



Memorandum

Date: May 18, 2022

To: Planning Commission

From: Darren Wyss, Planning Manager

Subject: Public Comments Received for CDC-22-02

Staff had previously received four written comments for CDC-22-02 (HB2001 Code Amendments) that were distributed to the Planning Commission. Two comments were included in the May 5, 2022 Staff Report and two comments were included in the May 13, 2022 memo from staff. Subsequent to the May 13th memo, and prior to the noon deadline to submit written comments today, staff has received one more public comment for the Planning Commission public hearing scheduled for tonight. The comment, submitted by Karie Oakes, is attached.

May 17, 2022

Dear Chair Walvatne and Planning Commissioners,

I didn't hear my comments mentioned at your work session May 4, so maybe you didn't receive them in time. I found them in the staff report, but they are not readable without extreme magnification. Apparently, my email did not convert well to a pdf. I'm afraid that may be a deterrent to readers and my comments may not be considered.

Please accept this readable pdf for inclusion in the record. Thank you.

Sincerely,

Karie Oakes

-----Original Message-----

From: Karie Oakes [REDACTED] >

To: askthepc@westlinnoregon.gov <askthepc@westlinnoregon.gov>

Cc: citycouncil@westlinnoregon.gov <citycouncil@westlinnoregon.gov>; dwyss@westlinnoregon.gov <dwyss@westlinnoregon.gov>; jwilliams@westlinnoregon.gov <jwilliams@westlinnoregon.gov>

Sent: Wed, May 4, 2022 5:55 pm

Subject: Testimony for HB 2001 Code Amendments

Dear Chair Walvante and Planning Commissioners,

I am unable to attend your meeting tonight to testify and request that my comments be read aloud when you discuss agenda item "3. HB 2001 Code Amendments." Taking the time to read comments aloud supports Statewide Planning Goal 1 for Citizen Participation.

I also submit this testimony be entered into the record for this project and included in the staff report for your hearing on May 18, 2022.

I think the notice to the public of your hearing on May 18 for the code amendments does not provide sufficient explanation for members of our community to know that the proposed codes will amend our local laws to allow "middle housing" or "housing choices" in areas traditionally zoned for detached single family homes. The notice is also for Council hearing on June 13.

[PUBLIC NOTICE OF PROPOSED WEST LINN COMMUNITY DEVELOPMENT CODE AMENDMENTS FOR \(westlinnoregon.gov\)](#)

"Middle housing" and "housing choices" are terms the City used in the community engagement aspects leading up to this legislative process for adoption of the amendments. The City conducted a city-wide "Middle Housing Survey" and uses the terms interchangeably on webpages to describe HB2001 bill requirements to allow triplexes, quadplexes, townhouses and cluster homes.

https://westlinnoregon.gov/sites/default/files/fileattachments/planning/page/51611/west_linn_hb_2001_survey_results.pdf

<https://westlinnoregon.gov/planning/house-bill-2001-phase-2>

Even the staff memo for tonight in paragraph two states, "HB2001, also known as the "middle-housing" or "housing choices" bill," in describing the code amendments to you.

https://westlinn.granicus.com/MetaViewer.php?view_id=4&event_id=1571&meta_id=67623

Consistent and on-going messaging using a variety of communication methods is critical to engage the community and I'm afraid this has not been the case here, as I've seen engagement drop off since the

Middle Housing Survey. Staff did not implement social media outreach, press releases and two open houses noted in the HB2001 Public Engagement Plan. I believe this plan was reviewed and accepted by the Committee for Community Involvement. Furthermore, staff did not utilize the foremost seen spotlight on the City home page nor feature updates in the "Weekly Wednesday" newsletter emailed to subscribers.

<https://westlinnoregon.gov/planning/phase-2-timeline>

The name "CDC Amendments Working Group" is non-specific as to the actual work on three different aspects of the code and likely would not catch the attention of persons interested in "middle housing" which require the understanding the end result would be CDC amendments. In addition to the failures of the Public Engagement Plan, I believe the misnomer contributed to the working group receiving just two public comments in four meetings, as evidenced in the Meeting 2 and Meeting 3 summary notes.

https://westlinnoregon.gov/sites/default/files/fileattachments/planning/meeting/54602/2022_cdc_amendments_working_group_meeting_2022.02.23_minutes.pdf

https://westlinnoregon.gov/sites/default/files/fileattachments/planning/meeting/54660/2022_cdc_amendments_working_group_meeting.03.30_minutes_0.pdf

My comments submitted for meeting 3 are noted, "Karie Oakes submitted a comment letter" which is inconsistent with Council Rules to reflect "the views of the participants." The views of the person commenting for meeting 3 were reflected in the notes. I believe this may be bias on the part of staff and or the consultant because my views were not consistent with theirs. And it may have been an oversight of the working group when reviewing the draft notes. As a result, my comments are not available to the general public.

Notice requirements are provided in CDC 98.070 and 98.080

<https://www.codepublishing.com/OR/WestLinn/#!/WestLinnCDC/WestLinnCDC98.html#98.070>

I think the notice falls short of the criteria of 98.080(B) (1) through (3):

1. The number and title of the file containing the proposal and...
2. A description of the location of the proposal reasonably calculated to give notice as to the location of the affected geographic area, if any;
3. A description of the substance of the proposal in sufficient detail for people to determine that a change is contemplated and the place where all relevant materials and information may be obtained or reviewed;

The file number and title are not on the notice. This project is listed on the "Projects Page" by file number and title and is where all information about the project is posted on the City website. For lack of sufficient detail in the notice as I have described, I think the general public and interested parties, like the 722 people who took the Middle Housing Survey, are deprived of their right to know the substantive changes to all residential zones that are proposed.

In addition to the notice, the public is informed of your meetings and associated hearings on the "Meetings" page of the City website <https://westlinnoregon.gov/meetings>. As of this email, your meeting on May 18 is not listed under "Livestream Meetings" or "Public Meetings" which is standard practice, as shown in the screenshot below. I would guess that more people are informed by this page than any other outreach methods and utilize it to plan their schedule in advance.

Also on the Meetings page, the public utilizes meeting agendas to know and understand the business of the meeting and agendas serve as official notice to satisfy public meetings law. For the same reasons I stated above, the description on your agenda "3. HB 2001 Code Amendments" is insufficient.

While I have not read Chair Walvatne's letter to Council regarding the PC receiving the agenda packet just days before your meeting tonight, giving insufficient time to read the lengthy memo for the CDC amendments, I think is particularly insufficient time for the general public, who has not benefited from the briefings you have had. I know it was for me.

Thank you for your service and for considering my comments.

Sincerely,

Karie Oakes

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