



1 Gustafson, Referee.

2 On August 18, 1995 the city submitted a "notice of  
3 withdrawal for reconsideration" of this appeal pursuant to  
4 ORS 197.830(12)(b) and OAR 661-10-021(1). Petitioner has  
5 not objected to that notice.

6 ORS 197.830(12)(b) and OAR 661-10-021(1) allow a local  
7 jurisdiction to unilaterally withdraw a decision for  
8 reconsideration up until the date the record of the local  
9 proceedings is due. The record in this case was due July  
10 28, 1995; it was filed July 26, 1995. Neither ORS  
11 197.830(12)(b) nor OAR 661-10-021(1) allow the city to  
12 withdraw its decision for reconsideration.

13 We will, instead, treat the city's request as a motion  
14 for voluntary remand of this case, which is granted. See  
15 Sanchez v. Clatsop County, \_\_\_ Or LUBA \_\_\_ (LUBA No. 94-122,  
16 March 10, 1995.)

17 The city's decision is remanded.