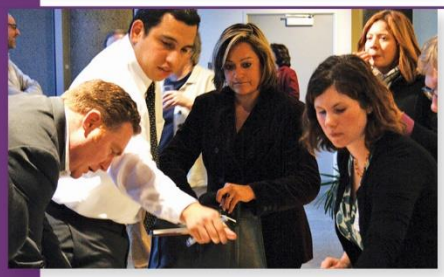
2035
Comprehensive Plan

Neighborhood Contact Code Update Project



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Bureau of Planning and Sustainability
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Table of Contents

Section I Introduction 1
Section II Public Involvement Summary 2
Section III Background and Proposed Changes 4
Section IV. Zoning Code Amendments 7
33.110 Single-Dwelling Zones 8
33.120 Multi-Dwelling Zones 12
33.130 Commercial/Mixed Use Zones 16
33.140 Employment and Industrial Zones 20
33.150 Campus Institutional Zones 24
33.218 Community Design Standards 28
33.420 Design Overlay Zone 31
33.660 Review of Land Divisions in Open Space and Residential Zones 34
33.662 Review of Land Divisions in Commercial, Employment, and Industrial Zones 36
33.664 Review of Land Divisions on Large Sites in Industrial Zones 38
33.700 Administration and Enforcement 40
33.705 Neighborhood Contact 44
33.730 Quasi-Judicial Procedures 60
33.825 Design Review 72
33.846 Historic Resource Review 76
33.854 Planned Development Review 78
Appendix A Draft Administrative Rule. 80
Appendix B Draft Sign and Supporting Material. 84

Section I: Introduction

Project Summary

This report contains proposed changes to Title 33 to simplify, clarify and make more effective the existing Required Neighborhood Contact (33.700.025) rules. This follows changes in the 2035 Comprehensive Plan that will make more projects subject to this requirement.

This project makes changes to both the Neighborhood Contact process and to the "triggers" that require a development project to follow that process. Key changes are:

- Setting triggering thresholds for projects adding over 10,000 square feet, prior to either the LU review or permit;
- establishing a three-track process based on size impacts and the presence of the d overlay;
- assigning responsibility for organizing the meeting to the applicant rather than to the neighborhood association, except in the d overlay; and
- changing the method of communicating with organizations to email or mail rather than mail only.

What's in this Report?

This report has four sections:

- Section I introduces the report.
- Section II summarizes the public involvement activities for the project.
- Section III describes the background and the draft changes.
- Section IV contains the proposed changes to Title 33, the Zoning Code

Section II: Public and Stakeholder Involvement

This project was initially part of the Code Reconciliation Project (CRP), but staff separated it into a separate project before the Discussion Draft of the CRP was released. Before the separation, the project team set up an online form to allow people interested in the Neighborhood Contact requirement to sign up for updates. There are currently more than 200 people on this list.

Online questionnaire

As part of preliminary exploration into neighborhood contact requirements, staff solicited feedback from the public through an online questionnaire. We received 540 responses between June 23 and July 9, 2017. (Questionnaire results are available at https://www.portlandoregon.gov/bps/article/646954.)

The survey results indicate that respondents want to know about development in Commercial/Mixed Use zones before building starts. The most preferred ways (about 50 percent of respondents) to learn about new development were "physical posting," "community meeting," and "neighborhood association or district coalition website" (many of the comments in answer to this question mentioned emails to neighbors, and some specifically requested subscription email service).

In general, most respondents indicated they wanted to know about every project of any size. Most respondents also said neighborhood associations should host the meeting. Email was the preferred way to contact recognized organizations. A large majority of respondents indicated the best time in the process to provide information to the community is before detailed building plans are developed.

Development of Discussion Draft

During the development of the Discussion Draft, staff spoke informally with a variety of people interested in the neighborhood contact requirement. This included district coalition staff, neighborhood association land use chairs, members of the Public Involvement Advisory Council subcommittee concerned with notification, ONI staff, Bureau of Development Services staff, people interested in neighborhood notification, and developers who had recently fulfilled the requirements of the existing Neighborhood Contact code language.

Development of Proposed Draft

The Discussion Draft comment period was open from March 8 to April 23, 2018. Comments were received through meetings, as emails or letters sent to staff, and through an online survey. Twelve comments were submitted by individuals. Three comments were submitted by organizations (Arbor Lodge Neighborhood Association, Hosford Abernathy Neighborhood District and Sellwood Moreland Improvement League). Five survey responses were submitted. Comments were collected at two events hosted by the Bureau of Planning and Sustainability. Comments were also collected at the standing meetings of the following groups:

- Development Review Advisory Committee
- Southeast Uplift Land Use and Transportation Committee
- Northeast Coalition of Neighborhoods Land Use and Transportation Committee
- Portland Commission on Disability, Accessibility in the Built Environment Committee
- East Portland Neighborhood Office Land Use and Transportation Committee
- North Portland Land Use Group

Comments ranged widely in topics, but much of the input focused on what size and type of new development should trigger the sign and meeting requirements. Staff considered this feedback within the scope of the project and the City's goals around public involvement. The most significant change between the Discussion and Proposed Drafts in response to public comments was the lowering of the threshold for meeting requirements from 40,000 square feet to 25,000 square feet of new building.

Development of Recommended Draft

The Planning and Sustainability Commission (PSC) accepted written testimony June 28, 2018 through August 17, 2018. There were 36 unique pieces of testimony submitted, 29 in written form and 7 in verbal form at the August 14 hearing. Testimony covered issues including the content of the required sign, who should control the required meeting, where the meeting should be located, what size projects should trigger the requirements, the desire for easier access to information about development. The PSC adopted several amendments. One amendment added requirements for meeting location and follow-up, an issue about which several testifiers had expressed concern. Another amendment added a requirement for the Bureau of Development Services to make information about neighborhood contact notices available online, addressing another issue that had been the topic of multiple testimonies.

Amendments to Recommended Draft

The City Council accepted written testimony on the Recommended Draft from January 28, 2019 to March 6, 2019, and held a hearing on March 6, 2019. There were 23 pieces of testimony on the Recommended Draft, including 7 oral and 16 written. Testimony addressed issues around meeting location and timing, who should control the required meeting, and what size and zoning factors should trigger the requirement.

Commissioners proposed four amendments and took oral testimony on those amendments at a hearing on April 11, 2019. Five people testified in person, and 13 people testified in writing before the testimony window closed on April 24th. Council deliberated on the amendments and adopted all four of the amendments on April 24, 2019. The amendments expand the notification recipients to include nearby organizations, require that meetings provide accommodations and be accessible, and limit the timing of weekend meetings to afternoons only. The most substantive amendment adds additional requirements for projects adding 10,000 square feet or more if they are located in the d overlay.

Section III: Background and Proposed Changes

Background

The intent of the Neighborhood Contact (33.705) requirement is to require people developing a property to informally share information and gather constructive feedback about it with people who will experience the development in the neighborhood.

The current Neighborhood Contact process requires applicants or developers of a property to request a meeting with the local neighborhood association by registered or certified mail. The neighborhood association may then choose to meet with the applicant to discuss development proposals. If a meeting with the neighborhood is held, the applicant must send a follow-up letter to the association to explain any changes in the proposal. The applicant does not have to make any changes to the proposal based on the comments received at the meeting.

The Zoning Code required until May 2018 that the applicant complete the Neighborhood Contact requirements (33.700.025) before development could proceed in limited situations such as projects using the Community Design Standards (33.218) and development in Multi-Dwelling Residential zones (33.120). The Comprehensive Plan Early Implementation Code Amendments (effective May 2018) extended the requirement to apply to a broader range of projects in Commercial/Mixed Use zones.

Because the requirement now applies to more projects, it is being revised to broaden the intent and more effectively meet both the original and expanded intent. There are several key issues to address:

1. **Delivery method:** The code currently requires the notification be sent to neighborhood associations and district coalition offices by registered or certified mail. This is slow and requires that the neighborhood association maintain both accurate mailing information and a dedicated volunteer member who can regularly review the mail.
2. **Burden of responsibility:** The current system has several elements that require time, knowledge and other resources, such as processing the meeting request, making the decision about whether to have the meeting, and then hosting a successful meeting. The current system places these burdens on the neighborhood association. This is challenging for volunteers who are often already putting in a lot of time and energy to support their neighborhoods in many ways.
3. **Reach:** The current Neighborhood Contact process is focused on creating the opportunity for developer and neighbors to meet. This process does not address the "common courtesy" benefits of providing information about changes to a site to the people who spend time around it. City bureaus have been hearing for a long time that residents would appreciate the simple courtesy of being able to learn about a coming change before construction starts.

   Under the existing process, many people affected by the development never learn

about the proposed development. For someone to learn about the proposal, they must be connected to the local neighborhood association, and the local neighborhood association must be able to respond quickly and knowledgeably to the applicant meeting request. This substantially limits the reach of the contact.

4. **Consistency**: Currently, the requirement applies to some projects that are about to begin some quasi-judicial processes and some permit processes.
    - There is not a consistent standard for the size or local impact of the process that always triggers the requirement. The current thresholds for neighborhood contact are piecemeal and inconsistent. For example, for multi-dwelling development in general, the threshold is the addition of 5 or more dwelling units, but for some development in some areas of the city the threshold is 3 or more dwelling units. This can be confusing for both developers and neighbors, particularly in the context of notification requirements for other projects.
    - Currently, the code exempts many land use reviews from the neighborhood contact requirement. This is because there are requirements for land use reviews to notify neighbors after the application is submitted. Under this system, however, neighbors of these projects do not have the opportunity to learn about them at an earlier stage.

Proposed Changes

The proposed changes will revise the neighborhood contact process itself and change what kinds of projects trigger the neighborhood contact requirement. The neighborhood contact process will include two levels of contact depending on the size of the project: 1) 10,000 square feet to 25,000 square feet of new development; and 2) over 25,000 square feet of new development. All projects over the first threshold will require emailed notice to geographic organizations and posting of an onsite sign. Larger projects over the second threshold will additionally require a mandatory meeting.

Changes to the process

The proposed changes will de-emphasize the formal meeting and emphasize posting of useful information *onsite* about pending development.

1. **Delivery method:** Allow email or mail contact with the neighborhood association and others. Email is faster and generally preferred by developers and neighborhood associations. Mail will remain an option, however.
2. **Burden of responsibility:** The proposed changes shift the responsibility for holding a meeting to the project applicant. This will encourage the applicant to plan and present at the meeting in a more consistent and structured way. Applicants will be encouraged to reach out to neighborhood associations to see if they want to host or co-host the meeting. Neighbors will still be able to prepare for and participate in the meetings but will not have to host the meeting. This is the case everywhere in the city except in the d overlay, where neighborhood associations will be given the choice of whether or not to host the meeting.

3. **Reach:** Include a requirement for on-site notice of the project. This will provide a physical notice to anybody who passes by the site, substantially expanding the reach of the notice.

Changes to which projects trigger the process

The proposed changes provide more **consistenc**y across the types of projects that require Neighborhood Contact.

- The proposed changes will add neighborhood contact requirement to all building permit or quasi-judicial procedures (whichever comes first) for projects that:
    - add 10,000 square feet or more of building space in the single-dwelling, multi-dwelling, commercial mixed use, campus and EX zones or
    - divide a parcel into four or more lots.
- The proposed changes will trigger the neighborhood contact process at the land use review stage or the building permit stage (whichever comes first), allowing people to learn about more projects at an earlier stage.
- The proposed changes also will *remove triggers from land divisions, design review and community design standards*. The triggers proposed for removal are associated with location (such as specific plan districts) or other code requirements. Under the proposal, many projects that operate under these code sections will still trigger the neighborhood contact requirement based on project size. But smaller projects in some areas of the city that are already subject to an additional level of review will no longer trigger these requirements. For example, a project creating four units in the Albina Community Plan area that is subject to the Historic Resource Review requirements — and currently would trigger the neighborhood contact process — would not trigger it under the proposed changes.

Section IV: Zoning Code Amendments

This section presents staff proposed zoning code amendments. The section is formatted to facilitate readability by showing draft code amendments on the right-hand pages and related commentary on the facing left-hand pages. Proposed new code is shown as underlined and current code proposed for deletion is shown with a ~~strikethrough~~.

Commentary

33.110.050 Neighborhood Contact

The table of contents is edited to reflect the addition of the subsection.

33.110 Single-Dwelling Zones

110

Sections:

General
- 33.110.010 Purpose
- 33.110.020 List of the Single-Dwelling Zones
- 33.110.030 Other Zoning Regulations
- 33.110.050 Neighborhood Contact

Use Regulations
- 33.110.100 Primary Uses
- 33.110.110 Accessory Uses
- 33.110.120 Nuisance-Related Impacts

Development Standards
- 33.110.200 Housing Types Allowed
- 33.110.212 When Primary Structures are Allowed
- 33.110.213 Additional Development Standards for Lots and Lots of Record Created Before July 26, 1979
- 33.110.215 Height
- 33.110.220 Setbacks
- 33.110.225 Building Coverage
- 33.110.227 Trees
- 33.110.230 Main Entrances in R10 through R2.5 Zones
- 33.110.232 Street-Facing Facades in R10 through R2.5 Zones
- 33.110.235 Required Outdoor Areas
- 33.110.240 Alternative Development Options
- 33.110.245 Institutional Development Standards
- 33.110.250 Detached Accessory Structures
- 33.110.253 Additional Standards for Garages
- 33.110.255 Fences
- 33.110.257 Retaining Walls
- 33.110.260 Demolitions
- 33.110.270 Nonconforming Development
- 33.110.275 Parking and Loading
- 33.110.280 Signs

Commentary

33.110.050 Neighborhood Contact

The triggering thresholds are added to the base zone, while the process for the requirement is included in the proposed 33.705 chapter. The thresholds for the neighborhood contact requirement are included in the base zone to ensure that projects applying for building permits follow the process for notifying the neighborhood before the permit is filed. The requirement is waived if a project has completed the initial neighborhood contact process before a land use review (LUR), because there is often overlap between the timing of the LUR approval and the building permit filing.

33.110.050 Neighborhood Contact

Neighborhood contact is a set of outreach steps that must be taken before certain developments can be submitted for approval. Neighborhood contact is required as follows:

A. Neighborhood contact I.

1. Neighborhood contact I requirements. When proposed development will add at least 10,000 square feet and not more than 25,000 square feet of net building area to a site, the neighborhood contact steps of 33.705.020.A., Neighborhood contact I are required. All the steps in 33.705.020.A. must be completed before an application for a building permit can be submitted.

2. Exemption. If the proposed development has already met the neighborhood contact requirements as part of a land use review process, it is exempt from the neighborhood contact requirements.

B. Neighborhood contact II.

1. Neighborhood contact II requirements. When the proposed development will add more than 25,000 square feet of net building area to a site, the neighborhood contact steps of 33.705.020.B., Neighborhood contact II, are required. All of the steps in 33.705.020.B. must be completed before an application for a building permit can be submitted.

2. Exemption. If the proposed development has already met the neighborhood contact requirements as part of a land use review process, it is exempt from the neighborhood contact requirements.

Commentary

33.120.050 Neighborhood Contact

The triggering thresholds are added to the base zone, while the process for the requirement is included in the proposed 33.705 chapter. The thresholds for the neighborhood contact requirement are included in the base zone to ensure that projects applying for building permits follow the process for notifying the neighborhood before the permit is filed. The requirement is waived if a project has completed the initial neighborhood contact process before a land use review (LUR), because there is often overlap between the timing of the LUR approval and the building permit filing.

33.120 Multi-Dwelling Zones

33.120.050 Neighborhood Contact

Neighborhood contact is a set of outreach steps that must be taken before certain developments can be submitted for approval. Neighborhood contact is required as follows:

A. Neighborhood contact I.

1. Neighborhood contact I requirements. When proposed development will add at least 10,000 square feet and not more than 25,000 square feet of net building area to a site, the neighborhood contact steps of 33.705.020.A., Neighborhood contact I are required. All the steps in 33.705.020.A. must be completed before an application for a building permit can be submitted.
2. Exemption. If the proposed development has already met the neighborhood contact requirements as part of a land use review process, it is exempt from the neighborhood contact requirements.

B. Neighborhood contact II.

1. Neighborhood contact II requirements. When the proposed development will add more than 25,000 square feet of net building area to a site, the neighborhood contact steps of 33.705.020.B., Neighborhood contact II, are required. All of the steps in 33.705.020.B. must be completed before an application for a building permit can be submitted.
2. Exemption. If the proposed development has already met the neighborhood contact requirements as part of a land use review process, it is exempt from the neighborhood contact requirements.

~~**A. Purpose.** Neighborhood contact is required for larger residential projects in the multi-dwelling zones because of the impacts that multi-dwelling projects can have on the surrounding community. The neighborhood contact requirement provides an opportunity for community input on the design of these projects by providing a setting for the applicant and neighborhood residents to discuss a proposal in an informal manner. By sharing information and concerns early, all involved have the opportunity to identify ways to improve a proposal and to resolve conflicts.~~

Commentary

~~**B. Neighborhood contact requirement.** Proposals meeting the following conditions are subject to the neighborhood contact requirement as specified in Section 33.700.025, Neighborhood Contact. All of the steps in 33.700.025 must be completed before a building permit is requested.~~

~~1. The proposed development has not been subject to a land use review; and~~

~~2. The proposed development would create five or more new dwelling units. Dwelling units are created:~~

~~a. As part of new development;~~

~~b. By adding net building area to existing development that increases the number of dwelling units; or~~

~~c. By conversion of existing net building area from non-residential to residential uses.~~

Commentary

33.130.050 Neighborhood Contact

The Neighborhood Contact requirement is revised, adding the triggering thresholds to the base zone, while the process for the requirement is included in the proposed 33.705 chapter. The thresholds for the neighborhood contact requirement are included in the base zone to ensure that projects applying for building permits follow the process for notifying the neighborhood before the permit is filed. The requirement is waived if a project has completed the initial neighborhood contact process before a land use review (LUR), because there is often overlap between the timing of the LUR approval and the building permit filing.

33.130 Commercial Zones

130

33.130.050 Neighborhood Contact

Neighborhood contact is a set of outreach steps that must be taken before certain developments can be submitted for approval. Neighborhood contact is required for the following development:

A. Neighborhood contact I.

1. Neighborhood contact I requirements. The neighborhood contact steps of 33.705.020.A., Neighborhood contact I, are required when proposed development will add at least 10,000 square feet and not more than 25,000 square feet of net building area to a site. All the steps in 33.705.020.A., Neighborhood contact I must be completed before an application for a building permit can be submitted.
2. Exemption. If the proposed development has already met the neighborhood contact requirements as part of a land use review process, it is exempt from the neighborhood contact requirements.

B. Neighborhood contact II.

1. Neighborhood contact II requirements. When the proposed development will add more than 25,000 square feet of net building area to a site, the neighborhood contact steps of 33.705.020.B., Neighborhood contact II, are required. All of the steps in 33.705.020.B. must be completed before an application for a building permit can be submitted.
2. Exemption. If the proposed development has already met the neighborhood contact requirements as part of a land use review process, it is exempt from the neighborhood contact requirements.

~~**A. Purpose.** Neighborhood contact is required for larger projects in the commercial/mixed use zones because of the impacts that large projects can have on the surrounding community. The neighborhood contact requirement provides an opportunity for community input on the design of these projects by providing a setting for the applicant and neighborhood residents to discuss a proposal in an informal manner. By sharing information and concerns early, all involved have the opportunity to identify ways to improve a proposal and to resolve conflicts.~~

Commentary

~~**B. Neighborhood contact requirement.** Proposals meeting the following conditions are subject to the neighborhood contact requirement as specified in Section 33.700.025, Neighborhood Contact. All of the steps in 33.700.025 must be completed before a building permit is requested:~~

~~1. The proposed development has not been subject to a land use review; and~~

~~2. The proposed development will add at least 10,000 square feet of net building area on the site, or will create five or more new dwelling units. Dwelling units are created:~~

~~a. As part of new development;~~

~~b. By adding net building area to existing development that increases the number of dwelling units; or~~

~~c. By conversion of existing net building area from non-residential to residential uses.~~

Commentary

33.140 Employment and Industrial Zones

The table of contents is edited to reflect the editing of one subsection and the addition of a subsection.

33.140 Employment and Industrial Zones

140

Sections:

General
33.140.010 General Purpose of the Zones
33.140.020 List of the Employment and Industrial Zones
33.140.030 Characteristics of the Zones
33.140.040 Other Zoning Regulations
33.140.050 Neighborhood Contact in EG and I Zones
33.140.055 Neighborhood Contact in EX Zone
Use Regulations
33.140.100 Primary Uses
33.140.110 Accessory Uses
33.140.130 Nuisance-Related Impacts
33.140.140 On-Site Waste Disposal
Site Development Standards
33.140.200 Lot Size
33.140.205 Floor Area Ratio
33.140.210 Height
33.140.215 Setbacks
33.140.220 Building Coverage
33.140.225 Landscaped Areas
33.140.227 Trees
33.140.230 Ground Floor Windows in the EX Zones
33.140.235 Screening
33.140.240 Pedestrian Standards
33.140.242 Transit Street Main Entrance
33.140.245 Exterior Display, Storage, and Work Activities
33.140.250 Trucks and Equipment
33.140.255 Drive-Through Facilities
33.140.265 Residential Development
33.140.270 Detached Accessory Structures
33.140.275 Fences
33.140.280 Demolitions
33.140.290 Nonconforming Development
33.140.295 Parking and Loading
33.140.300 Signs
33.140.310 Superblock Requirements
33.140.315 Recycling Areas
33.140.320 Inclusionary Housing

Commentary

33.140.050 Neighborhood Contact in EG and I Zones

The Neighborhood Contact requirement for Bulk Fossil Fuel Terminals is revised. The purpose statement and the threshold specific to Bulk Fossil Fuel Terminals are retained. The general purpose statement for Neighborhood Contact and the process for the requirement is included in the proposed 33.705 chapter. The thresholds for the neighborhood contact requirement are included in the base zone to ensure that projects applying for building permits follow the process before the permit is filed.

33.140.055 Neighborhood Contact in EX Zone

The Neighborhood Contact requirement is added for the EX zone only. The triggering thresholds to the base zone, while the process for the requirement is included in the proposed 33.705 chapter. The thresholds for the neighborhood contact requirement are included in the base zone to ensure that projects applying for building permits follow the process for notifying the neighborhood before the permit is filed. The requirement is waived if a project has completed the initial neighborhood contact process before a land use review (LUR), because there is often overlap between the timing of the LUR approval and the building permit filing.

33.140.050 Neighborhood Contact in EG and I Zones

A. Purpose. Neighborhood contact is required when a new storage structure for any type of fuel will be built on a Bulk Fossil Fuel Terminal because of the impacts that fuel projects can have on the surrounding community. ~~The neighborhood contact requirement provides an opportunity for community input on the design of the project by providing a setting for the applicant and neighborhood residents to discuss a proposal in an informal manner. Sharing information and concerns early offers the opportunity to identify ways to improve a proposal and to resolve conflicts.~~

B. Neighborhood contact requirement. Proposals meeting the following conditions are subject to the neighborhood contact ~~requirement as specified in Section 33.700.025, Neighborhood Contact. All of the steps in 33.700.025 must be completed before a building permit is requested.~~ steps of 33.705.020.B., Neighborhood contact II. All of the steps in 33.705.020.B. must be completed before an application for a building permit can be submitted.

1. The proposed development has not been subject to a land use review; and
2. The proposed development includes at least one new structure for the storage of any type of fuel.

33.140.055 Neighborhood Contact in EX Zone

Neighborhood contact is a set of outreach steps that must be taken before certain developments can be submitted for approval. Neighborhood contact is required in the EX zone for the following development:

A. Neighborhood contact I.

1. Neighborhood contact I requirements. The neighborhood contact steps of 33.705.020.A., Neighborhood contact I, are required when proposed development will add at least 10,000 square feet and not more than 25,000 square feet of net building area to a site. All the steps in 33.705.020.A., Neighborhood contact I must be completed before an application for a building permit can be submitted.
2. Exemption. If the proposed development has already met the neighborhood contact requirements as part of a land use review process, it is exempt from the neighborhood contact requirements.

B. Neighborhood contact II.

1. Neighborhood contact II requirements. When the proposed development will add more than 25,000 square feet of net building area to a site, the neighborhood contact steps of 33.705.020.B., Neighborhood contact II, are required. All of the steps in 33.705.020.B. must be completed before an application for a building permit can be submitted.
2. Exemption. If the proposed development has already met the neighborhood contact requirements as part of a land use review process, it is exempt from the neighborhood contact requirements.

Commentary

33.150.060 Neighborhood Contact and Outreach

The purpose statement is amended to reflect the changes that are being made to the requirement. Subsection B is deleted because the annual meeting subsection states that the requirement applies to colleges and medical centers. The triggering thresholds are added to the base zone, while the process for the requirement is included in the proposed 33.705 chapter. The thresholds for the neighborhood contact requirement are included in the base zone to ensure that projects applying for building permits follow the process for notifying the neighborhood before the permit is filed. The requirement is waived if a project has completed the initial neighborhood contact process before a land use review (LUR), because there is often overlap between the timing of the LUR approval and the building permit filing.

33.150.060 Neighborhood Contact and-Outreach

A. **Purpose.** The requirements of this section promote ongoing communication between campus institutions and other uses and the~~ir~~ surrounding communities. In addition to neighborhood contact, Colleges and Medical Centers are required to ~~By regularly~~annually update~~ing~~ the community on campus operations and development proposals. The annual meeting allows neighbors and campus administrators~~, all involved have~~ the opportunity to discuss and resolve potential impacts or conflicts ~~before the proposal has progressed to a quasi-judicial or permit review process~~. While the comments from the community are not binding, a collaborative approach is encouraged.

B. **Neighborhood contact.** Neighborhood contact is a set of outreach steps that must be taken before certain developments can be submitted for approval. Neighborhood contact is required for the following development:

1. Neighborhood contact I.

   a. Neighborhood contact I requirements. When proposed development will add at least 10,000 square feet and not more than 25,000 square feet of net building area to a site, the neighborhood contact steps of 33.705.020.A., Neighborhood contact I, are required. All the steps in 33.705.020.A. must be completed before an application for a building permit can be submitted.

   b. Exemption. If the proposed development was subject to a land use review, it is exempt from the neighborhood contact requirements.

2. Neighborhood Contact II.

   a. Neighborhood Contact II requirements. When the proposed development will add more than 25,000 square feet of net building area to a site, the neighborhood contact steps of 33.705.020.B., Neighborhood contact II are required. All of the steps in 33.705.020.B. must be completed before an application for a building permit can be submitted.

   b. Exemption. If the proposed development has already met the neighborhood contact requirements as part of a land use review process, it is exempt from the neighborhood contact requirements.

Commentary

~~**B. Where these regulations apply.** The regulations in this section apply to Colleges and Medical Centers in the campus institutional zones.~~

~~**C. Neighborhood contact.** Neighborhood contact is required as follows:~~

~~1. When development on a site will require a land use review, the applicant must notify the neighborhood association and business association for the area at least 30 days before submitting the land use review application to the City. Notification must be by certified mail and the notice must provide information on the proposed development, types of activities, size, and location on the site. A copy of the notification, the mailing list, and registered or certified mail receipts must be submitted with the land use review application.~~

~~2. Building permits, not otherwise subject to a land use review, that increase gross floor area by 10,000 square feet or more are subject to the neighborhood contact requirement as specified in Section 33.700.025, Neighborhood Contact. All of the steps in 33.700.025 must be completed before a building permit is requested.~~

~~**D**~~**C** **Annual meeting.** Colleges and Medical Centers must conduct at least one community meeting per year. The annual community meeting is intended to ensure that the College or Medical Center updates the community at least once a year regarding future development and other potential changes that could affect the surrounding area, and to provide a forum for discussion of a Good Neighbor Agreement:

1.-3. [No change]

Commentary

33.218.015 Procedure

The neighborhood contact requirement is removed from this section. Many projects affected by this section of code will fall under the triggering thresholds in the base zones and the process for the requirement in the proposed 33.705 chapter.

The subsection including neighborhood contact letters in the permit application requirement is also removed.

33.218 Community Design Standards

218

33.218.015 Procedure

A. [No change]

B. [No change]

C. ~~**Neighborhood contact.** The following proposals are subject to the neighborhood contact requirement as specified in section 33.700.025, Neighborhood Contact. All of the steps in 33.700.025 must be completed before a building permit is requested.~~

~~1. Proposals that create more than three new dwelling units. Dwelling units are created:~~

~~a. As part of new development;~~

~~b. By adding net building area to existing development that increases the number of dwelling units;~~

~~c. By conversion of existing net building area from non-residential to residential uses; and~~

~~d. By increasing the number of units within existing net building area already in residential use, for example, by converting a duplex to a five-plex;~~

~~2. Proposals that create more than 10,000 square feet of gross building area for uses in the Commercial or Industrial use categories; or~~

~~3. Proposals in the IR zone where the site is not covered by an Impact Mitigation Plan or Conditional Use Master Plan.~~

C~~D.~~ Permit application requirements. The following information must be submitted as part of an application for a building or development permit:

1. Site plan and elevations. The site plan and elevations must include enough detail to document compliance with the standards of this chapter. The site plan and elevations must be drawn at a scale of 1/8 inch = 1 foot or larger.

2. Vicinity plan. For proposals in the Southwest Community Plan area, shown on Map 825-4, and in conservation districts, a vicinity plan, drawn at a scale of 1 inch = 30 feet or larger, must show the following:

   a. The footprint of the proposed development;

   b. The lot lines of the site;

   c. The footprints and front yard setbacks of all buildings on lots that abut each side of the site and are on the same street.

~~3. Neighborhood contact letters. For proposals subject to the neighborhood contact, as required by Subsection C. above, a copy of both letters required by Section 33.700.025 must be submitted.~~

Commentary

33.420 Design Overlay Zone

The table of contents is edited to reflect the addition of the subsection.

33.420 Design Overlay Zones

420

Sections:

33.420.010 Purpose
33.420.020 Map Symbol
33.420.021 Applying the Design Overlay Zone
33.420.025 Where These Regulations Apply
33.420.030 Neighborhood Contact
33.420.041 When Design Review is Required
33.420.045 Exempt From Design Review
33.420.051 Design Guidelines
33.420.055 When Community Design Standards May Be Used
33.420.060 When Community Design Standards May Not Be Used
Map 420-1 Design Districts and Subdistricts in the Central City and South Auditorium Plan Districts
Map 420-2 Macadam Design District
Map 420-3 Terwilliger Design District
Map 420-4 Sellwood-Moreland Design District
Map 420-5 Marquam Hill Design District
Map 420-6 Gateway Design District

Commentary

The neighborhood contact trigger was added in the amendment process by City Council in April 2019. This amendment added a new Neighborhood Contact III requirement triggered by projects adding 10,000 square feet or more of net building area to a site in the design overlay zone.

33.420 Design Overlay Zones

420

33.420.030. Neighborhood Contact

Neighborhood contact is a set of outreach steps that must be taken before certain developments can be submitted for approval. Neighborhood contact is required as follows:

A. When the proposed development will add at least 10,000 square feet of net building area to a site, the neighborhood contact step of 33.705.020.C, Neighborhood contact III, are required.

B. If the proposed development has already met the neighborhood contact requirements as part of a land use review process, it is exempt from the neighborhood contact requirements.

Commentary

33.660.110 Review Procedures

The mention of Neighborhood Contact is deleted because the process for the requirement are included in the proposed 33.705 chapter and new thresholds triggering the requirement are included in the quasi-judicial basic procedures. This reflects the broader application of the requirement across quasi-judicial procedures.

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33.660 Review of Land Divisions in Open Space and Residential Zones

33.660.110 Review Procedures

Procedures for review of Preliminary Plans vary with the type of land division proposal being reviewed.

A. **Type III.** Land divisions that include any of the following elements are processed through a Type III procedure~~, but with the additional steps required under Section 33.700.025, Neighborhood Contact~~:

1. Eleven or more lots;
2. Four or more lots, where any portion of the lots, utilities, or services are proposed within a Potential Landslide Hazard Area;
3. Environmental review;
4. A phased land division, as described in Chapter 33.633, Phased and Staged Plans;
5. Any portion of the site is in an Open Space zone.

B. **Type IIx.** Except as provided in Subsection A, above, land division proposals that include any of the following elements are processed through a Type IIx procedure~~, but with the additional steps required under Section 33.700.025, Neighborhood Contact~~:

1. Four to ten lots;
2. Two or three lots, where any portion of the lots, utilities, or services are proposed within a Potential Landslide Hazard Area;
3. Lots, utilities, or services are proposed within a special flood hazard area; or
4. The proposal includes a concurrent land use review assigned to a Type I, Type 1x, Type II, or Type IIx procedure except environmental review. If environmental review is required, then the application is processed through a Type III procedure.

C. [No change]

Commentary

33.662.110 Review Procedures

The mention of Neighborhood Contact is deleted because the process for the requirement are included in the proposed 33.705 chapter and new thresholds triggering the requirement are included in the quasi-judicial basic procedures This reflects the broader application of the requirement across quasi-judicial procedures.

33.662 Review of Land Divisions in Commercial, Employment, and Industrial Zones

662

33.662.110 Review Procedures

Procedures for review of Preliminary Plans vary with the type of land division proposal being reviewed.

A. **Type III.** Land divisions that include any of the following elements are processed through a Type III procedure~~, but with the additional steps required under Section 33.700.025, Neighborhood Contact~~:

1. Eleven or more lots, regardless of zone;
2. Four or more lots where any portion of the lots, utilities, or services are proposed within a Potential Landslide Hazard Area; or
3. Environmental review.

B. **Type IIx.** Except as provided in Subsection A above, land divisions that include any of the following elements are processed through a Type IIx procedure~~, but with the additional steps required under Section 33.700.025, Neighborhood Contact~~:

1. Four to ten lots;
2. Two or three lots where any portion of the lots, utilities, or services are proposed within a Potential Landslide Hazard Area;
3. Lots, utilities or services are proposed within a special flood hazard area; or
4. The proposal includes a concurrent land use review assigned to a Type I, Type 1x, Type II, or Type IIx procedure except environmental review. If environmental review is required, then the application is processed through a Type III procedure.

C. **Type Ix.** All land divisions not assigned to a Type IIx or Type III in Sections A and B above, are processed through a Type Ix procedure.

Commentary

33.664.110 Review Procedures

The mention of Neighborhood Contact is deleted because the process for the requirement are included in the proposed 33.705 chapter and new thresholds triggering the requirement are included in the quasi-judicial basic procedures. This reflects the broader application of the requirement across quasi-judicial procedures.

33.664 Review of Land Divisions on Large Sites in Industrial Zones

664

33.664.110 Review Procedures

Review of Preliminary Plans are processed through a Type III procedure~~, but with the additional steps required under Section 33.700.025, Neighborhood Contact~~.

Commentary

33.700.025 Neighborhood Contact and Outreach

The table of contents is edited to reflect the deletion of the subsection.

33.700 Administration and Enforcement

700

Sections:

Implementing the Code
- 33.700.005 Building Permit Required
- 33.700.010 Uses and Development Which Are Allowed By Right
- 33.700.015 Review of Land Divisions
- 33.700.020 Uses and Development Which Are Not Allowed By Right
- ~~33.700.025 Neighborhood Contact~~
- 33.700.030 Violations and Enforcement
- 33.700.040 Reconsideration of Land Use Approvals
- 33.700.050 Performance Guarantees
- 33.700.060 Covenants with the City
- 33.700.070 General Rules for Application of the Code Language
- 33.700.075 Automatic Changes to Specified Dollar Thresholds

Timeliness of Regulations
- 33.700.080 Regulations that Apply at the Time of an Application
- 33.700.090 Regulations that Apply After Approval
- 33.700.100 Transfer of Approval Rights
- 33.700.110 Prior Conditions of Land Use Approvals
- 33.700.115 Expiration of Tree Preservation Requirements
- 33.700.120 Status of Prior Revocable Permits
- 33.700.130 Legal Status of Lots

Commentary

33.700.025 Neighborhood Contact

The subsection is deleted. Triggers for the Neighborhood Contact requirements are included in the base zones and in the quasi-judicial procedures, and the revised process is moved to 33.705.

~~33.700.025 Neighborhood Contact~~

~~**A. Purpose.** The Neighborhood Contact process provides a setting for an applicant and neighborhood residents to discuss a proposal in an informal manner. By sharing information and concerns early in the quasi-judicial or permit process, all involved have the opportunity to identify ways to improve a proposal, and to resolve conflicts before the proposal has progressed far into the quasi-judicial or permit process.~~

~~Where the proposal is for a land division, the focus of the meeting should be on the proposed configuration of lots, tracts, and streets. Where the proposal involves design review or historic resource review, the focus of the meeting should be the design of the proposal and not whether the proposal will be built. Where the proposal is for a use or development that is allowed by the zoning, the focus of the meeting should be on the proposal and not on whether it will be built. The discussion at the meeting is advisory only and is not binding on the applicant.~~

~~**B. When Neighborhood Contact is required.** Neighborhood Contact is required before applying for certain building permits or land use reviews, as specified in this Title. Applicants may also choose to follow the process voluntarily when it is not required.~~

~~**C. Requirements.** The requirements for Neighborhood Contact are:~~

~~1. The applicant must contact the neighborhood association for the area, by registered or certified mail, to request a meeting. A copy of this request must also be sent by registered or certified mail to the district neighborhood coalition, neighborhood business associations, and the school district within whose boundaries the proposal is located. Meeting request forms are available at the Development Services Center. Applicants are encouraged to include conceptual site plans, building elevations, and any other information that supports their proposal. The request letter must summarize the proposed development, the purpose of the meeting, and describe the following timelines.~~

~~The neighborhood association should reply to the applicant within 14 days and hold a meeting within 45 days of the date of mailing the request. If the neighborhood association does not reply to the applicant's letter within 14 days, or hold a meeting within 45 days, the applicant may request a land use review or building permit without further delay. If the neighborhood requests the meeting within the time frame, the applicant must attend the meeting. The applicant may attend additional meetings on a voluntary basis. The neighborhood may schedule the meeting with its board, the general membership, or a committee.~~

~~2. After the meeting and before applying for the land use review or building permit, the applicant must send a letter by registered or certified mail, to the neighborhood association, district neighborhood coalition, and school district. The letter will explain changes, if any, the applicant is making to the proposal.~~

~~3. Copies of letters required by this subsection, and registered or certified mail receipts, must be submitted with the application for land use review or building permit.~~

~~4. The application must be submitted within one year from the date of sending the initial letter required in paragraph C.1., or the neighborhood contact process must be restarted.~~

Commentary

33.705 Neighborhood Contact

This is a new chapter.

This change creates a new chapter describing the process for the Neighborhood Contact requirement. The proposed changes create two tiers of process. The thresholds for these tiers are included in the base zones and in the LUR procedures. Smaller projects will trigger only the requirement for an on-site sign and a notice to be mailed or emailed to the neighborhood association, district coalition, and business association. Larger projects will trigger the requirement for an emailed or mailed notice, an on-site sign and a meeting.

The Planning and Sustainability Commission, through the amendment process, added a requirement for online access to information and included more specificity around meeting location and timing requirements.

The City Council amended the proposal to require notification of nearby organizations because development affects people living and working near a project, regardless of what organization they belong to.

33.705 Neighborhood Contact

705

Sections:

33.705.010 Purpose
33.705.020 Neighborhood Contact Steps

33.705.010 Purpose

The neighborhood contact process provides an opportunity for people who live, work or otherwise pass by a development site to learn about a project before construction begins. It makes the same information accessible online to interested community members. The neighborhood contact steps provide an opportunity for members of the community to provide feedback to the property owner or developer on the design and other aspects of the development. In most cases, the neighborhood contact steps involve a sign posted on the site, but in some larger development scenarios, the property owner or developer will be required to host a public meeting. While the neighborhood contact outreach steps are required prior to submitting for a land use review or building permit, any feedback provided to the property owner or developer is informal and non-binding. By engaging with members of the community early, prior to applying for a review or permit, the property owner or developer has an opportunity to tailor the proposal in response to community comments, ideas or concerns.

33.705.020 Neighborhood Contact Steps

A. Neighborhood contact I. Neighborhood contact I requires the following notification and posting steps:

1. Notification. The applicant must contact via email or mail the neighborhood association, district neighborhood coalition, and business association for the area, and any neighborhood association, district neighborhood coalition, or business association within 400 feet of the proposal site. The email or letter must be sent at least 35 days, but not more than one year, before applying for a land use review or building permit. A copy of the email or letter, and a list of the email or postal addresses to which the email or letter was sent, must be submitted as part of the application for a land use review or building permit. The email or letter must contain the following information:

   a. The name, telephone number and email address of the applicant;

   b. The address of the site of the proposed development;

   c. A summary of the proposed development; and

   d. A site plan that includes the proposed development.

Commentary

The requirement for online access to information was added by the Planning and Sustainability Commission. This requirement expands the impact of the notice beyond the place-based scope of a sign and notice to geographic organizations and allows anybody with interest to easily find and subscribe to early notice about development. It also aligns with the City's Open Data Policy (ORDINANCE No. 188356).

2. Sign. The applicant must post at least one sign on the proposed development site at least 35 days, but not more than one year, before applying for a land use review or building permit.

   a. A sign must be placed on each street frontage of the site. If the street frontage is over 600 feet long, a sign is required for each 600 feet or fraction thereof. Signs must be posted within 10 feet of a street lot line and must be visible to pedestrians and motorists. Signs may not be posted in a public right-of-way. Signs are not required along street frontages that are not improved and do not allow motor vehicle access.

   b. The required signs must remain on the site until a building permit is issued or one year has passed since the application that triggers the sign requirement was submitted, whichever is less, except that the required signs must be removed from the site when required posting for a land use review occurs.

   c. The Director of the Bureau of Development Services has the authority to adopt administrative rules to determine the size and layout of the sign.

   d. A photograph of the required signs posted on the site must be submitted as part of the application for a land use review or building permit.

   e. The signs must contain the following information:

      (1). The name, telephone number and email address of the applicant;

      (2) The name and email address of the neighborhood association that includes the site;

      (3) The name, telephone number and email address of the district neighborhood coalition that includes the site;

      (4) A written summary of the proposed development;

      (5) A site plan that includes the proposed development; and

      (6) Procedural information provided by the Bureau of Development Services.

3. Online Access

   a. The applicant must contact the Bureau of Development Services via email, or an online information submittal tool, at least 35 days, but not more than one year, before applying for a land use review or building permit. The email, or online submittal, must contain the following information:

      (1) The name, telephone number, and email address of the applicant;

      (2) The address of the site of the proposed development;

      (3) A summary of the proposed development; and

      (4) A site plan that includes the proposed development.

   b. The Bureau of Development Services must make the information required by Subparagraph A.3.a available in an accessible online format and as an open data set. The bureau will also provide a way for community members to subscribe to get proactive notification of new information.

Commentary

4. Required information. The following information must be submitted as part of the application for a land use review or building permit:

   a. A copy of the email or letter that was sent as required by Paragraph A.1.;

   b. A list of the email or postal addresses to which the email or letter required by Paragraph A.1.was sent;

   c. A photograph of the sign required by Paragraph A.2. posted on the site;

   d. A signed statement certifying that the required email or letter was sent, and the required signs were posted, at least 35 days, but not more than one year, before applying for a land use review or building permit.

B. Neighborhood contact II. Neighborhood contact II requires the following meeting, notification and posting steps:

1. Notification. The applicant must contact via email or mail the neighborhood association, district neighborhood coalition, and business association for the area, and any neighborhood association, district neighborhood coalition, or business association within 400 feet of the proposal site. The email or letter must be sent at least 35 days, but not more than one year, before applying for a land use review or building permit. A copy of the email or letter, and a list of the email or postal addresses to which the email or letter was sent, must be submitted as part of the application for a land use review or building permit. The email or letter must contain the following information:

   a. The name, telephone number and email address of the applicant;

   b. The address of the site of the proposed development;

   c. The date, time and location of the required public meeting; and

   d. A summary of the proposed development; and

   e. A site plan that includes the proposed development.

2. Sign. The applicant must post at least one sign on the proposed development site at least 35 days, but not more than one year, before applying for a land use review or building permit.

   a. A sign must be placed on each street frontage of the site. If the street frontage is over 600 feet long, a sign is required for each 600 feet or fraction thereof. Signs must be posted within 10 feet of a street lot line and must be visible to pedestrians and motorists. Signs may not be posted in a public right-of-way. Signs are not required along street frontages that are not improved and do not allow motor vehicle access.

   b. The required signs must remain on the site until a building permit is issued or one year has passed since the application that triggers the sign requirement was submitted, whichever is less, except that the required signs must be removed from the site when required posting for a land use review occurs.

   c. The Director of the Bureau of Development Services has the authority to adopt administrative rules to determine the size and layout of the sign.

   d. A photograph of the required signs posted on the site must be submitted as part of the application for a land use review or building permit.

Commentary

e. The signs must contain the following information:

(1) The name, telephone number and email address of the applicant;

(2) The name and email address of the neighborhood association that includes the site;

(3) The name, telephone number and email address of the district coalition that includes the site;

(4) The date, time and location of the required public meeting;

(5) A written summary of the proposed development;

(6) A site plan that includes the proposed development; and

(7) Procedural information provided by the Bureau of Development Services.

3. Online Access

a. The applicant must contact the Bureau of Development Services via email, or an online information submittal tool, at least 35 days, but not more than one year, before applying for a land use review or building permit. The email, or online submittal, must contain the following information:

(1) The name, telephone number, and email address of the applicant;

(2) The address of the site of the proposed development;

(3) A summary of the proposed development; and

(4) A site plan that includes the proposed development.

b. The Bureau of Development Services must make the information required by Subparagraph B.3.a available in an accessible online format and as an open data set. The bureau will also provide a way for community members to subscribe to get proactive notification of new information.

Commentary

33.705.020.B.3 Neighborhood Contact

The meetings will be hosted by the applicant, not the neighborhood association, and will also be mandatory, not dependent on the neighborhood association's decision to host them or not. Meeting guidelines are established to ensure that applicants host open public meetings. The location limitation of two miles from the site is intended to allow flexibility for areas where good meeting locations are difficult to find, while preventing meeting locations prohibitively far from the site.

The additional limitation of the neighborhood coalition boundary was added by the Planning and Sustainability Commission to prevent meetings from being sited on the opposite side of the barriers that typically make up the coalition boundaries, such as freeways or the Willamette River.

The allowed meeting timing was adjusted by City Council to limit allowed weekend meeting times to afternoons, because many people have morning activities on weekends.

City Council also added, through the amendment process, a requirement that the meeting be accessible and provide accommodations in order to remove barriers to access.

4. Meeting. The applicant must schedule and attend one public meeting. Notes from the meeting and an explanation of any changes made to the proposal as a result of comments received at the public meeting must be emailed or mailed to the neighborhood association, district neighborhood coalition, business association, school district and any meeting attendees who provide an email or postal address, before an application for a land use review or building permit can be accepted. The meeting must:

   a. Be held at least 14 days before applying for a land use review or a building permit, and at least 14 days after sending the email or letter and posting signs required by Paragraphs B.2. and B.3.

   b. Be held at a location within the neighborhood where the proposed development is located or at a location that is not more than two miles from the boundary of the neighborhood within which the proposed development is located and within the boundaries of the district neighborhood coalition in which the proposed development is sited;

   c. Be held at a time between 6 p.m. and 9 p.m. Monday through Friday, or between 1 p.m. and 6 p.m. on Saturday or Sunday and which does not conflict with a scheduled neighborhood association meeting unless held in conjunction with a neighborhood association meeting;

   d. Be open to the public; and

   e Be in a location that provides access to all members of the public. If requested by a member of the public at least three days prior to the meeting, the applicant must provide language services, alternative formats, auxiliary aids, or other reasonable requests that ensure barrier free access.

5. Required information. The following information must be submitted as part of the application for a land use review or building permit:

   a. A copy of the email or letter that was sent as required by Paragraph A.1.;

   b. A list of the email or postal addresses to which the email or letter required by Paragraph A.1.was sent;

   c. A photograph of the sign required by Paragraph A.2. posted on the site;

   d. A signed statement certifying:

      1) That the required email or letter was sent at least 35 days, but not more than one year, before applying for the land use review or building permit;

      2) That the required signs were posted, at least 35 days, but not more than one year, before applying for the land use review or building permit;

      3) That the required meeting was held at least 14 days before applying for the land use review or building permit, and at least 14 days after sending the email or letter and posting the required signs; and

      4) That the notes from the required public meeting were emailed or mailed to the neighborhood association, district neighborhood coalition, business association, school district and any meeting attendees who provide an email or postal address, prior to applying for the land use review or building permit.

Commentary

The Neighborhood Contact III was added during the City Council amendment process in April, 2019 because in some situations, the neighborhood association can provide useful information to the applicant early in the process. Projects in the d overlay and land divisions in environmental review were determined to require Neighborhood Contact III because neighborhood associations often have a lot of knowledge about land use and development in the area, and that local context is particularly useful in those cases.

C. Neighborhood contact III. Neighborhood contact III requires the following meeting, notification and posting steps:

1. Notification. The applicant must contact via email or mail the neighborhood association, district neighborhood coalition, and business association for the area, and any neighborhood association, district neighborhood coalition, or business association within 400 feet of the proposal site. A copy of the request and information must also be sent via email or mail to the district neighborhood coalition, neighborhood business association, and school district within whose boundaries the proposal is located. The email or letter must include the following information:

   a. The name, telephone number and email address of the applicant;

   b. The address of the site of the proposed development;

   c. A summary of the proposed development; and

   d. A conceptual site plan.

   The neighborhood association should reply to the applicant within 14 days and hold a meeting within 45 days of the date of mailing the request. If the neighborhood requests the meeting within the time frame, the applicant must attend the meeting. Notes from the meeting and an explanation of any changes made to the proposal as a result of comments received at the public meeting must be emailed or mailed to the neighborhood association, district neighborhood coalition, business association, school district and any meeting attendees who provide an email or postal address, before an application for a land use review or building permit can be accepted. If the neighborhood association does not reply to the applicant's letter within 14 days, or hold a meeting within 45 days, the applicant must meet the meeting requirements of Paragraph C.4.

2. Sign. The applicant must post at least one sign on the proposed development site at least 35 days, but not more than one year, before applying for a land use review or building permit.

   a. A sign must be placed on each street frontage of the site. If the street frontage is over 600 feet long, a sign is required for each 600 feet or fraction thereof. Signs must be posted within 10 feet of a street lot line and must be visible to pedestrians and motorists. Signs may not be posted in a public right-of-way. Signs are not required along street frontages that are not improved and do not allow motor vehicle access.

   b. The required signs must remain on the site until a building permit is issued or one year has passed since the application that triggers the sign requirement was submitted, whichever is less, except that the required signs must be removed from the site when required posting for a land use review occurs.

   c. The Director of the Bureau of Development Services has the authority to adopt administrative rules to determine the size and layout of the sign.

   d. A photograph of the required signs posted on the site must be submitted as part of the application for a land use review or building permit.

Commentary

e. The signs must contain the following information:

(1) The name, telephone number and email address of the applicant;

(2) The name and email address of the neighborhood association that includes the site;

(3) The name, telephone number and email address of the district coalition that includes the site;

(4) A written summary of the proposed development;

(5) A site plan that includes the proposed development;

(6) The date, time and location of the meeting required by either C.1 or C.4; and

(6) Procedural information provided by the Bureau of Development Services.

3. Online Access

a. The applicant must contact the Bureau of Development Services via email, or an online information submittal tool, at least 35 days, but not more than one year, before applying for a land use review or building permit. The email, or online submittal, must contain the following information:

(1) The name, telephone number, and email address of the applicant;

(2) The address of the site of the proposed development;

(3) A summary of the proposed development; and

(4) A site plan that includes the proposed development.

b. The Bureau of Development Services must make the information required by Subparagraph C.3.a available in an accessible online format and as an open data set. The bureau will also provide a way for community members to subscribe to get proactive notification of new information.

4. Meeting. If the neighborhood association does not reply to the applicant meeting request within 14 days, or hold a meeting within 45 days, the applicant must schedule and attend one public meeting. Notes from the meeting and an explanation of any changes made to the proposal as a result of comments received at the public meeting must be emailed or mailed to the neighborhood association, district neighborhood coalition, business association, school district and any meeting attendees who provide an email or postal address, before an application for a land use review or building permit can be accepted. The meeting must:

a. Be held at least 14 days before applying for a land use review or a building permit, and at least 14 days after sending the email or letter and posting signs required by Paragraphs C.1. and C.2.

b. Be held at a location within the neighborhood where the proposed development is located or at a location that is not more than two miles from the boundary of the neighborhood within which the proposed development is located and within the boundaries of the district neighborhood coalition in which the proposed development is sited;

Commentary

c. Be held at a time between 6 p.m. and 9 p.m. Monday through Friday, or between 1 p.m. and 6 p.m. on Saturday or Sunday and which does not conflict with a scheduled neighborhood association meeting unless held in conjunction with a neighborhood association meeting; and

d. Be open to the public; and

e Be in a location that provides access to all members of the public. If requested by a member of the public at least three days prior to the meeting, the applicant must provide language services, alternative formats, auxiliary aids, or other reasonable requests that ensure barrier free access.

5. Required information. The following information must be submitted as part of the application for a land use review or building permit:

a. A copy of the emails or letters that were sent as required by Paragraphs C.1. and C.4;

b. A list of the email or postal addresses to which the email or letter required by Paragraph C.1. and C.4 were sent;

c. A photograph of the sign required by Paragraph C.2. posted on the site;

d. A signed statement certifying:

(1) That the required email or letter was sent at least 35 days, but not more than one year, before applying for the land use review or building permit;

(2) That the required signs were posted, at least 35 days, but not more than one year, before applying for the land use review or building permit;

(3) That the required meeting request was sent;

(4) That the neighborhood association either did not reply or declined the request or that the neighborhood association meeting take place; and

(5) That the notes from the meeting, if one was held, were emailed or mailed to the neighborhood association, district neighborhood coalition, business association, school district and any meeting attendees who provide an email or postal address, prior to applying for the land use review or building permit.

Commentary

33.730.013 Expedited Land Division Procedure

The changes reflect the new location for the Neighborhood Contact requirement and process. The thresholds are set based on the number of proposed lots, consistent with other land divisions.

33.730 Quasi-Judicial Procedures

730

33.730.013 Expedited Land Division Procedure

The Expedited Land Division (ELD) procedure provides an alternative to the standard procedures for some land divisions. The applicant may choose to use the ELD process if the land division request meets all of the elements specified in ORS 197.360. The steps of this procedure are in ORS 197.365 through .375. The application requirements are listed in Section 33.730.060, below. Two additional steps are required for land division requests using the ELD Procedure:

A. Neighborhood ~~C~~contact. ~~The applicant must complete the steps in Section 33.700.025, Neighborhood Contact, before applying for an ELD review.~~

1. When the ELD includes four to ten lots, the applicant is required to meet the neighborhood contact requirements specified in 33.705.020.A., Neighborhood contact I.
2. When the ELD includes eleven or more lots, the applicant is required to meet the neighborhood contact requirements specified in 33.705.020.B., Neighborhood contact II.

B. Pre-application conference. A pre-application conference is required for all land division requests processed through the ELD procedure. See 33.730.050, Pre-Application Conference. The pre-application conference must be held before applying for an ELD review.

Commentary

33.730.014 Type I Procedure

The changes add the Neighborhood Contact requirement and thresholds for Type I procedures. This is intended to ensure that the opportunity for neighbors to learn about a project happens early in the process. The process for the requirement is included in the proposed 33.705 chapter.

33.730.014 Type I Procedure

The Type I procedure is an administrative process with public notice but no hearing.

A. Pre-application conferences. A pre-application conference is not required.

B. Neighborhood contact.

1. When the proposed development associated with the land use review will result in the addition of at least 10,000 square feet and not more than 25,000 square feet of net building area to the site, the neighborhood contact steps of 33.705.020.A., Neighborhood contact I, are required. If the proposed development has already met the neighborhood contact requirements as part of a building permit process, it is exempt from the neighborhood contact requirements.

2. When the proposed development associated with the land use review will result in the addition of more than 25,000 square feet of net building area to the site, the neighborhood contact steps of 33.725.020.B., Neighborhood contact II, are required. If the proposed development has already met the neighborhood contact requirements as part of a building permit process, it is exempt from the neighborhood contact requirements.

[Reletter B through G to be C through H]

Commentary

33.730.015 Type Ix Procedure

The changes add the Neighborhood Contact requirement for Type Ix procedures. This is intended to ensure that the opportunity for neighbors to learn about a project happens early in the process. The process for the requirement is included in the proposed 33.705 chapter.

33.730.015 Type Ix Procedure

The Type Ix procedure is an administrative process with public notice but no hearing.

A. Pre-application conferences. A pre-application conference is optional.

B. Neighborhood contact.

1. When the proposed development associated with the land use review will result in the addition of at least 10,000 square feet and not more than 25,000 square feet of net building area to the site, the neighborhood contact steps of 33.705.020.A., Neighborhood contact I, are required If the proposed development has already met the neighborhood contact requirements as part of a building permit process, it is exempt from the neighborhood contact requirements.

2. When the proposed development associated with the land use review will result in the addition of more than 25,000 square feet of net building area to the site, the neighborhood contact steps of 33.705.020.B., Neighborhood contact II, are required. If the proposed development has already met the neighborhood contact requirements as part of a building permit process, it is exempt from the neighborhood contact requirements.

[Reletter B through G to be C through H]

Commentary

33.730.020 Type II Procedure

The changes add the Neighborhood Contact requirement for Type II procedures. This is intended to ensure that the opportunity for neighbors to learn about a project happens early in the process. The process for the requirement is included in the proposed 33.705 chapter.

The City Council, during the amendment process, added a new level of neighborhood contact process, Neighborhood Contact III, which is triggered by land divisions in environmental review and by development projects 10,000 square feet or more in the d overlay.

33.730.020 Type II Procedure

The Type II procedure is an administrative process, with the opportunity to appeal the Director of BDS's decision to another review body.

A. Pre-application conference. A pre-application conference is optional unless it is a specific requirement of a review. See 33.730.050, Pre-Application Conference.

B. Neighborhood contact.

1. When the proposed development associated with the land use review will result in the addition of at least 10,000 square feet and not more than 25,000 square feet of net building area to the site and no portion of the site is in the Design overlay zone, the neighborhood contact steps of 33.705.020.A., Neighborhood contact I, are required. If the proposed development has already met the neighborhood contact requirements as part of a building permit process, it is exempt from the neighborhood contact requirements.

2. When the proposed development associated with the land use review will result in the addition of more than 25,000 square feet of net building area to the site and no portion of the site is in the Design overlay zone, the neighborhood contact steps of 33.705.020.B., Neighborhood contact II, are required. If the proposed development has already met the neighborhood contact requirements as part of a building permit process, it is exempt from the neighborhood contact requirements.

3. When the proposed development associated with the land use review will result in the addition of more than 10,000 square feet of net building area to the site and the site is in the Design overlay zone, the neighborhood contact steps of 33.705.020.C, Neighborhood contact III, are required. If the proposed development has already met the neighborhood contact requirements as part of a building permit process, it is exempt from the neighborhood contact requirements.

[Reletter B through I to be C through J]

Commentary

33.730.025 Type IIx Procedure

The changes add the Neighborhood Contact requirement for Type IIx procedures. This is intended to ensure that the opportunity for neighbors to learn about a project happens early in the process. The process for the requirement is included in the proposed 33.705 chapter.

The Neighborhood Contact requirement currently applies to some Type IIx procedures, such as land divisions, with 2 or 3 lots. With the proposed changes, this requirement will apply to all Type IIx procedures that have 4 or more lots.

33.730.025 Type IIx Procedure

The Type IIx procedure is an administrative process, with the opportunity to appeal the Director of BDS's decision to another review body.

A. Pre-application conference. A pre-application conference is optional. See 33.730.050, Pre-Application Conference.

B. Neighborhood contact.

1. The neighborhood contact steps of 33.705.020.A., Neighborhood contact I, are required when:

   a. The application is for a land division that includes four to ten lots; or

   b. The application is for a land use review other than a land division and the proposed development associated with the land use review will result in the addition of at least 10,000 square feet and not more than 25,000 square feet of net building area to the site. If the proposed development has already met the neighborhood contact requirements as part of a building permit process, it is exempt from the neighborhood contact requirements.

2. When the application is for a land use review other than a land division and the proposed development associated with the land use review will result in the addition of more than 25,000 square feet of net building area to the site, the neighborhood contact steps of 33.705.020.B., Neighborhood contact II, are required. If the proposed development has already met the neighborhood contact requirements as part of a building permit process, it is exempt from the neighborhood contact requirements.

[Reletter B through I to be C through J]

Commentary

33.730.030 Type III Procedure

The Neighborhood Contact requirement currently applies to some Type III procedures. With the proposed changes, this requirement will apply to all Type III procedures that have 4 or more lots or 10,000 square feet. This is intended to ensure that the opportunity for neighbors to learn about a project happens early in the process. The process for the requirement is included in the proposed 33.705 chapter.

The City Council, during the amendment process, added a new level of neighborhood contact process, Neighborhood Contact III, which is triggered by land divisions in environmental review and by development projects 10,000 square feet or more in the d overlay.

33.730.030 Type III Procedure

A Type III procedure requires a public hearing before an assigned review body. Subsections A through D apply to all sites. If the site is within the City of Portland, Subsections E through H also apply. If the site is in the portion of unincorporated Multnomah County that is subject to City zoning, Subsection I also applies.

A. Pre-application conference. A pre-application conference is required for all requests processed through a Type III procedure. See 33.730.050, Pre-Application Conference.

B. Neighborhood contact.

1. The neighborhood contact steps of 33.705.020.A., Neighborhood contact I, are required when:
   a. The application is for a land division that includes four to ten lots and does not include an environmental review; or
   b. The application is for a land use review other than a land division and the proposed development associated with the land use review will result in the addition of at least 10,000 square feet and not more than 25,000 square feet of net building area to the site and no portion of the site is in the Design overlay zone. If the proposed development has already met the neighborhood contact requirements as part of a building permit process, it is exempt from the neighborhood contact requirements.
2. The neighborhood contact steps of 33.705.020.B., Neighborhood contact II, are required when:
   a. The application is for a land division that includes eleven or more lots and does not include an environmental review; or
   b. The application is for a land use review other than a land division and the proposed development associated with the land use review will result in the addition of more than 25,000 square feet of net building area to the site and no portion of the site is in the Design overlay zone. If the proposed development was subject to a building permit process, it is exempt from the neighborhood contact requirements.
3. The neighborhood contact steps of 33.705.020.C., Neighborhood contact III, are required when:
   a. The application is for a land division that includes an environmental review; or
   b. The application is for a land use review other than a land division and the proposed development associated with the land use review will result in the addition of more than 10,000 square feet of net building area to the site and the site is in the Design overlay zone.

[Reletter B through I to be C through J]

Commentary

33.825.025 Review Procedures

The Neighborhood Contact requirement for this category of project is proposed to be deleted. Many projects in this category will be covered by the new Quasi-Judicial Procedures requirements for Neighborhood Contact.

33.825 Design Review

825

33.825.025 Review Procedures

This section lists procedures for design review for proposals in design overlay zones. These procedures also apply where design review is required by the regulations of a plan district or overlay zone, or as a condition of approval of a quasi-judicial decision.

The procedures stated in this section supersede procedural and threshold statements in the City's adopted design guidelines documents.

~~**A. Procedures for design review.**~~ Procedures for design review vary with the type of proposal being reviewed and the design district in which the site is located. ~~Design review in some design districts requires an additional procedural step, the Neighborhood Contact requirement, as set out in Section 33.700.025, Neighborhood Contact.~~ Some proposals in the Central City plan district must provide a model of the approved proposal, as set out in Subsection D.~~Paragraph A.4~~. When determining procedure type for exterior alterations based on project valuation, the dollar amount refers to the value of the exterior changes and any new floor area only. It does not include interior or subgrade alterations.

A~~1~~. Proposals subject to design review are reviewed according to the procedure type listed in Table 825-1. When a proposal is subject to more than one procedure type, the higher procedure type applies. For example, a proposal located in the Central City Plan District may not exceed the dollar threshold for a Type II procedure, but because it is also in the Downtown Design District and it exceeds the square footage threshold for a Type II procedure, the proposal would be subject to a Type III procedure.

B~~2~~. Minor changes to an approved design review prior to issuance of final permit approval. Minor changes to an approved design review that was originally processed through a Type III procedure are reviewed through a Type II procedure when all of the following are met. Alterations to a structure after the final building permit approval are exempt from this regulation:

1~~a~~. The original design review has not expired;

2~~b~~. The building permit for the project has not received final approval;

3~~c~~. The change will not modify any condition of approval. Changes to an approved exhibit are allowed; and

4~~d~~. The cumulative value of the changes will not result in an increase or decrease in the original project value by more than 15 percent.

C~~3~~. Phased design plans.

1~~a~~. For multi-phased projects. Applicants may submit design plans for multi-phased projects, provided the application includes adequate information to allow review of the immediate and later phases of the project, including anticipated timelines.

2~~b~~. Benefits of a phased design plan. Development in conformance with an approved phased design plan does not have to go through a separate design review for each phase.

Commentary

3~~c~~. Procedure. A phased design plan application is reviewed using the same procedure and with the same guidelines as a design review for a specific development.

D4. Models of proposals in the Central City plan district. For proposals located in the area of the Central City plan district shown on Map 510-1, a three dimensional digital model of the proposal is required with an application for Design Review. This requirement applies only to new developments or changes in the bulk of existing buildings.

Before a building permit is issued, a three dimensional digital model of the proposal as approved must be submitted to the Bureau of Planning and Sustainability. The model requirements will be waived if the application does not involve a change in the bulk of buildings on a site for which the City possesses an accurate digital model.

~~**B. Neighborhood Contact.** The following proposals are subject to the Neighborhood Contact requirement, as specified in Section 33.700.025, Neighborhood Contact, if they are in the a, Alternative Design Density Overlay Zone, in the Albina Community Plan Area shown on Map 825-2, or in the Outer Southeast Community Plan Area shown on Map 825-3:~~

~~1. Proposals that create more than three new dwelling units. Dwelling units are created:~~

~~a. As part of new development;~~

~~b. By adding net building area to existing development that increases the number of dwelling units;~~

~~c. By conversion of existing net building area from non-residential to residential uses; and~~

~~d. By increasing the number of units within existing net building area already in residential use, for example, by converting a duplex to a triplex;~~

~~2. Proposals that create more than 10,000 square feet of gross building area for uses in the Commercial or Industrial use categories; or~~

~~3. Proposals in the IR zone where the site is not covered by an Impact Mitigation Plan or Conditional Use Master Plan.~~

Commentary

33.846.060 Historic Resource Review

The Neighborhood Contact requirement for this category of project is proposed to be deleted. Many projects in this category will be covered by the new Quasi-Judicial Procedures requirements for Neighborhood Contact.

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33.846 Historic Resource Reviews

846

33.846.060 Historic Resource Review

A. Purpose. Historic resource review ensures the conservation and enhancement of the special characteristics of historic resources.

B. Review procedure. ~~Certain proposals specified in B.1 are subject to neighborhood contact requirements.~~ Procedures for historic resource reviews are shown in Tables 846-1 through 846-4. When determining procedure type for exterior alterations based on project valuation, the dollar amount refers to the value of the exterior changes and any new floor area only. It does not include interior or subgrade alterations.

~~1. Neighborhood Contact. The following proposals are subject to the Neighborhood Contact requirement, as specified in Section 33.700.025, Neighborhood Contact, if they are in the a, Alternative Design Density Overlay Zone; in the Albina Community Plan area shown on Map 825-2; or in the Outer Southeast Community Plan area shown on Map 825-3:~~

~~a. Proposals that create more than three new dwelling units. Dwelling units are created:~~

~~(1) As part of new development;~~

~~(2) By adding net building area to existing development that increases the number of dwelling units;~~

~~(3) By conversion of existing net building area from nonresidential to residential uses; and~~

~~(4) By increasing the number of units within existing net building area already in residential use, for example, by converting a duplex to a triplex;~~

~~b. Proposals that create more than 10,000 square feet of gross building area for uses in the Commercial or Industrial use categories; or~~

~~c. Proposals in the IR zone where the site is not covered by an Impact Mitigation Plan or Conditional Use Master Plan.~~

[Renumber 2 to 5 to be 1 to 4]

Commentary

33.854.200 Review Procedures

The Neighborhood Contact requirement for this category of project is proposed to be deleted. Many projects in this category will be covered by the new Quasi-Judicial Procedures requirements for Neighborhood Contact.

33.854 Planned Development Review

33.854.200 Review Procedures

A. Concurrent reviews. When land use reviews in addition to Planned Development Review are requested or required, all of the reviews must be processed concurrently, except for Design Review for buildings within a Planned Development site when the Planned Development bonus is being utilized (See 33.130.212.E). In this case, Design Review may be processed after the Planned Development Review.

B. Planned Development bonus. Proposals that are using the commercial/mixed use zones Planned Development bonus (See 33.130.212.E) are processed through a Type III procedure~~, but with the additional steps required under Section 33.700.025, Neighborhood Contact~~.

C. All other Planned Development Reviews.

1. Review in conjunction with a land division. When a Planned Development is requested in conjunction with a land division, the review will be processed as follows:

   a. Type III review. Proposals in the RF through R2.5 zones that include attached duplexes, multi-dwelling structures, or multi-dwelling development are processed through a Type III procedure, ~~but with the additional steps required under Section 33.700.025, Neighborhood Contact~~.

   b. Type IIx review. All other proposals are processed through the Type IIx procedure~~, but with the additional steps required under Section 33.700.025, Neighborhood Contact~~.

2. Review not in conjunction with a land division. When a Planned Development is not in conjunction with a land division, the review will be processed as follows:

   a. Type III. Planned Developments that include any of the following elements are processed through a Type III procedure~~, but with the additional steps required under Section 33.700.025, Neighborhood Contact~~:

      (1) Attached duplexes, multi-dwelling structures, or multi-dwelling development in the RF through R2.5 zones;

      (2) Eleven or more units;

      (3) Four or more units where any building location, utility, or service is proposed within a Potential Landslide Hazard Area;

      (4) Environmental review;

      (5) Any portion of the site is in an Open Space zone.

   b. Type IIx. All other proposals not assigned to a Type III in Subparagraph C.2.a. are processed through a Type IIx procedure~~, but with the additional steps required under Section 33.700.025, Neighborhood Contact~~.

Appendix A: Draft Administrative Rule

These draft rules will be revised and adopted by the Bureau of Development Services and are provided here for informational purposes only. The process for adopting new administrative rules is laid out in City Code 33.30.045.

City of Portland
Bureau of Development Services

1900 SW Fourth Avenue, Suite 5000
Portland, OR 97201
Telephone: (503) 823-7300 Fax: (503) 823-3018

PERMANENT RULE
On-Site Notice

RELATING TO
Title 33 Planning and Zoning

FOR INFORMATION CONTACT
BDS Planning and Zoning *(503-823-7526)*

TOPIC On-Site Notices

AUTHORITY
Section 705.020 of Portland Zoning Code (Title 33) authorizes and directs the Bureau of Development Services to adopt and administer Administrative Rules that implement the Zoning Code, and that set forth the substantive and procedural requirements for an On-Site Notice required as part of the Neighborhood Contact requirement in the Zoning Code. The purpose of this Administrative Rule is to establish requirements that allow implementation of the Zoning Code.

CITATION

FINDINGS FOR ORIGINAL ADOPTION

CONCLUSION
As provided in Title 33.725.030, the Director of BDS hereby adopts the Administrative Rule.

Rebecca Esau] **XXX, 2019**
Rebecca Esau, Director

Administrative Rule

On-Site Notice

I. Intent and Purpose

The purpose and intent of this rule is to describe the on-site notice specifications for upcoming development projects or quasi-judicial processes that trigger 33.705. The on-site notice is intended to draw the attention of passers-by and to provide a way for the community to find out about a development proposal before construction begins.

II. Definitions

A. Director: The Director of Bureau of Development Services.
B. On-Site Notice: A notice on the site of a future development project that is intended to notify passers-by about the future development.

III. Notice Specifications

When Neighborhood Contact is required by Title 33.705.020,the applicant must post a notice on the site of the development.

A. Notice design specifications

1. The notice must be 5'x4' in size,

2. The notice must be made of a material that will last at least six months outside. The notice must be mounted on two posts or on an existing wall or fence, and the bottom edge of the notice must be 2 feet off the ground.

2. All content, including bullets, should be in Myriad Pro font. Font size minimum is 50pt.

B. Notice content specifications

1. Project information must include:
    a. Summary of the proposed development. This should include site address, height of the proposed building if known, number of units or lots if known, and number of type of parking spaces if known.
    b. Applicant name and contact information for the person who is the primary contact for this project, and both a phone number and email address. Include any other relevant contact information, such as websites.
    c. Name and contact phone number for the Bureau of Development Services Zoning Information Line: Include the phone number for the Zoning Information Line (503-823-7526) and the BDS neighborhood resources website (www.portlandoregon.gov/bds/neighborhoodresources)
    d. Name, phone number and email address of the relevant District Coalition.

e. Name of the relevant Neighborhood Association(s) and the email address. If the Neighborhood Association has a generic email address such as landusechair@something.com, use that. If there are only personal addresses such as msbethsmith@something.com, use the neighborhood association's website address instead.

f. Proposed site plan, drawn to scale and including property lines, names of streets abutting site, north arrow, setbacks, trees, and paved areas. The site plan may include other information, but should not be too cluttered for readability. The site plan must be at least 144 square inches in size and be at least 300dpi resolution. Other graphics may be included if applicant chooses.

g. Informational Meeting: The following text must be included for all projects that require a Neighborhood Contact meeting: "Informational Meeting." Information about the date, time, and location of the meeting must be included.

C. Actions of the Director

Where the Director finds that an on-site sign does not comply with the Zoning Code and these administrative rules, the Director must either require revisions to the proposal, require additional reviews or deny the application.

IV. Maintenance of an On-Site Sign

Project applicant is responsible for ensuring that an on-site sign is maintained in good condition and is repaired or replaced with an identical sign in the case of vandalism or accidental destruction.

V. Removal of an On-Site Sign

The sign shall be removed when the construction period begins or a year has passed since it was posted, whichever is less.

VI. Enforcement

A. Violations.

It is unlawful to violate any provisions of this Rule. This applies to any person undertaking an application for a building permit or quasi-judicial review, to the building tenant or owner of the property.

B. Responsibility for enforcement.

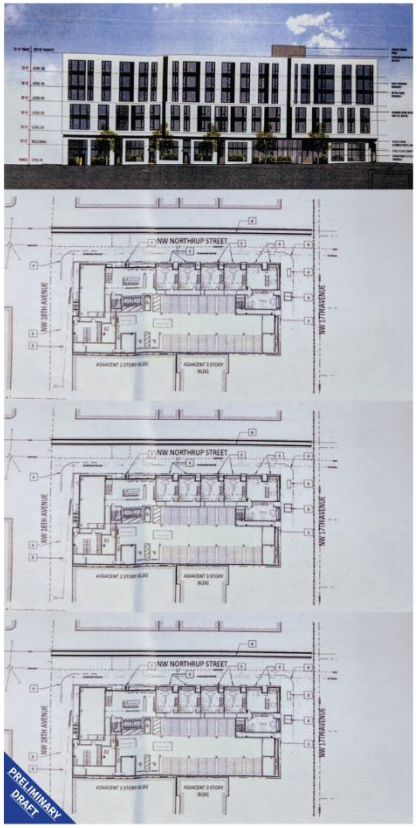
The regulations of this Rule may be enforced by the Director pursuant to Chapter 3.30.

Appendix B: Draft Sign and Supporting Material

The Bureau of Development Services will create supporting material to help people understand and implement the code. These materials will be revised before publication, and will be updated as needed on an ongoing basis by staff at the Bureau of Development Services. This appendix includes draft materials for informational purposes only, to provide context for better understanding the code changes that are proposed.

1) Draft template of the on-site sign (will be part of a packet to help applicants successfully use an InDesign sign template)
2) Informational handouts and/or web content to help the general public understand the sign and prepare for a meeting
3) Informational handouts and/or web content to help applicants prepare for successful meetings

Development Notice



3467
SE Main Street

45 feet
4 Stories

45 units
200 feet² retail

0 off-street parking
20 bicycle parking

AN APPLICATION WILL BE SUBMITTED TO THE CITY FOR FUTURE CHANGES ON THIS SITE.

MEETING INFO

8.5" x 11"
Informational Meeting

January 23
6 p.m. - 8 p.m.
Community Center
123 SE Big St.

Check www.PortlandMaps.com for latest permit status

Applicant created this sign on January 5, 2020. The City has not reviewed the content of this sign. The project may change after the sign is posted.

Applicant: **DEF Development**
Contact: **Jane Doe 503.456.8910 - applicant@def.com**

Learn how developments like this go through the zoning and land use process:
www.PortlandOregon.gov/BDS/NeighborhoodResources

General Zoning Info: **Bureau of Development Services - 503.823.7526**
District Coalition: **SE Uplift - 503.232.0010 - info@southeastuplift.org**
Neighborhood Association: **Hosford Abernethy - landuse@handpdx.org**

Traducción e interpretación | Chuyển Ngữ hoặc Phiên Dịch | 翻译或传译 | 503-823-7300 | BDS@PortlandOregon.gov | www.PortlandOregon.gov/bds/translated | Turjumida ama Fasiraadda | 翻訳または通訳 | Traducere sau Interpretare
Письменныйили устный перевод | 번역 및 통역 | Письмовий або усний переклад | الترجمة التحريرية أو الشفوية | ການແປພາສາ ຫຼື ການອະທິບາຍ
The City of Portland is committed to providing meaningful access. For accommodations, modifications, translation, interpretation or other services, please call **503-823-7300**, the **TTY** at **503-823-6868** or the **Oregon Relay Service** at **711**.

Handout for Community Members

Purpose of the Neighborhood Contact requirements

The sign and the meeting are intended to:

- Let people know that something will be built in the neighborhood, as a courtesy.
- Create an opportunity for the project developer and the neighbors to talk. These conversations can lead to changes to the project design or to the construction process that make the project better for everyone.

Note: This requirement is met <u>before</u> the project has been submitted to the City. There will be no record of the project in City systems until the project application is submitted.

What is allowed to be built here?

Some of the projects that are required to post a sign are being built "by right" according to the existing zoning code rules. If the project meets those rules, permits will be issued for it. It's a good idea to learn about what the zoning code allows to be built on the site. The Bureau of Development Services has some useful "development standards summary" handouts with the basics like height and setbacks for each zone. This will help you understand what developer can and can't do by right. If you have questions about what the zoning generally allows or how the permitting processes work, you can call the Bureau of Development Services' Zoning Information Line at 503-823-7526 or bds@portlandoregon.gov. Remember that they won't be able to answer any questions about this project.

How can I affect what gets built here?

Remember that the development you're looking at is not going through a city review process at this time. This contact requirement is a courtesy, not an opportunity to testify or make formal comments about the development. There is no hearing and there are no decision-makers like the Planning and Sustainability Commission who will be taking your feedback at this point. Some projects will be going through that process later, and neighbors will be notified about that if that's the case. Many of the projects you'll see, though, are just being built according to the existing zoning code. The only official review those projects will get is review by BDS staff to make sure that the project follows the current zoning code rules.

What will happen at the meeting?

This contact is a chance for you to get more information and provide helpful feedback to the people who are designing the new building. These meetings can result in changes to the project that help both the developer and the neighbors.

The project developer will bring some materials to give you a better understanding of what the project will look like when it is built. This should include a draft site plan and building elevations. This is an early stage of the project, so the project design may change between the meeting and when it is built.

The project developer should also provide a rough timeline of the construction process. This is a good time to get information about how the construction process will work and whom you can contact with concerns and questions during the process.

If there are things about the design or the construction process that you are concerned about, this is a good time to raise the issue and try to find a solution. Sometimes the solution benefits both the project developer and the project's neighbors.

What can I expect after the meeting?

After the meeting, the developer is required to send a follow-up letter to meeting attendees, the neighborhood association, district coalition, business association, and school district. Look for a sign-up sheet at the meeting.

The developer is not required to change the project in response to issues raised by neighbors. The meeting is a courtesy meeting for information only. If you have questions about whether or why a part of the project is allowed to be built, please contact the Zoning Information Line at 503-823-7526 or bds@portlandoregon.gov.

You can follow the progress of the permitting process (once the application has been submitted) on the Portland Maps website at portlandmaps.com. Look up the address and click on the "permits" button. You'll see a staff contact assigned to various parts of the project, and you can contact that person with specific questions.

Handout for Developers

Purpose of the Neighborhood Contact requirements

The sign and the meeting are intended to:

- Let people know that something will be built in the neighborhood, as a courtesy.
- Create an opportunity for the project developer and the neighbors to talk. These conversations can lead to changes to the project design or to the construction process that make the project better for everyone.

What to do first

Figure out what neighborhood association your project is located in. If the project is very close to a neighborhood association boundary, consider reaching out to the nearby neighborhood association as well.

Reach out to the neighborhood association(s) before scheduling your open meeting or creating a sign and see if they want to host, co-host, or even just help advertise a meeting. Their participation can be really useful to help you hold a more successful meeting.

Questions to ask the neighborhood association:

- *Are there neighborhood-specific design guidelines?*
- *What has made past development projects in the neighborhood successful?*
- *Is there any particular information that would be helpful to neighbors in understanding the project?*

When you write to the neighborhood association, provide them with a short blurb about the development that they can post to their website, or to NextDoor or Facebook or another social media outlet. For example:

- We're building a new building at 123 Bluebird Ave. The application will be submitted in the next three months, but we already know some basics that we want to let you know about as a courtesy. As allowed by the zoning, the new building will have 20 one-bedroom units and will be 45 feet tall. There will be 4 structured parking spaces for cars and 30 secured indoor parking spaces for bikes. We expect construction will take place approximately April 2020 to December 2020. Questions? Please contact me, Applicant, at 503-123-4567 or applicant@abc.def with any questions about this project. If you have general questions about what the current zoning allows or how the development permitting process works, please call the Bureau of Development Services at 503-823-7526.

It's a good idea to check if there are other organizations in the area who might be interested in your project, and reach out to them as well. Contact the Office of Community and Civic Life's Community and Neighborhood Involvement Center for suggestions on local groups.

Find the right location

If you're going to host the meeting, make sure you consider the following:

- Choose an appropriate meeting place. Good options are typically schools, libraries, community centers, hotels, or a location where the neighborhood association meets. Consider whether a location might make attendees uncomfortable.
- Locations should have
    - Restrooms
    - Reasonably good climate control
    - Good access (including parking) for biking, transit and cars.
- Accessibility for people with disabilities. While it is hard to consider all the potential challenges for every single person, a good rule of thumb is to make sure that at least the meeting is accessible for somebody in a wheelchair to get into the room, participate in the discussion, and be able to use a bathroom. You can also make your meeting more accessible to everyone with simple adjustments like taking the time to read materials out loud. Let the neighborhood association know that you will try to accommodate accessibility requests.
    - Things to look for:
        - Doorway width of at least 32" with no step greater than 1".
        - A place for a wheelchair user to sit where they can participate (not in the very back of the room), with a companion seating assignment next to the space.
        - A direct route between entrance and seating with enough clearance for a wheelchair to pass through, with no steps greater than 1" high.
        - If materials will be reviewed at a table, make sure there's a direct path to and around the table for a wheelchair.
        - Unisex bathroom with a level entry and doors that aren't hard to open
        - Making the meeting accessible through a video meeting technology like Facebook Live or Skype will allow more people to participate.

What to bring?

- Meeting basics – tape, easels, paper, pens, etc.
- If you're hosting the meeting, wayfinding signs to put up at the location to help people find the meeting room.
- Materials describing your project
    - The more information you have, the better, and the more visual, the better.
    - Materials should be at a readable size and scale and be understandable to a person without experience in design and construction.
    - Bring plenty of copies of any handouts.
    - Provide the materials online beforehand, so participants can review them in advance.
    - It's a good idea to have a few poster-sized graphics printed out for people to look at (or a presentation projected on a screen):
        - Proposed site plan showing scale, north arrow, existing trees, and existing adjacent development
        - Proposed building footprint/plan
        - Building elevations showing proposed building in context with existing adjacent building and block development
        - Solar shading analysis
        - Aerial image of site and surrounding block/street

    - Attendees at these meetings in the past have asked for information about the privacy issues and light impacts of the proposed development. Anything you can provide about these topics is likely to be helpful to the discussion.
- Information about the zoning development standards (BDS has handouts that may be useful to print out and bring)
- Information about the permitting and/or quasi-judicial process. (BDS has handouts that may be useful to print out and bring)
- Sign-in sheet for meeting attendees. Ask for email addresses if you prefer to send your follow-up letter by email.
- Business cards
- One-page handout with an overview of the project and project contact information
- Whatever you need to bring to record the meeting. This could be an audio recorder or a person assigned to take notes.

What to expect?

Assume that at least some of the people who attend will know very little about zoning, permitting and quasi-judicial processes, or development. Assume that at least some of the people who come will be feeling worried. This will help you prepare for a successful meeting, because you'll make sure to provide accurate and useful information about the rules and be clear and accurate about the project. You probably can't make everybody happy, but you should make sure everybody gets the information they need, and gets a chance to make suggestions if they want to.

Be prepared for some questions that are likely to come up. Examples:

- What are you going to do with the on-site trees?
- Where will the residents/visitors park? How will that affect parking in the surrounding areas?
- What plan do you have for the construction period?
    - How will you reduce noise, dust and right-of-way blockage?
    - What kinds of toxic materials (lead, asbestos, solvents, etc.) will be released, and how will you be controlling that?
    - Who will we be able to contact with questions and concerns during the construction period?

Follow-up after the meeting

After the meeting, send a follow-up email (or letter if there is no email address) to people who attended the meeting, the neighborhood association, district coalition, school district, and business association. The email must should include the following information:

- **Required** - A brief summary of information presented and discussed at the meeting
- **Required** – An explanation of any changes made to the proposal as a result of comments received at the meeting
- The materials shown or handed out at the meeting
- The meeting agenda
- A list of the issues raised by meeting attendees
- Any answers to questions that you were unable to answer or address at the meeting
- Project contact information

Your meeting follow-up is a great way to show the meeting attendees and organizations that you are being transparent and honest, and that you listened to what they said. They may disagree with you or dislike the project, but they are likely to appreciate honest, responsive communication.

Sample Meeting Agenda

Location
Date and Time

Welcome

- Introduction of speakers and their role on the project team
- Show site plan of proposed project
- Provide summary of development standards for the zone

Description of the project

- Describe proposal in detail
- State total square footage, floor area of existing and proposed structures, number of units, number of floors.
- State how proposal will affect the immediate neighborhood
- Describe the construction plan and identify a project contact for construction issues.

Questions and Suggestions

- Explain how you're going to record the questions and concerned raised.
- Allow a reasonable amount of time to hear and answer questions, and note down suggestions.
- Consider having relevant designers or professionals on hand to answer questions specific to any site design, traffic impact analysis, etc.,
- Listen without interrupting the speaker, whether you agree or disagree.

Summary

- State how the comments or suggestions will be addressed or if you will need to get back to attendees with additional information.

Next steps

- Let attendees know your timeline for submitting your application
- Make sure attendees know how to stay updated. Provide a sign-in sheet so they can add their contact information to the update list.
- Make sure attendees know where to go for additional information. Provide handouts with contact information.

Sample email text

Dear Neighborhood Association,

My company, DEF Development, is planning to build a new project at 123 Bluebird Ave. I'm reaching out to you as required by the Neighborhood Contact zoning code requirements to let you know about this project.
We are required to hold an informational meeting about the project. We'd really like to present this project at a standing neighborhood association meeting, if possible, or to co-host a separate meeting if you don't have space on the agenda at a standing meeting. **Please let me know if we can present the project at an upcoming meeting.**

If your organization is not able to host or co-host the meeting, we will set up a meeting ourselves, as required by the code. **Please let me know if you have any suggestions for location, day, and time, and if you're interested in helping us advertise.**

[If you have already scheduled a meeting, provide the location, time and date]

The application will be submitted in the next three months, but we already know some basics that we want to let you know about as a courtesy. As allowed by the zoning, the new building will have 20 one-bedroom units and will be 45 feet tall. There will be 4 structured parking spaces for cars and 30 secured indoor parking spaces for bikes. We expect construction will take place approximately April 2020 to December 2020. I've attached some information about the project, including a site plan and building elevation.

Please contact me, Applicant, at 503-123-4567 or applicant@abc.def with any questions about this project. If you have general questions about what the current zoning allows or how the development permitting process works, please call the Bureau of Development Services at 503-823-7526.

Sincerely,

Applicant

Sample follow-up email text

Dear Neighborhood Association,

As you know, my company, DEF Development, is planning to build a new project at 123 Bluebird Ave. I'm following up as required by the Neighborhood Contact zoning code requirements to summarize the informational meeting about this project held on DATE at LOCATION.

We appreciated the chance to share the project with the 11 people who attended. Neighbors had a lot of questions, and raised some issues.

Issue #1: The removal of mature trees on the property is very upsetting to neighbors. Concerns range from the loss of the ecosystem services provided by large trees, the loss of privacy screening, and the loss of neighborhood history
Our response: We have adjusted the site plan to preserve one mature tree at the south end of the property. We do not see a way to preserve the other trees without major changes to the site plan, and the zoning rules allow us to remove them. We will be planting 2 new young trees to partially address the ecosystem and screening impacts of removing the mature trees.

Issue #2: Neighbors expressed concern that there is not enough on-site parking included in the project, and residents of the new development will park on the street.
Our response: Adding more on-site parking to the project is not required, and would require space and expense that the project cannot afford. We are providing high-quality bike parking, and will provide bus passes to tenants for the first year. This is aligned with the City's goals and policies around supporting increasing use of bike and transit transportation options.

Please contact me, Applicant, at 503-123-4567 or applicant@abc.def with any questions about this project. If you have general questions about what the current zoning allows or how the development permitting process works, please call the Bureau of Development Services at 503-823-7526.

Sincerely,

Applicant

Bureau of Planning and Sustainability

Innovation. Collaboration. Practical Solutions.

City of Portland, Oregon