



Memorandum

Date: August 8, 2013
To: West Linn Planning Commission
From: Chris Kerr, Economic Development Director
Subject: CDC-13-01 – Written testimony regarding proposed “Cut the Red Tape” amendments to the West Linn Community Development Code (CDC).

Attached is public testimony received to date regarding the proposed code amendments in CDC-13-01.

Pelz, Zach

From: Sonnen, John
Sent: Wednesday, August 07, 2013 4:03 PM
To: Pelz, Zach; Kerr, Chris; Thornton, Megan
Cc: Jordan, Chris
Subject: FW: Testimony on Cut the Red Tape
Attachments: Oakes_PC_Red_Tape_Amend_EDC_07_07_13.pdf; Oakes_PC_NAs_07_31_13.pdf

John Sonnen, Planning Director
Planning and Building, #1524

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From: Michael Babbitt [<mailto:michael@mdbrealestate.com>]
Sent: Wednesday, August 07, 2013 3:55 PM
To: Sonnen, John; Shroyer, Shauna
Subject: FW: Testimony on Cut the Red Tape

Can you have copies of the attached available for the PC tonight?

Thanks,

Michael D. Babbitt | Owner/Broker | 503.770.0355
Certified REO and Short Sale Property Specialist
Licensed Broker in the State of Oregon



Taylor Group Realty
1110 NW Flanders St. Suite 201
Portland, OR 97209
Fax: 503.406.2116

From: Karie Oakes [<mailto:karieokee@aol.com>]
Sent: Wednesday, August 07, 2013 3:44 PM
To: michael@michael-babbitt.com; cwl_planningcommission@westlinnoregon.gov
Subject: Testimony on Cut the Red Tape

Please find two attachments with my testimony on the draft amendments for the Planning Commission.

Thank you,

Karie Oakes

Pelz, Zach

From: Sonnen, John
Sent: Wednesday, August 07, 2013 4:04 PM
To: Pelz, Zach; Kerr, Chris; Thornton, Megan
Cc: Jordan, Chris
Subject: FW: Proposed CDC Revisions
Attachments: Resolution_Opposing_Certain_Changes_to_the_CDC_and_Comp_Plan.pdf

John Sonnen, Planning Director
Planning and Building, #1524

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From: ericjones2009@aol.com [<mailto:ericjones2009@aol.com>]
Sent: Wednesday, August 07, 2013 1:44 PM
To: CWL Planning Commission; Ericjones2009@aol.com
Subject: Proposed CDC Revisions

To the West Linn Planning Commission:

I am writing in vehement opposition to changes to the CDC before you that are outlined in the attached Savanna Oaks NA resolution. These changes will lessen public input and involvement in an already troubled process. These changes also seem timed to alter the land use review process prior to the LOT decision coming back for reconsideration from the LUBA appeals later this year. At the very least, this creates an appearance of impropriety on the part of the city and, at worst, a stacking of the deck towards development and against citizen input/involvement. If these changes are adopted, the city should purchase a large rubber stamp reading "Approved" and lay off all but one planning staff member. A metaphoric lock will be placed on the city hall doors to keep the public away from involvement in planning process. It would mark a dark day for West Linn indeed if that were to come to pass.

Please do not adopt these detrimental changes to the CDC. Keep public access and involvement a key component of West Linn's land use process through the CDC.

Thank you for your time and consideration.

Sincerely,

Jay Eric Jones
West Linn resident

PS. Please confirm receipt of this email. Thank you.

Karie Oakes
1125 Marylhurst DR, West Linn
July 31, 2013

Re: "Cutting the Red Tape" Draft Amendments

Good evening Planning Commissioners,

I would like to speak about:

The need for Neighborhood Associations to be specifically involved in the process of amending the Comprehensive Plan, CDC, municipal code and fees.

- NAs represent a key avenue for communication to citizens and maybe even businesses.
- NAs are officially recognized entities of the City.
- NAs were formed as a program to meet the statewide planning Goal I to promote and enhance citizen involvement in land –use planning.
- NAs involvement in land-use planning is important enough that the City has established the program for a representative from an affected NA to attend the Pre-application Conference.
- NAs take their role in land-use planning seriously.
- The Planning Director presented a list outlining the modifications to four neighborhood association presidents at their meeting on June 27.
- The Public Hearing Draft of the amendments (strike out version) became available on July 26.
- Aside from the Robinwood NA, there has not been time for NAs to consider the proposed amendments.
- The amendments significantly impact NAs and the citizens they represent.
- Citizens are the biggest stakeholder and want to preserve their quality of life.
- This legislation requires broad participation and has no deadline for completion.

I request that the Planning Commission delay the public hearing so that NAs have opportunity to know about the proposed amendments and participate in the process by involving citizens in their meetings to make recommendations to the City.

Thank you.

Karie Oakes
1125 Marylhurst DR, West Linn
August 7, 2013

Re: "Cut the Red Tape" Draft Amendments

Dear Planning Commissioners:

I am concerned the Economic Development Committee did not include Neighborhood Associations in its work to provide a resolution with recommendations to the Planning Commission for this piece of legislation that will be recommend to the City Council.

Chapter 2 of the Municipal Code provisions for the EDC state in part specifically,

2.085(S)(2) The Economic Development Committee will function to bridge the gap between the business community and the City, and work in close partnership with the West Linn Chamber of Commerce, neighborhood associations, and general public;

This stated purpose and duty of the EDC has been overlooked.

As you know, the Commission and the Council have been working on this since April and have had joint work sessions to craft legislation that is acceptable to both. Staff worked with the EDC and conducted what it considers an extensive outreach to the community that in particular, included one-on-one interviews with 20 targeted business owners, developers and investors.

The EDC did not contact the eleven Neighborhood Associations to involve them like a partner. It missed the opportunity to outreach to citizens who are active in the community and land-use; and support local businesses.

It appears that the input the staff and EDC received is weighted towards business and development and NAs are now scrambling to understand the draft amendments and make their concerns heard.

Despite the public hearings of the PC and CC, there is little opportunity for NAs and citizens to provide testimony to effect change in this legislation. Let's not kid ourselves into thinking that much ever comes from public testimony made at this late stage in the game. It is expected all stakeholders will be involved early on in the process to enact legislation.

At your last work session on July 31, I spoke about why neighborhood associations (NAs) should have been given opportunity to be involved in the process to arrive at the proposed "Cut the Red Tape" amendments. I requested the Planning Commission delay the public hearing to allow NAs time to involve citizens in their meetings and provide recommendations to the Commission. Please see my statement that is attached.

I ask the Commissioners to review my previous statement in light of this new information and ask yourselves if you think this process provided NAs the opportunity to function as partners to EDC and as advisory groups to the Council.

I am disappointed that the Commission will proceed with the hearing tonight. In the very least, I think the Commission should hold a second hearing in about a month to give time for NAs to participate.

Thank you for your time and consideration. I look forward to hearing your deliberations tonight.

Savanna Oaks Neighborhood Association
August 6, 2013

Resolution

At its regularly scheduled meeting on August 6, 2013 the assembled members of the Savanna Oaks Neighborhood Association passed the following resolution:

Be it resolved that the Savanna Oaks Neighborhood Association is in opposition to the following changes in the proposed amendments to chapters of the Community Development Code and various sections of the Comprehensive Plan:

1. Eliminating “de novo” hearings which allow Neighborhoods Associations and individuals the right to present new information in an appeal to the City Council,
2. No longer allowing Neighborhood Associations the right to appeal planning decisions at no cost,
3. Subdivision applications and design reviews would no longer be heard in public by the Planning Commission but would be decided by the Planning Director,
4. Eliminating the requirement that applicants proposing new developments smaller than 25 units meet with Neighborhood Associations,
5. Changing the requirements for applicants requesting a meeting with the neighborhood associations,
6. Loosening the tree protections that help keep the West Linn tree canopy coverage one of the best in the Portland Metro area,
7. CDC 99.160 – Increasing from two to a majority the number of Planning Commissioners required to call up for review a decision from the Planning Director, and
8. CDC 99.170 – Increasing from two to a majority the number of City Councilors required to call up for review a decision made by the Planning Commission.

For the above stated reasons SONA opposes the changes in the proposed amendments to chapters of the Community Development Code and various sections of the Comprehensive Plan.

Aye: 15

Nay: 0

Abstain: 0

Submitted by
Edward Schwarz, President
Savanna Oaks Neighborhood Association

Pelz, Zach

From: Sonnen, John
Sent: Wednesday, August 07, 2013 4:05 PM
To: Pelz, Zach; Kerr, Chris; Thornton, Megan
Cc: Jordan, Chris
Subject: FW: Savanna Oaks NA - Changes Affecting Citizen Input

John Sonnen, Planning Director
Planning and Building, #1524

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From: Holly Miller [<mailto:holly.millerc@gmail.com>]
Sent: Wednesday, August 07, 2013 1:54 PM
To: Sonnen, John
Subject: Fwd: Savanna Oaks NA - Changes Affecting Citizen Input

FYI....

Begin forwarded message:

From: Savanna Oaks Neighborhood Association <SavannaOaksNA@westlinnoregon.gov>
Date: August 6, 2013, 11:34:06
Subject: Savanna Oaks NA - Changes Affecting Citizen Input
Reply-To: Savanna Oaks Neighborhood Association <SavannaOaksNA@westlinnoregon.gov>

The City of West Linn's "Cutting the Red Tape" Project

Is this email not displaying correctly?
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CITY OF
West Linn

Savanna Oaks Neighborhood Association Newsletter

Action Requested.

At tonight's meeting of the Savanna Oaks Neighborhood Association we had a presentation from the City's Economic Development Director, Chris Kerr. Chris presented

the City's "Cutting the Red Tape Project" and reviewed several of the changes it will make in the City's Community Development Code (CDC) and Comprehensive Plan.

We had 15 NA members in attendance and all expressed concerns about the proposed changes. Most of the concerns have to do with a lessening of citizen input in the City's planning and other processes.

After Chris' presentation, the members voted and approved three resolutions opposing many of the proposed changes to the CDC and Comprehensive Plan. You can [click here](#) to read one of the resolutions. The other two request the Planning Commission to postpone their hearing on these changes by 30 days to allow the Neighborhood Association to better evaluate all of the proposed changes and request that the City better define the Goals associated with the Cutting the Red Tape Project.

Please read the resolution I linked in the above paragraph. If you have concerns about these proposed changes you can attend tomorrow (Wednesday) night's Planning Commission meeting at 7 PM at City Hall or you can email the Planning Commission at cwl_planningcommission@westlinnoregon.gov. Citizen input is a critical part of our democracy and your input is important.

Please feel free to forward this email to your friends and neighbors.

Regards,

Ed Schwarz, President

Savanna Oaks Neighborhood Association

SavannaOaksNA@westlinnoregon.gov

[forward to a friend](#)

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Our mailing address is:

Savanna Oaks Neighborhood Association
22500 Salamo Road
West Linn, OR 97068

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Pelz, Zach

From: Sonnen, John
Sent: Wednesday, August 07, 2013 4:07 PM
To: Pelz, Zach; Kerr, Chris; Thornton, Megan
Cc: Jordan, Chris
Subject: FW: Changes to the Comprehensive Plan

John Sonnen, Planning Director
Planning and Building, #1524

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From: Sandy Greenwald [<mailto:sandy.green.wald@gmail.com>]
Sent: Wednesday, August 07, 2013 2:26 PM
To: CWL Planning Commission
Subject: Changes to the Comprehensive Plan

Dear Planning Commissioners,

I am writing to express concern that the changes contemplated to the CDC and Comprehensive Plan will seriously limit citizen's ability to affect the planning process. I support the resolution submitted by the Savanna Oaks Neighborhood Association. I feel too many concessions are being made to facilitate development. Quality of life is more important than economic development. Protecting the interests of existing residents should be a higher priority than smoothing the path for developers.

I particularly object to the statement in Staff Response to Goal 14. page 8 :
The proposed amendments serve to increase the livability of the community by making more efficient use of land (e.g. expanding lot coverage, reducing parking requirements, increasing building heights).

Making buildings larger, and squeezing them closer together, does not strike me as a likely way to increase the community's livability.

I am also very concerned that up to 6 story hotels and superstores will be permitted by administrative decision, without a Planning Commission hearing. To me, these projects by their very nature require closer review and public participation.

I urge you not to implement these changes in haste, and to allow time for due consideration by the citizens. It seems to me the early stages of this process have been driven by applicants; now is the time to hear from residents.

Sincerely,

Sandy Greenwald
3680 Fir Grove Rd
541-840-3965

Pelz, Zach

From: Sonnen, John
Sent: Wednesday, August 07, 2013 4:07 PM
To: Pelz, Zach; Kerr, Chris; Thornton, Megan
Subject: FW: Savanna Oakes Resolution

John Sonnen, Planning Director
Planning and Building, #1524

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From: JD Litvin [<mailto:djlitvin1@gmail.com>]
Sent: Wednesday, August 07, 2013 2:26 PM
To: CWL Planning Commission
Subject: Savanna Oakes Resolution

I would like to go on record supporting the Savanna Oakes Neighbor Association and the two added resolutions opposing changes to the CDC!!

Donna Litvin
2641 Warwick St
West Linn

Pelz, Zach

From: Sonnen, John
Sent: Wednesday, August 07, 2013 3:24 PM
To: Pelz, Zach; Kerr, Chris; Thornton, Megan
Subject: FW: Resolution Opposing Changes to the CDC and Comprehensive Plan
Attachments: Resolution Opposing the timing of the Planning Commission meeting requesting information on economic goals.pdf; Resolution Opposing the timing of the Planning Commission meeting regarding the proposed Cutting the Red Tape changes.pdf

John Sonnen, Planning Director
Planning and Building, #1524

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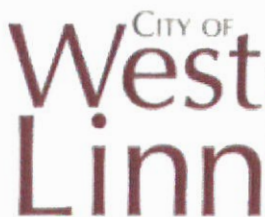
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From: Savanna Oaks Neighborhood Association
Sent: Wednesday, August 07, 2013 3:14 PM
To: CWL Planning Commission
Cc: Kerr, Chris
Subject: FW: Resolution Opposing Changes to the CDC and Comprehensive Plan

Dear Commissioners,

Attached are the other two resolutions mentioned in my email below. I will be discussing all three resolutions during my testimony this evening.

Regards,
Ed Schwarz, President
Savanna Oaks Neighborhood Association



Savanna Oaks Neighborhood Association
SavannaOaksNA@westlinnoregon.gov
P: (503) 657-0331
Web: <http://westlinnoregon.gov/savannaosaks>

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From: Savanna Oaks Neighborhood Association
Sent: Tuesday, August 06, 2013 10:43 PM
To: CWL Planning Commission
Cc: Kerr, Chris
Subject: Resolution Opposing Changes to the CDC and Comprehensive Plan

Dear Commissioners,

At tonight's meeting of the Savanna Oaks Neighborhood Association Chris Kerr presented the updates to the CDC and Comprehensive Plan that you will be considering at your Wednesday night meeting. After Chris' presentation several members of the Neighborhood Association as well as other guests expressed concerns about some of the changes being proposed.

The Neighborhood Association members passed the attached resolution opposing some of these changes by a 15 - 0 margin. We also passed two additional resolutions -- one resolution asking for a one month delay in your consideration of these changes because most of the public is unaware of the content of the proposal and a second resolution asking for an explanation of the City's goals in making these changes.

I will present all three resolutions at Wednesday night's meeting but have attached the most lengthy for your advance consideration.

I hope that you will allow the citizens of West Linn additional time to fully consider these proposed changes and grant us at least an additional 30 day period to review the proposal before your hearing it.

Regards,
Ed Schwarz, President
Savanna Oaks Neighborhood Association

Savanna Oaks Neighborhood Association
August 6, 2013

Resolution

At its regularly scheduled meeting on August 6, 2013 the assembled members of the Savanna Oaks Neighborhood Association passed the following resolution:

Be it resolved that the Savanna Oaks Neighborhood Association (SONA) requests the City of West Linn to clearly outline their specific goals for economic development and the likely impact on the West Linn community.

Our reasons for this resolution include:

1. The proposal to 'fast track' modifying City codes and processes to remove regulatory and financial barriers to positive economic developments in the City.
2. The lack of information regarding these "positive economic developments in the City".
3. How these proposed changes align with the "Imagine West Linn" goals.
4. The lack of information regarding the impact on the West Linn community.

For the above stated reasons SONA requests that the City of West Linn clearly outlines their specific goals for economic development and the likely impact on the West Linn community.

Ayes: 15

Nay: 0

Abstain: 0

Submitted by
Edward Schwarz, President
Savanna Oaks Neighborhood Association

Savanna Oaks Neighborhood Association
August 6, 2013

Resolution

At its regularly scheduled meeting on August 6, 2013 the assembled members of the Savanna Oaks Neighborhood Association passed the following resolution:

Be it resolved that the Savanna Oaks Neighborhood Association (SONA) is in opposition to the timeline for the Planning Commission meeting regarding the proposed "Cutting the Red Tape" amendment. We request a one month delay to allow sufficient time for community review of the proposal and preparation of a response.

Our reasons for this opposition include:

1. Municipal Code 2.085(s)(2) requires that the economic committee work in close partnership with the West Linn Chamber of Commerce, neighborhood associations and general public .
2. The timing of the "Cutting the Red Tape" does not allow sufficient time for these bodies to provide input and so does not meet this code requirement.

For the above stated reasons SONA opposes the timing of the August 7th 2013 Planning Commission Meeting at which the "Cutting the Red Tape" proposal is to be discussed.

Ayes: 15

Nay: 0

Abstain: 0

Submitted by

Edward Schwarz, President

Savanna Oaks Neighborhood Association

Pelz, Zach

From: Sonnen, John
Sent: Wednesday, August 07, 2013 12:45 PM
To: Pelz, Zach; Kerr, Chris; Thornton, Megan
Cc: Jordan, Chris
Subject: FW: "Cutting the Red Tape Project"

John Sonnen, Planning Director
Planning and Building, #1524

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From: Ken Pryor [<mailto:paragon399@yahoo.com>]
Sent: Wednesday, August 07, 2013 12:29 PM
To: CWL Planning Commission
Cc: Schwarz, Ed
Subject: "Cutting the Red Tape Project"

The **"Cutting the Red Tape Project"** presented by the City's Economic Development Director, **Chris Kerr** abrogates the Comprehensive Plan and the Imagine West Linn project that was worked on for two years.

What is the plan??? Exactly what is it we are aiming for? What is the proposed level of revenue WL is seeking to attain? What is the size of the city's population at that point? What is the impact to infrastructure? What is the tax burden for citizens?

"Cutting the Red Tape Project" appears to be a plan to minimize citizen participation and groom the CDC to become **"Developer Friendly"**.

By all means kill the "Cutting the Red Tape Project"

Ken Pryor

Pelz, Zach

From: Sonnen, John
Sent: Wednesday, August 07, 2013 9:40 AM
To: Pelz, Zach; Kerr, Chris; Thornton, Megan
Cc: Jordan, Chris
Subject: FW: Cutting the red tape project

John Sonnen, Planning Director
Planning and Building, #1524

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From: Steven Seavey [<mailto:seavey@lclark.edu>]
Sent: Wednesday, August 07, 2013 8:56 AM
To: CWL Planning Commission
Subject: Cutting the red tape project

WL Planning Commission,

Please reconsider the schedule for receiving citizen input to the proposed changes to the City's Community Development Code and Comprehensive Plan. There is a need for careful consideration of the Cutting The Red Tape Project, but I have not had sufficient time to do this, and will be unable to provide feedback at tonight's scheduled meeting.

Steven Seavey
West Linn resident and member of Savanna Oaks Neighborhood Association

Pelz, Zach

From: Sonnen, John
Sent: Wednesday, August 07, 2013 8:34 AM
To: Pelz, Zach; Kerr, Chris; Thornton, Megan
Cc: Jordan, Chris
Subject: FW: Meeting Extension

John Sonnen, Planning Director
Planning and Building, #1524

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From: msdale7753@aol.com [<mailto:msdale7753@aol.com>]
Sent: Wednesday, August 07, 2013 6:48 AM
To: CWL Planning Commission
Subject: Meeting Extension

To the Planning Committee:

As the most recent homeowner/buyer on Weatherhill Rd (Oct 2011) and a participating West Linn citizen in my community, I am asking for more time to consider the ramifications of the "Cut the red tape rule changes". It appears there will be many changes to our road with home building and I would like to be involved with making good choices for the good of all. I think more discussions within our homeowners association are needed and there has not been enough notification for this to happen. Please extend the planning commissions next step for a month so we may all be better prepared and informed to make these important changes to our community.

Sincerely,
Mrs. Dale Seavey

Pelz, Zach

From: Sonnen, John
Sent: Wednesday, August 07, 2013 8:30 AM
To: Pelz, Zach; Kerr, Chris; Thornton, Megan
Cc: Jordan, Chris
Subject: FW: Cut the Red Tape

John Sonnen, Planning Director
Planning and Building, #1524

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-----Original Message-----

From: Curt Sommer [<mailto:curt.sommer@comcast.net>]
Sent: Tuesday, August 06, 2013 4:58 PM
To: CWL Planning Commission
Cc: Teri Cummings; Karie Oakes; Jones, Michael; Carson, Jody; Tan, Jennifer; Kovash, John; Frank, Thomas
Subject: Cut the Red Tape

To the members of the Planning Commission:

I am writing to express my opposition and extreme displeasure with the proposed code changes. This is nothing more than a thinly veiled attempt to give carte blanche to developers. The citizens are the ones who have to live with short-sighted and myopic development projects. I strongly urge you to categorically reject these changes, because there is a purpose for regulations.

And why were these codes changes scheduled for a hearing on the same day as an LOT open house? Seems like way too much coincidence to me.

Sincerely,

Curt Sommer
18490 Lower Midhill Dr.
West Linn

--

Regards,

Curt Sommer

Energy Advisor/Writer
503-407-1826
<http://ezsolarhouse.com>

Pelz, Zach

From: Sonnen, John
Sent: Wednesday, August 07, 2013 8:28 AM
To: Kerr, Chris; Pelz, Zach; Thornton, Megan
Subject: FW: Changes to City guidelines

John Sonnen, Planning Director
Planning and Building, #1524

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From: linda edwards [<mailto:lindaedwards@clear.net>]
Sent: Tuesday, August 06, 2013 6:15 PM
To: CWL Planning Commission
Subject: Changes to City guidelines

We have read the proposed changes and think these changes are not good for the city. It appears that the goal is to eliminate public participation in the process. The changes appear to be in the best interests of business. The community is left just a little short. West Linn proclaims to protect the trees but this is not what we have seen. What happens to the trees with the new guidelines? I hear people talking about wanting to move to West Linn, and it's not because they are commercially driven. It is what they call a bedroom community. The concept of 1 person making all the decisions sounds like a bad idea. What happens when there is a personal agenda? Multiple people are a better idea. You get more views, and ideas. We have lived in West Linn since 1975 and from past experience have learned that the city leaders are broken. They have also forgotten that their job is to look out for the best interests of its citizens. It was by pure chance that we happened upon the article for these changes, how many other citizens of West Linn have no idea what is going on. We all have very busy lives and how much slips by without notice till it's too late. We do have to commend the planning commission.

Respectfully Carl and Linda Edwards

Pelz, Zach

From: Sonnen, John
Sent: Wednesday, August 07, 2013 8:27 AM
To: Pelz, Zach; Kerr, Chris; Thornton, Megan
Subject: FW: Resolution Opposing Changes to the CDC and Comprehensive Plan
Attachments: Resolution Opposing Certain Changes to the CDC and Comp Plan.pdf

John Sonnen, Planning Director
Planning and Building, #1524

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From: Savanna Oaks Neighborhood Association
Sent: Tuesday, August 06, 2013 10:44 PM
To: CWL Planning Commission
Cc: Kerr, Chris
Subject: Resolution Opposing Changes to the CDC and Comprehensive Plan

Dear Commissioners,

At tonight's meeting of the Savanna Oaks Neighborhood Association Chris Kerr presented the updates to the CDC and Comprehensive Plan that you will be considering at your Wednesday night meeting. After Chris' presentation several members of the Neighborhood Association as well as other guests expressed concerns about some of the changes being proposed.

The Neighborhood Association members passed the attached resolution opposing some of these changes by a 15 - 0 margin. We also passed two additional resolutions -- one resolution asking for a one month delay in your consideration of these changes because most of the public is unaware of the content of the proposal and a second resolution asking for an explanation of the City's goals in making these changes.

I will present all three resolutions at Wednesday night's meeting but have attached the most lengthy for your advance consideration.

I hope that you will allow the citizens of West Linn additional time to fully consider these proposed changes and grant us at least an additional 30 day period to review the proposal before your hearing it.

Regards,
Ed Schwarz, President
Savanna Oaks Neighborhood Association

 Savanna Oaks Neighborhood Association
SavannaOaksNA@westlinnoregon.gov
P: (503) 657-0331
Web: <http://westlinnoregon.gov/savannaoks>

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Savanna Oaks Neighborhood Association

August 6, 2013

Resolution

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2. No longer allowing Neighborhood Associations the right to appeal planning decisions at no cost,
3. Subdivision applications and design reviews would no longer be heard in public by the Planning Commission but would be decided by the Planning Director,
4. Eliminating the requirement that applicants proposing new developments smaller than 25 units meet with Neighborhood Associations,
5. Changing the requirements for applicants requesting a meeting with the neighborhood associations,
6. Loosening the tree protections that help keep the West Linn tree canopy coverage one of the best in the Portland Metro area,
7. CDC 99.160 – Increasing from two to a majority the number of Planning Commissioners required to call up for review a decision from the Planning Director, and
8. CDC 99.170 – Increasing from two to a majority the number of City Councilors required to call up for review a decision made by the Planning Commission.

For the above stated reasons SONA opposes the changes in the proposed amendments to chapters of the Community Development Code and various sections of the Comprehensive Plan.

Aye: 15

Nay: 0

Abstain: 0

Submitted by

Edward Schwarz, President

Savanna Oaks Neighborhood Association

Pelz, Zach

From: Kerr, Chris
Sent: Tuesday, August 06, 2013 4:33 PM
To: Pelz, Zach
Subject: FW: WLWV School Dist. Comments - Cut the Red Tape
Attachments: CoWL CDC 8-1-13.PDF

Chris Kerr, Economic Development Director
Economic Development, #1538

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From: Keith Liden [<mailto:keith.liden@gmail.com>]
Sent: Thursday, August 01, 2013 12:13 PM
To: Kerr, Chris
Cc: 'Tim Woodley'; 'Remo Douglas'
Subject: WLWV School Dist. Comments - Cut the Red Tape

Chris,

We appreciate the opportunity to comment on the proposed plan and CDC amendments to be considered by the Planning Commission next week. A letter from the district is attached.

Please feel free to contact Tim or me if you have any questions or would like to pursue any of our suggestions further.

Keith Liden, AICP
503.757.5501

Pelz, Zach

From: Sonnen, John
Sent: Tuesday, August 06, 2013 3:57 PM
To: Pelz, Zach; Kerr, Chris
Subject: FW: meeting conflict tomorrow night

John Sonnen, Planning Director
Planning and Building, #1524

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From: shanonmv@comcast.net [<mailto:shanonmv@comcast.net>]
Sent: Tuesday, August 06, 2013 3:56 PM
To: CWL Planning Commission
Subject: meeting conflict tomorrow night

Hello City Planning Commissioners,

I would like to request a postponement of tomorrow nights meeting on the city code changes. There are many of us who would like to be able to share comments publicly but are also needing to be at the LOT Water Partnership meeting tomorrow night.

These two meetings were scheduled at conflicting times and that is a problem for many. Please consider a postponement so the public can fairly be involved in the process.

Thank you for your time,
Shanon Vroman



West Linn – Wilsonville Schools

July 31, 2013

Chris Kerr
Economic Development Director
City of West Linn
22500 Salamo Road
West Linn, OR 97068

RE: Cut the Red Tape

Dear Mr. Kerr,

The West Linn-Wilsonville School District appreciates the opportunity to comment on the proposed amendments to the Community Development Code (CDC) and the Comprehensive Plan. As a frequent applicant for development permit approvals, the district appreciates the city's interest in streamlining the permit process in a way that may reduce costs and unnecessary delays while retaining a robust public involvement process and the delivery of quality developments that are assets to the community.

The following comments are organized according to the Public Hearing Draft, dated July 26, 2013.

Comprehensive Plan

Recommended Action Measures (p. 6). Measure 9 to "develop and maintain" a good district-city relationship.

The district and city have been continuously developing a stronger working relationship, and the district hopes this will continue.

Land Use Appeals

99.280 Type of Appeal Hearing and Scope of Review (p. 10).

Shifting from conducting appeal hearings "de novo" and confining the scope of an appeal to the record and the issues noted in a request to appeal would be beneficial to applicants, the public, and the review body. An appeal hearing may then effectively and efficiently focus on resolving the issues rather than re-opening the case completely.

Variances and Special Waivers

Chapter 75 Variances (pp. 12-18).

The district always strives to meet all of the CDC requirements. The proposed amendments should allow greater flexibility while honoring the purpose of the regulations being modified.



West Linn – Wilsonville Schools

Procedural Amendments

Neighborhood Contact (pp. 19- 22).

The district is fully committed to public involvement and review of its school improvement projects. The proposed amendments to the neighborhood notification process should provide the same level of notice as required today with a simpler process.

Approval Authority (pp. 22- 24).

Because design review generally has very clear and objective standards, including Class II design review under the Planning Director's purview makes sense.

Applicability and Exemptions (pp. 24- 26).

Under the 55.025 Exemptions section, the district recommends modifying the "architectural replacements" provisions in subsection D. to include minor building additions and modifications. Perhaps the extent of the additions and modifications could be limited consistent with the variance provisions. Also, adding a comparable subsection to subsection D. that would exempt similar site modifications, such as landscaped areas and playgrounds would be appropriate.

Greater Flexibility

Computation of Required Parking Spaces and Loading Area (pp. 41-42).

Allowing on-street parking spaces to be counted toward the minimum parking requirement is supported by the district. In an effort to minimize the visual and environmental impacts associated with surface parking, this type of provision is becoming increasingly common in Oregon. Many of the district's schools have significant street frontage, which is available for parking during school hours and special events. It is appropriate to count this available parking capacity toward meeting the parking standards.

Relationship to the Natural and Physical Environment (pp. 53-56).

A new subsection on the top of page 54 states that "(T)he applicant shall preserve trees in the following order of priority.." and then lists an order below. While this order of priority is reasonable as a guideline, following it literally may not be feasible in some cases. For example, Trillium Creek Primary School had to construct a driveway across a water resource area with trees. The city should consider how these requirements would work in practice and adjust them accordingly.

The proposed removal of the confusing heritage tree provisions should be helpful without compromising tree protection.



West Linn – Wilsonville Schools

Removal of Ineffectual and Redundant Code

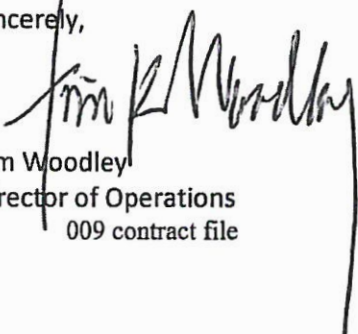
No specific comments.

Additional Comment - Portable Classrooms

As enrollment increases, the district periodically needs to install portable classrooms. Although such classrooms are considered temporary by the district, they may need to remain on a school site for several years before a capital bond is approved to enable the district to permanently expand capacity. The process to install and remove portables has proven to be cumbersome for the district because a conditional use process is necessary to install and remove the portable classrooms. The district would like to work with the city to enable review of portable classrooms using the design review process.

Thank you for the opportunity to comment.

Sincerely,



Tim Woodley
Director of Operations
009 contract file

Pelz, Zach

From: Sonnen, John
Sent: Monday, August 05, 2013 8:06 AM
To: Kerr, Chris; Pelz, Zach
Cc: Shroyer, Shauna
Subject: FW: Cut the Red Tape Amendments

Follow Up Flag: Follow up
Flag Status: Flagged

Who is keep the record for this ?

John Sonnen, Planning Director
Planning and Building, #1524

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From: Sonnen, John
Sent: Monday, August 05, 2013 8:05 AM
To: 'Scott Gerber'
Subject: RE: Cut the Red Tape Amendments

Your email will be included in the record

From: Scott Gerber [<mailto:jumpin@cmn.net>]
Sent: Sunday, August 04, 2013 10:21 AM
To: CWL Planning Commission
Subject: Cut the Red Tape Amendments

I would like to include the following letter to the planning commission in the record of discussion on the "Cut the Red Tape" amendments. Please confirm receipt

Thank you
Scott Gerber
3940 Kenthorpe Way
West Linn, OR
503-744-0817

TO THE WEST LINN PLANNING COMMISSION:

I am writing to comment on the proposed "Cut the red tape" amendments that are under consideration for the city of West Linn.

To begin with, this entire concept encompasses many very serious changes to the city's Comprehensive Plan and CDC under the umbrella of creating a positive environment for economic development. I question the necessity for some of these proposed changes and feel like this is being ramrodded through the system without appropriate consideration for all the implications of what these changes will mean. For example, one of the proposed changes is a blanket removal of the City Council goals as they are written in the current plan. It states that "staff does not recommend including the annual goals of any individual Council into the Plan". I take exception to this on several accounts, the first being that this section of the Plan is not exclusive to anybody's annual goals. I include those goals below:

1. Maintain and protect West Linn's quality of life and livability.

Pelz, Zach

From: Kerr, Chris
Sent: Monday, August 05, 2013 9:42 AM
To: Pelz, Zach
Subject: FW: WLWV School Dist. Comments - Cut the Red Tape
Attachments: CoWL CDC 8-1-13.PDF

For the record – and review the tree item – let’ discuss..

Chris Kerr, Economic Development Director
Economic Development, #1538

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From: Keith Liden [<mailto:keith.liden@gmail.com>]
Sent: Thursday, August 01, 2013 12:13 PM
To: Kerr, Chris
Cc: 'Tim Woodley'; 'Remo Douglas'
Subject: WLWV School Dist. Comments - Cut the Red Tape

Chris,

We appreciate the opportunity to comment on the proposed plan and CDC amendments to be considered by the Planning Commission next week. A letter from the district is attached.

Please feel free to contact Tim or me if you have any questions or would like to pursue any of our suggestions further.

Keith Liden, AICP
503.757.5501

2. Actively support and encourage West Linn's neighborhood associations and promote citizen involvement in civic life. Establish and maintain policies that give neighborhoods real control over their future.
3. Maintain and strengthen trust and credibility in City government.
4. Preserve and protect West Linn's water resources.
5. Maintain a budgetary process that is fiscally prudent and provides quality and cost-effective City services to the citizens of West Linn.
6. Promote land use policies, both locally and regionally, that are based on the concepts of sustainability, carrying capacity, and environmental quality.
7. Foster an active partnership with the School District that promotes a safe and positive learning environment for West Linn's students.
8. Maintain openness and accessibility for the public to the members of the City Council.
9. Oppose urbanization of the Stafford Triangle and pursue policies that would permanently retain that area as a rural buffer between West Linn and neighboring communities.
10. Pursue City policies predicated on the assumption that growth should pay 100% of the cost impacts it creates.
11. Assert through both planning and policy that compatibility with existing development should be a primary goal in West Linn's land use process.

There is not one of these that is exclusive to any "individual Council". Furthermore, these are relevant and important elements of the Comprehensive Plan. How does eliminating these goals aid in promoting economic development in West Linn?

The Comprehensive Plan for the city is far too important a document to allow this type of a change to be accomplished under the broad heading of some other agenda. If there are changes to be made to it, they should be made with the input of the entire planning commission and a citizen's group in addition to the sitting city council.

Another proposed change calls for "adding clarifying language stating that the definition of terms used in the Plan are only applicable when used in the Plan and not to other documents in the city". What is the purpose of this? The Comprehensive Plan should be the definitive document. According to LUBA, in a case where something may be allowed by local ordinance, but prohibited by the Comprehensive Plan, the Comprehensive Plan, and not the ordinance implementing that plan, controls. Land use regulations are subordinate to the Comprehensive Plan.

Again, any changes to language here need to be carefully studied and approved by the citizenry as well as elected officials.

Then there is this: "Also, modifying the definitions of certain terms, such as "conditional use", that are incorrectly defined and in direct conflict with the CDC". Who exactly has confirmed that this term is incorrectly defined. "Conditional use" is defined in the Comprehensive Plan: "A proposed use of land which might be allowed after the city planning commission has determined that the proposed use is appropriate for the site, compatible with surrounding uses, is supported by city public facilities, and is of overall benefit to the community and meets all other relevant criteria." My guess is that in light of recent events the proponents of these proposed changes want to do something with the "overall benefit to the community" portion of that definition. Again, I have a problem with how this fits under the heading of promoting economic development in West Linn.

And then there is: "Amendments that would recognize that an approved Conditional Use is not subject to future non-conforming use requirements." Why not? I will only say that this is an issue that could spark a lot of discussion and dialogue and I, for one, would not be happy with such an amendment.

These are some examples of the problems I have with the "Cut the Red Tape" amendments. The current city staff and Council seem to have their version of what it means to promote economic development in West Linn. I am certainly not opposed to the concept. However, I am opposed to the blanket use of the concept to effect changes that reach far beyond and have the potential to conflict with the fabric of the community. I would urge the Planning Commission at the very least to slow this process down, and examine all of these proposed amendments and their relevance to the intent. I recommend the formation of a citizen's group that can come up with its own version of what promoting economic development should encompass, and then all parties can meet and develop a real and viable plan.

Respectfully
Scott Gerber
West Linn