

**CITY OF MILWAUKIE
PLANNING COMMISSION
MINUTES
Milwaukie City Hall
10722 SE Main Street
TUESDAY, December 13, 2016
6:30 PM**

COMMISSIONERS PRESENT

Shane Abma, Chair
Shannah Anderson
Adam Argo
Kim Travis
John Burns

STAFF PRESENT

Denny Egner, Planning Director
Vera Kolas, Associate Planner

COMMISSIONERS ABSENT

Scott Barbur
Greg Hemer

1.0 Call to Order – Procedural Matters*

Chair Abma 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 February 9, 2016

2.2 February 23, 2016

Commissioner Anderson corrected that she had not attended the meeting. **Commissioner Argo** clarified the he should have been shown as present.

2.3 March 22, 2016

2.4 July 12, 2016

2.5 August 9, 2016

It was moved by Commissioner Anderson and seconded by Commissioner Argo to approve the Planning Commission Minutes for February 9, March 22, July 12, and August 9, 2016 as presented. The motion passed unanimously. The February 23, 2016, minutes were pulled to verify attendees and a quorum vote.

3.0 Information Items

Denny Egner, Planning Director, noted the King Rd subdivision that the Commission recently approved was formally appealed today by the Hector Campbell Neighborhood District Association (NDA) with Ley Garnett as the spokesperson. The appeal would likely be heard at City Council on January 17th. The Commission would receive the appeal information as part of the 20-day notice.

At the December 20th Council meeting, a presentation was given on the Economic Opportunities Analysis and Economic Development Strategy. The Housing Needs Analysis would also be presented and would eventually be presented to the Planning Commission.

Chair Abma introduced new Planning Commissioners Kim Travis and John Burns, who briefly described where they lived and their professions.

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: Harmony Rd Mini-storage—to be continued again to January 10, 2017
Applicant/Owner: Hans Thygeson
Address: 5945 & 5965 SE Harmony Rd
File: CU-2016-001, NR-2016-001, TFR-2016-001, VR-2016-003
Staff: Brett Kolver

Chair Abma called the hearing to order, noting the applicant had requested a continuance.

It was moved by Commissioner Argo and seconded by Commissioner Anderson to continue the public hearing for CU-2016-001, NR-2016-001, TFR-2016-001, VR-2016-003, 5945 & 5965 SE Harmony Rd, to a date certain of January 10, 2017. The motion passed unanimously.

- 5.2 Summary: Housekeeping Code Amendments
File: ZA-2016-002
Staff: Vera Kolas

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

Vera Kolas, Associate Planner, noted the worksessions held to date with the Commission and City Council. Notification was provided to the NDAs, as well as property owners and tenants of the affected properties in the CL Zone, to ensure they were aware of the proposed amendments. She presented the staff report via PowerPoint and reviewed the proposed Housekeeping Code Amendments. She addressed clarifying questions, and described the key issues related to accessory structures and fence height, as well as roof signs, which were detailed in the supplemental staff report.

Discussion of the key issues and feedback from the Commission were as follows:

Accessory structures. Council was concerned about any loophole in the Code that could allow applicants to build a very large garage, for example, by attaching it to a house to avoid the required variance. The concern regarded whether the new structure actually functioned as an addition. Because different standards applied to accessory structures versus additions, staff proposed language with specific dimensions and standards to clarify under what circumstances a structure was an addition and not an accessory structure. Graphics were also included to illustrate these dimensions and standards.

- The graphics were helpful, but Figure 19.502.2.3 (5.2 Page 20) was not needed because accessory structures were separate structures. The other graphics needed to be redrawn to more accurately reflect the required distances.

- Staff confirmed the measurement units would be changed to be consistent throughout the Code subsections. The required 36-in or 3-ft for a corridor was a consistent width for a standard hallway in the Building Code.

Fence Height. Currently, a Type III variance was required for homeowners wanting a fence taller than 42 inches on their property. The proposed amendments included a Type II variance for fences that would establish limited variations for fences. In some instances, however, fences taller than 6 to 8 ft were appropriate, particularly given significant grade changes between the street and property.

- Staff noted that at a worksession, the City Council asked for a clear and objective standard that could be applied when an elevation difference existed between the street and property; however, it was challenging to write standards that could be universally applied. Staff did not recommend such standards because the Type III process existed for such discretionary situations and the Type II process would provide a solution most of the time.
- Staff noted the background of the request and added that Council sought a way to make slight adjustments to fence heights through a Type II process due to the expense, timeframe, and risk of a Type III variance.
- Staff noted there had been discussions about including a different fee for the Type II fence variance, but that was yet to be determined.

Roof Signs. Currently, properties with multiple frontages may combine the length of their frontages to determine the maximum size of a roof sign, which was based on a recent land use appeal. However, the Code had no maximum size limit for roof signs. Staff sought input about including a maximum size for roof signs and whether only a single frontage should be used to calculate the size of a roof sign.

- The City's Sign Code was content-neutral so signage did not have to relate to the business or building activity and could be leased out to project any message.
- **Mr. Egner** noted adding or changing the standards would essentially place new restrictions on property owners and the changes had not been noticed to properties in the Manufacturing Zone, as roof signs were only permitted in the Manufacturing Zone. If the Commission wanted changes, he suggested removing the Code section on roof signs from the proposed amendments to re-notice and hold a new hearing on that Code section.
- The language regarding the number of signs allowed that were "multi-faced" created some confusion about the number of signs allowed that were not multi-faced. The language seemed to imply the restriction was only on multi-faced signs.
- The Commission concurred that that the Sign Code section regarding roof signs should be pulled from the amendment package and discussed potential changes to the maximum limit for roof signs and to align roof sign requirements with free-standing sign standards.

Ms. Koliass confirmed that staff would clarify the repeated use of the term "stormwater" in the definition of utility facilities as it related to the proposed amendments in MMC 19.402 Natural Resources. She explained that the new language of Chapter 19.401.5.B specified items that would not have been considered intensification or change in use by the definition. The list helped staff and applicants know what could be done on a property within the Willamette Greenway Zone that would be exempt from the Type III review. The language came from Goal 15, the Willamette Greenway Goal, and simply added clarity to the definitions.

Chair Abma closed the public hearing. He confirmed the changes regarded the roof signs and changes to the accessory structure graphics.

It was moved by Commissioner Argo and seconded by Commissioner Anderson to recommend approval to City Council of ZA-2016-002 Housekeeping Amendments with the recommended findings as amended, but pulling the Title 14 Signs section of the amendments package to notice and amend at a later date. The motion passed unanimously.

6.0 Worksession Items

7.0 Planning Department Other Business/Updates

7.1 Planning Commission Notebook Replacement Pages

Mr. Egner noted the Commissioners were provided replacement pages that included the new marijuana and short-term rentals code sections.

8.0 Planning Commission Discussion Items

Commissioner Anderson noted the Vision Advisory Committee took input from the open house and made some modifications to the Vision Statement and began crafting goal statements under the various categories: People, Planet, Place, Prosperity. She invited the Commissioners to attend the Vision Advisory Committee meetings.

- **Mr. Egner** added the next Visioning Town Hall was planned for February 15th. He described the exercises James Rojas, a member of the consultant team, would conduct for kids and adult groups the week before the Town Hall.

Commissioner Argo stated the Advisory Group for the North Milwaukie Industrial Area Project was working on the Framework Plan component and had done an Economic Feasibility Analysis study, which followed an existing conditions assessment. The materials continue to be released on the City's website. He anticipated about three or four more meetings would be held.

- **Mr. Egner** added that the next meetings of the Technical Group and the Advisory Group would focus on a conceptual discussion to determine what level of change people were comfortable with.

Chair Abma announced Milwaukie's Annual Winter's Solstice would be on December 17th at 5:00 pm where people could watch the Christmas ships at Milwaukie Riverfront Park.

9.0 Forecast for Future Meetings:

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| January 10, 2017 | 1. Public Hearing: WG-2016-002, VR-2016-008 – 20 th Ave Garage |
| | 2. Public Hearing: CU-2016-001 et al – Harmony Road mini storage |
| | 3. Worksession: Visioning Update |
| January 24, 2017 | 1. TBD |

Meeting adjourned at approximately 8:12 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II

Shane Abma, Chair

Greg Egner, Chair