



AGENDA

MILWAUKIE PLANNING COMMISSION Tuesday December 13, 2011, 6:30 PM

MILWAUKIE CITY HALL
10722 SE MAIN STREET

- 1.0 Call to Order - Procedural Matters**
- 2.0 Planning Commission Minutes** – Motion Needed
 - 2.1 October 11, 2011 *continued from 11/22/11*
 - 2.2 October 25, 2011
- 3.0 Information Items**
Changes to how the City prepares Planning Commission meeting minutes
- 4.0 Audience Participation** – This is an opportunity for the public to comment on any item not on the agenda
- 5.0 Worksession Items**
 - 5.1 Summary: Residential Development Standards Project update: Multifamily Residential Development and Design; Typology (*45 minutes*)
Staff Person: Katie Mangle and Ryan Marquardt
- 6.0 Public Hearings** – Public hearings will follow the procedure listed on reverse
 - 6.1 Summary: Water Master Plan (*45 minutes*)
Applicant: City of Milwaukie
File: CPA-11-02
Staff Person: Ryan Marquardt and Zach Weigel
- 7.0 Planning Department Other Business/Updates**
 - 7.1 Transportation System Plan - Light rail-related amendments
 - 7.2 Planning Commission Notebook Update Pages
- 8.0 Planning Commission Discussion Items** – This is an opportunity for comment or discussion for items not on the agenda.
- 9.0 Forecast for Future Meetings:**
 - January 10, 2012
 - 1. Worksession: Residential Development Standards Project update: Single-Family Residential; Conditional Uses
 - 2. Informational: 6 month Commission Work Plan Forecast
 - January 24, 2012
 - 1. Public Hearing: Transportation System Plan amendments *tentative*
 - 2. Worksession: Residential Development Standards Project update: Accessory Dwelling Units; Accessory Structures

Milwaukie Planning Commission Statement

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

1. **PROCEDURAL MATTERS.** If you wish to speak at this meeting, please fill out a yellow card and give to planning staff. Please turn off all personal communication devices during meeting. For background information on agenda items, call the Planning Department at 503-786-7600 or email planning@ci.milwaukie.or.us. Thank You.
2. **PLANNING COMMISSION MINUTES.** Approved PC Minutes can be found on the City website at www.cityofmilwaukie.org
3. **CITY COUNCIL MINUTES** City Council Minutes can be found on the City website at www.cityofmilwaukie.org
4. **FORECAST FOR FUTURE MEETING.** These items are tentatively scheduled, but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.
5. **TME LIMIT POLICY.** The Commission intends to end each meeting by 10:00pm. The Planning Commission will pause discussion of agenda items at 9:45pm to discuss whether to continue the agenda item to a future date or finish the agenda item.

Public Hearing Procedure

Those who wish to testify should come to the front podium, state his or her name and address for the record, and remain at the podium until the Chairperson has asked if there are any questions from the Commissioners.

1. **STAFF REPORT.** Each hearing starts with a brief review of the staff report by staff. The report lists the criteria for the land use action being considered, as well as a recommended decision with reasons for that recommendation.
2. **CORRESPONDENCE.** Staff will report any verbal or written correspondence that has been received since the Commission was presented with its meeting packet.
3. **APPLICANT'S PRESENTATION.**
4. **PUBLIC TESTIMONY IN SUPPORT.** Testimony from those in favor of the application.
5. **NEUTRAL PUBLIC TESTIMONY.** Comments or questions from interested persons who are neither in favor of nor opposed to the application.
6. **PUBLIC TESTIMONY IN OPPOSITION.** Testimony from those in opposition to the application.
7. **QUESTIONS FROM COMMISSIONERS.** The commission will have the opportunity to ask for clarification from staff, the applicant, or those who have already testified.
8. **REBUTTAL TESTIMONY FROM APPLICANT.** After all public testimony, the commission will take rebuttal testimony from the applicant.
9. **CLOSING OF PUBLIC HEARING.** The Chairperson will close the public portion of the hearing. The Commission will then enter into deliberation. From this point in the hearing the Commission will not receive any additional testimony from the audience, but may ask questions of anyone who has testified.
10. **COMMISSION DISCUSSION AND ACTION.** It is the Commission's intention to make a decision this evening on each issue on the agenda. Planning Commission decisions may be appealed to the City Council. If you wish to appeal a decision, please contact the Planning Department for information on the procedures and fees involved.
11. **MEETING CONTINUANCE.** Prior to the close of the first public hearing, *any person* may request an opportunity to present additional information at another time. If there is such a request, the Planning Commission will either continue the public hearing to a date certain, or leave the record open for at least seven days for additional written evidence, argument, or testimony. The Planning Commission may ask the applicant to consider granting an extension of the 120-day time period for making a decision if a delay in making a decision could impact the ability of the City to take final action on the application, including resolution of all local appeals.

The City of Milwaukie will make reasonable accommodation for people with disabilities. Please notify us no less than five (5) business days prior to the meeting.

Milwaukie Planning Commission:

Lisa Batey, Chair
Nick Harris, Vice Chair
Scott Churchill
Chris Wilson
Mark Gamba
Russ Stoll
Clare Fuchs

Planning Department Staff:

Katie Mangle, Planning Director
Susan Shanks, Senior Planner
Brett Kelter, Associate Planner
Ryan Marquardt, Associate Planner
Li Alligood, Assistant Planner
Alicia Martin, Administrative Specialist II
Paula Pinyerd, Hearings Reporter

CITY OF MILWAUKIE
PLANNING COMMISSION
MINUTES
Milwaukie City Hall
10722 SE Main Street
TUESDAY, October 11, 2011
6:30 PM

COMMISSIONERS PRESENT

Lisa Batey, Chair
 Chris Wilson
 Mark Gamba
 Russ Stoll
 Clare Fuchs
 Scott Churchill (arrived during Item 6.1)

STAFF PRESENT

Katie Mangle, Planning Director
 Kenny Asher, Community Development and
 Public Works Director
 Susan Shanks, Senior Planner

COMMISSIONERS ABSENT

Nick Harris, Vice Chair

1.0 Call to Order – Procedural Matters

Chair Batey called the meeting to order at 6:37 p.m. and read the conduct of meeting format into the record.

2.0 Planning Commission Minutes – None.

3.0 Information Items – None.

4.0 Audience Participation –This is an opportunity for the public to comment on any item not on the agenda. There was none.

5.0 Public Hearings – None.

The Planning Commission addressed Agenda Item 7.0 at this time.

6.0 Worksession Items

This item was taken out of order.

- 6.1 Summary: Residential Design Standards Project – Conditional Uses in Residential Zones
 Staff Person: Susan Shanks

Susan Shanks, Senior Planner, distributed a paper copy of her PowerPoint presentation, which she reviewed as part of her staff report. The last three sets of images showed examples

42 of different building footprints in areas of Milwaukie with various building sizes and were
43 provided as a reference when considering size limits.

44 The two key questions for the Commission were if the City should allow more Conditional Uses
45 (CU) in its residential zones; and if so, should CUs have limits on location or size, for example,
46 or should that be left to the CU review process.

47

48 She and **Katie Mangle, Planning Director**, addressed questions from the Commission as
49 follows:

- 50 • A CU permit ran with the property and the use specifically approved by the Commission. All
51 CU decisions were Type III Commission decisions.
- 52 • The Neighborhood District Associations (NDAs) would be part of the process, but had not
53 been specifically approached about this project yet, although some NDA members were on
54 the Residential Development Standards Steering Committee. Ms. Mangle had discussions
55 with David Aschenbrenner about allowing more kinds of uses so people could walk to local
56 neighborhood shops rather than having to go downtown or to big box stores.
 - 57 • If acceptable to the Commission, staff would introduce the project to the community at
58 the open house scheduled for October 20 and then do whatever outreach is needed.
- 59 • This project was completely separate from the Commercial Core Enhancement (CCEP),
60 which was limited to specific geographical areas. This project addressed more of a citywide
61 problem, but on residentially zoned lots along arterial streets, whereas the 32nd Ave and
62 42nd Ave Corridors Project dealt with commercially zoned lots.
 - 63 • This project would be a nice compliment to the Corridors Project. For example, areas
64 along 32nd Ave not zoned Commercial would benefit from this proposal.

65

66 Discussion amongst the Commission and staff continued with these key comments:

- 67 • **Commissioner Gamba** agreed this project was critical to the walkability issue, and although
68 the proposal was moving in the right direction, it did not go far enough. As proposed, retail
69 would not be allowed in some R-7 and R-10 Zones along some arterials, which was an area
70 he would push further.
- 71 • Staff clarified that the Residential Design Standards Project was not about rezoning any
72 areas or lots zoned residential along the corridors that traversed the city. This project was
73 more of a Code adjustment project regarding the types of uses that would be allowed
74 conditionally and not about rezoning property. The Corridors Project would be an
75 appropriate place to rezone property.

- 76 • Many uses could already be approved as a Community Service Use (CSU) within these
77 zones; so technically, only a minor amendment was being proposed.
- 78 • **Chair Batey** preferred that this project not be done generally across the zones, but along
79 certain streets, and perhaps not just streets defined as arterials because 32nd Ave might be
80 a good one for the part that was zoned residential. She suggested just naming the streets to
81 be included within the amendment.
- 82 • Should CUs have limits? If any residential property were allowed to have these types of
83 uses, the CU review process still provided a lot of discretion for evaluating impacts and the
84 appropriateness of citing that particular use.
- 85 • **Commissioner Fuchs** was concerned about the potential for the Commission to be
86 accused of showing partiality to certain businesses. The Code should provide some
87 predictability for allowing conditional office type uses on these streets. Without any
88 guidelines, a lot of time and money could be spent to have something not approved or
89 approved but with many conditions.
- 90 • Staff responded that would become a different kind of project. They were definitely not
91 proposing to come up with a new review process or new set of objective standards for
92 certain kinds of uses in certain locations.
- 93 • Something could be included, perhaps as an approval criterion in the CU Review
94 Chapter that the intent of allowing CUs was to result in businesses that served the
95 neighborhood. Such a statement was not really a criterion or hard and fast standard, but
96 would give some indication of whether or not the applicant might get approval, while also
97 provide the Commission more direction by which to judge the application.
- 98 • **Commissioner Stoll** noted there was a lot of room for offices in low-density residential
99 areas. Many businesses would be perfectly fine operating out of someone's home. If the City
100 was going to legalize these types of CUs, they should be allowed just about anywhere.
- 101 • Staff explained that many businesses operating in residential zones fall under the home
102 occupation category, which differed from CUs.
- 103 • A home occupation was when someone lived on a property and operated their
104 business from their home. Employees were allowed and home occupations did not
105 require approvals but had performance measures. As long as the City did not receive
106 complaints or the home occupation did not become a nuisance to the neighbors,
107 home occupation is allowed. Also, the home the business operates from must
108 maintain the character of a single-family home, and it could not look or act like a
109 business.

- 110 • Certain businesses were outright prohibited, such as auto repair, and the goods used
111 in the business operation could not be visible to the public. The goal of the home
112 occupation standards was to keep the business invisible.
- 113 • CUs did not have to be owner-occupied and allowed for more of a public face to the
114 community.
- 115 • In walkable neighborhoods, people get many of their needs met within a 20-minute walk.
116 With fewer limits, someone could have their business a block from their house and not have
117 to commute to other areas. With CUs, the Commission had the discretion to deny the use if
118 a business would be heinous for the neighborhood.
- 119 • Businesses that were home conversions were included under CUs in this project.
- 120 • Residential Design Standards would only apply to new construction, not to an existing home
121 where someone moved in and wanted a change of use.
- 122 • Adding onto an existing residential home [for business purposes] would result in the
123 home no longer being residential in some ways, but commercial and no commercial
124 design standards currently exist. Design standards were use based on and applied to a
125 specific use, not the zone.
- 126 • The new CU approval criteria were discretionary enough that the Commission would be
127 able to look at modifications to the building in the CU process. The CU process provided
128 for a lot of discretion in terms of mitigating impacts for things such as eyesores.
- 129 • Someone wanting to modify an existing CU did not have blanket approval for the use and
130 the site. Depending on the level of modification, it would be subject to either staff or
131 Commission review, similar to the CSU standard currently in place for modifications.
- 132 • **Commissioner Fuchs** believed lot coverage percentage should be limited, not building size
133 or square footage.
- 134 • Currently, most CUs did not come with their own set of development standards, but the
135 approval criteria required that the standards of the underlying zone be met. The
136 residential lot coverage, setback, and all those standards would still apply, but not the
137 design standards. Development standards were tied to the zone, not to the use.
- 138 • Again, the CU process would enable the Commission to alter things on a case-by-case
139 basis to make the use more compatible.
- 140 • CU permits were only revocable if a violation of the approval criteria occurred and/or a
141 condition of approval was not satisfied.

142

143 **Chair Batey** called for public testimony.

144

145 **David Mealey, 5111 SE Lake Rd**, addressed the Commission regarding his R-10 zoned
146 property on Lake Rd, the old Folio farmhouse, with the windmill and the barn. He hoped the new
147 Code would remain simple; adding a 2,500 sq ft limit was what he needed.

- 148 • He stated that the Lake Rd NDA supported his property moving from a home occupation to
149 an outright CU.
- 150 • Currently, his home occupation status had certain limitations. One key item was that the
151 proposal would permit him to put up a little signage, so people would not pass the property
152 and then call to ask for directions as they currently did 90% of the time. Presently, all he was
153 allowed was a 2 ft x2 ft sign.
- 154 • The property lent itself to a small office use more so than a residence.
- 155 • Being able to use the space without it being a split use would be helpful.
- 156 • The property was 1½ acres, of which ¾ of an acre was useful. The parking, if done
157 tastefully, would blend into the neighborhood without being an eyesore, while maintaining
158 the residential characteristics and lending itself to the walkability Commissioner Gamba
159 mentioned.
- 160 • He noted the use and 2,000 sq ft limitations in the proposal, adding he had a chiropractic
161 massage clinic and a yoga studio, which he would love to see added to the lower density
162 residence. If that did not happen, he would shut down the yoga studio, but he would love to
163 be allowed to use the properties in different ways.
- 164 • The benefit to the City, Commission, and residents was that the proposal provided some
165 yardstick to measure things by as some conditions had to be met and maintained, and the
166 Commission would determine whether an application met the conditions. This gave the
167 Commission an element of control and the businessperson something to aim for.

168

169 Staff confirmed that the reference in the current draft to office use being limited to no more than
170 2,000 sq ft was the actual floor area, not the footprint.

171

172 **Marty Stiven, Land Use Planning Consultant, 8 North St, Lake Oswego**, stated she had
173 been working with Mr. Mealey and the City and watching this process for the last year to figure
174 out how Mr. Mealey's business could be allowed not as a home occupation.

- 175 • She understood the concerns about allowing CUs throughout the city, and believed limiting it
176 to arterials was a good way to start. This would open the door for the many nonconforming
177 businesses that already exist.

- 178 • The CU process gave the Commission an opportunity to identify every use on every
179 property and judge them on their own merits. Not only did the Commission get to look at the
180 site and use, and require the applicant to meet the CU criteria, but the Commission could
181 also impose very specific conditions of approval for each business for each use in each
182 neighborhood based on each individual site.
- 183 • She was concerned about the 2,000 sq ft limitation because what would the
184 business/property owner do if the whole building could not be converted? Was the goal to
185 make nonconforming uses legitimate? A better performance standard than a size limitation
186 was needed, because no matter what size was set, a remnant square footage would result.
- 187 • She questioned whether a performance standard was needed because the Commission
188 would review each individual use. A 4,000 sq ft building might be perfectly acceptable in one
189 location, where in a different location it needed to be limited to 1,000 sq ft because of the
190 availability of land for parking, lighting, etc.
- 191 • Any proposals would be limited to the same setbacks, lot coverage, and heights as
192 residents, so a building would be compatible in scale to the residential development. As to
193 parking impact, if it were not appropriate, the Commission would not have to approve the
194 application.

195

196 **Mr. Mealey** added that when he was pursuing other commercial properties, it was clear that if
197 the property did not have enough room for parking, it would not be approved. He had looked but
198 numerous properties turned out not to be feasible in terms of parking and other conditions listed
199 under the existing regulations, such as egress and traffic impact. He did not see that this would
200 be any different. Limiting CUs to arterials was important. He would not necessarily want to have
201 a parking lot behind his house if he lived in a residential neighborhood. He liked the discussion
202 about identifying defined roads that lent themselves to these kinds of clear-cut conditions.

203 Discussion amongst staff and the Commission continued as follows:

- 204 • Impacts regarding traffic, site distances, etc., are addressed in the approval criteria for CUs.
205 The underlying concept of the proposed changes was to reduce car trips, and although valid
206 long-term, there would be immediate traffic impacts as people tried to turn into or out of what
207 used to be residential driveways.
- 208 • Staff introduced some reasonable requirements in the Transportation Code update for traffic
209 studies, which were previously required no matter what. The Engineering Director would
210 now look at applications on a case-by-case basis to see how that type of business would

- 211 operate and impact traffic before deciding if a traffic study was needed. This would be part
212 of the CU review on staff's end.
- 213 • Staff added that the City's concurrency policy regarding sidewalk and transportation
214 improvements was rather aggressive, so proportional mitigation was required.
 - 215 • The City currently allowed CSUs on all these locations, so a large government office
216 building would be allowed, but not a small private office building. This Code change
217 would provide for private offices. While the CSU and CU criteria were different, the City
218 could still require transportation and other analyses. Engineering also requires accesses
219 to be consolidated when necessary.
 - 220 • If a home occupation wanted a CU for some reason, the owners could still reside there,
221 because the residential use would still be an outright allowed use in the zone. Home
222 occupation standards allow for a wide range of businesses.
 - 223 • A much larger structure could be built on Mr. Mealey's property and still comply with the
224 setbacks. If he was approved for a CU and decided to replace the current structure with an
225 8,000 sq ft structure it would be considered a modification and subject to additional review
226 by staff and/or the Commission.
 - 227 • Staff explained that a number of zones had existing CUs, such as the Type II ADUs only
228 conditionally allowed in all residential zones. However, the CU process for the average
229 person was daunting and could not be done lightly or quickly, so the proposed amendments
230 would not open the floodgates for any rapid or big changes. The proposal would allow some
231 motivated people or the right property and business to get a CU approval. This was not a big
232 risk for the City in terms of suddenly getting lots of big, incompatible CUs in residential
233 zones, whether along arterial streets or not. It was a pretty arduous process to go through
234 and pay for.
 - 235 • The gains for the City from this proposal included:
 - 236 • Having more personal, service-oriented businesses integrated into existing
237 neighborhoods rather than being in single locations spread throughout the city. People
238 might be able to walk down their street to go to doggy daycare, get a cup of coffee, or
239 shop at a resale store, potentially reducing car trips.
 - 240 • More property becoming available for people wanting to incubate a small business, or
241 who might otherwise be unable to lease a commercially zoned property.
 - 242 • The possibility of converting some nonconforming uses to CUs, changing the regulation
243 framework under which they currently must operate which could be limiting for buying,
244 selling, and changing the property.

- 245 • Given the nature of the CU process, the number of properties being discussed, and the fact
246 that this did not regard vacant land necessarily, the proposal did not seem to detract or pose
247 a risk of increasing vacancies in the downtown districts.
- 248 • The City has heard that Milwaukie citizens did not want everything focused on
249 downtown, but that the City pay attention to the corridors. Most land along the arterials
250 was zoned for residential, which was unusual. The fact that there were a lot of home
251 occupations, institutions, nonconforming, and potentially illegal uses along these
252 corridors was an indication that low density residential might not be the best use of land
253 along an arterial. Staff hoped this proposal would help make the corridors healthier in
254 terms of integrating more uses into the community, but in a way that could actually
255 increase the property values because the uses would be fully legal, growing home
256 occupations and not nonconforming.
- 257 • **Chair Batey** said that while the residential portions of 32nd Ave seemed an obvious place for
258 CUs, she could not see upper River Rd and 22nd Ave ever being a viable place for CUs
259 because of the traffic and egress for cars. Even if there was a business geared toward
260 walking, that was probably the single most dangerous place to walk in Milwaukie. The
261 arterial did not seem to be the right measure; listing streets seemed a better way to go.
262 Although River Rd was going to be getting sidewalks, etc., the improvements were not on a
263 large scale and would not happen anytime soon.
- 264 • **Commissioner Fuchs** suggested identifying 42nd Ave and the south frontage of Hwy 224
265 across from the Albertson's shopping center. She agreed the parcel on Hwy 224 between
266 Oak Street Square and Monroe Street should also be included.
- 267 • Successful neighborhoods in Portland were built around intersections or nodes. Opening up
268 a long linear arterial strip might not be an advantage. Identifying nodes of development,
269 such as in the Clinton neighborhood in southeast Portland, would help concentrate and grow
270 20-minute walkable neighborhoods.
- 271 • Staff would check with the City Attorney regarding the legal line where this Code
272 amendment would become a rezone.
- 273 • **Commissioner Churchill** said they were working backwards from the end result
274 envisioned. The ultimate arterial development was Hwy 99 in Milwaukie, which was not what
275 anyone wanted on the City's arterials. Nodes of small neighborhoods were better.
- 276 • Staff noted some areas like 32nd Ave had somewhat of a linear aspect especially with
277 regard to zoning. However, some great viable, bustling neighborhoods existed in
278 Portland that are in corridors, such as the Hawthorne Blvd area.

- 279 • Zoning around the Safeway area was literally just a block, and some businesses wanted
280 to string out from that area. While stringing the zoning out a long way was probably not
281 the way to go, the question was whether the Commission wanted that, and if so, to what
282 point was that acceptable.
- 283 • **Commissioner Wilson** preferred opening it up to the entire city as opposed to nitpicking the
284 map. The Commission could work on it in the future as applications came forward.
- 285 • **Commissioner Gamba** agreed opening it up might keep it from looking like a rezoning.
286 As the gatekeepers, the Commission would strategically look at what made sense for a
287 node.
- 288 • **Commissioner Fuchs** was worried that at that point, they were almost doing away with
289 zoning.
- 290 • **Commission Churchill** agreed, adding they would then just be looking at denial on a
291 case-by-case basis.
- 292 • **Chair Batey** could see the Commission having someone want to do something on a
293 completely residential street that the Commission did not want to allow, and then they would
294 have to justify why it was different from another project they had approved.
- 295 • **Commissioner Fuchs** added it would be on a street that was never planned or built for
296 that amount of traffic.
- 297 • **Commissioners Wilson and Gamba** explained that such projects were self-limiting
298 because applicants would still have to abide by the Residential Development Standards.
299 For example, a parking lot could not cover an entire lot because a certain amount of
300 green space is required.
- 301 • The CU aspect was not the core of the Residential Design Standards project. If the
302 Commission's direction was to develop and identify nodes, staff would probably not include
303 CUs in the project. The nodes suggestion would be better suited as its own individual project
304 and would need to be addressed in the Comprehensive Plan.
- 305 • CUs could be limited to arterials and collectors with the areas identified on a map and from
306 there the Commission could attempt to modify it.
- 307 • **Commissioner Churchill** cautioned that once they started that slippery slope and
308 opened it up without controlling the intent, it could get away from them. If the intent was
309 to drive development toward nodes, they should wait until they could identify or limit the
310 areas where that would be allowed.

- 311 • This could be accomplished with a Comprehensive Plan change and a zone change
312 for those nodes as a part of a bigger project; however, this would not happen for at
313 least two or three years.
- 314 • Nodes would not be created through the CU process but by a set of standards that worked
315 together with design, uses, and the entire thing. These were corridors. Corridors and main
316 streets were also part of the city, part of healthy neighborhoods, and part of how people get
317 around.
- 318 • Regarding the 32nd Ave and 42nd Ave Commercial Corridor Projects, they would be
319 discussing how to make 42nd Ave more of a node, but 32nd Ave would always be a
320 corridor, a main street. Each area was a little different. Moving forward with the CU
321 proposal would not weaken the other urban design conversations. Even if nodes were
322 the big idea, this project would be a bad tool to achieve that end.
- 323 • Opening it up to the collectors would create some nodes.
- 324 • **Chair Batey** was more concerned about having some control over the design and size, but
325 was less concerned about the strip aspect of it.
- 326 • Rather than having an arbitrary number concerning size, it could be tied either to the scale
327 of the neighborhood or size of the existing building. This same concept was used to govern
328 setbacks, where one could average the setback of the two houses on either side of the
329 proposed project. The new building being constructed would need to stay within some kind
330 of a mean or average of the surrounding buildings.
- 331 • Staff already struggled with the simple setback averaging standard in determining what
332 range should be used as the averaging tool. The CU process provides the Commission
333 a lot of discretion to make decisions versus creating objective standards. Remove the
334 arbitrary size limits was an option.

335

336 The Commission took the following straw polls:

- 337 • Should the City allow more CUs in its residential zones?
- 338 • All Commissioners responded 'yes' with the exception of Commission Churchill who
339 responded 'possibly'.
- 340 • Should there be limits on location for the CUs?
- 341 • All Commissioners responded 'yes' with the exception of Commissioner Wilson who
342 responded 'no'.
- 343 • Should there be limits on size for the CUs?

- 344 • All Commissioners responded 'yes' with the exception of Commissioners Wilson and
345 Gamba who responded 'no'.
346
- 347 Discussion continued about the CU process addressing the size issue with these comments:
- 348 • The CU proposal was not necessarily just for existing buildings, but for residential lots with a
349 new building, a modified home, or the removal and replacement of a home with a new
350 business building.
- 351 • If the Residential Design Standards applied, they would already include some things about
352 mass and compatibility with surrounding structures, so an arbitrary size limit might not be
353 needed.
- 354 • Concern was expressed about the huge white house on the east side of 32nd Ave possibly
355 being converted to a CU, like doctors' offices; it would not be a residential scale building at
356 that point.
- 357 • The CU chapter included approval criteria as well as specific standards for specific kinds
358 of CUs, which were very limited and covered things like surface mining. One standard
359 for yards stated the yard of a CU in a residential zone had to be enough to make the
360 building compatible. The standards could be beefed up to address some of the
361 concerns.
- 362 • Since CUs had to come before the Commission to get their use at all, they did not have to
363 be concerned about having a size limit because the Commission could just say 'no'.
- 364 • The Commission would need a tool to deny the CU on a very large lot. An appropriate
365 size parcel and appropriate size development by residential standards on a very large lot
366 would result in a very large commercial impact.
- 367 • A larger building would need more parking and have more potential traffic impacts.
368 Through the CU process, the Commission could determine that too many impacts
369 existed even without addressing the size of the building.
- 370 • Being on a collector or arterial, there were ways around impacts shown in traffic
371 engineering reports.
- 372 • Staff had confirmed with the City Attorney that not having any standards and leaving it
373 completely up to Commission's discretion would not open the City up to legal problems.
- 374 • Staff would research other cities to find different options or ways to craft some approval
375 criteria or standards for the CU section, or find something not quite as arbitrary as a size
376 limitation.

- 377 • **Commissioner Churchill** noted a size limit could be set and then take an exception case
378 on a very large lot. Leaving it wide open would leave them open to many things to have to
379 backtrack and try to constrain.
- 380 • The 2,000 sq ft size was a good size for a commercial use in a residential neighborhood
381 even on an arterial. Larger parcels and larger developments would have traffic
382 generation impacts off and on the arterial, which was what they were trying to avoid.
383 They did not want to generate trips but walkable, nodable neighborhoods with their own
384 character.
 - 385 • He preferred starting with a limit and then the applicant could make a case for exceeding
386 the limit.
 - 387 • Staff was also directed to look at size differences between existing buildings and scrape-
388 offs. If there was a 2,500 sq ft building and the limit was 2,000 sq ft, what was supposed to
389 be done with the remaining 500 sq ft?
 - 390 • Staff clarified that the Commission had general concerns about impacts and compatibility
391 with the scale of the neighborhood.

392

393 **Mr. Mealey** reminded that the Code discussed specific uses like offices. The list of CUs was
394 very limited, and that list was being expanded to just a small extent to permit small offices and
395 other things in low-density zones. While the high-density zones allowed retail services, only a
396 half dozen more uses were added, which was important criteria to consider.

397

398 The Commission took a brief recess and reconvened at 8:24 p.m.

399

400 6.2 Summary: South Downtown – Implementation Strategy

401 Staff Presentation: Katie Mangle, Kenny Asher

402 **Ms. Mangle** stated City Council had adopted the South Downtown Concept as the vision for the
403 area south of Washington Street. Staff wanted to enlist the Commission's feedback on some
404 ideas as the project moved forward. She and Mr. Asher presented the South Downtown
405 Implementation Strategy, noting the changes property owners could make outside of any
406 regulatory changes would be critical to bringing South Downtown to life. A one-page handout
407 was distributed that outlined the latest informational update regarding the project and included
408 the resolution adopted by Council.

409

410 **Kenny Asher, Community Development & Public Works Director**, reviewed the City's
411 history with the Center for Environmental Structure (CES) beginning in 2008, and the humanist
412 development philosophy they worked by. CES had worked with the "Group of 9" to create a
413 Pattern Language for South Downtown that highlighted the aspects of the area that the
414 community wanted to celebrate and preserve.

- 415 • Due to communication issues, the City changed firms and partnered with Walker Macy to
416 extract implementable ideas from the Pattern Language, and the project was now in Phase
417 4.
- 418 • He summarized the South Downtown Concept Plan, noting the public space circulation,
419 plaza location, preserved views, and pedestrian connectivity with the light rail station.
- 420 • City Council adopted the plan on September 6, 2011. Staff had asked Council to adopt the
421 Concept Plan by resolution. Adoption of the Concept Plan alone was not enough – staff was
422 now working on how to implement the ideas.
- 423 • Presented a list of "Important Patterns for Buildings in the South Downtown" and noted that
424 Ms. Mangle and he had reviewed the Pattern Language in depth to tease out the essentials
425 and conflicts and determine the realities of implementation.

426
427 **Ms. Mangle** described the challenges with the concepts, and that holding to the great ideas in
428 the Concept Plan and Pattern Language would require creativity and innovation. She noted that
429 the adopted Downtown and Riverfront Framework Plan and the South Downtown Concept Plan
430 had many similar ideas and concepts, including the mixed-use, people-oriented development;
431 connection to parks and creeks; etc. However, there were specific use and anchor ideas that
432 were different in the South Downtown Concept Plan. She noted the Concept Plan was geared
433 toward smaller scale development and activity rather than bigger scale campus-type
434 development.

435
436 **Mr. Asher** clarified that along with Council's endorsement of the Concept Plan, the resolution
437 included a work plan for the Planning and Community Development Departments, which
438 involved zoning code changes and other work to allow for the implementation of the Concept
439 Plan and light rail station area plans. He reviewed the aspects of the Pattern Language that
440 would be carried forward:

- 441 • The granularity and texture pattern allowed for development of the area over time with
442 incremental changes, to make it more livable and comfortable. There would need to be a
443 balance between flexibility and restrictions of development.

- 444 • The pattern that new construction is unregulated was inconsistent with other patterns and
445 went too far. Although the City wanted to allow for faster transitions for development, there
446 still needed to be some regulation.

447

448 **Mr. Asher** added that for early implementation, the Community Development Department
449 understood that there needed to be more activity in that part of town. Some ideas for “small
450 moves” to start using the area included adding a mid-week Farmers’ Market, cleaning and
451 painting buildings, adding food carts, closing the street for events, etc.

- 452 • Work for the light rail station and with property owners was still continuing.

453

454 Comments and questions from the Commission were addressed by Mr. Asher and Ms. Mangle
455 with additional discussion as noted:

- 456 • One suggestion for a “small move” was to have a band and food booths to create some kind
457 of critical mass element in South Downtown on first Fridays. One month, the Clackamas
458 County Parks and Recreation District had a kids van doing kids’ activities. The City should
459 have things to get people to South Downtown and start thinking about it as place to go.
- 460 • Some of what used to be abandoned or nasty little parking lots were now some of the most
461 hopping places in the entire city of Portland because of food carts. Nothing brings people
462 together like little collections of great, cheap food.
- 463 • Something to be considered with the food carts was their impact on the downtown
464 restaurants, although the increased activity might encourage more business for them.
- 465 • An information kiosk could be placed in the plaza with a conceptual drawing including
466 Kellogg Creek, Riverfront Park, and South Downtown so that people visiting the site would
467 get excited about all the different plans.
- 468 • There should be something for teens in the area other than just a pizza place. This issue of
469 doing whatever possible to connect with the high school had been brought up a lot during
470 the Advisory Committee.
- 471 • High school students liked the food cart idea as well.
- 472 • **Commissioner Churchill** agreed with compelling smaller scale development discussed in
473 the second bullet of the staff report on 6.2 Page 3 but some existing buildings still did not
474 have the appropriate scale for that plaza, such as the post office building.
- 475 • Regarding the point that commercial space could receive occupancy space with minimal
476 interior finishes, he stated that when trying to develop a fabric off a plaza like that,

- 477 encouraging commercial space to receive occupancy permits with minimal interior
478 finishes could lead to the wrong scale development in that area.
- 479 • If the post office building, for example, was not encouraged to really break the scale
480 down, it could detract from the concept of the plaza and the development in the area.
 - 481 • Mr. Asher responded that the tension in the Concept Plan was captured in those two
482 patterns. On one hand, they wanted a place that could develop with a certain quality of
483 almost yeoman-like, do-it-yourself, noncorporate, organic approach to development, which
484 meant the Codes could not be too prohibitive. There needed to be a certain freedom to allow
485 individuals to exercise their construction or craft. In this planning process, people got excited
486 that this really was about the community and about real people doing real work in creating
487 and using the area. They were trying not to lose that creative element while also trying to
488 protect the area from being downtrodden or ramshackle. Protecting plaza and outdoor
489 spaces, the scale of buildings and how to address public spaces, etc., were all important,
490 but also created that tension.
 - 491 • Staff discussions regarded this area coming together over time, and maybe the rules
492 would change over time. If the plaza was not finished in the first five years, maybe they
493 did not need to hold those buildings to the standard of protecting the plaza but
494 encourage life and reuse in the area. They could get to the point where adjustments are
495 needed, because the place was maturing and the plaza was in their sights, so at that
496 point, the buildings had a different job to do.
 - 497 • Trying to insert that fourth dimension of time into the regulatory framework was one way
498 to deal with the tension, because the job of the place would change over time.
 - 499 • If the existing buildings remained for a long time and low rent uses are allowed forever,
500 the City would not get some of the qualities and spaces desired. On the other hand, if
501 certain qualities and spaces were required on Day One, they would not get the life and
502 artisan quality that people wanted.
 - 503 • Staff was asked to remind the Commission who owned the parcels indicated on Pages 14 of
504 the parcel framework and Page 22 of the Walker Macy plan.
 - 505 • The .13 acres on the southwest corner of Washington St and Main St was owned by Dr.
506 Belori, the dentist. Everything else in the lighter shade of purple was owned by the City.
507 Across Main St, the .13 acre, .08 acre, .26 acre and .13 acre was owned by the
508 Bernards. The .26 acre and .18 acre was owned by the Shipleys. Across Adams St to
509 the south, the .37 acre, which people called the post office building, was also owned by
510 the Shipleys. Everything in yellow overlapping the light rail station, and the .16 acre on

511 the east side of the light rail station in purple, would all be owned by TriMet. Even though
512 today it was a combination of Union Pacific and private ownership, TriMet would acquire
513 that property for the light rail project. The triangle site to the east of the light rail platforms
514 hopefully would be sold for development to do the train station building which was an
515 idea that came from this planning process.

516 • **Commissioner Churchill** noted it came down to two primary landowners, the Shipleys
517 and Bernards. He asked how the City would encourage development of those parcels in
518 a way that reinforced the organic growth so it becomes the fabric they were trying to
519 achieve from earlier studies, given the existing compilation.

520 • **Mr. Asher** replied that was another tension. Everyone in the community might love
521 the plan except for the property owners, and they needed to be careful about that
522 because laws exist that would protect their property rights.

523 • They needed to think about the sequencing of development and desired outcome,
524 but also the common sense of incremental development.

525 • The garage in the Bernard holdings was particularly well suited for an adaptive
526 reuse in short order. As an example, the auto shops in Portland that have
527 become brew pubs. The configuration of the building facing Washington St is
528 tailor-made for that idea, which has been shared with Mr. Bernard.

529 • Issues exist about where retail use is allowed, but three buildings were present that had
530 potential. The idea was not to think about South Downtown as one ultimate plan, but to
531 plan for a process of enlivening the area by changing the zoning.

532 • The City needed a zoning code that worked over time and with different scales of
533 buildings.

534 • One issue was that the current downtown zoning Code mandated the ultimate build-
535 out now, which was one thing holding them back. The block with Bernard's Garage
536 was a perfect case study. The owners had bigger visions, but were limited by the
537 zoning. Redevelopment using new buildings, old buildings, or a combination was
538 possible that met the goals of the Pattern Language. Code language was needed to
539 allow for all those scenarios, but insisted on what is important.

540 • The areas across Washington St and across 21st Ave would be the first areas outside the
541 South Downtown area to be impacted by new development, as well as the area right across
542 from the light rail station. Would the new zoning tools apply to those areas as well?

- 543 • **Ms. Mangle** replied 'no'. The study was very specific to the South Downtown area
544 largely because it was so highly redevelopable. In that way, it was different from areas
545 north of Washington St.
- 546 • One aspect of the Commercial Core Enhancement Program was a downtown Code
547 refresh. They had a good vision, but some Code elements were hindering them from
548 realizing that vision. They hoped to do the refresh for all of downtown. In trying not to
549 hold that off for too many years, staff had been identifying the low hanging fruit for
550 that project. Similar to the CUs conversation, the City might be able to allow a more
551 robust list of uses with a few small changes and without having to turn it into a huge
552 project.
- 553 • Staff was thinking about the whole area, while also trying to limit the scope, because
554 all the work being done was so specific to this area, and they wanted to respect that.
555 Also, in terms of workload management, staff wanted to make sure they were not
556 biting off more than they could chew.
- 557 • The original group talked about the South Downtown project being a Genesis point,
558 where they changed the way things were done and then that would spread throughout
559 the city.
- 560 • The .18 acre lot owned by the Shipleys across from the post office would be a great
561 backdrop for a series of food carts. It would not have to be right on the plaza center, but
562 would certainly draw to downtown and feed to the high school.
- 563 • Adams St would have to be closed sooner rather than later because of light rail, so with
564 that parking lot plus the Adams St right-of-way, there was quite a bit of space for that
565 type of thing.
- 566 • In thinking about next steps, it was important to remember that the area would be torn up
567 almost entirely on the 21st Ave side as soon as the light rail construction began. They
568 needed to be careful about what they took on and tried to pull off during all the construction
569 activity.
- 570 • The little section of Lake Rd between Main St and 21st Ave was being renamed by Council
571 direction to Main St, as a continuation of Main St, which was a good change.
- 572 • The light rail project would provide quite a few street improvements, and maybe staff would
573 figure out how to get improvements on Adams St as well. The construction would be
574 unfortunate, but a lot of the streetscapes would become a lot nicer as a result of the light rail
575 project.

- 576 • During light rail construction, at least one lane of 21st Ave would have to stay open
577 because emergency vehicles could not make it under the existing railroad trestle.
578 • The presence of the construction was important to consider when wanting to draw high
579 school students to the plaza for lunch to spark vitality in South Downtown.

580

581 **Ms. Mangle** stated staff would return for additional discussion on this issue.

582

583 The Commission continued to Item 9.0 Forecast for future meetings at this time.

584

585 **7.0 Planning Department Other Business/Updates** 7.1 Neighborhood

586 Corridors Project: 32nd and 42nd Avenues

587 This item was taken out of order and addressed following 5.0 Public Hearings.

588

589 **Ms. Mangle** explained the Commercial Core Enhancement Program has been envisioned as a
590 multifaceted Planning project to deal with various issues such as economic development, urban
591 renewal, downtown and commercial area enhancement. The City was awarded a grant by Metro
592 of more than \$200,000 to do that work, but it was now stuck in a lawsuit, limiting access to the
593 funds. Staff has been considering what to move forward on without the grant, and decided to
594 focus on the 32nd Ave and 42nd Ave corridor areas. The project would not be very complex, but
595 would require a lot of neighborhood and property owner involvement, specifically from
596 commercial property owners in the area. Key items to address would be zoning and policy
597 changes to nurture economic development and maintain a nice scale. Some Planning budget
598 funding would be dedicated to the project, and a team of Portland State University graduate
599 students from the Planning program would be recruited to help with outreach, including
600 interviewing property owners, etc. This project would probably start up in early 2012. Parts of
601 the project would involve uses, building design standards, and could include signs.

602

603 **7.2 Electronic Signs Project: Council Hearing**

604 **Ms. Mangle** stated staff was preparing for a City Council public hearing on October 18 on the
605 Electronic Sign Code Amendments package adopted by the Commission last month. She
606 wanted to ensure that at least one Commissioner attended the hearing so Council could hear
607 directly from someone on the Commission. Councilors expressed concerns about three aspects
608 of the proposal, the time limit, size limit, and retroactivity, which involved whether proposed time

609 limit changes would apply to existing signs. She envisioned that changes would be made to get
610 the amendments adopted and having the Commissioners explain why the Code was crafted as
611 it was could be useful.

612 The Commission had deliberately stated that the standards would apply to all signs regardless
613 of when they were constructed.

- 614 • Staff was asked to prepare a few alternatives, which would be shared with the Commission
615 on Friday when presented to Council. The sense was there was not a question about the
616 overall goals of the project, but about the same details the Commission had heard from
617 people and had wrestled with. No new letters or correspondence had been received outside
618 of what had been included in the Commissioners' meeting packets.
- 619 • In the Sign Code draft, the time limit was two minutes and the size limit was 50% or 50 sq ft,
620 whichever was larger.

621

622 **Chair Batey** encouraged everyone who was able to attend the City Council hearing.

623

624 The Planning Commission returned to 6.0 Worksession Items at this time.

625

626 **8.0 Planning Commission Discussion Items – None.**

627

628 **9.0 Forecast for Future Meetings:**

629 October 25, 2011 1. Public Hearing: CSU-11-02 Ukrainian Bible Church
630 2. Worksession: Residential Design Standards Project Draft Code
631 Amendments

632 November 8, 2011 1. Public Hearing: WG-11-01 Kellogg Lake light rail bridge
633 2. Public Hearing: MOD-11-01 Trolley Trail for light rail

634

635 **Ms. Mangle** confirmed the forecast was still accurate and briefly reviewed the upcoming
636 meeting items. Chair Batey was the only sitting Commissioner when the CSU was previously
637 approved for the Ukrainian Bible Church; this modification was minor comparatively. She sought
638 direction about how to navigate through the Residential Design Standards Project without
639 having to repeat policy discussions at the Commission that were addressed by the Steering
640 Committee. She encouraged the Commissioners to meet for a study session with Ms. Shanks if
641 needed. Staff tentatively scheduled two hearings for the Kellogg Lake Bridge and Trolley Trail
642 applications.

643

644 Meeting adjourned at 9:17 p.m.

645

646

647

Respectfully submitted,

648

649

650

651

652

Paula Pinyerd, ABC Transcription Services, Inc. for

653

Alicia Martin, Administrative Specialist II

654

655

656

Lisa Batey, Chair

CITY OF MILWAUKIE
PLANNING COMMISSION
MINUTES
Milwaukie City Hall
10722 SE Main Street
TUESDAY, October 25, 2011
6:30 PM

COMMISSIONERS PRESENT

Lisa Batey, Chair
 Scott Churchill
 Mark Gamba
 Russ Stoll
 Clare Fuchs

STAFF PRESENT

Katie Mangle, Planning Director
 Li Alligood, Assistant Planner
 Ryan Marquardt, Associate Planner
 Brad Albert, Civil Engineer

COMMISSIONERS ABSENT

Nick Harris, Vice Chair
 Chris Wilson

1.0 Call to Order – Procedural Matters

Chair Batey called the meeting to order at 6:33 p.m. and read the conduct of meeting format into the record.

2.0 Planning Commission Minutes

2.1 September 13, 2011

Commissioner Fuchs corrected her comments on 2.1 Page 1, Lines 28 through 30 to present tense as follows, "...stated that she ~~had~~ **has** been a resident of Milwaukie for two years. She ~~was~~ **is** an urban planner by trade...She ~~was~~ **is** living in the Ardenwald neighborhood and currently ~~worked~~ **works** as an urban planner..."

Commissioner Churchill moved to approve the September 13, 2011, Planning Commission minutes as corrected. Commissioner Wilson seconded the motion, which passed 4 to 0 to 1 with Chair Batey abstaining.

3.0 Information Items – None

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

Les Poole, 15115 SE Lee Ave, Clackamas County, stated the Planning Commission had probably heard him express his concerns at various meetings and the in the media about what

42 happens when light rail, in theory, left Lake Rd and headed toward unincorporated Clackamas
43 County. There have been references to legal issues and a potential lawsuit about what was
44 happening to the parks, specifically Kronberg Park, which existed in name only, and Kellogg
45 Lake Park.

- 46 • Since Kronberg Park was discovered in the fall of 2005, he has asked the City, City Council,
47 TriMet, and Metro countless times to address the fact that these 5 ½ acres needed to be
48 taken care of, properly deeded, and mitigated. It was wonderful how much money was being
49 spent in the mitigation zones, but as he has said before, if the light rail line was described as
50 a horse, they knew what happened when they got to the back end of the horse, and the
51 back end of the horse was what was planned for Island Station, Kellogg Lake, and the
52 Trolley Trail.
- 53 • He hoped the Commission would take time to answer this question: when would the City of
54 Milwaukie address Kronberg Park and Kellogg Lake Park as a single entity and provide
55 some reasonable mitigation for the light rail line?
- 56 • The placing of a massive concrete structure over the top of the Trolley Trail alignment and
57 basically building an overpass across Kellogg Lake and across the edge of the parks and
58 down the middle of the Trolley Trail, completely destroying any of the good that light rail
59 could bring to Island Station, was a design that would not survive a legal challenge. Section
60 4F of the Federal Code had a place for de minimis impacts. If someone could convince him
61 that what was planned for the Trolley Trail was even close to de minimis impacts, no legal
62 action would be taken.
- 63 • He noted that he has given testimony in many venues, but never accompanied by an
64 attorney; however, he was not just speaking for himself, nor was he anti-light rail. The legal
65 advice he has received is very accurate. He was not threatening the City, but wanted
66 answers to his questions.

67

68 **Chair Batey** stated that some of the issues raised would be the subject of the next Planning
69 Commission hearing on November 8, when mitigation and the light rail and Trolley Trail
70 relationship would be discussed.

71

72 **Mr. Poole** said he did plan to attend the hearing. However, there was no way to mitigate that
73 eyesore outside of redesigning it, which would take a lot of money and involve cleaning up
74 Kellogg Lake. He hoped that was the direction the light rail project would go, but TriMet did not
75 have the money for that. He appreciated Chair Batey's response.

76
77 **David Mealey**, 5111 SE Lake Road, Milwaukie, distributed a letter to the Commission that was
78 drafted with Marty Stivens, the planner he was working with, and addressed some concerns he
79 raised two weeks ago regarding the Residential Design Standards Project. He encouraged the
80 Commission to keep the Code simple, adding that the proposal presented by the Planning staff
81 was a simple one, as far as using the arterial roads, and the additional concerns regarding the
82 higher density zones.

83

84 **5.0 Public Hearings**

85 5.1 Summary: Ukrainian Bible Church CSU Major Modification

86 Applicant/Owner: Petr Buzhduga/Ukrainian Bible Church

87 Address: 11900 SE Stanley Ave

88 File: CSU-11-02

89 Staff Person: Li Alligood

90

91 **Chair Batey** called the hearing to order and read the conduct of quasi-judicial hearing format
92 into the record.

93

94 **Li Alligood, Assistant Planner**, clarified that the file number on the staff report, CSU-11-01
95 was incorrect; the file number on the agenda, CSU-11-02, was correct. She noted that the cited
96 Code sections in the staff report did not reflect the recent Code renumbering of Ordinance 2025.
97 She then cited the applicable approval criteria of the Milwaukie Municipal Code as found on 5.1
98 Page 7 of the packet, which was entered into the record. Copies of the report were made
99 available at the sign-in table.

100

101 **Chair Batey** asked if any Commissioners had any ex parte contacts to declare. There was
102 none. Chair Batey and Commissioner Churchill declared for the record that they had visited the
103 site. No Commissioners, however, declared a conflict of interest, bias, or conclusion from a site
104 visit. No Commissioners abstained and no Commissioner's participation was challenged by any
105 member of the audience.

106

107 **Ms. Alligood** presented the staff report via PowerPoint, reviewing the background, zoning, and
108 previous approvals of the site, as well as the proposed addition and its potential impacts.

- 109 • No comments were received from the Linwood Neighborhood District Association (NDA), the
110 Linwood NDA Land Use Committee, or any surrounding property owners, and staff received
111 no additional comments since the meeting packet was distributed to the Commission.
112

113 **Chair Batey** confirmed that no parking spaces would be lost due to the addition.
114

115 **Commissioner Churchill** noted that 5.1 Page 22 included a reference to a new footprint
116 addition of 1356 sq ft. However, the total square footage was 1356 sq ft, the actual footprint
117 would only increase by 305 sq ft, which should be corrected for the record.

- 118 • **Ms. Alligood** responded that narrative was submitted by the applicant; her analysis was
119 done with the correct numbers.
120

121 **Commissioner Gamba:**

- 122 • Noted the staff recommendation discussed reinforcing the current use as far as how much
123 the applicant was currently using.
- 124 • **Ms. Alligood** clarified this referred to both the number of people who could attend any
125 given service and how frequently those services occurred. Since 2007, there had been
126 limitations on service and use as noted on 5.1 Page 6 of the staff report. The church
127 currently had two Sunday services, one morning and one evening service, with
128 attendance limited to 300 people; a Thursday evening service, also limited to 300
129 people; a Friday prayer service, limited to 10 cars; and an understanding that between 5
130 and 10 special events such as weddings, baptisms, and religious holidays would occur
131 throughout the year with a maximum of 300 to 400 people in attendance.
- 132 • **Ms. Mangle** added those numbers were provided for the church in the original
133 application and used to conduct the traffic study, etc., but the numbers were not
134 reflected in the actual land use decision. When the minor modification related to building
135 form was approved in 2007, the numbers were formally included in the conditions of
136 approval of the minor modification to reflect the 2005 decision.
- 137 • **Ms. Alligood** explained the building was actually capable of accommodating more than
138 300 people, but the traffic study was based on 300. Increasing that number would
139 require a new traffic study and new major modification.
- 140 • Asked if the addition of the kitchen would enable more special events to occur.
- 141 • **Ms. Alligood** responded the addition was intended to serve the existing congregation
142 and facilitate events already being held at the site. It was not intended to increase the

143 number of congregants and the Applicant would still be restricted to the 5 to 10 special
144 events per year.

145

146 **Chair Batey** recalled there being some concerns from the neighborhood, either before or after
147 the 2007 modification, about parking overspill on Stanley Ave. The packet included something
148 about the agreement with the school, which the school said was a functioning agreement.

- 149 • **Ms. Alligood** responded that although there were some complaints regarding the first
150 service held at the new church, there had been no complaints since that time. There had
151 been some concerns about how the shared parking would function, but it appeared to be
152 functioning as it should.

153

154 **Chair Batey** called for comments from the Applicant.

155

156 **Dan Symons, 12805 SE Foster Rd, Portland**, stated he was the engineer that helped the
157 Applicant put the application together. He commended staff for their efforts in helping to ensure
158 the application met the approval criteria. He corrected that the Thursday evening service noted
159 on 5.1 Page 6 was actually a Wednesday evening service with the same hours of 7:00 p.m. to
160 9:00 p.m.

161

162 **Commissioner Stoll** stated that the restriction on the Friday prayer service of 10 cars seemed
163 quite restrictive and asked if that was adequate.

- 164 • **Mr. Symons** welcomed the opportunity to bump that up if it was open for discussion, but it
165 did force them to carpool, which was not a bad thing.

166

167 **Petr Buzhduga, 12537 SE Mt Scott, Happy Valley**, stated that the Friday prayer service was
168 mostly older people gathering together. The average was 10 cars, but sometimes it was more
169 and sometimes it was less.

170

171 **Commissioner Churchill** stated the restrictions usually noted a maximum so it would be
172 advisable to raise the number so the applicant would comply.

173

174 **Commissioner Gamba** believed the limitation of 5 to 10 special events, which included
175 funerals, weddings, and baptisms, seemed like a low number for the size of the congregation.

176 • **Ms. Mangle** reiterated that these numbers had been presented by the church in their
177 application and were the numbers used to assess level of activity, parking lot size, traffic
178 impacts, and for everyone to understand how it would fit in the neighborhood. Because
179 special events tend to go later in the evening, there was some sensitivity about some kinds
180 of special events.

181
182 **Commissioner Stoll** stated the number represented less than one event per month, and as
183 long as the Commission was visiting the numbers, it seemed kind of restrictive.

184
185 **Commissioner Fuchs** commented that if these numbers were included in the application and
186 more had not been requested, the Commission could assume the applicant did not desire to
187 increase the numbers.

188 • **Mr. Buzhduga** agreed that assumption was correct.

189
190 **Commissioner Churchill** asked if the applicant wanted to increase the maximum number of
191 cars for the Friday prayer meeting to more than 10.

192 • **Mr. Symons** responded they would entertain as much flexibility as possible, because
193 things change. He recommended the maximum number of cars allowed at Friday prayer
194 meeting be increased to 25.

195
196 **Chair Batey** called for public testimony in favor of, opposed, and neutral to the application.
197 There was none.

198
199 **Commissioner Fuchs:**

200 • Asked what percentage of addition triggered coming to the Commission for this kind of
201 application.

202 • **Ms. Alligood** responded that for a Community Service Use (CSU), any expansion of
203 floor area would require a major modification. Initially, it had been approved as an
204 unenclosed deck which would have been allowed outright, but because they were
205 adding floor area to the interior space, it triggered the application process.

206 • Stated this was so minor, she hated that the Applicant had to come to the Commission. For
207 future discussion, she asked that they consider allowing a Planning Director's decision for
208 proposals under a certain percentage of building coverage, such as 10% or 20%, as

209 opposed to a Commission decision. It seemed like a lot of work for the Applicant to do
210 something so small.

- 211 • **Ms. Mangle** added one other factor was that the original application had been highly
212 controversial within the neighborhood. The approval criteria were somewhat
213 discretionary, and she felt pretty strongly that the 3% expansion was enough that she
214 wanted to provide the opportunity for the neighbors and everyone to look at it and
215 understand it. She had erred on the side of caution.

216

217 **Chair Batey** called for the Applicant's rebuttal. Seeing none, she closed public testimony.

218

219 **Commissioner Churchill:**

- 220 • Stated it was important to note the conditions of approval, given the significant history of the
221 application. The increase of the maximum number of cars allowed for Friday prayer meeting
222 to 25 seemed to be a reasonable change. The Thursday evening service actually being a
223 Wednesday evening service also needed to be corrected on Attachment 2 on 5.1 Page 15.

224 The use could potentially change and other uses of the facility could have different impacts
225 to the neighborhood. He was glad to see no major opposition, no comments in the record,
226 no letters of opposition, and that the Linwood NDA Land Use Committee had no comments.

- 227 • **Ms. Mangle** noted for the record that Ms. Alligood had contacted [the Linwood NDA after
228 the deadline had passed just to make sure they knew about the application.

- 229 • Asked if the clarification on 5.1 Page 22 regarding the new footprint needed to be changed.
230 The document was provided by the Applicant, so should it be footnoted in staff's conditions
231 of approval?

- 232 • **Ms. Alligood** explained that the 2011 new expansion area was a more accurate
233 measurement in terms of dimensions.

- 234 • **Ms. Mangle** added that Finding 1 on 5.1 Page 9 referred to the 1,356 sq ft addition,
235 which was enough. She did not think the modifications needed to be footnoted. The
236 2011 New Expansion Area number on 5.1 Page 22 was correct, and the building plans
237 were correct. The correct number was referenced in the findings, which was enough of a
238 connection for the one anomaly to fade away.

239

240 **Commissioner Churchill moved to approve CSU-11-02 and TFR-11-01, correcting 5.1**

241 **Page 15 to reflect that the Thursday evening service was a Wednesday evening service,**

242 **and to change the maximum cars allowed for the Friday prayer service from 10 to 25**
243 **cars. Commissioner Stoll seconded the motion, which passed 5 to 0.**

244

245 **Chair Batey** read the rules of appeal into the record.

246

247 **6.0 Worksession Items**

248 6.1 Summary: Residential Development Standards Project update

249 Staff Person: Katie Mangle

250

251 **Ms. Mangle** stated the project schedule called for having a proposal ready, in theory, for a
252 hearing in December. However, with only one Commissioner on the steering committee, most
253 Commissioners were not familiar enough with the proposal to start thinking about hearings. The
254 light rail bridge was also occupying a lot of staff time, which limited discussion of another
255 project. Staff did have a proposal based on a lot of research, outreach to the community, and
256 debates with the steering committee. Staff would informally present the big ideas of the proposal
257 utilizing several handouts included in the packet that were developed for the open house held
258 last Thursday, October 20. Staff sought to identify the items the Commissioners would want
259 more information about or to continue discussing. She wanted to avoid undoing the diligent work
260 done by the steering committee, but did have three or four key issues she wanted to discuss
261 with the Commission. Staff hoped to have the Residential Development Standards ready for
262 public hearing in early 2012.

263

264 **Ms. Mangle** and **Ryan Marquardt, Associate Planner**, presented the proposed Residential
265 Development Standards, which were outlined and illustrated on separate pages provided in the
266 supplemental staff report. Staff reviewed each of the substantive categories, noting key issues,
267 steering committee discussions, and feedback from public outreach.

268

269 Discussion regarding the proposed standards and Code changes, including addressing
270 questions and feedback from the Commission, was as follows:

- 271 • Single-Family Dwellings Development Standards:
- 272 • Commissioners wanted to understand what the lot coverage percentage might look like.
- 273 • On single-family home expansions, larger lots would be subject to more stringent lot
- 274 coverage standards. Duplexes would be allowed an increase in lot coverage from the

275 base zone standard. An increase to the lot coverage standard would also be allowed
 276 for the addition of a detached Accessory Dwelling Unit (ADU).

- 277 • Massing issues, if not dealt with elsewhere, needed to be addressed.
- 278 • Commissioners supported changes in how building height would be measured.
- 279 • Staff was revisiting the issue of how different roof styles are measured. The current
 280 definition only took into account the classic pitched roof. Staff was borrowing definitions
 281 from other codes that had different measurements for gambrel, flat, and pitched roofs.
 282 The standards would expand the methods for measuring height, but the methodology for
 283 measuring a pitched roof would not change.

284 • Single-Family Design Standards:

- 285 • New family houses and additions that add more than 300 sq ft of floor area would trigger
 286 a design review.
- 287 • Staff was not considering any outright prohibitions on any building materials, such as T1-
 288 11, as part of the design standards. Instead, the use of certain materials would be
 289 encouraged by including them in the detail design list. Using brick or lap siding, for
 290 example, would get extra points.

291 • Multifamily Dwelling Housing Types:

- 292 • **Ms. Mangle** briefly reviewed housing typology and the challenges staff and citizens face
 293 in trying to build certain home types, like rowhouses, cottage clusters, and ADUs, with
 294 the existing Code. At the April workshop, staff heard pretty strongly that any form of
 295 housing should be encouraged that fit better into the neighborhoods.
 - 296 • The direction given by the community, and backed by the online survey, was to allow
 297 multifamily dwellings to take the shape of row houses and cottage clusters, not just
 298 apartment buildings. Even those most vociferously against multifamily development
 299 agreed to that point.
 - 300 • Additionally, the development standards should encourage home ownership
 301 wherever possible. One aspect of encouraging cottage clusters is that each cottage
 302 could be set on its own lot and owned. The City could not require the cottages to be
 303 owned, but in relaxing some rules to allow that form of development, the City was
 304 providing for the possibility of home ownership.
- 305 • How rowhousing was defined is important because this type of housing could be done
 306 well or poorly.
- 307 • **Commissioner Fuchs** shared some of her experience reviewing rowhouse
 308 development where rowhouses and condo developments were separated; half came in

- 309 condoized with the land underneath, and half came in as fee simple lots with some of the
310 area commonly owned.
- 311 • One interesting thing was that the City allowed rowhousing and cottage clustering
312 right now, if it was condoized or all rental, but these housing types were not allowed
313 as individual fee title lots. One proposed change was that both would still be allowed.
 - 314 • There would be rowhouse-specific development standards. The proposal would
315 limit only four in a row and include some specific development standards to
316 address access to the street. Allowing rowhouses on fee title lots would require
317 the City to change some lot coverage, setback, and some other development
318 standards.
 - 319 • **Commissioner Churchill** cautioned that was a bit of a slippery slope.
 - 320 • In response to the overwhelming support for allowing cottage clusters in multifamily
321 zones, the City would need to change how frontage improvements and their different
322 aspects were considered. Staff was relying on a model code for that section, so if
323 something did not see quite right, staff wanted to know about it.
 - 324 • In the lower density, single-family zones, the only change to typology would be allowing
325 detached ADUs. Currently, ADUs were allowed everywhere, but this change would allow
326 them to take the form of detached.
 - 327 • Multifamily Dwellings Development Standards; applicable to multifamily development in R-3,
328 R-2, R-2.5, R-1, and RB zones:
 - 329 • Side yard setbacks for larger multifamily development would be based on wall area; as
330 the façade gets larger, the building setback would increase.
 - 331 • Although the sidewall length could be moderated without affecting the apparent bulk and
332 mass from the street, multiple measures would be used, so it's important to understand
333 how those all came together.
 - 334 • Such measures address the compatibility for the neighboring lot as well as what
335 could be seen from the street. The façade size-dependent setback would apply to
336 multifamily and other commercial types of construction in those zones, and not to
337 single-family and duplex units, which would still have the same 5-ft setback with a bit
338 more required if the height increased.
 - 339 • Even with setbacks, a minimum 5-ft side yard setback would still be required. Further
340 discussion was warranted, possibly diagramming how this would look.

- 341 • Future discussion was requested about setback allowances when abutting lots were in
342 different zones. This had been a topic of some good discussion with the steering
343 committee.
- 344 • Staff should consider addressing the issue of grandfathering in conditions where an
345 existing building presents effectively a full blank face with minimal setback adjacent to
346 small single families. If modifications were proposed to a large apartment structure, part
347 of that might be to mitigate the impact to adjacent single families through the
348 encouragement of setback or modification of the large façade.
- 349 • Some apartment structures had limited life due to the quality of the construction and
350 would be coming up for a rebuild, providing the opportunity to steer those larger
351 apartment complexes toward the direction the City was heading. This would be a
352 modification of upper story units to reduce their apparent mass in a tradeoff for more
353 lot coverage in another area of the lot.
- 354 • Addressing remodels had not been discussed before, so should be discussed in
355 detail. As written now, all the residential standards applied only to new construction.
- 356 • A multifamily development could not also have an ADU.
- 357 • Encouraging parking to be put behind or under buildings was suggested; parking was
358 addressed in the design standards for multifamily.
- 359 • In Portland, cottage clusters had reduced onsite parking standards, which may be
360 something to address. It might be worth revisiting, and perhaps footnoting, the
361 successes or failures of what northeast Portland had done with regard to cottage
362 cluster development.
- 363 • At this point, no changes were proposed to any parking ratios.
- 364 • Under the proposed design standards for cottage clusters, although the ratio is the
365 same as other single-family development, the proposed Code would have the
366 parking for cottage clusters consolidated into one area of the lot, which was
367 borrowed from a model code. The parking ratio was 1.25 for multifamily and 1.0 for
368 single-family. The amount of lot frontage available for street parking was a factor in
369 the ratio calculation.
- 370 • Multifamily Dwellings Design Standards:
- 371 • More discussion was requested about allowing developers the option of an objective or
372 discretionary process.

- 373 • The concept was to make the clear and objective standards really stringent and have
374 some flexibility built into others so a project could be crafted to fit the site and the
375 needs of the neighborhood better.
- 376 • Meeting clear and objective standards for three or four row houses might be pretty
377 easy, but could be more difficult for some complicated apartment building
378 configuration.
- 379 • The objective process killed creativity and good solutioning around parking issues
380 and overall bulk and mass. As things scale up, the same standards could not
381 necessarily be applied. The Type I process tended to be very prescriptive, and
382 resulted in uncreative solutions, as opposed to having more discretionary input given
383 a site's constraints.
- 384 • The hope was that the Type II process would allow more flexibility for architects and
385 developers, while also allowing more of a window into the process for the
386 community.
- 387 • The Commission suggested the Type I process be very unattractive to developers
388 because all multifamily buildings should come before the Commission.
- 389 • Staff agreed to meet with Commissioner Churchill one on one and walk through the
390 multifamily design guidelines. Commissioner Gamba agreed to meet with staff to review
391 items he had noted, so they would appear in the next packet. All the Commissioners
392 were invited to contact staff about any questions, concerns or suggestions they had
393 when reviewing the proposed standards.
- 394 • Conditional Uses in Residential Zones:
- 395 • **Ms. Mangle** explained that following staff's presentation at the open house last week,
396 some direction from the Commission on this issue had changed. Everyone seemed to
397 agree that allowing more offices in the residential areas of the city was a reasonable
398 thing.
- 399 • She believed it was important to limit conditional uses in residential zones to
400 arterials and not consider collectors or other streets. Further discussion was
401 needed and the Commission had requested a map of affected streets. With such
402 a big and nontraditional change, it was important to limit the expectations to
403 arterials so everyone could understand the ramifications.
- 404 • Once conditional uses were opened up to collectors, the conditions were very
405 different; Johnson Creek Blvd is very different from 32nd Ave, which is very
406 different from Railroad Ave.

- 407 • All arterials are designed to handle more traffic and already had this pattern of
408 nonconforming uses and home occupations starting to sprout up.
- 409 • Staff also recommended limiting it to 2,000 sq ft, unless the request was to occupy
410 an existing building, in which case the Commission could allow the conditional use to
411 be larger, addressing the question about any remaining square footage in the house.
- 412 • The condition use criteria were very discretionary, so she agreed with David Mealey
413 that the Commission, who would be making the decision, would actually be able to
414 address the form, function, traffic impacts, etc., on a case-by-case basis.
- 415 • **Commissioner Churchill** said he still had some heartburn about arterials, which
416 needed to be carefully considered. He understood the perspective about collector streets
417 because expanding that opportunity on collectors would trigger more traffic and street
418 engineering challenges.
- 419 • He felt very strongly that the node concept was really the way to approach it. He
420 understood that had challenges and zoning impacts for staff, but they needed to
421 work backward from the ultimate goal and intent of the desired outcome and drive
422 from that standpoint, letting policy and procedure follow and support that concept. If
423 end-to-end commercial development was allowed in those zones, it would not be
424 pretty to look at in 15 or 20 years. The collector changes could happen later on, if
425 necessary. The first phase of development needed to be focused around major
426 intersections and nodes as opposed to being linear.
- 427 • Issues raised by Commission Churchill could possibly be considered in a separate case
428 file in six months or so, because the impacts of what they were dealing with right now
429 would not be seen in the next several months. It needed to be considered more
430 holistically in terms of what this discussion might look like in 15 or 20 years. This issue
431 could possibly be attached to the 32nd Ave and 42nd Ave Corridors discussion later.
- 432 • **Commissioner Churchill** strongly believed nodes could be formed along the existing
433 arterials. He felt very strongly that encouraging spot development all the way along the
434 arterials was not healthy for Milwaukie
- 435 • In some places, like on River Rd, the traffic situation was already so bad that it was
436 not appropriate to have anything that people would be going to in cars.
- 437 • Staff would note this as a major area for discussion. It was a minor part of the project, so
438 if hour-long worksessions were needed, it probably should not be included.
- 439 • Accessory Structures: Accessory Dwelling Units (ADUs)

- 440 • Commissioners supported the ADU concept, but wanted to understand what staff found
441 in their research of how other municipalities addressed ADUs.
- 442 • Further discussion was requested about the height of ADUs relative to the height of the
443 primary dwelling unit. Staff would confirm that the draft stated that the ADUs height was
444 limited to not taller than the primary unit.
- 445 • Further discussion was needed about the danger of ADUs massing the back of rear
446 yards and destroying the privacy of adjacent rear yard neighborhoods.
- 447 • Property owners are limited to one ADU and must choose either an attached or a
448 detached plan.
- 449 • Accessory Structures: General Standards
- 450 • Further discussion was needed about including temporary versus permanent structures,
451 removing some temporary tarps, retroactively, whether temporary tarps would be
452 grandfathered, how long they could stay, and if there should be a temporary permit
453 process for temporary structures, etc.
- 454

455 **Ms. Mangle** encouraged the Commission to tell others about the Residential Development
456 Standards project and to check out the materials online.

457

458 The Commission noted other items for future discussion as follows:

- 459 • The draft currently deleted the requirement that people with bees on City property must ask
460 all the neighbors, but the entire section on bees should be removed.
- 461 • The whole parking issue as it related to multifamily should be discussed to see about
462 creating incentives for attractive, off-street ways to deal with parking.
- 463 • **Commissioner Gamba** stated they needed to revisit parking in the near future.
- 464 • **Ms. Mangle** replied if there was something very important that the Commission wanted
465 to change, that should be discussed, but the change should be very targeted and
466 specific.
- 467 • The Commission had allowed some flexibility for diminished parking ratios close to transit.
468 “Close to transit” is defined as being within 1,000 ft of a high frequency bus stop or light rail.
- 469 • **Ms. Mangle** said the diminished parking ratios could be discussed, but she wanted to
470 make sure that the Commission was not expecting to change those parking ratios as
471 they moved through this project. If the Commission agreed something should be done,
472 they could do it, but she did not want it to be a distraction.

- 473 • **Commissioner Churchill** agreed, adding there were some very challenging parking
 474 conditions with regard to the logistics of a cottage cluster. It was hard to make a cottage
 475 cluster work without having parking central in the green area, unless there were very
 476 specific lot arrangements, but that killed the whole concept.
- 477 • **Ms. Mangle** assured that parking location was firmly in this project and addressed in
 478 many places, she was trying to be careful about the parking ratios.

479

480 **Ms. Mangle** stated that the plan for November was the light rail bridge. Staff would work to
 481 return in December for at least one good worksession on the standards. They would keep
 482 moving through the issues until the Commission believed the standards were ready. Staff hoped
 483 to start public hearings at the end of January/early February 2012. A Measure 56 notice would
 484 be done notifying every residential property in the city of Milwaukie about the hearings. Another
 485 open house would be done at that point so when people received the inflammatory mailing,
 486 people could attend the open house and not just all come to the hearing. She requested the
 487 Commission's help to assess when they were ready to do the mailing, because they did not
 488 want to do it prematurely.

489

490 **7.0 Planning Department Other Business/Updates**

491 **Ms. Mangle** announced that City Hall now had WiFi. Signs announcing the public logon,
 492 "comquest", would be posted around City Hall. Staff was having trouble getting the Design and
 493 Landmarks Committee (DLC) meeting posted on Granicus, so the Commissioners could watch
 494 it on a DVD, but it would be up by November 8. The Commission's November 8 meeting would
 495 stream live on Granicus. On November 7, the DLC would hold its first worksession in
 496 preparation for design review of the downtown light rail station and everyone was welcome to
 497 attend.

498

499 **8.0 Planning Commission Discussion Items**

500 **Ms. Mangle** responded to questions from the Commission about projects in the city as follows:

501 • The new bus shelters on Jackson St were going up slowly because of some contractor
 502 issues, but the project should be done soon. The old style shelters would be removed
 503 once the new ones were in place.

504 • The new restaurant, Milwaukie Kitchen and Wine, had all their permits from the City. It
 505 was allowed outright, and the frontage improvements were already done by the
 506 developer. She had no further updates than what was reported in the paper in terms of

507 opening.

- 508 • She had no new information regarding the mini-storage project on Harmony Rd.
- 509 • She thanked the Commissioners who attended the City Council Electronic Sign Code
- 510 hearing. It was an unprecedented level of Planning Commission participation in a City
- 511 Council hearing on a legislative action. Staff continued to receive questions from Council
- 512 and there was a sense that Council was edging away from the Commission's approved
- 513 standards. The Commissioners were encouraged to attend the next Council meeting on
- 514 November 1. There was not a sense of unanimity yet, just many questions and an array of
- 515 opinions about how restrictive the City should be with the Code. She confirmed Councilor
- 516 Chaimov was expected to participate in the meeting.

517

518 **Chair Batey** speculated that he may have a law firm conflict of interest.

519

520 **Commissioner Gamba** clarified that the Mayor received phone calls from businesses in the

521 North Industrial Area that would not make money by putting billboards on their buildings.

522

523 **Ms. Mangle** stated staff anticipated getting direction from Council on November 1 about the

524 direction they wanted to go, which was probably not for adoption as written. After receiving

525 direction, staff would draft it or return to the Commission based on that direction. Staff preferred

526 that the Sign Code return to the Commission rather than anything be radically changed without

527 Commission's participation. It was important to Councilor Chaimov and others that the decision

528 making process not disenfranchise either group and should be more of a collaborative process.

529

530 **Commissioner Gamba** understood arguments regarding the grandfather issue in that it was

531 not right for someone to invest money in something and then not be able to make money

532 because the law was changed; however, to utterly cave and allow more billboards to be erected

533 was selling out.

534

535 **Commissioner Churchill** opined that if Council had a position radically different from what was

536 approved by the Commission, Council and the Commission could possibly bring the Sign Code

537 back to a worksession for discussion and to understand each body's intent. If it were deemed

538 appropriate to have the decision made at Council, at least they would have had a worksession

539 about their concerns and everyone would have their voices heard.

540

541 **9.0 Forecast for Future Meetings:**

542 November 8, 2011 1. Public Hearing: WG-11-01 Kellogg Lake light rail bridge

543 2. Public Hearing: MOD-11-01 Trolley Trail for light rail

544

545 November 22, 2011 1. Public Hearing: WG-11-01 Kellogg Lake light rail bridge (*tentative*)

546 2. Public Hearing: MOD-11-01 Trolley Trail for light rail (*tentative*)

547 3. Public Hearing: CPA-11-02 Water Master Plan (*tentative*)

548

549 **Chair Batey** noted staff's comments that November was dedicated to the light rail project.

550

551 Meeting adjourned at 8:41 p.m.

552

553

554

Respectfully submitted,

555

556

557

558

559 Paula Pinyerd, ABC Transcription Services, Inc. for

560 Alicia Martin, Administrative Specialist II

561

562

563

564

565 _____
Lisa Batey, Chair



MILWAUKIE

Dogwood City of the West

To: Planning Commission

Through: Katie Mangle, Planning Director

From: Ryan Marquardt, Associate Planner

Date: December 6, 2011, for December 13, 2011, Worksession

Subject: Residential Development Standards Recommendations– Multifamily standards and Housing Typology (briefing 1 of 3)

ACTION REQUESTED

None. This is a briefing for discussion only. This is the first of 3 worksessions scheduled to prepare the Planning Commission for the first hearing on code amendments related to the Residential Development Standards project.

BACKGROUND INFORMATION

A. History of Prior Actions and Discussions

- **October 25, 2011:** The Commission was briefed on the proposed code amendments for the Residential Development Standards project and identified topics for further discussion.
- **October 11, 2011:** The Commission discussed one aspect of the project: conditional uses in residential zones.
- **September, 2011:** The Planning Commission discussed some aspects of the proposed multifamily design standards during a joint study session with City Council.
- **June, 2011:** The Planning Commission discussed some aspects of the proposed single family design and development standards during a joint work session with City Council.
- **October 2010:** Staff provided the Planning Commission with a project setup summary including the scope of work and project schedule, and discussed the formation of a Commission subcommittee to guide the project.
- **March 2010:** Staff provided the Planning Commission with a copy of the intergovernmental agreement between the City and the State of Oregon that commits

the City to prepare draft code amendments based on priorities that were identified in the 2009 *Smart Growth Code Assessment Final Report*.

- **October 2009:** Staff presented the 2009 *Smart Growth Code Assessment Final Report* to Council. Council concurred with the code amendment priorities identified in the report and requested that staff move forward with the next phase of the project.
- **August 2009:** Planning Commission reviewed and provided concurrence on the Action Plan presented in the 2009 *Smart Growth Code Assessment Final Report*.
- **July - August 2009:** Planning Commission held two worksessions to discuss the consultant's code assessment findings prepared during Phase I of the Smart Growth Code Assistance project.

B. Purpose of Worksession

At the October 25, 2011 worksession, staff presented an overview of an early draft of the code amendments for the Residential Development Standards (RDS) project. The proposed amendments would codify the policy recommendations that emerged from the public outreach and steering committee discussions. During the worksession, the Planning Commission identified items in the amendments for further explanation and follow-up discussion.

The information presented in this staff report is a brief overview of the topics to be covered during the worksession. Staff will expand upon the information in this report during the presentation at the meeting.

C. Adoption Schedule

Staff will ask for direction from the Planning Commission at the January 10, 2012 meeting about setting an initial hearing on February 14, 2012 for adoption of the RDS code amendments. At that point, the Planning Commission would have completed two worksessions on this project and would have one more prior to the hearing. The schedule of hearings and notices for this initial hearing date is shown in Attachment 1. Based on this schedule, the earliest the code amendments would be effective is early May 2012.

MULTIFAMILY DESIGN STANDARDS 2-TRACK REVIEW PROCESS

In the proposed code, multifamily development would be subject to a review process that follows 1 of 2 tracks. Both of the tracks are intended to result in good-quality design through standards about site layout, open space, and building placement and design features.

1. Objective Review

The objective track applies clear and objective standards to the proposed multifamily project, and follows a basic Type I administrative review. This process is intended to be a straightforward review where a planner reviewing the proposal can check-off whether the standard is met or not.

2. Discretionary Review

The discretionary review uses subjective criteria. The planner reviewing the permit needs to exercise some amount of discretion in determining if the proposal meets a criterion or

not. A discretionary review process would be a Type II review that includes public notice and a chance for comment.

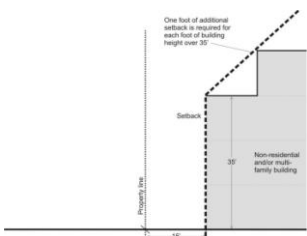
The standards in the objective review process are extensive. If a proposal can meet all standards, it allows for a relatively quick review process. The standards are stringent enough that only a good-quality development would be able to meet them. There are two situations where the discretionary review process would be used. The first is if a proposal cannot meet the standards in the objective review. This may occur on sites that are constrained by lot geometry, dimensions, or other site-specific circumstances. In this case, the discretionary process is intended to ensure that the intent of the various standards is met even if the objective standard is not. The second is if a developer chooses to use the discretionary process to allow greater freedom of design for a project. In this case a designer has more flexibility to design the project to meet the intent of the standards, rather than the actual standards themselves. The tradeoff for this flexibility is that the review includes more public participation and review to make sure the intent is followed.

The primary rationale for the 2 track process is that state law requires that housing developments within an urban growth boundary be reviewed against clear and objective standards. Having the objective process meets this requirement. The City could opt to have a single objective process and require a variance if the standards cannot be met. The proposed standards are attainable, though there may be instances where site constraints don't allow a standard to be met or a designer can provide a higher quality development if some flexibility is allowed. The addition of the discretionary process creates a middle-ground between requiring a variance application and simply requiring all standards to be met.

MULTIFAMILY DEVELOPMENT STANDARDS

A. Wall Area and Setback

The proposed amendments include setback standards that allow a building to be farther from the property line if it has a larger wall area. The intended effect is that buildings with large walls will be set back further, or that a designer can incorporate stepbacks to break up the building's mass. Small-sized portions of a building would be allowed to be closer to the property line (though no closer than current setbacks allow), while setting back the more imposing parts of the building. The height of the buildings is would be limited by the base zone height standard. The intent is to break up the mass of the building as illustrated in the graphics below.



B. Transitions

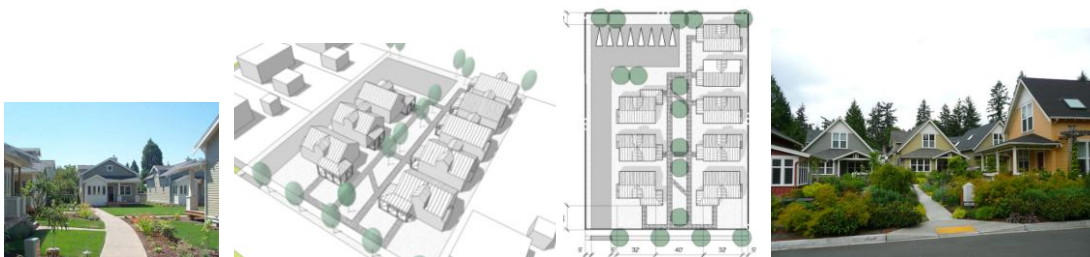
The proposed amendments include a standard that applies to transition areas between higher density and lower density zones. Where multifamily development abuts an R-10-, R-7, or R-5 zone, the height limits for the lower density zone would apply within 15-25 ft of the zone boundary. In the R-2, R-1, and R-1-B zones, this would result in the maximum height being reduced by 10 ft along the site's boundary.

C. Applicability of Design Standard to Existing Buildings

The multifamily design standards would apply to new development. Staff has not yet considered how the proposed design standards apply for modifications of existing multifamily development, and would like the Planning Commission's input on this point. The basic question is whether the City's policy should actively try to bring existing development into conformance as modifications and redevelopment occurs, or if existing development should be allowed to maintain nonconformities. Among the questions that remain to be answered are: what applicability triggers should be set, how this relates to the current rules regarding nonconforming development, and whether the design elements can be applied on an individual basis?

D. Examples of Cottage Cluster Development

The graphics below provide some examples of cottage cluster site layouts and development. Some of the standard cottage cluster elements include the dwellings being arranged around a central shared open space and having the parking located on the periphery of the site. Staff will bring more examples to the meeting.



HOUSING TYPOLOGY

A. Rowhouses

Rowhouses are a housing typology that is currently only allowed in a portion of downtown. They would be allowed more broadly in the medium and high density zones under the proposed code. Rowhouses are, by definition, attached single-family dwelling units. They are located on their own lot and have a fee-simple ownership, although there may also be a homeowner's association. The lots are typically narrow lots and have zero-lotline setbacks, allowing them to be attached. Some basic points about the proposed regulations for rowhouses are:

- A maximum of 4 attached rowhouses. Groups of 4 rowhouse could be located next to each other, but could not be attached.

- Rowhouses would be allowed outright. The land division to create them may require Planning Commission approval, but it is possible that some could be built on existing 25 ft by 100 ft lots.
- A transition between the public space of the sidewalk and the private space of the structure would be required. This could be a vertical transition, such as a stoop, or a horizontal transition such as a fenced courtyard setback from the sidewalk.
- Design standards for detached single-family dwelling would apply. These include standard for articulation, eyes on the street, and detailed design features.
- Parking would either be encouraged or required to be located on the back of the units. If it is included on the front of the dwelling, the lot width must be increased to provide space for on-street parking and to allow vegetated area in the front yard, which helps break up the expanse of driveways.

The photo on the left illustrates incorporation of a stoop to create a transition between the public and private realm. The middle photo illustrates a site configuration where garage access is provided by an alley at the back of the rowhouse. The photo on the right illustrates rowhouse lot widths that allow space for a single driveway and vegetated front yard area. The proposed regulations would require even wider lots to allow an on-street parking space in front of the rowhouse.



A. Fee-Simple Lots vs. Condominium Plat

In basic terms, a fee-simple lot is when an entity owns a structure and the land that the structure is built on. In a condominium plat, there are multiple structures or units owned by different entities, and the nearly all of the land containing the structure(s) is owned in common. The City does not regulate or have a role in approving a condominium plat.

The design and development rules that apply to single and multifamily development are not dependent upon whether there is a condominium plat or not. The basic rules are:

- Single-family detached dwellings, duplexes, and rowhouses on a lot are subject to single family development standards. There are some specific regulations that apply to duplexes and rowhouses that do not apply to other housing types in this category.
- Cottage clusters are subject to their own specific design standards. The proposed code requires that a new subdivision is the first step in creating a cottage cluster, which means that there is a fee-simple ownership.
- 3 or more dwelling on a lot is subject to multifamily development standards. Multifamily development may appear as a standard large building with multiple units inside, or it may appear similar to a rowhouse, groups of duplexes or

triplexes, or cottage cluster development. The key point is whether the units are on their own lot or if they are part of a larger site. For purposes of the zoning code, a condominium lot does not count as a “lot”. Buildings with three or more units on a lot are subject to the multifamily development standards whether the site and all buildings are owned by one entity or if the ownership has been divided by a condominium plat.

Staff will bring illustrations to the meeting to help explain the distinction in ownership type and how the proposed rules apply to each.

ATTACHMENTS

Attachments are provided only to the Planning Commission unless noted as being attached. All material is available for viewing upon request.

1. Draft Adoption Schedule for Residential Development Standard Code Amendments (attached)

REFERENCE MATERIALS

The materials listed below are suggested materials that Commissioners may choose to read in preparation for the worksession. They are available on the Residential Development Standards project website - <http://www.ci.milwaukie.or.us/planning/residential-development-standards-update-project>.

- **General Project Overview** (Main project page → Current and Proposed Policies → Proposed Policies → “Overview of proposed policies”;
http://www.ci.milwaukie.or.us/sites/default/files/fileattachments/overview_handouts_20_oct_2011.pdf)
- **Housing Typology** (Main project page → Current and Proposed Policies → Current Policies → “Housing Type by Zone”;
http://www.ci.milwaukie.or.us/sites/default/files/fileattachments/housing_type-zone_issue_illustration_1.pdf)
- **Multifamily design and development standards** (Main project page → Current and Proposed Policies → Proposed Policies → “Multifamily Residential Development and Design Standards”;
http://www.ci.milwaukie.or.us/sites/default/files/fileattachments/mfr_policy_summary_design_sept_20_11_final.pdf)
- **Self-guided infill housing tour** (Main project page → Demographic Trends and Housing Choices → “Infill Housing Self-Guided Tour”;
http://www.ci.milwaukie.or.us/sites/default/files/fileattachments/11_0421_self-guided_infill_housing_tour.pdf)
- **Illustration of Housing Prototypes** (Main project page → Demographic Trends and Housing Choices → “Illustration of Housing Prototypes”;
http://www.ci.milwaukie.or.us/sites/default/files/fileattachments/housing_choices_prototypes.pdf)



MILWAUKIE

Dogwood City of the West

To: Planning Commission

Through: Katie Mangle, Planning Director

From: Ryan Marquardt, Associate Planner
Zach Weigel, P.E., Civil Engineer

Date: December 6, 2011, for December 13, 2011, Public Hearing

Subject: File: CPA-11-02
Applicant: City of Milwaukie

ACTION REQUESTED

Recommend that City Council approve application CPA-11-02 and with the ordinance, findings, and amendments found in Attachment 1. This would adopt the 2010 Water System Master Plan as an ancillary document to the Comprehensive Plan and amend existing text related to water service within the Comprehensive Plan.

BACKGROUND INFORMATION

A. History of Prior Actions and Discussions

- **November 2010:** Staff briefed the Commission on the Water System Master Plan (WSMP). See Attachment 2 for minutes of this discussion.

B. Purpose of the Water System Master Plan

The WSMP serves several important functions.

1) Overview of Water System

The document includes a comprehensive description of the City's area of service; sources of water; agreements with other water districts; and water production, treatment, and distribution system. This information is necessary as a basis for projecting future water demand and planning infrastructure improvements.

2) Existing and Future Water Demands

The current quantity and patterns of water use are described, and the future use demands are projected based on land uses and build-out of areas inside the city and areas that may be annexed into the city.

3) Water System Improvements

The current quantity and patterns of water use are described, and the future use demands are projected based on land uses and build-out of areas inside the city and areas that may be annexed into the city. The improvements identified in the WSMP become the basis projects that are part of future capital improvement plans.

4) Water System Fees

The projects identified for the maintenance and improvements to the water system help to inform Council's decision to set the rates charged to water users as well as the system development charges assessed to new development.

5) Comprehensive Plan

The WSMP updates the information about water service in the Comprehensive Plan and allows a chance to reevaluate and update goals and policies about water service.

C. Role for Planning Commission Review

Land Use File #CPA-11-02 would adopt the WSMP as an ancillary document to the Comprehensive Plan and amend small portions of the text of the Comprehensive Plan. This is a Type V Legislative application that requires an initial hearing by the Planning Commission. The Planning Commission makes a recommendation to City Council about the approval of the application, and the City Council then holds a hearing to consider approval.

The City endeavors to adopt all of its master plans as ancillary documents to the Comprehensive Plan, and to amend the text of the Comprehensive Plan document to be consistent with the ancillary documents. This applies to utility master plans, infrastructure master plans such as the Transportation System Plan, and park master plans.

Though the process for adoption of master plans is the same, the role of the Planning Commission's review will vary for each type of plan. The Planning Commission's role tends to be the most limited in review of utility master plans such as the WSMP. The factors that limit the Planning Commission's role are:

- Technical Content

Much of the content of a utility master plan is technical data used to evaluate the existing conditions and needed maintenance and upgrades to a utility system. Most of this content is objective data and evaluation prepared by technical experts. The Planning Commission is welcome to ask questions and make comment on these sections. However, the City is not specifically seeking input on this content from the Planning Commission.

- Utility Fees and System Development Charges

The projects identified in a master plan inform the City about the costs of maintaining and improving its infrastructure, which influences the rates and charges associated with that utility. A master plan will include a section that either

establishes or provides the objective data for establishing rates and charges. This content is reviewed by the Citizen's Utility Advisory Board (CUAB) during preparation of a master plan. The CUAB is specifically tasked with acting in an advisory capacity to the City Council in review and enactment of future utility rates and capital improvement programs. While the Planning Commission is welcome to comment on these issues, the CUAB is given the primary role in commenting and advising on these sections. The actual enactment of new rates and charges is accomplished by the CUAB and City Council in a *separate process* following adoption of the master plan.

- Milwaukie's Growth Constraints

The most germane role for Planning Commission's review of a master plan is the plan's impact on growth and redevelopment. The provision of utilities can be a major factor in a city's growth and development, especially in areas where growth or redevelopment requires new infrastructure to be built. Milwaukie, however, is constrained by its paucity of buildable lands and by being surrounded by unincorporated areas that are already developed and served by urban utilities. The lack of buildable lands means that there is limited potential for new development to significantly increase the demands on existing utilities. Being surrounded by developed lands that are already served means that there is limited need to extend the City's utility infrastructure to serve these areas. As a result, master plans such as the WSMP do not have broad policy implications about the location of future growth and redevelopment.

Staff's assessment is that the WSMP does not have significant implications concerning future growth and development. The section that is most relevant to long-term policy is Chapter 8 – Evaluation of Future Water System. The recommended improvements listed in this chapter are:

- Dual Interest Area A and B Connection Projects

The WSMP identifies additional water pipe installation that would be needed if the City decides to take over water service in the Dual Interest Areas (DIAs) (see Figure 2-3 in Attachment 1, Exhibit B). The DIAs are unincorporated areas that lack wastewater service. The City and County have agreed that the City will be the wastewater service provider for these areas. The DIAs are currently served by Clackamas River Water (CRW). The City's current agreement is that CRW will continue to serve these areas; this policy will continue unless CRW and the City agree that the City should take over providing water service to the areas.

The WSMP does not change the status of any policies or agreements regarding the DIAs. These areas were included only to document what infrastructure would need to be built if the City becomes the water service provider in these areas.

- General Fireflow Improvements

These improvements are system-wide improvements that would increase the fireflow capacity. The increased capacity would result from upgrades to replace aging infrastructure.

The WSMP does not identify shortcomings with regard to Milwaukie's ability to produce water to meet use demands or fireflow demands. It also does not identify any problems

with the City's ability to provide service for any redevelopment allowed by adopted land use plans and zoning.

D. Comprehensive Plan Amendments

The proposal would amend those portions of the Comprehensive Plan that address the City's provision of water service. The proposed amendments are described below:

CHAPTER 5 - TRANSPORTATION, PUBLIC FACILITIES AND ENERGY CONSERVATION

Public Facilities and Services Element

Replace the 4 paragraphs under "Water Services" with updated text. The new text provides a current overview of Milwaukie's water service.

Objective #4 – Water Service

There are no amendments to the existing policies. A policy would be added that directs the City to pursue, and provide incentives for, water conservation to reduce overall water demand.

CHAPTER 6 — CITY GROWTH AND GOVERNMENTAL RELATIONSHIPS

Objective #2 — Urban Services Area

Policy 4: This policy lists service districts that operate within Milwaukie's Urban Growth Management Area (UGMA). The amendments would add Oak Lodge Water District #4, Sunrise Water Authority, and Portland Water Bureau to this list, as they are districts identified by the WSMP that have service areas with the UGMA.

Overall, the amendments to the Comprehensive Plan are minor and are focused on providing up-to-date and accurate information in the plan. The amendments would not affect any of the intergovernmental agreements or policies about relations with other service districts. The additional policy about water conservation does not direct the City to undertake specific action, but does establish a basis to support such programs in the future.

CONCLUSIONS

Staff recommends that the Planning Commission vote to recommend that the City Council approve r File #CPA-11-02. This will result in adoption of the 2010 Water System Master Plan¹ as an ancillary document to the Comprehensive Plan and limited text amendments to the Comprehensive Plan.

¹ The document is titled the "2010 Water System Master Plan". This is because the drafting of the plan took place in 2010 and the document cites data that was current at the time of writing. Even though the final draft of the plan and adoption process have continued into 2011, it is most appropriate to use 2010 for the date of the plan.

CODE AUTHORITY AND DECISION-MAKING PROCESS

The proposal is subject to the following provisions of the Milwaukie Zoning Ordinance, which is Title 19 of the Milwaukie Municipal Code (MMC).

- Subsection 19.902.3, Comprehensive Plan Text Amendments

The proposed amendments are subject to a Type V Legislative review, which requires both the Planning Commission and City Council to consider whether the proposal complies with the code sections shown above. For legislative actions, the Planning Commission assesses the application against the review criteria, evaluates testimony and evidence received at a public hearing, and makes a recommendation to City Council. City Council will hold another public hearing to consider the Commission's recommendation, evaluate any additional testimony and evidence, and make the final decision on the proposal.

The Planning Commission has the following decision-making options:

1. Forward a recommendation to City Council to approve the proposed amendments and ordinance as proposed.
2. Forward a recommendation to City Council to approve the proposed amendments and ordinance with modifications.
3. Continue the hearing to further evaluate the proposed amendments and ordinance.
4. Deny the proposed amendments and ordinance.

Because this application is a legislative proposal, there is no deadline by which the City must make a final decision on the application. The Community Development Director has set a goal for the City to adopt the WSMP by the early 2012 to devote staff resources to other projects.

COMMENTS

The WSMP is a technical document to guide the maintenance and improvements for the city's water infrastructure. The Milwaukie Citizen's Utility Advisory Board has been involved with the scoping of the plan and review of the document. The City Council has also been updated on the plan over the last few years. Their comments and feedback have been incorporated into the scoping of the plan and its content.

The City has provided notice of the hearings on the WSMP in press releases, emails, and on the City's website to invite the public to comment.

ATTACHMENTS

1. Draft Ordinance
 - Exhibit A: Findings of Approval
 - Exhibit B: 2010 Water System Master Plan (*viewable online only or by request*)
 - Exhibit C: Amendments to Comprehensive Plan
2. Excerpt from November 9, 2010 Planning Commission worksession minutes

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, TO ADOPT FILE #CPA-11-02 WHICH WILL ADOPT THE 2010 WATER SYSTEM MASTER PLAN AS AN ANCILLARY DOCUMENT TO THE MILWAUKIE COMPREHENSIVE PLAN, AND AMEND PORTIONS OF THE MILWAUKIE COMPREHENSIVE PLAN RELATED TO WATER IN CHAPTERS 5 AND 6.

WHEREAS, City Council passed Resolution #11-2010 to enter into a contract with West Yost to complete the 2010 Water System Master Plan; and

WHEREAS, the Milwaukie Comprehensive Plan, Chapter 5, Public Facilities and Services Elements, Objective #3, Policy 1 calls for the City to maintain a plan to identify needed facilities to support the land uses as shown on the Comprehensive Plan land use map and within the Urban Growth Management Boundary, and for such plan to be part of the Comprehensive Plan; and

WHEREAS, the Milwaukie Engineering Department has prepared the 2010 Water System Master Plan with input from the City Council, Citizens Utility Advisory Board, and Planning Commission; and

WHEREAS, the 2010 Water System Master Plan establishes projects for the water system that are necessary for the on-going provision of adequate water service to the city; and

WHEREAS, it is necessary to document future projects necessary for the on-going provision of adequate water service in order to determine the costs for maintaining the water system; and

WHEREAS, the City has filed a legislative land use application, File #CPA-11-02, for Comprehensive Plan Amendments, and processed that file as a Type V legislative application per the Milwaukie Municipal Code; and

WHEREAS, the Planning Commission held a public hearing on December 13, 2011 and recommended that the City Council approve the amendments proposed in File #CPA-11-02; and

WHEREAS, the City Council held a public hearing on January __, 2012 and finds the amendments are in the public interest of the City of Milwaukie;

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. Findings. Findings of fact in support of the proposed amendments are attached as Exhibit A.

Section 2. 2010 Wastewater Master Plan, ancillary document to the Comprehensive Plan. The 2010 Wastewater Master Plan in Exhibit B is adopted as an ancillary document to the Comprehensive Plan.

Section 3. Comprehensive Plan Text Amendment. The Comprehensive Plan text is amended as described in Exhibit C.

Read the first time on _____, and moved to second reading by _____ vote of the City Council.

Read the second time and adopted by the City Council on _____.

Signed by the Mayor on _____.

Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC

Pat DuVal, City Recorder

City Attorney

Document2 (Last revised 09/18/07)

**Findings in Support of Approval
Land Use File CPA-11-02**

1. The City of Milwaukie (“applicant”) has submitted an application for approval of a Comprehensive Plan amendment to adopt the 2010 Water System Master Plan (WSMP) as an ancillary document to the Milwaukie Comprehensive Plan. The applicant has also requested approval of amendments to existing text in the following sections of the Comprehensive Plan: Chapter 5, Transportation, Public Facilities, and Energy Conservation – Public Facilities and Services Element; and Chapter 6, City Growth and Governmental Relationships – City Growth Element.
2. A Comprehensive Plan amendment is subject to Milwaukie Municipal Code (MMC) Subsection 19.902.3, Comprehensive Plan Text Amendments and Subsection 19.902.4, Comprehensive Plan Map Amendments. The WSMP is subject to a Type V review per Subsection 19.1008, Type V Review because it adopts new text, amends existing text, and adopts maps that describe broad areas of the city.
3. The procedures for Type V Review have been met as follows:
 - A. Subsection 19.1008.3.A.1 requires opportunity for public comment. Opportunity for public comment and review has been provided. The Citizen’s Utility Advisory Board has held multiple meetings where the WSMP was discussed. The Planning Commission and City Council have each had a worksession that discussed the WSMP. Public notice in the form of email to the Neighborhood District Association, a press release, and information on the City website have publicized the Planning Commission’s hearing on the WSMP to encourage comment by any interested party.
 - B. Subsection 19.1008.3.A.2 requires notice of public hearing on a Type V Review to be posted on the City website and at City facilities that are open to the public. A notice of the Planning Commission’s December 13, 2011 hearing was posted as required on November 10, 2011.
 - C. Subsection 19.1008.3.A.2 requires notice be sent to individual property owners if the proposal affects a discrete geographic area. The WSMP is a document that is applicable to the entire city, and specific property owner notice is not required.
 - D. Subsection 19.1008.3.B and C require notice of a Type V application be sent to Metro and the Department of Land Conservation and Development 45 days prior to the first evidentiary hearing. This notice was sent to these agencies on July 6, 2011, in excess of the 45-day minimum requirement.
 - E. Subsection 19.1008.3.D requires notice to property owners if, in the Planning Director’s opinion, the application would affect the permissible uses of land for those property owners. The WSMP is a utility master plan and does not affect permissible land uses for property owners. As such, this notice is not required.
 - F. Subsection 19.1008.4 and 5 establish the review authority and process for review of a Type V application. The Planning Commission held a duly advertised public hearing on December 13, 2011, and passed a motion recommending that the City Council approve the Comprehensive Plan amendment. The City Council held a duly advertised public hearing on January ____, 2012, and approved the Comprehensive Plan amendments.
4. MMC Subsection 19.902.3.B establishes criteria for Comprehensive Plan amendments. Both the map and text amendments are subject to the same criteria. The proposed Comprehensive Plan amendment is consistent with this subsection as follows:

- A. Subsection 19.902.3.B.1: “The proposed amendment is consistent with the goals and policies of the Comprehensive Plan, as proposed to be amended MMC 19.902 governs the procedures for processing amendments.”

The Planning Commission finds that the WSMP is consistent with the goals and policies of the Comprehensive Plan as follows:

Chapter 5 – Transportation / Public Facilities / Energy Conservation: Public Facilities and Services Element

Objective #1—Priority

To ensure that adequate levels of public facilities and services are provided to existing City residents and businesses as a first priority as urban development or growth occurs.

Finding: The purpose of the WSMP is to allow the City to identify and budget for projects that will help the City maintain adequate wastewater service.

Objective #3 – Community Development, Policy 1: The City will maintain a Public Facilities Plan in conformance with other Plan elements and Statewide Planning Goals. The Public Facilities Plan is part of the Comprehensive Plan. The Public Facilities Plan will identify needed facilities to support the land uses as shown on the Comprehensive Plan land use map and within the Urban Growth Management Boundary.

Finding: The City does not have a consolidated Public Facilities Plan covering the City's entire infrastructure. The City has adopted various individual master plans that, in effect, substitute for having a consolidated Public Facilities Plan. Adopting the WSMP and other master plans as ancillary documents to the Comprehensive Plan furthers the intent of officially adopting the various master plans into the overall Comprehensive Plan. The WSMP identifies projects that are needed for the City to provide wastewater service based on current and planned land uses within Milwaukie's Urban Growth Management Area.

The WWMP does not impact the existing 1990 North Clackamas Urban Area Facilities Plan. This plan deals with the larger coordination of water services amongst agencies serving the North Clackamas Urban area, while the WSMP is focused on the operation and maintenance of Milwaukie's existing water infrastructure.

Objective #3 – Community Development, Policy 2: Public facilities improvements should be made as properties develop. These improvements shall be consistent with the land use map and Public Facilities Plan.

Finding: The WSMP supports this policy by establishing a methodology for establishing wastewater system development charge fees. These fees are charged at the time that development utilizes the wastewater system and the fee amount is proportional to the added impacts to the system.

Objective #4 – Water Service

Finding: This objective contains 6 policies related to water service. The WSMP is consistent with these policies and does not necessitate changes to the existing policies. A new policy is proposed that encourages programs and incentives to reduce water use.

Chapter 6 — City Growth and Governmental Relationships – City Growth Element

Objective #2 – Urban Services Area

Finding: The proposal is consistent with this section of the Comprehensive Plan in that it identifies all water service providers whose boundaries are within the Urban Growth Management Area (UGMA). It also identifies the scope of work that would need to be completed to make the City the water service provider to Dual Interest Areas A and B. The proposal does not change existing intergovernmental policies or agreements about these areas, but does provide information for the City's planning if the decision is made to make Milwaukie the water service provider in these areas.

- B. MMC Subsection 19.902.3.B.2: "The proposed amendment is in the public interest with regard to neighborhood or community conditions."

Finding: The WSMP establishes projects that need to be completed to continue to provide adequate water service. The proposed amendments to the text of the Comprehensive Plan would not change existing policy regarding water service or agreements with other agencies. The amendments further the public interest by enacting a document that will be used to improve the water infrastructure in a timely and cost-effective manner.

- C. MMC Subsection 19.902.3.B.3: "The public need is best satisfied by this particular proposed amendment."

Finding: The change will benefit the health and safety of the community by helping the City maintain a functioning water system. The WSMP does not commit the City to any future agreements or actions that would be detrimental to the community welfare.

- D. MMC Subsection 19.902.3.B.4: "The proposed amendment is consistent with the Metro Urban Growth Management Functional Plan and relevant regional policies."

Finding: The proposed amendments were sent to Metro for comment. Metro did not identify any areas where the proposed amendments were inconsistent with the Metro Urban Growth Management Functional Plan and relevant regional policies.

- E. MMC Subsection 19.902.3.B.5: "The proposed amendment is consistent with relevant State statutes and administrative rules, including the Statewide Planning Goals and Transportation Planning Rule."

Finding: The proposed amendments were sent to the Department of Land Conservation and Development (DLCD) for comment. DLCD had comments about the plan that were addressed by City staff in the proposal sent to the Planning Commission. DLCD did not otherwise identify any areas where the proposed amendments were inconsistent with State statutes and administrative rules.

5. The WSMP has been presented in its draft form to the public and various City bodies and departments. It was discussed by the Citizens Utility Advisory Board and this group has endorsed the Wastewater Master Plan for adoption. It was presented to City Council and Planning Commission at worksessions in 2009-2011. The WSMP has review and concurrence from the Milwaukie Engineering Department, Public Works Department, Community Development Department, Finance Department, and Planning Department.

ADDITIONS TO EXISTING COMPREHENSIVE PLAN TEXT ARE SHOWN IN DOUBLE UNDERLINE. DELETIONS ARE SHOWN IN STRIKEOUT.

CHAPTER 5 — TRANSPORTATION, PUBLIC FACILITIES AND ENERGY CONSERVATION

PUBLIC FACILITIES AND SERVICES ELEMENT

GOAL STATEMENT: To plan, develop and maintain a timely, orderly and efficient arrangement of public facilities and services to serve urban development.

Background and Planning Concepts

Water Services

Milwaukie meets all of its customer potable water demand through a system of groundwater wells, pumping stations, water treatment plants, reservoirs and distribution system piping. Seven wells provide all of the water for the City which averages 2.4 million gallons per day (mgd). Well No. 8 was placed into service 2009 and, combined with the other wells, the City can produce 7.3 mgd. Interties to the City of Portland and the Clackamas River Water (CRW) systems are maintained for emergency water supplies.

Water pumped from several wells is treated using stripping towers to remove Trichloroethylene. This compound is not detectable after treatment. Three water reservoirs provide storage with a combined storage volume of six million gallons. The network of reservoirs, pumping stations and distribution system piping has adequate capacity to meet both average and peak hour water demands in the City. This is the case for the existing development and for build-out of available vacant land.

Within the Urban Growth Management Area (UGMA) lie two areas known as Dual Interest Areas that are almost entirely surrounded by the City. These areas receive water service from CRW. The City water system has adequate capacity to serve the Dual Interest Areas for both existing development and for full build-out of available vacant land in the areas. The existing water system does not have adequate capacity to serve the entire UGMA. Serving the UGMA would increase the average build-out water demand from 2.5 mgd for the City to 7.3 mgd for the entire UGMA including the City.

~~Some of the existing piping in the City is over 50 years old and will need to be replaced. In addition, much of this old piping was not designed to provide the level of fire flows that are required by current City standards. A program for pipe replacement is planned which will provide new piping and will improve fire flows. Milwaukie has, in the past, had difficulty supplying all the water that residents require during the hot summer months. The City studied the problem and has constructed new water storage facilities and wells in the southeast portion of the City. With 7 deep wells and 6 million gallons of storage capacity, water resources are adequate to serve the City at full development. The distribution system operated by the City forms a service area bounded by Johnson Creek Boulevard on the north, Linwood Avenue on the east, Lake Road and Kellogg Creek to the south and Willamette River to the west. System improvements in the Island Station area were completed in 1982, completing a general upgrading of the distribution system to urban service levels begun in the early 1970's.~~

Proposed Code Amendment

~~Over the last 7 years major changes in water provision have occurred in the area east of Milwaukie. Two small districts have been absorbed: Clackamas Water took over Stanley and Milwaukie took over Wichita through annexation, adding almost 500 new water customers to the City.~~

~~As a result of Milwaukie's growth policies and the region's water needs, Milwaukie is in the process of renegotiating its intergovernmental agreements to address facility and service needs.~~

~~Milwaukie's water system is also facing aquifer contamination problems. In the summer of 1988, three of the City's seven municipal wells were found to be contaminated by trichloroethylene (TCE), an industrial solvent. The City closed down its wells and has contracted with the City of Portland for water supply. The City is cooperating with DEQ to determine if the contamination is of regional concern and is also exploring methods, such as aeration systems, to eventually return the City wells to use for water supply.~~

OBJECTIVE #4 — WATER SERVICE

To develop and maintain water services and cooperate with other agencies to provide an adequate and efficient provision of water services.

Policies

1. The City will maintain and safeguard groundwater as the primary water supply source for the community, but will also insure a reliable supply through the development and maintenance of alternate water sources for use during emergencies or periods of extremely high demand.
 2. The City will continue to develop water storage and well sources to ensure the availability of adequate water supply and water pressure in all areas of the City. Water pressure will be provided at standard pressures (40-100 lbs. per sq. inch) to all users whenever possible.
 3. The City will strive to be self-sufficient in meeting the water demands of its residents.
 4. The City will coordinate the development of water supply and storage facilities with the water distribution system to make maximum efficient use of all existing and future facilities.
 5. The City will participate in regional studies and programs aimed at defining water needs, demands and service delivery systems.
 6. The City will provide facilities, as necessary, to maintain an adequate level of water quality for all of its users.
 7. The City will encourage programs and incentives to reduce water use by customers of the City's water system.
-

CHAPTER 6 — CITY GROWTH AND GOVERNMENTAL RELATIONSHIPS**CITY GROWTH ELEMENT****OBJECTIVE #2 — URBAN SERVICES AREA**

4. The City will support the operation of existing service districts until such time as an area is annexed unless other contractual arrangements are made. Service districts operating within the Milwaukie urban service planning area are:
 - a. Clackamas County Rural Fire District #1
 - b. Clackamas River Water District
 - c. Clackamas County Service District #1
 - d. Clackamas County Urban Renewal District
 - e. Clackamas County Service District for Enhanced Law Enforcement
 - f. Clackamas County Service District No. 5 for Streetlights
 - g. Oak Lodge Water District #4
 - h. Sunrise Water Authority
 - i. Portland Water Bureau

**CITY OF MILWAUKIE
PLANNING COMMISSION
MINUTES
Milwaukie City Hall
10722 SE Main Street
TUESDAY, November 9, 2010
6:30 PM**

COMMISSIONERS PRESENT

Jeff Klein, Chair
Nick Harris, Vice Chair
Lisa Batey
Chris Wilson
Mark Gamba

STAFF PRESENT

Katie Mangle, Planning Director
Susan Shanks, Senior Planner
Ryan Marquardt, Associate Planner
Zach Weigel, Civil Engineer
Damien Hall, City Attorney

COMMISSIONERS ABSENT

Scott Churchill

1.0 Call to Order – Procedural Matters

Chair Klein called the meeting to order at 6:33 p.m. and read the conduct of meeting format into the record.

2.0 Planning Commission Minutes – None**3.0 Information Items – None**

4.0 Audience Participation –This is an opportunity for the public to comment on any item not on the agenda. There was none.

5.0 Public Hearings– None**6.0 Worksession Items**

6.1 Summary: Water Master Plan
Staff Person: Ryan Marquardt

Ryan Marquardt, Associate Planner, reviewed the purpose for having the Water Master Plan (Plan) and the process for adopting the Plan as a legislative amendment to the Comprehensive Plan. The Plan would come before the Planning Commission for public hearing sometime in 2011. The Citizen Utility Advisory Board (CUAB), established by City Code and advises the Council about utility rates and capital improvement projects, had already looked at some of the work for the Plan and would continue to be involved. Council had already looked at the scope and request for proposals and would make the final decision on the Plan's adoption.

Zach Weigel, City Engineer, presented the Plan, which included an overview of the City's water system and an explanation about why the City was doing a new Plan, rather than an update of the existing plan. He also discussed the work being done by the consultants.

Staff responded to comments and questions from the Commission as follows:

- Daily usage figures were not available at this meeting but would be provided at a later date.

- The City had actually seen a 1-2% overall decrease in water usage over the last 15 years, compared with a population increase of about 1% per year. The City did not have water usage broken out by commercial versus residential.
- About 11% of the water the City produced was unaccounted for according to usage records. The difference was due to leaks, fires, for which water was not metered, and other anomalies. This information was based on only the last 2 years of data; the meter at Well 5 was installed wrong which negated generating accurate information from data collected in prior years.
- Staff was basing the projected increase in water needs strictly on land use data, not population growth. The consultants were asked to include data for both buildable and underutilized lands to determine future water demands.
 - The current zoning was used to determine water demand, not possible future zoning changes. Underutilized lands included parcels which were zoned for higher density, but currently developed at a lower density.
- The Urban Growth Management Area (UGMA), a theoretical planning area, was currently served by Clackamas River Water. The City had an agreement with the County to coordinate on development and providing services there when needed.
- Water use from other providers through interties only occurred during emergency situations and was rare. All 7 wells were currently operational and had been for the past 2 years. All the wells were on the Troutdale aquifer.
- The consultants would not be testing for leaks; that was already being done by City maintenance staff.
- The existing system was a conglomeration of about 4 different systems that the City had acquired over time. It was quite old with a lot of cast iron, steel pipes, and lead joint pipes. Areas with lead joint pipes would be put into the database to determine whether they would be replaced.
- The Troutdale aquifer was 300 sq miles, covering most of Multnomah and Clark counties. The only other user was the City of Portland for their emergency back-up wells.
 - The water quality person in the City's Operations Department had reported that they do keep data on the stability of the aquifer's level, and it had been stable.
- The consultants were looking at above-ground issues, existing systems, and projecting what improvements would be needed for the City to provide water service in the future. They were also building a hydraulic model, which was where most of the \$200,000 in consulting fees had been spent.
 - West Yost Associates had been chosen from among four consulting proposals received as a result of a Request for Qualifications. Proposals were ranked based on a scoring system by the Water and Engineering Departments and West Yost received the top score. All the proposals had been similarly priced.
- With regard to stormwater management, which was not part of this Plan:
 - Removing or replacing drywells or drainage wells within a certain distance of the City's water wells was an ongoing project. The drywells needed to be replaced with a pipe system, which was very expensive. Stormwater could not be put into an underground injection control (UIC) device. A drywell was a UIC, and they were all old. The City was slowly coming into EPA compliance. All the UICs were mapped. Drywell replacements were not part of the Plan.
 - Bioswale systems were an option for piping stormwater. There was no clear definition of a UIC versus a swale. Stormwater could be treated and then put into a pipe system through a swale in any area within a 2-year travel time from the surface to the

groundwater table in the zone of a well. A swale could be a problem if the water entering it was not already clean. The 2-year travel time defined the geography.

- Portland, which was situated over the aquifer, was installing bioswale systems. Milwaukie had adopted Portland's stormwater manual and was following those policies, although Portland was not on a well system.
- The 2-year issue regarded stormwater close to actual well points. Maps showed where the 2-year time of travel applied. The City could do infiltration treatment swales in those areas, but it would have to be approved by DEQ.
- It was significantly cheaper to do swales rather than piping for stormwater.
- The Plan was intended to establish a baseline, understand how the water system worked, and project future needs. Micro-generators, which would generate electricity at the point of outflow from the treatment plants, could be addressed in a separate report. The Plan would not preclude the City from doing that.
- The consultants had preliminary numbers indicating peak hours and seasons of demand. That chapter was being completely rewritten. The highest usage was in August due to irrigation.
- The Plan would not include information on plans for grey water systems or rain water collection systems that the City could require of City buildings, as well as industrial and residential properties that would alleviate the peak usage. Those items could be addressed separately if staff was so directed.
 - Those issues applied to more than just stormwater. If fresh water currently used for irrigation could be replaced with reclaimed stormwater, future fresh water needs could be greatly reduced.
- As part of the City's Comprehensive Plan, this Plan should include discussion about conservation as a policy goal as well as the more efficient use of water.
- Fresh water usage had decreased in the last 20 years, and projections were being based on maximum build-out, which may or may not occur in the next 20 years.
- The Plan was not just a report, but a plan for maintaining the current water system. The scope was not just to draw conclusions and data, but to provide recommendations and management tools to help City staff continue the modeling and continue to address development review.
- Staff sought questions and feedback from the Commission about the Plan to help determine what could still be incorporated into the Plan itself, what might need to be in the Comprehensive Plan policies, and what might be entirely different projects or programs at some point in the future. Comments about water conservation, etc., were valuable.
 - The purpose of the worksession was to start the discussion and get ideas on the table so staff could figure out how to address them before returning to the Commission for a recommendation.
- The Wastewater Master Plan would be another active Master Plan to come before the Commission in a few months. Stormwater management was not being addressed at this point.
- Conservation and redirection of wastewater needed to be addressed in the big picture. The 1% reduction in consumption was likely due to conservation, which should be taken into account in the Plan.
- The Plan should address billing. Water usage was currently a small percentage of the water bill compared to user fees and sewer charges. Billing was not necessarily based on consumption. City sewer bills were based only on winter usage, because summer usage involved so much lawn watering. A billing policy change by the City to financially encourage conservation would go a long way toward accomplishing results.

- Tankless heaters, low-flow showers and toilets would continue to increase if incentives exist for citizens and developers to add them.
 - Staff would consider where conservation goals and sustainability incentives could be best addressed, whether in the Plan or Comprehensive Plan where the utilities section would be updated.
 - The City should likely be setting policy for sustainability and conservation in other areas, such as building practices, and review information and incentives so that the City is doing more in different areas.
 - **Ms. Mangle** noted the email she sent inviting the Commissioners on a ride-along with Don Simenson for an interesting tour of the City's water system. He really knows the system and could probably answer a lot of their questions.
 - The consultants' contract was originally scheduled to end in November, but was extended to February 2011. A lot more work had to be done on the hydraulic model than anticipated.
 - Regarding Item 6.2.3 Abandon Obsolete Water Mains and Transfer Services on 6.1 Page 8 of the packet, new water mains had been installed 10 to 20 years ago but the services were not transferred. There had been political uncertainty whether the City wanted to be the main service provider for many different services, and this was part of that issue. The City was now in the process of switching over to the new mains. The redundancies would be abandoned; most were old, 4-in water mains in poor condition.
 - Staff would return when they had actual figures to share, as well as information on the age of the system, where lead joint degradation was most prevalent, and numbers on water volume so they could quantify the 11% loss.
 - The Commission also wanted to see work on revising billing practices to place more emphasis on lowering consumption to incentivize users to conserve. The City was not currently promoting conservation.
 - While conservation would affect the needed supply, it would not impact the size of the City's water mains or storage needed, which was based on fire flow.
 - The City's past problems with billing were still being sorted out, but a lot of progress had been made. Commercial accounts were complete and residential accounts were being addressed. Citizens would receive personal contacts regarding corrections.
- 6.2 Summary: Land Use and Development Review Process Tune-up (Briefing #6): Review Conditional Uses, Variances, Nonconforming Situations, Amendments, Development Review, and Procedures draft chapters
 Staff Person: Susan Shanks

Susan Shanks, Senior Planner, distributed the PowerPoint handout "Land Use and Development Review Tune-up" dated November 9, 2010, highlighting the key policy changes made to Title 19. She briefly noted the reorganization of several chapters, noting the bulk of the changes included new Milwaukie Municipal Code (MMC) Chapters 19.800, 19.900, and 19.1000.

- Staff sought feedback from the Commission about four primary policy topics, which were discussed in detail with the subcommittee, Commissioners Batey and Gamba, last week. Asterisks within the PowerPoint denoted the policy items for discussion by the Commission.
- She noted the Code project was a team effort, and introduced consultant Sarah Breakstone of the Angelo Planning Group, whose work was funded by the TGM Grant, and Ryan Marquardt, Associate City Planner.

Ms. Shanks reviewed the key policy changes to the following Code chapters with discussion



To: Planning Commission

Through: Katie Mangle, Planning Director

From: Brett Kolver, Associate Planner

Date: December 6, 2011, for December 13, 2011, Worksession

Subject: Upcoming Updates to Transportation System Plan (TSP)

ACTION REQUESTED

None. This is a briefing for informational purposes only. This briefing is in anticipation of an upcoming hearing on proposed amendments to the Transportation System Plan, an ancillary document to the Comprehensive Plan. A public hearing on the proposed amendments is tentatively scheduled for January 24, 2012.

BACKGROUND INFORMATION

The Milwaukie Transportation System Plan (TSP), the City's long-term plan for transportation improvements, includes policies and master plans for the pedestrian and bicycle networks, the auto street network, public transit, freight, and downtown parking. It also provides street design cross sections and an action plan for neighborhood traffic management. The TSP establishes transportation policy direction and serves as a guide for capital improvement projects and development review.

The most recent TSP update was completed in 2007, before TriMet's Portland-to-Milwaukie Light Rail project got underway. In 2008, the City endorsed the light rail alignment and selected the downtown station location. Since then, staff has worked with the community to refine the plan for circulation in downtown through the South Downtown planning and light rail design efforts. As a result, the City needs to amend the TSP to incorporate the final light rail alignment and station location, as well as to update some street classifications and improvement projects, so the TSP reflects what the community has asked TriMet to build.

The TSP will be more comprehensively revised in 2012, in accordance with regional requirements to maintain consistency with the Regional Transportation Plan. The changes that will be presented to the Planning Commission in January 2012 are much smaller in scale and focus entirely on small adjustments that are essential to the continued progress of the light rail project. The schedule for this package of amendments is designed to ensure that the City can

impose its requirements on TriMet in time for the 100% plan review and issuance of any construction permits.

History of Prior Actions and Discussions

- **November 2007:** Planning Commission recommended adoption of the updated TSP.
- **December 2007:** Current TSP adopted by City Council (Ord. 1975).

PROPOSED UPDATES

Since the light rail alignment and station location were selected in 2008, the City has engaged community members to influence the urban design of the project and make decisions about how to improve access to the station. As a result of these discussions, the City is requiring TriMet to construct street improvements in the vicinity of the station and also requiring that some project improvements incorporate future capital projects. To truly impose these requirements, the City's TSP and Public Works Standards should clearly reflect these elements.

The following is a list of elements that the City is requiring TriMet to incorporate into the light rail project, but which require amendments to the TSP:

- Design the Kellogg bridge and all road improvements to accommodate a bike-pedestrian bridge.
- Construct the crossing at Harrison St to accommodate future bike lanes.
- Construct the crossing at Monroe St to accommodate a future bike boulevard.
- Reconstruct 21st Ave between Washington St and Lake Rd to guide pedestrians and cyclists safely through the station area.
- Reconstruct Main St between 21st Ave and the trestle as a slow, pedestrian-oriented road that allows for two-way traffic.
- Reconstruct the intersection of 21st Ave and Lake Rd to maximize bike and pedestrian safety near the station, and allow (slow) two-way traffic on Main St.

The following figures and tables will be updated to enable implementation of the above-listed elements (see Attachment 1, Sample Figures, "strikeout" versions with commentary):

- **Pedestrian Master Plan (Figure 5-1 and Table 5-1)**
 - Add Kellogg bike-ped bridge as new project.
- **Bike Master Plan (Figure 6-2 and Table 6-2)**
 - Harrison St – Show proposed bike lanes from Hwy 224 to 21st Ave.
 - Monroe St – Remove shared facility designation.
 - Washington St – Remove shared facility designation.
 - 21st Ave – Remove proposed bike lanes between Lake Rd and Harrison St, leave as shared facility.
 - Lake Rd – Remove proposed bike lanes between 21st Ave and Main St.
 - Add Kellogg bike-ped bridge as new project.
 - Add proposed dam removal and bike-ped connection under Hwy 99E at Kellogg Creek as new project.

- **Public Transit Master Plan (Figure 7-3)**
 - Show final light rail alignment and station site.
- **Functional Classification Map (Figure 8-3b)**
 - Lake Rd – Change classification from "Arterial" to "Local" under bridge between Main St and 21st Ave.
 - Main St – Change classification from "Collector" to "Local" between Lake Rd and Washington St.
 - Adams St – Change classification from "Collector" to "Local" between Main St and 21st Ave.
- **Auto Street Network Master Plan (Figure 8-4)**
 - Show new intersection realignment project at Lake Rd & 21st Ave.
- **Executive Summary (Chapter 1)**
 - Update Figure 1-1 (Composite Master Plan) to reflect all significant changes made in Figures 5-1, 6-2, 7-3, 8-3b, and 8-4.
 - Figures 1-2, 1-3, 1-4, and 1-5 are copies of Figures 5-1, 6-2, 7-3, and 8-4, respectively. Update them to reflect corresponding changes made to primary figures.
- **Appendix B – Prioritized Master Plan Project List**
 - Expand existing "Kronberg Park Trail" project to include new bike-ped overpass over Kellogg Creek in conjunction with light rail bridge. Move from Low Priority to High Priority and rename to "Kellogg Creek Trail at Kronberg Park."

NEXT STEPS

The proposed amendments are minor, and any policy changes reflect actions already taken by City Council or the Planning Commission. All of the project elements being addressed by the amendments have been presented during light rail open houses and public meetings. Amendments related to the Bicycle Master Plan were developed with the assistance of Milwaukie's cycling community. The draft maps and amendments will be presented at the City's Monthly Light Rail meeting in January 2012, and electronically on the MilwaukieBikes listserv. A public hearing on the amendments is tentatively scheduled for January 24, 2012.

ATTACHMENTS

1. Sample Figures ("strikeout" versions with commentary)
 - a. Figure 1-1, Composite Master Plan
 - b. Figure 5-1, Pedestrian Master Plan
 - c. Figure 6-2, Bicycle Master Plan
 - d. Figure 7-3, Public Transit Master Plan
 - e. Figure 8-3b, Functional Classification
 - f. Figure 8-4, Auto Street Network Master Plan

CITY OF MILWAUKIE
Transportation System Plan
FIGURE 5-1
PEDESTRIAN MASTER PLAN
 December 2007

LEGEND

Existing Sidewalks	Proposed Improvement
Orange line: < 5 ft. Width	Green line: Pedestrian Facilities
Blue line: 5 ft. - 10 ft. Width	Yellow circle: Pedestrian Intersection Safety Improvement
Blue dotted line: Springwater Trail	Pink dotted line: Trolley Trail
Purple dotted line: Kellogg Creek Trail	
Black triangle: Schools	Dashed line: County Line
Grey line: Major Roads	Green area: Parks
Thin grey line: Streets	Blue area: Water
Black line with cross-ticks: Railroad	Yellow outline: City Limits
Brown line: 10' Contours	

PROPOSED PROJECTS

Improve Intersection to Increase Pedestrian Safety

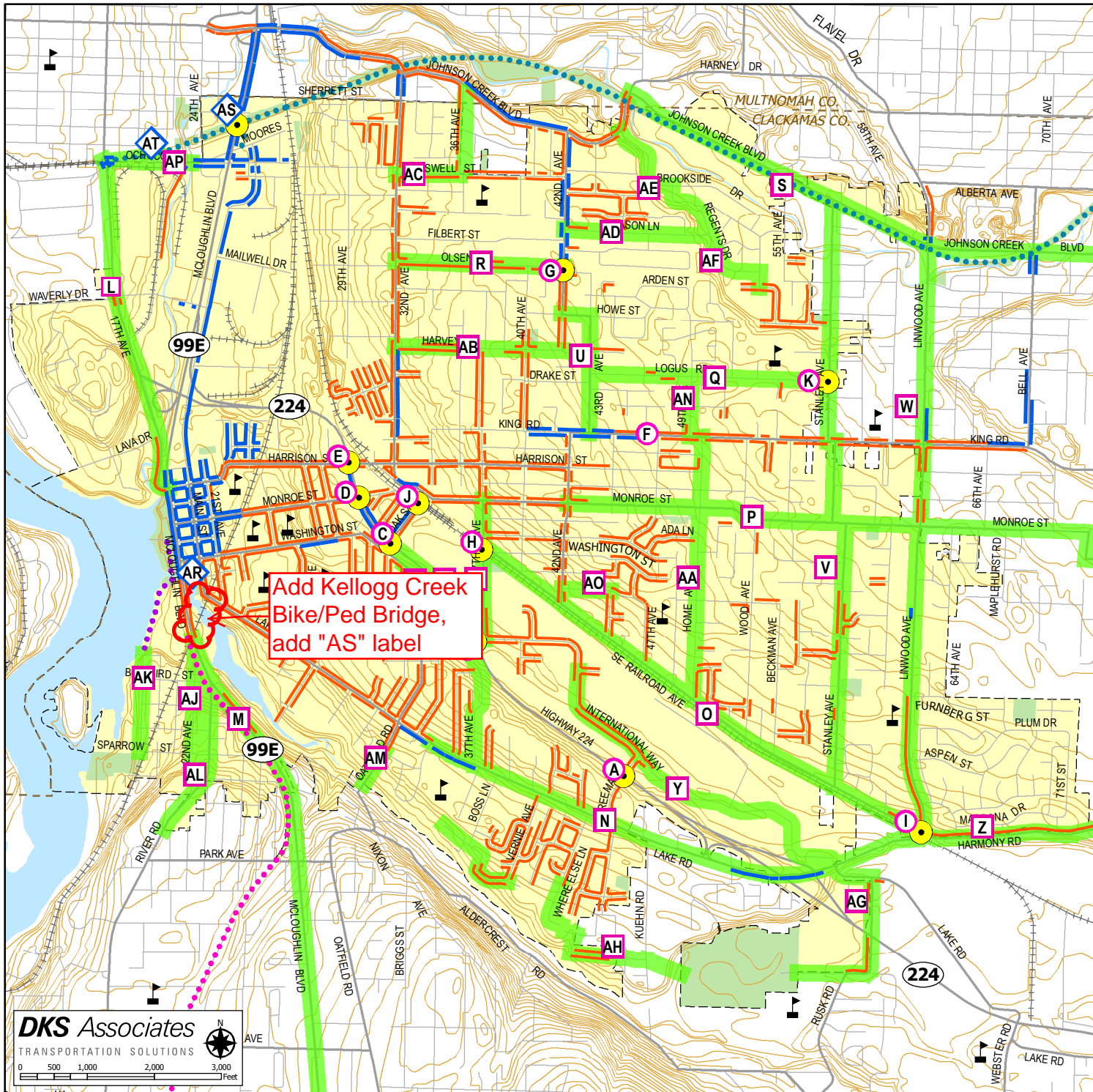
- (A) Freeman Way/HWY 224
- (B) 37th Ave/HWY 224
- (C) Oak St/HWY 224
- (D) Monroe St/HWY 224
- (E) Harrison St/HWY 224
- (F) King Rd crossing improve
- (G) Olsen St/42nd Ave
- (H) Railroad Ave/37th Ave
- (I) Harmony Rd/Lake Rd
- (J) Oak St/railroad tracks
- (K) Stanley Ave/Logus Rd

Enhance Existing Pedestrian Connection

- (AR) Construct pedestrian underpass under HWY 99E at Kellogg Creek
- (AS) Improve ramp at Springwater Trail/HWY 99E
- (AT) Complete Springwater Trail along Ochoco St

Project Relabeling:
 Projects currently present are circled in red. See Table 5-1 for L - AQ project descriptions.

Handwritten Annotations:
 - Red box: "Add Kellogg Creek Bike/Ped Bridge, add 'AS' label" (pointing to project AR)
 - Red box: "Add AR and AS to this list" (pointing to project AR)
 - Red box: "Relabel AT & AU, respectively" (pointing to project AT)





Transportation System Plan

FIGURE 6-2

BICYCLE MASTER PLAN

December 2007

LEGEND

Existing Bicycle Facilities	Proposed Improvements
Shared Facility	Bicycle Intersection Safety Improvement
Bicycle Lane	Bicycle Corridor Enhancement
Springwater Trail	Bike Boulevard
Kellogg Creek Trail	Bicycle Lanes
Schools	Trolley Trail
Major Roads	County Line
Streets	Parks
Railroad	Water
10' Contours	City Limits

PROPOSED PROJECTS

Improve Intersection to Increase Bicycle Safety

- A** Adams St/21st Ave/Railroad Crossing
- B** Johnson Creek Blvd/Springwater Trail
- C** Johnson Creek Blvd/Linwood Ave
- D** Linwood Ave/King Rd
- E** Linwood Ave/Monroe St
- F** Linwood Ave/Harmony Rd
- G** Washington St/Oak St/HWY 224
- H** International Way/Lake Rd

Provide Bicycle Lanes Where not Currently Present

- I** Harrison St from HWY 99E to 21st Ave
- J** Lake Rd from Main St to Guilford Dr
- K** Oakfield Rd from Guilford Ct to Lake Rd
- L** Harrison St from HWY 224 to 42nd Ave
- M** 37th Ave from ...
- N** Railroad Ave from ...
- O** 43rd Ave from ...
- P** Linwood Ave from ...
- Q** Linwood Ave from ...
- R** Rusk Rd from ...
- S** Main St from Harrison St to Moores St
- T** 21st Ave from Harrison St to Lake Rd

Enhance Existing Bicycle Connection

- U** Install Bike Boulevard treatments at various locations
- V** Construct bicycle overpass from Railroad Ave to International Way
- W** Improve Springwater Trail paving
- X** Improve Kellogg Creek Trail
- Y** Install Trolley Trail signage
- Z** Fill in gaps in existing bike network with bike lanes or multiuse path.
- AA** Improve intersection safety on 17th Ave at HWY 224 and at 99E.
- AB** Improve ramp at Springwater Trail/HWY 99E
- AB** Complete Springwater Trail along Ochoco St

Add McLoughlin Blvd bike/ped underpass, label as "AD"

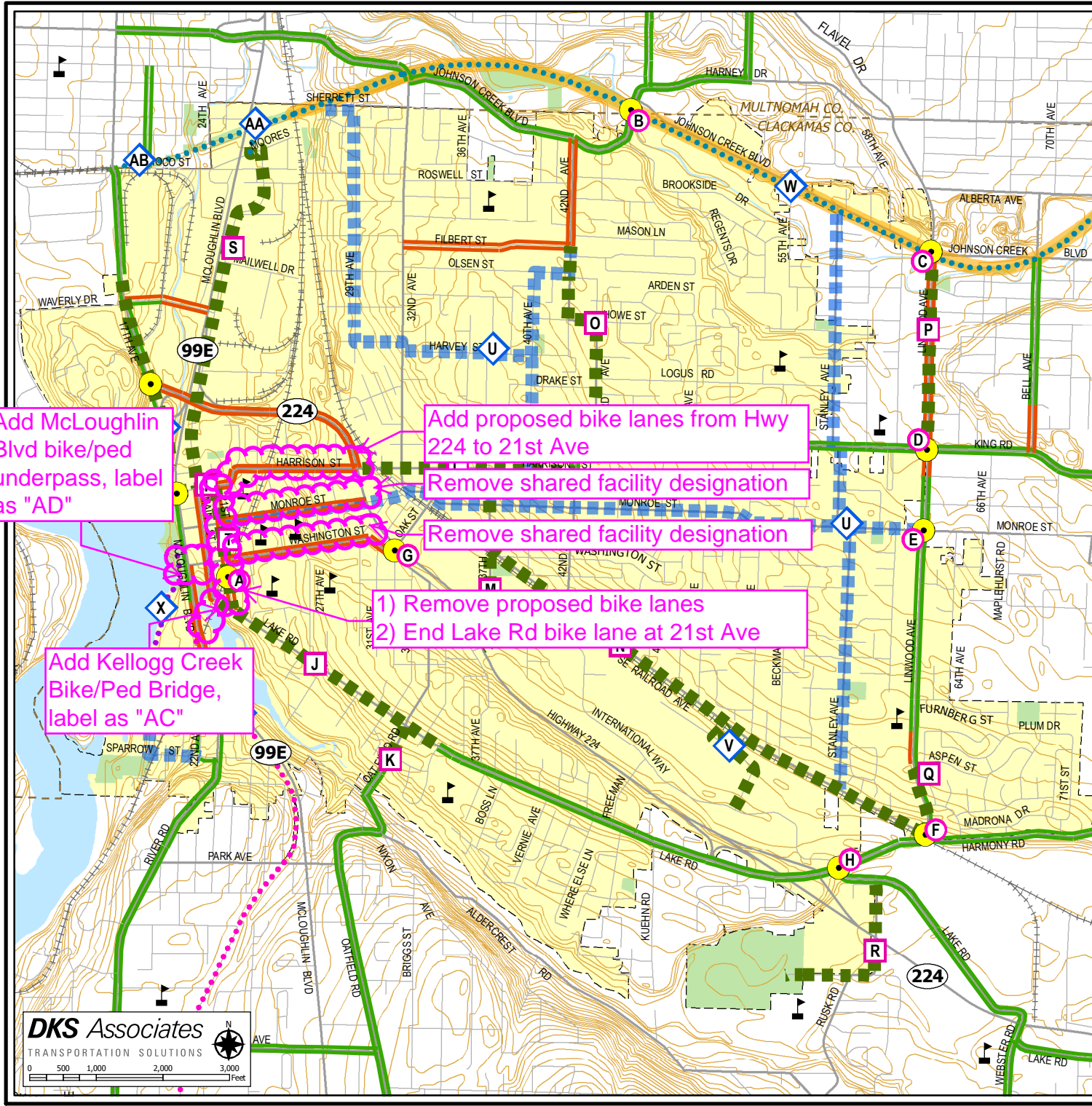
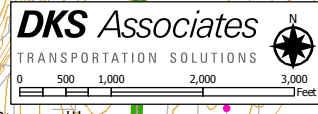
Add proposed bike lanes from Hwy 224 to 21st Ave
Remove shared facility designation

Remove shared facility designation

1) Remove proposed bike lanes
2) End Lake Rd bike lane at 21st Ave

Add Kellogg Creek Bike/Ped Bridge, label as "AC"

Collapse category to read "See Table 6-1 for U - AD project descriptions"



CITY OF MILWAUKIE
Transportation System Plan
FIGURE 7-3
PUBLIC TRANSIT MASTER PLAN
 December 2007

Remove this portion of the alignment to reflect the final alignment

Add light rail station symbol

Add light rail station

Adjust alignment

LEGEND

Existing Facilities	Proposed Improvements
● Bus Stop	Park and Ride
Park and Ride	New or Rerouted Bus Route
Bus Route	Bus Rapid Transit Route
Bus Route Number	High Capacity Transit Route
Schools	Railroad
Springwater Trail	County Line
Kellogg Creek Trail	Parks
Major Roads	Water
Streets	City Limits

DKS Associates
 TRANSPORTATION SOLUTIONS

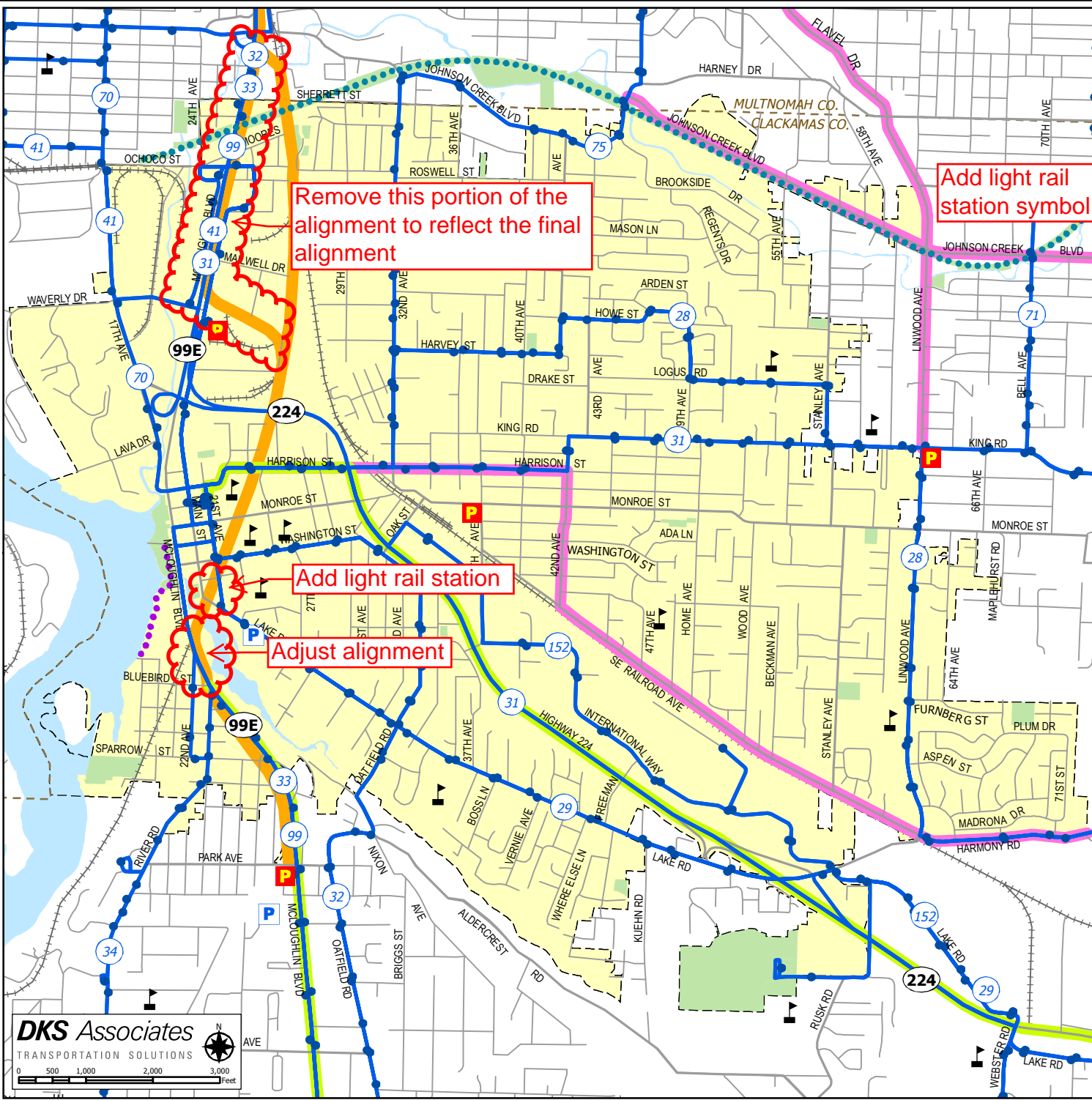




FIGURE 8-3b

FUNCTIONAL CLASSIFICATION

December 2007

LEGEND

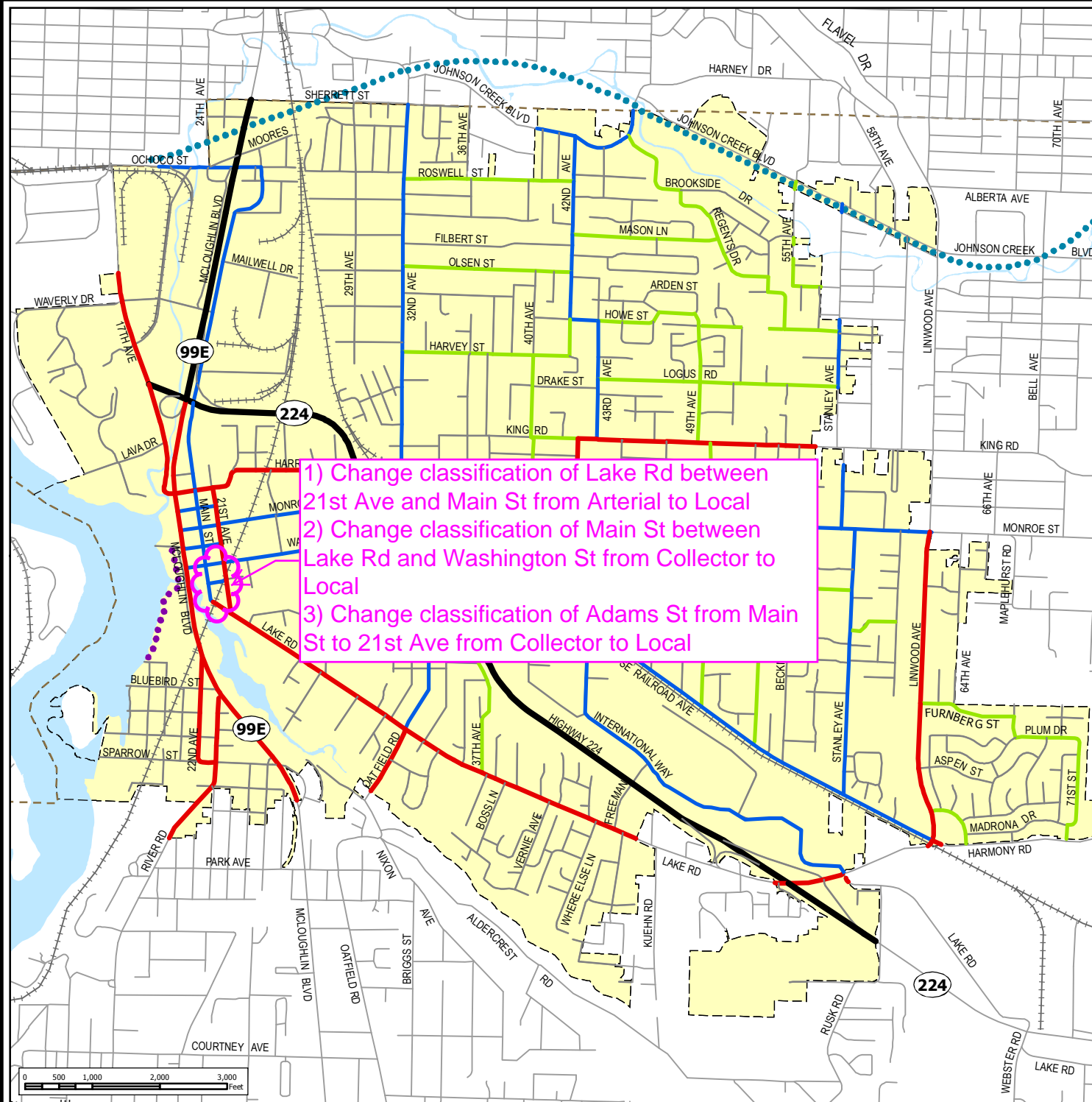
Functional Classification

- Regional Routes
- Arterials
- Collectors
- Neighborhood Routes
- Local

Other Map Features

- Railroad
- Springwater Corridor
- Kellogg Creek Trail
- County Line
- Water
- City Limits

1) Change classification of Lake Rd between 21st Ave and Main St from Arterial to Local
 2) Change classification of Main St between Lake Rd and Washington St from Collector to Local
 3) Change classification of Adams St from Main St to 21st Ave from Collector to Local





Transportation System Plan

FIGURE 8-4

AUTO STREET NETWORK MASTER PLAN

December 2007

LEGEND

Proposed Street Network Improvements

- Green line: Roadway Widening Project
- Blue line: Travel Route Improvement
- Purple line: Corridor Refinement Plan
- Yellow circle: Intersection Improvement
- Green circle: Rail Crossing Improvement
- Grey line: Major Roads
- Thin grey line: Streets
- Black line with cross-ticks: Railroad
- Blue dotted line: Springwater Trail
- Purple dotted line: Kellogg Creek Trail
- Dashed line: County Line
- Green area: Parks
- Blue area: Water
- Yellow outline: City Limits

PROPOSED PROJECTS

- A** Prohibit left turn movement at 17th Ave/McLoughlin Blvd and include in Refinement Plan
- B** Signalize Harrison St/42nd Ave
- C** Conduct Refinement Plan for HWY 99E/HWY 224 focused on motor vehicle and freight mobility.
- HWY 99E Project Limits: Tacoma St to 17th Ave
- HWY 224 Project Limits: HWY 99E to Lake Rd Interchange
- D** Reconfigure intersection to consolidate 37th Ave/Industrial Way
- E** Add eastbound/westbound right turn lanes and integrate the trail crossing
- F** Create westbound shared through/right lane; or Add eastbound right turn pocket
- G** Implement protected/permitted phasing for northbound and southbound left turns
- H** Widen Linwood Ave to standard three lane cross section
- I** Widen Railroad Ave to standard three lane cross section
- J** Redesign intersections of River Rd and 22nd Ave to consolidate intersections; or Add northbound left turn pocket on River Rd
- K** Widen Harrison St to standard three-lane cross section
- L** Add left turn-lanes and protected signal phasing on Harrison St approaches
- M** Widen Lake Rd to standard three-lane cross section
- N** Replace 3-way stop with signal when warranted and appropriate. (Coordinate with the City of Portland)
- O** Enhance connection between King Rd and Harrison St
- P** Add protected signal phasing on Oak St approaches
- Q** Improve intersection/modify access at HWY 224 and Freeman Way
- R** Enhance connection along Stanley Ave at King Rd
- S** Enhance connection along Stanley Ave at Monroe St
- T** Implement railroad crossing safety and quiet zone project
- U** Upgrade crossing to grade separated facility

Add project letter "V" at intersection of Lake Rd and 21st Ave

Add project description for "V"

DKS Associates
TRANSPORTATION SOLUTIONS

