

Josephine County 1996 Ordinances

#	Date Signed	Date Effective	Description
96-2	3/13/96	6/13/96	Amending the Comprehensive Plan of Josephine County from Forest to Residential and amending the Zoning Map of Josephine County from Woodlot Resource to Rural Residential 5 Acre for property identified as Assessor's Map 37-6-15, Tax Lot 701 for Don Jones.
96-3	3/27/96	6/13/96	Amending the Comprehensive Plan of Josephine County from Industrial to Residential and amending the zoning map of Josephine County from Rural Industrial to Rural Residential, 2 1/2 Acre for property identified as Assessor's Map T35, R6, Section 10-44, Tax Lots 200, 300, 1400 and 1500 for Josephine County for Mr. and Mrs. William Pursell (Phil Killian, applicant).
96-4	4/3/96	7/3/96	Amending the Comprehensive Plan of Josephine County from Forest to Residential and amending the Zoning Map of Josephine County from Woodlot Resource to Rural Residential 5 Acre for property identified as Assessor's Map T37, R5, Section 19, Tax Lots 1908 and 1909 and that portion of Map T37, R5, Section 20, Tax Lot 2001 lying north of the Pacific Power and Light Easement for Richard Whitaker.
96-5	4/24/96	8/6/96	Amending the Zoning Map of Josephine County from Rural Residential 5 Acre to Rural Residential 1 Acre for property identified as Assessor's Map T35, R6, Section 20-1, Tax Lots 3900 and 4200 for Myran Rafalofich.
96-6	6/5/96	9/5/96	Amending the Comprehensive Plan of Josephine County from Agriculture to Residential and amending the Zoning Map of Josephine County from Farm Resource to Rural Residential-5 Acre for property identified as Assessor's Map T34, R5, Section 8-10, Tax Lot 101 for Steven and Marion Schneider.
96-7	6/26/96	9/26/96	Amending the Zoning Map of Josephine County from Rural Residential 5 Acre (RR-5) to Rural Residential 1 Acre (RR-1) for property identified as Assessor's Map T35, R6, Section 20-1, Tax Lot 3700 for Doris Bickham.

96-8	7/31/96	10/30/96	TEXT AMENDMENT: Amending the Josephine County Rural Land Development Code (Ord. 94-4) to change the definition of " Guest House " and to allow the use of site constructed dwellings as medical hardship dwellings in certain situations.
96-10	8/28/96	11/18/96	TEXT AMENDMENT: Amending the Josephine County Rural Land Development Code (Ord. 94-4) to define the term " Sewage Disposal Plant " presently used in Section 6.040-M as a listed conditional use. 61.040.M DK
96-11	9/11/96	12/11/96	AMENDMENT OF ORDINANCE 94-8 to correct the Assessor's legal description for the property affected by Ordinance 94-8. The property affected by this and the original ordinance is owned by Scott and Rema Roberts and is described in the Assessor's records as T37, R5, Section 27, Tax Lot 200.
96-12	10/2/96	1/2/97	AMENDING the Zoning Map of Josephine County from Tourist Commercial to Rural Commercial for property identified as a portion of Assessor's Map T39, R8, Section 9-2, Tax Lot 1900 , lying westerly of the Kerby Ditch (.79 acres), located at 24342 Redwood Highway, Kerby. Owner/applicant: Charles Kempton.
96-13	10/16/96	1/16/97	AMENDING the Comprehensive Plan of Josephine County from Commercial to Business Park and AMENDING the Zoning Map of Josephine County from Limited Commercial (C-3) to Light Industrial (M-1) for property identified in the Josephine County Assessor's Records as Map T36, R6, Section 23-44, Tax Lots 500 and 2300, located at 1606 and 1616 Dowell Road (1.58 acres). Property owners are Wayne Bailey and Andrew Sandeen.
96-14	1/8/97	4/8/97	AMENDING the Zoning Map of Josephine County from Rural Residential 5 Acres to Rural Residential 2.5 acres, for property identified as Assessor's Map T37, R6, Section 12-30, Tax Lot 1100 , located at 190 Detrick Drive (6.32 acres). Property owners are John and Jeri Yunker.

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY

STATE OF OREGON

ORDINANCE NO. 96-2

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 5 ACRE FOR PROPERTY IDENTIFIED AS ASSESSOR'S MAP T37, R6, SECTION 15 TAX LOT 701 FOR DON JONES.

WHEREAS, the Board of County Commissioners held a public hearing on January 3, 1996 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 37, Range 6, Section 15, Tax Lot 701.

SECTION 2: Zoning Change

The Josephine County Zoning Map is hereby amended from Woodlot Resource to Rural Residential 5 Acre for property identified as Assessor's Map Township 37, Range 6, Section 15, Tax Lot 701.

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

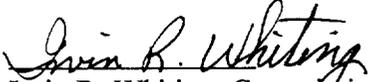
First reading by the Board of County Commissioners this 28 day of February, 1996.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 13 day of March, 1996. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

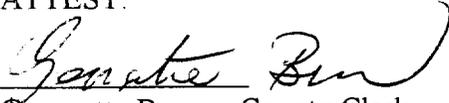
JOSEPHINE COUNTY BOARD
OF COUNTY COMMISSIONERS

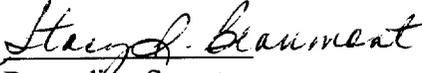

Harold L. Haugen, Chair


Fred Borngasser, Vice Chair

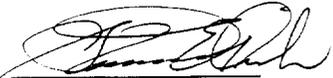

Irvin R. Whiting, Commissioner

ATTEST:


Georgette Brown, County Clerk


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. 96 - 3

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF JOSEPHINE COUNTY (ORDINANCE 81-11 AS AMENDED), FROM INDUSTRIAL TO RESIDENTIAL AND AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM RURAL INDUSTRIAL TO RURAL RESIDENTIAL, TWO AND ONE HALF ACRE FOR PROPERTY IDENTIFIED AS ASSESSOR'S MAP T35, R6, SECTION 10-44, TAX LOTS 200, 300, 1400 AND 1500 FOR JOSEPHINE COUNTY.

WHEREAS, the Board of County Commissioners held a public hearing on January 31, 1996 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 applicant's 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 not met his burden of proof that the property had the carrying capacity for water and sewer at a one acre density, and that the Comprehensive Plan and Zone Change, as requested did not comply with the requirements of Josephine County and State Law pertaining to such matters, but that there was sufficient proof that the property could support a density of two and one half acres per dwelling.

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 Industrial to Residential for property identified as Assessor's Map Township 34, Range 6, Section 10-44, Tax Lots 200, 300, 1400, and 1500.

SECTION 2: Zoning Change

The Josephine County Zoning Map is hereby amended from Rural Industrial to Rural Residential, Two and One Half Acre for property identified as Assessor's Map Township 34, Range 6, Section 10-44, Tax Lots 200, 300, 1400, and 1500.

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 13 day of March, 1996.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 27th day of March, 1996. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

JOSEPHINE COUNTY BOARD
OF COUNTY COMMISSIONERS



Harold L. Haugen, Chair



Fred Borngasser, Vice Chair



Irvin R. Whiting, Commissioner

ATTEST:



Georgette Brown, County Clerk



Recording Secretary

APPROVED AS TO FORM:



Steve Rich, Legal Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY

STATE OF OREGON

ORDINANCE NO. 96-4



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 T37, R5, SECTION 19 TAX LOTS 1908 AND 1909 AND THAT PORTION OF MAP T37, R5, SECTION 20 TAX LOT 2001 LYING NORTH OF THE PACIFIC POWER AND LIGHT EASEMENT FOR RICHARD WHITAKER.

WHEREAS, the Board of County Commissioners held a public hearing on January 24, 1996 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 37, Range 7, Section 19, Tax Lots 1908 and 1909 and that portion of map T37, R5, Section 20 tax lot 2001 lying north of the pacific power and light easement.

SECTION 2: Zoning Change

The Josephine County Zoning Map is hereby amended from Woodlot Resource to Rural Residential 5 Acre for property identified as Assessor's Map Township 37, Range 7, Section 19, Tax Lots 1908 and 1909 and that portion of map T37, R5, Section 20 tax lot 2001 lying north of the pacific power and light easement.

SECTION 3: Affirmation

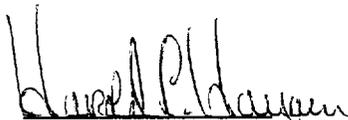
Except as otherwise provided herein, Josephine County Ordinance No.s 81-11 and 85-1 are hereby affirmed as originally adopted, and heretofore amended.

SECTION 4: Effective Date

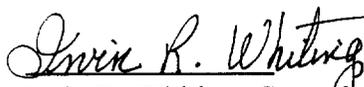
First reading by the Board of County Commissioners this 20th day of March, 1996.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 3rd day of April, 1996. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

JOSEPHINE COUNTY BOARD
OF COUNTY COMMISSIONERS


Harold L. Haugen, Chair


Fred Borngasser, Vice Chair

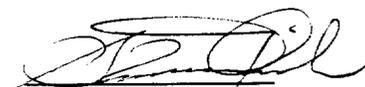

Irvin R. Whiting, Commissioner

ATTEST:


Georgette Brown, County Clerk


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. 96 - 5

AN ORDINANCE AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM RURAL RESIDENTIAL, FIVE ACRE TO RURAL RESIDENTIAL, ONE ACRE FOR PROPERTY IDENTIFIED AS ASSESSOR'S MAP T35, R6, SECTION 20-1, TAX LOTS 3900 AND 4200 FOR JOSEPHINE COUNTY.

WHEREAS, the Board of County Commissioners held a public hearing on February 14, 1996 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, Five Acre to Rural Residential, One Acre with a restriction for a maximum of eight lots for property identified as Assessor's Map Township 35, Range 6, Section 20-1, Tax Lots 3900 and 4200.

SECTION 2: 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

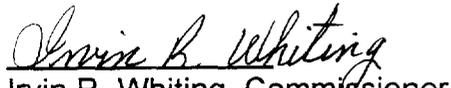
First reading by the Board of County Commissioners this 24th day of April, 1996.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 8th day of May, 1996. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

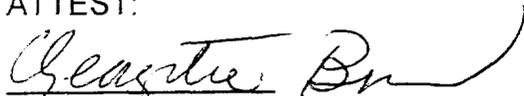
JOSEPHINE COUNTY BOARD
OF COUNTY COMMISSIONERS


Harold L. Haugen, Chair


Fred Borngasser, Vice Chair


Irvin R. Whiting, Commissioner

ATTEST:


Georgette Brown, County Clerk


Recording Secretary

APPROVED AS TO FORM:


Steve Rich, Legal Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY

STATE OF OREGON

ORDINANCE NO. __ 96-6

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN 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 FOR PROPERTY IDENTIFIED AS ASSESSOR'S MAP T34, R5, SECTION 8-10 TAX LOT 101 FOR STEVEN AND MARION SCHNEIDER

WHEREAS, the Board of County Commissioners held a public hearing on November 22, 1995 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 Agriculture to Residential for property identified as Assessor's Map Township 34, Range 5, Section 8-10, Tax Lot 101.

SECTION 2: Zoning Change

The Josephine County Zoning Map is hereby amended from Farm Resource to Rural Residential 5 Acre for property identified as Assessor's Map Township 34 , Range 5, Section 8-10, Tax Lot 101.

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.

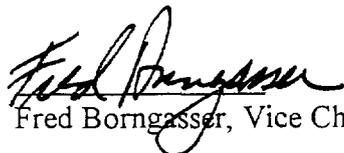
SECTION 4: Effective Date

First reading by the Board of County Commissioners this 22 day of May, 1996.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 5th day of June, 1996. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

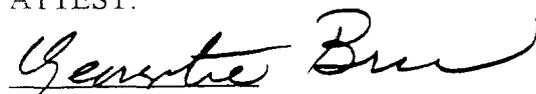
JOSEPHINE COUNTY BOARD
OF COUNTY COMMISSIONERS

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


Fred Borngasser, Vice Chair


Irvin R. Whiting, Commissioner

ATTEST:


Georgette Brown, County Clerk


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. 96 - 7

AN ORDINANCE AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM RURAL RESIDENTIAL, FIVE ACRE TO RURAL RESIDENTIAL, ONE ACRE FOR PROPERTY IDENTIFIED AS ASSESSOR'S MAP T35, R6, SECTION 20-1, TAX LOT 3700 FOR JOSEPHINE COUNTY.

WHEREAS, the Board of County Commissioners held a public hearing on April 24, 1996 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, Five Acre to Rural Residential, One Acre for property identified as Assessor's Map Township 35, Range 6, Section 20-1, Tax Lot 3700.

SECTION 2: 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 12th day of June, 1996.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 26th day of June, 1996. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

JOSEPHINE COUNTY BOARD
OF COUNTY COMMISSIONERS


Harold L. Haugen, Chair

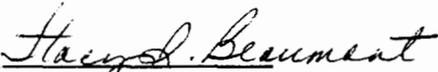

Fred Borngasser, Vice Chair

Irvin R. Whiting - Absent

Irvin R. Whiting, Commissioner

ATTEST:


Georgette Brown, County Clerk


Recording Secretary

APPROVED AS TO FORM:


Steve Rich, Legal Counsel

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

ORDINANCE NO. 96- 8

AN ORDINANCE AMENDING THE JOSEPHINE COUNTY RURAL LAND DEVELOPMENT CODE (ORD. 94-4) TO CHANGE THE DEFINITION OF "GUEST HOUSE" AND TO ALLOW THE USE OF SITE CONSTRUCTED DWELLINGS AS MEDICAL HARDSHIP DWELLINGS IN CERTAIN SITUATIONS.

WHEREAS, in accordance with the procedures of the Josephine County Comprehensive Plan (hereinafter called Plan) at Goal 11, Policy 3, and the Josephine County Rural Land Development Code (hereinafter called Code) at Article 49, the Rural Planning Commission conducted a public hearing on March 18, 1996, after notice by publication and mailing as therein required; and

WHEREAS, in accordance with the procedures of the Plan and Code, the Board of County Commissioners also conducted public hearings on May 8 and May 28, after notice by publication and mailing as therein required; and

WHEREAS, the Plan and Code vest the Board of County Commissioners with the authority to amend the text of the Code by legislative action;

NOW, THEREFORE, based on the foregoing, the Board of County Commissioners of Josephine County Oregon, hereby takes the following legislative actions to amend the Code:

Section 1. Definition of Guest House

Section 11.030, TERMS DEFINED, at subsection (151), entitled GUEST HOUSE, shall be amended by deleting the existing definition and inserting the following new definition:

GUEST HOUSE. An auxiliary residence constructed on property located in the Rural Residential, Serpentine and Limited Development zones when the following conditions are met: the parcel on which the guest house is placed is at least 2.5 acres in size; the guest house is no more than 500 square feet in size; is attached to or within 50' of the main residence; and, serviced by the same water system, sewage disposal system (as authorized by the Department of Environmental Quality) and utility meters as the main residence. A guest house may be site constructed or consist of a manufactured dwelling.

Section 2. Temporary Use — Medical Hardship

Section 44.030, PERMITTED TEMPORARY USES, subsections (A) (3), (4) and (5) of the Josephine County Rural Land Development Code shall be amended by deleting (*strikeout*) and inserting (*underlined*) the following language:

- ~~3.~~ The type of dwelling placed on the property as a second dwelling for the duration of the medical hardship shall be limited to a manufactured dwelling; or recreational vehicle, when in the judgment of the Director, the unit will be reasonably safe for occupancy;
- ~~4.~~ The dwelling shall be connected to the same subsurface sewage disposal system used by the existing dwelling, if that system is adequate to accommodate the additional dwelling. The sewage disposal system must meet Department of Environmental Quality standards and requirements including inspection and certification.
3. The type of dwelling placed on the property as a second dwelling for the duration of the medical hardship shall be limited to one of the following:
 - a. a manufactured dwelling; or
 - b. a recreation vehicle, when in the judgement of the Director, the unit will be reasonably safe for occupancy; or
 - c. a second site-constructed dwelling located in a non-farm or non-forest zone which consists of either:
 - [1] a guest house existing on the effective date of this ordinance that will be converted into a dwelling by the addition of kitchen and/or laundry facilities upon approval as a medical hardship dwelling; or
 - [2] a second dwelling constructed for the purpose of a medical hardship when a guest house does not exist on the property and the second dwelling meets all of the requirements for a guest house pursuant to Section 11.030 (151).
- ~~4.~~ The dwelling shall be connected to the same subsurface sewage disposal system used by the existing dwelling, ~~if that system is adequate to accommodate the additional dwelling.~~ as long as connection can be authorized under Department of Environmental Quality rules. The sewage disposal system

must meet Department of Environmental Quality standards and requirements including inspection and certification;

5. As a condition to the issuance of a medical hardship dwelling permit, the applicant shall sign a notarized statement agreeing to the disconnection, removal and/or conversion requirements as specified in Section 44.040.C of this Code, to include consent for the Planning Director or his agent to inspect the property.

5.6. The application shall be reviewed against the criteria and standards set out in Section 44.040.

Section 44.040, REVIEW CRITERIA AND STANDARDS, subsection (C), of the Josephine County Rural Land Development Code shall be amended by deleting (*strikeout*) and inserting (*underlining*), the following language:

~~C. Any additional dwelling permitted pursuant to a Temporary Use Permit shall be temporary, and not more than one dwelling on the property shall be permanent:~~

~~1. The applicant shall sign a notarized statement that the second dwelling shall be removed from the property upon termination of the need or allowed period of time;~~

~~2. The applicant shall also sign a consent for an annual review of the use by the Director, including an inspection of the property, if necessary.~~

C. Upon termination of the medical hardship permit involving a manufactured dwelling or a recreational vehicle, one of the following events shall occur:

1. If the hardship dwelling is a recreational vehicle, the recreational vehicle shall immediately cease from use as a dwelling and shall disconnect from electrical and sewage disposal services; or

2. If the hardship dwelling is a manufactured dwelling, the manufactured dwelling shall either be removed from the property or be converted to a guest house meeting the requirements of Section 11.030.151 of this Code, within 60 days from termination of the permit.

Section 3. Affirmation.

Except as specifically amended by the provisions of this ordinance, the Rural Land Development Code (Ord 94-4) is hereby affirmed.

Section 4. Effective Date.

First reading by the Board of County Commissioners this 31st day of July, 1996.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 14th day of August, 1996. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

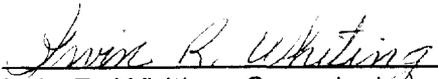
JOSEPHINE COUNTY BOARD OF COUNTY COMMISSIONERS:



Harold L. Haugen, Chairman

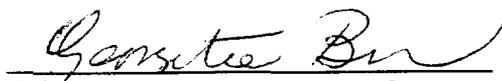


Fred Borngasser, Vice-Chair



Irvin R. Whiting, Commissioner

ATTEST:

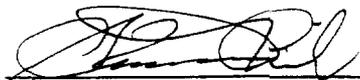


Georgette Brown, County Clerk



Recording Secretary

APPROVED AS TO FORM:



Steve Rich, Legal Counsel

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

ORDINANCE NO. 96- 10

AN ORDINANCE AMENDING THE JOSEPHINE COUNTY RURAL LAND DEVELOPMENT CODE (ORD. 94-4) TO DEFINE THE TERM "SEWAGE DISPOSAL PLANT" PRESENTLY USED IN SECTION ~~6-040-M~~ AS A LISTED CONDITIONAL USE.

61.040(M) DK

WHEREAS, in accordance with the procedures of the Josephine County Comprehensive Plan (hereinafter called Plan) at Goal 11, Policy 3, and the Josephine County Rural Land Development Code (hereinafter called Code) at Article 49, the Rural Planning Commission conducted a public hearing on March 18, 1996, after notice by publication and mailing as therein required; and

WHEREAS, in accordance with the procedures of the Plan and Code, the Board of County Commissioners also conducted public hearings on May 1, 1996, after notice by publication and mailing as therein required; and

WHEREAS, the Plan and Code vest the Board of County Commissioners with the authority to amend the text of the Code by legislative action;

NOW, THEREFORE, based on the foregoing, the Board of County Commissioners of Josephine County Oregon, hereby takes the following legislative actions to amend the Code by adding the following new definition and renumbering subsequent definitions to correspond to the change in numbering:

SECTION 1. Definition of Sewage Disposal Plant

Section 302 - SEWAGE DISPOSAL PLANT. The land and the facilities located thereon for the collection, treatment, processing, disposal, management, and beneficial re-use of wastewater, treated wastewater, and biosolids (sewage sludge) produced in the treatment of wastewater. The facilities include but are not limited to: buildings, storage or stabilization ponds or lagoons, pipes, tanks, basins, pumps, machinery and equipment; structures for enclosing machinery and equipment; all equipment and machinery for the treatment, processing, disposal and management of bio-solids, including that used in digesting, dewatering, incinerating, composting, bulking agent grinding, loading, conveying, separating, screening, transporting systems, storing or any other facilities which may be needed for wastewater and biosolids treatment, processing, disposal, storage and

management. Soil remediation and toxic waste incineration will not be authorized as part of this definition.

Section 2. Affirmation.

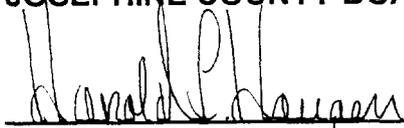
Except as specifically amended by the provisions of this ordinance, the Rural Land Development Code (Ord 94-4) is hereby affirmed.

Section 3. Effective Date.

First reading by the Board of County Commissioners this 14th day of August, 1996.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 28th day of August, 1996. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

JOSEPHINE COUNTY BOARD OF COUNTY COMMISSIONERS:



Harold L. Haugen, Chairman

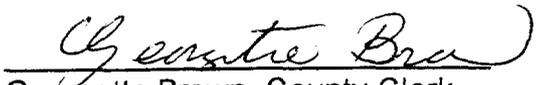


Fred Borngasser, Vice-Chair

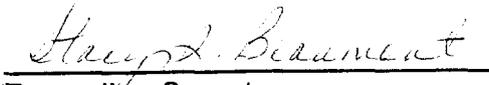
Irvin R. Whiting - Opposed

Irvin R. Whiting, Commissioner

ATTEST:

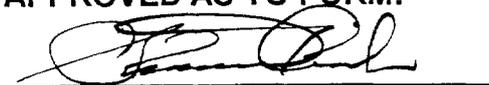


Georgette Brown, County Clerk



Recording Secretary

APPROVED AS TO FORM:



Steve Rich, Legal Counsel

BEFORE THE BOARD OF COMMISSIONERS
FOR JOSEPHINE COUNTY

ORDINANCE NO. 94 -- 8

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 A PORTION OF THE PROPERTY IDENTIFIED IN THE JOSEPHINE COUNTY ASSESSOR'S RECORDS AS MAP T37, R5, SECTION 27, TAX LOT 200. THE PROPERTY OWNERS ARE SCOTT AND REMA ROBERTS

WHEREAS, the Board of Commissioners previously held a public hearing on January 28, 1992 concerning the application by owners for a comprehensive plan and zone change for the property described above, which action culminated in Findings and Decision dated March 10, 1993; and

WHEREAS, this decision was appealed by the Department of Land Conservation and Development to the Land Use Board of Appeals, which action resulted in a stipulated remand to the Josephine County Board of Commissioners for additional action; and

WHEREAS, the Board of Commissioners held public hearings (January 26, March 16 and 30, 1994) on the request to consider issues contained in the remand decision, at which time it heard testimony, received evidence from the Josephine County Planning Staff, the applicant and any remonstrators, and concluded that the applicant has 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,

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 a portion of the property identified as Assessor's Map: Township 37, Range 5, Section 27, Tax Lot 200. The area to be amended is the open area on the west end of tax lot 200 (approximately 20 acres).

SECTION 2: Zone Change

The Josephine County Zoning Map is hereby amended from Woodlot Resource to Rural Residential (5 Acre Minimum) for a portion of the property identified as Assessor's Map:



Township 37, Range 6, Section 4, Tax Lot 1001. The area to be amended is the open area on the west end of tax lot 200 (approximately 20 acres).

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

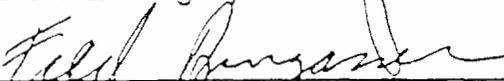
First reading by the Board of County Commissioners this 29th day of June, 1994.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 13 day of July, 1994. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

JOSEPHINE COUNTY BOARD OF COMMISSIONERS



Harold L. Haugen, Chair

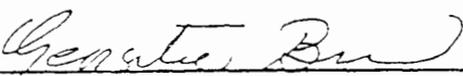


Fred Borngasser, Vice Chair



Irvin R. Whiting, Commissioner

ATTEST:

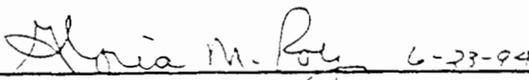


Georgette Brown, County Clerk

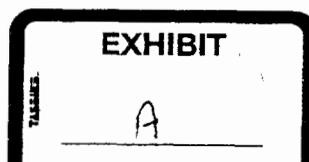


Recording Secretary

APPROVED AS TO FORM:



Gloria Roy, Legal Counsel



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

**ORDINANCE NO. 96 -- 11
(*Correcting Ordinance 94-8*)**

THIS IS AN ORDINANCE AMENDING ORDINANCE 94-8 TO CORRECT THE ASSESSOR'S LEGAL DESCRIPTION FOR THE PROPERTY AFFECTED BY ORDINANCE 94-8. THE PROPERTY AFFECTED BY THIS AND THE ORIGINAL ORDINANCE IS OWNED BY SCOTT AND REMA ROBERTS AND IS DESCRIBED IN THE ASSESSOR'S RECORDS AS T37, R5, SECTION 27, TAX LOT 200.

WHEREAS, the Board of Commissioners previously adopted Ordinance 94-8 on July 13, 1994, in compliance with all state and local rules and procedures for amending Josephine County's Comprehensive Plan and Zone Map, whereby the property described above was changed from Forest/Woodlot Resource to Residential/Rural Residential 5 Acre on said plan and zone map (*Ordinance 94-8 is attached as Exhibit "A"*); and

WHEREAS, Ordinance 94-8 correctly described the property in the caption of the ordinance but incorrectly described the property within the text of the ordinance on page two, line one; and

WHEREAS, this error is a scrivener's error only and does not relate to the substance or purpose of the Board's action to change the County's plan and zone map; and

WHEREAS, the conflicting legal descriptions within Ordinance 94-8 may cause question or confusion regarding the property affected by the ordinance; and

WHEREAS, the Planning Director has confirmed the correct legal description from the records contained within the Planning Department's file regarding the Scott and Rema Roberts application for a plan and zone map amendment, and finds the correct legal description to be: T37, R5, Section 27, TL 200;

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

SECTION 1: Correction

Ordinance 94-8 shall hereby be amended on page two, line one, by deleting the legal description located there (~~T37, R6, Section 4, Tax Lot 1001~~) and replacing it with the correct legal description (T37, R 5, Section 27, Tax Lot 200); and

SECTION 2: Affirmation

Except as otherwise provided herein, Josephine County Ordinance No. 94-8 is hereby affirmed as originally adopted.

SECTION 3: Effective Date

First reading by the Board of County Commissioners this 28th day of August, 1996.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 11th day of September, 1996. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

JOSEPHINE COUNTY BOARD OF COMMISSIONERS



Harold L. Haugen, Chair

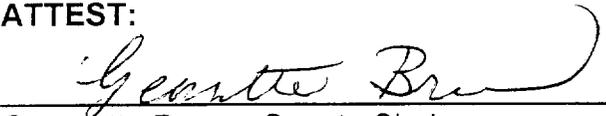


Fred Borngasser, Vice Chair



Irvin R. Whiting, Commissioner

ATTEST:



Georgette Brown, County Clerk



Recording Secretary

APPROVED AS TO FORM:



Steven Rich, Legal Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY

STATE OF OREGON

ORDINANCE NO. 96 - 12

AN ORDINANCE AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM TOURIST COMMERCIAL TO RURAL COMMERCIAL, FOR PROPERTY IDENTIFIED AS THE PORTION OF ASSESSOR'S MAP T39, R8, SECTION 9-2, TAX LOT 1900 FOR JOSEPHINE COUNTY LYING WESTERLY OF THE KERBY DITCH.

WHEREAS, the Board of County Commissioners held a public hearing on August 14, 1996 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 applicant's 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 that the property had the carrying capacity for water and sewer to support Rural Commercial uses, and that the Zone Change, as requested did comply with the requirements of Josephine County and State Law pertaining to such matters, and that there was sufficient proof that the property could support commercial uses.

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 Tourist Commercial to Rural Commercial, for property identified as that portion of Assessor's Map Township 39, Range 8, Section 9-2, Tax Lot 1900 lying westerly of the Kerby Ditch.

SECTION 3: Affirmation

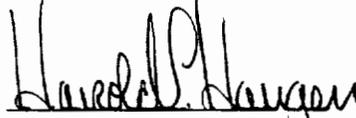
Except as otherwise provided herein, Josephine County Ordinance No. 85-1 is hereby affirmed as originally adopted, and heretofore amended.

SECTION 4: Effective Date

First reading by the Board of County Commissioners this 18 day of Sept., 1996.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 2nd day of October, 1996. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

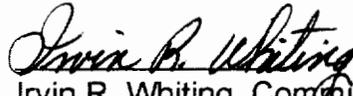
JOSEPHINE COUNTY BOARD
OF COUNTY COMMISSIONERS



Harold L. Haugen, Chair

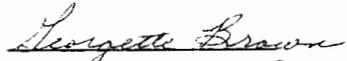


Fred Borngasser, Vice Chair



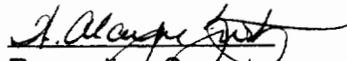
Irvin R. Whiting, Commissioner

ATTEST:



Georgette Brown, County Clerk

By *Juanita E. Clark, Deputy*



Recording Secretary

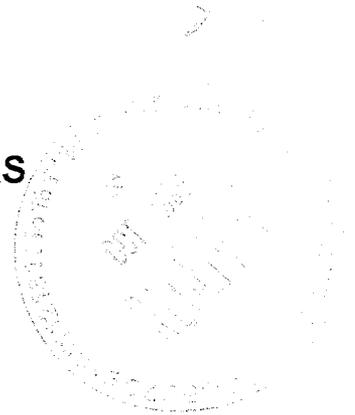
APPROVED AS TO FORM:



Steve Rich, Legal Counsel

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

ORDINANCE NO. 96 -- 13



AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF JOSEPHINE COUNTY (ORDINANCE 81-11 AS AMENDED), FROM COMMERCIAL TO BUSINESS PARK AND AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM LIMITED COMMERCIAL (C-3) TO LIGHT INDUSTRIAL (M-1) FOR THE PROPERTY IDENTIFIED IN THE JOSEPHINE COUNTY ASSESSOR'S RECORDS AS MAP T36, R6 , SECTION 23-44, TAX LOTS 500 AND 2300. THE PROPERTY OWNERS ARE WAYNE BAILEY AND ANDREW SANDEEN.

WHEREAS, the City Council and the Board of Commissioners, in a Joint Session, held a public hearing on September 18, 1996 to consider the request pursuant to certain criteria contained within the Josephine County Comprehensive Plan (Ordinance 81-11 As Amended); and

WHEREAS, the Urban Area 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 Planning Staff, the applicant and any remonstrators, 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,

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 Commercial to Business Park for the property identified as Assessor's Map: Township 36, Range 6, Section 23-44, Tax Lots 500 and 2300.

SECTION 2: Zoning Change

The Josephine County Zoning Map is hereby amended from Limited Commercial (C-3) to Light Industrial (M-1) for property identified as Assessor's Map: Township 36, Range 6, Section 23-44, Tax Lots 500 and 2300.

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 2nd day of October, 1996.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 16 day of October, 1996. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

JOSEPHINE COUNTY BOARD OF COMMISSIONERS



Harold L. Haugen, Chair



Fred Borngasser, Vice Chair

Irvin R. Whiting - Absent

Irvin R. Whiting, Commissioner

ATTEST:



Georgette Brown, County Clerk



Recording Secretary

APPROVED AS TO FORM:



Steve Rich, Legal Counsel

Planning

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY

STATE OF OREGON

ORDINANCE NO. 96 - 14

AN ORDINANCE AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM RURAL RESIDENTIAL, FIVE ACRES TO RURAL RESIDENTIAL 2.5 ACRES, FOR PROPERTY IDENTIFIED AS ASSESSOR'S MAP T37, R6, SECTION 12-30, TAX LOT 1100 FOR JOSEPHINE COUNTY.

WHEREAS, the Board of County Commissioners held a public hearing on November 13, 1996 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 applicant's 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 that the property had the carrying capacity for water and sewer to support Rural Residential uses, and that the Zone Change, as requested did comply with the requirements of Josephine County and State Law pertaining to such matters, and that there was sufficient proof that the property could support residential uses.

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, Five Acres to Rural Residential, 2.5 Acres, for property identified as Assessor's Map Township 37, Range 6, Section 12-30, Tax Lot 1100.

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

First reading by the Board of County Commissioners this 18th day of December, 1996.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 8th day of January, 1997. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

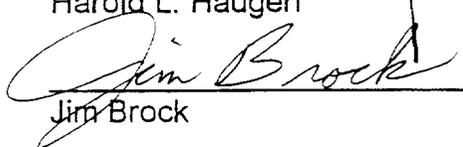
JOSEPHINE COUNTY BOARD OF COMMISSIONERS



Fred Borngasser

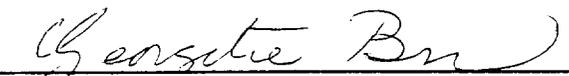


Harold L. Haugen

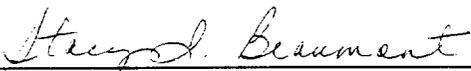


Jim Brock

ATTEST:

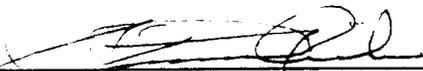


Georgette Brown, County Clerk



Recording Secretary

APPROVED AS TO FORM:



Steve Rich, Legal Counsel