



**WASHINGTON COUNTY PLANNING COMMISSION
MINUTES OF WEDNESDAY, NOVEMBER 3, 2010**

ALL PUBLIC MEETINGS ARE RECORDED

I. CALL TO ORDER: 1:02 P.M. Room 140, Public Services Building

The meeting was called to order by Chair San Soucie

II. ROLL CALL

Planning Commission (PC) members present: Herb Hirst, Liles Garcia, Rick Lesniak, Veta Holscher, Mary Manseau, Marc San Soucie, and Matthew Larrabee. Commissioner Scott Rickard's absence was excused.

Staff present: Joanne Rice, Paul Schaefer, Traci Shirley, Steve L. Kelley, Steve D. Kelley, Connie McCracken, and Gretchen Olson, Long Range Planning; Chris Gilmore, County Counsel.

III. DIRECTOR'S REPORT

Joanne Rice gave the Director's Report. She informed the Planning Commission (PC) that Ordinance No. 730 and No. 732 were engrossed and adopted by the Board of County Commissioners (BCC) on October 26, 2010. The supplemental transportation SDC and transportation funding strategy for North Bethany and the 2011 Work Program for North Bethany were also adopted. Chair San Soucie asked if the North Bethany Work Program for 2011 consisted of the placeholders. Ms. Rice answered yes.

IV. WORK SESSION

Ms. Rice informed the PC that there would be no business to conduct in December. The PC voted to cancel the December 1, 2010 and December 15, 2010 meetings.

Chair San Soucie asked what items the PC could expect to see on the Work Program for 2011. Ms. Rice answered that 2011 would be busy with carry over from the 2010 Work Program. Staff would focus on Aloha/Reedville planning work, North Bethany, West Bull Mountain (WBM), and Urban and Rural Reserves. The Urban and Rural Reserves were remanded by the Oregon Land Conservation and Development Commission (LCDC) on October 29, 2010. There was a brief discussion about the Reserves process and next steps to address the recent LCDC removal of a portion of the Urban Reserves in Washington County. Ms. Rice said she would have more information after the county received the written order from LCDC, expected in six to eight weeks.

Chair San Soucie asked if there would be an opportunity for the PC to review and make comments on the proposed 2011 Work Program before it goes before the BCC. Ms. Rice replied the draft Work Program is always made available to the PC for comment.

Commissioner Hirst suggested a Joint Dinner with the BCC as there are many new members on both the BCC and the PC. Ms. Rice said this request would be forwarded to the BCC.

Chair San Soucie wanted to know if the City of Tigard had provided written comments before the letter dated November 3, 2010. Ms. Rice noted the City of Tigard had been involved in the WBM planning process and had submitted comments on multiple occasions. She added staff intended to comment on the letter. Ms. Rice reminded the PC that this was just a Concept Plan, a precursor to the final plan. At the direction of the BCC, staff was directed to deal with only land use issues and not the governance and service provider issues through the Concept Plan. Those issues will be dealt with when the Concept Plan was developed into a Community Plan.

Commissioner Manseau stated the PC typically hears ordinances and plan amendments and asked why WBM was a Resolution & Order (R & O). Ms. Rice replied staff wanted a way to memorialize all the work that the Stakeholders Work Group (SWG) and the Technical Advisory Committee (TAC) had done on this project. They worked hard to get to an agreement of this size. The Principals and Goals, Implementing Strategies, and the Concept Plan maps all provide a mechanism from which the Community Plan can be developed. Commissioner Manseau clarified that the Concept Plan was more of an intermediate plan. Ms. Rice answered yes, a partial or precursor plan.

The work session was adjourned at 1:25 p.m.

V. ORAL COMMUNICATIONS

There was no one present who wished to testify on a non agenda item.

VI. WEST BULL MOUNTAIN CONCEPT PLAN

Ms. Rice made brief opening remarks. She noted the County began the planning process for WBM in 2007 to prepare the Concept Plan. At the direction of the BCC, governance and service provider issues were not addressed in the Concept Plan. The BCC wanted staff to strictly focus on the land use aspects of WBM. The purpose of the R & O was to memorialize the work done by the SWG, TAC, and staff during the three year process. The R & O would guide the next phase of work, the creation of the Community Plan. Ms. Rice concluded by saying the Concept Plan is in no way meant to be a final product, just the precursor to the Community Plan.

Mr. Schaefer presented the staff report and gave a PowerPoint presentation that outlined the entire WBM planning process, including maps of the area and an overlay of the Concept Plan onto an aerial map from Google Earth. A printed version of the PowerPoint presentation was in the PC file and is available upon request.

Mr. Schaefer responded to the letters of comment received from the cities of Tigard and Beaverton. He said it would be more appropriate if the letters were addressed at the next phase of the planning process, rather than the Concept Plan phase. The letters focused on the governance and service provider aspects of WBM and those issues are not addressed by the Concept Plan. Mr. Schaefer reiterated that it would be better to address the letters when the work is started on the Community Plans.

Chair San Soucie wanted to confirm the Concept Plan was not intended to be compliant with Title 11. If it was not, he suggested it should be called something other than "Concept Plan". Ms. Rice replied staff had considered it to be a precursor to what Metro considers a Concept Plan. She added staff could work to make the use of Concept Plan more clear.

Commissioner Manseau questioned if there were documents associated with the Concept Plan that laid out the next steps of the planning process, for example, Community Plan and Code. She also questioned if there was an intermediary step between the Concept Plan and Community Plan that would be Title 11 compliant. Ms. Rice answered the BCC would decide the steps in the planning process. The BCC directed staff to concentrate on the land use issues of WBM and to not address the governance, code, or Community Plan. There was no interim step that would be Title 11 compliant. Staff was also working diligently to make sure the contract with Metro for the scope of the work was satisfied. Chair San Soucie asked if the plan meets the contract requirements with Metro. Ms. Rice answered that it did satisfy the contract. Chair San Soucie asked if the R & O constituted a legally binding document. Ms. Rice said no, it was not intended to be a legal document.

As there were no more questions for staff, Chair San Soucie began the public testimony phase of the hearing.

Ken Dixon, 1195 NE 240th, Yamhill OR, Mr. Dixon voiced his concerns regarding the location of parks. He said the current Concept Plan had about 12 acres of his property designated for a Community Park. He was concerned that the process was going to take a long time, as there was no identified parks provider. Mr. Dixon wanted to stress his desire that the planning for WBM be handled in a reasonable time frame and the parks provider's acquisitions be equitable.

Dan Grimberg, West Hills Development, 735 SW 158th Avenue, Beaverton OR, Mr. Grimberg submitted a letter from Mike Robinson, legal counsel for West Hills Development. Mr. Grimberg said that the Concept Plan in general was good, but that it lacked the flexibility that the development community would like to see. He suggested that the text that accompanies the Concept Plan should indicate that the road alignments and the parks and open spaces could be changed once the community plan was being developed. Mr. Grimberg also suggested that the use of a facilitator would be extremely helpful when work was being done for the code and community plan.

John Rankin, 26715 SW Baker Road, Sherwood Or, Mr. Rankin noted that he represented eight land owners in the area. He submitted an alternate Concept Plan to the PC. He also stressed the importance of the need for flexibility that Mr. Grimberg had discussed. Mr. Rankin suggested that the parks issue be dealt with first in the next phase, as it seems to be the most prevalent issue. He also raised issues with the "hard lines" shown on the maps for roads.

Chair San Soucie asked Mr. Rankin if he had submitted his alternative Concept Plan to the SWG or TAC. Mr. Rankin replied that he had, but it was difficult to do so. There was only a limited amount of time for people to make comments at the beginning of the meetings and the maps had to be made up for each meeting. It would have been more helpful if staff could have made the maps or provided more maps so the Concept Plan would have been more clear.

Commissioner Manseau asked if it was possible for Mr. Rankin's suggestions to be incorporated into the Concept Plan. Mr. Schaefer interjected that when the alternative plans were presented to the TAC and SWG, they reviewed the suggested changes, and many of the changes were incorporated into the Concept Plan.

Gretchen Buehner, 13249 SW 136th Place, Tigard OR, Ms. Buehner stated she was not representing the City of Tigard, but was a lawyer representing a client. The property owner she represented was actually outside the Urban Growth Boundary (UGB). She was not sure why the property was left out of Area 64, as the parcel of land would have been a great addition to Area 64 for transportation reasons. A private road on the parcel would work extremely well as a connector and it could serve as an alternate route for traffic on Roy Rogers Road.

Ron Bunch, Community Development Director, City of Tigard, Mr. Bunch stated his appreciation for all the hard work staff had done for WBM. The City of Tigard had been actively following the process for the last three years. The issue the City of Tigard saw with the Concept Plan was the lack of information regarding governance. This issue came up time and time again through out the process and the Concept Plan does not address governance. The City of Tigard believed the Concept Plan should be sent back to address the governance issues and to be complaint with Metro and State laws.

There was a brief discussion regarding changing the name Concept Plan to something else and also making it legally binding.

Annexation issues were also discussed. The City of Tigard said they were working on annexation issues and annexation was a possibility for WBM.

John Weathers, 16399 SW Tubes Court, Tigard OR, Mr. Weathers lives next to Area 64. He said two years ago, Washington County had a public involvement opportunity in their neighborhood to discuss the upcoming project for Areas 63 and 64. The neighborhood he lives in became very active in following the process. As the project became more concrete, his neighborhood came up with a five point petition that was submitted to the SWG and TAC. The five points dealt with additional buffers, traffic concerns, mass transit, where the centers would be located and park locations. He stated the planning staff did a wonderful job listening to the residents and incorporating some of the changes into the Concept Plan. As the PC was considering their recommendation, Mr. Weathers asked the commissioners to please keep in mind the Concept Plan before them was what the community wanted. This was a perfect representation of input from the community.

The PC deliberated on the R & O. Items discussed included not having enough time to delve into the Concept Plan with one PC meeting and the issue of not having governance and service providers addressed.

Chair San Soucie summed up the PC deliberations by saying: the PC acknowledged the work memorialized a portion of the work that the County had done with the SWG and TAC to develop components of a plan. He stated that it should not be called a Concept Plan and detailed text that builds in great flexibility should be used. It should also be stated somewhere in the text that is the document is not a legally binding.

Commissioner Hirst made a motion to have the summary serve as the PC recommendation to the BCC, Commissioner Garcia seconded.

Commissioner Larrabee presented an amendment to the motion that included a recommendation that parks and roads be flexible and explore the option to have the main commercial area have direct frontage on Roy Rogers. He wanted it to be assured that the property owners would be equitably compensated for their lands. **Vote on amendment: 5 - 2, Commissioners Manseau and San Soucie voted no.**

Chair San Soucie read the amended motion: The PC acknowledged the work memorialized a portion of the work that the County had done with the SWG and TAC to develop components of a plan. He continued that it should not be called a Concept Plan and it should go into more detail with text that builds in great flexibility. It should also be stated that it is not a legally binding document somewhere in the text as well as, ensuring that the property owners get equitable compensation for their property. The PC also recommended that commercial area be explored to allow direct frontage to Roy Rogers Road and that the Parks and Roads system be more flexible. **Vote on amended motion: 6 - 1, Commissioner Manseau voted no.**

VII. ADJOURN: 3:59 P.M.

There being no further business to come before the Planning Commission, the meeting was adjourned.

Marc San Soucie
Chairman, Washington County
Planning Commission

Andrew Singelakis
Secretary, Washington County
Planning Commission

Minutes approved this _____ day of _____, 2010

Submitted by Gretchen Olson