

Weather for Pendleton



Sunny  
Time: 3:00 pm  
Temp: 43 F  
RealFeel Temp: 44 F  
Humidity: 45 %  
Winds: ESE at 3.45 mph

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## LOCAL NEWS



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Thursday, December 23, 2004

### Pendleton Country Club files Measure 37 claim

By DEAN BRICKEY of the East Oregonian  
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Dan Leighty, president of the Pendleton Country Club, stands on land overlooking the course where the club would like to build homes. Staff photo by Don Cresswell

condominiums and homes for our members and our future members," Leighty said.

Umatilla County Planning Director Tamra Mabbott said today her staff has yet to review the claim. Once reviewed, staff will send a report to Umatilla County commissioners, who will then conduct a public hearing on the claim.

The country club, 6 miles south of the city along U.S. Highway 395, is seeking a waiver of existing Exclusive Farm Use zoning and/or permission to develop an unincorporated community with water and sewer systems. If

PENDLETON — The Pendleton Country Club has filed a Measure 37 claim with Umatilla County hoping to gain permission to develop 200 acres surrounding its golf course.

Dan Leighty, country club board of directors president, delivered the 40-page claim to the Umatilla County Planning Department late Wednesday.

"Our goal is to develop very nice



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denied, the country club will seek compensation.

“This is a legal claim against the county. Technically they’re suing us,” Mabbott said, adding the county has 180 days to make a decision.

Leighty said the country club has not set the amount of compensation it desires.

“We just want the county to let us build out there what we want to build,” he said.

Leighty said the country club has no specific plans for the number of lots it intends to develop, the cost of them or the timetable.

“We still have to go through a lot of hoops,” Leighty said, adding that the plans need approval of the members, a developer needs to be identified and financing acquired.

“We need to know that we have the ability to proceed before we clarify our plan,” he said.

The country club’s only expense has been the county’s \$300 filing fee.

Kalvin Garton, a country club board member, donated his services to prepare the claim, Leighty said.

No homes are built adjacent to the 18-hole private course, but the country club owns what Leighty called “200 acres of scab land” it wants to develop surrounding the course.

This is not the first time the country club has endeavored to develop the property, Leighty said. In 2000-01, it applied to the county to rezone the land as a golf course zone with 2-acre home sites. He said local officials approved the plan, but the state Department of Land Conservation and Development sent the decision to the Oregon Land Use Board of Appeals, remanded it to the county.

The country club did not pursue the matter further.

“We spent about \$30,000 in legal fees trying to get that through,” Leighty said, adding that passage of Measure 37 gave the country club a second chance.

Oregon voters approved Measure 37 on Nov. 2. It stipulates that owners of real property are entitled to compensation if land-use regulations enacted after the purchase of land restrict property use and reduces its value.

Leighty said the country club has owned the property it wants to develop since 1954, when it moved from the current site of Pendleton High School.

The county’s first land-use laws were enacted in 1959, according to County Counsel Doug Olsen.

“The law is clear,” Leighty said. “You have to retain your ownership. If we had not been the community partner we have been, we would have stayed in town and had nice homes around the golf course now.”

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Leighty is optimistic that the country club has a legitimate case.

“We feel that we could be the poster boy for Measure 37 in Eastern Oregon,” he said.

The country club’s claim is not the first filed in the county.

Mabbott said Val Toronto of Pendleton filed a claim Dec. 13 regarding Korvola Road, southwest of Pendleton, off Sunset Drive. His claim is for loss of land, loss of potential uses of land and impaired access to owners’ abutting property, among other things.

Toronto is seeking the return of confiscated property, including replacing a livestock fence and reimbursement of survey costs. He also filed another claim last week involving Korvola Road and one this week for damages resulting from his property being disconnected from the city’s water system. Olsen said he believed that claim should be filed with the city.

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**Umatilla Chemical Depot News**

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