

Chapter 11: THE PLANNING PROCESS

The purpose of Clackamas County's comprehensive planning process is to establish a framework for land use decisions that will meet the needs of County residents; recognize the County's interrelationships with its cities, surrounding counties, the region, and the state; and ensure that changing priorities and circumstances can be met. Coordination with other governmental agencies and refinement of this Plan and County ordinances is essential to achieve this end.

ISSUES

- Coordination with cities, special districts and federal, state and regional agencies
- Compatibility of County planning programs with those of other jurisdictions and agencies
- Relationship of changing circumstances to County plans and ordinances
- Implementation of County goals and policies
- Public and private costs
- Administration of ordinances and programs

SUMMARY OF FINDINGS AND CONCLUSIONS

- Comprehensive planning in Oregon is mandated by the State. The 1973 Legislature adopted Senate Bill 100 (ORA Chapter 197) which established the Land Conservation and Development Commission (LCDC) and directed the commission to adopt Statewide Planning Goals and Guidelines. LCDC Goals and Guidelines were adopted in December 1974, and became effective January 1, 1975.

The Statewide Planning Goals require Clackamas County to:

- Provide opportunity for citizen involvement
- Establish a land use planning process and policy framework
- Preserve and maintain agricultural lands
- Conserve forest lands for forest uses
- Conserve open space and protect natural and scenic resources
- Maintain and improve the quality of our air, water and land resources
- Protect life and property from natural disasters and hazards
- Satisfy the recreation needs of the citizens of the state and visitors
- Diversify and improve the economy of the state
- Provide for the housing needs of the citizens
- Plan and develop a timely, orderly, and efficient arrangement of public facilities and services
- Provide and encourage a safe, convenient, and economic transportation system

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- Conserve energy
 - Provide an orderly and efficient transition from rural to urban land use
 - Protect, conserve, enhance and maintain the natural scenic, historical, agricultural, economic and recreational qualities of the Willamette Greenway
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- LCDC adopted 19 statewide goals, of which the 15 listed above apply to Clackamas County. The remaining goals (16-19) apply only to Oregon's coastal areas.
 - This Plan satisfies requirements and goals of the Land Conservation and Development Commission. The 15 goals that apply to Clackamas County are addressed within various chapters of the Plan, some as individual topic areas, and others covered in more than one chapter.
 - Metro is responsible for coordinating land use planning activities of the jurisdictions within its district, including:
 - Coordinating local plan review for consistency with statewide goals and guidelines within the Metro jurisdiction. Plans of jurisdictions outside the district are reviewed by the County.
 - Requiring, local plans be consistent with the Metro Land Use Framework Element, the Region 2040 Urban Growth Management Functional Plan and Statewide Planning Goals.
 - Requiring amendments to the Plan in a timely manner consistent with regional goals and objectives and/or functional elements.
 - More than 150 different federal and state agencies, local governments, and special purpose districts provide services and are involved in planning or engage in activities which directly affect the scope and direction of the County's Plan. Agency boundaries seldom coincide.
 - Interagency coordination is necessary to assure that the activities of the agencies reinforce each other and this Plan.
 - Area-wide management of problems is needed for transportation, air and water quality, housing and solid waste.
 - The County contains 15 cities, all of which have adopted or intend to adopt, comprehensive plans, which may include land outside their boundaries.
 - The County contains over 100 special districts, which provide services to unincorporated areas.

CITY, SPECIAL DISTRICT AND AGENCY COORDINATION

Clackamas County recognizes that many activities and problems spill across political boundaries, making coordination with special districts, cities, and state and federal agencies essential.

CITY, SPECIAL DISTRICT AND AGENCY COORDINATION GOALS

- Provide a coordinated approach to problems which transcend local government and special purpose district boundaries or responsibilities.
- Coordinate various agency capital improvement programs with the County's Comprehensive Plan.
- Direct the activities of the various agencies toward implementation of this Plan.
- Establish specific areas adjacent to city boundaries within which the County will coordinate land use actions with the individual city, and within which formal plan agreement will be sought.

11.A City, Special District and Agency Coordination Policies

- 11.A.1 Participate in interagency coordination efforts with federal, state, Metro, special purpose districts and cities. The County will maintain an updated list of federal, state and regional agencies, cities and special districts and will invite their participation in plan revisions, ordinance adoptions, and land use actions which affect their jurisdiction or policies.
- 11.A.2 Request state and regional governments, cities and special districts to inform the County of needs which should be addressed in the County's planning program.
- 11.A.3 Encourage and assist Metro in developing and updating its regional database.
- 11.A.4 Actively participate with Metro in identifying regional needs and priorities and implementing functional plans.
- 11.A.5 Continue to assist its citizens in contacting and communicating with other governmental agencies.
- 11.A.6 Adopt Urban Growth Management Agreements with each city and offer to sign such agreements with all special districts.

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- 11.A.7 Apply this Plan to unincorporated dual interest areas, except those areas where the County has adopted city plan designations in accordance with an urban growth management agreement. Such agreements may provide that the County will not plan or zone dual interest areas at urban densities prior to their annexation by a city. After annexation to a city, this Plan will continue to apply, in accordance with the provisions of ORS 215.130, until the city applies its own land use plan and/or zoning designation. The County will revise Urban Growth Management Agreements to ensure that all agreements include provisions consistent with ORS 215.130.
- 11.A.8 Notify the parties to Urban Growth Management Agreements of proposed land use actions and Plan amendments and encourage participation in formulating and evaluating the proposals. Request necessary technical assistance in assessing impacts on the area and enter all formal comments into the public record.
- 11.A.9 Ensure consistency between city and County plans. Any conflicts shall be stated in an Urban Growth Management Agreement, and resolution of these conflicts will occur through the Plan amendment process.
- 11.A.10 Engage the public in development of intergovernmental agreements.

AMENDMENTS AND IMPLEMENTATION

Clackamas County citizens need a Comprehensive Plan that will meet and guide changing needs and circumstances for the physical and economic growth within the County. The adoption of the Comprehensive Plan is not an end in itself. The Plan must be implemented by governmental or citizen action. It must be kept current through periodic review and appropriate revision.

AMENDMENTS AND IMPLEMENTATION GOALS

- Ensure that policies in this Plan are implemented.
- Establish Plan review and revision procedures that include provisions for participation by citizens and affected governmental units.
- Ensure an adequate factual base for decisions and actions.

11.B Amendments and Implementation Policies

- 11.B.1 Ensure that the Comprehensive Plan and County ordinances meet the goals of LCDC, the Region 2040 Urban Growth Management Functional Plan and the Metro Framework Plan.
- 11.B.2 Ensure that the Comprehensive Plan is regularly reviewed and revised.
- 11.B.2.1 Establish administrative and organizational procedures to ensure adequate monitoring of population, vacant lands, transportation systems, public facility capacities, and environmental and economic changes, including a computerized data retrieval system.
- 11.B.2.2 Maintain the adopted citizen involvement program to provide a means for the public to express their views on County or community needs, changes and improvements.
- 11.B.2.3 Periodically reassess goals, general policies and implementation, as well as the database and alternatives on which this Plan is based.
- 11.B.2.4 Formally review the Comprehensive Plan at periodic intervals.
- 11.B.3 Amend the Comprehensive Plan pursuant to the following procedures and guidelines.
- 11.B.3.1 Allow initiation of a map amendment only by the Board of County Commissioners, the Planning Commission, the Planning Director, or the owner of the property for which a change is requested.
- 11.B.3.2 Allow initiation of a text amendment only by the Board of County Commissioners, the Planning Commission, or the Planning Director.
- 11.B.3.3 Consider all proposed Comprehensive Plan amendments at advertised public hearings before the Planning Commission and the Board of County Commissioners, in accordance with state law and County requirements.

- 11.B.3.4 For quasi-judicial amendments, provide notice of application and public hearing to nearby property owners and the applicable Community Planning Organization a minimum of 20 days prior to the first scheduled public hearing. Provide a copy of the application to the applicable Community Planning Organization a minimum of 35 days prior to the first scheduled public hearing. For legislative amendments, provide notice of proposal and public hearing to all active and recognized Community Planning Organizations a minimum of 20 days prior to the first scheduled public hearing. Ensure that the proposal is available for review a minimum of 35 days prior to the first scheduled public hearing.
 - 11.B.3.5 Provide the opportunity for the Department of Land Conservation and Development and Metro to review and comment on proposed legislative amendments, pursuant to the applicable provisions of state law and the Metro Code .
 - 11.B.3.6 Recognize the Board of County Commissioners as the decision making body for amendments, but provide for the Planning Commission to make recommendations to the Board on these amendments, except in the case of a Plan amendment to designate an historic resource, in which case the Historic Review Board shall be the recommending body.
- 11.B.4 Coordinate the Plan with regional policies by allowing the acknowledged Plan to be "opened" periodically for amendments that specifically consider compliance with regional goals and objectives and functional elements.
- 11.B.4.1 "Open" the Plan, each of its elements, and the implementing ordinances for amendments that consider compliance with the goals and objectives and functional plans of Metro on a periodic basis.
 - 11.B.4.2 Recognize that this provision is not to be construed as waiving any legal rights that the County may have to challenge the legality of a regional goal, objective or plan revision.
- 11.B.5 Authorize the Planning Director to make the initial decision on any questions of interpretation or applicability of this Plan. Provide for the initial decision to be appealed to the Planning Commission and for the Planning Commission's decision to be appealed to the Board of County Commissioners.
- 11.B.6 Implement this Plan through appropriate ordinances and action.
- 11.B.6.1 Amend existing ordinances and adopt new ordinances to carry out the policies of this Plan.
 - 11.B.6.2 Apply zoning in a timely manner that is consistent with this Plan.
 - 11.B.6.3 Require all zoning and subdivision ordinances to be consistent with the intent of, and based on, this Plan.

- 11.B.6.4 Require all actions of the County on conditional uses, variances, and zone changes to be consistent with the intent of this Plan.
- 11.B.7 Consider the development and adoption of Plan amendments to meet special needs within specific neighborhoods or communities.
 - 11.B.7.1 Develop when necessary detailed plans for areas of significant new development or redevelopment, Rural Communities, additional rural areas or areas of transition from rural to urban areas.
 - 11.B.7.2 Develop appropriate community plans to implement housing, transportation and park policies where necessary at the community level.
- 11.B.8 Provide public facilities and services appropriate for urban and nonurban designations through participation with regional agencies, cities and special districts in studies to determine needs, service areas and jurisdictional responsibility.
 - 11.B.8.1 Include opportunities for appropriate citizen participation in all facilities and service plans and implementation decisions.
- 11.B.9 Pursue, as deemed appropriate, enactment or amendment of state statutes and regulations to facilitate opportunities for achieving the goals of this Plan.
- 11.B.10 Develop public financing systems that are more capable of providing the revenues needed to finance the public improvements needed to implement this Plan.
 - 11.B.10.1 Actively pursue funding possibilities including public/private partnerships, federal or state grants, real estate transfer tax, and tax increment financing to realize practical application and benefit of this Plan's policies.
 - 11.B.10.2 Pursue annual development of a Capital Improvement Program for the coming fiscal year, the next five years, and the long-term outlook.
 - 11.B.10.3 Coordinate with federal, state and regional governments to maximize their contributions to County projects.
 - 11.B.10.4 Evaluate the use of a systems development charge based on the development's impact to help alleviate its impact on transportation facilities, open space and other publicly financed facilities.
- 11.B.11 Ensure maximum public benefit from the policy directions in this Plan and the provisions in implementing ordinances by continuing to promote public information/education on land use opportunities and constraints.

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- 11.B.12 Continue to administer state agency regulations at the local level in those cases where doing so will improve service to the people of the County. State programs that currently lend themselves to County administration include soil tests for septic tank suitability.