

John C. Pinkstaff

Counsel to the Firm
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Areas of Practice

John Pinkstaff's practice emphasizes real estate, land use, environmental and municipal law matters. He has handled a wide variety of development issues for both the public and private sectors, including large and small format commercial uses, industrial sites, residential subdivisions, rural development and leases. As a member of the Firm's Real Estate and Land Use Practice Group, John handles a variety of transactions, entity formations, land use permits and entitlements, including vested rights, regulatory takings, public and private easements, and access issues. He also handles a wide range of agricultural and resource land matters, including water rights, vineyards, winery and bed and breakfast development. John's renewable energy practice includes representation of developers of wind energy and solar projects, energy generation and transmission lines, and land owners regarding leases and easements. In addition, he has represented local governments with regard to hazardous waste cleanups, solid waste disposal site permitting and subsurface sewage disposal issues.

Admitted to Practice

Oregon
Washington
U.S. District Court, District of Oregon
California

Academics

University of California, Hastings College of Law (J.D., 1973)
University of Oregon (B.S., 1968)
Honors College (1965)

Practice Group and Specialty Team Memberships

Construction and Environmental
Land Use
Real Estate
Real Estate Litigation
Renewable Energy
Sustainability and Climate Change

Representative Matters and Clients

Winery/vineyard owner/operators regarding commercial activities in conjunction with agricultural operations (e.g., restaurant, gatherings, water extraction, museum, professional office) and impacts of development activities by others (e.g., extension of roads for future residential development), and tonnage leases

Property owner seeking county zone change for rural residential development

Property owner seeking to build retirement home in Columbia River Scenic Gorge

Land owners seeking to site various types of dwellings on agricultural and forest land (e.g., nonfarm dwellings, lot of record dwellings, forest template dwellings, secondary farm help dwellings)

Bed and breakfast and wine country inn owner/operators seeking to develop new hospitality facilities

County permitting of mineral aggregate quarries

County permitting of solid waste landfills

Rural property owner/operators of other commercial activities in conjunction with resource uses

Property owner rights (e.g., Measure 37 and 49 claims, vested rights and regulatory takings)

Owner/operators of wind energy and solar generation facilities and transmission lines

Riparian owners seeking to develop moorages for houseboats

Developers of residential partitions, subdivisions and planned unit developments

Owners/developers seeking expansion of urban growth boundaries

Religious organizations seeking to site church facilities

Owners/operators of mobile home parks

Land owners in boundary line disputes/agreements

Owners/operators of cell towers regarding easements and leases

Commercial and residential developers, through all stages of development process (e.g., due diligence, negotiation of Public Private Partnerships and development agreements with local governments and third parties, ground leases, right-of-way and access issues)

Commercial retail and office leases

Industrial building owners, developers, buyers and tenants (e.g., purchase and sale agreements, leases)

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Publications

“Change is in the Air for Some Smaller Wineries,” *Oregon Business* magazine (September 2010)

“Land-Use Law Will Spark Some Old-Fashioned Horse Trading,” *Portland Business Journal* (March 7, 2008)

“What Measure 49 Means for Business: Search for Workable Compromise Won’t End,” *Portland Daily Journal of Commerce* (October 11, 2007)

“LUBA at 20 — Beginnings,” The Land Use Board of Appeals is Turning 20, sponsored by RELU Section of the Oregon State Bar and LUBA, Co-author and Speaker (October 1999)

Speaking Engagements

“Guggenheim v. City of Goleta on Regulatory Takings,” Law Seminars International TeleBriefing (March 10, 2011)

“Owning & Operating a Winery, Brewery or Distillery Conference (Land Use Issues)” (July 21, 2010)

“Wind Energy Facilities Siting and Wind Energy Task Force Report,” AOC Annual Conference (November 2009)

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- “Licensing and Permitting a Winery or Brewery,” The Seminar Group (July 22, 2009)
- “Navigating Environmental Overlay Zone Challenges in the Land Use Entitlement Process,”
Lane Powell Seminar “Building the Challenging Project” (October 18, 2006)
- “Environmental Cleanups for Local Governments: Using Consultants to Assure Cost-Effective
Cleanups,” Oregon State Bar Government Law Section Midyear CLE (2000)
- “Land Use Law Updates,” RELU Annual Meeting (2000)
- “Land Use in Oregon,” National Business Institute Seminar (2000)
- “Representing Clients in Land Use Matters” and “Land Use Update Oregon,” Multnomah Bar
Association (2001)
- “Acquiring a Vested Right,” Oregon Land Use Law, The Seminar Group (2002)

Professional and Community Activities

- Board of Directors, Certified Commercial Investment Member (2011)
- Oregon State Bar Association
- Chair, Real Estate and Land Use Section (“RELU”) Executive Committee (2011)
 - Past Chair, RELU Education Committee
 - Past Chair, Law Related Education Committee
 - Member, Agricultural Law
 - Member, Business Law Section
 - Member, Energy Telecom and Utility Section
 - Member, Environmental and Natural Resources Section
 - Member, Government Law Section
 - Member, Indian Law Section
 - Member, Indigent Defense Task Force
 - Member, Law Related Education Committee
- Member, Washington State Bar Association, Environmental and Land Use Section
- California State Bar Association
- Past President, Yamhill County Bar Association
- Board of Directors, Child Advocates Inc. (CASA, Clackamas County)
- Co-founder and Past President, Yamhill County Hospice
- NAIOP Oregon Chapter (Commercial Real Estate Development Association)
- Member, Public Affairs Committee
- Alternate Representative, Metro Reserves Steering Committee, Business Interests (2008-2010)
- Board of Directors, Oregon Small Wind Energy Association (“OSWEA”)
- Member, Northwest Environmental Business Council
- Member, Multnomah Bar Association