



Josephine County, Oregon

PLANNING

700 NW Dimmick, Suite C/Grants Pass, OR 97526
(541) 474-5421 / Fax (541) 474-5422
E-mail: planning@co.josephine.or.us

June 24, 2016

NOTICE OF EVIDENTIARY REMAND HEARING *Before the Josephine County Board of Commissioners*

The Josephine County Board of Commissioners will conduct an *evidentiary* remand hearing on the land use request described below. This hearing is fully open to the public, but is strictly limited to the issue specified for further consideration in LUBA's remand decision (No. 2008-224). Hearing procedures are governed by Article 31, *Public Hearings*, and Article 33.130, *Remand Hearings*, of the *Josephine County Rural Land Development Code* (RLDC). Participation in the remand hearing shall be strictly limited to those persons or organizations who were legal parties in the higher appeal. Any additional staff report materials published for the remand hearing are available for inspection without cost at least 7 days before the hearing. Consistent with the RLDC, comments and other pertinent information relative to the remand issue should be submitted within 15 days from the date of this notice, to be considered in the review by Planning Staff.

REQUEST AND HEARING INFORMATION

REMAND REQUEST:

Remand Hearing To The Board Of County Commissioners Of The LUBA Appeal Decision for the Comprehensive Plan of Josephine County (Ordinance 81-11 As Amended), from Forest to Aggregate and Amending the Zoning Map of Josephine County (Ordinance 85-1 As Amended), from Woodlot Resource to Mineral and Aggregate Resources, and add to the Inventory of Significant Aggregate Sites for 197.34 acres of the property identified as Assessor's Map T34s, R5w, Section 7, Tax Lots 1200 And 1300; and Map T34s, R5w, Section 8, Tax Lot 400. The property owners are Andreas and Carole Blech.

Also Amending the Comprehensive Plan of Josephine County (Ordinance 81-11 As Amended), from Residential to Aggregate and Amending the Zoning Map of Josephine County (Ordinance 85-1 As Amended), from Rural Residential (RR-5) to Mineral and Aggregate Resources, and add to the Inventory of Significant Aggregate Sites for 12.49 acres of the property identified as Assessor's Map T34s, R5w, Section 8, Tax Lot 1002. The property owner is Blech LLC.

REMAND ISSUE:

The issues remanded by LUBA to be addressed are (1) letters (Exhibits DDDDDDD, EEEEEEE, HHHHHHH, IIIIII) submitted late in the hearing; (2) a letter (erroneously labeled Exhibit LLLLLLL – actually Exhibit KKKKKKK) submitted after the record closed; (3) applicant's market demand justification for inconsistency with the surrounding area; (4) an analysis of traffic impact on deer and elk; (5) impacts on the historic covered bridge; and (6) an Economic, Social, Environmental, & Energy (ESEE) analysis.

LOCATION:

153 Daisy Mine Road

ASSESSOR'S LEGAL:

34-05-08, TL 400/34-05-08, TL 1002/34-05-07, TL 1200/34-05-07, TL 1300

PLACE:

Anne Basker Auditorium Annex of the Courthouse, 600 NW 6th Street, GPO

DEADLINE:

Comments shall be submitted to the Planning Office no later than **5pm, Wednesday, July 6, 2016**.

DATE & TIME: Monday, July 18, 2016 ~ 9:00 a.m.

ORDER OF PROCEDURE:

The remand evidentiary hearing will be conducted as follows: [1] the Chair explains the hearing procedures; [2] the planning staff provides a report regarding the remand; [3] the applicant is allowed 10 minutes for argument and each witness called by the applicant is allowed 5 minutes; [4] Parties in opposition to the applicant are allowed 10 minutes and each witness called by the opposing parties is allowed 5 minutes; [5] Neutral parties are allowed 5 minutes each; [6] the applicant is allowed 10 minutes for rebuttal; any surrebuttal is at the Board's discretion; [7] the applicant and other parties are allowed 5 minutes for summary arguments; [8] staff is given an opportunity to comment; [9] the Board may question staff or participants; [10] the Board closes the hearing for deliberation and decision.

CONTACT PERSON:

The planner handling the application is Grace Zilverberg (541) 474-5421, Ext 5427.

APPEAL ISSUES:

This decision is appealable to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal. The rules for filing appeals to LUBA are governed by the Oregon Administrative Rules, Chapter 661, Division 10. Forms for filing an appeal and information regarding the applicable time limits for doing so may be obtained from LUBA. LUBA may be contacted at: Land Use Board of Appeals, 550 Capitol Street NE, Suite 235, Salem, Oregon 97301-2552, telephone number (503) 373-1265, or via the internet at <http://luba.state.or.us/>.

NOTICE:

If you are a mortgagee, lienholder, vendor or seller, state law requires that you *promptly* forward this notice to the purchaser of the property.

THE PLANNING OFFICE
700 NW Dimmick Suite C
Grants Pass OR 97526

