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October 3, 2013

Mayor Charlie Hales  
City of Portland  
1221 SW 4<sup>th</sup> Ave., Room 340  
Portland, OR 97204

Re: *Relocation of Right 2 Dream Too Homeless Camp*

Dear Mayor Hales and Council Members:

The BDS Report ("ZCL") is legally flawed, fails to cite or analyze critical code sections and cannot withstand even minimal scrutiny.

Despite the City's unequivocal enforcement history that camping is a prohibited use on public or private property in the downtown, the ZCL announces a new code interpretation. Homeless camps like Right to Dream are now an outright permitted use wherever "Community Service Uses" are allowed and do not require design review, building permits, further land use review, or modification or any prior land use approvals.

On behalf of the applicant in PR13-207594 ZCL (Williams/Dame & Associates, the "Applicant"), and surrounding property owners, we implore the Council to consider the following legal errors, substantive and procedural, and deny the Resolution and ZCL.

Deny this ZCL not only because it will fail on appeal. Deny it because we should not settle this in court. We should instead settle this matter by putting our collective heads together and coming up with a better solution that maintains the faith and trust in our local leaders and retains the legitimacy of our zoning code.

#### **I. Substantive Objections**

The proposed tent camp is a prohibited use in the Zoning Code under PCC 33.700.070(C) and cannot reasonably be classified as a "Community Service" use under PCC 33.920.420.

The ZCL concedes that the tent camp is not on the list of permitted, conditional or limited uses in the zoning code under any zoning category. Thus, the ZCL attempts to fit this previously forbidden use into another use category using the interpretive rules of PCC 33.700.070. Each of those rules is addressed below. None support the ZCL's conclusions.

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First, under 33.700.070.A, “literal readings of the code language will be used. Regulations are no more or less strict than as stated.” Camping is not listed as an allowed, limited or conditional use. A literal reading of the code therefore does not include the use. Further, allowing the use where it is otherwise not allowed is much less strict than the code requires in violation of Subsection A.

Second, under Subsection B “where the language is ambiguous or unclear, the Director of BDS may issue a statement of clarification processed through a Type III procedure, or initiate an amendment to Title 33 as stated in Chapter 33.835, Goal, Policy, and Regulation Amendments.” The language of the code is not unclear. It does not list camping as a permitted, conditional or limited use. If that was unclear, the Director of BDS had an option. He could initiate a Type III procedure to clarify that camping is permitted in the City. He chose not to initiate that procedure. Subsection B gives the City no relief.

The City therefore turns to its last option. Subsection C states “proposals for uses, development, or land divisions where the Code is silent or where the rules of this section do not provide a basis for concluding that the proposal is allowed are prohibited. The Planning Director may initiate an amendment to Title 33 to add a new use category, or make other amendments, as stated in Chapter 33.835, Goal, Policy, and Regulation Amendments.”

The code is silent. It does not list camping as an allowed use. It is therefore prohibited. The ZCL then concludes that while the code is silent on an express camping allowance, there is some loose basis to find that camping is a Community Service Use. To follow this winding path, the ZCL looks to the characteristics and examples under Community Services.

#### PCC 33.920.420 Community Services

A. Characteristics. Community Services are uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. Generally, they provide the service on the site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Community centers or facilities that have membership provisions are open to the general public to join at any time, (for instance, any senior citizen could join a senior center). The use may provide mass shelter or short term housing where tenancy may be arranged for periods of less than one month when operated by a public or non-profit agency. The use may also provide special counseling, education, or training of a public, nonprofit or charitable nature. (Emphasis added).

A homeless campsite is not described here. Instead, the characteristics section refers to mass shelters or short term housing as a Community Service Use. But the ZCL goes to great effort to conclude that the campsite is not a mass shelter or short term housing. The ZCL states that the tent camp is not a mass shelter because “multiple temporary tents on the site are not like a single open sleeping area or multiple sleeping areas separated by non-permanent partitions” characteristic of a mass shelter. (ZCL, p. 7).

This section of the ZCL analysis shows the contrived nature of the opinion. The ZCL defines the tents as temporary or non-permanent. They are therefore “multiple sleeping areas separated by non-permanent partitions.” But such a classification would make the tent camp



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a mass shelter. If it is a mass shelter it is subject to conditional use review and other development standards that it cannot satisfy. Thus, the ZCL claims it is not a mass shelter.

The City cannot have it both ways. You either use the characteristic statement to conclude that it is a mass shelter subject to conditional use review or it is not in the characteristic statement and is therefore once again prohibited. This kind of contorted interpretation cannot pass muster with the Council or any other review body or panel.

The same is true for the short term housing interpretation. There the ZCL states that it is not short term housing because it has no building, the tents are not individual sleeping rooms and individuals do not have to make a reservation or be referred to the site. (ZCL, p. 8). Thus, the ZCL concludes that many of the key required characteristics and standards for short term housing cannot be met by this kind of tent use so it is subject to no review at all. This is preposterous. A use is not classified by what standards or descriptions it cannot meet. If it cannot meet the description, and it is not specifically listed as an allowed use, it is prohibited. That is the conclusion required by PCC 33.700.070.C.

The City can also look to the list of example uses under the Community Service Use.

**C. Examples.** Examples include libraries, museums, senior centers, community centers, publicly owned swimming pools, youth club facilities, hospices, ambulance stations, drug and alcohol centers, social service facilities, mass shelters or short term housing when operated by a public or non-profit agency, vocational training for the physically or mentally disabled, crematoriums, columbariums, mausoleums, soup kitchens, park-and-ride facilities for mass transit, and surplus food distribution centers.

Tent camp is not listed amongst the examples. Mass Shelters and Short Term Housing are listed. But the ZCL determines that the tents are neither of those uses.

On this point, it is useful to consider the purpose statement for the code chapter that regulates short term housing and mass shelters:

#### 33.285.010 Purpose

This chapter provides regulations for Community Service uses that provide short term housing or mass shelter. These regulations recognize that it is in the public interest to provide short term housing and shelter to people who would otherwise not receive it, and to ensure that standards of public health and safety are maintained. The regulations are intended to reduce conflicts between these and other uses. These regulations recognize that short-term housing and mass shelters have differing impacts, and encourages providers to locate in existing structures and work with neighbors. These regulations also focus on the land use impacts of these uses.

In adopting PCC 33.285, the City recognized that it is in the public interest to provide short term shelter, but that in doing so the City must “encourage providers to locate in existing structures” and “ensure that standards of public health and safety are maintained.” The City also properly concluded that such uses must be regulated to “reduce conflicts between these and other uses” and to “focus on the land use impacts of these uses.” Needless to say, it

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seems outrageous that the City has acknowledged the need to classify and regulate short term housing and mass shelters to maintain health and safety and minimize impacts, but would fail to take similar action for a tent camp that would shelter an unlimited number of homeless people.

The City has carefully regulated mass shelters, including the number of beds allowed both onsite *and* within 1,300 feet of the shelter, and the minimum number of toilets, and has required certification by the Portland Office of Neighborhood Involvement to confirm that the shelter meets the operational standards established by the City of Portland and Multnomah County for mass shelter programs. However, under the interpretation advanced by BDS, anyone wishing to avoid the City's regulation of mass shelters can simply establish an outdoor shelter, call it a tent camp, and place it anywhere a Community Service use is allowed.

The City therefore has no further interpretive allowances under the code. Tent camps were intended to be prohibited uses, they are not listed as permitted, conditional or limited uses and the Community Service Use offers no refuge. The code therefore requires the City to deny the use or process a Type III code amendment to amend the code and add a new use category.

Finally, while the City addressed only the EXd zone in this case, every commercial, employment and industrial designation contains the same code language relied on in the ZCL interpretation. Therefore, if this ZCL is approved and adopted by Council, this flawed interpretation can be used to site the same types of "Community Service" tent camp facilities without building permits or design review on *any private property zoned EG1, EG2, EX, IG1, IG2, IH, CN1, CN2, CO1, CO2, CM, CS, CG and CX*. Thus, the Council would be setting a policy of permitting unregulated homeless encampments of any size throughout all commercial, employment and industrial zones in the City without any basic restrictions, building permits, design review, or land use review.

**Even if the camp was an allowed use in the EXd zone and was not prohibited by any other code sections, establishing the camp on a site previously devoted to parking requires a building permit and design review under PCC 33.700.005 and PCC 33.420.041(B) before the camp could move to Lot 7.**

As noted above, Lot 7 is located within a Design Overlay (d) zone. The ZCL acknowledges that the proposed use would result in "exterior alterations" to the existing development that would require design review under PCC 33.420.041(B) unless exempted by PCC 33.420.045. However, the ZCL concludes that the proposed use is exempt from design review under PCC 33.420.045(J) because it qualifies as a "proposal where a building or sign permit is not required." (ZCL p. 10). The ZCL misses a critical code section that requires a building permit for the tent camp.

PCC 33.700.005 is not mentioned in the ZCL. It states:

All new development, changes to existing development, and changes in the type or number of uses requires a building permit." (Emphasis added).

Moving the tent camp to Lot 7 would change the type and number of uses on the site, thereby requiring a building permit.

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The current use of Lot 7 is parking. It is fully developed, improved and stripped as a parking lot. It has an approved land use review and building permit as a parking lot. The proposed use, as classified by BDS, is Community Service, a tent camp. Changing from parking to tent camps is a change in the type of use. There can be no confusion on that point. A change in the type of use requires a building permit. A building permit triggers design review.

The current use is 65 parking spaces; the proposed use is 100 tents (plus portable toilets, water service, gray water disposal, electrical service, propane tanks, and a solid waste disposal area). That is a change in the number of uses. The ZCL also states that the existing parking and tent camp will co-exist because the campsite will only occupy a portion of the site and the remainder will continue to be available for parking. (ZCL p. 10). Adding the tent camp use to the existing parking use clearly results in an increase in the types and number of uses on the site.

These are simple analytical connections that do not require much consternation. A building permit is required by PCC 33.700.005. Therefore, the tent camp is *not* exempt from Design Review under PCC 33.420.045(J) and under PCC 33.825.025(2)(c), requires at least a Type II design review.

Any attempted relocation of the camp before a design review presents an independent basis for an enforcement action.

Furthermore, from a policy perspective, it is important to emphasize the purpose of the design overlay zone. PCC 33.420.010 states, in relevant part:

“The Design Overlay Zone promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value...In addition, design review or compliance with the Community Design Standards ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.”

The establishment of a new use that is not specifically authorized by the Code in a design district is exactly the type of situation that PCC 33.420 seeks to regulate. By applying the design overlay to the site, the City has already confirmed that the area has special scenic, architectural, or cultural value that should be protected through design review. PCC 33.420 strives to ensure that new uses in such areas are compatible with the neighborhood and enhance the area. Furthermore, PCC 33.420.021 notes that “a design district may be divided into subdistricts. Subdistricts are created when an area within a design district has unique characteristics that require special consideration and additional design guidelines.” Lot 7 is not only located within the Central City Plan District, it is also located within the River District Subdistrict and the North Pearl Subarea.

In other words, the area has been deemed to have “unique characteristics that require special consideration and additional design guidelines.” Despite the City’s otherwise careful regulation of the unique characteristics of the River District, the ZCL irresponsibly dismisses these important and acknowledged public policy objectives in favor of a strained and incomplete code analysis. Aside from a direct violation of the design review requirements for this site, BDS’s recommendation is inconsistent with and undermines the intent and purpose of PCC Chapter 33.420.

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**BDS failed to address PCC 33.296.030(B) which prohibits both camping and Community Service Uses as temporary uses in the EXd zone.**

The ZCL states that the “proposed use/activity of Lot 7 is for a temporary rest area with tents for overnight shelter for people experiencing homelessness.” (ZCL p. 3). The ZCL goes on to state that “the rest area/tent camp is expected to be at this location for up to one year...” (ZCL, p. 3). Although the ZCL places no clear limitations on the nature or life span of the camp, the ZCL describes both the overall camp and the individual tents as “temporary in nature.” (ZCL p. 7). Temporary uses are specifically regulated by PCC 33.296. The ZCL fails to address how the proposed temporary use would meet the requirements of this chapter.

PCC 33.296.030(B) regulates temporary uses in the RX, C, E, and I zones. Each zone is listed in this chapter followed by an enumeration of the temporary uses that are permitted in each zone by use category. Camping is not on any of the lists in any of the zones. Community Service Uses are also not on the list of permitted temporary uses. Instead the uses include seasonal sales, carnivals and the like. If BDS had properly addressed the temporary uses provisions, it would have concluded that the use could not be authorized as a valid temporary use under PCC 33.296.

**City File No. LU-12-179799 is a Central City Parking Review (“CCPR”) that allocated a total of 65 parking spaces to Lot 7. Dedicating all or a portion of these approved spaces to a new tent camp use is not permitted by this recorded land use decision and requires a CCPR amendment.**

City File No. LU-12-179799 is a Central City Parking Review (“CCPR”) that allocated a total of 65 parking spaces to Lot 7 (45 Residential Spaces to serve Station Place Tower and 25 Growth Parking Spaces to serve a future use o Lot 5). For all other applicants, the CCPR was mandatory and we are all required to comply with the parking allocations and conditions of approval. In fact last year when the new hotel desired to convert 100 spaces under the same CCPR from residential to hotel parking, the City itself required a Type III amendment to the CCPR.

Now the City, one year later, wants to change the use of the Lot 7 parking spaces under the CCPR from parking to tent camps without any review. To justify this newly found regulatory largess, the ZCL decides that the CCPR is now just permissive and that the tents and parking spaces are “not mutually exclusive uses.” (ZCL p. 10). The ZCL states that the proposed tent camp is not a “change from one type of parking to another, which would otherwise trigger a Central City Parking Review.”

This belies reason and credibility. First, the City has stated that it will move the Lot 7 parking into the garage. Those Lot 7 spaces will take over a space in the garage that has already been allocated to another use. Thus, the tent camp will cause a change from one type of parking to another in the garage and trigger a Type III CCPR review.

Further, the City cannot on one hand conclude that changing the parking space use from a residential parker to a hotel parker triggers a Type III review for the hotel developer, but changing the use of that same space from a car to a tent requires no review at all. That kind of logic will seriously undermine the City’s legitimate regulatory authority.



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CCPR, as the purpose statement makes clear, is required to ensure that the uses developed in the downtown have adequate but not excessive parking and that the parking is operated in a manner that is consistent with the transportation management plan and the comprehensive plan. Removing parking that was allocated in a final land use decision to a designated use without a review that is otherwise required by the code undermines this purpose.

If the City Council adopts this interpretation, every parking garage or lot in the City in the EXd zone can now ignore any "permissive" parking approvals and use the previously regulated parking spaces for any use other than parking as long as that use is also "allowed" by the code.

**BDS fails to apply PCC 33.10.040 which requires a finding that the tent camp meets all other applicable local code requirements. The BDS Director expressly omitted an analysis of these code sections, each of which independently prohibit the use.**

PCC 33.10.040 provides:

"In addition to the requirements of the zoning code, all uses and development must comply with all other applicable City, regional, state, and federal regulations."

The ZCL states that it only applies Title 33. If it only applied Title 33, it would have had to at least apply 33.10.040 and it did not. So what are the other local code provisions the Director is required to analyze and are missing from the ZCL?

PCC 14A.50.020 is one of those regulations:

A. As used in this Section:

1. "To camp" means to set up, or to remain in or at a campsite, for the purpose of establishing or maintaining a temporary place to live.
2. "Campsite" means any place where any bedding, sleeping bag, or other sleeping matter, or any stove or fire is placed, established, or maintained, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.

*B. It is unlawful for any person to camp in or upon any public property or public right of way, unless otherwise specifically authorized by this Code or by declaration by the Mayor in emergency circumstances.*

C. The violation of this Section is punishable, upon conviction, by a fine of not more than \$100 or by imprisonment for a period not to exceed 30 days or both. (Emphasis added)."

The ZCL refers to the proposed use of Lot 7 as "a temporary rest area with tents for overnight shelter" and as a "rest area/tent camp." (ZCL, p. 3). The descriptions of the use on pages 3 and 7 of the ZCL clearly fit within the definition of "to camp" and "campsite" quoted above. Thus, the use is regulated by PCC 14A.50.020. The next question is whether the use is "specifically authorized" by the Code. The ZCL confirms it is not:

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“...the use category descriptions in the zoning code provide enough descriptions and examples to guide me in determining the appropriate use category for the proposed rest area *even though the words ‘rest area’ and ‘campsite’ do not appear in the code.*” (ZCL, p. 4).

The ZCL continues that the code does not “enumerate it [the campsite] specifically.” (ZCL, p. 5). The City knows how to enumerate such an exception specifically and has done it in the past 5 years. The City Council adopted an exception to the anti-camping ordinance in 2008. PCC 14A.55.010(C), “Access to Public Property for Parade Event,” states:

C. Camping overnight, to reserve a space in the public right-of-way along side the parade route, may be allowed as set forth in administrative rule. *Overnight camping under this section is a limited exception to Portland City Code 14A.50.020 and 14A.50.030.* (Emphasis added)

There is no similar exception authorizing the proposed tent camp on Lot 7. Title 14 does not have the same interpretive guidance as Title 33. Instead it sets the bar high; the use must be specifically listed. It is not. Therefore, the campsite is prohibited on Lot 7 by PCC 14A.50.020.

PCC 29.50.050 regulates “illegal residential occupancy,” including occupancy of tents. The code section reads as follows:

When a property has an illegal residential occupancy, *including but not limited to occupancy of tents*, campers, motor homes, recreational vehicles, or other structures or spaces not intended for permanent residential use or occupancy of spaces constructed or converted without permit, *the use shall be abated* or the structure brought into compliance with the present regulations for a building of the same occupancy. (Emphasis added).

As detailed above, the erection of tents on Lot 7 for overnight shelter is illegal. There are no zoning code provisions that would authorize this use, and it is clearly prohibited on the City-owned site by PCC 14A.50.020. Therefore, PCC 29.50.050 would require the immediate abatement of the use if the tent camp moved to Lot 7.

For all of these reasons, the ZCL violates Title 33 and other relevant code provisions. Camping cannot be permitted on Lot 7.

## II. Procedural Issues

BDS attempts to classify its ZCL as a non-permit under ORS 227.160(2)(b), which reads as follows:

(2) “Permit” means discretionary approval of a proposed development of land, under ORS 227.215 or city legislation or regulation. “Permit” does not include:

...

(b) A decision which determines the appropriate zoning classification for a particular use by applying criteria or performance standards defining the uses

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permitted within the zone, and the determination applies only to land within an urban growth boundary;

BDS has attempted to fit this ZCL under ORS 227.160(2)(b) in order to avoid classification of this decision as a “statutory permit” under ORS 227.160(2), and, presumably, a land use decision under ORS 197.015(10)(a). BDS’s classification is incorrect. As set forth below, this case involves both a “statutory permit” under ORS 227.160(2) and a “land use decision” under ORS 197.015(10)(a).

As noted in ORS 227.160(2), a “permit” is any “discretionary approval of a proposed development of land, under ORS 227.215 or city legislation or regulation.” LUBA and the Court of Appeals have typically referred to such permits as “statutory permits.”

Most of the decisions found to be statutory permit decisions under ORS 227.160 involve the exercise of legal, factual or policy discretion regarding the nature of the proposed use. In such cases, traditionally ministerial decisions such as the issuance of a building or sign permit are transformed into statutory permits (and land use decisions) because the city exercised significant discretion in interpreting its code to classify the use and issue the subject permit. As explained in *Tiramali v. City of Portland*, 41 Or LUBA 231, 240, *aff’d* 180 Or. App. 613, 45 P.3d. 519 (2002):

“The cases where this Board or the Court of Appeals has determined that approval or denial of a building permit involves the kind of discretion that renders it a ‘permit’ as defined in ORS 227.160 or 215.402 have tended to involve circumstances where there is some question as to the nature of the proposed use or whether the use is permitted at all in the zone. *See Doughton v. Douglas County*, 82 Or App 444, 728 P2d 887 (1986) (a determination whether a dwelling is customarily provided to support a farm use requires significant factual, policy and legal judgment and is therefore a permit); *Hollywood Neigh. Assoc. v. City of Portland*, 22 Or LUBA 789 (1991) (determination that a methadone clinic is a permitted use as a ‘medical clinic’ in a commercial zone requires significant discretion and is therefore a permit); *Pienovi v. City of Canby*, 16 Or LUBA 604, 606 (1988) (nonconforming use determination is a permit decision). Each of the decisions in those cases, and many others like them found to be permit decisions under ORS 227.160 or ORS 215.402, involve the exercise of legal, factual or policy discretion of a kind that brings them within the ambit of a statutory ‘permit.’”

In the present case, BDS recommends that “the proposed rest area with tents to be located on Lot 7 should be classified as a Community Services use that is permitted outright in the EXd zone without any required land use review or building permit, and, as a result, should be considered camping that is specifically authorized by the city code.” (ZCL p. 2). To reach this conclusion, BDS (and now the Council) must exercise significant legal, factual, and policy discretion. This is the same or greater level of discretion than was applied in *Tiramali*. Accordingly, the decision, if rendered, will be a statutory permit subject to mandatory procedural requirements.

Although the ZCL recommends a public hearing before the City Council prior to final “approval and adoption” of the ZCL by Council, this process is not consistent with ORS 227.175 or the City’s procedural ordinances.

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The City has not provided proper notice of the application or the hearing to the Applicant and other interested persons under ORS 197.763, nor did the City mail a copy of the ZCL to the Applicant or interested parties. Rather, the Applicant independently retrieved the ZCL from the City's website on the day of its issuance (September 27, 2013), which was less than 7 days prior to the City Council hearing. The applicant did not receive a copy of the ZCL directly from BDS until Monday evening, September 30, at which time the Applicant received an email from BDS with a copy of the ZCL attached. Furthermore, BDS has not published or provided written notice of the date or time of the local hearing to the Applicant, adjacent property owners, or any other interested parties who have commented on the matter. Holding a local hearing on a discretionary land use case without proper notice or an opportunity for a local appeal of that decision is inconsistent with the provisions of ORS 197.763 and PCC Chapter 33 and prejudices the rights of the parties to this proceeding. Moreover, as this is the initial evidentiary hearing, ORS 197.763 allows any party to the proceeding to request a continuance. We request such a continuance and the City is required to grant it.

If the City Council takes final action on this ZCL, Council's decision will also be a land use decision as defined by ORS 197.015(10). ORS 197.015(10)(a) reads as follows, in relevant part:

“(10) “Land use decision”:

(a) Includes:

(A) A final decision or determination made by a local government or special district concerns the adoption, amendment or application of:

(i) The goals;

(ii) A comprehensive plan provision;

(iii) A land use regulation; or

(iv) A new land use regulation;”

The Council's decision in this case will qualify as a land use decision because it involves a decision or determination made by the City concerning the application of the City's land use regulations. The regulations applied in this matter are discussed in the ZCL, expounded upon in this memo, and incorporated herein by reference.

As evidenced by BDS's 11-page ZCL recommendation, a decision by the City to classify the tent camp as a Community Services use and allow it outright on Lot 7 without any further land use review, involves significant interpretations and the exercise of both policy and legal judgment. The draft Resolution itself twice states this in clear and concise terms:

“Whereas, the Commissioner in Charge of the Bureau of Development Services finds the Director has *interpreted and applied the zoning code in a reasonable manner* and recommends the Council confirm the Director's letter.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby approves and adopts the zoning confirmation letter attached as Exhibit I *as the Council's final action interpreting and applying the zoning code* in response to the



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zoning confirmation requests submitted by Right 2 Dream Too and Williams/Dame & Associates, Inc.” (Emphasis added).

Because the tent camp is not specifically authorized by any provisions of the Zoning Code, BDS went to great lengths to analyze and interpret the Code to try to fit the use into an existing use category (Community Service). The City has never previously concluded that a homeless encampment is an outright permitted Community Service use in any zone. Doing so now represents a new and significant interpretation of multiple sections of the Code. Therefore, it cannot fall within the ministerial exceptions to the definition of “land use decision” in ORS 197.015(10)(b), and the City’s decision will be subject to LUBA’s jurisdiction and all of the procedural requirements associated with that designation.

### III. CONCLUSION

For the reasons set forth above, the City Council should deny BDS’s request for approval of the ZCL. Council should not adopt the poorly crafted ZCL and Resolution. Instead, Council should direct BDS to amend the Code if BDS wishes to authorize homeless tent camps within the City.

Finally, even if Council were to accept BDS’s classification of the use as a “Community Service” use, and if Council concluded that the use were somehow not prohibited by PCC 14A, Council must concede that PCC 33.700 clearly requires a building permit for this change in use. As a result, Type II design review is also required before any activity may occur on Lot 7. If Council failed, at a minimum, to mandate permit and design review before the tent camp moved to the site, Council would be giving all property owners a free pass to proceed with uses and development before gaining basic permit approvals.

Certainty is the currency of our successful downtown development. Property owners and applicants make investments in this City because we have a code that regulates uses, protects investments and provides meaningful process when one attempts to depart from the reasonable expectations of the code. The ZCL dismantles that social contract and must be rejected for all of the reasons stated above.

Very truly yours,



Christe C. White

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## No tents on city property, Portland Mayor Charlie Hales' office reiterates after 'unclear' statements

Brad Schmidt, The Oregonian By Brad Schmidt, The Oregonian

Email the author | Follow on Twitter

on August 16, 2013 at 11:50 AM



Portland Mayor Charlie Hales was "unclear" when he said it was OK to erect tents on portions of city sidewalks.

Ben Brink/The Oregonian

Erecting a tent to camp on city sidewalks is still prohibited, Charlie Hales' office said Friday, one day after Portland's mayor told a TV reporter the practice was allowable.

"Yes, you can put a tent up at night on the strip of the sidewalk downtown that's not the public walkway," **Hales told KOIN TV reporter Carla Castano on Thursday.**

Hales' spokesman Dana Haynes said Friday that the mayor's

### More

**Continuing coverage of homeless campers in front of Portland City Hall**

comments to KOIN were "unclear."

"The use of tents on city property, including sidewalks, remains prohibited under the structures code," Haynes said in a statement. "To alter the code would take a majority vote of the City Council. No such vote is under consideration."

This isn't the first time **Portland has flubbed its messaging on sidewalk camping enforcement.** Last month, officials tried to enact new 24-hour measures in front of City Hall even though the rules only applied from 7 a.m. to 9 p.m.

Below is the full statement from Hales' office.

\*

Media Members:

On Thursday, during an unexpected KOIN interview on the street between meetings, the mayor's comments regarding the use of tents on city sidewalks were unclear.

There has been no change to city code this week, nor to the city's enforcement of code.

When asked about the sidewalk code, the mayor said the code does not prohibit tents. That is accurate.

However, a second code, the city's structures code, does prohibit structures, including tents, on any public property.

A third city code, the camping code, precludes people who "intend to reside" on any public property including sidewalks. It is this third code which the police are enforcing on public property, including city sidewalks.

The use of tents on city property, including sidewalks, remains prohibited under the structures code. To alter the code would take a majority vote of the City Council. No such vote is under consideration.

Starting in July, the mayor instructed Portland Police to enforce the city's camping code regarding those who "intend to reside" on sidewalks and other public properties. Since then, Portland Police have been instructing people that they cannot reside on public property for days at a time.

\*

-- Brad Schmidt

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**THURSDAY, NOVEMBER 19, 2009**

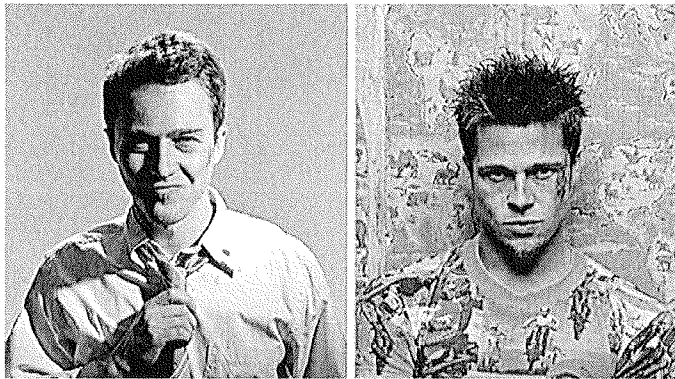
### NEWS **Good Morning, News!!**

POSTED BY MATT DAVIS ON THU, NOV 19, 2009 AT 10:31 AM

**BACKFENCE!!!** They have a great lineup of panelists tonight at 7:30 at the Mission Theater, including: KAROL COLLYMORE (Political blogger, ace mac and cheese cooker and "politically reckless" former senate and house candidate) AND FATBOY ROBERTS (Recovering Radio Personality). It's \$10, and promises to be fantastic. You should go.

**TASERING A TEN YEAR OLD!!!** Arkansas cop gets suspended.

**FIGHT CLUB AT TEN** Breaking: Brad Pitt has got considerably less cut, in the face, over the last decade. This is a tragedy. Also, hair:



NORTON, PITT: IF ONLY ED HAD MARRIED ANGELINA, HIS CAREER WOULDN'T HAVE BEEN SHOT

**AL BORE!!!!** Be more interesting!

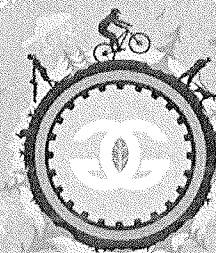
**PORTLAND SPIRIT OWNERS BITCH ABOUT GLOBAL WARMING!!!** The wivver's getting higher, says Dan Yates, an outspoken Republican and owner of the Portland Spirit. It's gwobal warming...build the bwidges higher! Reminds me of one of the Al Gore counter-counter-protesters' signs, last night:



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**CINDY'S SUES CITY FOR \$1MILLION!!!** Check out the story in the Metro section of today's *O* about the owners of Cindy's filing notice to sue City Commissioner Randy Leonard over his HIT Squad. They are Dan Cossette, a convicted cocaine dealer, and Michael Wright, a convicted cocaine dealer and convicted murderer. I would imagine the city's attorneys will enjoy alluding to such issues in voir dire, asking jurors such theoretical questions as, "would a murder conviction undermine somebody's credibility, in your eyes?"

**STOP MOVING HERE!!!** Oh. You did. I didn't mean it. We need you. Keep moving here!

**NEWSPAPER DISTRIBUTORS TIED TO ORGANIZED CRIME!!!** In *New York*, Jay. In New York. Please don't "confuse" my shoes with cement and drop me in the Willamette!

**"What if a group of white supremacists want to buy the cover?"** Creative Loafing sells its cover for charity. We already did this. Because we're **THE FUTURE OF MEDIA IN PORTLAND™**.

**PALIN, OR VAMPIRES!!!** Which is more annoyingly over-exposed?

**THE WRONG SIDE OF HISTORY!!!** Critics of medicare and social security trucked out the same criticisms for those programs back in the day as the Tea Baggers are using on health reform. Nicholas Kristoff (who is from Yamhill county, by the way) says boo sucks in the Times.

Good day.

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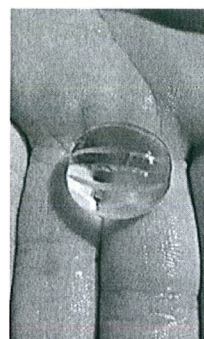
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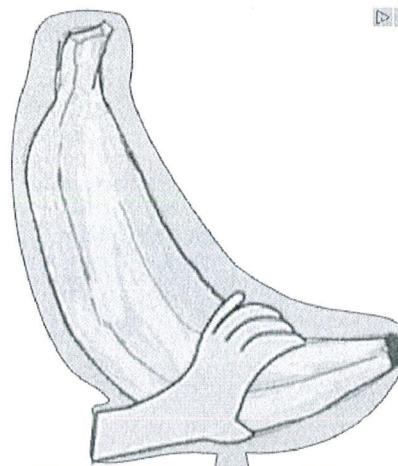
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### Frenzy Over New Diet Pill

See why millions are praising this as the "Holy Grail" of weight loss...

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**All photographs on the blog are by Steve Fritz (Amanda's husband), unless otherwise noted.**

# Amanda FRITZ

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## Actually, not what should have happened

Submitted by Amanda Fritz on October 24, 2007 - 12:51pm.

The *Oregonian* today weighs in with an [editorial](#) on the proposed renaming of Interstate Avenue, saying (*emphasis mine*):

*"On Thursday, following Leonard's cue, the Portland City Council will consider appointing a commission to home in on five finalist streets and hold public hearings on which one to rename for Chavez. **It's a smart and sensitive approach, assuring a Portland street will be renamed -- by next July, at the latest -- and that it will be the best possible street.**"*

*"**This is what should have happened to begin with,** but it's not too late for it to happen now. Mayor Tom Potter should embrace Leonard's proposal, as should the other council members and the Chavez name-change group itself."*

To me, this process is neither a good approach giving the best possible answer, nor "what should have happened to begin with". It may be a face-saving out given the mess the Council has made of the process so far. But it still doesn't follow the rules prescribed in City law for renaming city streets. And in fact is likely to rile up five sets of neighbors with its top-down approach, instead of the one area upset so far.

*I wonder why the Councilmen aren't saying tomorrow, "We messed up. There is a process in the Code for how city streets are to be renamed. We realize we should abide by the law. We're going to."*

And then maybe adding, "Here are some state/federal highways we could help the group get renamed, and/or some other important things that are within our power and purview to name/rename. Sorry about the street thing - we've learned our lesson and from now on will follow the Code."

*Nah. That would be too much to ask, apparently, that rules would apply to everyone.*

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Submitted by doretta on October 24, 2007 - 9:26pm.

I've been waiting to see what you'd say about this proposal. Points to you for your consistent position on process. How anyone--other than the Oregonian editorial board, who are justly famous for their many irrational positions--can say that two guys creating a new process from scratch on their own without public input and with essentially no time even for discussion by much of anyone is an improvement to the process is beyond me. It seems to be quite a popular position among the self-identified "process" set, however. You appear to be a rare exception. The current Chavez committee consulted all five commissioners and agreed to do everything they were asked to do in pursuit of the Interstate Avenue renaming (some of which is in the current code and some of which goes well beyond it) and I think it's unfair to change the rules on them midstream. (You are, of course, correct that the proper way to avoid that is to have sensible rules written down that everyone can follow and then have everyone follow them. I sincerely look forward to the debate over what those rules should be--it's clear enough to me that the current ones have been woefully inadequate at fulfilling that purpose.) Personally, I suspect that you are correct in your prediction that if their proposal should pass what Commissioners Leonard and Adams would be facing is five sets of angry neighbors rather than one. There might be some poetic justice in there somewhere but I can't find it in my heart to wish that on Our Fair City.

»

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Submitted by Amanda Fritz on October 25, 2007 - 6:24am.

Thanks, Doretta. The new proposal on the table for this afternoon is interesting to me in part because it does (top-down) propose a street for renaming in five different parts of town. So that has made me think more about "What if in my neighborhood?", and likely will do the same for others who have watched the Interstate arguments from a distance. The street proposed for SW is Capitol Highway.... a name with historical significance, as I believe it used to go to Salem. It fits the code requirements in other standards, such as that it currently begins and ends within Portland. I wonder whether anyone at all who lives adjacent to that street has asked for it to be renamed. The Council seems set on not following the process in the Code for this renaming. Instead of proposing the five streets now up, the Council should direct each of the seven Neighborhood Coalitions/Districts to ask their constituent Neighborhood Associations to propose a street within their boundaries to change to Chavez Street or Avenue, and have the Coalitions/Districts pick one for forwarding to the citywide committee. The City should do more to include the Neighborhood Associations proactively, rather than reactively. And I bet asking that question would increase participation in neighborhood meetings by residents interested in both sides of the issue... and maybe even result in renaming a street with



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support from both the adjacent residents and businesses, and the Chavez advocacy group participants who've worked so hard on this issue.

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Submitted by amyjrui on October 25, 2007 - 8:24am.

"It's clear enough to me that the current ones have been woefully inadequate." I've been hearing that sentiment, but I'm wondering what changes to the current city code process would improve the process, especially from the perspective of those who've been trying to steer this proposal through. I'm not sure it needs changing, if it's simply followed. It seems to me that the process outlined in the current code can work, if the steps are followed in order, and the proposal doesn't touch the city council until it's vetted in the community. In my opinion, that's where things got messy with the Chávez proposal—though it politically made sense at the time to go to the council for their support (since they're the one who will ultimately vote on it), that initial council nod is what fired up neighbors who felt they hadn't had a say and it was a "done deal." I think it's true that the Chávez committee is largely following the spirit of the process by going into the community to talk to people. But there are two key parts—two bits of independent review, by historians and the planning commission—that haven't happened and don't seem like they'll happen. Those strike me as important because they lend a third-party analysis from people who aren't emotionally involved—which could be valuable to those who are emotionally involved, as they'd have a chance to hear a smart but politically neutral position. But those are my thoughts after hammering away at the process issue for so long. How could the process be improved for the future? ----- Amy J. Ruiz  
News Editor Portland Mercury

»

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Submitted by Amanda Fritz on October 25, 2007 - 12:30pm.

Let's be clear. Even when there is a set of rules in the Code, and they are followed, if three members of the Council want to say yay or nay, that's what counts. Does anyone remember the investors of the Alexan apartments in South Waterfront complaining when their tax abatement request was denied by the Council even though they thought they'd complied with all the stipulations then in place? In this case, the Council, led by the Mayor, chose to say to the Chavez committee, *"Don't worry about the process in the Code, we'll waive it. Just do A, B, and C, then we'll say Yes."* So Doretta, when you say the rules are being changed on the advocates... not really, since what they were told wasn't a defined or publicly agreed set of rules anyway. The process in the Code, was only completed relatively



recently. I don't know that it has ever been used. Before suggesting improvements to that process, Amy, I start from the assumption that a group of diligent citizens and staff worked hard to define and adopt it. If it hasn't been used, is that because it's not a good process, or because the Council hasn't directed any groups to try to use it? Has any group tried to use that process and stopped, and if so, why? It's very disrespectful to citizens who work for months on committees updating rules and processes if Council tells other citizens, no matter how well meaning, that the first group's adopted regulations don't matter. I don't think the Council should ask citizens to spend one minute on updating the street renaming process unless there is acknowledgement by elected officials that they are bound by the regulations adopted by previous Councils, and will not waive any process adopted for street renaming in the future. There are legal ways to do that, with Code language prohibiting exemptions and waivers. Absent a promise that the new ordinance would contain such a clause, I personally wouldn't trust my time to either the committee they're setting up this afternoon, or to another code process revision committee.

»

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Submitted by amyjuiz on October 25, 2007 - 12:41pm.

Before suggesting improvements to that process, Amy, I start from the assumption that a group of diligent citizens and staff worked hard to define and adopt it. If it hasn't been used, is that because it's not a good process, or because the Council hasn't directed any groups to try to use it? Has any group tried to use that process and stopped, and if so, why? That's my sense, that the current code-defined process would work, if city council steered people toward it instead of promising pre-emptive support. But I've heard from several commissioners and community members that the process in the code "doesn't work" and they'd like to fix it. I'm struggling to understand how someone can decide it doesn't work, if no one's ever actually followed it. (With the exception of a group who tried to rename Killingsworth for Malcolm X, and realized that the code prohibited renaming Killingsworth, which is already named for someone.) ----- Amy J. Ruiz News Editor Portland Mercury

»

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Submitted by Amanda Fritz on October 25, 2007 - 3:25pm.

Well, the process in the code doesn't work, if "work" is defined as *"doing what a vocal advocacy group of indeterminate size wants regardless of the desires of the neighborhood residents and businesses, subject to securing three votes on Council"*. If



that's the standard the Council wants to make "work" for street renamings, they should repeal 17.93, and substitute the new criteria. The citizens who helped design the current code did so knowing the lessons learned from previous renamings that didn't go well. Presumably, they wanted to make sure all stakeholders can play a meaningful role, including nearby residents as well as citizens at large. It sounds like the code process worked on Killingsworth, in setting standards precluding changing a street name with "historical significance". Has anyone given details of why/how/where it didn't "work" in other proposals? It doesn't seem that arduous to me, reading it. It doesn't say 75% of the abutting property owners have to agree, it says *either* that *or* 2500 signatures from citizens at large have to support the change. That sounds doable to me.

»

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Submitted by doretta on October 25, 2007 - 9:58pm.

To address a few different points made in various comments: Although this particular bit of misinformation has been spread widely in the community, this process did not go wrong because the committee went to the city council for support before they went to the community. They did, in fact, go to the community first. They went to the mayor's office initially for advice on what they needed to do to bring such a project forward. The mayor's office told them it was important to talk to the neighborhood associations and the community early on so they met with neighborhood board leadership which led to them being invited to the board meetings of all the NAs in the area to present their project and to start the discussion with them on how to interact with their general memberships. That lead to them scheduling a presence at a number of community events. They also approached other community groups before they started on the rounds with the commissioners to seek their support. I attended a couple of those early meetings as a neighborhood association officer so I know for sure they happened. After that, I was invited by the committee to join them when they went to talk to the commissioners. Sam Adams expressed his annoyance rather forcefully that as commissioner in charge of transportation he first heard about a proposal to rename a street from the community and not from the committee. The historian and planning commission reviews may or may not make sense, but that part isn't up to the people proposing the renaming, that part is up to the city. It appears to me those are intended primarily for the benefit of the commissioners who will be voting, not for the community. It's possible that whatever they might say might create more neutral ground for the community but frankly it seems more likely to me that whichever side their comments seem to favor will think they are being objective and the other side will think the whole thing was rigged--it's also entirely possible that both sides would find enough not to like that they'd both conclude the fix was in against them. On the issue of changing the process on the



committee in midstream, the council are the ones making the decision. The process is legally theirs to command. (I know, Amanda, that you don't like it, but it is inaccurate to say the council is not following the law--the law allows the council to waive the code if they choose to do so.) Whether what the committee was told was public or not is not relevant to whether or not specifying a new process now amounts to pulling the rug out from under them. The question of whether or not the current process works is a little reminiscent of "if the tree falls in the forest but there's no one there to hear it...". Can a process be said to work if no one is willing to use it and council isn't willing to order it? I don't think anyone would claim that the current code is worthless. The current code sets out rules for which streets are eligible. Every street that has been renamed while that process has been on the books can reasonably be said to have met those criteria as can Interstate Avenue. The code sets out criteria for the person whose name is to be used and there seems to be no significant dispute that Cesar Chavez meets those. The commissioners have made it clear they expect proposals to meet those criteria. There has only been one exception made to any of those rules--Bill Naito had not yet been dead for five years when Front Ave was renamed. After that, the code gets very bureaucratic about official petitions from the City Engineer and such and in addition requires a significant fee from the proposers for sending out postcards. The substance of that part of the code, apart from the fee, requires the 2500 or 75% as described in another comment, concurrence of the honorees relatives and presentation of a biography. The committee is working on all of those things--including the petition signatures--so they obviously agree with Amanda that those don't seem too odious. One of the things I would advise changing about the process is the fee requirement. It strikes me as the equivalent of a poll tax--I don't know whether it was intended as a way to discourage people/communities of limited means but that seems to me to be the effect. Amanda, in addition to being rather snarkier than your usual tone, your definition of "works" is a ludicrous straw man. I propose the following alternative: the process works if it isn't so laden in red tape or expense that a reasonable group of citizens will be both willing and able to use it to make their case to the council.

»

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Submitted by Amanda Fritz on October 26, 2007 - 6:39am.

Thank you for taking the time to post this information, Doretta, some of which I didn't know. *(I know, Amanda, that you don't like it, but it is inaccurate to say the council is not following the law--the law allows the council to waive the code if they choose to do so.) Whether what the committee was told was public or not is not relevant to whether or not specifying a new process now amounts to pulling the rug out from under them. Waiving the code is a legal process that requires a vote of the Council. They shouldn't be ignoring it then at the end passing*



the ordinance to waive it. Given the discontent over the process for renaming Rosa Parks Boulevard, I believe the Council should have held a hearing and voted to waive 17.93 at the start of the process, rather than telling the committee they intended to do it at the end. Since the process matters, and was developed precisely to avoid this kind of citizen-against-citizen mess, a formal vote to waive it should have been proposed up front. The processing fee is presumably intended to cover the City's staff costs in working on it. I agree there is public benefit in having these discussions and therefore the General Fund could bear more of the burden. Public information and participation is a civic value worth paying for. In this particular case, there could have been a partnership with the process considering rezoning Interstate, which has also suffered from lack of notice to adjacent residents and businesses. Although, if there are 2500 people supporting the name change, as required by the process, asking each of them to donate \$1 to help with the fee doesn't seem excessive, and in fact may make them feel more invested in and responsible for the change. I'd want to know what the total estimated cost to the petitioners will be (the Code says \$1000 *minimum* for a street of this length, if I'm reading it correctly with my sleep-deprived brain) in order to give an opinion on whether it's excessive or not.

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Submitted by bmck on October 27, 2007 - 10:47am.

Bonny McKnight I think the core of what is shown by this sorry incident is what process is intended to do - keep anger under wraps; actually get people to hear each other rather than sit through meetings; inform policy makers of all the options and ideas which should be considered during final decision making; and give adequate visibility and time to provide an opportunity for anyone to be involved. Good process can sometimes be slow and it is, but at the end you may not have to start over or leave a residue of who won and who lost. Thanks, Amanda, for understanding that process, when used correctly, gets it done right the first time and doesn't waste already scarce financial and political capital that is hard to replace. If the process is wrong, change it..

»

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Submitted by FULL RACE DAD on November 1, 2007 - 7:55pm.

Work, rules, meetings, agendas...more meetings, but it boils down to this Amanda....THE NEIGHBORHOOD SAID NO! The taxpayers, those that pay the bills, said no! If you think you want to be an elected official, learn the basics of a simple no from your fellow PDXERS, or don't run for the job.



»

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Submitted by FULL RACE DAD on November 2, 2007 - 5:35am.  
Guess I WILL not vote for you based on your reaction to the word NO!

»

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Submitted by Amanda Fritz on November 2, 2007 - 7:51am.  
Thanks for joining the discussion, FRD. Let me be sure I'm understanding what you wrote: You're dissing me because I agree with you that Interstate should not be renamed as a result of this process, but you consider I came to that conclusion for the wrong reasons?

»

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Submitted by Matt Davis on November 2, 2007 - 9:29am.  
Amanda, "We messed up. There is a process in the Code for how city streets are to be renamed. We realize we should abide by the law. We're going to." I admire the courage it takes for any politician to eat crow. Do you think council is currently over-influenced by strident male egos? How would you go about challenging this kind of behavior in office? Matt

»

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Submitted by amyjuiz on November 2, 2007 - 9:57am.  
There has only been one exception made to any of those rules- Bill Naito had not yet been dead for five years when Front Ave was renamed. That was a major exception when Portland Boulevard was renamed for Rosa Parks—the rename was voted through on the 1st anniversary of her death. ----- Amy J. Ruiz News Editor Portland Mercury

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Submitted by Amanda Fritz on November 2, 2007 - 9:36pm.  
*Do you think council is currently over-influenced by strident*



*male egos? How would you go about challenging this kind of behavior in office?* Matt, I've learned from 25 years in nursing and 20 years in citizen involvement in Portland, that challenging egos (male or female) doesn't usually help accomplish a goal. Public criticism doesn't, either. Whether I'm elected or not, I will continue to do what's produced the results I've worked for in City of Portland issues for two decades. Do the homework, know the facts, respect the process, listen to and consider the views of other participants, and look for ways to maximize the long term public good as well as achieve short-term goals. I think we all want open public process, however if that means the Mayor having a melt-down in Council chambers, clearly insufficient groundwork has been done beforehand. Check Testimony Tips (*link also found in the left sidebar favorites*) for my summary on effective preparation and hearing behavior by citizens, staff, and elected officials. I wrote it soon after leaving the Planning Commission at the end of 2003, but its suggestions are still valid.

»

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# Amanda FRITZ

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## Actual content, for a change

Submitted by Amanda Fritz on November 8, 2007 - 10:51am.

I'm enjoying my parents' visit. They'll be back in England next week, and I plan to continue to spend as much time as possible with them while they're here. We've been delighting in simple pleasures like shopping, walking around the Rose Test Garden, visiting the Chinese Garden and an Old Town art gallery, and driving around town tracking down correctly-completed forms accompanied by \$5 bills or checks in neighborhoods all over Portland. Good times.

But I miss writing about issues I find interesting and want more Portlanders to know about, and wow, what a bumper crop of interesting articles in today's newspapers! The *Mercury* carries one on [day shelters](#) for homeless people by Matt Davis, a final [Hall Monitor](#) by Scott Moore (leaving to become Bill Bradbury's Communications Director) supporting a proposal to spend \$500 million on a City-sponsored fiber optic network (*Scott, if Ashland couldn't make it work, what makes you think Portland would?*), and more on the horrible process to rename [Interstate Avenue](#) from Amy J. Ruiz. Amy quotes Multnomah County Commissioner Serena Cruz:

*"In Portland, 'we need more process' is code for 'we're still uncomfortable,'" Cruz said. The rename, she said, has been through two neighborhood meetings, two public hearings, and two city council meetings. "Now, after all of that discussion, it's time for our city council to make a tough decision. It's time for our next mayor to make a tough decision," she said, referring to City Commissioner Sam Adams."*

That's not my view of what public process does and is supposed to do, in Portland. **My credo is based on the words of the late Judy Wyers, former Metro Presiding Officer, who said, "There's no point in holding a public hearing if it doesn't matter what citizens say when they show up."** The Portland City Council set up a process where apparently it doesn't matter (and was never intended to matter) what citizens said when they went to those "two neighborhood meetings, two public hearings, and two city council meetings". And Commissioner Cruz doesn't seem to understand why people are "still uncomfortable". From what I've heard and read, calling the participants on both sides of the Interstate naming debate "uncomfortable" is almost as inaccurate as referencing childbirth pain as "pressure". Do the Councilmen who plan to vote to rename Interstate really



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believe that will put an end to all the angst they fostered by messing up this process so badly? And why did they apparently learn absolutely nothing from previous street renaming debacles?

The *Oregonian* pulls together a bunch of interesting information in today's edition, too. Dylan Rivera reports on a proposed [carbon tax](#) proposal unveiled by Commissioner Dan Saltzman in Chicago. Yes, the tax would be here, the announcement was in Illinois. It would fine developers who don't provide better-than-required energy efficiency in new home construction techniques. **If we want higher environmental standards for new development, and have had the public debate showing that higher new home costs are worth the investment in future savings for homedwellers as well as for sustainability, why not simply put the requirements in the Code?** Oh, I see, the article says, "Saltzman acknowledged that home builders may react strongly against it. To ease the industry into the fold, he said the plan would include a two-year period of city-funded technical support and education for builders." Instead of setting clear, improved standards and setting the expectation that all construction in Portland will comply with them, the City would spend money on setting up the tax and training/persuading developers on ways to avoid it. **In addition to considering, "Is this the right thing to do?", the Council should discuss, "Is this the most cost-effective and efficient way to do it?"**

Other *Oregonian* articles that caught my attention today:

[Apartments rising in South Waterfront](#) by Ryan Frank, including the hilarious assertion, "In South Waterfront, apartment builders see a captive market driven by their neighbor and Portland's largest employer, OHSU. Even with high rents, they expect students, interns, nurses and visiting professors will help fill the roughly 1,800 apartments in the plans." The "high rent" mentioned is \$3,000 per month. Of the team on my regular shift working weekends at OHSU, only two of my five coworkers live in Portland. The other three RNs live in Milwaukie, Beaverton, and unincorporated Washington County. Only the two Mental Health Technicians (nurses' assistants) live in Portland. One lives in an apartment on Barbur Boulevard - while he's miffed that the South Waterfront high-rises have obliterated his view, he wouldn't be able to afford rents there. Neither would my other coworker, who lives on Burnside and is sometimes late on Sundays after forgetting that the tram doesn't operate that day. South Waterfront for regular health care workers? Not.

And see [County halts \\$44 million deal](#) by Arthur Gregg Sulzberger. The Multnomah County Commissioners appear to be having second thoughts about buying a downtown building after reading a memo sent by Auditor LaVonne Griffin-Valade. "...commissioners said, they're worried about the high price tag, given that part of the building dates to 1895 and would need at least \$20 million in renovations to



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*meet safety standards and county needs. Although the building is now appraised at \$44.5 million to \$46.8 million, Unico bought it from Qwest Corp. two years ago for less than \$12 million."* Good work, LaVonne! This is the second time this week that I've felt highly rewarded for having supported the successful candidate in a recent election campaign. I watched part of the Portland Public School Board's debate on the school transfer policy on Monday evening, and felt extremely satisfied to see and hear Ruth Adkins providing the voice and viewpoint I knew she would.

» [Amanda Fritz's blog](#) [Login to post comments](#)

Submitted by Scott Moore on November 8, 2007 - 12:40pm.

I don't know that such a massive project would be possible, but why should that stop the city from exploring its feasibility? Mostly, I take issue with the argument that "the government has no place building this network."

»

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Submitted by dave lister on November 8, 2007 - 3:16pm.

\$3000 a month for an apartment? Holy cats. You tell me, Amanda. How many RN's have to team up and live together to swing that? Dave Lister

»

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Submitted by Amanda Fritz on November 9, 2007 - 8:13am.

Scott, the City has been exploring the feasibility of a fiber-optic network for close to two years now. See Mike Rogoway on *OregonLive*. How much staff time and consultant money will be dedicated to further consideration? And where does the need for this project/service place in the list of priorities for spending City money and devoting staff/citizens' time and energy? There are lots of great ideas for projects that might be good to do. Many of them use tax money to even consider. I believe the Council members should discuss where to direct resources, weighing and balancing costs/benefits, earlier in the "feasibility study" process.

»

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Submitted by Amanda Fritz on November 9, 2007 - 8:19am.

Dave, most nurses I know have no desire to move our families out of the neighborhoods we love, to live closer to OHSU. The



young, single new nurses and students couldn't afford rents like that, and many nurses whose children are grown are nearing eligibility for retirement and won't be working at OHSU much longer.

»

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Submitted by Steve Rawley on November 9, 2007 - 4:12pm.

Re. the school board discussion, I too was happy to hear Ruth start to rediscover her voice on the issue, and also to hear Trudy Sargent talk about equity, Dilafruz Williams talk about the segregation that still plagues our city, Sonja Henning ask the question (still unanswered) that I've been asking for months, and, most of all, student representative Antoinette Myers talk about the transfer policy from a student's perspective. Unfortunately, they're "just talking around the surface," as Director Henning put it. There's been quite a bit more discussion, including by Ruth Adkins, over at my blog.

»

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Submitted by Amanda Fritz on November 9, 2007 - 5:41pm.

Thanks for posting your comments and the link, Steve. Good to see the start of this discussion, which I too hope will go deeper, quickly.

»

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Submitted by doretta on November 10, 2007 - 7:13am.

There's a fundamental divide in the discussion on Interstate/Cesar Chavez that deserves better (not more, better) attention than it has gotten. On one side are the people who think that bad process is the fundamental problem and that if we only had good process things would be fine. On the other are people who think that however bad the process has been, it's really inconsequential in the larger scheme of things because it's just masking a much more fundamental problem that will be there no matter what you do to the process. They believe that extending the process further will only make things worse. On another note, Amanda, I don't think it furthers the constructive debate to reinforce the community mythology that it doesn't matter what people say because no one is listening to the community. I think you've noted before on other subjects that failing to agree is not the same thing as not listening. My experience of this debate is that the mayor and all the commissioners, no matter which side of the vote they are leaning toward, are listening quite carefully. They are just



drawing different conclusions from what they hear.

»

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Submitted by Amanda Fritz on November 10, 2007 - 8:01am.

At this point, I don't see any good solution to the colossal mess, so I agree that more process might not help. A new process following the code, a Do-Over waiving the fees for the proponents, maybe. But a straight up-or-down vote on renaming Interstate isn't going to end this particular issue, or help promote work (growth and understanding) on the larger picture. *My experience of this debate is that the mayor and all the commissioners, no matter which side of the vote they are leaning toward, are listening quite carefully. They are just drawing different conclusions from what they hear.* Thank you for providing that perspective. I hadn't gathered that, but I've followed this saga mostly from written and oral information rather than having participated. Since the Council set up the process with the proponents understanding being "have the public meetings, then we'll approve the name change", it's easy to understand why some people think they never had a chance of being heard. And when the Mayor walked out with the other Commissioners reportedly not entirely understanding why (again, from what I've read and heard), it is hard for observers to understand why the Councilmen are drawing different conclusions from what they've heard. I hope there will be long speeches at the vote, explaining what they believe they heard and why they draw the conclusions they do.

»

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Submitted by FrankDufay on November 12, 2007 - 11:19am.

*Since the Council set up the process with the proponents understanding being "have the public meetings, then we'll approve the name change", it's easy to understand why some people think they never had a chance of being heard.* Too often outreach plans are little more than "here's the plan" and then you have a chance to "provide input." Tri-Met's gutting of the #14 line after the "public hearing process" is one example, I'm hoping the Streetcar Plan process isn't another. We don't just provide "input" to what the government does --or we shouldn't-- it's our government. We're more than just sounding boards, or rubber stamps. We don't just get a place at the table...we own it. Still, we elect our leaders to make decisions, not take polls. Having spent many a Friday in Eugene years ago as a student, emptying the parking lot of shoppers with our "Boycott Safeway" protests --and selling homemade sandwiches outside the UofO's Erb Memorial Union-- boycotting the EMU for refusing to stop using "scab" lettuce...I'd rather see Chavez honored for something that unites us, not divides us. But I've only watched



this process from afar, and, honestly, I'm not sure how this process could've been better...or worse. We're just not as good as we wish we were, or want to be, and part of the genius of Chavez was uniting people in a common cause for treating people decently, even as we may have disagreed about other things. We sure could use some of that genius now.

»

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Submitted by Randy2 on November 12, 2007 - 1:54pm.

As I have been out and about in North Portland the last 18 months or so, I was distressed to hear so many people jumping on the anti-illegal immigrant bandwagon (people who I would not think would hold those kinds of opinions, let alone utter them in public). The "process" (a word I use casually, because the only process I have seen is the Mayor signing off on the idea long before it had come over the horizon for many people and then showcasing "neighborhood" meetings where those opposed were tarred with the racist label) succeeded mainly in hardening peoples feelings towards any and all Mexican, Hispanic or South American people regardless of their immigration status. I think honoring Chavez is a great idea. But when the Committee adopted the "my way or else" attitude, they lost me. At this time of increasing xenophobia and suspicion of those who don't look like us, what a wonderful opportunity was wasted to provide (a) education about the Chavez legacy (which was basically a labor movement) and (b) a thoughtful community consideration of how best to honor him. I would estimate that over 50% of those who commented on the name change conflated Chavez with either the Venezuelan dictator or with the immigrant amnesty movement. Instead, those who fear foreigners and immigrants had their pre-conceptions validated by the tactics of the Committee. And now I hear that they have threatened Leonard and Adams to try and get a unanimous vote. Now, when people in North Portland look at the new street signs, they will think only about how "those people" bullied their way into this instead of thinking about the man who was to be honored. Sad.

»

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Submitted by Amanda Fritz on November 12, 2007 - 7:06pm.

Well stated, Frank. Thank you. Randy2, I suspect there are many viewpoints represented on "the Committee", and that it is no more accurate to characterize the desires/actions of "the Committee" with sweeping labels than it is to describe neighborhood responses as homogeneous. Renee Mitchell wrote what seems to me to be a thoughtful and balanced column on the renaming, published in today's *Oregonian*. I believe the Council had two options for how they could have handled this



better: they could either have required the advocates for the change to use the Code-prescribed process, or voted to waive the Code and adopt the name change immediately, as is their right as elected officials. In telling the Committee to go out to the neighborhoods to try to get buy-in via a couple of public meetings, they set up the Committee to fail, and to take the heat instead of themselves. Of course the Committee stuck to their proposal - that's what the Council asked them to do, while at the same time essentially telling the community it was a done deal no matter what was said at the public meetings. Then because there are some racist people in Portland, and because people when challenged with racism (either on the receiving end, or in true or false accusations of it) often become defensive, a bad process got rapidly and probably irreparably worse. Sad. I agree with you on that, Randy2.

»

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Submitted by Amanda Fritz on November 12, 2007 - 8:41pm.  
Interesting analysis and commentary on whether waiving the Code process to rename Interstate is legal, on Isaac Laquedem and Jack Bog's blog.

»

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Submitted by Randy2 on November 13, 2007 - 11:25am.  
Amanda: "Randy2, I suspect there are many viewpoints represented on "the Committee", and that it is no more accurate to characterize the desires/actions of "the Committee" with sweeping labels than it is to describe neighborhood responses as homogeneous." \*\*\*If there were Committee viewpoints other than "up or down" on the re-naming, they certainly didn't get airtime. \*\*\*"Homogeneous" was not a word I used, nor was it the intent of my anecdotes. I have no idea if the persons who I described overhearing represent the feelings 5%, 20% or 80% of the neighborhood or not. That being said, however, after 17 years in North Portland, I cannot remember hearing so many comments which were (directly or indirectly) targeted at Spanish-speaking and/or Spanish-named people as I have since the re-naming issue erupted. \*\*\*While I have worked here for 17 years, I have only lived here for 4. The kinds of reactions and comments I described were what I might have heard in the suburbs I used to reside in. It seems as though the diverse and inclusive nature of NP has suffered as a result of the process. \*\*\*Finally, "....Of course the Committee stuck to their proposal - that's what the Council asked them to do, while at the same time essentially telling the community it was a done deal no matter what was said at the public meetings." \*\*\* It's the "of course" that saddens me. Once the Committee realized they had been suckered by the Mayor, in the interest of uniting and not



dividing, it would have been an easy (and well-received) move to accept the compromise to examine 5 streets (including Interstate) and participate there. If Interstate was the best choice, then it would have risen to the top of the 5. Instead, they contact community leaders and urge them away from participation to force an up or down vote on "THEIR" choice. \*\*\*And now, we face possible lawsuits or a referendum, all of which will keep this wound seeping. \*\*\*The only excuse I recall hearing from the Committee spokesperson for not compromising and forcing an up or down was something along the lines of "it is OUR hero and only WE can decide how best to honor him." Sad. Randy2

»

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Submitted by Steve Rawley on November 13, 2007 - 3:36pm.  
Just confirming Randy2's observation re. expressions of racism. I've lived in Overlook since 2000. I've heard more open hostility towards minorities expressed in the several weeks since this issue got hot than in my seven previous years here. And now the opponents whine about it when their white nativism and overt intercommunal hostility is called out. I was on the fence about the renaming until things got ugly. Now I'm firmly in favor of it, process or not. When a twelve-year-old black Hispanic girl gets heckled by an angry white mob, things have gone too far.

»

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Submitted by Amanda Fritz on November 13, 2007 - 3:58pm.  
Thank you both for your insights, Randy2 and Steve. Your further explanations make good points, Randy2. In all the furor, I'm glad to hear voices of compassion and reason on both sides. If others pay attention carefully, there are still sensible, sensitive things being said by thoughtful people on either side, on the fence, and outside. I'm heartened that the discussion here on my blog, while still hearing from people with strong feelings, hasn't degenerated into name-calling and arguing. I find Steve's last sentence particularly compelling.

»

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Submitted by Geoff on November 13, 2007 - 4:59pm.  
I am a little curious about Steve's assertion that a 12 year old girl was heckled by an "angry white mob". Steve, if you are reading this, could you be a little more specific? In my opinion, all the charges of racism flying around are either a problem of perception (why do these people not like my idea of changing



the name of the street they live on? it must be racism!) or a cynical ploy to make opposition to their plan seem like something it isn't (they don't like my idea? I'll call them racists and then I'll get my way!) This issue might still be around when you join the council Amanda, as the case now looks to be tied up in litigation if the vote goes as expected Thursday.

»

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Submitted by Steve Rawley on November 14, 2007 - 11:25am.  
Examples of racism I've heard re. the Chavez issue: "We don't want them here. Why don't they go somewhere else." "Rosa Parks was a criminal. What she did was illegal, so we shouldn't be renaming streets for her." "Can you believe what *they're* trying to do to *our* neighborhood?" etc. Much of this was heard at the school my children attend, within earshot of children, some of them black or Hispanic. And it's always without a hint of self-consciousness. It's like the veil that hides lurking racism has been shredded, and everybody feels emboldened to express it. The incident I'm talking about with the 12-year-old happened at one of the Ockley Green meetings when the daughter of a friend spoke. The audience was very hostile and disrespectful. Long-time residents of my neighborhood are being made to feel like unwanted outsiders. There's a clear mob mentality to it all. The biggest irony is that this all started with whites shouting down the proposal, and now they're whining about being called racists and complaining that the renaming committee is shouting *them* down. Latinos I've spoken with are scared. There's a clear sense of hostility directed at all things Hispanic in my neighborhood. Everybody wants to deny racism is a factor, and I'm sure this blog comment will set me up for hostility. But I'm just relating what I've observed. It's ugly, and it makes me ashamed to be a white resident of Overlook.

»

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Submitted by Randy2 on November 14, 2007 - 11:46am.  
Steve Rawley: "Everybody wants to deny racism is a factor, and I'm sure this blog comment will set me up for hostility. But I'm just relating what I've observed." \*\*\*Of course racism is a factor in some of the responses (as well as the Committee's attitude that only Hispanics can decide the appropriate way to honor Chavez). \*\*\*What I see as a bigger factor is the sense of unfairness or lack of due process for the change. If the city has an established "process" for street-renaming, why was it not followed? Hmmm, might it be the Mayor was pandering to an interest group? Or perhaps he was responding to overt threats (although since he's already declared he's not going to seek re-election, probably not) of the type aimed at Leonard and Adams. \*\*\*I still see this as a lost opportunity for community



education simply so one political group can flex some muscle.  
Randy2

»

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Submitted by Amanda Fritz on November 14, 2007 - 12:19pm.  
*Everybody wants to deny racism is a factor, and I'm sure this blog comment will set me up for hostility.* Not on this blog. I'm glad commenters have stayed within the civility guidelines. *I still see this as a lost opportunity for community education simply so one political group can flex some muscle* Flexing muscle, or asking for something other political groups have been given? I agree it's a lost opportunity. It may have created a new one, if the Council can move from where we are now (too much anger on both sides, but still with some folks on both sides trying hard to understand the other's points) to addressing the underlying issues. Those include who has access to power in Portland, and who has real power, as well as racism. There seem to be people who still care about the name, one way or the other, outside of the factors of power/influence/racism/fairness. I don't believe the Council can end the debate on the name change by either of the options on the table at City Council tomorrow afternoon. If the Councilmen have a straight up-or-down vote and the change passes, the matter will go to the courts and/or ballot. If they vote for the pick-one-of-five process, the debate on the name, ignoring unspoken underlying issues, is expanded to all areas of the city with no greater expectation of positive outcomes. I'd like to see No votes on both proposals. Then the City should waive all fees for a citizen-led process to propose a street renaming in compliance with the Code-designated process, developed in the wake of a previous contentious renaming. Hire facilitators experienced in multicultural and diversity issues to help. And have the Councilmen commit to having one of them at every meeting, to help people remember to stay civil, and to help lead to a successful outcome.

»

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Submitted by Geoff on November 14, 2007 - 12:38pm.

I attended both meetings at Ockley Green. I think I have also read every mainstream media and blog posting on the Ockley Green meetings as well. I do not RECALL a 12 year old speaking, but I think I would have remembered a 12 year old being subject to cruel behavior. I think somebody in the blogosphere like S. Renee Mitchell @the Boregonian, Portland Mercury Blogtown, or the St. John's Sentinel, all of whom reported extensively on these meetings would have picked up on this "heckling by an angry white mob" incident. Especially S. Renee Mitchell. Google her columns and read her mea culpa on her reporting of these meetings. We can agree to disagree on



the merits of re-naming. My opinion, as someone who lives on Interstate 1 block from Rosa Parks way, is that 2 name changes in 1 year is too much. I don't care who you are wanting to re-name it for. I might be White, but my wife isn't. So I get angry when these racism accusations get thrown around so loosely. The 1% of people who oppose this for racist reasons can go to hell, and are not helping the 99% of people who are tired of being pushed around by City Hall. The Latino community leaders who are comparing this controversy with Martin Luther King's fight against institutionalized racism in the deep south aren't helping their case either. Maybe the street name will be changed, but the resentment from the people who live on this street, (towards City Hall, not the Latino population), will not. I'm proud to live in Arbor Lodge. We're not going down without a fight.

»

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Submitted by Amanda Fritz on November 14, 2007 - 5:00pm.  
Amy J. Ruiz writes a very thoughtful, helpful Hall Monitor on the topic in this week's *Mercury*.

»

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Submitted by Steve Rawley on November 14, 2007 - 5:58pm.  
You may not recall her speaking, but she did. You might not have felt the response to her was hostile, but in her eyes (and in the eyes of her mother), it was. And it was frightening. There was an awful lot of anger at those meetings, all crammed into that little auditorium. When you're on the side of the majority, it's easy to dismiss it. When you're on the receiving end of it, it's all too real. Maybe the heckling was only audible to the speaker or those sitting around her mother. Maybe Renee Mitchell phoned it in. Maybe the Mercury news editor has a distinct bias against the rename. You seem to be accusing me of making this up. If you don't want to believe it, that's your choice. But please be aware that many people of color I've spoken with have felt a heightened sense of hostility from whites in the neighborhood since this whole can of worms was opened up. That's not me accusing you of racism. That's me relating my experience and the experiences of my friends. If this is just "people who are tired of being pushed around by City Hall," many of them that my friends and I have encountered need to learn how to channel that frustration more appropriately.

»

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Submitted by amyjrui on November 14, 2007 - 11:25pm.

Steve - The column Amanda linked to just above your comment is the one in which I say I'm for the rename, so no "distinct bias against the rename" here. (I still have huge issues with how it's come about, though, and think the council would be smart to vote against it on Thursday, so it can be voted for in a more positive environment, soon.) But I, too, don't recall a 12 year old being heckled, and I'm possibly one of the only people outside the committee to have attended every last meeting on this issue. Which Ockley meeting was it? I do recall one teenager girl speaking at one of the meetings, and she was as nervous as any teen would be in speaking to a crowd, but the crowd reaction to her was muted at best—she was across the aisle from me. (I'm not trying to pick a fight here, but I am trying to nail this down. It's possible I missed it, too, though I have picked up on plenty hostile moments.) p.s. - well done maintaining a civil conversation here, Amanda! -----  
Amy J. Ruiz News Editor Portland Mercury

»

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Submitted by Geoff on November 15, 2007 - 12:22am.

Steve- I guess it's all perception. In the interest of civility, I am dropping this matter from my mind as far as Amanda's blog goes. My anger is with city hall, and I am sorry if I am unable to express it in a manner that doesn't potentially offend someone in a public forum such as this. I will say that my dissatisfaction expressed at the Arbor lodge and Ockley Green meetings was limited to the "thumbs up/thumbs down" options that we were asked to use by the mediators.

»

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Submitted by Geoff on November 15, 2007 - 12:35am.

I just heard SW 4th will be re-named Cesar Chavez instead. City Hall will change their address. Group hug everybody, OK?

»

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Submitted by Amanda Fritz on November 15, 2007 - 9:07am.

*My anger is with city hall, and I am sorry if I am unable to express it in a manner that doesn't potentially offend someone in a public forum such as this.* I think that is a good way of expressing your depth of feeling on the subject, Geoff, without potentially offending anyone :) And I agree that City Hall owns the responsibility for this mess. More on the renaming in a new



post coming later. To close this thread of comments, perhaps, I note again my appreciation to everyone who has posted thoughtfully on this issue. I suspect some readers may still have been offended sometimes by views expressed, due to the intensity with which disagreements on the sensitive topics involved are held. But I have certainly learned by being able to read and consider other viewpoints without having to make an effort to disregard rudeness at the same time.

»

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*Amanda is a  
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mother of three, and  
community leader in  
Portland, Oregon. She  
was the first  
candidate ever to  
qualify for Portland's  
Public Campaign  
Financing in her run  
for Portland City  
Council in 2006. On  
November 4, 2008 she  
won 71% of the vote  
to become your City  
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# Amanda FRITZ

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## Public Process Problems - Block 25 and Beyond

Submitted by Amanda Fritz on February 11, 2008 - 3:26pm.

As noted in [Next Up at City Council, 2/13/08](#), below, the City Council is making some highly suspect decisions in siting the Resource Access Center for homeless people in Old Town/Chinatown.

Before I get into the nitty-gritty of the pros and cons of two potential locations for this particular facility, let me tell you why I am steamed.

The Council is making the same process mistakes they showcased in the Chávez street renaming fiasco:

- \* **Not following the process in the Code**
- \* **Making deals and promises to some stakeholders**
- \* **Not allowing adequate time for transparent, accountable public process in open meetings**

Neighbors have been told that if they agree to the siting of the Access Center on Block 25, the neighborhood will receive \$200 million in urban renewal money. But that money does not yet exist.

**In order to generate the funds being promised, all three of the Portland Development Commission, the Planning Commission, and the City Council must vote to allow the River District Urban Renewal Area to borrow more money, AND change the boundaries of that URA to include parts of Old Town/Chinatown. EVERYONE IN PORTLAND HAS TO RECEIVE WRITTEN NOTICE BEFORE ANY OF THAT HAPPENS.** Council members are promising neighbors that all these changes will surely happen, before public hearings and votes have been held.

**City Council members are talking as if \$311 million in new debt for the River District is a done deal.** The Portland Development Commission should at least do the same analysis they do before creating an urban renewal area in the first place, before approving this increase in debt. They are required to have an analysis done that shows financial feasibility and how the district could be expected to perform with and without tax increment financing. This is especially important because it makes absolutely no sense to increase debt on a district that is such a success. Doing the homework would be the



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responsible thing to do when the increase (\$300+ million) is well above the original district debt limit of \$225 million.

***Why isn't this analysis happening? Why isn't Council waiting for it before charging ahead with spending the new (borrowed) money?***

This is a huge public process problem.

Ok, now to the particular issue of siting the Resource Access Center:

**The Resource Access Center itself is A Good Thing.** It will provide not only one-stop shopping to meet the social service and job placement needs of some of our most vulnerable citizens, but also affordable housing above the ground floor offices and retail businesses. That will give people currently living on the streets in the area, a safe place to stay in the neighborhood. The Center will be big enough that folks waiting for services won't have to queue outside.

That said, **the City Council once again seems to be running a public process that is favoring one minority community while disrespecting another - just as they did in the Interstate/4th Avenue renaming debacle.** Once again, the Council members are ignoring regulations in the Code and Charter. Once again, decisions are being made without following the required steps, in order.

That block is across Flanders Street from the Chinese Garden. It appears to be the favored site of many advocates for people who will use the Resource Center most. Many residents and businesses in Old Town/Chinatown, and many Asian leaders, would like to see the Center sited on Block U, which is further north near Union Station and the Post Office. The core angst for the neighbors is not *"Not In My Back Yard"*, rather *"Here in my back yard, rather than There"*.

Supporters of locating the center on Block 25 point out that part of that block is already occupied by the Blanchet House, which provides services to homeless people and has been planning to upgrade its facilities for many years. People favoring Block 25 would like to see all the services in one place. A representative from the Blanchet House said last Tuesday that their plans are independent of the apparent desire of the majority of the City Council to take the rest of that block for the Resource Access Center. Blanchet House can redevelop in its current location whether the bigger project is on the same block, or on Block U.

**Some advocates for homelessness people believe the Block 25 location is more central, and that putting the Center on Block U would feel more "out of sight, out of mind".** Those who prefer Block U point out that when Union Station is revitalized and the Post Office site is redeveloped, that end of the neighborhood will have a much more uptown look and feel. Proponents of Block U believe that putting social services in the heart of the neighborhood on Block 25 would not stimulate urban renewal the way market rate housing and/or retail would.



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### syndication

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That certainly rings a bell with me... the bell of the Gateway Urban Renewal Area. There, the Council insisted on locating Multnomah County's Children's Receiving Center in the heart of the business district. The Receiving Center takes in children in emergencies, before finding foster homes for them. A great cause and a necessary service, but not a good building to have in the core of the urban renewal area. It is tax-exempt, and brings in no paying customers that support nearby businesses.

**Folks opposed to siting the Resource Access Center on Block 25 point to the need to attract middle-income/market rate housing to this neighborhood, which currently contains mostly low-income rentals.**

They feel the glory and public investment in the Classical Chinese Garden calls for something splendid being built adjacent to it, both to honor focal point for the Asian community and to stimulate investment in the district. The central location of Block 25 is why both sides passionately want it developed to meet their vision - two visions that may be mutually exclusive. Perhaps not... the process has not been given time to simmer, so it's not clear whether a compromise can be found.

**At the very least, the Council should allow the Portland Development Commission time to do thorough analyses on issuing more debt to cover the desired expenses, and on the pros and cons of Block 25 and Block U in the long term plan for the area.**

The Old Town/Chinatown Neighborhood Association is one of the few I know where homeowners do not make up the majority of the Board. Business owners, renters, and social service providers are all represented. I have attended several OTCTNA meetings over many years. I have always been astonished and impressed at their huge turnout. They have many functioning committees, and do all kinds of events and multiple community involvement activities. OTCTNA is an exemplary organization of good-hearted volunteers. City Council members should listen to and respect their advice. And, Council members should give the neighbors time for proper public process ... and follow it themselves.

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Submitted by Isaac Laquedem on February 11, 2008 - 9:25pm.  
 One thing overlooked by the City is the tremendous public interest in doing something more with Block 25 and the surrounding area. I understand that an Asian supermarket wants to take the ground floor of Block 25, if it can be developed for a grocer, and a high-tech company has leased 5 floors of the building across Glisan Street at 3rd Avenue.

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Submitted by jim karlock on February 12, 2008 - 2:14am.

*\$311 million in new debt for the River District is a done deal.*

How about using that \$311 mil for our roads and dumping Sam's street(car)tax? Thanks JK

»

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Submitted by Cameron on February 12, 2008 - 6:08pm.

I am a resident of OTCT and I want to thank you for writing this. It has been quite a difficult and overwhelming couple of months (really 6 weeks!) since the the neighborhood has become aware of and active in the Block 25 discussion. I moved into this neighborhood aware of the "gritty" aspect and appreciated it for what it was: an urban area with quite an array of residents and businesses. Social services are not new to this neighborhood and we support the services as long as they are somehow balanced with other development. I had personally put my hopes for private development in OTCT on Block 25. I had hoped that the Block 25 development would help lead to a balanced and welcoming community for all OTCT visitors: Those looking for the nightlife; those needing social services; those coming to visit the Chinese Classical Garden; businesses of all kinds; and the residents that make up this area. If Block 25 is the site for the Homeless Access Center, I believe that less development will come and the rates in the only market rate condominium building in OTCT (overlooks Block 25) will lower or stagnate. Further leading to less interest in developing the area and less residential buyers. Whereas, if it is on Block U, it is still within the neighborhood and somewhere I walk/run/bike by often (in the warmer months!), but will not affect what I (and others) believe to be the best development block for OTCT. So you are dead on with: "Here in my back yard, rather than There." Something to add to that is that the Pearl Neighborhood Association also supports Block U. They recognize that their neighborhood lacks social services and support further private development in OTCT. While Block U is still in OTCT, it is on the edge and it is nice to hear that our Pearl neighbors support our decision. And while it is evident that PDC is focused on the success of the Broadway Corridor redevelopment (the blocks along NW Broadway that include Block U and the post office), they need to remember that the future success of the neighborhoods on BOTH sides of Broadway will also impact the success of the redevelopment. For a final note: money. What money? All of it is already committed to other projects in the current state of the budget. We've been boldly lied to with our voices falling on deaf ears.

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Submitted by Skinny City Girl on February 12, 2008 - 9:28pm.  
Amanda, I think PDC has been doing this analysis work for quite some time now. Check it out. All the maps and budget worksheets are there. <http://www.pdc.us/four/westside-study/emerging-policy-proposals.asp>.

»

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Submitted by Amanda Fritz on February 13, 2008 - 10:25pm.  
Thanks for the link, and sorry this is the first chance I've had today to get back to you. That PDC page does show that there has been a lot of debate about this and other Urban Renewal Areas, and about the overall policy choice of whether or not to end districts about to expire. I still believe the answers are not clear and that more work should be done. PDC has done a significant amount of analysis and made a real effort to evaluate and document the benefits and costs of increasing the River District debt by \$311 million. There is a commitment by staff to complete a fiscal impact statement that would show the effects of the increase on the taxing jurisdictions, including the City's general fund, the County, and the schools. This analysis is required by state statute when a substantial amendment is made to an existing urban renewal plan. The extension and boundary changes for the River District, however, is an extraordinary situation. It deserves a higher degree of analysis and scrutiny, because the district has outperformed expectations by leaps and bounds and is a true success story. If approved, essentially all property tax revenues above the frozen base established at the time the district was created will be spent on district projects rather than paying for City services like police and fire and County services including jails and treatment. Given the dramatic increase in assessed value in the district, this amounts to a significant amount of revenue. The proposed increase (\$311 million) is greater than the original debt limit (\$225 million). PDC should go the extra mile and do the more extensive analysis required when a new district is created, including forecasting how the district would develop without the increased debt limit. The public needs to be given clear documentation why the City thinks the changes are justified, what would happen to the district if the debt limit was not increased, and what the community will give up in terms of basic services so that we can continue spending property tax revenues in the Pearl.

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