

PLANNING COMMISSION

Meeting Notes of October 2, 2019

Members present: Gary Walvatne, Charles Mathews, Joel Metlen, Carrie Pellett, Jim Farrell and Margot Kelly

Members absent: Lamont King

Staff present: John Boyd Planning Manager; Lynn Schroder, Administrative Assistant; Bill Monahan City Attorney; and Matthew Kahl, City Attorney

Guests: Amy Pepper, Public Works and Angela Wieland, Brown and Caldwell

Meeting video is available at this hyperlink [PC Video link](#). The meeting notes have a video time index. Each time index is provided in brackets and red text as shown in this example: (00:00:00)

(00:35)

REGULAR MEETING - CALL TO ORDER

Chair Walvatne called the meeting to order in the Council Chambers at City Hall.

(00:00:45)

Amendment to the Agenda

Vice Chair Mathews requested a discussion on the hearing process before opening the hearing. Vice Chair Mathews **moved** to amend the agenda to move “Items of Interest of the Planning Commission” before “Public Hearing: Legislative Hearing.” Commissioner Farrell **seconded** the motion.

Ayes: Commissioners Metlen, Pellett, Farrell, Mathews, Kelly, and Walvatne. Nays: None.

Abstentions: None. The motion passed 6-0-0.

(00:03:55)

PUBLIC COMMENT NOT RELATED TO LAND USE ITEMS ON THE AGENDA

There were none.

(00:4:25)

APPROVAL OF MEETING NOTES: SEPTEMBER 18, 2019

Commissioner Farrell discussed an item related to street width. Staff Boyd explained that the Commission discussion was based on an April 2019 memo from Community Development Director Williams. The April 2019 memo to the Planning Commission and City Council outlined a policy change for street improvement construction standards. A copy of Director William’s memo will be re-sent to all Planning Commissioners. Commissioners Farrell and Kelly, along with Vice Chair Mathews, asked for more detail on Page 4 related to construction traffic. As requested by the Commissioners, Staff Boyd will review the meeting audiotape and add the information discussed on that item to the meeting notes.

(00:13:20)

Vice Chair Mathews **moved** to approve the September 18, 2019 Meeting Notes as amended. Commissioner Kelly **seconded** the motion.

Ayes: Commissioners Metlen, Pellett, Farrell, Mathews, Kelly, and Walvatne. Nays: None. Abstentions: None. The motion passed 6-0-0.

(00:14:17)

ITEMS OF INTEREST FROM THE PLANNING COMMISSION

Vice Chair Mathews discussed the process of updating the Comprehensive Plan and support documents in Chapter 100 and the process for legislative changes in Chapter 98. He discussed Code language that appeared to require a final document for the recommendation to City Council rather than a draft document. After a short discussion, the Planning Commission requested the City Attorney comments. City Attorney Monahan spoke to the issue and noted the Planning Commission will review the document before them and make recommendations to Council. He noted that until the Council reviews the version, it will be a draft. He stated that the Commission should provide direction that clarifies the document that is brought forward to City Council. He outlined the process for making that change. The Commission should be clear on the final recommendation. The final document will contain the changes approved by the Commission, and the Chair will sign a transmittal letter that verifies the information as approved is correctly transmitted to City Council. The consensus of the Planning Commission was to move forward with the hearing.

(00:39:10)

PUBLIC HEARING: LEGISLATIVE HEARING TO CONSIDER PC RECOMMENDATION ON A PLAN AMENDMENTS TO GOAL 11 PUBLIC FACILITIES AND SERVICES, TO REPEAL EXISTING STORM DRAINAGE MASTER PLAN (SDMP) AND REPLACE WITH SDMP DATED SEPTEMBER 2019 AND AMEND CHAPTER 85 OF COMMUNITY DEVELOPMENT CODE (STAFF: JOHN BOYD)

Chair Walvatne opened the public hearing. He explained that the hearing is a legislative decision and, unlike a quasi-judicial hearing where decisions must be grounded in the relevant Code, legislative hearing decisions can reflect personal opinions of the Commissioners. Chair Walvatne outlined the procedure for the continued public hearing.

Mr. Monahan presented the preliminary legal matters. There were no challenges to the seating of the Planning Commission members.

(00:43:10)

The Planning Commission heard presentations from Planning Manager Boyd, Public Works staff Amy Pepper, and Consultant Angela Wieland of Brown & Caldwell.

Chair Walvatne noted that the Master Plan public project G4 was underfunded. He recognized that the Planning Commission has no authority to ask for changes in budget allocation. However, he stated that the \$100,000 valuation provided for storm water pond maintenance is not adequate. Commissioner Metlen appreciated that the issues raised in the work session were adequately addressed. Commissioner Farrell considered the two versions of draft Ordinance 1696. Staff Exhibit PC-3 showed the ordinance with changes as submitted with the application. Staff Report Exhibit PC-6 showed the ordinance with an amendment submitted in August 2019. Staff Boyd noted that the Planning Commission should decide which version of Ordinance 1696 it would recommend to Council. Commissioner Farrell completed his comparison of the two versions.

Commissioner Pellett asked about the Green Street Program. She wanted to confirm that the Plan and Code support green infrastructure. Staff Pepper noted that the Green Street Program was more of a capital facilities programming process. Staff Boyd pointed out that the alternative ordinance in Staff Report Exhibit PC-6 would retain the existing Comprehensive Plan policies for storm water. He noted that existing Policy 9 stated: "Adopt regulations to allow for the development of Green Streets in suitable locations." Commissioner Pellett then discussed how storm drainage ponds are often placed without consideration of how they will work or look, or how the ponds impact the neighborhood where they are placed.

Commissioner Farrell read again from the version of Ordinance 1696 from Staff Report Exhibit PC-3. He wanted to know why it wasn't in the final version. Staff Boyd noted the original version would have removed or altered most of the plan policies or recommended actions. The alternative version in Staff Report Exhibit PC-6 retains the original language. Staff Pepper noted the original language was proposed to be removed to clean up the language. She stated the CDC implements these actions, and thought it was no longer needed in the Comprehensive Plan. Staff Boyd clarified that the Comprehensive Plan is the big look policy document. The CDC implements the Plan. It is important to recognize the policies allowed for the creation of the implementing measures. The system requires first the support of the Plan and the implementation within the Code. The Commissioners supported the discussion as they preferred to retain the language. Staff Boyd noted the version that supported retention was the Version in Exhibit PC-6.

Vice Chair Mathews clarified the next steps, which would specify the version of the ordinance (PC-3 or PC-6) and the version of the Plan that has the changes needed. Staff Boyd stated that he would work on the listing of questions and the memo that clarifies items raised by the Commissioners.

The Planning Commission then provided an opportunity for public testimony. David Baker commented on the proposed changes to the Plan for the "Tannler Drive storm pipe." He disagreed with prioritizing the Tannler Drive storm pipe as a high priority. Instead, he suggested the Commission consider the need for improvements in areas of the City that have current safety issues such as Mark Lane and Mary S. Young Park. He asked the Commission to consider not only those who speak at the meeting but the needs of the 25,000 people within the community and be mindful of serving all of West Linn.

There were no other public comments.

(01:47:46)

Staff Boyd outlined the questions for the Planning Commission. The first question was which version of the Ordinance was preferred by the Planning Commission. Commissioners supported the recommended version of Ordinance 1696 in Staff Exhibit PC-6. The purpose of the memo is to confirm that the paper version of the Plan that is recommended by the Planning Commission is consistent with the available electronic version.

The next question was the issue with the version. He noted the white-bound version is the final draft without any markups and not have the attachments. The black-bound version has a modified

Attachment B and has the additional Table - Detention Ponds. The goal is to compile a final document that will have all of the white-bound versions with the appendices provided to the Commission. He did clarify that Exhibit B in the black-bound version will be added with the addition of the new table Detention Ponds.

Staff Boyd clarified the electronic version was the same version as the white-bound version with the appendices as originally provided except Appendix B that contains a new table. Staff Pepper concurred that was correct. The goal is to assure the product Planning Commission recommends is attached to the ordinance selected and that material is delivered to Council.

(02:01:31)

Chair Walvatne closed the public hearing.

Under deliberations, Commissioner Metlen supported the version of the Ordinance in Staff Report Exhibit 6. Planning Commissioners concurred. Vice Chair Mathews noted he supported the Exhibit 6 version of the Ordinance with the attached Storm Water Master Plan (white-bound) along with the amendments provided and described. Staff developed a memo that outlined the content of the final Plan. The final Plan is the white-bound version, adding the original attachments except for the new Attachment B which was modified with an additional table that will replace the original attachment. The Planning Commission concurred. The details were provided in a memo to staff that described the Planning Commission's direction on the contents of the Ordinance and the re-compiled plan.

(02:04:30)

Vice Chair Mathews **moved to approve** the Exhibit 6 version of the Ordinance with the attached Storm Water Master Plan with the amendments provided. This was the white-bound version with the original attachments except for Attachment B, which has an additional table. Commissioner Farrell **seconded** the motion.

Ayes: Commissioners Metlen, Pellett, Farrell, Mathews, Kelly, and Walvatne. Nays: None. Abstentions: None. The motion passed 6-0-0.

(02:18:05)

RETURN TO - ITEMS OF INTEREST FROM THE PLANNING COMMISSION

Chair Walvatne referred to an email from the City Manager asking for volunteers to beta test a new website. Commissioner Farrell noted he had volunteered but would withdraw if others were interested. There were no objections to Commissioner Farrell representing the Commission.

(02:19:55)

ITEMS OF INTEREST FROM STAFF

Staff Boyd summarized upcoming meetings and asked members to contact him if their availability changes. He reminded Commissioners of the Joint City Council and Planning Commission meeting on October 21, 2019. Mr. Boyd will confirm the meeting details and provide them on the next agenda that will be published this Friday.

(02:23.55)

ADJOURNMENT

There being no further business, Chair Walvatne adjourned the meeting.