

APPENDIX 1 - 2
ORS 197 & 215 EXCERPTS

COMPREHENSIVE PLANNING COORDINATION
(GENERAL PROVISIONS)

197.005, LEGISLATIVE FINDINGS: The Legislative Assembly finds that:

01. Uncoordinated use of lands within this State threaten the orderly development and the environment of this State as well as the health, safety, order, convenience, prosperity, and welfare of the people of this State.
02. To promote coordinated administration of land uses consistent with comprehensive plans adopted throughout the State, it is necessary to establish a process for the review of State agencies, cities, County, and special district land conservation and development plans for compliance with State-wide planning goals and guidelines.
03. Except as otherwise provided in 04 of this section, cities and counties should remain as the agencies to consider, promote, and manage the local aspect of land conservation and development for the best interest of the people within their jurisdictions.
04. The promotion of coordinated State-wide land conservation and development requires the creation of a State-wide planning agency to prescribe planning goals and objectives to be applied by State agencies, cities, counties, and special districts throughout the State.
05. The impact of proposed development projects constituting activities of State-wide significance upon the public health, safety, and welfare requires a system of permits reviewed by a State-wide agency to carry out State-wide planning goals and guidelines prescribed for application for activities of State-wide significance throughout the State.
(1973 c. 80S1)

197.010, POLICY: The Legislative Assembly declares: in order to assure the highest possible level of livability in Oregon, it is necessary to provide for properly prepared and coordinated comprehensive plans for cities and counties, regional areas, and the State as a whole. These comprehensive plans:

01. Must be adopted by the appropriate governing body at the local and State levels; and
02. Are expressions of public policy in the form of policy Statements, generalized maps, and standards and guidelines; and
03. Shall be the basis for more specific rules, regulations, and ordinances which implement the policies expressed through the comprehensive plans;
04. Shall be prepared to assure that all public actions are consistent and coordinated with the policies expressed through the comprehensive plans; and
05. Shall be regularly reviewed and, if necessary, revised to keep them consistent with the changing needs and desires of the public they are designed to serve. (1973 c. 80 S2)

197.015, DEFINITIONS (Selected):

COMPREHENSIVE PLAN: A generalized, coordinated land use map and policy statement of the governing body of a State agency, city, County, or special district that interrelates all functional and natural systems and activities relating to the use of lands, including but not limited to: sewer and water systems, transportation systems, educational systems, recreational facilities, natural resources, and air and water quality management programs. "Comprehensive" means: all-inclusive - both in terms of the geographic area covered and functional and natural activities and systems occurring in the area covered by the plan. "General nature" means: a summary of policies and proposals in broad categories and doesn't necessarily indicate specific locations of any area, activity, or use.

A plan is coordinated when the needs of all levels of governments, semi-private agencies, and the citizens of Oregon have been considered and accommodated as much as possible. Land includes water, both surface and subsurface, and the air. (1973 c. 80 S24.)

COMPREHENSIVE PLANNING RESPONSIBILITIES

197.175: Cities and counties planning responsibilities; compliance with State-wide goals, and guidelines.

01. Cities and counties shall exercise their planning and zoning responsibilities in accordance with ORS 197 and 215.
02. Pursuant to ORS 197, 215, and 453.345, each city and County in this State shall:
 - A. Prepare and adopt comprehensive plans consistent with State-wide planning goals and guidelines approved by the commission; and
 - B. Enact zoning, subdivision, and other ordinances or regulations to implement their comprehensive plans. (1973 c. 80 S17, 18)

197.190: Regional coordination of planning activities; alternatives.

01. In addition to the responsibilities Stated in ORS 197.175, each County through its governing body shall be responsible for coordinating all planning activities affecting land uses within the County, including those of the County, cities, special districts, and State agencies to assure an integrated comprehensive plan for the entire area of the County. (1973 c. 80 S19)

197.255: County review of comprehensive plans required compliance advice:

Following the approval by the commission (LCDC) of State-wide planning goals and guidelines, each County governing body shall review all comprehensive plans for land conservation and development within the County - both those adopted and those being prepared. The County governing body shall advise the State agency, city, County, or special district preparing the comprehensive plans whether or not the comprehensive plans are in conformity with the State-wide planning goals. (1973 c. 80 S39)

COUNTY PLANNING

215.055, STANDARDS FOR PLAN:

01. Any comprehensive plan and all zoning, subdivision, or other ordinances and regulations authorized by ORS 215.010 to 215.233 and 215.402 to 215.422 and adopted prior to the expiration of one year following the date of the approval of State-wide planning goals and guidelines under ORS 197.240 shall be designed to promote the public health, safety, and general welfare and shall be based on the following considerations (among others):
 - A. The various characteristics of the various areas in the County; and
 - B. The suitability of the areas for particular land uses and improvements; and
 - C. The land uses and improvements in the areas; and
 - D. Trends in land improvements; and
 - E. Density of development; and
 - F. Property values; and
 - G. The needs of economic enterprises in the future development of the areas; and
 - H. Needed access to particular sites in the areas; and
 - I. Natural resources of the County and prospective needs for development thereof; and
 - J. The public need for healthful, safe, and aesthetic surroundings and conditions.
02. Any plan and all zoning, subdivision, or other ordinances and regulations authorized by ORS 215.010 to 215.233 and 215.402 to 215.422 and adopted after the expiration of one year after the date of the approval of State-wide planning goals and guidelines under ORS 197.240 shall be designed to comply with such State-wide planning goals and any subsequent revisions or amendments thereof.
03. In order to conserve natural resources of the State, any land use plan, zoning, subdivision, or other ordinance

adopted by a County shall take into consideration lands that are, can, or should be utilized for sources or processing of mineral aggregates. (1955 c. 439 S3; 1963 c. 619 S4; 1971 c. 13 S2; 1971 c. 739 S1; 1973 c. 80 S43)

215.243, AGRICULTURAL LAND USE POLICY: The Legislative Assembly finds and declares that:

01. Open land used for agricultural use is an efficient means of conserving natural resources that constitute an important physical, social, aesthetic, and economic asset to all of the people of this State whether living in rural, urban, or metropolitan areas of this State.
02. The preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the State's economic resources and the preservation of such land in large blocks is necessary in maintaining the agricultural economy of the State and for the assurance of adequate, healthful, and nutritious food for the people of this State and the nation.
03. Expansion of urban development into rural areas is a matter of public concern because of the unnecessary increases in costs of community services, conflicts between farm and urban activities, and the loss of open space and natural beauty around urban centers occurring as the result of such expansion.
04. Exclusive farm use zoning, as provided by law, substantially limits alternatives to the use of rural land; and with the importance of rural lands to the public, it justifies incentives and privileges offered to encourage owners of rural lands in exclusive farm use zones. (1973 c. 503 S1)

215.515, COMPREHENSIVE PHYSICAL PLANNING OBJECTIVES:

01. Comprehensive physical planning, adopted by the commission prior to the expiration of one year following the date of the approval of State-wide planning goals and guidelines under ORS 197.240, should provide guidance for physical development within the State responsive to economic development, human resource development, natural resource development, and regional and metropolitan area development. Comprehensive physical planning should assist in attainment of the optimum living environment for the State's citizenry

State's citizenry and assure sound housing, employment opportunities, educational fulfillment, and health facilities. State plans should relate to intermediate and long-range growth objectives. The plans should set a pattern upon which State agencies and local government may base their programs and local area plans. Goals for comprehensive physical planning are:

- A. To preserve the quality of the air, water, and land resources of the State.
- B. To conserve open space and protect natural and Scenic Resources.
- C. To provide for the recreational needs of citizens of the State and visitors.
- D. To conserve prime farm lands for the production of crops.
- E. To provide for an orderly and efficient transition from rural to urban land use.
- F. To protect life and property in areas subject to floods, landslides, and other natural disasters.
- G. To provide and encourage a safe, convenient, and economic transportation system - including all modes of transportation, such as: air, water, rail, highway, and mass transit and recognizing differences in the social costs in the various modes of transportation.
- H. To develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban rural development.
- I. To diversify and improve the economy of the State.
- J. To insure that the development of properties within the State is commensurate with the character and the physical limitations of the land.