

**LUBA Case Summaries**  
**March 2025**

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● ***McIlwaine v. Douglas County*, LUBA No 2024-053 (Mar 11, 2025)**  
(Opinion by Wilson, Board Member)

Petitioners appealed a board of commissioners decision adopting amendments to the county code regarding animal and fowl shelters in the county’s rural residential zones. Held: The county failed to provide 10 days’ advance public notice of the public hearing required by ORS 215.223(1). The county failed to provide individual notice to petitioners required by ORS 215.503(4) (Measure 56). Remanded.

● ***Conte v. City of Eugene*, LUBA No 2024-096 (Mar 19, 2025)**  
(Opinion by Zamudio, Board Chair)

Petitioner appealed a county ordinance approving amendments to the Eugene-Springfield Metropolitan Area General Plan and Eugene Code related to middle housing. Held: A petition for review is filed on the date it is mailed to LUBA only if it is placed in an envelope that is addressed to LUBA at the address set forth in LUBA’s rules and mailed to that address. Petitioner failed to file the petition for review within the time allowed by OAR 661-010-0030(1), or any extension of that time under OAR 661-010-0067(2). Dismissed.

● ***Rodriguez v. Clackamas County*, LUBA No 2024-094 (Mar 24, 2025)**  
(Opinion by Wilson, Board Member)

Petitioner appealed a county hearings officer’s decision denying petitioner’s application to operate a temporary forest labor camp. Held: Petitioner’s notice of intent to appeal was not timely filed. ORS 197.830(9); OAR 661-010-0015(1)(a). Dismissed.

● ***Kennon v. City of Union*, LUBA No 2024-095 (Mar 25, 2025)**  
(Opinion by Rudd, Board Member)

Petitioners appealed a city council decision approving a minor partition with conditions. Held: A petition for review is filed on the date it is mailed to LUBA only if it is placed in an envelope that is addressed to LUBA at the address set forth in LUBA’s rules and mailed to that address.

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Petitioners failed to file the petition for review within the time allowed by OAR 661-010-0030(1), or any extension of that time under OAR 661-010-0067(2). Dismissed.

- ***Kaluga, LLC v. Clackamas County*, LUBA No 2025-006 (Mar 25, 2025)**  
(Opinion by Rudd, Board Member)

Petitioners appealed a county compliance hearings officer code enforcement decision. Held: Petitioners requested that the appeal be dismissed. Dismissed.

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