



CITY OF  
**West Linn**

22500 Salamo Road  
West Linn, Oregon 97068  
<http://westlinnoregon.gov>

## COMMITTEE FOR CITIZEN INVOLVEMENT MEETING NOTES

Tuesday, October 10, 2017

5:30 p.m. - Meeting –Bolton Conference Room

Present: Karie Oakes, Bob Martin, Russ Axelrod, Ken Pryor, Emily Smith and Gary Walvatne

Citizens Present:

Staff Present: John Boyd

---

### 1) Call to Order

Meeting called to order at 5:30 p.m. Gary Walvatne was delayed (arrived at 5:45 pm).

### 2) Approval of the October 3, 2017 meeting notes:

The meeting notes were reviewed and approved. **Member Martin moved to approve the meeting notes for October 3, 2017, Member Pryor seconded. Motion passed unanimously.**

Member Martin suggested the Committee consider moving the meeting to the Rosemont Room. He asked the Chair to poll all members their interest in relocating. **Member Martin moved to change meeting location to the Rosemont Room seconded by Member Pryor. Motion passed unanimously.**

### 3) Citizen Comments

There were none

### 4) Final review of working group composition to update commercial/mixed use code and next steps – continued discussion from October 3, 2017.

Chair Oakes introduced the agenda item and Member Axelrod noted the letters were mailed and we are awaiting responses. There was no additional discussion. This item will be placed on the October 24<sup>th</sup> agenda for a review of the responses to Member Axelrod outreach letter.

## 5) Planning Process: Continuation of Problem Identification and Topics Review – continued discussion from October 3, 2017

Chair Oakes outlined the handouts provided at the meeting. Updates to the Executive Summary provided by Member Martin and a summary table provided Member Axelrod.

The Committee reviewed the table and suggested edits to the document for clarity and readability. Some changes proposed:

- The neighborhood associations meet at variable dates.
- The term material misrepresentation was raised and considered for definition or change.
  - \* When the material misrepresentation occurred during the process (before the application, during the application review or during the land use review).
- Suggested a code amendment should be considered to address substantially altered projects.
  - \* The Committee noted the issue requires more discussion to clarify the question. When clarified, the Committee may choose to send the point to the sub group or entertain the question at the CCI.
  - \* The core question of the Committee was how to treat substantially changed projects and whether the engineering review can be considered part of the initial review.
  - \* ORS 227.178 allows the applicant to submit written notice that some or no other missing information will be provided and the submittal will be considered complete. There is a risk moving forward on that path. The question will be raised on adequacy. How the criteria are met. The question raised by the committee is when is the application adequate technically versus complete?
  - \* The Committee continued how to not allow changes to be made after the application was deemed complete. For clarification, the discussion identified that changes could be allowed at the land use hearing but not during the preliminary notice phase. This allows the hearing to commence with all parties having the same information.
  - \* After review of CDC 99.120 (Amendments) the Committee considered the need to cap the quantifiable changes that occur during the hearing or land use decision process. The Committee noted often those changes occur at the request of the City.
  - \* The committee discussed that engineering design is often at a lower level of completeness until more certainty is provided in the land use process (both in location and in approval likelihood).
    - # Generally, it was agreed the post approval amendment in the CDC was acceptable. The change if needed is within the review phase.
    - # The issue related to the time available to evaluate changes during the project. The time for the public, the city and for the applicant to consider options. (This time reference discussed was during the process review).
    - # The changes during the pre-application review was also discussed. The NA expressed a concern that the material is often not well defined, there is no material or exhibits provided. Having a second meeting was considered valuable to educate the NA on the proposed project.
    - # The core concern was changes occurring during the hearing review (after the application is deemed complete).

The Committee evaluated of merit of working to solve problems (as the CCI) versus defining the question better for the new work group. They discussed the complicated questions may be too complex for the working group to grasp. Having preliminary information clarified, providing

proposed code for the working group to consider or suggested solutions may assist the start of the work group review.

There are many options that could be proposed and no solution was agreed upon. The Committee reviewed CDC 98.035 and the responsibility assigned to a working group when formed. The question related to sub C where it notes that staff prepares draft language as a starting point for the committee to begin work. All seemed to agree there would be a benefit with staff developing the initial draft.

In past meetings, the Committee has discussed a transfer of knowledge. This concept is the same and how can the work of the CCI benefit in the completion of the sub committee's tasks.

At the end of this discussion, the committee asked if the definition of "material misrepresentation" was needed. They agreed after the discussion today, it was not. Instead, the focus should be provided on the following issues:

- The changes between the submittal of the application and the engineering changes. These seemed to meld into one category.
- The questions arise of what would trigger a denial. These mainly occur before the Planning Commission as part of a land use hearing.
- The Committee requested engineering staff attend future meetings to address the feasibility of the engineering design. They want to know what issues or concerns were addressed.

In addition, the Committee considered how changes to applications are addressed by neighboring communities (Lake Oswego, Oregon City, Tualatin or Tigard). They asked those cities be polled and the CCI be updated as soon as reasonably possible.

A second issue that resurfaced was architectural, aesthetic and compatibility reviews. Those new code considerations may be added to guide the development or redevelopment of neighborhoods.

A third discussion considered road improvements, the provision of public facilities and who pays for those improvements. The question related to the criteria and how reviews are completed. They are complicated questions.

Member Martin asked for a return to how we are processing these questions. The conversation has been robust, but the process should be revisited on how to work through this information. The members will provide their comments to Member Axelrod and a revised draft will be considered at the next meeting.

The conversation ended on the review of the draft. Member Martin asked about a new meeting time. After discussing time changes, it was agreed to remain at the same time and revisit the question at a later date. The Committee discussed upcoming meetings and the weekly meetings will remain.

## 6) Member Comments

There were none.

## 7) Adjourn

Meeting adjourned at 7:10 p.m. The next meeting is October 17, 2017 at the new location of the Rosemont Room.