

BEFORE THE LAND USE BOARD OF APPEALS
OF THE STATE OF OREGON

DEPARTMENT OF LAND CONSERVATION
AND DEVELOPMENT,
Petitioner,

vs.

YAMHILL COUNTY,
Respondent,

and

JOHN ABRAMS,
Intervenor-Respondent.

LUBA No. 2026-004

FRIENDS OF YAMHILL COUNTY,
Petitioner,

vs.

YAMHILL COUNTY,
Respondent,

and

JOHN ABRAMS,
Intervenor-Respondent.

LUBA No. 2026-005

FINAL OPINION
AND ORDER

Appeal from Yamhill County.

1
2 Sara Urch represented petitioner Department of Land Conservation and
3 Development.

4
5 Eve Goldman represented petitioner Friends of Yamhill County.

6
7 Jodi M. Gollehon represented respondent.

8
9 Andrew H. Stamp represented intervenor-respondent.

10
11 WILSON, Board Member; ZAMUDIO, Board Chair; BASSHAM, Board
12 Member, participated in the decision.

13
14 DISMISSED 07/16/2026

15
16 You are entitled to judicial review of this Order. Judicial review is
17 governed by the provisions of ORS 197.850.

1 Opinion by Wilson.

2 Pursuant to ORS 197.830(13)(b) and OAR 661-010-0021, the county
3 withdrew the decision challenged in this appeal for reconsideration on February
4 9, 2026. On June 12, 2026, the Board received the county's decision on
5 reconsideration. The decision repeals the challenged ordinance in its entirety.
6 Pursuant to OAR 661-010-0021(5)(a), petitioners had until July 3, 2026, to either
7 refile the original notices of intent to appeal in this matter, or file amended notices
8 of intent to appeal. Pursuant to OAR 661-010-0021(4) any other person had the
9 time provided by OAR 661-010-0015 to appeal the decision. The Board has not
10 received refiled original notices of intent to appeal, or amended notices of intent
11 to appeal in accordance with OAR 661-010-0021(5)(a), or a notice of intent to
12 appeal in accordance with OAR 661-010-0015.

13 OAR 661-010-0021(5)(e) provides "[i]f no amended notice of intent to
14 appeal is filed or no original notice of intent to appeal is refiled, as provided in
15 subsection (5)(a) and (b) of this rule, the appeal will be dismissed."

16 This appeal is dismissed. *Matrix Development v. City of Tigard*, 25 Or
17 LUBA 557 (1993).

Certificate of Mailing

I hereby certify that I served the foregoing Final Opinion and Order for LUBA No. 2026-004/005 on July 16, 2026, by mailing to said parties or their attorney a true copy thereof contained in a sealed envelope with postage prepaid addressed to said parties or their attorney as follows:

Andrew H. Stamp
Vial Fotheringham LLP
6000 Meadows Rd Ste 500
Lake Oswego, OR 97035

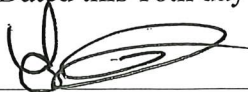
Christian Boenisch
Yamhill County Counsel's Office
535 NE 5th Street
McMinnville, OR 97128

Eve Goldman
1000 Friends of Oregon
340 SE 6th Avenue
Portland, OR 97214

Jodi M. Gollehon
Assistant County Counsel
Yamhill County Counsel's Office
535 NE 5th Street
McMinnville, OR 97128

Sara Urch
100 SW Market St
Portland, OR 97201

Dated this 16th day of July, 2026.



Erin Pence
Executive Assistant

Hannah Barkemeyer Baker
Executive Support Specialist