

NOV 26 2014

# CITY OF OREGON CITY

Community Development Department, 320 Warner Milne Road,  
P.O. Box 3040, Oregon City, OR 97045, (503) 657-0891  
www.ci.oregon-city.or.us

## APPEAL OF A LAND USE DECISION

FILE # AP -14-0002 (of File #) SP14-01 DATE: Nov. 26, 2014  
NAME: Elizabeth Graser-Lindsey TELEPHONE #: 503 632-5568  
ADDRESS: 21341 S. Ferguson Rd., Beaver Creek OR 97007  
ADDRESS OR PROPERTY DESCRIPTION (T/R/S) OF SUBJECT PROPERTY:

SUBJECT OF APPEAL: NOTICE OF DECISION DATE: 11/14/14 For File #: SP14-01

The undersigned hereby appeal(s) the decision of the City of Oregon City - Planning Division

concerning the subject case. The decision to approve X deny      the application was made  
at the meeting held on by mailed document "Notice of Decision" w/ exhibits

REASONS FOR APPEAL: Please include a statement identifying which approval criteria are  
violated by the decision and an explanation of how those criteria are violated, or stating how the  
decision is otherwise in violation of applicable law. Please see Chapter 17.50 of Oregon City  
Municipal Code for Administration & Procedures concerning Appeals.

See attached - Reasons for Appeal

FILING FEE PAID: \$250 DATE PAID: 11-26-14 RECEIPT NO.:     

Elizabeth Graser-Lindsey  
Property Owner Signature  
Appellant

21341 S. Ferguson Rd, Beaver Creek, OR 97007  
Address

Property Owner Signature

Address

### \*\*SIGNATURES REQUIRED IF APPLICABLE\*\*

Elizabeth Graser-Lindsey  
Appellant Signature

21341 S. Ferguson Rd, Beaver Creek, OR 97007  
Address

\_\_\_\_ Contract Purchaser

\_\_\_\_ Lessee

\_\_\_\_ Prospective Purchaser

## REASONS FOR APPEAL

This appeal results from application SP 14-01 being approved despite its violation of Oregon City Comprehensive Plan (OCCP), Oregon City Municipal Code (OCMC), Metro Code (MC), and State law.

Urbanization of this property cannot proceed adoption of a valid concept plan according to applicable law inclusive of OCCP p. 118, Goal 14.3 Orderly Provision of Services to Growth Areas, Goal 14.4 Annexation of Lands to the City, OCMC 14, the City's own Findings to AN 07-02, LUBA's interpretation of these laws specifically with regard to this property in LUBA 2007-171(submitted to the record), and LUBA's remand of the Beaver Creek Concept Plan in LUBA 2008-170.

Because of the process being followed (including the absence of a adopted concept plan), public facilities and services are not being handled in a coordinated way respective of and conforming with the needed concept plan or with general good practice, are not adequate nor properly planned (including over-sizing and cost recovery plan, right of way planning and acquisition, response times, etc.), and are not without adverse impact on the city and residents of the area and are consequently in violation of applicable law including OCCP Section 11 Public Facilities, OCMC 17 Zoning (including 17.62 Site Plan and Design Review and 17.52, 17.29), those on infrastructure (including 12 Streets, Sidewalks and Public Places and 13 Public Services) and 14 City Boundary Changes and Extension of Services and those above.

The application is incomplete in that the city and service district responses do not document the availability of water and sewage capacity and the public cannot respond to a complete application in violation of applicable law including OCMC 17.62, OCMC 17.50.070 and 080 (completeness) and Statewide Planning Goals 1 and 2.

## STATEMENT OF APPELLANT INTEREST AND STANDING

Appellant Elizabeth Graser-Lindsey has an interest in the matter due to having previously served on the public committee that developed the concept plan for this area and having appealed the concept plan and annexation; due to utilizing this area and passing through this area on Beaver Creek Rd.; due to this area being the entrance to the Hamlet of Beaver Creek, an adjacent rural area (and this road corridor having been recognized by many as "the world's largest cul du sac"); due to having family in Oregon City; due to using infrastructure services and my community using infrastructure and services affected by and shared with this area; etc.

Appellant has standing due to having submitted testimony twice in response to this application which is cited on pages 12 and 14 of Exhibit 1 to Notice of Decision.



City of Oregon City  
Permit Receipt  
RECEIPT NUMBER 00029113

Account Number: 017646

Date: 12/1/2014

Applicant: ELIZABETH GRASER-LINDSAY

Type: check # 1016

Permit Number	Fee Description	Amount
AP-14-0002	4106 Appeal Fee	250.00
Total:		\$250.00