

# ***Overlook Neighborhood Association*** **&** ***North Portland Neighborhood Chairs Network***

Aug. 8, 2018

Re: Neighborhood Contact Testimony

Portland Planning and Sustainability Commission  
1900 SW 4th Ave., Suite 7100  
Portland, OR 97201



Dear Commissioners,

The **Overlook Neighborhood Association** (OKNA) Board unanimously voted at its Aug. 7, 2018 meeting to recommend changes to the Neighborhood Contact Code Update. Nine neighborhood chairs of the **North Portland Neighborhood Chairs Network** also unanimously endorsed these recommendations at their Aug. 6 meeting. As proposed, the new code would undermine the ability of neighborhood residents to monitor and be informed about development and would also create avenues for some developers to avoid meaningful public scrutiny.

OKNA meets monthly, and our meetings are well-attended by residents who come and participate. As allowed under the current code, we request that all developers who provide proper notification attend one of our meetings to present and receive input on their proposal. These are among the most popular agenda items with residents. People like to know what is going up in the neighborhood, and our monthly meeting is a single, regularly-scheduled opportunity to remain informed and to ask questions.

Under the proposed code, we no longer would be able to serve our residents in that way. Indeed, the new code would create a fractured neighborhood communication system that would make it difficult for any single resident to keep up with all development in a neighborhood. Rather than attend one meeting at a fixed time (the third Tuesday of the month, 6:30 p.m., in our case), residents would have to keep an eye out for signs on street corners to know when meetings were to be held and might have to go to multiple meetings scattered around the city at inconvenient times.

We anticipate that for the vast majority of developers, there will not be a problem. Most developers find value in engaging with the neighborhood early, and we believe, will continue to use our monthly meeting as a convenient way to fulfill the meeting requirement.

Those are not the developers we are concerned about. Rather, the few developers who find neighborhood outreach to be an annoyance or who know their project will be controversial could exploit the new rules to avoid engagement. They will not choose to attend the regular meeting. Instead, they will choose a meeting at a time and place intended to discourage community engagement.

We understand that the goal of these revisions is to give residents in neighborhoods without active associations or frequent enough meetings a better opportunity to hear about development, but in attaining that goal the city should not destroy a system that works well for neighborhoods like Overlook.

Our specific concerns with the proposed neighborhood contact code are:

**The threshold for meetings and full contact (25,000 square feet) is too large.**

Smaller developments in residential areas can just as profoundly affect a neighborhood as large ones on an arterial. For example, a residential project with more than a dozen units could easily fit under this threshold but would dramatically change the character of a residential street. This will become even more important as the city places greater emphasis on density, encouraging garden apartments and other missing middle housing in neighborhoods through changes like the Residential Infill Project.

Many of the development projects that now must present to Overlook residents would not meet the new threshold. Yet their presentations are often among the most engaging and valuable to residents. In order to maximize awareness and resident engagement, the threshold should be lower.

OKNA and North Portland Neighborhood Chairs therefore request that the two-track system be reduced to a single track that applies the proposed "Neighborhood contact II" with full contact and meeting requirements to all projects 10,000 square feet or larger.

**Regular mail and email are not reliable enough for announcing projects.**

It is not an unreasonable burden to require developers to send a certified letter to the neighborhood association with details about a project. Developers in Overlook and other North Portland neighborhoods sometimes have sent the required contact letter dated prior to the date it was actually certified. While we hope these were honest mistakes, they smack of attempts to reduce the time window in which a neighborhood meeting could be requested.

Certified mail provides an objective, third-party check on the timing. With regular mail, a dishonest developer could claim it was lost in the mail or could wait to drop it in a post box after the last pickup before a long weekend to minimize opportunity to inform neighbors. Likewise, an email, delivery is not always reliable, spam filters being what they are.

OKNA and North Portland Neighborhood Chairs therefore request that email be encouraged as a means of contact but that certified mail remain the required contact mechanism with neighborhoods to ensure that sending and receipt are clearly documented.

**Neighborhood associations should remain the preferred host for development meetings.**

As noted above, by no longer requiring developers to present at the neighborhood association when requested, the proposal would eliminate what is a single-point of contact for many neighborhoods. There are at least two ways this might be preserved, maintaining the current system for the neighborhoods in which it works and enacting changes for those that do not have active associations.

OKNA and North Portland Neighborhood Chairs requests that neighborhood associations that wish to remain the primary venue for development proposals be allowed to do so by either:

- i) Giving neighborhood associations a “right of first refusal” to host development meetings. If a neighborhood association does not wish to or is unable to host such a meeting, it could revert to the developer to organize a meeting.
- ii) Allow neighborhood associations to have a standing notification with city planners that they wish to host development meetings. It would not be unduly burdensome for a developer to check a city webpage to see if the neighborhood in which a project is proposed wishes to host the meeting. For example, this information could simply be included with the contact information that developers already consult for contact purposes.

**Time and place of developer-organized meetings are too broad.**

In the name of providing flexibility to developers, the proposed code creates an opportunity to make meetings exceedingly difficult to attend. Specifically, the requirement that a meeting only be within two miles of the neighborhood is much too distant. For a neighborhood like Overlook and others in North Portland, many development meetings could be held across the Willamette River in Northwest or downtown without reasonable public transit access. Similarly, the time windows in which meetings could be held are exceedingly broad, extending until 9 p.m. on weeknights and over most of the day on weekends. Finally, the code does not set a minimum length of time for such meetings.

A developer wishing to avoid scrutiny of a project in Overlook, then, could hold the meeting downtown at 6 p.m. on a Trailblazers home night when traffic is at its worst or on a Sunday during the Super Bowl or a holiday weekend, and only for 30 minutes.

OKNA and North Portland Neighborhood Chairs requests that development meetings be required to be held within the neighborhood or no more than one-half mile of the neighborhood without crossing a river. Meetings should be held 6:30-8:30 p.m. weeknights and be required to last at least 1 hour.

Thank you for your consideration. There are nearly 100 neighborhoods in Portland, so it should not be surprising that a one-size-fits-all approach doesn't work. We encourage you to adopt a more nuanced systems that can succeed at the goal of allowing development to proceed on a reasonable timeline but also affording residents the opportunity to remain engaged and informed

Sincerely,



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