

## **Supplemental Memo**



**Memo Date:** April 18, 2007  
**Hearing Date:** May 8, 2007 (Continued from April 3, 2007)

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**TO:** Board of County Commissioners

**DEPARTMENT:** Public Works Dept./Land Management Division

**PRESENTED BY:** BILL VANVACTOR, COUNTY ADMINISTRATOR  
KENT HOWE, PLANNING DIRECTOR

**AGENDA ITEM TITLE:** In the Matter of Considering a Ballot Measure 37 Claim and Deciding Whether to Modify, Remove or Not Apply Restrictive Land Use Regulations in Lieu of Providing Just Compensation (PA06-7106, Lamb1)

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### **BACKGROUND**

**Applicant:** Doris Morin-Lamb

**Current Owner:** Doris Morin-Lamb

**Agent:** none

**Map and Tax lot:** 18-06-01, tax lot #2100

**Acreage:** approximately 60 acres

**Current Zoning:** F2 (Impacted Forest Land)

**Date Property Acquired:** April 2, 1959 (WD # 64217)

**Date claim submitted:** November 28, 2006

**180-day deadline:** May 27, 2007

**Land Use Regulations in Effect at Date of Acquisition:** unzoned

**Restrictive County land use regulation:** Minimum parcel size of forty acres and limitations on new dwellings in the F2 (Impacted Forest Land) zone (LC 16.211).

This claim was originally heard on April 3, 2007. The Board continued the discussion of this claim to the May 8, 2007 public hearing in order to allow the claimants time to submit additional information and have the Board reconsider the recommendation. The Board requested all new information to be submitted to Lane County by April 24, 2007.

## **ANALYSIS**

The property was unzoned when it was acquired by Doris Morin-Lamb and is now zoned F2.

The applicant submitted a land evaluation for this property on April 20 and 25, 2007, after consultation with a Realty Broker. Her interest is in a waiver of the restrictive regulations, not in compensation, however, the County Administrator has not waived the requirement of an appraisal.

The minimum lot size and restrictions on new dwellings do not appear to be exempt regulations. The claimant has not identified any other restrictive land use regulations that allegedly reduce the fair market value of the property.

## **CONCLUSION**

The information submitted by the applicant is still insufficient evidence to determine the loss of value due to implementation of restrictive land use regulations.

## **RECOMMENDATION**

Because the additional information submitted was inadequate, the County Administrator recommends the Board direct him to deny the claim.