



WHITE PAPER ON CITIZEN INVOLVEMENT IN LAND USE APPLICATIONS

Executive Summary

Background

Neighborhood association land use committees and members of the general public have expressed frustration when trying to participate in the review of land use applications. Much of this frustration is focused on the notification process — when and how notice is provided and to whom — as well as the unclear content of notices. There is also frustration that public comments are frequently ignored.

BNC formed a task force (see Appendix C) in mid-2018 to research the process and identify reasonable remedies. This information is being provided to the Neighborhood Leadership Alliance for its use in responding to a request from the City Council to study the issue and propose improvements.

Major Findings

- Notices are often received by neighbors and the neighborhood association(s) too late to contribute comments about the project.
- Notices often lack plain English descriptions of the most important features of a proposal, leaving people unclear about the potential impacts of a project.
- Applicants frequently ignore public comments, because they are not required to respond to them.
- Some code amendments alter permitted uses or other regulations for specific properties, yet neighbors who will be most-affected are not notified, even if a specific owner requested the change.
- The City's web pages related to public participation in land use review processes are difficult to find, provide little guidance, and rely on software applications that are not user-friendly.

Major Recommendations

- The period for notifications and written comments should be standardized at 21 days, beginning 7 days after the application is deemed complete, to allow time to learn about proposals and respond.
- Notice areas should be standardized at 500 feet for all required notices to neighbors of a property.
- Neighborhood associations should receive notifications by e-mail from the City, in addition to a mailed hard copy, and any resident should be able to sign up for e-mail notifications on any project.
- All notices (i.e., those posted on the property, published in newspapers, and sent by regular mail and e-mail) should include a plain English description of the proposed project or code amendment.
- Applicants and staff should be required to respond in the public record to comments from the public, even if they disagree with a concern or do not intend to change anything after considering it.
- When staff is aware that a particular property owner is “waiting in the wings” to benefit from a code amendment, neighbors should be notified as if a “site-specific” change had been proposed.
- As the City transitions from ePlans to the CityView platform for handling planning projects, feedback should be obtained from a citizen user panel and orientation sessions should be offered to the public.

Table of Contents

Current Process & Requirements

Oregon’s Directive to Involve the Community	3
City of Bend Policies on Public Involvement	3
Types of Land Use Applications	4
Notification Requirements for Type II and Type III Applications	4
Notification Requirements for Type IV Applications	6

Issues & Remedies

Public Meetings (BDC 4.1.215)	6
Type II and Type III Post-Completeness Check Notifications (BDC 4.1.412)	7
Type IV Notifications (4.1.515)	9
Online Resources to Support Citizen Involvement	10

Conclusions & Implications

11

Appendix A: Proposed Project Information Form

12

Appendix B: Sample Plain English Project Descriptions

13

Appendix C: BNC Public Notifications Task Force Members

14

Current Process & Requirements

Oregon's Directive to Involve the Community

The State of Oregon requires community input in land use matters. The main standard for citizen involvement is [Statewide Planning Goal 1](#), which requires cities: "To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process." Statewide Goal 1 says that citizens are not just supposed to be informed of what's going on, they are supposed to have "influence".

While the State has statutory requirements and rules, they are actually applied through the City's comprehensive plan and resolutions. That is, the State's regulations are incorporated into local plans and implementing ordinances, which then control land use processes.

Oregon's standards set minimums, but cities can exceed them. For example, the State requires notice to landowners within 100 feet of a property in certain circumstances. But a city could choose to use a 500-foot standard. The city's requirement, not state law, would be the controlling standard in any appeal.

City of Bend Policies on Public Involvement

Chapter 1 of the [Bend Comprehensive Plan](#) addresses citizen involvement. It calls for promoting public and civic involvement "by all citizens, corporate and individual, to keep the city vital and the Plan an 'evolving vision'."

The Comprehensive Plan designates the Planning Commission as the "official" Citizens' Involvement Committee for the urban area. The Planning Commission advises the City Council on land use planning programs and policy. In addition, citizen advisory committees are used on selected issues or projects. The Comprehensive Plan also refers to the use of "other mechanisms, such as, but not limited to, meetings with neighborhood groups, planning commission hearings, design workshops, and public forums, to provide an opportunity for all the citizens of the area to participate in the planning process."

While the State calls for "citizens to be involved in all phases of the planning process," the City's statements in the Comprehensive Plan focus primarily on community input in the refinement of the Comprehensive Plan itself and formal processes (the Planning Commission and advisory committees) for addressing ongoing development plans. The Comprehensive Plan is generally silent on how the average citizen is to participate in "all phases", including the review of individual land use applications.

Specifically, the State says that citizens "should have the opportunity to review each proposal and application for a land conservation and development action prior to the formal consideration of such proposal and application." The City's response to this requirement is best captured in a separate document: the [Bend Citizen Involvement Program](#) (10/26/09). Here, the City refers to developers being required to hold public meetings (BDC: 4.1.215) with the affected neighborhood association(s), and to the occasional use of facilitated workshops to gather public input on City-initiated projects.

In addition to the Comprehensive Plan not mentioning notifications, the body of the Bend Citizen Involvement Program also does not mention notifications of the public or neighbors. However, an appendix to the document reproduces Chapter 4.1 of the Bend Development Code, which addresses notifications in detail. So, while language appears to be absent at the policy level in the Comprehensive Plan and the program description, the City has requirements in its code for notifications under various circumstances, which are summarized below.

Types of Land Use Applications

Chapter 4.1 of the [Bend Development Code](#) (BDC) delineates the procedures for granting or denying applications for land use actions by the City of Bend. There are four types of applications in this chapter, each with its own procedures:

Type I: These may be handled administratively by the Development Services Director without public notice or hearing because they involve neither a land use decision nor a limited land use decision (examples of Type I applications include a property line adjustment, a home business with no employees, or an owner-occupied short-term rental). The Director may elevate a Type I application to a Type II when there is a need to apply policy or legal judgment or discretionary land use standards.

Type II: This is the most common application processed; the proposal is reviewed by staff and the decision is handled administratively by the Director following public notice and an opportunity for parties to comment in writing, but without a public hearing. Seven kinds of Type II applications (see below) require a pre-application “public meeting” (which is different than a “public hearing”).

Type III: Type II applications become Type III based on a non-appealable decision by the Development Services Director. A Type II master plan application would be sent to the Planning Commission for hearing as a Type III. All other Type II applications are sent to a Hearings Officer for consideration as a Type III. The final determination is made by the Planning Commission or Hearings Officer, rather than the staff. Decisions can be appealed within 12 days, but only by parties who provided verbal or written testimony during the hearing phase. Type III's require public notice of the hearing.

Type IV: Type IV applications are legislative actions that establish local land use policies, for example, text or map changes to the Comprehensive Plan or its implementing documents, like the Bend Development Code. Decisions are made after public notice, public hearings, and a recommendation by the Planning Commission to the City Council. Some Type IV applications require a public meeting.

Notification Requirements for Type II and Type III Applications

Step 1: Pre-application conference with staff — a meeting with city staff is recommended (but not required) to explain requirements and identify likely issues. Public notification: none.

Step 2: Public meeting — the applicant holds a neighborhood meeting for these seven development applications prior to submittal: 1) comprehensive plan amendments; 2) zoning map amendments; 3) conditional use permits; 4) master plans; 5) subdivision plans; 6) site plans; and 7) an addition or alterations to one or more buildings with more than 10,000 square feet. Public notification: (BDC 4.1.215) 15 days before the public meeting, notice mailed to all property owners within 500 feet, and notice sent by Priority Mail with Delivery Confirmation to neighborhood associations within 500 feet.

Step 3: Application submittal — a PZ number is assigned and an online ePlans file is opened. Staff reviews the application for completeness within 30 days and if not complete, applicant is asked to provide additional information. Public notification: none.

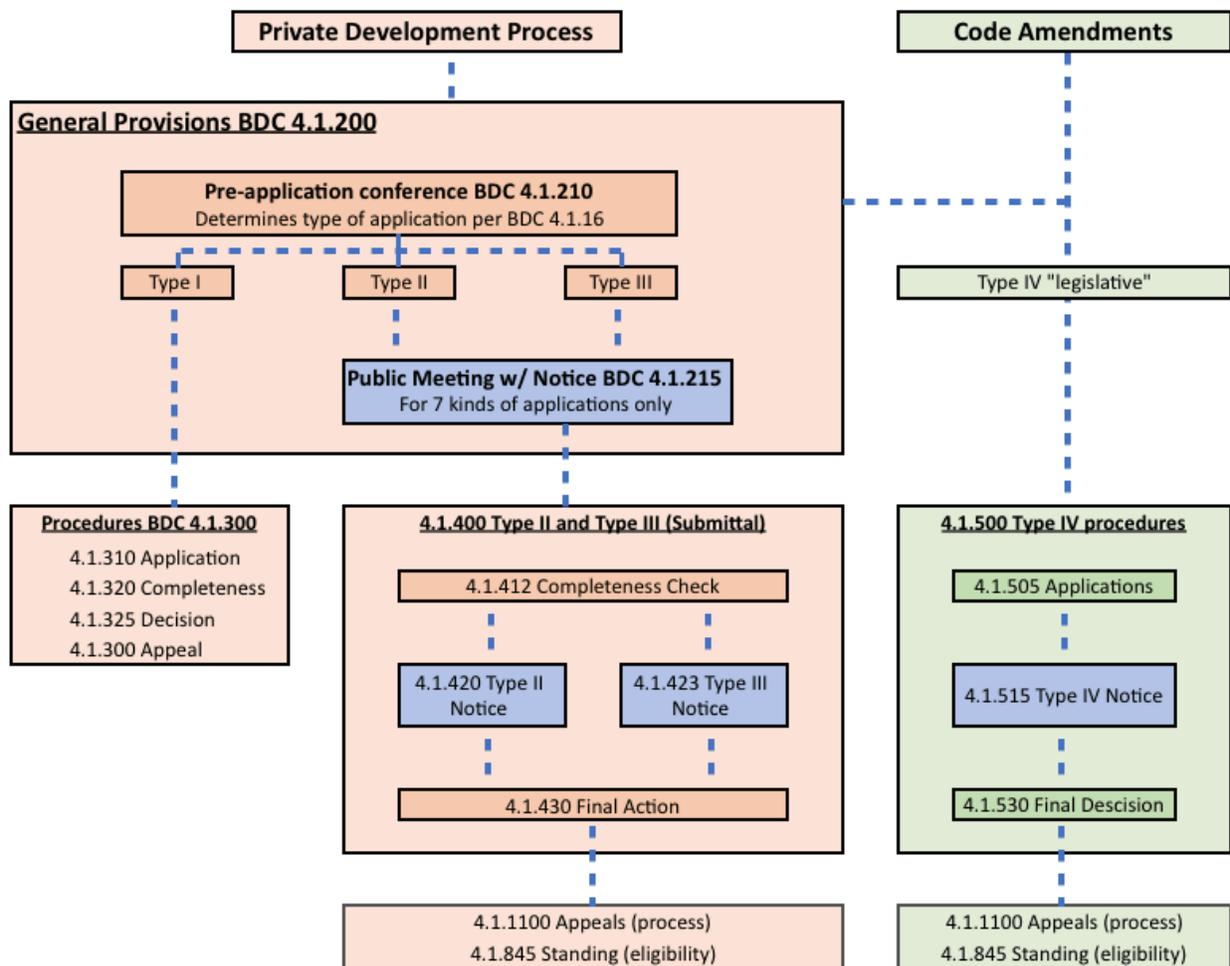
Step 4 (Type II): Application is deemed complete — staff has 120 days to review applications for a permit, limited land use decision, or zone change, and make a decision. Public notification: (BDC 4.1.420) notice mailed 14 days prior to a decision, but staff typically sends a notice soon after the application is deemed complete, with a 14 day deadline to comment in writing. Notice is mailed to all property owners and neighborhood associations within 250 feet. The Director is authorized in the code to increase the notice area up to 400 feet beyond the required area and to designate a longer period for comments. Appeals can be filed by the 12th day after the decision is mailed, by those who have provided written comments.

Step 4 (Type III): Application is deemed complete — Public notification: (BDC 4.1.423) notice of a Type III application must be mailed 20 days prior to the evidentiary hearing for those matters set for one hearing, or 10 days prior to the first evidentiary hearing where two or more hearings are planned. Notice is mailed to all property owners and neighborhood associations within 250 feet. The Director is authorized in the code to increase the notice area up to 400 feet beyond the required area and to designate a longer period for comments. Any interested person may speak at the hearing. Written testimony is also accepted prior to or at the hearing. Written comments must be received 14 days prior to the hearing to be considered in the staff report, which must be issued 7 days prior to the hearing. An appeal has to be filed within 12 days after the decision by the Hearings Officer or Planning Commission is mailed. To have “standing” to appeal, a person has to have provided written or verbal testimony.

Step 5: Posted Notice — Notice of a Type II or Type III application for which prior notice procedures are required must also be posted on the property by the applicant/property owner for at least 10 continuous days prior to any deadline set for receipt of comments.

Land Use Application Process per Bend Development Code Chapter 4.1

(Public notification actions are in the blue boxes)



Notification Requirements for Type IV Applications

Applications for Type IV legislative changes may be initiated by an individual, corporation, or public agency, or by the City Council, Planning Commission, or the Directors of Development Services or Growth Management. These types of applications vary from major planning projects, such as the UGB boundary expansion with its amended Comprehensive Plan, to smaller code amendments, such as the one proposed by a property owner to allow a hotel to be built in a residential zone in the Medical District Overlay Zone. Another example of a Type IV is the annual update of the Development Code prepared by staff, containing numerous amendments which may potentially affect many properties in the city.

Step 1: Application submittal — a PZ number is assigned and an online ePlans file is opened. A staff report must be completed seven days prior to the hearing (see 4.1.810 for exceptions). Public notification: none.

Step 2: Public hearing before the Planning Commission — Public Notification: (BDC 4.1.515) notice published in a newspaper and mailed to the neighborhood association(s) 20 days before the hearing. For site-specific applications, notice must also be mailed to property owners per BDC 4.1.220 (see Type II requirements above).

Step 3: Public hearing before the City Council — Public Notification: same as Step 2.

Issues & Remedies

Public Meetings (BDC 4.1.215)

1. Issue: The code requires that notices to the neighborhood association (NA) be sent by “priority mail with delivery confirmation”. Since many NAs use rental mailboxes, if the land use representative is not checking the mailbox on a regular basis or is out of town, the notice may not be collected and forwarded to members within a reasonable period to allow participation.

Remedy: The notice should also be e-mailed to the NA land use representative and the NA chair. The City has the ability to send e-mail notices about City projects. This should be extended to land use notices.

2. Issue: Citizens who choose not to participate in their neighborhood association and NA members who fall beyond the notification radius frequently have an interest in attending pre-application public meetings. The current process can leave these individuals out of the process.

Remedy: The City should have an opt-in list for individuals who want to receive e-mail notices regarding a specific project or all projects. Again, the technology for doing this already exists.

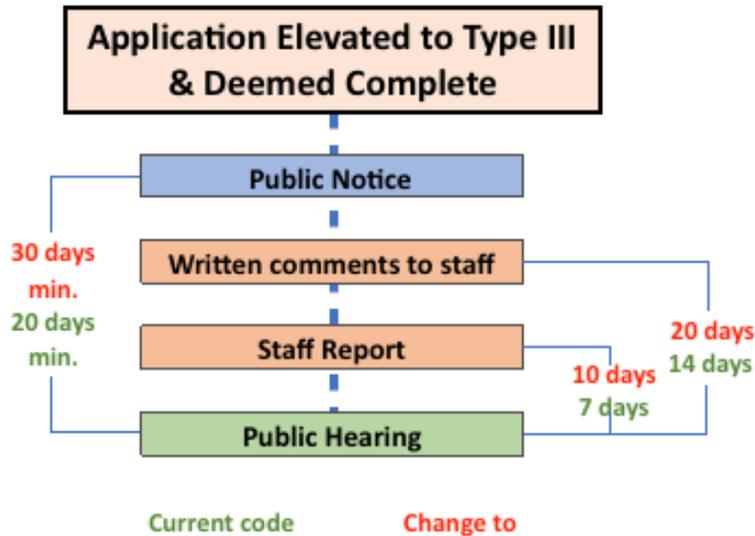
3. Issue: The code allows the applicant to set the time and place for the public meeting at their convenience, which can result in poor attendance, inadequate space, and/or denying access to the press.

Remedy: The public meeting needs to be held in an adequate public space, open to citizens and the press, with the NA land use representative or designated substitute agreeing to location, day, and time.

4. Issue: At the end of the public meeting, the applicant is required to fill out a form to identify the concerns raised by the attendees. The information on the form is not always complete or clear regarding the concerns raised. When NA representatives sign this form, they are uncertain as to whether they are attesting to their presence or agreeing with the list of concerns.

Remedy: The NA land use representative present at the meeting should initial to indicate whether they agree with the list of issues or not, and should be able to file, within 10 days of the public meeting, a

Type III Timeline (per 4.1.423)



separate statement of concerns raised if they disagree with the applicant’s summary. Also, a City staff member should attend the public meeting and take notes to be entered in the public record.

5. Issue: After a public meeting, attendees often wish to submit written comments for inclusion in the public record, but staff has no place to log in these comments because a PZ # has not been issued.

Remedy: Either pre-application conferences (4.1.210) should be required, which results in the issuance of a PZ number, or PZ numbers should be assigned prior to the public meeting. The PZ number should then be included in the written notice and a project file opened in ePlans to log-in comments.

6. Issue: A pre-application public meeting is required for seven specific kinds of applications (see Step 2 on page 3 above). Applications for variances are not one of the seven. However, requests for variances are frequently a source of contention, and staff often grant applicants support for variances during pre-app meetings, prior to public review or input. Neighbors should be notified of these applications.

Remedy: Add variances to the list of applications requiring a public meeting.

Type II and Type III Post-Completeness Check Notifications (BDC 4.1.412)

1. Issue: Project descriptions posted on the property and included in public notices are frequently not written in plain English and fail to include sufficient detail for a layperson to understand the impact of the proposal.

Remedy: A form is proposed which outlines the information to be included in the onsite posting, in the notification package, and in the online file. (See the proposed form in Appendix A. See Appendix B for examples of plain English project descriptions from other cities.)

2. Issue: The code requires that Type II notifications to the public be mailed 14 days prior to a decision. Notification at this late date, which includes the time the notice is in the mail, denies the public reasonable time to provide comments which can be taken into account before the staff report is finished.

Remedy: Within 7 days of deeming the application complete, notification should be mailed to the NA land use representative and property owners in the required radius, and e-mailed to the NA and the list of interested parties and any attendee who signed in at the public meeting. The minimum time period

for submitting written comments should be increased to 21 days. Starting the comment period earlier and lengthening it will not affect the 120-day review timeline, but will respect the public's input, allowing it to be considered at a more appropriate point in the process.

3. Issue: The current timeline for Type III notifications is cumbersome and provides too little time for citizens who wish to have their comments responded to in the staff report. Setting a hearing date triggers three timelines: 1) the staff report must be posted online 7 days prior to the hearing; 2) written comments must be received 14 days prior to be included in the staff report; and 3) public notice must be published and mailed to NAs 20 days prior (if two hearings are scheduled, this is reduced to 10 days).

This schedule means that citizens have only a couple of days after receiving notice to submit comments, and have little time between the posting of the staff report and the hearing to review the report, consult with others (including legal counsel) and prepare testimony. While uncommon, if two hearings are scheduled in advance, notice is sent out 4 days after the deadline for comments, which makes no sense.

Remedy: All three timelines should be extended: 1) 10 days prior to the hearing for the staff report; 2) 20 days prior for public comments to be included in the report; and 3) 30 days prior to the first hearing for the notice (regardless of whether the schedule calls for one or more hearings). (*See diagram below.*)

4. Issue: Generally, comments from the public are not specifically responded to in writing by the applicant, because there is no requirement that they do so. Also, in the final decision, staff may not list and respond to written comments submitted following the public notice. The public sees this as disrespectful of their involvement in the process and legitimate concerns are often not addressed.

Remedy: Both the applicant and staff should include a written response to concerns raised at the public meeting and in submitted written comments. Even if the applicant and/or staff disagrees with a concern or decides not to act on it, they should acknowledge the concern and explain their thinking regarding it, and that information should be in the public record. Also, if the applicant does not respond to a public concern or the commenter is not satisfied with the applicant's response, the commenter should have the opportunity to present their concerns to the Planning Commission for arbitration. The applicant would be allowed to appeal the Planning Commission decision to the City Council. Since the PC is the officially-designated citizen involvement committee, they and not the staff, should determine whether a public concern has been addressed.

5. Issue: After the application has been deemed complete, the applicant may make supplemental submittals with additional information. These supplemental submittals are not always noticed by the public, unless someone checks the file on a daily basis.

Remedy: When the applicant files a supplemental submittal, all parties on the "e-mail list" and the neighborhood association(s) should be notified with an alert that there is new information in the file.

6. Issue: There appear to be no standards for where the onsite posted notices are to be located on the subject property. This has resulted in some notices being too far from the public right-of-way to read. In addition, the notice often lacks a plain English description of the project and details that might affect the impact of the project, such as the specifics of any variances sought.

Remedy: Require that onsite notices be within five feet of the public right-of-way, in a location where the public will most likely be able to observe and inspect the notice. Also, the notice should include a clear description of the project and any variances or other details affecting the impact of the project. The project description, PZ #, and staff contact should remain posted for the duration of the project.

Type IV Notifications (4.1.515)

1. Issue: The public notice is not always written in plain English or may lack sufficient detail for a layperson to understand what is proposed. A prime example is the notice for the Hallmark Inn on Conners Avenue in northeast Bend: it failed to state that the code amendment brought to the City by a property owner would allow the construction of a hotel in a residential zone, though this was the most obvious and impactful aspect of the Type IV legislative change. As a result, the NA land use chair did not recognize that the project might be of interest to neighbors near the property and no citizens attended the public hearings, so no one had standing to appeal the decision to approve the application.

Remedy: All notices should be written in plain English and include sufficient detail for a layperson to understand what is being proposed and the potential impacts.

2. Issue: Each year, staff prepares a large package of code changes (and a few smaller ones on specific topics) and these proposals are frequently approved by the Planning Commission and City Council with little or no public awareness of the detailed code being amended. Often, even the staff report to the PC and Council focuses on a few high-profile issues and ignores the bulk of the changes.

Remedy: The written notification needs to include a more detailed summary (perhaps a table in plain English) that lists what is being amended and why, along with a note on the impact of the change. Also, code updates should identify any changes dictated by prior UGB commitments.

3. Issue: The code requires written notice to be mailed to the NA land use representative and the owner of the property affected by the code change. The properties within a reasonable radius are not notified.

Remedy: Again, all notices should be mailed to the NA land use representative, and e-mailed to the NA land use representative and NA chair, as well as the list of interested parties. Also, when staff knows that a property owner is “waiting in the wings” to benefit from a code change, neighbors should be notified as if it is a “site-specific” application. The Hallmark Inn is again an example — the amendment was written by the property owner’s attorney and brought to the City; it changed the permitted uses of the property, which had the effect of a zoning change, while being accomplished as a code change.

4. Issue: Very few people read the newspaper looking for public notices.

Remedy: Public notices that are required to be published in a newspaper should be posted on a page on the City’s web site, to which citizens can subscribe via RSS, so that new postings are pushed out to interested parties. (Consideration should be given to posting all land use notices in this way.)

5. Issue: Written comments and verbal testimony submitted by the public for Type IV applications are often not acknowledged, let alone responded to.

Remedy: The applicant should be required to respond to all concerns raised in written and verbal testimony. Also, the Hearings Officer, Planning Commission, or City Council should require the staff planner to comment on the concerns raised by the public and the applicant’s response. This would help fulfill the intent of Statewide Goal 1 that citizens have “influence” in the land use process. Ignoring the public’s concerns denies the residents of Bend the role the State intended when it called for citizen involvement. Again, as with Type II and Type III cases, if the applicant or staff does not respond to a public concern or the commenter is not satisfied with the applicant’s response, the commenter should have the opportunity to present their concerns to the Planning Commission for arbitration. The applicant would be allowed to appeal the Planning Commission decision to the City Council. Since the PC is the officially-designated citizen involvement committee, they and not the staff, should determine whether a public concern has been addressed.

Online Resources to Support Citizen Involvement

1. Issue: Currently, Bend stores all land use information in an application called “ePlans”. This application can be used to find all of the documents and drawings submitted by the applicant. The project files also include public comments and city staff correspondence. ePlans is widely viewed as not being user-friendly and requires training to navigate. In addition, a serious drawback is that the user generally has to know the PZ number in order to find the specific ePlans project file; an address will not work. A lack of standardization in titling and categorizing projects also makes searching difficult.

Note: The City has begun transitioning to a new application called “CityView” which will eventually replace ePlans in the second half of 2019.

Remedy: The City Council should ensure that staff has the funding and time to complete the transition to CityView. When the new platform is ready, the neighborhood associations and interested residents should be offered opportunities to be introduced to the features and operation of the application.

2. Issue: Bend has an interactive mapping application called BOOM (Bend Oregon Online Mapper). This application is available on the city website and it can be used to find planning applications by identifying an individual parcel on a map. However, the current architecture for this application has limitations. Users need training in order to navigate the necessary steps to find the planning applications. Staff has said the architecture will not be revised because the application will likely be replaced or amended with the new CityView software.

Remedy: Staff should ensure that the specifications for the CityView platform include a way for lay users to access both pending and approved applications by using property addresses and/or clicking on a map. Also, in the planning for implementation of CityView, a user panel should be convened. Usability testing by those who will use an application is a standard part of product development and in this case, should include both experienced ePlans users and citizens who have no experience.

Conclusions & Implications

The issues identified above can be summarized as falling into the following categories:

- **Notification and comment periods:** The number of days specified for sending or posting notices and for receiving public comments varies from 10 to 14 to 15 to 20 and includes the time needed for mail to arrive. The City should standardize notification periods at 21 days, so everyone knows what the rule is and adequate time is allowed for the public to participate. (The only exception should be the proposed 30-day notice prior to a Type III public hearing.) The code already authorizes the Development Services Director to extend the minimum periods, so this change could be accomplished administratively, though a code change would be preferred.
- **Notification areas:** The radius for determining which neighbors should be notified of a project varies from 250' to 500' depending on the type of application and stage in the process. The notice area for pre-application public meetings is 500', but this drops to 250' for notice of a pending decision later in the review process, when the record is opened to public comments. These differences lack a rationale and confuse the public. It would be simpler to require a 500' notice area in all cases.
- **Notification methods:** While mailed notices may still be required for legal purposes, the intent of encouraging citizen involvement calls for also using e-mail to alert all interested parties about land use applications. The City uses e-mail notification for City projects, so the technology for doing this exists.
- **Project titles and descriptions:** A review of ePlans reveals a jumble of project titles and descriptions in notices that make it difficult for citizens to monitor proposed changes that may affect them, to search for known projects, and to understand what is proposed and what the impact may be. Project titles needs to be standardized, plain English descriptions need to be used in all cases, and it should be possible to search on the property address. The examples in Appendix B show that descriptions can be brief and objective, but clear and specific at the same time.
- **Response to community concerns:** The State's guidelines for citizen involvement call for the public to be informed and to have influence in all phases of land use decisions. Receiving notice of a public meeting or comment period is pointless if the concerns raised can be ignored. Applicants are required to address all applicable criteria, standards, and procedures; however, there is no requirement to address concerns raised by the public. Staff generally address concerns raised in the public meeting, but may not respond to those raised during the period for written comments. Both applicants and staff should be required to respond in the public record to written and verbal comments at each stage of the process, even if they disagree or don't plan changes in response. All projects should be assigned a PZ number prior to the public meeting, so comments can be logged in and stored in the public record. And, the Planning Commission should arbitrate grievances if the public's concerns are not addressed.
- **Notification of code changes:** When a code change will benefit one or more specific property owners (e.g., when an owner requests the change), the neighbors should be notified. The impact of a code change can be significant, since once the code change is in place, there is little that can be done to prevent whatever the change allows.
- **Online resources:** The ability of the average citizen to be involved in the land use process depends to a great extent on how user-friendly the City's online applications are. It shouldn't take a lot of time and special training to find and access the files on a project. And, the files should have a top-level plain-English description, so the relevant facts can be readily ascertained. Hopefully, the new CityView application will improve both citizen access and staff productivity. To ensure that the new platform is user-friendly, the City should convene a citizen user panel and offer orientation sessions to the public.

Appendix A

Proposed Project Information Form (to be included in the onsite posting, in public notices, and in the online file)



CITY OF BEND

Development Application Project Information

Project address:

Application number:

Date received:

Project description:

Project planner:
(name and contact info)

Project statistics:
(lot coverage / FAR / parking spaces, etc.)

Traffic impacts:

Variance(s) requested:

Potential impacts (and mitigation) to neighborhood:

Insert site plan

Insert building elevations

Appendix B

Sample Plain English Project Descriptions

The following are examples of descriptions displayed on the required onsite posting, and used in public notices and online:

Construction of a new two story approximately 3,464 sq. ft. house with a 2,139 sq. ft. basement and a new 221 sq. ft. detached garage.

Construction of a basement under an existing legally non-complying residence that encroaches into a required interior side yard setback.

Demolition of an existing one-story duplex and construction of two new two-story single family residences. Unit A on the site is proposed to be 1,870 sq. ft. with a 238 sq. ft. attached garage. Unit B on the site is proposed to be 1,838 sq. ft. with a 213 sq. ft. attached garage.

Variance to allow for an exception from the regulated fence height. The fence fronting (_____) Road and (_____) Ave has a proposed height of 6'10". The fence fronting the rear of the property has a proposed height of 7'4" and the interior side fence has a proposed height of 6'.

Construction of a new three-story 19,776 sf mixed use building (13,360 sf commercial and one 6,416 sf residential unit) with two levels of underground parking and a 268 sf addition to a Category 2 historic residential unit.

Final parcel map for two residential condo units to replace an existing single family residence.

Proposed outdoor seating in the public right of way in the Downtown Commercial zone.

Conditional Use Permit for a 4,169 square foot meditation center/spa establishment to exceed the 2,500 square foot limit.

Modification of an existing wireless facility, including the addition of 3 new antennas, 3 new RRU's, and the removal and replacement of one cabinet associated with the wireless facility.

Site plan changes to incorporate valet parking, bicycle parking, signage, and other Transportation Demand Management strategies, in pursuit of a Director's adjustment to parking requirements at (_____) shopping center.

Appendix C

BNC Public Notifications Task Force Members

Annie Goldner - task force chair: former chair, River West Neighborhood Association; member, BNC steering committee

Mike Walker - principal researcher: interim chair, River West Neighborhood Association; commercial property developer

Bill Bernardy - editor of white paper: member, board of directors and land use committee, Summit West Neighborhood Association; chair, BNC steering committee

Dave Johnson: vice-chair, Old Farm Neighborhood Association; member, Neighborhood Leadership Alliance

Bill Gregoricus: former chair, Awbrey Butte Neighborhood Association; member, BNC steering committee

Harry Williamson: land use chair, River West Neighborhood Association; member, BNC steering committee

Bruce Couch: member, BNC steering committee

Jim Connor: member, Mountain View Neighborhood Association