

**1.2-100 Legal Framework**

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**1.2-105 Statewide Planning Goals and the Metro Plan**

The Land Conservation and Development Commission (LCDC) and the Oregon Land Use Planning Program were enacted in 1973. LCDC was directed to adopt Statewide Planning Goals addressing a range of topics specified by the legislature. After conducting hearings around the State, LCDC adopted the following 19 Statewide planning goals:

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| <b>Goal 1</b> Citizen Involvement  | <b>Goal 11</b> Public Facilities and Services |
| <b>Goal 2</b> Land Use Planning—Exceptions                                 | <b>Goal 12</b> Transportation                 |
| <b>Goal 3</b> Agricultural Lands   | <b>Goal 13</b> Energy Conservation            |
| <b>Goal 4</b> Forest Lands   | <b>Goal 14</b> Urbanization                   |
| <b>Goal 5</b> Open Spaces, Scenic and Historic Areas and Natural Resources | <b>Goal 15</b> Willamette Greenway            |
| <b>Goal 6</b> Air, Water and Land Resources Quality                        | <b>Goal 16*</b> Estuarine Resources           |
| <b>Goal 7</b> Areas Subject to Natural Disasters and Hazards               | <b>Goal 17*</b> Coastal Shorelands            |
| <b>Goal 8</b> Recreational Needs   | <b>Goal 18*</b> Beaches and Dunes             |
| <b>Goal 9</b> Economic Development   | <b>Goal 19*</b> Ocean Resources               |
| <b>Goal 10</b> Housing   |   |

\* Goals 16-19 do not apply to Springfield.

**1.2-110 Oregon’s Land Use Planning Program—Comprehensive Plans**

Oregon's Statewide Planning Goals are achieved through local comprehensive planning. State law requires each city and county to have a comprehensive plan which includes background inventories with technical information and plan policies which are choices about future land uses. The comprehensive plan must be consistent with the applicable Statewide Planning Goals. When LCDC has officially approved a local government's plan, that plan is said to be “acknowledged.” An acknowledged local comprehensive plan is the controlling document for land use in the area covered by that plan.

Springfield's comprehensive plan is the Eugene-Springfield Metropolitan General Plan (Metro Plan) which was acknowledged by LCDC in 1982. The Metro Plan has evolved since then as a result of: (1) Plan amendments which are adjustments that occur occasionally, usually effecting small parts of the Plan or small geographic areas; and (2) Periodic reviews which are broad evaluations of the entire Plan that occur every 4 to 10 years.

<b>1.2-115</b>	<b>Oregon's Land Use Planning Program—Local Implementation Regulations</b>
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The Metro Plan is a "general" document that must be implemented by more detailed regulations. The 2 most common regulations are zoning and land-division ordinances. In Springfield zoning and land-division regulations are found in 1 document, the Springfield Development Code.

<b>1.2-120</b>	<b>Local Implementation Regulations—Springfield Development Code Application Review Procedures</b>
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All applications required by the Springfield Development Code are decided by using Type 1, 2, 3, and 4 review procedures. The procedure "type" assigned to each application governs the decision-making process for that application.

**Type 1 Decisions.** These staff decisions are made without public notice and or a public hearing. A mailed notice of decision is sent to the applicant.

**Type 2 Decisions.** These staff decisions are made after public notice, but without a public hearing, unless there is an appeal.

- Mailed notice is sent to the applicant and all property owners within 300 feet of the proposal and applicable neighborhood associations. Notice is posted on the affected property.
- Any noticed property owner or person may present written comments to the City which addresses the relevant criteria of approval. The comments must be received by the City within 14 calendar days from the date on the notice to give the commenter "standing" for an appeal.
- A preliminary decision is made based on the information presented and conditions may be imposed. A mailed notice of preliminary decision is sent to the property owner and all parties who responded to the public notice.
- Any person with standing and the applicant may appeal the decision to the Planning Commission or the Hearings Official.
- Some Type 2 decisions, for example, Site Plan Review and land divisions (Partitions and Subdivisions), require a separate application for final approval.

**Type 3 Decisions.** Planning Commission (city limits) or Hearings Official (urban services area) quasi-judicial decisions are made after public notice and a public hearing.

- Mailed notice is sent to the applicant and all property owners within 300 feet of the proposal and applicable neighborhood associations. Newspaper notice is published. Notice is posted on the affected property.
- The Planning Commission or Hearings Official is responsible for implementing the Metro Plan, the Springfield Development Code and other applicable planning documents through the review and approval of discretionary applications for land development, or when the Director elevates a Type 2 review to a Type 3 review. At the public hearing, any property owner or person may present oral or written comments which address the relevant criteria and standards. When granting approval of an application, the Planning Commission or Hearings Official may attach conditions beyond those necessary for compliance with the Springfield Development Code.
- A mailed notice of decision is sent to all those who participated in the public hearing. Any person with standing and the applicant may appeal the Planning Commission decision to the City Council or the Hearings Official decision to the Land Use Board of Appeals.

**Type 4 Decisions.** City Council legislative decisions are made after public notice and a recommendation by the Planning Commission to the City Council (2 public hearings).

- Mailed notice is sent to the applicant and all property owners within 300 feet of the proposal and applicable neighborhood associations. Newspaper notice is published. Notice is posted on the affected property.
- At the Planning Commission public hearing, interested persons may present evidence and testimony relevant to the proposal. The Planning Commission will make findings for each of the applicable criteria and make a recommendation to the City Council.
- At the City Council public hearing, the staff will review the Planning Commission's recommendation and provide other pertinent information for the City Council's consideration. Interested persons will be given the opportunity to present testimony and information relevant to the proposal. The City Council will make findings for each of the applicable criteria and in doing so may uphold, modify or reverse a finding of the Planning Commission. When granting approval of an application, the City Council may attach conditions beyond those necessary for compliance with the Springfield Development Code. The City Council's decision will become effective by passage of an ordinance or resolution.
- A mailed notice of decision is sent to all those who participated in the public hearing. Any person with standing and the applicant may appeal the City Council decision to the Land Use Board of Appeals.

<b>1.2-125</b>	<b>Local Implementation Regulations—The Planning Commission and City Council</b>
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The Planning Commission and the City Council have distinctly different roles. City Councilors are policy makers. They are elected by and are responsive to the public whom they represent. Planning Commissioners are appointed by the City Council. Planning Commissioners work within established policy but make recommendations on policy issues to the City Council.