

Work Session

WS

Milwaukie City Council

COUNCIL WORK SESSION

Zoom Video Conference
www.milwaukieoregon.gov

AGENDA

SEPTEMBER 15, 2020

Video Meeting: due to the governor’s “Stay Home, Stay Healthy” order, the City Council will hold this meeting through Zoom video meetings. The public is invited to watch live on the [city’s YouTube channel](#), Comcast Cable channel 30 in city limits, or by joining the Zoom webinar (visit <https://www.milwaukieoregon.gov/citycouncil/city-council-work-session-262> for details).

Written comments may be submitted by email to ocr@milwaukieoregon.gov. Council may take limited verbal comments. **To speak during the meeting**, see the Zoom webinar login information (see meeting page link above).

Note: agenda item times are estimates and are subject to change.

Page #

- 1. Downtown Milwaukie Business Association (DMBA) - Update (4:00 p.m.)**
Staff: Alison Wicks, Development Project Manager
- 2. Kellogg Creek - Update (4:15 p.m.)**
Presenter: Neil Schulman, North Clackamas Watersheds Council (NCWC)
- 3. Comprehensive Plan Implementation - Update (5:00 p.m.)** **1**
Staff: Vera Kolas, Senior Planner
- 4. Adjourn (5:30 p.m.)**

Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice

The city is committed to providing equal access to public meetings. To request listening and mobility assistance services contact the Office of the City Recorder at least 48 hours before the meeting by email at ocr@milwaukieoregon.gov or phone at 503-786-7502. To request Spanish language translation services email espanol@milwaukieoregon.gov at least 48 hours before the meeting. Staff will do their best to respond in a timely manner and to accommodate requests. Most Council meetings are broadcast live on the [city’s YouTube channel](#) and Comcast Channel 30 in city limits.

Servicios de Accesibilidad para Reuniones y Aviso de la Ley de Estadounidenses con Discapacidades (ADA)

La ciudad se compromete a proporcionar igualdad de acceso para reuniones públicas. Para solicitar servicios de asistencia auditiva y de movilidad, favor de comunicarse a la Oficina del Registro de la Ciudad con un mínimo de 48 horas antes de la reunión por correo electrónico a ocr@milwaukieoregon.gov o llame al 503-786-7502. Para solicitar servicios de traducción al español, envíe un correo electrónico a espanol@milwaukieoregon.gov al menos 48 horas antes de la reunión. El personal hará todo lo posible para responder de manera oportuna y atender las solicitudes. La mayoría de las reuniones del Consejo de la Ciudad se transmiten en vivo en el [canal de YouTube de la ciudad](#) y el Canal 30 de Comcast dentro de los límites de la ciudad.

Executive Sessions

The City Council may meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660(2); all discussions are confidential; news media representatives may attend but may not disclose any information discussed. Final decisions and actions may not be taken in executive sessions.

Kellogg Dam Update

Milwaukie City Council
9/15/20

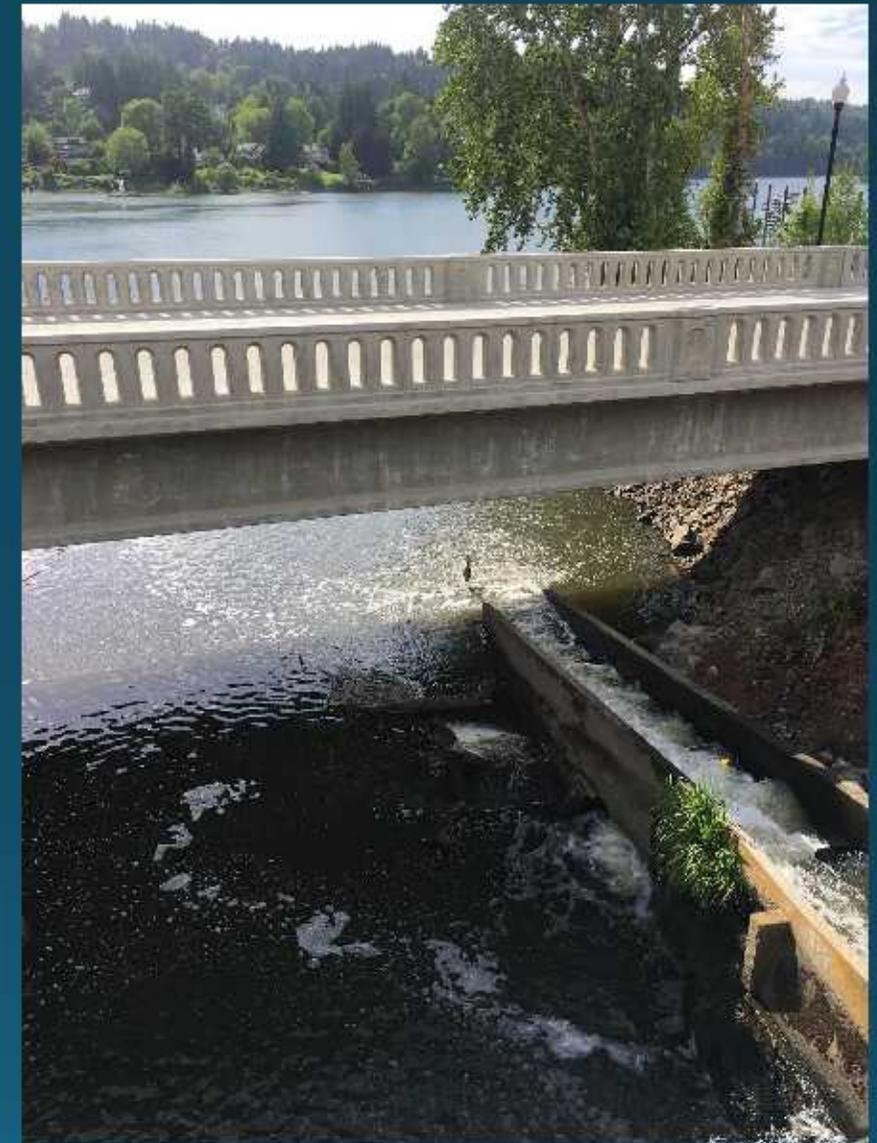


NORTH 
CLACKAMAS
WATERSHEDS
COUNCIL

Neil Schulman
Executive Director

What Hasn't Changed...

- #1 Priority for:
 - Watershed Council
 - ODOT-owned infrastructure fish passage
- #6 priority for North Willamette
- City leadership got us here
- Public support is strong
- Multiple pathways
- Complex



Benefits

1. Fish passage to all of Kellogg-Mt. Scott
 - Refugia for all Willamette stocks
(Kellogg for Coho = Kellogg for Coho, Chinook, Steelhead, Cutthroat Trout, and Lamprey)
2. Temperature
3. Floodplain storage
4. Trail undercrossing of 99E, connection to downtown, trails, MAX, parks

Endgame

1. Design
2. Funding mechanism for dam removal & bridge replacement
3. Funding mechanism for channel restoration

Funding Scenarios

Bridge/Dam Replacement

- Federal
 - Stimulus (natural resources or transportation)
 - Transportation Appropriations
 - 2022 Water Resources Development Act (Army Corps of Engineers)
- State, Regional, Local
 - ODOT STIP & budget prioritization
 - Metro (Nature for All Refinement, Capital Grants, etc.)
 - Legislature

Lake Restoration

- Mitigation Bank Development (multiple)
- 2022 Water Resources Development Act
- Metro Bond Measure Refinement
- Public & Private Grants (NOAA, Metro, Resources Legacy Fund, etc.)

Planning

City, PGE Habitat Support Fund, OWEB, Resources Legacy Fund, Metro, Bank developers, Patagonia, ODOT, etc.

Since we last talked....

1. Stakeholder Engagement
2. Pandemic
3. Mitigation Credit Firms seeking projects
4. Cascade Environmental Group
5. City & Governor's Office convened state agencies
6. T2020 (valiant attempt)

Regional Solutions

- City of Milwaukie
- Watershed Council
- Governor's Natural Resources Office
- ODOT
- ODF&W
- DEQ
- DSL
- NOAA Fisheries
- SHPO, DoE, Business Oregon

Other Allies

- ODF&W
- Merkely, Wyden & Schrader's offices
- Metro Council Christine Lewis
- Governor's Natural Resources Office
- Rep. Karin Power
- Clackamas Water Environment Services
- North Clackamas Parks & Recreation District
- Mitigation Bank Developers (RestorCap, others)
- Consulting Firms
- OWEB
- PGE Salmon Habitat Support Fund
- Lower Columbia Estuary Partnership

Regional Solutions Takeaways

Regulatory:

- ODOT: Bridge & Traffic standards
- ODF&W & NOAA Fisheries: Fish Passage, nongame wildlife
- DEQ: Sediment
- DSL: Wetlands changes & impacts
- HPSO: Historic resources

Core questions:

1. What will the restored lakebed look like: design to provide clarity sufficient for agency review to move forward
2. How do we get the project close enough for “shovel ready” stimulus funds (Groundhog Day)
3. ODOT priority

Next Step #1

Design of Restored Channel

- \$100k overall, \$75,000 for professional services
- Design alternatives & preferred alternative for restored lake and channel:
 - Fish passage, sediment movement, stable channel, hydrology, etc.
 - Based on ODOT 2014 bridge design / work w/ ODOT
 - 12-18 month pathway to shovel-ready
 - Main vehicle for communicating future
 - Leverage mitigation bank opportunities

Status

\$75,000 committed

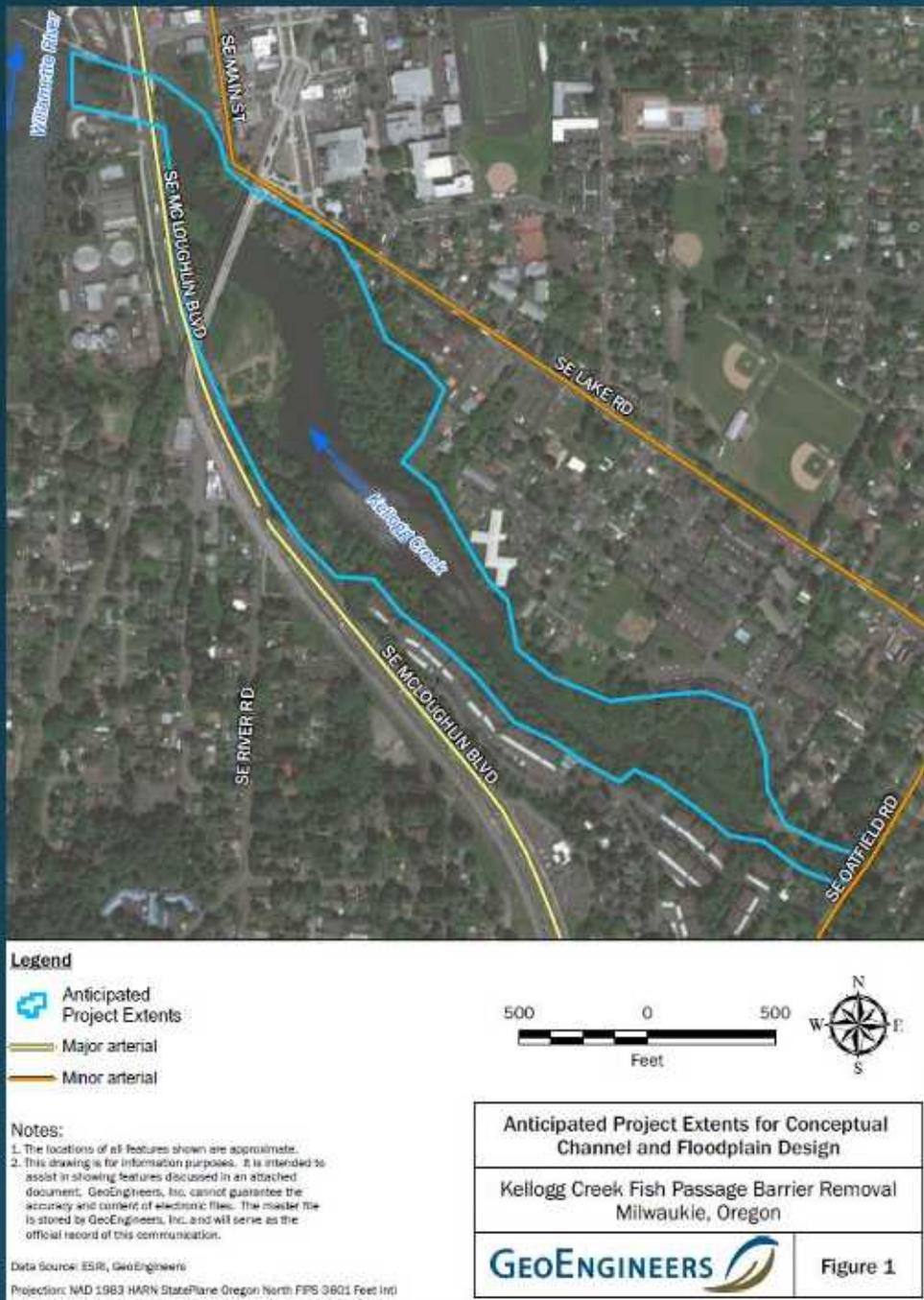
- \$25,000 City of Milwaukie (thank you for being first!)
- \$50,000 PGE Salmon Habitat Support Fund
- ODOT committed to updating 2014 bridge replacement/dam removal cost estimate

Pending

- \$30,717: Resources Legacy Fund, decision late Sept.
- \$75,000 requested: OWEB, decision March 2021

2 Proposals received, others interested

Design Scope



1. Conceptual design options & preferred alternative
 - Channel alignment, profile, reveg plan
 - Hydraulic model: fish passage flows for all species/life stages, Willamette River tidal stages, channel bed mobility, equilibrium slope, channel stability, wetlands descriptions/sensitive species impacts
 - Sediment stability
 - Trail undercrossing
 - Channel under railroad bridge (scour)
 - Concept plans & graphics
2. Cost Estimate
3. *Project pathways to implementation (12-18 months to shovel-ready)*
4. Maximize ecosystem credits

Next Step #2: ODOT

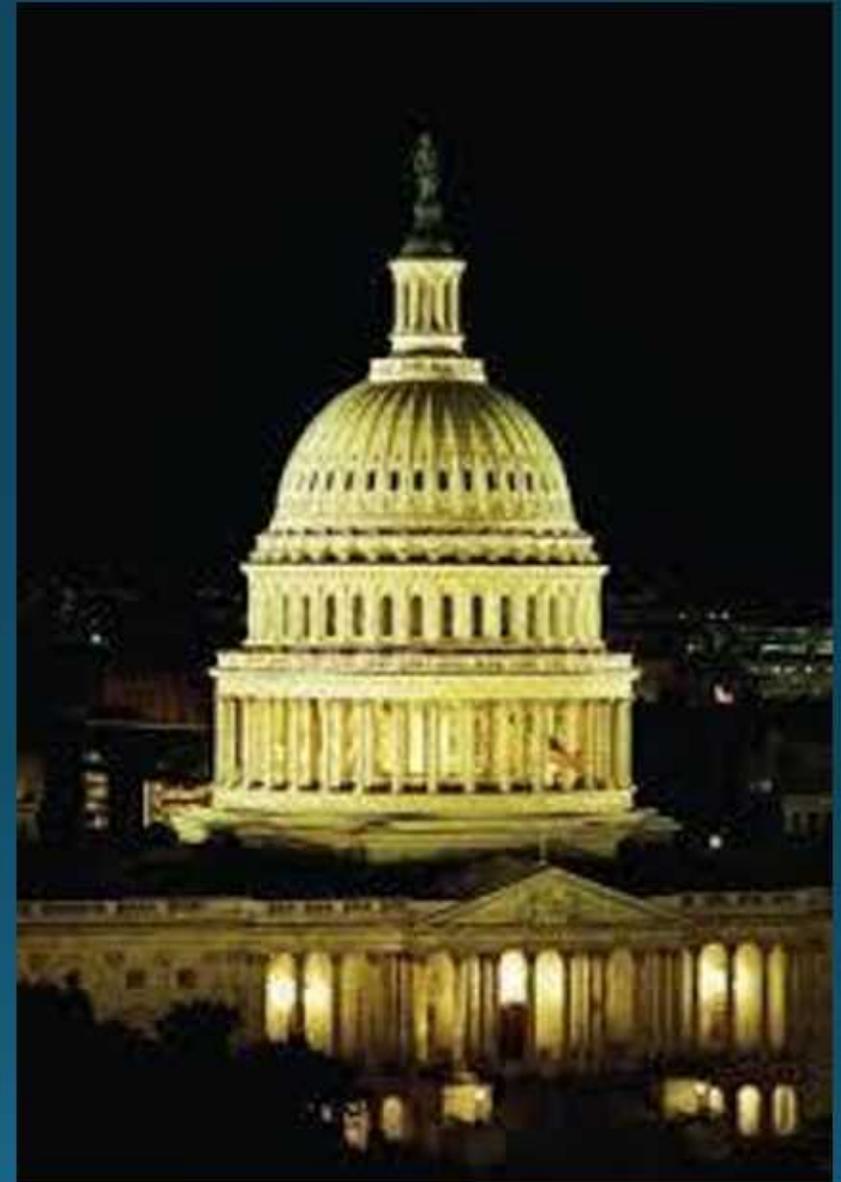
- Working With ODOT
 - Staff Time and Budget
 - Bridge Division/Fish Passage
 - Avenue to meet mitigation needs while also updating aging infrastructure

Engagement of:

- City
- Governor's Office
- Congressional Delegation
- Legislature?

Next Step #3: Federal Funding

- Stimulus...?
- Transportation authorization
- Natural Resources
- Water Resources Development Act
(easement could provide match)
- Congressional Delegation



Ecosystem Bank Development

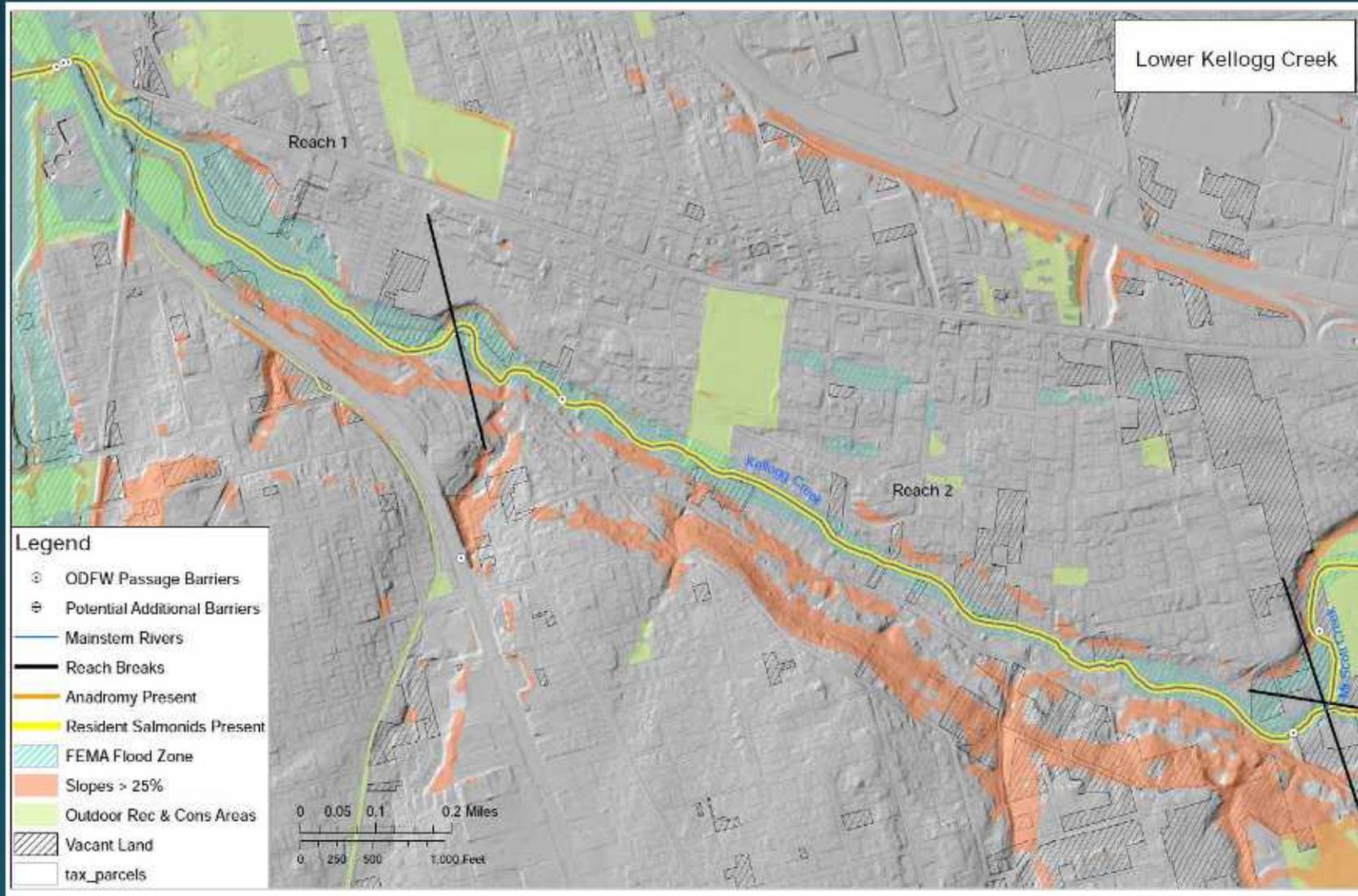
- Portland Harbor NRDA
- Section 404 River Credits
- Wetland Mitigation
- Includes commitment to monitoring & maintenance
- Could provide credits to City, ODOT
- City of Portland
- Process of engaging with bank developers

City Engagement Will Be Critical

- Thank you!
- Political urgency (state, federal, ODOT, Metro, etc.)
- Help select design contractor
- Staff engagement in design (environmental, engineering, trails, parks, etc.)
- Working with bank developers
- Public support & visibility

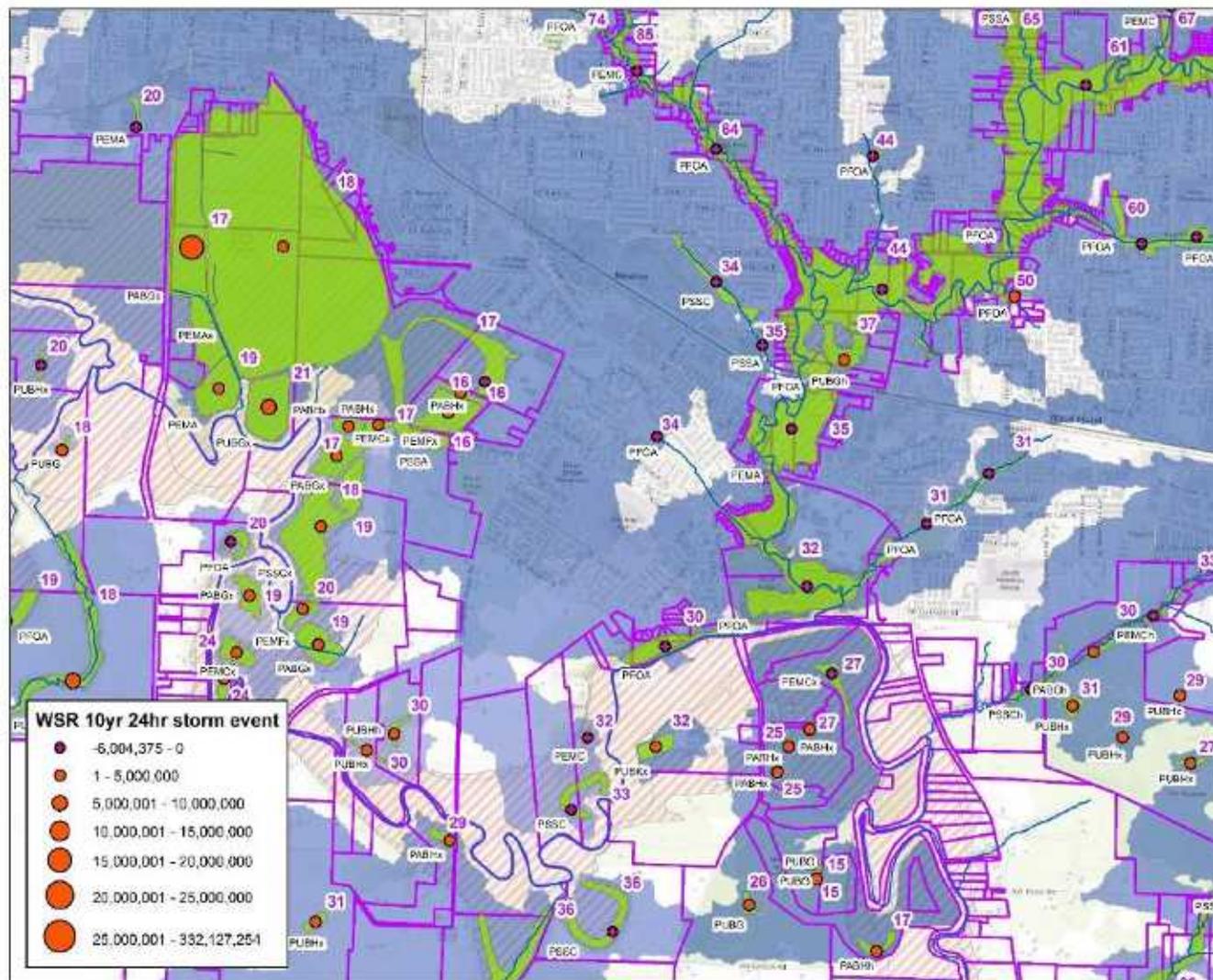
Related Projects

Council Watersheds Assessment & Action Plan



Wetlands Flood Attenuation Mapping

Flood Attenuation Benefits of Individual Wetlands: Results



Wetland water storage remaining (ft.³): 10-year, 24-hour storm.

- Map flood benefits of wetlands
- Which tax lots benefit
- Opportunities to increase flood storage
- Kellogg Lake flood storage capacity increase critical

Temperature Study



- 15-20 Continuous temperature loggers in KMS watersheds
- Identify temps of key tributaries, wetlands, shade areas, developed areas
- ID & protect cold water
Track with climate change
- Not yet funded

Questions?



neil@ncwatersheds.org
503-550-9282
ncwatersheds.org

COUNCIL STAFF REPORT

To: Mayor and City Council
Ann Ober, City Manager

Reviewed: Leila Aman, Community Development Director

From: Vera Kolias, Senior Planner

Subject: **Comprehensive Plan Implementation – Project Update**

Date Written: Sept. 4, 2020

ACTION REQUESTED

None. This is a project update.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

[August 4, 2020](#): Council adopted Resolution [56-2020](#) authorizing a contract with Urbsworks to provide professional planning services for the comprehensive plan implementation project.

ANALYSIS

Creating and supporting housing opportunities, primarily middle housing options in all neighborhoods, has been a key goal for Council and the community. The adopted Comprehensive Plan (Plan) policies call for expanded housing opportunities throughout the city and House Bill 2001 (HB 2001), passed by the state legislature in July 2019, requires the expansion of middle housing options. In November 2019, Council discussed how to proceed with code amendments after the updated plan was adopted, setting the stage for the recently initiated implementation project.

The focus of this phase of plan implementation is housing, but it also includes related changes to parking requirements in residential areas and tree protection and preservation related to residential land. The outcome will be code amendments that balance the city's goal for a 40% tree canopy and implementation of the housing policies outlined in the plan in compliance with HB 2001.

Last month, Council approved a contract with Urbsworks to begin work on the plan implementation project. In addition to extensive community engagement throughout the project, Urbsworks will be assisting staff in updating the residential designations on the plan map, making corresponding changes to the zoning map, and making changes to the zoning and land division ordinances related to housing, parking, and the protection and preservation of trees on private property and in the public right-of-way.

Community involvement and engagement is an essential element of this project. Work sessions and public hearings with the Planning Commission and Council will be a critical component of this process. Public outreach in the form of town halls, focus groups, stakeholder interviews, tabling, online surveys, and other forms of outreach to educate, inform, and receive feedback from the public on code concepts and the plan and zoning map changes will be another key aspect of this process.

As noted at the August 4 Council meeting, the scope of work for this project includes the following tasks:

1. Public Engagement Strategy
2. Map and Code Audit and Analysis
3. Detailed Concept Development
4. Community Review and Testing
5. Draft Code Changes and Map Amendments
6. Code and Map Review and Reconciliation
7. Final Code and Map Changes and Adoption

The city also received a \$92,500 grant from the Oregon Department of Land Conservation and Development (DLCD) through the 2019-2021 HB 2001 Planning Assistance Grant program. The DLCD deadline for having adoption-ready code language is June 2021, which means that both a thoughtful and efficient process are required to comply with the grant requirements.

- **Code Audit.** Prior to consultant selection and receipt of the grant award, community development, public works, and planning staff conducted a preliminary code audit that identified existing code conflicts with both Pplan policies and HB 2001 requirements. The preliminary code audit has been shared with Urbsworks, who will be conducting a detailed code analysis and will produce a final map and code audit report. This report will set the stage for the detailed code concept development.
- **Comprehensive Plan Implementation Committee (CPIC).** On [March 3, 2020](#), Council approved the formation of the CPIC. The CPIC will be responsible for reviewing code concepts with staff and providing input on proposed amendments to the Milwaukie Municipal Code (MMC). The first meeting of the CPIC was held on June 4. Staff provided an update on the plan adoption process and the consultant selection process, as well as a project overview and schedule. Since June 4, and during the plan adoption process, staff remained in contact with CPIC members and provided additional reading material, information about free webinars on missing middle housing and off-street parking, and updates and information on HB 2001 .

The CPIC meeting schedule has been set and the next meeting is on September 17 (see Attachment 1 for the agenda). There will be seven committee meetings over the next 10 months (see Attachment 2 for the schedule). Staff will be providing materials at least two weeks in advance of the meetings in order to provide CPIC members enough time to review materials prior to the meetings.

- **Public Engagement Plan.** Staff have been working with Urbsworks to develop a draft public engagement plan to be discussed with the CPIC in September. As noted at the August 4 meeting, extensive community engagement is planned and more than one-third of the project budget will be devoted to this effort. Kimi Sloop from the strategic planning and communication firm Barney & Worth will be leading this effort for the consultant team. The final draft of the engagement plan will be reviewed with the CPIC at their meeting on September 17.

As part of the effort to make sure that Milwaukie residents are informed about the project, an article was written for the September issue of the Pilot newsletter and an opt-in email subscription for project updates is available on the city's email subscription page at www.milwaukieoregon.gov/subscribe. An email to the Comprehensive Plan

Advisory Committee (CPAC) sent on September 1 also included information about the implementation project, a link to the subscription page, and an invitation to continue to participate in the process.

BUDGET IMPACT

The active consultant contract runs through July 31, 2021.

WORKLOAD IMPACT

Staff from community development, planning, and public works departments have been assigned to work on this project. Coordination began in March.

CLIMATE IMPACT

The objective of the implementation project is code amendments that will support a variety of housing opportunities throughout the city, including middle housing, and an updated tree code that will help the city achieve its stated goal of a 40% tree canopy.

COORDINATION, CONCURRENCE, OR DISSENT

Community development, planning, engineering, city manager's office, and public works staff will be working on this project.

ATTACHMENTS

1. September 17 CPIC meeting agenda
2. List of CPIC meeting dates



MILWAUKIE COMPREHENSIVE PLAN IMPLEMENTATION COMMITTEE

MEETING #2

To: Milwaukie Comprehensive Plan Implementation Committee Members

From: Vera Kolas, Senior Planner

Subject: CPIC Meeting #2

Hello Milwaukie Comprehensive Plan Implementation Committee Members,

Thank you in advance for preparing for this Comprehensive Plan Implementation Committee (CPIC) Meeting. The second CPIC meeting is scheduled for **September 17th, from 6 – 8 PM.**

Important Note: Due to public health concerns, this meeting will be held entirely over Zoom. Please do not plan to attend this meeting in person. City staff will send an email to you with your individual Zoom panelist link. Please log in to the meeting approximately 15 minutes early to avoid any potential technology issues.

Please review the information provided in this packet thoroughly in advance of the meeting. We will have a full agenda and look forward to receiving your guidance on these topics.

Additionally, it may be helpful to keep a copy of this packet close by in the event that technology does not cooperate as we intend. We will reference packet page numbers when we are discussing specific items.

Request for Review and Comment on Meeting Packet Materials.

In the spirit of working quickly and efficiently to meet our project deadlines, careful review of meeting packet materials is essential. It is expected that CPIC members come to each meeting prepared having read the materials and ready to discuss each topic in detail.

The primary objectives for CPIC #2 are to:

1. Meet the consulting team
2. Have a basic understanding of the municipal code as it relates to this project
3. Review and comment on the draft Public Engagement Strategy

Note: The public engagement strategy is the framework used to incorporate the community's input into the final recommendations. At this meeting, we will review with you a PowerPoint presentation highlighting the key elements of the strategy including:

- a. Community engagement goals
- b. Project schedule and opportunities for community engagement
- c. The various audiences for whom we will seek input and how they will be involved in the process
- d. Roles and responsibilities of the CPIC

During the CPIC discussion, we will ask for your feedback and input on these elements – Did we get it right? Are we missing anything?

CPIC Meeting Packet #2 Materials List

Number	Packet Item	Page
1	Agenda (this document)	1 of 1

If you have any questions on the materials in this packet, please feel free to contact me via phone or email, my information is listed below. We are grateful for your participation in this important work.

Thank you,

Vera Kolas, Senior Planner

koliasv@milwaukieoregon.gov

503-786-7653

Milwaukie Community Vision

In 2040, Milwaukie is a flourishing city that is entirely equitable, delightfully livable, and completely sustainable. It is a safe and welcoming community whose residents enjoy secure and meaningful work, a comprehensive educational system, and affordable housing. A complete network of sidewalks, bike lanes, and paths along with well-maintained streets and a robust transit system connect our neighborhood centers. Art and creativity are woven into the fabric of the city.

Milwaukie's neighborhoods are the centers of daily life, with each containing amenities and community-minded local businesses that meet residents' needs. Our industrial areas are magnets for innovation, and models for environmentally-sensitive manufacturing and high wage jobs.

Our residents can easily access the training and education needed to win those jobs. Milwaukie nurtures a verdant canopy of beneficial trees, promotes sustainable development, and is a net-zero energy city. The Willamette River, Johnson Creek, and Kellogg Creek are free flowing, and accessible. Their ecosystems are protected by a robust stormwater treatment system and enhanced by appropriate riparian vegetation. Milwaukie is a resilient community, adaptive to the realities of a changing climate, and prepared for emergencies, such as the Cascadia Event.

Milwaukie's government is transparent and accessible, and is committed to promoting tolerance and inclusion and eliminating disparities. It strongly encourages engagement and participation by all and nurtures a deep sense of community through celebrations and collective action. Residents have the resources necessary to access the help they need. In this great city, we strive to reach our full potential in the areas of education, environmental stewardship, commerce, culture, and recreation; and are proud to call it home.

Comprehensive Plan Implementation Committee Charge

The CPIC will support the City by helping to involve a variety of different stakeholders in the decision-making process, offering feedback on a code audit and draft code concepts and ensuring that the diverse interests of the Milwaukie community are reflected in the code and map amendments.

The CPIC are the primary liaisons to the Milwaukie community, and are expected to provide feedback on public involvement efforts, code concepts and amendments, and advance recommendations to the Planning Commission and City Council.

The CPIC will interact with City of Milwaukie staff, particularly the Planning Division and its consultant team. The CPIC will meet monthly throughout the code amendment process, with adoption of the final code package plan targeted for early Summer 2021. Subcommittees may also be established to work on specific tasks and will hold meetings as necessary. CPIC members are also encouraged to help facilitate meetings with their neighborhood district associations and other community organizations.

The CPIC is encouraged to promote opportunities for public involvement, disperse information to the Milwaukie community, and solicit feedback concerning the Comprehensive Plan Implementation project.

Milwaukie Comprehensive Plan Implementation Committee Virtual Meeting (CPIC #2)

September 17, 2020; 6:00 pm – 8:00 pm

By Zoom Web Conference

Public comment: Members of the public that wish to make a public comment will have an opportunity at the end of the meeting.

Comprehensive Plan Implementation Committee Meeting #2 - Agenda		
Time	Topic	Who
5:45 – 6:00 pm	Login to Webinar and Conference Line	CPIC members
15 minutes 6:00 – 6:15 pm	Meeting protocol and Introductions	all
30 minutes 6:15– 6:45	Comp Plan Implementation 101: “Plan, Code, and Development Review Orientation”	Vera Kolas and Mary Heberling
10 minutes 6:45 – 6:55 PM	Clarifying questions	Vera Kolas and Mary Heberling
30 minutes 6:55– 7:25 PM	Public Engagement Strategy: The process (what and when) and the participants (who and how)	Marcy McInnelly, Kimi Sloop
25 minutes 7:25 – 750 PM	Facilitated discussion about the big picture – Did we get it right?	Kimi Sloop, all
10 minutes 7:50 – 8:00 PM	Public comment and questions	

CPIC and Public Meetings (Proposed)

Meeting	General	Proposed dates Meeting topic
CPICs	<ul style="list-style-type: none"> · There will be 7 CPIC meetings. 2 of these 7 meetings will be joint work sessions with the Tree Board, Design and Landmarks Commission, and Planning Commission. · The CPIC will meet monthly from September, 2020 through April 2021. · Meetings will take place on third Thursdays of each month, in the evening, from 6:00 to 8:00PM. · When the agenda allows, meetings will be from 6:00 to 7:30PM. · CPIC members will receive meeting materials 2 weeks prior. · Scheduling is approximate and takes into account school schedules, major holidays, and the City of Milwaukie public calendar. 	<p>CPIC 1 – 09/17/20 Public Engagement Plan and Planning 101 <i>CPIC 1 materials out – 09/03</i></p> <p>CPIC 2 – 11/19/20 Map and Code Audit <i>CPIC 2 materials out – 11/05</i></p> <p>CPIC 3 – 12/17/20 CPIC Special Joint Session– Code Concepts <i>CPIC 3 materials out – 12/03</i></p> <p>CPIC 4 – 02/18/21 Community Review and Testing (initiation) <i>CPIC 4 materials out – tbd (this date is tentative until final coordination with PIP and public meetings plan)</i></p> <p>CPIC 5 – 03/18/21 Community Review and Testing (outcomes) <i>CPIC 5 materials out – 03/04</i></p> <p>CPIC 6 – 04/15/21 Draft Code Changes and Map Amendments <i>CPIC 6 materials out – 04/01</i></p> <p>CPIC 7 – 06/17/21 CPIC Special Joint Session– Reconciliation <i>CPIC 7 materials out – 06/03</i></p>
Public Meetings	<ul style="list-style-type: none"> · Three total 	<p>Public Meeting #1: Late October Open house and survey about housing choices</p> <p>Public Meeting #2: Late January or early February Community review and testing of Code Concepts</p> <p>Public Meeting #3: Mid-June Proposed Code Amendments</p>

**WS 3. 9/15/2020
Presentation**

COMPREHENSIVE PLAN IMPLEMENTATION PROJECT - UPDATE



City Council Worksession
September 15, 2020
Vera Kolas, Senior Planner

ACTIVITIES TO DATE

- Signed contract with Urbsworks
- Code Audit
 - Staff provided preliminary info
 - Consultant work now
- CPIC
 - Mtg #2 on 9/17
 - All meetings scheduled
- Public Engagement Plan – final draft



GENERAL TIMELINE

