

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Under ORS 197.175(2)(d), after acknowledgement, a local government reviews an application for planned unit development approval to determine whether the application complies with its land use regulations and comprehensive plan, and may not review the application for compliance with the statewide planning goals. *Talbott v. City of Happy Valley*, 74 Or LUBA 143 (2016).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Where a local government adopts an ordinance that repeals and readopts, verbatim, 34 previously adopted and acknowledged land use ordinances, solely to correct a problem with the publication notice for the readopted ordinances, the repeal and readoption of the 34 ordinances does not accomplish any “change” or amendment to the acknowledged ordinances that would require that the re-adoption be processed as a post-acknowledgment plan amendment under ORS 197.610 *et seq.* Repeal and verbatim readoption of a previously acknowledged ordinance does not change the acknowledged status of the ordinance, such that pursuant to ORS 197.175(2)(e) the statewide planning goals then apply directly to decisions made under the readopted ordinance. *Squier v. Multnomah County*, 71 Or LUBA 98 (2015).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** The Oregon Supreme Court decision in *1000 Friends of Oregon v. LCDC (Curry County)*, 301 Or 447 (1986), did not obligate local governments to apply Goal 14 as interpreted directly to land use decisions made under acknowledged land use regulations, although *amendments* to those regulations must be consistent with Goal 14 as interpreted by *Curry County*. Where a county’s regulations governing floating homes were adopted and acknowledged to comply with Goal 14 in 1982, and have not been amended since, those regulations remain acknowledged to comply with Goal 14, and thus Goal 14 would not apply directly to a decision to approve floating homes under that acknowledged ordinance. *Squier v. Multnomah County*, 71 Or LUBA 98 (2015).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Where a county fails to implement a new administrative rule, pursuant to ORS 197.646(3) the rule applies directly to county land use decisions until the county amends its code to implement the rule. However, once the county implements the Goal 4 rule at OAR 660-006-0025 by adopting the substance of the rule into its land use code, ORS 197.646(3) does not operate to apply the rule directly to nonforest uses the county approves in a forest zone. *White v. Lane County*, 68 Or LUBA 423 (2013).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** To preserve the issue of whether the statewide planning goals apply to a rezoning decision and thus whether notice of hearing must be provided to DLCD under ORS 197.610, the issue must be raised during the proceedings below to avoid waiver under ORS 197.763(1) and, additionally, specified in the local notice of appeal to avoid waiver under the exhaustion/waiver principle in *Miles v. City of Florence*, 190 Or App 500 (2003). *Conte v. City of Eugene*, 65 Or LUBA 326 (2012).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** ORS 197.610(2) provides that a local government need not provide notice of hearing to DLCD if the local government concludes that no statewide planning goals apply. However, the failure to adopt in the final decision *express* findings that no goals apply is not a basis for remand, where no statute requires express findings

that the goals do not apply and the petitioner fails to demonstrate that any goals in fact do apply. *Conte v. City of Eugene*, 65 Or LUBA 326 (2012).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** The statewide planning goals normally do not apply directly as approval criteria for permit applications governed by acknowledged comprehensive plans and land use regulations. *Gottman v. Clackamas County*, 64 Or LUBA 358 (2011).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** An argument that a decision approving a boundary line adjustment under an acknowledged comprehensive plan and land use regulations violates Goal 4 provides no basis for reversal, where petitioner offers no legal theory for why Goal 4 applies to such a decision. Generally, unless a land use decision adopts new or amended comprehensive plan or land use regulation provisions, a post-acknowledgement land use decision is governed by the acknowledged comprehensive plan and land use regulations and need not apply the statewide planning goals directly. *Lulay v. Linn County*, 60 Or LUBA 432 (2010).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Under OAR 660-031-0040 when renewing a state agency permit the agency is not required to make a determination of compliance with the statewide planning goals, unless the renewal involves a substantial modification or intensification of the permitted activity. *Tualatin Riverkeepers v. ODEQ*, 55 Or LUBA 569 (2008).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Under OAR 660-018-0050(2), the Department of Environmental Quality’s state agency coordination rule, a land use compatibility statement (LUCS) is the primary vehicle to ensure that agency permits are consistent with the statewide planning goals. In circumstances where the state agency coordination rules exempt permit renewals from the requirement to obtain a LUCS, the rules also exempt the agency from the requirement to make a determination that the renewed permit complies with the applicable goals. *Tualatin Riverkeepers v. ODEQ*, 55 Or LUBA 569 (2008).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** In renewing a discharge permit under the Department of Environmental Quality’s state agency coordination rules, nothing in those rules requires the agency to determine that the renewed permit complies with the statewide planning goals in circumstances where it is unclear that such determinations were made regarding the original permit. *Tualatin Riverkeepers v. ODEQ*, 55 Or LUBA 569 (2008).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** A state agency permit renewal decision that concludes, based on substantial evidence, that the renewed permit does not involve a substantial modification to or intensification of the permitted activity, and thus no land use compatibility statement is required from the affected local government, is not a land use decision subject to LUBA’s jurisdiction under ORS 197.015(11)(a)(B), because it is not an agency decision with respect to which the agency is required to apply the goals. *Tualatin Riverkeepers v. ODEQ*, 55 Or LUBA 569 (2008).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** OAR 660-014-0060 requires that local governments apply acknowledged comprehensive plans and ordinances to annexation decisions in lieu of the statewide planning goals, unless the plan and ordinance do not “control the

annexation.” A comprehensive plan policy need not be a mandatory approval criterion to “control the annexation” for purposes of OAR 660-014-0060; it is sufficient that the policy provides relevant guidance with respect to annexations. *Costco Wholesale Corporation v. City of Beaverton*, 50 Or LUBA 476 (2005).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Under OAR 660-014-0060, which requires that local governments apply acknowledged comprehensive plans and ordinances to annexation decisions in lieu of the statewide planning goals, unless the plan and ordinance do not “control the annexation,” whether the plan and ordinances control the annexation depends on whether the plan and ordinances include substantive standards guiding a city’s determination whether or not to annex land, not whether the plan and ordinances include procedures specific to annexations. *Patterson v. City of Independence*, 49 Or LUBA 589 (2005).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Where a county approves formation of a special district and the county’s comprehensive plan is acknowledged, the statewide planning goals do not apply, notwithstanding language in ORS 199.462(1) governing formation of special districts that requires consideration of the statewide planning goals. *Kneeland v. Douglas County*, 48 Or LUBA 347 (2005).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** As a general principle, goal compliance issues raised by a post-acknowledgment plan amendment must be addressed and resolved at the time the plan amendment is adopted. *Friends of Yamhill County v. Yamhill County*, 47 Or LUBA 160 (2004).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** At least where the record includes sufficient information regarding proposed or contemplated uses to determine whether a post-acknowledgment plan amendment is consistent with applicable goals, the local government must address and resolve whether the amendment is consistent with those goals at the time the amendment is adopted, and cannot defer that consideration to a proceeding that is not a post-acknowledgment plan amendment proceeding. *Friends of Yamhill County v. Yamhill County*, 47 Or LUBA 160 (2004).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Annexation decisions are governed by comprehensive plan annexation criteria or, if no such comprehensive plan criteria have been adopted, by the statewide planning goals. Where a city annexation decision is adopted without applying either its comprehensive plan or the statewide planning goals, the decision must be remanded. *Morsman v. City of Madras*, 45 Or LUBA 16 (2003).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** An application to amend the county comprehensive plan list of non-significant aggregate sites to include a proposed new mining site is subject to review for compliance with any potentially applicable statewide planning goals. *Beaver State Sand and Gravel v. Douglas County*, 43 Or LUBA 140 (2002).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Absent a showing that amendments regulating natural resources not on the city’s acknowledged Goal 5 inventory are intended to create or amend or have the effect of creating or amending a Goal inventory, such amendments need not

comply with Goal 5 or the Goal 5 rule. *Home Builders Assoc. v. City of Eugene*, 41 Or LUBA 370 (2002).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** A UGB amendment adopted pursuant to acknowledged local code provisions that implement Goal 14 is nonetheless subject to direct review for compliance with Goal 14 unless such review would necessarily invalidate some provision of the acknowledged code. *Residents of Rosemont v. Metro*, 38 Or LUBA 199 (2000).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** A county urbanization policy that was adopted to implement Goal 14 must be interpreted consistently with Goal 14’s prohibition against approval of urban uses on rural land. *Jackson County Citizens League v. Jackson County*, 38 Or LUBA 37 (2000).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** In approving applications for permits for uses that are specifically allowed in rural EFU zones by ORS 215.213 and 215.283, counties are not required to apply the case-by-case urban/rural analysis that is required under Goal 14 and *1000 Friends of Oregon v. LCDC (Curry Co.)*, 301 Or 447, 724 P2d 268 (1986), on non-EFU-zoned rural lands. *Jackson County Citizens League v. Jackson County*, 38 Or LUBA 37 (2000).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** That a challenged plan amendment is consistent with other provisions of an acknowledged comprehensive plan may have some bearing on whether the plan, as amended, continues to comply with all applicable statewide planning goals; however, such consistency does not obviate goal compliance review. *Volny v. City of Bend*, 37 Or LUBA 493 (2000).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** A comprehensive plan amendment that increases the required right-of-way for major arterials from 80 feet to 100 feet may reduce the supply of buildable land and commercial sites and thus requires findings that address Statewide Planning Goals 9 and 10. *Volny v. City of Bend*, 37 Or LUBA 493 (2000).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** OAR 660-023-0180, which governs comprehensive plan amendments for mineral and aggregate resources, establishes the procedures required to comply with Goal 5 but does not obviate the requirement to address other statewide planning goals. *Turner Community Association v. Marion County*, 37 Or LUBA 324 (1999).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Where a county’s comprehensive plan contains or is required to contain provisions that by their terms apply to a decision vacating a county road within city limits, the county must apply those provisions. If any such provisions apply, the county’s road vacation decision is a land use decision subject to LUBA’s jurisdiction. *Oregon Shores Cons. Coalition v. Lincoln County*, 36 Or LUBA 288 (1999).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Where LCDC requires a county to adopt comprehensive plan amendments implementing a statewide planning goal by a certain date, and the county fails to implement the goal as of that date, the goal becomes directly applicable to

county decisions pursuant to ORS 197.646, even if the goal did not become “effective” as to that county when LCDC adopted the goal. *Oregon Shores Cons. Coalition v. Lincoln County*, 36 Or LUBA 288 (1999).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Where a city approves a development plan for a university district as part of a quasi-judicial proceeding, but does not incorporate it into the city’s comprehensive plan or land use regulations, the development plan is not a comprehensive plan or land use regulation, and thus amendments to that plan are not subject to review for compliance with statewide planning goals or the Transportation Planning Rule. *Brome v. City of Corvallis*, 36 Or LUBA 225 (1999).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Petitioners’ argument that a proposed golf course expansion violates Goal 14 because it constitutes an expansion of an urban use onto rural EFU-zoned land provides no basis for reversal or remand, because Goal 14 does not apply to a permit to expand a use allowed in an EFU zone. *DLCD v. Jackson County*, 36 Or LUBA 88 (1999).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** LUBA will reject an assignment of error alleging that a post-acknowledgment plan amendment violates Goal 5, where petitioner does not demonstrate that the decision affects a Goal 5 resource in one of the ways specified in OAR 660-023-0250(3). *Rogue Valley Assoc. of Realtors v. City of Ashland*, 35 Or LUBA 139 (1998).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Where petitioner fails to assign error to detailed findings explaining why certain acknowledged comprehensive plan provisions constitute “specific policies” that, under ORS 197.835(7)(b), make it unnecessary for the city to demonstrate compliance with statewide planning goals when amending city land use regulations to implement those policies, LUBA will reject an assignment of error alleging the city erred by failing to demonstrate that the new and amended land use regulations comply with the statewide planning goals. *Rogue Valley Assoc. of Realtors v. City of Ashland*, 35 Or LUBA 139 (1998).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** A land development ordinance amendment adopting a half-acre minimum lot size for a flood hazard zone is not reviewable for compliance with Goal 5 where the acknowledged comprehensive plan calls for a half-acre minimum in the flood hazard zone. *Barnard Perkins Corp. v. City of Rivergrove*, 34 Or LUBA 660 (1998).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** ORS 197.835 does not exempt amendments to land use regulations from compliance with applicable administrative rules that implement statutory provisions. *Northwest Aggregates Co. v. City of Scappoose*, 34 Or LUBA 498 (1998).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Goal 11 prohibits relying on “establishment or extension of a water system” as a basis for allowing higher residential density outside UGBs. Where a local government approves a rural subdivision with a higher density based

on provision of water service, it must explain why the apparently applicable Goal 11 prohibition does not apply. *DeShazer v. Columbia County*, 34 Or LUBA 416 (1998).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** A legislative comprehensive plan amendment must comply with the statewide planning goals, and that requirement is not met simply because subsequent development applications would be reviewed pursuant to acknowledged criteria. *Fogarty v. City of Gresham*, 34 Or LUBA 309 (1998).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** An amendment to an acknowledged comprehensive plan must be reviewed for compliance with the statewide planning goals, notwithstanding that the acknowledged plan has an acknowledged process for amending the plan, where the amendment can be reviewed for compliance with the statewide planning goals without necessarily challenging the acknowledged process itself. *Fogarty v. City of Gresham*, 34 Or LUBA 309 (1998).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Where a local government's amendment of its comprehensive plan potentially affects the plan's compliance with a statewide planning goal, the local government is required to find and explain why (1) the proposed action does not implicate the goal, (2) the proposed action complies with the goal, or (3) the land subject to the proposed action meets the standards for a goal exception. *Doty v. Jackson County*, 34 Or LUBA 287 (1998).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** A plan amendment redesignating land as commercial on the basis of a nonconforming use is subject to review for compliance with applicable statewide planning goals, notwithstanding an acknowledged comprehensive plan policy that directs designation of such land as commercial rather than recognizing the nonconforming use, where a goals compliance challenge to the amendment is not an indirect compliance challenge to the comprehensive plan policy itself. *Geaney v. Coos County*, 34 Or LUBA 189 (1998).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Goal 14 is applicable to a plan amendment redesignating rural land as commercial, where the land is outside the UGB and the commercial designation would permit any commercial use of any size or intensity, including large commercial uses such as a Wal-Mart store that are urban in character and intensity. *Geaney v. Coos County*, 34 Or LUBA 189 (1998).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** 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).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Under ORS 197.625, when a county code provision has not yet been acknowledged by LCDC, a land use application is subject to that provision, as well as to the applicable land use goal and its implementing rules. *Evans v. Multnomah County*, 33 Or LUBA 555 (1997).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Where the county’s decision to apply overlay zoning directly implements plan policies that were previously determined to comply with the statewide planning goals, and the policies are sufficiently specific to provide the basis for case-by-case evaluation of development applications, ORS 197.835(7)(b) does not require the local government to apply the goals independently to the decision. *Cuddeback v. City of Eugene*, 32 Or LUBA 418 (1997).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** The statewide goals apply independently to a county’s zoning amendment where the comprehensive plan specifies that zone changes must comply with applicable statewide goals. *Doob v. Josephine County*, 32 Or LUBA 364 (1997).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** The Statewide Planning Goals do not apply directly to the approval of a permit under the county’s acknowledged comprehensive plan and land use regulations. *McArthur v. Lane County*, 31 Or LUBA 309 (1996).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** After the December 5, 1994 effective date of amendments to Statewide Planning Goal 11, local governments may not rely on acknowledged comprehensive plan or ordinance provisions to establish goal compliance if those provisions violate the Goal 11 amendments. *DeShazer v. Columbia County*, 31 Or LUBA 300 (1996).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** When an earlier acknowledged comprehensive plan amendment imposes a condition that any proposed conditional use or use variance shall require a revised exception to the Statewide Planning Goals, a new plan amendment is required before additional conditional uses can be allowed, since taking an exception necessitates a plan amendment. *Leathers v. Marion County*, 31 Or LUBA 220 (1996).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Goal 4 does not apply to the adoption of a city tree-cutting regulation that has no application to acknowledged forestlands or lands suitable for commercial forest uses. *Ramsey v. City of Portland*, 30 Or LUBA 212 (1995).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Not every regulation that arguably furthers the objectives of Goal 5 applies Goal 5. *Ramsey v. City of Portland*, 30 Or LUBA 212 (1995).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** 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).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Goal 6 is limited by its terms to discharges of pollutants from future development itself. It does not apply to all such discharges that may occur consequentially as a result of the development. *Marcott Holdings, Inc. v. City of Tigard*, 30 Or LUBA 101 (1995).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Once a local government’s comprehensive plan and land use regulations are acknowledged under ORS 197.251, the Statewide Planning Goals no longer apply directly to its land use decisions, other than to those decisions which amend the acknowledged plan or regulations. *Central Eastside Industrial Council v. Portland*, 29 Or LUBA 429 (1995).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Where a county zoning district was acknowledged by LCDC as a forest zone, not a farm/forest zone, a regulation subsequently adopted by LCDC to apply immediately to uses in forest zones applies to uses within that zoning district. *Testa v. Clackamas County*, 29 Or LUBA 383 (1995).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** 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).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** If a local government’s comprehensive plan and land use regulations are acknowledged as being in compliance with the statewide planning goals, and the challenged decision approving a residential subdivision does not amend the local government’s plan or land use regulations, the statewide planning goals do not apply to the challenged decision. *McCrary v. City of Talent*, 29 Or LUBA 110 (1995).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Where a local government does not identify specific provisions in its comprehensive plan which it contends provide the basis for challenged land use regulation amendments, under ORS 197.835(5)(b), LUBA is required to reverse or remand the land use regulation amendments if they do not comply with applicable provisions of the Statewide Planning Goals. *Churchill v. Tillamook County*, 29 Or LUBA 68 (1995).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Where respondents do not identify specific provisions in the applicable comprehensive plan, which they contend provide the basis for challenged zone changes, under ORS 197.825(5)(b) LUBA is required to reverse or remand the zone changes if they do not comply with applicable provisions of the Statewide Planning Goals or their implementing rules. *Opus Development Corp. v. City of Eugene*, 28 Or LUBA 670 (1995).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** That LUBA may consider a statewide planning goal that is implemented by a particular plan or code provision, in determining whether the local government’s interpretation of the plan or code provision should be affirmed under ORS 197.829(4), does not make that goal an approval standard for decisions made under an acknowledged plan and land use regulations. *Knee Deep Cattle Company v. Lane County*, 28 Or LUBA 288 (1994).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** If a local government is presented with a plan or land use regulation provision that must be interpreted, and there is a reasonable interpretation that is *consistent* with the “state statute, land use goal or rule the comprehensive plan



provision or land use regulation implements,” that interpretation may not be rejected by the local government in favor of an interpretation that is *inconsistent* with those statutes, goals or rules. *Historical Development Advocates v. City of Portland*, 27 Or LUBA 617 (1994).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** 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).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** The Statewide Planning Goals are not directly applicable to a local government decision that approves a subdivision without amending the local government’s acknowledged comprehensive plan. *J.C. Reeves Corp. v. Clackamas County*, 27 Or LUBA 318 (1994).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Where petitioners contend a land use regulation amendment fails to comply with the statewide planning goals and implementing rules, and respondents fail to identify specific provisions in the local comprehensive plan that provide the basis for the challenged amendment, LUBA will assume no such provisions exist, and under ORS 197.835(5)(b) LUBA has authority to reverse or remand the land use regulation amendment if it does not comply with the statewide planning goals or implementing rules. *1000 Friends of Oregon v. Marion County*, 27 Or LUBA 303 (1994).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Where property is the subject of a concurrent comprehensive plan map amendment and zone change, the zone change is made under an unacknowledged plan amendment and must comply with those statewide planning goals applicable to the unacknowledged plan amendment. ORS 197.175(2)(e) and 197.625(3)(b). *Roloff v. City of Milton-Freewater*, 27 Or LUBA 256 (1994).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** Any amendment to an acknowledged land use regulation must comply with all applicable statewide planning goals, if the comprehensive plan “does not contain specific policies or other provisions which provide the basis for the regulation.” ORS 197.835(5)(b). *Roloff v. City of Milton-Freewater*, 27 Or LUBA 256 (1994).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** A special district decision that finally determines policy questions concerning how the district will provide sewerage service to an area, where that service will occur, and the level of that service, is an exercise of the district’s planning duties and responsibilities under ORS 195.020(1) that must comply with the Statewide Planning Goals and is a land use decision subject to LUBA review. *DLCD v. Fargo Interchange Service District*, 27 Or LUBA 150 (1994).

**4.1 Statewide Planning Goals/ LCDC Rules – Applicability.** If a county’s comprehensive plan and land use regulations have been acknowledged by the Land Conservation and Development Commission pursuant to ORS 197.251, the statewide planning goals are *directly* applicable to a

challenged land use decision only if the decision amends the county plan. *DLCD v. Fargo Interchange Service District*, 27 Or LUBA 150 (1994).