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Tuesday's Internet Edition, 02:08 PM, December 28, 2004.

## Measure 37 puts Periodic Review process on hold

**Session continued until March 21** - Hoping to see some help from the 2005 session of the legislature related to the passage of Measure 37, Curry County Commissioners continued the ongoing Periodic Review process until March 21, 2005 at 1:30 p.m. That action was taken at a continuation of the Periodic Review held on Wednesday, December 15.

Planning Director Grant Young stated that there was a need to determine if the county was going to continue with the process in light of the adoption of the measure.

He introduced a survey of fire departments into the records related to road widths. He noted that five of the departments preferred 20' wide roads, two didn't object to the 16-18' widths if there were turnouts, another was okay with the 16-18' width, there were some no opinions and several did not respond.

Commissioner Marlyn Schafer said the county needed to be very careful if changes are made which would take away somebody's right to further divide their land.

Commissioner Lucie LaBonté added that she felt the 16-18' width was probably okay outside of the Urban Growth Boundary; however, if the area's really steep it needs to be reviewed separately.

Young stated that if there is a land use regulation which deals with public safety — a Measure 37 claim cannot be made.

Hoping for legislative action, Young stated, "I don't know if we want to adopt until we have a better idea of what the legislature will do with Measure 37."

LaBonté pointed out that the 20' width is part of the uniform fire code; however, it's not a law. She felt that going with the fire chiefs' recommendations would be okay.

Young said that Measure 37 was poorly written and there are many questions. Other discussion centered around safety standards including building on a geological hazard zone or in a flood plain.

"There's going to be a lot of case-by-case," said Commissioner Ralph Brown.

Schafer questioned riparian setbacks, also.

"There's a whole bunch of questions," she stated, noting that Associated Oregon Counties was developing a list for the legislature.

"What do we need to do?" Schafer asked. "I say delay until the legislature deals

with the issues.”

“I don’t believe DLCDC has a problem with that,” added Young.

County Counsel Jerry Herbage stated if the legislature takes the matter up — the county could have a much better idea how to proceed with the Periodic Review process in March or April.

“I don’t think there’s any harm at all in putting it off for two months and see what legislation develops,” Young added.

Brown explained that Measure 37 says that anytime a person bought property and the value was changed by land use regulations that compensation or waiver of those regulations would have to be made. This, he added, could go into the future.

“We could be creating Measure 37 claims if we go into land use changes,” Brown pointed out.

Grant explained that the Planning Commission has agreed to change their meetings to the fourth Thursday to solve conflicts with city planning commissions. That will begin in February.

The Commissioners concluded with approving a motion to continue the Periodic Review process until March 21 at 1:30 p.m.

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