



# CITY OF West Linn

April 15, 2010

West Linn City Council  
22500 Salamo Road  
West Linn, Oregon

**Subject:** Draft legislative procedures

Mayor Galle and Councilors:

Attached are draft legislative procedures intended to complement the legislative procedures contained in CDC Chapter 98. These draft procedures were produced by staff and refined by the Planning Commission/Committee for Citizen Involvement. The procedures likely of most interest the City Council have been highlighted.

In our role as the Committee for Citizen Involvement, we are charged with reviewing the effectiveness of City's public involvement programs and processes, enhance and promote community involvement in the land use planning process, and advise and make recommendations to the City Council. We believe that the attached legislative procedures will facilitate timely and meaningful community involvement in the planning process. However, the process the City Council uses for handling proposed code and plan amendments could be improved to better facilitate public involvement.

Our understanding is that the City Council's current practice is to conduct a work session the week prior to the public hearing regarding the draft amendments, which were released 13 days earlier to the public. Councilors may propose substantive changes at this point. These changes are either made to the public hearing draft or identified in a separate memo, posted on the web, sent to people who have standing, and highlighted at the hearing.

This approach raises the following concerns from the public involvement perspective:

- People interested in the proposal need to track web postings and email updates during the week before the hearing to ensure that they are reviewing and preparing to comment on the current proposal.



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- Work sessions are rescheduled and hearings are continued, sometimes multiple times, when Councilors are not prepared to engage in a substantive work session prior to a scheduled hearing. This makes it challenging for community members attempting to track the project. Some people come to testify on the proposal only to find it has been continued.
- There has been confusion by both the public and Council about which version of the draft amendments is under consideration at the hearing.

## **Options for the City Council to consider:**

- **Option 1:** Conduct a briefing the week prior to the hearing. Staff would present the proposal and identify the problems/opportunities addressed by the proposed amendments and any unresolved or contentious issues that may surface at the City Council hearing. The City Council would ask questions, raise concerns, and identify additional information they want at the hearing. However, the Council would not alter the draft proposal. Consequently, there would be no need to postpone the work session and continue the hearing. The Council would wait until the work session following the public hearing, after they have had the benefit of hearing public testimony, to discuss and act upon the draft amendments.
- **Option 2:** Conduct a briefing/work session regarding the Planning Commission's recommended draft prior to issuing the notice for the public hearing and releasing the public hearing draft. The City Council would be briefed as in Option 1 but they could identify changes that they want incorporated in the public hearing draft. This would enable the Council to solicit public review and comment on alternative language that they are considering. Because the Council's amendments would be incorporated in the public hearing draft, the public would have sufficient time to review the entire proposal prior to offering testimony. There would be no confusion at the hearing about multiple versions of drafts and last minute changes.
- **Option 3:** Continue the substantive work sessions a week prior to the hearing, keep the public hearing draft intact, and identify proposed amendments in a memo. This approach would avoid the confusion regarding multiple versions of the draft amendments.



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The Committee for Citizen Involvement recommends Option 2. Thank you for considering our recommendation.

Best regards,

A handwritten signature in black ink, appearing to read "Robert Martin".

Robert Martin

Chair, West Linn Planning Commission and Committee for Citizen Involvement