



## **AGENDA**

### **MILWAUKIE PLANNING COMMISSION Tuesday, November 10, 2015, 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 March 11, 2015
- 2.2 April 14, 2015
- 2.3 August 11, 2015
- 2.4 October 27, 2015

**3.0 Information Items**

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

**5.0 Public Hearings** – Public hearings will follow the procedure listed on reverse

**6.0 Worksession Items**

- 6.1 Summary: Ethics Training  
Staff: Denny Egner
- 6.2 Summary: Planning Commission Work Program  
Staff: Denny Egner

**7.0 Planning Department Other Business/Updates**

**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:**

- November 24, 2015 1. Cancelled
- December 1, 2015 1. Joint Session with City Council
- December 8, 2015 1. TBD

### 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](mailto: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](http://www.cityofmilwaukie.org)
3. **CITY COUNCIL MINUTES** City Council Minutes can be found on the City website at [www.cityofmilwaukie.org](http://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. **TIME LIMIT POLICY.** The Commission intends to end each meeting by 10:00pm. The Planning Commission will pause discussion of agenda items at 9:45pm to discuss whether to continue 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:

Sine Bone, Chair  
Shaun Lowcock, Vice Chair  
Shane Abma  
Shannah Anderson  
Adam Argo  
Scott Barbur  
Greg Hemer

#### Planning Department Staff:

Denny Egner, Planning Director  
Li Alligood, Senior Planner  
Brett Kelter, Associate Planner  
Vera Kolias, Associate Planner  
Alicia Martin, Administrative Specialist II

**CITY OF MILWAUKIE  
PLANNING COMMISSION  
MINUTES  
Milwaukie City Hall  
10722 SE Main Street  
TUESDAY, March 10, 2015  
6:30 PM**

**COMMISSIONERS PRESENT**

Sine Bone, Chair  
Shaun Lowcock, Vice Chair  
Shannah Anderson  
Scott Barbur  
Greg Hemer

**STAFF PRESENT**

Li Alligood, Senior Planner  
Vera Kolias, Associate Planner  
Peter Watts, City Attorney

**COMMISSIONERS ABSENT**

Gabe Storm

**1.0 Call to Order – Procedural Matters\***

**Chair Bone** called the meeting to order at 6:30 p.m. and read the conduct of meeting format into the record.

***Note:** The information presented constitutes summarized minutes only. The meeting video is available by clicking the Video link at <http://www.ci.milwaukie.or.us/meetings>.*

**2.0 Planning Commission Minutes**

2.1 November 25, 2015

**It was moved by Commissioner Hemer and seconded by Commissioner Anderson to approve the November 25, 2014, Planning Commission minutes as presented. The motion passed unanimously.**

**3.0 Information Items**

**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**

5.1 Summary: Moving Forward Milwaukie Downtown Plan and Code Amendments  
*continued from 2/24/15*  
Applicant: City of Milwaukie  
File: CPA-14-02, ZA-14-02  
Staff: Li Alligood

**Chair Bone** called the hearing to order and read the conduct of legislative hearing format into the record.

**Li Alligood, Senior Planner**, presented the staff report via PowerPoint. She reviewed the hearing schedule and briefed the revisions to the amendments package per direction from the Commission regarding Use, Development, and Design Standards. She noted that the idea of

providing incentives for an open space provision was still in process and a meeting was scheduled with an economist regarding this.

**Ms. Alligood** reviewed the decision-making options and noted staff recommendation was for the Commission to recommend approval to City Council. She reviewed next steps with Council worksessions and hearings.

Staff responded to questions from the Commission:

- Green Globes could be added to the list of approved LEED certified programs available for green building incentives.
- Applying for a variance to building height was possible in order to build to 5 stories without satisfying building height bonuses, although may be more difficult to justify than to satisfy the height bonus criteria.

**The Commission** thanked Ms. Alligood and staff for their time and effort in this project.

**It was moved by Commissioner Hemer and seconded by Commissioner Barbur to recommend approval to City Council of CPA-14-02, ZA-14-02 Moving Forward Milwaukie Downtown Plan and Code Amendments with the recommended findings as presented. The motion passed unanimously.**

## **6.0 Worksession Items**

- 6.1 Summary: Central Milwaukie Plan and Code Amendments  
Staff: Vera Kolias

**Vera Kolias, Associate Planner**, presented the staff report via PowerPoint. She reviewed the project background and noted the focus of tonight's meeting was on the draft amendments for the plans: Central Milwaukie Land Use & Transportation System Plan, Comprehensive Plan amendments, and Milwaukie Transportation System Plan amendments. She reviewed the project goals, process, and public outreach.

The purpose of the Central Milwaukie Land Use and Transportation Plan (the Plan) was to define the boundary and establish a vision for Central Milwaukie. Ms. Kolias described the Guiding Principles and Fundamental Concepts. She noted key changes and proposals which could be ground into larger concepts of Enhancing Economic Opportunities, Promoting High Quality Urban Design, and Improving Multimodal Connectivity.

**Ms. Kolias** reviewed the proposed amendments for the Comprehensive Plan that included adopting the Land Use and Transportation Plan as an ancillary document, and other minimal revisions such as the introduction of the General Mixed Use Zone and a policy for development in Central Milwaukie. The proposed amendments to the Milwaukie Transportation System Plan included recommended projects from the Central Milwaukie Land Use and Transportation Plan, and she described those proposed projects.

Staff responded to questions from the Commission.

- The amendments to the proposed projects map in the Transportation Systems Plan were conceptual at this point and the Monroe Street project had not been completed yet. Once that project was complete, the Central Milwaukie map and plan would be updated to reflect that.

- Most of the residential zoning was consistent with what currently exists, although there was a maximum density in Central Milwaukie rather than no maximum in downtown.
- The McFarland site was essentially split into two development parcels; the eastern parcel was in remediation with DEQ and there were some restrictions for that site. The rest of the site had been remediated and was ready for development.

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

**Ms. Alligood** noted that there was a public event for the Monroe Street Neighborhood Greenway project scheduled for March 18<sup>th</sup> at 6pm at the Milwaukie Christian Church.

## **8.0 Planning Commission Discussion Items**

### **9.0 Forecast for Future Meetings:**

- |                |   |
|----------------|---|
| March 24, 2015 | 1. Public Hearing: VR-2015-001 Cambridge Ln ADU Variance                |
|                | 2. Public Hearing: DR-2015-001 Kellogg Lake Bike/Ped Bridge Connections |
|                | 3. Worksession: Central Milwaukie Plan and Code Amendments              |
| April 14, 2015 | 1. Worksession: Central Milwaukie Plan and Code Amendments              |

Meeting adjourned at approximately 7:33 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II

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Sine Bone, Chair

**CITY OF MILWAUKIE  
PLANNING COMMISSION  
MINUTES  
Milwaukie City Hall  
10722 SE Main Street  
TUESDAY, April 14, 2015  
6:30 PM**

**COMMISSIONERS PRESENT**

Sine Bone, Chair  
Shaun Lowcock, Vice Chair  
Shannah Anderson  
Greg Hemer  
Gabe Storm

**STAFF PRESENT**

Denny Egner, Planning Director  
Vera Kolias, Associate Planner

**COMMISSIONERS ABSENT**

Scott Barbur

**1.0 Call to Order – Procedural Matters\***

**Chair Bone** called the meeting to order at 6:30 p.m. and read the conduct of meeting format into the record.

***Note:** The information presented constitutes summarized minutes only. The meeting video is available by clicking the Video link at <http://www.milwaukieoregon.gov/meetings>.*

**2.0 Planning Commission Minutes**

2.1 January 13, 2015

**It was moved by Commissioner Hemer and seconded by Commissioner Storm to approve the January 13, 2015, Planning Commission minutes as presented. The motion passed unanimously.**

**3.0 Information Items**

**Denny Egner, Planning Director**, noted City Council adopted the provisions for medical marijuana facilities which would go into effect May 1, 2015. The City had received one business registration application for a facility in the Island Station neighborhood. Recreational marijuana facilities would need to be addressed once that time came later in the year.

**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: Moving Forward Milwaukie Central Milwaukie Plan and Code Amendments  
Staff: Vera Kolias

**Vera Kolias, Associate Planner**, presented the staff report via PowerPoint. She reviewed the Central Milwaukie area, project goals, and vision. Tonight's discussion focused on follow-up

from the previous worksession on three specific areas of the proposed code amendments, which she reviewed before getting feedback from the Commission.

#### Land Use Review / Public Notification:

- Currently, only Type I review was required for any development in Central Milwaukie but for development of the Murphy or McFarland site and part of Providence Hospital site, which required Type III review.
- The proposed amendments would allow for Type I review for any development in Central Milwaukie that met all standards, including those specific sites; a Type II variance process would be available for revisions to the standards.
- Concerns were raised about owners and residents of abutting properties of potential development that would receive no notice of proposed development through the Type I review process.
- Two potential approaches to consider: allow for input or inform the public.
  - Option 1 would allow for input through Type II review and notice for projects greater than 25,000 sq ft or modifications equal or greater to 25% of the gross floor area. This option would increase the cost, risk, and process timeline.
  - Option 2 would have the proposal remain the same but would include notice to the Neighborhood District Associations (NDAs).
  - **Commissioner Anderson** asked about the impact for staff time and cost.
    - The cost to the applicant and the process for staff was more involved for a Type II review.

#### Flex Space Overlay:

- The purpose of the proposed design standards was to establish a baseline level of design for new development that met the project's goals. A Flex Space Overlay Zone was proposed for the Murphy Opportunity Site including along 32<sup>nd</sup> Ave.
- The proposed standards were organized based on their relationship to the public right-of-way. However, development on the Murphy Site might be along driveways rather than public streets, so those standards may not apply. Those standards not related to the public right-of-way included exterior building materials, roofs, and screening.
- The questions for the Commission focused on if the proposed design standards should apply or if a more practical set of standards be developed for that area, if the 32<sup>nd</sup> Ave frontage should be excluded from the overlay zone, and if the proposed boundary was correct.

#### Minimum Street Setback on 32<sup>nd</sup> Ave.:

- Currently there was no minimum setback along 32<sup>nd</sup> Ave and the proposal was to maintain that, with a maximum setback of 10 ft along the key commercial streets and 20 ft along other streets.
- The future cross-section would be a 60 ft right-of-way, which would allow for a comfortable pedestrian space.

#### Questions and Feedback from the Commission:

##### Public Notification:

- Notification without the opportunity for input was appropriate. Due to the size of potential development, some notice seemed reasonable; people would be interested.

- A Type II review process would be triggered for the Murphy and McFarland sites due to the Preliminary Circulation Plan for development sites over 3 acres.
- Notice to all of the NDAs would be beneficial for any development applications submitted since that area was more or less in contact with most of Central Milwaukie.
- **Peter Watts, City Attorney**, reiterated that the higher the level of review required, the greater the uncertainty for the developer. The Commission should ensure that the design standards were at a high enough level in order for a Type I review process to be sufficient.
- As long as a proposed development met all of the design standards and regulations, there should be no need for public input; the level of standards and review should be relied upon.

Flex Space Development:

**The Commission** invited DJ Heffernan to present his comments regarding the Flex Space Overlay Zone.

**DJ Heffernan, 2525 NE Halsey St Portland**, represented John Murphy, the property owner of the Murphy Site, and had submitted a letter with his concerns and comments. He presented a PowerPoint on flex buildings, which were generally designed for light industrial with flexible spaces for lease, and gave examples of flex space buildings that would not meet the proposed design standards. He reviewed his comments and key recommendations regarding the proposed standards:

- That either the overlay not be along 32<sup>nd</sup> Ave or at least pushed back about 100 ft, as he did not believe these types of buildings were appropriate there.
- There should be no requirement for public street frontage or access; a typical flex space building would not be buildable if they were required to have all frontage along a public street.
- For the proposed circulation plan to apply and function well, there needed to be an internal accessway network to the buildings.
- Other items included primary entrances should be located to suit the tenant needs.
- No requirements for eaves or screening, and rooftop equipment screening only near the edge of the buildings.
- In response to a Type II variance for design standards, he reiterated that certainty was important for development. There should be design standards developed specifically for flex space development.

**The Commission** and staff discussed flex space items and options.

The Transportation System Plan included a connection between C St and Llewelyn St through the Murphy site, primarily for pedestrian and bicycle access, and would require dedication for street easements.

- **Mr. Heffernan** suggested waiting for proposed development on the site before dedicated street easements. Creating those rights-of-way may limit how the property could be developed. He noted traffic patterns for industrial trucks in and out of the site.
- **Mr. Egner** asked for direction regarding the bicycling and pedestrian access through the internal accessways through the site.

**Commissioner Hemer** proposed that the area proposed for the Flex Space be reduced to not include the north section of the property along 32<sup>nd</sup> Ave. In recognizing the variety of



complexities with flex space and development and design standards, perhaps it would be more appropriate to not have flex space along a public street.

**Commission Anderson** asked how the current proposed flex space area was developed.

- **Commissioner Hemer** and **Chair Bone** verified it was at a project advisory committee meeting and explained the logic for not including the southeast corner in the flex space overlay.

**Chair Bone** noted it was a difficult issue to balance. On one hand, the standards were the standards and for a reason, and if having a flex space overlay would not accommodate those standards, than should there be a flex space overlay zone? However, the goal was to make development easier, so perhaps should there be two sets of design standards to accommodate flex space.

**Ms. Kolias** offered to bring back possible design standards specifically for flex space. She added that there were no design standards in Central Milwaukie right now. She noted the next steps and the public hearings schedule.

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

## **8.0 Planning Commission Discussion Items**

**Mr. Egner** noted that there was a recorded seminar on Planning Commission Ethics he was interested in bringing to the Commission for viewing.

**Chair Bone** and the **Commission** agreed that Commissioner Lowcock be made Vice Chair now that Wilda Parks has stepped down due to her new role as City Councilor.

## **9.0 Forecast for Future Meetings:**

- |                |  |
|----------------|--|
| April 28, 2015 | 1. Public Hearing: CPA-2015-001 MFM Central Milwaukie Plan and Code Amendments #1  |
| May 12, 2015   | 1. Public Hearing: CPA-2015-0012 MFM Central Milwaukie Plan and Code Amendments #2 |
|                | 2. Public Hearing: CSU-2015-001 GracePointe Church parking expansion               |

Meeting adjourned at approximately 8:34 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II

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Sine Bone, Chair

**CITY OF MILWAUKIE  
PLANNING COMMISSION  
MINUTES  
Milwaukie City Hall  
10722 SE Main Street  
TUESDAY, August 11, 2015  
6:30 PM**

**COMMISSIONERS PRESENT**

Shaun Lowcock, Vice Chair  
Shane Abma  
Shannah Anderson  
Scott Barbur  
Greg Hemer

**STAFF PRESENT**

Denny Egner, Planning Director  
Li Alligood, Senior Planner  
Brett Kelter, Associate Planner  
Shelby Rihala, City Attorney

**COMMISSIONERS ABSENT**

Sine Bone, Chair

**1.0 Call to Order – Procedural Matters\***

**Chair Bone** called the meeting to order at 6:30 p.m. and read the conduct of meeting format into the record.

***Note:** The information presented constitutes summarized minutes only. The meeting video is available by clicking the Video link at <http://www.ci.milwaukie.or.us/meetings>.*

**2.0 Planning Commission Minutes**

**3.0 Information Items**

**Denny Egner, Planning Director**, introduced Shelby Rihala of Jordan Ramis. She would now be acting as City Attorney for the Planning Commission in place of Peter Watts.

**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**

- 5.1 Summary: 3 Parks Master Plans  
Applicant/Owner: North Clackamas Park & Recreation District/City of Milwaukie  
Addresses: Balfour Park, Bowman-Brae Park, Kronberg Park  
File: CPA-2015-002  
Staff: Brett Kelter

**Vice Chair Lowcock** called the hearing to order and read the conduct of legislative hearing format into the record.

**Brett Kelter, Associate Planner**, presented the staff report via PowerPoint. The application was for adoption of master plans for three City parks. He described the process for master plans and reminded that at this point, the proposed plans were conceptual. He oriented the Commission to the parks and displayed the proposed concept plans. The Comprehensive Plan map would need to be updated for the use designation for Bowman-Brae Park and Balfour Park.

**Mr. Kelter** noted the key issue to address was if the proposed master plans were consistent with the relevant goals, objectives, and policies of the Comprehensive Plan. He reviewed the decision-making options and noted staff recommendation was for the Commission to recommend approval to the City Council.

Staff responded to questions from the Commission.

- The park properties were owned by the City of Milwaukie.
- The goal for Kronberg Park was more of a natural area with a focus on preservation for those parts in the natural resource areas. If the lake changed into a creek with the removal of the dam, those areas would continue to be protected natural areas. A concept of a walking trail or the like could be considered later on if the creek was restored.
- These master plans were being done now as the City had owned Kronberg Park for a number of years but no master planning had been done, and only recently were Balfour and the Bowman-Brae Parks acquired by the City. All other parks in the city had adopted master plans.

**Katie Dunham, North Clackamas Parks and Recreation District (NCPRD), and Kurt Lango, Lango Hansen Landscape Architects**, gave the applicant's presentation. NCPRD was responsible for maintenance and operation of all City of Milwaukie parks under an Intergovernmental Agreement. The City and NCPRD partnered together for land use applications for parks.

**Ms. Dunham** reviewed the project's timeline and public outreach. She described the context and elements of each of the master plans, and noted the next steps regarding process and funding.

The applicant answered questions from the Commission.

- Funding for planning was through the NCPRD Systems and Development Charge fund and the General Fund.
- The location of the community garden in Balfour Park was based on accessibility with regard to grade change, location to the street, and water source.
- Maintenance access for Kronberg Park was specifically for NCPRD, although TriMet and ODOT had easement agreements on the north side of the park.
- Some tax lots for Kronberg Park cross over into Kellogg Lake and Dogwood Park.
- The intent was not to disturb the soils under Kellogg Lake as Kronberg Park was developed. Soil sampling and subsequent steps would be done prior to construction.
- After much discussion, it was decided that the focus should remain on Kronberg Park and not include Dogwood Park at this time.

**Vice Chair Lowcock** called for public testimony.

#### **In Support:**

**Mike Miller, 4206 SE Somewhere Dr**, was on the NCPRD advisory board for these parks and was in support of the parks and the planning process. He reminded that there was opportunity for more public input and changes once there was funding for construction.

**Beverly Curtis, 13182 SE Pennywood Ct**, lived just north of Bowman-Brae Park and was in support of the park.

**Richard Shook, 4815 SE Casa Del Rey Dr, Clackamas County**, was representing the Friends of Kellogg Creek and Mt. Scott Watersheds in support of the proposed Kronberg Park. Improvements to the park would help the restoration of the area for wildlife move forward.

**Emily Reynolds, 13242 SE Freeman Rd**, was in support of Bowman-Brae Park. She and a neighbor in attendance represented 7 of the 11 children that lived adjacent to the park. The park would benefit the neighborhood and new young families moving into the area greatly. She asked if the speed limit would be reduced or if kids-at-play signage would be installed.

**Neutral:**

**Vincent Alvarez, 12671 SE Where Else Ln**, Lake Road Neighborhood District Association (NDA) Chair, was part neutral and part in opposition to the proposals and noted that the Lake Road NDA contributed funds to the purchase of the Bowman-Brae Park property. He was concerned about the proposed multiuse trail promoting more foot traffic, and was in favor of soft surface pathways. The Oak Lodge pump house property should be deeded to the City to add to the park property.

**Margie Port, 4411 SE Bowman St**, noted although she was in favor of Bowman-Brae Park generally, she was concerned about how the park would be funded, what impact of additional traffic to the park would have on the quiet neighborhood, and that there was no parking indicated.

**Bill Lown, 4206 SE Bowman St**, was in support of Bowman-Brae Park although he was concerned about continued maintenance. He was not in favor of the proposed multiuse path.

**Melanie Downs-Phillips, 13230 SE Where Else Ln**, noted she owned properties adjacent to Bowman-Brae Park where the west entrance of the proposed multiuse path would be. She said the ownership and maintenance of that part of Where Else Ln was unclear. There had been a recent geocaching event that was disruptive, and there had been no neighborhood notice for the event. She was concerned about privacy and liability with regard to the path and access to her property. She was in support of the park as long as some specifics and safety measures were addressed.

**Vice Chair Lowcock** called for staff comment.

**Mr. Kelter** entered a public comment into the record from Lisa Gunion-Rinker, who was on the Park and Recreation Board (PARB) and involved in the Ardenwald NDA. She requested clarification from the City regarding the proposed pathway through Bowman-Brae Park to Where Else Ln and the history of the right-of-way of Where Else Ln.

**Mr. Kelter** noted previous research showed that there was in fact public right-of-way at the end of Where Else Ln. He displayed the current tax map and historical deed documents showing the land in question deeded to the public right-of-way for road purposes. There was a small portion of private property between the end of the right-of-way and the proposed park property where an access easement would be needed in order to develop the multiuse path.

**Mr. Egner** added that the multiuse path was included in the Transportation System Plan (TSP) as a future-planned pedestrian connection between Rowe Middle School and North Clackamas

Park; therefore, the multiuse path proposed for the park was required for the documents to be consistent.

**Vice Chair Lowcock** called for the applicant's rebuttal.

**Ms. Dunham** addressed specific issues:

- Regarding the geocaching event, neither NCPRD nor the City were involved, although it was a Clackamas County Tourism event. NCPRD would discuss the issue with that department. There was no current policy regarding geocaching in NCPRD parks, but she felt that was an event that should require a permit.
- The goal for the Kronberg Park Master Plan was to be cohesive with whatever future changes may occur with the lake (i.e. rehabilitation into a creek, etc.) and so that part of the proposed park was planned to be a natural area above the bank line. The plan could be revisited if and when those changes were to occur.
- Regarding neighborhood parking, prior to any construction NCPRD would work with the neighbors on appropriate signage. The intent for these parks was for more passive neighborhood use and therefore more neighborhood and walking access.
- Relatedly, the request of the multiuse path through Bowman-Brae Park was to improve neighborhood connectivity and was also in response to the TSP.
- Generally, concrete or asphalt trails were easier to maintain than a soft or gravel surface and also was preferred for ADA access.
- The pump house and fence would be followed up on.
- NCPRD would work with the City to improve signage to reduce vehicle speed near the parks as well as private property signs.
- Currently these parks were maintained as "undeveloped park sites" and mowed seasonally.
- The primary pathway proposed for Kronberg Park was hard surface; however, the pathways closer to the lake were soft pathways due to being in a natural resource zone that limited and encouraged permeability for pathways.

Staff answered questions of the Commission:

- The City would not pay for water for the Balfour Park community garden for Balfour Park unless the City took operational ownership of the gardening activity. As development of the park got closer, interest in and ownership of a community garden would be assessed.
- The Bowman-Brae Park multiuse path should be included in the plan as it would implement and be consistent with the TSP.
- **Mr. Kelter** reiterated that these were conceptual plans. The details could be worked out or changed later on in the process during development review.

**Vice Chair Lowcock** closed the public testimony.

**The Commission** entered deliberation.

**The Commission** agreed there were no issues with the Balfour Park or Kronberg Park Master Plans.

**The Commission** agreed that although there were issues with the multiuse path, the need for consistency between the TSP and the Bowman-Brae Park Master Plan was important. The issue of the path crossing private property and therefore needing an easement could be addressed later on in the construction planning process. The maintenance of SE Where Else Ln needed to be further examined, outside of the scope of this application.

**It was moved by Commissioner Hemer and seconded by Commissioner Barbur to recommend approval to City Council of CPA-2015-002 for the 3 Parks Master Plans with the recommended findings and conditions as presented. The motion passed unanimously.**

**6.0 Worksession Items**

- 6.1 Summary: Moving Forward Milwaukie Neighborhood Main Streets Code Amendments #1  
 Staff: Li Alligood

**Mr. Egner** proposed to reschedule the worksession to September 8, 2015. The Commission agreed.

**7.0 Planning Department Other Business/Updates**

**8.0 Planning Commission Discussion Items**

**9.0 Forecast for Future Meetings:**

- |                   |   |
|-------------------|---|
| August 25, 2015   | 1. Worksession: MFM Neighborhood Main Streets Code Amendments #2 <i>tentative</i> |
|                   | 2. Worksession: Ethics Training <i>tentative</i>                                  |
| September 8, 2015 | 1. TBD  |

Meeting adjourned at approximately 8:35 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II

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Sine Bone, Chair

**CITY OF MILWAUKIE  
PLANNING COMMISSION  
MINUTES  
Milwaukie City Hall  
10722 SE Main Street  
TUESDAY, October 27, 2015  
6:30 PM**

**COMMISSIONERS PRESENT**

Sine Bone, Chair  
Shaun Lowcock, Vice Chair  
Shane Abma  
Adam Argo  
Greg Hemer

**STAFF PRESENT**

Denny Egner, Planning Director  
Vera Kolias, Associate Planner  
Shelby Rihala, City Attorney

**COMMISSIONERS ABSENT**

Shannah Anderson  
Scott Barbur

**1.0 Call to Order – Procedural Matters\***

**Chair Bone** called the meeting to order at 6:30 p.m. and read the conduct of meeting format into the record.

***Note:** The information presented constitutes summarized minutes only. The meeting video is available by clicking the Video link at <http://www.ci.milwaukie.or.us/meetings>.*

**2.0 Planning Commission Minutes**

2.1 March 24, 2015

**It was moved by Commissioner Hemer and seconded by Vice Chair Lowcock to approve the March 24, 2015, Planning Commission minutes as presented. The motion passed unanimously.**

**3.0 Information Items**

**Denny Egner, Planning Director**, noted the joint session with City Council was rescheduled from November 3<sup>rd</sup> to December 1<sup>st</sup>. The November 3<sup>rd</sup> Council meeting would include a discussion on Urban Renewal Feasibility and the Commission was invited to listen. Also scheduled for that meeting were finalizing Central Milwaukie code amendments and a public hearing for the Monroe Street Neighborhood Greenway Concept Plan.

**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**

5.1 Summary: King Rd Subdivision  
Applicant/Owner: Carey Sheldon, Sheldon Development, Inc.  
Address: 5419 SE King Rd  
File: S-2015-001, VR-2015-003  
Staff: Vera Kolias

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

**Vera Kalias, Associate Planner**, presented the staff report via PowerPoint. She oriented the Commission to the property and its elements. The application is for a 5-lot subdivision and a variance request where 4 of the lots would be less than the required 7,000 sq ft minimum for the R-7 zone. Improvements would be done to both 54<sup>th</sup> Ave and Mullan St, which was currently an unimproved right-of-way. The proposed plat name was Jones Park, and was not duplicative. Staff had not identified any negative impacts for the proposal or the variance. A variance would not be needed for the 4 new lots if the existing house was demolished, but that was not proposed or preferred. Staff recommendation was for approval for the subdivision and variance with the findings and conditions as presented.

**Staff answered questions from the Commission:**

- **Ms. Kalias** noted that 3 lots would not meet the minimum density requirements for land division.
- **Chrissy Dawson, Engineering Tech II**, noted that Traffic Impact Studies were determined by the Engineering Director, and generally were triggered with larger subdivisions or multifamily development rather than a small number of single-family residences.
- In order to meet the solar access requirements, the orientation of the lots would need to be shifted differently which would then result in a project that would not meet the minimum density requirements and would be economically infeasible.

**Chair Bone** called for public testimony.

**Ray Moore, All County Surveyors and Planners**, was working for Mr. Sheldon, the applicant. Staff had explained the proposal well, and so he was available for questions from the Commission.

- The Commission had none.

**Steve Gibson, 10271 SE 54<sup>th</sup> Ave**, lived across 54<sup>th</sup> Ave from the proposed subdivision and had created the development on his side of the street. He asked about the variance, minimum density, and minimum lot width as the proposal was for more lots that he had been allowed to develop when he created his subdivision, which was 10 years ago.

- **Mr. Moore** noted that the requirement for Mr. Gibson to construct a  $\frac{3}{4}$  street for 54<sup>th</sup> Ave reduced the available development area for that earlier project. He added that Mr. Sheldon did not need to dedicate as much land for road right-of-way purposes which therefore left more land for lots.
- **Ms. Kalias** clarified that the requested variance did not result in a project that exceeded the number of lots that could be built without the variance. The purpose of the variance was to retain the existing home on the property.

**Chair Bone** closed the public testimony.

**Planning Commission Deliberation**

**Commissioner Abma** questioned how economic feasibility was determined, with regard to the solar orientation requirement. If there was a finding of fact that something was not economically feasible, there should be an explanation. There was no requirement for amount of profit.

- **Chair Bone** did not believe the solar orientation was a priority relative to the other code



elements.

- **Ms. Kolias** noted that the code provides for adjustments to the design standard if strict compliance would reduce density or increase costs per lot. The orientation of the parent lot prevented strict compliance with this standard and still meet minimum density requirements for the project.

**It was moved by Commissioner Hemer and seconded by Commission Lowcock to approve application S-2015-001 and VR-2015-003 for the King Rd subdivision at 5419 SE King Rd with the findings and conditions as presented. The motion passed unanimously.**

## **6.0 Worksession Items**

### **6.1 Summary: Short-Term Rentals Staff: Denny Egner**

**Mr. Egner** noted this was a worksession to help guide his work on developing draft code language regarding short-term rentals. He said this issue was a request by the City Council to add flexibility to the code to allow for short-term rentals. Currently only bed and breakfasts were allowed and only in higher density areas or in commercial zones. Earlier this year, staff interpreted the code to allow for temporary rentals but only for rental of two rooms once in a 30-day period, which was considered long-term rental housing.

Mr. Egner noted that in September he hosted a public meeting held about this issue for those running short-term rentals as well as neighborhood district association representatives. He said that provided that there were good standards and processes developed, the neighborhood representatives were supportive.

**Mr. Egner** explained the current process and burden to allow for a conditional use to allow for a property owner to have a short-term rental. Also, the criteria were mostly about compatibility so it was a discretionary process. Home occupation standards required that the use should be incidental to the residence.

**Mr. Egner and the Commission** discussed possible approaches and issues, including limiting the number of rooms, nights, and tenants allowed, parking issues, neighborhood notice, code enforcement issues, fees and taxes, fire/life/safety inspection, etc. The Commission supported the concept of short-term rentals and suggested that the City require that the property be the primary residence of the operator of the rental business and be present a minimum number of days per year (270 days was suggested). The Commission supported the idea of allowing short-term rentals as an accessory use to a residence and using a business license as the approval mechanism. Regarding parking, the Commission proposed that no additional parking be required for short-term rentals that are close to the downtown and the light rail station, and that for other locations only one additional parking space be required.

**Mr. Egner** said he would draft code language and bring it back to the Commission for a public hearing.

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

## **8.0 Planning Commission Discussion Items**

## **9.0 Forecast for Future Meetings:**

CITY OF MILWAUKIE PLANNING COMMISSION  
Minutes of October 27, 2015  
Page 4

- |                   |  |
|-------------------|--|
| November 10, 2015 | 1. Worksession: Ethics Training                  |
|                   | 2. Worksession: Planning Commission Work Program |
| November 24, 2015 | 1. Cancelled                                     |
| December 1, 2015  | 1. City Council Joint Session                    |

Meeting adjourned at approximately 8:56 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II

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Sine Bone, Chair



# MILWAUKIE

*Dogwood City of the West*

**To:** Planning Commission

**From:** Dennis Egner, Planning Director

**Date:** November 3, 2015 for November 10, 2015, Worksession

**Subject:** *Ethics for Planning Commissioners Presentation*

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## ACTION REQUESTED

None. This is a video presentation from the APA National Conference in April 2015, titled *Ethics for Planning Commissioners*. The presentation will last approximately an hour and a half, with time for discussion afterward.

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

	PC Packet	Public Copies	E- Packet
1. Ethics for Planning Commissioner Presentation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Key:

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

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

E-Packet = packet materials available online at <http://www.milwaukieoregon.gov/planning/planning-commission-137>.

# **American Planning Association**

National Planning Conference

Seattle – April 20, 2015

## ***Ethics for Planning Commissioners*** S582

Robert P. Mitchell FAICP  
Planning Consultant  
Boston MA

W. Shedrick Coleman AIA  
SHEDDarchitecture  
Savannah GA

Jeanne Krikawa RA LEED AP  
Underhill Company  
Seattle WA

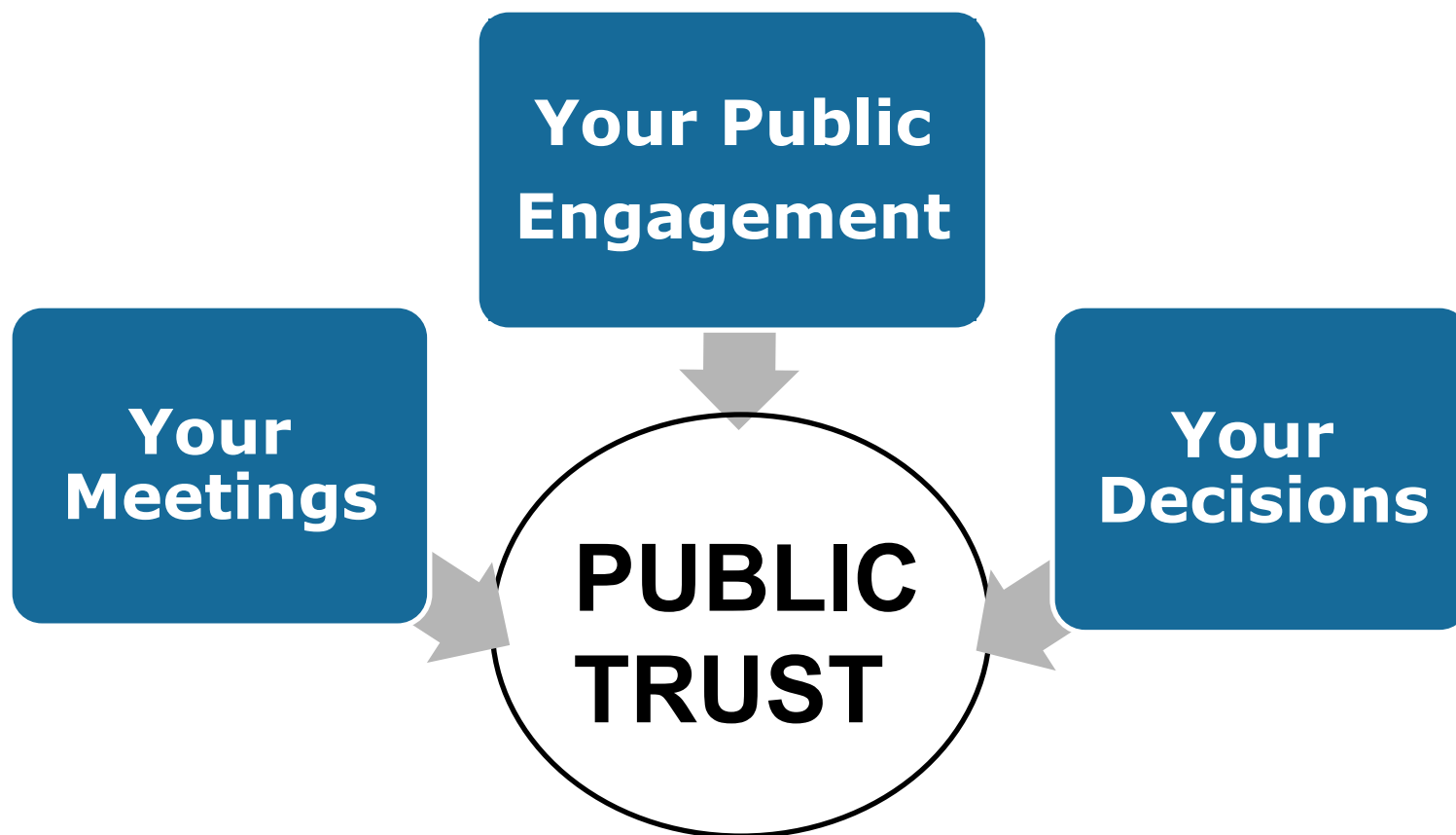
Andrew S. Lane, Attorney  
Cairncross & Hempelmann  
Seattle WA

# Ethics for Planning Commissioners

## Overview

- The Public Trust
- Making the planning process fair, equitable and transparent
- What to know, how to act, how to respond
- Best practices regarding ethical decision making
- Knowing & understanding ethics laws
- Resources and information available to assist you
- The legal context

# Serving The Public Trust



# APA Ethical Principles in Planning

*A guide to ethical conduct for all who participate in the planning process*

## *Pursue & faithfully serve the public interest*

- Recognize the rights of citizens to **participate in planning** decisions.
- Give citizens full, clear, and accurate **information**.
- Expand **choice and opportunity** for all persons.
- Assist in the clarification of **community goals**.
- Ensure that **information** available to decision makers is also available to the public.
- **Protect** the integrity & heritage of the **natural & built environment**.
- Pay special attention to the **interrelatedness of decisions** and the **long-range consequences** of present actions.

# APA Ethical Principles in Planning

*Strive to achieve high standards of integrity & proficiency to maintain public respect for the planning process.*

- Exercise **fair, independent,** and **honest** judgment.
- Publicly **disclose** any personal interests.
- Define **personal interest** broadly.
- **Abstain** from participation in a matter in which you have a personal interest and leave the chamber when the matter is being deliberated.
- Seek (nor accept) **gifts** or **favors**.
- **Abstain** from participating as an advisor or decision maker on any plan or project in which you have previously participated as an advocate.



# APA Ethical Principles in Planning

- Serve as advocate only when the **objectives are legal** and **serve the public interest**.
- **Don't participate** as an advocate on any plan or program in which you have previously served as an advisory or decision maker, except after **full disclosure** and in no circumstance earlier than one year following termination of the role as advisory or decision maker.
- Don't use **confidential information** to further a personal interest.
- Don't disclose **confidential information**.
- Don't **misrepresent** facts or **distort** information.
- Don't participate in any matter unless **prepared**.
- **Respect** the rights of all persons.

# Ethics Commissions & Ethics Regulations

- State Ethics Commissions/Codes – 42 states have an ethics commission
- Local Ethics Commissions
- Questions to Ask
  - Does your state/local govt./commission or board have an ethics commission or ethics rules and standards?
  - What are the rules that apply to you?
  - Do the rules cover more than conflict of interest?
  - Is ethics training required? Provided?
  - What topics are covered by the ethics code?
  - Is the code regulatory, aspirational or both?
  - Who administers and/or enforces the code?

# Fairness, Objectivity & Open Meeting Laws

## ■ Introduction

- Why can't we just **decide** and be done with it?

## ■ Fairness & Objectivity Issues

- *"Something is rotten in the state of Denmark—**City Hall.**"*

## ■ Open Meeting Laws

- *"The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know."*

# Washington State Ethics Laws

## *Appearance of Fairness Doctrine* (Chapter 42.36 RCW)

- Policy application (quasi-judicial), not policy setting (legislative)
  - Quasi-judicial actions are:
    - Subdivision approvals, development permits, site-specific rezones, ...
  - Legislative actions are:
    - Adoption and amendment of comprehensive plans, neighborhood plans, and development codes, area-wide rezones, ...

# Washington State Ethics Laws

## *Appearance of Fairness Doctrine* (Chapter 42.36 RCW)

- What would a reasonable person think?
- Ex-parte communications
  - One-sided – discussions with proponent or opponent
  - Cure by placing on the record the substance of any written or oral ex parte communications concerning the decision or action.
- Rule of necessity
  - If disqualification would result in lack of a quorum, challenged member may fully participate and vote.
  - Must publicly disclose basis for disqualification prior to rendering decision.

# Washington State Ethics Laws

## *Open Public Meetings Act* (Chapter 42.30 RCW)

### ▪ Purpose – RCW 42.30.010

- “The legislature finds and declares that all public commissions, boards, councils, committees, subcommittees, departments, divisions, offices, and all other public agencies of this state and subdivisions thereof **exist to aid in the conduct of the people's business**. It is the intent of this chapter that their actions be taken openly and that their deliberations be conducted openly.”
- **“The people of this state do not yield their sovereignty to the agencies which serve them.** The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.”

# Washington State Ethics Laws

## *Open Public Meetings Act* (Chapter 42.30 RCW)

- All **meetings** of the **governing body** of a **public agency** shall be open and public and all persons shall be permitted to attend any meeting of the governing body of a public agency, except as otherwise provided in this chapter. RCW 42.30.030
  - **"Meeting"** - meetings at which action is taken.
  - **"Action"** - means receipt of public testimony, deliberations, discussions, considerations, reviews, evaluations, and final actions.
  - **"Governing body"** - means the multi-member board, commission, committee, council, or other policy or rulemaking body of a public agency, or any committee thereof when the committee acts on behalf of the governing body, conducts hearings, or takes testimony or public comment.
  - **"Public agency"** – Any county, city, school district, special purpose district, or other municipal corporation or political subdivision ... including but not limited to planning commissions, library or park boards, commissions, and agencies ...

# Washington State Ethics Laws

## *Open Public Meetings Act* (Chapter 42.30 RCW)

- Executive Sessions (open meeting exceptions)
  - Real estate
  - Review negotiations on performance of publicly bid contract
  - Personnel matters
  - Legal counsel – enforcement actions, pending or potential litigation (not simply because legal counsel is present)
- No final action during executive session.



# City of Seattle

## Introduction

- Seattle Planning Commission is an **advisory body** to the Mayor, City Council, and City departments.
- The Commission advises on broad planning goals, policies, and plans for the physical development of the City
- Work we do:
  - **Receive requests** from Mayor, City Council, and/or City departments
  - **Prepare independent analysis** and promote issues vital to livability
  - **Stewards** of the Comprehensive Plan

# City of Seattle

## Commission Ethics

- Acts in accordance with **Federal, State, and Local** rules
- All City advisory boards and commissions are bound by **Ethics Code** of the city
- Ethics Code is a “*statement of our shared values*”
  - **Integrity**
  - **Impartiality**
  - **Independence**
  - **Transparency**

# City of Seattle

## Commission Ethics - Application

- All commissioners receive **training**
- Commissioners must **disclose** interests and affiliations to mitigate **appearance** of conflict of interest
- Commissioners must **recuse** themselves from participating due to direct or indirect financial interest
  - May not be part of deliberations
  - Must leave room before formal advice or recommendations
  - May not speak with other commissioners about the discussed topic

# City of Seattle

## Operating Procedures

- Important to maintain **transparency** before, during, after meetings
- Commission meetings are **open to the public**
- **Public comment** at full commission meetings
- Full commission meetings are **documented with meeting summaries** and posted on the commission web site.
- **Formal commission positions** must be made at commission meetings

# City of Seattle

## Current Commission Discussions around Ethics

- Social Equity
  - What does this **mean** in the City?
  - How can the commission ensure their **daily actions** are equitable?
    - **Accessible meetings**
    - **Public comment**

# City of Seattle

## Current Commission Discussions around Ethics

- Comprehensive Plan Major Update
  - City is experiencing **significant growth**, affecting housing affordability and access to jobs, services, parks and open space, etc.
  - As stewards of the Comprehensive Plan, how can the commission help **frame the discussion** around social equity?

# Meeting Organization and Management

## *Fairness and Transparency*

- Role of Chair & Commissioners
- Ethical Meeting Management
  - Consistent Procedure Process
  - Announce Rules of Conduct
  - Knowledge/understanding of Roles & Responsibilities
- Commissioner Issues
  - Report Ex Parte Communications
  - Query Petitioner & Public on the Issue Only
  - Keep Personal Values Separate from Process
  - Parliamentary Procedures (Robert's Rules)

# Meeting Organization and Management

## *Fairness and Transparency*

- Public Meeting Do's and Don'ts
  - Do Maintain Consistency
  - Do Allow Equal Time for Testimony
  - Do Stay Focused
  - Don't Allow Personal Comments
  - Don't Allow Cheering Sections
- Recusal
  - Conflict of interest (perception versus reality; recusal forms)
  - Personal bias



# Meeting Organization and Management

## Standards of Conduct

- Planning Commissioners' Creed
- Statement of Ethical Principles of Planning
- Formal bylaws

# Chatham County-Savannah MPC

## Statement of Ethical Principles

### *Two Overarching Principles*

- Planning process must pursue & serve the public interest.  
(Seven underlying principles)
- Planning Process must strive to achieve high standards of integrity & proficiency so that public respect is maintained.  
(Twelve underlying principles)

# Chatham County-Savannah MPC Planning Commissioners Creed

- Place competence & effectiveness of service above other interests.
- Represent the best interests of the community as a whole.
- Assimilate all information prior to committing to a decision.
- Prepare myself for all items before the Commission.
- Make services equally available to any citizen.
- Abstain from participation when I have a conflict of interest.
- Avoid unilateral action that doesn't comply with Commission policy.
- Work with staff & others to achieve the most desired results.
- Refuse personal gifts given because of my position.

# Ethical Decision Making

- Ethical, Defensible Decision making does not start when you are making the decision or writing the decision.
- You must have the proper procedures in place and you must have knowledge and understanding of the rules that will guide your decision making.
- Guidelines
  - Meetings based on **clear rules** that are followed
  - The public is genuinely invited to participate
  - Meetings inspire **public confidence** in the commission
  - Information is available to all
  - Decision making is **impartial & timely**
  - Decisions are **based on the law** & the Plan (if applicable)
  - Decisions are **based on the facts & findings**
  - Decisions are “owned” by the commission (not an applicant or staff decision)
  - Decisions are free from conflict of interest
  - Decisions and conditions do not exceed your authority

# Resources

American Planning Association – Ethical Principles of Planning

[www.planning.org/ethics/ethicalprinciples.htm](http://www.planning.org/ethics/ethicalprinciples.htm)

American Institute of Certified Planners – Code of Ethics &

Professional Conduct - [www.planning.org/ethics/ethicscode.htm](http://www.planning.org/ethics/ethicscode.htm)

Massachusetts Commission on Ethics – [www.mass.gov/ethics](http://www.mass.gov/ethics)

Chatham County-Savannah Metropolitan Regional Commission

[www.thempc.org](http://www.thempc.org)

City of Seattle, WA – [www.seattle.gov/ethics/](http://www.seattle.gov/ethics/)

State of Washington Ethics Board – [www.ethics.wa.gov](http://www.ethics.wa.gov)

# Resources

City Ethics – model ethics code, information on states' codes, resources - [www.cityethics.org](http://www.cityethics.org)

National Conference of State legislatures – list of websites of all state ethics commissions (42 states) & statutes  
[www.ncsl.org/research/ethics/state-ethics-commissions.aspx](http://www.ncsl.org/research/ethics/state-ethics-commissions.aspx)

Vermont Land Use Education & Training Collaborative – Rules of Procedure & Ethics Manual  
<http://vpic.info/Publications/Reports/RulesProcedureEthicsManual.pdf>

Institute of Local Self Government –Developing a Local Agency Ethics Code [www.ca-ilg.org/ethicscodes](http://www.ca-ilg.org/ethicscodes)

California Fair Political Practices Commission -  
<http://www.fppc.ca.gov>

# Questions?

Ethics for Planning Commissioners  
S582





# MILWAUKIE

*Dogwood City of the West*

**To:** Planning Commission

**From:** Denny Egner, Planning Director

**Date:** November 3, 2015, for the November 10, 2015, Worksession

**Subject:** 2016 Planning Commission Goals and Work Program

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## **ACTION REQUESTED**

Review and comment on the draft Planning Commission work program for 2016. The Commission is scheduled to meet with City Council to discuss goals and the work program on December 15, 2015.

## **BACKGROUND INFORMATION**

The City Council and Planning Commission meet annually to discuss the Planning Commission's work program. The last joint meeting to discuss the Planning Commission work program was in February of 2014.

The Planning Commission serves the City by reviewing and advising on matters of planning and zoning, according to the provisions of the Comprehensive Plan and Zoning, Sign, and Land Division ordinances. It does this by deciding land use and development applications, developing long-range plans, and proposing updates and amendments to the Milwaukie Municipal Code and Comprehensive Plan. Planning Staff works closely with the Commission to make progress in all of these areas.

### **A. Major Accomplishments in 2014/15**

The Planning Commission has worked on a number of significant projects since the last discussion of the Commission's work program in February of 2014. Projects included:

#### **Completed Projects**

- **Moving Forward Milwaukie** – The Planning Commission held multiple work sessions and public hearings on the following components of the Moving Forward Milwaukie Project:
  - **Downtown Plan and Code Amendments** – Adopted by Council in September 1, 2015.



- **Central Milwaukie Code and Plan Amendments** – Expected to be adopted by the Council on November 3, 2015.
- **Neighborhood Main Streets Code Amendments** – Recommended for approval by the Planning Commission and scheduled for public hearing before the Council on November 17, 2015.
- **Medical Marijuana Regulations** – The Planning Commission held work sessions and a public hearing on zoning ordinance amendments regulating medical marijuana dispensaries. The Council adopted the regulations in the spring of 2015.
- **Eating Establishments in the C-L Zone** – The Council accepted the Planning Commission recommendation to modify the C-L zone to allow eating establishments on three properties at the corner of 32<sup>nd</sup> Ave and Olsen St.
- **Development Review** – Over the past 20 months, the Planning Commission has reviewed a number of development requests including variances, community service uses, conditional use permits, Willamette greenway review, and a subdivision. Development activity has been increasing as the economy has improved.

## B. Draft Work Program for 2016

Staff has compiled the following list of tasks for discussion by the Planning Commission as it sets the 2016 Work Program.

### City Council Goals

In May of 2015, the City Council adopted the following **6 goals**:

- ***Focus community resources on all-inclusive bike, pedestrian, and street safety program;***
- ***Library expansion;***
- ***Urban renewal strategy for downtown and north industrial area;***
- ***Proactive economic development strategy;***
- ***Kellogg for Coho; and***
- ***Complete neighborhood parks and develop stronger strategy for maintenance of existing parks.***

The Council Goals require limited involvement by the Planning Commission. Each goal is addressed briefly below:

- **Bike, Pedestrian, and Street Safety** – The Engineering and Community Development staff are working with the Public Safety Advisory Committee (PSAC) to address this goal. *Commission involvement in 2016: low.*
- **Library Expansion** – A task force has been formed. Planning Commissioner Scott Barbur is involved. *Commission involvement in 2016: low.*
- **Urban Renewal** – A feasibility study is underway. It is expected that a renewal plan will be developed in the first half of 2016. The Planning Commission has a formal role to review the plan and ensure that it is consistent with the Comprehensive Plan. *Commission involvement in 2016: moderate.*

- **Economic Development** – The City has contracted with a consultant to prepare and Economic Opportunities Analysis (EOA) and target industry list. The EOA will be a background component for an update to the Comprehensive Plan. An ad-hoc committee will be formed to guide the development of the EOA and a Planning Commissioner will be asked to participate. *Commission involvement in 2016: moderate.*
- **Kellogg for Coho** – The dam removal project is on hold given funding issues related to changes needed to the McLoughlin Blvd bridge over Kellogg Lake. *Commission involvement in 2016: none.*
- **Parks** – The Planning Commission and Council recently adopted master plans for three parks. The Council and the Parks and Recreation Advisory Board are tasked with considering funding options. *Commission involvement in 2016: none.*

### **Planning and Community Development Projects**

The following projects are those that are currently being addressed by the planning staff. Some of these projects will require heavy involvement by the Planning Commission.

- **Monroe Street Neighborhood Greenway** – Council will hold a public hearing on the neighborhood greenway plan on November 3 and it is expected that staff will be directed to test traffic diversion along the greenway. This is will be a joint project of the Planning and Engineering staff. Provided there is forthcoming Council direction, staff is prepared to seeking grant funding for initial improvements. *Commission involvement in 2016: low.*
- **19<sup>th</sup> Avenue and Sparrow Street Neighborhood Greenway** – This project is also known as the 19<sup>th</sup> Ave Woonerf (a Dutch word for shared street design). The City received a grant to study options for developing a street design that will allow pedestrians, bicycles, and cars to share the 19<sup>th</sup> Ave roadway. These streets link Riverfront Park with Spring Park and the Trolley Trail. *Commission involvement in 2016: low.*
- **Code Maintenance** – Staff has begun work on a set of code amendments to address issues and inconsistencies with the zoning code. It is expected this will involve several work sessions and require at least 1 public hearing. *Commission involvement in 2016: high.*
- **Short Term Rentals** – Staff is crafting code amendments to provide greater flexibility for property owners who wish to rent out rooms or their entire houses through Airbnb and similar services. *Commission involvement in 2016: high.*
- **Recreational Marijuana Regulations** – The OLCC has completed its draft rules and it is time for Milwaukie to begin work on code amendments to regulate recreational marijuana retail outlets, grow sites, wholesale operations, processing plants, and testing sites. OLCC will begin issuing state licenses next spring for grow sites. *Commission involvement in 2016: high.*
- **North Milwaukie Industrial Area** – The City has partnered with the Clackamas County Business and Economic Development Department to develop a plan and implementation strategy for the North Milwaukie Industrial Area (NMIA), which may include amendments to the Comprehensive Plan and zoning code. The project is being funded primarily by a Metro Community Planning and Development Grant. An advisory committee will be formed for the project and it is expected that a Planning Commissioner will be asked to sit on the committee. The project is expected to be

completed in early 2017. *Commission involvement in 2016: moderate (high involvement in 2017 is likely).*

- **Comprehensive Plan Update** – Staff is prepared to begin work on an update to the Comprehensive Plan. The last major rewrite of the Comprehensive Plan occurred in 1989. Staff has scheduled a December 15 work session with Council to discuss the scale and scope of this effort. The project is expected to focus on the housing and economic needs of the City and will include a significant review of existing plan policies. The project is expected to take 3 years. Staff has initiated work by contracting to have an EOA prepared. Staff intends to also contract for work on a Housing Needs Analysis (HNA) within the current fiscal year. *Commission involvement in 2016: high (A high level of involvement is expected over the next 3 years).*

### C. Planning Commission Discussion

At the November 10, 2015, meeting, staff seeks the Planning Commission's input regarding the draft 2016 work program prior to the Commission discussion with City Council on December 1, 2015. Staff believes that the Comprehensive Plan update project will require a significant amount of attention from the Planning Commission during this work planning period but there will be time for additional projects. Planning Commission, in consultation with City Council, will need to prioritize which projects will receive attention. Suggested points for discussion at the November 10 meeting include:

- Are there questions or clarifications needed regarding any of the projects listed above?
- Are there other projects that you would add for consideration in the work program?
- How should projects be prioritized?
- What questions does the Commission have about the Planning Commission's involvement with City Council goals or initiatives?