

CITY OF LAFAYETTE
PLANNING COMMISSION MEETING MINUTES FOR
JUNE 18, 2009

Call to Order: Beth Cooke called the meeting to order at 7:03 p.m.

Roll Call: Lori Labb called the roll.

Present: Marian Chasse, David Gilbey, Ronald Kerr, Beth Cooke, Dwayne Brittell

Absent: Chad Gooch, Todd Holt (both excused)

Staff Present: Jim Jacks and Lori Labb

Others: Darrell Flood

Approval of Minutes:

Dwayne Brittell made a motion to approve the April 16, 2009 meeting minutes. David Gilbey seconded the motion. Motion passed unanimously.

Public Hearing: The Lafayette Planning Commission will deliberate on Text Amendment 09-01. The City of Lafayette proposes citywide changes to the Zoning and Development Ordinance to (1) correct scrivener's errors, (2) correct erroneous Code citations, (3) clarify language, (4) make substantive changes to the planned unit development (PUD) provisions, including not allowing the PUD process for development in the Residential Acreage (RA) District, the Residential Low Density (R-1) District and the Residential Commercial (RC) District, and (5) add the Limited Land Use and Expedited Land Division processes.

Beth Cooke re-opened the hearing at 7:04 pm.

The Planning Commission took a moment to look over the definitions of open space in the memo provided by Jim Jacks.

The Planning Commission discussed the pros and cons of having a definition of open space.

Marian Chasse questioned if the homeowners association in the PUD should determine what the open space is used for. Lori Labb noted that an issue that could come up in that situation is that some homeowners associations do not come into effect until sometimes years after the approval of the PUD. In that case the developer is essentially the HOA and that would leave the determination to the developer to put in whatever he/she wants.

Discussion ensued.

Dwayne Brittell noted that he felt it was very important to have definitions. It should be clearly defined if it is public or private open space and if walking paths and parking and loading should be included in that open space.

Ronald Kerr noted that open space could be vaguely defined as stating open space to remain natural. Intended to do nothing but stay as nature takes it. There could be an open space limited use, where there may be some walking paths or trails that have limited human activities. Open space public as something intended for true public use. Examples could be pools, slides, cooking grills and manicured lawns. This sets some guidance but still allows for maneuvering and flexibility.

David Gilbey noted that leaving no definitions provides flexibility but also open the commission up for each time the commission is reviewing something, having to determine what allocation will be for open space, how much space and what should be there. It might be best to error on the side of caution and look at a generalized definition. The definitions need to be carefully looked at to ensure that the city is not responsible for every park that is required for a PUD that could put financial ramifications on the city.

Beth Cooke noted that she felt that a sentence in the Lake Oswego definition that pertained to ownership was well stated. It states that "Open space shall be permanently reserved by common ownership among the owners of a development, dedicated to the public, or by other appropriate means committed to use for the general public".

Jim Jacks provided a handout to the commission that provided options on definitions of open space and outdoor recreation area.

There was discussion among the commissioners on the definitions provided.

The Commissioners made motions, and later amended them. These minutes reflect the final motions and votes taken.

Marian Chasse made a motion to accept option 2 for Open Space (which stated "Land to remain in natural or landscaped condition, for the purpose of providing a scenic or aesthetic appearance; protecting natural processes; providing low and medium impact recreational uses; maintaining natural vegetation; providing corridors for underground public and private facilities to support development ") that was listed on the memo from Jim Jacks dated May 21, 2009. Dwayne Brittell seconded the motion. Discussion- Jim Jacks suggested that the motion include the definition for ownership. The definition would state "Open space shall be permanently reserved by common ownership among the owners of a development, dedicated to the public, or by other appropriate means committed to use for the general public ". Marian Chasse and Dwayne Brittell agreed to amend the motion to include Jim Jacks recommendation to include the definition of ownership. After some discussion, the definition of ownership was clarified to read "Open space shall be permanently reserved by common ownership among the owners of a development, **or** dedicated to the public, or by other appropriate means committed

to use for the general public". There was no more discussion and the motion passed unanimously.

Marian Chasse made a motion to accept option 2 Outdoor Recreation Area (which stated "Land for low, moderate and high impact recreation activities, including but not limited to education, trails, walkways, hard and soft surface pathways, pedestrian and bike bridges, seating, viewing blinds, observation decks, informational signage, drinking fountains, picnic tables and group picnic shelters, interpretive centers, sports fields, playground equipment, swimming pools, restrooms, accommodations for ADA access where site considerations permit, and other similar facilities") that was listed on the memo from Jim Jacks dated May 21, 2009. Dwayne Brittell seconded the motion. Discussion- There was no more discussion and the motion passed, with David Gilbey voting nay.

Marion Chasse made a motion to make a recommendation that City Council to adopt the proposed zone code amendments with the changes the commission has recommended be made to the staff documents. David Gilbey seconded the motion. Motion passed unanimously. 8:18 pm.

Adjourn: David Gilbey made a motion to adjourn. Marian Chasse seconded the motion. Motion passed unanimously. 8:19 pm.