

Minutes  
Planning Commission Work Study Session  
November 15, 1994  
7:00 PM

**Subject: Planning Commission and Staff procedures.**

The Planning Director introduced an agenda with suggested items for discussion.

1. Distribution of The Planning Commission Packets.

After discussion, the commission agreed that starting with the January Planning Commission meeting packets would be left at the Police Department for pickup. The Planning Director said that he would call each commissioner if the packets were not going to be ready by the Friday before the meeting. Denise volunteered to deliver the library's packet.

2. Tie Vote Procedure.

The Planning Director explained that at the November meeting the request for a replat of Phases 3 and 4 of the "The Cove" project was denied due to a tie vote. Subsequently the applicant submitted a written request stating that they would agree to staff's recommendation of only 10 duplex units and drop the two single family units located on the south side of the wastewater treatment plant and requesting that the Commission reconsider their vote when considering the Final Order at the December meeting. A conversation with the City Attorney confirmed that this was possible and the attorney said that another possible action the Commission could have taken at the original hearing was to continue the hearing to the next meeting and take all the evidence for the benefit of any commissioner that was not present at the earlier meeting. The Planning Director said that he put this on tonight's agenda for discussion so the Commission would understand its options in cases like this. There was some discussion about the procedure to reconsider the previous vote.

3. Staff Recommendation vs. No Recommendation.

The Planning Director said that giving no recommendation would make it easier on him but would slow the process down because the Final Order must wait for the next meeting because he would not know what the decision would be. The Commission discussed this option and compared the process with that of the county and compared the pros and cons of having a staff recommendation. Commissioner O'Holleran suggested a three month trial without recommendations. The Planning Director asked if there is any changes to the staff report format and suggested where changes could be made in the staff presentation. Concern was expressed for the fact that a no recommendation procedure would slow down the approval process by one month. Commissioner Krebs recommended that the Commission not make a decision on this matter until after January. The Commission agreed to this suggestion.

4. Follow Up On Conditions of Approval.

The Planning Director explained that on certain cases such as conditional use permits, the conditions of approval are ongoing for the life of the project and that there are complaints that in some cases the conditions are not being followed. Staff does not have time nor personnel to have ongoing inspections of approved conditional uses for compliance, and must rely on complaints of neighbors and such to become aware of violations. The Commission discussed various cases of conditions and/or code requirement violations that were not being addressed. The issue of illegal signs was discussed and the City Manager explained that a committee was being established to study the sign issue and asked for a Commissioner(s) to sit on the committee. Commissioners Ciapusci and O'Holleran volunteered to be on the sign committee. The City Manager suggested a formalized procedure for reporting these issues. No formal action was taken on this item.

5. Finagling

The Planning Director asked for the Planning Commission's blessing in telling people that the Commission will not tolerate applications such as the one where a house was split to allow a minor partition, or the suggestion that a minor partition be presented with two alternate access possibilities. After some discussion the Commission agreed that this would be the best policy.

6. County Referrals

The Planning Director said that he put this item on the agenda because it had been discussed before and at times presented problems of timing between city and county planning commissions. Now that almost all of the county's cases were being decided administratively, this situation would probably be resolved because there is no set hearing date at the county level. We should give their new system a chance.

7. Cut Off Date For Items To Go On The Agenda.

The Planning Director explained that despite the new changes on submittal procedure, there is still pressure to place items on the agenda at the last minute. The City Manager stated that part of the problem was that now that we are trying to get back to a more formal procedure, people get upset and complaints are generated. Commissioner Breuer said that he thinks that what the Director is looking for would be the Commission to back staff in implementing the new submittal procedure.

8. Comments From Commission Members.

Commissioner Krebs said that she would like to have a handout for the applicant that explained his role and responsibilities in the process of reviewing and hearing of his application. The Commission discussed possible items to be contained in the handout and said that the Commission would help in the preparation of the handout.

Commissioner Krebs asked in regard to the Spotswood parking arrangement appeal, if the condition in the approval of the CUP for Southern Oregon Health Care/Hospice, that required them to notify the city if new permanent employees were added was still in effect. She did not see it in the conditions generated by the appeal. The Planning Director

explained that the conditions generated by the appeal were new and were added to all three of the conditional use permits that were approved for that building. The original conditions were not changed except for the requirement for the new parking layout.

The City Manager suggested that the Commission hold more meetings of this nature for a while and explained that different parts of the ordinances would be examined such as parking and signs.