

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF MULTNOMAH COUNTY, OREGON

In the Matter of Authorizing)
Petition to Court of Appeals) ORDER NO. 89-213
to Appear Amicus Curiae)

WHEREAS, the decision of the Oregon Land Use Board of Appeals (LUBA) in Sensible Transportation Options for People et al v. Metropolitan Service District et al applied land use laws in a manner inconsistent with the best interests of the County by creating uncertainty as to what governmental body has authority to exercise comprehensive land use planning authority respecting the statewide planning goals, particularly the Urbanization goal, Goal 14, and when the responsible governmental body must apply that Goal; and

WHEREAS, LUBA's decision has been appealed to the Oregon Court of Appeals; and

WHEREAS, an appearance in the appeal proceeding as Amicus Curiae is the only method available to voice the County's position preserving the County's right to measure transportation siting decisions within the County against all relevant statewide land use planning goals.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS ORDER:

County Counsel is hereby authorized to petition the Oregon Court of Appeals to appear as Amicus Curiae in the appeal now before the court in CA No. A 62687.

Dated this 14th day of December, 1989,



By Gladys McCoy
Gladys McCoy, Chair
Multnomah County, Oregon

LAURENCE KRESSEL, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By John L. DuBay
John L. DuBay
Chief Assistant County Counsel

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