



## Climate Change Statutes

### STATE OF OREGON

*This project was undertaken in partnership with the USDA Office of the Chief Economist, The Office of Energy Policy and New Uses. For information on the full project, visit [Climate Change Statutes](#).*

*Current through the 2010 Legislative Session of the Oregon General Assembly.*

#### **§ 197.010. Policy.**

The Legislative Assembly declares that:

(1) In order to ensure the highest possible level of livability in Oregon, it is necessary to provide for properly prepared and coordinated comprehensive plans for cities and counties, regional areas and the state as a whole. These comprehensive plans:

- (a) Must be adopted by the appropriate governing body at the local and state levels;
- (b) Are expressions of public policy in the form of policy statements, generalized maps and standards and guidelines;
- (c) Shall be the basis for more specific rules and land use regulations which implement the policies expressed through the comprehensive plans;
- (d) Shall be prepared to assure that all public actions are consistent and coordinated with the policies expressed through the comprehensive plans; and
- (e) Shall be regularly reviewed and, if necessary, amended to keep them consistent with the changing needs and desires of the public they are designed to serve.

(2)(a) The overarching principles guiding the land use program in the State of Oregon are to:

- (A) Provide a healthy environment;
- (B) Sustain a prosperous economy;
- (C) Ensure a desirable quality of life; and
- (D) Equitably allocate the benefits and burdens of land use planning.

(b) Additionally, the land use program should, but is not required to, help communities achieve sustainable development patterns and manage the effects of climate change.

(c) The overarching principles in paragraph (a) of this subsection and the purposes in paragraph (b) of this subsection provide guidance to:

- (A) The Legislative Assembly when enacting a law regulating land use.
- (B) A public body, as defined in ORS 174.109, when the public body:
  - (i) Adopts or interprets goals, comprehensive plans and land use regulations implementing the plans, or administrative rules implementing a provision of ORS chapter 195, 196, 197, 215 or 227; or
  - (ii) Interprets a law governing land use.
- (d) Use of the overarching principles in paragraph (a) of this subsection and the purposes in paragraph (b) of this subsection is not a legal requirement for the Legislative Assembly or other public body and is not judicially enforceable.

(3) The equitable balance between state and local government interests can best be achieved by resolution of conflicts using alternative dispute resolution techniques such as mediation, collaborative planning and arbitration. Such dispute resolution techniques are particularly suitable for conflicts arising over periodic review, comprehensive plan and land use regulations, amendments, enforcement issues and local interpretation of state land use policy.