



CITY OF MILWAUKIE

AGENDA

April 8, 2025

PLANNING COMMISSION

milwaukieoregon.gov

Hybrid Meeting Format: The Planning Commission will hold this meeting both in person at City Hall and through Zoom video. The public is invited to watch the meeting in person at City Hall, online through the City of Milwaukie YouTube page (https://www.youtube.com/channel/UCRFbfqe3OnDWLQKSB_m9cAw), or on Comcast Channel 30 within city limits.

If you wish to provide comments, the city encourages written comments via email at planning@milwaukieoregon.gov. Written comments should be submitted before the Planning Commission meeting begins to ensure that they can be provided to the Planning Commissioners ahead of time. To speak during the meeting, visit the meeting webpage (<https://www.milwaukieoregon.gov/bc-pc/planning-commission-86>) and follow the Zoom webinar login instructions.

1.0 Call to Order – Procedural Matters — 6:30 PM

1.1 Native Lands Acknowledgment

2.0 Planning Commission Minutes

3.0 Information Items

4.0 Audience Participation — This is an opportunity for the public to comment on any item not on the agenda

5.0 Work Session Items

5.1 Annual Joint Meeting with Neighborhood District Associations

Staff: Planning Manager, Laura Weigel

5.2 Planning Commission Orientation

Staff: Planning Manager, Laura Weigel

6.0 Community Involvement Advisory Committee (CIAC) Overview

7.0 Planning Department Other Business/Updates

8.0 Forecast for Future Meetings

April 22, 2025

1. Hearing Item: ZA-2025-001; Natural Resources Code Text Amendment

May 13, 2025

1. Hearing Item: CU-2025-002 8525 SE 32nd Ave, vacation rental

2. Hearing Item: DR-2025-001 10900 SE 21st Ave, Chase Bank

Milwaukie Planning Commission Statement

The Planning Commission serves as an advisory body to, and a resource for, the City Council in land use matters. In this capacity, the mission of the Planning Commission is to articulate the Community's values and commitment to socially and environmentally responsible uses of its resources as reflected in the Comprehensive Plan.

1. **PROCEDURAL MATTERS.** If you wish to register to provide spoken comment at this meeting or for background information on agenda items please send an email to planning@milwaukieoregon.gov.
2. **PLANNING COMMISSION and CITY COUNCIL MINUTES.** City Council and Planning Commission minutes can be found on the City website at www.milwaukieoregon.gov/meetings.
3. **FORECAST FOR FUTURE MEETINGS.** These items are tentatively scheduled but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.
4. **TIME LIMIT POLICY.** The Commission intends to end each meeting by 10:00pm. The Planning Commission will pause discussion of agenda items at 9:45pm to discuss whether to continue an agenda item to a future date or finish the item.

Public Hearing Procedure

Those who wish to testify should attend the Zoom meeting posted on the city website, state their name and city of residence for the record, and remain available until the Chairperson has asked if there are any questions from the Commissioners. Speakers are asked to submit their contact information to staff via email so they may establish standing.

1. **STAFF REPORT.** Each hearing starts with a brief review of the staff report by staff. The report lists the criteria for the land use action being considered, as well as a recommended decision with reasons for that recommendation.
2. **CORRESPONDENCE.** Staff will report any verbal or written correspondence that has been received since the Commission was presented with its meeting packet.
3. **APPLICANT'S PRESENTATION.**
4. **PUBLIC TESTIMONY.** Comments or questions from interested persons and testimony from those in support or opposition of the application.
5. **QUESTIONS FROM COMMISSIONERS.** The commission will have the opportunity to ask for clarification from staff, the applicant, or those who have already testified.
6. **REBUTTAL TESTIMONY FROM APPLICANT.** After all public testimony, the commission will take rebuttal testimony from the applicant.
7. **CLOSING OF PUBLIC HEARING.** The Chairperson will close the public portion of the hearing. The Commission will then enter into deliberation. From this point in the hearing the Commission will not receive any additional testimony from the audience but may ask questions of anyone who has testified.
8. **COMMISSION DISCUSSION AND ACTION.** It is the Commission's intention to make a decision this evening on each issue on the agenda. Planning Commission decisions may be appealed to the City Council. If you wish to appeal a decision, please contact the Planning Department for information on the procedures and fees involved.
9. **MEETING CONTINUANCE.** Prior to the close of the first public hearing, any person may request an opportunity to present additional information at another time. If there is such a request, the Planning Commission will either continue the public hearing to a date certain or leave the record open for at least seven days for additional written evidence, argument, or testimony. The Planning Commission may ask the applicant to consider granting an extension of the 120-day time period for making a decision if a delay in making a decision could impact the ability of the City to take final action on the application, including resolution of all local appeals.

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.

Milwaukie Planning Commission:

Joseph Edge, Chair
Leesa Gratreak, Vice Chair
Juli Garvey
Nicolas Hess
Ryan Lowther
Max Penneck
Jacob Sherman

Planning Department Staff:

Laura Weigel, Planning Manager
Brett Kelter, Senior Planner
Vera Kolias, Senior Planner
Ryan Dyar, Associate Planner
Petra Johnson, Administrative Specialist II



CITY OF MILWAUKIE

To: Planning Commission
From: Laura Weigel, Planning Manager
Date: March 24, 2025, for April 8, 2025, Work Session
Subject: Joint NDA Meeting, Orientation and CIAC Overview

ACTION REQUESTED

Hold a joint meeting with the Neighborhood District Associations (NDA) which includes an overview of the land use planning process and the role the Planning Commission plays in that process. After the joint NDA portion of the meeting Planning Commission will continue to discuss any outstanding questions regarding the role of the Planning Commission and staff will provide an overview of the Community Involvement Advisory Committee (CIAC).

ATTACHMENTS

Attachments are provided as indicated by the checked boxes. All material is available for viewing upon request.

- | | | | |
|-----------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 1. NDA Joint Meeting Agenda | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Overview of the CIAC | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

Key:

PC Packet = paper materials provided to Planning Commission 7 days prior to the meeting.

Public Copies = paper copies of the packet available for review at City facilities and at the Planning Commission meeting.

E-Packet = packet materials available online at <https://www.milwaukieoregon.gov/planning/planning-commission-96>.



CITY OF MILWAUKIE

To: Neighborhood District Associations

Through: Planning Commission

From: Laura Weigel, Planning Manager

Date: April 1, 2025, for April 8, 2025
Joint meeting with Planning Commission

Subject: Meeting Agenda

1. Welcome and Agenda Overview
2. Introductions
3. Staff update on high profile development projects/Upcoming Projects/Middle Housing
4. Land Use Review Overview
5. Land Use Resources for NDA's
6. Wrap-Up



CITY OF MILWAUKIE

To: Planning Commission
From: Laura Weigel, Planning Manager
Date: March 24, 2025, for April 8, 2025, Work Session
Subject: Community Involvement Advisory Committee Overview

ACTION REQUESTED

No action is requested. This overview is part of Planning Commission orientation.

BACKGROUND INFORMATION

Statewide planning Goal 1 “Citizen Involvement” states:

The program for citizen involvement shall include an officially recognized committee for citizen involvement (CCI) broadly representative of geographic areas and interests *related to land use and land use decisions*. Committee members shall be selected by an open, well publicized public process. The committee for citizen involvement shall be responsible for assisting the governing body with the development of a program that promotes and enhances citizen involvement in land-use planning, assisting in the implementation of the citizen involvement program, and evaluating the process being used for citizen involvement. If the governing body wishes to assume the responsibility for, development as well as adoption and implementation of the citizen involvement program or to assign such responsibilities to a planning commission, a letter shall be submitted to the Land Conservation and Development Commission for the state Citizen Involvement Advisory Committee's review and recommendation stating the rationale for selecting this option, as well as indicating the mechanism to be used for an evaluation of the citizen involvement program. If the planning commission is to be used in lieu of an independent CCI, its members shall be selected by an open, well-publicized public process.

Based on this requirement the following Comprehensive Plan policy was adopted in 2020:

Policy 1.3.1 City Council will appoint and maintain a Community Involvement Advisory Committee (CIAC) that meets or exceeds the requirements of [Statewide Planning Goal 1](#).

The policy was left open to give the Council freedom to appoint the Planning Commission or to create a new independent committee when and/or if funding was available. Council opted to

appoint the Planning Commission to serve as the CIAC which is reflected in the Commission by-laws (Attachment 1) that were adopted by City Council on June 15, 2021.

Prior to the adoption of the revised by-laws Planning Commission stated that the topic had been discussed several times since the Comprehensive Plan policy was adopted. Planning Commission voiced several concerns regarding the revisions to the by-laws:

- Preference for a standalone committee that focuses on all matters of public involvement not just land use
- It is not clear what the role and responsibilities of the CIAC are
- Concerned that interim status would become permanent
- Perception of conflict with Planning Commission acting as the CIAC
- Planning Commission has already has a heavy workload

As an interim solution several ideas were discussed, including more clarity about the time commitment to the CIAC, the addition of a sunset clause to ensure the Planning Commission does not remain the CIAC for an extended amount of time, and a thorough assessment of what the CIAC roles and responsibilities should be in the future. The Planning Commission requested that the City Council consider revising the bylaws to reflect their ideas and to assess developing a committee that has a focus on community wide engagement that is broader than just land use. These recommendations were discussed at the [January 12, 2021](#), Planning Commission meeting. The Planning Commission and City Council jointly discussed the bylaws on [April 20, 2021](#). The City Council did not opt to revise the by-laws which were adopted by Council on [June 15, 2021](#).

Per the bylaws the Planning Commission will reserve time on every agenda to meet as needed as the CIAC, and will convene for an annual meeting.

The current practice regarding engagement efforts for planning projects is to inform the Planning Commission/CIAC about the engagement strategies being used for different projects which require different types of strategies. For example, the Transportation System Plan project is a large project that requires an in-depth engagement strategy, which was reviewed by the Planning Commission. On the opposite end of the engagement spectrum were the revisions to Title 17 Land Divisions that required notification, but not an engagement plan.

ATTACHMENTS

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1. Planning Commission Bylaws

| PC Packet | E-Packet |
|-------------------------------------|-------------------------------------|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

Key:

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E-Packet = packet materials posted online at <https://www.milwaukieoregon.gov/bc-pc/planning-commission-64>, available 7 days prior to the meeting.

MILWAUKIE PLANNING COMMISSION BYLAWS

ARTICLE I NAME

The name of this commission is the Planning Commission (Commission).

ARTICLE II PURPOSE, AUTHORITY, AND OBJECTIVE

- A. **Purpose.** The purpose of the Commission is to serve as an advisory body to, and a resource for, the City Council in land use matters. In addition, the Commission will carry out the roles and responsibilities as assigned under Milwaukie Municipal Code (MMC) Section 2.16.010.
- B. **Authority.** The Commission is authorized by ORS 227 and MMC Chapter 2.16.
- C. **Objective.** The Commission's objectives include articulating the community's values and commitment to socially and environmentally responsible uses of its resources as reflected in the Comprehensive Plan.
- D. **Open Meetings.** All meetings of the Commission are open to the public. The Commission has the authority to conduct an executive session under ORS 192.660.

ARTICLE III MEMBERSHIP

- A. **Appointment.** Each Commission member will be appointed by the Mayor with the consent of Council, consistent with MMC 2.10.030 G. Members will serve at the pleasure of the Council.
- B. **Term of Office.** Terms are for a period of four years. Commission members may serve no more than two consecutive full terms, unless there is an interval of at least one term prior to reappointment. The Council may waive this limitation if it is in the public interest to do so.
- C. **Membership.** The Commission consists of seven members. No more than two members may be non-residents, and no more than two members can be engaged in the same kind of occupation, business, trade, or profession. No member may be a City of Milwaukie officer, agent, or employee; and no more than two voting members of the Commission may engage principally in the buying, selling, or developing of real estate for profit as individuals; or members of any partnership, or officers or employees of any corporation that engages principally in the buying, selling, or developing of real estate for profit.
- D. **Vacancies and Removal.** Vacancies are filled in the same manner as the original appointments. A member of the Commission may be removed by the appointing authority, after hearing, for misconduct or nonperformance of duty.
- E. **Attendance.** Upon failure of any member to attend three consecutive meetings, the Commission may recommend termination of that appointment to the Council, and the Council may remove the incumbent from the Commission and declare the position vacant to be filled in the manner of a regular appointment.

- F. **Compensation.** Commission members will receive no compensation for their service, but will be fully reimbursed for all duly authorized expenses.

ARTICLE IV OFFICERS AND STAFFING

- A. **Officers.** The officers consist of a Chair and a Vice Chair who will be selected by the membership and who will serve at the pleasure of the membership for one year. Nominations and election of new officers will be taken from the floor at the Commission's first meeting of the calendar year. Officers may be re-elected. In the event that an officer is unable to complete the specified term, a special election will be held for the completion of the term.
- B. **Chair.** The Chair will preside at all deliberations and meetings of the Commission and call special meetings in accordance with these Bylaws and review Commission agendas with the staff liaison.
- C. **Vice Chair.** During the absence, disability, or disqualification of the Chair, the Vice Chair will exercise or perform all duties and be subject to all the responsibilities of the Chair. In the absence of the Chair and Vice Chair, the remaining members present will elect an acting Chair.
- D. **Staff.** The City of Milwaukie Planning Department will provide staff support to the Commission for: land use issues, meeting notifications, postponements, final disposition of matters, and other steps taken or acts performed by the Commission, which include administrative housekeeping functions such as word processing, minutes preparation, copying, and information gathering to the extent the budget permits.

ARTICLE V ORGANIZATIONAL PROCEDURES

- A. **Meetings.** The Commission will hold meetings as necessary at a time and place designated by staff consistent with Oregon Public Meetings Law. Typically, the Commission meets at least once a month on the second and/or fourth Tuesday at 6:30 p.m. at City Hall. Commission meetings will end no later than 10:00 p.m., unless extended by majority vote of the Commissioners present and participating in the Agenda item that is under consideration at that time. An extension to 10:30 p.m. is allowed by Commission action. If a meeting has not concluded at 10:30 p.m., the Commission may vote on the Agenda item, consider another extension of up to 30 minutes, or vote to continue the item to the next available meeting.
- B. **Quorum.** A quorum is four of the voting membership of the Commission. If a quorum is not attained fifteen minutes following the scheduled time of call to order, the meeting will be cancelled. In the event it is known by the Director prior to a meeting that a quorum will not be present at any meeting, the Director will notify the Commission members. All items scheduled for the meeting will be automatically continued to a regularly scheduled meeting unless the Director determines that a special meeting is needed. The Director will post notice of the continuance on the exterior doors of City Hall notifying the public of the continuance and specifying the date and time when the continued items will be before the Commission. The Notice will remain through the evening on which the meeting is originally scheduled.

C. **Order of Business.** The Chair will have the authority to arrange the order of business as is deemed necessary to achieve an orderly and efficient meeting. In general, the order of business will be as follows:

1. Call to order – Procedural Matters
2. Minutes
3. Information Items
4. Audience Participation
5. Public Hearings
6. Worksession Items
7. Planning Department Other Business/Updates
8. Planning Commission Discussion Items
9. Forecast for Future Meetings.

D. **Voting.** All members who are present at a Commission Meeting, including the Chair and Vice Chair, are allotted one vote each on all motions. The concurrence of a majority of the Commission members present will be required to decide any matter. In the case of a tie vote, the matter is not complete. One new motion may be made. If a majority vote is not obtained on that motion the agenda item fails. A motion may be made by any Commissioner with the exception of the presiding officer. All Commissioners, when a vote is taken, will vote unless he or she abstains from voting and cites the reason for the record. Staff will call the roll, altering the order of members called. The Chair will vote last.

E. **Reconsideration of Actions Taken.** A member who voted with the majority may move for a reconsideration of an action at the same meeting only. The second of a motion may be a member of the minority. Once a matter has been reconsidered, no motion for further reconsideration will be made without unanimous consent of the Commission.

F. **Minutes.** A staff representative or designee will be present at each meeting and will provide for a sound, video, or digital recording, or written minutes of each meeting. The record of the meeting, whether preserved in written minutes or sound, video, or digital recording, will include at least the following information:

- Names of the Commission members present;
- All motions and proposals, and their disposition;
- The results of all votes and the vote of each Commission member by name;
- The substance of any discussion on any matters; and,
- A reference to any document discussed at the meeting;

Written minutes need not be a verbatim transcript, but give a true reflection of the matters discussed at the meeting and the views of the participants.

Minutes shall be reviewed and voted upon by the Commission at a regular meeting.

Upon approval of the minutes by the Commission, a staff representative will sign and make the minutes available to the public within a reasonable time after the meeting.

- G. **Repeal or Amendments.** The Commission may review these bylaws periodically and forward suggested revisions to the Council for approval. These bylaws may be repealed or amended, or new bylaws may be adopted by a majority vote of the Council on its own initiative, or upon a recommendation from the Commission.
- H. **Meeting Conduct.** The meeting conduct for this Commission is these bylaws except where superseded by or local, state, or federal law.
- I. **Statement of Economic Interest.** Commissioners are required to file annual statements of economic interest as required by ORS 244.050 with the Oregon Government Standards and Practices Commission.

ARTICLE VI DUTIES OF OFFICERS

- A. **Duties of the Chair.** The Chair or Vice Chair, in addition to the duties in Article IV, will preserve the order and decorum of the meeting.
 - 1. The Chair may assess the audience at the beginning of the meeting, and, with the consent of the Commission, announce reasonable time limits.
 - 2. The Chair will direct the planning staff to summarize the issues to be addressed and the criteria to be applied by the Commission during its deliberations, following the conclusion of public hearing testimony.
 - 3. The Chair will summarize the hearing results and state the appeal process at the conclusion of the public hearing.
- B. **Requesting Response and Opinion.** The Chair will ask for response and opinion from the members of the Commission.
- C. **Appointments to Specific Projects on Committees.** The Chair may appoint Commissioners to specific projects or committees, and may select a Commissioner to be spokesperson for the Commission when the Chair or Vice Chair is unavailable.
- D. **Confer with Director.** The Chair or Vice Chair shall confer with the Planning Director (Director) on a regular basis outside scheduled meetings concerning the direction each expects of the Commission.
- E. **Orientation of New Members.** The Chair, in conjunction with the Director, will orient new members.

ARTICLE VII DUTIES OF THE COMMISSION

- A. **Duty of Commissioner.** Commissioners will address all those who come before the Commission in a formal and courteous manner.
- B. **Absence From a Meeting.** If a Commissioner is unable to attend a meeting, it is that Commissioner's responsibility to inform the Community Development staff and/or the Commission Chair of that fact prior to the meeting to be missed.

C. Site Visits. Prior to Commission meetings, Commissioners are encouraged to visit sites that are subjects for land use actions. If a Commissioner visits a site, he or she will report on the record any information gained from the site visit that is not consistent with the information included in the application or staff report.

D. Method of Handling Conflicts by Members. In accordance with ORS 244.135: (1) A member of the Commission will not participate in any Commission proceeding or action in which any of the following has a direct or substantial financial interest:

1. The Commission or the spouse, brother, sister, child, parent, father-in-law, mother-in-law of the Commissioner; or
2. Any business in which the Commissioner is then serving or has served within the previous two years; or
3. Any business with which the Commissioner is negotiating for or has an arrangement or understanding concerning prospective partnership or employment.

Any actual or potential interest must be disclosed at the meeting of the Commission where the action is being taken.

E. Meeting Preparation. Commissioners will prepare for participation at a meeting by fully reviewing the staff report and materials provided by the Director. If a Commissioner is unable to attend a hearing on a quasi-judicial application that is continued to another hearing, the Commissioner will not take part in the continuance hearing unless the Commissioner:

1. Reviews the staff report and materials provided by the Director as well as:
 - a. all materials submitted at the hearing, and
 - b. any additional materials prepared by the planning staff applicable to the application, and
 - c. either the audio recording of the hearing or the draft minutes of the hearing.
2. Declares that they are prepared to participate.

F. Duties Assigned by Council. The Commission will carry out the duties assigned to it by Council relating to development, updating, and general maintenance of the Milwaukie Zoning Ordinance and the Milwaukie Comprehensive Plan.

- a. The Commission will serve as the Community Involvement Advisory Committee (CIAC). Each Commissioner will be considered appointed to the CIAC at the same time as he or she is appointed to the Commission and will serve on the CIAC for the duration of their term. The CIAC will implement the City's community involvement program pursuant to the requirements and relevant guidelines set forth in Statewide Planning Goal 1 and the Comprehensive Plan specific to land use that addresses:

- Opportunities for widespread public involvement
 - Effective two-way communication with the public
 - The ability for the public to be involved in all phases of the planning process
 - Making technical information easy to understand
 - Feedback mechanisms for policy-makers to respond to public input, and
 - Adequate financial support for public involvement efforts.
- b. The Planning Commission will reserve time on every agenda to meet as needed as the CIAC, and will convene for an annual meeting.
2. **Other Duties.** At least once per year, the Commission will hold a meeting to which Neighborhood District Association (NDA) leaders (e.g., the NDA chair and the chair of the land use committee) are invited to discuss land use issues and community outreach with the Commission.

ARTICLE VIII GOALS AND OBJECTIVES

- A. **Annual Goal Review.** The Commission will review the Council goals annually for establishment of Commission goals which enhance and augment those of the Council.
- B. **Establishment of Commission Goals.** The Commission will establish goals, at a minimum, annually.



ANNUAL JOINT MEETING OF THE PLANNING COMMISSION AND THE NDA's

April 8, 2025

City of Milwaukie Planning Department

AGENDA

1. Introductions
2. High profile development projects/Upcoming Projects
3. Land Use Review Overview
4. Resources for NDA's
5. Wrap-Up



WHAT IS LAND USE PLANNING?

- How land is used (residential, commercial, industrial)
- Building and site design (windows, height, setbacks)
- Transportation (sidewalks, bike lanes, vehicles)
- Natural resources (Johnson Creek, trees, wildlife)

DEVELOPMENT REVIEW

- Development Review
- Long Range Planning



HILLSIDE PHASE 1

- 275 Apartment Units
- Income Restricted at 30% and 60% AMI
- On-Site Supportive Services
- 2026!



HIGH PROFILE DEVELOPMENT – **BONAVENTURE SENIOR LIVING**

170 Senior Living Units (Under Construction)



HIGH PROFILE DEVELOPMENT – COHO POINT

Public Benefits

- 195 units
- 10% of units at 80% of AMI for 30 years
- Shared parking agreement
- Public Pathway
- Path to Net Zero
- Break Ground 2025?



HIGH PROFILE DEVELOPMENT – 1847 FOOD PARK



MIDDLE HOUSING DEVELOPMENT

- **Projects Complete**
 - Cottage Cluster - 6 units – SE 40th
 - Townhouses – 5 units – 10705 SE 52nd
 - Plexes – 5 units – several locations

TOTAL 16 Units



6 Unit Cottage Cluster SE 40th





5 Unit Townhouses on 52nd Ave/Jackson



MIDDLE HOUSING DEVELOPMENT

- **Projects Under Construction**

- Cottage Cluster - 15 units – 3736 SE Harvey St
 - Homes affordable at 80% AMI
- Cottage Cluster – 8 units – 4103 SE Olsen
- Plexes – 10 units – several locations

TOTAL 33 Units

(Another 34 units have permits submitted)



15 Unit Cottage Cluster
Affordable at 80%
3736 SE Harvey St



Quad Plex
King Road



8 Unit Cottage Cluster
4103 SE Olsen



MIDDLE HOUSING DEVELOPMENT

| Middle Housing | Units |
|-----------------------------|------------|
| Projects Complete | 16 |
| Projects Under Construction | 33 |
| Project Under Consideration | 78* |
| Total | 127 |



Historic City Hall



Keeper
COFFEE CO



LONG RANGE PLANNING

Underway

- Transportation System Plan
- Affordable Housing Code Incentives
- Natural Resources

Upcoming

- Housing Production Strategy Implementation
 - Increase housing opportunities in the Residential High Density
- Unknown State Requirements



OREGON'S LEGAL FRAMEWORK



1. OREGON REVISED STATUTES (ORS)
2. OREGON ADMINISTRATIVE RULES (OAR)



1. METRO URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN
2. METRO CODE



1. MILWAUKIE COMPREHENSIVE PLAN
2. MILWAUKIE MUNICIPAL CODE (MMC)

VISIONING

YOU DREAM THINGS FROM THIS WITH GOALS AND ACTION ITEMS

| ADOPTED 2017

COMPREHENSIVE PLAN

YOU PLAN THE DREAM WITH POLICIES TIED TO LAND USE

ADOPTED 2020 |

ZONING MAP

YOU MAP OUT THE DREAM BY LOCATING WHERE DIFFERENT LAND USES GO IN THE CITY

| UPDATES ADOPTED REGULARLY

LAND USE CODE

YOU BUILD THOSE LAND USES WITH CODES AND DEVELOPMENT STANDARDS

UPDATES ADOPTED REGULARLY



ZONING IN MILWAUKIE

Commercial

- Neighborhood Mixed-Use
- Neighborhood Commercial
- Limited Commercial
- General Commercial
- Community Shopping
- General Mixed-Use

Downtown

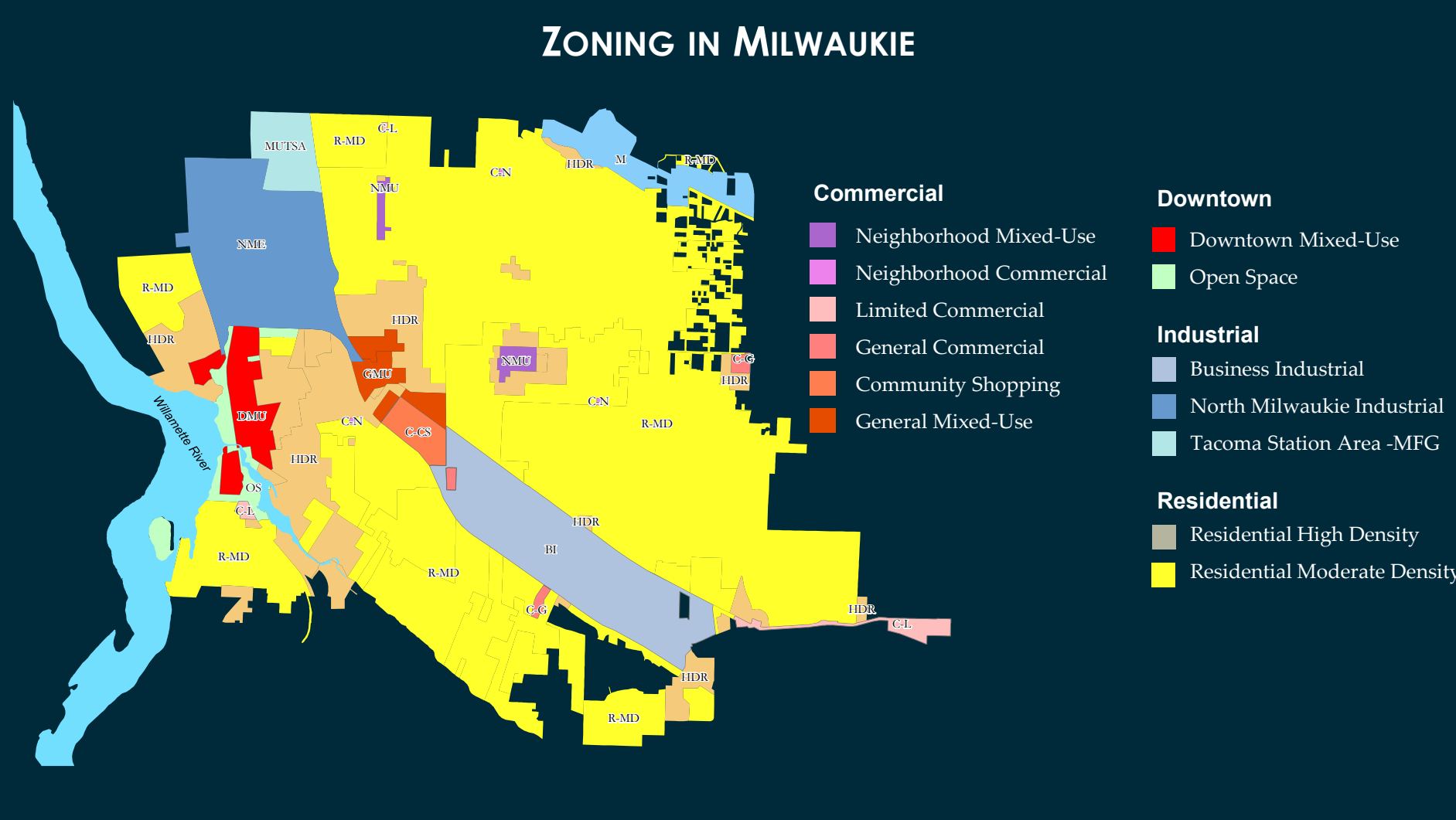
- Downtown Mixed-Use
- Open Space

Industrial

- Business Industrial
- North Milwaukie Industrial
- Tacoma Station Area -MFG

Residential

- Residential High Density
- Residential Moderate Density



MILWAUKIE MUNICIPAL CODE

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| | TITLE 20 PUBLIC ART |
| | TITLE 21 UTILITY SERVICE |

Uses permitted **by right** vs. uses requiring land-use approval

- Single dwelling houses
- Middle housing types
 - ADU aka Accessory Dwelling Units
 - cottage clusters, townhomes
 - plexs (duplex/tri/quads)
- Multi-unit housing, Mixed-Use in High Density Residential Zones
- Commercial uses in commercial zones
- Industrial uses in industrial zones

Uses permitted by right vs. uses requiring land-use approval

- Conditional or community service use proposals: PARKS; HOSPITAL; SCHOOLS; Vacation rentals
- Some land-division proposals: CHERIGHINO FARMS OF OFF LAKE ROAD; MISSION PARK
- Variances from a city standard: yard SETBACKS; LOT COVERAGE; DESIGN STANDARDS

DIFFERENCES IN REVIEW TYPES

| | Type I | Type II | Type III | Type IV | Type V |
|-----------------------|-----------------------------|---|--|--|--|
| Notice | No | Yes | Yes | Yes | Yes |
| Who | | NDA & Properties within 300 feet | NDA & Properties within 300 feet | NDA & Properties within 300 feet | Who gets notified depends on the proposal. |
| Comments | No | Written comments – 14 days | Public Hearing Testimony (Written or in person) | Public Hearing Testimony (Written or in person) | Public Hearing Testimony (Written or in person) |
| Decision Maker | Planning Manager | Planning Manager | Planning Commission | City Council | City Council |
| Public Hearing | No | No | Yes | Yes | Yes |
| Appeal to | Planning Commission | Planning Commission | City Council | Oregon LUBA | Oregon LUBA |
| Example(s) | Land use approval extension | Fence height, lot coverage, reducing setbacks | Vacation rental / building height | Planned developments | Code and Map Amendments |

The basis of how land use
decisions are made.

PLANNING COMMISSION PUBLIC HEARING FOR TYPE III & IV

Staff work with applicants to bring approvable applications to the Planning Commission

Staff make a **recommendation** to the Planning Commission on whether to approve or deny an application

Public Hearings are a **quasi-judicial legal procedure** that follow a specific order

Community, Staff and PC must **evaluate applications on the approval criteria**

- Observations and statements that aren't relevant to the criteria cannot be used to evaluate the application.

NOTICE OF LAND USE PROPOSAL



NOTICE OF PUBLIC HEARING

Date mailed: October 19, 2022

Traducciones de este documento e información sobre este proyecto están disponibles en español. Para solicitar información o presentar en español, favor de email espanol@milwaukieoregon.gov.

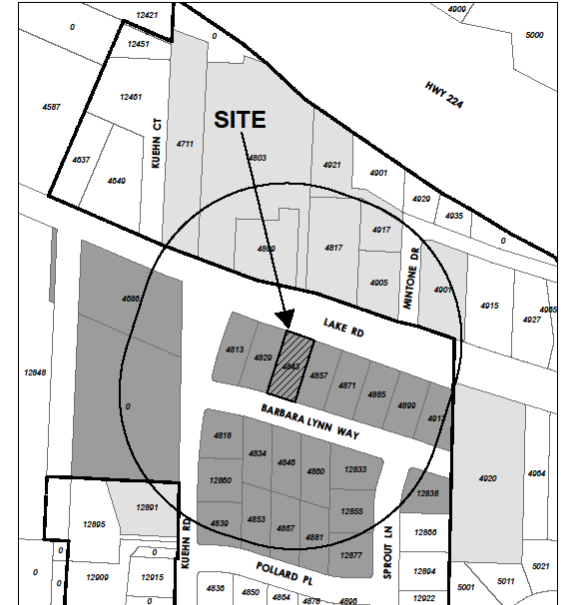
You are receiving this notice because development has been proposed in your neighborhood. The proposal requires a public hearing by the Milwaukie Planning Commission and notice to the property owner, applicant, and all property owners, residents, and neighborhood district association(s) within 300 feet of the subject property. The proposal and information on how to respond to this notice are described below.

The Milwaukie Planning Commission will hold a public hearing on the proposal at a meeting beginning at 6:30 p.m. on Tuesday, November 8, 2022, at Milwaukie City Hall, 10722 SE Main Street. Due to the ongoing COVID-19 pandemic, this meeting will be conducted both in person and online via Zoom. Information about how to access the virtual meeting can be found here: <https://www.milwaukieoregon.gov/bc-pc/planning-commission-107>. The meeting can also be viewed on the City's YouTube channel or Comcast Cable channel 30 within the city limits.

| | |
|---------------------------------------|---|
| File Number(s): | CU-2022-003 |
| Location: | 4843 SE Barbara Lynn Way 2S2E06BA01403 A map of the site is located on the last page of this notice. |
| Proposal: | The applicant is requesting to use a single-unit dwelling as a Vacation Rental, which requires a conditional use permit in the Moderate Density Residential Zone (R-MD). |
| Applicant/Primary Contact Person: | Justine Syck Email: hello@justinesyck.com 503-680-4205 |
| Owner(s): | Justine Syck Contact info same as the applicant. |
| Staff contact: | Ryan Dyar, Assistant Planner City of Milwaukie Planning Department 4101 SE Johnson Creek Blvd Milwaukie, OR 97206 503-786-7661, dyar@milwaukieoregon.gov |
| Neighborhood District Association(s): | Lake Road NDA, contact Debby Patten at 503-806-5860 |
| Applicable Criteria: | <ul style="list-style-type: none">• MMC 19.301 Moderate Density Residential Zone (R-MD)• MMC 19.905 Conditional Uses• MMC 19.1006 Type III Review Copies of these criteria are available upon request and can also be found at www.milwaukie.us/codes/milwaukie/ . |

USEFUL INFORMATION

1. Land Use File #
2. Who is Applying
3. Staff Contact
4. Approval Criteria
5. Webpage URL
6. Important Dates



Site Map
4843 SE Barbara Lynn Way
(2S2E06BA01403)
File# CU-2022-003



Legend

- 300 ft Buffer
- City Limit
- City of Milwaukie Notices
- City of Milwaukie Notices
- Clackamas Co. Notices
- Tax Lots

300 FOOT NOTICE MAP

PREPARING FOR A PUBLIC HEARING

| | Pre-application meeting and/or conference | Land Use Application Reviewed for Completeness and Approvability | Land Use Application deemed complete | Pre-Public Hearing |
|---------------------|---|--|--------------------------------------|--|
| Applicant | May attend a pre-application meeting or conference with staff | Submits Land Use Applicant | | |
| Staff | Staff posts pre-application report | Staff reviews application using the applicable criteria for completeness and approvability | Application is referred out to.... | Staff Report is posted one week in advance of public hearing with staff recommendation to PC |
| Public | Public can review pre-application conference reports | Public can review application materials | | Submit support or opposition in writing |
| Planning Commission | | | | Reviews staff report and application materials |

TYPE V APPLICATIONS

- Staff prepares report for **Planning Commission** and posts on city website
 - Work Session prior to a public hearing
- Staff requests Planning Commission to **recommend** City Council adopt the code updates.
- **Public** can review materials
 - Submit **comments** in support or opposition in writing or in person
 - Decisions are not made on approval criteria
- Staff then prepares report for **City Council** and posts on city website
- **Public** can review materials
 - Submit **comments** in support or opposition in writing or in person

TYPE III AND IV PUBLIC HEARING

Legal Proceeding – Quasi-Judicial

The Applicant has:

- An opportunity to be heard
- An opportunity to present and rebut evidence
- A right to an impartial tribunal having had no pre-hearing or ex-parte contact concerning the land use action at issue
- A right to findings of fact, and
- A right to a record of the proceedings

Decision must be made on existing approval criteria



UNDERSTANDING THE APPROVAL CRITERIA

MMC 19.905 establishes criteria for approval for a new conditional use.

The three criteria that relate the most to a vacation rental in a moderate-density residential zone are:


1. The operating and physical characteristics of the proposed use will be reasonably compatible with, and have minimal impact on, nearby uses;
2. All identified impacts will be mitigated to the extent practicable; and
3. The proposed use will not have unmitigated nuisance impacts, such as from noise, odor, and/or vibrations, greater than usually generated by uses allowed outright at the proposed location.

RESOURCES FOR NDA's


- City Staff!
- City Website
- Engage Milwaukie

HOME » Planning


Planning




MIDDLE HOUSING




TRANSPORTATION SYSTEM
PLAN: 2023-25 UPDATE




HOUSING CAPACITY
ANALYSIS & PRODUCTION
STRATEGY







COMPREHENSIVE PLAN
POLICY DOCUMENT



SUBMITTED APPLICATIONS
AND PUBLIC NOTICES



PLANNING PROJECTS

SHARE    

Planning

- Overview
- Find My Zoning
- Planning Documents - Ordinances, Plans, and Guidelines
- Municipal Code
- Planning Commission
- + Projects
- + Development Review
- + Forms, Applications, and Checklists

Contact

City Hall
10501 SE Main St
Milwaukie, OR 97222
planning@milwaukieoregon.gov
General Phone 503.786.7555





THANK YOU!

Laura Weigel, weigell@Milwaukieoregon.gov
503.786.7654

Any Follow-up Questions from Earlier?



COMMUNITY INVOLVEMENT ADVISORY COMMITTEE

- Required by the state
- Reviews public involvement plans related to land use
- Formed in 2021





THANK YOU!

Laura Weigel, weigell@Milwaukieoregon.gov

503.786.7654

OPPORTUNITIES TO ENGAGE

1. Pre-Application Conference (notes are posted online – details on proposal and approval criteria included)
2. Neighborhood Association Meetings (discuss proposals and criteria at neighborhood association meetings)
3. Respond in Writing to City Staff (check public notice for important deadlines and approval criteria)
4. Provide Public Testimony (come to the public hearing to discuss your support or concerns)

Community change is hard but inevitable

- Land-use process designed to **balance interests** – current and future residents
- Structured framework for evaluating proposals, gathering input, and **ensuring standards and criteria are met**

- Land use can be a complex topic but it's important for people to participate
- By understanding the approval criteria, decision-making process, and best practices for participating, you can make an effective and meaningful contribution

TYPE III VACATION RENTAL- APPROVAL CRITERIA

Short term vacation rental are allowed in all residential zones

Processed as a Conditional Use

Code Subsections that apply:

- 19.301 Moderate Density Residential Zone (R-MD)
- **19.905 Conditional Uses**
- 19.1006 Type III Review

LAND USE APPLICATION REVIEW TYPES (1-5)

| Type I | Type II | Type III | Type IV | Type V |
|--|--|---|---|--|
| Lot consolidation Changing approved plans Development in natural areas | Lot coverage variance Fence variance Reducing a setback Creating a new property | Vacation rental Subdivision Development near Willamette River Height variances Downtown Design Review Significant Historic Resources | Planned Development (Example: Waverly Heights, Hillside) | Changes to Milwaukie Municipal Code Changes to the zoning map (Examples: Middle-Housing, Tree Code, Neighborhood Hubs) |

HIGH PROFILE DEVELOPMENT - KELLOGG CREEK

