Josephine County
2007 Ordinances

No.	Date Signed	Effective Date	Description
2007-001	07/18/07	**10/16/07**	An Ordinance amending the Josephine County Urban Growth Area Comprehensive Plan (Ordinance 81-20, as amended) to include 1.2 acres of land within the Grants Pass Urban Growth Boundary. The land to be included is owned by Robert S Copeland and consists of two tax lots described in the Josephine County Assessor Records as Map# **36-06-13-13, Tax Lots 241 & 242**, together with the adjacent public right-of-way.
2007-002	11/07/07	**01/05/08**	An Ordinance amending the Comprehensive Plan Map of Josephine County (Ordinance 81-11, as amended) from Forest to Residential and amending the Zoning Map of Josephine County (Ordinance 85-1, as amended) from Woodlot Resource to Rural Residential (5-acre minimum). The subject property is identified in the Josephine County Assessor's records as Map **T36, R6, Section 34, Tax Lot 2400**. The property owner is Catherine A Frykman.
2007-003	12/05/07	**03/04/08**	An Ordinance amending the Comprehensive Plan Map of Josephine County (Ordinance 81-11, as amended) from Agricultural to Residential and amending the Zoning Map of Josephine County (Ordinance 85-1, as amended) from Farm Resource to Rural Residential (5-acre minimum). The subject property is identified in the Josephine County Assessor's records as Map # **35-06-17-C0, Tax Lot 600**. The property owner is Orville F Meade.

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY
STATE OF OREGON

ORDINANCE NO. 2007-001

AN ORDINANCE AMENDING THE JOSEPHINE COUNTY URBAN GROWTH AREA COMPREHENSIVE PLAN (ORDINANCE 81-20, AS AMENDED), TO INCLUDE 1.2 ACRES OF LAND WITHIN THE GRANTS PASS URBAN GROWTH BOUNDARY. THE LAND TO BE INCLUDED IS OWNED ROBERT S. COPELAND AND CONSISTS OF TWO TAX LOTS DESCRIBED IN THE JOSEPHINE COUNTY ASSESSOR RECORDS AS 36-06-13-13, TAX LOTS 241 AND 242, TOGETHER ADJACENT PUBLIC RIGHT OF WAY.

WHEREAS, the City of Grants Pass and Josephine County have entered into an intergovernmental agreement, entitled Intergovernmental Agreement for the Orderly Management of the Grants Pass Urban Growth Boundary Area, dated August 5, 1998, hereafter referred to as the IGA; and

WHEREAS, the IGA states that one purpose is to enable the County and City to work together to encourage the timely, orderly and cost effective transition from rural to urban level of development and services; and

WHEREAS, the IGA also provides, at Section IV, LAND USE MANAGEMENT, Subsection 5, that adjustments to the boundary shall be jointly made by the City and County using procedures and criteria contained in Section 13.6 of the Grants Pass and Urbanizing Area Comprehensive Community Development Plan Policies, hereafter referred to as the Policies; and

WHEREAS, the Robert S. Copeland initiated the subject application for a minor amendment the Grants Pass Urban Growth Boundary as described herein, as authorized in the Policies, at Section 13.6.5(a)(3); and

WHEREAS, in conformance with all applicable land use procedures and requirements, the City of Grants Pass published and provided all required land use hearing notifications for review and recommendation by the Grants Pass Urban Area Planning Commission, which thereupon reviewed and recommended approval of the request during a public hearing held on April 11, 2007, at the Grants Pass City Council Chambers; and

WHEREAS, also in conformance with all applicable land use procedures and requirements, the Board of Commissioners for Josephine County and the Grants Pass City Council mutually considered in joint public hearings on May 16 and June 5, 2007, the subject application for amending the Urban Growth Boundary as captioned above, to include all evidence and applicable criteria, and after respective deliberations, each acted to approve the requested minor amendment to the Grants Pass Urban Growth Boundary as previously documented in the land use findings for each jurisdiction;

NOW, THEREFORE, based on the foregoing, the Board of Commissioners for Josephine County, Oregon, hereby ordains as follows:

SECTION 1: ORDINANCE AMENDED & AREA TO BE INCLUDED

Ordinance No. 81-20 is hereby amended to include within the Grants Pass Urban Growth Boundary the land shown on the attached tax lot map attached as Exhibit A, and as further described by the Assessor's legal map descriptions noted in the caption to this Ordinance.

SECTION 2: CITY TO SUBMIT RECORD

Upon adoption of the Urban Growth Boundary amendment as set forth in Section 1 above, the City of Grants Pass shall submit to the Oregon Department of Land Conservation and Development a copy of this ordinance, a copy of the city's ordinance and three complete copies of the jointly approved Findings of Fact.

SECTION 3: AFFIRMATION

Except as otherwise provided herein, Josephine County Ordinance 81-20 is hereby affirmed as originally adopted and previously amended.

SECTION 4: EFFECTIVE DATE

The first reading of this Ordinance by the Board of County Commissioners occurred this 27th day of June, 2007.

The second reading and adoption of this Ordinance by the Board of County Commissioners occurred on this 18th day of July, 2007, at least 13 days from the first reading. This Ordinance shall take effect ninety days from the date of this second reading.

JOSEPHINE COUNTY BOARD OF COUNTY COMMISSIONERS

Abstain -

Jim Raffenburg, Chair

Dave Toler, Vice Chair

Dwight F. Ellis, Commissioner

ATTEST:

Angel Aspovich

Recording Secretary

APPROVED AS TO FORM:

Steven E. Rich, Legal Counsel

EXHIBIT A - COPELAND UGB AMENDMENT

TL 241

GP URBAN GROWTH BOUNDARY

UPPER RIVER ROAD LOOP

TL 242

UPPER RIVER R

SW G

LINCOLN RD

Legend

Grants Pass U.G.B.

Taxlots

Taxlots

300 0 300 600 Feet

The information on this map is furnished for general interest purposes only. This information is provided without warranties of any kind, express or implied, and it should not be used to support any purchase or other investment. Neither Josephine County, Cave Junction, nor Grants Pass will accept responsibility for any errors or inaccuracies in the depicted information.

Scale 1:3600

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Locator Map

Creation date: Tuesday, June 12, 2007 C:\Puma\puma.apr

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY STATE OF OREGON

ORDINANCE NO. 2007-002

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN MAP OF JOSEPHINE COUNTY (ORDINANCE 81-11, AS AMENDED), FROM FOREST TO RESIDENTIAL AND AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1, AS AMENDED), FROM WOODLOT RESOURCE TO RURAL RESIDENTIAL (5 ACRE MINIMUM). THE SUBJECT PROPERTY IS IDENTIFIED IN THE JOSEPHINE COUNTY ASSESSOR'S RECORDS AS MAP T36, R6, SECTION 34, TAX LOT 2400. THE PROPERTY OWNER IS CATHERINE A. FRYKMAN.

WHEREAS, the Board of Commissioners held public hearings on July 11, 2007 and July 27, 2007, and thereupon approved the plan and map amendments as described above; and

WHEREAS, the Planning Commission previously held a public hearing on June 12, 2006 and made a recommended decision to the Board of Commissioners as required by the county's comprehensive plan; and

WHEREAS, the Board of Commissioners received testimony and evidence from the Josephine County Planning Staff, the applicant and other land use participants, both for and against the request, and concluded that the applicant met his burden of proof, and that the Comprehensive Plan and Zone Change as requested complies with the requirements of Josephine County and State Law pertaining to such matters; and

WHEREAS, the Board of Commissioners adopts written findings of fact in support of its decision to approve the comprehensive plan and zone map changes described herein, and those findings are contained in the land use hearing record at the planning office;

NOW, THEREFORE, based on the foregoing, the Board of Commissioners for Josephine County, Oregon, hereby ordains as follows:

SECTION 1: COMPREHENSIVE PLAN MAP AMENDMENT

The Josephine County Comprehensive Plan Map is hereby amended from Forest to Residential for the property identified as Assessor's Map: Township 36, Range 6, Section 34, Tax Lot 2400.

SECTION 2: ZONE MAP AMENDMENT

The Josephine County Zoning Map is hereby amended from Woodlot Resource to Rural Residential (5 Acre Minimum) for property identified as Assessor's Map: Township 36, Range 6, Section 34, Tax Lot 2400.

SECTION 3: AFFIRMATION

Except as otherwise provided herein, Josephine County Ordinances 81-11 and 85-1 are hereby affirmed as originally adopted and previously amended.

SECTION 4: EFFECTIVE DATE

The first reading of this Ordinance by the Board of County Commissioners occurred this 24th day of October, 2007.

The second reading and adoption of this Ordinance by the Board of County Commissioners occurred on this 7th day of November, 2007, at least 13 days from the first reading. This Ordinance shall take effect ninety days from the date of this second reading.

JOSEPHINE COUNTY BOARD OF COUNTY COMMISSIONERS

Absent at Signing

Jim Raffenburg, Chair

Dave Toler, Vice Chair

Dwight F. Ellis, Commissioner

ATTEST:

Angel Sipovich

Recording Secretary

APPROVED AS TO FORM:

Steven E. Rich, Legal Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY, STATE OF OREGON

ORDINANCE NO. 2007-003

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN MAP OF JOSEPHINE COUNTY (ORDINANCE 81-11, AS AMENDED), FROM AGRICULTURE TO RESIDENTIAL AND AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1, AS AMENDED), FROM FARM RESOURCE TO RURAL RESIDENTIAL (5 ACRE MINIMUM). THE SUBJECT PROPERTY IS IDENTIFIED IN THE JOSEPHINE COUNTY ASSESSOR'S RECORDS AS MAP # 35-06-17-C0, TAX LOT 600. THE PROPERTY OWNER IS ORVILLE F MEADE.

WHEREAS, the Planning Commission held the initial public hearing on August 11, 2003 and recommended a decision to the Board of Commissioners as required by the county's comprehensive plan; and

WHEREAS, the Board of Commissioners held public hearings on November 5, 2003, November 12, 2003, February 25, 2004, March 3, 2004, March 24, 2004, April 14, 2004, and April 28, 2004, and thereupon approved the plan and map amendments as described above; and

WHEREAS, the Board of Commissioners's decision of approval was appealed to the Land Use Board of Appeals (LUBA) in August of 2004; and

WHEREAS, LUBA remanded the county's decision of approval in April of 2005 for further consideration regarding the property's status as non-forest land; and

WHEREAS, the Board of Commissioners held a remand hearing and further considered the issue of the property's status as non-forest land on April 19, 2006, and reaffirmed its earlier decision that the property is non-forest land and adopted findings of fact in support of this decision; and

WHEREAS, the remand decision of the Board of Commissioners was appealed to LUBA in November 2006; and

WHEREAS, on June 27, 2007, LUBA rendered a Final Opinion and Order on the second Meade appeal that affirmed the Board of Commissioners decision; and

WHEREAS, LUBA's Final Opinion and Order on the second Meade appeal was thereafter appealed to the Oregon Court of Appeals on July 12, 2007; and

WHEREAS, the Oregon Court of Appeals issued a decision on October 17, 2007 affirming without opinion, LUBA's Final Opinion of June of 2007;

NOW, THEREFORE, based on the foregoing, the Board of Commissioners for Josephine County, Oregon, hereby ordains as follows:

SECTION 1: COMPREHENSIVE PLAN MAP AMENDMENT

The Josephine County Comprehensive Plan Map is hereby amended from Agriculture to Residential for the property identified as Assessor's Map Township 35, Range 6, Section 17-C0, Tax Lot 600.

EX (1)

SECTION 2: ZONE MAP AMENDMENT

The Josephine County Zoning Map is hereby amended from Farm Resource to Rural Residential (5 Acre Minimum) for property identified as Assessor's Map Township 35, Range 6, Section 17-C0, Tax Lot 600.

SECTION 3: AFFIRMATION

Except as otherwise provided herein, Josephine County Ordinances 81-11 and 85-1 are hereby affirmed as originally adopted and previously amended.

SECTION 4: EFFECTIVE DATE

The first reading of this Ordinance by the Board of County Commissioners occurred this 21st day of November, 2007.

The second reading and adoption of this Ordinance by the Board of County Commissioners occurred on this 5th day of December, 2007, at least 13 days from the first reading. This Ordinance shall take effect ninety days from the date of this second reading.

JOSEPHINE COUNTY BOARD OF COUNTY COMMISSIONERS

Jim Raffenburg, Chair

Dave Toler, Vice Chair

Dwight F. Ellis, Commissioner

ATTEST:

Angel Aspevick
Recording Secretary

APPROVED AS TO FORM:

Steven E. Rich, Legal Counsel