

MINUTES
PLANNING COMMISSION STUDY SESSION

July 11, 1985
7:00 p.m.

PROPOSED DEVELOPMENT CODE - FIRST DRAFT - ARTICLE II - PROCEDURES,
AND ARTICLE III - ANNEXATION, ZONE CHANGE, COMPREHENSIVE PLAN
AMENDMENTS, AND VACATION PROCEDURES.

Commission Members Present: Chairman Leo Appel II, Vice Chairman
Jim Izett, Commissioner Lonny Draheim

Commission Members Absent: Commissioners Elgin Gunderson, Mary
Jane Brimm, Jean Hagen, Earl Breuer

Staff Present: City Manager Lynn Stuart, Planning Director Chuck
Rhodaback, Engineering Technician Leo Lightle, Building/Fire Safety
Officer Marshall Ferg.

Chairman Appel convened the study session at 7:00 p.m.

City Manager Lynn Stuart gave a brief report on clarifications and changes that the staff would like to see made in the Development Code. The proposed changes included a section oriented table of contents, index, flow charts and grouping of Development Code sections as they relate to City departmental functions.

Planning Director Chuck Rhodaback explained the proposed index table and mapping information to be included. Mr. Rhodaback explained the proposed flow charts for procedure types I, II, and III and how useful they would be for the general public.

Chairman Appel stated that he approved of the revised provisions as presented, indicating that they were more concise and applicable. Mr. Rhodaback stated that the original procedure Type II was confusing and not workable.

Mr. Rhodaback also indicated that several changes were needed, to include an introduction to the Procedure section, and the elimination of the Type II procedure. Mr. Rhodaback explained that the Type III and Type IV procedures would become the new Type II and Type III procedures. The Development Permit categories would be reorganized within the new procedure types.

Mr. Rhodaback suggested to the Commission that they continue with the review of Sections 2.140, 2.150, 2.160, 2.170 and 2.180 so that all would be aware of the provisions involved. Chairman Appel and Commission members present agreed that Sections 2.140 through 2.180 should be reviewed and discussed. After concluding discussion on Sections 2.140 through 2.180, Commission members concurred that no changes were necessary.

Chairman Appel then introduced Article 3, Section 3.010. Mr. Rhodaback explained that the annexation procedures were extracted from ORS Chapter 222. Chairman Appel called for questions on Section 3.010. There were none, and no changes were suggested by Commission members.

Chairman Appel asked for questions on Section 3.020 and Vice Chairman Izett had a question on Section 3.020(1). He asked staff if a person would not be allowed to petition for annexation if they were outside the Urban Growth Boundary. Mr. Rhodaback stated that everyone has the right to petition for annexation. If the proposed annexation were outside the Urban Growth Boundary, they would have to address that issue from the standpoint of annexation procedures and annexation criteria. There being no further comments from the Commission, Section 3.020 was approved with no revisions.

There were no questions or comments on Section 3.030, and therefore would remain as written.

There was no discussion on Section 3.040, and the Commission agreed that no changes were necessary for the section.

Mr. Rhodaback clarified to the Commission that Section 3.050 was an extraction from Resolution No. 356. Mr. Rhodaback also explained that the procedures and criteria for the zoning of annexed property must be followed by the applicant.

Chairman Appel asked for clarification from the staff on Section 3.060(2) regarding pre-scheduled, semi-annual considerations for Comprehensive Plan Amendments. Mr. Rhodaback explained that the Land Conservation and Development Commission (LCDC) has periodic reviews, and will give a 180 day notice prior to the review. The staff indicated that the intent of the provisions were to allow the City to prepare for their periodic review on an ongoing basis, instead of waiting until the last few months to complete work for the required periodic review process. The Commission members agreed that the section should remain as written.

Mr. Rhodaback stated that Section 3.070 was also from Resolution No. 356. Chairman Appel proposed changing the introductory paragraph to state that whoever initiates the amendments must also address the criteria. Vice Chairman Izett asked the staff for clarification of Section 3.070 (2) (e). Mr. Rhodaback explained that it was a criteria issue that must be addressed when proposing a Comprehensive Plan Amendment. Vice Chairman Izett then asked that Section 3.070 (1) (i) and (2) (e) be rewritten. The Commission and staff agreed that Section 3.070 (1) (i) and (2) (e) be rewritten to allow for better clarity.


There was discussion between the Commission and staff regarding Section 3.080 procedure, with no changes being suggested.

Discussion between the Commission and staff regarding the criteria of Section 3.090 that must be followed by the City when vacating property, led to the approval of Section 3.090.

There being no further discussion on Article III, Chairman Appel adjourned the study session at 8:30 p.m.



Leo Appel
Chairman



Judy Pectol
City Recorder