

ISSUE OVERVIEW: CLUSTER BOX UNITS (CBU)

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NAHB Land Use and Design Department

FRAMING THE PROBLEM

Traditional mail delivery service has been in the form of “curbside delivery” for single-family homes in the United States. While door delivery to individual homes is still common in many parts of urban and suburban America, predominantly in older single family communities, the most common form of delivery in suburban America is via a curbside mail receptacle, often accessed directly by mail truck. By contrast, multi-family communities, such as condominiums and garden apartments, have traditionally been serviced by a shared Cluster Box Unit (CBU), either located interior to the building or at a common accessible site.

However, the last 20 years has seen an extraordinary growth in new single-family subdivisions, many of which adopted many characteristics of a multi-family community, including a mix of detached and attached units, shared amenities, commonly maintained open space, and restricted access points such as a gated community. Coinciding with this trend, the United States Postal Service has seen reduced revenues due to competition with private express carriers, innovations in delivery services through online ordering as well as dramatically oscillating fuel prices. These competitive pressures have caused the Postal Service to reduce curbside delivery as a cost-cutting measure.

How is the United States Postal Service structured?

The United States Postal Service is an independent branch of the executive office of the U.S. Government and is governed by the nine-member Board of Governors appointed by the President of the United States. The only Congressional oversight is via the fact that the board member appointees are confirmed by the U.S. Senate. The Board of Governors is not to be confused with the Postal Regulatory Commission, which is an independent oversight Commission whose members are also appointed by the President and confirmed by the Senate.

NAHB research has determined that the United States Postal Service is a highly decentralized operational system with very little centralized policy dictating the day-to-day operations of the service, with the exception of the Postal Operations Manual.

Changes in Federal Requirements Relating to Mail Delivery Services

Effective April 5, 2012, the Postal Service revised Postal Operations Manual (POM) subchapters 61, 63, 64, and 65 in selected subsections to provide updated and revised information and procedures regarding modes of delivery and delivery equipment.

The revised procedures apply to new deliveries added to the delivery network; however, the revisions also provide updated language on centralized delivery equipment that may apply to current delivery points as well. It is important to note that Postal Service representatives are still required to meet with builders and developers early in the process to ensure the best choices are made and to assess if the mode of delivery directed to be put in place conforms to the policies of the Postal Service.

Types of Delivery Services

The POM allows for three (3) types of delivery options: to the door, curb line boxes, or CBU (POM 631.1). For new residential delivery, cluster mailboxes are now the default. The federal government grants discretion to the regional managers and local postmasters to determine if a form of delivery option other than CBU will be available to new development on a case-by-case basis.

New homes or businesses built within a block of existing homes or businesses receive the same type of service as older homes or businesses **subject to postmaster approval** and after consideration of Postal Service operational efficiencies.

Establishment of New Service

Establishment of city delivery service has several essential requirements, such as street signs, house numbers, paved streets, right-of-ways and turnouts, satisfactory walkways, installed mail receptacles or door slots, and a certain minimum postal population. One of these basic requirements is that at least 50 percent of the building lots in the area to be served are improved with houses or business places. (POM 641.2) **However, many developers and home owners would like to have postal delivery service established in a subdivision prior to reaching the 50% occupancy mark. Thus, the 50% rule may be waived if: (1) there is a reasonable expectation that the requirements can be met within 12 months, and (2) CBUs are to be used for delivery. (POM 642.2)**

Standards for CBUs

The U.S. Postal Service at the federal level directs that CBUs may be approved for use at one or more central delivery points within a residential housing community. **The local postal manager must approve the mailbox sites and type of equipment.** However, boxes must be safely located so that customers are not required to travel an unreasonable distance to obtain their mail and to provide sufficient access to mailbox locations. Normally, within one block of the residence is considered appropriate (POM 631.441). If local postmasters are demanding more spread-out CBUs such that travel to the box is unreasonable, then this federal guidance is a good place to start. **Again, the federal government grants discretion to the regional managers and local postmasters to authorize a delivery method other than CBU.**

Resources and Strategies for Members and Associations

1) Talking with Your Regional Manager or Postmaster

As was mentioned previously, the United States Postal Service is a highly decentralized organization and much of the policy decision making will derive from your regional postmaster, with guidance from such centralized policy as the Postal Operations Manual. It is therefore critical to establish a relationship with this office.

Be advised that in order to take advantage of the 50% rule waiver mentioned previously in order to get service to the first home buyers, the CBUs become the permanent method of service for the entire community. **Discussing these issues with your regional Postmaster during the design phase of development can hopefully plan for a clear transition to a delivery service that is most appropriate for the community being developed.**

2) NAHB Resolution on Cluster Mailboxes

In the spring of 2014, NAHB passed a resolution supporting the continuation of providing an option for curbside mail delivery to new developments. The resolution advised local HBAs and home builders of their ability to advocate to their regional postmaster for mailbox delivery system choice and urged USPS to abandon efforts to completely eliminate curbside delivery countrywide. The NAHB Resolution is available for viewing at the following link:

<http://www.nahb.org/en/advocate/policy-resolutions/land-development/cluster-box-unit-mail-delivery.aspx>

3) Contacting your Congressional Representative

4) Talking Points Regarding CBU Delivery

When discussing these issues with your regional postmaster, consider these issues:

Security

Issues such as lighting and crime should be raised as a concern. Any remote or isolated location that may expose a resident to criminal activity could be a dangerous liability. Curbside delivery reduces these risks by providing mail at or very near a person's residence.

Access

Other considerations that should be brought up are access for the elderly and persons with disabilities. For those who cannot drive to a CBU and pick up their mail, the lack of curbside delivery could be a major inconvenience. This should especially be a consideration for 55+ communities.

Maintenance

Builders and developers should raise the concern that maintenance of the structure over time will be critical not only to maintain the aesthetic quality of the residential subdivision, but also the viability of the unit and any accompanying structure. In subdivisions that lack a homeowners association (HOA), it may be unclear whose responsibility it will be to maintain the structure and the surrounding ground. Does this policy now force the creation of HOAs for all new subdivisions?

Inappropriate Development

Often times, communities designed with amenities or centered near an amenities center (such as a clubhouse, pool, or some other civic space) can more easily provide for safe locations for CBUs within a single-family community.

Although, these kinds of single-family communities, which are often maintained by a common HOA, have increased in recent decades, a large number of new single-family communities are still developed as a subdivision of homes with no homeowners association and little or no common space or common maintenance provided. For these communities, providing CBUs may prove more difficult.

Case Study: Tidewater Builders Association

Problems with CBUs for the Tidewater Builders Association (TBA) began with a project in Chesapeake, Virginia with regard to implementation and enforcement of the new POM guidelines. TBA members expressed their willingness to comply with the new policy going forward, but were concerned that there was no easy way to implement the policy in retrospect as it would require dedicated land and the creation of an HOA. They requested that any project that had preliminary subdivision plan approval through the planning department be grandfathered in under the old criteria, and that a date be set for a grace period for the new policy to take effect, as there is with most new regulations and mandates.

The USPS was completely unresponsive to member's requests, which is a major problem for builders who rely on strict construction deadlines that can often times cost thousands of dollars per day if construction falls behind.

TBA sought the intervention of an influential member of Congress and worked with their Congressman, Randy Forbes, and his staff who promised or organize a meeting with Congressman Forbes, TBA, and the Richmond USPS office in an effort to further address these concerns. In the event that this meeting is unsuccessful the Congressman promised to convene a meeting with the Postmaster General in Washington D.C.

It was a long road to get to this point with the Congressman's office, but one that was well worth the effort, and there can be many lessons learned from the TBA experience. TBA reached out the Congressman Forbes office the first time through the formal inquiry process and received a rather generic response which included a letter from the USPS informing them of the new guidelines and a Cluster Box Developer Packet. Congressman Forbes office receives many inquiries from constituents and must work within the laws and guidelines that govern casework performed by a Member of the House. Working with the USPS proved to be even more difficult for the Congressman's staff as it is an independent establishment of the executive branch of government. After receiving an unsatisfactory response from the regional Postmaster's office, the Congressman's office promised to organize a meeting between their offices, TBA. And the Richmond USPS office to further address these concerns. If that meeting is not successful they further promised to convene a meeting with the Postmaster General in Washington, D.C. TBA did ultimately reach an agreement with the Regional Postmaster that all projects in the region approved prior to April 8, 2016 would be grandfathered in under the old rules. They are still working on obtaining a grace period through November for all other projects.

Lessons Learned

1. Due to the fact that the USPS is a highly decentralized organization, a lot of control over implementation lays with the Regional Postmaster. Convening a meeting between Builders, the Regional Postmaster and local Planning Staff to review the new requirements and agree upon a system of grandfathering, an implementation date, and a plan for outreach to the development community can be beneficial for all parties.
2. Ask the Regional Postmaster to conduct a presentation on the design, location, maintenance, etc. of these systems and allow developers and planners the opportunity to ask questions in order to better understand these new requirements.
3. Working with your Congressman's office to obtain grandfathering for projects already approved can be beneficial if you have an unresponsive Regional Postmaster, but be patient as this process may take some time. In the meantime educate your builders on the new rules and requirements for all projects going forward.

If you would like to speak directly to an NAHB staff member on this issue, please contact Claire Worshtil in Land Use and Design at 1 (800) 368-5242 ext. 8309.