Appendix V.A.4. LUBA 28.8.6 HEADNOTES
(28.8.6 Grounds for Reversal/Remand - Inadequate Findings)
FOR ASSIGNMENT OF ERRORS
June 19, 2013

LUBA HEADNOTES 28

28. LUBA SCOPE OF REVIEW

28.1 Generally
28.2 Denials

28.8 Grounds for Reversal/Remand

28.8.1 Generally
28.8.2 Lack of Jurisdiction
28.8.3 Unconstitutionality
28.8.4 Procedural Errors
28.8.5 Noncompliance with Applicable Law
28.8.6 Inadequate Findings
28.8.7 Unsupported by Substantial Evidence

28.8.6 LUBA Scope of Review – Grounds for Reversal/Remand – Inadequate Findings.
Where a county considers a variety of evidence in concluding that a tract is not suitable for commercial forest use but does not consider the cf/ac/yr of wood fiber data that must be considered in inventorying lands that are suitable for commercial forest use under OAR 660-006-0010 and 660-006-0005(2), remand is required. *Just v. Linn County*, 60 Or LUBA 74 (2009)
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28.8.6 LUBA Scope of Review – Grounds for Reversal/Remand – Inadequate Findings.
Where a local government's findings rely heavily on particular factors set out in OAR 660-033-0020(1)(a)(B) to conclude that land does not qualify as "other lands" that are suitable for farm use under OAR 660-033-0020(1)(a)(B), and petitioner waived his right to challenge the findings concerning those particular factors because petitioner raised no issue below concerning those particular factors, LUBA will deny an assignment of error that challenges the adequacy of the county's OAR 660-033-0020(1)(a)(B) findings. *Just v. Linn County*, 60 Or LUBA 74 (2009).

OR FURTHER HEADNOTES GO TO:

LUBA HEADNOTES 28.8.6 GROUNDS FOR REVERSAL/REMAND - INADEQUATE FINDINGS (http://www.oregon.gov/LUBA/docs/headnotes/28.8.6.pdf)
(Also see Appendix V.A.3. LUBA) Headnote Index)

Note to Files: These headnotes need to be expanded at some future date.

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