

RESOLUTION NO. 1096

A RESOLUTION APPOINTING REPRESENTATIVES TO THE WEST LINN/WILSONVILLE INTERGOVERNMENTAL COORDINATING COMMITTEE.

WHEREAS, the City of West Linn, City of Wilsonville, Clackamas County and West Linn/Wilsonville School District have entered into an intergovernmental agreement for long-range school facilities planning, and

WHEREAS, implementing the agreement will require close coordination and oversight by the participating jurisdictions, and

WHEREAS, the need for a coordinating committee is evident in order for various tasks identified in the proposed work plan to be accomplished in a timely manner, as required by state law, and

WHEREAS, the coordinating committee will facilitate and guide the work program and serve in an advisory role to the participating jurisdictions on matters relating to the agreement,

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

- A. The City Council appoints Mayor Jerry Krummel to act as its elected representative on the Coordinating Committee;
- B. The City Council appoints City Manager Arlene Loble to act as its management representative on the Coordinating Committee.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 7th day of March, 1994, and filed with the Wilsonville City Recorder this same date.


GERALD A. KRUMMEL, Mayor

ATTEST:


VERA A. ROJAS, CMC/AE, City Recorder

SUMMARY of Votes:

Mayor Krummel	<u>AYE</u>
Councilor Benson	<u>AYE</u>
Councilor Hawkins	<u>AYE</u>
Councilor Lehan	<u>AYE</u>
Councilor Sempert	<u>AYE</u>

B-Engrossed
Senate Bill 908

Ordered by the House July 15
Including Senate Amendments dated June 7 and House Amendments
dated July 15

Sponsored by COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES (at the request of Beaverton School District)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires school facility plan in comprehensive plan for certain high growth districts. Defines terms.

A BILL FOR AN ACT

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Relating to planning for schools; creating new provisions; and amending ORS 197.015.

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

SECTION 1. Section 2 of this Act is added to and made a part of ORS chapter 197.

SECTION 2. (1)(a) A county or city containing a high growth school district shall include as an element of its comprehensive plan a school facility plan prepared by the high growth district in cooperation with the city or county.

(b) A county or city containing a high growth area shall initiate planning activities with a school district to accomplish planning as required under ORS 197.185.

(c) The provisions of paragraph (a) of this subsection do not apply to a city that contains less than 10 percent of the total population of a high growth school district.

(2) As used in this section, "high growth school district" means any school district that has an enrollment of over 5,000 students and had an increase in student enrollment of six percent or more during the three most recent school years, based on certified enrollment numbers submitted to the Department of Education during the first quarter of each new school year.

(3) The school facility plan shall identify school facility needs based on population growth projections and land use designations contained in the city or county comprehensive plan. The plan shall be updated during periodic review and may be updated more frequently by mutual agreement between the school district and the county or city.

(4) In the school facility plan, a high growth school district shall assess the capacity of school facilities on the basis of objective criteria that are formally approved by the school board. In an agreement under ORS 197.185, the school district and the city or county shall agree, to the greatest extent possible, on the criteria for the capacity of school facilities. After a school district formally adopts criteria for the capacity of school facilities, a county or city shall accept those criteria as its own for purposes of evaluating applications for a comprehensive plan amendment or for a residential land use regulation amendment. A city or county shall provide notice to an affected school district when considering a plan or land

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be amended. New sections are in boldfaced type.

1 use regulation amendment that significantly impacts school capacity.

2 (5) The school facility plan shall provide for the integration of existing city or county land
3 dedication requirements with the needs of the school district.

4 (6) Any school district not defined as high growth in subsection (2) of this section may
5 adopt a plan for school facilities as set forth in this section, subject to cooperation with the
6 affected cities or counties.

7 (7) The school facility plan shall include but need not be limited to the following elements:

8 (a) Population projections by school age group;

9 (b) Identification by both the city or county and the school district of desirable school
10 sites;

11 (c) Physical improvements needed to bring existing schools up to the school district's
12 minimum standards;

13 (d) Financial plans to meet school facility needs;

14 (e) An analysis of the alternatives to new school construction and major renovation;

15 (f) Five-year capital improvement plans; and

16 (g) Site acquisition schedules and programs.

17 (8) The capacity of a school facility shall not be the basis for a development moratorium
18 under ORS 197.505 to 197.540.

19 (9) This 1993 Act does not confer any power to a school district to declare a building
20 moratorium.

21 SECTION 3. Initial planning required under section 2 of this Act shall be completed no
22 later than December 31, 1995, except in cases in which the Department of Land Conservation
23 and Development has provided funding to a local school district and a city or a county prior
24 to the effective date of this Act for purposes of engaging in school facility planning, in which
25 case a cooperative plan must be in effect no later than December 31, 1994.

26 SECTION 4. ORS 197.015 is amended to read:

27 197.015. As used in ORS chapters 196 and 197, unless the context requires otherwise:

28 (1) "Acknowledgment" means a commission order that certifies that a comprehensive plan and
29 land use regulations, land use regulation or plan or regulation amendment complies with the goals.

30 (2) "Board" means the Land Use Board of Appeals or any member thereof.

31 (3) "Commission" means the Land Conservation and Development Commission.

32 (4) "Committee" means the Joint Legislative Committee on Land Use.

33 (5) "Comprehensive plan" means a generalized, coordinated land use map and policy statement
34 of the governing body of a local government that interrelates all functional and natural systems and
35 activities relating to the use of lands, including but not limited to sewer and water systems, trans-
36 portation systems, educational facilities, recreational facilities, and natural resources and air and
37 water quality management programs. "Comprehensive" means all-inclusive, both in terms of the
38 geographic area covered and functional and natural activities and systems occurring in the area
39 covered by the plan. "General nature" means a summary of policies and proposals in broad catego-
40 ries and does not necessarily indicate specific locations of any area, activity or use. A plan is "co-
41 ordinated" when the needs of all levels of governments, semipublic and private agencies and the
42 citizens of Oregon have been considered and accommodated as much as possible. "Land" includes
43 water, both surface and subsurface, and the air.

44 (6) "Department" means the Department of Land Conservation and Development.

45 (7) "Director" means the Director of the Department of Land Conservation and Development.

1 (8) "Goals" means the mandatory statewide planning standards adopted by the commission pur-
2 suant to ORS chapters 196 and 197.

3 (9) "Guidelines" means suggested approaches designed to aid cities and counties in preparation,
4 adoption and implementation of comprehensive plans in compliance with goals and to aid state
5 agencies and special districts in the preparation, adoption and implementation of plans, programs
6 and regulations in compliance with goals. Guidelines shall be advisory and shall not limit state
7 agencies, cities, counties and special districts to a single approach.

8 (10) "Land use decision":

9 (a) Includes:

10 (A) A final decision or determination made by a local government or special district that con-
11 cerns the adoption, amendment or application of:

12 (i) The goals;

13 (ii) A comprehensive plan provision;

14 (iii) A land use regulation; or

15 (iv) A new land use regulation; or

16 (B) A final decision or determination of a state agency other than the commission with respect
17 to which the agency is required to apply the goals; [and]

18 (b) Does not include a decision of a local government:

19 (A) Which is made under land use standards which do not require interpretation or the exercise
20 of policy or legal judgment;

21 (B) Which approves or denies a building permit issued under clear and objective land use stan-
22 dards;

23 (C) Which is a limited land use decision; or

24 (D) Which determines final engineering design, construction, operation, maintenance, repair or
25 preservation of a transportation facility which is otherwise authorized by and consistent with the
26 comprehensive plan and land use regulations; and [.]

27 (c) Does not include a decision by a school district to close a school.

28 (11) "Land use regulation" means any local government zoning ordinance, land division ordi-
29 nance adopted under ORS 92.044 or 92.046 or similar general ordinance establishing standards for
30 implementing a comprehensive plan.

31 (12) "Limited land use decision" is a final decision or determination made by a local government
32 pertaining to a site within an urban growth boundary which concerns:

33 (a) The approval or denial of a subdivision or partition, as described in ORS chapter 92.

34 (b) The approval or denial of an application based on discretionary standards designed to regu-
35 late the physical characteristics of a use permitted outright, including but not limited to site review
36 and design review.

37 (13) "Local government" means any city, county or metropolitan service district formed under
38 ORS chapter 268 or an association of local governments performing land use planning functions
39 under ORS 197.190.

40 (14) "New land use regulation" means a land use regulation other than an amendment to an
41 acknowledged land use regulation adopted by a local government that already has a comprehensive
42 plan and land regulations acknowledged under ORS 197.251.

43 (15) "Person" means any individual, partnership, corporation, association, governmental subdi-
44 vision or agency or public or private organization of any kind. The Land Conservation and Devel-
45 opment Commission or its designee is considered a person for purposes of appeal under ORS chapter

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2 (16) "Special district" means any unit of local government, other than a city, county, metropol-
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7 school districts, hospital districts, mass transit districts and sanitary districts.

8 (17) "Voluntary association of local governments" means a regional planning agency in this
9 state officially designated by the Governor pursuant to the federal Office of Management and Budget
10 Circular A-95 as a regional clearinghouse.

11 (18) "Wetlands" means those areas that are inundated or saturated by surface or ground water
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IGA COORDINATING COMMITTEE--REVISED WORK PLAN 1/28/94

Task	IGA element	SB 908 element	Jan 94	Feb 94	Mar 94	Apr 94	May 94	Jun 94	Jul 94	Aug 94	Sep 94	Oct 94	Nov 94	Dec 94	Jan 95	Agency responsible
Joint implementation responsibility for IGA	Sec. 11, p 20 & 21.		Done													Coordinating Committee
Designate staff contacts for IGA	Sec. 13, p. 21		Done													District, Cities, County
Establish joint facilities policy committee	Sec. 10, p. 20															Coordinating Committee
Provide notice to district of land-use application	Sec. 7 E 3, p 15		Done													City & County
Obtain land-use/dev. planning expertise	Sec. 2 A, B, & C, p. 6		Done													W.L.W. School District
User fees for use of school facilities	Sec. 5 A., p. 10		Done													W.L.W. School District
Develop school facility plan (also per SB 908)	Sec. 2, p. 4	Sec. 2 (1)(a), p. 1														W.L.W. School District
Establish/adopt school capacity standards	Sec. 7 A-D, pp. 12 & 13	Sec. 2 (4), p. 1														District, Cities, County
Integrate city/county land dedication requirements		Sec. 2 (5), p. 2														W.L.W. School District
Population projections by school age group		Sec. 2 (7)(a), p. 2														W.L.W. School District
Identify desirable school sites		Sec. 2 (7)(b), p. 2														W.L.W. School District
Land area assessment/acquisition	Sec. 2 A, p. 4															W.L.W. School District
Needed improvements to existing schools		Sec. 2 (7)(c), p. 2														W.L.W. School District
Financial plans to meet school facility needs		Sec. 2 (7)(d), p. 2														W.L.W. School District
Analysis of alternatives to construction/renovation		Sec. 2 (7)(e), p. 2														W.L.W. School District
Five-year capital improvement plan		Sec. 2 (7)(f), p. 2														W.L.W. School District
Site acquisition schedule/program		Sec. 2 (7)(g), p. 2														W.L.W. School District
Facility type and size	Sec. 2 B, p. 5															W.L.W. School District
Timing of need	Sec. 2 C, p. 5															W.L.W. School District
Location of needed facilities	Sec. 2 D, p. 5															W.L.W. School District
Annual evaluation of capacity options	Sec. 7 G, p. 18															W.L.W. School District
Evaluate optimum use of school facilities	Sec. 10, p. 20															W.L.W. School District
Adopt school facility plan in comp plan	Sec. 2, p. 5															Cities & County
Amend dev code & comp plan re/ schools as infrastructure, acknowledge relationship	Sec. 7 D, p. 13															Cities & County
of development on school enrollment; describe responsibilities for school facility planning	Sec. 7 H, p 18															Cities & County
Develop/adopt locational criteria	Sec. 3, p.6															City of West Linn
Create school overlay zone	Sec. 3, p.6															City of West Linn
Apply school overlay zone	Sec. 3, p.6															City of West Linn
Feasibility of school financing mechanisms	Sec. 5, pp. 8-10															District, Cities, County
School site acquisition methods	Sec. 4, p. 7															District, Cities, County
Code compliance plan for existing schools	Sec. 4, pp. 7 & 8															District, Cities, County
Eval tax incr financing/Tanner Basin	Sec. 5, p. 10															District, Cities, County
Joint advocacy--school funding	Sec. 5, p. 8															District, Cities, County
Joint site acquisition strategies	Sec. 6 A-G, pp. 11 & 12															District, Cities, County
Report re/ dev. impact on school capacity	Sec. 7 E 4, p 15															W.L.W. School District
Share information on funding measures	Sec. 5 B, p. 10															District, Cities, County
Informational mailers	Sec. 5 C, p. 11		Ongoing, as needed													District, Cities, County

SCHOOL FACILITIES PLAN

TASKS

FEB. 94 MARCH 94 APRIL 94 MAY 94 JUNE 94 JULY 94 AUG. 94 SEPT. 94 OCT. 94 NOV. 94 DEC. 94

	FEB. 94	MARCH 94	APRIL 94	MAY 94	JUNE 94	JULY 94	AUG. 94	SEPT. 94	OCT. 94	NOV. 94	DEC. 94
1. Population projections by school age group	—————										
2A. Annual evaluation of capacity options		—————									
2B. Establish/adopt school capacity standards		—————									
3A. Analysis of alternatives to const./major renovation	—————										
3B. Needed improvements to existing schools	—————										
3C. Evaluate optimum use of school facilities	—————										
4A. Facility type and size				—————							
4B. Timing of need				—————							
4C. Location of needed facilities	—————										
4D. Identify desirable school sites	—————										
4E. Site acquisition schedule/program	—————										
5A. Financial plans to meet school facility needs					—————						
5B. Five-year capital improvement plan	—————										
6. Integrate city/county land dedication requirements							—————				
7. Adopt school facility plan in comp plan								—————			
8. Amend dev. code & comp plan re/schools as infrastructure, acknowledge relationship of development on school facility planning								—————			
9. Land area assessment/acquisition	—————										