6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. In evaluating whether a proposed solar energy generating facility can be reasonably accommodated on alternative sites that do not require an exception under OAR 660-004-0020(2)(b)(B), the applicant cannot limit the scope of the alternative sites analysis by considering only sites near a specific electrical substation owned by a company with which the applicant has entered into a contract to provide electricity. The alternative sites analysis must consider sites that are proximate to other substations or connection points that could reasonably accommodate the proposed use, regardless of whether the applicant has a contract to provide electricity to those substations or connection points. *1000 Friends of Oregon v. Jackson County*, 76 Or LUBA 270 (2017).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. Under OAR 660-004-0020(2)(b), a county does not err in finding that an analysis of alternative non-resource sites for a proposed adaptive reuse of a Goal 5 historic structure is not required because reuse of a particular historical structure dictates that no alternative site not requiring an exception can reasonably accommodate the adaptive reuse. *King v. Clackamas County*, 72 Or LUBA 143 (2015).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. Under OAR 660-004-0020(2)(c), a county does not err when determining that permitting adaptive reuse of existing historic structures in the proposed exception area results in fewer adverse consequences, compared to locating the proposal on other resource lands that require an exception, which would require significant new construction of infrastructure and accordingly more adverse consequences. *King v. Clackamas County*, 72 Or LUBA 143 (2015).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. OAR 660-004-0020(2)(b)(B) requires a finding that other areas that do not require a new exception cannot reasonably accommodate the proposed use. Where the proposed use is an expansion of an existing rural industrial park that has over 445 acres of vacant land that is available for development, the county cannot reject that vacant site under the reasonably accommodate standard simply because the vacant land is not controlled by the applicant. *Columbia Riverkeeper v. Columbia County*, 70 Or LUBA 171 (2014).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. That an alternative 445-acre site within an existing industrial park has wetlands does not necessarily establish that the site is unbuildable or cannot "reasonably accommodate" proposed industrial use, absent evidence and findings that the cost of filling and mitigating for wetland areas would be so prohibitive that the cost alone or in combination with other factors renders the site unable to reasonably accommodate industrial use. *Columbia Riverkeeper v. Columbia County*, 70 Or LUBA 171 (2014).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. Rejecting alternative industrially zoned sites under the reasonable accommodation standard at OAR 660-004-0020(2)(b)(B) is highly problematic when the "proposed use" is an open-ended range of unspecified industrial uses, each with different characteristics and requirements, justified under three separate "reasons." Under that approach, a local government cannot reject an alternative site simply because it cannot reasonably accommodate some industrial uses, but can only reject the alternative site if it cannot reasonably accommodate all of the proposed uses justified under the three reasons. *Columbia Riverkeeper v. Columbia County*, 70 Or LUBA 171 (2014).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. Where a reasons exception for a 837-acre exception area is justified for proposed large-lot industrial uses of 50 to 300 acres, the county cannot reject alternative industrial sites that could accommodate some large-lot industrial uses simply because such sites are not equal in size to the exception area or cannot accommodate the same number of multiple large-lot industrial uses at a single location, absent findings establishing that multiple large-lot industrial uses must be located together at a single large site. *Columbia Riverkeeper v. Columbia County*, 70 Or LUBA 171 (2014).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. Findings that a 450-acre vacant site within an urban growth boundary zoned for heavy industrial use cannot reasonably accommodate proposed heavy industrial uses, because the site is more parcelized, is intended for labor intensive uses, and is close to populated areas, are insufficient bases to reject the alternative site, where the findings do not establish that the cost of assembling parcels is prohibitive, and that the proposed industrial uses exclude uses that are labor intensive or compatible with populated areas. *Columbia Riverkeeper v. Columbia County*, 70 Or LUBA 171 (2014).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. OAR 660-004-0020(2)(c) requires a comparison of the adverse environmental, economic, social and energy (ESEE) consequences of developing the proposed exception area, with the typical ESEE consequences of developing alternative resource lands. But OAR 660-004-0020(2)(c) does not require detailed evaluation of alternative sites unless such sites are specifically identified during the proceedings below. Where the petitioner did not specifically identify alternatives sites below, the failure of the county's findings to compare ESEE consequences of developing specific alternative sites is not a basis for remand. *Columbia Riverkeeper v. Columbia County*, 70 Or LUBA 171 (2014).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. A local government does not err in not applying OAR 660-012-0070(5) and (6), which govern the analysis for transportation improvements that do not require a new exception, to evaluate the petitioner's alternative site for a highway interchange, where the record does not support the petitioner's claim that the new interchange could be located without expanding an existing exception area that was approved for a two-lane rural overpass. In that circumstance, OAR 660-012-0070(7) applies to govern the alternatives analysis when a transportation improvement requires a new exception. *Storm v. Yamhill County*, 66 Or LUBA 415 (2012).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. A fairly detailed explanation for why the consequences of rural residential development of a proposed exception area would be minimal is not sufficient to comply with the OAR 660-014-0040(3)(b) requirement to demonstrate that the consequences of developing the proposed site would not be "significantly more adverse" than would be the case at other potential exception sites, where there is no attempt to compare those identified minimal consequences with the consequences of developing any other potential exception sites. *Columbia Riverkeeper v. Clatsop County*, 61 Or LUBA 240 (2010).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. Where the county and the Land Conservation and Development Commission previously approved a Goal 4 exception for a destination resort under conditions requiring specified on-site accommodations and facilities, and

the county imposed an overlay zone to ensure that the resort includes those on-site accommodations and facilities, in later adopting a reasons exception to Goal 14 to complete the proposed resort the county can consider those required accommodations and facilities to be essential characteristics of the proposed use, for purposes of the alternative sites analysis required under OAR 660-014-0040(3)(a). In that circumstance, the county does not err in concluding that alternative sites within urban growth boundaries cannot reasonably accommodate the proposed use. *Friends of Marion County v. Marion County*, 59 Or LUBA 323 (2009).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. A finding that the economic success of a proposed wine country hotel would be enhanced by location in a "quiet rural atmosphere among vineyards and near wineries" is insufficient to demonstrate under OAR 660-004-0020(2) that the hotel "requires a location on resource land" as opposed to otherwise suitable non-resource land. *VinCEP v. Yamhill County*, 55 Or LUBA 433 (2007).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. Evidence that an alternative site zoned for residential use is needed to satisfy a shortfall in residential lands, and is adjacent to high-density residential development, is sufficient to demonstrate that the alternative site cannot "reasonably accommodate" a proposed need for industrial land, for purposes of OAR 660-004-0010(1)(c)(B)(ii). *Alliance for Responsible Land Use v. Deschutes Cty.*, 40 Or LUBA 304 (2001).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. Land owned by the federal government and not subject to local zoning and planning need not be considered as an alternative site to proposed industrial development on resource land, for purposes of OAR 660-004-0010(1)(c)(B)(ii). The rule does not require the local government to consider the speculative possibility that federal land might someday be exchanged or otherwise become subject to the local government's zoning and planning jurisdiction. *Alliance for Responsible Land Use v. Deschutes Cty.*, 40 Or LUBA 304 (2001).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. Evidence that an alternative site (1) is needed to satisfy a city's identified need for future residential lands, (2) is surrounded by residential uses, (3) does not have adequate access for industrial uses, and (4) is located far from existing industrial uses, is sufficient to demonstrate that the alternative site cannot "reasonably accommodate" an identified need for industrial land, for purposes of OAR 660-004-0010(1)(c)(B)(ii). *Alliance for Responsible Land Use v. Deschutes Cty.*, 40 Or LUBA 304 (2001).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. Findings that other resource lands that are potential candidates for inclusion in the UGB are better or more productive resource lands than the subject property, and therefore the environmental, social, energy, and economic (ESEE) consequences of urbanizing other resource lands would be more adverse than urbanizing the subject property, are adequate for purposes of OAR 660-004-0010(1)(c)(B)(iii). Such findings need not specifically identify and discuss each ESEE consequence with respect to each alternative site, absent issues raised below that would require more detailed discussion. *Alliance for Responsible Land Use v. Deschutes Cty.*, 40 Or LUBA 304 (2001).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. It is not inconsistent for findings to reject alternative sites under OAR 660-004-0010(1)(c)(B)(ii) because proposed

industrial uses would conflict with surrounding high-density residential uses, while concluding under OAR 660-004-0010(1)(c)(B)(iv) that, as limited by conditions of approval, industrial use of the subject property is compatible with rural residential uses that border the subject property on one side. *Alliance for Responsible Land Use v. Deschutes Cty.*, 40 Or LUBA 304 (2001).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. The requirement that a proposed development of resource land be compatible with adjacent uses under OAR 660-004-0010(1)(c)(B)(iv) does not require that all conflicts or adverse impacts be eliminated. *Alliance for Responsible Land Use v. Deschutes Cty.*, 40 Or LUBA 304 (2001).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. The impracticability standard of the Metro Code (MC) for locational amendments to the Urban Growth Boundary (UGB) performs a limited version of the functional role that Goal 14, factor 6, and Goal 2, Part II(c)(2), play in the context of more comprehensive UGB amendments: ensuring that agricultural land is included in the UGB only when nonagricultural lands cannot reasonably accommodate the proposed use. Because the MC must be consistent with Goals 2 and 14, the decision is not entitled to deference under ORS 197.829(1). *Malinowski Farm v. Metro*, 38 Or LUBA 633 (2000).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. "Practicable" has two distinct connotations: (1) technical possibility; and (2) prudential balancing of costs and other relevant considerations. An alternative is impracticable where it is either technically infeasible or, based on all relevant considerations, including consideration of cost, it would not be a feasible alternative. *Malinowski Farm v. Metro*, 38 Or LUBA 633 (2000).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. The present development intentions of current owners are not determinative as to whether undeveloped lands may require urban services in the near future. A local government may assume that continued resource use will render near term urbanization of property within the urban growth boundary impracticable, even if the current owners of urbanizable land testify that they do not intend to develop their property for urban uses anytime soon. *Malinowski Farm v. Metro*, 38 Or LUBA 633 (2000).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. In conducting the alternative site analysis required to include lower priority resource lands in the UGB under Goal 2, Part II, and ORS 197.298(3)(a), the relevant question is whether higher priority exception lands can "reasonably accommodate" the identified need, not whether such exception lands can satisfy that need as well as or better than resource lands. Findings that, due to parcelization and existing development patterns, exception lands cannot accommodate as much or as dense residential development per acre as resource lands are not sufficient to establish that exception lands cannot "reasonably accommodate" that residential development. *Residents of Rosemont v. Metro*, 38 Or LUBA 199 (2000).

6.4 Goal 2 – Land Use Planning – Alternative Courses of Action. In determining whether land is suitable for inclusion in urban reserves, OAR 660-021-0030(2) requires that, prior to including any lower priority land in urban reserves pursuant to OAR 660-021-0030(4), the local government must conduct an alternative sites analysis sufficient to demonstrate that nonresource lands cannot

reasonably accommodate the need that justifies the inclusion of land under OAR 660-021-0030(4). *D.S. Parklane Development, Inc. v. Metro*, 35 Or LUBA 516 (1999).