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Resolution in Support of Senate Bill 82 (2005)

City Club of Portland (Portland, Or.)

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Resolution in Support of Senate Bill 82 (2005)



City Club's mission is "To inform its members and the community in public matters and to arouse in them a realization of the obligations of citizenship."

City Club of Portland Board of Governors Resolution

In Support of Senate Bill 82 (2005)

Drafted by the Research Board and adopted
June 13, 2005 by the Board of Governors

PREAMBLE

In November 2000, Oregon voters approved Ballot Measure 7, which required payment of compensation to owners of private property for reductions in their property's "fair value" attributable to government regulations, with limited exceptions. Beginning in January 2001, after passage of Measure 7, a City Club of Portland committee (Measure 7 Study Committee) extensively studied Measure 7, including the apparent catalysts for its passage and the problems and issues (both conceptual and practical) with its implementation. The Measure 7 Study Committee's work culminated with the preparation of a report, which was adopted by the membership of City Club on April 15, 2002.

In its conclusions, the Measure 7 report states, "We believe it is possible to find a rough consensus among citizens as to the place on the spectrum [of opinions regarding property rights] where rights are appropriately balanced against community interests that justify restrictions on the use of property. We further believe that it is imperative that Oregonians try to find that consensus."

Recommendation No. 2 of the Measure 7 report states:

"The governor and Oregon Legislative Assembly should immediately begin a public process that will identify the appropriate balance between property rights and community interests that is acceptable to, and will be supported by, most Oregonians."

The Oregon Legislature is currently considering Senate Bill 82, which would create a statewide task force on land use planning. The task force would be comprised of ten knowledgeable citizens and would study and make

recommendations on the following:

- Effectiveness of land use planning on meeting current and future needs of Oregonians in all parts of the state;
- Roles of state vs. local governments in land use planning; and
- Land use issues specific to urban growth boundaries and the interface between areas inside and outside urban growth boundaries.

By establishing a task force of knowledgeable citizens, Senate Bill 82 would implement a particular mechanism for facilitating the public dialogue advocated by the Measure 7 report. The purpose statement for the task force created by Senate Bill 82 is broad enough to encompass the broader philosophical issues identified in City Club's Measure 7 report, as well as the practical considerations of any land use system.

Also, Senate Bill 82 appears to be ideologically neutral, i.e., in itself, it does not require any change in land use laws and does not take a position on compensation for various degrees of regulatory "takings." The task force is intended both to gather information from knowledgeable sources and to provide information to the public. Ultimately, the charge of the task force is to make recommendations based on its own expertise and public opinion.

RESOLUTION

WHEREAS, City Club of Portland conducted prior research on Ballot Measure 7 and adopted a study report on April 15, 2002 that included analysis of Measure 7, conclusions and recommendations; and

WHEREAS, one of the central conclusions and recommendations of City Club's Measure 7 report was that a statewide public dialogue should be initiated to identify a public consensus on the balance between property rights and land use planning; and

WHEREAS, Senate Bill 82 would establish a specific, ideologically neutral, mechanism for carrying out the public dialogue recommended in the Measure 7 report.

NOW, THEREFORE, IT IS RESOLVED, that City Club of Portland shall publicly express support for passage of Senate Bill 82.