

1 BAGG, Referee.

2 Respondent Hood River County and Respondent-Participants
3 Jack H. Green and Katherine Green move this Board for an order
4 of remand. The motion was discussed at a conference call on
5 October 27, 1981, at which time respondent and respondent-
6 participants modified their motion for an order of remand to
7 include grounds therefore. Specifically, respondents move for
8 remand on the ground that petitioner's assignments of error no.
9 5 and 9 are well taken and additionally that the subject
10 property had been omitted from the county's Mt. Hood planning
11 unit.¹ Petitioners have no objection to remand on these
12 grounds.

13 Now, therefore, on the basis of the motion and agreement of
14 the parties, this matter is remanded to Hood River County for
15 proceedings not inconsistent with this opinion.

16 It is also ordered petitioner's \$150 shall be returned to
17 them and the petitioner shall be reimbursed by respondent and
18 respondent-participants for the \$50 filing fee.

19 Remanded.
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FOOTNOTES

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Petitioner's fifth assignment of error stated:

"The findings of fact of the Planning Commission (excluded from the County's Record but attached hereto as Appendix "A") were inadequate and inconsistent in the following particulars:

"(a) The findings are silent upon the need for, and the compatibility with, adjacent farm use and the conditins for a rock crusher operation;

"(b) No findings were made upon air pollution and its effect upon adjacent orchard uses;

"(c) No findings were given on the protection of the water resource potential of Rogers Creek, Lava Bed Springs or Klindt-McIsaac Spring; and

"(d) The findings do not amend the Comprehensive Plan or address Statewide Goals 3, 4, 5 or 6, or except the land from the Goals' application."

Petitioner ninth assignment of error stated:

"The Planning Commission and Board of Commissioners failed to consider the application of Statewide Goals 2, 3, 4, 5, and 6 and make specific findings that the commercial quarry and rock crusher operation was consistent with the aforesaid Statewide Goals."

CERTIFICATE OF MAILING

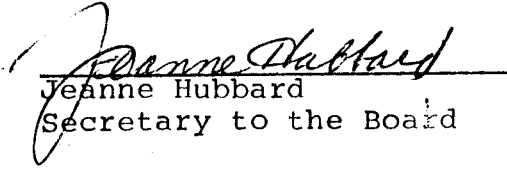
I hereby certify that I served the foregoing Final Opinion and Order for LUBA No. 81-080, on November 5, 1981, by mailing to said parties or their attorney a true copy thereof contained in a sealed envelope with postage prepaid addressed to said parties or their attorney as follows:

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Dated this 5th day of November, 1981.



Jeanne Hubbard
Secretary to the Board