

**RESOLUTION NO. 1905**

**A RESOLUTION OF THE CITY OF WILSONVILLE CITY COUNCIL OPPOSING  
BALLOT MEASURE 37**

WHEREAS, the Wilsonville City Council fully supports existing federal and state constitutional requirements for payment of "just compensation" when condemning private property or depriving owners of "all substantial beneficial or economically viable use" whenever land is needed for public purposes; and

WHEREAS, the Wilsonville City Council supports Oregon's existing land use planning system established many years ago under SB 100; and

WHEREAS, the Wilsonville City Council appreciates over 30 years of good land use planning efforts contributed by our past Councils, Planning Commissions, Development Review Boards, and many other Wilsonville citizens; and

WHEREAS, the Wilsonville City Council believes that all Wilsonville citizens benefit from the planning, organization and development rules which keep inappropriate development from mixing into and degrading our residential, commercial and industrial neighborhoods; and

WHEREAS, Measure 37 would undermine local planning authority and Oregon's land use laws; and

WHEREAS, Measure 37 would create substantial potential compensation requirements beyond the current state and federal constitution provisions; and

WHEREAS, Measure 37 would expose the City of Wilsonville to such additional compensation costs whenever it sought to enforce rules pertaining to such critical issues as: traffic congestion management, zoning, setbacks, subdivisions, and protection of environmentally sensitive areas such as wetlands, fish and wildlife habitat, buffer zones,

stormwater recharge areas, flood plains, open spaces, streams, trees, and geologically hazardous areas; and

WHEREAS, the City of Wilsonville is financially constrained, and Measure 37 does not include any new state or local funding mechanism to pay for the increased staff requirements or for compensating property owners beyond the current system as provided by state and federal law; and

WHEREAS, Measure 37 provides a waiver provision that would increase infrastructure costs for the community when a city waived a regulation that put additional unplanned capacity on public facilities, transportation systems, stormwater systems, sidewalks, open space requirements, and parks; and

WHEREAS, Measure 37 includes no provisions to compensate neighboring properties whose values may fall because of such waivers; and

WHEREAS, Measure 37 could create a loss of property tax revenue to cities by having neighboring property owners demanding a reduction of their assessed values if an unplanned or inappropriate development were allowed next to their property; and

WHEREAS, Measure 37 creates an unfair and uncertain system where land use rules are applied unevenly based on family lineage and length of ownership; and

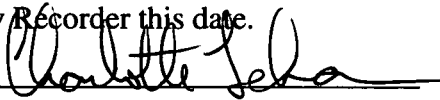
WHEREAS, Measure 37 would require new layers of processes for assessing value, historic land use code requirements, and appeals, thereby creating delays in development; and

WHEREAS, Measure 37 creates significant administrative costs for claims assessment; including ownership research, costs of an appraisal that makes multiple value determinations, staff reports, assessments of impacts to neighbors, assessments of collateral impacts to existing infrastructure investments, legal assistance and additional public process.

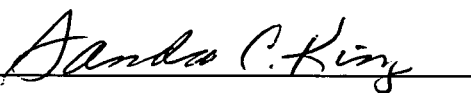
NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The Wilsonville City Council opposes the passage of Measure 37; and
2. The Wilsonville City Council urges all Wilsonville citizens to vote NO on Measure 37.
3. This resolution is effective upon adoption

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 4<sup>th</sup> day of October, 2004, and filed with the Wilsonville City Recorder this date.

  
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CHARLOTTE LEHAN, Mayor

ATTEST:

  
\_\_\_\_\_  
Sandra C. King, CMC, City Recorder

SUMMARY OF VOTES:

Mayor Lehan	Yes
Council President Kirk	Yes
Councilor Holt	Yes
Councilor Scott-Tabb	Excused
Councilor Knapp	Yes