



Background Report: Willamette Greenway

Milwaukie Comprehensive Plan Update

Block 2 Topic Area

Prepared for the
Comprehensive
Plan Advisory
Committee

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Introduction

The Willamette River is among Oregon's greatest natural resources. The river forms Milwaukie's western boundary and provides the city with tremendous opportunities for recreation, active transportation, access to nature and scenic beauty, as well as tourism and economic development.

The State of Oregon together with the City of Milwaukie has designated the city's western boundary as part of the Willamette Greenway. Under State law, the qualities of the Willamette River corridor are to be protected, conserved, and enhanced, consistent with the uses present at the time the Greenway Statute was adopted (1975), for natural, scenic, historic, and recreational land uses. Greenway boundaries include all land within 150 feet of the ordinary low water line of the Willamette River, plus additional land including Kellogg Lake and lands along its south shore (see Figure 1 on the next page).

The Milwaukie Municipal Code implements Greenway regulations through the Willamette Greenway (WG) zone, and through its requirement for a conditional use permit for any intensification, change of use, or development within the Greenway.

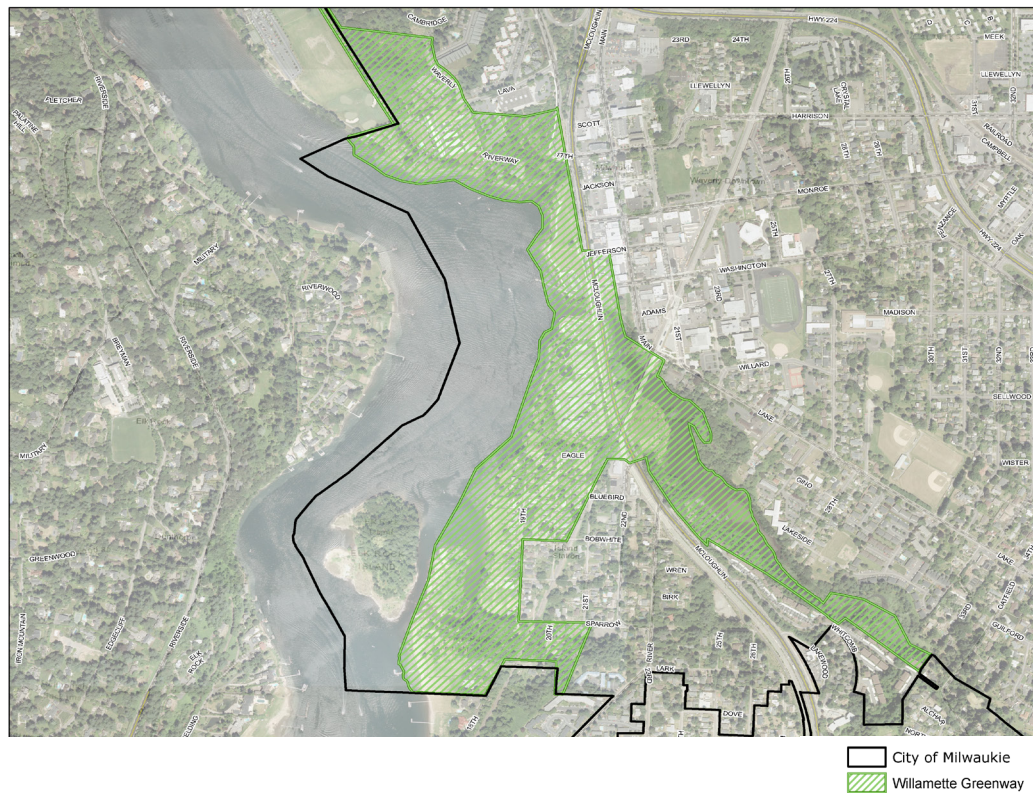
Planning for the Willamette Greenway

Oregon has a set of 19 Statewide Planning Goals, which serve as the foundation of the state's land use planning program that is implemented at the local level through the Comprehensive Plan. [Statewide Planning Goal 15](#) is called Willamette River Greenway, and seeks to "protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway."

The City of Milwaukie complies with Goal 15 by:

- Establishing a Greenway Boundary within which Greenway compatibility review is given to development projects;
- Managing uses on lands subject to Greenway compatibility review to maintain the qualities of the Greenway;
- Maintaining a plan inventory documenting the resources, uses and rights associated directly with the Greenway; and
- Implementing Greenway regulations through the Willamette Greenway (WG) zone, and through its requirement for a conditional use permit for any intensification, change of use, or development within the Greenway.

Figure 1. Willamette Greenway Boundary



Willamette Greenway and Milwaukie’s Comprehensive Plan

[Chapter 4 - Land Use](#) of Milwaukie’s existing Comprehensive Plan is broken into five individual elements, including the Willamette Greenway Element. This element includes one Goal Statement, seven (7) objectives, and 21 policies which are focused on addressing the Willamette Greenway. While the objectives and underlying policies include a lot of information that is still relevant today, some information is outdated, and some policies have never been implemented. Willamette Greenway Element objectives are summarized below:

- *Objective 1 – Willamette Greenway Boundary*
Guides the maintenance of the Willamette Greenway Boundary, including Kellogg Lake and lands south of the lake.
- *Objective 2 – Greenway Design Plan*
Calls for creation of a detailed Greenway Design Plan, based on needs identified in a number of background documents, and coordinated with the city-wide Parks and Recreation Master Plan. Policies include replacing the Willamette Greenway Conditional Use process with a new Greenway Design Review. It should be noted that neither the Greenway Design Plan nor the Parks and Recreation Master Plan have ever been developed, nor has the conditional use process been replaced.
- *Objective 3 – Land Use*
Identifies a number of policies intended to ensure compatible land uses within the Willamette Greenway. These policies include use of a Willamette Greenway Conditional Use Permit; different setbacks for water-dependent versus non-water-dependent uses; and requirements for design or redevelopment plans for new development in the commercial area west of McLoughlin Blvd.
- *Objective 4 – Recreation*
Encourages the City to maximize the recreational use of public lands within the Willamette Greenway boundaries. Policies call for the Recreational Needs Element to guide recreational planning in the Greenway.

- *Objective 5 – Public Access and View Protection*
Calls for the City to encourage new public access points, to improve accessibility of existing access points, and to maintain visual access within the Greenway and to the Willamette River and Kellogg Lake.
- *Objective 6 – Maintenance of Private Property*
Ensures the rights of private landowners are enforced and makes clear the City does not intend to authorize public use of private land.
- *Objective 7 – Central Riverfront*
Calls for the City to acquire property necessary for public open space, public trails, and riverfront access and riverfront-related development, consistent with the Downtown and Riverfront Land Use Framework Plan. In addition, this objective calls for public-private partnerships or other appropriate means to develop property in the central riverfront area for uses identified in the Framework Plan.

Willamette Greenway and Milwaukie’s Community Vision

In 2016-2017, the City of Milwaukie underwent an extensive public process to craft a vision and action plan. The process resulted in a new vision statement, with action items to achieve stated goals over the next 20 years. The vision, goals, and actions received input from a variety of people and groups. The City received input from the Vision Advisory Committee (VAC), staff, a technical advisory group, town halls, surveys, City Council, Planning Commission, and many more.

The following priority actions from the [Milwaukie 2040 Vision and Action Plan](#) capture the community’s priorities that are associated with Willamette Greenway planning either directly or indirectly. Note that the community’s primary interest for the Greenway area is in the recreational opportunities that it provides.

Place 1.1: Improve walkability and bikeability within the network by creating dedicated bike paths and walking trails that connect transit, neighborhood business hubs and public spaces, including Milwaukie Bay Park

Place 3.4: Make improvements to Milwaukie Bay Park in a manner that celebrates the river and increases opportunities for waterfront events and access for boats and other water-related recreational activities

Assets & Trends for Incorporating Willamette Greenway in Planning

The Comprehensive Plan will consider Milwaukie’s unique assets as well as local and national trends in planning for the Willamette Greenway. A few of the most relevant assets and trends are discussed below.

River Access & Recreation

Access to the Willamette River is one of Milwaukie’s key assets, and the City owns three parks that take advantage of this access: Milwaukie Bay, Elk Rock, and Spring Park. In 2016, the City completed enhancements to the Milwaukie Bay Park that provide city residents with improved riverfront access and enhanced amenities. This was the second of a multi-phase plan for improvements to the park, which serves as a focal point of the downtown area. Elk Rock Island Park is a natural area that was formerly part of the City of Portland. It was annexed into the City of Milwaukie in 2017. The nearby Spring Park Natural Area also provides waterfront access, as well as walking trails. Milwaukie’s park assets are discussed further in the Parks and Recreation Background Report. That report also discusses a growing trend in Oregon toward interest in natural park amenities, such as walking trails, bicycle trails, nature and wildlife viewing areas, and natural play areas. The area within the Greenway represents an opportunity to improve recreational riverfront access while also meeting the City’s goals for natural area restoration.

Kellogg Lake

Kellogg Lake is within the Greenway boundaries and provides passive recreational opportunities with visual access from Dogwood Park and Kronberg Park to the lake. Since 2006, the City has pursued the removal of Kellogg Dam through its Kellogg-For-Coho Project. Among other benefits, the project would restore 14 acres of native wetlands and improve fish habitat.

Regulatory Trends

- **Federal regulations** – Willamette Greenway planning is closely associated with floodplain management. The Natural Hazards Background Report discusses changes at the federal level that impact local floodplain hazard regulations, including the 100-year floodplain boundaries and associated development restrictions. These potential changes will need to be coordinated with any other potential future updates to the City’s Willamette Greenway Overlay zone.
- **Local regulations** – Other cities in the metropolitan region that are subject to Willamette Greenway planning include Portland, Lake Oswego, West Linn, Gladstone, Oregon City, and Wilsonville. Like Milwaukie, cities other than Portland regulate development in the Greenway through zoning and special review processes. For example, Lake Oswego regulates development via the Greenway Management Overlay District and is subject to Greenway Compatibility Review. Milwaukie can look to these and other cities for inspiration and guidance in updating its Willamette Greenway policies and implementing regulations.

Opportunities & Challenges Influencing Willamette Greenway Planning

In addition to the assets and trends identified above, the City can also take advantage of opportunities to enhance the community’s approach to Willamette Greenway planning while recognizing the challenges that Milwaukie currently faces or may face in the future. A few of these key opportunities and challenges are discussed below.

Downtown and Riverfront Land Use Framework Plan

Milwaukie adopted the Downtown and Riverfront Land Use Framework Plan in 2000 and updated it in 2015. The plan is an ancillary document to the Comprehensive Plan, and can provide some guidance for potential Greenway-related policy amendments in the Comprehensive Plan. A fundamental concept of the Framework Plan is connecting downtown Milwaukie to the riverfront, and the plan calls for enhancements to the Milwaukie Bay Park and safe pedestrian and bicycle crossings between downtown and the park.



Milwaukie Bay Park

Willamette Greenway Zone Implementation

The Milwaukie Municipal Code implements Greenway regulations through the Willamette Greenway (WG) zone. Although State regulations call for the boundary to include all lands within 150 feet of the ordinary low water line at a minimum, there are a number of places in Milwaukie where the boundary extends much farther inland than 150 feet. While the inclusion of Kellogg Lake and other park and natural areas appears consistent with state objectives, the inclusion of several places within the regulatory boundary is not clearly connected to the river. These include residential areas east of Spring Park and east of 19th Avenue, commercial land to the east of McLoughlin Boulevard in the downtown area, land east of Waverly Golf Course, and land south of Lava Drive. Other inconsistencies include the exclusion of the north side of Kellogg Lake, and inclusion of only part of Dogwood Park. To focus Greenway review on its intended purpose, i.e. the relationship to the river, the City conducts varying levels of Greenway review depending on where a property is located within the Greenway. A Greenway Compatibility Review Boundary can be used to create this process.

Any intensification, change of use, or development within the WG zone is subject to conditional use review before the Planning Commission, and must meet specific Greenway review criteria. This means that additions to houses and similar requests for properties that are far away from the river are subject to a very high level of review that may not be appropriate. The current Comprehensive Plan recognizes this issue and includes policy language to develop a Greenway Design Plan and to subject development to design review. However, that policy has never been implemented. Rather than implementing a Greenway Plan, it may be more cost-effective and time-efficient to update the City’s policies and development code provisions in a way that implements Greenway goals with fewer impacts on outlying properties.

Statewide Planning Goal 15 Part 4 Sub 3 allows for a compatibility review boundary that is different than the Greenway boundary. Amendments to the Greenway boundary itself would need approval from the Oregon Land Conservation & Development Commission (LCDC). In lieu of amending the boundary, Milwaukie could consider adopting a different boundary for conditional use review.

It should also be noted that Goal 15: Willamette River Greenway overrides Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces. Milwaukie implements Goal 5 through its Natural Resources (NR) Overlay Zone and the accompanying discretionary review process (as discussed further in the Natural Resources Background Report). Therefore, unless a natural resources review standards and evaluation criteria are added to the Greenway Review process, the City should specifically state in its policies that it will use the Goal 5 process to review and manage natural resource review within the Greenway.



Private docks along the Willamette River

Regulating for View Protection

The Willamette Greenway policies in the Comprehensive Plan call for “evaluate[ing] all proposals within the vicinity of the Greenway for their effect on access to the visual corridors to the Willamette River and Kellogg Lake.” Approval criteria for Milwaukie’s Greenway conditional use review include “Protection of views both toward and away from the river,” and “Maintain or increase views between the Willamette River and downtown.” These criteria can be challenging to apply because there is no inventory of important views that must be protected, and the code language does not specify whether private views should be protected along with public views. Further, development of private property near the river has the potential to block important views, if unregulated. Clear policies and code language are needed.

Policy Questions, Observations, and Implications

In determining how the Comprehensive Plan Update can support Milwaukie’s Community Vision goals and action items, as well as assets, trends, and challenges, we can consider the following questions and observations:

- How should Milwaukie address issues related to the current Willamette Greenway boundary? Should the City consider remapping the boundary itself (with approval by LCDC) or develop a new compatibility/conditional use review boundary? If the latter, should policies specifically focus on properties that are within 150 feet of the river?
- Should the Willamette Greenway review process and criteria be revised?
- Should development of a Greenway Design Plan remain a policy item in the updated Comprehensive Plan? If it were kept as a policy, what would be the intent of the Greenway Design Plan? What would it address?
- How should Milwaukie regulate view corridors in the Willamette Greenway? Potential approaches include only addressing views from public viewpoints such as parks and road ends.
- How should Willamette Greenway policies reflect forthcoming changes to federal floodplain regulations? Considerations may include modifying allowed uses or development standards in the Greenway.
- How can Milwaukie learn from Greenway regulation practices in other Oregon cities?



Kellogg Lake east of the Willamette River