



## COUNCIL WORK SESSION

City Hall Council Chambers, 10501 SE Main Street  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

## MINUTES

FEBRUARY 20, 2024

**Council Present:** Councilors Shane Abma, Adam Khosroabadi, Rebecca Stavenjord, and Council President Robert Massey, and Mayor Lisa Batey

**Staff Present:** Justin Gericke, City Attorney  
Vera Kolias, Senior Planner  
Nicole Madigan, Deputy City Recorder  
Ann Ober, City Manager  
Scott Stauffer, City Recorder  
Laura Weigel, Planning Manager

**Mayor Batey** called the meeting to order at 4:15 p.m. and noted that the delayed start had been due to technical issues with the audio equipment in Council Chambers.

### 1. Title 17 Land Division Code Update – Discussion

**Kolias** introduced proposed changes to Milwaukie Municipal Code (MMC) Title 17, explaining staff's goals for updating the code and reviewing the code change process including the commentary section. The proposed changes included formatting and updating redundant language and streamlining review processes and application requirements. **Councilor Abma** and **Kolias** remarked on how the changes had been informed by county review timelines.

**Kolias** continued to review proposed code changes, noting language changes related to land partition requirements. **Council President Massey**, **Kolias**, and **Councilor Khosroabadi** remarked on how improved language would have helped in a recent example of a property owner wanting to partition their property.

**Councilor Stavenjord**, **Kolias**, and **Mayor Batey** remarked on inconsistencies between city and county code for middle housing types. **Kolias** reviewed proposed middle housing code changes relating to tax lot requirements. The group commented on the lot line, setback, and structure size rules for the "parent" and "child" sub-divided lots.

**Councilor Stavenjord** asked if the proposed code changes would impact the timeline for a developer doing middle housing. **Kolias** explained when middle housing land use applications are submitted and how building permits are tied to the land use applications.

**Councilor Khosroabadi** and **Kolias** remarked on how middle housing lot sizes are calculated and noted that state rules require a quicker turnaround time for such projects.

**Councilor Abma** and **Kolias** noted the city code could allow land use variances to the middle housing land division requirements. **Kolias** noted staff encouraged developers to think about as many possible land uses when applying.

**Mayor Batey** and **Kolias** remarked on how townhouse developments are different from middle housing projects.

**Councilor Stavenjord** asked if there was guidance the city could provide developers to script the process and reduce the city's liability with middle housing projects. **Kolias** agreed the city could create a document to provide information to developers. **Councilor Stavenjord** noted that other governments had developed artificial intelligence (AI) tools to help developers navigate these situations.

**Mayor Batey, Kolia**s, and **Councilor Khosroabadi** commented on whether state middle housing rules incentivized the development of such housing types, and they noted the city had received applications for middle housing projects with various funding structures. The group noted how certain property use restrictions are captured in the property deed and through entities like homeowner associations.

**Councilor Abma** and **Kolia**s noted that most of the recently adopted state housing laws were already in place in the MMC and Comprehensive Plan, and the proposed changes were just to help clarify state rules in the code. They noted that staff did not believe the code changes would cause policy changes and **Kolia**s confirmed that the county had reviewed the changes.

**Mayor Batey** asked why some code section numbers were left blank and **Kolia**s explained there were empty sections to allow for future code changes. The group talked about the \$200 fine amount noted in Title 17 and **Kolia**s reported that the proposed changes wouldn't change the fine that was already in the code and noted that staff would review the placement of the fine in Title 17.

**Mayor Batey** noted a possible additional change to clarify a definition related to right-of-way (ROW) permits.

**Kolia**s noted Council would discuss the Title 17 code changes again in April.

### **Volunteer of the Year Award Selection Process – Discussion**

**Council President Massey** encouraged Council to be more intentional about the process to select a volunteer of the year, noting the awkwardness of last year's balloting process.

**Mayor Batey** agreed about the awkward deliberations and the group agreed to continue the conversation at the end of the February 20 regular session.

### **2. Adjourn**

**Mayor Batey** adjourned the meeting at 5:15 p.m.

Respectfully submitted,

  
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Scott Stauffer, City Recorder