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BEFORE THE LAND USE BOARD OF APPEALS  
OF THE STATE OF OREGON

PATRICIA LAWRENCE,  
*Petitioner,*

vs.

CLACKAMAS COUNTY,  
*Respondent.*

LUBA No. 98-132

FINAL OPINION  
AND ORDER

On remand from the Court of Appeals.

Mary W. Johnson, Oregon City, represented petitioner.

Michael E. Judd, County Counsel, Oregon City, represented respondent.

HOLSTUN, Board Member; BASSHAM, Board Chair; BRIGGS, Board Member,  
participated in the decision.

REMANDED 03/08/2000

You are entitled to judicial review of this Order. Judicial review is governed by the  
provisions of ORS 197.850.

Opinion by Holstun.

This matter is before us on remand from the Court of Appeals. *Lawrence v. Clackamas County*, \_\_\_ Or LUBA \_\_\_ (LUBA No. 98-132, June 15, 1999), *rev'd and remanded* 164 Or App 462, \_\_\_ P2d \_\_\_ (1999). In accordance with the Court of Appeals' decision, the hearings officer's decision is remanded to the county to (1) properly apply the rebuttable presumption created by ORS 215.130(10)(a) and (2) conduct a *de novo* review as required by ORS 215.416(11).

The county's decision is remanded.