

Robert St. Clair

From: Geoffrey Wilson <tigtaz@gmail.com>
Sent: Tuesday, October 24, 2023 4:33 PM
To: Planning Group
Subject: Wetlands Overlay Amendments Proposals, Lot of Record, Wetlands Buffer increase

Follow Up Flag: Follow up
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Attention:
Cannon Beach Planning Commission
City Council

From: Geoffrey Wilson, Trustee 'Wilson Family Trust'

To whom it may concern,

I am writing to express concerns and objections to the proposed change to the wetlands overlay ordinance that has the potential to significantly impact property use to the point of impossibility to develop private property. The proposed expansion of the wetland buffer zone raises significant and egregious questions of potential infringement on property rights, which may amount to a "taking" of property.

While the existing ordinance already imposes significant burdens on development, the proposed change appears to impose an ever greater burden. Such that some currently vacant property may not ever be approved for development. Property so affected would be relatively worthless to a private individual, its value only accruing to the community as a whole as a de facto wildland green belt. Yet the ordinance does appear to consider fair market compensation to property owners.

My parents bought adjacent twin properties near the intersection of Spruce Street and Ross Lane (Spruce Park LT 23 BLK 3 and Spruce Park LT 24 BLK 3), which the county has collectively assessed at \$468,456 as their real market value. My parents dream was to one day build a retirement residence for themselves. As that dream never materialized and since one parent is now deceased and the other is advanced in age, I am engaged, as their Trustee, in actively marketing the properties for sale to generate funds for my parents' care. This ordinance change is likely to terribly diminish the marketplace for my parent's and similarly situated properties. I fear being left holding valueless land once both parents pass away and their affairs and Trust must be wrapped up.

While I understand the need for responsible urban planning and the importance of protecting disappearing wetlands, it is essential that we strike a fair balance between public environmental interests and individual property rights. What is being proposed is akin to eminent domain for public purposes and my parents' Trust should be justly compensated for that taking.

I kindly request that the City reconsider this horrible ordinance or pay just compensation for the taking of property. In cases where this change in ordinance renders property effectively unbuildable, it may constitute

Exhibit D-7

a regulatory taking under the Fifth Amendment of the U.S. Constitution. Property owners should be justly compensated for such takings.

Sincerely,

Geoff Wilson, Trustee
Wilson Family Trust
707-718-5651