



Memorandum

Date: August 21, 2013
To: West Linn Planning Commission
From: Chris Kerr, Economic Development Director
Subject: CDC-13-01 – Email testimony regarding proposed “Cut the Red Tape” amendments to the West Linn Community Development Code (CDC).

Attached is public testimony regarding CDC-13-01, received via email since the testimony packet delivered to you dated August 16, 2013.

Pelz, Zach

From: Sonnen, John
Sent: Tuesday, August 20, 2013 8:38 AM
To: Pelz, Zach; Kerr, Chris; Thornton, Megan
Subject: FW: CIC

John Sonnen, Planning Director
Planning and Building, #1524

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From: teric518@comcast.net [mailto:teric518@comcast.net]
Sent: Friday, August 16, 2013 1:34 PM
To: Russell Axelrod
Cc: Holly Miller; Martin, Robert; Griffith, Lorie; nancy king; Sonnen, John; Thornton, Megan; Babbitt, Michael; Steel, Christine
Subject: CIC

Mr. Axelrod, I appreciate the time and effort you and others have taken to respond and explain your take on the situation to me. I am grateful to hear that the CIC intends to review this issue and meanwhile would like to avoid engaging CIC members in online discussion and look forward hearing when public CIC meeting might occur.

With great respect for all you do,
Teri

From: "Russell Axelrod" <rbaxelrod@yahoo.com>
To: teric518@comcast.net, "Michael Babbitt" <michael@michael-babbitt.com>, "Christine Steel" <steelc123@gmail.com>
Cc: "Holly Miller" <holly@pacificfoursales.com>, "Robert Martin" <bobm4@teleport.com>, "lorie griffith" <tomlorie@comcast.net>, "nancy king" <nancy.king@gmail.com>, "John Sonnen" <jsonnen@westlinnoregon.gov>, mthorton@westlinnoregon.gov
Sent: Friday, August 16, 2013 12:42:19 PM
Subject: Re: Please place this on the CIC agenda

Ms. Cummings,
First, thank you for your dedication and participation in City affairs and your input to the Planning Commission (PC) and Commission for Citizen Involvement (CIC) on these important matters.

I wanted to briefly respond to your e-mail since I will be out of town through next week and will miss the next work session(s) which may occur regarding the proposed Cut the Red Tape project recommended by the Economic Development Committee (EDC) - the subject of procedures addressed in your e-mail.

The compiling of public comments by Mr. Sonnen and his staff is a standard procedure that was implemented some time ago during matters before the PC where there was a lot of e-mail activity being submitted on complex or controversial projects. The approach to compile the comments was requested by the PC as a standard procedure because there was so much e-mail activity on certain

projects and the correspondence was not always delivered to all PC members and, therefore, it was not possible for PC members to track all public comments and ensure that every comment was received and considered. Your e-mail to PC members here is an example where you did not have the personal e-mail address for at least one PC member and, therefore, the public record is broken/incomplete. The current procedure to have staff compile all public comments and provide them in packages reduces the lengthy time the PC already spends in the conduct of its work and most importantly the procedure ensures that all public comments are received, reviewed and considered by the PC. From my perspective, Mr. Sonnen has always performed this practice completely and professionally and should be thanked for his efforts to ensure that all comments are received and considered on affairs before the PC.

Finally, it is correct that I suggested you provide written comments to the PC during the hearing opening on August 7. I made this suggestion because it appeared that you were very frustrated and did not have sufficient time to expound all of your points during your testimony. However, I did not state that your comments needed to be provided before our next work session on August 14 (I did review the taped session to confirm our correspondence at 2:07:30). I believe it was already made clear that the hearing was being extended to a date certain in order to consider all public comments and that there would be sufficient time for the PC to review and consider all public comments that may be submitted in the weeks following the hearing start on August 7. I regret any misunderstanding on this issue and the disruption it may have caused you during your vacation.

Thank you again for your participation and dedication on these matters of great interest to you, West Linn citizens, PC and CIC.

Russell Axelrod

From: "teric518@comcast.net" <teric518@comcast.net>
To: Michael Babbitt <michael@michael-babbitt.com>; Christine Steel <steelc123@gmail.com>
Cc: Holly Miller <holly@pacificfoursales.com>; Robert Martin <bobm4@teleport.com>; Russell Axelrod <rbaxelrod@yahoo.com>; lorie griffith <tomlorie@comcast.net>
Sent: Friday, August 16, 2013 12:30 AM
Subject: Please place this on the CIC agenda

Dear Chair of Citizen Involvement Committee, Michael Babbitt, I assume?

I hope you don't mind if I contact you with your private email but I feel I have no other choice after Mr. Sonnen acknowledged yesterday that all emails sent to Planning Commission via address listed on city website are filtered by staff and delivered to Commissioners per staff decision. Mr. Sonnen could not offer information about deadlines for submitting email comments for the record prior to a meeting or work session nor could Sonnen say when emails sent to Commissioners generally get delivered. If you could, please forward this to your fellow Citizen Involvement Commissioner Ms King since I could not locate her address.

First of all I would like to apologize to Christine Steel and members of Planning Commission and staff for displaying such anger about decision PC made not to receive letters from public, sent in since last PC meeting, 8/7/13.

Members of PC and staff must have forgotten that after I testified, Mr. Axelrod asked me to "outline my points and submit them in writing" for the next weeks work session and I promised to do so. (8/7/13 PC video, approx. 2:06) I could barely do so after being out of town and offline since Friday morning, but did get it sent by 3:00 Wednesday 8/14/13 and notified two commissioners by phone. Perhaps both the PC and staff also forgot the advice staff gave while PC was deciding whether to allow public comment at the work session. Assistant attorney Thornton said; "It doesn't mean that people can't submit written testimony between now and then." (8/7/13 PC video, approx 3:40) I

believe everyone in the room clearly got the message that written public comments for next weeks work session were welcome.

So it was quite upsetting to learn that the 10 letters that came in since last week's meeting had been withheld by Mr. Sonnen. I don't know whether PC even had a chance to know correspondence from the public had come in.

After realizing this "Cut the Red Tape" project had been rolling forward since April without NHA or general public, like a runaway train I worry that Citizen Involvement in West Linn might turn into a train wreck, especially after seeing what has been proposed so far.

Thank you for your willingness to work on improving Citizen Involvement when issues like this arise. I look forward to hearing when CIC might be able to address this and would be happy to offer suggestions.

Respectfully, Teri Cummings

Pelz, Zach

From: Sonnen, John
Sent: Tuesday, August 20, 2013 9:07 AM
To: Pelz, Zach; Kerr, Chris; Thornton, Megan
Subject: FW: COWL is misspelling 'Red Tape'

John Sonnen, Planning Director
Planning and Building, #1524

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From: Gary Hitesman [<mailto:ghitesman@gmail.com>]
Sent: Friday, August 16, 2013 10:53 AM
To: CWL CCI; CWL Planning Commission
Subject: COWL is misspelling 'Red Tape'

It is obvious to anyone paying attention (very few indeed) that this "Cut the Red Tape" is a red herring.

City Hall enforces nothing about the Comprehensive Plan because "business as usual" doesn't like it. And the Planning Commission is listened to by the CC about as much as anyone on the planet can hear people screaming from outer space.

Economic Development is not being hamstrung by over-wielding code restrictions. It is lack of skill and limited hours handed to staff to complete simple tasks that messes things up. It is a managerial mistake.

The REAL problem is diminishing resources and hemorrhaging pensions. The real problem is funding overpaid staff members who are stirring the pot for a living. For example, look at this statistic [attached here](#).

Gary Hitesman

Pelz, Zach

From: Sonnen, John
Sent: Tuesday, August 20, 2013 9:46 AM
To: Pelz, Zach; Kerr, Chris; Thornton, Megan
Subject: FW: changes to CDC
Attachments: Resolution Opposing Certain Changes to the CDC and Comp Plan.pdf

John Sonnen, Planning Director
Planning and Building, #1524

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From: jmilneca@comcast.net [<mailto:jmilneca@comcast.net>]
Sent: Thursday, August 15, 2013 6:29 AM
To: CWL Planning Commission
Subject: changes to CDC

We oppose several of the proposed changes, particularly where they impinge on the ability of the Neighborhood Associations to weigh in on issues important to our neighbors and the citizens of West Linn. We support the resolution passed by our friends on the hill in the Savanna Oaks neighborhood, copy attached.

Sincerely

James and Fayanna Milne
2360 Michael Drive

Savanna Oaks Neighborhood Association

August 6, 2013

Resolution

At its regularly scheduled meeting on August 6, 2013 the assembled members of the Savanna Oaks Neighborhood Association passed the following resolution:

Be it resolved that the Savanna Oaks Neighborhood Association is in opposition to the following changes in the proposed amendments to chapters of the Community Development Code and various sections of the Comprehensive Plan:

1. Eliminating “de novo” hearings which allow Neighborhoods Associations and individuals the right to present new information in an appeal to the City Council,
2. No longer allowing Neighborhood Associations the right to appeal planning decisions at no cost,
3. Subdivision applications and design reviews would no longer be heard in public by the Planning Commission but would be decided by the Planning Director,
4. Eliminating the requirement that applicants proposing new developments smaller than 25 units meet with Neighborhood Associations,
5. Changing the requirements for applicants requesting a meeting with the neighborhood associations,
6. Loosening the tree protections that help keep the West Linn tree canopy coverage one of the best in the Portland Metro area,
7. CDC 99.160 – Increasing from two to a majority the number of Planning Commissioners required to call up for review a decision from the Planning Director, and
8. CDC 99.170 – Increasing from two to a majority the number of City Councilors required to call up for review a decision made by the Planning Commission.

For the above stated reasons SONA opposes the changes in the proposed amendments to chapters of the Community Development Code and various sections of the Comprehensive Plan.

Aye: 15

Nay: 0

Abstain: 0

Submitted by

Edward Schwarz, President

Savanna Oaks Neighborhood Association