson, and Lane – will need over 70% of the state’s UGB expansion land. These counties are high-growth areas located around existing population centers in the Willamette Valley, Central Oregon, and Southern Oregon. The state’s other counties will need much less land; many of Oregon’s smallest counties need can be measured in the dozens of acres or less.

This land need, along with corresponding potential UGB expansion, is driven more by housing uses than employment uses. Specifically within housing need, suburban and rural development types (primarily single family homes) are the most land intensive.

In testing two possible scenarios, we found that a potential range of vacant land that could be needed through UGB expansion of between 38,000 acres and 121,000 acres (there are currently 770,000 acres of land within UGBs in Oregon).

Population/Employment Forecasts

Between 2000 and 2040, Oregon is expected to absorb significant population and employment growth. According to estimates, Oregon’s population is projected to increase from 3,436,750 (2000) to 5,425,408 (2040) or almost 2 million new residents. Meanwhile, Oregon’s non-farm employment is projected to rise from 1,606,700 (2000) to 2,326,810 (2040) or an increase of over 700,000 jobs. This population and employment growth is not evenly balanced around the state. A few counties are expected to absorb most of this growth. The tri-county metro area is expected to absorb over 45% of the state’s new population. But, other high-growth counties are also expected to absorb significant new residents including Marion (8.2%), Lane (7.4%), Deschutes (7.1%), and Jackson (5.8%) counties. This means that seven counties will take almost three-quarters of Oregon’s population growth. Similarly, these counties are expected to take an even larger share of Oregon’s non-farm employment growth (over 75%).

Land Absorption Need for Housing and Employment

We tested the likely range of urbanized land Oregon will need through 2040 to accommodate this projected population, housing and employment growth. In essence, the amount of vacant land that might be needed through UGB expansion over the next 33 years. We created a land need model that looks at six categories of housing and four employment categories. We then used this model to estimate where growth, and the associated need for additional vacant land, will occur.

For each of these housing and employment types, key variables in the model included assumptions about housing and employment densities (gross dwelling units/acre or jobs/acre); housing and job infill rates; and years of UGB capacity remaining. Two scenarios were tested to reflect a low and high range of land needs for Oregon for the 2000-2040 period. The low range of land needs reflects the minimum number of

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2 The population forecast by county is based on U.S. Census data and Portland State University Population Research Center data. The employment projections are based on Oregon Employment Department and Office of Economic Analysis statewide forecasts, and were projected based on national labor force trends. The housing forecasts were created for the 2000-2040 period, using the Oregon Housing Model, developed by Oregon Housing and Community Services.
acres of UGB expansion that might be needed in the state; the high range of land reflects the maximum number of acres of UGB expansion, based on Oregon’s demographic projections. Using these assumptions, the range is from about 38,000 acres to 121,000 acres.

**Lessons Learned**
In conducting this initial model run and looking at the driving forces of land consumption in Oregon, we found that housing uses significantly more land than employment. In the low land-need scenario, housing comprised about 73% of the vacant land need, while in the high land-need scenario, housing made up 78% of the vacant land need. As such, in the sensitivity analysis adjusting the housing variables made a much larger difference than the employment variables. In particular, the housing type that has the most impact is single family homes (due to relatively low densities of this type of development).

**Density**
Density assumptions for housing had some impact on land need – when gross housing density was adjusted from 9 units/acre to 6 units/acre an additional 27,000 acres of land need was required statewide (gross density refers to the density before taking into account streets and other factors). Within the density variable, the change which has the biggest impact is in increasing the density of single family housing. This illustrates that in order to reduce vacant land need through adjusting density, it is critical to focus on the housing and job types with the lowest infill rates (these are the types that will likely consume the most vacant land).

**Infill Rates**
Infill development refers to new development of empty lots or redevelopment of current buildings to a denser use in existing urban areas. In testing the sensitivity of infill rates, it becomes apparent that the lowest density housing and job types are the ones for which adjusting infill rates makes the largest difference. Adjusting the overall housing infill rate from 46% to 12% in combination with density changes resulted in over 40,000 acres of land consumption. Single family housing traditionally has low rates of infill (as it is difficult to redevelop already developed land in traditional subdivisions), however this category makes a significant difference in the overall need for vacant land.

**Distribution of Growth**
In addition to understanding the relative roles of the key variables in driving Oregon’s need to additional vacant land, it was apparent that the state’s land need is not evenly distributed by county. This analysis has shown that there are several counties which need the most vacant land through UGB expansion, as shown in Appendix C. In the two scenarios, about 72% of the vacant land need through UGB expansion was in seven counties, while the 25 counties with the lowest growth only needed about 14% of the state’s vacant land for UGB expansion. Notably, Washington and Clackamas counties’ needs represent the absorption of about one-third of Oregon’s future UGB expansion. The next five counties by land need include Marion, Lane, Deschutes, and Jackson.

The following appendices show in greater detail the distribution of Oregon’s growth, and the associated need for land. Additionally, attached as a reference is the 4/13/07 memo to the Big Look Task Force further describing the model and associated methodology.

- Appendix D – Population Growth Chart
- Appendix E – Employment Growth Chart
- Appendix F – Land Need Scenarios by County
- Appendix G – 4/13/07 Oregon Urban Land Need Scenarios Memo to Big Look Task Force
VI. Communications Plan

On April 13, 2007, the Big Look Consulting Team proposed a public engagement strategy approved by the Task Force at their June 18-19, 2007 meeting. The proposal was documented as a memorandum to the Task Force and is re-produced in Appendix H in the format received by the Task Force members. The cost of the proposal is estimated at $500,000.

An alternative public engagement work program was prepared in case the Task Force budget is reduced to $300,000 and is re-produced in Appendix I.

The purpose of this engagement is straightforward: to provide the Task Force with the input needed to craft a legislative proposal for restructuring Oregon’s land use planning system. This engagement is based on the alternatives the Task Force is developing, which can be presented in the framework of values, goals, alterative tools, verbal scenarios and tradeoffs, as illustrated in the following diagram:

<table>
<thead>
<tr>
<th>Oregonian Values?</th>
<th>Goals: Healthy Environment, Livable Communities, Prosperous Economy, Sustainability, Fairness</th>
</tr>
</thead>
<tbody>
<tr>
<td>Verbal Scenario of Outcomes in 2040</td>
<td>Verbal Scenario of Outcomes in 2040</td>
</tr>
<tr>
<td>Tradeoffs</td>
<td>Tradeoffs</td>
</tr>
</tbody>
</table>

Three Phase Strategy
The engagement program is designed to be conducted in three distinct phases, beginning with input from knowledgeable stakeholders, then building momentum for engaging the public from all sections of Oregon, and conducting a campaign for reengagement in the State. The three primary components are:

1. **Outreach Kickoff** - In July the Task Force will have developed a package of analyses and potential proposals. The Kickoff stage will allow the Task Force to engage with key stakeholders quickly. Those targeted would review the Task Force analyses and proposals from both technical and policy perspectives. The Kickoff stage will in essence act as a “first screening” before materials are released to the public at-large. We will work primarily in a small group setting to explain the concepts and solicit advice on how the proposals could be improved.

2. **Revise Proposals** - Input received during the Kickoff stage will provide the Task Force with an opportunity to modify or revise the proposed alternative systems (or their analysis) prior to any large scale public engagement effort. Working with the project team the Task Force will finalize the materials that will be used for the larger state-wide engagement and make necessary adjustments to the outreach plan itself.

3. **Statewide Public Engagement** - This component represents the core of the outreach effort. The intent is to bring the Task Force’s work to as large an audience as possible. A range of techniques will be employed, ranging from random sample focus groups and 80 in-person meetings with stakeholders to partnerships with local champions to reach interested citizens in
every corner of the State. We will use a variety of media from written reports, to pamphlet length summaries, to videos, and to web sites. We will develop methods for people to respond so that their input is recorded, and can be used and analyzed. This broad outreach will bring in thousands of people. It will allow them to evaluate the proposal in a consistent format, regardless of where the meeting is held, or who leads the discussion.

Outreach Method
The current proposal is to develop a series of alternative scenarios that can be reviewed through a range of methods, across the State. During the March 2007 meetings in Hood River the consultant team introduced the Task Force to the thematic approach of revisiting the core values of Oregonians and how the land use program should respond to those values. As outlined in the beginning of the memo, the alternative scenarios would each represent a different method by which a range of tools could be employed for the purpose of helping Oregonians to attain or preserve that which they value most.

Participants at meetings or respondents to surveys would weigh in on the various components, from values on down to the specific tools. Using a consistent evaluation format the consulting team will work with the Task Force to lift up the most important and successful components and use them to develop an alternative approach to addressing the State’s planning needs.
VII. Next Steps

The Task Force will remain active in completing its mission through 2009/2010. The Task Force will continue to meet as a group on a monthly basis, and will continue to communicate about policy, technical, and public engagement issues between meetings the following audiences:

- The Public
- Organizations interested in land use and the work of the Task Force
- Local, regional and state government agencies
- State elected officials (legislators and the Governor)


As shown below, the Task Force schedule has been broken down into four categories, which approximate completion of major milestones. During each month, Task Force members will meet as a group, assist in raising funds, and meet individually with stakeholder groups, other organizations, and the general public to gather input on their developing set of recommendations.

During the next major effort – kicking off the public engagement program – Task Force members will be speaking to groups and individuals throughout the state and bringing the input they gather to the full Task Force for discussion.

July 2007 – April 2008

- Fund-raising (July 2007/May 2008)
- Kickoff – Targeted stakeholder meetings – 15-20 organizations (September/November 2007)
- Review input with Task Force (December 2007)
- Larger public engagement program (January/February 2008)
- Synthesize & summarize input/refine recommendations (February/March 2008)
- Test refined recommendations with stakeholders (March/April 2008)
- Prepare finished products (April 2008)

After the public engagement kickoff process, the Task Force expects to be involved in completing additional research and developing new ideas for its set of recommendations, which it will review with the Governor and legislative leaders.

May 2008 – October 2008

- Attend Task Force Meetings
- Fund-raising
- Attend stakeholder group meetings, et al
- Complete additional analyses to address concerns raised between July 2007 and March 2008 (April/June 2008)
- Prepare additional publications -- brochures, web pages, PSAs, etc.-- updating recommendations (April/June 2008)
- Review with Legislators and Governor (July/September 2008)
- Opinion Surveys (September/October 2008)
- Focus Groups (September/October 2008)

Prior to the beginning of the 2009 Legislative session, Task Force members will be focused on developing draft legislation which reflects their recommendations to review with the Governor and legislative leaders.
November 2008/January 2009
- Attend Task Force Meetings
- Fund-raising
- Attend stakeholder group meetings, et al
- Meet with Governor, legislative leaders about draft legislation
- Prepare draft legislation for Governor and various committees/leaders

During the 2009 Legislative session, Task Force members will be working side-by-side with the Governor and legislators to monitor, revise, update, and otherwise support passage of legislation that reflects their recommendations.

February 2009/June 2009
- Attend Task Force Meetings
- Fund-raising
- Attend stakeholder group meetings, et al
- Coordinate introduction of draft legislation through appropriate House and Senate committees
- Coordinate actions and review modifications with Governor and legislative leaders
- Consider additional communication events with the general public – e.g., PSAs, editorials, speeches, radio/tv/print -- complete additional technical analyses, documentation, et al
- Organize testimony by TF and others on behalf of draft legislation
- Celebrate passage and signing of legislation (June 2009)
Appendix A: Senate Bill 82

73rd OREGON LEGISLATIVE ASSEMBLY--2005 Regular Session

Enrolled
Senate Bill 82

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with presession filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for Department of Land Conservation and Development)

CHAPTER .................

AN ACT

Relating to task force on land use planning; appropriating money; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) There is created the Oregon Task Force on Land Use Planning consisting of 10 members who are knowledgeable about Oregon's land use system and who are familiar with Oregon's economic and employment base. The President of the Senate, the Speaker of the House of Representatives and the Governor shall unanimously appoint the members.

(2) The purpose of the task force is to study and make recommendations on:
   (a) The effectiveness of Oregon's land use planning program in meeting current and future needs of Oregonians in all parts of the state;
   (b) The respective roles and responsibilities of state and local governments in land use planning; and
   (c) Land use issues specific to areas inside and outside urban growth boundaries and the interface between areas inside and outside urban growth boundaries.

(3) The task force shall:
   (a) Conduct public meetings;
   (b) Survey citizens;
   (c) Gather comprehensive information necessary for the task force to carry out its purpose under subsection (2) of this section;
   (d) Provide information regarding the current land use planning program as needed to inform the public's discussion; and
   (e) Develop legislation for recommendation to the Seventy-fourth Legislative Assembly and the Seventy-fifth Legislative Assembly.

(4) The task force is subject to the provisions of ORS 171.605 to 171.635 and has the authority contained in ORS 171.505 and 171.510. However, notwithstanding ORS 171.615:
   (a) The duration of the task force is extended through the date the final report is submitted pursuant to subsection (10) of this section or January 2, 2010, whichever is later; and
   (b) The term of appointment is four years.

(5) The Department of Land Conservation and Development shall provide staff support to the task force and may, as necessary, hire staff or consultants to assist the task force in the performance of its duties.

(6) Agencies of state government, as defined in ORS 174.111, are directed to assist the task force in the performance of its duties and, to the extent
permitted by laws relating to confidentiality, to furnish information and advice as the members of the task force consider necessary to perform their duties.

(7) A majority of the members of the task force constitutes a quorum for the transaction of business.

(8) Official action by the task force requires the approval of a majority of the members of the task force.

(9) The task force shall elect one of its members to serve as chairperson.

(10) The task force shall submit:
   (a) A preliminary report to the Governor, the President of the Senate and the Speaker of the House of Representatives within three months after the creation of the task force, informing the Governor, the President of the Senate and the Speaker of the House of Representatives of the task force's work plan.
   (b) A progress report, including any recommendations for legislation, to the Seventy-fourth Legislative Assembly, the Governor and the Land Conservation and Development Commission, in the manner provided by ORS 192.245, no later than February 1, 2007.
   (c) A final report, including any recommendations for legislation, to the Seventy-fifth Legislative Assembly, the Governor and the Commission, in the manner provided by ORS 192.245, no later than February 1, 2009. The final report must describe in detail the Task force's findings regarding the effectiveness of Oregon's land use planning program and include any recommendations for legislative, administrative or other action.

(11) Members of the task force who are not members of the Legislative Assembly are not entitled to compensation, but may be reimbursed for actual and necessary travel and other expenses incurred by them in the performance of their official duties, in the manner and amounts provided for in ORS 292.495. Claims for expenses shall be paid out of funds appropriated to the department for that purpose.

SECTION 2. (1) The Department of Land Conservation and Development may accept contributions of moneys and assistance from the United States Government or its agencies or from any other source, public or private, and may agree to conditions placed on the moneys not inconsistent with the purposes of section 1 of this 2005 Act.

(2) Moneys received by the department under this section must be paid into the State Treasury and deposited in the General Fund to the credit of the department. The moneys are appropriated continuously to the department for the purpose of carrying out the provisions of section 1 of this 2005 Act.

SECTION 3. Sections 1 and 2 of this 2005 Act are repealed on January 2, 2010.

SECTION 4. This 2005 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect on its passage.
Passed by Senate July 13, 2005

...........................................................
Secretary of Senate

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President of Senate

Passed by House July 28, 2005

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Speaker of House
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<th>ALTERNATIVES</th>
<th>ALTERNATIVE #1</th>
<th>ALTERNATIVE #2</th>
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<th>ALTERNATIVE #4</th>
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<td>ALTERNATIVE #1</td>
<td>A state land use system based on statewide goals which are implemented through comprehensive planning at the city and county level, with State oversight.</td>
<td>A state land use system based in part on statewide goals, and in part on regionally-selected priorities. Land use planning is implemented at the city, county and regional level, with State oversight.</td>
<td>A state land use system based on a state strategic plan, which is advanced into regional planning priorities and associated strategic investments. Regional planning priorities are implemented at the local level, with State oversight.</td>
<td>Except for issues of statewide concern, land uses are planned at the local level, with minimal or no State oversight.</td>
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**ELEMENTS**

**General**

- The system’s purpose is to address matters of statewide concern through a statewide planning process.
- The system is guided by 19 statewide planning goals. Cities and counties create comprehensive plans which are approved by the state. Regions develop land use and transportation plans which are consistent with the 19 goals.
- The system is enforced through statutes and administrative rules, which guide a state agency and statewide land use appeals process.
- The system’s purpose is to address matters of statewide concern through a combined statewide and regional planning process.
- The system is guided by four overarching goals. Cities and counties create comprehensive plans which are reviewed and approved by a state agency. Regions may be contiguous urbanized areas, existing counties, portions of counties, etc., and develop localized systems to achieve the overarching goals. If a regional system is not in place, the state standards are the default.
- The system is enforced by statutes and rules which guide a state agency and a regionally-focused land use appeals process.
- The system’s purpose is to integrate local and regional planning with a state strategic plan, which is largely implemented through actions taken at the state and region levels.
- This system is guided by four overarching goals and a set of identified strategic objectives. Regions develop and implement regional strategies, based on the state strategic plan. Local governments are required to develop their comprehensive plans in conformity with the regional strategies. The cities and counties work with regions to implement the strategies through local plans and capital improvement plans.
- There are minimum standards for local planning. Local governments must adopt and maintain plans. The system is enforced through some statutes and rules, but relies equally on incentives such as tax credits, investments, public-private partnerships, and access to state and federal funds.
- Except for planning necessary to comply with federal laws and rules, there is no statewide planning function. Cities and counties have the option to complete plans and planning processes, which may receive little or no state oversight.
- Land use planning is guided by goals and objectives adopted at the local level. Participation in regional planning is the decision of local jurisdictions.
- Land use planning is not enforced by the state; however, local governments can be sued if they do not achieve state standards. The State Attorney General is empowered to enforce state planning laws.
### Major Purpose of system

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<td>The purpose of the system is to address matters of statewide concern through a statewide planning process. The underlying matters of statewide concern are related to preserving farm and forest lands, facilitating housing and economic development, transportation and infrastructure, and containing urban sprawl.</td>
<td>The purpose of the system is to address matters of statewide concern through a combined statewide and regional planning process. The underlying matters of statewide concern are related to preserving farm and forest lands, facilitating housing and economic development, transportation and infrastructure, and containing urban sprawl.</td>
<td>The purpose of the system is to integrate land use planning with a state strategic plan, which is implemented through regional and local planning. The Vision of Oregon Shines, to create a prosperous Oregon which excels in all aspects, drives planning in the state.</td>
<td>The purpose of the system is to allow local governments to make land-use decisions that are reflective of local values and priorities, while meeting standards that address matters of state wide concern. Land use planning is a local option based on local cooperation and decision-making tools, enforced by local jurisdictions and legal actions by neighboring jurisdictions, private parties, and state actions.</td>
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### Tools Employed

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<td>Local comprehensive plans and their implementing ordinances are the main tools. They are developed to meet state standards and laws. The main tools to influence local plans are statutes and administrative rules, enforced by a statewide agency.</td>
<td>Local comprehensive plans and their implementing ordinances are the main tools. They are developed to meet state standards and laws, in ways that vary from region to region. The main tools to influence local plans are statutes and administrative rules, standards adopted at the regional level, enforced by a statewide agency.</td>
<td>All cities and counties are required to have comprehensive plans, but there are fewer and more flexible state standards. Regional variation is allowed in accordance with the regional strategic plan. There is more emphasis in investment and partnerships to achieve stated outcomes.</td>
<td>Land use decisions are consistent with local comprehensive plans that must meet minimum state statutes that deal with matters of statewide concern. These are contained in state statutes or administrative rules.</td>
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### Use of the term “goals”

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<td>The system is based on 19 goals of varying specificity (some of the goals may be termed tools or strategies).</td>
<td>The system is based on four clear, integrated and consolidated goals, and strategies to implement them. These strategies may be modified at the regional level through a regional planning process. The regional plan may be comprehensive or strategic.</td>
<td>The system is not based on goals, but rather on four broad themes: “Healthy Environment, Prosperous Economy, Livable Communities, and Fairness”. These are implemented through a state strategic plan.</td>
<td>The alternative does not include statewide goals, but there are statutes that define issues of statewide concern.</td>
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### Appendix B: Goals and Issues Matrix for Four Alternative Systems

| **Outcomes associated with the four "macro goals" are not specifically defined in this system. The system is based on 19 goals, and do not directly relate to the 4 macro goals. Fairness is implemented through measure 37, as it may be modified.** | **The 4 macro goals are implemented through specific strategies and goals that affect local comprehensive plans and implementing ordinances. These strategies may be regional modified based on a regional strategy or plan.** | **The four broad themes are the basis of a state strategic plan that defines objectives, processes and implementation. Fairness is specifically addressed through rules such as guaranteed minimum uses...** | **There is no statewide system focusing on the macro goals. State interests are specific and legislative. However local and regional plans may choose to address these goals.** |

| **The state creates and enforces standards for local governments and double-checks local land use decisions. There is no “state plan.”** | **The state creates and enforces standards for local governments and double-checks local land use decisions. There is no “state plan.” There are locally created regional strategic or comprehensive plans.** | **The state creates the state’s strategic plan. A planning agency also helps determine the investment and funding priorities for plan implementation. A planning agency also works with local and regional governments on implementation. Local plans have fewer standards to meet, but basic state interests are addressed thorough minimum standards.** | **There are some state standards but the state is not involved with review or enforcement; there is no “state plan.” The state is relies on delegated responsibility to local governments. The state may sue local governments for violations of state planning law, or private parties may sue.** |

| **DLCD regulates and reviews local government plans and coordinates all state agencies. DLCD works to ensure that state agency programs are subject to the 19 goals.** | **DLCD regulates and reviews local government plans and coordinates with all state agencies. The DLCD works to ensure that state agency programs are subject to the four goals. The DLCD also acts as a resource agency for local governments. DLCD works with regions to develop local implementation strategies, and LCDC approves the regional plans.** | **DLCD becomes the state’s planning agency, with responsibility for developing, coordinating and updating the state’s strategic plan. The agency provides technical support and helps coordinate plans between jurisdictions, and conducts limited review of local government plans.** | **The DLCD is eliminated. A state planning office has a limited regulatory role; advocating to the attorney general for enforcement. The office also serves as a resource and support agency to local governments and regional planning agencies.** |

| **In this system, regions have a range of roles. Portland Metro is recognized as a government with separate planning powers and tasks; other regions can plan using combined UGBs, such as Salem-Keizer and Eugene-Springfield. Counties coordinate and establish forecasts, and may present regional solutions that allow cities to address regional issues.** | **In this system, regions can self-define and utilize some of the tools that are currently available only to Metro, including developing coordinated land use/transportation strategies; investment strategies; access to bonding for open space and transportation at a regional scale; and access to the financial markets. In addition, regions can develop strategies to implement that state overarching goals.** | **In this system, regions develop, implement, and enforce regional strategic plans and create consensus around these strategic plans among local jurisdictions. Regions have access to capital markets, and may receive financial incentives for implementing projects and programs that are consistent with the state strategic plan. Regions also develop standards for local plans to meet the state overarching goals and matters of statewide concern.** | **Local governments can chose to create regional structures; these organizations are able to help coordinate regional land-use, transportation, and economic development planning. They have no regulatory authority unless they incorporate a home rule regional government by the vote of the local population.** |
| **Coordination of Local and Regional Plans** | In this system, there are no effective regional plans outside of Metro. | In this system, local plans meet standards that are established at the regional level, with a state default standard. Regional strategies or plans must comply with state goals, laws and plans. Regional Problem Solving (RPS) is used to encourage regional cooperation. | In this system, local and regional coordination is required to qualify for state investment and access to some federal funds. Regions develop bonds to fund priority projects for specific or multiple local governments; which are coordinated with the state strategic plan. Local plans must meet regional minimum standards, with a minimum state standard as a default. | Local governments can choose to coordinate regionally, but no coordination is required. Regional cooperation is allowed if agreed to by all local governments within the region or through a local vote (using the existing state constitutional authority for home rule regional authorities.) |
| **Role of Local Governments (cities/counties/special districts)** | Local governments are responsible for developing comprehensive plans according to state law; which are acknowledged by the state planning agency. Local governments keep the plans up-to-date using periodic review. | Local governments are responsible for developing comprehensive plans according to state law, which are acknowledged by the state planning agency. The plans are implemented using strategies developed at the regional level. Local governments keep plans current through updates, and may participate in regional initiatives. | Local governments are strategic planning partners, working through regions, in implementing strategic capital improvement and planning priorities. Local comprehensive plans are used to guide land use planning and regulation. | Local governments are responsible for land use planning and regulation, with state oversight limited to state statutes. |
| **Compliance strategies** | In this system, the state requires compliance through adoption of local comprehensive plans, which are acknowledged by the state. An acknowledged plan is in force indefinitely; local governments are required to do periodic review. | In this system, the state requires compliance through adoption of local comprehensive plans, which are acknowledged by the state. Regions may develop different implementation strategies; local governments may revise plan. | In this system, compliance with state strategic plan goals is encouraged through state investments. Local plans must meet some minimum state standards which can vary by regions, based on regional plans. There is a state default standard in absence of a regional plan. | In this alternative, compliance with the limited statewide standards is through court action. |
| Environment Protection | Local governments complete inventories of natural resources that may be impacted by a plan, program or development as directed in multiple goals. Apart from federal regulations over wetlands, clean air and water, habitat, etc., Oregon regulates discharge into streams and riparian areas as per the *Oregon Plan for Salmon and Watersheds* (1997). | Oregon’s system includes a new comprehensive environmental goal, which would include the development of a common database of critical natural resource areas and habitat; which is monitored and updated. These data would be used to inform state/local agencies about environmentally sensitive areas when planning, designing, and/or constructing infrastructure. | Oregon identifies environmentally sensitive areas, defines and measures outcomes, and develops rules and plans such as the *Oregon Plan for Salmon and Watersheds*. This system recognizes the inter-relationships between farm and forestry lands. The system would be implemented through a combination of regulation, compensation, incentives and funding for conservation easements, habitat protection and enhancement, etc. | Oregon does not produce or maintain a database of environmentally sensitive areas, except where required by federal statute (e.g., wetlands protection). Oregon may choose to incorporate environmental goals into a state-initiated investment, but would not be required to do so. Local governments would consider various options in determining how to comply with state and federal laws and regulations. |
| Water Quality | Though at least two state land use goals directly address water quality, Oregon’s system relies on federal standards for watersheds, and where applicable, the *Oregon Plan for Salmon and Watersheds*. | In addition to federal guidelines and the *Oregon Plan for Salmon and Watersheds*, Oregon agencies work with farmers and ranchers to develop area-wide water quality management plans for troubled watersheds (i.e., SB 1010). Regions may include water quality strategies in their regional plans. | The State regularly updates the *Oregon Plan for Salmon and Watersheds*, through assessments of stream flows, critical riparian habitats, and other watershed protection goals. Financial incentives, such as funding for conservation easements that directly benefit watersheds, would be available to local governments. Regions may include water quality strategies in their regional plans. | Except for compliance with State and Federal water quality regulations, the state does not plan for water quality. Local governments have the option to place more restrictive requirements in development regulations. |
| Water Resource Management | The state has a very limited role in managing water resources. As per Goal 11, local governments are required to identify a supply for municipal water. Residential users can drill wells, While residential users can drill for water; farmers need to secure water rights, and are limited in how much water they can pull. | Oregon regularly completes inventories of water resources, and provides the information to local governments. Regional plans may include regional water supply strategies Farmers still need to secure water rights, and the State rewards conservation efforts. | A state strategic plan element on water supply forecasts estimates demand for all uses of water and inventories supply. Statewide goals and priorities established for water storage, water conservation. Regional planning within water basins may be used for storage and demand management. | State statutes govern establishment of water rights under “prior appropriation system.” Local governments may establish regional agreements for water supply management and storage projects. |
| Critical habitat | The State’s role is focused on requiring local governments to compile information about habitat, which is used when developing local ordinances. There is no effort to compile the data gathered into a statewide database. The LCDC has authority to designate "areas of critical state concern" as part of the planning process. (ORS 197.405) | Oregon creates a statewide database of critical habitat and guidance on how to preserve and maintain these areas. These data are gathered from local government inventories. The state planning agency works directly with cities and counties to assist compliance with federal rules. | The state’s database includes a ranking of the state’s critical habitats, and views habitat protection in a systematic manner; e.g., ensuring protections of a wildlife corridor. The state strategic plan includes protection strategies. The regional plans further the identification and protection of critical habitat. Such protections could be ensured through both regulations and incentives to invest in critical habitat areas through conservation easements, and purchases of development rights. | The state’s interest in protecting critical habitat is in line with Federal law on threatened and endangered species, which occurs when an application process that may threaten critical habitat is completed. Local governments have the option to identify and protect critical habitat within development regulations. There are some state standards required for local plans. |
| Sustainability, energy and global warming | The State develops incremental rules governing sustainability, and the corresponding subjects of energy usage and global warming; while the land use system relies on Goal 13 (energy conservation). Local governments may choose to use ESEE (economic, social, environmental and energy) analysis when analyzing a plan. | Oregon would develop a more comprehensive and coordinated view of sustainability, including overall goals for issues such as carbon footprint. Regional plans would develop different local strategies for implementation of this standard. State agencies and local governments would be required to prepare a ‘triple bottom line’ calculation of sustainability for plans, and would utilize mitigation measures such as net carbon impact to monitor progress. | Oregon identifies goals for alternative energy production, conservation, and for carbon dioxide emissions reduction, and sets goals using the “Triple Bottom Line” calculation. Sustainability goals are met through local and regional initiatives supported by State funding. There are some minimum standards for carbon footprint analysis by local governments. | Oregon has no state system or mandate for sustainable practices. Local governments have the option to implement regulations and/or programs that conserve energy in new construction, etc. |
## Economic Prosperity

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<tr>
<th>Economic Planning</th>
<th>In this system, economic planning is addressed through state land use goals that require that all comprehensive plans be guided by economic analysis. In addition, all plans by state agencies that are targeted at economic development, transportation, etc, must demonstrate how they meet the documentation requirements of the state goal on economic development.</th>
<th>In this system, one of the four goals focuses on the state’s economy. The state works with regions to identify ways of attracting targeted economic clusters and providing needed land for these clusters through a regional planning process. In addition to a general statewide economic goal, regions are charged with developing economic goals that are used to establish employment land need at a regional scale.</th>
<th>State resources support economic development planning completed at the regional level. The state’s strategic plan identifies desired economic investment to implement regionally and locally; and is accomplished using a state-established strategic economic investment fund. In addition to supplying needed land for economic development, regional plans focus on other critical economic needs such as a trained workforce, infrastructure, transportation needs, etc. Local cities and counties help define their role in the regional economy and pursue economic goals that match with their local goals and strengths.</th>
<th>Under this system, the state’s efforts toward economic development are independent of state regulation, and coordination activities between state agencies, and local or regional jurisdictions. Local governments may conduct their own economic development planning, but they follow locally-derived standards and processes.</th>
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<tr>
<td>Agricultural Lands- protect, preserve, enhance</td>
<td>The state system is designed with agriculture as a key economic sector. Protection of agricultural land is a primary goal of this system. In order to accomplish this goal, most of the land outside of urban growth boundaries is protected from urban development. One exception is that a limited amount of Rural Residential development is allowed on lands previously “excepted” from the goals. However, in this system, very little new rural residential or rural commercial land is zoned.</td>
<td>Under this system, regional authorities define local agricultural economies and local agricultural lands through a regional system. There is a system or urban growth boundaries, but rural lands not necessary for the agricultural or forest economy have more options for rural uses such as tourism, rural housing, and small scale rural commercial development. In this system, regional (or local) farm and forest studies are used to determine farm suitability. Long-term Rural Reserves help provide certainty for farmers by identifying land that will be zoned for farm use in the long term and land that will be added to urban areas as their need arises, while also preserving the agricultural landscape and allowing new uses on rural lands.</td>
<td>In this system, the state’s strategic plan is a key element for promoting the state’s agriculture economy. The new agriculture protection scheme sets up a framework for identifying and protecting critical economic areas as well as planning for non-critical areas. Urban growth boundaries remain as an important tool. Non-critical areas have more options for tourism and housing while retaining a rural landscape. Local comprehensive plans implement the appropriate land use systems. Local governments and the state create and encourage use of tools to protect agricultural land, as prioritized in the strategic plan. The critical agricultural areas retain farm use zoning; however other tools are used as well. For example, marketing and other economic incentives to make agriculture economically feasible are part of the plans. The system provides state subsidies and tax credits for investments that achieve the goals of the strategic plan.</td>
<td>Under this system, the agriculture economy is of statewide concern (as identified through local planning) and it includes some relevant state regulations. Local government plans determine how to preserve the agriculture economy through collaboration between counties and the state’s agriculture department; counties designate good, productive agricultural land. This system retains the agricultural property tax exemption.</td>
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<tr>
<td>Forestry Lands - protect, preserve, enhance</td>
<td>As with protection of agricultural land, protecting forestry lands is a primary goal of this system. As a result, most of the land outside of UGBs is protected from urban development.</td>
<td>This system protects most land outside of UGBs from urban development; regional (or local) forest studies are used to determine suitability or at least priority areas for limited development. There are provisions that allow more uses on secondary land than prime land. Additionally, long-term Rural Reserves help provide certainty for timber growers and harvesters.</td>
<td>Protection of forestry lands is a key element of the statewide strategic plan, <em>Forestry Program for Oregon</em>. This plan creates a framework for ensuring the sustainability of forestry in Oregon as an economic driver and for sustaining healthy forest ecosystems. Local land use regulations integrate the goals of the strategic plan elements into comprehensive plans. Local governments and the state create and encourage use of tools to protect forestry prioritized in the strategic plan. The critical forest areas retain forest zoning; however other tools are used as well. For example, marketing and other economic incentives to make wood production economically feasible are part of the plans. The system provides state subsidies and tax credits for investments that achieve the goals of the strategic plan.</td>
<td>While markets generally drive forest practices, local plans and development regulations may protect forestry uses. Also, the state identifies forestry land protection as a statewide concern and enacts limited regulations for cities and counties to protect this land type. The state retains and strengthens the Forest Practices Act.</td>
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<td>Public investment; tax policy</td>
<td>In this system, there is a statewide goal to develop infrastructure; though not for the infrastructure denoted in a public facilities plan. For transportation infrastructure, the transportation system plan requires the identification of transportation system needs that are essential for the economy, thus driving statewide transportation investments.</td>
<td>In this system, the there are local plans for infrastructure. However regional plans inventory regional infrastructure needs, and identify shortfalls in infrastructure provision with strategic action plans. For transportation infrastructure, the transportation system plan requires the identification of transportation system needs that are essential for the economy, thus driving statewide transportation investments. Similarly to infrastructure strategic plans, regions also develop strategic action plans for transportation investments.</td>
<td>In this system, the statewide strategic plan guides public investment decisions. The strategic plan recommends tax policies which range from tax credits to new taxes that enhance or accelerate implementation of the strategic plan. Based on the priorities of the strategic plan, state departments set their priorities for annual budgets. From these budgets, local governments are eligible for state funding for actions to implement strategic plan priorities. Local service providers develop infrastructure service plans in coordination with local comprehensive plans. Regional strategic plans identify shortfalls and develop action plans to address the shortfalls. These plans influence the state strategic plan, and are used to channel infrastructure financing.</td>
<td>In this system, there is no targeted state investment affecting land-use.</td>
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</table>
| Housing | In this system, every city and county are required to have a housing plan for a range of incomes. It requires metropolitan service districts to compile information and report every two years to the state. The state planning program links zoning to 20 years of housing need through a state goal. Different planning requirements are provided cities with a population of less than 2,500 and counties with a population of less than 15,000. In rural areas, housing is permitted on exception lands. Densities are governed by requirements for wells and septic systems. Housing is permitted on farm and forestry lands if it is related to farm and forestry production.

In the Portland region, there are rules half or the housing zoning capacity to be for multi family units, along with minimum housing densities depending on city size. |
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>In this system, every city is required to have a housing plan for a range of incomes. Rules about housing split are replaced with a housing needs analysis that matches housing products with expected income ranges for fast growing parts of the state, such as the mid- and southern Willamette valley, Central Oregon and the Rogue Valley. These rules are based on housing need inventories and future forecasts conducted statewide. Housing is approached as a regional issue and a regional planning system is used for implementation. Regional plans include housing components that ensure that affordable and workforce housing are accommodated. As part of this, the system also plans for special populations, such as destination resort employees. Local plans are required to provide their share of housing capacity; the plans are adjusted periodically to account for market conditions.</td>
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</tr>
<tr>
<td>In this system, every city is required to have a housing plan for a range of incomes. Rules about housing split are replaced with a housing needs analysis that matches housing products with expected income ranges for fast growing parts of the state, such as the mid- and southern Willamette valley, Central Oregon and the Rogue Valley. These rules are based on housing need inventories and future forecasts conducted statewide. Housing is approached as a regional issue and a regional planning system is used for implementation. Regional plans include housing components that ensure that affordable and workforce housing are accommodated. As part of this, the system also plans for special populations, such as destination resort employees. Local plans are required to provide their share of housing capacity; the plans are adjusted periodically to account for market conditions.</td>
<td></td>
</tr>
<tr>
<td>The statewide strategic plan identifies broad goals and objectives for housing in the state. The strategic plan also guides areas where development is inappropriate and where development including housing may be desirable. Housing planning is integrated with economic and transportation planning to ensure a jobs/housing balance. The state works with regions to conduct housing need inventories and to forecast future housing needs by jurisdiction and income level. The housing needs analysis is broken down into housing products that would meet those needs, including the entire range of income, from low to high. The state encourages the development of housing in targeted areas, including affordable and workforce housing, by working with local governments to invest resources in developing housing or enact development regulations consistent with the strategic plan. Public private partnerships to encourage the development of particular housing types are a key part of the plan.</td>
<td></td>
</tr>
<tr>
<td>In this alternative, providing for needed housing continues to be a matter of statewide concern. Oregon Housing and Community Services resources are available to local governments but there is no strategic targeting. Jurisdictions make decisions about most matters, such as the provision of housing types. However, local or regional plans may address the need for workforce and affordable housing, and guide where housing may be developed.</td>
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</tbody>
</table>
### Private investment: partnership

<table>
<thead>
<tr>
<th></th>
<th>The state system’s land use regulations influence the feasibility of public private partnerships. Several state agencies do have the authority to partner with the private sector for construction and operation of infrastructure, and provision of state-agency services. Beyond this, local governments may partner with the private sector to achieve land use goals.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The state’s land use regulations influence the feasibility of public/private partnerships. Several state agencies have authority to partner with private sector to provide state services, and/or construction/operation of infrastructure. Beyond this, local governments may partner with the private sector to achieve goals.</td>
</tr>
<tr>
<td></td>
<td>This system utilizes market forces in addition to regulation to achieve desired results related to land use and transportation strategies. The statewide strategic plan identifies public/private partnership opportunities, tax credit opportunities and other strategies to engage the private sector in implementation of strategic plan priorities.</td>
</tr>
<tr>
<td></td>
<td>Regional plans may develop coordinated actions for public private partnerships in order to address infrastructure, transportation, housing or economic development needs.</td>
</tr>
<tr>
<td></td>
<td>Regional plans usually develop coordinated actions for public private partnerships in order to address infrastructure, transportation, housing or economic development needs.</td>
</tr>
<tr>
<td></td>
<td>The state adapts it tax system to encourage private investment that meets public strategic goals.</td>
</tr>
<tr>
<td></td>
<td>The state utilizes market forces – through public/private partnerships - to fund infrastructure, which may or may not be tied to a land use plan. Public/private partnerships are also available at the local level for a variety of purposes including infrastructure expansion.</td>
</tr>
</tbody>
</table>

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**Table notes:**

- **Private investment:** The private sector is involved in the provision of infrastructure and state agency services, either independently or through partnerships with the public sector.
- **Partnership:** Public-private partnerships involve collaboration between the public sector and the private sector, often through shared financial responsibilities.
- **Market forces:** These include economic incentives and regulations that encourage or discourage certain types of investment.
- **Regulatory influence:** Land use regulations play a role in determining the feasibility of public private partnerships.
- **Infrastructure needs:** Includes transportation, housing, and economic development.
- **Statewide strategic plan:** A comprehensive plan that outlines the state's vision and goals for infrastructure development.
- **Tax credits:** Financial incentives provided by the state to encourage certain types of private investment.

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**Source:** Big Look Task Force Part One Evaluation Report
## Quality of Life/Livable Communities

| UGB Process | The state system requires that cities, counties, and regional governments provide land for urban development needs and identify and separate urban and urbanizable land from rural land (i.e., urban growth boundaries, or UGBs). Establishment and change of urban growth boundaries should be a cooperative process among cities, counties, and where applicable, regional governments.

UGBs can be expanded when:
1. Local governments can demonstrate a need for an expansion due to a land shortage.
2. A proscribed process is followed to determine that expansions would have the least impact to agricultural and forestry lands.

### Determining land need UGB capacity

| The state system requires that local governments complete a 20-year capacity analysis of their land needs, using a defined set of standards for performing calculations. | The state system requires that local governments complete a 20-year capacity analysis of their land needs, using different standards for cities and regions based on their farm and forestry needs. Cities develop contingency plans in the event of a change in growth rates. Cities have the choice to use the safe harbors, or employ their technical staff to do their own research in determining their 20-year capacity. | The state system allows cities to adopt multiple 20-year capacity forecasts and a range of potential outcomes based on scenario planning. UGB capacity would be determined through the findings of the scenario analyses, as determined through the regional UGB planning process.

The priority for identifying land for inclusion in the UGB is well coordinated with the strategic plans for agriculture and forestry, housing and economic development, as well as infrastructure. |

| The state system requires that municipalities, counties and regions establish UGBs. Specific UGB policies and procedures would be developed regionally. UGBs are flexible to adapt to changes in circumstance. For example, cities can use a scenario process coupled with contingency plans that allow them to make modifications quickly according to what happens in the future. |

The priority for identifying land for inclusion in the UGB is well coordinated with the strategic plans for agriculture and forestry, housing and economic development, as well as infrastructure. This process will work most effectively when coupled with an early identification of lands (Urban Reserves) that could potentially become urbanized over the next several decades. | The state system requires the establishment of UGBs; however cities and counties are free to determine how they are managed. UGBs must be agreed to by the City and the County where it is located. Issues such as agriculture, housing, and transportation are addressed by state statute. UGB’s are enforced by disputes that are settled in court, based on compliance with state statute. |

| Local governments adopt UGB’s based on agreed county forecasts and estimate their future boundaries based on their own standards and tools. Challenges to boundaries would be based on state statute. | Local governments adopt UGB’s based on agreed county forecasts and estimate their future boundaries based on their own standards and tools. Challenges to boundaries would be based on state statute. | Local governments adopt UGB’s based on agreed county forecasts and estimate their future boundaries based on their own standards and tools. Challenges to boundaries would be based on state statute. |
| **Urban reserves** | The state system does not require that jurisdictions establish urban reserves to their UGBs, but they typically do establish reserves because expanding into them requires a less rigorous set of reviews than occurs under an application for a UGB expansion. | The state system would allow establishment or modification of urban reserves on the basis of a set of criteria that would attempt to balance farmland quality with urban suitability. The process would be coupled with establishment of rural reserves. Contingency UGB plans would identify areas where lands could be made available when needed | The state system requires creation of urban reserves as part of the regional planning process in fast growing areas. The procedures for establishing urban reserves and using them for UGB expansion would be developed within the regional process. The priority for identifying land for inclusion in the UGB is well coordinated with the strategic plans for agriculture and forestry, housing and economic development, as well as infrastructure. | Urban reserves are a local option that can be used for managing growth. |
| **Farm and Forest Reserves** | The state system does not require the identification of long-term rural reserves. | The state system would require rural reserves to be identified in a regional planning process, where a regional approach is chosen. Rural reserves would designate high quality lands that would be considered 'off limits' areas for urban expansion. | A regional planning process would determine need for farm and forest reserves with technical support and assistance from state agencies, led by the state planning agency. | Cities and counties would be free to establish policy relating to areas reserved for non-urban use but no statewide requirement would exist. |
| **Strategic Investment** | The state system does not address strategic investment. Investments by the state are often coordinated in a strategic fashion with different state agencies, federal and local government, and the private sector; however, they are not driven by the land use system. State agencies must demonstrate how their plans and investments are coordinated with the 19 land use goals. | Regional planning processes would coordinate with state agencies to strategically funnel state and federal investments to further regional goals. State agencies must demonstrate how their plans and investments are coordinated with the 19 land use goals. | Strategic investment is the central component of the state strategic plan, and one of the driving forces of the state planning program. Regional planning processes would develop plans to strategically funnel state and federal investments to further regional goals. In this system, regions can bond for infrastructure, and state provides significant financial support for region and local governments that create infrastructure and services that is supportive of the strategic plan. | The state system does not require that all investments be fully coordinated among entities; however, the state recognizes the value of doing so, and may seek partners from the private sector and all levels of public sector governments to participate in discrete projects. |
| **Infrastructure Planning and Funding** | The state system allows for local infrastructure to be paid through a combination of system development charges (SDCs), state and federal grants, local initiatives, etc. | These costs are paid through a combination of system development charges (SDCs), state and federal grants, local initiatives, etc. Regions can bond for strategic infrastructure where shortfall is identified. | The state invests in infrastructure and makes financing available for development that supports implementation of the state strategic plan priorities. Regional bodies would have the ability to use revenue and general bonds for financing infrastructure. Regions could also use private capital tools for infrastructure. | Infrastructure planning is done at the local level and funded by local resources except for circumstances where federal or state grant funding is available. |
| **Transportation** | The state system requires transportation plans for all metropolitan regions, counties and cities, and requires that transportation plans be integrated with local comprehensive plans. The standards for each transportation plan are based on population, and follow guidance established in the State Transportation Plan to regional and county transportation plans, and finally to city transportation plans. | The state system requires transportation plans for all metropolitan regions, counties and cities, and requires that transportation plans be integrated with local comprehensive plans. As long as they are well-coordinated, regions, counties and cities may elect to build transportation plans based on local standards and targets. | The state integrates the state strategic plan into the Oregon Transportation Plan. Regions would develop transportation links and capacity enhancements in support of land and economic development efforts identified in the strategic plan. Local governments would receive financial assistance in creation of infrastructure that supports the statewide and regional plans. | The state does not create standards or requirements for completion of transportation plans. Federal and state funding would continue to be made available to cities based on the state transportation system plan. State and local agencies would be responsible for maintaining their infrastructure and any future improvements. Coordination would be required when jurisdictions overlap. |
| **Parks and Open Space** | Through multiple state land use goals, inventories of parks and open space are established and maintained. Local plans develop park plans and identify critical local open space | State and local agencies would keep inventories of parks and open space, and establish benchmarks for the amount of space desired. Regions identify critical open space and park needs, identify regional areas of critical open space, and develop strategies to fill gaps in local park and open space development. | The State strategic plan sets goals for the amount of parks and open space desired, and makes funding available for the development of parks as well as tax credits for conservation easements to create open space in rural areas. Regions identify critical open space and park needs, identify regional areas of critical open space, and develop strategies to fill gaps in local park and open space development. Regions develop strategic funding strategies including open space acquisition programs, coordinated with state tax credit programs. | Local governments determine park needs. Local funding for open space may be used to preserve natural areas. |
| **Housing and communities outside of UGBs** | Rural housing development is created through "exceptions taken" to Goals 3 and 4 that protect farm and forest lands. The effect is to allow limited rural housing development on rural lands. | Small concentrations of rural cluster housing and small commercial areas, as well as rural restaurants, lodging, and tourist attractions are permitted in rural areas in areas that are not critical to the agricultural and forestry industries. | Rural community development may be allowed through local and regional plans and regulations. State support for infrastructure to serve rural development is only available if the development is consistent with the State strategic plan. Small concentrations of rural cluster housing and small commercial areas, as well as rural restaurants, lodging, and tourist attractions are permitted in rural areas if they are not critical to the agricultural and forestry industries. | Land-use is determined by local zoning and development regulations including subdivision regulations. Matters of statewide interest are regulated by state statute, such as protection of agricultural land. |
| **Agricultural Land as Open Space** | State system preserves agricultural land for farm use. Exclusive farm use (EFU) zone is defined and mandated. Agricultural lands can be designated as secondary if they are not critical to the state agricultural economy. This is done through a regional planning process. Secondary lands can be used for a greater variety of uses, but retain the rural look and lifestyle of agricultural lands. | State system preserves agricultural land according to state strategic plan and corresponding regional plans, using full value tax credits for permanent conservation easements on agricultural lands, as well as zoning regulations. Agricultural lands can be designated as secondary if they are not critical to the state agricultural economy. Secondary lands can be used for a greater variety of uses, but retain the rural look and lifestyle of agricultural lands. | State system preservation of agricultural land that is critical to the state agricultural economy. Farm land may be rezoned by local governments if it is not part of critical agricultural land. |

| **Equity/Fairness** | Any person who has been a participant in the public process has standing. Additionally, some jurisdictions grant standing to affected organizations (i.e. official Portland Neighborhood Assns). Standing is signified by establishing a test to determine that there is some level of impact to the person or interest group. | Standing is determined by state planning statute and case law. Local regulations may broaden the definition of standing but not narrow it. Standing is granted to any person who is demonstrably affected by an action or decision. The ability to enter the case is limited to those who participated in the hearing process. | Standing is determined by common law, state statute and case law. Local regulations may broaden the definition of standing but not narrow it. |

| **Appeals/Disputes** | Land use appeals go to a Land Use Board of Appeals (LUBA). Appeals of planning decisions related to comprehensive plans go to the state planning agency and then to the State Court of Appeals. | Land use appeals go to a Land Use Board of Appeals (LUBA). Appeals of planning decisions related to comprehensive plans go to the state planning agency and then to the State Court of Appeals. The system allows a Land Use Board of Appeals (LUBA) to dismiss cases outright. | Land use appeals go to 4 regional Land Use Board of Appeals (LUBA). There are 4 regional appeals boards established for eastern, northern, and southern Oregon. Appeals of planning decisions related to comprehensive plans go to the state planning agency and then to the State Court of Appeals. The system allows a Land Use Board of Appeals (LUBA) to dismiss cases outright. |

| **Regulatory loss of value** | Physical takings are the same as federal case law standards. Regulatory takings are addressed by Measure 37. | Physical takings are the same as federal case law standards. Regulatory takings are addressed by Measure 37. | Physical takings are the same as federal case law standards. Regulatory takings are addressed by Measure 37. |

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| Miscellaneous                      | There are federal resources allocated to this function at the state level. State has a GIS service center; however, the GIS system is limited in scope. | The State would develop a statewide GIS database and share it with all jurisdictions and the private sector. Data relating to performance of plans, UGBs and transportation would be included in the database. There would be a central clearing house for inventories local governments conduct for comprehensive plans. | The State would develop a statewide GIS database and share it with all jurisdictions and the private sector. Data relating to performance of plans, UGBs and transportation would be included in the database. There would be a central clearing house for inventories local governments conduct for comprehensive plans. The state would also have unlimited access to county assessor databases, as well as access to private databases such as multiple listing, commercial real estate, demographic, and economic forecast data. | None. |
To: Oregon Big Look Task Force

From: John Parr and Robert Grow

Re: Implementing Change – Strategies and Leadership Needs

Date: May 10, 2007

Any effort to create significant change such as those being developed by the Big Look Task Force needs to simultaneously have strategies that create activities at the state, regional, local levels. It is important to understand how to create a “Tipping Point” and the leadership needed to make it happen. Members of the Big Look Task Force can play some of the roles described below, but need to figure out how to use their connections and an effective civic/public engagement strategy to mobilize Oregonians.

Creating the Tipping Point

In his best seller the Tipping Point Malcolm Gladwell describes how the creation of a set of factors and people becomes a critical mass that turns an approach into a movement that can lead to significant change.

Creating the Tipping Point requires identifying and/or developing leaders who will serve as innovators/integrators, connectors, and motivators (i.e. salespeople – term used in the book) to direct and support the changes.

The originators of change—innovators/integrators (mavens – term used in the book). These are the catalysts: people who have begun to create a clear vision of the future and share their knowledge and perspectives. They see the connection between multiple issues – e.g. you can’t have a vibrant economy without focusing on environmental (preservation of open space) and social issues (affordable housing). This process can be accelerated by convening groups of potential innovators/integrators among academics and practitioners and encouraging them to turn the vision and energy into writing that others can use as a blueprint for other organizations.

Second are the connectors. These are the boundary crossers – people who introduce approaches and ideas to diverse networks and recruit others to use the new approaches. These are people who are trusted across traditional “boundaries.” A critical step is identifying the individuals and organizations that can benefit from regional problem solving, next convincing them of these benefits, and finally linking them to create networks that will lead to change.
Third are the **motivators**. Once strategies and potential solutions have been identified, the most persuasive communicators, the salespeople, play the role of cheerleaders who raise aspirations, talk about possibilities, and sketch a picture of a potential future in a compelling way. With their excitement and conviction, they can persuade the uncertain that a new approach has merit, embodying the spirit of change and converting others to take action.

**The Limitations of Traditional Leadership**

We are beginning to see the limitations of traditional forms of leadership. Traditional leadership always exists in communities, regions and states in the form of business leaders, elected/appointed public officials, issue advocates, neighborhood activists, social entrepreneurs, and ethnic community leaders, but even with these traditional forms of leadership, most pressing and difficult issues are not getting resolved.

A major reason is that contemporary challenges cross multiple boundaries and jurisdictions. These problems require creative, integrated approaches to problem solving. Even breakthrough solutions in one area can be undermined by connected but unaddressed problems in another area. For example, one city in a region can be a textbook example of smart growth, but it may suffer the consequences of poor planning in neighboring cities. In this case, the only way to effectively address the challenge of growth is regional collaboration.

Traditional forms of leadership are still essential to communities. For example, neighborhood activists and ethnic leaders are critical to mobilizing the grassroots; social entrepreneurs pioneer new approaches to social problems; environmental activists maintain vigilance over our natural assets; government leaders focus public resources on critical needs within their jurisdictions. However, states and metropolitan/rural regions must develop a new model of leadership that can meet the increasingly complex challenges of economic, environmental, and social change. A new model showing promising results is **regional stewardship**. The model can easily be adapted to the state level.

<table>
<thead>
<tr>
<th>Traditional Leadership</th>
<th>Regional Stewardship</th>
</tr>
</thead>
<tbody>
<tr>
<td>One jurisdiction, one organization</td>
<td>Multiple jurisdictions and organizations</td>
</tr>
<tr>
<td>Specific problem or goal</td>
<td>Integrated vision for the region</td>
</tr>
<tr>
<td>Single network</td>
<td>Diverse collaborative networks</td>
</tr>
<tr>
<td>Commitment to an idea/cause</td>
<td>Commitment to place</td>
</tr>
</tbody>
</table>

**What Regional Stewards Do**

Regional stewards share basic values of creating broad prosperity: a healthy, attractive environment, and inclusive communities for ourselves and subsequent generations. They take the responsibility of ensuring that we pass on a better place to our children.
Regional stewards apply the same entrepreneurial spirit and persistence to solving regional challenges that business entrepreneurs apply to building a business; they are civic entrepreneurs. They see the need for more connected regional approaches to addressing economic, environmental and social issues; they are integrators. They build support from leaders, citizens, interest groups and policy professionals toward a shared regional vision; they are coalition builders. Regional stewards hold themselves and each other accountable to achieve tangible results and sustained outcomes.

Regional stewards include local elected or appointed officials, university and college leaders, executives of local businesses, foundation executives, non-profit leaders and community activists. What they have in common is the realization that to accomplish their goals, they need to work collaboratively with people in other jurisdictions and sectors.

**Regional Stewards are Civic Entrepreneurs**

In times of fundamental economic, political, technological, and demographic shifts, leaders emerge to help America’s communities thrive. In *Grassroots Leaders for a New Economy*, Collaborative Economics called these leaders “civic entrepreneurs” because they combine two great American traditions: the spirit of innovative enterprise and the spirit of community initiative.

Civic entrepreneurs are catalysts that help regions go through the change process. Like the business entrepreneur, the civic entrepreneur operates in a time of dramatic change, sees opportunity, and mobilizes others in the community to work toward their collective well-being. Although civic entrepreneurs come from all sectors—public, private, nonprofit—they share common characteristics of entrepreneurial business leaders. They are risk takers. They are not afraid of failure. They possess courage born of strong convictions. They are passionate and energetic. They are people of vision.

**Regional Stewards are Integrators**

Regional stewards have 360 degree vision, recognizing the interdependences between the economy, the environment, and social equity. In many regions, leaders are addressing problems in each of these areas, but their approach is not integrated. Different leaders in a region lead each of these conversations and they are not connected to each other. Regional stewards help their communities develop an integrated approach to policy and planning, based on a common set of values and a regional vision.

**Regional Stewards are Boundary Crossers**

Regional stewards are “boundary crossers,” a term coined by nationally syndicated columnist Neal Peirce. They reach across jurisdictional, organizational, ethnic, and other boundaries to seek solutions to community problems. They are not deterred by turf issues. In fact, it is striking how often regional stewards are building collaborative solutions outside the traditional government structures.

We are entering a period of experimentation and designing “new civic intermediaries” to address challenges that transcend the ability of government, business, or community institutions.
to address by themselves. These intermediaries—which can be institutions or ad hoc alliances—work across multiple political jurisdictions, organizations, and networks.

**Regional Stewards are Coalition Builders**
Regional stewards build new coalitions for change by pulling together support from the four following groups in the community in new ways:

- **Leaders.** Because leaders come from many sources today and focus on different issues, we have seen that many regions suffer from anonymity of leadership. Regional stewards are a subset of civic leaders in the region who not only see the bigger picture and the need to create more connected leadership but are willing to recruit other civic leaders to the cause.

- **Citizens.** Residents can become more engaged today in issues through a variety of new information tools that help connect citizens directly with regional stewards. Reaching out to citizens and involving them directly can “democratize the planning process” and build grassroots support for regional action.

- **Interest groups.** Today, a variety of interest groups engage in public-policy debate. For example, the Sierra Club will advocate for the environment, whereas developers will advocate for development, labor will lobby for worker issues, and business will advocate for business interests. Although they are an important part of the political process, interest groups can stand in the way of significant change. Strong regional leadership with broad-based citizen support is necessary to change the normal interest-group dynamics. An effective regional process can recruit some members of interest groups to a broad coalition for change if the benefits are clear and if collaboration is seen as the only way to break through gridlock.

- **Policy professionals.** Ever since the progressive movement at the turn of the twentieth century tried to take politics out of government, policy professionals who serve the public sector have taken center stage in state and local governments. Power and decision making often reside with experts—whether they are planning commissions, transportation boards, or government officials—rather than with residents or civic leaders. An effective regional process will recruit and engage policy professionals, seeking to involve them in larger coalitions for change.

**Integrating the Principles of Regional Stewardship**
Regional stewardship occurs at the intersection of the key issues. Each issue has a large field with its own base of interests and stakeholders. All are focused on critical outcomes for neighborhoods, cities, regions and states. Regional stewards advance these outcomes by:

- **Bridging fields of interest.** Regional stewards work with civic leaders in each field by brokering connections between and among the fields. For example, a more inclusive society (including increased living standards for poor people and stronger neighborhoods) can be achieved through better targeting of education, jobs, and investment generated by an innovative economy. A more inclusive society can produce a more livable community (including urban revitalization and more efficient land use).
• *Bridging local interests.* Regional stewards help advance local goals for inclusion, innovation, and livability by connecting local stakeholders to their peers at a regional level where assets and policies can be aligned to produce better outcomes—not only for the region as a whole, but for each locality as well.
## Appendix D: Population and Employment Growth Chart

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</thead>
<tbody>
<tr>
<td>Oregon</td>
<td>3,438,750</td>
<td>5,425,408</td>
<td>1,986,658</td>
<td>1,606,700</td>
<td>2,326,810</td>
<td>720,110</td>
</tr>
<tr>
<td>Baker</td>
<td>16,750</td>
<td>17,460</td>
<td>710</td>
<td>5,310</td>
<td>6,570</td>
<td>1,260</td>
</tr>
<tr>
<td>Benton</td>
<td>78,300</td>
<td>99,886</td>
<td>21,586</td>
<td>36,900</td>
<td>42,850</td>
<td>5,950</td>
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<tr>
<td>Clackamas</td>
<td>340,000</td>
<td>620,703</td>
<td>280,703</td>
<td>130,490</td>
<td>216,370</td>
<td>85,880</td>
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<tr>
<td>Clatsop</td>
<td>35,700</td>
<td>39,368</td>
<td>3,668</td>
<td>15,500</td>
<td>19,110</td>
<td>3,610</td>
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<tr>
<td>Columbia</td>
<td>43,700</td>
<td>64,411</td>
<td>20,711</td>
<td>10,390</td>
<td>13,020</td>
<td>2,630</td>
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<td>Coos</td>
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<td>64,839</td>
<td>2,039</td>
<td>21,620</td>
<td>28,260</td>
<td>6,640</td>
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<tr>
<td>Crook</td>
<td>19,300</td>
<td>38,553</td>
<td>19,253</td>
<td>6,300</td>
<td>11,530</td>
<td>5,230</td>
</tr>
<tr>
<td>Curry</td>
<td>21,200</td>
<td>23,432</td>
<td>2,232</td>
<td>6,350</td>
<td>9,040</td>
<td>2,690</td>
</tr>
<tr>
<td>Deschutes</td>
<td>116,600</td>
<td>257,088</td>
<td>140,488</td>
<td>52,600</td>
<td>102,120</td>
<td>49,520</td>
</tr>
<tr>
<td>Douglas</td>
<td>100,500</td>
<td>140,619</td>
<td>40,119</td>
<td>37,690</td>
<td>47,150</td>
<td>9,460</td>
</tr>
<tr>
<td>Gilliam</td>
<td>1,900</td>
<td>2,464</td>
<td>564</td>
<td>735</td>
<td>850</td>
<td>115</td>
</tr>
<tr>
<td>Grant</td>
<td>7,950</td>
<td>7,678</td>
<td>(272)</td>
<td>2,690</td>
<td>2,040</td>
<td>350</td>
</tr>
<tr>
<td>Harney</td>
<td>7,600</td>
<td>9,564</td>
<td>1,964</td>
<td>2,800</td>
<td>3,080</td>
<td>280</td>
</tr>
<tr>
<td>Hood River</td>
<td>20,500</td>
<td>23,498</td>
<td>11,998</td>
<td>8,890</td>
<td>12,250</td>
<td>3,360</td>
</tr>
<tr>
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Sources: Office of Economic Analysis, Department of Administrative Services, State of Oregon; Oregon Employment Department (August 2004); Portland State University
Appendix E: Land Need Scenarios by County

Vacant Land Needed by County (% of Oregon Total)

Low Land-Need Scenario
- Washington 18%
- Clackamas 15%
- Marion 6%
- Multnomah 7%
- Deschutes 6%
- Other 36%

High Land-Need Scenario
- Washington 20%
- Clackamas 15%
- Marion 6%
- Multnomah 8%
- Deschutes 8%
- Other 33%
Appendix F: 4/13/07 Oregon Urban Land Need Scenarios Memo to Big Look Task Force

MEMO

TO: BIG LOOK TASK FORCE
FROM: JOHN FREGEONESE & C.J. GABBE, FREGEONESE ASSOCIATES
SUBJECT: OREGON URBAN LAND NEED SCENARIOS
DATE: 4/13/2007

Introduction
It is important that as the Big Look Task Force evaluates Oregon’s land use planning system that it has a tool for conceptualizing a range of outcomes for the future. This tool will allow the Task Force to translate state housing and employment forecasts into potential urban land use impacts. One of the advantages of modeling is that it allows the testing of multiple scenarios; in this case, a range of potential land use impacts was analyzed.

We tested the likely range of urbanized land Oregon will need through 2040 to accommodate projected population, housing and employment growth. In essence, the amount of vacant land that might be needed through UGB expansion over the next 33 years. In testing two possible scenarios, we found that a potential range of vacant land that could be needed through UGB expansion of between 38,000 acres and 121,000 acres (there are currently 770,000 acres of land within UGBs in Oregon).

How does the model work?
We created a model that can be used to estimate urban land need by county and for the entire state. We used this model to analyze the period between 2000 and 2040, the data is from the 2000 U.S. Census and 2040 Portland State University projections. The housing need was calculated using the State of Oregon Housing Needs Model (based on these data sources). This Housing Needs Model, developed by analyst Richard Bjelland, estimates future households by price-point and tenure for 2040. Employment land need was calculated by aggregating employment data into four primary employment categories and relating an assumed employment mix by type of county — urban, small and medium-sized counties each based on their forecast employment make-ups.

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The Big Look land need model looks at six categories of housing and four employment categories. We used the model to estimate where growth, and the associated need for additional vacant land, will occur. We calculated the additional land need based on assumptions of remaining UGB capacity. Generally, the more years of UGB capacity remaining, the less vacant land outside of UGBs will be required to meet the future land need. The amount of future land needed is refined by assuming rates of infill development for each housing type and job category.
What kinds of scenarios were tested?
For each of these housing and employment types, key variables included assumptions about housing and employment densities (gross dwelling units/acre or jobs/acre); housing and job infill rates; and years of UGB capacity remaining. These key variables, along with their ranges and impacts, are shown in the chart at right.

Two scenarios were tested to reflect a low and high range of land needs for Oregon for the 2000-2040 period. These scenarios were created by adjusting the densities, infill rates, and remaining years of UGB capacity, as shown above. The low range of land needs reflects the minimum number of acres of UGB expansion that might be needed in the state; the high range of land reflects the maximum number of acres of UGB expansion, based on Oregon’s demographic projections. Using these assumptions, the range is from about 38,000 acres to 121,000 acres.

Lessons Learned
In conducting this initial model run and looking at the driving forces of land consumption in Oregon, we found that housing uses significantly more land than employment. In the low land-need scenario, housing comprised about 73% of the vacant land need, while in the high land-need scenario, housing made up 78% of the vacant land need. As such, in the sensitivity analysis testing the housing variables made a much larger difference than the employment variables. In particular, the housing type that has the most impact is single family homes (due to relatively low densities).

Following is a summary of what we learned about the key variables in the model:

Density
Density assumptions for housing had some impact on land need – when gross housing density was adjusted from 9 units/acre to 6 units/acre an additional 27,000 acres of land need was required statewide (gross density refers to the density before taking into account streets and other factors). Within the density variable, the change which has the biggest impact is in increasing the density of single family housing. This illustrates that in order to reduce vacant land need through density adjustments, it is critical to focus on the housing and job types with the lowest infill rates (these are the types that will likely consume the most vacant land). In this analysis, employment density was kept constant at approximately 18 jobs/acre.

Housing Type and Job Category Mix
The mix of housing and jobs does have some impact on vacant land need. In this analysis, housing and employment mixes were kept constant to reflect potential housing and employment trends.
Infill Rates
Infill development refers to new development of empty lots or redevelopment of current buildings to a denser use in existing urban areas. In testing the sensitivity of infill rates, it becomes apparent that the lowest density housing and job types are the ones for which adjusting infill rates makes the largest difference. Adjusting the overall housing infill rate from 46% to 12% in combination with density changes resulted in over 40,000 acres of land consumption. Single family housing traditionally has low rates of infill (as it is difficult to redevelop already developed land in traditional subdivisions), however this category makes a significant difference in the overall need for vacant land.

Years of UGB Capacity Remaining
The variable which had the biggest impact was in adjusting assumption of the number of years of remaining UGB capacity. In these scenarios, changing the assumption of remaining UGB capacity from 20 years to 3 years resulted in about 50,000 additional acres of land need statewide through UGB expansion.

Distribution of Growth
In addition to understanding the relative roles of the key variables in driving Oregon’s need to additional vacant land, it also became apparent that the state’s land need is not evenly distributed by county. This analysis has shown that there are several counties which need the most vacant land through UGB expansion, as shown in the table on the next page. In the two scenarios, about 83% of the vacant land need through UGB expansion was in 10 counties, while the 25 counties with the lowest growth only needed about 14% of the state’s vacant land for UGB expansion. Notably, Washington and Clackamas counties’ needs represent the absorption of a about one-third of Oregon’s future UGB expansion.

Next Steps
There are several next steps to follow this initial model estimate:
- The Task Force’s Technical Advisory Committee (TAC) will review the methodology and provide feedback. Specifically, the consultant team will be looking for input on the model design, assumptions and the lessons learned.
- Further analysis and identification of the land use impacts on agricultural land, forest land and environmental systems is needed. This identification could be conducted by creating a new model or through a qualitative analysis that builds on the resources of the Task Force, TAC, consulting team, and DLCD staff.
- The last step, after the identification of impacts on agriculture, forest and the environment, is to divide the state into sub-regions by potential conflicts over key resources.
## Reference

### County Land Need Summaries

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<td>842,009</td>
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<td>135,937</td>
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</tr>
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<tr>
<td>Yamhill</td>
<td>85,500</td>
<td>166,776</td>
</tr>
</tbody>
</table>

Sources: Office of Economic Analysis, Department of Administrative Services, State of Oregon; Oregon Employment Department (August 2004); Portland State University
Appendix G: Public Engagement Work Program -- $500,000 Budget

Memorandum

To: Big Look Task Force
From: John Fregonese – Principal, Big Look Task Force Consultant Team
Date: April 13, 2007
Re: Proposed Work Program for Public Engagement

This memorandum is drafted to convey a proposed strategy for engaging stakeholders and the public from around the State. The purpose of this engagement is straightforward: to provide the Task Force with the input needed to craft a legislative proposal for restructuring Oregon’s land use planning system.

This engagement is based on the alternatives the Task Force is developing. We are recommending that the alternatives be presented in the framework of values, goals, alternative tools, verbal scenarios and tradeoffs, as illustrated in the following diagram:

```
<table>
<thead>
<tr>
<th>Oregonian Values?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Goals:</strong></td>
</tr>
<tr>
<td>Healthy Environment, Livable Communities,</td>
</tr>
<tr>
<td>Prosperous Economy, Sustainability, Fairness</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Alternative System 1: The Status Quo</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternative System 2: Modifications to the Oregon System</td>
</tr>
<tr>
<td>Alternative System 3: A new approach</td>
</tr>
<tr>
<td>Alternative System 4: A new approach</td>
</tr>
<tr>
<td>Verbal Scenario of Outcomes in 2040</td>
</tr>
<tr>
<td>Verbal Scenario of Outcomes in 2040</td>
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<td>Verbal Scenario of Outcomes in 2040</td>
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<td>Verbal Scenario of Outcomes in 2040</td>
</tr>
<tr>
<td>Tradeoffs</td>
</tr>
<tr>
<td>Tradeoffs</td>
</tr>
<tr>
<td>Tradeoffs</td>
</tr>
<tr>
<td>Tradeoffs</td>
</tr>
</tbody>
</table>
```

This proposal for public engagement represents the first draft of an evolving work plan. The proposed strategy will be discussed with the Task Force at their April 20-21, 2007 meeting in Salem, and will be drafted as a detailed scope and budget by the May meeting.
Three Phase Strategy

The engagement program is designed to be conducted in three distinct phases, beginning with input from knowledgeable stakeholders, then building momentum for engaging the public from all sections of Oregon, and conducting a campaign for reengagement in the State. The three primary components are:

1. **Outreach Kickoff** - In July the Task Force will have developed a package of analyses and potential proposals. The Kickoff stage will allow the Task Force to engage with key stakeholders quickly. Those targeted would review the Task Force analyses and proposals from both technical and policy perspectives. The Kickoff stage will in essence act as a “first screening” before materials are released to the public at-large. We will work primarily in a small group setting to explain the concepts and solicit advice on how the proposals could be improved.

2. **Revise Proposals** - Input received during the Kickoff stage will provide the Task Force with an opportunity to modify or revise the proposed alternative systems (or their analysis) prior to any large scale public engagement effort. Working with the project team the Task Force will finalize the materials that will be used for the larger state-wide engagement and make necessary adjustments to the outreach plan itself.

3. **Statewide Public Engagement** - This component represents the core of the outreach effort. The intent is to bring the Task Force’s work to as large an audience as possible. A range of techniques will be employed, ranging from random sample focus groups and 80 in-person meetings with stakeholders to partnerships with local champions to reach interested citizens in every corner of the State. We will use a variety of media from written reports, to pamphlet length summaries, to videos, and to web sites. We will develop methods for people to respond so that their input is recorded, and can be used and analyzed. This broad outreach will bring in thousands of people. It will allow them to evaluate the proposal in a consistent format, regardless of where the meeting is held, or who leads the discussion.

Funding Strategy

Engaging the public in a planning process often requires a level of effort on par with the analysis and research phases. Budgets and staff resources, however, often limit the amount of outreach that can be accomplished. The team has been informed that roughly $500,000 may be available for the consultant services to the Big Look Task Force. Our recommendation is that these resources be focused on the approximately eight-month period beginning in July 2007. By focusing resources into this time frame, all available resources are being directed toward fulfilling the Task Force’s needs of evaluating a range of proposals that will allow for the development of a draft recommended alternative approach to Oregon’s planning system in March of 2008.

There is some amount of risk in expending the engagement funding between July and March, rather than spreading it out until July of 2009 when the Task Force has completed its duties. There is no doubt that the Task Force will continue to need assistance with its duties after it prepares its recommendations in March 2008. If the budget were to be spread over the entire twenty-four month period, however, it would not be feasible for the engagement program to reach beyond simply inviting presentations to the Task Force meetings and holding some high-level work sessions. In our experience, we believe an aggressive engagement campaign will bring a more concentrated and accurate set of feedback to the Task Force. A successful campaign in between July 2007 and March 2008 will enable the Task Force to build significant momentum for enacting change.
In addition to the State funding for this effort, we are recommending that a private non-profit entity be formed in a neutral sponsoring body to receive private funds to assist in the outreach campaign. If the Task Force develops the necessary momentum and creates viable alternatives that begin to attract support, we believe that many private groups in Oregon will band together to continue the outreach program. It is important that the Task Force have a private non-profit to receive these funds and to conduct a parallel and supportive campaign.

We have been informed that there are neutral bodies such as universities within Oregon that would sponsor this kind of non-profit. This approach is not uncommon. In fact, Fregonese Associates is currently working for such an entity in Louisiana that is sponsoring our services to the State’s Louisiana Recovery Authority.

In addition, we would recommend partnering with groups such as The Urban Land Institute to host events and activities, as long as the Big Look Task Force could manage their part of the event.

**Outreach Method**

The current proposal is to develop a series of alternative scenarios that can be reviewed through a range of methods, across the State. During the March 2007 meetings in Hood River the consultant team introduced the Task Force to the thematic approach of revisiting the core values of Oregonians and how the land use program should respond to those values. As outlined in the beginning of the memo, the alternative scenarios would each represent a different method by which a range of tools could be employed for the purpose of helping Oregonians to attain or preserve that which they value most.

Participants at meetings or respondents to surveys would weigh in on the various components, from values on down to the specific tools. Using a consistent evaluation format the consulting team will work with the Task Force to lift up the most important and successful components and use them to develop an alternative approach to addressing the State’s planning needs.

**The Outreach Elements** - Following is a description of the many activities and techniques suggested in crafting the aggressive engagement campaign described by this proposal.

**Task 1. Outreach Kickoff – Targeted stakeholder meetings with 10-15 organizations**

The purpose of the Public Engagement Kickoff is to gather input to the analyses, recommendations, public engagement work program, and other materials the Task Force has drafted through June 30, 2007 from between 15 and 30 critical stakeholder organizations. Members of the Consultant Team, including John Fregonese, John Parr, Robert Grow, and their staff, will prepare the materials needed for these meetings, which will occur at a mutually desired location. Notes will be kept by Consultant Team members of the comments made at these meetings, and each individual representing the various stakeholder groups will be provided with a consistent response form with which to document their comments.
### List of Stakeholder Organizations for discussion during Kickoff Phase

| Environmental/Land Use/Conservation Groups | 1. 1,000 Friends of Oregon  
2. Oregon League of Conservation Voters  
3. Oregon Environmental Council  
4. League of Women Voters  
5. Oregonians in Action |
|-------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Associations                               | 1. Oregon Tourism Board  
2. Oregon Nursery Association  
3. Oregon Forest Industries Council  
4. Association of Oregon Counties  
5. League of Oregon Cities  
6. Oregon Farm Bureau  
7. Oregon Bar Association  
8. Forest Industries Bureau  
9. Oregon Homebuilders Association  
10. Oregon Association of Realtors |
| Business Associations                      | 1. Oregon Business Council  
2. Oregon Business Association  
3. Associated Oregon Industries |
| Other                                      | 1. University Collaborative  
2. Urban Land Institute (ULI)  
3. Oregon Chapter, American Planning Association  
4. Oregon Transportation Commission  
5. Coalition for a Livable Future  
6. Oregon MPO Consortium  
7. Special Districts Association  
8. Area Commissions on Transportation (11)  
9. Metro Council |

A potential secondary objective of Task 1 will be to establish a non-profit allied group that can receive funds from organizations and individuals for the purpose of creating a parallel and augmented public engagement program to the one described here. The Oregon American Planning Association has completed research on this subject which will be reviewed under this task. With the guidance and approval of the Task Force, the Consultant Team will assist in the establishment of this non-profit entity through participation at meetings and preparation of information materials.

**Schedule:** July 2007 through August 2007  
**Deliverable(s):** Completed input forms and meeting notes  
**Cost:** $34,000

### Task 2. Revise Proposals

The information collected in the response forms and in discussions from the meetings will be compiled for review with the Task Force, and changes to the original documents may be recommended by the Consultant Team. After consultation with the Task Force, a revised set of final analyses, recommendations, and public engagement work program, etc., may be developed for use in the next stage of the public engagement campaign.

**Schedule:** August 2007 through September 2007
Deliverable(s): Recommended revisions to Task Force generated Analysis and Policy Recommendations and Public Engagement Work Program

Cost: $5,000

Task 3. Large Scale Public Engagement Campaign

In Task 3, the Consultant Team will be reviewing the recommendations that emerged from Tasks 1 and 2 with a wider and more diverse audience using a variety of outreach methods. For example, the team will host both large and small meetings, will present material at conferences, will communicate to the public via the web site and newsletters, and will prepare a set of materials for Task Force members and others that will allow them to make effective and complete presentations of the recommendations to even more audiences. With each of the methods employed, participants will be asked to prepare a response form about the recommendations that they can send to the Consultant Team via the web site or postal address, and notes will be kept by a Consultant Team member of all meetings.

Large Scale Meeting. The engagement campaign will begin with a large scale public meeting. Through a series of presentations and interactive electronic “voting” participants will learn about and weigh in on the proposed planning systems, their strategies and the tools that they would employ.

Regional Meetings. The largest set of gatherings will be meetings in 11 regions throughout the state. These would be hosted by the Area Commissions on Transportation (ACT) (see next page for map and description of 11 ACT regions). Consultant Team members would prepare advance materials and would solicit feedback from participants at these meetings which will be widely advertised.

Oregon’s Area Commissions on Transportation

For the purposes of this work program, we assume that a DLCD staff member will be available to the team with responsibility for logistics and arrangements at each venue during this task, as well as note taking and follow-up with participants at meetings.

Continued Targeted Meetings with Stakeholder Groups. The principals of the Consultant Team would continue to have one on one meetings with between 10 and 15 stakeholder groups located throughout the state who were not consulted in Task 1. These groups would be identified by Task Force members and the individuals participating in the Kickoff stage of the project, as well as stakeholder groups who request meetings with the Consultant Team.

Meetings with Civic, Business and Special Interest Groups. This set of meetings, a maximum of 10, would also consist of one on one meetings led by the principals of the Consultant Team and are designed to meet with groups that do not ordinarily participate in discussions about land use policy and planning.
Presentations at Conferences. The Consultant Team has identified five statewide conferences that it is targeting for presentations of the Task Force recommendations. They are:

- Oregon League of Cities
- Association of Oregon Counties
- Oregon Planning Institute
- Oregon and Washington State American Planning Association joint meeting
- Urban Land Institute

Meetings in a Box. The Consultant Team will prepare a package of materials – DVDs, “talking points”, summaries, fact sheets, reports, response forms, meeting materials, etc. – for use by non-Consultant Team members, including the Task Force, to expand the breadth of the public engagement effort to still other groups and individuals. Individuals that would lead meetings using these materials would be trained by Consultant Team members. For the purposes of this work program, we assume that each Task Force member could hold up to five meetings.

On-line Surveys. The Internet has proven an effective means of both sharing information and receiving feedback. Through the DLCD website the team will post a “web” version of the presentation materials from the meetings in a box. A survey will be developed and administered via the website that will allow participants to record their thoughts and preferences in a manner consistent with the feedback gathered from the other meetings.

Materials for Media. The Consultant Team will also prepare materials for use by the news media – television, radio and print – about upcoming events, Task Force recommendations, and other relevant activities. If desired, Consultant Team principals can be available for interviews with the media.

Web Site Updates. The Consultant Team will update the web site as necessary, and no less than every two weeks to ensure that the web site is available as an up to date, reliable and consistent form of information about the Task Force’s activities.

Schedule: September through November 2007
Deliverable(s): Multiple. Completed response forms and summary of responses, press releases, agendas for meetings, “Meetings in a box” materials, handouts of presentations, schedule of presentations and meetings.
Budget: $181,000

Task 4. Update/Revise Recommendations
In this task, the Consultant Team will synthesize and summarize the input gathered at meetings, through response forms, and through the web site. A summary report of this input will be prepared for the Task Force, which will contain suggested modifications, to the recommendations advanced by the Task Force.

The suggested modified recommendations and alternatives will be the primary subject discussed at the December 2007 and January 2008 Task Force meetings, and may involve interim meetings with the full Task Force, or one on one meetings between Task Force members and Consultant Team members.

Schedule: December 2007 through January 2008
Deliverable(s): Summary report of the input gathered during Task 2 events and activities, with suggested modifications to the recommendations advanced by the Task Force in Task 2.
Cost: $14,000
Task 5. Review Refined Recommendations with Stakeholder Groups
After the Task Force has approved a revised set of recommendations in the work described in Task 4, the Consultant Team will review the revised recommendations with the 10 to 15 stakeholder groups that were consulted in Task 1 in one on one meetings throughout the state.

The Consultant Team will synthesize and summarize the input gathered at these meetings, and prepare a draft final set of recommendations for review by the Task Force at its February 2008 and March 2008 meetings.

Schedule: February 2008 through March 2008
Deliverable(s): Draft final set of recommendations for Task Force review.
Cost: $28,500

Task 6. Prepare Recommendations
In this task, the Consultant Team will prepare the final set of recommendations, and prepare a corresponding document (or set of documents) that provide sufficient information for the drafting of legislation to advance these recommendations.

In addition, the Consultant Team will prepare an Executive Summary for use by the Task Force.

As the Consultant Team will begin to play a minor role between the March 2008 Task Force meeting and the end of the Part 2 contract in June 2009, they will identify roles, assignments and a schedule for the Task Force and the DLCD to complete the Part 2 public engagement and legislation processes.

Schedule: February 2008 through March 2008
Deliverable(s): Final set of recommendations and a corresponding document(s) that provides information for the drafting of legislation to advance the recommendations. An Executive Summary to accompany the recommendations will also be prepared.
Cost: $29,500

Task 7. Project Management, Administration, Coordination of Consultant Team Activities
The Consultant Team will continue provide administrative and project management services for the Task Force as well as the Consultant Team members. This includes preparing and processing monthly invoices and progress reports, keeping a filing and inventory system, maintaining ongoing communications with all related DLCD personnel, and conducting activities associated with the obligations of our prime contract with the DLCD. If Task Force members and/or DLCD staff identify additional work they wish to have completed by the Consultant Team that is outside this work program and may require resources beyond the project budget, the Consultant Team will provide a brief analysis of what would be required to complete that additional work; and/or whether the additional work could be substituted for existing activities identified in the work program. If a more comprehensive analysis is required, a change amendment may be necessary to complete that analysis.

Schedule: July 2007 through June 2009
Deliverable(s): Invoicing, progress reports, coordination activities between Consultant Team members and between the Consultant Team and the Task Force and DLCD. Other administrative activities associated with our contractual obligations.
Budget: $24,500

Task 8. Ongoing Consultant Team Support
The Consultant Team has reserved 10% of its total anticipated Part 2 budget (assumed for this work program to total $500,000) to provide advice and support to the Task Force between April 2008 and June 2009. It is not expected that the Consultant Team members – principally John Fregonese, Sorin Garber and Emily Picha – will prepare extensive analyses and/or documentation, but more advice and support with regard to the ongoing activities associated with the development of the legislative package.

**Schedule:** March 2008 through June 2009  
**Deliverable(s):** General progress reports and other documents to be determined.  
**Budget:** $50,000
Appendix H: Public Engagement Work Program -- $300,000 Budget

Memorandum

To: Big Look Task Force
From: John Parr – Principal, Big Look Task Force Consultant Team
Date: May 21, 2007
Re: Reduced Public Engagement Program

At the April 20-21, 2007 meeting of the Task Force, because of potential budget constraints, the Consulting Team was asked to develop a public engagement strategy that would not use the consultant team as much. This memo shows how this could be accomplished. This is primarily accomplished by having the Task Force members do more of the outreach and reducing the total amount of activity that is undertaken from July through December 2007.

This memorandum is drafted to convey a proposed strategy for engaging stakeholders and the public from around the State. The purpose of this engagement is straightforward: to provide the Task Force with the input needed to craft a legislative proposal for restructuring Oregon’s land use planning system.

This engagement is based on the alternatives the Task Force is developing. We are recommending that the alternatives be presented in the framework of values, goals, alternative tools, verbal scenarios and tradeoffs, as illustrated in the following diagram:

<table>
<thead>
<tr>
<th>Oregonian Values?</th>
<th>Goals: Healthy Environment, Livable Communities, Prosperous Economy, Sustainability, Fairness</th>
</tr>
</thead>
<tbody>
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<td>Alternative System 1: The Status Quo</td>
<td>Alternative System 2: Modifications to the Oregon System</td>
</tr>
<tr>
<td>Verbal Scenario of Outcomes in 2040</td>
<td>Verbal Scenario of Outcomes in 2040</td>
</tr>
<tr>
<td>Tradeoffs</td>
<td>Tradeoffs</td>
</tr>
</tbody>
</table>

| Alternative System 3: A new approach | Alternative System 4: A new approach |
| Verbal Scenario of Outcomes in 2040 | Verbal Scenario of Outcomes in 2040 |
| Tradeoffs | Tradeoffs |
Three Phase Strategy

The engagement program is designed to be conducted in three distinct phases, beginning with input from knowledgeable stakeholders, and then building momentum for engaging the public from all sections of Oregon, and conducting a campaign for reengagement in the State. The three primary components are:

1. Outreach Kickoff - In July, the Task Force will have developed a package of analyses and potential proposals. The Kickoff stage will allow the Task Force to engage with key stakeholders quickly. Those targeted would review the Task Force analyses and proposals from both technical and policy perspectives. The Kickoff stage will in essence act as a “first screening” before materials are released to the public at-large. We will work primarily in a small group setting to explain the concepts and solicit advice on how the proposals could be improved.

2. Revise Proposals - Input received during the Kickoff stage will provide the Task Force with an opportunity to modify or revise the proposed alternative systems (or their analysis) prior to any large scale public engagement effort. Working with the project team the Task Force will finalize the materials that will be used for the larger state-wide engagement and make necessary adjustments to the outreach plan itself.

3. Statewide Public Engagement - This component represents the core of the outreach effort. The intent is to bring the Task Force’s work to as large an audience as possible. In-person meetings with stakeholders to create partnerships with local champions to reach interested citizens in every corner of the State. We will use a variety of media from written reports, to pamphlet length summaries, to videos, and to web sites. We will develop methods for people to respond so that their input is recorded, and can be used and analyzed. This broad outreach will bring in thousands of people. It will allow them to evaluate the proposals in a consistent format, regardless of where the meeting is held, or who leads the discussion.

Outreach Method

The current proposal is to develop a series of alternative scenarios that can be reviewed through a range of methods, across the State. During the March 2007 meetings in Hood River, the consultant team introduced the Task Force to the thematic approach of revisiting the core values of Oregonians and how the land use program should respond to those values. As outlined in the beginning of the memo, the alternative scenarios would each represent a different method by which a range of tools could be employed for the purpose of helping Oregonians to attain or preserve that which they value most.

Participants at meetings or respondents to surveys would weigh in on the various components, from values on down to the specific tools. Using a consistent evaluation format the consulting team will work with the Task Force to lift up the most important and successful components and use them to develop an alternative approach to addressing the State’s planning needs.
The Outreach Elements
Following is a description of the many activities and techniques suggested in crafting the aggressive
engagement campaign described by this proposal.

Task 1. Outreach Kickoff – Targeted stakeholder meetings with 10-15 organizations
The purpose of the Public Engagement Kickoff is to gather input to the analyses, recommendations,
public engagement work program, and other materials the Task Force has drafted through June 30, 2007
from between 10 and 15 critical stakeholder organizations. Members of the Consultant Team will prepare
the materials needed for these meetings, but they will be led by a Task Force member. Notes will be kept
by Consultant Team staff of the comments made at these meetings, and each individual representing the
various stakeholder groups will be provided with a consistent response form with which to document their
comments.

List of Stakeholder Organizations for discussion during Kickoff Phase

| Environmental/Land Use/Conservation Groups          | 6. 1,000 Friends of Oregon |
|                                                    | 7. Oregon League of Conservation Voters |
|                                                    | 8. Oregon Environmental Council |
|                                                    | 9. League of Women Voters |
|                                                    | 10. Oregonians in Action |
| Associations                                      | 11. Oregon Tourism Board |
|                                                    | 12. Oregon Nursery Association |
|                                                    | 13. Oregon Forest Industries Council |
|                                                    | 14. Association of Oregon Counties |
|                                                    | 15. League of Oregon Cities |
|                                                    | 16. Oregon Farm Bureau |
|                                                    | 17. Oregon Bar Association |
|                                                    | 18. Forest Industries Bureau |
|                                                    | 19. Oregon Homebuilders Association |
|                                                    | 20. Oregon Association of Realtors |
| Business Associations                              | 4. Oregon Business Council |
|                                                    | 5. Oregon Business Association |
|                                                    | 6. Associated Oregon Industries |
| Other                                              | 10. University Collaborative |
|                                                    | 11. Urban Land Institute (ULI) |
|                                                    | 12. Oregon Chapter, American Planning Association |
|                                                    | 13. Oregon Transportation Commission |
|                                                    | 14. Coalition for a Livable Future |
|                                                    | 15. Oregon MPO Consortium |
|                                                    | 16. Special Districts Association |
|                                                    | 17. Area Commissions on Transportation (11) |
|                                                    | 18. Metro Council |

A potential secondary objective of Task 1 will be to establish a non-profit allied group that can receive
funds from organizations and individuals for the purpose of creating a parallel and augmented public
engagement program to the one described here. The Oregon American Planning Association has
completed research on this subject which will be reviewed under this task. With the guidance and
approval of the Task Force, the Consultant Team will assist in the establishment of this non-profit entity
through participation at meetings and preparation of information materials.
Appendix H: Public Engagement Work Program - $300,000 Budget

**Task 2. Revise Proposals**
The information collected in the response forms and in discussions from the meetings will be compiled for review with the Task Force, and changes to the original documents may be recommended by the Consultant Team. After consultation with the Task Force, a revised set of final analyses, recommendations, and public engagement work program, etc., will be developed for use in the next stage of the public engagement campaign.

**Schedule:** August 2007 through September 2007  
**Deliverable(s):** Recommended revisions to Task Force generated Analysis and Policy Recommendations and Public Engagement Work Program  
**Cost:** $5,000

**Task 3. Large Scale Public Engagement Campaign**
In Task 3, the Consultant Team will be reviewing the recommendations that emerged from Tasks 1 and 2 with a wider and more diverse audience using a variety of outreach methods. For example, the team will host both large and small meetings, will present material at conferences, will communicate to the public via the web site and newsletters, and will prepare a set of materials for Task Force members and others that will allow them to make effective and complete presentations of the recommendations to even more audiences. With each of the methods employed, participants will be asked to prepare a response form about the recommendations that they can send to the Consultant Team via the web site or postal address, and notes will be kept by a Consultant Team member of all meetings.

**Large Scale Meeting.** The engagement campaign will begin with a large scale public meeting. Through a series of presentations and interactive electronic “voting” participants will learn about and weigh in on the proposed planning systems, as well as the strategies and the tools that they would employ.

**Regional Meetings.** There would be four gatherings in different regions of the state. Consultant Team members would prepare materials and conduct the meetings. Electronic voting will be used to get gain an in-depth understanding and would solicit feedback from participants at these meetings which will be widely advertised.

For the purposes of this work program, we assume that a DLCD staff member will be available to the team with responsibility for logistics and arrangements at each venue during this task, as well as note taking and follow-up with participants at meetings.

**Continued Targeted Meetings with Stakeholder Groups.** The Consultant Team will prepare materials for Task Force members to have one on one meetings with between 10 and 15 stakeholder groups located throughout the state who were not consulted in Task 1. These groups would be identified by Task Force members and the individuals participating in the Kickoff stage of the project.

**Meetings with Civic, Business and Special Interest Groups.** This set of meetings, a maximum of 10, would also consist of one on one meetings organized by Consultant Team, but conducted by members of the Task Force and are designed to meet with groups that do not ordinarily participate in discussions about land use policy and planning.
Presentations at Conferences. The Consultant Team has identified five statewide conferences that Task Force members should make presentations at the Task Force recommendations. The Consultant Team will develop materials for these presentations. They are:

- Oregon League of Cities
- Association of Oregon Counties
- Oregon Planning Institute
- Oregon and Washington State American Planning Association joint meeting
- Urban Land Institute

Meetings in a Box. The Consultant Team will prepare a package of materials – DVDs, “talking points,” summaries, fact sheets, reports, response forms, meeting materials, etc. (these materials will be more extensive than the ones developed for the Task Force member-led meetings described above) – for use by non-Consultant Team members, including the Task Force, to expand the breadth of the public engagement effort to still other groups and individuals. Individuals that would lead meetings using these materials would be trained by Consultant Team members. For the purposes of this work program, we assume that each Task Force member could hold up to five meetings.

Materials for Media. The Consultant Team will also prepare materials for use by the news media – television, radio and print – about upcoming events, Task Force recommendations, and other relevant activities. The Consultant Team will work with Task Force members to get donated space and distribution by media companies.

Web Site Updates. The Consultant Team will update the web site as necessary, and no less than every two weeks to ensure that the web site is available as an up to date, reliable and consistent form of information about the Task Force’s activities.

Schedule: September through November 2007
Deliverable(s): Multiple. Completed response forms and summary of responses, press releases, agendas for meetings, “Meetings in a box” materials, handouts of presentations, schedule of presentations and meetings.
Budget: $112,000

Task 4. Update/Revise Recommendations
In this task, the Consultant Team will synthesize and summarize the input gathered at meetings, through response forms, and through the web site. A summary report of this input will be prepared for the Task Force, which will contain suggested modifications, to the recommendations advanced by the Task Force.

The suggested modified recommendations and alternatives will be the primary subject discussed at the December 2007 and January 2008 Task Force meetings, and may involve interim meetings with the full Task Force, or one-on-one meetings between Task Force members and Consultant Team members.

Schedule: December 2007 through January 2008
Deliverable(s): Summary report of the input gathered during Task 2 events and activities, with suggested modifications to the recommendations advanced by the Task Force in Task 2.
Cost: $14,000

Task 5. Review Refined Recommendations with Stakeholder Groups
After the Task Force has approved a revised set of recommendations in the work described in Task 4, the Consultant Team will review the revised recommendations with the 10 to 15 stakeholder groups that were consulted in Task 1 in one-on-one meetings throughout the state.

The Consultant Team will synthesize and summarize the input gathered at these meetings, and prepare a draft final set of recommendations for review by the Task Force at its February 2008 and March 2008 meetings.

**Schedule:** February 2008 through March 2008  
**Deliverable(s):** Draft final set of recommendations for Task Force review.  
**Cost:** $28,500

**Task 6. Prepare Recommendations**

In this task, the Consultant Team will prepare the final set of recommendations, and prepare a corresponding document (or set of documents) that provide sufficient information for the drafting of legislation to advance these recommendations.

In addition, the Consultant Team will prepare an Executive Summary for use by the Task Force.

As the Consultant Team will begin to play a minor role between the March 2008 Task Force meeting and the end of the Part 2 contract in June 2009, they will identify roles, assignments and a schedule for the Task Force and the DLCD to complete the Part 2 public engagement and legislation processes.

**Schedule:** February 2008 through March 2008  
**Deliverable(s):** Final set of recommendations and a corresponding document(s) that provide information for the drafting of legislation to advance the recommendations. An Executive Summary to accompany the recommendations will also be prepared.  
**Cost:** $29,500

**Task 7. Project Management, Administration and Coordination of Consultant Team Activities**

The Consultant Team will continue provide administrative and project management services for the Task Force as well as the Consultant Team members. This includes preparing and processing monthly invoices and progress reports, keeping a filing and inventory system, maintaining ongoing communications with all related DLCD personnel, and conducting activities associated with the obligations of our prime contract with the DLCD. If Task Force members and/or DLCD staff identify additional work they wish to have completed by the Consultant Team that is outside this work program and may require resources beyond the project budget, the Consultant Team will provide a brief analysis of what would be required to complete that additional work; and/or whether the additional work could be substituted for existing activities identified in the work program. If a more comprehensive analysis is required, a change amendment may be necessary to complete that analysis.

**Schedule:** July 2007 through June 2009  
**Deliverable(s):** Invoicing, progress reports, coordination activities between Consultant Team members and between the Consultant Team and the Task Force and DLCD. Other administrative activities associated with our contractual obligations.  
**Budget:** $24,500

**Task 8. Ongoing Consultant Team Support**

The Consultant Team has reserved 10% of its total anticipated Part 2 budget (assumed for this work program to total $500,000) to provide advice and support to the Task Force between April 2008 and June
2009. It is not expected that the Consultant Team members – principally John Fregonese, Sorin Garber and Emily Picha – will prepare extensive analyses and/or documentation, but more advice and support with regard to the ongoing activities associated with the development of the legislative package.

**Schedule:** March 2008 through June 2009  
**Deliverable(s):** General progress reports and other documents to be determined.  
**Budget:** $50,000