



Zack P. Mittge
Associate

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Education

J.D., University of Oregon School of Law, 2004
B.A., University of Washington, 1998
A.A., Centralia Community College, 1996

Law Practice

Zack has specialized in land use law for over ten years. He has represented a variety of individuals, businesses, homeowners associations, neighborhood groups, nonprofit entities and worked as special land use counsel for the City of Winston. His work includes all aspects of land use processes from preparing land use applications, to addressing compliance issues, to representing clients in contested case proceedings before local governments and state agencies, the Oregon Land Use Board of Appeal and the Oregon Court of Appeals.

He is a thorough and effective advocate, with substantial practical experience analyzing, interpreting and applying state statutes, administrative rules, the Oregon Statewide Planning Goals, and the local codes and comprehensive plans.

Practice Areas

- Land Use and Zoning
- Environmental Law
- Real Estate Law
- Government Agency Law
- Condominiums and
- Planned Communities

Representative Work

- Protecting Century Farms along the periphery of the Roseburg Urban Growth Boundary by successfully challenging population projections in the City's Residential Lands Inventory that were used to overstate the need for buildable lands. *Sane Orderly Development v. City of Roseburg*, 59 Or LUBA 356 (2009).
- Working with Lane County enforcement and planning staff, and representatives from a rural fire district to secure the necessary planning approvals for an improperly permitted forest dwelling.
- Preserving the function of the failing Hwy 22/Hwy 51 Intersection by successfully challenging a misinterpretation of the nondegradation provisions of Oregon's Transportation Planning Rule at the Oregon Court of Appeals. *Setniker v. Polk County*, 244 Or App 618, 260 P3d 800 (2011).
- Defending the City of Winston at the Oregon Court of Appeals against claims that the legislative amendments to its comprehensive plan, zoning ordinance and subdivision ordinance lacked adequate public notice. *Jacobsen v. City of Winston*, 55 Or LUBA 181, affirmed without opinion, 216 Or App 555, 173 P3d 841 (2007).
- Preventing the City of Eugene from improperly deferring a transportation analysis required by state law to a point after the acknowledgment of a zone change. *Willamette Oaks v. City of Eugene*, 232 Or App 29, 220 P3d 29 (2009).
- Working with concerned citizens, professional traffic engineers, and other experts to convince the Planning Commission of the City of Eugene not to support the location of a major regional hospital between two gravel pits, and where it would take access from the worst interchange in Oregon's highway system.
- Protecting dryland ranchers, Native American pictograms, perched aquifers, and protected sage grouse habitat from the blasting impacts of a proposed basalt mine. *Walker v. Deschutes County*, 55 Or LUBA 93 (2007).