

City of McCleary Planning Commission Meeting

March 17, 2009

The meeting was called to order at 5:30 pm by Chair Jeff Catterlin. Members present: Evert Challstedt, Ben Ator, Paul Custis and Nancy Koeppen. Staff: Busse Nutley, City Administrator.

The minutes from the December 16, 2008 meeting were approved.

There was no one from the public present.

The only item on the agenda was to recommend to the City Council a process to simultaneously change both comprehensive plan and zoning map designations.

When M & M Harbor Properties wanted a new designation for a parcel it owned, both the plan and zoning maps required changes and the Planning Commission handled both. Later, the City Attorney expressed concern about not sending the rezone to the Hearing Examiner. He then proposed to combine the two processes into one that used the Hearing Examiner. The City Council was briefed about the proposal and the members asked that the matter be considered by the Planning Commission.

Mr. Challstedt and others expressed concern that the comprehensive plan should remain within the control of the Planning Commission. He reasoned that the plan should reflect the values of the community. Hearing Examiners do not have that obligation and may not live in the area. In addition, the Hearing Examiner is supposed to act in a judge-like manner, evaluating facts of cases against the backdrop of City-adopted policy. Because the comprehensive plan is, in fact, the policy, it would be extremely difficult for the Hearing Examiner to act in a legislative manner.

It was moved by Mr. Challstedt and seconded by Mr. Ator that the Planning Commission should retain control over the comprehensive plan. The motion was adopted unanimously.

The Commission then considered the issue of streamlining the process so that an applicant would not have to go through two hearing processes. It was noted that once the comprehensive plan was changed and became the new City policy, then the Hearing Examiner would be obligated to grant the rezone. The second hearing process, then, would take additional time, would cost more, and would have an outcome that could be accurately predicted by the action of the Planning Commission on the comprehensive plan issue.

It was moved by Mr. Challstedt and seconded by Mr. Custis that when the comprehensive plan and zone changes would result in the same outcome, such as when a change was requested by a property owner, then the Planning Commission would process the rezone request concurrently with the comprehensive plan amendment. The motion was adopted unanimously.

The next regular meeting is scheduled for April 21, 2009 at 5:30 in the Council Chambers; however, if there is no business, the Chair will cancel it.

The meeting was adjourned at 6:15 pm.