



Objections to Chapter 2 in the City of Portland Comprehensive Plan Update

Filed: May 19, 2017

This is an objection filed with the Department of Land Conservation and Development (DLCD) on behalf of the Multnomah Neighborhood Association under Oregon Administrative Rules (OAR) Division 25, Periodic Review. Specifically, this objection conforms with OAR 660-025-0140(2)(a)-(d).

Party of Record

OAR 660-025-0140(2)(d) Demonstrate that the objecting party participated orally or in writing in the local process leading to the final decision.

The Multnomah Neighborhood Association (MNA) has provided oral and written testimony throughout the Periodic Review process. Examples of documented MNA participation specifically related to this objection include oral testimony by Carol McCarthy, Chair of Multnomah Neighborhood Association on December 3, 2015, January 7, 2016, and January 15, 2017, as well as in written testimony on January 13, 2016. She and other members of the MNA submitted additional written and oral testimony on the topics of this objection, as well as on other aspects of the 2035 Comprehensive Plan (2035 CP), during hearings before the Planning and Sustainability Commission and City Council.

Objection

OAR 660-025-0140(2)(b) Clearly identify an alleged deficiency in the work task or adopted comprehensive plan amendment sufficiently to identify the relevant section of the final decision and the statute, goal, or administrative rule the submittal is alleged to have violated;

The MNA's objections to Chapter 2 of the 2035 CP are threefold:

- 1) Citizens are not mentioned *anywhere* in the text of the 2035 CP, even though Goal 1 of OAR 660-015-0000(1) (Goal 1) requires that **citizens** have a role in all phases of the planning process. The 2035 CP does not guarantee that citizens will have the opportunities to participate in the planning process that Goal 1 ensures them. The MNA is not advocating to exclude non-citizens from partnering with the City in the

planning process, but we are advocating that citizen rights and responsibilities in the planning process be recognized in the 2035 CP as guaranteed by Goal 1.

- 2) Portland “communities” and “community members” are recognized throughout Chapter 2 as dominant City planning partners (see Goal 2.A through 2.E and a majority of Chapter 2 Policies) even though the 2035 CP glossary definition of “community” is vague:

Community: A group of people with a shared sense of identity or belonging.

The 2035 CP does not require that the City define the process it uses to recognize a group of people with a shared sense of identity as a “community” planning partner. Nor does it require that the City publically identify its community planning partners.

The 2035 CP does not require that communities follow the State’s open meetings and open records laws as a prerequisite for being recognized as planning partners. They do not require that communities adhere to the Standards in City Code Chapter 3.96. These are Standards that promote transparent participation and that Neighborhood Associations must adhere to when they represent the geographic interests of their members.

There is no requirement that eligibility for membership in a given community be defined or that procedures used to identify policy positions and spokespeople for communities be documented.

Without this specificity and transparency there is the potential that citizens will be excluded from being involved in **all phases of the planning process**, as is required by Goal 1, Part 3. Citizens may be excluded from participating in all aspects of the planning process because they may not be members of community planning partners and there is no requirement for transparency that would make them aware of how planning decisions are being made.

- 3) Policy 2.14 of the 2035 CP limits community, and hence citizen, influence to elements of the planning process identified by the City at each stage of the planning process. This is in direct violation of Goal 1, Part 3 that states that **“Citizens shall have the opportunity to be involved in all aspects of the planning process.”**

In summary, Chapter 2 violates Goal 1 of OAR 660-015-0000(1) by failing to guarantee the role of the citizen in its planning goals and policies.

Action Requested

OAR 660-025-0140(2)(c) Suggest specific revisions that would resolve the objection;

To correct the deficiencies identified in this objection, we are requesting that the DLCD partially remand Task #4 of the Periodic Review for the Comprehensive Plan to allow for Chapter 2 to be revised to recognize the citizen's role in the planning process as required by Goal 1.

Chapter 2 should also be revised to clearly define the City's process for granting planning partnership status to communities based on their adherence to the State's public meeting law (ORS 192.610 to 192.690) and records laws (ORS 192.450 and 192.460), as well as compliance with the City's Standards as set forth in City Code Chapter 3.96. Community partners should be publically identified.

Finally Policy 2.14 should be removed from the 2035 CP.

Without these changes, the citizens will not be able to participate the planning process as required by Goal 1.