



TO: Planning Commission

FROM: Scot Siegel, Planning and Building Services Director

SUBJECT: Citizen Involvement Guidelines Review (PP 18-0005) – Work Session 2

DATE: November 1, 2018 **MEETING DATE:** November 14, 2018

ACTION

Review public input received to date on the Citizen Involvement Guidelines (CIGs) and provide feedback regarding a community survey.

INTRODUCTION

The Planning Commission's/Commission for Citizen Involvement's (PC/CCI) review of the Citizen Involvement Guidelines implements the Commission's 2018 Goal for "Continuous Process Improvement for Citizen Involvement":

- Expand use of online forums (Neighbors Next Door)
- More advanced public notice
- Public Review Drafts of legislative proposals
- "Community Sourcing" (Uplands Plan/Zoning and Forest Highlands Rezoning)
- Reduce meeting length and number of meetings while maintaining public involvement
- **Update Citizen Involvement Guidelines**

This is the second work session on the CIGs. The staff memo provides a summary of public input and recommendations received to date. Staff requests the PC/CCI review the recommendations and identify any changes or additions prior to publication of a community survey.

CHRONOLOGY

- 6/11/18: The PC/CCI provided initial input on a scope of work and plan for public outreach.
- 7/12/18: Staff and Vice Chair Ward presented to the NA Chairs on July 21 (Mayor's Meeting) and received feedback.

- 7/21/18: Staff, Chair Heape, and Vice Chair Ward presented to the Neighborhood Association Chairs (Mayor's Meeting) and received feedback.
- 9/8/18: Staff presented at meeting of Lake Oswego Neighborhood Action Coalition (LONAC) and received feedback.
- 9/11/18: A Developers Focus Group was held focusing on strengths, weaknesses, and opportunities for improving citizen involvement in the pre-application and neighborhood meeting phases of project reviews. Participants were James Adkins, Home Builders Association of Metro Portland; Ed Brockman, Windermere Real Estate; Jim Standring, Westland Homes; and Ralph Tahrán, Tahrán Architecture and Commissioner Papé attended.
- 9/24/18: The PC/CCI received an update on the work in progress and received public input.
- 10/5/18: The first of two Neighborhood Association (NA) Focus Group meetings was held focusing on strengths, weaknesses, and opportunities for improving the pre-application and neighborhood meeting phases of project reviews, and public involvement generally in long-range planning projects and code amendments. Participants were Diana Boom, Evergreen; Nancy Dunis, Bryant; Robert Ervin, Uplands; Carole Ockert, FAN-Forest Hills; Charles (Skip) Ormsby, Birdshill; Lisa Volpel, Rosewood and Cheryl Uchida, Waluga. Commissioner Papé attended.
- 10/9/18: Met with the Neighborhood Coalition of Lake Oswego (NCLO) and assisted members in reconstituting their board and reactivating the organization.
- 10/23/18: The second NA Focus Group meeting was held focusing on neighborhood associations generally and tools for assisting neighborhood associations with public involvement in land use planning and decision making. Participants were Diana Boom, Evergreen; Nancy Dunis, Bryant; Carole Ockert, FAN-Forest Hills; Richard Reamer, Old Town; Lisa Volpel, Rosewood; and Cheryl Uchida, Waluga. Commissioner Papé attended.
- 11/16/18: Publish community survey (tentative)
- 12/03/18: Survey closes (tentative)
- 12/10/18: PC/CCI review of survey results and recommendation to City Council, concluding first phase of work on CIGs (tentative)

DISCUSSION

The following summarizes potential recommendations or options to date. Task “leads” are identified in (parentheses). Staff proposes an online survey during mid-November through December 3 requesting public input on these and other options identified in the work session. The survey would be structured so that respondents can prioritize the options under each of the following categories using a rating or ranking scale and make comments. The Commission would review the results on December 10 coinciding with 2019 goalsetting and prior to a joint meeting with City Council in early 2019.

Please note that the City Council is also reviewing its policies on city services within the unincorporated areas of Lake Oswego’s urban services boundary, and the outcome of this review may affect citizen involvement in those areas. The Council is interested in prioritizing city resources on services to city residents and minimizing financial subsidies to unincorporated areas. This is scheduled for potential action at the November 6 Council meeting.

A. Overall Improvements

1. Update the Neighborhood Association Resource Guide to include updated best practices for NA meetings, board elections, and other operations discussed below; update the bylaws template. (Staff in consultation with NAs)
 - Meeting notices: update methods of noticing (sign posting, etc.) based on changes in technology and consider requirements for NA to achieve standing in land use cases.
 - Electronic meetings
 - Social media
 - City e-mail subscription lists (list-serves)
 - Websites and sites that allow sharing of electronic documents
 - Seeking guest speakers with broad appeal
 - Guidance on meeting spaces (e.g., ADA)
 - Succession planning for NA leaders – the next generation
 - Continued support from City for communications, planning and grants
 - Support of neighborhoods to become recognized
 - Partnering with other organizations for training, advocacy, and pro bono legal assistance
 - Make the “Guidelines” less prescriptive – “need a functional set of process steps” for participation in land use hearings and standing for appeals
 - Publish a guide or handout on “Citizen Participation in Development Review,” providing practical information on how to work with applicants, the role of city staff and decision making body, meeting preparation and participation, how to provide testimony, etc.
2. Continue Planning Commission tours of NAs: document purpose and methods. Encourage Commissioners to attend NA annual meetings. (PC and Staff)
 - *Recommend keeping the format flexible. The only requirements are that the City publish notices and minutes for meetings when a quorum of the Commission is expected.*

3. Provide public involvement training for City Advisory Boards and Commissions and staff in city departments that are responsible for community development projects; offer similar training for NAs. See also, A.5. (CCI, NCLO, Staff)
4. Inventory City and Lake Oswego School District meeting facilities for use by NAs, and review accessibility (ADA), access to transit, and user fees. (Staff)
5. Promote diversity and inclusion in City planning and NA functions. Training should include multicultural competence and lead to ongoing action. (This is a staff recommendation; see also, A.3.) (CCI, NCLO, Staff)
6. The PC/CCI received public comments on September 24 requesting the City form a Diversity and Inclusion Task Force. While the formation of a task force is outside the Commission's purview (only the City Council may appoint a committee), the CCI can advocate for actions that address diversity and inclusion, including training in multicultural competence. Some background that may support the Commission in this endeavor follows:
 - *According to Data USA, the ethnic composition of the population of Lake Oswego is 32,736 Caucasian residents (86%), 2,345 Asian residents (6.16%), 1,590 Hispanic residents (4.18%), 1,167 Multi-racial residents (3.1%), and 156 Black residents (0.4%). The most common languages in Lake Oswego other than English are Chinese (931 speakers; the website does not identify which Chinese languages), Spanish (930 speakers), and Arabic (375 speakers), and compared to other places the site says that Lake Oswego has a relative high number of Other West Germanic (90 speakers), Hungarian (47 speakers), and Persian (212 speakers).*
 - *Comments before the Commission advised that Lake Oswego's population would be more diverse, and the community would have greater participation by racial minorities in civic life, if there were a City-led effort addressing multicultural competence, racial bias, and inclusion. This is a policy issue for the City Council but also an operational issue for the Planning Commission as the Commission and staff conduct long-range land use planning for the City.*
6. Offer training on city codes as applied to neighborhoods; could be similar to the Urban Forestry Workshops the Planning Department conducts. (Staff in consultation with NAs)
7. Celebrate successes when NAs and applicants work together and find win-win solutions; City-acknowledgement would go a long way here. (PC/CCI in consultation with NAs)
8. Empower residents to shape City plans (e.g., Uplands Plan, Forest Highlands Re-zoning) – “otherwise, why should we get involved?” (PC/CCI and Staff)

9. Continue to use online surveys for feedback on issues of communitywide interest, and support NAs in conducting their own surveys on issues with a neighborhood focus. (Staff in consultation with PC)
10. Continue the PC/CCI practice of accepting public comment during work sessions on legislative proposals (PC Chair).
 - *NA representatives have commented that they would like the City Council to allow more time for public comment on policy issues in a work session/study session format.*

B. Pre-application Conferences

[Pre-application conferences](#) (“pre-apps”) are required for all minor and major development review applications, and for building permits that add floor area to a lot for construction or an accessory dwelling unit. The cost for the first pre-app is \$447, including preliminary Fire Dept. review. A second/follow-up pre-app is offered for free. Representatives of affected neighborhood associations are invited to attend these meetings.

Participants in the NA Focus Group and the Developers Focus Group agreed that the pre-app process works well. The face-to-face time with prospective applicants is valuable, and the process allows enough time for participants to review the information and ask questions. The change to distributing meeting materials via email has allowed more time for review, and holding these meetings the same day every week helps applicants, NA representatives, and staff with scheduling. Both the NA reps and developers agree the process should be maintained; the following recommendations were made:

1. Create self-administered Pre-App Training video or slide show for NA representatives (Staff).
2. NAs would like applicants to provide greater detail on plans presented at neighborhood meetings, especially regarding tree removal (Staff).
 - *Staff encourages this though it may not always be possible, as a neighborhood meeting is not required for tree removal permit on existing lots, only for land divisions and major development applications. It is also often not known at the neighborhood meeting stage which trees can be saved and which ones must be removed for future house construction. Tree removal for construction requires a Type 2 permit, which includes public notice and an opportunity for comment.*
3. NAs would like to be contacted by City staff when staff learns of a potential development project in the NA’s neighborhood; the intent is for NAs to assist prospective applicants in designing projects that best fit the neighborhood.

- *While this may sound like a good idea in concept, it would be unprofessional for staff to call up a NA rep after having a conversation with a prospective applicant or meeting with their representative at the counter, just as it would be inappropriate for staff to share information they receive in confidence from residents with a developer or neighbor. The City's Permit Center receives over one thousand customer calls and visits per month. These include inquiries by property owners, neighbors, contractors, design professionals, attorneys, and others. Staff encourages prospective applicants to discuss their plans with the NAs as early as possible; most savvy developers do so. Finally, NAs do receive notice of pre-apps, and neighborhood meetings and application submitted for development review.*
4. Staff and the hearing body's roles should be clarified during pre-apps and at mandatory trainings for NAs (Staff).
 - *One NA representative commented that citizens may choose not to submit testimony on an application in advance of the hearing because of concern about "staff rebuttal".*
 - *Staff has a professional responsibility to provide timely, factual, and code-based analyses to applicants, citizens, and decision makers. In a quasi-judicial process (e.g., Minor or Major Development Review) staff should support a fair, open, and transparent process, not advocate for any party's position.*
 5. Continue to provide pre-app "notes" (written summaries of code standards and procedures) at pre-apps; offer an electronic copy for NA representatives who are unable to attend (Staff).
 6. Continue to offer second/follow-up meeting at no charge, as it encourages applicant-NA dialogue and refinement of plans. (Staff)
 7. Consider changing the code to make pre-apps optional for minor projects. (PC)
 - *It may be difficult to define minor, though this could work if there were a feedback loop with NAs on projects for which staff is considering waiving a pre-application conference.*
 8. Consider amending the code to make the expiration date for pre-apps 18 months instead of 12 months, as some projects take longer to secure financing, design, etc. (PC)

C. Mandatory Neighborhood Meetings for Development Applications

[Mandatory neighborhood meetings](#). Applicants are required to hold a neighborhood meeting following their pre-app but before submitting an application. The meeting, which is scheduled jointly with the respective City-recognized neighborhood association, is required for partitions, subdivisions, and major developments (e.g., zone changes and conditional use permits). The

city may require a neighborhood meeting for any other development application where it is deemed beneficial. The purpose of the meeting as stated in the code is:

“The purpose of neighborhood contact is to identify potential issues or conflicts regarding a proposed application so that they may be addressed prior to filing. This contact is intended to result in a better application and to expedite and lessen the expense of the review process by avoiding needless delays, appeals, remands or denials. The City expects an applicant to take the reasonable concerns and recommendations of the neighborhood into consideration when preparing an application. The City expects the neighborhood association to work with the applicant to provide such input.

The City recognizes that potential impacts of development, such as storm water runoff, traffic, noise or impacts on natural resources, may affect not only the area immediately surrounding the site of the proposed development, but the neighborhood in which the site is located, and adjacent neighborhoods.” (LOC 50.07.003.1.f.i)

Developer Focus Group Comments:

- Process for offering three possible meeting times and asking NA to choose one is okay.
- Simplified mailing procedure (recent change from certified return receipt to First Class) is an improvement.
- NA chairs are good at spreading the word and encouraging attendance in the more active neighborhoods.
- Can be difficult to find a meeting room at a time that works for NA; see A.4, above.
- Notifying the affected neighborhood and “all abutting NAs” can be excessive, especially for a small project and where there are five NAs that must be notified.
- Meeting documentation requirements (notices, scheduling, meeting summary review, etc.) are complex.
- Sign posting requirement may not be effective, due to topography, street layout, distance between houses, etc.

NAs Focus Group Comments:

- Applicants generally come well prepared and provide good information. Meetings are of little value when the right team member is not there to answer questions.
- Hosting the meeting in the affected neighborhood is best, though some neighborhoods do not have a public meeting space or such space may not be available.
- The process works best when City staff keeps the NA “in the loop” on application submittals, including substantive changes to plans that may occur during application reviews.
- The quality of meeting minutes can be inconsistent.
- The meeting requirement may be unnecessary for the smallest projects, but this may be difficult to define.

- NAs try to schedule applicant meetings to coincide with NA board meetings but this is not always possible.
- Meeting signs not always visible or noticeable.
- Residents may not understand the process, that the meeting is informational only.

Recommendations for Neighborhood Meetings when Required for Development

1. Amend the neighborhood contact requirements (PC):
 - a. Exempt small projects (to be determined in consultation with NAs).
 - b. Notify only the NA in which the project is located and NAs located within a certain distance of the project. The distance could be greater for major developments than for minor developments.
 - c. Do not require a neighborhood meeting if the NA declines or does not respond to the applicant's request for a meeting within the prescribed timeframe.

The existing code states that the chair of the recognized neighborhood association or County CPO, or chair, president, or registered agent of the homeowners association if no NA exists, as applicable, shall:

"choose from the three alternatives [dates offered by the applicant] within seven days of either the date the applicant mailed the request to establish the date and time of the neighborhood contact meeting or upon personal receipt of the written or oral request, whichever is earlier. If the chair, president, or registered agent, as applicable, fails to select the date and time of the meeting within the seven-day period, the applicant may establish the date and time of the meeting from one of the proposed alternatives."

The proposal would waive the meeting requirement in situations where the NA declines or there is not a timely response.

2. Encourage applicants to provide a copy of the pre-application notes at the neighborhood meeting. (Staff and NAs)
3. It was suggested that applicants provide audio recordings of these meetings. However, staff does not recommend this due to the administrative costs in obtaining and archiving these recordings. If an NA or applicant is interested in making a recording, they can always do so without it being a city requirement. (NAs)

SURVEY CONCEPT

The PC/CCI should review the above list of recommendations/potential actions and identify any changes or additions that it would like to make prior to staff publishing the community survey.

The survey will provide background text, including the purpose of the PC/CCI, reasons for its review of the Citizen Involvement Guidelines, and information on the Commission's annual goalsetting. It will provide links to the PC/CCI Home Page, the Comprehensive Plan's Citizen Engagement Section, the Citizen Involvement Guidelines, and the existing Neighborhood Association Resource Guide.

The survey will ask respondents to rate the recommendations/actions identified by the PC/CCI using a scale of, 1-5, where "5" is Critically Important, "4" Somewhat Important, "3" Neutral/No Opinion, "2" Not Important, and "1" Opposed to Idea. Under item A.1, *Update the Neighborhood Association Resource Guide*, the survey will ask for a ranking of the listed ideas.

Finally, the survey will provide two open-ended questions at the end, one asking for any other feedback on Citizen Involvement, and the second asking for input on the Planning Commission's goals for 2019.

ATTACHMENTS

- A. Letter from Respond to Racism in LO and LO for Love, 09/24/18
- B. City of Lake Oswego Proclamation on Discrimination, 05/09/17

Use the links provided below to view the current versions of the:

- [Comprehensive Plan Community Culture-Civic Engagement Section](#)
- [Citizen Involvement Guidelines \(2009\)](#)
- [Neighborhood Association Resource Guide \(2010\)](#)

These documents as well as this staff memo and all of the attachments, are available on the City's Planning Project webpage using this link:

<https://www.ci.oswego.or.us/all-projects>
(Under Search enter PP 18-0005 and press Enter)

September 24, 2018

Dear Members of the Planning Commission and Commission for Citizen Involvement,

We represent two grassroots community groups, Respond to Racism in Lake Oswego and LO for LOve. Both groups are committed to ensuring Lake Oswego is a community that's welcoming to all people and in particular minority race, ethnicity, and religious groups who have historically been excluded and continue to be under-represented in city government.

As the Commission on Citizen Involvement reviews their guidelines today, we'd like to advocate that the City consider creating a Diversity Task Force. The overarching goal of a Diversity Task Force would be to support and enhance civic engagement among diverse communities and advise the city on issues that require an equity and inclusion lens.

Specific objectives of the Task Force might include:

1. Evaluate how the City is implementing diversity and inclusion related goals, policies, and action items in the City's Comprehensive Plan.
2. Evaluate how the City is implementing its diversity resolution passed in 2017
3. Advise and assist the city on recruiting diverse people for boards and commissions
4. Advise the city on positive steps that can be taken to improve the experience and feeling of belonging and inclusivity in Lake Oswego and ultimately improve the image of Lake Oswego
5. Quantify where we are with regards to key metrics such as hiring and retention of diverse city staff
6. Conduct benchmarking around what cities similar to ours are doing in order to support a welcoming environment
7. Partner with the LO Police Department to constructively enhance relationships by sharing ideas, and facilitating mutual understanding and respect
8. Create opportunities for building community both *within* minority groups who often feel isolated and thus feel a need to go outside of LO for community, and also *across* groups to deepen understanding of other cultures and facilitate connection.
9. Celebrate and acknowledge cultural traditions in ways that build community

Like the Comprehensive Plan, we envision a broad scope for the task force that can provide recommendations on all aspects of city governance including planning, affordable housing, redevelopment projects, civic engagement efforts, parks and recreation programs, police, human resources policies, and library programs.

Now is the time to implement a Diversity Task Force. There is broad support around efforts to improve in the area of diversity, and inclusion. There are many examples of this broad support.

- Respond To Racism formed after a racial road rage incident in LO and has been meeting monthly since the summer of 2017. 50-200 people show up *every*

month for their monthly meetings, representing a wide cross section of the community, including local government, business owners, educators, activists, students, and police officers.

- LO for LOve formed in 2016 to speak out against racist acts in the schools, and hosted a community walk in which over 300 people, including families, church leaders, and elected officials, peacefully marched down State Street.
- LO for LOve had a presence in the 4th of July Parade in 2017 and 2018 and over 100 people walked with us.
- Students have held multiple walkouts in the last couple of years to voice concerns about racism they experience and witness.
- Over eighty people applied to join the recently established LOSD diversity and equity committee.
- The City, school district, and our 2 community groups are collaborating on hosting a multi-city Diversity Summit to take place in Lake Oswego in the Spring of 2019.

What all of this signifies is that we as a community are ready to move on from our legacy of exclusion. **We need the City to lead by example in a meaningful way.** It's time to bring underrepresented voices to the table, who can be a resource to improving Lake Oswego not only for themselves, and their families, but to the benefit of all of us who interact with diverse people in the larger world and who wish to raise our kids in an inclusive and welcoming community.

The reality is, this work is necessary for creating a more sustainable Lake Oswego going forward. Instead of looking at diversity and inclusion as an obstacle, it's time we recognized it as an opportunity.

Thank you for your time and for your support in advancing implementation of a Diversity Task Force.

Sincerely,

Bruce AD Poinsette
Respond to Racism in LO

Amy Waterbury
LO for LOve



PROCLAMATION

Given recent events both locally and nationally, your Lake Oswego City Council would like to reiterate our commitment to being a safe, caring and respectful community where hate in any form is not tolerated.

Our city charter specifically states that; 'It is the policy of the City of Lake Oswego to eliminate discrimination based on race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, or gender identity. Such discrimination poses a threat to the health, safety and general welfare of the citizens of Lake Oswego and menaces the institutions and foundation of our community.'

As your representatives, we promise to uphold these charter provisions and to strive to ensure that everyone living, working or visiting Lake Oswego feels safe, secure and respected.

*Signed this 5th day of September, 2017
Lake Oswego, Oregon*

Sincerely,



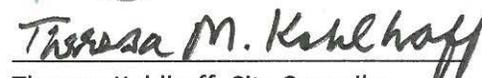
Kent Stuebaker, Mayor



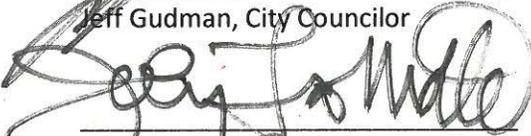
Joe Buck, City Councilor



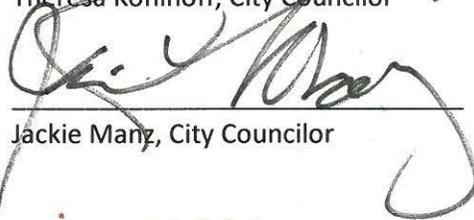
Jeff Gudman, City Councilor



Theresa M. Kohlhoff, City Councilor



John LaMotte, City Councilor



Jackie Marz, City Councilor



Skip O'Neill, City Councilor



