

# Chapter 1

## Introduction

The Scio Comprehensive Plan provides a framework for orderly growth and development in the City of Scio. The Plan describes a long term vision for the community. The goals and policies in the Plan and the implementation measures adopted by the City provide the regulatory structure that is to be used to achieve that vision.

The Scio Comprehensive Plan was originally adopted in 1980 after a three year community planning process which actively engaged the citizens of Scio. Representatives from the Linn County Planning Department, the Department of Land Conservation and Development (DLCD) and various state and federal agencies assisted with the development of the plan. The Scio Comprehensive Plan and implementation ordinances were adopted by the Scio City Council in 1980 and acknowledged by Land Conservation and Development Commission (LCDC) on September 24, 1981. The first periodic review and major plan update was completed in the early 1990s and a periodic review acknowledgment order was issued by LCDC on July 14, 1992. The 2015 plan update is the first significant revision to the plan since 1992.

### **1.1 Oregon's Land Use Planning System**

In 1973, the Oregon Legislature adopted Senate Bill 100 (Oregon Revised Statute (O.R.S.) Chapter 197). Under the provisions of O.R.S. 197, all jurisdictions within the State of Oregon are required to develop and adopt comprehensive plans in compliance with statewide planning goals.

The Land Conservation and Development Commission (L.C.D.C.) was established to develop the statewide planning goals, to administer funds for the development of Comprehensive Plans and to review all plans for compliance with the statewide planning goals. Over the past forty+ years, the Oregon Legislature has updated O.R.S. 197 and LCDC has modified the statewide planning goals and adopted administrative rules to implement the statewide planning program. Together the state statutes, goals and administrative rules clearly articulate what elements are required in a local comprehensive plan and implementation ordinances. They also describe roles and responsibilities of local and state agencies in the statewide planning process and what is required of local government officials when making ministerial, quasi-judicial and legislative land use decisions.

“Comprehensive Plan”: means a generalized, coordinated land use map, goals and policy statements of the governing body of a state agency, city, county or special district that inter-relates all functional and natural systems and activities relating to the use of lands, including but not limited to public facilities including sewer, water and storm drainage systems, transportation, housing, economic development, recreational facilities, open space and natural resources. “Comprehensive” means all-inclusive, both in terms of the geographic area covered and functional and natural activities and systems occurring in the area covered by the plan. “General nature” means a summary to policies and proposals in broad categories and does not necessarily indicate specific locations of any area, activity or use. A plan is “coordinated” when the needs of all levels

of government, semi-public and private agencies and the citizens of Oregon have been considered and accommodated as much as possible. “Land” includes water, both surface and sub-surface, and the air.

The acknowledged Comprehensive Plan is the governing document for local land use decision making. The relationship between the Comprehensive Plan and the Zoning Ordinance was addressed in the 1970’s by two cases heard by the Oregon Supreme Court.

In the case of Fasano v. Washington County Commissioners it was determined that: “the plan embodies policy determinations and guiding principles; the zoning ordinances provide the detailed means of giving effect to these principles,” and that “it must be proved that the (zone) change is in conformance with the comprehensive plan.”

An earlier decision in the 1974 case of Baker v. City of Milwaukie emphasized the importance of the Comprehensive Plan as City’s governing land use document. In that case it was concluded “*that a comprehensive plan is the controlling land use planning instrument for a city. Upon passage of a comprehensive plan, a city (or county) assumes a responsibility to effectuate that plan and resolve conflicting zoning ordinances. We further hold that the zoning decision must be in accord with that plan and a zoning ordinance which allows a more intensive use than that prescribed in the plan must fail.*”

## **1.2 Scio Comprehensive Plan and Implementation Measures**

The Scio Comprehensive Plan “Plan” is composed of three major interrelated parts.

- (1) background reports, public facility plans and technical studies
- (2) goals, policies and official plan maps;
- (3) implementation ordinances and measures.

The Plan document provides a narrative describing the history of the community, land use patterns, public facilities, natural resources and future growth patterns inside the urban growth boundary. The plan summarizes key findings from the background studies, public facility plans and technical reports and where necessary adopts these documents as technical amendments to the plan.

Based on the background information and technical studies, the City has adopted goals, policies and maps to guide development and provide for planned growth in the community. The fundamental difference between a goal and a policy is:

- 1) *a goal is a general directive or accomplishment towards which the city wishes to go in the future;*
- 2) *a policy is a specific action the city feels is necessary to accomplish the goal.*

The implementation measures include the zoning, subdivision and other regulatory ordinances that govern the use of specific use of individual properties within the City.

Together, the Scio Comprehensive Plan, technical amendments to the plan and the implementation measures carry the force of law and provide the regulatory framework for land use decisions in the City. The community and individual property owners can rely on the City's comprehensive plan to provide a clear vision for the future land uses and implementation measures to include the specific standards and criteria which must be used by the City in making land use decisions. The city staff, Planning Commission and City Council use all three to make legislative, quasi-judicial and ministerial land use decisions.

**Legislative:** The adoption of the Comprehensive Plan and amendments to the plan are legislative decisions. These decisions create policy and affect the community as a whole.

**Quasi-judicial:** Quasi-judicial decisions are made when the city council or planning commission considers a typical land use application. A quasi-judicial proceeding is similar to a judicial proceeding with procedures, testimony and evidence. Previously adopted comprehensive plan policies, data from approved technical studies, zoning and subdivision standards and criteria are all applied to specific facts to arrive at a decision on a land use application. Examples include zone changes, subdivisions, partitions, conditional use permits and variances.

**Ministerial:** A ministerial decision is an administrative action to apply standards and criteria to a specific proposal or application. They require little or no discretion on the part of the decision maker. Examples include the issuance of building permits, sign permits or lot line adjustments.

### **1.3 Updating the Scio Comprehensive Plan**

The original Scio Comprehensive Plan was developed by the citizens of Scio in the late 1970s to meet the needs of the City of Scio for a 20-year planning horizon to the year 2000. As times change, so do the conditions for which many of the goals and policies of this Plan were written. It is therefore important that the plan be maintained as a workable document sensitive to the people and environment of Scio. To maintain the Plan, periodic review and updating will be necessary.

Since the original adoption of the Comprehensive Plan in 1980, the City has amended the plan many times. In 1990, the City completed a periodic review update that was reviewed and approved by LCDC on July 14, 1992.

Since then, the City has adopted a number of post acknowledgment plan amendments (PAPAs) to the Plan and implementation ordinances. The City has also adopted technical planning studies to address issues that affect the entire community. These include the buildable lands analysis, a natural hazards mitigation plan, a flood plain hazards ordinance, the local wetlands inventory and public facilities plans. The PAPAs adopted by the City include these technical planning studies but also include specific quasi-judicial decisions to address land use applications submitted by individual property owners.

As Scio grows and development activities occur, the City will continue to make land use decisions and public investments in the civic infrastructure. The Scio Comprehensive Plan provides the overall vision, goals and policies to guide the City's leaders and enable them to make meaningful and consistent decisions. If the Plan is followed, decisions will be consistent regardless who is in the position to make the decision. The end result should be a stronger, more vibrant community.

The purpose of the 2015 Comprehensive Plan update is to plan for growth over the next twenty years to the year 2035. As part of this update, out-of-date information has been removed. Amendments adopted by the City since 1990 have been incorporated into the plan. New background information on the community has been added.

## **Chapter 2**

### **Scio Comprehensive Plan and Citizen Involvement**

The Scio Planning Commission has been instrumental in the development of the Comprehensive Plan, the zoning code, implementation ordinances and planning studies. The Planning Commission serves as the committee for citizen involvement (CCI). It makes a concerted effort to involve a broad cross-section of the community in the development of planning documents, technical studies and land use policies and carefully considers public comments when it makes land use decisions on specific development proposals.

The City Council has delegated significant responsibilities to the Planning Commission for community development and land use planning. The Planning Commission sets goals and prepares an annual work program describing its projects for the coming year. In order to keep elected officials informed of the City's planning and community development program, the Commission will provide the City Council with an annual report summarizing its accomplishments and land use decisions made during the prior year and identify the planning projects that are scheduled for the coming year.

The Planning Commission works closely with the staff, planning consultants, City Engineer, community groups and elected officials to evaluate the effectiveness of the city's planning program and continuously update the Comprehensive Plan, background studies and implementation ordinances. In an effort to reach and involve the citizens of Scio in all phases of the planning process, the Planning Commission regularly holds open houses, public meetings and public hearings. Periodically, community surveys are used to gauge public opinion and identify citizen priorities on planning and public facility issues. The Commission provides policy recommendations to the City Council as required or when requested.

There are many advantages to small town living, one of the greatest is the people of the community. The City has and will continue to provide citizens with opportunities to become involved in city government and assist with projects that are intended to improve community livability.

In order to maintain the plan as a document sensitive to the needs of the people and an ever changing community, the citizens of Scio will be encouraged to continue to take an active role in the review, amendment and update of the Scio Comprehensive Plan.

# **GOALS AND POLICIES FOR CITIZEN INVOLVEMENT**

## **STATEWIDE PLANNING GOALS**

**GOAL 1 – CITIZEN INVOLVEMENT:** To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

## **CITY OF SCIO GOALS and POLICIES**

**Goal CI-1:** To provide for ongoing citizen participation and involvement in the City of Scio’s land use and community development programs.

**Goal CI-2:** To achieve effective communication between the city government and the citizens of Scio.

**Goal CI-3:** To encourage an atmosphere for meaningful citizen involvement.

**Policy CI-1:** The Scio Planning Commission is designated as the Committee for Citizen Involvement, whose ongoing responsibility is to:

- a. Periodically review, update, and maintain the Scio Comprehensive Plan as a workable document, sensitive to the needs of the community, the citizens and the future growth of Scio,
- b. Involve citizens in a meaningful way in the City’s goal setting, policy development, long-range planning and community development activities,
- c. Hold open public meetings and solicit public input in order to give community residents the opportunity to participate in the various stages of the planning and community development process,
- d. Inform the community of planning commission meetings, development proposals, and planning activities through the media and direct communication,
- e. Periodically conduct community surveys to obtain public input, assess community attitudes and evaluate the City’s effectiveness in meeting community needs,
- f. Provide the City Council with information and recommendations on planning related issues, and.
- g. Provide the City Council with an annual report of the prior year land use decisions and Commission projects and a work program for the coming year.

**Policy CI-2:** The City of Scio may periodically recognize individuals or groups who have made significant contributions to the improvement of the community.

Policy CI-3: The City will supply adequate human, financial and informational resources for the citizen involvement program.

## **GOALS AND POLICIES COMPREHENSIVE PLAN REVIEW & AMENDMENT**

### **STATEWIDE PLANNING GOALS**

**GOAL 2 - LAND USE PLANNING:** To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

### **CITY OF SCIO GOALS and POLICIES**

**Goal CP-1:** To periodically update the Scio Comprehensive Plan, its goals and policies so the Comprehensive Plan describes the community's vision and promotes the development of a livable community.

Policy CP-1: To serve the best interests of the community the City of Scio will update the Comprehensive Plan if it is found that public policies and/or circumstances have changed which render any part of the plan out of date or ineffective.

Policy CP-2: The Scio Planning Commission will review the Comprehensive Plan, inventory data, public facility plans and implementation ordinances every seven to ten years to determine what revisions and/or additions are needed. Revisions may be made at any time after providing opportunities for citizen involvement and agency coordination.

Policy CP-3: The City will provide regular training to Planning Commission members to acquaint members with statewide planning goals and policies, the Comprehensive Plan, city land use regulations, policies and procedures and current planning issues.

Policy CP-4: The City of Scio will follow state law and Oregon Administrative Rules when amending the Scio Comprehensive Plan.

Policy CP-5: The City of Scio will consider amendments to the Scio Comprehensive Plan which are initiated by:

- a. An affected individual, group, public or private agency or jurisdiction.
- b. The Scio Planning Commission.
- c. The Scio City Council.