



Josephine County, Oregon

PLANNING OFFICE

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November 6, 2012

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. 2011-037). Hearing procedures are 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 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:** A request to: Amend the Comprehensive Plan Map of Josephine County (Ordinance 81-11, as amended) from Forest to Residential and amend the Zoning Map of Josephine County (Ordinance 85-1, as amended) from Woodlot Resource (WR) to Rural Residential 5 Acre minimum (RR-5). The subject property is identified in the Josephine County Assessor's records as Map 37-05-20, Tax Lot 2001. The property owners are Richard and Christine Whitaker.
- REMAND ISSUE:** Compliance with the requirements of the amended OAR 660-006-0010 and the 2010 Land Use Notes regarding the inconsistencies of the 2007 forestry report with the 2010 Land Use Planning Notes.
- LOCATION:** Ridgefield Road
- ASSESSOR'S LEGAL:** 37-05-20, TL 2001
- PLACE:** Anne Basker Auditorium Annex of the Courthouse, 604 NW 6th Street, GPO

DATE & TIME: Wednesday, December 12, 2012 ~ 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 James Black (541) 474-5421, Ext 5418.

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. (ORS 215.513)

