

**AFTER RECORDING, RETURN TO:**

Board of County Commissioners  
Columbia County Courthouse  
230 Strand, Room 331  
St. Helens, OR 97051

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**BEFORE THE LAND DEVELOPMENT SERVICES DEPARTMENT  
FOR COLUMBIA COUNTY, OREGON**

In the Matter of Claim Nos. CL 07-94, CL 07-96,            )  
CL 07-97, CL 07-98, CL 07-99, CL 07-100,            )  
CL 07-101, CL 07-102, CL 07-103, and CL 07-104    )  
Submitted by Stimson Lumber Company for            )  
Compensation Under Measure 37                            )        Order No. 98-2007

WHEREAS, on December 1, 2006, Columbia County received ten Claims for compensation under Measure 37 and Order No. 34-2007 from Stimson Lumber Co, (the "Claimant"), related to 10 parcels of property located in Columbia County, Oregon, having tax account numbers 5500-000-02200, 4430-000-00500, 4500-000-00900, 4500-000-00800, 4500-000-01100, 4505-000-00900, 4420-000-00200, 4429-000-00300, 5500-000-01800, and 5500-000-01600; and

WHEREAS, according to the information presented with the Claims, the Claimant acquired an interest in seven of the properties between before 1984, and acquired an interest in three of the properties after 1984; and

WHEREAS, the County zoned the subject properties as Primary Forest (PF-76) in 1984; and

WHEREAS, pursuant to Columbia County Zoning Ordinance (CCZO), Section 506.1, the minimum lot or parcel size for new land divisions in the PF-76 Zone is 76 acres; and

WHEREAS, the Claimant claims that the minimum lot size requirement for new land divisions has restricted the use of the property and has reduced the value of the property by \$3750 per acre; and

WHEREAS, the Claimant desires to subdivide the property into lots for residential development; and

WHEREAS, pursuant to Measure 37, in lieu of compensation the Board may opt to not apply (hereinafter referred to as "waive" or "waiver") any land use regulation that

restricts the use of the property and reduces the fair market value of the property to allow a use which was allowed at the time the Claimant acquired the property; and

WHEREAS, at the time of acquisition the Claimant could have divided the property into 5 acre minimum lot size parcels; and

NOW, THEREFORE, it is hereby ordered as follows:

1. The County adopts the findings of fact set forth in the Staff Report for CL 07-94, CL 07-96, CL 07-97, CL 07-98, CL 07-99, CL 07-100, CL 07-101, CL 07-102, CL 07-103, CL 07-104 and CL 07-105, dated April 19, 2007, which is attached hereto as Attachment 1, and is incorporated herein by this reference.
2. The County denies Claim Numbers CL 07-97, CL 07-99, and CL 07-105.
3. The County approves Claim Numbers CL 07-94, CL 07-96, CL 07-98, CL 07-100, CL 07-101, CL 07-102, CL 07-103, and CL 07-104. In lieu of compensation, the County waives CCZO Section 506.1 to the extent necessary to allow the Claimant to subdivide the property into five acre minimum lot size parcels.
3. This waiver is subject to the following limitations:
  - A. This waiver does not affect any land use regulations of the State of Oregon. If the use allowed herein remains prohibited by a State of Oregon land use regulation, the County will not approve an application for land division, other required land use permits or building permits for development of the property until the State has modified, amended or agreed not to apply any prohibitive regulation, or the prohibitive regulations are otherwise deemed not to apply pursuant to the provisions of Measure 37.
  - B. In approving this waiver, the County is relying on the accuracy, veracity, and completeness of information provided by the Claimant. If it is later determined that Claimant is not entitled to relief under Measure 37 due to the presentation of inaccurate information, or the omission of relevant information, the County may revoke this waiver.
  - C. Except as expressly waived herein, Claimant is required to meet all local laws, rules and regulations, including but not limited to laws, rules and regulations related to subdivision and partitioning, dwellings in the forest zone, and the building code.
  - D. This waiver is personal to the Claimant, does not run with the land, and is not transferable except as may otherwise be required by law.
  - E. By developing the parcel in reliance on this waiver, Claimant does so at its own risk and expense. The County makes no representations about the legal effect of this waiver on the sale of lots resulting from any land division, on the rights of future land owners, or on any other person or property of any sort.

4. This Order shall be recorded in the Columbia County Deed Records, referencing the legal description which is attached hereto as Attachment 2, and is incorporated herein by this reference, without cost.

Dated this 25<sup>th</sup> day of April, 2007.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: Todd Dugdale  
Todd Dugdale, Director  
Land Development Services

By: Sarah Kussner  
Assistant County Counsel

ATTACHMENT 1

**COLUMBIA COUNTY LAND DEVELOPMENT SERVICES**

**MEASURE 37 CLAIM**

**STAFF REPORT**

DATE: April 19, 2007

CLAIMANT: Stimson Lumber Company; 520 SW Yamhill, Suite 700; Portland, OR 97204

REQUEST: "Division of land for homes; maximum allowed based on zoning at the time of acquisition"

CLAIM RECEIVED: December 1, 2006

REVISED 180 DAY DEADLINE: May 30, 2007

RECEIPT OF CLAIM NOTICE: Claims 94, 96-101, 103-105: Claim notices were mailed on April 2, 2007. The comment period ended on April 16, 2007. No request for hearing was received. The following comments were received:

Patricia and Margaret Cone, neighboring property owners, submitted a comment on April 11, 2007 regarding claim 07-96. The Cone Family stated that they have an easement for a right-of-way and for the use of the waters from a spring located on the subject parcel, and provided supporting documentation. As the spring is the sole source of water for the Cone property, the Cone family expressed concern regarding the potential "negative impact on the source, quality, and quantity of the water."

Mark Akers submitted a comment on April 16, 2007 regarding claims 07-96, 101, and 103. Mr. Akers stated that he is opposed to the claims because of the potential negative impacts on public services such as police, fire, transportation, public works and school districts, and on "developed waters and subterranean water rights." He requested that the Claimant be required to prove adequate water supplies as a condition to granting the claims. Mr. Akers also commented that the development sought in the claims appears to be contrary to Stimson Lumber's commitment to conserve forest land under the Sustainable Forestry Initiative Program.

Claims 94, 105: Claim notices were mailed on March 30, 2007. The comment period ended on April 12, 2007. No request for hearing was received.

FILE NO.	TAX ACCOUNT NO.	ZONING	SIZE (in acres)	LOCATION
CL 07-94	5500-000-02200	PF-76	631.14	Clatsop County line
CL 07-96	4430-000-00500	PF-76	69.40	Nehalem Highway
CL 07-97	4500-000-00900	PF-76	40.0	Near Clatsop County line
CL 07-98	4500-000-00800	PF-76	42.32	Near Clatsop County line
CL 07-99	4500-000-01100	PF-76	258.67	Near Clatsop County line

CL 07-100	4505-000-00900	PF-76	113.64	Near Clatsop County line
CL 07-101	4420-000-00200	PF-76	177.65	McDonald Road
CL 07-103	4429-000-00300	PF-76	82.36	McDonald Road
CL 07-104	5500-000-01800	PF-76	158.34	Clatsop County line
CL 07-105	5500-000-01600	PF-76	80.21	Clatsop County line

## I. BACKGROUND:

The subject property is undeveloped timberland owned by Stimson Lumber Company. The total land area affected by these claims is 1,653.73 acres. Ten other claims submitted by Stimson Lumber are addressed in a separate staff report. Many of the parcels included in these Claims are subject to various easements, reservations of minerals and other resources, rights-of-way, and other encumbrances.

Whether or not a property is a legally platted lot or parcel created by a Subdivision or Land Partition, respectively, or a legal lot-of-record is not included in the review for a Measure 37 Claim. If the property reviewed by this claim is neither of these, this could impact any subsequent development under this claim.

## II. APPLICABLE CRITERIA & STAFF FINDINGS:

### Measure 37

**(1) If a public entity enacts or enforces a new land use regulation or enforces a land use regulation enacted prior to the effective date of this amendment that restricts the use of private real property or any interest therein and has the effect of reducing the fair market value of the property, or any interest therein, then the owner of the property shall be paid just compensation.**

**(2) Just compensation shall be equal to the reduction in the fair market value of the affected property interest resulting from enactment or enforcement of the land use regulation as of the date the owner makes written demand for compensation under this act.**

### A. PROPERTY OWNER & OWNERSHIP INTERESTS

- Current ownership:** Based on the information provided, it appears the subject property is owned by the Claimant, Stimson Lumber Company. However, the Claimant did not submit Title Reports with the Claims.
- Date of Acquisition:**

FILE NO.	TAX ACCOUNT NO.	DATE OF ACQUISITION	DOCUMENT	RECORDED IN COLUMBIA COUNTY DEED RECORDS
CL 07-94	5500-000-02200	July 22, 1969	warranty deed	Book 174, Page 153
CL 07-96	4430-000-00500	January 4, 1965	warranty deed	Book 157, Page 29
CL 07-97	4500-000-00900	March 16, 1993	special warranty deed	Book F 93, Page 2629
CL 07-98	4500-000-00800	May 28, 1971	warranty deed	Book 181, Page 984
CL 07-99	4500-000-01100	March 16, 1993	special warranty deed	Book F 93, Page 2629

CL 07-100	4505-000-00900	May 28, 1971	warranty deed	Book 181, Page 984
CL 07-101	4420-000-00200 <u>COMBINED</u> Former parcel 600 Former parcel 700 Former parcel 400	June 16, 1956 (originally 34.15 acres) May 17, 1956 May 17, 1956 January 15, 1960	warranty deed  warranty deed warranty deed warranty deed	Book 129, Page 335  Book 128, Page 631 Book 128, Page 633 Book 141, Page 413
CL 07-103	4429-000-00300	May 4, 1956	warranty deed	Book 128, Page 524
CL 07-104	5500-000-01800	July 22, 1969	warranty deed	Book 174, Page 152
CL 07-105	5500-000-01600	April 10, 1990	bargain and sale deed	Book F 90, Page 2370

**B. LAND USE REGULATION(s) IN EFFECT AT THE TIME OF ACQUISITION**

1. When the Claimant acquired the following properties between 1956 and 1971, they were not subject to County zoning regulations. The properties are all currently subject to the County Zoning Ordinance effective on August 1, 1984, which includes the Primary Forest(PF-76) district regulations(Section 501-510) cited in the Claims.

Tax Lot 5500-000-02200  
Tax Lot 4430-000-00500  
Tax Lot 4500-000-00800  
Tax Lot 4505-000-00900  
Tax Lot 4420-000-00200  
Tax Lot 4429-000-00300  
Tax Lot 5500-000-01800

2. When the Claimant acquired the following properties between 1990 and 1993, they were subject to the County Zoning Ordinance effective on August 1, 1984, which includes the Primary Forest(PF-76) district regulations(Section 501-510) cited in the Claims.

Tax Lot 4500-000-00900  
Tax Lot 4500-000-01100  
Tax Lot 5500-000-01600

**C. LAND USE REGULATION(s) APPLICABLE TO THE SUBJECT PROPERTY ALLEGED TO HAVE REDUCED FAIR MARKET VALUE / EFFECTIVE DATES / ELIGIBILITY**

The Claimant cites the following regulations as restricting use and reducing fair market value. However, the Claimant does not explain how these regulations restrict use and reduce value.

**Oregon State Laws(ORS/OAR/Statewide Planning Goals)**

The Claimant cites a number of state statutes, administrative rules and statewide planning goals.

**Columbia County Zoning Ordinance**

The Claimant cites a series of previous zoning ordinances and amendments including Ordinance 100(1973); Ordinance 80-12(1980); Ordinance 83-7(1983) as well as the current 1984 zoning ordinance and its amendments. The 1973 Zoning Ordinance did not apply to the subject properties since they are not located in the South County area to which the ordinance applied. The 1980 and 1983 Ordinances have been repealed and the 1984 Ordinance as amended is currently applicable to the property.

The Claimant alleges that the current Columbia County Zoning Ordinance (CCZO) sections 501-510 (Primary Forest) have reduced the fair market value of the property.

LAND USE CRITERION	DESCRIPTION
CCZO 501	Provides that the purpose of the PF Zone is to retain forest land for forest use, and allows dwellings only under certain conditions
CCZO 502	Sets forth the permitted uses in the PF zone
CCZO 503 and 504	Conditional Uses and requirements for Conditional Uses in the PF zone
CCZO 505	Sets forth requirements for Residential Structures in the PF zone
CCZO 506	Sets forth the minimum lot size in the PF zone
CCZO 507	Sets forth requirements for approval of a lot or parcel division for a principal dwelling on the effective date of the zoning ordinance
CCZO 508	Discusses non-forest uses that are unintentionally destroyed
CCZO 509	Relates to notification of state agencies for certain uses
CCZO 510	Sets forth fire Siting Standards for Dwellings and Roads

**Columbia County Subdivision and Partitioning Ordinance**

The Claimant also cites the Columbia County Subdivision and Partitioning Ordinance (CCSPO) (including amendments and its predecessor, the Subdivision Ordinance) as a land use regulation restricting its use of the property. The CCSPO sets forth the process and standards for property partitions and subdivisions.

**D. CLAIMANT'S ELIGIBILITY FOR FURTHER REVIEW**

Claimant acquired the tax parcels listed above in Section B(1) before the minimum lot/parcel size standards of the PF-76 zone became effective. Therefore, it may be eligible for compensation and/or waiver of CCZO 506.1 as to those properties.

However, Claimant did not acquire the tax parcels listed above in Section B(2) until the 1990s, after the PF-76 standards were in place. Ordinance 90-2, which amended the Zoning Ordinance to set lot size standards in the PF-76 zone, was adopted in February of 1990. Therefore, since Claimant acquired the properties listed above in Section B(2) in April of 1990 and March of 1993, Claimant is not eligible for waiver of CCZO 506.1 as to those properties.

E. STATEMENT AS TO HOW THE REGULATIONS RESTRICT USE

Oregon State Laws(ORS/OAR/Statewide Planning Goals)

These are State regulations, not County regulations, and cannot be waived by the County. The Claimant must seek waiver of these provisions from the State. Since the State regulations cited by the Claimant are not applicable to these claims, they are not discussed further in this report.

Columbia County Zoning Ordinance

The Claimant(s) state that the property cannot be divided and developed due to the 76-acre minimum lot size of the PF-76 zone and the other provisions of Section 500.

Section 500 sets forth the zoning regulations for PF-76 zoned property. However, with the exception of Section 506.1, imposing the 76 acre minimum lot size, the regulations don't restrict the use of the property for residential development.

Section 501 describes the general purpose of the PF-76 zone and does not restrict or prohibit the use of the property.

Sections 502 and 503 describe the permitted and conditional uses in the PF-76 zone. These provisions do not restrict or prohibit the proposed subdivision for single family dwellings because non-resource dwellings are allowed in the PF-76 zone as a conditional use and other types of dwellings are allowed as permitted uses. CCZO

Sections 504, 505 and 506 do not restrict or prohibit the proposed subdivision for development of single family dwellings because single family dwellings are allowed as conditional uses. During the hearing process on the proposed conditional use dwellings, conditions may be imposed that may restrict or prohibit the use. Some of those conditions may be exempt from waiver under Measure 37. However, the County cannot determine whether conditions will qualify for waiver under Measure 37 until the County knows what they are. CCZO Section 506.1 prohibits a division of land in the PF-76 zone below 76 acres. Staff concedes that this minimum lot size regulation restricts and prohibits the use of the property. However, the County does not have any information that the remaining standards set forth in Section 504, 505, and 506 cannot be met and thereby restrict the use of the property.

Section 507 allows a smaller homestead lot down to two acres be partitioned from the remainder of a resource parcel containing the land to remain in resource use. Staff finds that this provision allows a land owner to separate the single family residential use from the portion of the property that is in resource use. Based on the proposed division of the property into 5 acre parcels, this provision does not restrict the Claimants from dividing the property into five acre parcels for non-resource residential use as they propose.

Section 508 allows replacement of a non-resource dwelling destroyed by fire or other casualty consistent with health and safety construction codes. Staff finds that his provision does not limit or restrict non-resource dwellings, but allows them to be replaced if destroyed.



Section 509 relates to notification of state agencies for certain uses. Staff finds this is a procedural requirement and does not restrict use.

Section 510 set forth fire siting standards for dwellings and roads. Staff finds that these requirements are exempt health and safety regulations.

### Columbia County Subdivision and Partitioning Ordinance

The Claimant stated that it requires a waiver of the Subdivision and Partitioning Ordinance. The CCSPD does not restrict the use of the property, once the minimum lot size has been waived; it merely sets forth the process to partition or subdivide the property. Standards will be imposed during the process. The County has no information to suggest that the Claimant cannot meet the subdivision standards. The Commission may impose reasonable conditions on approval of a partition or subdivision. However, without knowing what the conditions will be the County cannot make a determination that they restrict the use of the property, reduce the value of the property and are not exempt. The Claimant has not provided any information about what specific provisions it believes are subject to waiver under the Measure. Moreover, the Claimant fails to address how a properly subdivided property could possibly be worth less than property that does not go through a recognized subdivision process. Staff doubts that any financing would be available for such a development due to the uncertainty surrounding it. Furthermore, staff presumes that a potential buyer would pay more for a lot that can be shown to have been legally created than for a lot that cannot be shown to have been legally created.

Based on the Claims, it appears that the County regulation that clearly prevents the Claimants from developing the property as desired is:

CCZO 506.1      Establishing the 76-acre minimum lot/parcel size in the PF-76 zone

#### F. EVIDENCE OF REDUCED FAIR MARKET VALUE

1. **Value of property as regulated:** The Claimant estimates the current value of the land as \$604 per acre for bare land costs only. According to the County Assessor, the land values are as follows:

FILE NO.	TAX ACCOUNT NO.	REAL MARKET VALUE
CL 07-94	5500-000-02200	\$375,500
CL 07-96	4430-000-00500	\$266,900
CL 07-97	4500-000-00900	\$109,100
CL 07-98	4500-000-00800	\$247,400
CL 07-99	4500-000-01100	\$706,700
CL 07-100	4505-000-00900	\$499,600
CL 07-101	4420-000-00200	\$580,800
CL 07-103	4429-000-00300	\$205,900
CL 07-104	5500-000-01800	\$94,200

CL 07-105	5500-000-01600	\$123,700
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2. **Value of property not subject to cited regulations:** The Claimant submitted an appraisal prepared by PGP Valuation, Inc. which estimated “the expected value of a typical 20, 40 and 80-acre hypothetical homesite” in Columbia County. The appraisal estimated the value of a 20-acre homesite as \$125,000 to \$150,000, a 40-acre homesite as \$150,000 to \$200,000, and an 80-acre homesite as \$200,000 to \$250,000. The appraiser assumed that the hypothetical homesites would have all weather roadways, power and communication services, and adequate water for domestic wells. In addition, the appraiser made the “extraordinary assumption” that “the property will develop incrementally to assure a balance between demand and supply of the available 20,40, and 80-acre homesites for sale purposes.”
3. **Loss of value as indicated in the submitted documents:** The claim alleges a total reduction in value of \$1,896 to \$5,646 per acre, based on the current valuation of \$604 per acre.

Staff does not agree that the information provided by the Claimants is adequate to fully establish the current value of the property or the value of the property if it was not subject to the cited regulation(s). Staff concedes, however, that it is more likely than not that the property would have a higher value if it could be divided for development as proposed.

G. COMPENSATION DEMANDED

As noted on page 1 of the Measure 37 Claim Forms: \$1,896 to \$5,646 per acre.

**(3) Subsection (1) of this act shall not apply to land use regulations:**

- (A) Restricting or prohibiting activities commonly and historically recognized as public nuisances under common law. This subsection shall be construed narrowly in favor of a finding of compensation under this act;**
- (B) Restricting or prohibiting activities for the protection of public health and safety, such as fire and building codes, health and sanitation regulations, solid or hazardous waste regulations, and pollution control regulations;**
- (C) To the extent the land use regulation is required to comply with federal law;**
- (D) Restricting or prohibiting the use of a property for the purpose of selling pornography or performing nude dancing. Nothing in this subsection, however, is intended to affect or alter rights provided by the Oregon or United States Constitutions; or**
- (E) Enacted prior to the date of acquisition of the property by the owner or a family member of the owner who owned the subject property prior to acquisition or inheritance by the owner, whichever occurred first.**

CCZO 506.1 does not qualify for any exclusions listed, except as to the parcels acquired after 1984, as noted above.

Staff notes that other standards including but not limited to fire suppression/protection, access, adequacy of domestic water, subsurface sewage, erosion control and stormwater requirements continue to apply as they are exempt from compensation or waiver under Subsection 3(B), above.

Staff also notes that the property may be subject to federal and/or state fish and wildlife regulations. Federal regulations would continue to apply as they are exempt from compensation or waiver under Subsection 3(C), above. To the extent that State regulations apply to the subject property, Claimant must check with State authorities regarding compliance and/or waiver of applicable regulations.

**(4) Just compensation under subsection (1) of this act shall be due the owner of the property if the land use regulation continues to be enforced against the property 180 days after the owner of the property makes written demand for compensation under this section to the public entity enacting or enforcing the land use regulation.**

Should the Board determine that the Claimants has demonstrated a reduction in fair market value of the property due to the cited regulations, the Board may pay compensation in the amount of the reduction in fair market value caused by said regulation(s) or in lieu of compensation, modify, remove, or not apply CCZO Section(s) 506.1.

**(5) For claims arising from land use regulations enacted prior to the effective date of this act, written demand for compensation under subsection (4) shall be made within two years of the effective date of this act, or the date the public entity applies the land use regulation as an approval criteria to an application submitted by the owner of the property, whichever is later. For claims arising from land use regulations enacted after the effective date of this act, written demand for compensation under subsection (4) shall be made within two years of the enactment of the land use regulation, or the date the owner of the property submits a land use application in which the land use regulation is an approval criteria, whichever is later.**

The subject claims arise from the minimum lot/parcel size of the PF-76 zone which was enacted prior to the effective date of Measure 37 on December 2, 2004. The subject claims were filed on December 1, 2006, which is within two years of the effective date of Measure 37.

**(8) Notwithstanding any other state statute or the availability of funds under subsection (10) of this act, in lieu of payment of just compensation under this act, the governing body responsible for enacting the land use regulation may modify, remove, or not to apply the land use regulation or land use regulations to allow the owner to use the property for a use permitted at the time the owner acquired the property.**

Should the Board determine that the Claimant has demonstrated a reduction in fair market value of the property due to the cited regulation(s), the Board may pay compensation in the amount of the reduction in fair market value caused by said regulation(s) or in lieu of compensation, modify, remove, or not apply said regulations.

### **III. STAFF RECOMMENDATION:**

The following table summarizes Staff findings concerning the land use regulation(s) cited by the Claimant as a basis for the Claims. In order to meet the requirements of Measure 37 for a valid claim, the cited land use regulation must be found to restrict use, reduce fair market value, and not be one of the land use regulations exempted from Measure 37. The regulations identified in this table have been found to apply to this Measure 37 claim.

LAND USE CRITERION	DESCRIPTION	RESTRICTS USE?	REDUCES VALUE?	EXEMPT?
CCZO 501	Provides that the purpose of the PF Zone is to retain forest land for forest use, and allows dwellings only under certain conditions	No	No	No
CCZO 502	Sets forth the permitted uses in the PF zone	No	No	No
CCZO 503 and 504	Conditional Uses and requirements for Conditional Uses in the PF zone	No	No	No except for 504.4 and possibly 504.6 which deals with health and safety.
CCZO 504.1	Use consistent with forest and farm uses and Forest Practices Act	No	No	No
CCZO 504.2	Use will not significantly increase cost, nor interfere with accepted forest management practices or farm uses on adjacent or nearby forest or farm uses.	No	No	No
CCZO 504.3	Limit site to no larger than necessary to accommodate activity. Won't materially alter stability of land use pattern, limit or impair surrounding permitted uses. If necessary measures will be taken to minimize negative effects on adjacent forest lands.	No	No	No
CCZO 504.4	Use does not constitute an unnecessary fire hazard; provides for safety measures in planning, design, construction, and operation.	No	No	Yes
CCZO 504.5	Public utilities develop or utilize ROWs that have least adverse effect on forest resources. Use existing ROWs where possible.	No	No	No
CCZO 504.6	Development within major or peripheral big game ranges shall be sited to minimize impact on big game habitat.	No	No	No

CCZO 505.1	Nonresource-related structures shall be placed only on land that is generally unsuitable for commercial forestry or agricultural use considering terrain, adverse soil or land conditions, drainage, and flooding, vegetation, location, and size of the tract.	No	No	No
CCZO 505.2	Provision be made for fire safety measures consistent with NIFPG publication "Fire Safety Considerations for Development in Forest Areas"	No	No	Yes
CCZO 505.3	Dwelling owner/occupant assume responsibility for wildlife damage.	No	No	No
CCZO 505.4	Use does not impose limitation on operation of primary wood processing facility.	No	No	No
CCZO 505.5	Forest management impact statement may be required showing relationship between the proposed residential use and surrounding resource uses, including setbacks for any dwellings from forest or farm uses to assure above conditions met.	No	No	No
CCZO 506.1	Minimum parcel size for new land divisions is 76 acres.	Yes	Yes	No
CCZO 509	Relates to notification of state agencies for certain uses	No	No	Yes (health and safety)
CCZO 510	Sets forth fire Siting Standards for Dwellings and Roads	No	No	Yes (health and safety)
CCSPO	Land Division Procedures and Standards	No	No	Yes

Staff recommends the Board of County Commissioners take action to determine the amount, if any, by which the cited regulations reduced the value of the Claimant's property, and act accordingly to pay just compensation in that amount, or, in the alternative, to not apply CCZO Section 506.1.

Staff recommends the Board of County Commissioners deny Claims 07-97, 07-99, and 07-105 as to Tax Lot 4500-000-00900, Tax Lot 4500-000-01100, and Tax Lot 5500-000-01600.