

CWNA. June 23, 2016 Board Meeting Minutes

1. Sage called the meeting to order at 7:05PM

2. Self Introduction of Members and Guests. Attendees included Chad Sage, Joe Richie, Bob Brell, Alexis Scharff, Tracy Pfiffner, Hans van den Houten, Charlene & Joe Leavitt, Ron Webber, and Lisa Mushel.

3. Sage motioned to approve the CWNA Board Meeting Minutes for March. Pfiffner seconded, approved.

4. Committee Reports.

a. Membership and E-communications, Pfiffner, Committee Head. Current projects include updating the database from Access to Mail Chimp, updating web site. The June newsletter was sent out and 50% open it – way above industry average which tends to be in single digits. Going forward, Pfiffner suggested we try to be consistent with future communications, both in terms of frequency of the Newsletter or E-Blasts where we might send out informative and useful information to our residents. The website is nearly complete, and could go live by end of the month. Round 2 of the website update will include adding more content. Richie reiterated the need for accuracy of the current information – stressed the need for a review/and correction of content (grammar/ consistency/ semantics). If it takes an extra month for it to be good, better to do that than go live with errors. The board concurred and full review will be done before we go live. Pfiffner reported we had close to 45 new members resulting from the April forum event. There is some discussion as to the full count of our membership (both households vs individuals).

ACTION ITEM: Tracy to report back to the group a clarification of the membership so we are reporting it accurately.

b. Transportation & Traffic Safety, Westside Transportation Study, Berry, Committee -- Mushel gave Berry's report in her absence. **ACTION ITEM:** – find the URL for city report.

c. Land Use Development, Brell, Committee Head. Brell provided an email to the board on June 22nd and requested same to be made a part of these minutes. In particular, the focus at this time is on the new development southwest of Braebern. Master Plan status applies to parcels of 20+ acres. Brell notes no new activity as of late in terms of filings with the city, but expects it to happen any day. At this point he reports there is no leverage regarding density, but there could be some leverage with regards to transportation and safety issues. They are estimating 500 additional trips resulting from the new homes, so traffic on Bachelor View road and Century Dr. will be impacted. The City of Bend does not allow the installation of a gate in the neighborhood unless as part of a PUD. Brell suggested our group spearhead communication to the CWNA membership for when the application comes in: Persons of interest have 15 days to respond.

ACTION ITEM: Brell will reach out to our group when the application is submitted. Pfiffner will develop a Hot-topics email blast to the membership. Van den Houten will forward to Tetherow residents.

d. Finance. Scharff, Treasurer. Scharff gave out copies of the status of our current budget and reviewed the latest expenses. The board had a discussion on the best manner to use remaining funds for upcoming expenses. Needs identified by the group include signage – sandwich boards for CWNA events, and membership forms. Scharff suggested CWNA consider a Firewise promotion in future communications, and the board agreed. Sage moved and Richie seconded the authorization of up to \$800 to spend toward signage-sandwich boards, \$500 to be authorized for website maintenance and upgrades, and up to \$500 to spend on printing of CWNA pamphlets. All approved.

ACTION ITEMS: -Scharff to provide Pfiffner with verbiage to be included in future e-blasts or newsletters. -Sage to execute the creation of the sandwich boards. – Mushel/Pfiffner to work on the printing of the CWNA pamphlets. -Pfiffner to coordinate with Shane Austin on the invoice for the web site updates.

e. NART (Neighborhood Association Round Table) – Sage brought the list of upcoming trainings up with the group and stressed the need for representation at these meetings to keep CWNA visible with the city, and not distance ourselves from NART. No NART meetings this summer, next meeting is 9/16/16 4-5PM Council Boardroom.

ACTION ITEMS: Richie will attend #4. Pfiffner & Mushel will attend #5. Pfiffner & TBD will attend #6.

f. BMPRD (Bend Parks & Recreation), Glen and Cynthia Brown Grochowski, CWNA Liaison Coordinators – Brell reported for Grochowski about Deschutes River Trail access. Concern focused on access through Sunrise Village/Braebern and the neighborhood response has not been favorable. Sunrise Village PUD brought in a speaker – immerse him in meetings of DRT

OLD BUSINESS

a. Sage provided a list of the NART training sessions – Attendees noted at future trainings above. Mushel attended #1 and #2. Richie attended #3. Mushel reported that #1 and #2 were well attended, but very basic in nature. Richie noted attendance appeared to be down at #3. Training outline/slides are available at _____ (Mushel to get URL).

b. Report on OSU-C and CWNA forum. Richie reported the forum event was well attended, close to 140 people in total. Brell mentioned other forums were fortunate to have 40-50 attendees. The group discussed the best result of the forum was the result of 45 new CWNA members. There was some concern that a few people left the meeting early and the group opined many people were present at other meetings and had heard much of the material before. There also was a comment that some people could have been uncomfortable with the active participant who began bringing some negativity to the meeting presenters. Brell asked if we had surveyed the attendees, and we had not conducted a survey following the forum.

c. Sage initiated a 2016 Imperatives review. The group concurred we need to focus on maintaining and enhancing the website with current information. The

group began a brief discussion about the potential of annexing Summit West NA, and we decided to schedule a special meeting to discuss this topic in full.

ACTION ITEM: Sage to reach out to Anne Aurand to be certain annexation is possible. Sage to reach out to the board to schedule this special meeting.

d. Mushel suggested holding a candidates forum as an event this fall, as we have several open council seats. The group concurred that this could be a good event, but wanted to table the discussion to bounce around by email prior to our next meeting. Discussion was had regarding the type of attendance we might see for this event, as Brell reported the League of Women Voters held something similar at the Library and attendance was fairly low.

NEW BUSINESS

a. We tabled the Nomination of Perry Brooks for open board position #8, as neither Brooks nor Grochowski were present.

b. We tabled the Downtown Parking Stakeholder Committee update as Jane Raleigh was not present. Sage did report that Raleigh had not been selected for this committee.

c. Updates from Ken Schofield regarding Bend Livability. Write up from Ken Schofield.

d. Review Anne Aurand's email of 18 May regarding City Councilor contacts for each Association. Sage.

e. CWNA membership in the Bend Chamber. Brell has had a conversation with the Chamber about membership for neighborhood associations. The board concurred that the expense is not warranted at this time.

f. Sage reported that our July meeting will include an introduction of Sally Russell. We will ask her to discuss (in brief) her notes on Bend Livability Conference and the UGB discussion. In addition, we want to discuss how we (CWNA) may be in a

position to provide City Council (through Sally) with updates to various committee reports, e.g. BMPRD.

g. Sage reported that Braebern had been involved in litigation regarding short term rentals. Braebern lost their argument as the bylaws were not recorded simultaneously with the CC&Rs. Sage mentioned to Richie the need to get access to Broken Top's information to assist Braebern with wording.

h. The next meeting time and place was discussed and agreed to be held July 21st or 28th at 7PM, again in the board room at Broken Top if available. Sage to confirm Sally Russell's availability for the meeting and to advise us on the date.

Sage moved and Joe seconded to adjourn the meeting at 9:20PM.

Minutes prepared by Lisa Mushel.

LAND USE ADDENDUM

To the CWNA Board. The following is submitted as the June 2016 Land Use Development Committee Report-**as amended on June 23, 2016** and the same is requested to be made a part of the minutes of the June 23, 2016 CWNA Board Meeting.

Century West NA Land Use Committee: Bob Brell-Head, Rich Ray and Ken Schofield.

Land Use Development.

1. Type II Waterway Overlay Zone Application. A Type II Waterway Overlay Zone Application to review the setback to construct a single family dwelling within 30 feet from the Deschutes River Corridor Area of Special Interest was submitted by Applicant, James Spickerman, on behalf of Owner, Sean Easley. The property is located at 60925 Bachelor View Road on Tax Lot 700, Deschutes County Assessor's Map 18-11-13C. The City of Bend Community Development Department approved the application, with conditions, on April 27, 2016. The decision can be viewed in ePlans from the City of Bend website. To access ePlans, go to the City of Bend website at www.bendoregon.gov. From the ONLINE SERVICES menu, select ePlans (Public Viewer) then enter the file number PZ-16-0132 in the ePlans search bar to find the project.

2. Bend Development Code Amendment to Master Plans. PZ-16-1062. The City of Bend is proposing amendments to Chapter 4.5 Master Planning and Development Alternatives. The amendments to Chapter 4.5 propose a Neighborhood Master Plan, Institutional Master Plan and an Employment Master Plan process. Additional amendments for consistency and minor clean ups are proposed for BDC Chapters 1.1, 1.2, 2.1, 2.2, 2.3, 2.6, 2.7, 3.3, 4.1, 4.2, and 4.3.

- a.** In October 2015, the City of Bend Planning Commission (PC) endorsed an advisory committee to help update BDC Chapter 4.5 Master Planning and Development Alternatives. The advisory committee met 11 times beginning in December 2015.
- b.** On June 1, 2016, staff met with the City Council in a work session seeking input and direction from Council based on the advisory committee work product.
- c.** On June 13, 2016, the PC met to discuss but without a quorum deferred the item to the next PC meeting on June 27, 2016.
- d.** The PC will hold a Public Meeting on June 27, 2016 to discuss Bend Development Code amendments to Chapter 4.5 Master Planning and Development Alternatives. All persons wishing to

be heard on this issue are invited to attend the Public Hearing or to provide written comments. Written comments may be submitted at any time prior to or at the hearing on June 27, 23016 at 5:30 PM at 710 NW Wall Street in Council Chambers.

3. Public Neighborhood Meeting-The Lodges at Bachelor View.

On March 14, 2016, a Public Neighborhood Meeting was called where the developer, Brett Evert, shared his intent to build a subdivision consisting of 70 parcels on a approximately 10 acres identified as Tax Lot 2200 on Deschutes County Assessor's Map #18-11-13BA and a portion of tax Lot 300 on Deschutes County Assessor's Map # 18-11-12 also located adjacent to where Century Drive intersects with Bachelor View Road with Century Drive on the north, Braeburn Subdivision and Sunrise Village PUD on the East, Bachelor View Road on the west and private land on the south. The developer shared his vision for the subdivision. Attendees questions/concerns included transportation related impacts on Bachelor View Road and at the intersection at Century Drive, vehicular traffic through the Braeburn subdivision, turn lanes in and out on and from Century Drive ; alignment of Bachelor View Road with Skyline Ranch Road; provisions for school buses ; pedestrian crossing of Century Drive; posted speed on Century Drive; absence of traffic calming on Century Drive; absence of open space in the subdivision; density of the subdivision; parking and driveway access on homes on Bachelor View Road among many other concerns expressed at the meeting.

The developer had not submitted an application to the City of Bend as of June 20, 2016.

4. Bend Neighborhood Coalition. In October 2015, a large group of concerned citizens on the west side met to discuss whether to form

a new coalition that would work to influence public policies affecting neighborhood livability in Bend with some focus on the Westside. This in part stemmed from frustration with the way public business was conducted and policies developed. The group decided to act and called itself the Bend Neighborhood Coalition. It is made up of individuals rather than groups though many of the individuals are involved in various groups, including neighborhood associations, homeowner associations, community advisory committees and task forces and ad hoc special-interest groups. It was envisioned that by joining together, the BNC might be able to accomplish three things that are important but difficult to pull off in today's environment:

- a. Influence long-term policy changes that underlie many of our common land use concerns such as changing the development code;
- b. Advise one another on how to best address individual concerns such as how to push for enforcement of a certain ordinance or how to rally public response to a development proposal;
- c. Create an ongoing dialog on neighborhood livability as an important city priority.

In pursuing a pro-neighborhood livability platform, the BNC endeavors not to be anti-growth or anti-development or anti-business. It will, though, encourage a thoughtful and balanced approach

to life in Bend that recognizes that even business owners and their employees want to live in appealing neighborhoods where kids can play, it's safe to walk and bike to local conveniences and

everyone can get a quiet night's sleep. Preserving and enhancing neighborhood livability in the face of growth and commercial activities will sometimes mean challenging policies, practices and

planning assumptions that have negative impacts on residential areas, with the goal of striking a better balance.

In a short 8 months, the Bend Neighborhood Coalition has formed, organized, met many times, received non-profit status, established priorities, addressed the City Council and moved forward

on those priorities beginning with developing a “White Paper” on Noise in Bend with recommendations. The first Bend Neighborhood Coalition News has just published which follows. For

additional information go to bendneighborhoodcoalition@gmail.com

Keeping Bend Livable!

[View this email in your browser](#)



Let's talk noise

The Neighborhood Coalition recently issued a white paper on Bend's noise ordinance and

BNC's mission is to be the leading voice influencing policies that affect the quality of life in Bend's residential neighborhoods.

recommended changes to the code, the way in which it is enforced, and the criteria used to evaluate whether to grant variances.

Because Bend allows higher sound levels than other cities, doesn't restrict the frequency, duration, or proximity of events that can impact residential areas, and puts the burden of enforcement on residents, BNC has called on the City Council to review the noise code and bring it in line with best practices in other cities.

As Bend grows, becomes more densely populated, and prepares to host a four-year university, it needs to adopt a policy infrastructure similar to more urbanized areas. Noise is just one issue that affects livability, but it's a good place to start. We hope the stories in this newsletter will help you understand the need for better policies.

Please add your voice to our request to the City Council to re-visit the noise ordinance as part of its review of livability policies.

Bend is louder than other cities

Our city code allows amplified music to be twice as loud as in Portland. Bend is even more permissive than Austin, TX, which bills itself as the “live music capital of the world.” Since Austin has been successful at balancing the interests of residents and

Contribute

2016 Priorities

- Bend noise ordinance
- Buffer zones around residential neighborhoods
- University district overlay
- Short-term rental code enforcement
- Fall election for City Council

White Paper on Noise

To review BNC's white paper on noise, [click here](#).

To see our suggested changes to the code, enforcement protocols, and permit criteria, [click here](#).

Other Cities' Noise Policies

For links to the noise policies of numerous other cities, [click here](#). Find your own points of comparison and let us know what you learn.

Volunteer

businesses that offer music, its policies offer a good model for Bend.

Bend's noise ordinance allows a sound level of 70 decibels (dBA) during the daytime and 65 dBA at night (10 pm to 7 am) for sound from a commercial zone. In residential zones, the limit is 5 dBA lower. However, Bend measures the sound level at a "noise sensitive unit"—the home of the person complaining—not at the source of the music. So, levels closer to the source will be much higher.

Meanwhile, Portland's limits are 10 dBA lower than Bend's in every category. This is half as loud. Because sound is measured on a logarithmic scale, every 10 extra decibels means the sound is twice as loud.

Austin limits daytime levels to 85 dBA at the property line of the music source in a commercial zone and 75 dBA in a residential area; the nighttime limit of 55 dBA (not plainly audible) applies in all areas.

Austin also requires an annual permit for outdoor music venues, including restaurants and bars with patios and live amplified music. The \$1,040 permit fee includes a sound impact evaluation. These permits are not allowed within 100 feet of residential property and require staying within the sound limits in the code. Extended hours are allowed only during Austin's spring festival and require an additional permit, which will not be granted if the music source is within 600 feet of a residential zone.

If these policies can work in Austin and allow

As an all-volunteer citizens' lobby, our ability to influence policies and the public officials who set them is affected by the number of people actively working together.

Please consider signing up for one of our three work groups to add your efforts to those of your neighbors.

- Outreach
- Policy research
- Public engagement

Just send an e-mail to: BendNeighborhoodCoalition@gmail.com

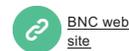
Make Your Voice Heard

Let city officials and your neighbors know that Bend needs livability policies like those of more urbanized cities if we are to accommodate growth and increased density and remain livable.

- City Council [e-mail](#)
 - Bend Bulletin [letters](#)
 - Source Weekly [letters](#)
- Bend Neighborhood Coalition [blog](#) (add your comments)



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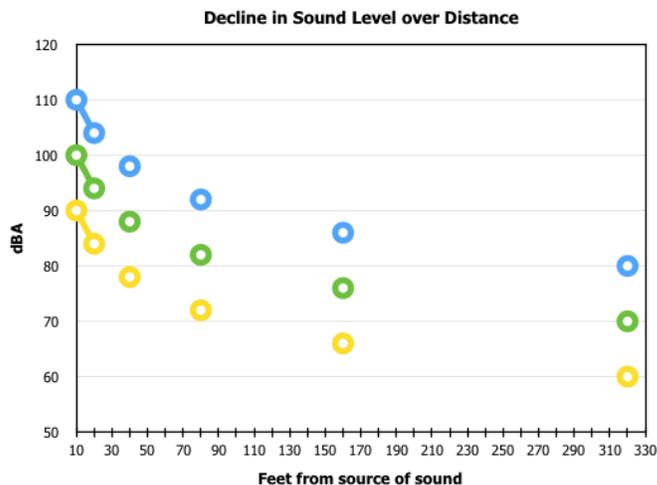
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it to become famous for its vibrant music scene, they can work in Bend.

How fast do sound levels drop?

It takes quite a distance for amplified music to reach permitted levels. Sound falls off 6 decibels for each doubling of distance. To reach the current daytime level in Bend's noise ordinance of 70 dBA (see the green circle at the far right in the chart), a band would have to be at least 320 feet from a "noise sensitive unit" and not exceed 100 dBA at 10 feet from the source (a typical level).

This means that amplified music closer than 300 feet from a "noise sensitive unit" would be unlikely to comply with Bend's current law. Even allowing a variance up to 75 dBA makes compliance unlikely within 150 feet.



Better enforcement would help

Currently, event organizers know there is virtually no enforcement of the noise ordinance. Only two citations appear to have been issued in the last several years. At best, a police officer might show up infrequently to ask that the sound be turned down.

Noise is and should be a low priority for the police, which is why many other cities have a noise control staff person who handles these issues.

BNC recently suggested that enforcement of Bend's noise ordinance shift from police to a sound control technician funded by increased permit fees. The technician would monitor sound levels at scheduled events and issue citations rather than warnings. (Imagine if speeding only ever resulted in a warning.)

The reporting of complaints should be improved with citizen-friendly voice mail and online processes. And, complaints should be documented and tracked by the source of the noise, as well the source of the complaint.

Help keep it down!

Until the enforcement protocol and the noise ordinance are improved, residents should consider complying with the City's process by calling the police non-emergency number (541-693-6911) and filing a complaint when noise is too loud.

Ask that an officer with a decibel meter come to your home and insist that the source of the noise be noted. Document the meter reading and send an email to City Hall with a Code Enforcement Complaint Form. For the form and e-mail address, [click here](#).

Speak Up
(over the noise)



Call 541-693-6911 to voice your complaint.

Bend Neighborhood Coalition is an independent Oregon non-profit run by community volunteers. We are not affiliated with the City of Bend or its neighborhood associations.



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Thank you for your concern about neighborhood livability and for joining BNC's e-mail list.

Our mailing address is:

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