

MEMORANDUM

TO: Historic Review Board
FROM: Carrie Richter, Deputy City Attorney
DATE: May 16, 2017
RE: MNA v. City of Oregon City - Landmark Designation Request for Public Works Operations Site

At your last hearing, staff presented a request by the McLoughlin Neighborhood Association (MNA) to designate the Community Cannery and Workshop Annex buildings within the Public Works Operations site as local landmarks. In response to that request, the City Manager submitted a letter to MNA as well as a memo to HRB objecting to any such designation. Under state law, ORS 197.772(1), once the city received this objection, it could no longer continue to process the designation request.

Since that hearing, the MNA has filed two local appeals challenging the City Manager letters as well as the HRB's failure to continue to consider the application for designation. City staff has rejected those appeals because the City may no longer process the request.

On May 9, the City received notice that the MNA has appealed the City Manager letters to the Land Use Board of Appeals (LUBA). This appeal will be resolved in due course. In the meantime, the revocation of consent remains in effect. As a result, the City has an obligation to continue to process the proposal for a new operations facility that is before the HRB as well as the master plan amendment, which will soon be considered by the Planning Commission. Resolution of these applications for redevelopment of the Public Works Operations site remains subject to the 120-day limit for decision-making.

For these reasons, the HRB should proceed with reviewing this application and move forward towards a decision, notwithstanding the pending LUBA appeal.

I look forward to responding to any additional questions that you may have during the hearing.