



**City of Sherwood
PLANNING COMMISSION
855 N. Sherwood Blvd
Tuesday, December 2, 1997
7:00 PM**

A G E N D A

- 1. Call to Order/Roll Call**
- 2. Approval of Minutes - November 18, 1997**
- 3. Agenda Review**
- 4. Community Comments:** are limited to items NOT on the printed agenda under Public Hearings.
- 5. SUB 96-8 Katrina Subdivision:** A request by Roger P. Grahn for a six (6) month extension for submission of the final plat.
- 6. Public Hearings:** (Hearing Disclosure Statement. Also, declare conflict of interest, ex-parte contact, or personal bias)
 - A. PA 97-8 Plan Text Amendments:** (cont'd from Nov 18, 1997) Streamlining the planning process including provisions for expedited land divisions and limited land use decisions. The public hearing has been closed.
 - B. PA 97-10 Plan Text Amendments:** (cont'd from Nov 18, 1997) City-initiated changes to the Development Code, Part 3, to add a new Office Retail (OR) zoning district. The public hearing has been closed.
- 7. Other Business**
- 8. Adjourn**

**ITEMS NOT COMPLETED BY 11:00 PM WILL BE CONTINUED
TO THE NEXT REGULARLY SCHEDULED MEETING**

APPROVED MINUTES

City of Sherwood, Oregon
Planning Commission Minutes
December 2, 1997

1. Call to Order/Roll Call

Chairman Whiteman called the meeting to order at 7:00 PM.

Commission Members present:

George Bechtold
Susan Claus (7:20 PM)
Scott Franklin
Angela Weeks
Bill Whiteman

Staff:

Sue Engels, Development Director
Greg Turner, City Planner
Jason Tuck, Assistant Planner
Roxanne Gibbons, Recording Secretary

Chairman Whiteman announced that Allen Baker had resigned from the Planning Commission.

2. Minutes of November 18, 1997 Regular Meeting

Chairman Whiteman asked if there were any corrections, additions or deletions to the minutes of November 18, 1997.

George Bechtold moved the Planning Commission accept the November 18, 1997 Planning Commission minutes as presented. Seconded by Scott Franklin.

Vote for Passage of Motion: 4-Yes, 0-No, 0-Abstain

3. Agenda Review

There were no changes or comments regarding the Agenda as presented.

4. Community Comments

Chairman Whiteman called for comments from the audience. There were none.

5. SUB 96-8 Katrina Subdivision

Chairman Whiteman referred the Commission to a letter from Roger Grahn requesting a 6-month continuance for submission of the final plat for a 4-lot subdivision. Greg Turner advised that the Section 7.301.02 of the Code states, "The Commission may, upon written request by the applicant, grant an extension up to 6 months." There have been no changes to the preliminary plat as previously approved. The Commission discussed whether this approval should be a one-time extension only.

Scott Franklin moved the Planning Commission grant a 6 month extension for submittal of the final plat for SUB 96-8 Katrina Subdivision. Seconded by Angela Weeks.

The Commission suggested including language to the motion that would encourage the applicant to meet the deadline for submittal of the final plat, and that this would be a one-time extension absent any further written explanation from the applicant.

George Bechtold moved to amend the original motion that this is a one time extension absent justification by the applicant for requesting an additional extension. Seconded by Angela Weeks.

Vote for Passage of Amendment: 4-Yes, 0-No, 0-Abstain

Vote for Passage of Original Motion as Amended: 4-Yes, 0-No, 0-Abstain

6. Public Hearings

Chairman Whiteman read the hearings disclosure statement and requested that Commission members reveal any conflict of interest, ex-parte contact or bias regarding any issues on the agenda.

6A. PA 97-8 Plan Text Amendments - Streamlining Planning Process

Chairman Whiteman advised that the public hearing for PA 97-8 had been closed. It was noted that Staff had provided answers to the Commissioner's questions and these were made a part of the packet, a complete copy of which is contained in the Planning Commission's minutes book.

George Bechtold said the Commission is dealing with several issues at one time with this plan text amendment. He identified the following:

- Expedited land divisions.
- Limited land use decisions.
- Streamlining planning process.
- Number of members on the Planning Commission.

The Commission has been stalled on this plan text amendment for at least four weeks. He was not persuaded to move on any of the items, except the expedited land division process. The Commission needs to address State law, but he did not feel the streamlining process needed to be addressed at this time. He suggested the proposal be broken down and each item dealt with individually. Chairman Whiteman agreed.

Chairman Whiteman asked if there was a process in place to handle expedited land division requests. Staff responded there was no formal process in place at this time. Mr. Turner said the proposal before the Commission is a complete change and the expedited land divisions is only one part.

Susan Claus said there are parts of the plan text amendment which the Commission could take action on tonight. Ultimately, the plan text amendment is a recommendation to the City Council from the Commission. She had concerns about the land use process being proposed. She also had a very strong opinion regarding reducing the Commission from 7 to 5 members.

Mr. Bechtold said the Commission has a large package which they seem to be unable to come to terms with. He suggested the Commission make a recommendation on the issues which they can come to a consensus on. Ms. Claus said this is a very large plan text amendment which has several policy issues. She agreed that the Commission seemed to be bogged down.

Scott Franklin said he had a number of concerns with plan text amendment. These were passed on to the Staff.

Sue Engels suggested the Commission try to continue their review of the plan text amendments and deal with each one separately as time allowed tonight. Mr. Franklin agreed that the Commission should continue their review of the package.

The Commission concurred that the expedited land division process should be carried forward to the City Council. They agreed the State statutes needed to be met by including the appropriate language in the Development Code. Mr. Turner clarified that the City is not required to adopt the limited land use decision language into the Development Code.

Bill Whiteman moved the Planning Commission direct Staff to prepare plan text amendment language which would address the Expedited Land Division process and meet the Oregon Revised Statutes. Seconded by Susan Claus.

Vote for Passage of Motion: 5-Yes, 0-No, 0-No

The Commission agreed that this would still be a part of PA 97-8 Plan Text Amendment.

Chairman Whiteman related the discussion he had with the Mayor regarding the membership of the Commission. The Mayor was considering asking the Council to reduce the Commission membership from 7 to 5 members. This was why the membership of the Commission was being brought before them. Chairman Whiteman did not see how the Commission could hold a public hearing on this tonight. He thought this should be advertised and the citizens advised of the plan text amendment to the Code.

The Commission discussed the population growth in the City and whether a reduction of Commission members would be appropriate.

Ms. Claus said the seven member Commission has not had trouble making a quorum and they have been able to move the land use applications forward. She did not believe they would have trouble finding volunteers to serve on the Commission. The current vacancies on the Commission have not been advertised to the general public. She favored a greater representation of the citizens, which a seven member Commission would accomplish. She did not support reducing the Commission from seven to five members.

Scott Franklin remembered when he was new to the Commission and they had a quorum of four members. He had no prior knowledge of the application. The Commission continued the application to the next meeting so that there would be more representation from the membership.

He did not believe if the Commission were reduced to five, that a quorum of three members would be a good representation in making land use decisions. The Commission concurred.

The Commission discussed whether the five member Council was the appropriate number for the current population of the City and if this was a good representation for 8,000 people.

Bill Whiteman moved the Planning Commission send a letter to the Mayor and City Council stating their support of the seven member Commission. Seconded by Susan Claus.

Chairman Whiteman will prepare a letter which will be signed by the members of the Commission. The letter will include the reasons the Planning Commission should not be reduced to 5 members and why the 7 member Commission would be a greater representation of the community.

Vote for Passage of Motion: 5-Yes, 0-No, 0-Abstain

The Commission discussed the other aspects of the plan text amendment and the streamlining process. Chairman Whiteman noted the streamlining process was developed, in part, because the Mayor was not in favor of the double public hearings. Mr. Turner said State statutes do not require two public hearings for land use applications. He reviewed the proposed Type II process. From the standpoint of having two public hearings, nothing has been changed.

Chairman Whiteman asked where the proposed neighborhood meetings would take place. Mr. Turner said the meetings would be held at a public location, such as the Senior Center. The amendment is written so that only property owners within 100 feet of the location would be notified of the meeting. The Commission agreed this should be changed to property owners within 300 feet of the development.

Chairman Whiteman asked the Commission if they felt the existing land use review process was broken. Mr. Franklin said the two hearings process is a little bit redundant. He also still had questions about the neighborhood meetings and what the format would be.

Chairman Whiteman asked if an ordinance can be adopted by the City Council without a public hearing. Sue Engels said notification of an ordinance is posted, but there is not necessarily an open public hearing. Staff would need to ask the City Attorney if the Commission could hold the public hearing on the land use application and then it could be adopted by the City Council as an ordinance without holding another public hearing. Ordinances can only be adopted by the City Council.

Chairman Whiteman asked why plan text and plan map amendments have two public hearings where two separate records are created, or have two *de novo* public hearings. Ms. Engels said the Code requires two public hearings be held for certain land use applications. The Commission agreed that this is where the process needed streamlining. Staff will ask for clarification from the City Attorney regarding the two hearings, the appeal process and record.

Mr. Franklin asked if the comments from the neighborhood meetings would be reviewed. Mr. Turner said the meetings would be recorded and any comments would be included in the Staff report. Mr. Franklin suggested the neighborhood meetings be held prior to the application being deemed complete. He asked why they were proposing a neighborhood meeting, and not just a public hearing for the Type II process.

Ms. Engels said the question is whether the Commission thinks it would be appropriate to do anything on the Staff level regarding land use applications. Ms. Weeks said she would not like to see something like the Act III Site Plan being done at the Staff level. Ms. Engels said another way for the Commission to look at it would be whether or not there was a certain size of subdivision or site plan which could be handled at the Staff level. Mr. Bechtold said the public is entitled to have an opportunity to get involved in the process and provide input. The process in place now allows this to happen through the public hearings. As the City grows, this will become more important. Chairman Whiteman said when this idea was presented at the workshop with the Council, neither body really knew what it was all about. Since that time the Commission has been provided with the written text amendment and now there are many questions concerning the proposed streamlining process.

After further discussion, it was the consensus of the Commission that other than the expedited land divisions under the Type II process, there would be no need for the other section of the Type II process being proposed. The Commission made the following recommendations:

- Add Temporary Uses to the Type I process.
- Remove Interpretation of Similar Uses (ISU's) from the Type I process. Determine if ISU's require a public hearing; if not, place them on the Consent Agenda.
- Is there some way to streamline the appeal process at the City Council level.
- A sign should be posted on the site.
- Notification should be to property owners within 300 feet of the site.
- This information should be reviewed by the Commission prior to making a recommendation to the City Council.

It was the consensus of the Commission to continue PA 97-8 Plan Text Amendments to the January 6, 1998 Planning Commission meeting.

6B. PA 97-10 Plan Text Amendment - Create a New Office Retail (OR) Zoning District

Chairman Whiteman announced that the public hearing had been closed. He asked if Staff wished to provide further information. Jason Tuck referred the Commission to the November 25, 1997 memo in the packets, which was a response to questions from the Commission. He noted:

- Section 2.107.02 Permitted Uses, Items A, F, G and H have been reworded for clarification.
- Health clubs are currently conditional uses within the Retail Commercial (RC) and General Commercial (GC) zoning districts.
- Section 2.107.06C applies the standard to each individual property. For example, a single property that was zoned OR would be allowed up to four (4) permitted or conditional uses.

Item C was proposed to read, "No more than four (4) permitted or conditional uses may be established on any single OR zoned property."

The Commission discussed Item F, General Retail Trade, under Section 2.107.02 Permitted Uses and whether this should be limited to the size of the structure.

Bill Whiteman moved the Planning Commission recommend to the City Council approval of PA 97-10 creating an Office Retail (OR) Zoning District, as amended. Seconded by Angela Weeks.

Vote for Passage of Motion: 4-Yes, 0-No, 1-Abstain (Claus)

The motion included the following amendments:

- Reword Item F under Permitted Uses, "General Retail Trade, not exceeding 10,000 square feet.
- General Retail Trade over 10,000 square feet would be a conditional use.
- Eliminate Item F from Prohibited Uses.
- Include grocery stores as a Prohibited Use.
- Include health clubs as a Conditional Use.
- Under Section 2.107.02 Permitted Uses, Item G and Item H, include "but not limited to" in the definition.
- Include the clarification under Section 2.107.06C.

7. Other Business

Chairman Whiteman recommended if the Commission continues to meet at the Senior Center he would like to have lapel microphones for the Commissioners that would have an on/off switch and a podium microphone.

Sue Engels updated the Commission on the Transportation System Planning (TSP) process. The Focus Group will be meeting Wednesday night to review the draft proposal. The Agency Review Committee plans to meet on Thursday. It is planned that the draft TSP will be scheduled for Commission review early in 1998. The Commission asked about the type of comments being received from the community. The proposal will be presented as a Plan Text Amendment to the City's Comprehensive Plan.

There being no further business to discuss, the meeting was adjourned at 9:20 PM.

Respectfully submitted,

Planning Department