

27.10.4 LUBA Procedures/Rules – Time Limits – Final Opinion. LUBA will suspend proceedings on an appeal pursuant to ORS 197.840(1)(d) and (2) where the legal issues on appeal are identical to the issues presented in a case pending before the Court of Appeals, and the Court’s decision is likely to be dispositive in the pending appeal before LUBA. *DLCD v. Clackamas County*, 77 Or LUBA 584 (2018).

27.10.4 LUBA Procedures/Rules – Time Limits – Final Opinion. ORS 197.840(1)(b) and (d) allow LUBA to delay issuing a final opinion under certain circumstances. Those statutory bases for delaying or suspending LUBA’s review are consistent with ORS 197.805, which provides not only that “time is of the essence” in reaching finality in matters involving land use, but also that LUBA’s review must be made “consistently with sound principles of judicial review.” *Kamp v. Washington County*, 50 Or LUBA 761 (2005).

27.10.4 LUBA Procedures/Rules – Time Limits – Final Opinion. LUBA will grant a motion to suspend its review of one decision under ORS 197.840(1)(b) until the Court of Appeals completes its review of a different decision, where the two decisions are related and the issue squarely before the Court is the status and nature of the decision before LUBA. *Kamp v. Washington County*, 50 Or LUBA 761 (2005).

27.10.4 LUBA Procedures/Rules – Time Limits – Final Opinion. LUBA’s rules do not allow for a continuance following oral argument to allow a party to supplement the petition for review, respond to issues raised in a response brief, or add evidence to the record. *Peterson v. City of Portland*, 31 Or LUBA 112 (1996).

27.10.4 LUBA Procedures/Rules – Time Limits – Final Opinion. Where the Court of Appeals remands LUBA’s decision, ORS 197.850(11) requires LUBA to respond to the court’s mandate within 30 days. Therefore, LUBA will not grant a party’s motion to stay its proceedings on remand over another party’s objections. *Murphy Citizens Advisory Comm. v. Josephine County*, 28 Or LUBA 274 (1994).

27.10.4 LUBA Procedures/Rules – Time Limits – Final Opinion. If an objection to the local record is filed, the time limits for filing the petition for review, respondents’ briefs and LUBA’s final opinion and order are suspended, regardless of whether the record objection is ultimately sustained or denied. OAR 661-10-026(5). *DLCD v. Klamath County*, 24 Or LUBA 656 (1993).