

## Josephine County 1993 Ordinances

#	Date Signed	Date Effective	Description
93-1	2/3/93	5/3/93	Comprehensive Plan Change from Forest to Residential and Zone Change from Woodlot Resource to RR-5 for <b>35-6-4, Tax Lot 500 &amp; 501. Norman Wingerd.</b>
93-2	2/3/93	5/3/93	Comprehensive Plan Change from Forest to Residential and Zone Change from Woodlot Resource to RR-2.5 for <b>35-6-4, Tax Lot 201. David Wingerd.</b>
93-3	5/19/93	8/19/93	Comprehensive Plan Change from Forest to Residential and Zone Change from Woodlot Resource to RR-5 for <b>36-6-4, Tax Lot 700. Dickey.</b>
93-4E	5/5/93	5/11/93	Zone Change from Forest Commercial to Woodlot Resource for a portion of <b>34-6-2, Tax Lot 200. Marita Strong.</b>
93-4	5/19/93	8/19/93	Zone Change from Forest Commercial to Woodlot Resource for a portion of <b>34-6-2, Tax Lot 200. Marita Strong.</b>

#	Date Signed	Date Effective	Description
93-5	5/19/93	8/19/93	Comprehensive Plan Change from Forest to Residential and a Zone Change from Forest to Residential and a Zone Change from Woodlot Resource to RR-5. <b>37-3-27, Tax Lot 200 &amp; 202. Scott &amp; Rema Roberts.</b>
93-6	5/19/93	8/19/93	Comprehensive Plan Change from A to R and a Zone Change from EF to RR-2.5. <b>36-7-13, Tax Lot 206.</b>
93-7	6/9/93	9/9/93	Ordinance amending zoning map from RR-2.5 to RR-1 ( <b>35-6-22-3, Tax Lot 100</b> ) <b>JoAnne Frahm</b>
93-8E	6/2/93	9/2/93	Ordinance amending the zoning map from Forest Commercial to Woodlot Resource for a portion of the property of <b>35-7, Tax Lot 2800. William H. Ferguson.</b>
93-8	6/16/93	9/16/93	Ordinance amending the zoning map from Forest Commercial to Woodlot Resource for a portion of property identified as <b>35-7, Tax Lot 9800. William H. Ferguson.</b>
93-9E	6/9/93		Change Comprehensive Plan from Residential to Commercial and a Zone Change from RR-5 to TC. <b>35-7-14, Tax Lot 900. Gary &amp; Julie Woolsey.</b>

#	Date Signed	Date Effective	Description
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93-9	6/23/93	9/23/93	Change Comprehensive Plan from Residential to Commercial and a Zone Change from RR-5 to TC. <b>35-7-14, Tax Lot 900. Gary &amp; Julie Woolsey.</b>
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93-15	10/27/93	1/27/93	Ordinance amending map from RR-5 to RR-2.5 <b>35-5-30, Tax Lot 223 Robert Britton and Steve Jannush.</b>
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93-16	11/3/93	2/3/94	Ordinance amending text of Urban Growth area to add Residential Care/Assisted Living Facility as a use to the R-2 zoning district for Clay-Hand-Redhead, a partnership.
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93-17	12/15/93	3/15/93	Ordinance amending the text of the Urban Growth area to allow for one outside employee for Home Occupation Businesses, together with other criteria and procedural changes.
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93-13	9/29/93	12/29/93	<i>Ordinance Amending the Citizen Involvement Program of the By-Laws for the Josephine County Citizen Involvement Committee to reactivate the CIC using the Rural Planning Commission.</i>
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BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY

STATE OF OREGON

ORDINANCE NO.93-1

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN 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 (5 ACRE) FOR PROPERTY IDENTIFIED AS ASSESSOR'S MAP T35, R6, SECTION 4 TAX LOTS 500 AND 501 FOR NORMAN AND ANN WINGERD.

WHEREAS, the Board of County Commissioners held a public hearing on December 9, 1992 to consider, under the criteria of the Josephine County Comprehensive Plan (Ordinance 81-11 As Amended) for the request before them; and

WHEREAS, the Josephine County Planning Commission at a public hearing gave consideration to the above identified Comprehensive Plan and Zone Change request, and made a recommendation to the Board; and

WHEREAS, the Board of Commissioners held a public hearing, heard testimony, received evidence from the Josephine County Staff, the applicant and any remonstrators, and concluded that the applicant had met his burden of proof, and that the Comprehensive Plan and Zone Change, as requested did comply with the requirements of Josephine County and State Law pertaining to such matters.

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

SECTION 1: Comprehensive Plan Amendment

The Josephine County Comprehensive Plan is hereby amended from Forest to Residential for property identified as Assessor's Map Township 35, Range 6, Section 4, Tax Lots 500 and 501.

SECTION 2: Zoning Change

The Josephine County Zoning Map is hereby amended from Woodlot Resource to Rural Residential 5 (5 Acre) for property identified as Assessor's Map Township 35, Range 6, Section 4, Tax Lots 500 and 501.

SECTION 3: Affirmation

Except as otherwise provided herein, Josephine County Ordinance No.s 81-11 and 85-1 are hereby affirmed as originally adopted, and heretofore amended.

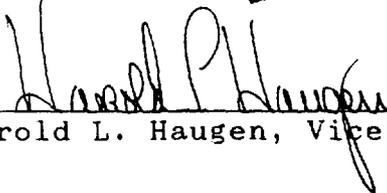
SECTION 4: Effective Date

First reading by the Board of County Commissioners this 20th day of January, 1993.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 3rd day of February, 1993. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

JOSEPHINE COUNTY BOARD  
OF COUNTY COMMISSIONERS

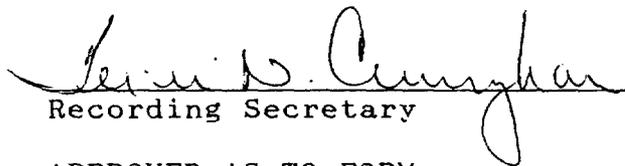
  
Fred Borngasser, Chair

  
Harold L. Haugen, Vice Chair

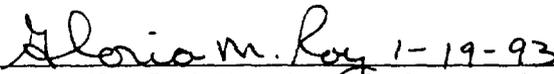
Irvin R. Whiting - Absent  
Irvin R. Whiting, Commissioner

ATTEST:

  
Georgette Brown, County Clerk

  
Recording Secretary

APPROVED AS TO FORM:

 1-19-93  
James H. Boldt, Legal Counsel by  
Gloria M. Roy, Assistant Legal Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY

STATE OF OREGON

ORDINANCE NO.93-2

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN 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 2.5 (2.5 ACRE) FOR PROPERTY IDENTIFIED AS ASSESSOR'S MAP T35, R6, SECTION 4 TAX LOT 201 FOR B. DAVID WINGERD.

WHEREAS, the Board of County Commissioners held a public hearing on December 9, 1992 to consider, under the criteria of the Josephine County Comprehensive Plan (Ordinance 81-11 As Amended) for the request before them; and

WHEREAS, the Josephine County Planning Commission at a public hearing gave consideration to the above identified Comprehensive Plan and Zone Change request, and made a recommendation to the Board; and

WHEREAS, the Board of Commissioners held a public hearing, heard testimony, received evidence from the Josephine County Staff, the applicant and any remonstrators, and concluded that the applicant had met his burden of proof, and that the Comprehensive Plan and Zone Change, as requested did comply with the requirements of Josephine County and State Law pertaining to such matters.

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

SECTION 1: Comprehensive Plan Amendment

The Josephine County Comprehensive Plan is hereby amended from Forest to Residential for property identified as Assessor's Map Township 35, Range 6, Section 4, Tax Lot 201.

SECTION 2: Zoning Change

The Josephine County Zoning Map is hereby amended from Woodlot Resource to Rural Residential 2.5 (2.5 Acre) for property identified as Assessor's Map Township 35, Range 6, Section 4, Tax Lot 201.

SECTION 3: Affirmation

Except as otherwise provided herein, Josephine County Ordinance No.s 81-11 and 85-1 are hereby affirmed as originally adopted, and heretofore amended.

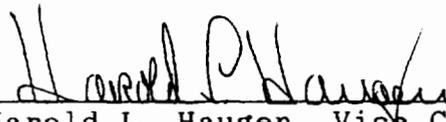
SECTION 4: Effective Date

First reading by the Board of County Commissioners this 20th  
day of January, 1993.

Second reading and adoption by the Board of County  
Commissioners at least thirteen (13) days from the first  
reading this 3rd day of February, 1993. This  
Ordinance shall take effect ninety (90) days after its  
adoption by the Board of County Commissioners.

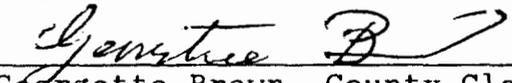
JOSEPHINE COUNTY BOARD  
OF COUNTY COMMISSIONERS

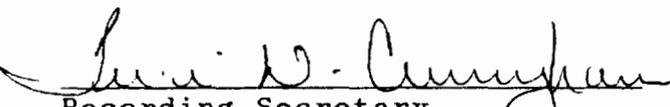
  
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Fred Borngasser, Chair

  
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Harold L. Haugen, Vice Chair

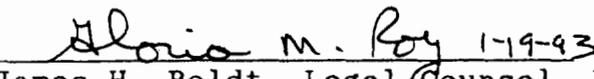
Irvin R. Whiting - Absent  
\_\_\_\_\_  
Irvin R. Whiting, Commissioner

ATTEST:

  
\_\_\_\_\_  
Gergette Brown, County Clerk

  
\_\_\_\_\_  
Recording Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
James H. Boldt, Legal Counsel by  
Gloria M. Roy, Assistant Legal Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY

STATE OF OREGON

ORDINANCE NO.93-3



AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN 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 FOR PROPERTY IDENTIFIED AS ASSESSOR'S MAP T36, R6, SECTION 4 TAX LOT 700 FOR PAUL DICKEY, JUDITH DICKEY, ROBERT DICKEY AND RANDAL DICKEY.

WHEREAS, the Board of County Commissioners held public hearings on March 1, March 22, and April 7, 1993 to consider, under the criteria of the Josephine County Comprehensive Plan (Ordinance 81-11 As Amended) for the request before them; and

WHEREAS, the Josephine County Planning Commission at public hearings gave consideration to the above identified Comprehensive Plan and Zone Change request, and made a recommendation to the Board; and

WHEREAS, the Board of Commissioners held public hearings, heard testimony, received evidence from the Josephine County Staff, the applicant and any remonstrators, and concluded that the applicant had met his burden of proof, and that the Comprehensive Plan and Zone Change, as requested did comply with the requirements of Josephine County and State Law pertaining to such matters.

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

SECTION 1: Comprehensive Plan Amendment

The Josephine County Comprehensive Plan is hereby amended from Forest to Residential for property identified as Assessor's Map Township 36, Range 6, Section 4, Tax Lot 700.

SECTION 2: Zoning Change

The Josephine County Zoning Map is hereby amended from Woodlot Resource to Rural Residential 5 for property identified as Assessor's Map Township 36, Range 6, Section 4, Tax Lot 700.

SECTION 3: Affirmation

Except as otherwise provided herein, Josephine County Ordinance No.s 81-11 and 85-1 are hereby affirmed as originally adopted, and heretofore amended.

SECTION 4: Effective Date

First reading by the Board of County Commissioners this 5th  
day of May, 1993.

Second reading and adoption by the Board of County  
Commissioners at least thirteen (13) days from the first  
reading this 19th day of May, 1993. This  
Ordinance shall take effect ninety (90) days after its  
adoption by the Board of County Commissioners.

JOSEPHINE COUNTY BOARD  
OF COUNTY COMMISSIONERS

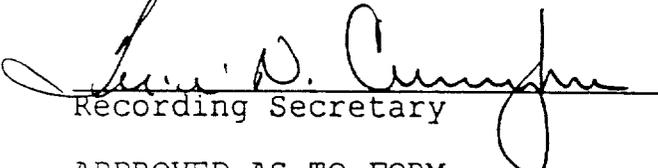
  
Fred Borngasser, Chair

  
Harold L. Haugen, Vide Chair

  
Irvin R. Whiting, Commissioner

ATTEST:

  
Georgette Brown, County Clerk

  
Recording Secretary

APPROVED AS TO FORM:

  
James H. Boldt, Legal Counsel

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR JOSEPHINE COUNTY**

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ORDINANCE NO. 93 -- 4 -- E

AN ORDINANCE AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM FOREST COMMERCIAL TO WOODLOT RESOURCE FOR A PORTION OF PROPERTY IDENTIFIED AS ASSESSOR'S MAP T34, R6, SEC. 2 TAX LOT 200, AND DECLARING AN EMERGENCY.

WHEREAS, the Board of County Commissioners held a public hearings on January 28 and March 10, 1993 to consider a request for a zone change for the property described above pursuant to criteria contained in the Josephine County Comprehensive Plan (Ordinance 81-11 As Amended); and

WHEREAS, the Josephine County Planning Commission at a public hearing gave consideration to the above identified zone change request, and made a recommendation to the Board;

WHEREAS, the Board of Commissioners held a public hearing, heard testimony, received evidence from the Josephine County Staff, the applicant and other interested persons, and concluded that the applicant met his burden of proof regarding a portion of the property, and the zone change for the described portion complied with the requirements of local and state regulations; and

WHEREAS, regulations controlling the residential development of forest lands are in a state of change, with further amendments scheduled to apply to forest lands in February of 1994, and because such changes may irrevocably alter property rights for the request under consideration;

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

**SECTION 1: Emergency Declared:**

A state of emergency exists because substantial property rights may be lost by reason of upcoming changes in state law and owner needs time to submit applications and develop the property before new rules become effective.

**SECTION 2: Zoning Change**

The Josephine County Zoning Map is hereby amended from Forest Commercial to Woodlot Resource for a portion of the property identified on the Assessor's map as Township 34, Range 6, Section 2, Tax Lot 200. The portion of the property to be rezoned is identified by the map attached to this ordinance as Exhibit "A".

SECTION 3: Affirmation

Except as otherwise provided herein, Josephine County Ordinance No. 85-1 is hereby affirmed as originally adopted, and heretofore amended.

SECTION 4: Effective Date

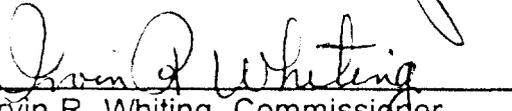
The immediate passage of this ordinance is necessary in the public interest and it shall take effect immediately upon its final enactment and adoption.

Passed in open session this 5th day of May, 1993.

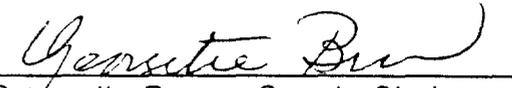
**JOSEPHINE COUNTY BOARD OF COMMISSIONERS**

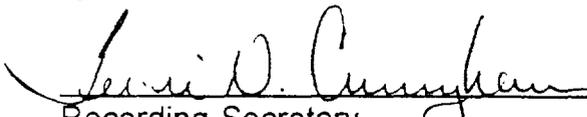
  
\_\_\_\_\_  
Fred Borngasser, Chair

  
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Harold L. Haugen, Vice Chair

  
\_\_\_\_\_  
Irvin R. Whiting, Commissioner

**ATTEST:**

  
\_\_\_\_\_  
Georgette Brown, County Clerk

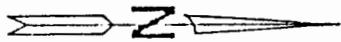
  
\_\_\_\_\_  
Recording Secretary

**APPROVED AS TO FORM: (4/30/93)**

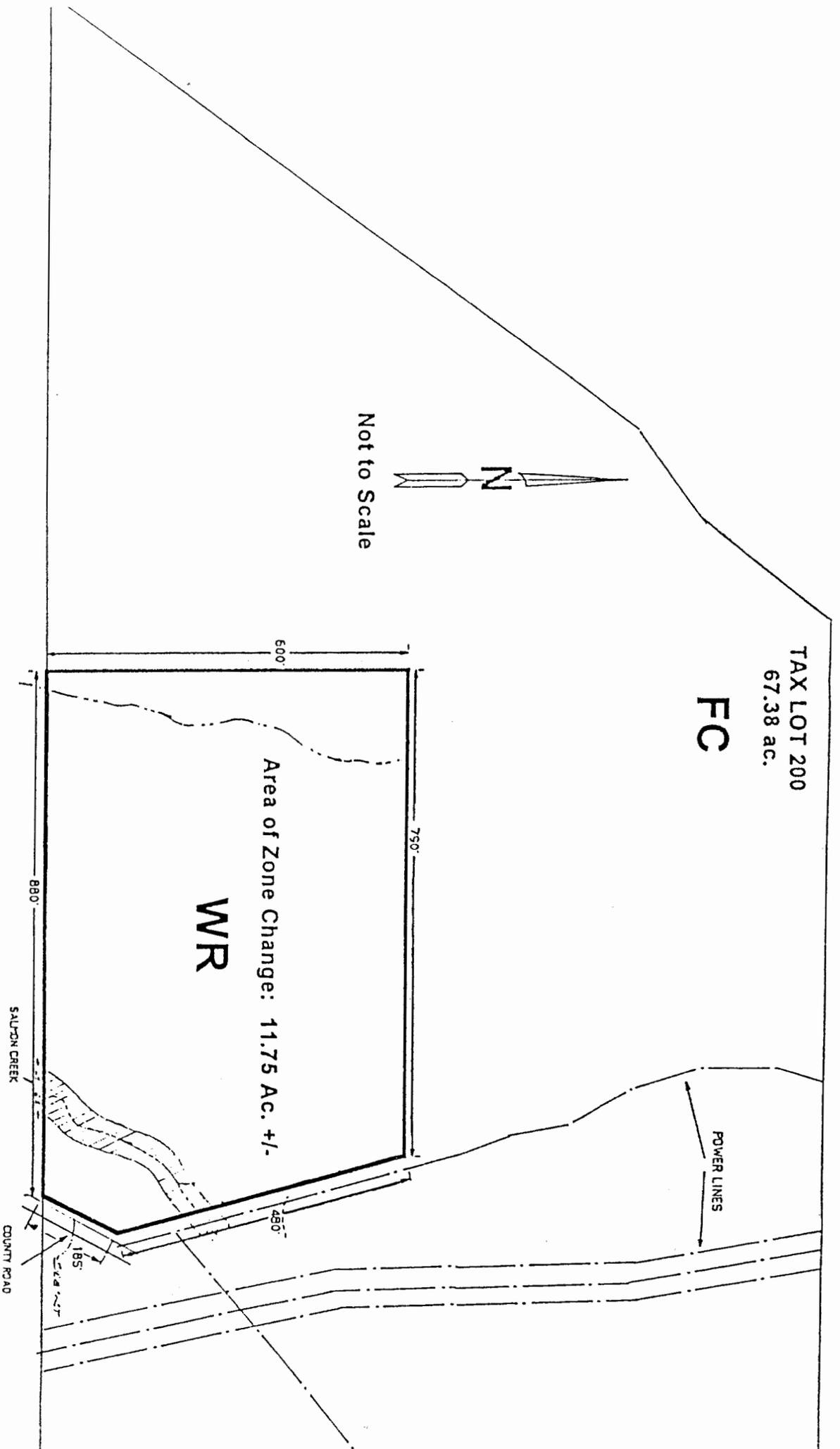
  
\_\_\_\_\_  
James H. Boldt, Legal Counsel

TAX LOT 200  
67.38 ac.

FC



Not to Scale



**MARITA STRONG ZONE CHANGE**

34-06-02 (200)

SUNNY VALLEY, OREGON

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR JOSEPHINE COUNTY

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ORDINANCE NO. 93 -- 4



AN ORDINANCE AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM FOREST COMMERCIAL TO WOODLOT RESOURCE FOR A PORTION OF PROPERTY IDENTIFIED AS ASSESSOR'S MAP T34, R6, SEC. 2 TAX LOT 200.

WHEREAS, the Board of County Commissioners held a public hearings on January 28 and March 10, 1993 to consider a request for a zone change for the property described above pursuant to criteria contained in the Josephine County Comprehensive Plan (Ordinance 81-11 As Amended); and

WHEREAS, the Josephine County Planning Commission at a public hearing gave consideration to the above identified zone change request, and made a recommendation to the Board; and

WHEREAS, the Board of Commissioners held a public hearing, heard testimony, received evidence from the Josephine County Staff, the applicant and other interested persons, and concluded that the applicant met his burden of proof regarding a portion of the property, and the zone change for the described portion complied with the requirements of local and state regulations.

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

SECTION 1: Zoning Change

The Josephine County Zoning Map is hereby amended from Forest Commercial to Woodlot Resource for a portion of the property identified on the Assessor's map as Township 34, Range 6, Section 2, Tax Lot 200. The portion of the property to be rezoned is identified by the map attached to this ordinance as Exhibit "A".

SECTION 2: Affirmation

Except as otherwise provided herein, Josephine County Ordinance No. 85-1 is hereby affirmed as originally adopted, and heretofore amended.

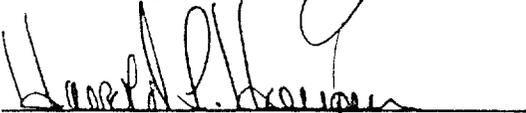
SECTION 3: Effective Date

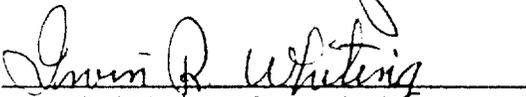
First reading by the Board of County Commissioners this 5th day of May, 1993.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 19th day of May, 1993. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

**JOSEPHINE COUNTY BOARD OF COMMISSIONERS**

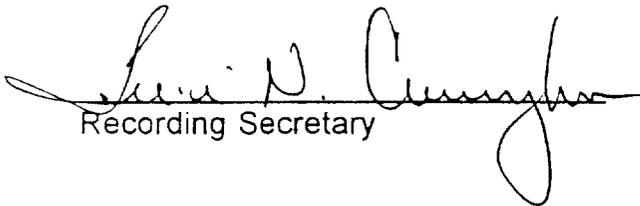
  
\_\_\_\_\_  
Fred Borngasser, Chair

  
\_\_\_\_\_  
Harold L. Haugen, Vice Chair

  
\_\_\_\_\_  
Irvin R. Whiting, Commissioner

**ATTEST:**

  
\_\_\_\_\_  
Georgette Brown, County Clerk

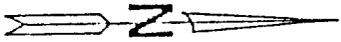
  
\_\_\_\_\_  
Recording Secretary

**APPROVED AS TO FORM: (4/30/93)**

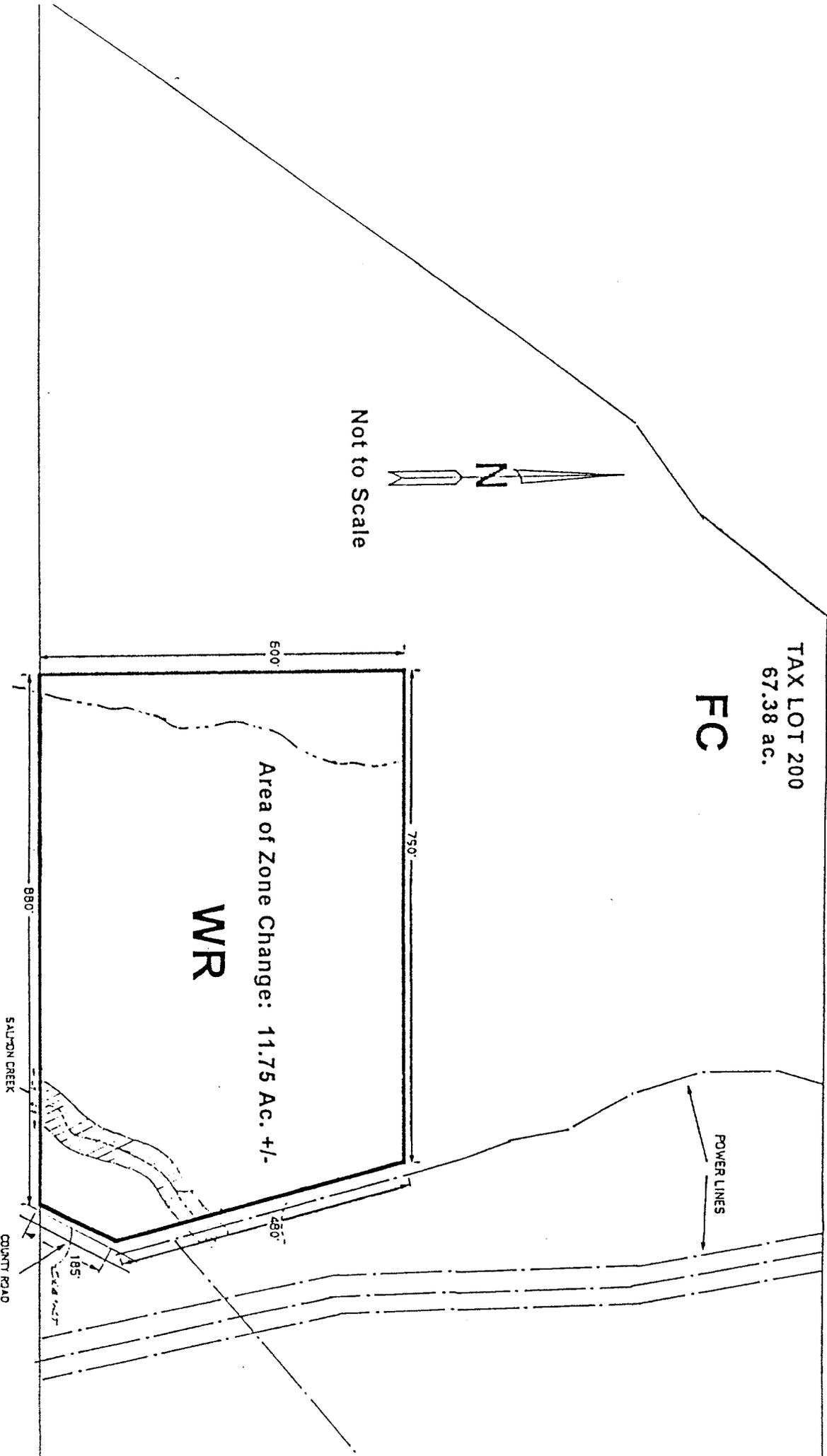
  
\_\_\_\_\_  
James H. Boldt, Legal Counsel

TAX LOT 200  
67.38 ac.

FC



Not to Scale

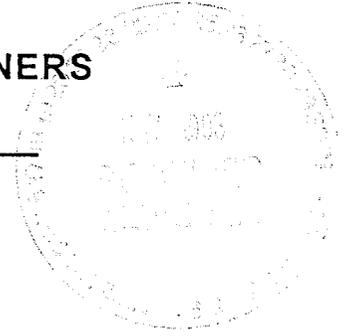


**MARITA STRONG ZONE CHANGE**

34-06-02 (200)  
SUNNY VALLEY, OREGON

BEFORE THE BOARD OF COMMISSIONERS  
FOR JOSEPHINE COUNTY

ORDINANCE NO. 93- -- 5



AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN 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) FOR THE PROPERTIES IDENTIFIED IN THE JOSEPHINE COUNTY ASSESSOR'S RECORDS AS MAP T37, R5 , SECTION 27, TAX LOTS 200 AND 202. THE PROPERTY OWNERS ARE SCOTT AND REMA ROBERTS.

WHEREAS, the Board of Commissioners held a public hearing on January 28, 1993 to consider the request pursuant to certain criteria contained within the Josephine County Comprehensive Plan (Ordinance 81-11 As Amended); and

WHEREAS, the Josephine County Planning Commission at a public hearing gave consideration to the above identified Comprehensive Plan and Zone Change request, and made a recommendation to the Board; and

WHEREAS, the Board of Commissioners held a public hearing, heard testimony, received evidence from the Josephine County Staff, the applicant and any remonstrators, and concluded that the applicant had met his burden of proof, and that the Comprehensive Plan and Zone Change, as requested did comply with the requirements of Josephine County and State Law pertaining to such matters,

NOW, THEREFORE, based on the foregoing, the Board of County Commissioners of Josephine County Oregon, does ordain as follows:

**SECTION 1: Comprehensive Plan Amendment**

The Josephine County Comprehensive Plan is hereby amended from Forest to Residential for the properties identified as Assessor's Map Township 37, Range 5, Section 27, Tax Lot 200 and 202.

**SECTION 2: Zoning Change**

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 37, Range 5, Section 27, Tax Lot 200 and 202.

SECTION 3: Affirmation

Except as otherwise provided herein, Josephine County Ordinance No.s 81-11 and 85-1 are hereby affirmed as originally adopted, and heretofore amended.

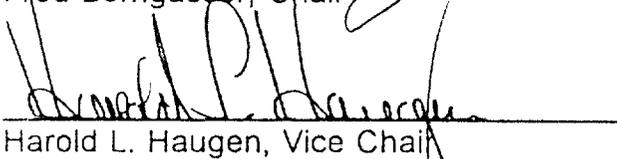
SECTION 4: Effective Date

First reading by the Board of County Commissioners this 5th day of May, 1993.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 19th day of May, 1993. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

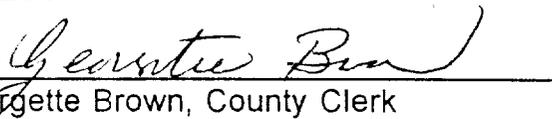
JOSEPHINE COUNTY BOARD OF COMMISSIONERS

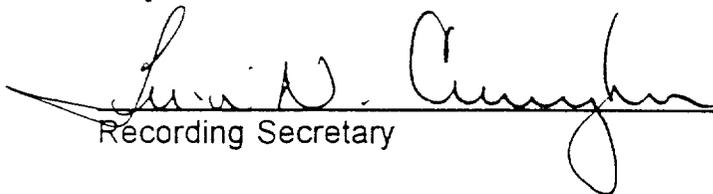
  
Fred Borngasser, Chair

  
Harold L. Haugen, Vice Chair

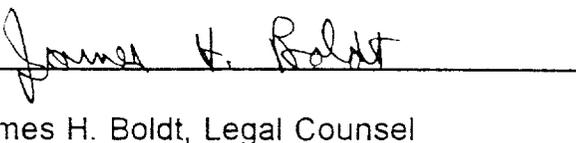
  
Irvin R. Whiting, Commissioner

ATTEST:

  
Georgette Brown, County Clerk

  
Recording Secretary

APPROVED AS TO FORM: (4/29/93)

  
James H. Boldt, Legal Counsel

BEFORE THE BOARD OF COMMISSIONERS  
FOR JOSEPHINE COUNTY

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ORDINANCE NO. 93 -- 6

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN 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 EXCLUSIVE FARM TO RURAL RESIDENTIAL (2.5 ACRE MINIMUM) FOR A PORTION OF THE PROPERTY IDENTIFIED AS ASSESSOR'S MAP T36, R7 , SECTION 13, TAX LOT 206 FOR JOSEPHINE COUNTY.

WHEREAS, the Board of Commissioners held a public hearing on February 24, 1993 to consider the request pursuant to certain criteria contained within the Josephine County Comprehensive Plan (Ordinance 81-11 As Amended); and

WHEREAS, the Josephine County Planning Commission at a public hearing gave consideration to the above identified Comprehensive Plan and Zone Change request, and made a recommendation to the Board; and

WHEREAS, the Board of Commissioners held a public hearing, heard testimony, received evidence from the Josephine County Staff, the applicant and any remonstrators, and concluded that the applicant had met his burden of proof, and that the Comprehensive Plan and Zone Change, as requested did comply with the requirements of Josephine County and State Law pertaining to such matters,

NOW, THEREFORE, based on the foregoing, the Board of County Commissioners of Josephine County Oregon, do ordain as follows:

**SECTION 1: Comprehensive Plan Amendment**

The Josephine County Comprehensive Plan is hereby amended from Agricultural to Residential for a portion of the property identified as Assessor's Map Township 36, Range 7, Section 13, Tax Lot 206. The portion to be changed consists of the northerly 20 acres of tax lot 206, and is depicted on Exhibit "A" to this ordinance.

**SECTION 2: Zoning Change**

The Josephine County Zoning Map is hereby amended from Exclusive Farm to Rural Residential (2.5 Acre) for property identified as Assessor's Map Township 36, Range 7, Section 13, Tax Lot 206. The portion to be changed consists of the northerly 20 acres of tax lot 206, and is depicted on Exhibit "A" to this ordinance.

SECTION 3: Affirmation

Except as otherwise provided herein, Josephine County Ordinance No.s 81-11 and 85-1 are hereby affirmed as originally adopted, and heretofore amended.

SECTION 4: Effective Date

First reading by the Board of County Commissioners this 5th day of May, 1993.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 19th day of May, 1993. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

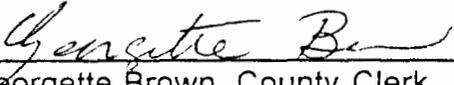
**JOSEPHINE COUNTY BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
Fred Borngasser, Chair

  
\_\_\_\_\_  
Harold L. Haugen, Vice Chair

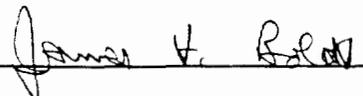
  
\_\_\_\_\_  
Irvin R. Whiting, Commissioner

**ATTEST:**

  
\_\_\_\_\_  
Georgette Brown, County Clerk

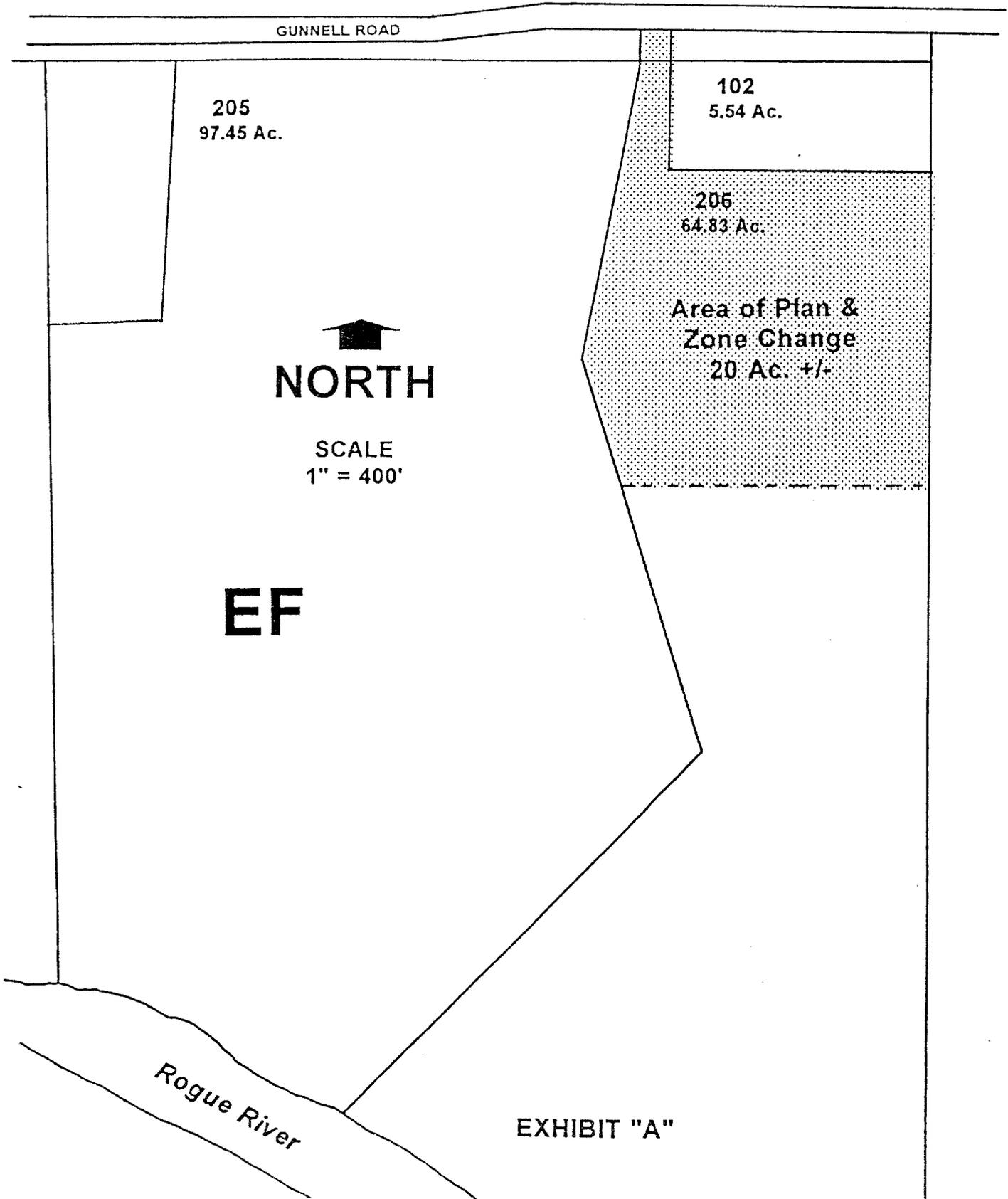
  
\_\_\_\_\_  
Recording Secretary

**APPROVED AS TO FORM: (4/30/93)**

  
\_\_\_\_\_  
James H. Boldt, Legal Counsel

# LUND COMPREHENSIVE PLAN AND ZONE CHANGE

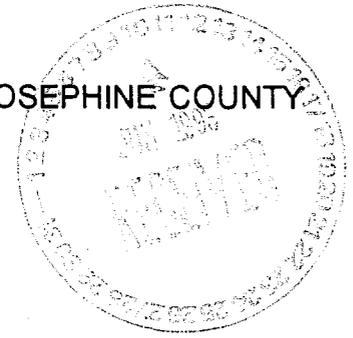
T36, R7, Sec. 13, T.L. 206



BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY

STATE OF OREGON

ORDINANCE NO. 93-7



AN ORDINANCE AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM RURAL RESIDENTIAL 2.5 ACRE TO RURAL RESIDENTIAL 1 ACRE FOR PROPERTY IDENTIFIED AS ASSESSOR'S MAP T35, R6, SECTION 22-3 TAX LOT 100, FOR JoANNE FRAHM.

WHEREAS, the Board of County Commissioners held a public hearing on March 31, 1993 to consider, under the criteria of the Josephine County Comprehensive Plan (Ordinance 81-11 As Amended) for the request before them; and

WHEREAS, the Josephine County Planning Commission at a public hearing gave consideration to the above identified Zone Change request, and made a recommendation to the Board; and

WHEREAS, the Board of Commissioners held a public hearing, heard testimony, received evidence from the Josephine County Staff, the applicant and any remonstrators, and concluded that the applicant had met his burden of proof, and that the Zone Change, as requested did comply with the requirements of Josephine County and State Law pertaining to such matters.

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

SECTION 1: Zoning Change

The Josephine County Zoning Map is hereby amended from Rural Residential 2.5 Acre to Rural Residential 1 Acre for property identified as Assessor's Map Township 35 , Range 6, Section 22-3, Tax Lot 100.

SECTION 2: Affirmation

Except as otherwise provided herein, Josephine County Ordinance No. 85-1 is hereby affirmed as originally adopted, and heretofore amended.

SECTION 3: Effective Date

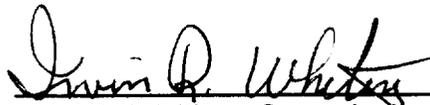
First reading by the Board of County Commissioners this 26th day of May, 1993.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 9th day of June, 1993. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

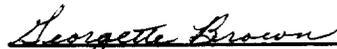
JOSEPHINE COUNTY BOARD  
OF COUNTY COMMISSIONERS

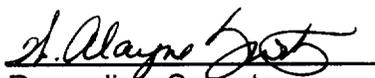
  
\_\_\_\_\_  
Fred Borngasser, Chair

Harold L. Haugen - Absent  
Harold L. Haugen, Vice Chair

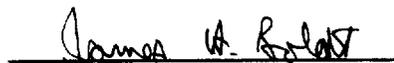
  
\_\_\_\_\_  
Irvin R. Whiting, Commissioner

ATTEST:

  
\_\_\_\_\_  
Georgette Brown, County Clerk  
*By Juanita E. Clark, Deputy*

  
\_\_\_\_\_  
Recording Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
James H. Boldt, Legal Counsel

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR JOSEPHINE COUNTY**

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ORDINANCE NO. 93 -- 8 -- E



AN ORDINANCE AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM FOREST COMMERCIAL TO WOODLOT RESOURCE FOR A PORTION OF PROPERTY IDENTIFIED AS ASSESSOR'S MAP T35, R7, TAX LOT 2800, AND DECLARING AN EMERGENCY. THE PROPERTY OWNER IS WILLIAM H. FERGUSON.

WHEREAS, the Board of County Commissioners held a public hearing on January 28 1993 to consider a request for a zone change for the property described above pursuant to criteria contained in the Josephine County Comprehensive Plan (Ordinance 81-11 As Amended); and

WHEREAS, the Josephine County Planning Commission at a public hearing gave consideration to the above identified zone change request, and made a recommendation to the Board;

WHEREAS, the Board of Commissioners held a public hearing, heard testimony, received evidence from the Josephine County staff, the applicant and other interested persons, and concluded that the applicant met his burden of proof regarding a portion of the property, and the zone change for the described portion complied with the requirements of local and state regulations; and

WHEREAS, regulations controlling the residential development of forest lands are in a state of change, with further amendments scheduled to apply to forest lands in February of 1994, and because such changes may irrevocably alter property rights for the request under consideration;

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

**SECTION 1: Emergency Declared:**

A state of emergency exists because substantial property rights may be lost by reason of upcoming changes in state law and owner needs time to submit applications and develop the property before new rules become effective.

**SECTION 2: Zoning Change**

The Josephine County Zoning Map is hereby amended from Forest Commercial to Woodlot Resource for a portion of the property identified on the Assessor's map as Township 35, Range 7, Tax Lot 2800. The portion of the property to be rezoned is identified by the map attached to this ordinance as Exhibit "A".

SECTION 3: Affirmation

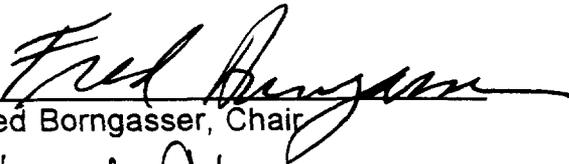
Except as otherwise provided herein, Josephine County Ordinance No. 85-1 is hereby affirmed as originally adopted, and heretofore amended.

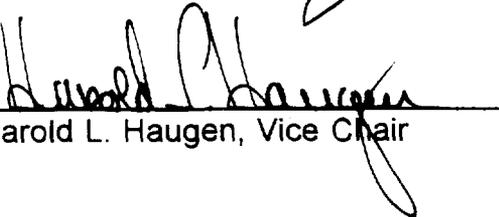
SECTION 4: Effective Date

The immediate passage of this ordinance is necessary in the public interest and it shall take effect immediately upon its final enactment and adoption.

Passed in open session this 2nd day of June, 1993.

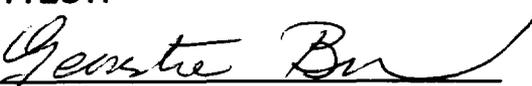
**JOSEPHINE COUNTY BOARD OF COMMISSIONERS**

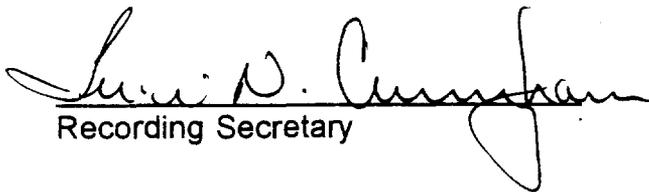
  
Fred Borngasser, Chair

  
Harold L. Haugen, Vice Chair

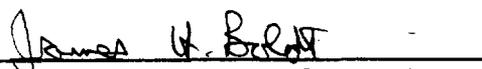
Irvin R. Whiting - Absent  
Irvin R. Whiting, Commissioner

**ATTEST:**

  
Georgette Brown, County Clerk

  
Recording Secretary

**APPROVED AS TO FORM: (6/1/93)**

  
James H. Boldt, Legal Counsel

# North

## FERGUSON ZONE CHANGE

35-07-00, Tax Lot 2800

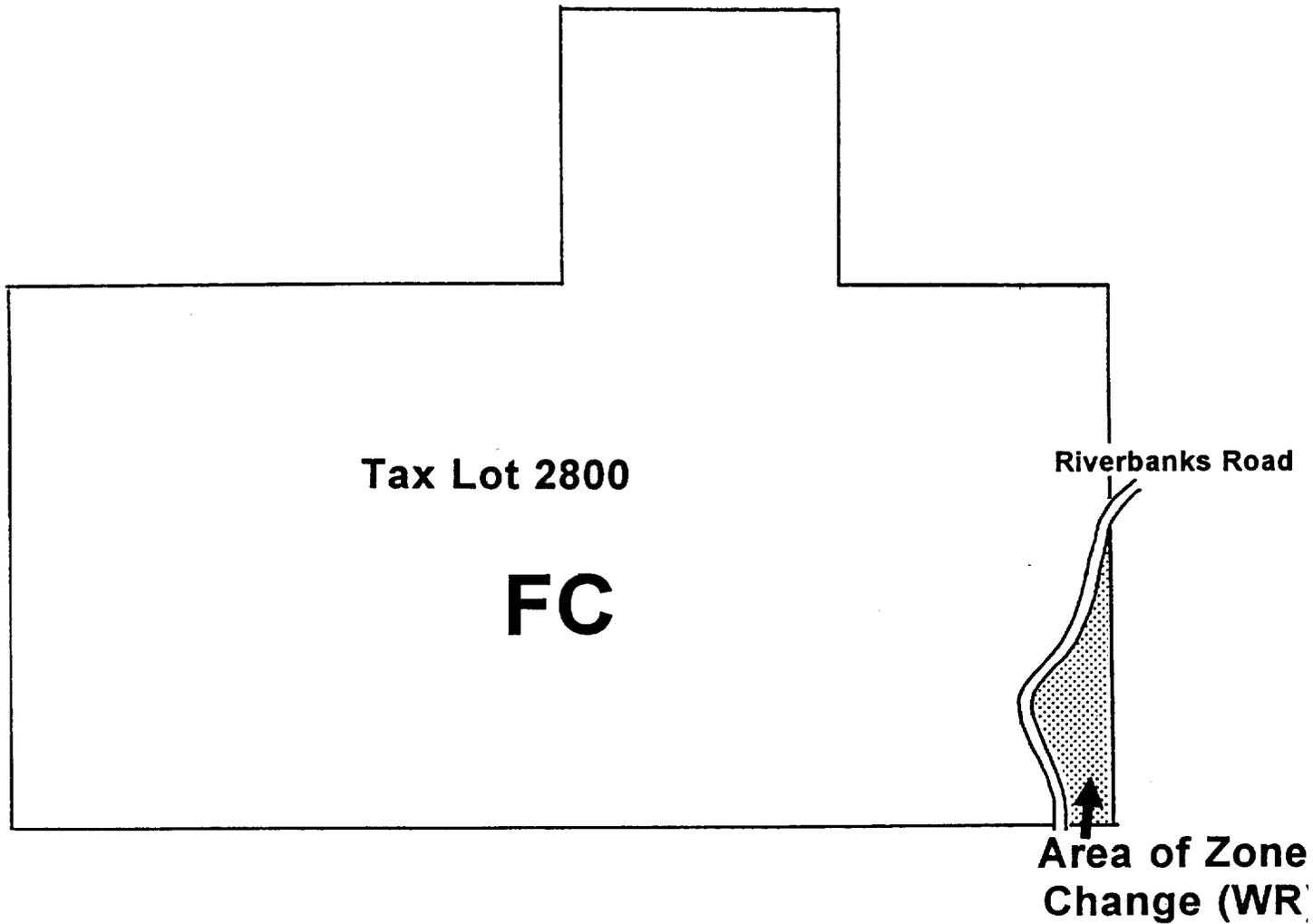


Exhibit "A"

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR JOSEPHINE COUNTY**

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**ORDINANCE NO. 93 -- 8**

AN ORDINANCE AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM FOREST COMMERCIAL TO WOODLOT RESOURCE FOR A PORTION OF PROPERTY IDENTIFIED AS ASSESSOR'S MAP T35, R7, TAX LOT 2800. THE OWNER IS WILLIAM H. FERGUSON.

WHEREAS, the Board of County Commissioners held a public hearing on January 28, 1993 to consider a request for a zone change for the property described above pursuant to criteria contained in the Josephine County Comprehensive Plan (Ordinance 81-11 As Amended); and

WHEREAS, the Josephine County Planning Commission at a public hearing gave consideration to the above identified zone change request, and made a recommendation to the Board; and

WHEREAS, the Board of Commissioners held a public hearing, heard testimony, received evidence from the Josephine County Staff, the applicant and other interested persons, and concluded that the applicant met his burden of proof regarding a portion of the property, and the zone change for the described portion complied with the requirements of local and state regulations.

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

**SECTION 1: Zoning Change**

The Josephine County Zoning Map is hereby amended from Forest Commercial to Woodlot Resource for a portion of the property identified on the Assessor's map as Township 35, Range 7, Tax Lot 2800. The portion of the property to be rezoned is identified by the map attached to this ordinance as Exhibit "A".

**SECTION 2: Affirmation**

Except as otherwise provided herein, Josephine County Ordinance No. 85-1 is hereby affirmed as originally adopted, and heretofore amended.

SECTION 3: Effective Date

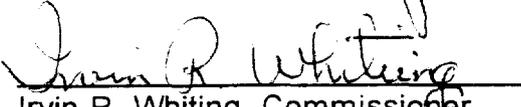
First reading by the Board of County Commissioners this 2nd day of June, 1993.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 16th day of June, 1993. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

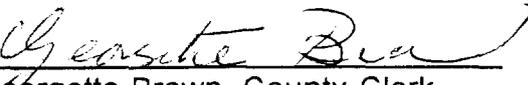
**JOSEPHINE COUNTY BOARD OF COMMISSIONERS**

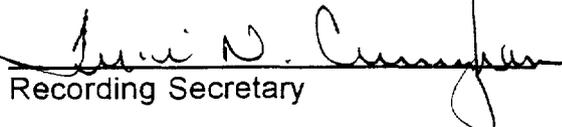
  
\_\_\_\_\_  
Fred Borngasser, Chair

  
\_\_\_\_\_  
Harold L. Haugen, Vice Chair

  
\_\_\_\_\_  
Irvin R. Whiting, Commissioner

**ATTEST:**

  
\_\_\_\_\_  
Georgette Brown, County Clerk

  
\_\_\_\_\_  
Recording Secretary

**APPROVED AS TO FORM: (6/1/93)**

  
\_\_\_\_\_  
James H. Boldt, Legal Counsel

# North

## FERGUSON ZONE CHANGE 35-07-00, Tax Lot 2800

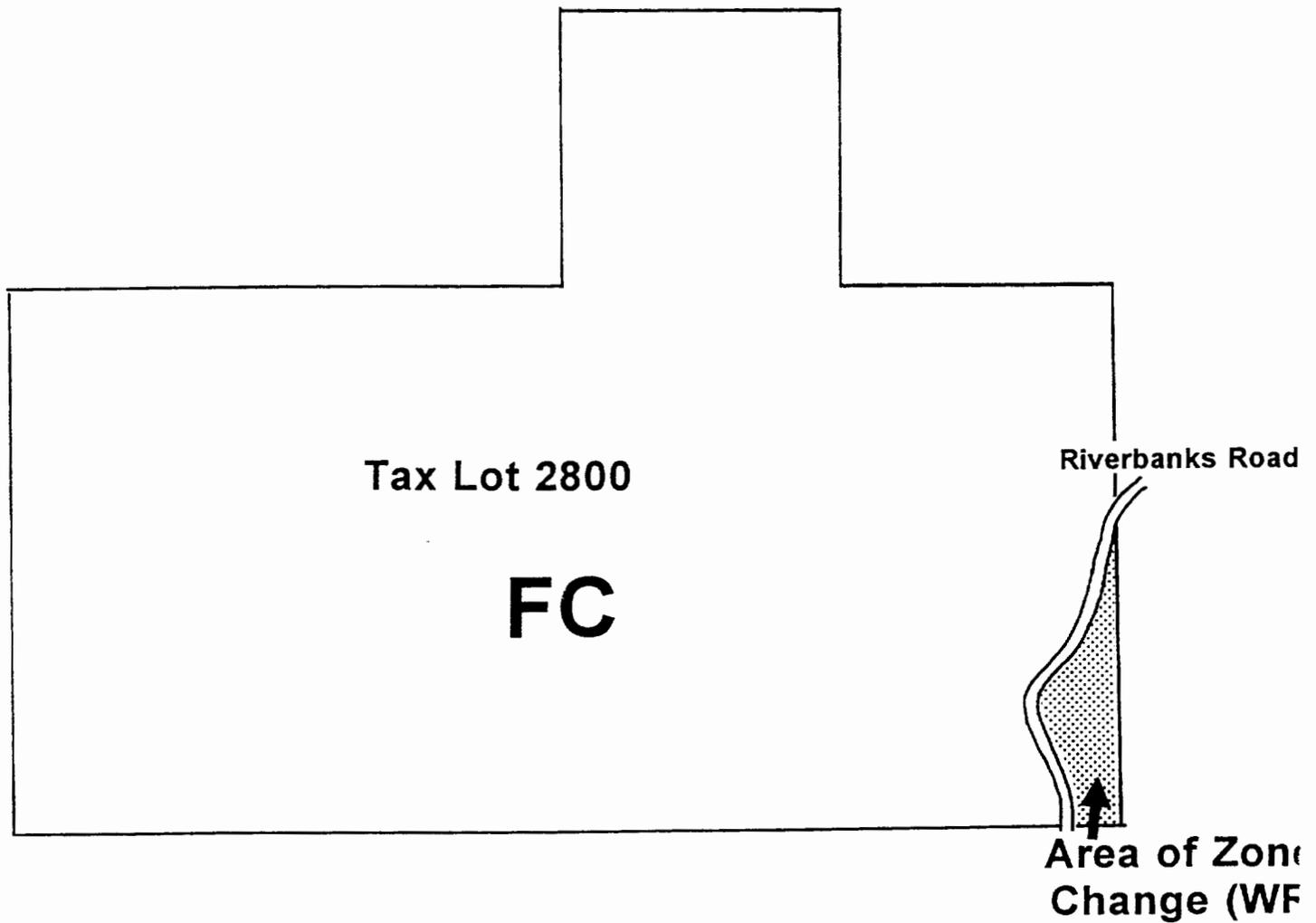


Exhibit "A"

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR JOSEPHINE COUNTY**

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**ORDINANCE NO. 93 -- 9 - E**



AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF JOSEPHINE COUNTY (ORDINANCE 81-11 AS AMENDED) FROM RESIDENTIAL TO COMMERCIAL; AND AMENDING THE TEXT OF THE GOALS AND POLICIES OF THE COMPREHENSIVE PLAN REGARDING THE IMPORTANCE OF RECREATIONAL AND TOURIST BUSINESSES, TOGETHER WITH CERTAIN USE LIMITATIONS; AND AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM RURAL RESIDENTIAL 5 ACRE TO TOURIST COMMERCIAL; AND AMENDING THE TEXT OF THE ZONING ORDINANCE FOR JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED) REGARDING SPECIAL LIMITATIONS ON CERTAIN USES IN THE TOURIST COMMERCIAL DISTRICT; AND DECLARING AN EMERGENCY. THE SPECIFIED CHANGES RELATE TO REAL PROPERTY IDENTIFIED AS ASSESSOR'S MAP T35, R7, SEC. 14, TAX LOT 900. THE OWNERS ARE GARY AND JULIE WOOLSEY.

WHEREAS, the Board of County Commissioners and the Rural Planning Commission held joint public hearings on April 12, 20, and 22, 1993 to consider the following requests:

1. An amendment to the Comprehensive Plan Map for Josephine County from Residential to Commercial for the property described above;
2. A text amendment to the Goals and Policies of the Comprehensive Plan regarding Goal 10, Policy F(2) to provide for use limitations for the property described above;
3. An amendment to the Zoning Map for Josephine County from Rural Residential 5 Acre to Tourist Commercial for the property described above;
4. A text amendment to the Josephine County Zoning Ordinance at Section 10.011 to provide for use limitations for the property described above; and

WHEREAS, the Josephine County Rural Planning Commission at the public hearings on April 12, 20 and 22, 1993, gave consideration to the above requests, and made a recommendation to the Board; and

WHEREAS, the Board of Commissioners also held public hearings on April 12, 20, 22 and May 6, 1993, at which times they heard testimony, received evidence from the Josephine County planning staff, the applicant, the opponents and other interested persons, and concluded that the owner/applicant met their burden of proof regarding the requests specified herein.

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

#### SECTION 1: Declaration of Emergency

This ordinance affects the seasonal operation of the Hellgate Excursion and O.K. Corral river tour and dinner business on the Rogue River, which runs from May 1st to September 30th. During the 90 day waiting period required for the implementation of a standard ordinance, applicant is required to limit the volume of his business to a non-conforming use level. While this level has never been legally established, the permitted non-conforming use volume is somewhere between 130 and 250 patrons. This ordinance will allow up to 350. Applicant estimates the patrons lost during the 90 day waiting period for the implementation of a standard ordinance to be between 9,000 and 19,000. This loss will drastically effect applicant's business, and will likewise cause loss to other tourist oriented businesses, such as motels, restaurants, retail merchants, gas stations, etc. Without an emergency ordinance, there will be substantial loss and injury to the local tourism economy. For these reasons, an emergency is declared.

#### SECTION 2: Comprehensive Plan Amendment

The Josephine County Comprehensive Plan is hereby amended from Residential to Commercial for the property identified as 35-7-14, tax lot 900.

#### SECTION 3: Goal and Policy Text Amendment

The Comprehensive Plan Goals and Policies are hereby amended by adding the following language to Goal 10, Policy 1(F)(2) as a second paragraph under the heading, Tourist Commercial:

Josephine County recognizes the importance of recreational and tourist oriented businesses to the economic well-being of its citizens. Josephine County also recognizes the long-standing use of tax lot 900, T35W, R7W, Section 14, as a restaurant serving recreational needs of visitors and county citizenry and its connection with Jetboat tourism attraction on the Rogue River. This tourism and recreational industry is an important segment of the growing and much needed industry in the county. The county has, therefore, taken action (see file: Hamlyn, t.l. 900, Map 35-7-14) to continue to recognize this use through zoning the property Tourist Commercial (TC). In doing so the county also recognizes the need to limit the use of tax lot 900 to a restaurant similar to that which is currently operating on the property. Limiting the use to a restaurant, pursuant to this policy decision, will prevent development of other uses listed in the Tourist Commercial zone. It is not the county's intent to allow Tourist Commercial uses other than a restaurant on tax lot 900.

#### SECTION 4: Zone Change

The Josephine County Zoning Map is hereby amended from Rural Residential 5 Acre to Tourist Commercial for the property identified as 35-7-14, tax lot 900.

#### SECTION 5: Zoning Ordinance Text Amendment

The Josephine County Zoning Ordinance is hereby amended by adding the following new language as a third paragraph in Section 10.011, entitled Applicability of the District:

The Board of Commissioners has applied the Tourist Commercial zone to tax lot 900, T35W, R7W, Section 14 (see file: Hamlyn, t.l. 900, Map 35-7-14) to recognize and allow the continuation of the existing type of land use on the property. Designation of the Tourist Commercial zone to tax lot 900 allows the continued use of a restaurant similar to that operating on the property at the time the Tourist Commercial zone was applied as authorized by OAR 660-04-018. This zone, as it applies to tax lot 900, allows only the use of a restaurant as listed below in Section 10.020(3)(p), "Restaurant and Lounge." No other use listed in the Tourist Commercial zone is permitted or intended to be permitted by that action. Limiting the use to a restaurant will prevent the development of other uses listed in the Tourist Commercial zone.

SECTION 6: Affirmation

Except as otherwise provided herein, Josephine County Ordinances No. 81-11 and 85-1 are hereby affirmed as originally adopted, and heretofore amended.

SECTION 7: Effective Date

The immediate passage of this ordinance is necessary in the public interest and it shall take effect immediately upon its final enactment and adoption.

DONE AND DATED this 9th day of June, 1993.

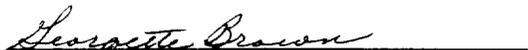
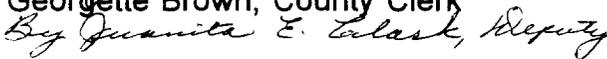
**JOSEPHINE COUNTY BOARD OF COMMISSIONERS:**

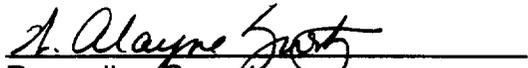
  
\_\_\_\_\_  
Fred Borngasser, Chair

Harold L. Haugen - Absent  
\_\_\_\_\_  
Harold L. Haugen, Vice Chair

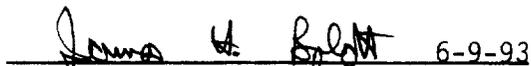
  
\_\_\_\_\_  
Irvin R. Whiting, Commissioner

**ATTEST:**

  
\_\_\_\_\_  
Georgette Brown, County Clerk  
By  Deputy

  
\_\_\_\_\_  
Recording Secretary

**APPROVED AS TO FORM:**

 6-9-93  
\_\_\_\_\_  
James H. Boldt, Legal Counsel

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR JOSEPHINE COUNTY**

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**ORDINANCE NO. 93 -- 9**

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF JOSEPHINE COUNTY (ORDINANCE 81-11 AS AMENDED) FROM RESIDENTIAL TO COMMERCIAL; AND AMENDING THE TEXT OF THE GOALS AND POLICIES REGARDING THE IMPORTANCE OF RECREATIONAL AND TOURIST BUSINESSES, TOGETHER WITH CERTAIN USE LIMITATIONS; AND AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM RURAL RESIDENTIAL 5 ACRE TO TOURIST COMMERCIAL; AND AMENDING THE TEXT OF THE ZONING ORDINANCE FOR JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED) REGARDING SPECIAL LIMITATIONS ON CERTAIN USES IN THE TOURIST COMMERCIAL DISTRICT. THE SPECIFIED CHANGES RELATE TO REAL PROPERTY IDENTIFIED AS ASSESSOR'S MAP T35, R7, SEC. 14, TAX LOT 900. THE OWNERS ARE GARY AND JULIE WOOLSEY.

WHEREAS, the Board of County Commissioners and the Rural Planning Commission held joint public hearings on April 12, 20, and 22, 1993 to consider the following requests:

1. An amendment to the Comprehensive Plan Map for Josephine County from Residential to Commercial for the property described above;
2. A text amendment to the Goals and Policies of the Comprehensive Plan regarding Goal 10, Policy F(2) to provide for use limitations for the property described above;
3. An amendment to the Zoning Map for Josephine County from Rural Residential 5 Acre to Tourist Commercial for the property described above;
4. A text amendment to the Josephine County Zoning Ordinance at Section 10.011 to provide for use limitations for the property described above; and

WHEREAS, the Josephine County Rural Planning Commission at the public hearings on April 12, 20 and 22, 1993, gave consideration to the above requests, and made a recommendation to the Board; and

WHEREAS, the Board of Commissioners also held public hearings on April 12, 20, 22 and May 6, 1993, at which times they heard testimony, received evidence from the Josephine County planning staff, the applicant, the opponents and other interested persons, and concluded that the owner/applicant met their burden of proof regarding the requests specified herein.

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

**SECTION 1: Comprehensive Plan Amendment**

The Josephine County Comprehensive Plan is hereby amended from Residential to Commercial for the property identified as 35-7-14, tax lot 900.

**SECTION 2: Goal and Policy Text Amendment**

The Comprehensive Plan Goals and Policies are hereby amended by adding the following language to Goal 10, Policy 1(F)(2) as a second paragraph under the heading, Tourist Commercial:

Josephine County recognizes the importance of recreational and tourist oriented businesses to the economic well-being of its citizens. Josephine County also recognizes the long-standing use of tax lot 900, T35W, R7W, Section 14, as a restaurant serving recreational needs of visitors and county citizenry and its connection with Jetboat tourism attraction on the Rogue River. This tourism and recreational industry is an important segment of the growing and much needed industry in the county. The county has, therefore, taken action (see file: Hamlyn, t.l. 900, Map 35-7-14) to continue to recognize this use through zoning the property Tourist Commercial (TC). In doing so the county also recognizes the need to limit the use of tax lot 900 to a restaurant similar to that which is currently operating on the property. Limiting the use to a restaurant, pursuant to this policy decision, will prevent development of other uses listed in the Tourist Commercial zone. It is not the county's intent to allow Tourist Commercial uses other than a restaurant on tax lot 900.

**SECTION 3: Zone Change**

The Josephine County Zoning Map is hereby amended from Rural Residential 5 Acre to Tourist Commercial for the property identified as 35-7-14, tax lot 900.

**SECTION 4: Zoning Ordinance Text Amendment**

The Josephine County Zoning Ordinance is hereby amended by adding the following new language as a third paragraph in Section 10.011, entitled Applicability of the District:

The Board of Commissioners has applied the Tourist Commercial zone to tax lot 900, T35W, R7W, Section 14 (see file: Hamlyn, t.l. 900, Map 35-7-14) to recognize and allow the continuation of the existing type of land use on the property. Designation of the Tourist Commercial zone to tax lot 900 allows the continued use of a restaurant similar to that operating on the property at the time the Tourist Commercial zone was applied as authorized by OAR 660-04-018. This zone, as it applies to tax lot 900, allows only the use of a restaurant as listed below in Section 10.020(3)(p), "Restaurant and Lounge." No other use listed in the Tourist Commercial zone is permitted or intended to be permitted by that action. Limiting the use to a restaurant will prevent the development of other uses listed in the Tourist Commercial zone.

SECTION 5: Affirmation

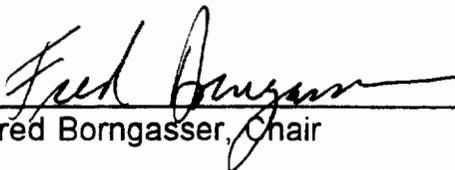
Except as otherwise provided herein, Josephine County Ordinances No. 81-11 and 85-1 are hereby affirmed as originally adopted, and heretofore amended.

SECTION 6: Effective Date

First reading by the Board of County Commissioners this 9th day of June, 1993.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 23rd day of June, 1993. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

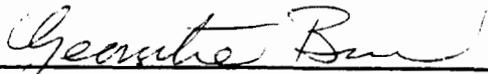
**JOSEPHINE COUNTY BOARD OF COMMISSIONERS:**

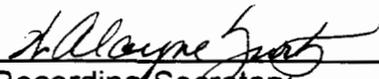
  
\_\_\_\_\_  
Fred Borngasser, Chair

Harold L. Haugen - Opposed  
\_\_\_\_\_  
Harold L. Haugen, Vice Chair

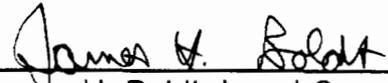
  
\_\_\_\_\_  
Irvin R. Whiting, Commissioner

**ATTEST:**

  
\_\_\_\_\_  
Georgette Brown, County Clerk

  
\_\_\_\_\_  
Recording Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
James H. Boldt, Legal Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY

STATE OF OREGON

ORDINANCE NO. 93 13

AN ORDINANCE AMENDING THE CITIZEN INVOLVEMENT PROGRAM OF JOSEPHINE COUNTY (RESOLUTION 76-12), AND THE BY-LAWS FOR THE JOSEPHINE COUNTY CITIZEN INVOLVEMENT COMMITTEE (ADOPTED SEPTEMBER, 1978) TO REACTIVATE THE CITIZEN INVOLVEMENT COMMITTEE USING THE RURAL PLANNING COMMISSION.

WHEREAS, the Board of County Commissioners held a public hearing on September 8, 1993 to consider, the proposed Citizen Involvement Program and the By-Laws for the Josephine County Citizen Involvement Committee as set out in ORS 197.160(1)(b); and

WHEREAS, the Josephine County Rural Planning Commission at a public hearing gave consideration to the above identified Citizen Involvement Program request, and made a recommendation to the Board; and

WHEREAS, the Board of Commissioners held a public hearing, heard testimony, received evidence from the Josephine County Staff, and the general public, and concluded that the proposed Citizen Involvement Program and the By-laws for the Citizen Involvement Committee, as requested did comply with the requirements of State Law pertaining to such matters.

NOW, THEREFORE, based on the foregoing, the Board of County Commissioners of Josephine County Oregon, hereby ordains the approval of the attached Citizen Involvement Program and the By-laws for the Citizen Involvement Committee.

**Effective Date:**

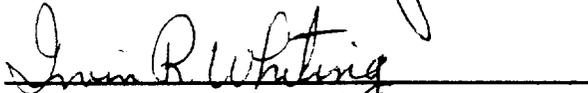
First reading by the Board of County Commissioners this 15<sup>th</sup> day of September, 1993.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 29<sup>th</sup> day of September, 1993. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

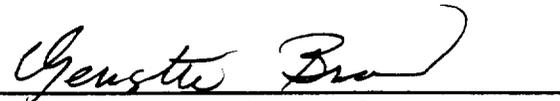
**JOSEPHINE COUNTY BOARD OF COUNTY COMMISSIONERS:**

  
\_\_\_\_\_  
Fred Borngasser, Chairman

  
\_\_\_\_\_  
Harold L. Haugen, Vice-Chair

  
\_\_\_\_\_  
Irvin R. Whiting, Commissioner

**ATTEST:**

  
\_\_\_\_\_  
Georgette Brown, County Clerk

  
\_\_\_\_\_  
Recording Secretary

**APPROVED AS TO FORM:**

 9-3-93  
\_\_\_\_\_  
James H. Boldt, Legal Counsel  
by Gloria M. Roy, Assistant Legal Counsel

# CITIZEN INVOLVEMENT PROGRAM JOSEPHINE COUNTY

## A. PURPOSE

1. The purpose of the Josephine County Citizen Involvement Program is to ensure the following:
  - a. That citizens from all geographic areas have continued involvement in the land planning process;
  - b. That citizen input in the land planning process is adequately considered by planning officials;
2. To accomplish the purpose of the program, the following are required:
  - a. Adequate human and financial resources shall be allocated to accomplish the purposes of the program. The amount of these resources shall be sufficient to accomplish the purposes set out in this Section of the Citizen Involvement Program;
  - b. Mechanisms by which the general public will have the opportunity to participate in the land planning process shall include the following:
    - 1) Quasi-judicial proceedings shall be noticed as stated in the appropriate land development code or ordinance;
    - 2) Legislative proceedings shall be noticed as stated in the appropriate land development code or ordinance and shall include a notice to any effected CAC.
  - c. Technical materials shall be available to the public as follows:
    - 1) The Comprehensive Plan, and all related land development codes and ordinances shall be available at all branches of the Josephine County Library;
    - 2) Materials relating to a specific request shall be available for viewing at the Planning Department;
    - 3) Copies of the materials relating to a specific request may be purchased from the Planning Department.

## **B. CITIZEN INVOLVEMENT COMMITTEE (CIC)**

1. Method of Selection: The Citizen Involvement Committee shall be composed of the members of the Rural Planning Commission as appointed by the Board of County Commissioners.
2. Term: CIC membership shall be consistent with the terms of appointment to the Rural Planning Commission.
3. Duties: CIC duties are as follows:
  - a. To review the citizen involvement program on a regular basis and to recommend any changes to the Board of County Commissioners;
  - b. To evaluate the success of the program;
  - c. The CIC shall be the focus of citizen participation in Josephine County;
  - d. The CIC shall certify that an election which has been held by a CAC followed the adopted By-Laws for Josephine County and shall certify that the CAC is a legally established CAC.

## **C. CITIZEN ADVISORY COMMITTEES (CAC)**

1. Method of Selection: Selection of CAC members shall be by a public election process of verified residents of the CAC area. The time and frequency of subsequent elections shall be clearly outlined in each CAC Charter.
  - a. Voting Privileges: Voting privileges shall be widely dispersed. The voting qualifications, as well as balloting procedures, shall be clearly outlined in each CAC Charter;
  - b. Broad Representation: All elections shall be extensively publicized using one or all of the mass media (radio, television, newspaper and the public mail), with the primary purpose being to encourage broad participation and representation.
2. Organization: Each CAC shall be organized in the following manner:
  - a. Each CAC shall furnish a group of officers which will be responsible for the operation of the CAC and for coordinating with the Planning Director with a minimum of a presiding officer and a secretary-treasurer;

**C. CITIZEN ADVISORY COMMITTEES (CAC) (#2 continued...)**

- b. Each CAC shall determine specific length of term of officers and number of consecutive terms, including a stipulation for staggering terms and for an uneven number of members;
  - c. Minimum size of committee shall be five (5) members;
  - d. Each CAC shall have a recall procedure to recall members of that CAC;
  - e. Meeting dates shall coincide with the planning process;
  - f. Charging dues for membership shall not be required. Voluntary contributions may be used as a source of income.
  - g. The CACs which have been mapped and have boundaries delineated on the map officially adopted in 1978 and incorporated by reference into this document are: Wolf Creek, Sunny Valley, Jump Off Joe, Hugo, Shan Creek-Galice, North Valley, Jones Creek, Murphy-New Hope, Williams, Lower Applegate, Selma, Central Illinois Valley, O'Brien, Takilma, Redwood, Fruitdale-Harbeck/Green Creek.
  - h. Each CAC shall maintain a copy of the CAC By-Laws and the County By-Laws and the County Citizen Involvement Program. The local CAC By-Laws shall be reviewed and submitted to the CIC every 5 years.
3. Function: The function of the CACs shall be as follows:
- a. To review and provide comments on any land use or land division applications in their area. The process for this shall be as follows:
    - 1) The Planning Department shall send notice to the affected CAC at the time general notice is mailed for the request;
    - 2) The CAC may call a public meeting to deliberate a request and shall keep minutes of this meeting. Notice of the meeting shall be posted in a location such as the Post Office which is central to the citizens of the community at least 24 hours prior to the meeting;
    - 3) CAC representatives must disclose prior to the beginning of a meeting called to discuss an application, whether they have had any ex-parte contacts with the applicant and what was said during the contact and whether they are an effected party or have a financial interest in the matter at hand.

**C. CITIZEN ADVISORY COMMITTEES (CAC) (#3(a) continued...)**

- 4) The CAC recommendation to the Planning Commission shall be in writing and will include a majority and minority report, enumeration of decision reasons, and include all relevant data collected by the CAC in their deliberations;
  - 5) The CAC recommendation shall be considered as part of the record of the public comment for the request.
- b. The CAC may hold public hearings to review and recommend changes in the Comprehensive Plan for its area and shall submit a record of the recommendation and deliberations including majority and minority reports in writing to the Planning Department;
  - c. CAC's may recommend Planning Commission candidates to the Board of County Commissioners in order to assist the Board in ensuring reasonable geographic representation on the Planning Commission.

**D. CITIZEN ADVISORY COMMITTEE AREA BOUNDARIES**

1. Areas not currently represented on the officially adopted map and who wish to form area advisory committees must recognize the established boundaries of existing CAC groups.
2. Once new boundaries are established and CAC groups formed, the Planning Director and the CIC will be so informed.
3. If any area within an existing CAC boundary wishes to establish a new area, they must present their reasons for division to the CIC for consideration and subsequent recommendation to the Board of County Commissioners.

**ADOPTED BY-LAWS  
JOSEPHINE COUNTY CITIZEN INVOLVEMENT COMMITTEE  
SEPTEMBER 1978  
AMENDED 1993**

**ARTICLE I: NAME AND PURPOSE**

1. **NAME:** The name of this committee shall be Josephine County Citizen Involvement Committee, **(CIC)**.
2. **PURPOSE:** This Committee shall provide a forum for the residents of Josephine County on matters pertaining to land use, land use planning, zoning, comprehensive planning, and community development. Furthermore, this organization shall have the responsibility of making decisions regarding Citizen Advisory Committees', **(CAC)**, procedural issues (either on an individual level upon request or on a countywide level as deemed appropriate **by a majority vote of the CIC)**.
3. **FUNCTIONS:**
  - a. **Community Forum:** The CIC will identify areas of countywide concern and after appropriate hearings and discussion, will make recommendations to pertinent agencies, commissions, and/or organizations. In hearings, appropriate notice will be provided **twenty (20)** days prior to the hearing.
  - b. **CAC Procedures:** The CIC will have the responsibility for hearing and making decisions on internal or joint CAC level procedural disputes or questions. The CIC will not intervene or arbitrate in CAC internal affairs except by a majority vote of the board or the presentation of ten (10) signatures on a petition. Additionally, the CIC shall address procedural questions that have countywide implications.

**ARTICLE II: MEMBERSHIP**

1. **MEMBERS:** Shall be comprised of **the members of the Josephine County Rural Planning Commission.**
2. **TERM:** CIC membership shall be **consistent with the term of appointment for the Rural Planning Commission member.**

### ARTICLE III: CAC ELECTIONS

1. ELECTION: CAC Board members shall be elected by their CAC areas throughout the County. Each CAC will then elect or appoint from the Board representatives and designate alternate members for each CAC area. The following are the procedures to be followed:
  - a. The elections shall be open to qualified voters of each CAC area.
  - b. Voters must be verified residents or property owners of the CAC area. There shall be an identification check at the time of polling using such verification as drivers license, landlord's statement, and/or property tax statement.
  - c. Absentee ballots shall be accepted for CAC elections. There will be only one ballot per qualified voter, with the marked ballot folded and inserted into an envelope. The voter will then sign their name, current address, and where appropriate, identification of owned property in the CAC area, across the edge of the sealed envelope. This envelope may then either be mailed, or given to a second party to be delivered to the election place so that it arrives no later than the time of the election. Once it has been verified that the ballot was from a qualified voter, the envelope shall be opened and the folded ballot included with the rest of the uncounted ballots.
  - d. Elections shall be well publicized through newspaper publication and/or mail notification (Grants Pass Daily Courier, Illinois Valley News).
  - e. Elections shall be held annually in a local community building, or wherever regular elections are held for that area.
  - f. Nominations will open at a regular meeting prior to the election date (nominations may be submitted by sealed letter, but the nominee must know of and accept the nomination. If nominees are not able to attend, nominees shall endeavor to have a statement of policy presented at the meeting. Nominees must be informed of the requirement of the office). Nominations from the floor may be accepted at the night of the elections.
  - g. The election will be run by a non-partisan volunteer group with a minimum of two persons. A CAC member not in contest must be present to verify board election results.
  - h. Election results will be made public information within seven (7) to fourteen (14) days. A copy of the results must be submitted to the Planning Office for record.

#### ARTICLE IV: RECALL AND/OR REMOVAL OF CAC MEMBERS

1. CAC RECALL: Recall of any board members may be effected by a majority vote in a special election held according to the standard election procedure listed in Article IV:
  - a. A petition for recall must be submitted to the CAC and to the Josephine County Planning Office.
    1. The petition must clearly state the reason(s) for recall, and the statement must be based on fact.
    2. The petition must be signed by a minimum of twenty five (25) verified residents or property owners of the CAC area.
  - b. The person(s) being recalled must have the opportunity to present his/her/their case against recall to the electorate of the area.
  - c. The CAC board members will appoint a new representative(s) by a majority vote at a public meeting for the completion of the unexpired term.

#### ARTICLE V: MEETINGS

1. REGULAR MEETINGS: The CIC shall hold a public meeting at least once a year as part of a regularly scheduled meeting of the Rural Planning Commission, which shall be publicized twenty (20) days prior to the meeting.
2. QUORUM: A quorum will consist of a majority of the members of the CIC.

#### ARTICLE VI: AMENDMENT OF THE CIC BY-LAWS

The by-laws may be amended by a 2/3 vote of the quorum present. Notice of the proposed amendment, when it will be heard, and a copy of the text of the proposed amendment shall be sent to all certified CACs at least twenty (20) days prior to the hearing.

## **ARTICLE VII: BOUNDARY ALTERATION**

Boundaries may only be altered by a 2/3 majority vote of active members of the CIC. This vote may only be held by:

1. A request signed by all of the elected board members of every CAC involved; or,
2. Upon the presentation of a petition with twenty five (25) signatures of area residents that clearly state the reasons for the change and specifically identifies the proposed boundaries.
3.
  - a. The CIC may use this as the basis for taking a vote; or,
  - b. May establish a number of public hearings in the area to determine appropriateness; or,
  - c. Request the Planning Office mail out a questionnaire developed by the CIC to residents of the affected area; or,
  - d. Take any other action, or combination of actions, that would establish a basis for taking such a vote.



BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY

STATE OF OREGON

ORDINANCE NO. 93-15

AN ORDINANCE AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM RURAL RESIDENTIAL 5 (5 ACRE MINIMUM) TO RURAL RESIDENTIAL 2.5 (2.5 ACRE MINIMUM) FOR PROPERTY IDENTIFIED AS ASSESSOR'S MAP T 35, R5, SECTION 30 TAX LOT 223 FOR ROBERT BRITTON AND STEVE JANNUSCH.

WHEREAS, the Board of County Commissioners held a public hearing on August 25, 1993 to consider, under the criteria of the Josephine County Comprehensive Plan (Ordinance 81-11 As Amended) for the request before them; and

WHEREAS, the Josephine County Planning Commission at a public hearing gave consideration to the above identified Zone Change request, and made a recommendation to the Board; and

WHEREAS, the Board of Commissioners held a public hearing, heard testimony, received evidence from the Josephine County Staff, the applicant and any remonstrators, and concluded that the applicant had met his burden of proof, and that the Zone Change, as requested did comply with the requirements of Josephine County and State Law pertaining to such matters.

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

SECTION 1: Zoning Change

The Josephine County Zoning Map is hereby amended from Rural Residential 5 (5 Acre) to Rural Residential 2.5 (2.5 Acre) for property identified as Assessor's Map Township 35, Range 5, Section 30, Tax Lot 223.

SECTION 2: Affirmation

Except as otherwise provided herein, Josephine County Ordinance No. 85-1 is hereby affirmed as originally adopted, and heretofore amended.

SECTION 3: Effective Date

First reading by the Board of County Commissioners this 13th day of October,

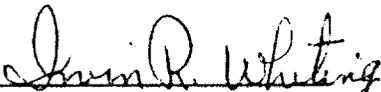
1993.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 27<sup>th</sup> day of October, 1993. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

JOSEPHINE COUNTY BOARD  
OF COUNTY COMMISSIONERS

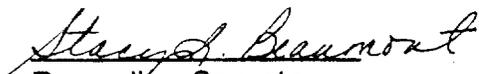
  
Fred Borngasser, Chair

Harold L. Haugen - Absent  
Harold L. Haugen, Vice Chair

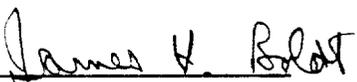
  
Irvin R. Whiting, Commissioner

ATTEST:

  
Georgette Brown, County Clerk

  
Recording Secretary

APPROVED AS TO FORM: (10/6/93)

  
James H. Boldt, Legal Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY

STATE OF OREGON  
ORDINANCE NO. 93-16

Filed \_\_\_\_\_  
GEORGETTE BROWN, County Clerk & Recorder  
By \_\_\_\_\_  
Deputy Clerk

AN ORDINANCE AMENDING THE TEXT OF THE URBAN GROWTH AREA ZONING ORDINANCE OF JOSEPHINE COUNTY (ORDINANCE 81-25 AS AMENDED), TO ADD RESIDENTIAL CARE/ASSISTED LIVING FACILITY AS A USE TO THE R-2 ZONING DISTRICT FOR CLAY-HAND-REDHEAD, A PARTNERSHIP.

WHEREAS, the Board of County Commissioners held a public hearing on October 20, 1993 to consider, under the criteria of the Urban Growth Area Comprehensive Plan (Ordinance 81-21 As Amended) for the request before them; and

WHEREAS, the Urban Area Planning Commission at a public hearing gave consideration to the above identified Text Amendment request, and made a recommendation to the Board; and

WHEREAS, the Board of Commissioners held a public hearing, heard testimony, received evidence from the Josephine County Staff, the applicant and any remonstrators, and concluded that the applicant had met his burden of proof, and that the Text Amendment, as requested did comply with the requirements of Josephine County and State Law pertaining to such matters.

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

SECTION 1: Amend Section 116.03 to add the following:

- o. Residential Care/Assisted Living Facility

SECTION 2: Affirmation

Except as otherwise provided herein, Josephine County Ordinance No. 81-25 is hereby affirmed as originally adopted, and heretofore amended.

SECTION 3: Effective Date

First reading by the Board of County Commissioners this 20th day of October, 1993.

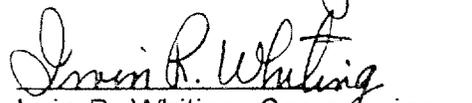
Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 3rd day of November, 1993. This

Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

JOSEPHINE COUNTY BOARD  
OF COUNTY COMMISSIONERS

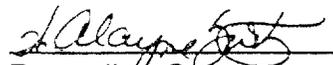
  
Fred Borngasser, Chair

  
Harold L. Haugen, Vice Chair

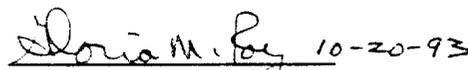
  
Irvin R. Whiting, Commissioner

ATTEST:

  
Georgette Brown, County Clerk

  
Recording Secretary

APPROVED AS TO FORM:

 10-20-93  
Gloria M. Roy, Assistant Legal Counsel

**BEFORE THE BOARD OF COMMISSIONERS  
FOR JOSEPHINE COUNTY**

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ORDINANCE NO. 93 -- 17

AN ORDINANCE AMENDING THE TEXT OF THE URBAN GROWTH AREA ZONING ORDINANCE OF JOSEPHINE COUNTY (ORDINANCE 81-25 AS AMENDED), TO ALLOW FOR ONE OUTSIDE EMPLOYEE FOR HOME OCCUPATION BUSINESSES, TOGETHER WITH OTHER CRITERIA AND PROCEDURAL CHANGES.

WHEREAS, the Board of Commissioners held a public hearing on November 10, 1993 to consider a request by the Planning Director to amend the text of the Urban Growth Area Zoning Ordinance regarding home occupation businesses; and

WHEREAS, the Josephine County Urban Area Planning Commission at a public hearing gave consideration to the same request, and made a recommendation to the Board; and

WHEREAS, the Board of Commissioners received evidence from the Planning Director and the public regarding the text amendment;

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

**SECTION 1: Amend Section 132.11, Home Occupations.**

Section 132.11, HOME OCCUPATION BUSINESSES, is amended by deleting all of the existing language and replacing it with the following new language:

1. Authorization: A home occupation business may be conducted in the R-1, R-2, R-3 and R-4 Districts as an accessory use to a residence. Requests for home occupation businesses shall be authorized as administrative permits, subject to the criteria and procedures contained in Section 136.07 through 136.09 of this ordinance.
2. Application Requirements: Every application for a home occupation business shall be submitted on a form authorized by the Planning Director. The application shall contain the following minimum information:
  - a. A detailed description of the home occupation business, which shall include an explanation of all business activities, the machinery, equipment and vehicles utilized by the business, the hours of operation, storage requirements, parking facilities, delivery or pick-up procedures, the number of employees (full or part-

time; on or off premises), the nature and extent of impacts from the business (sight, sound, odor, traffic, vibration, etc.), and such other information the Planning Director determines helpful in evaluating the request.

- b. A site plan map of the premises drawn to scale. The map shall show the following minimum information:
  - (1) Property location by address and Assessor's legal description.
  - (2) North arrow and scale. (Scale must be even, such as, 1" = 10', 50', 100', 200').
  - (3) Location of the dwelling and all other structures.
  - (4) Location of driveways, parking areas, fences and other significant terrain features (creeks, ponds, drainage ways, easements, high banks, etc.) and vegetation features (orchards, trees, landscaping, etc.).
  - (5) Location of trash containers.
  - (6) The direction and distance from adjoining dwellings from each property line.
  - (7) Any other information deemed helpful by the Planning Director.
3. Planning Director Review: The Planning Director shall review all administrative permit applications to determine whether the requirements for an administrative permit are met. If the Planning Director concludes the criteria are met, then a permit shall be issued for the home occupation business, subject to whatever conditions the Planning Director determines are needed to assure impacts are mitigated. The Planning Director's authority to impose conditions shall be the same as the authority granted to the Site Plan Committee in Section 128.07 of this ordinance. A decision to grant or deny a home occupation permit may be appealed as provided in the *Urban Area Land Use Hearing Rules*.
4. Public Hearing and Site Review Required: If the Planning Director concludes an administrative permit request involves significant impacts to the neighborhood or important policy or interpretation issues, the request may be referred to the Hearings Officer or Planning Commission (as determined by the Planning Director) for a public hearing. In cases where the Planning Director refers a request to a Hearings Body, the Director may also require a full site plan review (subject to Sections 128.04 through 128.07 and 128.14 through 128.16), if he determines such review will assist. The regular fee for site plan review shall be required, and failure to pay the fee or submit a site plan meeting the requirements of Section 128.06, shall cause the application to be deemed incomplete.

5. Special Restrictions: All home occupation businesses are subject to the following special restrictions:
  - a. All activities performed on site shall be conducted entirely within the dwelling or attached garage.
  - b. The home occupation shall not occupy more than 25% of one floor of the residence. The area of the residence may include an attached garage, but detached structures shall not be included in the formula. In addition to the 25% limitation, an attached garage used in a home occupation business shall in no case be greater than 600 square feet in size.
  - c. There shall be no outside storage of materials or supplies used by the home occupation business.
  - d. There shall be no outside alteration of the dwelling or attached garage which give them an outward appearance of a business.
  - e. All vehicles associated with the conduct of the home occupation business shall be parked on the premises; business parking in the street or street right-of-way is not allowed.
  - f. The home occupation business may employ family members residing on the premises and 1 (full or part-time) non-resident employee (family or non-family).
  - g. A sign used to advertise the home occupation business shall not exceed six square feet or be lighted.
  - h. The special restrictions contained in this subsection are considered absolute and shall not be subject to the variance procedures contained in Section 136 of this ordinance.
6. Permit Review: All home occupation permits shall be reviewed annually or when the Planning Director receives a complaint about the business. After review, the Planning Director may take any of the following actions:
  - a. Revoke the permit if it is determined a condition or conditions to the permit have been violated.
  - b. Refer the permit to a public hearing before a Hearings Body to determine whether the use continues to comply with ordinance criteria or permit conditions. The Planning Director may require new site plan review of the home occupation business, subject to compliance with Sections 128.04 through 128.07 and 128.14 through 128.16, if the Director determines it will assist the permit review process. The permit-holder shall submit a site plan map as required by Section 128.06, together with the usual fee. Failure to submit the site plan map and fee

within 30 days from the written request of the Planning Director shall cause the permit to be revoked.

- c. Require site plan review only, subject to the same procedures and constraints as set forth in subsection 7.b immediately above.
- d. In case of annual review, renew the permit.

**SECTION 3: Affirmation**

Except as otherwise provided herein, Josephine County Ordinance No. 81-25 is hereby affirmed as originally adopted, and heretofore amended.

**SECTION 4: Effective Date**

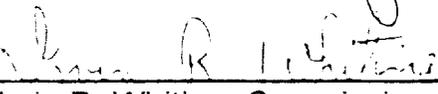
First reading by the Board of County Commissioners this 1st day of Dec., 1993.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 15th day of Dec., 1993. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

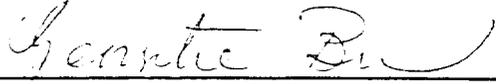
**JOSEPHINE COUNTY BOARD OF COMMISSIONERS**

  
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Fred Borngasser, Chair

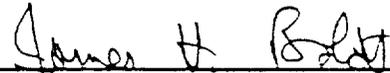
  
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Harold L. Haugen, Vice Chair

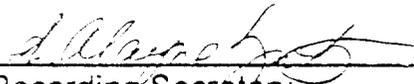
  
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Irvin R. Whiting, Commissioner

**ATTEST:**

  
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Georgette Brown, County Clerk

**APPROVED AS TO FORM:**

 12-17-93  
\_\_\_\_\_  
James H. Boldt, Legal Counsel

  
\_\_\_\_\_  
Recording Secretary