

# Oregon Land Conservation And Development Commission



## STATEWIDE PLANNING GOALS and Guidelines

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## INTRODUCTION TO THE GOALS and Guidelines

### **Comprehensive Plans and Statewide Goals**

Comprehensive plans in Oregon carry out statewide planning goals. The 19 goals in this tabloid were adopted after extensive citizen involvement in public workshops and hearings. The goals are regulations to be followed by citizens and governments. In Oregon, goals are applied and implemented through a comprehensive plan.

Guidelines are not mandatory. They are suggested directions for local governments to consider when developing comprehensive plans and applying the goals.

### **What is a Comprehensive Plan?**

A comprehensive plan is a set of public decisions dealing with how the land, air and water resources of an area are to be used or not used. These decisions are reached after considering the present and future of an area.

Being comprehensive in scope, the plan provides for all the resources, uses, public facilities and services in an area. It also incorporates the plans and programs of the various governmental units into a single management tool for the planning area.

### **Developing Comprehensive Plans**

Citizens of a planning area and public officials gather information on roads, sewers, schools, parks, agricultural lands, employment, housing, geologic hazards, natural resources, recreation and other topics in the development of the comprehensive plan. Using this information,

problems are sorted through, alternative solutions considered, and decisions made.

At the same time, citizens and public officials consider various plans and programs affecting their area such as the highway system, or economic plans for the region. By working together, cities, counties, special districts and state and federal agencies coordinate their plans to avoid conflicts.

As citizens and officials ask questions, locate information, find answers and make choices, the statewide goals are to be considered. Goals express the concerns Oregonians want addressed in comprehensive plans. The goal requirements represent issues to be included among other more local concerns being addressed by the plan.

### **Comprehensive Plans— Simple or Complex?**

It is important to realize that a comprehensive plan for a small community that is experiencing relatively few problems, a slow rate of growth or little change, may be quite simple. A more extensive comprehensive plan will probably be required for larger communities that are facing many problems, rapid growth or where there are many changes taking place.

### **Comprehensive Plans And Citizen Involvement**

For a comprehensive plan to truly reflect the nature of an area, people with personal knowledge and background must be involved in the development of the plan. Citizen involvement will aid in resolving any con-

flicts or overlapping of the statewide goals that may exist when the goals are applied through the comprehensive plan. Residents of an area can usually best determine how to resolve these problems by reviewing the facts and considering the various alternatives available and their consequences.

The result of all these actions will be a comprehensive plan that meets the needs and desires of the people, complements plans elsewhere in the state, and carries out the statewide goals.

### **FOR MORE INFORMATION**

If you would like more information concerning Oregon's comprehensive planning program, contact:

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# 1.

## CITIZEN INVOLVEMENT

**GOAL: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.**

The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the on-going land-use planning process.

The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues.

Federal, state and regional agencies and special purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement programs established by counties and cities:

The citizen involvement program shall incorporate the following components:

1. **Citizen involvement** — To provide for widespread citizen involvement.

The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process. As a component, the program for citizen involvement shall include an officially recognized citizen advisory committee or committees broadly representative of geographic areas and interests related to land use and land use decisions. Citizen advisory committee members shall be selected by an open, well-publicized public process.

The citizen advisory committee shall be responsible for: assisting the governing body with the development of a program that promotes and enhances citizen involvement in land use planning, assisting in the implementation of the citizen involvement program and evaluating the process being used for citizen involvement.

If the governing body wishes to assume the responsibility for development as well as adoption and implementation of the citizen involvement program or to assign such responsibilities to a planning commission, a letter shall be submitted to the Land Conservation and Development Commission for the State Citizen Involvement Advisory Committee's review and recommendation stating the rationale for selecting this option, as well as indicating the mechanism to be used for an evaluation of the citizen involvement program. If the planning commission is used, its members shall be selected by an open, well publicized public process.

2. **Communication** — To assure effective two-way communication with citizens.

Mechanisms shall be established which provide for effective communication between citizens and elected and appointed officials.

3. **Citizen Influence** — To provide the opportunity for citizens to be involved in all phases of the planning process.

Citizens shall have the opportunity to be involved in the phases of the plan-

ning process as set forth and defined in the goal and guidelines for Land Use Planning, including Preparation of Plans and Implementation Measures, Plan Content, Plan Adoption, Minor Changes and Major Revisions in the Plan and Implementation Measures.

4. **Technical Information** — To assure that technical information is available in an understandable form.

Information necessary to reach policy decisions shall be available in a simplified, understandable form.

Assistance shall be provided to interpret and effectively use technical information. A copy of all technical information shall be available at a local public library or other location open to the public.

5. **Feedback Mechanisms** — To assure that citizens will receive a response from policymakers.

Recommendations resulting from the citizen involvement program shall be retained and made available for public assessment. Citizens who have participated in this program shall receive a response from policymakers. The rationale used to reach land use policy decisions shall be available in the form of a written record.

6. **Financial Support** — To insure funding for the citizen involvement program.

Adequate human, financial and informational resources shall be allocated for the citizen involvement program. These allocations shall be an integral component of the planning budget. The governing body shall be responsible for obtaining and providing these resources.

### GUIDELINES FOR CITIZEN INVOLVEMENT GOALS

#### 1. CITIZEN INVOLVEMENT

- A. A program for stimulating citizen involvement should be developed using a range of available media (including television, radio, newspapers, mailings and meetings).
- B. Universities, colleges, community colleges, secondary and primary educational institutions and other agencies and institutions with interests in land use planning should provide information on land use education to citizens, as well as develop and offer courses in land use education which provide for a diversity of educational backgrounds in land use planning.
- C. In the selection of members for the Citizen Advisory Committee, the following selection process should be observed: citizens should receive notice they can understand of the opportunity to serve on citizen advisory committees; citizen advisory committee appointees should receive official notification of their selection; and, citizen advisory committee appointments should be well publicized.

#### 2. COMMUNICATION

- A. Newsletters, mailings, posters, mailback questionnaires, and other available media should be used in the citizen involvement program.

#### 3. CITIZEN INFLUENCE

- A. **Data Collection** — The general public through the local citizen involvement

programs should have the opportunity to be involved in inventorying, recording, mapping, describing, analyzing and evaluating the elements necessary for the development of the plans.

- B. **Plan Preparation** — The general public, through the local citizen involvement programs, should have the opportunity to participate in developing a body of sound information to identify public goals, develop policy guidelines and evaluate alternative land conservation and development plans for the preparation of the comprehensive land use plans.
- C. **Adoption Process** — The general public, through the local citizen involvement programs, should have the opportunity to review and recommend change to the proposed comprehensive land use plans prior to the public hearing process to adopt comprehensive land use plans.
- D. **Implementation** — The general public, through the local citizen involvement programs, should have the opportunity to participate in the development, adoption and application of legislation that is needed to carry out a comprehensive land use plan.

The general public, through the local citizen involvement programs, should have the opportunity to review each proposal and application for a land conservation and development action prior to the formal consideration of such proposal and application.

- E. **Evaluation** — The general public, through the local citizen involvement programs, should have the opportunity to be involved in the evaluation of the comprehensive land use plans.
- F. **Revision** — The general public, through the local citizen involvement programs, should have the opportunity to review and make recommendations on proposed changes in comprehensive land use plans prior to the public hearing process to formally consider the proposed changes.

#### 4. TECHNICAL INFORMATION

- A. Agencies that either evaluate or implement public projects or programs (such as, but not limited to: road, sewer, water construction, transportation, subdivision studies and zone changes) should provide assistance to the citizen involvement program. The roles, responsibilities and timeline in the planning process of these agencies should be clearly defined and publicized.
- B. Technical information should include, but not be limited to: energy, natural environment, political, legal, economic and social data and places of cultural significance, as well as those maps and photos necessary for effective planning.

#### 5. FEEDBACK MECHANISM

- A. At the onset of the citizen involvement program, the governing body should clearly state the mechanism through which the citizens will receive a response from the policymakers.
- B. A process for quantifying and synthesizing citizen's attitudes should be developed and reported to the general public.

#### 6. FINANCIAL SUPPORT

- A. The level of funding and human resources allocated to the citizen involvement program should be sufficient to make citizen involvement an integral part of the planning process.



# 2.

## LAND USE PLANNING

### GOAL:

**PART 1 - PLANNING:** To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

City, county, state and federal agency and special district plans and actions related to land use shall be consistent with the comprehensive plans of cities and counties and regional plans adopted under ORS 197.705 through 197.795.

All land use plans shall include identification of issues and problems, inventories and other factual information for each applicable state-wide planning goal, evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy and environmental needs. The required information shall be contained in the plan document or in supporting documents. The plans, supporting documents and implementation ordinances shall be filed in a public office or other place easily accessible to the public. The plans shall be the basis for specific implementation measures. These measures shall be consistent with and adequate to carry out the plans. Each plan and related implementation measure shall be coordinated with the plans of affected governmental units.

All land use plans and implementation ordinances shall be adopted by the governing body after public hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances, in accord with a schedule set forth in the plan. Opportunities shall be provided for review and comment by citizens and affected governmental units during preparation, review and revision of plans and implementation ordinances.

**Affected Governmental Units** — are those local governments, state and federal agencies and special districts which have programs, land ownerships or responsibilities within the area included in the plan.

**Comprehensive Plan** — as defined in ORS 197.015 (4).

**Coordinated** — as defined in ORS 197.015 (4). Note: It is included in the definition of comprehensive plan.

**Implementation Measures** — are the means used to carry out the plan. These are of two general types: (1) management implementation measures such as ordinances, regulations or project plans, and (2) site or area specific implementation measures such as permits and grants for construction, construction of public facilities or provision of services.

**Plans** — as used here encompass all plans which guide land use decisions, including both comprehensive and single purpose plans of cities, counties, state and federal agencies and special districts.

**PART II - EXCEPTIONS:** When, during the application of the statewide goals to plans, it appears that it is not possible to apply the appropriate goal to specific properties or situations, then each proposed exception to a goal shall be set forth during the plan preparation phases and also specifically noted in the notices of public hearing. The notices of hearing shall summarize the issues in an understandable and meaningful manner.

If the exception to the goal is adopted, then the compelling reasons and facts for that conclusion shall be completely set forth in the plan and shall include:

- (a) Why these other uses should be provided for;
- (b) What alternative locations within the area could be used for the proposed uses;
- (c) What are the long term environmental, economic, social and energy consequences to the locality, the region or the state from not applying the goal or permitting the alternative use;
- (d) A finding that the proposed uses will be compatible with other adjacent uses.

**PART III - USE OF GUIDELINES:** Governmental units shall review the guideline set forth for the goals and either utilize the guidelines or develop alternative means that will achieve the goals. All land use plans shall state how the guidelines or alternative means utilized achieve the goals.

**Guidelines** — are suggested directions that would aid local governments in activating the mandated goals. They are intended to be instructive, directional and positive, not limiting local government to a single course of action when some other course would achieve the same result. Above all, guidelines are not intended to be a grant of power to the state to carry out zoning from the state level under the guise of guidelines. (Guidelines or the alternative means selected by governmental bodies will be part of the Land Conservation and Development Commission's process of evaluating plans for compliance with goals).

### GUIDELINES:

#### 1. PREPARATION OF PLANS AND IMPLEMENTATION MEASURES

Preparation of plans and implementation measures should be based on a series of broad phases, proceeding from the very general identification of problems and issues to the specific provisions for dealing with these issues and for interrelating the various elements of the plan.

During each phase opportunities should be provided for review and comment by citizens and affected governmental units.

The various implementation measures which will be used to carry out the plan should be considered during each of the planning phases.

The number of phases needed will vary with the complexity and size of the area, number of people involved, other governmental units to be consulted, and availability of the necessary information.

Sufficient time should be allotted for:

- (a) collection of the necessary factual information
- (b) gradual refinement of the problems and issues and the alternative solutions and strategies for development
- (c) desires and development of broad citizen support
- (d) identification and resolution of possible conflicts with plans of affected governmental units.

#### 2. REGIONAL, STATE AND FEDERAL PLAN CONFORMANCE

It is expected that regional, state and federal agency plans will conform to the comprehensive plans of cities and

counties. Cities and counties are expected to take into account the regional, state and national needs. Regional, state and federal agencies are expected to make their needs known during the preparation and revision of city and county comprehensive plans. During the preparation of their plans, federal, state and regional agencies are expected to create opportunities for review and comment by cities and counties.

In the event existing plans are in conflict or an agreement cannot be reached during the plan preparation process, then the Land Conservation and Development Commission expects the affected governmental units to take steps to resolve the issues. If an agreement cannot be reached the appeals procedures in ORS Chapter 197 may be used.

### 3. PLAN CONTENT

#### A. Factual Basis for the Plan

Inventories and other forms of data are needed as the basis for the policies and other decisions set forth in the plan.

This factual base should include data on the following as they relate to the goals and other provisions of the plan:

- (1) Natural resources, their capabilities and limitations
- (2) Man-made structures and utilities, their location and condition
- (3) Population and economic characteristics of the area
- (4) Roles and responsibilities of governmental units.

#### B. Elements of the Plan

The following elements should be included in the plan:

- (1) Applicable state-wide planning goals
- (2) Any critical geographic area designated by the Legislature
- (3) Elements that address any special needs or desires of the people in the area
- (4) Time periods of the plan, reflecting the anticipated situation at appropriate future intervals.

All of the elements should fit together and relate to one another to form a consistent whole at all times.

#### 4. FILING OF PLANS

City and county plans should be filed, but not recorded, in the Office of the County Recorder. Copies of all plans should be available to the public and to affected governmental units.

#### 5. MAJOR REVISIONS AND MINOR CHANGES IN THE PLAN IN IMPLEMENTATION MEASURES

The citizens in the area and any affected governmental unit should be given an opportunity to review and comment prior to any changes in the plan and implementation ordinances. There should be at least 30 days notice of the public hearing on the proposed change. In determining the affected persons to receive notice by mail of proposed changes, renters should be considered among those affected. Also, in the event that all of the property within a single ownership is not included in the area to be changed, the boundary for those to receive notice by mail should be measured from the property line and not from the boundary line of the area to be changed.

Continued on next page



# 2.

## LAND USE PLANNING (Continued)

When adopted, the changes should be suitably noted in a prominent place in the document, filed with the recorder, and copies made available to the public.

### A. Major Revisions

Major revisions include land use changes that have widespread and significant impact beyond the immediate area such as quantitative changes producing large volumes of traffic; a qualitative change in the character of the land use itself, such as conversion of residential to industrial use; or a spatial change that affects large areas or many different ownerships.

The plan and implementation measures should be revised when public needs and desires change and when development occurs at a different rate than contemplated by the plan. Areas experiencing rapid growth and development should provide for a frequent review so needed revisions can be made to keep the plan up to date; however, major revisions should not be made more frequently than every two years, if at all possible.

The plan and implementation measures should be reviewed at least every two years and a public statement issued on whether any revision is needed. They can be reviewed in their entirety or in major portions. The review should begin with reexamining the date and problems and continue through the same basic phases as the initial preparation of the plan and implementation measures.

### B. Minor Changes

Minor changes, i.e., those which do not have significant effect beyond the immediate area of the change, should be based on special studies or other information which will serve as the factual basis to support the change. The public need and justification for the particular change should be established. Minor changes should not be made more frequently than once a year, if at all possible.

### 6. IMPLEMENTATION MEASURES

The following types of measures should be considered for carrying out plans:

#### A. Management Implementation Measures:

- (1) Ordinances controlling the use and construction on the land such as building codes, sign ordinances, subdivision and zoning ordinances. ORS Chapter 197 requires that the provisions of the zoning and subdivision ordinances conform to the comprehensive plan.
- (2) Plans for public facilities that are more specific than those included in the comprehensive plan. They show the size, location and capacity serving each property but are not as detailed as construction drawings.
- (3) Capital improvement budget which sets out the projects to be constructed during the budget period.
- (4) State and federal regulations affecting land use.
- (5) Annexations, consolidations, mergers and other reorganization measures.

### B. Site and Area Specific Implementation Measures

- (1) Building permits, septic tank permits, driveway permits, etc.; the review of subdivisions and land partitioning applications, the changing of zones and granting of conditional uses, etc.
- (2) The construction of public facilities (schools, roads, water lines, etc.)
- (3) The provision of land-related public services such as fire and police.
- (4) The awarding of state and federal grants to local governments to provide these facilities and services.
- (5) Leasing of public lands.

### 7. USE OF GUIDELINES FOR THE STATE-WIDE PLANNING GOALS

Guidelines for most state-wide planning goals are found in two sections — planning and implementation. Planning guidelines relate primarily to the process of developing plans that incorporate the provisions of the goals. Implementation guidelines should relate primarily to the process of carrying out the goals once they have been incorporated into the plans. Techniques to carry out the goals and plans should be considered during the preparation of the plan.

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Notes



# 3.

## AGRICULTURAL LANDS

**GOAL:** To preserve and maintain agricultural lands.

Agriculture lands shall be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space. These lands shall be inventoried and preserved by adopting exclusive farm use zones pursuant to ORS Chapter 215. Such minimum lot sizes as are utilized for any farm use zones shall be appropriate for the continuation of the existing commercial agricultural enterprise with the area. Conversion of rural agricultural land to urbanizable land shall be based upon consideration of the following factors: (1) environmental, energy, social and economic consequences; (2) demonstrated need consistent with LCDC goals; (3) unavailability of an alternative suitable location for the requested use; (4) compatibility of the proposed use with related agricultural land; and (5) the retention of Class I, II, III and IV soils in farm use. A governing body proposing to convert rural agricultural land to urbanizable land shall follow the procedures and requirements set forth in the Land Use Planning goal (Goal 2) for goal exceptions.

**AGRICULTURAL LAND** — in western Oregon is land of predominately Class I, II, III and IV soils and in eastern Oregon is

land of predominantly Class I, II, III, IV, V and VI soils as identified in the Soil Capability Classification System of the United States Soil Conservation Service, and other lands which are suitable for farm use taking into consideration soil fertility, suitability for grazing, climatic conditions, existing and future availability of water for farm irrigation purposes, existing land use patterns, technological and energy inputs required, or accepted farming practices. Lands in other classes which are necessary to permit farm practices to be undertaken on adjacent or nearby lands, shall be included as agricultural land in any event.

More detailed soil data to define agricultural land may be utilized by local governments if such data permits achievement of this goal.

**Farm Use** — is as set forth in ORS 215.203 and includes the non-farm uses authorized by ORS 215.213.

### GUIDELINES:

#### A. Planning

1. Urban growth should be separated from agricultural lands by buffer or transitional areas of open space.
2. Plans providing for the preservation and maintenance of farm land for farm

use, should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

#### B. Implementation:

1. Non-farm uses permitted within farm use zones under ORS 215.213 (2) and (3) should be minimized to allow for maximum agricultural productivity.
2. Extension of services, such as sewer and water supplies into rural areas should be appropriate for the needs of agriculture, farm use and non-farm uses established under ORS 215.213.
3. Services that need to pass through agricultural lands should not be connected with any use that is not allowed under ORS 215.203 and 215.213, should not be assessed as part of the farm unit and should be limited in capacity to serve specific service areas and identified needs.
4. Forest and open space uses should be permitted on agricultural land that is being preserved for future agricultural growth. The interchange of such lands should not be subject to tax penalties.

# 4.

## FOREST LANDS

**GOAL:** To conserve forest lands for forest uses.

Forest land shall be retained for the production of wood fiber and other forest uses. Lands suitable for forest uses shall be inventoried and designated as forest lands. Existing forest land uses shall be protected unless proposed changes are in conformance with the comprehensive plan.

In the process of designating forest lands, comprehensive plans shall include the determination and mapping of forest site classes according to the United States Forest Service manual "Field Instructions for Integrated Forest Survey and Timber Management Inventories - Oregon, Washington and California, 1974."

**Forest Lands** — are (1) lands composed of existing and potential forest lands which are suitable for commercial forest uses; (2) other forested lands needed for watershed protection, wildlife and fisheries habitat and recreation; (3) lands where extreme conditions of climate, soil and topography require the maintenance of vegetative cover irrespective of use; (4) other forested lands in urban and agricultural areas which provide urban

buffers, wind breaks, wildlife, and fisheries habitat, livestock habitat, scenic corridors and recreational use.

**Forest Uses** — are (1) the production of trees and the processing of forest products; (2) open space, buffers from noise, and visual separation of conflicting uses; (3) watershed protection and wildlife and fisheries habitat; (4) soil protection from wind and water; (5) maintenance of clean air and water; (6) outdoor recreational activities and related support services and wilderness values compatible with these uses; and (7) grazing land for livestock.

### GUIDELINES:

#### A. Planning:

1. Forest lands should be inventoried so as to provide for the preservation of such lands for forest uses.
2. Plans providing for the preservation of forest lands for forest uses should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

#### B. Implementation:

1. Before forest land is changed to another use, the productive capacity of

the land in each use should be considered and evaluated.

2. Developments that are allowable under the forest lands classification should be limited to those activities for forest production and protection and other land management uses that are compatible with forest production. Forest lands should be available for recreation and other uses that do not hinder growth.
3. Forestation or reforestation should be encouraged on land suitable for such purposes, including marginal agricultural land not needed for farm use.
4. Road standards should be limited to the minimum width necessary for management and safety.
5. Highways through forest lands should be designed to minimize impact on such lands.
6. Rights-of-way should be designed so as not to preclude forest growth whenever possible.
7. Maximum utilization of utility rights-of-way should be required before permitting new ones.
8. Comprehensive plans should consider other land uses that are adjacent to forest lands so that conflicts with forest harvest and management are avoided.

# 5

## OPEN SPACES, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES

**GOAL:** To conserve open space and protect natural and scenic resources.

Programs shall be provided that will: (1) insure open space, (2) protect scenic and historic areas and natural resources for future generations, and (3) promote healthy and visually attractive environments in harmony with the natural landscape character. The location, quality and quantity of the following resources shall be inventoried:

- a. Land needed or desirable for open space;
- b. Mineral and aggregate resources;
- c. Energy sources;
- d. Fish and wildlife areas and habitats;
- e. Ecologically and scientifically significant natural areas, including desert areas;
- f. Outstanding scenic views and sites;
- g. Water areas, wetlands, watersheds and groundwater resources;
- h. Wilderness areas;
- i. Historic areas, sites, structures and objects;
- j. Cultural areas;
- k. Potential and approved Oregon recreation trails;
- l. Potential and approved federal wild and scenic waterways and state scenic waterways.

Where no conflicting uses for such resources have been identified, such resources shall be managed so as to preserve their original character. Where conflicting uses have been identified the economic, social, environmental and energy consequences of the conflicting uses shall be determined and programs developed to achieve the goal.

**Cultural Area** — refers to an area characterized by evidence of an ethnic, religious or social group with distinctive traits, belief and social forms.

**Historic Areas** — are lands with sites, structures and objects that have local, regional, statewide or national historical significance.

**Natural Area** — includes land and water that has substantially retained its natural character and land and water that, although altered in character, is important as habitats for plant, animal or marine life, for the study of its natural historical, scientific or paleontological features, or for the appreciation of its natural features.

**Open Space** — consists of lands used for agricultural or forest uses, and any land area that would, if preserved and continued in its present use:

- (a) Conserve and enhance natural or scenic resources;
- (b) Protect air or streams or water supply;
- (c) Promote conservation of soils, wetlands, beaches or tidal marshes;
- (d) Conserve landscaped areas, such as public or private golf courses, that reduce air pollution and enhance the value of abutting or neighboring property;
- (e) Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space;
- (f) Promote orderly urban development.

**Scenic Areas** — are lands that are valued for their aesthetic appearance.

**Wilderness Areas** — are areas where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain. It is an area of undeveloped land retaining its primeval character and influence, without permanent improvement or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) may also contain ecological, geological, or other features of scientific, educational, scenic or historic value.

### GUIDELINES:

#### A. Planning:

1. The need for open space in the planning area should be determined, and standards developed for the amount, distribution, and type of open space.
2. Criteria should be developed and utilized to determine what uses are consistent with open space values and to evaluate the effect of converting open space lands to inconsistent uses. The maintenance and development of open space in urban areas should be encouraged.
3. Natural resources and required sites for the generation of energy (i.e. natural gas, oil, coal, hydro, geothermal, uranium, solar and others) should be conserved and protected; reservoir sites should be identified and protected against irreversible loss.
4. Plans providing for open space, scenic and historic areas and natural resources should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.
5. The National Register of Historic Places and the recommendations of the State Advisory Committee on Historic Preservation should be utilized in designating historic sites.
6. In conjunction with the inventory of mineral and aggregate resources, sites for removal and processing of such resources should be identified and protected.
7. As a general rule, plans should prohibit outdoor advertising signs except in commercial or industrial zones. Plans

should not provide for the reclassification of land for the purpose of accommodating an outdoor advertising sign. The term "outdoor advertising sign" has the meaning set forth in ORS 377.710(23).

#### B. Implementation:

1. Development should be planned and directed so as to conserve the needed amount of open space.
2. The conservation of both renewable and nonrenewable natural resources and physical limitations of the land should be used as the basis for determining the quantity, quality, location, rate and type of growth in the planning area.
3. The efficient consumption of energy should be considered when utilizing natural resources.
4. Fish and wildlife areas and habitats should be protected and managed in accordance with the Oregon Wildlife Commission's fish and wildlife management plans.
5. Stream flow and water levels should be protected and managed at a level adequate for fish, wildlife, pollution abatement, recreation, aesthetics and agriculture.
6. Significant natural areas that are historically, ecologically or scientifically unique, outstanding or important, including those identified by the State Natural Area Preserves Advisory Committee, should be inventoried and evaluated. Plans should provide for the preservation of natural areas consistent with an inventory of scientific, educational, ecological and recreational needs for significant natural areas.
7. Local, regional and state governments should be encouraged to investigate and utilize fee acquisition, easements, cluster developments, preferential assessment, development rights acquisition and similar techniques to implement this goal.
8. State and federal agencies should develop statewide natural resource, open space, scenic and historic area plans and provide technical assistance to local and regional agencies. State and federal plans should be reviewed and coordinated with local and regional plans.
9. Areas identified as having non-renewable mineral and aggregate resources should be planned for interim, transitional and "second use" utilization as well as for the primary use.



# 6.

## AIR, WATER AND LAND RESOURCES QUALITY

**GOAL:** To maintain and improve the quality of the air, water and land resources of the state.

All waste and process discharges from future development, when combined with such discharges from existing developments shall not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards. With respect to the air, water and land resources of the applicable air sheds and river basins described or included in state environmental quality statutes, rules, standards, and implementation plan, such discharges shall not (1) exceed the carrying capacity of such resources, considering long range needs; (2) degrade such resources; or (3) threaten the availability of such resources.

**Waste and Process Discharges** — refers to solid waste, thermal, noise, atmospheric or water pollutants, contaminants, or products therefrom. Included here also are indirect sources of air pollution which result in emissions of air contaminants for which the state has established standards.

### GUIDELINES:

#### A. Planning:

1. Plans should designate alternative areas suitable for use in controlling pollution including but not limited to waste water treatment plants, solid

waste disposal sites and sludge disposal sites.

2. Plans should designate areas for urban and rural residential use only where approved sewage disposal alternatives have been clearly identified in such plans.
3. Plans should buffer and separate those land uses which create or lead to conflicting requirements and impacts upon the air, water and land resources.
4. Plans which provide for the maintenance and improvement of air, land and water resources of the planning area should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.
5. All plans and programs affecting waste and process discharges should be coordinated within the applicable air sheds and river basins described or included in state environmental quality statutes, rules, standards and implementation plan.
6. Plans of state agencies before they are adopted, should be coordinated with and reviewed by local agencies with respect to the impact of these plans on the air, water and land resources in the planning area.
7. In all air quality maintenance areas, plans should be based on applicable

state rules for reducing indirect pollution and be sufficiently comprehensive to include major transportation, industrial, institutional, commercial, recreational and governmental developments and facilities.

#### B. Implementation:

1. Plans should take into account methods and devices for implementing this goal, including but not limited to the following: (1) tax incentives and disincentives, (2) land use controls and ordinances, (3) multiple-use and joint development practices, (4) capital facility programming, (5) fee and less-than-fee acquisition techniques, and (6) enforcement of local health and safety ordinances.
2. A management program that details the respective implementation roles and responsibilities for carrying out this goal in the planning area should be established in the comprehensive plan.
3. Programs should manage land conservation and development activities in a manner that accurately reflects the community's desires for a quality environment and a healthy economy and is consistent with state environmental quality statutes, rules, standards and implementation plan.

# 7.

## AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

**GOAL:** To protect life and property from natural disasters and hazards.

Developments subject to damage or that could result in loss of life shall not be planned nor located in known areas of natural disasters and hazards without appropriate safeguards. Plans shall be based on an inventory of known areas of natural disaster and hazard.

**Areas of Natural Disaster and Hazards** — are areas that are subject to natural events that are known to result in death or endanger the works of man, such as stream flooding, ocean flooding, ground water, erosion and deposition, landslides, earthquakes, weak foundation soils and other hazards unique to local or regional areas.

### GUIDELINES:

#### A. Planning:

1. Areas subject to natural hazards should be evaluated as to the degree of hazard present. Proposed developments should be keyed to the degree of hazard and to the limitations on use imposed by such hazard in the planning areas.
2. In planning for flood plain areas, uses

that will not require protection through dams, dikes and levies should be preferred over uses that will require such protection.

3. Low density and open space uses that are least subject to loss of life or property damage such as open storage, forestry, agriculture and recreation should be preferred in floodplains, especially the floodway portion. The floodway portion should be given special attention to avoid development that is likely to cause an impediment to the flow of floodwaters.
4. Plans taking into account known areas of natural disasters and hazards should consider as a major determinant, the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.
5. Planning for known areas of natural disasters and hazards should include an evaluation of the beneficial impact on natural resources and the environment from letting such events naturally reoccur.

#### B. Implementation:

1. Cities and counties not already eligible

should qualify for inclusion in the National Flood Insurance Program, provided under the National Flood Insurance Act of 1968 (Public Law 90-448). The Act requires that development in flood-prone areas be appropriate to the probability of flood damage, and the danger to human life. The Flood Disaster Protection Act of 1973 (P.L. 93-234) and other pertinent federal and state programs should be considered. The United States Department of Housing and Urban Development should identify all flood and mud-slide prone cities and counties in Oregon, and priority should be given to the completion of flood rate maps for such areas.

2. When locating developments in areas of known natural hazards, the density or intensity of the development should be limited by the degree of the natural hazard.
3. When regulatory programs and engineering projects are being considered, the impacts of each should be considered.
4. Natural hazards that could result from new developments, such as runoff from paving projects and soil slippage due to weak foundation soils, should be considered, evaluated and provided for.

# 8.

**GOAL:** To satisfy the recreational needs of the citizens of the state and visitors.

The requirements for meeting such needs, now and in the future shall be planned for by governmental agencies having responsibility for recreation areas, facilities and opportunities: (1) in coordination with private enterprise, (2) in appropriate proportions and (3) in such quantity, quality and location as is consistent with the availability of the resources to meet such requirements. State and federal agency recreation plans shall be coordinated with local and regional recreational needs and plans.

**Recreation Areas, Facilities and Opportunities** — provide for human development and enrichment, and include but are not limited to: open space and scenic landscapes; recreational lands; history, archaeology and natural science resources; scenic roads and travelways, sports and cultural events; camping, picnicking and recreational lodging; tourist facilities and accommodations; trails; waterway use facilities; hunting; angling; winter sports; mineral resources; active and passive games and activities.

**Recreation Needs** — refers to existing and future demand by citizens and visitors for recreation areas, facilities and opportunities.

#### **GUIDELINES:**

##### **A. Planning:**

1. An inventory of recreation needs in the planning area should be made based upon adequate research and analysis of public wants and desires.

## RECREATIONAL NEEDS

2. An inventory of recreation opportunities should be made based upon adequate research and analysis of the resources in the planning area which are available to meet recreation needs.
3. Recreation land use to meet recreational needs and development standards, roles and responsibilities should be developed by all agencies in coordination with each other and with the private interests. Long range plans and action programs to meet recreational needs should be developed by each agency responsible for developing comprehensive plans.
4. The planning for lands and resources capable of accommodating multiple uses should include provision for appropriate recreation opportunities.
5. The STATE COMPREHENSIVE OUTDOOR RECREATION PLAN could be used as a guide when planning, acquiring and developing recreation resources, areas and facilities.
6. When developing recreation plans, energy consequences should be considered, and to the greatest extent possible non-motorized types of recreational activities should be preferred over motorized activities.
7. Planning and provision for recreation facilities and opportunities should give priority to areas, facilities and uses that (a) meet recreational needs requirements for high density population centers, (b) meet recreational needs of persons of limited mobility and finances, (c) meet recreational needs requirements while providing the maximum conservation of energy both in the transportation of persons to the facility or area and in the recreational

use itself, (d) minimize environmental deterioration, (e) are available to the public at nominal cost, and (f) meet needs of visitors to the state.

8. Unique areas or resources capable of meeting one or more specific recreational needs requirements should be inventoried and protected or acquired.
9. All state and federal agencies developing recreation plans should allow for review of recreation plans by affected local agencies.
10. Comprehensive plans should be designed to give a higher priority to enhancing recreation opportunities on the public waters and shorelands of the state especially on existing and potential state and federal wild and scenic waterways and Oregon Recreational Trails.
11. Plans which provide for satisfying the recreation needs of persons in the planning area should consider as a major determinant, the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

##### **B. Implementation:**

1. Plans should take into account various techniques in addition to fee acquisition such as easements, cluster developments, preferential assessments, development rights acquisition, subdivision park land dedication which benefits the subdivision, and similar techniques to meet recreation requirements through tax policies, land leases, and similar programs.

# 9.

**GOAL:** To diversify and improve the economy of the state.

Both state and federal economic plans and policies shall be coordinated by the state with local and regional needs. Plans and policies shall contribute to a stable and healthy economy in all regions of the state. Plans shall be based on inventories of areas suitable for increased economic growth and activity after taking into consideration the health of the current economic base; materials and energy availability; labor market factors; transportation; current market forces; availability of renewable and non-renewable resources; availability of land; and pollution control requirements.

Economic growth and activity in accordance with such plans shall be encouraged in areas that have underutilized human and natural resource capabilities and want increased growth and activity. Alternative sites suitable for economic growth and expansion shall be designated in such plans.

**Diversify** — refers to increasing the variety, type, scale and location of business, industrial and commercial activities.

**Improve the Economy of the State** — refers to a beneficial change in those business, industrial and commercial activities which generate employment, products and services consistent with the availability of long term human and natural resources.

## ECONOMY OF THE STATE

**Areas Which Have Underutilized Human and Natural Resource Capabilities** — refer to cities, counties or regions which are characterized by chronic unemployment or a narrow economic base, but have the capacity and resources to support additional economic activity.

#### **GUIDELINES:**

##### **A. Planning:**

1. A principal determinant in planning for major industrial and commercial developments should be the comparative advantage of the region within which the developments would be located. Comparative advantage industries are those economic activities which represent the most efficient use of resources, relative to other geographic areas.
2. The economic development projections and the comprehensive plan which is drawn from the projections should take into account the availability of the necessary natural resources to support the expanded industrial development and associated populations. The plan should also take into account the social, environmental, energy and economic impacts upon the resident population.
3. Plans should designate the type and level of public facilities and services appropriate to support the degree of economic development being proposed.

4. Plans should strongly emphasize the expansion of and increased productivity from existing industries and firms as a means to strengthen local and regional economic development.

5. Plans directed toward diversification and improvement of the economy of the planning area should consider as a major determinant, the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

##### **B. Implementation:**

1. Plans should take into account methods and devices for overcoming certain regional conditions and deficiencies for implementing this goal, including but not limited to (1) tax incentives and disincentives; (2) land use controls and ordinances; (3) preferential assessments; (4) capital improvement programming; and (5) fee and less-than-fee acquisition techniques.
2. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those private and governmental bodies which operate in the planning area and have interests in carrying out this goal and in supporting and coordinating regional and local economic plans and programs.



# 10.

## HOUSING

**GOAL:** To provide for the housing needs of citizens of the state.

**Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.**

**Buildable Lands** — refers to lands in urban and urbanizable areas that are suitable, available and necessary for residential use.

**Household** — refers to one or more persons occupying a single housing unit.

### GUIDELINES:

#### A. Planning:

1. In addition to inventories of buildable lands, housing elements of a comprehensive plan should, at a minimum, include: (1) A comparison of the distribution of the existing population by income with the distribution of available housing units by cost; (2) a determination of vacancy rates, both overall and at varying rent ranges and cost levels; (3) a determination of expected housing demand at varying rent ranges and cost levels; (4) allowance for a variety of densities and types of residences in each community; and (5) an inventory of sound housing in urban areas including units capable of being rehabilitated.
2. Plans should be developed in a manner

that insures the provision of appropriate types and amounts of land within urban growth boundaries. Such land should be necessary and suitable for housing that meets the housing needs of households of all income levels.

3. Plans should provide for the appropriate type, location and phasing of public facilities and services sufficient to support housing development in areas presently developed or undergoing development or redevelopment.
4. Plans providing for housing needs should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

#### B. Implementation:

1. Plans should provide for a continuing review of housing need projections and should establish a process for accommodating needed revisions.
2. Plans should take into account the effects of utilizing financial incentives and resources to (a) stimulate the rehabilitation of substandard housing without regard to the financial capacity of the owner so long as benefits accrue to the occupants; and (b) bring into compliance with codes adopted to assure safe and sanitary housing the dwellings of individuals who cannot on their own afford to meet such codes.
3. Decisions on housing development pro-

posals should be expedited when such proposals are in accordance with zoning ordinances and with provisions of comprehensive plans.

4. Ordinances and incentives should be used to increase population densities in urban areas taking into consideration (1) key facilities, (2) the economic, environmental, social and energy consequences of the proposed densities and (3) the optimal use of existing urban land particularly in sections containing significant amounts of unsound substandard structures.
5. Additional methods and devices for achieving this goal should, after consideration of the impact on lower income households, include, but not be limited to: (1) tax incentives and disincentives; (2) building and construction code revision; (3) zoning and land use controls; (4) subsidies and loans; (5) fee and less-than-fee acquisition techniques; (6) enforcement of local health and safety costs; and (7) coordination of the development of urban facilities and services to disperse low income housing throughout the planning area.
6. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal.

# 11.

## PUBLIC FACILITIES AND SERVICES

**GOAL:** To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

**Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable and rural areas to be served. A provision for key facilities shall be included in each plan. To meet current and long-range needs, a provision for solid waste disposal sites, including sites for inert waste, shall be included in each plan.**

**A Timely Orderly and Efficient Arrangement** — refers to a system or plan that coordinates the type, location and delivery of public facilities and services in a manner that best supports the existing and proposed land uses.

**Rural Facilities and Services** — refers to facilities and services which the governing body determines to be suitable and appropriate solely for the needs of rural use.

**Urban Facilities and Services** — refers to key facilities and to appropriate types and levels of at least the following: police protection; fire protection; sanitary facilities; storm drainage facilities; planning, zoning and subdivision control; health services; recreation facilities and services; energy and communication services; and community governmental services.

### GUIDELINES:

#### A. Planning:

1. Plans providing for public facilities and services should be coordinated with plans for designation of urban boundaries, urbanizable land, rural uses and for the transition of rural land to urban uses.
2. Public facilities and services for rural areas should be provided at levels appropriate for rural use only and should not support urban uses.
3. Public facilities and services in urban areas should be provided at levels necessary and suitable for urban uses.
4. Public facilities and services in urbanizable areas should be provided at levels necessary and suitable for existing uses. The provision for future public facilities and services in these areas should be based upon: (1) the time required to provide the service; (2) reliability of service; (3) financial cost; and (4) levels of service needed and desired.
5. A public facility or service should not be provided in an urbanizable area unless there is provision for the coordinated development of all the other urban facilities and services appropriate to that area.
6. All utility lines and facilities should be located on or adjacent to existing public or private rights-of-way to avoid dividing existing farm units.
7. Plans providing for public facilities and services should consider as a major determinant and carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

#### B. Implementation:

1. Capital improvement programming and budgeting should be utilized to achieve desired types and levels of public facilities and services in urban, urbanizable and rural areas.
2. Public facilities and services should be appropriate to support sufficient amounts of land to maintain an adequate housing market in areas undergoing development or redevelopment.
3. The level of key facilities that can be provided should be considered as a principal factor in planning for various densities and types of urban and rural land uses.
4. Plans should designate sites of power generation facilities and the location of electric transmission lines in areas intended to support desired levels of urban and rural development.
5. Additional methods and devices for achieving desired types and levels of public facilities and services should include but not be limited to the following: (1) tax incentives and disincentives; (2) land use controls and ordinances; (3) multiple use and joint development practices; (4) fee and less-than-fee acquisition techniques; and (5) enforcement of local health and safety codes.
6. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal.

# 12.

## TRANSPORTATION

**GOAL:** To provide and encourage a safe, convenient and economic transportation system.

A transportation plan shall (1) consider all modes of transportation including mass transit, air, water, pipeline, rail, highway, bicycle and pedestrian; (2) be based upon an inventory of local, regional and state transportation needs; (3) consider the differences in social consequences that would result from utilizing differing combinations of transportation modes; (4) avoid principal reliance upon any one mode of transportation; (5) minimize adverse social, economic and environmental impacts and costs; (6) conserve energy; (7) meet the needs of the transportation disadvantaged by improving transportation services; (8) facilitate the flow of goods and services so as to strengthen the local and regional economy; and (9) conform with local and regional comprehensive land use plans. Each plan shall include a provision for transportation as a key facility.

**Transportation** — refers to the movement of people and goods.

**Transportation Facility** — refers to one or more transportation facilities that are planned, developed, operated and maintained in a coordinated manner to supply continuity of movement between modes, and within and between geographic and jurisdictional areas.

**Mass Transit** — refers to any form of passenger transportation which carries members of the public on a regular and continuing basis.

**Transportation Disadvantaged** — refers to those individuals who have difficulty in obtaining transportation because of their age, income, physical or mental disability.

### GUIDELINES:

#### A. Planning:

1. All current area-wide transportation studies and plans should be revised in coordination with local and regional comprehensive plans and submitted to local and regional agencies for review and approval.
2. Transportation systems, to the fullest extent possible, should be planned to utilize existing facilities and rights-of-way within the state provided that such use is not inconsistent with the environmental, energy, land-use, economic or social policies of the state.
3. No major transportation facility should be planned or developed outside urban boundaries on Class I and II agricultural land, as defined by the U.S. Soil Conservation Service unless no feasible alternative exists.
4. Major transportation facilities should avoid dividing existing economic farm units and urban-social units unless no feasible alternative exists.
5. Populations densities and peak hour travel patterns of existing and planned developments should be considered in the choice of transportation modes for trips taken by persons. While high density developments with concentrated trip origins and destinations should be designed to be principally served by mass transit, low-density developments with dispersed origins and destinations should be principally served by the auto.
6. Plans providing for a transportation system should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

#### B. Implementation:

1. The number and location of major transportation facilities should conform to applicable state or local land use plans and policies designed to direct urban expansion to areas identified as necessary and suitable for urban development. The planning and development of transportation facilities in rural areas should discourage urban growth while providing transportation service necessary to sustain rural and recreational uses in those areas so designated in the comprehensive plan.
2. Plans for new or for the improvement of major transportation facilities should identify the positive and negative impacts on: (1) local land use patterns, (2) environmental quality, (3) energy use and resources, (4) existing transportation systems and (5) fiscal resources in a manner sufficient to enable local governments to rationally consider the issues posed by the construction and operation of such facilities.
3. Lands adjacent to major mass transit stations, freeway interchanges, and other major air, land and water terminals should be managed and controlled so as to be consistent with and supportive of the land use and development patterns identified in the comprehensive plan of the jurisdiction within which the facilities are located.
4. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal.

# 13.

## ENERGY CONSERVATION

**GOAL:** To conserve energy.

Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

### GUIDELINES:

#### A. Planning:

1. Priority consideration in land use planning should be given to methods of analysis and implementation measures that will assure achievement of maximum efficiency in energy utilization.
2. The allocation of land and uses permitted on the land should seek to minimize the depletion of nonrenewable sources of energy.
3. Land use planning should, to the maximum extent possible, seek to recycle and re-use vacant land and those uses

which are not energy efficient.

4. Land use planning should, to the maximum extent possible, combine increasing density gradients along high capacity transportation corridors to achieve greater energy efficiency.
5. Plans directed toward energy conservation within the planning area should consider as a major determinant the existing and potential capacity of the renewable energy sources to yield useful energy output. Renewable energy sources include water, sunshine, wind, geothermal heat and municipal, forest and farm waste. Whenever possible, land conservation and development actions provided for under such plans should utilize renewable energy sources.

#### B. Implementation:

1. Land use plans should be based on utilization of the following techniques and implementation devices which can have a material impact on energy efficiency:
  - a. Lot size, dimension and siting controls;
  - b. Building height, bulk and surface area;
  - c. Density of uses, particularly those which relate to housing densities;
  - d. Availability of light, wind and air;
  - e. Compatibility of and competition between competing land use activities; and
  - f. Systems and incentives for the collection, reuse and recycling of metallic and nonmetallic waste.



# 14.

**GOAL:** To provide for an orderly and efficient transition from rural to urban land use.

Urban growth boundaries shall be established to identify and separate urbanizable land from rural land.

Establishment and change of the boundaries shall be based upon consideration of the following factors:

- (1) Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals;
- (2) Need for housing, employment opportunities, and livability;
- (3) Orderly and economic provision for public facilities and services;
- (4) Maximum efficiency of land uses within and on the fringe of the existing urban area;
- (5) Environmental, energy, economic and social consequences;
- (6) Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and,
- (7) Compatibility of the proposed urban uses with nearby agricultural activities.

The results of the above considerations shall be included in the comprehensive plan. In the case of a change of a boundary, a governing body proposing such change in the boundary separating urbanizable land from rural land, shall follow the procedures and requirements as set forth in the Land Use Planning Goal (Goal 2) for goal exceptions.

Any urban growth boundary established prior to January 1, 1975 which includes rural lands that have not been built upon shall be reviewed by the governing body,

## URBANIZATION

utilizing the same factors applicable to the establishment or change of urban growth boundaries.

Establishment and change of the boundaries shall be a cooperative process between a city and the county or counties that surround it.

Land within the boundaries separating urbanizable land from rural land shall be considered available over time for urban uses. Conversion of urbanizable land to urban uses shall be based on consideration of:

- (1) Orderly, economic provision for public facilities and services;
- (2) Availability of sufficient land for the various uses to insure choices in the market place;
- (3) LCDC goals; and,
- (4) Encouragement of development within urban areas before conversion of urbanizable areas.

### GUIDELINES:

- A. **Planning:**
1. Plans should designate sufficient amounts of urbanizable land to accommodate the need for further urban expansion, taking into account (1) the growth policy of the area, (2) population needs (by the year 2000), (3) the carrying capacity of the planning area, and (4) open space and recreational needs.
  2. The size of the parcels of urbanizable land that are converted to urban land should be of adequate dimension so as to maximize the utility of the land resource and enable the logical and efficient extension of services to such parcels.
  3. Plans providing for the transition from rural to urban land use should take into consideration as a major determinant the carrying capacity of the air, land

and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

### B. Implementation Related:

1. The type, location and phasing of public facilities and services are factors which should be utilized to direct urban expansion.
2. The type, design, phasing and location of major public transportation facilities (i.e., all modes: air, marine, rail, mass transit, highways, bicycle and pedestrian) and improvements thereto are factors which should be utilized to support urban expansion into urbanizable areas and restrict it from rural areas.
3. Financial incentives should be provided to assist in maintaining the use and character of lands adjacent to urbanizable areas.
4. Local land use controls and ordinances should be mutually supporting, adopted and enforced to integrate the type, timing and location of public facilities and services in a manner to accommodate increased public demands as urbanizable lands become more urbanized.
5. Additional methods and devices for guiding urban land use should include but not be limited to the following: (1) tax incentives and disincentives; (2) multiple use and joint development practices; (3) fee and less-than-fee acquisition techniques; and (4) capital improvement programming.
6. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal.

# 15.

## WILLAMETTE RIVER GREENWAY

The Willamette River Greenway presents a unique and unprecedented problem. The outlines of the problem are (1) a legislative policy directing development and maintenance of a natural, scenic, historical and recreational greenway along the Willamette River; (2) accomplishment of this purpose by the development and implementation of a "plan" (3) through the "cooperative efforts" of the state and local units of government. ORS 390.314(1) and (2) (a). Except for this broad directive, there is no specific legislative guidance as to how this undertaking is to be accomplished for what amounts to over 600 miles of riverbank. The legislature did direct the Oregon Department of Transportation (DOT) to prepare a plan "for the development and management of the Willamette River Greenway" (ORS 390.318(1)). However, the detail as to what was to go into the plan is sketchy. The legislature required the setting forth of the boundaries of the Greenway, interests to be acquired by units of governments, the location of publicly owned property and the locations of aggregate deposits. (ORS 390.318(2) and (3). The legislature also directed the Land Conservation and Development Commission (LCDC), following preparation of the Plan by DOT, to make such investigation and review of the plan "as it considers necessary" and to "revise the plan . . . itself or require such revision by the Department and units of local government" (ORS

390.322(1)). Again, however, the question of how the Greenway was to come about through the cooperative efforts of the various units of government was not spelled out.

The situation therefore calls for some overall management framework within which the various public agencies can act to accomplish the legislative intent.

Accordingly, the LCDC deems a statewide planning goal to be necessary not only to implement the policy of the Greenway Law, but also to provide the parameters within which the DOT plan can be formulated and carried out for the Greenway. Within those parameters local governments can formulate and implement (in a manner in harmony with the DOT plan), those Greenway portions of their comprehensive plans and implementing ordinances within their boundaries.

### OVERALL GOAL STATEMENT

To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

### A. GENERAL

1. The qualities of the Willamette River Greenway shall be protected, conserved, enhanced and maintained consis-

tent with the lawful uses present on December 6, 1975. Intensification of uses, changes in use or developments may be permitted after this date only when they are consistent with the Willamette Greenway Statute, this goal, the interim goals in ORS 215.515(1) and the statewide planning goals, as the case may be, and when such changes have been approved as provided in the Preliminary Greenway Plan or similar provisions in the completed plan as appropriate.

2. The Willamette Greenway Program shall be composed of cooperative local and state government plans for the protection, conservation, enhancement and maintenance of the Greenway, and of implementation measures including management through ordinances, rules, regulations, permits, grants as well as acquisition and development of property, etc. It shall also become a part of all other local and state plans and programs within and near the Greenway.
3. The Greenway Program shall include:
  - a. Boundaries within which special Greenway considerations shall be taken into account;
  - b. Management of uses on lands within and near the Greenway to maintain the qualities of the Greenway;

Continued on next page



# 15.

## WILLAMETTE RIVER GREENWAY (Continued)

- c. Acquisition of lands or interests in lands from a donor or willing seller or as otherwise provided by law in areas where the public's need can be met by public ownership.

### B. INVENTORIES AND DATA

Information and data shall be collected to determine the nature and extent of the resources, uses and rights associated directly with the Willamette River Greenway. These inventories are for the purpose of determining which lands are suitable or necessary for inclusion within the Willamette River Greenway boundaries and to develop the plans and management and acquisition programs.

Each of the following items shall be inventoried<sup>1</sup> as it relates to the Greenway objectives:

1. All agricultural lands as provided in Goal 3. This includes all land currently in farm use as defined in ORS Chapter 215.203(2);
2. All current aggregate excavation and processing sites, and all known extractable aggregate sources;
3. All current public recreation sites, including public access points to the river and hunting and fishing areas;
4. Historical and archaeological sites;
5. Timber resources;
6. Significant natural and scenic areas, and vegetative cover;
7. Fish and wildlife habitats;
8. Areas of annual flooding and flood plains;
9. Land currently committed to industrial, commercial and residential uses;
10. The ownership of property, including riparian rights;
11. Hydrological conditions;
12. Ecologically fragile areas;
13. Recreational needs as set forth in Goal 8;
14. Other uses of land and water in or near the Greenway;
15. Acquisition areas which include the identification of areas suitable for protection or preservation through public acquisition of lands or an interest in land. Such acquisition areas shall include the following:
  - a. Areas which may suitably be protected by scenic easements;
  - b. Scenic and recreational land for exclusive use of the public;
  - c. Sites for the preservation and restoration of historic places;
  - d. Public access corridors;
  - e. Public parks;
  - f. Ecologically fragile areas; and
  - g. Other areas which are desirable for public acquisition may also be identified if the reasons for public acquisition for the Greenway are also identified.

### C. CONSIDERATIONS AND REQUIREMENTS

The Oregon Department of Transportation (DOT) Greenway Plan, the portions of each city and county comprehensive plan within the Greenway, the portions of plans and programs and implemen-

tation measures of all special districts, state and federal agencies within the Greenway shall be based on the following factors:

1. General Considerations and Requirements
  - a. Statutory requirements in ORS Chapter 390.010 to 390.220 and in ORS Chapter 390.310 to 390.368;
  - b. City, county and regional comprehensive plans adopted pursuant to ORS Chapter 197 for jurisdictions along the river;
  - c. Statewide planning goals and guidelines adopted pursuant to ORS Chapter 197 by LCDC;
  - d. Interim goals set forth in ORS Chapter 215.515(1).
2. Boundary Considerations and Requirements.<sup>2</sup> The temporary and preliminary Greenway boundaries shall be reviewed as to their appropriateness and refined as needed based on the information contained in the inventories. The refined boundaries shall include such lands along the Willamette River as are necessary to carry out the purpose and intent of the Willamette River Greenway through a coordinated management and acquisition program.

Within farm areas, consideration shall be given to the ability of agricultural land adjacent to the Willamette River Greenway to enhance and protect the Greenway.

3. Use Management Considerations and Requirements. Plans and implementation measures shall provide for the following:
  - a. Agricultural lands — The agricultural lands identified in the inventory shall be preserved and maintained as provided in Goal 3 as an effective means to carry out the purposes of the Greenway including those agricultural lands near the Greenway. Lands devoted to farm use which are not located in an exclusive farm use zone shall be allowed to continue in such farm use without restriction as provided in ORS 390.314(2)(c), ORS 390.332(4) and ORS 390.334(2);
  - b. Recreation—
    - (1) Local, regional and state recreational needs shall be provided for consistent with the carrying capacity of the land;
    - (2) Zoning provisions shall allow recreational uses on lands to the extent that such use would not substantially interfere with the long-term capacity of the land for farm use as defined in ORS 215.203;
    - (3) The possibility that public recreation use might disturb adjacent property shall be considered and minimized to the greatest extent practicable;
    - (4) The public parks established by section 8a of Chapter 558, 1973 Oregon laws, shall be set forth on the appropriate comprehensive plans and zoning established which will permit their development, use and maintenance;
  - c. Access — Adequate public access to the river shall be provided for, with emphasis on urban and urbanizable areas;
  - d. Fish and wildlife habitat — Significant fish and wildlife habitats shall be protected;
  - e. Scenic qualities and views — Identified scenic qualities and viewpoints shall be preserved;
  - f. Protection and safety — The

Willamette River Greenway Program shall provide for the maintenance of public safety and protection of public and private property, especially from vandalism and trespass in both rural and urban areas to the maximum extent practicable;

- g. Vegetative fringe — The natural vegetative fringe along the River shall be enhanced and protected to the maximum extent practicable;
  - h. Timber resource — The partial harvest of timber shall be permitted beyond the vegetative fringes in areas not covered by a scenic easement when the harvest is consistent with an approved plan under the Forest Practices Act, or, if not covered by the Forest Practices Act, then with an approved plan under the Greenway compatibility review provisions. Such plan shall insure that the natural scenic qualities of the Greenway will be maintained to the greatest extent practicable or restored within a brief period of time;
  - i. Aggregate extraction — Extraction of known aggregate deposits may be permitted when compatible with the purposes of the Willamette River Greenway and when economically feasible, subject to compliance with ORS 541.605 to 541.695; ORS 517.750 to 517.900 and subject to compliance with local regulations designed to minimize adverse effects of water quality, fish and wildlife, vegetation, bank stabilization, streamflow, visual quality, noise, safety and to guarantee necessary reclamation;
  - j. Development away from river — Developments shall be directed away from the River to the greatest possible degree; provided, however, lands committed to urban uses within the Greenway shall be permitted to continue as urban uses, including port, industrial, commercial and residential uses, uses pertaining to navigational requirements, water and land access needs and related facilities;
  - k. Greenway setback — A setback line will be established to keep structures separated from the River in order to protect, maintain, preserve and enhance the natural, scenic, historic and recreational qualities of the Willamette River Greenway, as identified in the Greenway Inventories. The setback line shall not apply to water-related or water-dependent uses.
4. Areas to be Acquired — Considerations and Requirements  
Areas to be acquired must:
    - a. Have potential to serve the purposes of the greenway;
    - b. To the maximum extent practicable, be consistent with non-interference or non-interruption of farm uses as defined in ORS Chapter 215.203(2);
    - c. Be suitable for permitting the enforcement of existing statutes relating to trespass and vandalism along the Greenway, and be suitable for allowing maintenance of the lands or interests acquired.

### D. DOT GREENWAY PLAN

The DOT will prepare and keep current, through appropriate revisions, a Greenway Plan setting forth the state interests in the Greenway. The plan will show:

Continued on next page

<sup>1</sup>When information on such items is not available through previous studies. Information will be maintained by the agencies for those portions of the plan for which they are responsible. This requirement shall not limit units of government from collecting information on other items.

<sup>2</sup>See ORS Chapter 390.318 (1) for specific statutory language. "There shall be included within the boundaries of the Willamette River Greenway all lands situated within 150 feet from the ordinary low water line on each side of each channel of the Willamette River and such other lands along the Willamette River as the department and units of local government consider necessary for the development of such Greenway; however, the total area included within the boundaries of such Greenway shall not exceed, on the average, 320 acres per river mile along the Willamette River; however, for the purpose of computing the maximum acreage of lands within such Greenway, the acreage of lands situated on such islands and within state parks and recreation areas shall be excluded."



# 15.

## WILLAMETTE RIVER GREENWAY (Continued)

1. The boundaries of the Willamette River Greenway;
2. The boundaries of the areas in which interests in property may be acquired. These shall be depicted clearly on maps or photographs together with the nature of the acquisition such as fee title or scenic easement; the general public purposes of each such area, and the conditions under which such acquisition may occur;
3. Use Intensity Classifications for the areas acquired by the State for Greenway purposes; and
4. The locations of public access, either already existing or to be acquired. The DOT plan or revision thereto will be reviewed by the Land Conservation and Development Commission (LCDC) as provided in ORS 390.322. When the Commission has determined that the revision is consistent with the statutes and this Goal, it shall approve the plan for recording.

### E. COMPREHENSIVE PLANS OF CITIES AND COUNTIES

Each city and county in which the Willamette River Greenway is located, shall incorporate the portions of the approved DOT Greenway Plan in its comprehensive plan and implementing ordinances and other implementation measures.

1. Boundaries: Boundaries of the approved Willamette River Greenway shall be shown on every comprehensive plan.
2. Uses: Each comprehensive plan shall designate the uses to be permitted for the rural and urban areas of each jurisdiction which uses shall be consistent with the approved DOT Greenway Plan, the Greenway Statutes and this Goal.
3. Acquisition Areas: Each comprehensive plan shall designate areas identified for possible public acquisition and the conditions under which such acquisition may occur as set forth in the approved DOT Willamette Greenway Plan and any other area which the city or county intends to acquire.

### F. IMPLEMENTATION MEASURES

Implementation of the Greenway Program shall occur through the cooperative efforts of state and local units of government and shall be consistent with the approved DOT Greenway Plan and the city and county comprehensive plans, the goals and appropriate statutes.

1. Boundaries: Willamette River Greenway boundaries shall be shown on city and county zoning maps and referred to in the zoning ordinance and the subdivision ordinance.
2. Uses: Measures for managing uses within the Greenway shall include at least:
  - a. Exclusive farm use zoning of all agricultural land within and adjacent to the Greenway;
  - b. Flood plain zoning of all areas subject to flooding;
  - c. Open space zoning (see ORS Chapter 308.740) of all open space areas; and
  - d. Provisions for the use management considerations and requirements set forth in C3. of this Goal.
3. Greenway Compatibility Review: Cities and counties shall establish provisions by ordinance for the review of intensifications, changes of use or developments to insure their compatibility with the Willamette River Greenway. Such ordinances shall include the matters in a through e below:

- a. The establishment of Greenway compatibility review boundaries adjacent to the river within which review of developments shall take place. Such boundaries in urban areas shall be not less than 150 feet from the ordinary low water line of the Willamette River; in rural areas such boundaries shall include all lands within the boundaries of the Willamette River Greenway;
- b. The review of intensification, changes of use and developments as authorized by the Comprehensive Plan and zoning ordinance to insure their compatibility with the Greenway statutes and to insure that the best possible appearance, landscaping and public access are provided. Such review shall include the following findings, that to the greatest possible degree:
  - (1) The intensification, change of use or development will provide the maximum possible landscaped area, open space or vegetation between the activity and the river;
  - (2) Necessary public access will be provided to and along the river by appropriate legal means;
- c. Provision is made for at least one public hearing on each application to allow any interested person an opportunity to speak;
- d. Provision is made for giving notice of such hearing at least to owners of record of contiguous property and to any individual or groups requesting notice; and
- e. Provision is made to allow the imposing of conditions on the permit to carry out the purpose and intent of the Willamette River Greenway Statutes.
- f. As an alternative to the review procedures in subparagraphs 3 (a) to 3 (e), a city or county governing body may prepare and adopt, after public hearing and notice thereof to DOT, a design plan and administrative review procedure for a portion of the Greenway. Such design plan must provide for findings equivalent to those required in subparagraph 3 (b) (1) and (2) of paragraph F so as to insure compatibility with the Greenway of proposed intensifications, changes of use or developments. If this alternative procedure is adopted and approved by DOT and LCDC, a hearing will not be required on each individual application.

### G. NOTICE OF PROPOSED INTENSIFICATION, CHANGE OF USE OR DEVELOPMENT

Government agencies, including cities, counties, state agencies, federal agencies, special districts, etc., shall not authorize or allow intensification, change of use or development on lands within the boundaries of the Willamette River Greenway compatibility review area established by cities and counties as required by paragraph F 3. a. without first giving written notice to the DOT by immediately forwarding a copy of any application by certified mail — return receipt requested. Notice of the action taken by federal, state, city, county, and special districts on an application shall be furnished to DOT.

### H. AGENCY JURISDICTION

Nothing in this order is intended to interfere with the duties, powers and responsibilities vested by statute in

agencies to control or regulate activities on lands or waters within the boundaries of the Greenway so long as the exercise of the authority is consistent with the legislative policy set forth in ORS 390.310 to 390.368 and the applicable statewide planning goal for the Willamette River Greenway, as the case may be. An agency receiving an application for a permit to conduct an activity on lands or waters within the Greenway shall immediately forward a copy of such request to the Department of Transportation.

### I. DOT SCENIC EASEMENTS

Nothing in this Goal is intended to alter the authority of DOT to acquire property or a scenic easement therein as set forth in ORS 390.310 to 390.368.

### J. TRESPASS BY PUBLIC

Nothing in this Goal is intended to authorize public use of private property. Public use of private property is a trespass unless appropriate easements and access have been acquired in accordance with law to authorize such use.

### K. DEFINITIONS FOR WILLAMETTE RIVER GREENWAY GOAL

1. CHANGE OF USE means making a different use of the land or water than that which existed on December 6, 1975. It includes a change which requires construction, alterations of the land, water or other areas outside of the existing buildings or structures and which substantially alters or affects the land or water. It does not include a change of use of a building or other structure which does not substantially alter or affect the land or water upon which it is situated. Change of use shall not include the completion of a structure for which a valid permit had been issued as of December 6, 1975 and under which permit substantial construction has been undertaken by July 1, 1976. The sale of property is not in itself considered to be a change of use. An existing open storage area shall be considered to be the same building.

Landscaping, construction of driveways, modifications of existing structures, or the construction or placement of such subsidiary structures or facilities as are usual and necessary to the use and enjoyment of existing improvements shall not be considered a change of use for the purposes of this Goal.

2. LANDS COMMITTED TO URBAN USE means those lands upon which the economic, developmental and locational factors have, when considered together, made the use of the property for other than urban purposes inappropriate. Economic, developmental and locational factors include such matters as ports, industrial, commercial, residential or recreational uses of property; the effect these existing uses have on properties in their vicinity, previous public decisions regarding the land in question, as contained in ordinances and such plans as the Lower Willamette River Management Plan, the city or county comprehensive plans and similar public actions.
3. INTENSIFICATION means any additions which increase or expand the area or amount of an existing use, or the level of activity. Remodeling of the exterior of a structure not excluded

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# 15.

## WILLAMETTE RIVER GREENWAY (Continued)

below is an intensification when it will substantially alter the appearance of the structure. Intensification shall not include the completion of a structure for which a valid permit was issued as of December 6, 1975 and under which permit substantial construction has been undertaken by July 1, 1976. Maintenance and repair usual and necessary for the continuance of an ex-

isting use is not an intensification of use. Reasonable emergency procedures necessary for the safety or the protection of property are not an intensification of use. Residential use of lands within the Greenway includes the practices and activities customarily related to the use and enjoyment of one's home. Landscaping, construction of driveways, modificaion of ex-

isting structures or construction or placement of such subsidiary structures or facilities adjacent to the residence as are usual and necessary to such use and enjoyment shall not be considered an intensification for the purposes of this Goal. Seasonal increases in gravel operations shall not be considered an intensification of use.

# 16.

## ESTUARINE RESOURCES

### GOAL:

### OVERALL STATEMENT

To recognize and protect the unique environmental, economic and social values of each estuary and associated wetlands; and

To protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon's estuaries.

Comprehensive management programs to achieve these objectives shall be developed by appropriate local, state, and federal agencies for all estuaries.

To assure diversity among the estuaries of the State, by June 15, 1977, LCDC with the cooperation and participation of local governments, special districts, and state and federal agencies shall classify the Oregon estuaries to specify the most intensive level of development or alteration which may be allowed to occur within each estuary. After completion for all estuaries of the inventories and initial planning efforts, including identification of needs and potential conflicts among needs and goals and upon request of any coastal jurisdiction, the Commission will review the overall Oregon Estuary Classification.

Comprehensive plans and activities for each estuary shall provide for appropriate uses (including preservation) with as much diversity as is consistent with the overall Oregon Estuary Classification, as well as with the biological, economic, recreational, and aesthetic benefits of the estuary. Estuary plans and activities shall protect the estuarine ecosystem, including its natural biological productivity, habitat, diversity, unique features and water quality. Dredge, fill, or other reduction or degradation of these natural values by man shall be allowed only:

- (1) if required for navigation or other water-dependent uses that require an estuarine location; and
- (2) if a public need is demonstrated; and
- (3) if no alternative upland locations exist; and
- (4) if adverse impacts are minimized as much as feasible.

### INVENTORY REQUIREMENTS

Inventories shall be conducted to provide information necessary for designating estuary uses and policies. These inventories shall provide information on the nature, location, and extent of physical, biological, social and economic resources in sufficient detail to establish a sound basis for estuarine management and to

enable the identification of areas for preservation and areas of exceptional potential for development.

State and federal agencies shall assist in the inventories of estuarine resources. The Department of Land Conservation and Development, with assistance from local government, state and federal agencies, shall establish common inventory standards and techniques, so that inventory data collected by different agencies or units of government, or data between estuaries, will be comparable.

### COMPREHENSIVE PLAN REQUIREMENTS

Based upon inventories, the limits imposed by the overall Oregon Estuary Classification, and needs identified in the planning process, comprehensive plans for coastal areas shall:

- (1) identify each estuarine area;
- (2) describe and maintain the diversity of important and unique environmental, economic and social features within the estuary;
- (3) classify the estuary into management units; and
- (4) establish policies and use priorities for each management unit using the standards and procedures set forth below.

### Management Units

Diverse resources, values, and benefits shall be maintained by classifying the estuary into distinct water use management units. When classifying estuarine areas into management units, the following shall be considered in addition to the inventories:

- (1) Adjacent upland characteristics and existing land uses;
- (2) Compatibility with adjacent uses;
- (3) Energy costs and benefits; and
- (4) The extent to which the limited water surface area of the estuary shall be committed to different surface uses.

As a minimum, the following kinds of management units shall be established:

- (1) Natural — In all estuaries, areas shall be designated to assure the protection of significant fish and wildlife habitats, of continued biological productivity within the estuary, and of scientific, research, and educational needs. These shall be managed to preserve the natural resources in recognition of dynamic, natural, geological and evolutionary processes. Such areas shall include, at a minimum, all major tracts of salt marsh,

tideflats, and seagrass and algae beds.

Permissible uses in natural areas shall be undeveloped low-intensity water-dependent recreation; research and educational observation; navigational aides, such as beacons and buoys; protection of habitat, nutrient, fish, wildlife and aesthetic resources; and passive restoration measures; and where consistent with the resource capabilities of the area and the purposes of this management unit, aquaculture, communication facilities, and active restoration measures.

- (2) Conservation — In all estuaries, except those in the overall Oregon Estuary Classification which are classed for preservation, areas shall be designated for long-term uses of renewable resources that do not require major alteration of the estuary, except for the purpose of restoration. These areas shall be managed to conserve the natural resources and benefits. These shall include areas needed for maintenance and enhancement of biological productivity, recreational and aesthetic uses, and aquaculture. They shall include tracts of significant habitat smaller or of less biological importance than those in (1) above, and oyster and clam beds. Partially altered areas or estuarine areas adjacent to existing development of moderate intensity shall also be included in this classification unless otherwise needed for preservation or development consistent with the overall Oregon Estuary Classification.

Permissible uses in conservation areas shall be those allowed in (1) above; active restoration measures; aquaculture; and communication facilities. Where consistent with resource capabilities of the area and the purposes of this management unit, high-intensity water-dependent recreation; maintenance dredging of existing facilities; minor navigational improvements; mining and mineral extraction; water-dependent users requiring occupation of water surface area by means other than fill; and bridge crossings, shall be appropriate.

- (3) Development — In estuaries classified in the overall Oregon Estuary Classification for more intense development or alteration,

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# 16.

## ESTUARINE RESOURCES (Continued)

areas shall be designated to provide for navigation and other identified needs for public, commercial, industrial water-dependent uses, consistent with the level of development or alteration allowed by the overall Oregon Estuary Classification. Such areas shall include deep-water areas adjacent or in proximity to the shoreline, navigation channels, subtidal areas for in-water disposal of dredged material and areas of minimal biological significance needed for uses requiring alteration of the estuary.

Permissible uses in areas managed for water-dependent activities shall be navigation and water-dependent commercial and industrial uses. Where consistent with the resource capabilities and the purposes of this management unit, water-related and non-dependent, non-related uses not requiring fill; mining and mineral extraction; and activities identified in (1) and (2) above, shall also be appropriate.

As appropriate, needs for the following uses shall be included:

- (a) Dredge or fill, as allowed elsewhere in the goal;
- (b) Navigation and water-dependent commercial enterprises and activities;
- (c) Water transport channels where dredging may be necessary;
- (d) Disposal of dredged material;
- (e) Water storage areas where needed for products used in or resulting from industry, commerce, and recreation;
- (f) Marinas;
- (g) Aquaculture;
- (h) Extraction of aggregate resources;
- (i) Restoration.

The cumulative effect of all such uses, activities and alterations shall be considered and described during plan development and adoption. In designating areas for these uses, local governments shall consider the potential for using upland sites to reduce or limit the commitment of the estuarine surface area for surface uses.

### Priority

Priorities for use of each of the management units shall be designated which maintain, promote, encourage, or enhance uses and activities compatible with the requirements of this Goal, the capability of the resources, and the objectives of the classification.

While the priorities may vary between individual management units consistent with these requirements, the general priorities (from highest to lowest) for use of estuarine resources and for designating different estuarine management units shall be:

- (1) Uses which maintain the integrity of the estuarine ecosystem;
- (2) Water-dependent uses requiring estuarine location, as consistent with the overall Oregon Estuarine Classification;
- (3) Water-related uses which do not degrade or reduce the natural estuarine resources and values;

- and
- (4) Non-dependent, non-related uses which do not alter, reduce or degrade the estuarine resources and values.

### IMPLEMENTATION REQUIREMENTS

- (1) Unless fully addressed during the development and adoption of comprehensive plans, actions which would potentially alter the integrity of the estuarine ecosystem shall be preceded by a clear presentation of the impacts of the proposed alteration, and a demonstration of the public's need and gain which warrant such modification or loss.
- (2) State and federal agencies shall review, revise and implement their plans, actions and management authorities to maintain water quality and minimize man-induced sedimentation in estuaries. Local government shall recognize these authorities in managing lands rather than developing new or duplicatory management techniques or controls.

Existing programs which shall be utilized include:

- (a) The Oregon Forest Practices Act and Administrative Rules, for forest lands as defined in ORS 527.610 — 527.730 and 527.990 and the Forest Lands Goal;
  - (b) The programs of the Soil and Water Conservation Commission and local districts and the Soil Conservation Service, for Agricultural Lands Goal;
  - (c) The non-point source discharge water quality program administered by the Department of Environmental Quality under Section 208 of the Federal Water Quality Act as amended in 1972 (PL 92-500); and
  - (d) The Fill and Removal Permit Program administered by the Division of State Lands under ORS 541.605 — 541.665.
- (3) The State Water Policy Review Board, assisted by the staff of the Oregon Department of Water Resources, and the Oregon Department of Fish and Wildlife, the Oregon Department of Environmental Quality, the Division of State Lands, and the U. S. Geological Survey, shall consider establishing minimum fresh-water flow rates and standards so that resources and uses of the estuary, including navigation, fish and wildlife characteristics, and recreation, will be maintained.
  - (4) When dredge or fill activities are permitted in inter-tidal or tidal marsh areas, their effects shall be mitigated by creation or restoration of another area of similar biological potential to ensure that the integrity of the estuarine ecosystem is maintained.
  - (5) Local government and state and federal agencies shall develop comprehensive programs, including specific sites and procedures for disposal and stockpiling of dredge materials. These programs shall encourage the disposal of dredge material in uplands or ocean waters, and shall permit

disposal in estuary waters only where such disposal will clearly be consistent with the objectives of this goal and state and federal law. Dredged material shall not be disposed in inter-tidal or tidal marsh estuarine areas unless part of an approved fill project.

- (6) Local government and state and federal agencies shall act to restrict the proliferation of individual single-purpose docks and piers by encouraging community facilities common to several uses and interests. The size and shape of a dock or pier shall be limited to that required for the intended use. Alternatives to docks and piers, such as mooring buoys, dryland storage, and launching ramps shall be investigated and considered.
- (7) State and federal agencies shall assist local government in identifying areas for restoration. Restoration is appropriate in areas where activities have adversely affected some aspect of the estuarine system, and where it would contribute to a greater achievement of the objective of this goal. Appropriate sites include areas of heavy erosion or sedimentation, degraded fish and wildlife habitat, anadromous fish spawning areas, abandoned diked estuarine marsh areas, and areas where water quality restricts the use of estuarine waters for fish and shellfish harvest and production, or for human recreation.
- (8) 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:

<b>Division of State Lands</b>	
Fill and Removal	ORS 541.605
Law	—541.665
Mineral Resources	ORS 273.551;
	ORS 273.775
	—273.780
Submersible and	ORS 274.005
Submerged Lands	—274.940
<b>Department of Economic Development</b>	
Ports Planning	ORS 777.835
<b>Water Resources Department</b>	
Appropriation of	ORS 537.010
Water	—537.990
	ORS 543.010
	—543.620
<b>Department of Geology and Mineral Industries</b>	
Mineral Extraction	ORS 520.005
Oil and Gas Drilling	—520.095
<b>Department of Forestry</b>	
Forest Practices Act	ORS 527.610
	—527.730
<b>Department of Energy</b>	
Regulation of thermal	
power and nuclear	ORS 469.300
installation	—469.570
<b>Department of Environmental Quality</b>	
Water Quality	ORS 468.700
	—468.775
Sewage Treatment &	ORS 454.010
Disposal Systems	—454.755

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# 16.

## ESTUARINE RESOURCES (Continued)

### GUIDELINES

The requirements of the Estuarine Resources Goal should be addressed with the same consideration applied to previously adopted goals and guidelines. The planning process described in the Land Use Planning Goal (Goal 2), including the exceptions provisions described in Goal 2, applied to estuarine areas and implementation of the Estuarine Resources Goal.

Because of the strong relationship between estuaries and adjacent coastal shorelands, the inventories and planning requirements for these resources should be closely coordinated. These inventories and plans should also be fully coordinated with the requirements in other state planning goals, especially the Goals for Open Spaces, Scenic and Historic Areas and Natural Resources; Air, Water and Land Resources Quality; Recreational Needs; Transportation; and Economy of the State.

#### A. Inventories

In detail appropriate to the level of development or alteration proposed, the inventories for estuarine features should include:

##### 1. Physical characteristics

- (a) Size, shape, surface area, and contour, including water depths;
- (b) Water characteristics including, but not limited to, salinity, temperature, and dissolved oxygen. Data should reflect average and extreme values for the months of March, June, September, and December as a minimum; and
- (c) Substrate mapping showing location and extent of rock, gravel, sand, and mud.

##### 2. Biological characteristics

Location, Description, and Extent of:

- a. The common species of benthic (living in or on bottom) flora and fauna;
- b. The fish and wildlife species, including part-time residents;
- c. The important resting, feeding, and nesting areas for migrating and resident shorebirds, wading birds and wildfowl;
- d. The areas important for recreational fishing and hunting, including areas used for clam digging and crabbing;
- e. Estuarine wetlands;
- f. Fish and shellfish spawning areas;
- g. Significant natural areas; and
- h. Areas presently in commercial aquaculture.

##### 3. Social and economic characteristics

Location, Description, and Extent of:

- a. The importance of the estuary to the economy of the area;
- b. Existing land uses surrounding the estuary;
- c. Man-made alterations of the natural estuarine system;
- d. Water dependent industrial and/or commercial enterprises;
- e. Public access;
- f. Historical or archaeological sites associated with the estuary; and
- g. Existing transportation systems.

#### B. Historic, Unique and Scenic Waterfront Communities

Local government comprehensive plans should encourage the maintenance and enhancement of historic, unique, and scenic waterfront communities, allowing for non-water dependent uses as appropriate in keeping with such communities.

#### C. Transportation

Local governments and state and federal agencies should closely coordinate and integrate navigation and port needs with shoreland and upland transportation facilities and the requirements of the Transportation Goal. The cumulative effects of such plans and facilities on the estuarine resources and values should be considered.

#### D. Mitigation

In identifying and assessing sites to mitigate the effects of dredging or filling, the following factors should be considered:

1. In selecting sites of similar biological potential, areas should preferably be chosen with similar ecological characteristics. The intention of the requirement is to provide an area that, with time, will develop a qualitatively and quantitatively similar fauna and flora. The emphasis is on similar potential, not substitute productivity. The area provided does not have to be fully developed biologically; the opportunity, at least, should exist for it to develop once the area is returned to the estuarine system. However, the surface area of the estuary should not be diminished.
2. The most appropriate sites would be those in the general proximity of the proposed dredge or fill action. These would probably contain the most similar ecological characteristics. If similar areas are not available nearby, then areas in other parts of the estuary may be selected according to the similarity of the following characteristics (in order of importance, most important first):
  - a. salinity regime
  - b. tidal exposure and elevation
  - c. substrate type
  - d. current velocity and patterns
  - e. orientation to solar radiation
  - f. slope
3. If similar areas, or those with a similar

potential, cannot be found or provided, then mitigation efforts should seek to restore areas or resources which are in the greatest scarcity compared to their past abundance and distribution. That is, those resources which have been most severely impacted by man's activities, measured by a ratio of present to past abundance, should be restored through mitigation.

#### 4. Appropriate locations for mitigation activities include:

- a. Dredged material islands, which could be lowered (by removal of spoil) to the intertidal level, thus adding the surface area back to the estuarine system;
- b. Diked marsh areas which have been abandoned or are in disrepair; and
- c. Estuarine areas removed from effective circulation by causeways or other fills, where circulation can be restored or improved through replacement of the causeway with pilings or culverts.

5. The transfer of ownership of estuarine lands, including wetlands and submersible lands, to public ownership; the dedication of estuarine lands for certain natural uses; and the provision of funds for research or land acquisition do not constitute mitigation as required by this Goal.

#### E. Impact Assessment

The impact assessment required in the Goal should be applied at the time of plan development, for alterations projected or identified in the plan, or at the time of permit review and approval for actions not identified in the plan.

The impact assessment should not be lengthy or complex, but it should enable reviewers to gain a clear understanding of the impacts to be expected. It should include information on:

1. The type and extent of alterations expected;
2. The type of resource(s) affected;
3. The expected extent of impacts of the proposed alteration on water quality and other physical characteristics of the estuary, living resources, recreation and aesthetic use, navigation and other existing and potential uses of the estuary; and
4. The methods which could be employed to avoid or minimize adverse impacts.



# 17.

## COASTAL SHORELANDS

### GOAL

#### OVERALL STATEMENT

To conserve, protect, where appropriate develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal waters; and

To reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon's coastal shorelands.

Programs to achieve these objectives shall be developed by local, state, and federal agencies having jurisdiction over coastal shorelands.

Land use plans, implementing actions and permit reviews shall include consideration of the critical relationships between coastal shorelands and resources of coastal waters, and of the geologic and hydrologic hazards associated with coastal shorelands. Local, state and federal agencies shall within the limit of their authorities maintain the diverse environmental, economic, and social values of coastal shorelands and water quality in coastal waters. Within those limits, they shall also minimize man-induced sedimentation in estuaries, near shore ocean waters, and coastal lakes.

#### INVENTORY REQUIREMENTS

Inventories shall be conducted to provide information necessary for identifying coastal shorelands and designating uses and policies. These inventories shall provide information on the nature, location, and extent of geologic and hydrologic hazards and shoreland values, including fish and wildlife habitat, water-dependent uses, economic resources, recreational uses, and aesthetics in sufficient detail to establish a sound basis for land and water use management.

The inventory requirements shall be applied within an area known as a coastal shorelands planning area. This planning area is not an area within which development or use is prohibited. It is an area for inventory, study, and initial planning for development and use to meet the Coastal Shorelands Goal.

The planning area shall be defined by the following:

- (1) All lands west of the Oregon Coast Highway as described in ORS 366.235, except that:
  - (a) In Tillamook County, only the lands west of a line formed by connecting the western boundaries of the following described roadways: Brooten Road (County Road 887) northerly from its junction with the Oregon Coast Highway to Pacific City McPhillips Drive (County Road 915) northerly from Pacific City to its junction with Sandlake Road (County Road 871), Sandlake—Cape Lookout Road, (County Road 871) northerly to its junction

with Cape Lookout Park, Netarts Bay Drive (County Road 665) northerly from its junction with the Sandlake—Cape Lookout Road (County road 871) to its junction at Netarts with State Highway 131, and northerly along State Highway 131 to its junction with the Oregon Coast Highway near Tillamook.

- (b) In Coos County, only the lands west of a line formed by connecting the western boundaries of the following described roadways: Oregon State 240, Cape Arago Secondary (FAS 263) southerly from its junction with the Oregon Coast Highway to Charleston; Seven Devils Road (County Road 33) southerly from its junction with Oregon State 240 (FAS 263) to its junction with the Oregon Coast Highway, near Bandon;

and

- (2) All lands within an area defined by a line measured horizontally:
  - (a) 1000 feet from the shoreline of estuaries; and
  - (b) 500 feet from the shoreline of coastal lakes.

#### COMPREHENSIVE PLAN REQUIREMENTS

Based upon inventories, comprehensive plans for coastal areas adjacent to the ocean, estuaries, or coastal lakes shall:

- (1) identify coastal shorelands;
- (2) establish policies and uses of coastal shorelands in accordance with standards set forth below:

##### Identification

Land contiguous with the ocean, estuaries, and coastal lakes shall be identified as coastal shorelands. The extent of shorelands shall include at least:

- (1) Lands which limit, control, or are directly affected by the hydraulic action of the coastal water body, including floodways;
- (2) Adjacent areas of geologic instability;
- (3) Natural or man-made riparian resources, especially vegetation necessary to stabilize the shoreline and to maintain water quality and temperature necessary for the maintenance of fish habitat and spawning areas;
- (4) Areas of significant shoreland and wetland biological habitats;
- (5) Areas necessary for water-dependent and water-related uses, including areas of recreational importance which utilize coastal water or riparian resources, areas appropriate for navigation and port facilities, and areas having characteristics suitable for aquaculture;
- (6) Areas of exceptional aesthetic or scenic quality, where the quality is primarily derived from or related to the association with coastal water areas; and
- (7) Coastal headlands.

##### Coastal Shoreland Uses

- (1) Major marshes, significant wildlife habitat, coastal headlands, excep-

tional aesthetic resources, and historic and archaeological sites shall be protected. Uses in these areas shall be consistent with protection of natural values. Such uses may include propagation and selective harvesting of forest products consistent with the Oregon Forest Practices Act, grazing, harvesting wild crops, and low intensity water-dependent recreation.

- (2) Shorelands in urban and urbanizable areas especially suited for water-dependent uses shall be protected for water-dependent recreational, commercial and industrial uses. Some factors which contribute to this special suitability are:

- (a) deep water close to shore with supporting land transport facilities suitable for ship and barge facilities;
- (b) potential for aquaculture;
- (c) protected areas subject to scour which would require little dredging for use as marinas; and
- (d) potential for recreational utilization of coastal water or riparian resources.

- (3) Shorelands in rural areas other than those designated in (1) above shall be used as appropriate for:

- (a) farm uses as provided in ORS Chapter 215;
- (b) propagation and harvesting of forest products consistent with the Oregon Forest Practices Act;
- (c) private and public water-dependent recreation developments;
- (d) aquaculture;
- (e) water-dependent commercial and industrial uses and water-related uses only upon a finding by the governing body of the county that such uses satisfy a need which cannot be accommodated on shorelands in urban and urbanizable areas;
- (f) subdivisions, major and minor partitions and other uses only upon a finding by the governing body of the county that such uses satisfy a need which cannot be accommodated at other upland locations or in urban or urbanizable areas and are compatible with the objectives of this goal to protect riparian vegetation and wildlife habitat; and
- (g) a single family residence on existing lots, parcels or units of land when compatible with the objectives and implementation standards of this goal.

##### Priority

General priorities for the overall use of coastal shorelands (from highest to lowest) shall be to:

- (1) Promote uses which maintain the integrity of estuaries and coastal waters;
- (2) Provide for water-dependent uses;
- (3) Provide for water-related uses;
- (4) Provide for non-dependent, non-

Continued on next page

# 17.

## COASTAL SHORELANDS (Continued)

related uses which retain flexibility of future use and do not prematurely or inalterably commit shorelands to more intensive uses;

- (5) Provide for development, including non-dependent, non-related uses, in urban areas compatible with existing or committed uses;
- (6) Permit non-dependent, non-related uses which cause a permanent or long-term change in the features of coastal shorelands only upon a demonstration of public need.

### IMPLEMENTATION REQUIREMENTS

- (1) The Oregon Department of Forestry shall recognize the unique and special values provided by coastal shorelands when developing standards and policies to regulate uses of forest lands within coastal shorelands. With other state and federal agencies, the Department of Forestry shall develop forest management practices and policies which protect and maintain the special shoreland values and forest uses.
- (2) The land use planning and regulatory authorities of local government and state and federal agencies shall manage floodplain areas in coastal shorelands to promote use and development consistent with the hazards to life and property. Priority uses for flood hazard and floodplain areas shall include agriculture, forestry, recreation and open space, and uses which are water-dependent.
- (3) Local government, with assistance from state and federal agencies, shall identify coastal shoreland areas which may be used to fulfill the mitigation requirement of the Estuarine Resources Goal. These areas shall be protected from new uses and activities which would prevent their ultimate restoration or addition to the estuarine ecosystems.
- (4) Coastal shorelands identified under the Estuarine Resources Goal for dredged material disposal shall be protected from new uses and activities which would prevent their ultimate use for dredged material disposal.
- (5) Because of the importance of the vegetative fringe adjacent to coastal waters to water quality, fish and wildlife habitat, recreational use and aesthetic resource, riparian vegetation shall be maintained; and where appropriate restored and enhanced, consistent with water-dependent uses.
- (6) Land-use management practices and non-structural solutions to problems of erosion and flooding shall be preferred to structural solutions. Where shown to be necessary, water and erosion control structures, such as jetties, bulkheads, seawalls, and similar protective structures; and fill, whether located in the waterways or on shorelands above ordinary high water mark, shall be designed to minimize adverse impacts on water

currents, erosion and accretion patterns.

### GUIDELINES

The requirements of the Coastal Shorelands Goal should be addressed with the same consideration as applied to previously adopted goals and guidelines. The planning process described in the Land Use Planning Goal (Goal 2), including the exceptions provisions in Goal 2, applies to coastal shoreland areas and implementation of the Coastal Shorelands Goal.

Because of the strong relation of estuarine shorelands to adjacent estuaries, the inventory and planning requirements for estuaries and estuarine shorelands should be fully coordinated. Coastal shoreland inventories and planning should also be fully coordinated with those required in other statewide planning goals, supplementing them where necessary. Of special importance are the plan requirements of the Goals for Agricultural Lands; Forest Lands; Open Spaces, Scenic and Historic Areas and Natural Resources; Air, Water and Land Resources Quality; Areas Subject to Natural Disasters and Hazards; Recreational Needs; and Economy of the State.

### A. Inventories

In coastal shoreland areas the following inventory needs should be reviewed. The level of detail information needed will differ depending on the development or alteration proposed and the degree of conflict over the potential designation.

1. Hazard areas, including at least:
  - a. Areas the use of which may result in significant hydraulic alteration of other lands or water bodies;
  - b. Areas of geological instability in, or adjacent to shorelines; and
  - c. The 100 Year Floodplain.
2. Existing land uses and ownership patterns, economic resources, development needs, public facilities, topography, hydrography, and similar information affecting shorelands;
3. Areas of aesthetic and scenic importance;
4. Coastal shoreland and wetland biological habitats which are dependent upon the adjacent water body, plus other coastal shoreland and adjacent aquatic areas of biological importance (feeding grounds, nesting sites, areas of high productivity, etc.) natural areas and fish and wildlife habitats;
5. Areas of recreational importance;
6. Areas of vegetative cover which are riparian in nature or which function to maintain water quality and to stabilize the shoreline;
7. Sedimentation sources;
8. Areas of present public access and recreational use;
9. The location of archaeological and historical sites; and
10. Coastal headlands.

### B. Floodplain

In the development of comprehensive plans, the management of uses and development in floodplain areas should be expanded beyond the minimal considerations necessary to comply with the HUD National Flood Insurance Program and the requirements of the Flood Disaster Protection Act of 1973. Communities may wish to distinguish between the floodway and floodfringe in developing coastal shoreland plans; development in the floodway should be more strictly controlled.

Government projects in coastal shorelands should be examined for their impact on flooding, potential flood damage, and effect on growth patterns in the floodplain. Non-water-dependent emergency service structures (such as hospitals, police and fire stations) should not be constructed in the floodplain. Although they may be flood-proofed, access and egress may be prevented during a flood emergency.

### C. Open Space, Natural Areas and Aesthetic Resources, and Recreation

Coastal Shorelands provide many areas of unique or exceptional value and benefit for open space, natural areas, and aesthetic and recreational use. The requirements of the goals for Open Spaces, Scenic and Historic Areas and Natural Resources (Goal No. 5) and Recreational Needs (Goal No. 8) should be carefully coordinated with the coastal shoreland planning effort.

The plan should provide for appropriate public access to and recreational use of coastal waters. Public access through and the use of private property shall require the consent of the owner and is a trespass unless appropriate easements and access have been acquired in accordance with law.

### D. Development Needs

In coordination with planning for the Estuarine Resources Goal, coastal shoreland plans should designate appropriate sites for water-dependent activities, and for dredged material disposal.

Historic, unique, and scenic waterfront communities should be maintained and enhanced, allowing for non-water-dependent uses as appropriate in keeping with such communities.

### E. Transportation

The requirements of the Transportation Goal should be closely coordinated with the Coastal Shorelands Goal. Coastal transportation systems frequently utilize shoreland areas and may significantly affect the resources and values of coastal shorelands and adjacent waters; they should allow appropriate access to coastal shorelands and adjacent waters, and be planned in full recognition of the protection needs for the special resources and benefits which shorelands provide.



# 18.

## BEACHES AND DUNES

### GOAL

#### OVERALL STATEMENT

To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas; and

To reduce the hazard to human life and property from natural or man-induced actions associated with these areas.

Coastal comprehensive plans and implementing actions shall provide for diverse and appropriate use of beach and dune areas consistent with their ecological, recreational, aesthetic, water resource, and economic values, and consistent with the natural limitations of beaches, dunes and dune vegetation for development.

#### INVENTORY REQUIREMENTS

Inventories shall be conducted to provide information necessary for identifying and designating beach and dune uses and policies. Inventories shall describe the stability, movement, groundwater resource, hazards and values of the beach and dune areas in sufficient detail to establish a sound basis for planning and management. For beach and dune areas adjacent to coastal waters inventories shall also address the inventory requirements of the Coastal Shorelands Goal.

#### COMPREHENSIVE PLAN REQUIREMENTS

Based upon the inventory, comprehensive plans for coastal areas shall:

- (1) identify beach and dune areas; and
- (2) establish policies and uses for these areas consistent with the provisions of this goal.

#### Identification

Coastal areas subject to this goal shall include beaches, active dune forms, recently stabilized dune forms, older stabilized dune forms and interdune forms.

#### Uses

Uses shall be based on the capabilities and limitations of beach and dune areas to sustain different levels of use or development, and the need to protect areas of critical environmental concern, areas having scenic, scientific, or biological importance, and significant wildlife habitat.

#### IMPLEMENTATION REQUIREMENTS

- (1) Local governments and state and federal agencies shall base decisions on plans, ordinances and land use actions in beach and dune areas, other than older stabilized dunes, on specific findings that shall include at least:
  - (a) the type of use proposed and the adverse effects it might have on the site and adjacent areas;
  - (b) temporary and permanent stabilization programs and the planned maintenance of new and existing vegetation;
  - (c) methods for protecting the surrounding area from any adverse effects of the development; and
  - (d) hazards to life, public and private property, and the

natural environment which may be caused by the proposed use.

- (2) Local governments and state and federal agencies shall prohibit residential developments and commercial and industrial buildings on active foredunes, on other foredunes which are conditionally stable and that are subject to ocean undercutting or wave overtopping, and on interdune areas (deflation plains) that are subject to ocean flooding. Other development in these areas shall be permitted only if the findings required in (1) above are presented and it is demonstrated that the proposed development:
  - (a) is adequately protected from any geologic hazards, wind erosion, undercutting, ocean flooding and storm waves; or is of minimal value; and
  - (b) is designed to minimize adverse environmental effects.
- (3) Local governments and state and federal agencies shall regulate actions in beach and dune areas to minimize the resulting erosion. Such actions include, but are not limited to the destruction of desirable vegetation (including inadvertent destruction by moisture loss or root damage), the exposure of stable and conditionally stable areas to erosion, and construction of shore structures which modify current or wave patterns leading to beach erosion.
- (4) Local, state and federal plans, implementing actions and permit reviews shall protect the groundwater from drawdown which would lead to loss of stabilizing vegetation, loss of water quality, or intrusion of salt water into water supplies.
- (5) Permits for beach front protective structures shall be issued under ORS 390.605 — 390.770, only where development existed on January 1, 1977. The Oregon Department of Transportation, cooperating with local, state and federal agencies shall develop criteria to supplement the Oregon Beach Law (ORS 390.605 — 390.770) for issuing permits for construction of beach front protective structures. The criteria shall provide that:
  - (a) visual impacts are minimized;
  - (b) necessary access to the beach is maintained;
  - (c) negative impacts on adjacent property are minimized; and
  - (d) long-term or recurring costs to the public are avoided.
- (6) Foredunes shall be breached only to replenish sand supply in interdune areas, or on a temporary basis in an emergency (e.g., fire control, cleaning up oil spills, draining farm lands, and alleviating flood hazards), and only if the breaching and restoration after breaching is consistent with sound principles of conservation.

#### GUIDELINES

The requirements of the Beaches and Dunes Goal should be addressed with the same consideration as applied to previously adopted goals and guidelines. The planning process described in the Land Use Planning Goal (Goal 2), including the exceptions provisions described in Goal 2, applies to beaches and dune areas and implementation of the Beaches and Dunes Goal.

Beaches and dunes, especially interdune areas (deflation plains) provide many unique or exceptional resources which should be addressed in the inventories and planning requirements of other goals, especially the Goals for Open Spaces, Scenic and Historic Areas and Natural Resources; and Recreational Needs. Habitat provided by these areas for coastal and migratory species is of special importance.

#### A. Inventories

Local government should begin the beach and dune inventory with a review of **Beaches and Dunes of the Oregon Coast**, USDA Soil Conservation Service and OCC-DC, March, 1975, and determine what additional information is necessary to identify and describe:

1. The geologic nature and stability of the beach and dune landforms;
2. patterns of erosion, accretion, and migration;
3. storm and ocean flood hazards;
4. existing and projected use, development and economic activity on the beach and dune landforms; and
5. areas of significant biological importance.

#### B. Examples of Minimal Development

Examples of development activity which are of minimal value and suitable for development in conditionally stable dunes and deflation plains include beach and dune boardwalks, fences which do not affect sand erosion or migration, and temporary open-sided shelters.

#### C. Evaluating Beach and Dune Plans and Actions

Local government should adopt strict controls for carrying out the Implementation Requirements of this goal. The controls could include:

1. requirement of a site investigation report financed by the developer;
2. posting of performance bonds to assure that adverse effects can be corrected; and
3. requirement of re-establishing vegetation within a specified time.

#### D. Sand By-Pass

In developing structures that might excessively reduce the sand supply or interrupt the longshore transport or littoral drift, the developer should investigate, and where possible, provide methods of sand by-pass.

#### E. Public Access

Where appropriate, local government should require new developments to dedicate easements for public access to public beaches, dunes and associated waters. Access into or through dune areas, particularly conditionally stable dunes and dune complexes, should be controlled or designed to maintain the stability of the area, protect scenic values and avoid fire hazards.

#### F. Dune Stabilization

Dune stabilization programs should be allowed only when in conformance with the comprehensive plan, and only after assessment of their potential impact.

#### G. Off Road Vehicles

Appropriate levels of government should designate specific areas for the recreational use of off road vehicles (ORV's). This use should be restricted to limit damage to natural resources and avoid conflict with other activities, including other recreational use.

# 19.

## OCEAN RESOURCES

### GOAL

#### OVERALL STATEMENT

To conserve the long-term values, benefits and natural resources of the nearshore ocean and the continental shelf.

All local, state, and federal plans, policies, projects, and activities which affect the territorial sea shall be developed, managed and conducted to maintain, and where appropriate, enhance and restore, the long-term benefits derived from the nearshore oceanic resources of Oregon. Since renewable ocean resources and uses, such as food production, water quality, navigation, recreation, and aesthetic enjoyment, will provide greater long-term benefits than will non-renewable resources, such plans and activities shall give clear priority to the proper management and protection of renewable resources.

#### INVENTORY REQUIREMENTS

As local governments and state and federal agencies implement plans or carry out actions, projects, or activities related to or affecting ocean resources, they shall develop inventory information necessary to understand the impacts and relationship of the proposed activity to continental shelf and nearshore ocean resources. As specific actions are proposed, inventory information shall be gathered by the unit of government considering the action with assistance from those agencies and governments which use or manage the resources. The inventory shall be sufficient to describe the long-term impacts of the proposed action on resources and uses of the continental shelf and nearshore ocean.

#### IMPLEMENTATION REQUIREMENTS

- (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:

<b>Division of State Lands</b>	
Fill and Removal Law	ORS 541.605 —541.665
Mineral Resources	ORS 273.775 —273.780
Submersible and Submerged lands	ORS 274.005 —274.940
Kelp Law	ORS 274.885 —274.895
<b>Department of Economic Development</b>	
Ports Planning	ORS 777.835
<b>Department of Geology and Mineral Industries</b>	
Mineral Extraction	ORS 520.005
Oil and Gas Drilling	—520.095
<b>Department of Energy</b>	
Regulation of thermal power and nuclear installation	ORS 469.300 —469.570
<b>Department of Environmental Quality</b>	
Water Quality Permits	ORS 468.700 —468.775
Oil spillage Regulation	ORS 468.780 —468.815
<b>Department of Fish and Wildlife</b>	
Fisheries regulation	ORS Chapter 506

- (2) Each state and federal agency, special district, city and county within the limits of its jurisdiction and as necessary to:

- (i) determine the impact of proposed projects or actions; and
- (ii) for the sound conservation of ocean resources; shall:

#### (a) Fishery Resources

- (i) Develop scientific information on the stocks and life histories of commercially, recreationally, and ecologically important species of fish, shellfish, marine mammals and other marine fauna.
- (ii) Designate and enforce fishing regulations to maintain the optimum sustainable yield (OSY) while protecting the natural marine ecosystem.
- (iii) Develop and encourage improved fishing practices and equipment to achieve the OSY while protecting the natural marine ecosystem.
- (iv) Develop scientific understanding of the effects of man's activities, including navigation, mineral extraction, recreation, and waste discharge, on the marine ecosystem.

#### (b) Biological Habitat

- (i) Identify and protect areas of important biological habitat, including kelp and other algae beds, seagrass beds, rock reef areas and areas of important fish, shellfish and invertebrate concentration.
- (ii) Identify and protect important feeding areas; spawning areas; nurseries; migration routes; and other biologically important areas of marine mammals, marine birds, and commercially and recreationally important fish and shellfish.
- (iii) Determine and protect the integrity of the marine ecosystem, including its natural biological productivity and diversity.

#### (c) Navigation and Ports

- (i) Determine for the state as a whole, the navigation needs for the coast of Oregon. Such needs will reflect, in part, the capability of each port to handle differing types of ship traffic, consistent with other statewide planning goals.
- (ii) Maintain appropriate navigation lanes and facilities free from interference by other uses to provide safe transportation along and to the Oregon Coast.

#### (d) Aesthetic Use

Maintain the aesthetic enjoyment and experiences provided

by ocean resources.

#### (e) Recreation

Identify, maintain and enhance the diversity, quality, and quantity of recreational opportunities on and over the Oregon continental shelf, as consistent with the Beaches and Dunes Goal and Estuarine Resources Goal.

#### (f) Waste Discharge and Mineral Extraction

Provide that extraction of materials from or discharge of waste products into or affecting the Oregon territorial sea do not substantially interfere with or detract from the use of the continental shelf for fishing, navigation, recreation, or aesthetic purposes, or from the long-term protection of renewable resources.

#### (g) Dredged Material Disposal

Provide for suitable sites and practices for the open sea discharge of dredged materials, which do not substantially interfere with or detract from the use of the continental shelf for fishing, navigation, or recreation, or from the long-term protection of renewable resources.

#### (h) Archaeological Sites

Identify and protect, whenever possible, significant underwater archaeological sites of the continental shelf.

#### (3) Contingency Plans

Before issuing permits for development on the Oregon continental shelf, state and federal agencies, in coordination with the permittee, shall establish contingency plans and emergency procedures to be followed in the event that the operation results in conditions which threaten to damage the environment.

### GUIDELINES

#### A. Implementation

The Ocean Resources Goal does not include any specific plan requirements. It primarily sets implementation requirements, giving priority to certain uses and requiring that actions affecting Ocean Resources must be preceded by an inventory and based on sound information.

These requirements address all units of government. Examples of plans, actions or programs of local government which might affect the identified ocean resources include construction and expansion of port and navigation facilities, recreation use, and disposal of chemical, thermal, sewage or dredged material wastes. Other kinds of actions in ocean resource and continental shelf areas are primarily under the regulatory authority of state and federal agencies; these activities must be closely coordinated with local government to

Continued on next page



# 19.

## OCEAN RESOURCES (Continued)

avoid or minimize impact on adjacent and affected upland areas.

### B. Inventory

The goal does not intend that local government and state and federal agencies develop complete inventories of ocean resources. Rather, it requires that actions affecting the nearshore ocean and continental shelf areas be based upon a sound understanding of the resources and potential impacts. Therefore, the inventory should identify the affected ocean area and describe the extent and significance of:

1. Hydrographic conditions and processes, including characteristics of ocean waves, current, tidal, water quality, and bottom;
2. Geology;
3. Biological features, including fish and shellfish stocks; other biologically important species; important habitat areas including sea grass and algae beds; and other elements important to maintaining the biological resource such as plankton and benthos;
4. Mineral deposits, including sand and gravel and hydrocarbon resources; and
5. Present and projected uses, use patterns, and values associated with the

ocean resource, including commercial fishing, port and navigation uses, recreational activities, and waste discharges.

### C. Research

Resource agencies and research organizations should continue to develop complete and comprehensive information on ocean resources to promote their proper management and protection.

### D. Fish Harvest

State and federal agencies should encourage, where appropriate and in keeping with sound practices for conservation of ocean resources, the exploitation of unutilized and underutilized fish species.

### E. Permits

Permits for development on the Oregon continental shelf should:

1. Designate areas within the proposed development where activities such as exploration and extraction, will be prohibited;
2. Specify methods and equipment to be used and standards to be met;
3. Require the developer to finance monitoring and inspection of the de-

velopment by the appropriate state agency;

4. Require that pollution abatement utilize the best available technology when needed to protect coastal resources;
5. Require the developer to be liable for individual or public damage caused by the development and to post adequate bonding or other evidence of financial responsibility to cover damages;
6. Specify the extent of restoration that must be accomplished, where appropriate, when the development is finished;
7. Specify that the state or federal government may revoke or modify a permit to prevent or halt damage to the environment and that such revocation or modification will recognize vested rights of the developer;
8. Require the developer to describe the extent and magnitude of onshore support and operation facilities and their social, economic and environmental impacts on the Oregon coast; and
9. Be available for public review and comment before issuance.

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### Notes

# DEFINITIONS

**ACCRETION:** The build-up of land along a beach or shore by the deposition of waterborne or airborne sand, sediment, or other material.

**AGRICULTURAL LAND:** See definition in Agricultural Lands Goal.

**ANADROMOUS:** Referring to fish, such as salmon, which hatch in fresh water, migrate to ocean waters to grow and mature, and return to fresh waters to spawn.

**ARCHAEOLOGICAL RESOURCES:**

Those districts, sites, buildings, structures, and artifacts which possess material evidence of human life and culture of the prehistoric and historic past. (See Historical Resources definition.)

**AVULSION:** A tearing away or separation by the force of water. Land which is separated from uplands or adjacent properties by the action of a stream or river cutting through the land to form a new stream bed.

**BEACH:** Gently sloping areas of loose material (e.g., sand, gravel, and cobbles) that extend landward from the low-water line to a point where there is a definite change in the material type or landform, or to the line of vegetation.

**BENTHIC:** Living on or within the bottom sediments in water bodies.

**CARRYING CAPACITY:** Level of use which can be accommodated and continued without irreversible impairment of natural resources productivity, the ecosystem and the quality of air, land and water resources.

**CITIZEN:** Any individual with the planning area; any public or private entity or association within the planning area, including corporation, governmental and private agencies, associations, firms, partnerships, joint stock companies and any group of citizens.

**COASTAL LAKES:** Lakes in the coastal zone that are created by a dune formation or that have a hydrologic surface or subsurface connection with saltwater.

**COASTAL SHORELANDS:** Those areas immediately adjacent to the ocean, all estuaries and associated wetlands, and all coastal lakes.

**COASTAL STREAM:** Any stream within the coastal zone as defined in ORS 191.110.

**COASTAL WATERS:** Territorial ocean waters of the continental shelf; estuaries; and coastal lakes.

**COASTAL ZONE:** The area lying between the Washington border on the north to the California border on the south, bounded on the west by the extent of the state's jurisdiction, and in the east by the crest of the coastal mountain range, with the exception of: (a) The Umpqua River basin, where the coastal zone shall extend to Scottsburg; (b) The Rogue River basin, where the coastal zone shall extend to Agness; (c) The Columbia River basin, where the coastal zone shall extend to the downstream end of Puget Island. (ORS 191.110)

**CONSERVE:** To manage in a manner which avoids wasteful or destructive uses and provides for future availability.

**CONSERVATION:** The act of conserving the environment.

**CONTINENTAL SHELF:** The area seaward from the ocean shore to the distance when the ocean depth is 200 meters, or where the ocean floor slopes more steeply to the deep ocean floor. The area beyond the state's jurisdiction is the OUTER Continental Shelf.

**DEFLATION PLAIN:** The broad interdune area which is wind scoured to the level of the summer water table.

**DEVELOP:** To bring about growth or availability; to construct or alter a structure,

to conduct a mining operation, to make a physical change in the use or appearance of land, to divide land into parcels, or to create or terminate rights of access.

**DEVELOPMENT:** The act, process or result of developing.

**DIVERSITY:** The variety of natural, environmental, economic, and social resources, values, benefits, and activities.

**DUNE:** A hill or ridge of sand built up by the wind along sandy coasts.

**DUNE, ACTIVE:** A dune that migrates, grows and diminishes from the face of wind and supply of sand. Active dunes include all open sand dunes, active hummocks, and active foredunes.

**DUNE, CONDITIONALLY STABLE:** A dune presently in a stable condition, but vulnerable to becoming active due to fragile vegetative cover.

**DUNE, OLDER STABILIZED:** A dune that is stable from wind erosion, and that has significant soil development and that may include diverse forest cover. They include older foredunes.

**DUNE, OPEN SAND:** A collective term for active, unvegetative dune landforms.

**DUNE, RECENTLY STABILIZED:** A dune with sufficient vegetation to be stabilized from wind erosion, but with little, if any, development of soil or cohesion of the sand under the vegetation. Recently stabilized dunes include conditionally stable foredunes, conditionally stable dunes, dune complexes, and younger stabilized dunes.

**DUNES, YOUNGER STABILIZED:** A wind stable dune with weakly developed soils and vegetation.

**DUNE COMPLEX:** Various patterns of small dunes with partially stabilized intervening areas.

**ECOSYSTEM:** The living and non-living components of the environment which interact or function together, including plant and animal organisms, the physical environment, and the energy systems in which they exist. All the components of an ecosystem are inter-related.

**ENCOURAGE:** Stimulate; give help to; foster.

**ESTUARY:** A body of water semi-enclosed by land, connected with the open ocean, and within which salt water is usually diluted by freshwater derived from the land. The estuary includes: (a) Estuarine water; (b) Tidelands; (c) Tidal marshes; and (d) Submerged lands. Estuaries extend upstream to the head of tidewater, except for the Columbia River Estuary, which by definition is considered to extend to the western edge of Puget Island.

**FILL:** The placement by man of sand, sediment, or other material, usually in submerged lands or wetlands, to create new uplands or raise the elevation of land.

**FLOODPLAIN:** The area adjoining a stream, tidal estuary or coast that is subject to regional flooding.

**A REGIONAL (100-YEAR) FLOOD** is a standard statistical calculation used by engineers to determine the probability of severe flooding. It represents the largest flood which has a one-percent chance of occurring in any one year in an area as a result of periods of higher than normal rainfall or streamflows, extremely high tides, high winds, rapid snowmelt, natural stream blockages, tsunamis, or combinations thereof.

**FLOODWAY:** The normal stream channel and the adjoining area of the natural floodplain needed to convey the waters of a regional flood while causing less than one foot increase in upstream flood

elevations.

**FLOODFRINGE:** The area of the floodplain lying outside of the floodway, but subject to periodic inundation from flooding.

**FOREDUNE, ACTIVE:** An unstable barrier ridge of sand paralleling the beach and subject to wind erosion, water erosion, and growth from new sand deposits. Active foredunes may include areas with beach grass, and occur in sand spits and at river mouths as well as elsewhere.

**FOREDUNE CONDITIONALLY STABLE:** An active foredune that has ceased growing in height and that has become conditionally stable with regard to wind erosion.

**FOREDUNE, OLDER:** A conditionally stable foredune that has become wind stabilized by diverse vegetation and soil development.

**FOREST LANDS:** See definition of commercial forest lands and uses in the Oregon Forest Practices Act and the Forest Lands Goal.

**GEOLOGIC:** Relating to the occurrence and properties of earth. Geologic hazards include faults, land and mudslides, and earthquakes.

**HEADLANDS:** Bluffs, promontories or points of high shore land jutting out into the ocean, generally sloping abruptly into the water. Oregon headlands are generally identified in the report on **Visual Resource Analysis of the Oregon Coastal Zone, OCCDC, 1974.**

**HISTORICAL RESOURCES:** Those districts, sites, buildings, structures, and artifacts which have a relationship to events or conditions of the human past. (See Archaeological Resources definition.)

**HUMMOCK, ACTIVE:** Partially vegetated (usually with beach grass), circular, and elevated mounds of sand which are actively growing in size.

**HYDRAULIC:** Related to the movement or pressure of water. Hydraulic hazards are those associated with erosion or sedimentation caused by the action of water flowing in a river or streambed, or oceanic currents and waves.

**HYDRAULIC PROCESSES:** Actions resulting from the effect of moving water or water pressure on the bed, banks, and shorelands of water bodies (ocean, estuaries, streams, lakes, and rivers).

**HYDROGRAPHY:** The study, description and mapping of oceans, estuaries, rivers and lakes.

**HYDROLOGIC:** Relating to the occurrence and properties of water. Hydrologic hazards including flooding (the rise of water) as well as hydraulic hazards associated with the movement of water.

**IMPACT:** The consequences of a course of action; the effect of a goal, guideline, plan, or decision.

**INSURE:** (Ensure) Guarantee; make sure or certain something will happen.

**INTEGRITY:** The quality or state of being complete and functionally unimpaired; the wholeness or entirety of a body or system, including its parts, materials, and processes. The integrity of an ecosystem emphasizes the inter-relatedness of all parts and the unity of its whole.

**INTERDUNE AREA:** Low-lying areas between higher sand landforms which are generally under water during part of the year. (See also Deflation Plain.)

**INTERTIDAL:** Between the levels of mean

Continued on next page



## DEFINITIONS (Continued)

- lower low tide (MLLT) and mean higher high tide (MHHT).
- KEY FACILITIES:** Basic facilities that are primarily planned for by local government but which also may be provided by private enterprise and are essential to the support of more intensive development, including public schools, transportation, water supply, sewage and solid waste disposal.
- LCDC:** Land Conservation and Development Commission of the State of Oregon. Seven lay-citizens, non-salaried, appointed by the Governor, confirmed by the Oregon Senate; at least one commissioner from each Congressional District; no more than two from Multnomah County.
- LITTORAL DRIFT:** The material moved, such as sand or gravel, in the littoral (shallow water nearshore) zone under the influence of waves and currents.
- MAINTAIN:** Support, keep and continue in an existing state or condition without decline.
- MANAGEMENT UNIT:** A discrete geographic area, defined by biophysical characteristics and features, within which particular uses and activities are promoted, encouraged, protected, or enhanced, and others are discouraged, restricted, or prohibited.
- NATURAL AREAS:** Includes land and water that has substantially retained its natural character, which is an important habitat for plant, animal, or marine life. Such areas are not necessarily completely natural or undisturbed, but can be significant for the study of natural, historical, scientific, or paleontological features, or for the appreciation of natural features.
- NATURAL RESOURCES:** Air, land and water and the elements thereof which are valued for their existing and potential usefulness to man.
- OCCDC:** Oregon Coastal Conservation and Development Commission, created by ORS 191; existed from 1971 to 1975. Its work is continued by LCDC.
- OCEAN FLOODING:** The flooding of lowland areas by salt water owing to tidal action, storm surge, or tsunamis (seismic sea waves). Land forms subject to Ocean Flooding include beaches, marshes, coastal lowlands, and low-lying interdune areas. The highest predicted tide is approximately six (6) feet above Mean Sea Level (MSL). The highest probable storm surge is four to seven (4-7) feet above prevailing tidal elevation. The highest probable tsunami is approximately 14 feet above prevailing tidal elevation in mouths of estuaries and slightly higher on beaches. Because tidal flooding occurs twice daily, the effect of high tide is superposed on that of storm surges or tsunamis in determining the impact of these phenomena.
- PLANNING AREA:** The air, land and water resources within the jurisdiction of a governmental agency.
- POLLUTION:** The violation or threatened violation of applicable state or federal environmental quality statutes, rules and standards.
- PRESERVE:** To save from change or loss and reserve for a special purpose.
- PROGRAM:** Proposed or desired plan or course of proceedings and action.
- PROTECT:** Save or shield from loss, destruction, or injury or for future intended use.
- PROVIDE:** Prepare, plan for, and supply what is needed.
- PUBLIC FACILITIES AND SERVICES:** Projects, activities and facilities which the planning agency determines to be necessary for the public health, safety and welfare.
- PUBLIC GAIN:** The net gain from combined economic, social, and environmental effects which accrue to the public because of a use or activity and its subsequent resulting effects.
- QUALITY:** The degree of excellence or relative goodness.
- RECREATION:** Any experience voluntarily engaged in largely during leisure (discretionary time) from which the individual derives satisfaction.
- COASTAL RECREATION** occurs in offshore ocean waters, estuaries, and streams, along beaches and bluffs, and in adjacent shorelands. It includes a variety of activities, from swimming, scuba diving, boating, fishing, hunting, and use of dune buggies, shell collecting, painting, wildlife observation, and sightseeing, to coastal resorts and water-oriented restaurants.
- LOW INTENSITY RECREATION** does not require developed facilities and can be accommodated without change to the area or resource. For example, boating, hunting, hiking, wildlife photography, and beach or shore activities can be low intensity recreation.
- HIGH INTENSITY RECREATION** uses specially built facilities, or occurs in such density or form that it requires or results in a modification of the area or resource. Campgrounds, golf courses, public beaches, and marinas are examples of high intensity recreation.
- RESTORE:** Revitalizing, returning, or replacing original attributes and amenities, such as natural biological productivity, aesthetic and cultural resources, which have been diminished or lost by past alterations, activities, or catastrophic events.
- ACTIVE RESTORATION** involves the use of specific positive remedial actions, such as removing fills, installing water treatment facilities, or rebuilding deteriorated urban waterfront areas.
- PASSIVE RESTORATION** is the use of natural processes, sequences, and timing or which occurs after the removal or reduction of adverse stresses without other specific positive remedial action.
- RIPARIAN:** Of, pertaining to, or situated on the edge of the bank of a river or other body of water.
- RIPRAP:** A layer, facing, or protective mound of stones randomly placed to prevent erosion, scour or sloughing of a structure or embankment; also, the stone so used. In local usage, the similar use of other hard material, such as concrete rubble, is also frequently included as riprap.
- RURAL LAND:** Rural lands are those which are outside the urban growth boundary and are: (a) Non-urban agricultural, forest or open space lands or, (b) Other lands suitable for sparse settlement, small farms or acreage homesites with no or hardly any public services, and which are not suitable, necessary or intended for urban use.
- SEDENTARY:** Attached firmly to the bottom, generally incapable of movement.
- SHORELINE:** The boundary line between a body of water and the land, measured on tidal waters at mean higher high water, and on non-tidal waterways at the ordinary high water mark.
- SIGNIFICANT HABITAT AREAS:** A land or water area where sustaining the natural resource characteristics is important or essential to the production and maintenance of aquatic life or wildlife populations.
- SOCIAL CONSEQUENCES:** The tangible and intangible effects upon people and their relationships with the community in which they live resulting from a particular action or decision.
- STRUCTURE:** Anything constructed or installed or portable, the use of which requires a location on a parcel of land.
- SUBSTRATE:** The medium upon which an organism lives and grows. The surface of the land or bottom of a water body.
- SUBTIDAL:** Below the level of mean lower tide (MLLT).
- TERRITORIAL SEA:** The ocean and sea-floor area from mean lower water seaward three nautical miles.
- TIDAL MARSH:** Wetlands from lower high water (LHW) inland to the line of non-aquatic vegetation.
- URBAN LAND:** Urban areas are those places which must have an incorporated city. Such areas may include lands adjacent to and outside the incorporated city and may also; (a) Have concentrations of persons who generally reside and work in the area (b) Have supporting public facilities and services.
- URBANIZABLE LAND:** Urbanizable lands are those lands within the urban growth boundary and which are identified and (a) Determined to be necessary and suitable for future urban areas (b) Can be served by urban services and facilities (c) Are needed for the expansion of an urban area.
- WATER-DEPENDENT:** A use or activity which can be carried out only on, in, or adjacent to water areas because the use requires access to the water body for water-borne transportation, recreation, energy production, or source of water.
- WATER-RELATED:** Uses which are not directly dependent upon access to a water body, but which provide goods or services that are directly associated with water-dependent land or waterway use, and which, if not located adjacent to water, would result in a public loss of quality in the goods or services offered. Except as necessary for water-dependent or water-related uses or facilities, residences, parking lots, spoil and dump sites, roads and highways, restaurants, businesses, factories; and trailer parks are not generally considered dependent on or related to water location needs.
- WETLANDS:** Land areas where excess water is the dominant factor determining the nature of soil development and the types of plant and animal communities living at the soil surface. Wetland soils retain sufficient moisture to support aquatic or semi-aquatic plant life. In marine and estuarine areas, wetlands are bounded at the lower extreme by extreme low water; in freshwater areas, by a depth of six feet. The areas below wetlands are submerged lands.