

1 Opinion by Livingston.

2 On November 15, 1995, the Court of Appeals reversed
3 LUBA's opinion dated July 31, 1995, with the following
4 comment and instructions:

5 "[T]he planning manager had no authority to take
6 the action he did, and the city council has not
7 yet decided petitioner's pending appeal from the
8 hearings officer's decision. Accordingly, the
9 proper disposition here is for LUBA to remand the
10 city for further appropriate proceedings."
11 Shaffer v. City of Salem, 137 Or App 583, 587, ___
12 P2d ___ (1995).

13 This case is remanded to the city for further
14 proceedings consistent with the opinion of the Court of
15 Appeals.