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Testimony to the Planning and Sustainability Commission on the Floodplain Resilience Plan, Proposed Draft

Commission Members: I live at 753 S Miles St. Our Miles St/Miles Pl. neighborhood is a small group of about two dozen homes that Steve Duin of the Oregonian described as "the neighborhood the cat dragged in" when we stopped the Sellwood Bridge project from destroying our neighborhood with insane traffic changes. Since I moved here in 2005, there have been MANY proposed changes--regulations, traffic, land use, including a condemnation of our home by the County that was opposed by the Bicycle Transportation Alliance AND far-right-wing commentator Lars Larson--any of which could have massively damaged our neighborhood's values and livability. What every threat to our neighborhood has involved is a lack of understanding of how well-intended changes (almost always to regulations) will impact us. I support the goals of this project, and believe most of my neighbors do, too. But I'm concerned that the regulations as applied to us may be incredibly burdensome and counterproductive to the regulations' goals. In 2019, I met with Jeff Caudill about my concerns during the River South work. Three years later, I have the same concerns now--that the City doesn't have a clear picture of how they will impact us, how burdensome they will be, and how counterproductive they may be. I haven't been able to fully digest the impacts to our home or our neighborhood. What I believe I'm seeing is additional costs and burdens not just to people who want to redevelop their properties, but to people doing smaller renovations or additions, and even things as simple as removing a tree. Our neighborhood already has incredibly complex regulations. I've been involved in several attempts by neighbors to improve their properties. One wanted to replace a derelict garage and add a one-car carport. The goal was to build with flood-resistant materials and raise storage above the flood elevation. We gave up because we would have been required to have THIRTEEN zoning adjustments approved, and PBOT demanded a several-hundred thousand dollar street improvement plan. Another neighbor wanted to add a bay window addition on the river. That would have required a TYPE III, tens-of-thousands-dollars review, and a City Council hearing, and would not have met the requirement for river dependence. The notices we got for this hearing were cryptic (my home and my neighbor's don't appear on the Map App) and so general as to be meaningless to anyone who isn't a land use professional. I'm an architect with four decades experience and several projects in this neighborhood, and I can't yet grasp specifically how the regulations will impact us. I'm asking that you approve the project to move forward, but with a condition that the project staff meet with me and my neighbors to discuss specifically how the new regulations and boundaries will impact us in regard to new construction, additions, remodeling, and maintenance (tree removal, etc.) and then

report back to the Commission, and/or to the next review body. One reason this is critical is that this step has been shortchanged or ignored so often in past regulatory changes that it has thwarted those changes from achieving their goals. As it stands, it is easier (I have specific experience) to rebuild a house or outbuilding after a flood UNDER the flood elevation than to build it correctly ABOVE it. Also the regulations are so complex I've had BDS require Early Assistance meetings not because I and my client didn't understand the regulations, but because BDS didn't. And after the meeting, I had to correct half of BDS's findings, because they still didn't understand the regulations. I've also had to correct BDS interpretations on several recent land use reviews in the neighborhood--to the point BDS checks with me before talking to the applicants. The worst thing is that when the regulations aren't workable, people do things totally outside the system. That happens regularly here. One BDS planner told me she'd had several inquiries about doing projects on Miles Place, but none had proceeded. I had to tell her that several HAD proceeded, they just did everything without reviews or permits (!). Thank you for considering this request to make sure the regulations work for our unique pocket of Willamette-riverfront homes to ensure they will achieve the project's admirable goals.

Testimony is presented without formatting.