

24.2.6 Standing – Before LUBA – Aggrievement. Where a local government procedure requires each participant in a land use proceeding to establish their status as either a party or a witness, and an individual representing an organization at no point advises the local government that she is appearing on her own behalf as well as on behalf of the organization, LUBA will not presume that the individual has appeared on her own behalf for purposes of ORS 197.830(2)(b). *Friends of Douglas County v. Douglas County*, 39 Or LUBA 156 (2000).

24.2.6 Standing – Before LUBA – Aggrievement. A county’s code cannot define which participants in a land use proceeding are “aggrieved” by a land use decision, within the meaning of ORS 215.416, more restrictively than the statute. *Friends of Douglas County v. Douglas County*, 39 Or LUBA 156 (2000).

24.2.6 Standing – Before LUBA – Aggrievement. A county errs in denying the opportunity for local appeal of a permit approval on the grounds that the petitioner is not “aggrieved” by the county’s decision within the meaning of ORS 215.416(11), where petitioner is an organization interested in the correct application of the county’s land use laws and it appeared before the county to oppose the county’s approval. That petitioner is a recently formed organization and appears for the first time before the county is not a basis to conclude that petitioner is not aggrieved by the county’s decision. *Friends of Douglas County v. Douglas County*, 39 Or LUBA 156 (2000).

24.2.6 Standing – Before LUBA – Aggrievement. Amendments adopted in 1989 to ORS 197.830 eliminated the requirement that a petitioner be “adversely affected” or “aggrieved” to have standing to appeal a land use decision to LUBA. *Pacific Western Co. v. Lincoln County*, 32 Or LUBA 317 (1997).

24.2.6 Standing – Before LUBA – Aggrievement. Where the local code provides that any interested person may appear in a land use hearing and that any person appearing on the record has standing and is a party to the proceeding, and petitioners appeared and asserted a position on the merits contrary to the challenged decision, petitioners are “aggrieved” by the challenged decision. *Schob v. Deschutes County*, 24 Or LUBA 147 (1992).

24.2.6 Standing – Before LUBA – Aggrievement. Where a city fails to provide the statutorily required notice of hearing and hearing or notice of decision and opportunity for local appeal, the “appearance” and “aggrievement” requirements of ORS 197.830(3) for standing to appeal to LUBA do not apply. *Citizens Concerned v. City of Sherwood*, 21 Or LUBA 515 (1991).

24.2.6 Standing – Before LUBA – Aggrievement. Where the local code makes no distinction among “interested persons,” “disinterested witnesses,” and “parties,” any person who appears at a local hearing is recognized as an “interested person” who could be aggrieved by the local decision. *Lowrie v. Polk County*, 19 Or LUBA 564 (1990).