

1.5.3 Administrative Law – Requirement for Findings – Statewide Goals. In amending a transportation systems plan (TSP) to locate a bypass through an industrial area, a local government is not obligated to adopt findings regarding the post-amendment adequacy of its inventory of commercial and industrial lands, where the acknowledged zoning district that applies to those lands already anticipates that at least some of those lands may be used for transportation facilities. *Land Watch of Lane County v. Lane County*, 74 Or LUBA 76 (2016).

1.5.3 Administrative Law – Requirement for Findings – Statewide Goals. In amending an acknowledged zoning ordinance to reduce maximum building heights, a city is not required to demonstrate that the amendment complies with the statewide planning goals where the acknowledged comprehensive plan contains “specific policies or other provisions which provide the basis for the regulation.” ORS 197.835(7)(b). However, where the comprehensive plan includes only general policies that make no reference to maximum building heights, the city must demonstrate that the amendment complies with the statewide planning goals. *Marine Street LLC v. City of Astoria*, 37 Or LUBA 587 (2000).

1.5.3 Administrative Law – Requirement for Findings – Statewide Goals. A decision amending a comprehensive plan must specifically identify the applicable statewide planning goals and include findings that substantively address how the proposed comprehensive plan amendment assures compliance with those goals. It is insufficient to make passing reference to the general subject matter of the goals in addressing other approval criteria. *Larvik v. City of La Grande*, 34 Or LUBA 467 (1998).

1.5.3 Administrative Law – Requirement for Findings – Statewide Goals. A finding that the subject property contains no identified Goal 5 resources is not adequate to address the Goal 4 requirement that “other forested lands” be designated as forest lands if such lands are needed to maintain soil, water, air, fish and wildlife resources. *DLCD v. Curry County*, 33 Or LUBA 728 (1997).

1.5.3 Administrative Law – Requirement for Findings – Statewide Goals. In reviewing a county’s legislative comprehensive plan amendment, LUBA does not require detailed findings, but Goal 2 requires a local government to explain why the amendment complies with applicable Statewide Planning Goals. The required explanation can appear in findings, in the record or in the brief the local government files with LUBA. *Valerio v. Union County*, 33 Or LUBA 604 (1997).

1.5.3 Administrative Law – Requirement for Findings – Statewide Goals. The Goal 2 coordination requirement must be met by adopted findings that respond to state agency concerns. A statement in the record that county staff rejected state agency concerns does not satisfy the coordination requirement. *DLCD v. Douglas County*, 33 Or LUBA 216 (1997).

1.5.3 Administrative Law – Requirement for Findings – Statewide Goals. If it is obvious from the record that a particular goal does not apply to a proposed comprehensive plan amendment, it is not a basis for remand that the local government has not actually stated in its written decision that the goal does not apply. *Marcott Holdings, Inc. v. City of Tigard*, 30 Or LUBA 101 (1995).

1.5.3 Administrative Law – Requirement for Findings – Statewide Goals. All comprehensive plan amendments must comply with the Statewide Planning Goals. When adopting a comprehensive plan amendment, it is the local government’s obligation to explain in its findings why the plan amendment complies with the goals or why arguably applicable goal standards need not be addressed and satisfied. *O’Rourke v. Union County*, 29 Or LUBA 303 (1995).

1.5.3 Administrative Law – Requirement for Findings – Statewide Goals. The coordination obligation imposed by Statewide Planning Goal 2 (Land Use Planning), and similarly worded local government comprehensive plan provisions, does not require that a local government accede to every concern expressed by a state agency, but does require that a local government adopt findings responding to legitimate concerns expressed by a state agency. *ONRC v. City of Seaside*, 29 Or LUBA 39 (1995).

1.5.3 Administrative Law – Requirement for Findings – Statewide Goals. When a property’s plan and zone designations are changed to allow a particular use, Goal 6 requires the local government to adopt findings explaining why it is reasonable to expect that applicable state and federal environmental quality standards can be met by the proposed use. Goal 6 does not require the local government to demonstrate its decision will not cause any adverse environmental impact on individual properties. *Salem Golf Club v. City of Salem*, 28 Or LUBA 561 (1995).

1.5.3 Administrative Law – Requirement for Findings – Statewide Goals. Comprehensive plan amendments must comply with the Statewide Planning Goals. ORS 197.175(2)(a). Where a challenged comprehensive plan amendment does not address Goal 9 (Economic Development), and Goal 9 appears to be relevant to the challenged decision, LUBA will remand the decision. *Graville Properties, Ltd. v. City of Eugene*, 27 Or LUBA 583 (1994).

1.5.3 Administrative Law – Requirement for Findings – Statewide Goals. Where amendments to an exclusive farm use (EFU) zoning district do not change the maximum allowable density of nonfarm dwellings in PUDs, but may have the effect of increasing the numbers of, and circumstances in which, residential PUDs may be approved on EFU-zoned land, the county must consider these potential secondary effects of the amendments in determining whether the EFU zone, as amended, complies with Goals 11 and 14. *1000 Friends of Oregon v. Marion County*, 27 Or LUBA 303 (1994).

1.5.3 Administrative Law – Requirement for Findings – Statewide Goals. No statute or appellate court case requires that all legislative land use decisions be supported by findings. Absent allegations by petitioner that a legislative decision violates particular legal standards, a local government’s failure to adopt findings in support of that legislative decision addressing the statewide planning goals and local comprehensive plan is not, of itself, a basis for reversal or remand of the decision. *Oregon City Leasing, Inc. v. Columbia County*, 25 Or LUBA 129 (1993).

1.5.3 Administrative Law – Requirement for Findings – Statewide Goals. Where Statewide Planning Goals are apparently applicable to a comprehensive plan amendment, a local government must either explain in its decision why the amendment complies with such apparently applicable goals, explain why those goals do not apply to the proposed plan amendment or explain why an exception to those goals is justified. *ODOT v. City of Newport*, 23 Or LUBA 408 (1992).

1.5.3 Administrative Law – Requirement for Findings – Statewide Goals. To adopt a quasi-judicial plan amendment, a local government must make findings establishing the proposed amendment is in compliance with the Statewide Planning Goals. *ODOT v. Clackamas County*, 23 Or LUBA 370 (1992).

1.5.3 Administrative Law – Requirement for Findings – Statewide Goals. In amending its comprehensive plan, it is error for a local government to neither explain in its decision why apparently applicable Statewide Planning Goals do not apply, adopt findings demonstrating compliance with such goals, nor take an exception to such goals. *ODOT v. Clackamas County*, 23 Or LUBA 370 (1992).

1.5.3 Administrative Law – Requirement for Findings – Statewide Goals. To adopt a quasi-judicial comprehensive plan amendment, a local government must adopt findings establishing the proposed amendment is in compliance with the Statewide Planning Goals. *Klein v. City of Hubbard*, 23 Or LUBA 367 (1992).

1.5.3 Administrative Law – Requirement for Findings – Statewide Goals. In amending its comprehensive plan, it is a local government's obligation to explain in its findings why apparently applicable Statewide Planning Goal standards need not be addressed and satisfied. It is error for a local government to neither identify any goals applicable to a proposed plan amendment nor explain why apparently applicable goals are satisfied. *Klein v. City of Hubbard*, 23 Or LUBA 367 (1992).