



**Memo Date:** March 14, 2007  
**Order Date:** 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 (PA06-7124, Ridgley)

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**BACKGROUND**

**Applicant:** Wesley L. Ridgley  
**Current Owner:** Wesley L. Ridgley  
**Agent:** None  
**Map and Tax lot:** 18-05-06.4, tax lots 200, 202, 2202 and 2700  
**Acreage:** 21.37 acres  
**Current Zoning:** F-2 (Impacted Forest Land)  
**Date Property Acquired:** December 10, 1974 (WD 7638097)  
**Date claim submitted:** November 29, 2006  
**180-day deadline:** May 28, 2007  
**Land Use Regulations in Effect at Date of Acquisition:** unzoned  
**Restrictive County land use regulation:** Minimum parcel size of eighty acres and limitations on new dwellings in the F-2 (Impacted Forest Land) zone (LC 16.211).

**ANALYSIS**

To have a valid claim against Lane County under Measure 37 and LC 2.700 through 2.770, the applicant must prove:

- 1. Lane County has enacted or enforced a restrictive land use regulation since the owner acquired the property, and**

The current owner is Wesley L. Ridgley. Wesley L. Ridgley acquired an interest in the property on December 10, 1974, when it was unzoned. Wesley L. Ridgley has had continuous ownership interest in the property since. Currently, the property is zoned F-2 (Impacted Forest Land).

**2. The restrictive land use regulation has the effect of reducing the fair market value of the property, and**

The property was unzoned when it was acquired by Wesley L. Ridgley. The minimum lot size and limitations on new dwellings in the F-2 zone prevent the Wesley L. Ridgley from developing the property as could have been allowed when he acquired it. The alleged reduction in fair market value is \$240,000, based on the tax assessor information and the opinion of the claimant. No competent form of value reduction analysis has been provided. The County Administrator has not waived the appraisal requirement for this claim.

**3. The restrictive land use regulation is not an exempt regulation as defined in LC 2.710.**

The minimum lot size and restrictions on new dwellings do not appear to be exempt regulations.

**CONCLUSION**

There is insufficient evidence to determine the validity of this claim.

**RECOMMENDATION**

If additional information is not submitted at the hearing, the County Administrator recommends the Board direct him to deny the claim.