

# LA PINE CITY PLANNING COMMISSION MEETING AGENDA

Wednesday, September 16, 2009 - 6:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

1. Call to Order
2. Establish Quorum
3. Pledge of Allegiance
4. Added Agenda Items  
Any matters added to the Agenda at this time will be discussed during the “Other Matters” portion of this Agenda.
5. Review of Typical Planning Commission Tasks
  - i. Roles and Responsibilities
  - ii. Elect Chair, Vice Chair, and Secretary
  - iii. Meeting Protocol – Public/Visitor Items and Time Allotment
  - iv. Standard Hearing Protocol
6. Preparation for October 8, 2009 City/County Planning Commission Meeting  
Hearing regarding County zoning text amendment to add utility facilities to the IL zone in the County Zoning Code – TA – 09-04
  - i. Definition of Utility Facility
  - ii. Overview of County/City Industrial Zone
  - iii. Review of Proposed County Zoning Text Amendment
7. Preparation for October 13, 2009 City Comprehensive Plan Hearing
  - i. Purpose of the Comprehensive Plan
  - ii. La Pine Comprehensive Plan Highlights
  - iii. Potential Public Questions
  - iv. Protocol at Hearing
8. Planning Commissioner Reports and Staff Update
9. Other Matters  
Only those matters properly added to this Agenda under line item No. 4 will be discussed at this time.
10. Adjourn

Pursuant to ORS 192.640, this notice includes a list of the principal subjects anticipated to be considered or discussed at the above-referenced meeting. This notice does not limit the ability of the City Planning Commission to consider or discuss additional subjects. The meeting is subject to cancellation without notice. The meeting is open to the public and interested citizens are invited to attend. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Luana K. Damerval at (541) 536-1432.

# LA PINE CITY PLANNING COMMISSION MEETING MINUTES

Wednesday, September 16, 2009 - 6:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

## 1. Call to Order

The meeting was called to order at 6:00 pm by James Lewis of DMC Consulting, Inc.

## 2. Establish Quorum

### Roll Call

Present Were:

Commissioner Virginia Claussen

Commissioner John Thomas

Commissioner Renee Clark

Commissioner Gloria Fleming

Commissioner Linda Maggard

Quorum established.

Deborah McMahon and James Lewis from DMC Consulting, Inc., were in attendance. Planning Commission Secretary, Luana Damerval, was also present.

## 3. Pledge of Allegiance

The pledge of Allegiance was led by James Lewis.

## 4. Added Agenda Items

Any matters added to the Agenda at this time will be discussed during the "Other Matters" portion of this Agenda.

James Lewis discussed what qualifies as an Added Agenda Item.

00:03:00

## 5. Review of Typical Planning Commission Tasks

- i. Roles and Responsibilities
- ii. Elect Chair, Vice Chair, and Secretary
- iii. Meeting Protocol – Public/Visitor Items and Time Allotment
- iv. Standard Hearing Protocol

James Lewis explained that the Commission was appointed by the City Council and is basically an advisory board. He said there are certain items that are required by law to go to the Planning Commission for review. James Lewis said some of the items that will come before the Commission will be for approval but other planning issues will only be for recommendations.

04:57

Deborah McMahon stated that the Planning Commission will be the group that eventually approves building plans, as well as performing a caretaker role for ordinances. She said some things will end with the Planning Commission, but most things will be recommendations to the City Council. Deborah McMahon said that the City Council has the final say on what happens in the community. James Lewis said State law requires that a public body review land use laws.

07:55

James Lewis stated that the Planning Commission does not get to change laws, and does not get to change City Council decisions even though they may have strong disagreements. He also said that the City Council has final say on direction for City staff.

10:17

James Lewis stated that the City is contracting right now with the Deschutes County Planning Department. He said a County Planner could make a decision on a land use matter that gets appealed to a Hearings Officer. Deborah McMahon said an appeal on a decision would go to the Board of County Commissioners per the Intergovernmental Agreement with the City of La Pine.

Deborah McMahon said most of the things the Planning Commission deals with will be making recommendations to the City Council. She also said that they will develop a procedures ordinance for the recommendations.

James Lewis then discussed the term limits for the Planning Commission. He said the City will have to advertise as vacancies occur on the Commission. James Lewis also stated that the Commissioner, whose term is expiring, has the option to write a letter to the City Council and request to be re-appointed.

The Planning Commission decided to draw lots for their term lengths. The following term lengths were established for each Planning Commissioner:

- 2010 – Virginia Classen
- 2011 - Gloria Fleming
- 2011 – Linda Maggard
- 2012 – Renee Clark
- 2012 – John Thomas

Linda Maggard nominated Commissioner Gloria Fleming for Chair. Commissioner Fleming declined.

**A motion was made by Commissioner Fleming and seconded by Commissioner Clark to make Commissioner John Thomas Chair of the Planning Commission.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Planning Commissioner Fleming</i>	<i>X</i>	
<i>Planning Commissioner Thomas</i>	<i>X</i>	
<i>Planning Commissioner Maggard</i>	<i>X</i>	
<i>Planning Commissioner Clark</i>	<i>X</i>	
<i>Planning Commissioner Claussen</i>	<i>X</i>	

**Motion passed unanimously.**

After a brief discussion the following motion was made:

**A motion was made by Chair Thomas and seconded by Commissioner Fleming to make the positions of Chair, Vice Chair and Secretary be temporary until January 1, 2010 at which time a permanent election will take place.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Planning Commissioner Fleming</i>	<i>X</i>	
<i>Planning Commissioner Thomas</i>	<i>X</i>	
<i>Planning Commissioner Maggard</i>	<i>X</i>	
<i>Planning Commissioner Clark</i>	<i>X</i>	
<i>Planning Commissioner Claussen</i>	<i>X</i>	

**Motion passed unanimously.**

The Planning Commission then reviewed the Vice Chair position and possible candidates.

**A motion was made by Commissioner Maggard and seconded by Commissioner Claussen to make Commissioner Gloria Fleming the Vice Chair of the Planning Commission.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Planning Commissioner Fleming</i>	<i>X</i>	
<i>Planning Commissioner Thomas</i>	<i>X</i>	
<i>Planning Commissioner Maggard</i>	<i>X</i>	
<i>Planning Commissioner Clark</i>	<i>X</i>	
<i>Planning Commissioner Claussen</i>	<i>X</i>	

**Motion passed unanimously.**

The Planning Commissioner then discussed the Secretary position.

**A motion was made by Vice Chair Fleming and Seconded by Commissioner Clark to have the City Recorder or designee be the Planning Commission Secretary.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Planning Commissioner Fleming</i>	<i>X</i>	
<i>Planning Commissioner Thomas</i>	<i>X</i>	
<i>Planning Commissioner Maggard</i>	<i>X</i>	
<i>Planning Commissioner Clark</i>	<i>X</i>	
<i>Planning Commissioner Claussen</i>	<i>X</i>	

**Motion passed unanimously.**

Consultant Deborah McMahon stated that it makes sense that somewhere on the Agenda the Public can express their opinions to the Planning Commission on things that are not on the Agenda. The Planning Commission had consensus to have the Public Comment on non Agenda

items be listed as Agenda Item #4 on future Agendas. They also had consensus to limit the public comments to 3-5 minutes.

Consultant James Lewis discussed the handout of the Land Use Action Hearings chapter 22:24 from the Deschutes County Code. He said if a Planning Commissioner has a conflict of interest on a particular issue they must step down during that issue. James Lewis defined quasijudicial matters as land use applications that were submitted by a private individual to ask for permission to develop their land in some way. He said a legislative matter is more about running the business of the City, like adopting a Comprehensive Plan.

James Lewis advised the Planning Commissioners that they need to disclose conversations, with others, regarding a particular issue at the beginning of every Hearing. He suggested that the handout, "Statement for Quasijudicial Matters" be read at the start of every Hearing. Deborah McMahon stated that the procedures manual for the Planning Commission will provide guidelines for different matters.

00:51:30

6. Preparation for October 8, 2009 City/County Planning Commission Meeting  
Hearing regarding County zoning text amendment to add utility facilities to the IL zone in the County Zoning Code – TA – 09-04
  - i. Definition of Utility Facility
  - ii. Overview of County/City Industrial Zone
  - iii. Review of Proposed County Zoning Text Amendment

Deborah McMahon reviewed protocol for the City and County Planning Commission meetings. James Lewis said the County Planning Department staff will submit their proposal to the Commission for approval. He said the text amendment to the County Code will add the wording "Utility Facility" as an allowed activity. James Lewis said, although County wide, it is specific to the Industrial Zone in La Pine. He also said that the La Pine Planning Commission can make recommendations but the County Planning Commission votes on the matter.

01:04:40

7. Preparation for October 13, 2009 City Comprehensive Plan Hearing
  - i. Purpose of the Comprehensive Plan
  - ii. La Pine Comprehensive Plan Highlights
  - iii. Potential Public Questions
  - iv. Protocol at Hearing

Deborah McMahon stated that the Commission will run this Public Hearing similar to the Planning Commission Meetings. She said they will discuss how the goals for the City will be met through the Comprehensive Plan. Deborah McMahon said that the State mandates that four years after incorporation, a city has to have an adopted Comprehensive Plan.

James Lewis stated once the Comp Plan is adopted, zoning codes would need to be adopted and he recommended they be a top priority. He said fee driven applications will provide the administrative cost to do the plan reviews. James Lewis stated that the Planning Commission can inform the City Council that they are observing conflict between the County and City planning after the comprehensive plan is adopted.

Deborah McMahon stated that using the City Limits as the Urban Growth Boundary makes the most

sense. She also said that the Council gives the direction for a zoning ordinance to be developed. Deborah McMahon stated that developing zoning ordinances requires more work than developing a comprehensive plan.

James Lewis stated there was adequate available land within the City to accommodate the 20 year plan. He also said that water and sewer are linked to the Urban Growth Boundary and not to the City Limits.

James Lewis reviewed the protocol at the Public Hearing scheduled for October 13<sup>th</sup>. He said the Planning Commission needs to leave the written record open so the Public can continue to submit written information after the meeting. James Lewis asked that the Commission refrain from offering personal opinions during the Public Hearing.

01:28:55

8. Planning Commissioner Reports and Staff Update

Planning Commissioners had no comments. Deborah McMahon stated that they have received about half a dozen calls a day regarding the Public Hearing Notice on the Comp Plan. She emphasized that the Planning Commissioners must maintain control during the Hearing.

9. Other Matters

Only those matters properly added to this Agenda under line item No. 4 will be discussed at this time.

Chair John Thomas stated that initially the Commission will have one meeting a month, on the third Wednesday of every month. The Planning Commission agreed to meeting again on October 21<sup>st</sup>. Starting time for the monthly meeting will be 6 pm.

Deborah McMahon stated that the Planning Commission cannot meet as a quorum unless the meeting is noticed beforehand. She also said it would be unlawful for them to do circular e-mails.

Planning Commission Secretary, Luana Damerval, advised the Commissioners they may obtain an e-mail account for Planning Commission business since it is considered public information.

10. Adjourn

Chair John Thomas adjourned the meeting at 7:46 pm.

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John Thomas, Chair

Attest:

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City Recorder Luana Damerval