



# Josephine County, Oregon

Community Development - Planning Division

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October 10, 2018

## **NOTICE OF REMAND HEARING** **Josephine County Board of Commissioners**

The Josephine County Board of Commissioners will conduct a remand hearing on the land use request described below. This hearing is open *only* to the parties who participated in the appeal before the Oregon Land Use Board of Appeals and is strictly limited to the issue specified for further consideration in LUBA's remand decision (No. 95-032). Hearing procedures are otherwise governed by Article 31, Public Hearings, and Article 33.130, Remand Hearings, of the *Josephine County Rural Land Development Code* (RLDC). Parties interested in participating in the hearing should examine or purchase a copy of these articles at the Planning Office. Any additional staff report materials published for the remand hearing will be available for inspection without cost at least 7 days before the hearing. Copies of the staff materials may also be purchased.

### **REQUEST AND HEARING INFORMATION**

**REMAND REQUEST:** Remand Hearing To The Board Of County Commissioners Of The LUBA Appeal Decision to amendment of the Comprehensive Plan of Josephine County (Ordinance 81-11 as amended) from Forest to Residential (with exception to statewide goals under OAR 660-04-020 & 660-04-028) and an amendment of the Zoning Map of Josephine County (Ordinance 85-1 as amended) from Forest Commercial (FC) to Rural Residential 2.5-acre minimum size (RR2.5). The subject properties are identified in Josephine County Assessor records as 35-06-16.B0 tax lots 100, 200 and 700; the property owners are John West, Clifford Phillips and the Ellison Revocable Living Trust, Hazel J. Ellison, Trustee.

**REMAND CRITERIA:** *Rural Land Development Code*: Section 33.110 ~ Remand Form The LUBA; Section 33.130 ~ Remand Hearings; Section 46.040 ~ Plan Amendment Review Criteria; Section 46.050 ~ Non-Resource Land Criteria. **Statewide Goals, Statute, Rules:** Exceptions to Goal 3 (Agricultural Lands) and Goal 4 (Forest Lands) have been quantified under both a "built and committed" exception due to the scope and intensity of rural residential development on surrounding parcels (which are zoned for rural residential purposes), and a "reasons" exception which includes justification that the site has not met the minimum threshold for resource use as adopted in the Josephine County Comprehensive Plan.

**LOCATION:** 1174 Pleasant Valley Road, Russell Road, Wildflower Drive

**ASSESSOR'S LEGAL:** 35-06-16-B0, TL 100, 200, and 700

**PLACE:** Anne Basker Auditorium Annex of the Courthouse, 600 NW 6<sup>th</sup> Street, GPO

**DEADLINE:** Comments shall be submitted to the Planning Division no later than **5pm, Wednesday, October 24, 2018.**

**DATE & TIME: Monday, November 5, 2018 ~ 9:00 a.m.**

**ORDER OF PROCEDURE:** [1] The planning staff provides a brief introduction regarding the remand. [2] The applicant presents his/her arguments. [3] Other parties in support of the applicant present their arguments. [4] Parties opposing the applicant's position present their arguments. [4] Rebuttal and surrebuttal are allowed at the discretion of the Board.

**CONTACT PERSON:** The planner handling the application is Julie A. Schmelzer (541) 474-5428; Email: [jschmelzer@co.josephine.or.us](mailto:jschmelzer@co.josephine.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.

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