

The following notes are an attempt to give the necessary information to discuss various suggestions to changes to the CDC, Comp Plan and Charter. The suggested changes are modifications to the way that citizens are involved in land use decisions.

The role of the CCI is to evaluate each change, decide if you think that it is worthy of further discussion, and then to suggest potential revisions. Your combined revisions, along with a staff report, will then be presented to the Planning Commission for formal public hearings. The results of the Planning Commission hearings will then be forwarded to the City Council for a final set of hearings and potential adoption.

In evaluating each change, the focus of the CCI should be primarily on whether examination of the issue will potentially improve citizen involvement. It is not necessary to decide the issue, just to decide whether the issue is worthy of further examination. For example, the decision about whether appeals should be "on-the-record" or De Novo may be something where you make a suggestion but leave it to the PC or CC to decide. Your findings should identify why the change is needed and explain the pros and cons of the change. You should suggest specific language for the change where possible.

In the following pages I have identified some potential issues. For each issue, I have referenced the code section that should be examined. If the code was recently changed, I have referenced the ordinance number and section that changed the code. I have also included a short explanation where I could.

You should feel free to add to this list as you see fit. The Planning Commission has agreed to hear these suggestions starting September 1 and to try to get them to the Council by October 1.

ITEM: Citizen Advisory Boards  
CODE: MC 2.035 - 2.080  
ORDINANCE: 1637 2014-12-08

The changes to the Citizen Advisory Boards have already been discussed, but it might be worthwhile to look at the overall direction of the suggested changes. The goal of the changes is to insure that the CAB works on areas as directed by the Council and assisted by staff. The intent is that staff facilitates and that the advice received by the Council reflects the beliefs and direction of the CAB. There is a danger that staff can usurp the role of the CAB, making the CAB a rubber stamp board.

To protect against this, the suggested changes ask the following:

1. The CAB chair signs any memos from the CAB to the Council ( 2.045(3))
2. Membership adds an alternate to serve when a vacancy occurs (2.035)
3. The chair and staff liaison jointly set the agenda (2.065)
4. City Councillors may not chair or vote on CAB's (add 2.077)
5. Add the Arts Commission back to the list of CAB's (2.075)
6. Specify that CAB members are appointed in January after new council is sworn in.(2.079)

ITEM: Standing and Appeals  
CODE: CDC 99  
ORDINANCE: 1622 2014-12-08

Changes were made to how a citizen obtains standing and to the nature of appeals.

ORD 1622 Section 8 removed the words "sign in sheet or" from CDC 99.140. B. Prior to this, attending the meeting and signing the sign in sheet gave you the right to appeal a decision. After this only people who filled in a testimony form had the right to appeal. reversing this change would make it easier for people who attended to join an appeal.

ORD 1622 Section 5 changed appeals from De Novo to "on the record". This is a significant change. In both cases, the application must stay the same. In an "on the record" appeal, the hearing body must make their decision based solely on the information presented in the previous hearing. No new information may be introduced. In a De Novo hearing, both sides may introduce new information.

If action is taken on this issue, we would restore 99.250, 99.260, 99.270 and 99.280 to their previous form.

ITEM: Comp Plan Changes  
CODE: Comprehensive plan  
ORDINANCE: 1622 Sections 1, 2 and 3 2014-12-08

Section 1 Citizen Vision Goals were removed. The Citizen Vision Goals give the highest overview of the citizens desired direction for West Linn. These goals provide a basis for deciding whether something provides a benefit to West Linn. They are our clearest statement of values. They are included in the comp plan because the comp plan is the controlling document in land use decisions. While they might be clearly specified elsewhere, like the Vision statement, it is more difficult to legitimately apply them if they are left out of the comp plan. The goals should be restored.

Section 2 This section changes the definition of conditional use. Prior to this change, the comp plan required that a conditional use be of overall benefit to the community. The new language simply requires that the conditional use meets criteria, an essentially meaningless statement since that is a basic assumption of the code. The "benefit" language was the crucial language in the LOT hearing and was removed to make it easier to approve conditional uses. The original definition should be restored and the CDC should be made consistent with this definition.

Section 3 This section adds language in support of extensive economic development and removes language developed over an extended period. A change of this magnitude should be based on a more extensive outreach. While the new language could remain, the omitted language starting with "Notwithstanding these projections..." should be restored.

