

PLANNING COMMISSION

Draft Meeting Notes of July 1, 2020 Work Session

Commissioners present: Gary Walvatne, Charles Mathews, Joel Metlen, Jim Farrell, Carrie Pellett, Lamont King, and Margot Kelly
Council Liaison present: Bill Relyea
Staff present: Darren Wyss, Acting Planning Manager and Lynn Schroder, Administrative Assistant

1. Call To Order (time stamp 00:00:07)

Chair Walvatne called the meeting to order at 6:00 pm. Interim Planning Manager Wyss called the roll.

2. Public Comment Related To Land Use Items Not On The Agenda (time stamp 00:01:15)

None.

3. Final Review: Major/Minor Utility Definition Amendments (time stamp 00:01:50)

Wyss presented the final review for the major/minor utility definitions. The PC has held three work sessions in 2020 (February 5, 2020; May 6; June 3) to discuss the issue and recommend a solution. At the June 3 meeting, the PC found consensus on the following:

- I. An amendment to the major/minor utility definitions to clarify stormwater detention/treatment facilities are a minor utility will appropriately address the issue;
- II. Both the 1983 and 2011 definitions contain clearer language, as opposed to the last change in 2014, in distinguishing between the two "uses";
- III. Add stormwater facility language to the minor utility definition; and
- IV. Staff will draft definition amendments for final review.

Wyss presented the final proposed definitions and asked for final comments before the proposed amendments are brought forward to a legislative hearing. He noted that the City Attorney has reviewed and approved the proposed definitions. A public hearing for the proposed amendments is scheduled for August 5, 2020.

Vice-Chair Mathews noted the definition of the major utility has the same opening sentence as the minor utility. He stated that while it is necessary to categorize stormwater facilities as either a major or minor utility, his preference is to categorize the use through a Chapter 80 hearing rather than amending the Code. He stated that either a Chapter 80 hearing or a Code amendment would address the need to categorize the stormwater facility. He notes that either process will require a public hearing and allow the public to voice their opinions about the classification of stormwater facilities.

Commissioner Kelly supported the proposed definitions and was ready to move forward on the codifying the proposed definitions.

Commissioner Metlen agreed that the proposed definitions provide a better distinction between major and minor utilities. He noted that the difference between "significant" versus "minor" impacts could be subjective, but the examples provide clarification. He supported the proposed definitions.

Commissioner Farrell supported the proposed definitions. He noted that the staff work on the major/minor utility issue has been extensive. He wanted to replace the word "regional sewer" in major utility examples with another word that does not suggest a facility that serves the tri-county area.

Commissioner Pellett and King also wanted to replace the word "regional." Commissioner King cited the LOT as an example where "regional" could be misinterpreted to allow a pump station to be located in West Linn that services other jurisdictions.

Chair Walvatne suggested adding health and safety as an additional consideration to determine impacts. He asked for clarification of the term "regional." He suggested adding an "electric power plant or substation" to the examples of major utilities.

Commissioners agreed to add "electric power plant or substation" to the examples of major utilities, and "health safety" to impact considerations and to change "regional sewer pump station" to "publicly-owned sewer pump station."²

Commissioner Walvatne, Farrell, Metlen, Pellett, King, and Kelly agreed with the proposed changes to the major and minor utility definitions and supported a legislative hearing on August 5, 2020 to consider the change. Commissioner Mathews did not support the proposed changes to the definition of major and minor utilities.

4. Discussion: Residential Developable Lands Study (time stamp 00:43:35)

Wyss presented the Phase I inventory of zoning on developable residential lands that was completed in 2019. In 2018, the City Council asked for a baseline inventory of significant land parcels and existing zoning. The Phase 1 inventory was intended to be a high-level look at larger and potentially developable properties currently having residential zoning. The inventory could then be used to recognize potential conflicts between existing zoning and community goals.²

Twenty-eight developable properties larger than one acre were identified. All 28 properties have zoning that is currently consistent with their corresponding Comprehensive Plan designation and adjacent properties. Twenty-six of the properties were zoned low density. Two of the most extensive tracts of undeveloped land (14.2 acres and 22.2 acres) are composed of multiple property owners, so infrastructure planning is more complicated. Wyss noted that there is limited developed land left in the City and that it poses challenges to development. The inventory did not account for the potential rezoning of the waterfront or annexations.

Staff presented the Phase I inventory results to City Council on January 21, 2020. Staff did not find any significant conflicts between the zoning of developable residential areas identified in the inventory and the adjacent properties. Future residential development will largely be compatible with the surrounding areas. The City Council prioritized future rezoning efforts on the Waterfront Project and the Highway 43 Corridor on the Planning Docket.

5. Staff Update: West Linn's Waterfront Project (time stamp 01:05:42)

Wyss presented an update on the West Linn's Waterfront Project. The project is a planning effort to create a master plan along the Willamette River, from the Arch Bridge to the Willamette Neighborhood. The project's goal is to find consensus on a vision for future land uses and activities and implementation strategy.

Staff has completed initial project tasks, including project guiding principles, citizen open houses, and City Council tax increment financing discussion. The two near-term goals for the project are:

1. Prepare and Adopt the Willamette Falls Drive Conceptual Design into the TSP; and

2. Combine information from all open houses into a draft Master Plan to identify proposed trails, parks, open spaces, transportation improvements, and the general land use pattern for the planning area and gather community feedback.

The project's long-term goals include Historic City Hall District zoning/design standards discussion and development of code language and an infrastructure financing plan, including a decision on a Tax Increment Financing district.

The City is engaged in several projects closely related to the Waterfront Project, including the I-205 Widening Project that includes consideration of tolling, Highway 43 Improvement, Willamette Falls Locks reopening, and Historic City Hall renovations completion by 2021.

The City held two open houses in December 2019 to glean feedback on future land uses. Citizens preferred mixed-use zoning for the Historic City Hall and the Industrial Redevelopment areas, parks, and open space for the Pond redevelopment area.

Commissioner Metlen asked for an update on the development of the waterfront in Oregon City.☒

Chair Walvatne asked that ODOT come to the PC to give an update on the I-205 widening project, the tolling study, and proposed layout in Historic City Hall district. Commissioner Farrell also wanted ODOT to provide an update on Highway 43 project at Arbor Drive. Wyss stated that he would reach out to ODOT to come to update to the PC.

6. Staff Update: House Bill 2001/2003 Grant Award (time stamp 01:36:23)

Wyss announced that the City had secured grant funding to begin work on the requirements of HB2001 and HB2003. The grants will be treated as separate projects with their consultant team, scope of work, and timeline.☒

For HB2001, the grant will be used for a consultant to help produce hearing-ready code amendments by the end of June 2021. Once the consultant work is complete, the City will have until the end of June 2022 to adopt code amendments. ☒

For HB2003, the grant will be used for a consultant to help produce a Housing Needs Analysis by the end of June 2021. Once the consultant is finished, the City will have until the end of December 2022 to adopt the HNA. The City will have an additional year to adopt the associated housing production strategy. ☒

Chair Walvatne was concerned that focusing on denser housing only along Highway 43 would result in environmental and social justice issues. Wyss responded that the HNA should provide information to address this policy issue. ☒

Commissioner Pellett emphasized the need for community engagement in developing the adoption-ready Comp Plan and Code amendment packages. She wants to ensure to bring residents into the process early. She was concerned that the timeline is too tight and that citizens would not have enough participation in the outcome. She stated that there was flexibility with design choices and the schedule. She was concerned about the impacts of the state mandates. Wyss responded that each project would have a project advisory committee and citizen open houses. He noted that the City is required to comply with the terms of HB 2001. He indicated that the state mandates a timeline.☒

Chair Walvatne also noted his concerns with HB 2001. He did not think the HB 2001 will result in affordable middle housing in West Linn. He requested that Commissioners receive copies of the consultants' scopes of work.

Commissioner Farrell asked if the consultants will regularly update the Commission. Wyss confirmed that the PC is part of the process and will receive regular updates.

7. Staff Update: Prioritized Docket Projects (time stamp 02:03:08)

Wyss provided an update on 10 Council-prioritized projects for 2020:

1. Committee for Citizen Involvement (CCI) review of community engagement in the land use process
2. West Linn's Waterfront Project
3. Phase 1 Review of Zoning on Developable Residential Lands
4. West Linn Response to HB2001 and 2003
5. Street Width Standards
6. Policy Work on Chapter 96, Street Improvement Construction
7. Accessory Dwelling Unit Regulations
8. Historic Review Code Update
9. Willamette Falls Drive TSP Update
10. Highway 43 Rezoning and Robinwood Street System

8. Discussion: Template to Review Approved Land Use Projects (time stamp 02:14:34)

Wyss presented a template to review the conditions of approval of land-use decisions. He plans to provide quarterly updates to the PC. Commissioners supported the template format and update schedule.

9. Tentative Planning Commission Schedule (time stamp 02:19:34)

- 7/15/2020 – Quasi-Judicial Public Hearing (virtual) MISC-20-04, Extension of Approval
- 8/5/2020 – Legislative Public Hearing CDC-20-01, 28-foot Street Standards & Major/Minor Utility Definitions

10. Items Of Interest From the Planning Commission (time stamp 02:20:35)

Chair Walvatne stated that the City Council is considering alternative standards for street completion. The item is likely to come before the Transportation Advisory Board and Planning Commission this fall.

11. Items of Interest from Staff (time stamp 02:22:47)

Wyss asked if Commissioners wanted to have a pre-hearing work session for the 8/5/20 legislative hearing. Commissioners requested the pre-meeting work session.

Wyss asked the Planning Commission to approve a letter of support for a Transportation Growth Management grant that the City is seeking. He will email the draft letter for consideration. The PC can approve the letter at its next meeting.

12. Adjourn (time stamp 02:27:31)

Chair Walvatne adjourned the meeting at approximately 8:38 pm.