Accessibility and Accommodation Requests

For questions about accessibility or accommodations for persons with disabilities, or to request a translator, interpreter, or other communication aids, please contact Melissa Bisset at 503-856-3412 or bissetm@keizeror.gov. The City of Keizer is committed to providing equal access to all public meetings and information per the requirements of the ADA and Oregon Revised Statutes (ORS). The Keizer Civic Center is wheelchair accessible.

To provide oral comments via electronic means, please contact the City Recorder's Office no later than 2:00 p.m. on the day of the meeting. Most regular City Council meetings are streamed live through www.KeizerTV.com and cable-cast on Comcast Channel 23 within the Keizer City limits.

KEIZER PLANNING COMMISSION

Wednesday, January 8, 2025, 6:00 PM
Robert L. Simon Council Chambers

1. **CALL TO ORDER**

2. **APPROVAL OF MINUTES**

   a. **November 2024**

3. **APPEARANCE OF INTERESTED PERSONS**

   This time is made available for those who wish to speak about an issue that is not on the agenda.

4. **NEW-OLD BUSINESS/STAFF REPORT**

   a. **Discuss Ordinance: Three-year terms vs. four-year terms and residency requirements**

   b. **Planning Commission Rules**

   c. **Planning Commission Work Plan 2025**

5. **COUNCIL REPRESENTATIVE REPORT**

6. **COMMISSIONER REPORTING TO COUNCIL ON TUESDAY, JANUARY 21ST AT 6PM: FERNANDO LOPEZ**

7. **NEXT MEETING: FEBRUARY 12TH**

8. **ADJOURNMENT**

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."

MINUTES
KEIZER PLANNING COMMISSION
Wednesday, November 13, 2024
Keizer Event Center

1. CALL TO ORDER

CALL TO ORDER: Chair Matt Lawyer called the meeting to order at 6:02 pm.

Present:	**Council Liaison Present:**
Matt Lawyer, Chair	Councilor Juran
Jeremy Grenz, Vice Chair	
Frank Hostler	**Youth Liaison Present:**
Fernando Lopez	Open Position
Absent:	**Staff Present:**
Robb Witters	Shane Witham, Planning Director
Lindsey King	Joseph Lindsay, City Attorney
Sara Hutches	Dawn Wilson, Deputy City Recorder

2. APPROVAL OF MINUTES

Commissioner Fernandoz Lopez moved for approval of the October 2024 Minutes as presented. Commissioner Frank Hostler seconded. Motion passed unanimously as follows: Lawyer, Hostler, Grenz, and Lopez in favor with Witters, Hutches, and King absent.

a. October 2024

3. APPEARANCE OF INTERESTED PERSONS

Bruce Anderson, Keizer and former Planning Commissioner Chair and City Councilor, shared his thoughts on rule changes with respect to term limits. He was termed out as a Planning Commissioner, and he would have remained serving if he wasn't termed out. He feels that it comes down to a policy decision. The terms are staggered, which was good to retain institutional knowledge. If the Planning Commission agrees to eliminate the term limits, having members re-appointed for certain number of years would be good.

City Attorney Joseph Lindsay clarified that the State statute says that two types of professions could be on the board, and the City's Legal Assistant said that the City wanted to have only one type of profession on the Planning Commission.

Councilor Juran offered that when he was a Planning Commissioner, he

would have continued serving if his term hadn't ended. He feels that on this Commission, it would benefit the City not to have term limits.

4. PUBLIC HEARING There were no public hearings.

a. None

5. NEW-OLD BUSINESS/STAFF REPORT

a. Planning Commission Rules

Planning Director Shane Witham summarized the staff report and explained the changes, which included the option to reapply to be a Commissioner without a limit.

Discussion ensued on the one versus two types of professions on the Planning Commission.

Mr. Witham explained that one of the substantive changes was how meetings would be canceled, which would be by agreement between the chair, staff liaison, and council liaison if the Planning Commission agreed to the changes in the Ordinance. Mr. Witham shared that there was some language for the ability to have special meetings.

Mr. Anderson commented about the same type of occupation and non-residents language in the Ordinance and feels that having a non-resident on the Commission should be removed. Chair Lawyer suggested that having members in the urban growth area would be good.

City Attorney Lindsay read the State statute (ORS 227.030) on having members with two professions who could be on the Planning Commission. Chair Lawyer requested that the intent be included in the Ordinance.

Commissioner Hostler suggested that they need to allow more than one of the same occupation and that the applicants need to be asked questions to learn how each of them could add to the Commission. Chair Lawyer explained that the questions asked by the Volunteer Coordinating Committee are directed towards the committee in which the applicants are being interviewed.

Jeff D'Auria, Keizer, commented on the term limits and feels that unlimited terms wouldn't be good and suggested that the term limit be increased.

Commissioner Jeremy Grenz moved to recommend approval of the proposed draft Resolution and proposed draft Ordinance modifications to the Keizer City Council for approval. Commissioner Fernando Lopez seconded. Motion passed unanimously as follows: Lawyer, Hostler, Grenz, and Lopez in favor with Witters, Hutches, and King absent.

b. Update on FEMA Floodplain issue: Pre-Implementation Compliance Measures (PICM)

Mr. Witham presented an update on the Federal Emergency Management Agency (FEMA) Floodplain issue and the Pre-implementation Compliance Measures (PICM). He explained that the citizens in Keizer could get flood insurance because the City was a member of the PICM Community. FEMA was the administrator for the program and there are certain prerequisites to qualify as member.

Mr. Witham noted a couple lawsuits that FEMA underwent and how they announced to Oregon Cities new PICM measures, Cities could select one of three approaches and he explained each of them. Mr. Witham recommends Path # 3 using the Permit by Permit approach. The path could be changed at any time.

Mr. Witham stated that the Development Code would need to be updated to include the permit requirement. Chair Lawyer suggested that the City receive an estimate of the cost for an external expert to assess the habitat so that those costs could be passed onto the developer.

Mr. Witham asked for the Planning Commission's concurrence.

Mr. Lindsay explained the requirement for the City to respond to FEMA by December 1st and the consequences of not-responding within the timeline.

There was concern about how the Permit to Permit option would impact Measure 56, and it was requested to do a Measure 56 notice, even if it's for education only. It was noted that there must be sharing made by landowners and animals.

There was a consensus to choose the Permit by Permit option.

6. COUNCIL REPRESENTATIVE REPORT

Councilor Juran reported that the last City Council meeting, they presented a Volunteer of the Quarter award for Ken Gierloff, two new police officers were sworn in, and the Council authorized funding for the Wheatland Road and Corridor Project for Phase I.

7. COMMISSIONER REPORTING TO COUNCIL: Jeremy Grenz

Chair Lawyer would report to Council with Commissioner Hostler observing.

8. NEXT MEETING: December 11th

Chair Lawyer handed out a card on the Keizer Gold Star Family Memorial Monument and welcomed donations.

9. ADJOURNMENT

Meeting adjourned: 8:12 p.m.

Minutes approved: _____

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."

To: Planning Commission

From: Shane Witham, Planning Director

Subject: Discuss items referred by City Council back to Planning Commission for consideration and recommendation

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Proposed Motion

After discussion of the issues for consideration, the Planning Commission should make a motion to recommend the appropriate proposed change to the ordinance pertaining to term limits and residency requirements.

I. Summary

At the December 16, 2024 City Coucil Meeting, the Council directed staff to bring back to the Planning Commission the proposed ordinance changes for further consideration relating to the term limits and residency requirements.

II. Background

A. At the December 16, 2024 City Council meeting, staff presented the Planning Commissions recommended ordinance changes to eliminate the number of consecutive term limits a Planning Commissioner can serve. Currently, the ordinance has a limit of 2 consecutive terms, and Planning Commission recommended that it be eliminated so that a Planning Commissioner could apply to serve for additional 3 year terms, with no limit.

B. In addition, City Council questioned whether the "residency" requirements that currently exist in the ordinance should be modified, which was not something Planning Commission had made a recommendation on.

C. Ultimately, Council directed staff to bring the issue back to Planning Commission for further consideration regarding these 2 specific issues.

1. City Council was not supportive of unlimited consecutive terms, but did indicate a desire to increase the number to 3 terms. There was also interest expressed in increasing the term limit from the current term of 3 years up to 4 years. However, City Council wanted to have the Planning Commission consider these options and make a recommendation back to them for final action.

2. In addition, a discussion regarding the current "residency" requirement that allows for one Planning Commissioner to be a non-resident was questioned by Council as whether or not it was appropriate, and wanted to have Planning

Commission consider this issue and provide a recommendation. Staff has provided some optional language for Planning Commission to consider and make a recommendation on.

III. Current Situation

The City Council has referred this issue back to the Planning Commission for its consideration and recommendation on proposed changes to the Ordinance.

IV. Analysis

A. **Strategic Impact** - NA

B. **Financial** - NA

C. **Timing** - The Planning Commission recommendation was taken to City Council at their December 16, 2024 meeting, and this is the next available Planning Commission meeting for this to be considered.

D. **Policy/Legal** - The Ordinance is adopted by City Council, but in this case City Council has asked for a Planning Commission recommendation prior to taking action on this issue.

V. Alternatives

A. Make a recommendation to City Council regarding the existing 3-year term or increasing it to a 4-year term for Planning Commissioners, and appropriate residency requirements for Planning Commissioners.

B. Choose not to make a recommendation to Council. Which would result in Council either choosing to take action independently, or possibly take no action to implement the changes desired by Planning Commission.

VI. Recommendation

Staff recommends that Planning Commision discuss the issues and make a recommendation to Council on the appropriate language for staff to take back to Council for consideration.

Attachments

1. ORD_PC_Amending Sections 2-123 and 2-124_01 08 2025
2. EXH_PC_Exh to Ordinance Relating to Planning Commission_01 08 2025

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A BILL ORDINANCE NO. 2025-_____

FOR

AN ORDINANCE

RELATING TO PLANNING COMMISSION; AMENDING KEIZER CODE SECTIONS 2-123 AND 2-124

The City of Keizer ordains as follows:

Section 1. Keizer Code Sections 2-123 and 2-124 are hereby amended as set forth in Exhibit A, attached hereto and by this reference incorporated herein.

Section 2. In preparing this ordinance for publication and distribution, the City Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but within such limitations, may:

(a) Renumber sections and parts of sections of the ordinance;

(b) Rearrange sections;

(c) Change reference numbers to agree with renumbered chapters, sections or other parts;

(d) Delete references to repealed sections;

(e) Substitute the proper subsection, section or chapter, or other division numbers;

(f) Change capitalization and spelling for the purpose of uniformity;

(g) Add headings for purposes of grouping like sections together for ease of reference; and

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(h) Correct manifest clerical, grammatical or typographic errors.

Section 3. Each section o this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

Section 4. This Ordinance shall take effect thirty (30) days after its passage.

PASSED this _____ day of _____, 2025.

SIGNED this _____ day of _____, 2025.

_____
Mayor

_____
City Recorder

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Sec. 2-123. Created; composition; member terms, qualifications, reimbursement, and removal.

(a) The city planning commission (commission) is hereby created. The commission will have the powers and duties set forth in this division and such additional powers and duties as may be conferred on such commission by the constitution and laws of the state, by the city Charter, or by ordinances, resolutions, or orders of the city council.

(b) The commission will consist of seven voting members, to be appointed as outlined by the city council rules of procedure. No more than one voting member shall be engaged in the same kind of occupation, business, trade, or profession. No member shall be a nonresident of the city. OR No more than one member shall be a nonresident of the city, unless the member is a property owner, or employee in or business owner in the city. No member may serve as a member of the city budget committee at the same time. The mayor will appoint a nonvoting council liaison to the commission and make such announcement at a regularly scheduled council meeting. The council may appoint a nonvoting youth liaison to the commission pursuant to the city council rules of procedure. The commission will be staffed by a nonvoting staff liaison to be appointed by the city manager.

(c) The term of office of the appointed members shall be three OR four years or until their successors are appointed and qualified. The terms of office for appointed members shall be staggered so that the term of office of not more than three will expire in the same year. No appointive member shall serve more than three~~two~~ consecutive terms.

(d) Appointments for unexpired terms shall not be included for the calculation of term limits referenced in subsection (c) of this section.

(e) Prospective members of the commission may be required to qualify by submitting a written application and/or appearing before the city council or volunteer coordinating committee for a personal interview. Before entering upon the duties of a planning commissioner, each commission shall take an oath or shall affirm support for the Constitution and the laws of the United States and of the state and that each commissioner will faithfully and impartially perform duties of that office.

(f) The members of the commission shall receive no compensation but shall be reimbursed for duly authorized expenses.

(g) A member of the commission may be removed by a two-thirds majority vote of the city council, after hearing, for misconduct or nonperformance of duty.

(Ord. No. 2020-824, § 1, 10-5-2020; Ord. No. 2023-867, § 1, 7-17-2023)

Sec. 2-124. Organization.

(a) The commission shall elect a chairperson and vice chairperson, who shall be members appointed by the city council and who shall hold office during the pleasure of the commission.

(b) Four members appointed by the city council shall at all times constitute a quorum.

(c) The commission shall meet at least once each month, and the regular meeting place of the commission shall be the city hall. Upon consensus by the chair, council liaison and staff liaison~~a majority vote of the members of the commission present~~, a meeting may be canceled when deemed appropriate. Notice of cancellation shall be posted at city hall and on the city's website and social media sites and distributed to members of the media and citizens requesting notice. The commission may hold special meetings as needed in staff's determination for land use applications.

(d) The commission may make, establish and alter rules and regulations for its government and procedures consistent with the laws of the state and with the Charter and ordinances of the city. Before any rules, amendments or deletions become effective, the commission must submit them to the city council for approval.

(Ord. No. 2020-824, § 2, 10-5-2020)

Planning Commission Meeting Date: January 8, 2025

To: Planning Commission

From: Shane Witham, Planning Director

Subject: Resolution for Planning Commission Rules

Proposed Motion

I move the Planning Commission adopt Resolution R2025-____ in the matter of adopting "Rules of the Commission"; Repeal of Resolutions 83-1, 83-2, and R98-2

I. Summary

The Planning Commission recommended changes to the existing Planning Commission Rules outlined in separate resolutions, which staff presented to City Council at their December 16, 2024 meeting. Changes to the Resolution(s) require obtaining approval from Council, prior to adoption by the Planning Commission.

II. Background

A. Planning Commission reviewed the rules and ordinances that regulate the procedures of the Planning Commission at the November Planning Commission meeting and recommended changes to City Council for approval.

B. Staff presented the proposed changes to City Council at their December 16, 2024, meeting. City Council approved the proposed Resolution for Planning Commission to adopt with no changes proposed to the Commission's recommendation.

III. Current Situation

A. The proposed Resolution may now be adopted by the Planning Commission, since it has been approved by City Council.

IV. Analysis

A. **Strategic Impact** - NA

B. **Financial** - NA

C. **Timing** - The City Council approved the proposed Resolution at their December 16, 2024 meeting. This is the first Planning Commission meeting available to adopt the Resolution.

D. **Policy/Legal** - The Resolution was prepared by the legal department and is

attached. This is the process for adopting the Planning Commission rules.

V. Alternatives

A. Adopt the attached Resolution (recommended)

B. Choose not to adopt the resolution. This would result in the existing rules remaining in effect which are inconsistent with some of the current practices of Planning Commission and would not achieve consistency with Council's procedures pertaining to public hearings.

VI. Recommendation

Staff recommends that Planning Commision adopt the attached Resolution.

Attachments

1. RES_PC_Planning Commission Resolution Adopting Rules_1 8 2025

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PLANNING COMMISSION, CITY OF KEIZER, STATE OF OREGON

Resolution R2025-_____

IN THE MATTER OF ADOPTING "RULES OF THE COMMISSION"; REPEAL OF RESOLUTION 83-1, 83-2, AND R98-2

WHEREAS, the Keizer Planning Commission adopted rules of the commission by Resolution 83-1 on September 21, 1983;

WHEREAS, the Keizer Planning Commission adopted rules for procedure for public hearings before the commission by Resolution 83-2 on September 21, 1983;

WHEREAS, the Keizer Planning Commission amended the rules of the commission by Resolution R98-2 on June 10, 1998;

WHEREAS, the Keizer Planning Commission desires to make, establish and alter its rules with the approval of the City Council;

NOW, THEREFORE,

BE IT RESOLVED by the Keizer Planning Commission of the City of Keizer that the following rules and regulations are hereby adopted by the Commission for the proper conduct, order and government of its meetings, business, and members:

Section 1. Officers. At the regular meeting in October, the Commission shall elect a chairman and vice chairman from its appointive membership, each of whom shall serve for a one-year term, ending at the adjournment of the regular October meeting, or until a successor is elected.

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Section 2. Officers Pro Tem. In the case of the absence of both the chairman and the vice chairman at any meeting, a quorum being present, the office of either or both of them shall be filled pro tem from the commissioners present and the business transacted as though the regular officers were present.

Section 3. Meetings of the Commission. Regular meetings of the Commission are to be held on the second Wednesday of each month. Meetings shall be convened at 6:00 p.m. at the City Hall. Meetings shall adjourn no later than 9:00 p.m. Special meetings may be called by the staff liaison provided that notice of such special meeting so called shall be given each member of the commission.

Attendance of commissioners at duly convened meetings of the commission is mandatory. Any commissioner absent without excuse by the chairman from three or more meetings within any calendar year is subject to sanctions as provided in this section. The chairman may excuse any commissioner from attendance at a meeting for good cause. A commissioner denied excuse may appeal the ruling of the chair at the next meeting at which the commission is present. Sanctions available to the commission for excessive unexcused absences shall include censure, or recommendation to the City Council that the offending commission be removed from office, either of which may be imposed by a majority vote of the commission, a quorum being present. The accused commissioner may speak on their own behalf, but shall not vote on the question of the sanction.

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Section 4. Rules of Order. Robert's Rules of Order Newly Revised, 12th Edition shall govern all Planning Commission proceedings unless they conflict with these rules. The Chair will act as parliamentarian with support from the City Attorney when present.

Section 5. Order of Business. The general order of business on the regular session agenda shall be as follows:

1. Roll call.
2. Approval of minutes.
3. Appearance of Interested Citizens.
4. Public Hearings.
5. New-Old Business.
6. Report of Officers/Council Liaison.
7. Other Business.

The order of business may be modified by the members of the commission when such a change will make a more logical sequence of subjects for consideration by the commission.

Section 6. Conflict of Interest or Other Disqualifications.

A. Conflict of Interest. In every case in which a Planning Commission member is faced with a potential conflict of interest or an actual conflict of interest as defined in state law, the nature of the conflict must be disclosed during the public meeting and recorded in the minutes. If an actual conflict of interest exists, the Planning Commission member, after disclosing the conflict, shall remove themselves from the Council

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Chambers and refrain from both participation in the discussion and the vote on the issue. However, if the Planning Commission member is a direct party on the issue, they will be allowed to remain in the Council Chambers.

B. Bias. In quasi-judicial cases, Planning Commission members should recuse themselves from any decision or discussions if they have a prejudice or prejudgment of the facts to such a degree that the Planning Commission member is incapable of rendering an objective decision on the merits. Members of the Planning Commission should avoid voicing an opinion prior to the testimony.

C. Ex Parte Contact. Ex Parte communications only apply in a quasi-judicial case. Members of the Planning Commission should avoid any communication outside of the public hearing with any party, including other Planning Commission members. A site visit is not considered an ex parte contact unless there is communication with an outside party or if information is gained from the visit that could be a factor in Planning Commission's decisions. Any ex parte contact, including the nature of the contact and the information obtained, should be disclosed at the beginning of the public hearing, and again at each continued public hearing.

Section 7. Public Hearings.

A. Public Hearings. A public hearing shall be held on each matter required by state law, City policy, directed by the Planning Commission, or as directed by the City Council. The Chair shall preside over the hearing and announce the type of hearing and the guidelines for the hearing. The Chair shall declare the hearing to be open and invite

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the member of the staff to present the staff report together with any petitions, letters, or written comments on the matter.

B. Testimony for Non-Land Use Hearings – Members of the audience may present oral testimony on the matters scheduled for public hearing. The Chair will call forth members of the audience who have signed up to present testimony under the guidelines specified at the opening of the hearing. If appropriate, the Chair may first ask those persons in favor of the matter to come forward, with those speaking in opposition coming after.

Except as stated otherwise, all testimony will be limited to five minutes per person. The Chair may further limit testimony if a speaker persists in being threatening and disorderly, or abusive, following a warning to that effect from the Chair. Upon being recognized by the Chair, any member of the Planning Commission or the City staff may ask questions of any speaker. Upon closure of the hearing, no further testimony will be allowed unless the Planning Commission allows written testimony to be submitted by a date certain.

C. Quasi-Judicial Land-Use Proceedings.

1. Scope of Review. All quasi-judicial land use proceedings shall be new (de novo).

2. Conflicts of Interest.

i. A member of the Planning Commission shall not participate in a discussion or vote in a quasi-judicial land use proceeding if:

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a. The member has an actual conflict of interest as defined by the Oregon Revised Statutes or the City Charter.

b. The member was not present during the public hearing; provided however, the member may participate and vote if they have reviewed the evidence, including recordings of the hearing, and declared such fact for the record.

3. Ex Parte Contacts/Bias

i. Members of the Planning Commission shall reveal the nature of any ex parte contacts or bias with regard to the proceeding at the commencement of any quasi-judicial land use proceeding.

If such contact/bias impairs the member's impartiality, the member shall state this fact and abstain from participation and voting in the matter.

4. Burden of Proof. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.

i. The decision of the Planning Commission shall be based on the applicable standards and criteria as set forth in the City's Development Code, the City's Comprehensive Plan, and, if applicable, any other land use standards and criteria imposed by state law or administrative rule.

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ii. The proponent, any opponents, and/or City staff may submit to the Planning Commission a set of proposed written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.

5. Hearing Procedures. The order of hearings in quasi-judicial land use matters shall be:

i. Land Use Hearing Disclosure Statement. The City Attorney shall read the land use hearing disclose statement, which shall include:

a. A list of the applicable criteria;

b. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes to apply to the decision;

c. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the Planning Commission and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and

d. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

ii. Call for ex parte contacts/bias/conflict of interest. The City Attorney shall inquire whether any member of the Planning Commission has had ex parte contacts, has

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bias, or has an actual or potential conflict of interest. Any member of the Planning Commission announcing an ex parte contact or conflict shall state for the record the nature of the contact or conflict.

iii. Staff summary. Planning staff shall present a summary and recommendation concerning the proposal.

iv. Presentation of the Case.

a. Applicant's case. Twenty minutes total.

b. Persons in favor. Five minutes per person.

c. Persons opposed. Five minutes per person.

d. Other interested persons. Five minutes per person.

e. Rebuttal. Ten minutes total. Rebuttal may be presented by the applicant. The scope of rebuttal is limited to matters which were introduced during the hearing by parties other than the applicant.

v. Close of hearing. Subject to state law, the Chair shall close the hearing if there are no further questions from Planning Commission. The Record may be left open pursuant to state law. The timeframe for submittals to the Record shall be clearly announced prior to close of the hearing.

vi. Deliberations. Deliberations shall immediately follow the hearing. The Planning Commission may delay deliberations to a subsequent time certain.

vii. Findings and Order/Ordinance/Resolution. The Planning Commission shall approve or deny the application.

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a. The Planning Commission shall adopt findings to support its decision.

b. The Planning Commission may incorporate findings proposed by the applicant, the opponent or staff in its decision.

viii. Continuances. Planning Commission shall grant continuances as required by state law. However, nothing in this section shall restrict the Planning Commission, in its discretion, from granting additional continuances. Any continuance requested by the applicant shall result in a corresponding extension of the 120-day time limitations imposed by the Oregon Revised Statutes.

D. Legislative Land Use Matters.

i. Hearings Procedures. The order of procedures for hearings on legislative land use matters shall be:

a. Call for abstentions. Inquire whether any member of the Planning Commission wishes to abstain from participation in the hearing. Any member announcing an abstention shall identify the reason therefor and shall not participate in the proceedings.

b. Staff summary. Staff shall present a statement of the applicable criteria, and a summary and recommendation concerning the proposal.

c. Presentation of the Case.

(a) Persons in favor. Five minutes per person.

(b) Persons opposed. Five minutes per person.

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(c) Other interested persons. Five minutes per person.

d. Close of hearing. No further information shall be received after the close of the hearing, except for written materials allowed by Planning Commission to be submitted prior to the close of the Record.

e. Deliberations. Deliberations shall immediately follow the hearing. The Planning Commission may delay deliberations to a subsequent time certain.

f. Reopening hearing. Prior to recommendation to the City Council relating to a legislative land use matter, and upon majority vote of the Planning Commission, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements shall be met for the reopened hearing as were required for the original hearing.

E. Attorney Representation. Any person attending a hearing has the right to be represented by an attorney.

Section 8. Procedures in Handling Parliamentary Motions.

A. To make a motion, a Planning Commission member must be recognized by the Chair at a time when there is no other business on the floor. The Planning Commission member then may state the motion by saying, "I move" and stating the action to be taken.

B. Another Planning Commission member seconds the motion. This can be done without being recognized by the Chair. If no member seconds the motion, it does not come before the meeting; it "dies" for lack of a second and the Chair calls for the

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next item of business. There is no discussion allowed prior to the second, except that any member may request clarification of the motion. A second does not necessarily mean that the member favors the motion. It can be that the member simply wants the motion brought on the floor for discussion.

C. The Chair states the question on the motion. This procedure is necessary for the motion to come before the Planning Commission. No debate can take place until the Chair states the motion is on the floor. Mover may withdraw the motion at any time up to the vote. It is unnecessary for the Chair to ask the member who seconded the original motion to withdraw the second. Withdrawal of the motion by general consent takes precedence to the second.

D. Any Planning Commission member may request a friendly amendment to the motion. If the mover and the second accept and there is no objection by any Planning Commission member, the motion goes forward as amended. If there is an objection, or the friendly amendment is not accepted by both the mover and the second, a formal motion to amend may be made.

E. Debate then takes place on the motion. The original mover is entitled to the floor first. Each member has the right to speak and to rebut any other speakers, but should not have the floor the second time until all who wish have spoken once. Unless it is decided otherwise, each speaker is limited to five (5) minutes each time.

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F. The Chair then puts the question to a vote. When the debate appears to have closed, the Chair asks "are you ready for the question?" If no one claims the floor, the Chair restates the motion and calls for a vote.

Section 9. Voting.

A. Voting. Unless a different voting requirement applies, the concurrence of a majority of the members of the Planning Commission in attendance, voting when a quorum of the Planning Commission is present shall decide any question before the Planning Commission. It is considered inappropriate for members to explain their action during the voting.

B. Abstentions. Any Planning Commission member abstaining should state the reason for the abstention. Abstentions should not be used if the member does not believe enough information is available. An abstention does not count as either an affirmative or negative vote and shall not be counted toward the number of votes required to pass or reject a motion.

C. Methods of Voting. The standard is the voice vote, however the Chair may decide the type of vote unless directed otherwise by a majority of the Planning Commission.

i. Voice Vote: This is the standard method when no more than a majority vote is required. The ayes are called for first and then the nays.

ii. Show of Hands: This can be used as an alternative to a voice vote, in verifying an inconclusive voice vote.

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D. Unanimous Consent. For minor matters, the Chair may use unanimous consent as a voting method if it appears that all of the Planning Commission members present agree. If any Planning Commission member objects, a formal vote shall be taken.

E. Voting Required. Every member of the Planning Commission that is present when a question is addressed shall vote for or against the question, unless they abstain for just cause (conflict of interest, bias, etc.).

F. Voting Results. The Chair announces the voting result. This step is always included to ensure Planning Commission understanding of the outcome and so that the Recorder will be able to accurately reflect the outcome in the minutes. If a motion ends in a tie, the motion will be considered lost.

G. Changing Vote.- A Planning Commission member has the right to change their vote up to the time the vote is finally announced. After that, they can make the change only by permission of the Planning Commission, which may be given by unanimous concurrence of Planning Commission. If an objection is made, a motion may be made to grant the permission. The motion is undebatable.

Section 10. Motion for Reconsideration. Unless specifically governed by other provisions of the codes, ordinances, or other regulations of the City, any Planning Commission member who voted with the majority or who was not present at the time of the vote, may move for reconsideration of an action at the same or at the next regular meeting of the Planning Commission. A vote of reconsideration requires a majority vote of those Planning Commission members present. A vote for reconsideration shall take

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place at the same meeting when there is no other business on the floor or at the next regular meeting of the Planning Commission under the Other Business portion of the meeting. A motion for suspension of the rules is not required. After a matter has been reconsidered, it shall not preclude the issue from being raised in the future, but not before the next regular meeting.

Section 11. Minutes.

A. Recording of Minutes. Minutes are the official record of the Planning Commission meetings. They record the substance of a meeting and are a clear, accurate, concise, informative record of the proceedings. Minutes will generally follow the chronological order of items considered during a meeting. Minutes are not a verbatim transcript, and the meeting does not have to be sound recorded unless otherwise required by law. For practical purposes, however, it is general practice to sound record the meetings of the Planning Commission for back-up reference. Reporting actions taken is the single most important segment of the final minutes. The minutes are to include, at a minimum:

a) Kind of meeting (regular, special, etc.)

b) The name of the body meeting (Planning Commission)

c) Date of the meeting and place where it is held.

d) Name and title of Chair.

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e) All motions (main, amendments, withdrawals, etc.), with dispositions, with the name of the mover and, if applicable, the name of the Planning Commission member who seconded the motion.

f) Members present.

g) Proposals, resolutions, and measures proposed and their disposition.

h) Results of all votes and the vote of each member by name, including abstentions.

i) The substance of any discussion on any matter.

j) The name and city of residence, if available, on any person appearing before the Planning Commission to offer testimony, and the substance of such testimony.

k) Exhibits or written testimony subject to ORS 192.311 to 192.338.

l) The signature of the individual taking the minutes.

m) Signature line for the Chair.

B. Distribution of Minutes. Draft minutes are distributed to the Planning Commission with the agenda on which those minutes appear as an item for approval. However, because they are generally completed in draft form prior to distribution of the agenda packets, the draft minutes are available for earlier review should the need arise.

C. Correction and Approval of Minutes. Approval of the minutes usually take place at the next regular meeting following the date of the minutes under approval. Generally, minutes appear on the agenda under the Approval of Minutes item. If minor

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changes are made to the minutes, a Planning Commission member may offer such amendment prior to the minutes being approved. All corrections that appear will appear in the minutes of the meeting when the changes took place. If a member of the Planning Commission is absent from the meeting, such member can announce their absence and abstain from voting for approval of the minutes or they can read the minutes prior to the meeting and vote for approval as part of the minutes approval. When a Planning Commission member is absent and abstains from voting for approval of the minutes, the word "absent" shall be printed in place of a signature.

If a Planning Commission member has a concern over the reporting of minutes, it is that Planning Commission member's responsibility to review the recording of the meeting and bring corrections forward to the Planning Commission at the next regular meeting with the recording cued, ready to be played, if necessary. It is not appropriate to expend staff time when only one member of Planning Commission is requesting the review.

D. Reading of Minutes. Unless the reading of the minutes of the previous Planning Commission meeting is requested by a majority of the Planning Commission, such minutes may be approved without reading if copies thereof have been previously furnished to each Planning Commission member.

BE IT FURTHER RESOLVED that Resolutions 83-1, 83-2, and R98-2 are hereby repealed in this entirety.

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BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its passage.

PASSED this _____ day of _____, 2025.

SIGNED this _____ day of _____, 2025.

_____
Chair

_____
Deputy City Recorder

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Planning Commission Meeting Date: January 8, 2025

To: Planning Commission

From: Shane Witham, Planning Director

Subject: Work Plan Discussion

Proposed Motion

A motion is not necessary, as the work plan is not formally adopted. However, staff would like to share the information with Planning Commission for consideration and consensus.

I. Summary

Historically, the Planning Commission uses the first meeting of the year to discuss the upcoming year's "work tasks". This is an informal process and is intended to provide guidance and direction to staff. This is also an opportunity for the Planning Commission to add or remove items and provide input on prioritization of identified tasks.

II. Background

A. The attached "work plan" includes tasks, projects, and text amendments that have been identified by staff for the Planning Commission to consider. There are also several ongoing tasks identified. Staff would like to get input from the Planning Commission regarding any additional items that should be added, as well as any modifications to the items identified.

III. Current Situation

A. Staff will present the list and provide clarification as needed. Staff requests that Planning Commission considers the proposed tasks for the upcoming year, and recommend any additions or changes for staff to incorporate into the list.

IV. Analysis

A. **Strategic Impact** - NA

B. **Financial** - NA

C. **Timing** - This is the first meeting of the year, so it is appropriate to discuss this upcoming year's work tasks.

D. **Policy/Legal** - NA

V. Alternatives

A. By consensus, accept the work tasks as presented

B. By consensus, direct staff to modify the work tasks with identified changes

VI. Recommendation

Staff recommends that Planning Commission consider the proposed list of items and recommend any additions or changes desired for staff to incoporate into the "work plan" for 2025.

Attachments

1. PCTasks2025

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”

PLANNING COMMISSION WORK TASKS - 2025

- **Climate-Friendly and Equitable Communities Rules**

    - Text Amendments to designate and implement the requirements for Climate Friendly Areas (Walkable Mixed-Use Areas) – already underway
        - Council of Governments is functioning as our consultant to help us put together the batch of text amendments for consideration.
        - Planning Commission has already given direction on locations (not cherry center – August mtg)
        - This will most likely be multiple meetings.

    - Regional Scenario Planning Work - Underway
        - CFEC rules require regional scenario planning to adopt a preferred scenario for transportation and land use.
        - Coordination with Salem and Marion County –governance structure for the process, but will be adopted individually by Council.
        - ODOT performing technical support along with consultant teams to go through this process – taking longer than originally anticipated.
        - Uncertain as to when/how this will be before Planning Commission – or exactly in what form

    - Text Amendments to comply with Parking Reform
        - Received an extension to June 2025 – (eliminating parking mandates)

    - Text Amendments to implement OAR 660-0120 0330 – Walkable Design Standards
        - Somewhat similar to CFA work, but will apply citywide.
        - Consultant is assisting us with a code audit and will be helping draft language for us to consider and adopt through text amendments for compliance with the OAR's.

- **Text Amendments – Staff identified**
    - Middle Housing – We have identified some things that may need to be modified to address some of the concerns we received with developments:
        - Lighting, screening and buffering
    - Design standards clarifications – street facing elevations
    - Assisted living references are not consistent throughout code and in various zones
    - Transitional Housing – currently not really defined. Need to determine if necessary to further define and regulate

- **Floodplain/PICM**
    - We are taking a case by case approach, but may want to amend code to implement

- **Master Plan applications**
    - Possible that Area B may apply for a new master plan or master plan amendment.
    - Likely that property on River Road (Ila-Vey) will pursue a master plan

- **TSP Update** – this will be a long-term project (18-24 months)
    - Previously identified as a priority
    - With adoption of CFEC rules, timing and process for TSP updates has changed
    - This work is sort of underway – but no contacts or IGA's are signed yet.

- **Items Identified by Planning Commission? (TBD)**

ONGOING TASKS/CONSIDERATIONS

- Explore possibilities/options for increasing supply of Employment Lands – this will likely be an ongoing discussion along with bigger questions surrounding UGB expansion
    - Consideration for updating the City's Economic Opportunities Analysis

- UGB Discussion
    - This will be driven by the Council's priorities
    - Council desires to have some "open houses" to discuss this issue

- Housing Supply
    - Changes to the OHNA, HCA (2026)
    - Our updated Housing Needs Analysis wasn't adopted

- Legislative rezone/up-zoning of properties identified in Revitalization Plan.
    - MHP at Lockhaven/River
    - Property at Lockhaven/Trail

  (Anticipate this being driven by property owners as opposed to the City)