



**WASHINGTON COUNTY**  
 Dept. of Land Use & Transportation  
 Land Development Services Division  
 155 N. 1<sup>st</sup> Avenue, #350-13  
 Hillsboro, OR 97124  
 Ph. (503) 846-8761 Fax (503) 846-2908  
 http://www.co.washington.or.us

# Measure 37 Notice of Public Hearing

RURAL CPO: 14

**RURAL/NATURAL RESOURCE PLAN ELEMENT**

**EXISTING LAND USE DISTRICT(S):**

EFC District (Exclusive Forest and Conservation)

**APPLICABLE LAND USE DIST. FOR CLAIM:**

EFC District (Exclusive Forest and Conservation)

**ASSESSOR MAP: TAX LOT NUMBER(S):**

2N4 23 00                      01101

**CLAIM NO.:** 37CL0138

**CLAIMANT & OWNER:**

Robert And Rachelle Hofer  
16000 NW Hofer Road  
Banks, OR 97106

**CLAIMANT'S REPRESENTATIVE:**

William Cox, Attorney at Law  
0244 SW California Street  
Portland, OR 97219

**DATE PROPERTY ACQUIRED:** 12/31/1986

**PROPERTY DESCRIPTION:**

**SITE SIZE:** 89.46 acres

**SITE ADDRESS:** 45045 NW Elk Mountain Road.

**LOCATION:** Approximately 500 feet north of the terminus of NW Elk Mountain Road.

**The decision to remove, modify or not apply a regulation is based on the owner's description of possible future development. The description of the development is required only for the purposes of determining which regulations allegedly restrict the use of the property & reduce its fair market value.**

**REGULATION TO BE REMOVED, MODIFIED OR NOT APPLIED:** CDC 2005 Sections 342 (Exclusive Forest and Conservation), 422 (Significant Natural Resources), 424 (Creation of Parcels in the EFU, EFC and AF-20 Districts), 428 (Forest Structure Siting and Fire Safety Standards – only to the extent that some of the standards may not be safety related), 430-37.2 (Dwellings) and Rural Plan Policy 22, based on the claimant's desire to divide property into 100+/- lots and build dwellings on each lot and a community water system.

**ESTIMATED VALUE OF CLAIM:** \$21,127,000

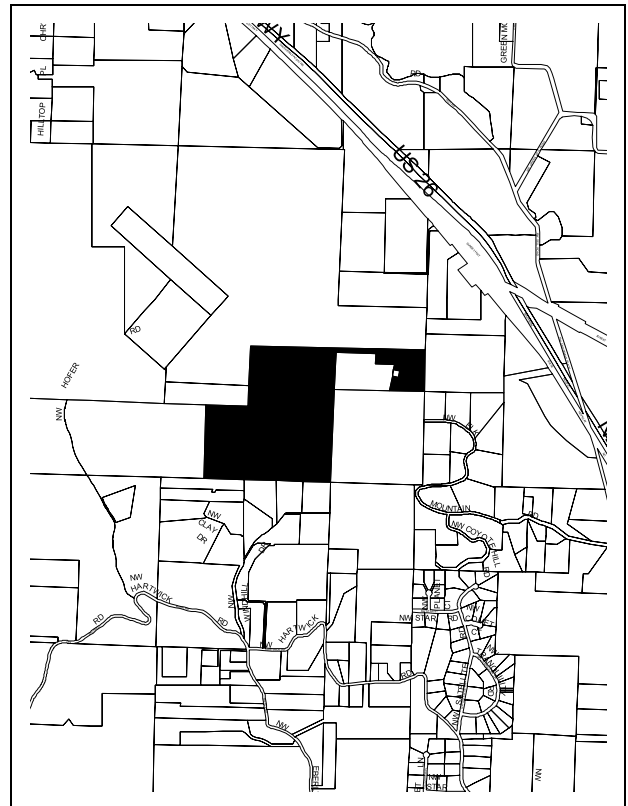
**\*Note: All approved claims will require subsequent land use review prior to development approval. If a subsequent application is submitted and accepted, notice will be provided to surrounding property owners according to CDC 204.**

**AREA MAP**  **SUBJECT PROPERTY** →

Notice is hereby given that the Board of County Commissioners will review the request for the above-stated Measure 37 claim action at a public hearing on:

**April 4, 2006 at 10:00 a.m. or after**

In the Auditorium on the first floor of the Washington County Public Services Building, 155 North First Avenue, Hillsboro, Oregon, 97124.



**Minimum content for an eligible claim:**

1. Date claimant acquired property.
2. The County land use regulation that restricts the use of the property.
3. Whether the land use regulation reduces the fair market value of the property.
4. Whether the County has enforced the land use regulation against the property or its owner.
5. The land use regulation is not exempt under terms of Measure 37.

**Board Hearing Procedure:**

- All interested persons may appear and provide written or oral testimony (written testimony may be submitted prior to the hearing but not after the conclusion of the hearing).
- Public testimony: Special rules regarding testimony & time limits may be established by the Board at the start of the hearing.

**The Board shall have authority to decide whether:**

- The Director's determination that the claim meets the minimum content requirements, and is an eligible claim, is correct. This is a *de novo* determination;
- To approve compensation and, if so, how much to pay;
- To modify, not apply or remove one or more land use regulations to allow the owner to use the property for a use permitted at the time the owner acquired the property in lieu of compensation; or
- To approve a combination of the remedies set forth above.
- The Board is not limited to those regulations listed in the claim. The Board may impose any conditions of approval that it deems reasonable and appropriate to protect the public interest. (Ordinance Number 636 15.16.080)

**Staff Report:**

- A copy of the claim, all documents and evidence relied upon by the claimant and applicable criteria are available for inspection at no cost at the Department of Land Use and Transportation. A copy of this material will be provided at reasonable cost.
- A copy of the staff report will be available for inspection at no cost at the Department of Land Use and Transportation at least 7 (seven) days prior to the hearing. A copy of the Staff Report will be provided at reasonable cost.

For further information, please contact:

**Jim Tice OR Steve Conway OR Terry Lawler, Senior Planners**

at The Department of Land Use and Transportation. Phone 503-846-8761.

**PLEASE SEND ALL WRITTEN COMMENTS TO:**

**Measure 37 Claim – File #: 37CL0138**

**Washington County DLUT**

**155 N. 1<sup>st</sup> Avenue, #350-13**

**Hillsboro, OR 97124**

**Assistive Listening Devices**

- Assistive Listening Devices are available for persons with impaired hearing and can be scheduled for this meeting by calling 503-846-8611 (voice) or 503-846-4598 (TDD – Telecommunications Devices for the Deaf) no later than 5:00 p.m., on the Monday preceding the meeting.

**Sign Language and Interpreters**

- The County will also upon request endeavor to arrange for the following services to be provided:
  1. Qualified sign language interpreters for persons with speech or hearing impairments; and
  2. Qualified bilingual interpreters.
- Since these services must be scheduled with outside service providers, it is important to allow as much lead-time as possible. Please notify the County of your need by 5:00 p.m. on the Thursday preceding the meeting date (same phone numbers as listed above: 503-846-8611 or 503-846-4598).