



PLANNING COMMISSION
Draft Meeting Notes of April 3, 2024

Commissioners present: John Carr, Gary Walvatne, Tom Watton, Joel Metlen, and David D. Jones
Councilors present: Carol Bryck
Staff present: Planning Manager Darren Wyss, Associate Planner Aaron Gudelj, and Community Development Management Analyst Lynn Schroder

The meeting video is available on the [City website](#).

1. Call To Order and Roll Call

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

2. Public Comment related to Land Use Items not on the Agenda

None.

3. Approval of Meeting Notes: 02.07.2024, 02.21.2024, and 03.06.2024

Commissioner Walvatne moved to approve the meeting notes for 02.07.2024. Carr seconded. **Ayes: Jones, Walvatne, Metlen, and Carr. Nays: None. Abstentions: Watton. The motion passed 4-1-0.**

Commissioner Walvatne moved to approve the meeting notes for 02.21.2024. Jones seconded. **Ayes: Jones, Walvatne, Metlen, and Carr. Nays: None. Abstentions: Watton. The motion passed 4-1-0.**

Commissioner Watton moved to approve the meeting notes for 03.06.2024. Jones seconded. **Ayes: Jones, Walvatne, Metlen, Watton, and Carr. Nays: None. Abstentions: None. The motion passed 5-0-0.**

4. Work Session: 2024 Code Amendments Package

Associate Planner Gudelj discussed code amendments, including expedited land division approval, the appeal process for development permits, home occupation permits, and extensions of development permits. The discussion aimed to gather initial input and recommendations from the Commission to develop potential code amendments. Gudelj outlined a tentative schedule for further discussions, drafting of code amendments, and possible public hearings before recommending adoption to the Council.

Oregon State Statute mandates that local governments refrain from conducting hearings on an Expedited Land Division. The current West Linn Community Development Code (CDC) requires an Expedited Land Division to be "processed by the Planning Commission without a public hearing." Gudelj discussed a previous expedited land division that needed clarification due to a lack of procedural framework. He discussed possible amendments to the Code regarding expedited land division approval authority to bring it into compliance with state guidelines. Commissioners were concerned about expedited land divisions going to a public hearing officer outside the community. Staff will draft code language for expedited land divisions to be brought back to the Commission for more discussion.

Currently, the CDC does not require an appellant to identify code criteria that they feel still need to be met or misapplied when appealing a land use decision. Not knowing the appellant's basic argument creates an unfair burden to applicants, staff, City Council, and the public to reasonably prepare for the appeal hearing. Gudelj discussed a proposal to change the appeal process to a denovo hearing focused on specific reasons for the

appeal. Commissioners discussed the requirements for an appellant when filing an appeal on a development permit and how much specificity should be required. Commissioners requested information on how other jurisdictions handle the appeal process.

Gudelj discussed Home Occupation Permits for at-home businesses. The City Code contains ambiguous approval criteria that need to be cleaned up to be clear and objective, as HOP decisions are intended to be non-discretionary. Staff has interpreted the HOP criteria to prohibit outside activity associated with the home occupation to minimize impacts to the neighborhood. Examples of potential issues with home businesses include noise disturbances and excessive activity. Commissioner Jones suggested removing the language regarding vehicle trips. Commissioners discussed potentially capping the number of students allowed in home businesses. He noted that the more communities interact physically, visually, and audibly, the more connected and safer they become.

The current CDC rules for extension of development approvals do not specify if an extension must be applied for or approved before the expiration of the original approval, the expiration date of the extension, or the number of extensions permitted. There was a discussion about how long extensions should be, with suggestions for one four-year extension and who should be the approval authority. Gudelj will bring back more information on the duration of extensions for approvals.

5. Work Session: Climate Friendly and Equitable Communities Implementation

Planning Manager Wyss discussed the CFEC requirements and the implementation options, including removing all parking mandates in the City. As state law requires, the City must adopt parking-related code amendments by the end of the 2024 calendar year. The Planning Commission will have up to five work sessions through the end of Summer 2024 to allow the PC to find consensus on the policy choices and associated draft code amendments. The primary policy decision the City must make is to eliminate all parking mandates in the community or implement regulations/programs to meet the CFEC rules.

The State administrative rules require cities and counties to comply with reducing climate pollution and improving equity in parking costs. Other communities in the Metro area have either repealed all parking mandates or are considering alternative policy pathways. Town centers and their buffers were discussed, with options including no parking mandates, paid on-street parking districts, or reduced parking requirements for specific land uses.

Commissioners discussed the option of removing parking mandates for new developments in the City. Staff recommended eliminating the mandates for the entire City to avoid different rules for different areas. Commissioner Walvatne expressed frustration with being forced into this decision and wanted more information and reassurances from developers before deciding. There was discussion about repealing specific regulations and their impact on the development community. Commissioner Jones wanted to know more about paid parking and how it would be implemented, with questions about whether it would be city-controlled or contracted out. Commissioners wanted more detailed information on CFEC Option 2 regarding town centers and no parking mandates. Additionally, they requested feedback from developers on their stance regarding parking mandates.

6. Planning Commission Announcements

Walvatne discussed his concern about large trucks getting stuck on roundabouts on Willamette Falls Drive. Watton wanted information about mapping abandoned utility lines in the roads for potential issues in future development projects.

7. Staff Announcements

Planning Manager Wyss reviewed the upcoming Planning Commission schedule.

8. Adjourn

Chair Carr adjourned the meeting at approximately 8:30pm.