

Parklet: ‘We might have to develop a code with some teeth in it’



Lydia Ely/The Astorian

One city councilor wants to see tougher restrictions on parklets.

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from also having a parklet. He felt like he'd wasted months of time, effort and money trying to go through the city.

He decided to go ahead with his plan. "I felt like all I could have done at that point, as a matter of courtesy, was tell the city that I'm going to proceed with the parklet anyway — but, you know, why?" Lattek said. "Because they're going to have to deal with it like any other violation at this point and I know it's a big one and it's pretty prominent and probably because I went through official channels first they're going to — you know, instead of enforcing other issues in town that aren't up to code or go without a permit — they're going to come after me first."

Lattek regrets going to the city. "I wish I had just done it at this point without ever involving the city in the first place," he said.

City officials said Lattek and his contractors received warnings on Saturday from a city councilor passing by, the city's community development director and finally the police chief that the parklet was not permitted. But Lattek continued anyway.

Under the city's rules, parklets can no longer have covers, they must be located at least 20 feet from a crosswalk or street corner and they must be a moveable structure. Street 14's parklet is both covered and just one wide-legged step away from a crosswalk. It is also, city councilors noted, bolted to the road.

"It's a nice looking, stout structure but it was done completely in violation of city code and really in defiance of the City Council where he made the request and was denied," said Paul Benoit, the interim city manager.

Benoit sees Lattek's action as a one-off moment and not necessarily a reason to overhaul the entire parklet pilot program.

But City Councilor Tom Hilton thinks otherwise. He noticed the work happening on Saturday and alerted other officials. He said Lattek's actions were a "blatant display and disregard of the city and citizens of the community." He wants to revisit the parklet program.

"We might have to develop a code with some teeth in it," he said.

This story is part of a collaboration between *The Astorian* and Coast Community Radio.

Gun measure: ‘Process is as important as the result’

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The gun measure would limit ammunition magazines to 10 rounds each. In addition to the limit, the measure would require people to undergo classroom and live-fire training before they obtain a firearms permit and complete background checks. Current law allows a purchaser to obtain a gun even if the check is incomplete after three days; the measure would compel the check to be completed.

Lift Every Voice Oregon, the movement that sponsored the measure, was way behind at the end of May when an initial round of 2,500 signatures was submitted.

But two mass shootings outside Oregon resulted in a surge of petition volunteers and signatures before the July 8 deadline.

Ten Black people were shot dead May 14 in a supermarket in Buffalo, and 19 children and two teachers were killed 10 days later at Robb Elementary School in



Charles Krupa/AP Photo

A ballot measure would ban high-capacity ammunition magazines in Oregon.

Uvalde, Texas.

The Rev. W.J. Mark Knutson, the pastor of Augustana Lutheran Church in Portland, said those events helped produce more than 1,000 new volunteers and 150,000 more signatures.

"People were saying they could not sit anymore, so we had 1,000 new volunteers come forward to join the 500," Knutson said. "A lot were parents with children — it was pretty amazing. They are learning about democracy."

"The process is as important as the result — democratic action by the people. In this nation right now, we need to see democracy at work."

Movement leaders shelved a second ballot measure that would have banned some assault weapons. Knutson said leaders hope to present it as a bill to the 2023 Legislature, which opens in January.

The measure joins three others on the ballot.

The other initiative would bar lawmakers from seeking reelection if they have 10 or more absences not excused by the state House speaker or Senate president. That initiative was put forth by public employee unions and others in response to walkouts by Republicans in 2019, 2020 and 2021.

The measure would change the Oregon Constitution, which requires two-thirds of lawmakers — 40 of 60 in the House, 20 of 30 in the Senate — to be present for the chambers to conduct business. Most legislative chambers, and Congress, require a simple majority of members.

Oregon's 2020 walkouts forced majority Dem-

ocrats to scuttle proposed cap-and-trade legislation to combat climate change and shut down the short session. Republican senators walked out for one day in 2021; Republicans in the House were deterred from doing so by a 2021 rule that set a maximum daily fine of \$500 for an unexcused absence.

The other measures, both constitutional amendments, were referred by the 2021 Legislature. One would define health care as a right; the other would remove slavery as a punishment for crime.

State elections officials will assign numbers to all four measures. They will be accomplished by explanatory statements and fiscal analyses — those are done by panels — plus advocacy statements submitted and paid for by supporters and opponents. The Legislature writes statements for its own referrals.

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Camping: Draft includes a number of safeguards

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tarps, or small tents. The City Council reviewed a draft detailing places people can and cannot sleep on Monday night, along with a map identifying the areas.

Interim City Manager Paul Benoit said city staff's focus has been to strike a balance between the varying interests and issues related to homelessness and livability in the city while also responding to the mandates.

"As we work through this challenge, it is clear that whether you are a person experiencing homelessness, an advocate of the homeless or concerned Astoria resident, there's no perfect solution that satisfies all parties," he said. "And whatever we do now will likely need to be refined and adjusted as we move forward in the future."

'The goal is not enforcement'

Former Police Chief Geoff Spalding, who moved into a temporary, part-time role since retiring, noted the ordinance must be objectively reasonable and take into account details such as proximity for a person to get to and from services and other necessities.

Spalding presented a draft outlining two components: camping on public property and camping on private property.

The draft lists public places people cannot sleep, which include parks, city owned and maintained parking lots, public restrooms, residential zones, areas underneath roads or bridges that are not open to the public and sidewalks where 6 feet of space cannot be maintained.

People would also have



Lydia Ely/The Astorian

The city is evaluating potential locations for homeless camping.

to maintain at least 10 feet of distance from building entrances and stairwells.

The exclusions make up the vast majority of the city, leaving public rights of way in commercial areas as options.

Spalding said places could be added or removed from the exclusion list, but it would require approval by the City Council. He said changes after adoption of the ordinance would be done through a more nimble process that could be approved by the council through a resolution.

The second component deals with camping on private property. The City Council has an option to include a regulated camping program that could allow camping in parking lots of churches, nonprofits and businesses, and potentially in vacant or abandoned commercial or industrial properties with owner permission.

An earlier draft would have allowed homeowners to take part in the program, but that has been taken off the table.

Up to six people in three vehicles or tents in any combination could sleep on the property. The property

owner would have to provide sanitary facilities, garbage services and storage areas. They would not be allowed to collect payment.

The draft includes a number of safeguards, including an appeal process and the ability for the property owner and city manager to revoke permissions.

Spalding said communication with the homeless population has started and will continue after the ordinance is adopted.

"My experience has been — and I know will continue to be — we always will use the most lenient, compassionate and humane approach to addressing these issues," he said. "There will always be a grace period, there will be an opportunity to educate the individuals most likely impacted by this ordinance and with the goal of getting people into services."

"The goal is not enforcement," he said. "The goal is to reduce the calls for service, make the community feel safe and get individuals the assistance they need."

'This isn't a solution'

During public comment, business owners asked ques-

tions and raised concerns about camping on sidewalks downtown in front of businesses. Some said it would put a burden on business owners.

Lisa Morley, a resident, argued that it is not safe for people to sleep outside and on sidewalks along rights of way. She said the component detailing private camping puts property owners at risk. She called for the city to create a gated campsite within city limits.

Teresa Barnes, the executive director of the Astoria Warming Center, echoed Morley's comments. She argued that the city has shuffled the problem and that instead of spending money on creating the ordinance, the resources should be devoted to developing housing.

"This isn't a solution. This is a lack of a solution," she said. "And there are solutions out there."

Others argued that housing is the solution and that the community cannot continue to turn down lower-income housing projects like the workforce housing proposal at Heritage Square earlier this year.

City Councilor Roger Rocka addressed some of the comments.

"I know that you are frustrated by homelessness," he said. "And I would say that us sitting up here are probably at least as frustrated, if not more, because it's our job to try to do something about it. And we can't feel so helpless in not being able to make something big happen."

"So we're trying to do what we can do. We're nibbling at it around the edges, because that's what we got for right now."

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