

Josephine County 1998 Ordinances

#	Date Signed	Date Effective	Description
98-2	3/25/98	6/23/98	Amending the Urban Area Zoning Map for Josephine County from General Industrial (M-2) to Tourist Commercial (C-4) for 2.36 acres located at the southwest corner of Redwood Highway and Allen Creek Road. Property identified as Assessor's Map 36-6-24-43, Tax Lot 1800 . Property owners: Ronald Maurer and Lou Ann Williams. [UGB]
98-3	4/8/98	7/8/98	Amending the Comprehensive Plan of Josephine County from Forest Resource to Agriculture and amending the Zoning Map of Josephine County from Woodlot Resource (WR) to Exclusive Farm (EF) for property identified as Assessor's Map 37-5-19, Tax Lot 202 . Property owner: Andrea Applegate.
98-4	5/13/98	8/13/98	Amending the Zoning Map of Josephine County from Rural Residential 2.5 Acre (RR 2.5) Minimum to Rural Residential 1 Acre Minimum (RR-1) for 9.24 acres of property located at 2622 and 2640 Demaray Drive, identified as Assessor's Map 36-6-27-40, Tax Lots 1800 and 1803 and 36-6-27-43, Tax Lot 800 . Property owners: George and Harriet Bretz.
98-5	5/20/98	8/19/98	Amending the Zoning Map of Josephine County from Rural Residential 5 Acre Minimum (RR-5) to Rural Residential 2.5 Acre Minimum (RR 2.5) for 9.55 acres of property located at 380 Plumtree Lane, identified as Assessor's Map 35-6-35-20, Tax Lot 100 . Property Owners: Billy and Deanne Kilborn.

98-6	6/10/98	9/8/98	Amending the Zoning Map of Josephine County from Rural Residential 5 Acre Minimum (RR-5) to Rural Residential 2.5 Acre Minimum (RR-2.5) for 5.01 acres of property located at 3714 Elk Lane, identified as Assessors Map 36-6-35-40, Tax Lot 2200 . Property owner: Clifford Thorburn.
98-7	7/8/98	10/6/98	Amending the Zoning Map of Josephine County from Rural Residential - 5 Acre Minimum (RR-5) to Rural Residential - Two and One-Half Acre Minimum (RR-2.5) for 5.57 acres of property located at 1147 Soldier Creek Road, identified as Assessor's Map 35-5-30-21, Tax Lot 1500 . Property owners: Jackson Family Trust.
98-8	8/12/98	11/10/98	Amending the Comprehensive Plan of Josephine County from Residential to Industrial and amending the Zoning Map of Josephine County from Rural Residential 2.5 Acre Minimum (RR-2.5) to Rural Industrial (RI) for property identified as Assessors Map 36-5-15-30, Tax Lots 100, 300, and 2500 . Located at 2520 Foothill Boulevard and 191 Jones Creek Road, approximately 5 acres. Property owner: Colvin Oil Company.
98-9	8/19/98	11/17/98	Amending the Zoning Map of Josephine County from Rural Residential - 5 Acre Minimum (RR-5) to Rural Residential - Two and One-Half Acre Minimum (RR-2.5) for 19.01 acres of property located at 4001 and 4011 Williams Highway, identified as Assessors Map 37-5-6-20, Tax Lots 1200, 1300, and 3400 . Property owners: LaVern Laugsand and George Trahern.
98-10	9/23/98	12/22/98	Amending the Josephine County Rural Land Development Code (Ord. 94-4) to repeal and replace Article 44 - Temporary Use Permit.
98-12	11/16/98	11/16/98	Amending the Urban Area Comprehensive Plan for Josephine County (Ordinance 81-20), as amended, to include approximately

4.69 acres of land withi the Urban Growth Boundary. Assessor's Map 36-6-26-10, Tax Lots 200 and 300. Owners: College Heights Baptist Church.

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

ORDINANCE NO. 98 -- 2

AN ORDINANCE AMENDING THE URBAN AREA ZONING MAP FOR JOSEPHINE COUNTY (ORDINANCE 81-25 AS AMENDED BY ORDINANCES 83-4 & 84-7), FROM GENERAL INDUSTRIAL (M-2) TO TOURIST COMMERCIAL (C-4) FOR 2.36 ACRES LOCATED NEAR THE SOUTHWEST CORNER OF REDWOOD HIGHWAY AND ALLEN CREEK ROAD. THE PROPERTY IS IDENTIFIED IN THE JOSEPHINE COUNTY ASSESSOR'S RECORDS AS MAP T36, R6, SECTION 24-43, TAX LOT 1800. THE PROPERTY OWNERS ARE LARRY MAURER AND LOU ANN WILLIAMS.

WHEREAS, the Board of Commissioners and the City Council held a joint public hearing as required by Intergovernmental Agreement on December 18, 1996 to consider the request to amend the jointly adopted Comprehensive Plan MAP from Industrial to Commercial; and

WHEREAS, the Urban Area Planning Commission at a public hearing gave consideration to the above identified Comprehensive Plan MAP and Zone MAP amendments, and made a positive recommendation to the Board and City Council; and

WHEREAS, the Board of Commissioners and the City Council held a joint 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 MAP amendment as requested complies with the requirements of Josephine County and State Law pertaining to such matters; and

WHEREAS, the Board of Commissioners further considered a companion request to amend the Zoning MAP from the General Industrial District (M-2) to the Tourist Commercial District (C-4) for the same properties, but determined to declare such changes subject to a Resolution of Intent to Rezone as authorized by Section 139.06 of the Urban Growth Area Zoning Ordinance (separate action); and

WHEREAS, the Board of Commissioners have entered findings of fact determining that the conditions for the Resolution of Intent to Rezone have been satisfied for the property described herein;

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

SECTION 1: Zoning MAP Amendment

The Josephine County Zoning MAP is hereby amended from General Industrial (M-2) to Tourist Commercial (C-4) for the property identified as Assessor's MAP: Township 36,

Range 6, Section 24-43, Tax Lot 1800;

SECTION 2: Affirmation

Except as otherwise provided herein, Josephine County Ordinance No. 81-25 (as amended) is hereby affirmed.

SECTION 3: Effective Date

First reading by the Board of County Commissioners this 11th day of March, 1998.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 25th day of March, 1998. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

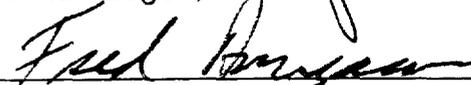
JOSEPHINE COUNTY BOARD OF COMMISSIONERS



Jim Brock, Chair

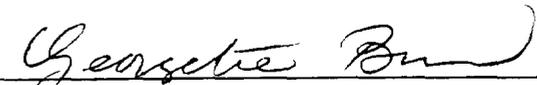


Harold Haugen, Vice Chair

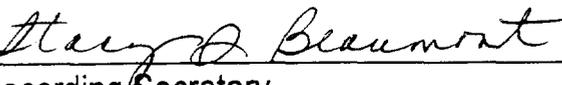


Fred Borngasser, Commissioner

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. 98 -- 3

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF JOSEPHINE COUNTY (ORDINANCE 81-11 AS AMENDED), FROM FOREST RESOURCE TO AGRICULTURE AND AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM WOODLOT RESOURCE (WR) TO EXCLUSIVE FARM (EF) FOR THE PROPERTY IDENTIFIED IN THE JOSEPHINE COUNTY ASSESSOR'S RECORDS AS MAP T37, R5, SECTION 19, TAX LOT 202. THE PROPERTY OWNER IS ANDREA APPLIGATE.

WHEREAS, the Board of Commissioners held a public hearing on February 25, 1998 to consider the request pursuant to certain criteria contained within the Josephine County Comprehensive Plan (Ordinance 81-11 As Amended); and

WHEREAS, the Rural 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 Forest Resource to Agriculture for the property identified as Assessor's Map: Township 37, Range 5 Section 19, Tax Lot 202.

SECTION 2: Zoning Change

The Josephine County Zoning Map is hereby amended from Woodlot Resource (WR) to Exclusive Farm (EF) for property identified as Assessor's Map: Township 37, Range 5, Section 19, Tax Lot 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

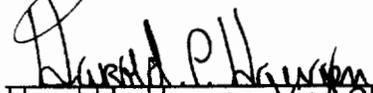
First reading by the Board of County Commissioners this 25th day of March, 1998.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 8th day of April, 1998. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

JOSEPHINE COUNTY BOARD OF COMMISSIONERS



Jim Brock, Chair



Harold L. Haugen, Vice Chair



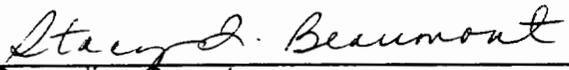
Fred Borngasser, Commissioner

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ATTEST:

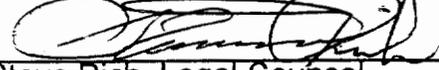


Georgette Brown, County Clerk



Recording Secretary

APPROVED AS TO FORM:



Steve Rich, Legal Counsel

T. L. Lacey

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY

STATE OF OREGON

ORDINANCE NO. 98 - 4

AN ORDINANCE AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM RURAL RESIDENTIAL TWO AND ONE HALF ACRE TO RURAL RESIDENTIAL ONE ACRE FOR PROPERTY IDENTIFIED AS ASSESSOR'S MAP T 36, R 6, SECTION 27-40, TAX LOTS 1800 AND 1803; AND ASSESSOR'S MAP T 36, R 6, SECTION 27-43, TAX LOT 800 FOR JOSEPHINE COUNTY.

WHEREAS, the Board of County Commissioners held a public hearing on February 4, February 18, and March 4, 1998 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 met his burden of proof that the property had the carrying capacity for water and sewer at a one acre density, 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 a density of one acre per dwelling.

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 - Two and One Half Acres to Rural Residential - One Acre for properties identified as Assessor's Map Township 36, Range 6, Section 27-40, Tax Lots 1800, and 1803; and Assessor's Map Township 36, Range 6, Section 27-43, Tax Lot 800 with the stipulation that division of the property will be limited to a maximum of three parcels.

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.

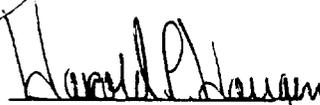
SECTION 3: Effective Date

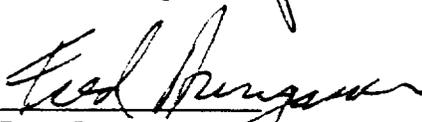
First reading by the Board of County Commissioners this 29th day of April, 1998.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 13th day of May, 1998. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

JOSEPHINE COUNTY BOARD
OF COUNTY COMMISSIONERS


Jim Brock, Chair


Harold Haugan, Vice Chair

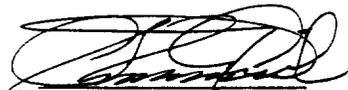

Fred Borngasser, Commissioner

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. 98 - 5

AN ORDINANCE AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM RURAL RESIDENTIAL - FIVE ACRE TO RURAL RESIDENTIAL - TWO AND ONE HALF ACRE FOR PROPERTY IDENTIFIED AS ASSESSOR'S MAP T 35, R 6, SECTION 35-20, TAX LOT 100 FOR JOSEPHINE COUNTY.

WHEREAS, the Board of County Commissioners held a public hearing on February 11, and February 18, 1998 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 met his burden of proof that the property had the carrying capacity for water and sewer at a two and one-half acre density, 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 a density of two and one-half acre per dwelling.

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 - Two and One Half Acres to Rural Residential - One Acre for properties identified as Assessor's Map Township 35, Range 6, Section 35-20, Tax Lot 100 with the stipulation that division of the property will be limited to a maximum of three parcels.

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.

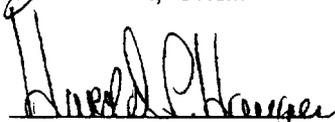
SECTION 3: Effective Date

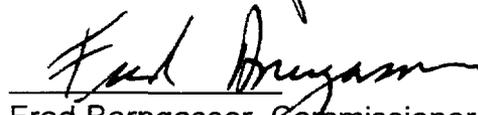
First reading by the Board of County Commissioners this 6th day of May, 1998.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 20th day of May, 1998. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

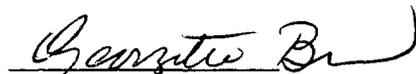
JOSEPHINE COUNTY BOARD
OF COUNTY COMMISSIONERS

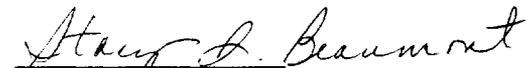

Jim Brock, Chair


Harold Haugan, Vice Chair


Fred Borngasser, 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. 98 - 6

AN ORDINANCE AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM RURAL RESIDENTIAL - FIVE ACRE TO RURAL RESIDENTIAL - TWO AND ONE HALF ACRE FOR PROPERTY IDENTIFIED AS ASSESSOR'S MAP T 36, R 6, SECTION 35-40, TAX LOT 2200 FOR JOSEPHINE COUNTY.

WHEREAS, the Board of County Commissioners held a public hearing on October 29, and November 5, 1997 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 met his burden of proof that the property had the carrying capacity for water and sewer at a two and one-half acre density, and that the Zone Change, as requested did comply with the requirements of Josephine County and State Law pertaining to such matters, and subject to the conditions that the applicant install a driveway on his property and obtain a septic permit for a new septic system on his property, there was sufficient proof that the property could support a density of two and one-half acre per dwelling.

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 - Two and One-half Acres for properties identified as Assessor's Map Township 36, Range 6, Section 35-40, Tax Lot 2200 with the stipulation that the applicant install a driveway on his property and obtain a septic permit for a new septic system on his property,

SECTION 2: Affirmation

Except as otherwise provided herein, Josephine County Ordinance No.s 81-11 and

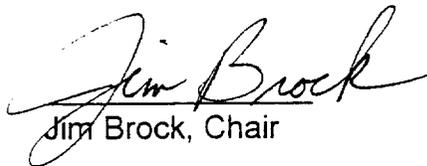
85-1 are hereby affirmed as originally adopted, and heretofore amended.

SECTION 3: Effective Date

First reading by the Board of County Commissioners this 27th day of May, 1998.

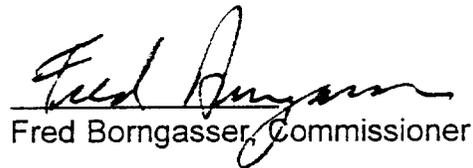
Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 10th day of June, 1998. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

JOSEPHINE COUNTY BOARD
OF COUNTY COMMISSIONERS


Jim Brock, Chair

Harold L. Haugen - Absent

Harold Haugen, Vice Chair

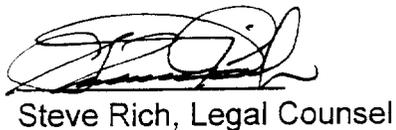

Fred Borngasser, Commissioner

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. 98 - 7

AN ORDINANCE AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM RURAL RESIDENTIAL - FIVE ACRE TO RURAL RESIDENTIAL - TWO AND ONE HALF ACRE FOR PROPERTY IDENTIFIED AS ASSESSOR'S MAP T 35, R 5, SECTION 30-21, TAX LOT 1500 FOR JOSEPHINE COUNTY.

WHEREAS, the Board of County Commissioners held a public hearing on March 25, and April 22, 1998 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: Zoning Change

The Josephine County Zoning Map is hereby amended from Rural Residential - Two and One Half Acres to Rural Residential - One Acre for properties identified as Assessor's Map Township 35, Range 5, Section 30-21, Tax Lot 1500.

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.

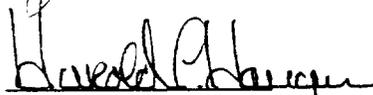
SECTION 3: Effective Date

First reading by the Board of County Commissioners this 24th day of June, 1998.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 8th day of July, 1998. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

JOSEPHINE COUNTY BOARD
OF COUNTY COMMISSIONERS

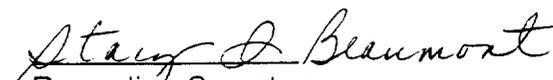

Jim Brock, Chair


Harold Haugan, Vice Chair


Fred Borngasser, 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. 98 - 8

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF JOSEPHINE COUNTY (ORDINANCE 81-11 AS AMENDED), FROM RESIDENTIAL TO INDUSTRIAL AND AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM RURAL RESIDENTIAL, TWO AND ONE HALF ACRE TO RURAL INDUSTRIAL FOR PROPERTY IDENTIFIED AS ASSESSOR'S MAP T 36, R 5, SECTION 15-30, TAX LOTS 100, 300, AND 2500 FOR JOSEPHINE COUNTY.

WHEREAS, the Board of County Commissioners held public hearings on January 7, January 28, and March 18, 1998 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 met his burden of proof, and that the Comprehensive Plan and Zone Change, as requested complied 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 Residential to Industrial for property identified as Assessor's Map Township 36, Range 5, Section 15-30, Tax Lots 100, 300, and 2500.

SECTION 2: Zoning Change

The Josephine County Zoning Map is hereby amended from Rural Residential, Two and One Half Acre to Rural Industrial for property identified as Assessor's Map Township 36, Range 5, Section 15-30, Tax Lots 100, 300, and 2500. Subject to the condition that a site plan review shall be required to allow for agency and neighborhood input.

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 29 day of July, 1998.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 12 day of August, 1998. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

JOSEPHINE COUNTY BOARD
OF COUNTY COMMISSIONERS

Jim Brock - Absent
Jim Brock, Chair

Harold L. Haugen
Harold L. Haugen, Vice Chair

Fred Borngasser
Fred Borngasser, Commissioner

ATTEST:

Georgette Brown
Georgette Brown, County Clerk

Stacy D. Beaumont
Recording Secretary

APPROVED AS TO FORM:

Steve Rich Assistant County Counsel
Steve Rich, Legal Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY

STATE OF OREGON

ORDINANCE NO. 98 -9

AN ORDINANCE AMENDING THE ZONING MAP OF JOSEPHINE COUNTY (ORDINANCE 85-1 AS AMENDED), FROM RURAL RESIDENTIAL - FIVE ACRE TO RURAL RESIDENTIAL - TWO AND ONE HALF ACRE FOR PROPERTY IDENTIFIED AS ASSESSOR'S MAP T 37, R 5, SECTION 6-20, TAX LOTS 1200, 1300 AND 3400 FOR JOSEPHINE COUNTY.

WHEREAS, the Board of County Commissioners held a public hearing on April 1, 1998 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, and that the Zone Change, as requested complies with the requirements of Josephine County and State Law pertaining to such matters, and 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: Zoning Change

The Josephine County Zoning Map is hereby amended from Rural Residential - Five Acres to Rural Residential -Two and One Half Acres for properties identified as Assessor's Map Township 37, Range 5, Section 6-20, Tax Lots 1200, 1300 and 3400.

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.

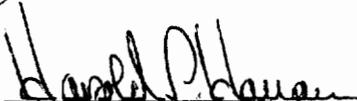
SECTION 3: Effective Date

First reading by the Board of County Commissioners this 5th day of Aug., 1998.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading this 19th day of August, 1998. This Ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

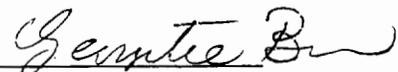
JOSEPHINE COUNTY BOARD
OF COUNTY COMMISSIONERS


Jim Brock, Chair


Harold Haugan, Vice Chair

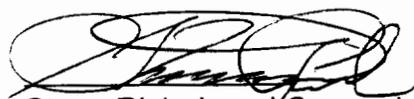

Fred Borngasser, Commissioner

ATTEST:


Georgette Brown, County Clerk


Recording Secretary

APPROVED AS TO FORM:


Steve Rich, Legal Counsel

Pending

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

ORDINANCE NO. 98-10

AN ORDINANCE AMENDING THE JOSEPHINE COUNTY RURAL LAND DEVELOPMENT CODE (ORD. 94-4) TO REPEAL AND REPLACE ARTICLE 44 - TEMPORARY USE PERMITS.

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 regarding the amendment, 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 a public hearing to consider the recommendation of the planning commission, after providing the required notice by publication and mailing; 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 authority and procedures, the Board of County Commissioners for Josephine County, Oregon, hereby takes the following legislative action to amend the code in the following respects:

Section 1. Repeal

Article 44 of the Rural Land Development Code is hereby repealed in its entirety.

Section 2. Adoption

The following language is hereby inserted into the Rural Land Development Code as the new Article 44, to now read:

ARTICLE 44 — TEMPORARY USE PERMITS

44.010 - PURPOSE

The purpose of the Temporary Use Permit is to provide for certain uses not otherwise allowed by this Code in order to meet special non-permanent needs of the residents of the county. Impacts from temporary uses shall be limited in duration, subject to special standards of approval and review and revocation procedures to assure compatibility with the intent and purpose of the various zoning districts in which they are allowed.

44.020 - REVIEW PROCEDURE

Applications for Temporary Uses shall be reviewed using Type I review procedures as set forth in Article 22.030 of this Code.

44.030 - PERMITTED TEMPORARY USES

Temporary uses shall be allowed subject to the following standards:

A. **MEDICAL HARDSHIP DWELLING.** The Director is authorized to permit a second dwelling only on an authorized lot or parcel when it is needed to assist in the care for a dependent person by a care provider. A Medical Hardship Dwelling shall be allowed subject to the following terms and standards:

1. Terms.

- a. A "dependent person" shall mean any person who suffers from a mental or physical disability so that assistance is needed to establish a non-institutional residence.
- b. A "care provider" shall mean any person or persons who agree to assist a dependent person in residential living. The care provider may be the owner, a renter or the applicant for the second dwelling. If the care provider or applicant is someone other than the owner, the owner must also be a party to the application.

2. Standards.

- a. The dependent person and care provider need not be related by blood or other legal relationship.
- b. The dwelling must be placed upon the property under a placement or building permit from the Department of Building and Safety, and shall consist of one of the following:
 - [1] a manufactured dwelling; or
 - [2] a recreation vehicle; or
 - [3] an existing site-built structure that will be converted into a dwelling by the addition of kitchen and/or laundry facilities upon approval as a medical hardship dwelling.

- c. The Director shall require a statement from a medical doctor certifying the dependent person suffers from a mental or physical disability, and that this condition otherwise requires dependent care in a hospital, nursing home, care home or facility, by a live-in nurse or companion, or some other comparable circumstance. The statement shall be submitted on forms supplied by the Director.
- d. The medical hardship dwelling must be connected to the same subsurface sewage disposal system as the one used by the existing dwelling, provided such connection is permitted by the regulations of the Department of Environmental Quality. Any connection must be made under permit from DEQ.
- e. The dependent person's care shall be provided principally by the care provider. The care provider may employ or arrange for services from others during occasional periods of absence or incapacity.
- f. The medical hardship dwelling shall be placed within close proximity to the existing dwelling.
- g. As a condition of the issuance of a medical hardship dwelling permit under subsections A.2.b above, the applicant shall sign and record a deed restriction agreeing to the removal and/or conversion of the dwelling as specified in subsection i. below, to include consent for the Director or his agent to inspect the property to confirm compliance.
- h. The Temporary Use Permit for a medical hardship dwelling shall terminate 90 days after the care-giving relationship between the dependent person and the care provider ceases for any reason, or 90 days after the property owner fails to renew the permit as required by Section 44.040.2.
- i. The property owner shall apply to the Director for a Verification of Compliance with the removal or conversion requirements of this subsection within 90 days from the date of termination. Failure to apply for a Verification of Compliance shall be considered a violation of this Code. Verification of Compliance shall include an inspection of the property and/or the hardship structure by a planning official to verify the existence of one or more of the following circumstances:
 - [1] The hardship dwelling has been removed from the property; or
 - [2] The hardship dwelling has been converted to an authorized use, subject to the following rules:

- [i] A recreational vehicle may not be converted for use as a guest house or accessory structure;
- [ii] A manufactured dwelling or converted accessory structure is approved for use as a guest house as defined in Section 11.030.151 of this Code; or
- [iii] A manufactured dwelling or converted accessory structure may be remodeled to qualify as some other authorized accessory structure by removal of the kitchen facilities. In determining the extent of remodeling needed to remove the kitchen facilities, the Director shall apply the factors listed in Section 11.030.177 of this Code.

j. Upon verification as provided in subsection i. above, the Director shall issue a notarized Certificate of Compliance verifying the property and structures comply with the requirements of this Code. The property owner may record the Certificate of Compliance in the deed records.

B. **MASS GATHERING.** The Director is authorized to permit a Mass Gathering in any zoning district subject to the following standards:

1. A mass gathering shall be limited to no more than 4 calendar days in duration for each permit, exclusive of setup, teardown and cleanup;
2. A curfew for all activities associated with a mass gathering shall be in effect from the hours of 10:00 pm to 8:00 am;
3. No site or event shall be approved for more than 4 gatherings within any 12 month period;
4. A permit shall not be issued prior to the submission of written sign-offs (on a form provided by the Planning Director) from each of the following departments or agencies:
 - a. Josephine County Sheriff's Department;
 - b. Josephine County Health Department;
 - c. Oregon Department of Environmental Quality; and
 - e. All fire departments, districts or companies having jurisdiction or concern over the site or neighboring lands (the Director is authorized to identify the appropriate departments, districts or companies).

C. TEMPORARY STORAGE OF UNOCCUPIED MANUFACTURED DWELLING. A manufactured dwelling may be stored on a parcel already developed with a dwelling subject to the following standards:

1. The storage is for a period of time less than 6 months;
2. The permit is issued to the property owner only;
3. The manufactured dwelling is not occupied or connected to any utility service, including a sewage disposal system;
4. The manufactured dwelling is placed on the property in a way that meets all setback requirements. In addition, the Director is authorized to specify the siting of the manufactured dwelling to screen it from the view of adjoining properties; and
5. The Director may renew a development permit for the storage of a manufactured dwelling for one additional 6 month period only. This time period may not be further extended by a variance permit.

D. ROADSIDE STANDS. A roadside stand for the sale of food, beverages, produce not grown on the property, or other goods or services may be allowed subject to the following standards:

1. The stand shall not be located in a public right-of-way unless the applicant submits written authorization from the public agency with authority over the right-of-way;
2. The stand shall be limited to 120 consecutive days, but may be extended by application for and issuance of a new development permit.
3. The applicant shall provide off-street parking consistent with Article 75; and
4. Authorization from the county health department shall be provided for all food or beverage sales.

44.040 - ANNUAL RENEWAL

Unless specified in the Article otherwise, all temporary use permits shall be reviewed annually by the Director. A decision to renew a temporary use permit shall be processed using Type 1 Review procedures as set forth in Article 22 of this Code. Annual renewals shall be governed by the following standards:

1. Annual renewals shall occur as close as practical to one calendar year from the date of issuance of the permit, but the Director is authorized to collect and process renewals in groups or by calendar quarters, as may be convenient.
2. An application for renewal of a medical hardship dwelling, at a minimum, must be accompanied by the prescribed fee, a renewal statement from a medical doctor certifying continuance of the incapacity, and a written acknowledgment from the Department of Environmental Quality stating the dwelling continues to be served by an authorized sewage disposal system.

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

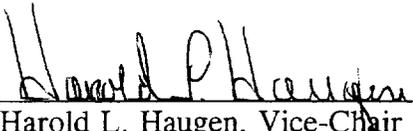
First reading by the Board of County Commissioners this 9th day of September, 1998.

Second reading and adoption by the Board of County Commissioners at least thirteen days from the first reading on this 23rd day of September, 1998, This ordinance shall take effect ninety days after its adoption by the Board of County Commissioners.

JOSEPHINE COUNTY BOARD OF COMMISSIONERS

Jim Brock - Absent

Jim Brock, Chair

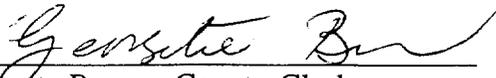


Harold L. Haugen, Vice-Chair



Fred Borngasser, Commissioner

ATTEST:



Georgette Brown, County Clerk

Stacy D. Beaumont
Recording Secretary

APPROVED AS TO FORM:

Steven E. Rich
Steven E. Rich, Legal Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR JOSEPHINE COUNTY

ORDINANCE NO. 98 - 12

AN ORDINANCE AMENDING THE URBAN AREA COMPREHENSIVE PLAN FOR JOSEPHINE COUNTY (ORDINANCE 81-20), AS AMENDED, TO INCLUDE APPROXIMATELY 4.69 ACRES OF LAND WITHIN THE URBAN GROWTH BOUNDARY OF JOSEPHINE COUNTY.

WHEREAS, an Intergovernmental Management Agreement exists between Josephine County and the City of Grants Pass for the joint management of the Urban Growth Boundary area, and

WHEREAS, the Agreement contains provisions for amendments to the Comprehensive Plan Map as it pertains to the Urban Growth Boundary, and

WHEREAS, inclusion of real property within the Urban Growth Boundary shall be enacted only after agreement by the Board of County Commissioners and the City Council in accordance with plan and ordinance amendment procedures as jointly established by each jurisdiction, and

WHEREAS, applicable criteria for amendment, described in Section 15.3.1 I-X of the "Implementing Section" of the Josephine County Urban Growth Area Goals and Policies have been satisfied, and

WHEREAS, the Board of County Commissioners held a public hearing and heard testimony and received evidence from the Josephine County staff, the City of Grants Pass staff, the applicant, and any remonstrators, and concluded that the applicants had met the burden of proof, and that the Comprehensive Plan Map 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: AMENDMENT AREA

Ordinance No. 81-20 is amended to include the territory described in Exhibits "1", which is attached to be incorporated in and made a part of this Ordinance and said territory is hereby proclaimed to be included within the Urban Growth Boundary of Josephine County.

Section 2: AFFIRMATION

Except as otherwise provided herein, Josephine County Ordinance No. 81-20 is hereby affirmed as originally adopted and heretofore amended.

Section 3: EFFECTIVE DATE

This ordinance shall take effect immediately upon its final enactment and adoption by the Board of County Commissioners.

Passed by the Josephine County Board of County Commissioners and signed by us in open session in authentication of its passage this 16th day of November, 1998.

JOSEPHINE COUNTY BOARD OF
COUNTY COMMISSIONERS



Jim Brock, Chair

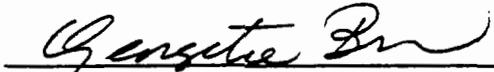


Harold L. Haugen, Vice Chair

Fred Borngasser - Absent

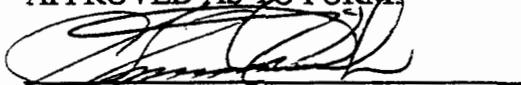
Fred Borngasser, Commissioner

ATTEST:



Georgette Brown, County Clerk

APPROVED AS TO FORM:



Steve Rich, County Legal Counsel

