

## **“Take Notice: Thought-Provoking LUBA and Appellate Decisions from the First Quarter of 2015,” Euclid Society Program**

Seminar  
May 19, 2015  
Portland, OR

The Court of Appeals and LUBA have issued a handful of recent decisions that planners should know about, if for no other reason, to make for interesting conversations at land use planner cocktail parties:

### **New wrinkles relating to notice:**

Determining the boundaries for mailing land use notices considered in *MacKenzie v. City of Portland*.

Relying on the notice of decision to establish LUBA appeal deadlines considered in *Carver v. Washington County*.

### **Interpreting statutes and the role of legislative history:**

Who is the "property owner" for purposes of seeking removal of historic designation considered in *Lake Oswego Preservation Society v. City of Portland*.

Allowing expansion of a firearms training facility pursuant to a provision that allows the siting of a firearms training facility on EFU land considered in *H.T. Rea Farming Corp. v. Umatilla County*.

### **Limitation on local government interpretations of local code:**

Interpretation prohibiting mineral excavation necessary to allow residential development and instead characterizing it as mining considered in *S. St. Helens v. City of St. Helens*.

Extent to which a local government may deviate from LUBA's interpretation of a local standard on remand considered in *Gould v. Deschutes County*.