

State Land Use Requirements:¹ The Essentials

Statewide Planning Goals

Goal 1 – Citizen Involvement

- Cities, counties must have public involvement programs

Goal 2 – Land Use Planning

- Cities, counties (and Metro) must coordinate their planning efforts with other governments
- Comprehensive plans must be based upon facts and analysis
- Exceptions: criteria and process

Goal 5 - Natural Resources, Scenic and Historic Areas and Open Spaces [Rule: OAR 660 Division 23]

- Comprehensive plans must protect Goal 5 resources

Goal 6 – Air, Water and Land Resources Quality

- Comprehensive plans must comply with state and federal statutes on these subjects

Goal 7 – Areas Subject to Natural Hazards

- Comprehensive plans must reduce risk to people and property from natural hazards

Goal 8 – Recreational Needs

- Comprehensive plans must provide for recreational needs

Goal 9 – Economic Development [Rule: OAR Division 9]

- Cities, counties must analyze opportunities, adopt policies and provide and protect from conflict an adequate supply of sites for employment uses
- Comprehensive plans must seek to provide short-term supply of employment sites

Goal 10 – Housing [Rule: OAR Division 7]

- Comprehensive plans must provide capacity for needed housing units at prices and rent levels residents can afford
- Approval criteria for housing must be “clear and objective”
- Metro-area cities and counties must meet specified minimum densities, housing mix

¹ Outline does not include the following requirements that may be considered “land use requirements”: Wetlands (ORS 196.795-196.990; 197.279; 227.350); Open Space Assessment Reporting (ORS 197.186); Moratoriums (ORS 197.505- 540); Public Facilities Strategy (ORS 197.768); Collaborative Regional Problem-Solving (ORS 197.652-197.658); Farmworker Housing (ORS 197.677-197.685); Consent to Historic Property Designation (ORS 197.772); Landslide Hazard Areas (ORS 195.250-195.260); Reporting on Applications for Dwelling Units (ORS 197.178) Airport Planning (OAR 660 Division 13); Parks (ORS 195.120-195.125).

Goal 11 – Public Facilities and Services [Rule: OAR Division 11]

- Comprehensive plans must include public facility plans for urban facilities and services
- Public Facility Plans must provide for a level of services to support planned uses

Goal 12 - Transportation [Rule: OAR Division 12]

- Comprehensive plans must include transportation system plans
- Transportation System Plans must provide for a multi-modal system to support planned land uses
- Plan amendments and zone changes must be consistent with capacity of planned transportation
- Plans must reduce reliance upon single-occupancy auto; must reduce number of parking spaces

Goal 13 – Energy Conservation

- Cities, counties must manage land and uses to conserve energy

Goal 14 – Urbanization [Rule: OAR Division 24]

- All cities must have UGBs (see UGB statute below for Metro UGB)
- Cities and counties may not allow urban development outside Metro UGB
- Comprehensive plans must manage “urbanizable land” to maintain its potential for urban development
- Process and criteria for Urban and Rural Reserves [Rule: OAR Divisions 21 and 27]

Goal 15 – Willamette River Greenway [Rule: OAR Division 20]

- Comprehensive plans must protect greenway and incorporate ODOT Greenway Plan

Goals 3 (Agricultural Lands), 4 (Forest Lands) and 16-19 (Coastal Goals)

- Do not apply within UGB

State Planning Statutes

Comprehensive Plans (ORS 197.175; 197.250)

- Every city and county must have a comprehensive plan; plans must comply with Goals

Periodic Review (ORS 197.628-197.644) [Rule 660 Division 25]

- Cities and counties (urban portion) must update their comprehensive plans periodically

Plan Amendments Not Done in Periodic Review (ORS 197.610-197.625) [Rule 660 Division 18]

- City, county process for amendments to comprehensive plans and land use regulations

Needed Housing (ORS 197.295-197.298; 197.303; 197.307-197.314)

- Cities, Metro shall provide capacity for the number, type and density of dwelling units needed to accommodate next 20-years’ of growth each time they do a “legislative” review of their capacity

Manufactured Housing (ORS 197.474-197.493)

- Cities, counties must provide opportunities for manufactured housing

Special Residences (ORS 197.660-197.670)

- Cities, counties must allow “residential facilities” and “residential homes” in residential zones

Economic Development (ORS 197.707-197.712)

- Cities and counties must analyze their economies; must provide for an adequate supply of sites to implement their economic development policies

Coordination (ORS Chapter 195)

- Coordination Agreements (planning; urban services)
- Responsibility for coordination of planning (population/employment forecast, allocation, e.g.) (Metro responsible inside Metro District; Counties outside District)

Metro UGB (ORS 197.299; 197.296-197.302)

- Metro must establish and maintain region’s UGB
- Metro must determine the capacity of the UGB every five years
- Metro must ensure UGB has capacity to accommodate 20 years’ of population and employment growth following each capacity analysis
- If Metro expands UGB, must add lands in priority order: (1) Urban Reserves; (2) exception land; (3) poor resource land; (4) good resource land

Urban and Rural Reserves (ORS 195.137-195.145)

- Two methods to establish Urban Reserves: (1) by agreement on Urban and Rural Reserves among Metro and three counties; (2) by Metro alone in coordination with local governments
- Criteria and procedures for designation of Reserves

Expedited Land Divisions (ORS 197.360-197.380)

- Cities, counties must follow prescribed process for expedited land divisions

City Planning Statute (ORS Chapter 227)

- General planning requirements

County Planning Statute (ORS Chapter 215)

- General planning requirements

Notice to Property Owners (Measure 56) (counties: ORS 215.503-215.513; cities: ORS 227.186)

- Cities, counties (and Metro) must provide written notice of “zone change” to property owners

Measure 49 (ORS 195.300-195.336)

- Inside UGB: city or county must compensate for reduction in value caused by new regulation, or not apply regulation, if the regulation limits residential use