

## COAST HOUSE CONTROVERSY

LandWatch Lane County, a group dedicated to stopping sprawl and protecting natural areas and farmland, has concerns over a house that Eugene architect Otto Poticha is building on the Oregon Coast and its possible effects both on the environment and on the scenic view from Highway 101.

Poticha requested approval to construct a dwelling on a property situated between Highway 101 and the Pacific Ocean. Poticha's land is on a spot that Nena Lovinger of LandWatch calls in comments submitted to the county Land Management Division, "one of the most majestic and imposing headlands along the Oregon coast." The property is near Sea Lion Caves and near to cormorants and puffins, Lovinger writes.

LandWatch expressed concern that the property, which is in a designated "significant natural shorelands combining zone," could have a septic field that could adversely affect the beach below. The concerns also include the severity of the slope and the possibility of Native American artifacts on the site.

"Any house constructed on the site, no matter how well designed, would be a reprehensible blight on the Oregon coastline," Lovinger writes. Highway 101 is a National Scenic Byway. She says Oregon's coast has taken too many hits.

Poticha Architects is known for designing and winning prizes for local buildings including the Wildish Community Theater.

Poticha takes umbrage at LandWatch's criticism. He says, "I guess one could say, 'Let's not build anywhere.'"

LandWatch's facts are not correct, Poticha says. He says though he had approval for a septic system, he will put in a high-tech sand sewage filter and disposal system instead, which he also has approval for. He says he has a water right to the stream on the property, and "I don't want effluent running into the Pacific Ocean or the stream."

He says, "I have had soil testing by a licensed soils engineer, and the strata has been determined to be very stable," and he has a report and on-site survey from an Oregon State professor and consultant that shows no Native artifacts will be present. And the house, he says, was designed so it would not be seen from the highway.

Poticha says he has owned the property since 1970 and spent the last 10 years obtaining all the necessary approvals. His previous permit expired when it was not used. The downturn in the economy kept him from building as planned, and he ran out of renewals, which he says is a good thing — "You should have to reapply; the rules might have changed."

Lovinger says her understanding is that there is likely no way to appeal the expected approval for the property. "Nonetheless," she says, "I want Otto to know that people disapprove of him building in this location. It sets a bad example. If other people also try to play God, there goes the sublime majesty of the Oregon coast."

Lane County is accepting written comments on the issue until 5 pm Oct. 10. — *Camilla Mortensen*

## COUNTY BOUNDARY ISSUES CONTINUE

Lane County is getting closer to making a decision about its voter district boundaries, but fears of gerrymandering the districts to give an advantage to a particular person or party continue. The progressive group Onward Oregon, affiliated with the Bus Project, has weighed in on the issue.

"Gerrymandering? Bozemandering? I don't know what it is but it's a 'mander,'" says Scott Bartlett, a member of the county redistricting committee who has expressed concerns that Commissioner Jay Bozievich had too much influence on what is supposed to be a citizens' committee.

When Bartlett voiced his concern during a committee meeting, Bozievich agreed that he should no longer participate in committee discussions, though he said he was happy to continue to provide technical assistance. Bozievich, who advocated for the purchase of the Moonshadow software called Borderline, is experienced with using the product.

But Bartlett says Bozievich is still over-involved in the process. The committee approved five possible scenarios, Bartlett says, including scenario one, which calls for leaving the districts as is. Onward Oregon says that scenario was favored by most of the committee.

Bartlett says the committee was told in a memo from Bill Clingman, a senior GIS analyst with the Lane Council of Governments, that the existing population figures have less than 1 percent deviation and therefore already are in compliance for redistricting.

At the Sept. 27 Board of Commissioners' meeting,

the Redistricting Task Force presented the five possible scenarios it recommended. Bozievich moved to restore two more scenarios that the committee had left out, and the move was approved.

According to Onward Oregon, a volunteer run group working for progressive change, scenarios three through seven are problematic, and "any major changes to the current district boundaries are politically motivated and political gerrymandering."

The group says those scenarios do not meet the criteria for redistricting that the committee was given and argues that scenarios three through seven propose to split areas within the urban grown boundary or urban areas and place them into districts that are primarily rural.

Steve Brock and the conservative 9.12 Project Lane County group sent out an email to 9.12 members originally advocating for scenario two, but then revised the recommendation, writing, "After speaking with people more familiar with the process than myself," scenario two "would favor the liberal factions much more than we would like," and goes on to advocate for scenario six.

According to Onward Oregon, "Commissioner Bozievich is doing this simply to make the North Eugene district more conservative in order to increase the odds that a conservative will win this seat and that right wing conservatives will maintain their majority on the Board of County Commissioners." North Eugene is current commissioner Rob Handy's district. Onward Oregon describes Bozievich as a "Tea Party leader and former Libertarian."

The county held a public meeting on the issue Oct. 5 and a decision will be made in the next couple weeks, Bartlett says.

For more on Onward Oregon go to [onwardoregon.org](http://onwardoregon.org) and for the county's redistricting scenarios go to <http://wkly.ws/14d> — *Camilla Mortensen*

## WORKING ON SAFER STREETS

This summer city construction workers unnecessarily and dangerously converted many of the city's bike lanes and sidewalks into places to put construction signs, but that practice may change.

A safety subcommittee circulated a draft of a "Pedestrian and Bicycle Accommodations During Construction Projects" pamphlet at a meeting of the Eugene Bicycle and Pedestrian Advisory Committee last month.

The pamphlet is an effort to educate city staff and construction workers, and save cyclists and walkers from having to swerve into fast-moving traffic to avoid construction work and construction signs. The pamphlet states "place signage to block neither bike nor pedestrian

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## CITY VIOLATES ITS OWN CODE

If you have something you don't want and some people you don't want, can you lock the trash to city property to try and keep the undesirables away?

Not according to City of Eugene Code, but that's exactly what Eugene police have done in locking trashed bicycles to city landscaping downtown to keep street people away.

The city strategy appears to violate several sections of the City Code:

- 5.420 prohibits "a bicycle left on public property for a period in excess of 24 hours."
- 5.135 states "no person shall store or permit to be stored a vehicle or personal property on a street or other public property for a period in excess of 72 hours."
- 6.010 prohibits "nuisances affecting the public" on "public or private property."
- 6.010(k) prohibits "sidewalk accumulations" and "any obstruction on a sidewalk."
- 4.872 prohibits "impeding access to any public pedestrian area."
- 6.007(1) states "no person responsible shall cause or permit a nuisance on public or private property."
- 6.010(c) prohibits "debris," "waste" or "trash" or "other refuse matter or substance which by itself in conjunction with other substances is deleterious to public health or comfort or is unsightly."

So will the city code enforcers enforce the City Code against the city or will Eugene police ticket fellow officers for breaking the law? That hasn't happened in the past.

Six years ago Eugene police were caught targeting the homeless with "no trespassing" and "no soliciting" stencils on city sidewalks in violation of state law. They weren't ticketed, cited or disciplined for the illegal graffiti. — *Alan Pittman*