

Appendix B: State and Regional Decision Makers

State of Oregon Land Use Board of Appeals (LUBA)

Created by the legislature in 1979, the Land Use Board of Appeals (LUBA) was created to simplify the appeal process, speed resolution of land use disputes and provide consistent interpretation of state and local land use laws. LUBA has exclusive jurisdiction to review all appeals of final land use decisions of the city. This tribunal is the first of its kind in the United States.



The governor appoints the three-member board to serve four-year terms. The appointments are confirmed by the Oregon Senate. The board members must be members of the Oregon State Bar. The procedural and substantive grounds that can be used to appeal a local land use decision are set out in the Oregon Land Use Act of 1973. Appeal of a LUBA decision goes to the Oregon Court of Appeals. The Oregon Land Conservation Development Commission itself must use the LUBA process in appealing land use decisions.

Land Use Board of Appeals (LUBA)

DSL Building
775 Summer Street NE, Suite 330
Salem, OR 97301-1283
503-373-1265
www.luba.state.or.us

Metro

In 1992, voters approved the charter that largely defines Metro, the regional government for the Portland Metropolitan Area. Although Metro evolved from the Columbia Region Association of Governments in 1977 through the adoption of state legislation, much of its present authority comes from the 1992 charter approved by the public. The charter was amended by voter approval in 2000 to lower Metro's council to six Councilors elected by district and a Council President elected at large. The charter states that one of Metro's primary responsibilities is regional land use planning. Decisions control what land will be available for urban development by setting the Urban Growth Boundary (UGB) and categorizing how land will be used (industrial, employment, regional center, town center, etc.). Metro also prioritizes regional transportation system needs, which determines which projects will get federal transportation dollars.

Metro uses many advisory bodies whose members represent cities, counties, citizens and interested organizations. These include the Metro Policy Advisory Committee, Metro Technical Advisory Committee, Joint Policy Advisory Committee on Transportation, Greenspaces Advisory Committee, and others. City staff sit on most Metro advisory committees. These bodies make recommendations to the Metro Council and Metro staff. Metro provides planning direction to cities and counties in the region through Functional Plans including the Urban Growth Management

Functional Plan and the Regional Transportation Plan. These Functional Plans implement a Regional Growth Concept adopted by Metro in 1994. The Functional Plans and the Growth Concept are part of an overall Regional Framework Plan.

Metro Council decisions must be adopted by local jurisdictions. State laws and administrative decisions as well as Metro decisions must be incorporated into our city's Development Code, Engineering Standards, Comprehensive Plan, and/or zoning maps, whichever are applicable. Many updates to our city's land use codes come from these bodies.

Metro

Metro Regional Center
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1700 (information)
www.oregonmetro.gov



Land Conservation and Development Commission (LCDC)

The Land Conservation and Development Commission (LCDC) serves as a hearings board with the bulk of its technical reports coming from the Department of Land Conservation and Development (the state's planning department).



Oregon's seven-member Land Conservation and Development Commission, assisted by DLCD, adopts state land use goals, assures local plan compliance with the goals, coordinates state and local planning, and manages the coastal zone program. The Commissioners are unpaid citizen volunteers appointed by the Governor and confirmed by the Senate. Commissioners are appointed to four-year terms and may not serve for more than two consecutive terms. The statute establishing the Commission, Oregon Revised Statute (ORS) 197, also directs that they be representative of the state. The LCDC meets about every six weeks to direct the work of the Department of Land Conservation and Development (DLCD).

Land Conservation and Development Commission (LCDC)

635 Capitol St. NE, Suite 150
Salem, OR 97301-2540
503-373-0050
www.lcd.state.or.us