

CANNON  
BEACH

# GAZETTE

Recognized as  
the Best Local  
Coverage in the  
nation in 2003

Home

Sports

Happenings

Classifieds

Business Listings

Real Estate

Dining

Lodging

About Us

## Measure 37 claims could follow yes *or* no vote

Potential exists whether rental referendum passes or fails

By Cindy Dauer  
The Cannon Beach Gazette

Whatever the outcome of Cannon Beach referendum 4-107, the vote that will determine whether short-term rentals are legal or illegal in Cannon Beach, there will be a potential for claims filed under Measure 37.

Measure 37, an initiative passed by Oregon voters in November, allows property owners to seek compensation when a land-use regulation is enacted that lowers the fair market value of their property.

If a majority votes no on referendum 4-107 and property owners are denied short-term rental licenses, adversely effected property owners could potentially file for compensation with the City of Cannon Beach if they can prove the fair market value of their property is diminished by not having a license.

If a majority vote yes on the referendum, and the ordinance adopted by the Cannon Beach City Council is upheld, making short-term rentals legal in Cannon Beach, there is another potential for claims to be filed.

The new ordinance prohibits licenses from being transferred with the property. Under the former code, a license holder could sell their home and its accompanying license. If the property owner can show that the fair market value of their home is reduced by not being able to transfer the license, there is a potential they could file for compensation with the City of Cannon Beach.

But realtors in Cannon Beach say having a rental license does not necessarily effect the fair market value of a home.

"I don't believe having a short-term rental license increases the value of a home or makes it sell quicker," said Duane Johnson, of Duane Johnson Real Estate, who has been selling real estate in Cannon Beach for more than 25 years.

"Having a license is one of many factors that determines selling price of a home," said Jackie Weber of Windermere Cronin and Caplan Realty Group in Cannon Beach. "Price also depends on how it compares to other homes and many respects like location, condition, age, and size. It is hard to say."

"I don't really see a license adding a tremendous amount of dollar value to a home," said Cole Horsley, a five-year Cannon Beach real estate veteran with Coldwell Banker and Kent Price Realty. "Land value is land value and structure value is structure value. I don't think it matters to many buyers because the license income wasn't going to pay for the home."

Cannon Beach Mayor Dave Rouse has noted that the danger with Measure 37 and short-term rentals is the cost of fighting the claims.

"Property owners may not have a valid claim," said Rouse. "But the cost of fighting those claims is the unknown. We will have to plan for higher legal costs in the budget."

---

**cannonbeachgazette.com: [Home](#) | [Sports](#) | [Happenings](#) | [Classifieds](#) | [Business Listings](#) | [Real Estate](#) | [Dining](#) | [Lodging](#) | [Weather](#) | [About the Gazette](#)**

Copyright ©2000 Cannon Beach Gazette