

DEPARTMENT OF LAND
CONSERVATION & DEVELOPMENT

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LAND USE COORDINATION PROGRAM
of the
Economic Development Commission
and the
Economic Development Department
Adopted May 22, 1990

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Oregon Economic Development Department
775 Summer Street NE
Salem, Oregon 97310
(503) 373-1200

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I. OVERVIEW

SUMMARY

The Economic Development Commission (EDC) and the Economic Development Department (OEDD) are advocates for an adequate supply of development ready industrial land without environmental constraints (wetlands, etc.) which have services or which are serviceable (infrastructure). Under the Land Conservation and Development Commission (LCDC) Goal 9 and 11 rules, these objectives are to be achieved primarily during the periodic review of city and county plans and the preparation of public facility plans by cities with a population of 2500 or more.

State law (ORS 197.180) and LCDC rules (OAR Chapter 660, Division 30) require each state agency to prepare a coordination program for review and certification by LCDC by December 31, 1990. The purpose of state agency coordination programs is to assure that state agency programs which affect land use comply with LCDC's statewide planning goals and are compatible with acknowledged city and county comprehensive plans and land use regulations.

Many EDC/OEDD financial assistance programs affect land use. A loan to a business may be used for construction of new or expanded facilities. Such construction may require zoning, building, environmental and other permits. A loan or grant to a city, county, port, tribe or special district for infrastructure, buildings or other facilities is subject to similar regulatory requirements. Funding for infrastructure in particular may allow development that would not otherwise occur. The recipient of EDC/OEDD funds is responsible for complying with any applicable local, state or federal regulatory requirements.

EDC financial assistance programs that affect land use include:

- Business Development Fund,
- Composite Revenue Bond Program,
- Industrial Development Revenue Bond Program, and
- Port Revolving Fund.

The other EDC program that affects land use is Ports Planning under ORS 777.835. Two LCDC statewide planning goals make specific reference to this activity: Goal 16 - Estuarine Resources and Goal 19 - Ocean Resources.

OEDD financial assistance programs that affect land use include:

- Community Facilities Grant Program,
- Community Development Block Grant Program,
- County Fairs and Special Events Program,
- Regional Strategies Program,
- Special Public Works Fund,
- Strategic Reserve Fund,
- Tourism Museum Grants, and
- Tourism Matching Grants.

Other OEDD programs that affect land use include:

Tourist Information Centers are leased from ODOT, located in facilities operated by other organizations, and one is owned by OEDD and located on land leased from the US Corps of Engineers. Leased facilities are not subject to this coordination program; those owned by OEDD are.

Enterprise Zone Program -- Under ORS 284.185, the boundaries of a zone may be amended at the request of the sponsors and upon order of the Governor; land use safeguards are incorporated into the law; OEDD's administrative procedures under the 1989 law will be written to satisfy the requirements of this coordination program. Under ORS 284.195, the Governor may designate a new zone if an existing zone is terminated; the earliest that this may happen is 1992; OEDD will adopt rules prior to the designation of any new zones; such rules will be subject to this coordination program.

EDC/OEDD programs that do not affect land use include:

Small Business Development Centers
Regulatory Assistance
Technical & Site Selection Assistance For Industry
Statewide Industrial Property Inventory
One Stop Project Permit Process
Oregon Capital Access Fund
JOBS Program
Job Training Partnership Act
Economic Dislocation & Worker Adjustment Assistance
First Source Hiring Agreements
Emergency Economic Assistance
Employe Ownership Opportunity
Transition Communities Program
Competitive Communities Program
Industrial Retention Service
Targeted Training Program
Workplace Training For Key Industries
Ports Emergency Assistance
Port Planning & Marketing Grants
Film & Video Program
Tourism Marketing & Development, and
International Trade Program.

The existing coordination program of EDC/OEDD was approved on August 18, 1978. EDC/OEDD will consider their current program to be rescinded upon certification of this revised program by LCDC.

LAND USE COORDINATION PROGRAM

This land use coordination program includes:

A summary of EDC/OEDD programs.

A determination of which programs affect land use.

Rules and procedures to assure that actions under these programs will comply with LCDC's Statewide Planning Goals and will be compatible with city and county comprehensive plans and land use regulations.

OEDD coordination activities with other state agencies, federal agencies and special districts.

A description of OEDD's program for coordination with other state agencies on funding of transportation, water supply, sewage and solid waste facilities and with the public facility plans of cities and counties under ORS 197.712(2)(f).

OEDD's program for coordination with and technical assistance to local governments including assistance on planning and zoning for the special needs of various industrial and commercial uses, developing public facility plans, and streamlining local permit procedures under ORS 197.717(1) as well as providing state and national trend information to cities and counties for periodic review under ORS 197.717(2).

PERSPECTIVE

An important part of comprehensive "land use" planning by cities and counties is intergovernmental coordination. The statewide planning goals adopted by the Land Conservation and Development Commission (LCDC) provide the framework for local plans. In "Oregon Land Use Planning, Local Planning Digest" (Bureau of Governmental Research and Service, University of Oregon, November 1984, page 20) the nineteen statewide land use planning goals are grouped into three categories:

Process Goals, which ensure citizen participation and set forth basic procedures for local planning and development regulations (Goals 1 and 2).

Development Goals, which address the interrelated factors of the economy, housing, public facilities, transportation, energy, and urbanization (Goals 9-14).

Conservation Goals, which address the preservation of natural resources of various types:

Rural resources, relating to agriculture and forest (Goals 3 & 4).

Coastal resources, including estuaries, shorelines, beaches and dunes, and the ocean itself (Goals 16-19).

Resource management, providing for environmental quality; recreation areas; scenic, historic, and natural resource areas; and management of natural hazards (Goals 5-8).
Willamette River Greenway, recognizing the special characteristics of, and demands on, this major waterway (Goal 15).

Under ORS 184.010, the Economic Development Department, with the advice of the Economic Development Commission, is directed to establish a comprehensive policy for balanced economic and community development and create a program to carry out the policy. In "Oregon Shines, An Economic Strategy for the Pacific Century, Summary", May 1989, one of the three key strategies is:

An Attractive Quality of Life. Maintain Oregon's natural environment and uncongested quality of life to attract the people and firms that will drive an advanced economy. (pg 1)

... the broad consensus within the state about the importance of urban planning and environmental planning has created a regulatory environment that anticipates problems, and constructively solves them. While any regulatory system generates controversy and a certain amount of dissatisfaction, the fact that Oregon plans in advance how land will be used reduces uncertainty for businesses that want to expand here or come here. (page 25)

Because infrastructure and basic government services are important to economic growth, identifying steps to maintain Oregon's infrastructure is a crucial part of the State's strategic plan. We need to assess needs and develop a rational way to invest to reap the largest economic payoff. (page 30)

ECONOMIC DEVELOPMENT COMMISSION

The Economic Development Commission (EDC) is established under ORS 184.006. Its duties are given under ORS 184.004 and 184.008. Under Chapter 908, Oregon Laws 1989, the Commission is to be abolished on July 1, 1993; some functions are to be transferred to the EDC Finance Committee (see below), others to the Department.

Under ORS 184.008(5), the Commission advises the Governor and the Department on means of improving liaison with economic development efforts of communities.

The EDC Finance Committee is established under ORS 280.255. The Committee advises the Commission on applications to the Industrial Development Revenue Bond Program and the Umbrella Revenue Bond Program. The Commission has delegated approval authority to the Committee for the Business Development Loan Program and the Port Revolving Fund.

The Commission is also responsible for approving funding from the Employee Ownership Opportunity Act, approving loans for Port Emergency Assistance, and approval of new ports.

Please note that the Commission is responsible for the programs given above, its duties do not include oversight of the other programs administered by the Department.

ECONOMIC DEVELOPMENT DEPARTMENT

The Department, created by the 1973 Legislative Assembly, is a cabinet level agency directly accountable to the Governor. It is responsible for helping to maintain and promote the vitality of Oregon business and for assisting in the creation of jobs for Oregonians. The Department's budget includes state general funds, lottery funds, revenues (fees and interest), and federal funds.

The Department is created under ORS 184.125. Its duties are given in ORS 184.004 and 184.160. The organization of the Department is briefly described below.

The Director's Office includes Public Affairs, Marketing Services, the Small Business Program and Oregon Progress Board Administration. The Administrative Services Division includes Personnel, Fiscal Services, Information Systems and Office Management.

The Business Development Division includes the International and Regional Business Development Officers (RBDO's), the Industrial Property Site Inventory Service and the Enterprise Zone Program. RBDO offices are located in Bend, Eugene, La Grande, Medford, Portland and Tillamook.

The Business Resources Division includes Business Finance, Community Development and Job Training Partnership Act (JTPA) Administration.

The Partnership, Policy and Planning Division includes Regional Strategies, Community Initiatives, Policy & Research, and Workforce Development.

The Tourism Division is created under ORS 360.055. It includes the Film & Video Section. Welcome centers are located in Astoria, Brookings, Klamath Falls, Lakeview, Ontario, Portland, Seaside, Siskiyou, and Umatilla.

The International Trade Division is located in Portland. The Division also has offices in Japan, South Korea and Taiwan.

The Ports Division is continued under ORS 777.810. It is located in Portland. Under ORS 184.165, the Department is designated as the state agency to apply for financial assistance involving federal port programs. The Division works with 23 Port Districts; 14 ports are located on the coast and 9 ports are located on the Columbia River.

COORDINATION

The Department has the following public sector coordination responsibilities:

Under ORS 184.010(2)(b), OEDD is required to provide a center of coordination and a clearinghouse for research, planning, programming, basic data, public information and reports.

Under ORS 184.010(2)(g), OEDD is required to recommend biennially corrective legislation needed to overcome obstacles to economic development including conflicting regulatory programs of state agencies.

Under ORS 184.160(6), OEDD is required to coordinate state and federal economic development programs.

Under ORS 197.712(2)(f), OEDD is required to coordinate with other state agencies on funding of transportation, water supply, sewage and solid waste facilities and with the public facility plans of cities and counties.

Under ORS 280.725(2), OEDD is the lead agency of the state economic advisory team.

Under ORS 284.035(2), OEDD coordinates adopted regional strategies with existing state and local economic development efforts to support a state strategy for economic development.

Under ORS 284.815(2)(d), OEDD is required to prepare an annual report on work completed related to the "one stop" project permit process. The report may include suggestions for legislation to simplify, consolidate and combine state regulatory activities.

Under ORS 777.835, the Economic Development Commission, through the OEDD Ports Division, is the statewide coordinating, planning and research agency for all ports... and for port activities involving international trade and industrial, commercial and recreational development.

TECHNICAL ASSISTANCE

The Department has the following public sector technical assistance responsibilities:

Under ORS 184.010(2)(d), OEDD is required to provide development planning assistance to local governments.

Under ORS 184.160(2)(a), OEDD's field representatives (regional business development officers -- RBDO's) are required to assist local governments to establish and carry out economic development plans and programs under ORS 280.500.

Under ORS 184.160(10), OEDD is required to assist communities with economic development planning and applications for federal development grants.

Under ORS 184.225(3)(a)(C), OEDD is required to allocate funds from the Economic Stabilization & Conversion Fund to assist distressed communities (plant closures, etc).

Under ORS 197.717(1), OEDD is required to provide technical assistance to local governments on planning and zoning for the special needs of various industrial and commercial uses, developing public facility plans, and streamlining local permit procedures.

Under ORS 197.717(2), OEDD is required to provide state and national trend information to cities and counties for periodic review of their comprehensive plans.

Under ORS 280.725(2), OEDD is the coordinator of the state's response to an economic emergency assistance request.

Under ORS 284.145(2), OEDD is required to assist sponsors of enterprise zones in their efforts to retain, expand, start or recruit eligible business firms.

COUNCILS, BOARDS, GROUPS, TASK FORCES & COMMITTEES

The Department provides staff support to the Economic Development Commission (EDC) and EDC's Finance Committee. The Department also works with the:

Oregon Progress Board (Chapter 908, Oregon Laws 1989; sunsets July 1, 1991) and its advisory committees,

Oregon State Job Training Coordinating Council (ORS 184.285),

Small Business Development Center Advisory Council (ORS 341.803),

State Agency Work Force Advisory Council (ORS 344.315),

Oregon Tourism Council (ORS 360.025), and

Oregon Port Planning & Development Advisory Committee (Chapter 607, Oregon Laws 1987; sunsets July 11, 1991).

The Department has representatives on or appoints a member to:

Strategic Water Management Group (ORS 536.100);

Ocean Resources Management Task Force (ORS 196.445);

ODOT Historic Columbia River Highway Advisory Committee (ORS 366.553),
OEDD Tourism Division;

Habitat Conservation Trust Board (ORS 468.666), Oregon Tourism Council;
Outdoor Recreation Council (EO-89-10), OEDD Tourism Division;
Occupational Information Coordinating Committee (EO-90-08);
Field Burning Advisory Committee (ORS 468.495); and
State Agency Council for Growth Issues in Portland (EO-90-10).

Advisory committees to the Department include:

Film and Video Strategy Board,
Community Development Advisory Committee (EO-89-15),
Oregon China Commission (EO-86-05),
Wood Products Marketing Advisory Committee,
Oregon-Korea Economic Cooperation Committee,
Small Business Program Advisory Committee,
State Agency Business Assistance Officers,
Competitive Community Program Advisory Committee, and
Community Economic Stabilization Corporation of Oregon.

II. COMMISSION & DEPARTMENT PROGRAMS

Many EDC/OEDD financial assistance programs affect land use. A loan to a business may be used for construction of new or expanded facilities. Such construction may require zoning, building, environmental and other permits. A loan or grant to a city, county, port, tribe or special district for infrastructure, buildings or other facilities is subject to similar regulatory requirements. Funding for infrastructure in particular may allow development that would not otherwise occur. The recipient of EDC/OEDD funds is responsible for complying with any applicable local, state or federal regulatory requirements.

A. COMMISSION PROGRAMS THAT AFFECT LAND USE

Industrial Development Revenue Bond (IDRB) Program

The IDRB program issues tax exempt industrial development revenue bonds for qualifying manufacturing facilities in Oregon. A major program goal is the creation of jobs through the financing of start-up or expansion projects. Revenue bonds are long-term and offer the possibility of 100 percent financing. The key feature of these bonds is their tax-exempt status: if qualified, interest paid is exempt from federal and, in some cases, state personal income tax. This lowers the overall cost of capital.

This program also includes the "Oregon Composite Revenue Bond Program" which provides the capability to pool several smaller industrial development revenue bond projects into one issue. The program reduces bond issuance costs and provides lower cost, longer term financing. As with the IDRB program, this program provides financing for manufacturing facilities in Oregon.

Lead: Business Finance Section
ORS: 280.310-280.397 OAR: 123-11
Document: IDRB Program Description
Benefit: Since 1976, 128 IDRB's (excluding refundings) have been issued for 125 companies totalling \$374.5 million and creating about 8000 new jobs and saving an 2680 jobs.

Business Development Fund (OBDF)

The Oregon Business Development Fund is a statewide revolving loan fund designed to help smaller businesses expand. The OBDF offers basic-sector businesses direct loans with fixed rate, longer term, subordinate financing. Loans are limited to 40 percent of total project cost, to a maximum of \$250,000.

Lead: Business Finance Section
ORS: 280.520-280.585 OAR: 123-17
Document: OBDF Program Description
Benefit: Since 1983, 134 OBDF loans have been approved totalling almost \$11 million for projects which created about 1700 new jobs and saving an additional 260 jobs.

Port Revolving Fund

This program provides ports with long-term loans of up to \$500,000 at below-market interest rates. Only the 23 legally-formed Port Districts can apply, but Ports can use these funds to finance eligible commercial or industrial development projects located within port district boundaries.

Lead: Ports Division
ORS: 777.850-777.910 OAR: 123-30
Document: Program description
Benefits: Since 1977, 72 projects have been funded for \$13.3 million.

Port Formation

No port or port authority may be formed without the prior approval of the Economic Development Commission.

Lead: Ports Division
ORS: 777.835(2) OAR: 123-20
Benefits: n/a

B. DEPARTMENT PROGRAMS THAT AFFECT LAND USE

Community Development Block Grant (OCDBG) Program

The OCDBG program provides grants of up to \$500,000 to eligible non-metropolitan cities and counties for community development projects which primarily benefit low and moderate income persons. Projects are funded in each of several categories including Public Works (infrastructure), Housing, Community Facilities, Economic Development, Imminent Threat, and Technical Assistance. Technical Assistance grants are limited to jurisdictions with less than 3,000 population and may not exceed \$20,000.

Lead: Community Development Section
ORS: 184.125 & 280.513 OAR: 123-80
Document: Applicant's Handbook and Grant Management Handbook
Benefits: Since 1983 over \$70.4 million has been awarded to 172 rural cities and counties for 370 different projects.

County Fairs and Special Events Grant Program

Through this program, OEDD awards lottery-funded grants to county fair and special event organizations for small capital projects. The purpose of the program is to develop and improve the economies of communities throughout the state by means of the improvement, expansion, and new construction of facilities at county fairs and special events. "Special Events" are those entities listed in ORS 462.280(1)(e to o).

Lead: Community Development Section
ORS: Chapter 937, Oregon Laws 1989, sunsets June 30, 1991
OAR: 123-50
Document: Applicant's Handbook and Grant Management Handbook
Benefits: Since 1985, a total of \$912,358 in lottery funds have been awarded to 17 recipients. Up to \$400,000 will be available for the biennium 1989-1991, depending on quarterly lottery receipts.

Community Facilities Grant Program

Established by the 1989 Legislature, this program offers grants to eligible municipalities for the acquisition, construction, alteration or rehabilitation of community facilities which provide educational, commercial, recreational, cultural, social or similar services.

Lead: Community Development Section
ORS: Chapter 937, Oregon Laws 1989, sunsets June 30, 1991
OAR: 123-75
Document: Applicant's Handbook and Grant Management Handbook
Benefits: Two grants for a total of \$799,000 made to date.

Enterprise Zone Program

Thirty enterprise zones have been established in economically lagging areas to stimulate business investment. The primary benefit to a firm locating or expanding in an enterprise zone is property tax relief. Qualifying property of qualifying firms is fully exempt from property taxes for three years. As an additional incentive, state and local government land within an enterprise zone that is not already reserved for some public use is available at fair market value for sale or lease. Individual enterprise zones may offer further incentives. The program is jointly administered with the Department of Revenue.

Lead: Business Development Division
ORS: 284.115-284.285 OAR: n/a
Document: 1990 Enterprise Zone Booklet
Benefit: For 1986-1990, 84 companies in 27 zones in 18 counties have received property tax exemptions on \$262 million of eligible property and have created over 3281 new jobs.

Regional Strategies Program

The program requires all counties -- alone or in partnership with neighboring counties -- to develop a 3-5 year economic development plan around a single industry or economic activity which capitalizes on leverage and job creation opportunities in a region; is self-sustaining; and has long-term growth prospects. The plan referred to as a "strategy" includes a list of projects which support the goals of the strategy and which the region has identified as priorities for state financial or technical assistance. These "short list" projects are part of the region's application for lottery funds which is submitted to the Department for funding consideration. All affected state and federal agencies are involved in reviewing the strategies.

Lead: Regional Strategies Section
ORS: 284.010-284.050 & 284.060 OAR: 123-44
Document: Regional Strategies Program 1989-1991 Handbook
Benefits: In 1987-89, \$25 million was distributed to 15 regions including all 36 counties to assist in the creation of more than 15,000 jobs in the next 3 to 5 years; 1987-89 total leverage was \$228 million. In 1989-1991, another \$22.4 million will be distributed.

Special Public Works Fund (SPWF)

The SPWF program provides Oregon Lottery funds for construction of publicly-owned infrastructure (sewer, water, etc.) necessary to support business development projects resulting in the creation or retention of permanent jobs. Eligible applicants include cities, counties, ports, water districts, metropolitan services districts and federally-recognized Indian tribes. Funds are provided in the form of grants and low-interest loans. The maximum award per project is \$1,000,000. At least one permanent, full-time job must be created or retained for every \$20,000 of SPWF assistance. Technical assistance grants of up to \$10,000 are available for municipalities with populations of less than 5,000.

Lead: Community Development Section
ORS: 284.310 to 284.530 OAR: 123-42
Document: Applicant's Handbook and Grant Management Handbook
Benefits: Since the program began in 1985, 101 awards have been made totalling \$30.4 million. Those funds leveraged another \$65 million in other local and private funds.

Strategic Reserve

Lottery funds for projects that are expected to result in new jobs, retention of jobs, or higher incomes. Assistance for individual companies that result in a significant long-term economic impact on the county in which they are or will be located. Projects of state-wide or regional significance which are believed to be a foundation or catalyst for future economic development.

Lead: Director's Office
ORS: 284.055 OAR: 123-90
Benefit: Since 1987, \$21.4 million has been provided for 53 projects.

Tourist Information Centers

The division operates ten Welcome Centers at border locations. Five facilities are leased from the Oregon Department of Transportation (Brookings, Siskiyou, Klamath, Ontario, and Jantzen Beach). Four are located in facilities operated by chambers of commerce or tourism associations (Astoria, Seaside, Lakeview, and Maryhill in Goldendale, WA). The division is constructing a new center in Umatilla on land leased from the US Army Corps of Engineers. With the exception of Astoria, Seaside, and Jantzen Beach, the centers are open from May 1 through October 31 each year. Maryhill and Umatilla are both joint Oregon-Washington centers.

Lead: Tourism Division
ORS: 360.075, 377.785 OAR: n/a
Benefit: Approximately 500,000 visitors served each season.

Tourism Grants

The division funds the Museum Grants Program, which awards small grants to most of Oregon's regional museums. Administered by the Oregon Historical Society, the program fund was increased for the first time since its inception in the mid-1960's from \$54,000 per biennium to the current \$75,000 this biennium (1989-1991). The division also administers a Matching Fund Program that awards funds to nonprofit organizations in Oregon for tourism marketing and development programs. Funds were used

for such activities as brochure development, videos, marketing campaigns, building renovation, visitor center projects, research, and special event promotion.

Lead: Tourism Division
ORS: 358.730 OAR: n/a
Benefits: 72 museum grants were made in 1989; 61 matching grants for a total of \$225,000 were made in 1987-1990.

C. EDC/OEDD PROGRAMS THAT DO NOT AFFECT LAND USE

EDC/OEDD educational, marketing, technical assistance, funds for technical analysis, and other services do not "affect land use". For the definition of "affecting land use", please see LCDC's administrative rule -- OAR 660-30-005(2).

Small Business Development Centers

There are 21 service centers in the network; most of them are associated with community colleges. Services include counseling, training, information resources, international trade, technology transfer, government contract acquisition and publications.

Lead: Small Business Program, Director's Office
ORS: 341.785-341.818 OAR: n/a
Document: SBDC Network 1989 Annual Report
Benefit: In 1989, the SBDC's held 966 training activities for 14,888 people and counseled 6399 clients.

Regulatory Assistance

Many occupations, types of business and business activities require special licenses, permits or certifications from state government agencies. To help businesses conform with state regulation, the Department provides a "first-stop" permit information service. This service provides information on state permits, licenses and certifications, as well as services provided by state agencies and sources of management and technical assistance. On request, the Department mediates between state agencies and small businesses with regulatory concerns.

Lead: Small Business Program, Director's Office
ORS: 284.815 OAR: n/a
Benefit: In 1989, served over 5,000 clients.

Technical and Site Selection Assistance For Industry

The Department provides industrial sector businesses with technical and site selection assistance on projects that will create or save jobs through its international and regional business development officers.

Lead: Business Development Division
ORS: 184.160 OAR: n/a
Benefit: Since 1987, 219 successful projects with \$1.2 billion in investments (please note that job data duplicates, to some extent, the figures for other EDC & OEDD programs).

Statewide Industrial Property Inventory

The Department maintains a computerized inventory of industrial properties available in Oregon for sale or lease. The inventory contains information on approximately 1300 properties, including 400 buildings, that are planned and zoned for industrial use. Property information is available on request; selection criteria include size, location, building characteristics, transportation, amenities and more. In most cases, a list of properties can be provided within 24 hours.

Lead: Business Development Division
ORS: 184.160 OAR: n/a
Benefit: Since 1983, information has been provided to 1006 clients.

One Stop Project Permit Process

A person proposing a project may submit an application to the Department requesting use of the process to apply for all of the state permits necessary prior to construction and operation of the project. This formal process is not in use at the present time. Businesses use OEDD's regulatory assistance service instead (see page 15).

Lead: Business Development Division
ORS: 284.800-284.880 OAR: n/a
Benefit: n/a

Oregon Capital Access Fund

This program was established in 1989 and creates a pooled loan loss reserve funded by participating borrowers and lenders with matching State contributions. The purpose of the program is to make additional capital available to small businesses and assist banks in making more risky loans. In the event of a default, the reserve may be tapped to fund loan losses. A total of \$1.5 million was allocated to this program for the 1989-1991 period.

Lead: Business Finance Section
ORS: 280.920-280.947 OAR: n/a, to be written
Document: n/a, to be written
Benefit: n/a, new program

JOBS Partnership

Job Opportunities and Basic Skills (JOBS) is one part of the Family Support Act of 1988, national welfare reform. The Family Support Act restructured state administered welfare programs with the intent of promoting long term self-sufficiency of welfare recipients. The JOBS portion of welfare reform requires states to implement education, training and employment programs that will provide participants with the skills necessary to get and keep jobs that will support their families. Oregon's JOBS program is a state and local partnership between Adult and Family Services, the Office of Community Colleges, the K-12 school system, the Employment Division and OEDD. OEDD has the lead responsibility for administering the program. JOBS services in Oregon will be contracted to community service providers through 15 prime contractors. All prime contractors are JTPA organizations (see below) or community colleges.

Lead: JOBS unit

ORS: n/a OAR: n/a
Document: n/a
Benefits: The program will begin October 1, 1990, and serve about 11,000 of 33,000 welfare recipients at a cost of \$12 million (state & federal funds).

Job Training Partnership Act (JTPA) Program

The purpose of the Job Training Partnership Act is to establish programs to prepare youth and unskilled adults for entry into the labor force. JTPA provides job training to economically disadvantaged and other individuals who face serious barriers to employment and who are in special need of such training to obtain productive employment.

JTPA professionals recruit, assess, train, and refer individuals to businesses for potential employment. Providing workers who best meet a company's job specifications ensures that those hired are more likely to stay on the job. Services have been provided to thousands of employers, from sole proprietorships to the state's largest corporations. This program is established throughout Oregon by six Private Industry Councils who maintain approximately forty offices.

Lead: Job Training Partnership Administration
ORS: 184.280-184.285, 658.600-658.630 OAR: 123-70
Benefits: Between 1983 & 1989, 141,000 people have been served at a cost of \$142 million (federal funds only, state/local expenditure data not available).

Economic Dislocation & Worker Adjustment Assistance

The WARN Act, a federal law, requires that firms employing 100 or more and anticipating a plant closure or mass layoff notify interested parties 60 days in advance of that action. Advanced notification must be given by an employer of 100 or more who plans to permanently close a plant with 50 or more full-time workers; or plans a layoff of six months or longer which will affect at least one-third of the work force (minimum of 50 employees) or 500 people, whichever is fewer. Parties to be notified are: the State's Dislocated Worker Unit, local government officials and the affected workers. The WARN act is in effect throughout the United States.

Lead: JTPA Dislocated Worker Unit
ORS: 280.775-280.795 OAR: n/a
Benefits: Have worked with 15 employers since July 1989.

First Source Hiring Agreements

Business firms benefitting from certain programs funded by the Oregon State Lottery or seeking an Enterprise Zone property tax exemption are required to enter into a First Source Hiring Agreement with local, publicly-funded job training providers. The agreement requires the business firm to consider qualified applicants referred by the providers before seeking applicants from other sources.

Lead: Job Training Partnership Administration
ORS: Chapter 778, Oregon Laws 1989, sunsets June 1, 1991
OAR: 123-70-300
Benefits: n/a, new program

Emergency Economic Assistance

A community may request assistance from state agencies through OEDD when it faces an economic emergency like a major plant closure. The state's interagency economic advisory team facilitates the state's response to the community; obtains assistance from federal, state, local and private organizations; and coordinates other forms of state assistance.

Lead: Community Initiatives Section
ORS: 280.710-280.740 OAR: 123-15
Benefits: n/a, formal process not being used.

Employee Ownership Opportunity

The Department provides funding for the Community Economic Stabilization Corporation (CESCO). CESCO provides assistance to companies wishing to move toward employee ownership, including Employee Stock Ownership Plans and employee cooperatives. CESCO assists management, unions, and employee groups in analyzing their situations and adopting ownership transition plans; and providing speakers for business and economic groups interested in employee ownership information.

Lead: Community Initiatives Section
ORS: 284.075-284.100 OAR: n/a
Benefits: Since 1988, 9 workshops have been conducted, presentations have been made to 23 businesses, and technical assistance has been provided to 265 companies.

Transition Communities Program

The program provides assistance for rural communities coping with the impact of a plant closure and/or declining timber supply. The Department provides technical assistance to these communities to help develop localized strategies which will lead to future job opportunities for the community. In addition to technical assistance, training and networking is offered to help communities with leadership development and knowledge of available technical resources. After performing a SWOT (strengths, weaknesses, opportunities and threats) analysis of the community, the Department will work with community leadership to analyze the situation, form a Community Response Team, and develop an action plan.

Lead: Community Initiatives Section
ORS: 184.225 OAR: 123-16
Document: Review of Strengths, Weaknesses, Opportunities and Threats for the Transition Communities of Oregon, March 1990
Benefits: Have worked with 19 towns in 7 counties in southern Oregon since August 1989.

Competitive Communities Program

Assisting in the creation of long-term economic development capacity, this program offers assistance to rural communities selected on a competitive basis according to the following criteria: That they represent communities that are still economically viable, have historically demonstrated a commitment to improving their economic status, have some existing organizational and leadership capabilities, and a willingness to invest resources necessary to plan and respond to future challenges. Those communities selected will have a SWOT analysis performed to assess

the communities' economy and its possible role in the future. After the SWOTs are completed, these communities will be offered the opportunity of submitting an application to be considered for more in-depth assistance. In 1989-1991, five communities will be selected for the first round of technical assistance, with another five selected approximately six months later.

Lead: Community Initiatives Section
ORS: ORS 184.225 OAR: n/a
Benefits: SWOT's completed for 30 towns in central and eastern Oregon in 1990.

Industrial Retention Service

The Industrial Retention Service program provides technical assistance to economically viable but troubled companies which might close or experience a major layoff unless assistance is obtained. The Oregon Economic Development Department will contract with qualified consultants to perform an analysis of the company's problems and provide management with possible solutions. Funds may also be provided to determine the feasibility of restarting a closed facility by changing the ownership structure, technology, markets or products of the firm. Only manufacturing or other industrial operations are eligible.

Lead: Community Initiatives Section
ORS: 184.225-184.235 OAR: 123-16
Benefits: Have worked with 33 companies since March 1988.

Targeted Training Program

This program provides grants to community colleges to train new or existing employees as needed for specific business development or job retention projects. Employers are required to provide matching funds amounting to at least 50 percent of the grant. The matching funds can be cash or in-kind services.

Lead: Workforce Development Unit
ORS: 344.323 OAR: 123-71
Benefits: In 1987-1989, 16 grants were made to 15 firms to train 1009 people at a cost of \$572,355.

Workplace Training for Key Industries

This program provides grants to community colleges for the development and implementation of training programs for multiple firms within an industry. The program is designed to encourage cooperation between businesses on mutual workforce training and educational needs. Employers must provide matching funds or in-kind services.

Lead: Workforce Development Unit
ORS: 344.319 OAR: 123-72
Benefits: New program; to date, 2 projects have trained 163 people at a cost of \$109,621.

Ports Emergency Assistance

Allows the Economic Development Commission to provide emergency loans from the Port Revolving Fund if a port is in danger of defaulting on its financial obligations.

Lead: Ports Division
ORS: 777.630-777.665 OAR: n/a
Benefits: Has never been used.

Port Planning & Marketing Grants

This program provides technical assistance grants to ports for planning and marketing projects. A port must provide at least 25 percent of the project funding.

Lead: Ports Division
ORS: 777.727-777.738 OAR: 123-25
Document: Program summary
Benefits: 38 grants for a total of \$476,000 have been awarded since 1985.

Film & Video Program

This program markets Oregon as a location for feature films, made-for-television movies, commercial and print advertising. It provides assistance to production companies that are working in the state. Staff also work with local communities and state regulatory agencies to form guidelines and policies that are specific to film and video production.

Lead: Film & Video Section
ORS: 184.160 OAR: n/a
Benefits: During 1987-1989, staff worked on 25+ projects with estimated expenditures in Oregon of \$34 million.

Tourism Marketing and Development

The primary goal is the promotion of the state as a travel destination to domestic and international visitors. Through media advertising and other promotional activities such as sales missions, press tours, trade show participation, and familiarization tours, the division targets consumers and the professional travel trade. The division's primary promotional brochures are the "State Travel Guide", two annual event calendars, the "Guide to Accommodations", and "Winter in Oregon" which is a fall/winter travel guide. Other divisional programs include statewide marketing coordination with regional tourism groups; research on Oregon's visitor industry; hospitality training; Cycle Oregon (bicycle rally); Oregon Trail promotion; and liaison work with state and federal agencies.

Lead: Tourism Division
ORS: 358.055, 360.005-360.135 OAR: n/a
Benefits: Responded to 197,282 requests for information in 1989.

International Trade Program

The Department assists wood products and manufacturing firms in approaching international markets. ITD primarily serves as a matchmaker between Oregon suppliers and potential overseas customers by hosting international delegations and organizing trade shows, trade missions and technical symposia. ITD works with U.S. and foreign governments to eliminate tariff and non-tariff trade barriers that adversely impact Oregon exporters. ITD also helps Oregon firms access a variety of federal export support programs, many of which can supplement the marketing budgets of individual firms. The Department maintains three full-time overseas offices: Japanese Representative Office, Taipei World Trade Center Exhibit/Office, and the Korean Liaison Office.

Lead: International Trade Division (ITD)
ORS: 184.160 OAR: n/a
Benefits: In the last year, ITD has worked with over 100 companies in targeted industries. ITD also responds to requests for information and assistance from hundreds of firms each month.

III. Assuring Compliance with the LCDC Statewide Planning Goals and Compatibility with Local Comprehensive Plans and Land Use Regulations

A. Exempt Land Use Programs

There are no applicable statutes, constitutional provisions or appellate court decisions, which expressly exempt EDC/OEDD programs from compatibility with acknowledged comprehensive plans or compliance with the LCDC statewide planning goals.

B. Programs Subject to LCDC Permit Compliance and Compatibility Rule

EDC/OEDD programs do not involve issuing permits and are therefore not subject to LCDC's agency permit compliance and compatibility rule.

C. Rules and Procedures to Assure Compliance with the LCDC Statewide Planning Goals

Because all city and county comprehensive plans in the state have been acknowledged to be in compliance with the statewide planning goals by LCDC, when EDC/OEDD act compatibly with a local comprehensive plan, they are in compliance with the goals. In the event that a plan is not in compliance with the LCDC goals, EDC/OEDD will use the procedures of OAR 123-08-20 (see appendix).

D. Rules and Procedures for Assuring Compatibility with Comprehensive Plans and Land Use Regulations

EDC/OEDD procedures meet the applicable requirements of their "Land Use Coordination" rules (OAR 123-08-25, see appendix).

The rules also cover dispute resolution and consistency with local economic development plans.

E. New or Amended Programs

New or amended EDC/OEDD programs that affect land use are subject to the same requirements given above for existing programs under OAR 123-08-35 (see appendix).

F. Administrative Procedures

As described below, the administrative rules and procedures for EDC/OEDD programs that affect land use already require compliance with the LCDC statewide planning goals and compatibility with acknowledged comprehensive plans and land use regulations.

Community Development Section -- Applicants must certify that their proposed projects are consistent with the local acknowledged comprehensive plan and implementing ordinances. Awards are conditional if there are any pending issues. Funds are not released until all required approvals are in place. The program applicant handbooks contain procedures; also see SPWF OAR 123-42-025(2)(e).

Regional Strategies -- Many projects funded through the Regional Strategies Program affect land use. Since regional planning is a "bottom up" process, the responsibility for ensuring compliance with comprehensive plans and land use regulations rests with the county governing bodies charged with developing the strategy and the cities and others participating in the process. Language used by the Community Development Section for this purpose is being added to the Regional Strategies Program handbook; see OAR 123-44-080(7).

Business Finance Section -- Before the EDC Finance Committee finds a project to be eligible for Industrial Revenue Bond financing, they must have two certifications from local government. One is a letter from the city or county having jurisdiction, stating that the project is consistent with their comprehensive plan. Second is a formal resolution from the Board of County Commissioners requesting the issuing of the bond. One can be incorporated into the other at their discretion.

OBDF funds are not released for a project unless and until it is complete and the project has obtained a certificate of occupancy from the local government. This insures compliance. There is a formal certification of project compliance with the comprehensive plan in our model form of city/county resolution for OBDF.

Rule requirements include OAR 123-11-030(4) & 123-11-035(2)(e)(C); OAR 123-12-020(2)(c) & 123-12-020(4)(e)(C); and OAR 123-17-030(8) & 123-17-050(5).

Port Revolving Fund Program -- The Ports Division obtains the relevant portions of applicable comprehensive plans and land use regulations as part of the OPRF application process to make a determination of compliance. They also require submission of copies of all applicable federal, state and local permits prior to disbursement of funds; see OAR 123-30-005(6) and 123-30-010(1)(d).

Ports Planning -- Two LCDC statewide planning goals make reference to Ports Planning under ORS 777.835.

Goal 16 - Estuarine Resources includes:

Implementation Requirement 9 -- State agencies with planning, permit, or review authorities affected by this goal shall review their procedures and standards to assure that the objectives and requirements of the goal are fully addressed. In estuarine areas the following authorities are of special concern:

Economic Development Department

Ports Planning

ORS 777.835



Goal 19 - Ocean Resources includes:

Implementation Requirement 1 -- State and federal agencies with planning, permit, or review authorities affected by the Ocean Resources Goal shall review their procedures and standards to assure that the objectives and requirements of the goal are fully addressed. The following authorities are of special concern:

Economic Development Department Ports Planning ORS 777.835

At this time there are no specific LCDC rules or guidelines for achieving Goal 16 and 19 compliance concerning the Ports Planning Program. In the event that it becomes necessary to address these requirements of Goals 16 and 19, EDC/OEDD will use the procedures given in OAR 123-08-20.

OAR 123-20-030(1) provides that the EDC may require an application for formation of a port to include information showing the relationship of the proposed port activities to locally approved land use plans and the provision of other local services, coordination with affected agencies, and effects on transportation facilities and services.



IV. Coordination with State and Federal Agencies, and Special Districts

A. Interagency Coordination Contact For Land Use

OEDD's contact person is: Industrial Siting Specialist
Business Development Division

He/she will provide referrals to other OEDD staff as appropriate.

B. Agencies Coordinated with by Department

In general, OEDD coordinates with state and federal agencies that provide:

Incentives for business,
Funds for community development,
Tourism related services,
Emergency economic assistance (state economic advisory team), or
Regulate business (state agency business assistance officers).

Federal agencies that OEDD works with on a regular basis include:

Army Corps of Engineers
Bonneville Power Administration
Bureau of Land Management
Economic Development Administration
Environmental Protection Agency
Farmer's Home Administration
Forest Service
Department of Housing and Urban Development
Department of Labor
Department of Transportation, and
Small Business Administration.

State agencies that OEDD works with on a regular basis include:

Department of Agriculture
Community Services
Child Care Coordinator
Employment Division
Department of Energy
Department of Environmental Quality
Department of Fish and Wildlife
Department of Forestry
Health Division
Housing Agency
Department of Land Conservation and Development
Marine Board
Office of Minority, Women and Emerging Small Business
Parks and Recreation Department
Public Utility Commission
Oregon Resource and Technology Development Corporation



Department of Revenue
Division of State Lands
Oregon State Treasury
Department of Transportation, and
Water Resources Department.

C. Interagency Coordination Procedures

Almost every EDC/OEDD program requires coordination with one or more agencies or special districts often on an informal basis. Specific coordination activities are the responsibility of the OEDD management team and program managers.

Please see the list of OEDD coordination duties given in Section I as well as the lists of boards, councils, committees and other entities that EDC/OEDD work with.

The OEDD Ports Division is responsible for coordination activities with Port Districts.

Community Development Section coordination activities include:

Discussion with other agencies during annual review of program rules for the OCDBG program.

A consultation requirement for Oregon Community Development Block Grant applicants to document that their proposed projects have been discussed with the appropriate regulatory agency or agencies.

State agency review of applications for OCD programs to determine if the proposed projects are consistent with their rules and programs and to get recommendations on funding priorities.

State agency review of technical assistance documents prior to OCD acceptance of final products.

Ongoing, reciprocal information and referral to guide municipalities and others to the appropriate agency for their needs.

Interagency cooperation during the project implementation.

Participation in quarterly meetings of the Rural Water and Waste Water Facilities Interagency Coordination Committee sponsored by the U.S. Farmers Home Administration.

Regional Strategies coordination activities include:

Notification and ongoing information to agencies affected by proposed projects about such projects. Solicitation of involvement of agencies at the regional level in these projects.

Ongoing information and referral to guide counties, cities, and other project proponents to the appropriate agency for their needs.



State agency review of regional strategies to determine if the strategy and proposed projects are consistent with their programs and to get recommendations on funding priorities.

Interagency cooperation during project implementation.



V. Cooperation With and Technical Assistance To Local Governments

A. Contact for Land Use Cooperation and Technical Assistance

OEDD's contact person is: Industrial Siting Specialist
Business Development Division

He/she will provide referrals to other OEDD staff as appropriate.

B. Technical Assistance and Information Available for Local Governments

In general, OEDD provides assistance upon request on international trade, ports, tourism, industrial sites available for sale or lease, state regulation of business, financial assistance for business, infrastructure financing, job training, community and regional economic development, responding to plant closures, and working with the film industry. Please see the list of OEDD technical assistance responsibilities given in Section I.

Information available from OEDD includes:

- Community Development Programs, Project Awards by County
- County Economic Indicators
- Doing Business In Oregon
- Directory of Oregon Manufacturers
- Economic Impact Report for Oregon Travel, 1987
- Employment and Proprietor Income in the Oregon Visitor Industry
- International Trade Directory
- Oregon Shines Strategic Plan
- Oregon Economic Trends Project (5 documents)
- Oregon, A Statistical Profile
- Oregon Travel and Tourism
- 1988 Spring/Summer Ad Campaign Conversion Study
- Travel and Tourism Directory, and
- Wood Products Directory.

Oregon Community Development Block Grant Program Technical Assistance Grants -- Two types of Technical Assistance (TA) grants are available under the OCDBG program. TA grants are available only to non-metropolitan cities and counties with populations less than 3,000 persons. To be awarded a TA grant, OCD must determine first that the proposal meets one of the National Objectives for the CDBG program and is eligible for funding under federal regulations. Awards are made annually through a competition.

Grants of up to \$10,000 are available for projects which involve CDBG-eligible activities and are project-oriented. Examples of TA projects which can be funded include public facilities plans, engineering studies, problem identification studies, capital improvement plans, market analyses, housing need studies, and preparation of applications requesting funding from sources other than CDBG (such as the U.S.



Farmer's Home Administration).

Grants of up to \$20,000 can be awarded to projects which will result in a comprehensive assessment of a community's entire water or sewer system. Examples include, but may not be limited to: a facility plan for a wastewater system required by the Oregon Department of Environmental Quality as a prerequisite for DEQ project funding; preliminary engineering and other information required by the U.S. Farmer's Home Administration prior to issuing a Letter of Conditions for a water or sewer project; or a master plan for a municipal water system as required by the Oregon State Health Division.

Special Public Works Program Technical Assistance Grants of up to \$10,000 are available for municipalities with populations of less than 5,000. These grants can be used for preliminary planning, engineering and legal work, architectural drawings, plans and specifications, or other work related to an eligible infrastructure project. Job creation is not required, but the applicant must demonstrate that there is a high probability that economic development will take place in the area to be served by the infrastructure. "High probability" means that there is an interested non-retail business. SPWF Technical Assistance grants are available on a year around basis. The department may award up to \$250,000 each biennium in SPWF TA grants.

Regional Strategies Technical Assistance Grants are available to regions once in 1989-1991 as needed to assist regions in regional planning efforts. Grants may be used to conduct project feasibility studies, develop projects to the point of readiness for funding/implementation, assist with strategic planning; develop new partnerships; conduct industry analyses, and complete strategy assessments and economic analyses.

C. Participation in and Coordination with City and County Land Use Planning

In general, the Department provides assistance upon request. The Department's programs affect plan implementation including providing funds for infrastructure related to private industrial investment.

When working with a business client seeking a site for a new facility, OEDD provides information on sites which are already planned and zoned for the proposed use. If such a site is not available, OEDD works with interested cities and counties to amend their plans and land use regulations to create a site for the proposed use.

OEDD provided staff support to the Governor's task force on land use and economic development in 1982 that led to passage of ORS 197.707 to 197.717 in 1983. OEDD also provided staff support to a joint committee of LCDC and EDC in 1985-1986 as well as to the technical advisory committee that developed the Goal 9 Industrial and Commercial Development rule adopted by LCDC on October 10, 1986. Copies of the law, goal and rule are included in the appendices.



D. Participation in the Periodic Review Process

In general, OEDD provides assistance upon request including the information, technical and financial assistance described in this section.

An OEDD contact is given in the LCDC/DLCD "Periodic Review Notice" under "Factor One, Substantial Change In Circumstances", "Subfactor One-D: New Information".

The Economic Development Commission (EDC) and the Economic Development Department (OEDD) are advocates for an adequate supply of development ready industrial land without environmental constraints (wetlands, etc.) which have services or which are serviceable (infrastructure). Under the Land Conservation and Development Commission Goal 9 & 11 rules, these objectives are to be achieved primarily during the periodic review of city and county plans and the preparation of public facility plans by cities with a population of 2500 or more.

E. Assistance to Coastal Cities and Counties

OEDD does not have any special programs targeted at coastal cities and counties.

The Ports Division provides technical assistance to fourteen ports located on the coast. Other port programs included Port Formation, the Port Revolving Fund, Ports Emergency Assistance, and Port Planning and Marketing Grants.

OEDD is a member of the Ocean Resources Management Task Force and is involved in the Oregon Coastal Zone Management Program (OCMP). EDC/OEDD involvement in the OCMP is based on ORS 777.835 -- Ports Planning as given in LCDC statewide planning goals 16 and 19.

When appropriate, OEDD will advise DLCD on the consistency of federal actions and activities which may affect Oregon's coastal zone. In carrying out its responsibilities under the federal consistency process, OEDD will adhere to LCDC OAR Chapter 660, Division 35.

F. Assistance Under ORS 197.712(2)(f)

ORS 197.712(2)(f) -- "In accordance with ORS 197.180, state agencies that provide funding for transportation, water supply, sewage and solid waste facilities shall identify in their coordination programs how they will coordinate that funding with other state agencies and with the public facility plans of cities and counties."

1991-1993 Biennial State Water Management Program -- OEDD has a representative on the interagency task force preparing this two year implementation plan for the State's Strategic Water Management Group. OEDD is the lead agency for several issues under the topic of urban water management.



Community Development Section (OCD) -- Coordination of OCD's programs with other agencies is essential to ensure that state lottery funds and federal funds, for which the Oregon Economic Development Department is responsible, are used for only those projects which are appropriate in size, design and location; are consistent with local comprehensive plans, implementing ordinances, and public facilities plans; are ready to proceed; and are in need of OCD assistance. Methods of coordination may vary according to the needs of particular programs but, in general, include the following:

Identification of agencies with regulatory authority and/or funding programs which relate to the types of projects funded by OCD programs.

Information sharing with those agencies, including keeping them informed of current OCD program rules and staff assignments.

Involvement of appropriate agencies in reviews of OCD programs prior to finalizing new program rules or handbooks. Involvement of other state agencies before proposed rules or handbooks are circulated for public comment is preferred.

Providing an opportunity for appropriate agencies to review and comment on applications for OCD assistance.

Developing and testing program specific coordination efforts, such as the regulatory agency consultation process required of cities and counties applying for 1990 OCDBG grants, as a means of improving the interagency coordination effort.

Developing staff capacity in technical areas (i.e. water and wastewater treatment), finance mechanisms (i.e. municipal budget law, local improvement assessments), regulatory requirements (i.e. National Safe Drinking Water Act), etc...

Developing staff ability to assist individuals and jurisdictions in using the resources of other agencies by providing information and referral.

Reviewing other agencies proposed rules and programs as requested.

OCD coordinates with local public facilities plans by requiring that applicants for funding certify that their projects are consistent with local comprehensive plans, of which public facilities plans are a part. OCD encourages public facility planning by small municipalities under 3,000 population by making available OCDBG Technical Assistance grants of up to \$10,000.



G. Assistance Under ORS 197.717(1)

ORS 197.717(1) -- "State agencies shall provide technical assistance to local governments in: (a) Planning and zoning land adequate in amount, size, topography, transportation access and surrounding land use and public facilities for the special needs of various industrial and commercial uses; (b) Developing public facilities plans; and (c) Streamlining local permit procedures."

In general, OEDD provides assistance on request.

The Community Development Section (OCD) supports the preparation of local public facility plans, capital improvement plans, and master facility plans as the foundation for sustaining viable communities. OCD's role in developing public facilities plans is financial. Program resources are available in the form of OCDBG Technical Assistance (TA) grants to eligible communities under 3,000 population to assist with the cost of preparing documents including public facilities plans. To be awarded a TA grant for this purpose, such projects have to be determined eligible according to federal regulations governing the program as well as state program rules.

H. Assistance Under ORS 197.717(2)

Beginning in September 1990, the Department will produce a quarterly report covering state and national economic trends. This document will have several uses, including the fulfillment of the Department's responsibility to provide state and national trend information to cities and counties pursuant to ORS 197.717(2). The report will address economic issues and trends at the state and national levels and will include a list of sources of additional information. The publication will be available, at no charge, from the Department.

In 1986-87, the Oregon Economic Trends Project team prepared five reports which are still available for use by local planners: State and National Trends Report, Business Growth/Decline Study, Growth Industries Report, Growth Industries Survey, and the Local Development Program Guide.



VI. APPENDICES

- A. List of Enabling Statutes
- B. List of Administrative Rules
- C. EDC/OEDD Land Use Coordination Rules
- D. Economic Development (land use), ORS 197.707-197.717
- E. LCDC Statewide Planning Goal 9: Economic Development
- F. LCDC Industrial and Commercial Development Rule, OAR 660-09



Appendix A -- LIST OF ENABLING STATUTES

The laws establishing EDC/OEDD and their programs include parts of twelve chapters of the Oregon Revised Statutes (ORS). Copies of these laws are available under separate cover.

Economic Development Department, 184.001-184.250

(Oregon Progress Board, Chapter 908, Oregon Laws 1989, sunsets 7-1-91; please note that this board is related to but not a part of the Department)

Job Training, 184.280-184.285

Economic Development (land use), 197.707-197.717

Economic Development Projects, 280.250-280.397

Community Development Bank Fund, 280.507-280.517

Business Development Projects, 280.520-280.585

Economic Emergency Assistance, 280.710-280.740

Dislocations, 280.775-280.795

Small Business, 280.905-280.966

Regional Economic Development, 284.010-284.060

Employe Ownership Opportunity, 284.075-284.100

Enterprise Zones, 284.115-284.285

Infrastructure Projects, 284.310-284.535

Project Permits, 284.800-284.880

Small Business Development Centers, 341.785-341.818

Job Training (Workforce 2000), 344.305-344.355

Oregon Trail (tourism), 358.055

Grants For Museums (tourism), 358.710-358.770

Tourism, 360.005-360.135

Tourist Information Centers, 377.785

First Source Hiring Agreements, Chapter 778, Oregon Laws 1989, sunsets June 1, 1991; after ORS 461.730



Community Facilities Grant Program & Financing Improvements At County Fairs, Chapter 937, Oregon Laws 1989, sunsets June 30, 1991; after ORS 565.400

Job Training Programs, 658.600-658.630

Port Planning and Development, Chapter 607, Oregon Laws 1987, sunsets 7-10-91

Ports (policy), 777.003

Ports (emergency assistance), 777.630-777.665

Port Planning and Marketing Fund, 777.727-777.738

Ports Division, 777.805-777.845

Oregon Port Revolving Fund, 777.850-777.910



Appendix B -- LIST OF ADMINISTRATIVE RULES

Copies of EDC/OEDD rules (OAR) are available under separate cover.

- Division 1 Procedural Rules
 - Division 8 Land Use Coordination
 - Division 11 Standards to Determine Project Eligibility and Application Procedures for State of Oregon Self-Standing Economic Development Revenue Bonds
 - Division 12 Project Eligibility and Application Procedures for Oregon Umbrella Revenue Bond Program
 - Division 15 Eligibility and Application Procedures for Emergency Economic Assistance
 - Division 16 Operation of the Oregon Stabilization and Conversion Fund - Feasibility Studies and Technical Assistance and Management Consulting
 - Division 17 Operation of Oregon Business Development Fund; Standards to Determine Project Eligibility and Application Procedures for State of Oregon Economic Development Revenue Bonds
 - Division 20 Formation of Ports
 - Division 25 Standards to Determine Project Eligibility and Application Procedures for Port Planning and Marketing Grants from the Port Planning and Marketing Fund
 - Division 30 Port Revolving Fund
 - Division 40 Eligibility Standards and Application Procedures For Site-Specific Infrastructure Grants*
- * Note: These rules were adopted for the program created in 1985; it was not reauthorized; once all projects funded from the program are completed and all contractual obligations are fulfilled, these rules will be repealed.
- Division 42 Special Public Works Fund Program
 - Division 44 Regional Strategies Program
 - Division 50 County Fairs & Special Events Grant Program
 - Division 70 Job Training Partnership Administration
 - Division 71 Targeted Training Fund



- Division 72 Key Industry Employee Training Program
- Division 75 Community Facilities
- Division 80 Community Development Grant (OCDBG) Program
- Division 85 Policy Guidelines For Loaned Personnel
- Division 86 Policy Guidelines For Employees Whose Salaries Are Contributed by the Private Sector
- Division 87 Policy Guidelines For Private Sector Contributions
- Division 90 Strategic Reserve Fund



APPENDIX C -- EDC/OEDD LAND USE COORDINATION RULES

Purpose

123-08-05 These rules, as required by ORS 197.180 and OAR Chapter 660, Division 30, establish policies and procedures for assuring compliance with the LCDC statewide planning goals; compatibility with acknowledged comprehensive plans and land use regulations; coordinating with local governments, state and federal agencies, and special districts in land use matters; and resolving land use disputes.

Stat. Auth: ORS Ch. 197

Policy

123-08-10 (1) It is the policy of the Economic Development Commission and the Economic Development Department that prior to approving or undertaking any project, program or action under a program listed in OAR 123-08-15, the Commission or Department shall find that the project, program or action complies with the LCDC statewide planning goals and is compatible with applicable acknowledged comprehensive plans and land use regulations.

(2) The Commission and the Department shall make goal compliance and comprehensive plan compatibility findings in accordance with OAR 123, Division 8, and the procedures in the Commission's and Department's "Land Use Coordination Program".

Stat. Auth: ORS Ch. 197

Applicability

123-08-15 Educational, marketing, technical assistance, funds for technical analysis or other similar programs of the Commission and the Department do not affect land use. The provisions of OAR 123, Division 8, apply to the following programs that affect land use:

- (1) Commission programs:
 - (a) Business Development Fund,
 - (b) Composite Revenue Bond Program,
 - (c) Industrial Development Revenue Bond Program,
 - (d) Port Revolving Fund, and
 - (e) Port Formation.

- (2) Department programs:
 - (a) Community Facilities Grant Program,
 - (b) Community Development Block Grant Program,
 - (c) County Fairs and Special Events Program,
 - (d) Enterprise Zone Program,
 - (e) Regional Strategies Program,
 - (f) Special Public Works Fund,
 - (g) Strategic Reserve Fund,
 - (h) Tourism Museum Grants,



- (i) Tourism Matching Grants, and
- (j) Tourist Information Centers if owned by the Department.

(3) Real property obtained by the Commission or Department through foreclosure on collateral or other means.

Stat. Auth: ORS Ch. 197

Compliance with the LCDC Statewide Planning Goals

123-08-20 (1) The Commission and Department shall achieve goal compliance whenever possible by taking actions that are compatible with the applicable acknowledged comprehensive plan and land use regulations.

(2) The Commission and Department will achieve compliance by acting compatibly with applicable acknowledged comprehensive plans; however, should a situation arise which requires direct goal findings pursuant to OAR 660-30-065(3), the Commission or Department shall adhere to the following procedures:

(a) Confirm that a situation exists requiring the Commission or Department to adopt direct goal findings of compliance with one or more of the LCDC statewide planning goals.

(b) Identify which LCDC goals or goal requirements the Commission or Department must address.

(c) Consult directly with affected jurisdictions.

(d) Request interpretative guidance as needed from the Department of Land Conservation and Development or the Department of Justice.

(e) Rely on any relevant goal interpretations for state agencies adopted by LCDC under OAR Chapter 660.

(f) Adopt any necessary findings to assure compliance with the LCDC statewide planning goals.

Stat. Auth: ORS Ch. 197

Compatibility with Acknowledged Comprehensive Plans and Land Use Regulations

123-08-25 (1) Except when it is necessary for the Commission or Department to adopt direct findings for compliance with the LCDC statewide planning goals, the Commission or Department shall achieve goal compliance by acting compatibly with acknowledged comprehensive plans and land use regulations.

(2) To make the necessary determinations of comprehensive plan compatibility, the Commission or Department shall require the applicant to certify that the project complies with all applicable local, state and federal laws, rules and regulations, including but not limited to, the applicable city or county comprehensive plan, public facility plan and land use regulations as well as one of the following:

(a) Receipt of a copy of the local land use permit or equivalent documentation from the city or county planning agency or the local governing body that the project has received land use approval;

(b) Receipt of a letter from the local planning agency or governing body stating that the project is permitted under the jurisdiction's



comprehensive plan and land use regulations but does not require specific land use approval; or

(c) Other equivalent documentation from an authorized representative of the affected city or county.

Stat. Auth: ORS Ch. 197

Dispute Resolution

123-08-30 (1) When a land use dispute related to an application for funding occurs, the applicant will be expected to resolve the dispute directly with the city or county where the proposed project would be located. The Commission or Department will not provide funding for such a project until the dispute is resolved and the documentation required under OAR 123-08-25 is provided.

(2) In other cases, the Commission or Department shall attempt to resolve disputes regarding land use issues by direct contact with the applicable local governing body. Whenever possible, Commission or Department efforts to resolve land use disputes shall be pursued prior to and through local government land use proceedings. The Commission or Department shall use one or more of the following procedures to resolve land use disputes with local governments:

(a) Hold a meeting with the project applicant/sponsor, local government, state agency or federal agency;

(b) Assist in the identification of alternative actions or modifications to the proposed project to resolve the land use dispute; (c) Request assistance from the Department of Land Conservation and Development or a compatibility determination by LCDC under LCDC OAR 660-30-070.

Stat. Auth: ORS Ch. 197

Compliance and Compatibility of New or Amended Programs

123-08-35 The Commission and Department shall not amend their "Land Use Coordination Program", adopt new programs or rules, or amend existing programs or rules that affect land use without notifying the Department of Land Conservation and Development in accordance with LCDC OAR 660-30-075.

Stat. Auth: ORS Ch. 197

Consistency with Local Economic Development Plans

123-08-40 Prior to the approval of a loan or grant for a project by the Economic Development Commission, the Commission shall find that the project is consistent with all applicable adopted local economic development plans including, but not limited to, the comprehensive plans of cities and counties as required by ORS 184.025.

Stat. Auth: ORS Ch. 184

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