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2
3 BEFORE THE LAND USE BOARD OF APPEALS
4 OF THE STATE OF OREGON
5

6 Columbia Pacific Building Trades)
7 Council, Portland Business Alliance,)
8 Western States Petroleum Association,)
9)
10 Petitioners,)
11)
12 vs.)
13)
14 City of Portland,)
15)
16 Respondent.)
17

LUBA No. 2017-001

18 MOTION TO INTERVENE

19 I.


20 Pursuant to OAR 661-010-0050(2), Columbia Riverkeeper, Oregon
21 Physicians for Social Responsibility, Portland Audubon Society, and Center for
22 Sustainable Economy move to intervene on the side of Respondent City of
23 Portland in the above-captioned appeal. Intervenors are represented by Maura
24 Fahey, Crag Law Center, 917 SW Oak Street, Suite 417, Portland, OR 97205; Tel.
25 No. (503) 525-2722; email: maura@crag.org.

26 II.

27 The facts establishing movant's right to intervene are as follows:
28 Intervenors participated in the land use decision process before the City of Portland
29 at every opportunity. Beginning with the Bureau of Planning and Sustainability,
30 Intervenors submitted written comments by letter dated July 27, 2016. Intervenors
31 also submitted written comments to the Planning and Sustainability Commission

1 (Letter dated Sept. 9, 2016), and provided oral testimony at a public hearing on
2 September 13, 2016. Finally, Intervenors participated in the decision process of the
3 City Council regarding the ordinance that is the subject of this appeal by providing
4 written and oral testimony. Intervenors participated in public hearings before the
5 City Council on November 10 and November 16, 2016. In addition, Intervenors
6 provided written testimony to the City Council. *See, e.g.*, Letter dated November 7,
7 2016, (attached to this motion as Exhibit A).

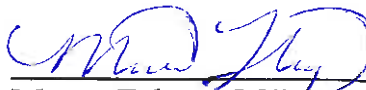
8 Dated: January 25, 2017.

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11 _____
12 Maura Fahey, OSB No. 133549
13 Of Attorneys for Intervenor-Respondents
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1 CERTIFICATE OF FILING

2 I hereby certify that on January 25, 2017, I filed the original and (1) copy of
3 this Motion to Intervene, with the Land Use Board of Appeals, DSL Building, 775
4 Summer Street NE, Suite 330, Salem, Oregon 97301-1283, by sending the
5 documents via first class U.S. mail.

6 Dated: January 25, 2017

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9 Maura Fahey, OSB No. 133549
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15 CERTIFICATE OF SERVICE

16 I hereby certify that on January 25, 2017, I served a true and correct copy of
17 this Motion to Intervene, by first class U.S. Mail to the following:

18 William L. Rasmussen
19 Miller Nash Graham & Dunn
20 111 SW Fifth Ave., Ste. 3400
21 Portland, OR 97204

22 Lauren King
23 City of Portland
24 Office of the City Attorney
25 1221 SW Fourth Ave., Rm 430
26 Portland, OR 97204

27 Dated: January 25, 2017

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29 Maura Fahey, OSB No. 133549
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