

LAND CONSERVATION AND DEVELOPMENT DEPARTMENT  
Oregon Administrative Rules

**DIVISION 4**

**INTERPRETATION OF GOAL 2 EXCEPTION PROCESS**

*As Amended by LCDC March 21, 2008*

*Note, no amendments proposed to other rules under this division*

1 **660-004-0010**

2 **Application of the Goal 2 Exception Process to Certain Goals**

3

4 (1) The exceptions process is not applicable to Statewide Goal 1 "Citizen  
5 Involvement" and Goal 2 "Land Use Planning." The exceptions process is generally  
6 applicable to all or part of those statewide goals which prescribe or restrict certain uses of  
7 resource land or limit the provision of certain public facilities and services. These  
8 statewide goals include but are not limited to:

9 (a) Goal 3 "Agricultural Lands"; however, an exception to Goal 3 "Agricultural  
10 Lands" is not required for any of the farm or nonfarm uses permitted in an exclusive farm  
11 use (EFU) zone under ORS [~~Chapter~~ chapter 215 and OAR chapter 660, division [0]33,  
12 "Agricultural Lands" ;

13 (b) Goal 4 "Forest Lands"; however, an exception to Goal 4 "Forest lands" is not  
14 required for any of the forest or nonforest uses permitted in a forest or mixed farm/forest  
15 zone under OAR chapter 660, division [00]6, "Forest Lands";

16 (c) Goal 14 "Urbanization" [~~except~~] as provided for in OAR chapter 660, division  
17 [0]14 and the applicable paragraph (l)(c)(A), (B) or (C) of this rule:

18 (A) An exception is not required for the establishment of an urban growth  
19 boundary around or including portions of an incorporated city;

20 (B) When a local government changes an established urban growth boundary  
21 applying Goal 14 as it existed prior to the amendments adopted April 28, 2005, it shall  
22 follow the procedures and requirements set forth in Goal 2 "Land Use Planning," Part II,  
23 Exceptions. An established urban growth boundary is one which has been acknowledged  
24 by the Commission under ORS 197.251, 197.625 or 197.626. Revised findings and  
25 reasons in support of an amendment to an established urban growth boundary shall  
26 demonstrate compliance with the seven factors of Goal 14 and demonstrate that the  
27 following standards are met:

28 (i) Reasons justify why the state policy embodied in the applicable goals should  
29 not apply (This factor can be satisfied by compliance with the seven factors of Goal 14);

30 (ii) Areas which do not require a new exception cannot reasonably accommodate  
31 the use;

1 (iii) The long-term environmental, economic, social and energy consequences  
2 resulting from the use at the proposed site with measures designed to reduce adverse  
3 impacts are not significantly more adverse than would typically result from the same  
4 proposal being located in areas requiring a goal exception other than the proposed site;  
5 and

6 (iv) The proposed uses are compatible with other adjacent uses or will be so  
7 rendered through measures designed to reduce adverse impacts.

8 (C) When a local government changes an established urban growth boundary  
9 applying Goal 14 as amended April 28, 2005, a goal exception is not required unless the  
10 local government seeks an exception to any of the requirements of Goal 14 or other  
11 applicable goals;

12 (d) Goal 11 "Public Facilities and Services" **as provided in OAR 660-011-0060**;

13 (e) Goal 16 "Estuarine Resources";

14 (f) Goal 17 "Coastal Shorelands"; and

15 (g) Goal 18 "Beaches and Dunes."

16 (2) The exceptions process is generally not applicable to those statewide goals  
17 which establish planning procedures and standards that do not prescribe or restrict certain  
18 uses of resource land or limit the provision of certain public facilities and services,  
19 because these goals contain general planning guidance or their own procedures for  
20 resolving conflicts between competing uses. However, exceptions to these goals,  
21 although not required, are possible and exceptions taken to these goals will be reviewed  
22 when submitted by a local jurisdiction. These statewide goals are:

23 (a) Goal 5 "Natural Resources";

24 (b) Goal 6 "Air, Water, and Land Resources Quality";

25 (c) Goal 7 "Natural Disasters and Hazards";

26 (d) Goal 8 "Recreational Needs";

27 (e) Goal 9 "Economy of the State";

28 (f) Goal 10 "Housing" except as provided for in OAR 660-008-0035, "Substantive  
29 Standards for Taking a Goal 2, Part II, Exception [pursuant]**Pursuant** to ORS  
30 197.303(3)";

31 (g) Goal 12 "Transportation" except as provided for by OAR 660-012-0070,  
32 "Exceptions for Transportation Improvements on Rural Land";

1 (h) Goal 13 "Energy Conservation";

2 (i) Goal 15 "Willamette Greenway" except as provided for in OAR 660-004-  
3 0022(6); and

4 (j) Goal 19 "Ocean Resources."

5 (3) An exception to one goal or goal requirement does not assure compliance with  
6 any other applicable goals or goal requirements for the proposed uses at the exception  
7 site. Therefore, an exception to exclude certain lands from the requirements of one or  
8 more statewide goals or goal requirements does not exempt a local government from the  
9 requirements of any other goal(s) for which an exception was not taken.

10 Stat. Auth.: ORS 197.**040**

11 Stats. Implemented: ORS 197.732

12 Hist.: LCDC 5-1982, f. & ef. 7-21-82; LCDC 9-1983, f. & ef. 12-30-83; LCDC 1-  
13 1984, f. & ef. 2-10-84; LCDC 3-1984, f. & ef. 3-21-84; LCDC 2-1987, f. & ef. 11-  
14 10-87; LCDC 3-1988(Temp), f. & cert. ef. 8-5-88; LCDC 6-1988, f. & cert. ef. 9-  
15 29-88; LCDD 3-2004, f. & cert. ef. 5-7-04; LCDD 4-2005, f. & cert. ef. 6-28-05