



# CITY OF MILWAUKIE

**To:** CPIC  
**From:** Project Team  
**Date:** May 13, 2021  
**Subject:** CPIC Meeting #8

---

Hello Milwaukie Comprehensive Plan Implementation Committee members,

Thank you in advance for preparing for this Comprehensive Plan Implementation Committee (CPIC) Meeting. The eighth CPIC meeting is scheduled for May 20th, from 6 – 9 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 #8 are to:

1. Discuss open house #2 engagement results
2. Discuss key issues related to some proposed amendments and key issues
3. Opportunity to learn more about and ask questions about the code adoption process and next steps
4. Opportunity for open discussion

**CPIC Meeting Packet #8 Materials List**

Number	Packet Item
1	Agenda (this document)
2	Attachment A: Memo from staff re: project timeline and key issues
3	Attachment B: Open House Results analysis
4	Attachment C: Letter from Ronelle Coburn

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  
kolasv@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 | ATTENDEES

### **CPIC Members**

Joel Bergman  
Micah Meskel  
Nicole Zdeb  
Renee Moog  
Sharon Johnson  
Celestina DiMauro  
Daniel Eisenbeis  
Matthew Bibeau  
Stephan Lashbrook  
Ada Gonzalez  
Dominique Rossi  
Eugene Zaharie  
Jennifer Dillan  
Councilor Lisa Batey – City Council Liaison  
Joseph Edge – Planning Commission Liaison

### **City Staff**

Vera Kolias, Senior Planner  
Laura Weigel, Planning Manager  
Leila Aman, Community Development Director  
Mary Heberling, Assistant Planner

**Milwaukie Comprehensive Plan Implementation Committee Virtual Meeting (CPIC #8)**

**May 20, 2020; 6:00 pm – 9:00 pm**

By Zoom Web Conference

This meeting will be recorded and posted to the city website.

---

Comprehensive Plan Implementation Committee Meeting #8 - Agenda		
Time	Topic	Who
5:45 – 6:00 pm	Login to Webinar and Conference Line	CPIC members
15 minutes 6:00 – 6:15 pm	Welcome <ul style="list-style-type: none"><li>• Overview of Process – where we are, where we are going</li><li>• Open House #2 update</li></ul>	Vera Kolias and Mary Heberling
40 minutes 6:15 – 6:55pm	Proposed code amendments <ul style="list-style-type: none"><li>• Parking, ADUs, duplexes</li><li>• Zone consolidation and standards</li></ul>	Laura Weigel and Vera Kolias
45 minutes 6:55 – 7:40 pm	Flag Lot Standards	Vera Kolias
30 minutes 7:40 – 8:10 pm	Next Steps <ul style="list-style-type: none"><li>• Draft adoption process</li><li>• CPIC role</li></ul>	Vera Kolias
30 minutes 8:10 – 8:40pm	Open discussion	CPIC
15 minutes 8:40 – 8:55 pm	Public comment period	Public
5 minutes 8:55 – 9:00 pm	Wrap up	Vera Kolias
9:00 pm	Adjourn	Vera Kolias



# CITY OF MILWAUKIE

**To:** CPIC

**From:** Project Team

**Date:** May 13, 2021

**Subject:** CPIC Meeting #8

This memo, for CPIC meeting #8, describes the project timeline and some key issues and recommendations for discussion at the May 20<sup>th</sup> meeting.

## Project Schedule

Project overview and timeline – Part 1			
September 2020	January – April 2021	March – May 2021	May - June 2021
<b>Code Audit</b> Identified existing policies and regulations that prevent implementation of the Comprehensive Plan.	<b>Code Concepts</b> Based on the code audit findings, described six multi-faceted approaches for amending Milwaukie's implementing ordinances.	<b>Selected Proposed Code Amendments (this memo)</b> Specifically identifies which code sections will be amended to remove barriers associated with building middle housing, and residential parking.	<b>Milestone: Adoption-ready draft amendments</b> Presentations to NDAs Open House #3
Code Adoption Process			
July – Aug 2021	September 2021	Oct - Nov 2021	December 2021
<b>Planning Commission worksessions</b> Engage Milwaukie Written comments–tracked in spreadsheet	<b>Revised draft code and maps</b> 35-day public notice Code posted Social media; postcards; Engage Milwaukie	<b>Planning Commission public hearings</b> Public testimony Spreadsheet tracking written comments <b>Final Draft Code and Maps</b>	<b>City Council public hearings</b> Public testimony Spreadsheet tracking written comments <b>Adopted Code and Maps</b>

**HB 2001 and the Model Code**

This section is intended to provide clarification regarding HB 2001 and the “model code” that is sometimes referenced in these discussions.

As part of the rulemaking for HB 2001, a model code for large cities (Milwaukie is a large city) was developed. Development of the large cities model code serves two purposes: 1) it will provide guidance to cities in implementing code provisions that comply with the intent of HB 2001, and 2) it will apply to cities that do not adopt a code that is consistent with HB 2001 by the statutory deadline of June 30, 2022.

As outlined in HB 2001, a city may either adopt the model code, or the city can adopt different code provisions than the model code as long as the standards are in compliance with the intent of HB 2001 and do not, individually or cumulatively, cause unreasonable cost and delay to the development of middle housing. The model code is based on best practices for the development of middle housing.

**OAR Division 46**

Oregon Administrative Rules Chapter 660, Division 46 - Middle Housing in Medium and Large Cities (OAR 660-046) - is a new set of rules to implement HB 2001. Division 46 establishes the minimum standards that a city must meet to be deemed compliant with the provisions of HB 2001. Division 46 provides flexibility to local governments in how they regulate middle housing within the parameters of the minimum compliance standards. The standards outline a range of reasonable siting and design standards that local governments may adopt to regulate the development of middle housing.

Milwaukie is using the model code to help guide the development of the code amendments, but is not adopting the model code. Our code standards will reflect the specific goals and characteristics of the city while complying with HB 2001.

**Key issues for discussion with CPIC**

The project team is working through sets of code recommendations that will lead to a full set of code amendments. Staff would like to engage CPIC in a discussion of some key amendments as we work through the amendments on a rolling basis. The following key issues are the subject for discussion at the May CPIC meeting:

1. Parking, ADU, and duplex amendments, including:
  - a. Parking
  - b. ADU and duplex standards and review process
  - c. ADUs and middle housing
2. Refined code concepts (see Attachment 2)
  - a. Consolidated residential zones
  - b. Standards in the new zones
  - c. Form based approach in consolidated Zone 2 (R-5, R-7, R-10)
3. Flag lots: standards and easement vs flag pole design

## 1. Less complex amendments

This first section includes a subset of amendments that represents those amendments which are emerging as the least complex that can be most readily done. Staff is bringing these amendments to CPIC, City Council, and the Planning Commission to confirm the direction. While Code Concepts delve into deeper issues that cut across multiple policy areas and are being further refined, the proposed amendments catalogued below are smaller fixes. Six months in, these amendments are generally recognized as achieving success or making progress toward the project objective of updating the Milwaukie municipal code and zoning and Comprehensive Plan maps to implement the housing element, change residential parking requirements, and develop new code provisions to protect trees.

These amendments do not include minor amendments or updates for cross referencing and consistency.

These proposed amendments share one or more of the following characteristics:

- The team has **clear Comprehensive Plan policy direction**. The Code Audit identified a barrier in achieving the policy. In many cases, the issue was discussed with staff, CPIC members and the community for guidance on how to resolve the issue.
- The team has a **defined path to fix** an identified barrier. For example, a specific Title, Chapter, Article, etc. has been identified that needs to change in order to implement a Comprehensive Plan policy or in order to be in compliance with HB 2001 requirements.
- An amendment is required. While the primary emphasis in amendments is implementing the goals and policies of the Comprehensive Plan, specific code amendments are **required in order to be in compliance with HB 2001**.

The amendments are summarized in Table 1. They reflect the findings from the detailed Code Audit e.g., the Excel spreadsheet included in the packet for CPIC #4. Each amendment implements specific Comprehensive Plan goals/policies, and those are catalogued in Table 2. Future additional sets of proposed amendments will be similarly catalogued and developed into draft amendments.



**Table 1: Proposed Amendments (Set 1) – Summary Table**

<b>Proposed Amendment</b>	
<p><a href="#">Title 19</a>, related to housing types</p>	<p>These amendments remove certain development standards and approval standards for middle housing types (ADUs and manufactured homes). As a result, ADUs and manufactured homes will be subject to the same level of review currently used for single dwellings, and this will allow the city to meet policy goals of increasing housing that is affordable at a range of income levels.</p> <p><i>Addresses Comprehensive Plan, Housing Affordability Strategy, and House Bill 2001. Some additional amendments may be required for consistency with other changes to defined housing types.</i></p> <ul style="list-style-type: none"> <li>· Remove minimum structure size for manufactured homes</li> <li>· Amend review type for ADUs and Duplexes to allow out right (same as single dwellings currently)</li> <li>· Amend approval standards and design standards for ADUs to be consistent with state regulations</li> <li>· Remove approval standards and design standards for duplexes (<a href="#">MMC 19.910.2</a>)</li> </ul>
<p>Title 19, related to parking</p>	<p>This set of amendments clarifies locations for on-site parking and lowers the minimum number of on-site parking spaces required for each home (currently one space/single dwellings including rowhouses and manufactured homes and 1 – 1.25 spaces for dwellings with 3 or more units based on square floor area). Reducing the requirement for parking on-site can reduce the cost of housing and can reduce impervious surfaces.</p> <p><i>Address Comprehensive Plan and House Bill 2001.</i></p> <ul style="list-style-type: none"> <li>· Amend minimum on-site parking requirements to one space per dwelling unit</li> <li>· Remove standard for location of off-street parking space precluding it be located within front setback or within 15 feet of front lot line or within side setback</li> </ul>

a. Parking

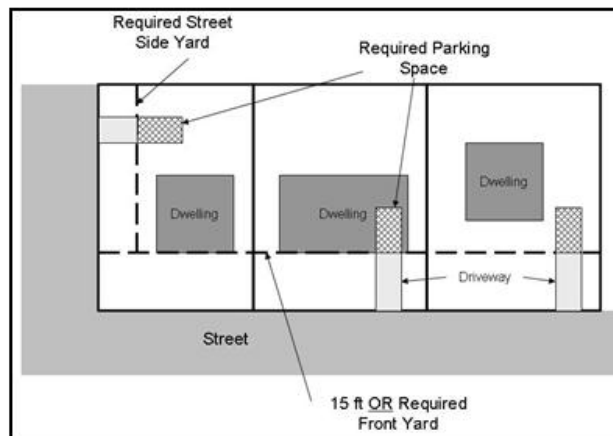
One of the policy mandates for this project is to manage parking to provide flexibility for middle housing and to protect trees. Additionally, Goals 6 – Climate Change and Energy - and 8 -Urban Design and Land Use of the [comprehensive plan](#), along with strategies identified in the [Climate Action Plan](#) and [Milwaukie Housing Affordability Strategy](#), offer strong support for minimizing parking in new developments in order to reduce vehicle emissions and encourage the use of alternate transportation.

The community has expressed a clear desire to increase its share of people who don't have to own cars, who own fewer cars, and who bike or walk for many of their needs. That said, it will continue to be important consider parking that allows people to store their cars at or near their homes for the foreseeable future.

Parking requirements in the current zoning code ([MMC 19.600 Off-Street Parking and Loading](#)) place burdens on middle housing. Parking requirements can impact the affordability of housing in a number of ways. Currently the requirement for a minimum

of one space per dwelling unit in single unit dwellings and duplexes, and 1.25 spaces for housing that includes 3 or more dwelling units that are over 800 square feet can make many forms of middle housing infeasible, financially and physically. As discussed with CPIC in past meetings, on-site parking is expensive to build and reduces the area available for a dwelling. In order to comply with HB 2001, only one parking space per unit may be required for middle housing.

Additional design standards in [Section 19.607](#) further regulate the location and design of parking and have an impact on the feasibility and cost of developing middle housing. For example, off-street parking is not permitted within the required front or side yard or within 15 feet of the front lot line. This requirement essentially requires two parking spaces for each unit as the parking cannot be provided in the first 15 feet of the driveway approach. This standard has been a barrier to the conversion of garages as ADUs and reduces the potential developable area for middle housing types. HB 2001 states that on-street parking may be allowed to count toward the parking requirement.



MMC 19.607.1.B.2 - Existing code on required parking space location

### **Recommendation:**

To address the goals of the comprehensive plan and to comply with HB 2001, the recommended amendments to MMC 19.600 are:

- Amend Table 19.605.1 to reduce parking minimums for newly defined middle housing types to one space per dwelling unit
- Amend 19.607 to remove requirement that precludes vehicle parking space being located a) inside of front setback or within 15 feet of front lot line b) inside street side yard

The key takeaway from HB 2001 is that a city cannot require more than one off-street parking per dwelling unit for middle housing. The findings from the residential parking study

confirm that requiring one parking space for each dwelling unit, in combination with existing on-street parking, will meet the average demand for parking. Key findings from the study:

- Minimum parking demand averages approximately 1.99 vehicles per residential unit at the peak hour; this includes both the on and off-street parking systems.
- On-site demand is approximately 1.52 vehicles per unit (1.44 in driveways, an additional 0.7 in surface lots).
  - The on-street parking system has low demand currently (about 0.48 vehicles per unit). As such, there is an abundance of on-street parking availability (likely due to COVID). Occupancies in the on-street supply could be higher (post-COVID) but the user would be non-residential, and demand would occur during the mid-day, not at the 2AM peak demand for residential parking.

b. ADU and duplex standards and the review process for each

ADU's are not specifically included as a type of middle housing and are therefore not regulated as part of HB 2001. However, policy 7.2.4 in the Housing chapter of the comprehensive plan specifically calls for a simplified permitting process for ADUs. Current code ([19.910.1](#)) requires land use review (Type I or Type II) for ADUs and for duplexes in certain areas. To comply with the comprehensive plan and with HB 2001 for duplexes, the recommendation is to remove the land use review process for both housing types.

Another recommendation is to reflect current policies to reduce some of the barriers to ADU development. This includes the following:

- Revise the maximum size requirements related to the conversion of an accessory structure into a detached ADU.
- Revise the design and development standards, as needed, to comply with current state law.

c. Clarification on ADUs with Middle Housing

Questions have been asked about allowing ADUs with middle housing dwellings (not just single unit dwellings as in current city code). Language within the OAR states that large cities may choose to allow more dwelling units on a lot or parcel, including ADUs: "Large cities may allow more than four dwelling units on a lot, including any accessory dwelling units." Staff took a closer look at the OAR and the Model Code for guidance on this question.

In one example, it appears that the intent in the language of both the OAR and Model Code is to allow for flexibility so that a jurisdiction can choose to either:

- allow a single detached dwelling and an ADU on the same lot and call it a duplex (equal to two dwelling units)  
OR
- allow a duplex and an ADU on the same lot (equal to three dwelling units)

In another example, the city could allow two ADUs with a duplex for a total of four units (1 ADU per each duplex unit).

The Model Code includes specific language about this. In the definition of duplex, there is the following language: "In instances where a development can meet the definition of a duplex and also meets the definition of a primary dwelling unit with an accessory dwelling unit (ADU), the applicant shall specify at the time of application review whether the development is considered a duplex or a primary dwelling unit with an ADU." Current city code has the same language, and this is important because system development charges (SDCs) are determined by the housing type. This specificity is also important because the city cannot require off-street parking for ADUs but can require it for a duplex.

The bottom line is that HB 2001 gives the city the flexibility about allowing ADUs with middle housing – we are not required to do so.

*The key question from staff is: Does CPIC have a position on allowing ADUs associated with middle housing units?*

## **2. Refined code concepts**

Draft Code Concepts were presented to city staff and CPIC at the February 25th meeting. This section of the memo further refines some of these Code Concepts based on feedback from CPIC and staff. This section also includes technical findings from the team including 1) additional analyses to address questions raised by city staff and the CPIC and 2) additional technical review conducted through meetings with a larger city review team. These Refined Code Concepts delve deeper into the specifics of the code concepts, investigating issues and discussing potential means of resolution to inform draft code language.

This detailed analysis will be used in the next phase of work from May through June to write draft and final code amendments. At the June CPIC meeting draft code language resulting from the Refined Code Concepts analysis will be presented along with a resolution of input from the public collected through outreach efforts throughout March, April, and May.

Let's start with the code concept:

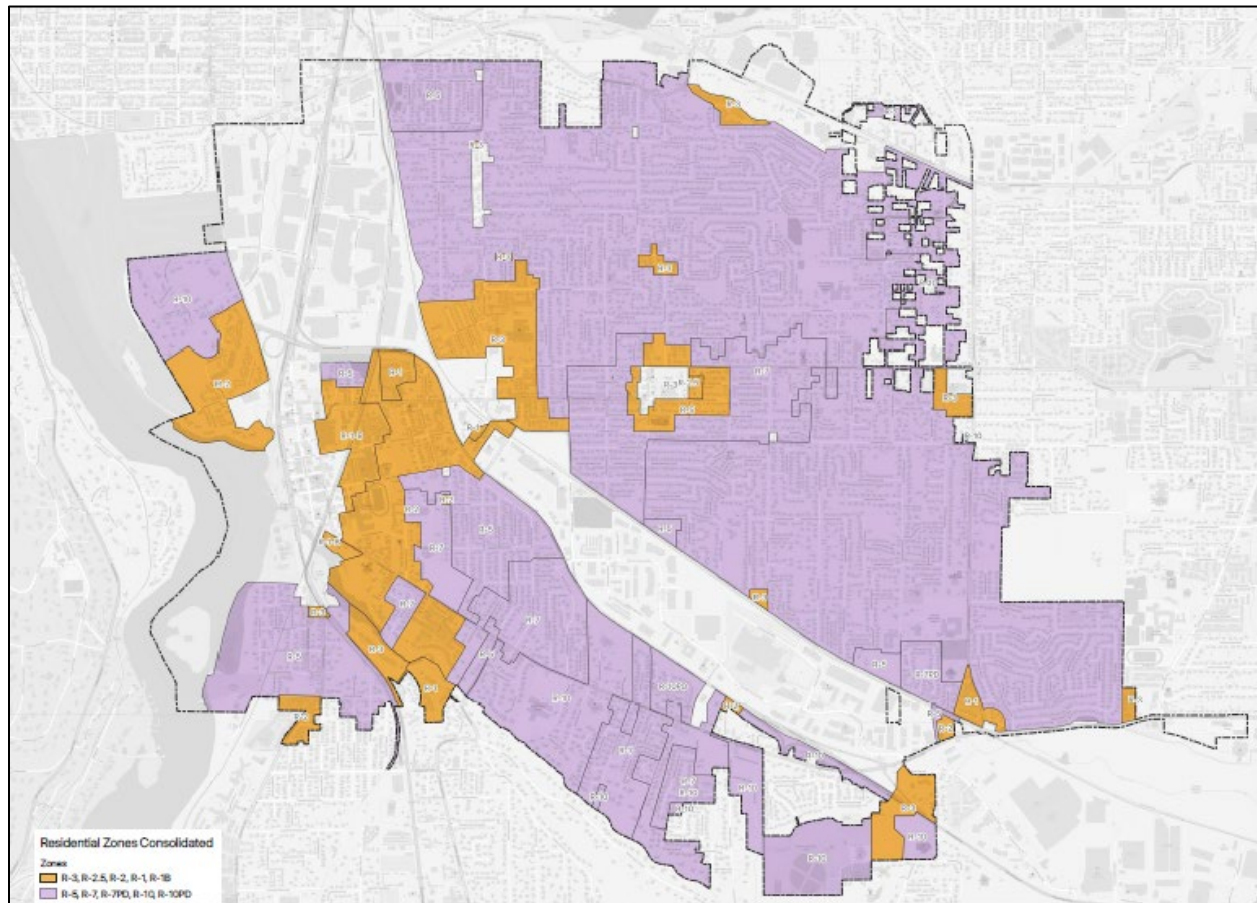
### **a. Consolidated residential zones (Zones 1 & 2)**

As part of the initial Code Concepts phase of the project, staff and the CPIC looked at simplifying the number of residential zones of which there are currently eight. This amendment is not strictly needed to comply with HB 2001, but may help the city implement Comprehensive Plan goals for equitable distribution of housing choices. A few implementation options or

choices were presented, including consolidating the current eight zones to two or three. The recommendation, based on recent CPIC discussion (and polling), is to consolidate the eight zones into two:

Two new proposed residential zones:

- Residential 1 – Consolidation of R-3, R-2.5, R-2, R-1, and R-1-B zones (medium and high density residential zones).
- Residential 2 – Consolidation of R-5, R-7, and R-10 zones (low density residential zones).



*Proposed residential zoning map – two consolidated zones*

Next let's look at the code concept:

b. Siting and development standards in Residential 2 zone

A new table is proposed that summarizes the permitted housing types and siting and development standards for the Residential 2 zone (see Table 2). Included is a row that describes a new lot size category for detached single dwellings (fee simple cottage cluster developments would be addressed separately). Fee simple means that the cottages would each be on their lot rather than all of the cottages on one lot.

**Table 2. Proposals for current Low Density Residential Zones (R-5, R-7, R-7PD, R-10, and R-10PD)**

	Lot size	Permitted housing types	Development standards that apply
<b>New Zone: Residential 2</b>	1,500 sq ft – 2,999 sq ft	<ul style="list-style-type: none"> <li>Rowhouse (Townhouse)</li> <li>Cottage<sup>1</sup></li> </ul>	For discussion: Apply development standards to the edges of new lots where they abut 5,000, 7,000, or 10,000 sq ft lots. <sup>2</sup>
	Between 3,000 and 5,000 sq ft <sup>3</sup>	<ul style="list-style-type: none"> <li>Detached single dwelling (min 3,000 sq ft); must also allow a duplex</li> </ul>	
	5,000 sq ft – 6,999 sq ft (Option two: 3,001 sq ft – 4,999 sq ft) <sup>4</sup>	<ul style="list-style-type: none"> <li>Detached single dwelling</li> <li>Detached single dwelling with ADU</li> <li>Duplex</li> <li>Triplex<sup>5</sup></li> </ul>	Those that currently apply within the R-5 zoning district
	7,000 sq ft – 9,999 sq ft (Option two: 5,001 sq ft – 6,999 sq ft)	<ul style="list-style-type: none"> <li>Detached single dwelling</li> <li>Detached single dwelling with ADU</li> <li>Duplex</li> <li>Triplex</li> <li>Quadplex<sup>5</sup></li> <li>Cottage Cluster<sup>5</sup></li> </ul>	Those that currently apply within the R-7 zoning district
	10,000 sq ft or greater (Option two: 7,001 sq ft or greater)	<ul style="list-style-type: none"> <li>Detached single dwelling</li> <li>Detached single dwelling with ADU</li> <li>Duplex</li> <li>Triplex</li> <li>Quadplex</li> <li>Cottage Clusters</li> </ul>	Those that currently apply within the R-10 zoning district

<sup>1</sup> For a Cottage within a Cottage Cluster only<sup>2</sup> Development standards at the edge where a newly created small lot abuts a larger or pre-existing lot may follow this formula: Where abutting a 5,000 sq ft lot, R-5 standards apply; where abutting a 7,000 sq ft lot, R-7 standards apply, and where abutting a 10,000 sq ft lot, R-10 standards apply. If the abutting lot is zoned consolidated new zone (R-3, R-2.5, R-2, R-1, and R-1-B), then, in addition to the applicable setback the less severe sloped plane would apply to that edge.<sup>3</sup> For discussion: Establish a lot size that is in between a 1,500 sq ft Rowhouse lot and a 5,000 sq ft lot that allows for one single detached dwelling. Such a lot would only exist with approval of a land division, same as for a Rowhouse lot. These types of lot and land division options will allow more homeownership options. The exact size of the lot needs further analysis, if it is determined that such a housing option should be created. Other cities have lot sizes ranging from 2,500 to 3,050 sq ft. Consider smaller lots for detached cottages that are part of a fee-simple cluster of cottages.<sup>4</sup> This assumes that 3,000 square feet is the minimum lot size of the previous category.<sup>5</sup> If Option 2 is selected for this proposed amendment, then Triplex would not be permitted in this zone, because Triplexes are only required to be permitted on lots 5,000 sq ft or greater. If Option 2 is selected, then Quadplex and Cottage Clusters would not be permitted because they are only required to be permitted on lots 7,000 sq ft or greater.



*Does CPIC have any questions or issues with the direction of the proposed amendments to the standards for the new consolidated Residential 2 zone?*

*Does CPIC have concerns about the proposal of a 3,000 sq ft minimum lot size for single unit dwellings and duplexes?*

*What additional information or details are needed to help clarify the proposed amendment?*

c. Definitions of housing types

This discussion is about how the City will define housing types to implement the goals of the Comprehensive Plan and comply with HB 2001. Comprehensive Plan goals call for greater housing choices in all neighborhoods, as well as flexible site designs that are able to accommodate specific site constraints, such as trees. There has been support at the CPIC for allowing the greatest range of flexibility. One proposal is to allow all of the HB 2001-required housing types the flexibility to be attached or detached.

The April online open house and community survey also showed support for flexibility from the public. 66% of respondents preferred allowing detached buildings to allow for site design options, including tree preservation. There were also several comments in the open house stations that address this notion:

- *"I love the idea of the split buildings, not just because of the tree protection, but also because it would make people in middle housing feel more independent and the middle housing options more appealing. I also like the additional stories as I like making use of vertical space as well - but I like the separate option best because of the freedom of independence."*
- *"...the ability for multiple stories and multiple buildings per lot allows for greater variation in design. It also allows for more space for gardens, green space, trees, etc "*
- *"Allowing a second story on the structure, and/or allowing two buildings on the lot, gives more flexibility for preserving trees or optimizing the available yard space on a particular lot."*

The recommendation is to allow middle housing that is either attached or detached. (Revisions to the city's definition of multifamily development would be required to ensure consistency throughout the code.)

*Does CPIC have any questions or issues with the proposal to allow middle housing as either attached or detached units?*

*What additional information or details are needed to help clarify the amendment?*

### 3. Flag lots

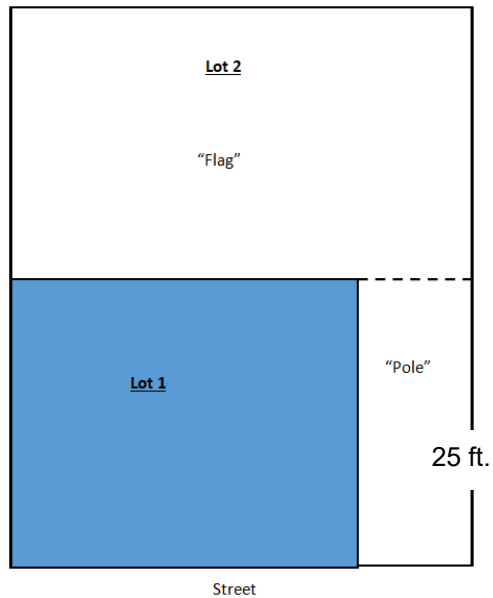
Over the last several years, planning department staff have responded to questions about potential infill development on lots that are narrow and deep. These are lots that are between 70-80 ft wide, over 200 ft deep, and are over 15,000 sq ft in size. Although flag lots can be proposed in any residential zone, the lots that are both narrow and deep are mostly found in the R-7 zone in the Ardenwald neighborhood. These lots are part of subdivisions from the 1920s. Because the lots are narrow, land division in the form of a flag lot is currently the only way to split the property and develop the large area in the back yard to accommodate more housing units.

A flag lot is defined as follows in the zoning code: "Flag lot" means a lot that has a narrow frontage on a public street with access provided via a narrow accessway or "pole" to the main part of the lot used for building, which is located behind another lot that has street frontage. There are 2 distinct parts to the flag lot, the development area, or "flag," which comprises the actual building site, and the access strip, or "pole," which provides access from the street to the flag.

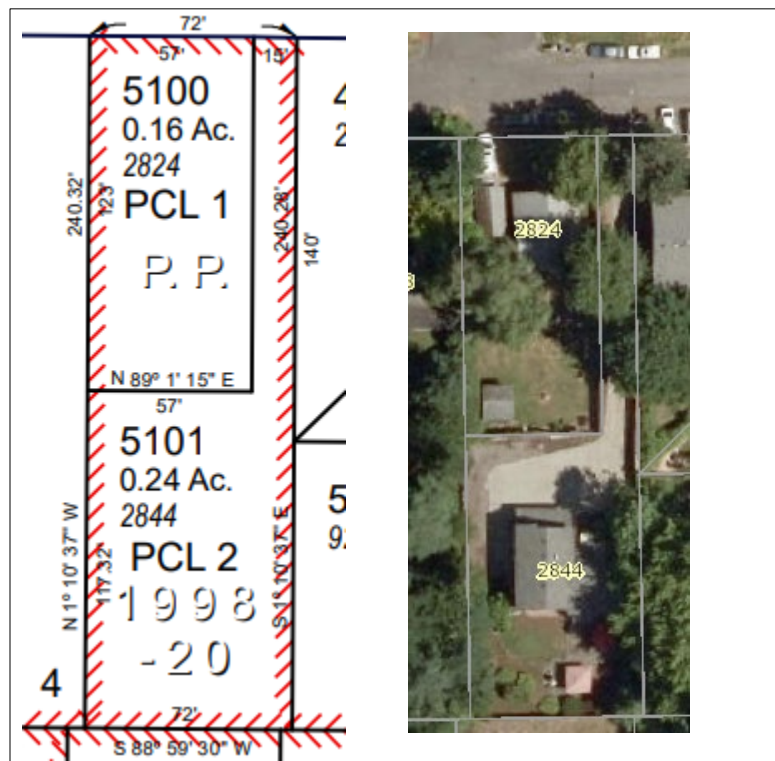


*Flag lot potential in the Ardenwald neighborhood.*





*Diagram of a basic flag lot*



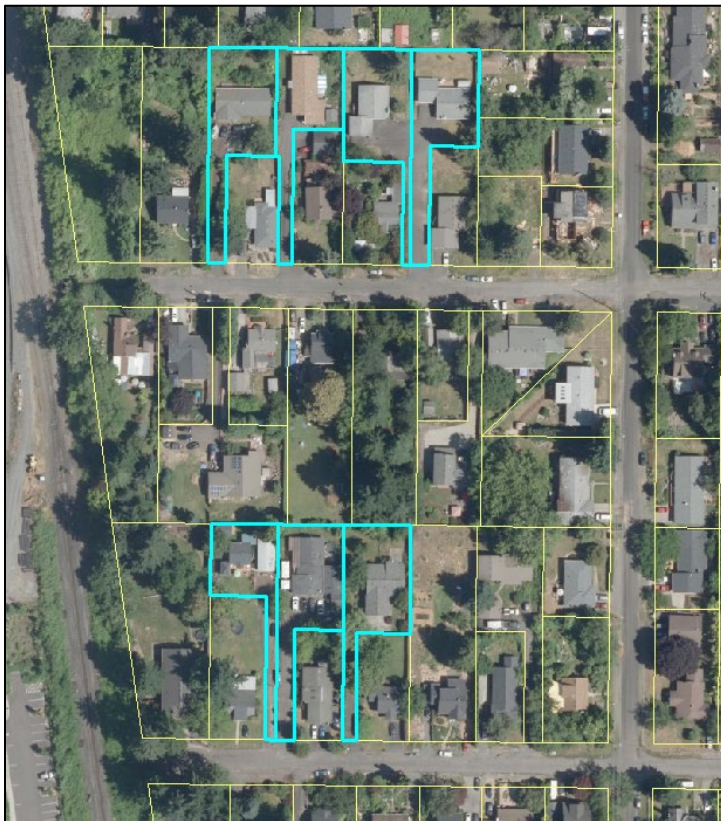
*Flag lot at 2824-2844 SE Malcolm St. created in 1998*

Over the years, the city's flag lot standards have become increasingly difficult to meet. In the 1990s and earlier, the "pole" portion of a flag lot could be 15 ft wide. This was increased to 20 ft and then as a result of a code amendment in 2003, the pole must now be a minimum

of 25 ft wide and variances to that width (or any aspect of the flag lot) are not permitted<sup>6</sup>. This is a difficult standard to meet when there is an existing home on the property.

In addition, the minimum lot size for a flag lot must be met with only the “flag” portion of the lot. The pole does not count toward the minimum lot size. The minimum setbacks are increased to 30 ft for front and rear setbacks and 10 ft for the side yard setbacks (generally, regular lots have a 20 ft front and rear setback and 5-ft or 7-ft side yard setbacks).

Combined, these increased standards mean that folks with very large, narrow lots, do not have many options for infill development that includes land division, which provides the opportunity for land and home ownership for the buyer and income for the seller.



One of the questions staff is asking through is process is whether the development of more flag lots is a desired outcome? The homes on these flag lots are likely to be single-unit homes or duplexes that would provide additional homeownership opportunities. One of the ways to increase the development potential would be to reduce some of the development standards, such as the minimum pole width and the minimum setbacks. This could result in more flag lots on a street with a similar lot size pattern as was seen prior to 2003.

Staff raised these questions with the City Council and Planning Commission on April 20th and April 27th respectively. Both discussions concluded with a general agreement that there is support for reducing some of the requirements for flag lots for the development of middle housing.

One of the ways to increase the development potential would be to reduce some of the development standards, such as the minimum pole width and the minimum area

---

<sup>6</sup> MMC 19.504.8 – Flag Lot Design and Development Standards:

[http://www.qcode.us/codes/milwaukie/view.php?topic=19-19\\_500-19\\_504&frames=on](http://www.qcode.us/codes/milwaukie/view.php?topic=19-19_500-19_504&frames=on)

calculation for middle housing development, while keeping the minimum setbacks the same. Maintaining the existing larger setbacks addresses concerns that were shared in the past regarding lack of privacy from the new flag lot homes. Making these adjustments to the flag lot standards would not only incentivize the development of middle housing, it could also help to keep the original home on the property. However, reducing the setbacks to mirror those of a standard lot would provide another incentive.



*Rear lots at Cereghino Farms*

Alternatively, the city could go one step further and not require minimum street frontage for these flag lots and allow access easements rather than the pole as part of the lot. Clackamas County allows this type of development for rear lots without frontage and there are recent examples in the Cereghino Farms development. This provides flexibility in the creation of new lots while assuring proper access to city streets and services.

In a review of other communities' flag lot regulations, the following is a summary of the pros and cons of requiring a flag pole and of allowing "rear lot" flag lots:

Pros for rear lots with an access easement:

- Allows for use of land that is otherwise difficult to access without formal land division process.
- Allows for some flexibility to access 'land locked properties' without having to go through a land division process to modify the property to have a physical pole. This could be lot area standards and setback issues that can be avoided.

Cons for rear lots with an access easement:

- Transfer of ownership from one or both parties can create issues about responsibility of easement area, travel surface etc.

- Real physical dimensions are not captured by the easement; dispute over access because there is travel across one property to another.
- Emergency Services coordination and identification.



*Photo of rear lot development at Cereghino Farms*

*Does CPIC support relaxing the flag lot standards (pole width, minimum lot size calculation, requiring street frontage, setbacks) for middle housing?*





## Project Memorandum

May 11, 2021

To: Milwaukie Comprehensive Plan Implementation Project Management Team

From: Kimi Sloop, Barney & Worth, Inc.

Re: Community Engagement Spring 2021 Survey Summary

In March and April, community outreach was conducted for the Milwaukie Comprehensive Plan Implementation Project. This outreach included a series of meetings in a box and a virtual open house on the Engage Milwaukie site. The virtual open house was available from March 22 through April 15, 2021. In total, we received 121 completed surveys and 149 people either providing comments and/or completing the survey.

In an effort to encourage as many people as possible to take the survey, city staff facilitated ten virtual discussions about the project and the open house with each NDA at their regular monthly meetings as well as an open meeting via Zoom that was advertised on Nextdoor and the city's Facebook and Instagram sites. Additionally, staff facilitated two virtual small group discussions: one entirely in Spanish, and one with BIPOC community members. Also included in this effort were: bookmarks at the Ledding Library, articles in the Pilot, email blasts, and numerous posts on city social media outlets.

### Spanish language small group meeting

On April 14, city staff and a professional Spanish language interpreter, facilitated a virtual small group discussion for people who preferred to engage in Spanish. The meeting included a PowerPoint presentation (in Spanish) that summarized the project goals and process and the entire discussion was held in Spanish with city staff providing answers to questions in English, which were then translated into Spanish. Twelve people participated in the meeting, including a member of CPIC. The participants asked a lot of questions and shared many thoughts about housing in Milwaukie, and housing in general:

- Support for ADUs and multiple ADUs on properties for multigenerational or larger families
- Support for allowing a cottage cluster on the same property as a single-family home
- Duplexes and triplexes are very important for larger families
- Participants preferred to not have a parking maximum, as larger families may have multiple vehicles
- Access to trees and parks in all neighborhoods is very important
- The American Dream is to be a homeowner, and participants really want the opportunity to be able to have their own home. Affordability is a key concern because housing is so expensive in the Portland region.
  - Several comments included the lack of resources for first time Latinx homebuyers and those without documentation, such as credit or a social security number

- The participants greatly appreciated the opportunity to hear about the project, to share their thoughts, and that they could do so in Spanish

## BIPOC small group meeting

On April 1, city staff, including the city's Equity Manager, facilitated a virtual small group discussion for BIPOC community members. The meeting included a PowerPoint presentation that summarized the project goals and process as part of a larger open discussion. Three people participated in the meeting. The participants asked many questions and shared many thoughts about housing in Milwaukie, and housing in general:

- Encouraged the city to provide an arborist assistance program for residents to help take care of the trees on their property.
  - Offering help will encourage people to preserve their trees.
  - Provide incentives to help plant more trees and help maintain the trees.
- Affordability is very important to the BIPOC community.
- The group encouraged the city to look at successful examples of where these kinds of codes have worked.
- The group encouraged the city to include deconstruction requirements like the city of Portland does.

The following summary provides the key takeaways from the community survey, demographics of survey respondents, and a summary of the input received.

## Key Takeaways

- When considering the trade-offs between housing, trees and parking, people appeared to prioritize trees and housing over on-site parking. People did not question the concept that trade-offs are required.

*"I strongly support allowing on-street parking to count towards parking requirements. Preserving lot area for trees and homes is a much more important use of space."*

*"It seems a good compromise for human & tree living space"*

*"Maintaining trees, reducing concrete (high embodied carbon) and use of valuable site area with parking should be the top priorities."*

- **Preserving trees, open space and yards is a benefit that resonates with people.** In the written open-ended comments, over 435 responses included the term "trees" or "open space."

*"Trees are necessary infrastructure for communities and their preservation should be prioritized over aesthetic or convenience"*

*"Please save our trees"*

*"Trees provide more public benefit than cars and pavement for parking"*

- **Flexibility is important to encourage middle housing.** In the comments provided, many people mentioned that how development fits in to the existing neighborhood is important and that the application of the code should be flexible to encourage the right type of development in each neighborhood.

*"We need more flexibility to accommodate new housing options"*

*"I think its most important to make parking, height and yards sizes requirements as flexible as possible to maximize tree protections."*

*"Let's allow more flexibility for individual applicants that are trying to help the City meet its middle housing goals on a micro level, rather than heavily favoring developers on a macro level."*

*"Flexibility is key to successful growth. Allowing for taller buildings and a variety of styles that can consume up to 35-75% of a lot and be able to provide affordable housing."*

- People generally support a change in the existing parking location requirements, but not necessarily a significant change in the number of parking spaces required. There are concerns that the existing car ownership trends and available transit do not support a reduction in parking spaces required.

*"Most Milwaukians have to drive for work, shopping, family activities. Most families have 2 or more cars"*

*"People need their own space for their cars, and is best if it is on their own property (rented or owned) so that there is no competition for public parking space"*

*"I don't believe that Milwaukee currently has the public transportation infrastructure to support less than one parking space per dwelling unit"*

*"I am in support of a future with less cars and more human-propelled transportation, but we are not there yet."*

- **Counting on-street parking as part of the required parking has mixed reviews.** Some people are in support of counting the on-street parking if it means that the site can be developed with more efficiently. Many have concerns about neighborhood aesthetics and pedestrian and bicycle safety with on-street parking, in addition to the logistics of on-street parking for residents and visitors.

*"Too crowded, not safe for pedestrians, bicyclists, children."*

*"I don't want to live in a neighborhood where everyone parks on the street"*

*"As a previous renter (and female), that can create a potentially dangerous situation with street parking"*

- People seemed to prefer the opportunity for creative design with multiple buildings on a site for multi-plex middle housing rather than having one long and skinny structure. Key benefits cited include privacy and autonomy for residents as well as neighbors, preservation of trees and the ability for buildings to blend into the neighborhoods more seamlessly.

*"The ability for multiple stories and multiple buildings per lot allows for greater variation in design. It also allows for more space for gardens, green space, trees, etc."*

*"I really think smaller detached homes is the way of the future. It provides more feelings of autonomy for those who live in them. Aesthetically the preservation of trees makes a neighborhood feel more protected."*

*"Multiple buildings and more trees is nicer for the trees and those living in those homes – more privacy, more trees, more interesting shape."*

## Survey Demographics

- There were 121 completed surveys, including one Spanish survey and one paper copy.
- Of the responses, 81 people stated that they live in Milwaukie, 79 people stated they own a home in Milwaukie while 9 people stated they rent a home in Milwaukie. Note that people could select more than one response or could choose to select just one response.
- The neighborhoods with the most responses included Ardenwald-Johnson Creek, Lake Road and people who live outside Milwaukie (Oak Grove, unincorporated Clackamas County and Portland). Eighteen percent of the respondents did not specify the neighborhood they live in.
- The age of the participants was well spread out: 11% under the age of 34; 26% between the ages of 35 and 44; 17% between the ages of 45 and 54; 13% between the ages of 55 and 64; and 26% over the age of 65.
- Approximately 84% of the respondents self-identified as Caucasian, 12% as people of color and 3% as other.

## Survey Responses

### *Parking Questions*

Survey responses and comments related to parking indicated a clear preference for modifying the current parking requirements. There was not clear direction on whether fewer parking spaces should be required.

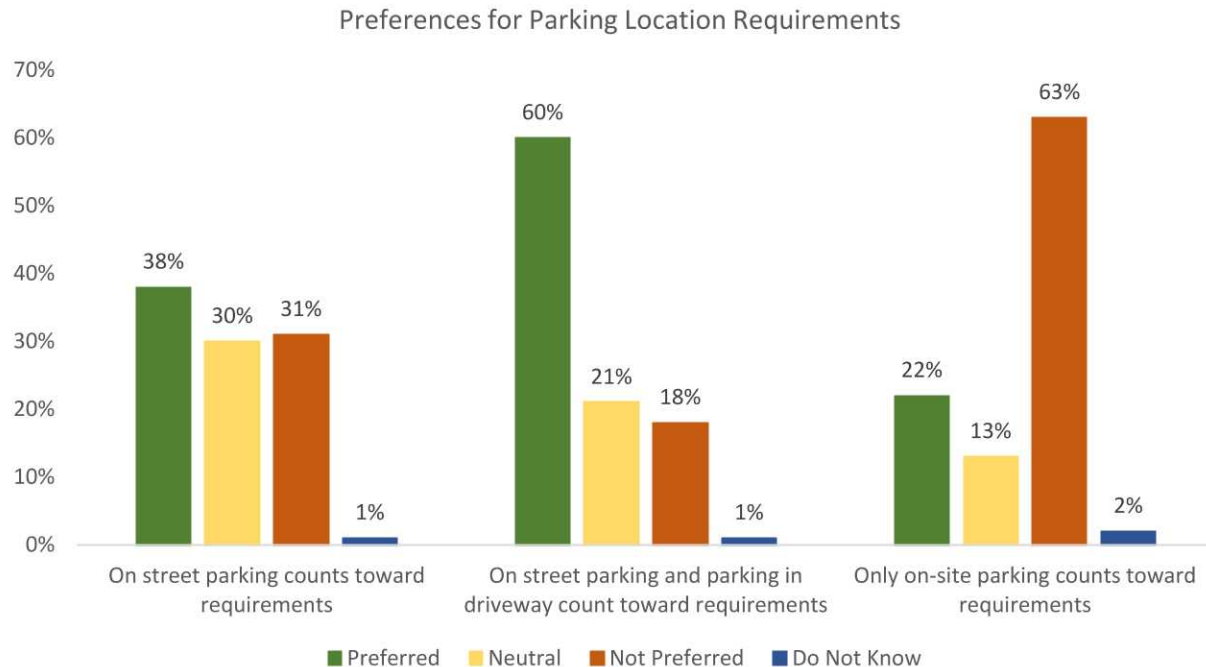
### *Location of Parking*

When asked about preferences for parking, three options were given:

1. On-street parking counts toward requirements
2. On-street parking and parking in the driveway count toward requirements
3. Only on-site parking counts toward requirements

Most respondents preferred being able to include on-street parking and/or driveways as part of the parking requirements. The current code requirement of only counting on-site parking was significantly the least preferred.





Respondents mentioned the following reasons why either on-street parking and/or parking in driveway should count toward the parking requirements:

- protect greenspace and saving trees
- create more livable spaces on the lots, increase the efficiency of space
- increase the flexibility for developers and site development (assuming that developers are not prohibited from building more parking spaces on site if they want)
- provide options for people who do not drive

Concerns about on-street parking and parking in the driveway followed several themes:

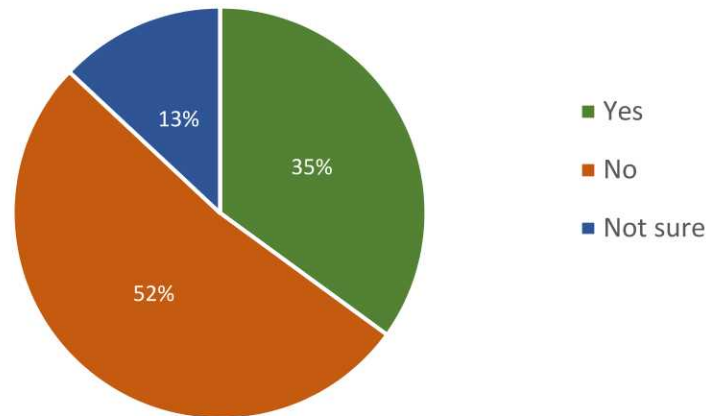
- access to properties – cars on the street blocking driveways
- pedestrian and bicycle safety – cars blocking sidewalks, unsafe walking environment next to street edge, reduced visibility for both drivers and pedestrians
- aesthetics – streets being lined with cars
- daily logistics of parking – distance of the on-street parking space to the home, challenge of parking in a different on-street location each day, electric vehicle plug-ins, safety of walking from parking to homes, visitor/guest parking

The flexibility to provide different parking standards in different locations was also mentioned in the comments. For example, allowing on-street parking to count toward parking requirements in areas near transit, or requiring off street parking where sidewalks do not exist.

### *Number of Parking Spaces*

When asked whether they support less than one parking space per dwelling unit, 52% said that they would *not* support less than one parking space per dwelling unit. Thirty-five percent said they would support less than one parking space per dwelling unit.

Do you support allowing less than one parking space per dwelling unit?



Reasons cited for not supporting fewer than one parking space per dwelling unit included:

- lack of available transit throughout Milwaukie
- perceived current car ownership trends of people owning more than one car per dwelling unit – cars would have to park on the street
- perceived street conditions, aesthetics and safety of cars being parked on the streets
- perceived lack of available parking for visitors, care providers, etc.

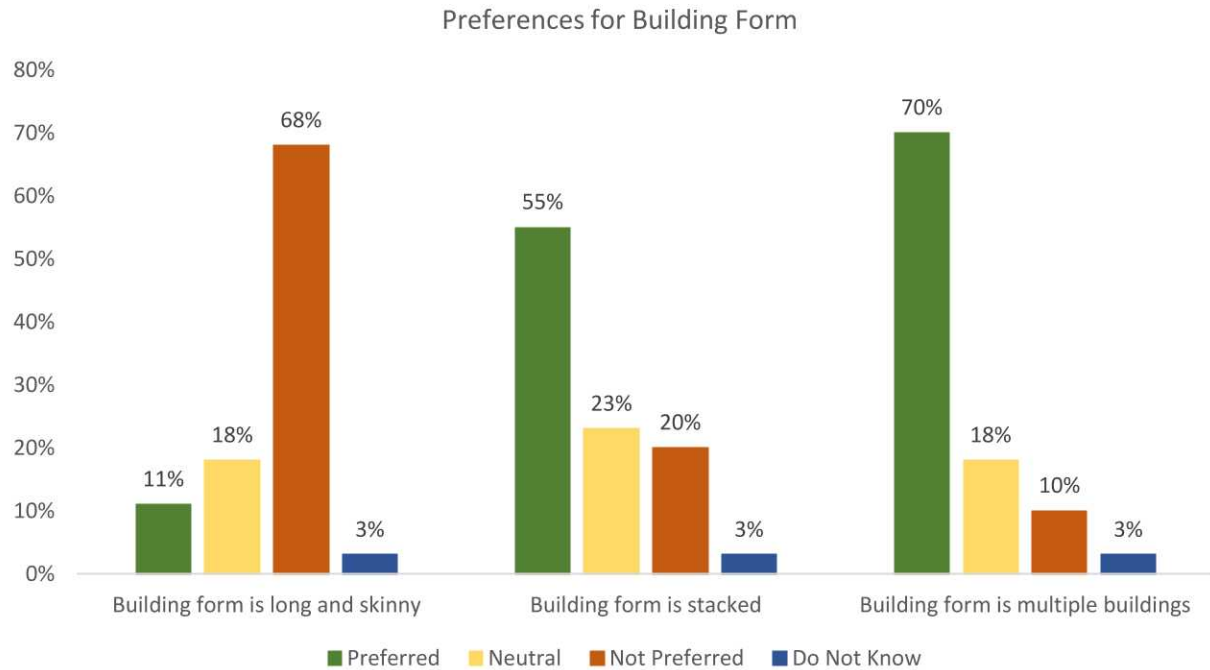
### *Building Form*

Survey responses and comments related to building form indicated a clear preference for stacked or multiple buildings on a lot. They are not supportive of long skinny buildings.

#### *Building Form on Sites*

When asked about preferences for building form, three options were given:

1. Building form is long and skinny
2. Building form is stacked
3. Building form is multiple buildings

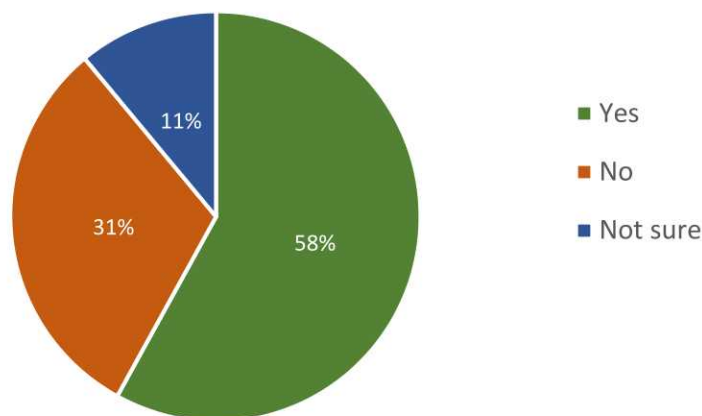


The primary reason that people preferred stacked buildings is the ability to preserve and maintain landscaping, green space, and trees. People preferred multiple smaller buildings because it provides privacy and autonomy for residents, better quality of life with not having another dwelling above or below your unit, creative use of space and design, preserving trees and green space, and blending in better with the neighborhood.

#### *Building Height*

When asked if they would support the building height going up to three stories if it meant a tree on the site could be preserved, 58% said that they would.

Do you support allowing a three story building to preserve a mature tree?



People are generally supportive of taller buildings to preserve mature trees, with many comments related to the importance of preserving trees. Concerns about the building height noted were:

- impacts to view corridors and sight lines
- privacy of adjacent neighbors
- solar access on adjoining lots
- consistency with neighborhood style and feel

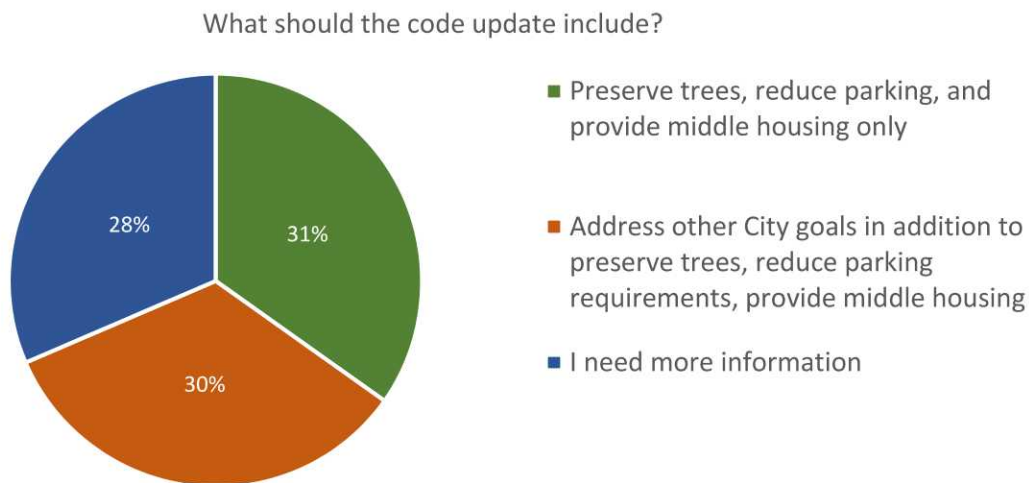
Comments were also made regarding the ability to count the basement as a third story and allowing three stories based on specific location and consistency with the existing neighborhood feel.

#### *Code Flexibility*

Survey participants were asked to weigh in on what the code update should include:

- Option 1: Flexibility to preserve trees on site and reduce parking requirements in addition to the state mandated middle housing requirements, only when certain conditions are met.
- Option 2: Flexibility to address other City goals, in addition to providing middle housing, preserving trees, and reducing parking requirements, only when certain conditions are met.

Responses were split evenly between the two options and needing more information to give an opinion.



When asked what conditions needed to be met, many of the responses related to conditions to allow for parking reductions. People suggested that parking reductions could be granted if the following conditions were met:

- increase in outdoor space
- cohousing situation with access to car sharing
- near transit, specifically high frequency transit
- near neighborhood greenways, bikeable/walkable area
- provision for bike parking/facilities
- parking study that adequate street parking is available
- preservation of trees



- addition to the social/ecological well-being of the community (i.e., bioswale, community garden)
- specialized housing for those who may not drive

Respondents identified the following topics as other City goals that could met by the code update related to middle housing, parking, and trees:

- green building practices (i.e., solar panels, stormwater treatment)
- affordable housing
- walkability
- passive house design
- sidewalk and street frontage improvements

### *Envisioning Your Neighborhood*

To get a better understanding of the elements that are important to define the look and feel of neighborhoods, the public's input on the importance of certain site design features was sought. The following includes the percentage of respondents who noted each photo as being important for their household.

#### Size/width of yard (front, back, side setbacks)



37%  
Small yard



79%  
In between small and large



19%  
Large yard

#### Location of parking



42%  
In the front of the house



53%  
In the front of house & on-street



64%  
In an alley or behind the house

The amount/ size the building takes up on a lot (lot coverage)



24%

Building covers over 50% of lot



72%

Building covers 35% - 50% of lot



43%

Building covers 35% of lot

Height of building(s)



50%

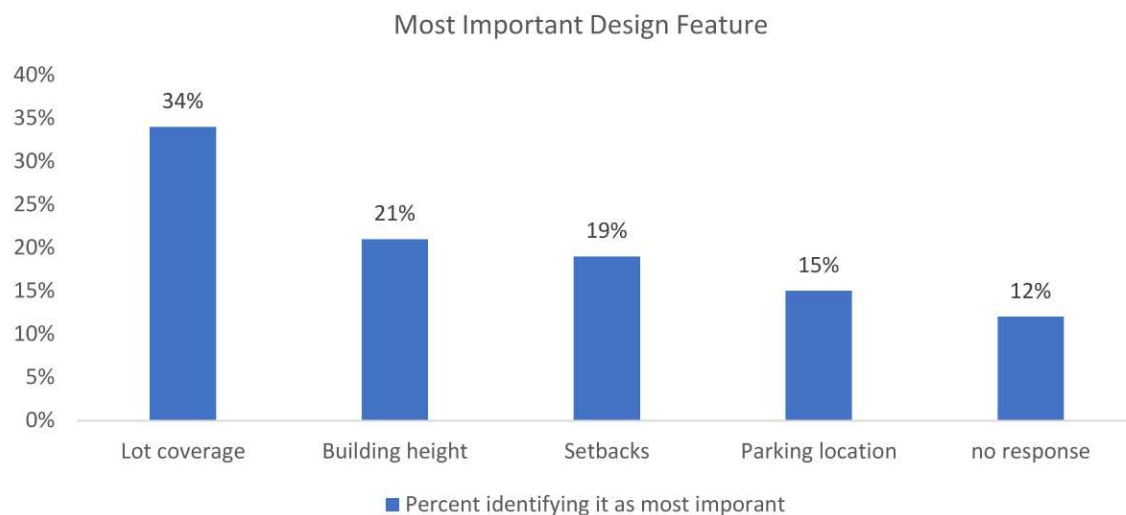
Maximum two and one-half stories (current code)



57%

Maximum three stories

Participants were asked to identify their most important design feature. Overall, lot coverage was the most important design feature to people. Many people also noted that, regardless of the design standards, it is the quality of design and the ability for the building to fit into the aesthetics of the neighborhood that is most important element.



## Individual comments

People who viewed the virtual open house had the opportunity to provide comments through the community survey or within each station of the open house. In addition to the over 450 open ended survey responses received, there were over 130 station comments. The themes of the comments included:

- Clarification of the middle housing requirements in Oregon HB 2001
- Role of the City regarding tree regulation on private property, including replacement and maintenance
- Areas within Milwaukie for future development
- Development review process, including the difficulty of developing middle housing currently and public review of plans
- Loss of green space around the city due to development and need for more green space
- Housing needs and types of housing in Milwaukie, including affordable housing and home ownership
- Examples/discussion of housing developments that people like or do not like
- Concerns about higher density housing, Airbnb use, etc.
- Importance of the Vision and Comprehensive Plan and relationship to other City goals
- Importance of linking the transportation infrastructure (transit, biking, and walking) to housing
- On-street parking, existing street improvements and parking requirements
- Design features of middle housing
- Neighborhood livability
- Green buildings
- Need for regulation and flexibility (both in support and opposition)
- Appreciation for communication, open house materials and survey
- Technical difficulty related to the survey and open house (note: staff responded and fixed the issues immediately)

## Next Steps

The information from the community survey has been reviewed and discussed by the Project Team. The feedback, along with the CPIC direction and city priorities, will be reflected in the recommendations presented to the CPIC for the code update.

Before the code amendments are presented to the Planning Commission in July, the public will be given an opportunity to review the draft amendments. The public will have an opportunity to comment through the code adoption process.

May 11, 2021 | City Council Study Session

Dear City Council and CPIC Committee

There is an insane amount of work-in-process on everyone's plate and everything to do with zoning code reformation is being crammed to try and get done a full year in advance of the actual June 2022 deadline for HB2001. All of us who are deeply involved residents are keenly aware of this AND of all the hard work that is being done by everyone involved in the Comprehensive Plan process that is underway.

Sadly, the results of the current CPIC "too much, too fast" process is resulting in "All big, no bold" (see further on for why this is due to CPIC meeting design, impossible deadlines, and continuing ineffective public engagement). (And have I heard correctly that a *grant* is dictating how much time is (not) spent on reformulating our housing codes???)

But I'd rather start with some BOLD IDEAS, from several Milwaukie residents, and light up your brains UP to start today.

These are the sorts of things CPIC should be coming up with, but the process and extremely limited time just don't encourage or make space for.

### Where's the "Bold"? HERE'S SOME BOLD!

While the CPIC meetings are BIG...full of information overload...there is not much BOLD coming out of them. Here are three actual BOLD ideas for consideration (from different Milwaukie residents I've sat down with and presented some of our conundrums to) to solve crucial problems we are facing with the huge increase in density and number of housing units:

#### CARS, TREES, & PARKING

**Problem:** How do we manage available space to save trees (and plant more), allow HB2001 units, and have enough on-site car parking?

**Everyday thinking:** To save mature trees and accommodate enough on-site parking, allowing developers to go up to 3 floors or allowing higher lot coverage through a second building, was presented. Allowing an on-street parking space to count toward parking requirements was also presented. (and parking consultant found that there is an average of TWO vehicles per residential unit across Milwaukie and that the parking ratio should **not** be less than 1 space : 1 unit).

**Creative thinking:** If developers want to build a third floor (for any reason, whether to save trees, keep lot coverage down, maintain on-site parking, or green yard space) they can **go down instead of up**.

Most older house foundations cannot support another floor (much less two) and the house has to be put on jacks and the old foundation removed and a new foundation put in. Developers could easily excavate and put in "daylit garden" level to get a third floor/unit for middle housing.

**Benefits & Bonuses:** *These units would be MORE energy efficient than third floor additions. This is 1. better for tenants' expenses, better for the environment on 3 counts (2. save trees/more space to plant trees, 3. More green space/carbon sink, and 4. reduced carbon emissions), and 5. maintain the city's goal of neighborhood livability. It's a quintuple win.*



## INCREASED DEMAND FOR STREET PARKING DUE TO INCREASED AMOUNT OF HOUSING

Given the parking consultant's conclusions that, in practical reality, there is an *average of 2 cars per residential unit*, demand for street parking is going to skyrocket with the addition of residential infill. All we have to do is look at *any* urban center that is a couple of steps ahead of us with development to see the hard truth of this. (I've searched for exceptions and have found none in the US). As long as people need cars to get things done, and transit is insufficient, inconvenient, and deemed unsafe, people will choose to own and drive personal cars.

**Everyday thinking:** Reduce parking requirements to make it harder to own a car (without concomitant irresistible transit options that make it a no-brainer. And did you know that houses close to SE 32<sup>nd</sup> and the train station, in Ardenwald, are granted only a 45/100 on real estate sites for transit convenience?).

**Creative thinking:** "Parking Parks." We all know the streets are going to fill up with parked cars (and many of us know that we do need to use the on-street spaces available, but are concerned that there just won't be enough in some neighborhoods). And, in the longer-term, as the Planning Commission has discussed, self-driving vehicles are coming. Also, electric vehicles and their need for charging will become a larger part of the picture in the mid-term. One local resident had a really great idea that combines likely short-term, mid-term, *and* long-term parking needs into account as well as addressing the lack of open green space coming our way.

What if the city bought some of the open space properties in our neighborhoods and made them into "Parking Parks." These lots could be "paved" with some kind of pervious surface to provide more parking, be planted with some large trees, and include a few benches for neighbors crossing paths who want to stop and chat. Electrical charging stations could be placed in them as well so we don't end up with long extension cords running from houses to the curb. As the need for parking reduces over time, the pervious pavement could be pulled and these lots could be converted into open space parks!

**Benefits & Bonuses:** Enough parking to meet *actual practical demand* as unit and resident densities and vehicles increase. Electric car charging stations. Open space preserved. Trees preserved/multiplied. City livability also increased by neighbors crossing paths and getting to know one another. **Another quintuple win.**

## FLAG LOTS, MULTIPLEX DEVELOPMENT & CARS

**Problem:** How to deal with flag lots. There are a LOT of them.

**Everyday thinking:** Allow narrower "poles" to the "flags" for vehicle (and utility) access. This adds a LOT of concrete for easements and large driveways outside of garages (pics of a current flag lot development show an insane amount of concrete and little space for greenery or trees).

**Creative thinking:** All parking at street & residents walk in. Keep as much space as possible for trees, setbacks, and green spaces. Require a "green easement" where utilities can be run to back lot. Require some kind of minimal width gravel/pervious paver path for walking/bicycling in, and for rolling furniture in on hand carts, and vehicles could get in for utility type repairs (or just for moving in/out, but not for parking).

This can work for many building configurations: If front house is to be taken down and *any kind of multiplex units are to be put in vis-à-vis HB2001, as is likely since many flag lots have zero access to back lot due to garages.*

If front house is to be maintained and owner wants to sell their back lot: allow parallel parking on street in current right of way.

If front house is to be taken down and entire lot developed, parking can also be relegated to right of way and to front of property.

Side Note: Realize this may not work everywhere, depending on existing street, but dedicated spots in Parking Parks could also pick up some slack for cars to these units. And there could be many more ideas that can be brought to light as well. An idea that could use more work, of course, but it's a place to start for these sequestered lots.

**Benefits & Bonuses:** More room for setbacks for open green space and trees, less pavement, maintaining privacy, and keeping vehicle noise down for all residents on these narrow lots, and no need to build more parking for cars that may well go away in the long-term. **It's a sextuple win!**

And now...

## Here Are The Concerns

And, as ever, we all have MANY concerns at this juncture about the intensely rushed processes and poor community involvement due to continuing ineffective public outreach. These concerns presented here are all in regards to the CPIC meetings and the public outreach surveys related to current CPIC activities regarding housing zoning code reformation. All comments in this missive are based on numerous conversations with both “the usual cadre” of deeply involved resident activists (CPIC meetings & surveys), as well as about two dozen neighbors spoken to independently as they walk by on the street (re online surveys).

## CPIC Online Surveys

The new Engage Milwaukie website IS a great idea, but due to poor conception and construction the CPIC survey content it is performing poorly on several metrics:

- **Extremely low participation numbers** (with just 121 survey takes for 21,500 residents, the last CPIC survey gleaned a participation rate of only 0.005%). And yes, the discussion area was much more useful. Also, I personally know at least a half-dozen better-than-average-informed residents who *abandoned* the survey in frustration because they were unable to answer to questions presented due to answer choices not making sense. Yes, this did include me.
- **Questionable survey results** due to egregiously poor construction of online surveys. Visit numbers are decent, but page abandon rates are high. People visit to check out the surveys (from public outreach efforts...mainly via city email lists...given the numbers on these lists, the visit numbers ARE good coming from these lists), but statistically, overall, very few have completed the CPIC housing code/zoning surveys.

Which begs a few important questions:

- **What is the stated intention/goal** of these surveys?
- **How will data from these surveys be used?** By CPIC? By city commissions, elected, staff?
- Why are surveys not being adequately front-end tested by a variety of people *before* release to the general public? (If they were, they would not be so confusing...in every way; text content, visual layout, arrangement of material, unnecessary repetition of material...many people are complaining and telling us they simply abandoned the surveys either before getting to them or in the process of trying to take them. Feedback has been submitted to staff and requests that some sort of survey design standards be applied to surveys, but clearly none have been.)
- **Why are there no questions asked of participants to evaluate the clarity, effectiveness, and ease of taking the surveys?** (for example: Do you feel you understood the information presented for this section? Do you feel you were able to answer the survey questions easily? Accurately? What can we do to improve this survey? Will you recommend this survey to others? How did you find out about this survey?)
- **Why is there no page abandon pop-up** asking why the visitor is not completing the information pages or survey?

**This leads to an item of concern on the Planning Commission agenda on April 27th regarding “Changes to the Planning Commission Bylaws” on page 52:**

"CIAC may be formed by the City Council. Each Commissioner shall be considered appointed to the CIAC at the same time as he or she is appointed to the Commission and shall serve on the CIAC for the duration of their term **or until December 31, 2022 when a separate CIAC may be formed.** Upon the formation of a separate CIAC, the Commission shall no longer serve as the CIAC.

a. The CIAC shall implement the City’s Citizen Involvement Program pursuant to the requirements and relevant guidelines set forth in Statewide Planning Goal 1 and the Comprehensive Plan. **The Planning Commission reserves time on every agenda to meet if needed as the CIAC, and holds at least one annual meeting to review the Citizen Involvement Guidelines and program as it relates to land use."**

**Q1: Where are the above-referenced “citizen involvement guidelines?” And what “program” is being referred to here? Where can I reference it please?**

**Q2: Why is Planning Commission continuing to be tapped as the CIAC** (at least through Dec 31, 2022) when, *by their own repeated comments in public meetings, including this one, they have openly avowed to zero interest in the job and little to no expertise in the area of public outreach and communications? The Planning Commission wants OUT of its CIAC function.* What does the Planning Commission actually do, in practical terms (other than holding a 1x per year meeting with the NDAs) about community involvement? (problem further to this is that the NDA folks also have no expertise in public outreach, so deferring to them is also nothing more than a weak insubstantial “show” of public engagement).

The city is making good efforts at upping the game over citizen involvement. What’s interesting is that these efforts are magnifying the same root deficiency that has been problematic all along: the city does not have anyone with community public communications and outreach expertise and/or someone with a successful real-world applied experience in such. A bigger “megaphone” is great and an important piece of what’s needed, but without well-crafted effective content it’s just a larger iteration of what the tech world calls GIGO (“garbage in, garbage out”). The one place where there is some useful data is in the discussion section of the surveys (where it has been included). And this information is problematic because it is subject to much (mis)interpretation that formal surveys are best-suited minimize handle. And participation in these discussion is still too low to be statistically significant for use in justifying zoning code reformation decisions (if such is one of the intents of the surveys).

## Concerns About CPIC Meetings/Process

**“Way too much, way too fast.”**

**Minimal time for creativity, whole group work or brainstorming, thoughtfulness, group consensus, stopping to see if everyone understands topics being presented.**

The big question that comes out of all the concerns is:

### **Code Reformation Deadline: WHAT IS THE HURRY?**

HB2001 mandates the deadline of **June 30, 2022**, more than a year from now, for cities within the metropolitan service district to adopt land use regulations to implement HB2001. **WHY is Milwaukie trying to get it done an entire year in advance? Why is a grant dictating the amount of time spent on the most important issues facing us today when it is imposing limitations that prohibit the creative thinking needed most right now?**

**Why this question is being asked in light of CPIC meetings:**

### **CPIC Meetings Mostly “Force Feeding”**

There is little to no time for questions, clarifications, or discussions. Meetings are extremely packed with and constrained by presentations and very little discussion time...particularly no discussion time as an entire group. CPIC members requested more time for these things and 30 minutes was added to meeting times, but it has not resulted in any dedicated time for CPIC members to engage in further understanding of material and issues presented. Instead, the 30 minutes has consistently been filled up with even more presentation time. Things are always “on-script” due to lack of time. Many CPIC members are lost due to rapid-fire information overload and therefore can’t participate in an informed manner.

When substantive questions are asked in the meetings when entire group is together, they are often brushed off or dodged. Nothing is put together by the group as a whole, the results of break out groups are only summarized. No cohesive delineation of the group’s consensus is happening on any of the issues.

As with most city processes that are supposed to be about “community involvement,” participants are being relegated to the role of “spectating” for the majority of the time and are asked to participate only within **extremely tightly controlled parameters**. Creative thinking and thoughtfulness are being stifled when it is needed most to face and find solutions to the massive changes coming to our city.

CPIC members are participating less and less with each passing meeting. Most recently, only 2-3 participants even attempt to speak up. Cameras are increasingly turned off and more CPIC members are leaving the meetings early. When participants in any process are excluded from dialogue it is natural for them to start to “tune-out.” *This is a problem of the process and system itself, not that of uncommitted committee members or the staff stuck “going along for the ride.” It’s a systemic problem that you can plug different people into and get the same poor results.* As with the surveys: is this the intent of the CPIC? To do a bunch of one-way presentations to an audience who just sits and listens passively? And how will so-called “conclusions drawn” be used to justify the zoning code decisions that will be made? And then by whom are they being made??

**Public Comment Time:** Non-CPIC resident participants are relegated to 10 minutes (at best...if it is not used up by presentations) of comment time at the END of the meeting. Questions and concerns that have arisen are well-informed and relevant. These participants are all residents who have been involved for many years more than many of the CPIC members, are more conversant and steeped in city codes, zoning, the comp plan, HB2001, and all the city's aspirational documents, reports, and studies relevant to the complex topics at-hand. But there is zero time for answers or any discussion. Basically, there is no reason for any non-CPIC member to bother bringing anything up in the last 10 minutes because the meeting is already OVER. These knowledgeable, thoughtful, creative, and resourceful participants are rushed along and pressured because they are "keeping everyone overtime" at an overloaded meeting that has already gone on for 3 solid hours. Questions being brought by these dedicated residents could be answered in the course of the meeting (as is done at other city meetings) without undue time being taken.

**"Changes will be incremental..."** This is being repeated ad-naseum as a way to dismiss real questions and concerns that participants do manage to bring up. It comes across as a put-down of participants' concerns and a dismissal of the realities we all see happening around us every day. And why do those who use the phrase assume it is even true given:

- A. The rapidity of development right next door in Portland, there is no evidence that changes will be "incremental." Developers seek out the *least expensive property* to re-develop. Milwaukie's land and Clackamas property taxes are both less expensive than all of Portland's that is a comparable distance to downtown and the concentration of activities and amenities of "inner Portland" (i.e. inside 82<sup>nd</sup>). Particularly, in the Ardenwald neighborhood west of SE 32<sup>nd</sup>, many residents are already bombarded by offers to sell their properties to developers wanting to subdivide (or merge) the large lots. Realtors and developers are literally "prowling" the streets in very expensive cars everyday (we see them). Developers are just waiting to glean the higher profits to be made on Milwaukie's preponderance of larger than 10K ftsq lots.
- B. In-migration to our region is not going to stop, even if it's slowed at the moment. Bigger high paying white collar businesses—and their jobs—have already begun moving from larger high-cost cities and people who want to work at them will continue relocating here. The pressures on housing will continue unabated, which will keep rents and home prices at the highest market-rate. It seems Milwaukie does not have any solid plan to address middle and low income affordability in any significant numbers. In a CPIC presentation there was even something presented, that when questioned, was reluctantly professed to just be an idea right now, not an actual plan (pardon me, but that was a blatant misleading of the CPIC members by the consultant, many of whom are very concerned about diversity and equity of all kinds). There is much talk about "affordable" or "attainable" housing, but little solid planning given how unlikely it is that sheer increases in units alone will increase anything but market rate housing.
- C. The goal of the CPIC is to think of the impacts of today's policy making 20-40 years from now. Even if changes DO turn out to be "incremental," why is thinking about the potential results in the future (once those "incremental" changes have occurred) not a valid topic to bring up? Isn't this the GOAL of the CPIC? To consider the possible accumulation of development and whether it is going to move us toward our stated vision and goals 20-40 years out? To think about the goals related to climate, open space, livability, equity, etc.?
- D. In addition, "incremental" is not an accurate descriptor for residents who WILL have a front row seat to much more dense development sooner rather than later (by mass, height, number of units, number of

vehicles, etc.) going up next door and/or across the street, especially on all of our larger lots. There is nothing “incremental” about this scenario for all of the neighbors to the larger multi-plex “cottage cluster” developments that HB2001 and our zoning code will allow. The immediate loss of privacy and solar access and increases in noise and traffic at the development site are not “incremental.” The dismissive use of “but it will be incremental” is counterproductive to the CPIC’s mission and discourages big picture thinking and the creative ideas so badly needed if Milwaukie actually does not want to simply become “Sellwaukie.”

- E. And who says many of our lots won’t sell fast and be developed quickly? Just look at Sellwood. Nothing “incremental” going on there, just 1 mile away.

### **No Equity Expert at CPIC Meetings**

Why has city’s new DEI staff member not attended any CPIC meetings? The word “equity” is thrown around at CPIC meetings, but there has been no explanation of what “equity lens” or criteria are being applied to the current housing zoning code reformation process or how it is being employed and applied. As housing accessibility and affordability is the most fundamental issue for creating true equity and diversity (for all races, socioeconomic classes, and more) to creating the equitable and inclusive Milwaukie avowed by our city’s visioning process, where is it in the CPIC process and why isn’t it more explicit? Why has there been no dedicated pro-active address of potential equity issues in regard to middle housing?

Thank you, as ever~

Ronelle Coburn

Ardenwald Resident

**Milwaukie RIP**

milwaukierip@gmail.com