



Memorandum

To: West Linn Planning Commission

From: Peter Spir, Associate Planner

Date: November 16, 2010

Re: Staff's recommended conditions of approval based on Planning Commission member's discussion at the November 3, 2010 hearing. (CUP-10-03)

At the November 3, 2010 Planning Commission hearing there was considerable discussion regarding conditions of approval (COA). Commissioner Horsey, for example, expressed concern about conditions 12 and 19. There were also comments by City Attorney Ramis that conditions cannot defer discretionary action and decisions to a future date to be decided by staff with no clear and specific criteria provided.

With that in mind, staff offers the attached COA changes. For example, language that deferred decision making responsibility to the city arborist with no clear criteria like COA 18 (formerly COA 19) and aspirational conditions like COA 9 requiring negotiation with a property owner on Rosemont Road are recommended for change.