

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. The mere existence of residential uses near a property proposed for an irrevocably committed exception to Goal 4 does not demonstrate that such property is necessarily committed to nonresource use, and findings that the subject property is enclosed on three of its sides by existing residential development and that use of the subject property for a forestry operation could be potentially disruptive to that residential community are inadequate to describe the relationship of the subject property to adjacent lands, as required by OAR 660-004-0028(2)(c), where the findings do not address the relationship of the subject property to adjacent forest and resource land that are in timber production and forest use and/or that possess soils suitable for forestry production, or the potential for resource use of the subject property in conjunction with the adjacent forest-zoned properties. *Dooley v. Wasco County*, 81 Or LUBA 44 (2020).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. The correct standard under OAR 660-004-0028(3) for an irrevocably committed exception to Goal 4 is not whether commercial forestry operations are practicable on the subject property—counties must consider forest operations that are smaller in scale and generate less revenue than commercial forestry operations—and findings that focus on alleged conflicts with nearby residential uses from conducting commercial forestry on the property are inadequate to demonstrate that forest uses are “impracticable,” as required by OAR 660-004-0028(3), where the findings do not consider whether forest operations that are smaller in scale would create similar conflicts that render forest use of the property impracticable; where, given the soil types on the property, the findings do not establish that forest use of the property is impracticable or explain why trees could not be planted on the property; and where the findings rely on conflicts with residential uses resulting from spraying, which are not sufficient, in themselves, to justify an irrevocably committed exception. *Dooley v. Wasco County*, 81 Or LUBA 44 (2020).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Findings and argument that forest uses are “impractical” on the subject property due to existing development and due to fire buffers that would be required along some of the property’s borders and around some of the existing development do not demonstrate that the property is “physically developed to the extent that it is no longer available” for forest uses, as required by ORS 197.732(2)(a) and OAR 660-004-0025(1) for a physically developed exception to Goal 4, and such a conclusion is not supported by substantial evidence where at least 87 percent of the property’s area is available for forestry and where the applicant does not attempt to quantify the amount of buffer that would be required to conduct forest uses or the amount by which that buffer would decrease the property available for forest uses. *Dooley v. Wasco County*, 81 Or LUBA 44 (2020).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. The county did not err in concluding that the “unique resource” at issue, a deepwater river port whose upland portions are located within the existing exception area, is still “located on agricultural or forest land” for purposes of OAR 660-004-0022(3)(a). Although “Agricultural Land” for purposes of Goal 3 and its implementing administrative rule does not include land areas subject to exceptions to Goal 3, it does not necessarily follow that agricultural land, as that term is used in OAR 660-004-0022 or other parts of the Goal 2 exception rule is subject to the same restriction. At least for the limited purpose of evaluating the need for and compliance with exception standards to allow new or changed uses contrary to the resource goals, land within an exception area potentially remains “agricultural land”

subject to Goal 3, and where the original exception did not take an exception to Goal 4 the site potentially remains “forest land.” *Columbia Riverkeeper v. Columbia County*, 78 Or LUBA 547 (2018).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. ORS 197.732(2)(c)(D) and OAR 660-004-0020(2)(d) require a finding that the proposed uses authorized by the proposed exception are “compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts.” To establish compliance with OAR 660-004-0020(2)(d), the county’s finding that the likely adverse impacts of the proposed uses allowed under the proposed exception are similar to the impacts of the existing uses must be supported by substantial evidence. The absence of evidence that the impacts would be different is not a basis to conclude that the impacts would be similar. Where this unsupported presumption that the impacts would be similar is the foundation of the much of the county’s subsequent analysis, the presumption is not supported by substantial evidence, and remand is necessary for the county to adopt more adequate findings regarding compatibility, supported by substantial evidence. *Columbia Riverkeeper v. Columbia County*, 78 Or LUBA 547 (2018).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. ORS 197.732(2)(c)(D) and OAR 660-004-0020(2)(d) require a finding that the proposed uses authorized by the proposed exception are “compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts.” The potential adverse impacts of different types of liquid bulk terminals affiliated with a deepwater port, such as an oil terminal versus a fertilizer export operation, could be different enough to require a separate analysis. Adequate findings regarding compatibility would start by identifying the likely adverse impacts of typical uses authorized under approved use categories, evaluating each use category separately, and if necessary specific types of uses within each category. The findings should also address the characteristics of uses on adjoining areas, and assess vulnerability to potential externalities from industrial uses in the exception area. Informed by those analyses, the county can then reach sustainable conclusions regarding whether the proposed uses are compatible with adjoining uses, or can be rendered compatible via identified measures. *Columbia Riverkeeper v. Columbia County*, 78 Or LUBA 547 (2018).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. *VinCEP v. Yamhill County*, 215 Or App 414, 171 P3d 368 (2007), which involved a reasons exception to Goals 3, 4 and 14 to develop a hotel on land zoned exclusive farm use (EFU), and its holding which interprets the rules for reasons exceptions, is inapposite where no reasons exception is involved. Similarly, OAR 661-012-0070 and its requirements for exceptions for transportation improvements on rural land do not apply where no exception to a resource goal is sought. *Deumling v. City of Salem*, 76 Or LUBA 99 (2017).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. ORS 215.448(1)(a) to (d) provide standards that apply to a proposed home occupation in “an exclusive farm use zone, forest zone or a mixed farm and forest zone that allows residential uses,” and do not apply to an application for a proposed home occupation on property located in a rural residential zone. *Willis v. Clackamas County*, 76 Or LUBA 244 (2017).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. A finding that taking an exception to Goal 4 is warranted to allow adaptive reuse of Goal 5 historic structures located on forest lands because allowed uses under Goal 4 will not raise sufficient revenue to offset the cost of maintaining those structures, if supported by substantial evidence, is a sufficient reason why the policy embodied in Goal 4 should not apply to the exception area. *King v. Clackamas County*, 72 Or LUBA 143 (2015).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. A comprehensive plan provision prohibiting application of a Rural Residential plan designation to land that is currently designated farm or forest “unless an exception to the applicable Goal 3 or 4 is justified” could be interpreted such that the prohibition does not apply to nonresource land that is not subject to either goal. However, the stronger textual reading is that the qualifier “applicable” simply reflects that the subject property is currently designated under either Goal 3 or Goal 4, whichever is applicable, and an exception to the applicable goal is required in order to redesignate the property to Rural Residential. *Rogue Advocates v. Jackson County*, 60 Or LUBA 392 (2010).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Where a county’s findings note that property contains a spring and a road and that adjacent lands contain dwellings, but do not otherwise explain why the spring and the road and the adjacent dwellings make resource use of the property impracticable, the county’s findings are inadequate to demonstrate compliance with OAR 660-004-0028(2). *Gordon v. Polk County*, 55 Or LUBA 57 (2007).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. A county errs in concluding that residential uses of properties in the vicinity of the property have committed the subject property to non-resource use, without explaining why those same residential uses will not result in committing other resource lands in the area to non-resource use. *Gordon v. Polk County*, 55 Or LUBA 57 (2007).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. A prior exception to Goal 4 did not also serve as an exception to Goal 14 or authorize the proposed use of the property. *Oregon Shores Conservation Coalition v. Coos County*, 55 Or LUBA 545 (2008).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Under OAR 660-004-0028(2)(c), findings must address “the relationship between the exception area and the lands adjacent to it.” Findings that discuss lands located within a 2000-foot radius from the proposed exception area but do not discuss the lands adjacent to the exception area are inadequate. *Gordon v. Polk County*, 54 Or LUBA 351 (2007).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. The mere presence of adjoining residential uses is not a sufficient basis for concluding that resource lands are irreversibly committed to non-resource uses. *Gordon v. Polk County*, 54 Or LUBA 351 (2007).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Absent evidence of conflicts or similar impediments to resource use, the fact that access to forest land is via a county road that passes through an area of rural residential homes is not a sufficient basis to conclude that the property is

irrevocably committed to uses not allowed by Goal 4. *Friends of Linn County v. Linn County*, 53 Or LUBA 420 (2007).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Where a local government concludes that adjoining rural residential development commits resource land to uses not allowed by Goals 3 or 4, OAR 660-004-0018(2) requires the local government to explain why rural residential development of the subject property will not also result in committing other resource lands in the area. *Friends of Linn County v. Linn County*, 53 Or LUBA 420 (2007).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. A county's findings that chemicals are required in the future in order to make forest practices on a property practicable are not supported by substantial evidence where the record does not indicate whether chemicals were already applied to the property or that whatever applications might be necessary have not already occurred. *Anderson v. Coos County*, 51 Or LUBA 454 (2006).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. A county's finding that aerial spraying of chemicals is necessary in order to make forest practices on a 20-acre property practicable is not supported by substantial evidence where the evidence in the record supports a conclusion that manual application is the preferred method of application for properties 40 acres or smaller and the findings do not provide other reasons that manual spraying is not practicable. *Anderson v. Coos County*, 51 Or LUBA 454 (2006).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Where the county's conclusion that forest uses are impracticable because of liability risks associated with possible contamination of drinking water through application of chemicals hinges upon its finding that aerial spraying is necessary, and that findings is unsupported by substantial evidence, the challenged decision fails to demonstrate that uses allowed by Goal 4 are impracticable. *Anderson v. Coos County*, 51 Or LUBA 454 (2006).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Findings supporting a conclusion that a property is irrevocably committed to nonresource use that rely on the property's similarity to other properties already zoned for nonresource use and the presence of residences on adjacent lands are not sufficient to explain why the relationship between the property and adjacent lands make the property impracticable for resource uses. *Wetherell v. Douglas County*, 51 Or LUBA 730 (2006).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. A landowner is not legally obligated to withdraw land from forest operations in order to protect adjoining rural residential lands from the potential threat of windthrow, and the potential of such windthrow resulting from logging forest lands is not a basis to conclude that such lands are committed to non-resource uses. *Gordon v. Polk County*, 50 Or LUBA 647 (2005).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Riparian protection measures required under the Forest Practices Act are not "forest practices" for purposes of OAR 660-004-0028(3)(c), and a county may consider setbacks and other riparian protection measures in determining whether

forest land is irrevocably committed to non-resource use. *Gordon v. Polk County*, 50 Or LUBA 647 (2005).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. That two-acres of a 41-acre parcel are subject to riparian setbacks and other limitations on logging does little to demonstrate that propagation and harvesting of forest products on the parcel is impracticable. *Gordon v. Polk County*, 50 Or LUBA 647 (2005).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Incidents of trespass and vandalism on forest lands are insufficient to demonstrate that such lands are irrevocably committed to non-resource use, where most of the cited incidents stem not from trespassers but from residential neighbors and their guests who enter the property as invitees. *Gordon v. Polk County*, 50 Or LUBA 647 (2005).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Some level of trespass and vandalism is an inevitable aspect of maintaining large tracts in forest use, particularly near rural residential areas. Unless such incidents rise to such a level that they actually hinder or preclude forest operations on a significant part of the property, such incidents do not demonstrate that forest use of the property is impracticable. *Gordon v. Polk County*, 50 Or LUBA 647 (2005).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. The focus of a committed exception under OAR 660-004-0028 is the relationship between the subject property and adjacent uses. Findings that describe and rely upon alleged impacts from rural residential uses up to one-half mile from the subject property, and that provide no description or analysis of adjacent uses, are insufficient to demonstrate that the subject property is committed to nonresource uses. *Friends of Douglas County v. Douglas County*, 46 Or LUBA 757 (2004).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. A county's reliance on reported incidents of vandalism and other crimes in a large rural residential area near a parcel are insufficient to demonstrate that the parcel is committed to nonresource uses, absent evidence that the cited criminal incidents interfere or are likely to interfere with farm or forest uses on the subject property. *Friends of Douglas County v. Douglas County*, 46 Or LUBA 757 (2004).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Externalities from farm or forest operations such as dust, spray, smoke and noise are inherent aspects of rural life in agricultural or forest zones, and absent evidence that such externalities have or are likely to cause actual conflicts with resource operations, evidence of the possibility of such conflicts with rural residential uses is insufficient to demonstrate that resource uses are impracticable. *Friends of Douglas County v. Douglas County*, 46 Or LUBA 757 (2004).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. The focus of analysis under OAR 660-004-0028 is on *existing* circumstances that contribute to the practicability of resource use in the exception area, not speculative future circumstances. *Friends of Douglas County v. Douglas County*, 46 Or LUBA 757 (2004).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Where a county concludes that conflicts with adjoining rural residential development commit a property to nonresource uses, the county’s findings addressing OAR 660-004-0018(2)(b)(B) must explain why residential development of the subject property will not present the same risk of committing other adjacent resource lands to nonresource uses. Given the complex nature of that explanation, evidence of conflicts with rural residential uses do not “clearly support” a finding that residential zoning of the subject property will not commit adjacent resource lands, for purposes of ORS 197.835(11)(b). *Friends of Douglas County v. Douglas County*, 46 Or LUBA 757 (2004).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Absent recent or imminent changes in adjacent rural residential uses, where a neighboring subdivision has been developed for many years and the subject property has been in resource use during much of that time, the existence of those adjacent rural residential uses is insufficient to demonstrate that the subject property is irrevocably committed to nonresource use. *DLCD v. Lane County*, 39 Or LUBA 445 (2001).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. When the local government does not demonstrate that the uses allowed by the goals are impracticable, there is no need to resolve relevancy and evidentiary challenges to the findings. *DLCD v. Coos County*, 39 Or LUBA 432 (2001).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Findings supporting an irrevocably committed exception must address adjacent lands that may tend to make resource use of the proposed exception area practicable as well as adjacent lands that may tend to make resource use impracticable. *DLCD v. Coos County*, 39 Or LUBA 432 (2001).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. The mere existence of residential uses near a proposed exception area does not demonstrate that the proposed exception area is committed to nonresource use, especially when most of the nearby properties with residential uses also include resource uses. *DLCD v. Coos County*, 39 Or LUBA 432 (2001).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Before amending an urban growth boundary to add land with predominantly Class I soils to meet an identified need for commercial land, a county must determine whether alternatives to adding a site with predominantly Class I soils can reasonably accommodate the identified need. That alternatives analysis under OAR 660-004-0020(2)(b)(B) is a multi-factor analysis and rejecting alternative sites solely because they have soils that may increase development costs is error. *DLCD v. Douglas County*, 38 Or LUBA 542 (2000).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Land that is already included within a UGB is assumed to be available for urban development. That assumption is not rendered invalid simply because sites that are planned and zoned for residential, industrial and commercial use have soil or other characteristics that make them less than ideal to develop. *DLCD v. Douglas County*, 38 Or LUBA 542 (2000).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Alternative sites to meet an identified need for commercially planned and zoned land may not be rejected solely because they have soils

limitations that the USDA estimates may result in an average 39 percent development cost increase for some small commercial buildings. The estimated 39 percent cost increase is an average, so it may be lower in particular cases, and any added cost may be offset by other advantages the sites may possess. *DLCD v. Douglas County*, 38 Or LUBA 542 (2000).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Once a local government reaches a supportable conclusion that growing timber is impracticable on forest land, it does not need to address the practicability of other forest practices described in OAR 660-006-0025(2)(a). *Friends of Yamhill County v. Yamhill County*, 38 Or LUBA 62 (2000).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. A conclusion that a property has a negative present net value if converted to forest uses, without explaining what relevance a forest operation's present value has on whether forest uses are impracticable, is inadequate to demonstrate that forest uses are in fact impracticable. *Friends of Yamhill County v. Yamhill County*, 38 Or LUBA 62 (2000).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. In reviewing a county's decision that property is irrevocably committed to nonresource uses, LUBA is not required to give any deference to the county's explanation for why it believes the facts demonstrate compliance with the legal standards for a committed exception. *Friends of Yamhill County v. Yamhill County*, 38 Or LUBA 62 (2000).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. A reasons exception to Goals 3 and 4 must be based on the considerations set forth in Goal 2 and OAR 660-004-0020 and 660-004-0022. Under OAR 660-004-0022, the fact that farm and forest land is not prime timber or agricultural land is not a legally cognizable basis to adopt a reasons exception to Goals 3 and 4. *McLane v. Klamath County*, 37 Or LUBA 888 (2000).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. A local government decision approving an irrevocably committed exception under OAR 660-04-028 to Goals 3 and 4 will be remanded where it does not include findings supported by substantial evidence establishing that uses allowed by Goals 3 and 4 are impracticable. *DLCD v. Columbia County*, 32 Or LUBA 221 (1996).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. A local government decision approving a physically developed exception under OAR 660-04-025 to Goals 3 and 4 will be remanded where the findings do not establish that the property is physically developed with non-resource uses. *DLCD v. Columbia County*, 32 Or LUBA 221 (1996).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Findings adopted by the county approving a committed exception to Goals 3 and 4 are inadequate where they contain no discussion or explanation of how the existing uses on adjacent parcels make resource use on the subject property impracticable. *Johnson v. Lane County*, 31 Or LUBA 454 (1996).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. County findings that describe the physical characteristics and existing uses of adjacent lands in approving a committed exception to Goals 3 and 4 are adequate for purposes of OAR 660-04-028(2)(b) and (6)(a). Those rules do not

require the county to make findings regarding the ownership of the adjacent parcels or the proximity of developed uses on adjacent lands. *Johnson v. Lane County*, 31 Or LUBA 454 (1996).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. An exception to Goal 4 is not justified under OAR 660-04-022(1)(a) where the county fails to establish that a “need” for the proposed use exists by demonstrating that absent the proposed exception, the county would be unable to satisfy its obligations under one or more of Goals 3-19. *Middleton v. Josephine County*, 31 Or LUBA 423 (1996).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. At a minimum, ORS 197.732(5) requires that the county’s notice of a proposed goal exception must include a brief summary of the issues involved in the proposed exception, in addition to the list of applicable criteria required by ORS 197.763(3)(b). *Middleton v. Josephine County*, 31 Or LUBA 423 (1996).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. The failure of adjacent property owners to manage their lands actively and successfully, the frustrated intentions of a developer in creating a large-capacity water system to serve the subject forest property, the earlier approval of a three-phase subdivision, the property’s potential for non-resource use and similar considerations do not support a determination that the property is irrevocably committed to non-resource use. *1000 Friends of Oregon v. Columbia County*, 31 Or LUBA 47 (1996).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Capital expenditures for streets, water lines, electric power, design, engineering and surveying on an adjacent property are not relevant to finding a committed exception unless they detract from management of the subject property for forest uses. *1000 Friends of Oregon v. Columbia County*, 31 Or LUBA 47 (1996).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. When property is located in a combined agricultural and forest zone, findings in support of an irrevocably committed exception must establish that all uses allowed by Goals 3 and 4 are impracticable. A finding that the property has never been in agricultural use is insufficient. *DLCD v. Curry County*, 30 Or LUBA 294 (1996).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. A finding that commercial forestry is impracticable on certain property does not justify an irrevocably committed exception to Goal 4. The county must show the property is impracticable for all Goal 4 uses. *DLCD v. Curry County*, 30 Or LUBA 294 (1996).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. In order to justify an irrevocably committed exception, the county must determine, based on an evaluation of the facts, that surrounding residential uses make resource use of the subject property impracticable. *DLCD v. Coos County*, 30 Or LUBA 229 (1995).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. To justify an irrevocably committed exception on forestland, the county must explain in findings why the facts upon which it relies lead to a conclusion that uses allowed by Goal 4 are impracticable. *DLCD v. Coos County*, 30 Or LUBA 229 (1995).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Both Goal 4 and Goal 2 require the county to evaluate the practicability of all forest uses on the subject property before determining that such uses are impracticable and taking a committed exception. *DLCD v. Coos County*, 30 Or LUBA 229 (1995).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. The standards for approving a physically developed exception to Statewide Planning Goals 3 and 4 are demanding. The county must find that the property has been physically developed to such an extent that all Goal 3 or 4 resource uses are precluded. Uses established in accordance with the goals cannot be used to justify such an exception. *Sandgren v. Clackamas County*, 29 Or LUBA 454 (1995).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. To approve an irrevocably committed exception to Goals 3 and 4, the county must find that all uses allowed by the goals are impracticable, primarily as a result of uses established on adjacent parcels. *Sandgren v. Clackamas County*, 29 Or LUBA 454 (1995).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Even if petitioners' evidence supports a conclusion that a resource parcel is not adequate for commercial timber production, that conclusion does not justify an exception to Goals 3 and 4 since it does not establish that all uses allowed by the applicable goals are impracticable. *Sandgren v. Clackamas County*, 29 Or LUBA 454 (1995).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. The county's denial of a developed exception will be upheld when the county finds that the physical characteristics of the property do not render it irrevocably committed to nonresource uses; there is continuing resource use of properties to the north, east and west; and the existence of public facilities and services installed to serve the residence on the site do not irrevocably commit the remainder of the site to nonresource uses. *Sandgren v. Clackamas County*, 29 Or LUBA 454 (1995).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Findings that address only the practicability of commercial forestry uses, rather than all commercial and non-commercial uses allowed by Goals 3 and 4 on agricultural and forestlands, do not justify an irrevocably committed exception to either Goal 3 or Goal 4. *DLCD v. Coos County*, 29 Or LUBA 415 (1995).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Findings must address the practicability of commercial forestry uses on adjacent lands as well as in a proposed exception area to satisfy the requirements for an irrevocably committed exception to either Goal 3 or Goal 4. *DLCD v. Coos County*, 29 Or LUBA 415 (1995).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Findings to justify a committed exception to Goals 3 and 4 must address the factors of OAR 660-04-028(6) and must be supported by substantial evidence explaining how conflicts between existing uses and resource uses operate in a particular instance to render the subject property irrevocably committed. *DLCD v. Coos County*, 29 Or LUBA 415 (1995).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Where a local government properly determines certain land is not farm or forestland subject to Statewide Planning Goals 3 and 4, an exception to Goals 3 and 4 is *not* required to support comprehensive plan and zone map amendments designating such property for residential use. *Bates v. Josephine County*, 28 Or LUBA 21 (1994).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. The bias under Goals 3 and 4 in favor of commercial agricultural and forest enterprises does not mean a local government may assume that noncommercial farm and forest uses are not “uses allowed by the applicable goal” for which a proposed exception area’s suitability must be considered in granting an exception. *1000 Friends of Oregon v. Yamhill County*, 27 Or LUBA 508 (1994).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. The impracticability standard for committed exceptions is a demanding standard, and findings must do more than recite facts addressing the relevant factors, they must also explain why those facts lead to a conclusion that uses allowed by Goals 3 and 4 are impracticable. *1000 Friends of Oregon v. Yamhill County*, 27 Or LUBA 508 (1994).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. In adopting exceptions to Goals 3 and 4 as post-acknowledgment plan amendments, a local government must also address Goal 5 if the exceptions concern or affect lands included on the local government’s acknowledged inventory of Goal 5 resources. *1000 Friends of Oregon v. Yamhill County*, 27 Or LUBA 508 (1994).

8.7 Goal 4 – Forest Lands/ Goal 4 Rule – Exceptions to. Findings that (1) an undisclosed portion of a 143-acre property is occupied by gravel roads, (2) an unspecified number of residences on adjacent properties create the possibility of trespass and complaints regarding forest operations, and (3) two powerline easements separate the property from other forestlands, are insufficient to explain why it is impracticable to use the subject property for uses allowed by Goal 4, as required by ORS 197.732(1)(b) for an irrevocably committed goal exception. *1000 Friends of Oregon v. Columbia County*, 27 Or LUBA 474 (1994).