

CITY OF WEST LINN  
PLANNING COMMISSION MINUTES

Wednesday, July 16, 2008

**Draft**

Members present: Vice Chair John Kovash and Commissioners Shawn Andreas, Valerie Baker, Robert Martin, Dean Wood and Ron Whitehead.

Staff present: Bryan Brown, Planning Director; Gordon Howard, Staff Attorney; and Chris Kerr, Senior Planner

Members absent: Chair Michael Babbitt

**CALL TO ORDER**

Vice Chair John Kovash called the Planning Commission meeting to order at 7:00 p.m. in the Council Chambers of City Hall.

**APPROVAL OF MINUTES**

**Commissioner Whitehead moved to approve the Minutes of June 18, 2008. Commissioner Martin seconded the motion and it passed 5:0.** Commissioner Baker abstained.

**PUBLIC COMMENTS (None)**

**PUBLIC HEARINGS**

(Note: Full copies of the staff reports and all related documents for the hearings on the agenda are available for review through the Planning Department.)

**DR-08-01/VAR-08-01/WAP-08-01, Holiday Inn Express Design Review, Variance and Water Resource Area Protection at 2400 Willamette Falls Drive** (This application was to be re-noticed and heard at an undetermined future date.)

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**PLN-08-02, Wildlife Habitat Plan**

Vice Chair Kovash recalled that the hearing had been continued from July 2, 2008; when the public hearing had been closed and the Commission had begun deliberations.

*Staff Report*

**Chris Kerr, Senior Planner,** presented the staff report (See Planning & Building Department Staff Report dated July 2, 1008). He explained that that the proposed Wildlife Habitat Areas Map and Inventory, code amendments and action measures would protect land that had been identified as significant wildlife habitat in 2002. He clarified that the staff had removed about 63 acres that had been developed since the 2002 inventory, and 411 acres of open water area along the rivers. He said the amendment used a new Code term, "habitat friendly development practices." He pointed out that since the previous hearing the staff had added an action measure that called for the City to encourage and support private property owners to take advantage of any federal, state or regional programs (such as tax abatements, conservation easements and

grant programs) that would preserve and protect wildlife habitat areas on private property. The other two action measures they recommended called for action to ensure the Code did not present barriers to habitat-friendly development practices, and for new guidelines for habitat-friendly development practices.

During the questioning period, Vice Chair Kovash reported that most of the significant sites to be protected by the current proposal were already protected in some manner. They were in riparian areas or on steep slopes, and they were already protected in a City park or natural area or by existing Code. However, the staff explained that the inventory identified some upland wildlife habitat that would experience development pressure, and they recommended that the City hire a consultant to develop policy options for protecting it. Mr. Kerr said he believed that a large percentage of identified significant habitat was on City-owned land. When asked if the action measures called for the City to ask – but not require – a developer to use habitat-friendly development practices, he clarified that they called for the City to examine the Comprehensive Plan and Code and identify and change any standards or policies that could discourage habitat-friendly development practices. The Commissioners recalled they had discussed open water areas at the previous hearing. When asked why the inventory had not been adopted in 2002 and why they proposed a more extensive map than the Metro map, the staff explained that the inventory had not been adopted in 2002 because the City had other, pressing, Goal 5-related issues to address and upland habitat protection was not required by Metro. However, the staff was now ready to recommend protection of upland habitat that was not as well protected as riparian habitat. They clarified that Metro's Habitat Conservation Area (HCA) map had served as the consultant's starting point, but the proposed map protected a more extensive area than the Metro map. They confirmed that they could easily return the 411 open water acres to the inventory if the Commissioners directed them to do that. Commissioner Martin asked them to fashion such language. The staff clarified that the purpose of the Inventory was to identify significant habitat and the consultants had described each site in detail, except for the "open water" acres, which they had simply labeled "open water." They explained they did not anticipate development pressure to develop land that was often under water. Commissioner Martin explained he believed including and mapping open water acres would make the area of protection clearer to the public.

Commissioner Baker asked if and why an undeveloped parcel above the Oak Savannah on Tannler Drive had been removed from the Inventory. The staff explained that site had not been listed in the original Inventory, so they did not include it in the proposed inventory. Commissioner Baker asked if code changes resulting from the proposed action measure that called for the City to encourage habitat-friendly development practices might actually prohibit development on some sites. Mr. Kerr acknowledged that was theoretically possible, but the purpose of that action measure was to ensure there were no impediments to habitat-friendly development practices. Commissioner Baker then indicated she was willing to rely on public involvement to help guide the process of revising the Code.

**Commissioner Martin moved to amend the proposal to include the river acreage. Commissioner Wood seconded the motion and it passed 6:0.**

**Commissioner Martin moved to recommend that the City Council adopt the proposed amendment to Comprehensive Plan, Goal 5, Section 2. Commissioner Whitehead seconded the motion and it passed 6:0.**

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**ITEMS OF INTEREST FROM STAFF**

*Imagine West Linn Update 2008 review and discussion (PLN-08-01)*

**Chris Kerr, Senior Planner**, presented the staff report (See Planning & Building Department Memorandum dated July 9, 2008). He recalled that the City had hired Siegel Planning Services, LLC, to update the 1994 version of *Imagine West Linn* and the Commissioners had discussed the draft update with City Counselors at a joint work session on June 2, 2008. He asked for additional comments to take back to City Council. Commissioner Martin indicated he was concerned that the “Preferred Future with a Vision” section envisioned a “river esplanade.” He suggested removing that phrase because building an esplanade would impact on habitat along the river and there were alternative ways to achieve a multi-faceted riverfront that allowed many uses, but protected wildlife, such as natural areas with trails. He said he had other reasons to not favor an esplanade. The staff offered to forward his and other Commissioners’ comments to the consultant who was advising the City Council. Mr. Kerr clarified that the purpose of the update was not to change the previously established vision, but to update it by correcting incorrect data, removing action items that had already been accomplished; and adding a new “Sustainability” section.

Commissioner Wood advised that the Recreation Action Item calling for prioritizing trails along the rivers could impact views. Commissioner Baker indicated she did not favor the draft update because the “Land Use and Quality of Life” section did not say that West Linn would be a “green” city by 2040 and explain what the City had to do to accomplish that. She advised that each component of the document needed to be “greener” and explain how the City would become “eco-friendly” and deal with limited resources. Commissioner Wood said it was presumptuous to assume the City would acquire the existing paper mill site. Mr. Kerr recalled that issue had been discussed in the joint work session and the Councilors had asked the consultant to revise that language to indicate the City would work with the mill owner. The staff confirmed the City now included eleven neighborhood associations.

Vice Chair Kovash questioned whether the sections, “Probable Future if No Action is Taken” and “Preferred Future with a Vision” were realistic enough. He observed the document did not address the facts that Highway 43 could not be expanded beyond two lanes for lack of adequate right-of-way, and that West Linn’s population was projected to grow 60% by 2040. He questioned whether there was adequate basis for its prediction regarding regional traffic flow. He noted the document envisioned a reduction in tree cutting, but he reasoned that the increase in population would lead to more tree cutting. He referred to the Appendix section listing: Specific Achievements to Recommended Action Measures from the Original *Imagine West Linn* Document: He questioned why the City would amend the CDC to require minimum densities per Metro and to allow more “mother-in-law” units when neighborhoods were concerned about increased density. Commissioner Baker clarified her concern that the Vision section did not

fully convey the desire of the City to be not just self-sustaining, but proactively “green,” even though the Sustainability section and the action items did that.

Commissioner Wood noticed Housing Action Item #4 called for land use policies and regulations to respond to a reduced need for square footage in homes due to an aging population and lifestyle preferences. He observed that growth seemed more “family-based,” and the trend was 2,500 sq. ft. homes on “good-sized” lots. Mr. Kerr agreed the trend in housing was contrary to that statement, and he said he would discuss that with the consultant. Commissioner Baker suggested fashioning an action item not based on square footage to address the need for affordable housing for an aging population. Commissioner Whitehead observed that families who moved to West Linn when they could afford it were often in their 40’s, and 32 years from now (in 2040) they would want to “downsize” and age in place in West Linn. Vice Chair Kovash recalled the City had struggled unsuccessfully to find a way to provide more affordable housing.

Commissioner Wood referred to the Commercial Development Action Items and asked if the document should address a need for more commercial office space rather than protecting home based businesses. Commissioner Andreas suggested the City should envision improved infrastructure and realistically evaluate how to accomplish that. He also suggested that the City would benefit from the revenue generated by additional commercial businesses, which would help balance the heavily residential city and allow more residents to work closer to home. Commissioner Martin suggested including a section to explain the assumptions underlying the vision. He wondered if those who had fashioned it had considered the affect of commercial expansion and light rail service in nearby cities, such as Tualatin and Oregon City. Mr. Kerr observed the document talked about the Stafford area, because that was “on the radar” in 1994.

#### **ITEMS OF INTEREST FROM THE PLANNING COMMISSION**

Vice Chair Kovash and Commissioner Whitehead agreed that the training video Planning Department staff had showed them was very instructive. The staff agreed to provide notebooks to the two newest Commissioners and circulate the educational CD to all Commissioners.

#### **ADJOURNMENT**

There being no other business, Vice Chair Kovash adjourned the Planning Commission meeting at 8:10 p.m.

#### **APPROVED:**

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**John Kovash, Vice Chair**

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**Date**