

## RESOLUTION NO. 469

### **A RESOLUTION ESTABLISHING POLICY REGARDING SUBMITTAL OF INFORMATION FOR PROPER DECISION-MAKING BY THE PLANNING COMMISSION**

WHEREAS, the Canby City Council finds there are no current guidelines for the Planning Commission to obtain the information necessary to render well-based and knowledgeable decisions on major land use decisions, particularly regarding subdivisions, PUDs, zone changes and Comprehensive Plan Amendments; and

WHEREAS, applicants are unsure about what information they must submit to the Planning Commission in order to "complete" an application regarding subdivisions, PUDs, zone changes and Comprehensive Plan Amendments; and

WHEREAS, no succinct guidelines exist for the applicant to submit "complete" information. This hampers the Commission's ability to request proper and necessary information prior to the public hearing process. This invariably leads to long drawn out Planning Commission hearings. The applicant is frustrated, the public is unable to keep attending to protect their interests, and the Commission is often compelled to render opinions on insufficient and incomplete applications; and

WHEREAS, development pressure has reached unprecedented proportions in the last year and a half. The City has annexed over 100 acres of land involving major subdivision and PUD proposals. The City of Canby needs to improve its ability to respond appropriately and qualitatively to development proposals in order to protect the community's future interests; and

WHEREAS, on several occasions, major concerns have surfaced in the "Commissioner Deliberation" portion of the hearing. This is always after the **public testimony** portion of the hearing has been closed. This limits public input on issues of major community concern and further limits the opportunity for the applicant to sufficiently prepare and address these concerns. Only by re-opening the hearing for public testimony, can these issues be addressed. This prolongs the decision and frustrates everyone concerned; and

WHEREAS, the City Ordinance requires the Commission to take action within sixty (60) days from the time an application has been deemed complete. Under the present system, this time frame is insufficient for staff to gather the necessary information, guide the applicant in his submittal and, at the same time, allow the Commission and public to evaluate major subdivision and PUD proposals. (Reference numerous concerns regarding time constraints on land use decisions during the winter of 1989 and all through 1990.); and

NOW THEREFORE, BE IT RESOLVED THAT a more efficient comprehensive, demanding and service-oriented Administrative Policy is needed to supplement the vague Ordinance guidelines for information submittal regarding subdivision, PUD, zone change and Comprehensive Plan Amendment proposals, and that effective April 3, \_\_\_\_\_, 1991, the following is established as the City of Canby Policy Regarding Submittal of Information for Proper Decision-Making by the Planning Commission.

RESOLVED THAT prior to application submittal, the applicant is encouraged to meet with the Planning Director for a formal pre-application conference on all applications for major development projects. In this meeting, the applicant will learn what is expected by the Planning Commission. This will enable the Planning Commission to render a swift and judicious decision at the earliest possible time. Failure to engage in a pre-application conference may result in the application being considered incomplete by the Commission. This may also result in an adverse decision, as per City of Canby Code Section 16.88.020(C); and

RESOLVED THAT, the Planning Director will have a list of the pertinent sections of the City Ordinance applicable to a development proposal, detailing the information required of the applicant by the Planning Commission; and

RESOLVED THAT, complete and detailed responses by the appropriate authorities or experts will be required to meet the intent of the applicable sections. Vague or unsubstantiated references to these sections will not be accepted and may result in an adverse determination; and

RESOLVED THAT, an application indicating that agency approval or expert's report is "forthcoming" is generally considered **unacceptable**. All items must be worked out prior to submission of the application so Commission, public, and applicant time is not wasted. Failure to do so may result in an adverse determination of the application. (The Commission is a volunteer body and the public will not be able to fully evaluate the development's impact, and the developer is usually under a deadline to obtain his approval - so complete information is critical.); and

RESOLVED THAT, the Ordinance requirements and conditions of approval will be strictly interpreted by the Commission. Failure to provide all the information specified by the Ordinance, applicable to a given proposal, may result in an adverse determination for the applicant; and

RESOLVED THAT, all Commissioners are encouraged to contact staff prior to the public hearing concerning any issues they feel are inadequately addressed by the applicant or staff. More information may then be gathered and made available to all. This streamlines the process and avoids individual ex-parte contact; and

RESOLVED THAT, all Commissioners are encouraged to visit the site in question prior to the public hearing. Any concerns which arise as a result of the site visit should be discussed with staff, by the Commissioner(s), prior to the hearing. This facilitates the rendering of a knowledgeable and professional opinion. Visitations shall be declared at the beginning of the hearing; and

RESOLVED THAT, all Commission motions shall be clearly based on the appropriate standards and criteria for that application. Motion makers shall reference the findings made during the Commission deliberations which address those standards and criteria.

ADOPTED by the Canby City Council at a regular meeting thereof on April 3, 1991.

  
Shawn Carroll, Mayor

ATTEST:

  
Marilyn K. Perrett, City Recorder