



CITY OF MILWAUKIE

PLANNING COMMISSION MINUTES

Meeting held online via Zoom
www.milwaukieoregon.gov

November 24, 2020

Present: Robert Massey, Chair
Lauren Loosveldt, Vice Chair
Greg Hemer
Amy Erdt
Adam Khosroabadi
Jacob Sherman
Absent: Joseph Edge

Staff: Laura Weigel, Planning Manager
Vera Kolias, Senior Planner

(00:13:00)

1.0 Call to Order – Procedural Matters*

Chair Massey called the meeting to around 6:30 pm 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>.

(00:01:10)

2.0 Planning Commission Minutes

2.1 Commissioner Hemer had a correction to the work session item 6.1. He would like the ordinance to be called "Emergency Evacuation Shelter Plan."
Chair Massey had a few corrections to the worksession as well. He would first replace the first sentence with the following text, "Commissioner Massey observed the code change specifically addressed natural disaster self-evacuees bringing their own shelter. While the other issues discussed are important, trying to solve all those problems would delay a quick resolution of the issue at hand." The last sentence should read, "A footprint standard should be used to determine the number of vehicles allowed for a given area rather than a set number of vehicles for all locations regardless of area."

Commissioner Sherman motioned to approve the minutes as amended.
Commissioner Loosveldt seconded the motion. The amended minutes were approved.

(00:04:00)

3.0 Information Items

- 3.1** No public testimony was presented for this portion of the meeting.

(00:04:10)

4.0 Audience Participation

- 4.1** No public testimony was presented for this portion of the meeting.

(00:04:48)

5.0 Public Hearings

- 5.1** Summary: The purpose of this discussion was to correct the review process going forward for PD-2020-001 Waverly Woods.

Vera Kolias explained that corrections were needed because the previous timeline did not allow for an updated staff report, findings, conditions, and an opportunity for the public to respond to the new information.

The proposed corrections were as follows:

- 11/10: deadline for new information/submittal of written testimony
- 11/17: deadline for responses to information submitted by November 10; notice sent for 11/24 Planning Commission meeting to consider a new schedule order
- 11/24: Planning Commission meeting; agenda to include a brief staff report to explain that the Planning Commission should establish a new order for the schedule of this land use review
- 12/8: continued Planning Commission hearing to include written and oral testimony regarding the information submitted to date, including the staff report, findings, and conditions
- 12/15: deadline for applicant's last written argument
- 1/12/21: continued Planning Commission hearing for deliberations

Chair Massey asked Ms. Kolias when would the 120 days expire?

Ms. Kolias responded, January 9, 2021 would be the 120th day. The Planning Commission needed an extension from the applicant and would seek one during the next Planning Commission hearing, which was scheduled for December 8, 2020. It was impossible to continue the hearing without an extension. The extension must account for the City Council hearing as well. The applicant was aware of the need for an extension.

Chair Massey asked, Ms. Kolias what outreach actions were conducted to ensure the community was aware of the changes mentioned above?

Ms. Kolias responded, the Planning Department sent a memo to all abutters within 400 ft of the project site and all identified interested parties. Also, the department emailed a memo to anyone who submitted comments orally or written during the October 27th hearing and individuals who submitted comments in the last several weeks. Every abutter within 400 feet of the property received a hard copy of the memo. Those were the same individuals who received the original public hearing notice.

Chair Massey responded, he appreciated the Planning Department's outreach to ensure the public was aware of the changes.

Commissioner Hemer motioned to update the motion that was approved on October 27th regarding the review process for land use application master file PD-2020-01 and its associated applications.

Commissioner Khosroabadi seconded the motion.

All Commissioner in attendance approved the motion.

(00:11:00)

6.0 Work Session Items

- 6.1** Summary: The purpose of this discussion was for Ms. Kolias to present an update about the Comprehensive Plan Implementation Project.

Activities with the Consultant: The consultant had submitted a draft of the code audit to staff for review. The code audit report was a detailed analysis that identified any conflicts or any issues with the current code and regulations. The report was related to the Planning Department's policy directives, opportunities to create more housing, House Bill 2001, tree preservation and protection, and residential off-street parking requirements.

The Comprehensive Plan Implementation Committee meetings: A copy of the draft was sent to the Comprehensive Plan Implementation Committee in time for their December 17th meeting. The committee had two weeks to review the draft prior to discussing the document. The consultant and staff

completed over 30 stakeholder interviews. During those interviews, they discussed key livability issues. On November 19th, the Comprehensive Plan Implementation Committee had their third meeting. The topics covered in the meeting were middle housing issues, key findings about the code audit, and barriers that were previously identified in the zoning code. Each member of the Comprehensive Plan Implementation Committee shared their housing experiences throughout the course of their lives to inspire the group to think of the different housing needs the community may be interested in. The next Comprehensive Plan Implementation meeting was on December 17th with the Design and Landmarks Committee and Tree board. The topic was initial code concepts and different approaches to discussing the code changes. The committee had an ongoing event that went live virtually on November 12th and closed on November 29th. There were various stations related to housing, tree preservation and trees in general and off-street parking. Also, there was a survey for individuals to complete.

Stakeholder Interviews Key Themes: The stakeholder interviewees included various residents, NDA representatives, builders and developers, neighborhood activists, housing advocates, and some representatives from the school department who were working with families of color and underrepresented communities. We asked the various stakeholders about housing, trees, and parking. The feedback we received were people loved the neighborhoods in Milwaukie and there was a general acceptance of the benefits of middle housing, concerns about affordability and integration in the neighborhoods, and the desire to be bold in our approach. Individuals wanted us to think outside of the box.

Outreach: Our outreach was primarily related to the virtual open house and the community survey. There was an article in the November Pilot and postings on the City's social media sites. The schools posted on their social media accounts and sent emails to their families. The Planning Department sent emails to our various listservs, which included the Neighborhood District Associations, the City's boards and committees, Comprehensive Plan email list, and the Black, Indigenous, People of Color (BIPOC) community. The Planning Department placed hard copies of all materials, which included the survey, flyers, and virtual materials in English and Spanish at the Library, Wichita Center, Hillside, and the Farmers Market.

Virtual House Attendance: On the English site, we have had 53 individuals complete the survey, 260 people who had visited the main page, 137 people who had clicked through the stations, and 54 people who had provided feedback. On the Spanish site, no had completed the survey, 2

people had opened it, 25 people had visited the main page, and 3 people had clicked through the stations. The survey closed on November 29.

Materials discussed during the Comprehensive Plan Implementation

Committee meeting: The consultants shared their analysis of existing conditions of every neighborhood in the city. They took pictures of the neighborhoods to take an inventory and to get a sense of what was happening on the ground before discussing possible code changes. The consultant created working sheets of the different neighborhoods. The consultant discussed zoning, lot sizes, and street conditions. After taking inventory of the various neighborhoods, the consultants created a diagram to better understand parking, trees, and middle housing and created goals for each subject. Below are key findings for the parking, trees, and middle housing.

- Parking: manage parking inventory, curbless street design, alley-ends, alleys, long driveways, and permeable paving parking lots that avoid tree root areas.
- Trees: large planting strip on-street, maintaining trees on private property, new tree planting, in streets and on private property, and narrow, queuing streets with trees and parking alternately occupying the same street zone (Island Station Neighborhood Greenway).
- Middle Housing: context-sensitive forms for different lot sizes and conditions and attached vs detached housing types: DLCD (Department of Land Conservation and Development) flexibility definition.

The goal was to understand what was currently happening to influence changes that will serve multiple situations and individuals.

The code audit will be about 20 pages of a summary report with overall findings and corrective actions. The report will discuss current issues with the code and different solutions the city can implement.

Timeline: The committee had almost completed reviewing the code audit that was submitted by the consultant. The committee started discussing the concept development and the community's review of the code concepts would start in the new year. The committee's next meeting is December 17th.

Chair Massey wondered, about the virtual turnout and if the numbers were good or not.

Ms. Kalias responded, the Planning Department was hoping for more public participation and would connect with the public via email and social media to increase participation before the survey closes.

Commissioner Erdt asked, are there any studies to understand which trees may withstand fires, especially as we considered climate change?

Ms. Kolias responded, two arborists are on the consultant team, the city arborist, and the tree board were working together to determine appropriate climate change species. The City's Urban Forester created a tree recommendation list to encourage residents to plant trees that were responsive to climate change.

Commissioner Loosveldt shared she was concerned about the feedback the City has received thus far and wondered what were the City's plans for moving forward?

Ms. Kolias responded, at the end of the participation period, the team would discuss the statistics and outcomes of the information already received. There was a possibility that the committee may extend the survey to ensure they had useful feedback.

Commissioner Sherman encouraged staff and the consultant team to think about future vehicles, such as electric vehicles and how the City is planning for that.

Ms. Kolias agreed.

Commissioner Sherman asked if there was an incentive for community members who completed the survey?

Ms. Kolias responded, the City was offering great prizes for participation.

(00:37:20)

6.2

Summary: The purpose of this discussion was for Laura Weigel to share the Planning Commissioner's 2020 Annual Work Plan and the revised bylaw proposal.

The Planning Commission and staff had a robust year, which included:

- Hosting over six public meetings regarding the Comprehensive Plan and participating in a tremendous amount of public outreach.
- Creating the Central Milwaukie Webpage, which is a webpage about projects taking place in Central Milwaukie.
- Designing the Pre-Application information webpage to share about new developments in the different neighborhoods around the city.
- Conducting several development reviews, including a subdivision that had four hearings, community service uses, conditional uses, a variance request, and a planned development that is still under the way.

Ms. Weigel shared the Planning Commission's 2020/2021 workplan, which included implementing the Comprehensive Plan Implementation Phase 1.

During Phrase 1, the Planning Commissions was evaluating the housing, parking, and tree codes and is scheduled to complete this phrase by June 2021. Phrase 2 would examine the commercial and industrial designations, as well as, update the transportation system plan, which would be another multi-year project between the Planning and Engineering Departments. The Planning Commission will be involved as well. Phrase 3 would primarily focus on updates to the Willamette Greenway and the City's historic and natural resources. The Planning Commission would also assist with the Central Milwaukie Bikeway Project, floodplain code updates, park institution zones, and the town center activities. The above projects are projected for completion in 2025.

Commissioner Hemer shared, the Milwaukie Museum would like to partner with the City of Milwaukie on their historic planning activities.

Ms. Weigel responded, she would like to get those individuals involved.

Commissioner Sherman asked, about the timeline and its relationship to available resources. He asked if there any areas that Council should give the Planning Department additional resources to complete some of the projects?

Ms. Weigel responded, if the Planning Department had more staff that may help. The Planning Department's consultant budget would assist in accomplishing some of the goals. With the size of the department and outside resources there was only so much the department could accomplish within a certain time frame which was why the timeline was over a 5-year time period.

Commissioner Sherman asked, besides head count was there a project you wish you could do right now?

Ms. Weigel responded, she was confident in the work plan as it was written and wants the Planning Department to complete the most important assignments first.

Ms. Kolas added, this was the work plan outside of development review. She also shared that we needed to be aware of outreach fatigue and hoped we could continue to move forward with our community without asking for too much.

Commissioner Sherman shared, at work we are leaning on past public participation to assist with new plans. This was useful when considering outreach fatigue.

Ms. Kolas and Ms. Weigel thanked, Commissioner Sherman for the suggestion.

There were not any additional questions. Weigel presented the revised bylaws.

An addition to the bylaws was "The commission shall serve as the Community Involvement Advisory Committee (CIAC) for the City until a separate CIAC is formed by the City Council." The other addition was about the duties of the Commission, which was "At least once per year, the Commission shall hold a meeting between the Commission and the Neighborhood District Association (NDA) leaders (e.g., the NDA chair and the chair of the land use committee)." If the Planning Commission agreed with revisions in principle, the Planning Department would share with City Council for recommended adoption. I would like to have a discussion in the spring regarding what the CIAC would do, the Committee's role, and understand when and how the meetings would operate.

Commissioner Loosveldt shared, during the Comprehensive Plan activities the Planning Commission received feedback that they were not the ideal group to be responsible for this work. There were concerns about giving the Planning Commission additional responsibilities due to their current workload. Another concern was regarding if the Commission represented the community because it felt like the Commission was policing their own. This did not appear to be an equitable way to move forward. She wondered if we could place a milestone on this assignment to ensure it was temporary.

Commissioner Hemer added, he wanted to echo Vice Chair Loosveldt's comments. This was introduced as part of goal one, which fell under the Planning Commission. What were the responsibilities of the Commission? Is the Commission community focused which was not the intent of goal one. A definition and a set of accomplishments for the Commission would be useful. The Planning Commission was at capacity and CIAC would require more meetings. He hoped we would really think about this a little more and add a sunset clause.

Chair Massey added, his remembrance of this discussion was the City Council was concerned about creating a new organization and believed the Planning Commission could temporarily take this on. They believed the Planning Commissioner had more interface with the public than the other commissions. They defaulted to that, which was understandable. He liked the idea of a sunset clause. Otherwise, this would become the way it is. There should be some parameters on the responsibilities and the times the Commission was scheduled to meet. The Commission needed to understand the expectations and role of the CIAC. The CIAC was expected to meet a requirement of the State's, which was more than land use and the broader issues needed to be discussed.

Commissioner Hemer suggested, the Planning Commission and NDA leaders were part of the CIAC. This would allow the Planning Commission to meet with the Neighborhood District Association. There was an assumption the Planning staff would oversee the CIAC.

Ms. Weigel responded, there were different ways the committees were structured in other cities. She expressed the need to understand what was

discussed during the Comprehensive Plan and the thoughts of the City Council and Planning Commission. She also expressed the need to understand exactly what the group was created to accomplish. The mission of the CIAC was very unclear and a discussion was needed to better understand the role of the CIAC and the Planning Commission.

Chair Massey asked, who on the city staff would be the point of contact?

Ms. Weigel responded, she assumed that the Planning Department would be the contact person. However, that was not discussed.

Commissioner Sherman shared, he was not present for the discussion and does not feel comfortable approving the revised bylaws. He would like to get better clarity on some of the functions before entertaining a bylaws amendment.

Ms. Weigel agreed and shared, she had captured the conversation from tonight and will share the group's thoughts with City Council and suggest a meeting between the Council and Commission to better understand the expectations of the CIAC.

Commissioner Hemer suggested, before the meeting with the City Council there should be worksession to assist with the flow of conversation.

Ms. Weigel agreed, that was a great suggestion to have more clarity before City Council and the Planning Commission met.

Commissioner Loosveldt seconded what Commissioner Hemer said. She asked, Commissioner Hemer to help her remember the Planning Commissioner meeting where this was discussed at length. This would help Laura understand what was discussed and an idea regarding how to proceed.

Commissioner Hemer added, this was one of the first discussions regarding goal one.

Ms. Weigel shared, she was not aware of the meeting and will go back and review it.

Commissioner Loosveldt added, gaining clarity will help us understand how to proceed and accomplish the CIAC's goals.

Commissioner Hemer added, his concern was the CIAC may get ignored because the Planning Commission thinks it too difficult to accomplish and that is not fair to the residents of Milwaukie.

Ms. Weigel shared, the new Equity Manager may be able to add his expertise and assist us with moving forward.

Commissioner Sherman asked, was it okay to pivot to and discuss the second point? This may be an opportunity to engage the NDAs, the Land Use Chairs, and the Equity Manager.

Ms. Weigel explained, the second bylaw, which said, once a year the commission holds a meeting inviting the NDA leaders to discuss land use issues and community outreach.

Chair Massey thought it was a valuable session. It was a listening session more than anything else. He thought it was good.

Commissioner Loosveldt wondered, if once a year was enough. Maybe it should be biannually.

Commissioner Hemer shared, one thing that was written in the bylaws at some point in time was the Commission was supposed to meet with the Design and Landmark Committee (DLC). He noticed that clause was no longer in the bylaws. The Commission tried to meet with the DLC annually and only met with the committee every 18 months or two years. If the Commission recommends biannually it may only happen once a year which is fine. The meeting needed a purpose and a specific subject matter to give the meeting some purpose. The last meeting was great because the Planning Department developed a project list. If the Commission decided to meet twice a year that worked for him if they had two purposes to meet.

Chair Massey agreed, with an annual meeting. He wanted to make sure the Commission accomplished its goals and meeting biannually may be difficult to do.

Commissioner Loosveldt added, what if there was an option for the second meeting and a vote was taken to determine if a meeting was needed?

Chair Massey responded, bylaws could say meet at a minimum of once a year and on an as needed basis.

Commissioner Hemer added, back to Commissioner Sherman's point regarding the Equity Manager and this was a great suggestion. He added, maybe the Community Development person, the person in charge of the NDAs, and the BIPOC group could attend the meeting too.

Chair Massey responded, he had one bylaw discussion item that was more administrative than anything else. He said that when the minutes were approved by the Commission, the City staff sent them to him by mail. Then he signed them and sent them back to the City. He thought this did not seem necessary. His proposal was once the minutes were approved by the Commission the person who took the minutes should sign and post them online. This would save money on postage and paper. Some of the other Boards and Commissioner were doing this. He looked up the Robert's Rules of Order and this was the way they preferred the committee to do things. That would be his proposal and would require a couple of changes to the bylaws. Changes needed are to eliminate "the chair signing all documents memorializing the commissions" and add a section about the minutes to read "upon approval of the minutes by the Commission a staff representative would sign the minutes and make available to the public to at a reasonable time."

Ms. Weigel had checked with staff and agreed, it was fine for that revision to be made.

Commissioner Loosveldt asked, can the Commission make suggestions for new bylaws?

Ms. Weigel responded, sure.

Commissioner Loosveldt asked, would the Commission ever consider a bylaw that would allow a virtual component for individuals to engage with the Planning Commission year-round no matter pandemic or not.? She expressed her desire to see the Planning Commission meetings virtually from here on out.

Commissioner Sherman added, he wanted to discuss this further. Zoom allowed individuals to engage and was the way of the future.

Commissioner Khosroabadi added, he was interested in discussing this further.

Commissioner Hemer added, with today's technology the Commission could have this. If there was public testimony, he certainly wanted to be the one on the diocese. He thought it was rude not to be there when someone came to speak. The Commission was supposed to be there for the people who wanted to talk to them. With that, one tv screen could be used for Zoom so that members who do not want to come in could interact virtually.

Commissioner Loosveldt responded, this opened the door for other Commissioners and future Commissioners who were single parents or working multiple jobs to participate. The Commission could utilize the diocese as much as possible which would allow the public an opportunity to engage in an avenue that was not previously available. In the future, people would not have to be present in person to participate.

Commissioner Sherman added, he had sat in more City Council meetings in the last six months than in the previous years prior because Council was on Zoom. He added that Commissioner Loosveldt's point was well taken.

Commissioner Massey agreed with the discussion to provide more opportunities for Commissioners and the public to participate. He also agreed with Commissioner Hemer that some people would not be comfortable participating online. When someone from the public comes in, he wanted them to see a commissioner, or two, or three. There needs to be a Commissioner in person for them to see. He asked if this needed to be in the bylaws.

Commissioner Hemer responded, this was something the Commission should ask the Council about. When former Councilor Powers was pregnant and could not attend meetings, she participated over the phone. This option was availability to other Councilors who could not attend in person meetings. The Council knew that was legal or within some parameters of legality. And it could work for individuals to participate via Zoom. He added it would be a great conversation for Justin Gericke, the City Attorney and City Council.

Gericke responded, the City tried a hybrid meeting at Council and it was a dismal failure. While the technology was great, it was not perfect. Currently, the law did not cover this specifically and this may change overtime. The

Commission may want to be careful because there may be times when the technology may be unavailable.

Ms. Weigel responded, the city and Commission also needed to understand how this would work with some of the Commissioners attending the meeting virtually and others in person. She added, another conversation would be needed to understand how this would look and function.

Commissioner Hemer asked, may the Commission make this a goal for 2021?

Commissioner Sherman added, as things come back to normal life, he imagined this was something that would be expected. He added that this would be a great goal for 2021. A place to integrate this would be on page 10 of the packet, which had a description of what Commission meetings were and the definition of quorum. For a quorum the text only talked about Commissioners being present. It did not say present in person. The Commission could work through that and have Zoom available for emergencies for Commissioners. All of this was to say, continued dialogue was needed prior to making any changes.

Ms. Weigel responded, the Commission needed to continue to talk about it and she would research what other governmental entities were doing.

(01:34:52)

7.0 Planning Department Other Business/Updates

There were no updates.

(01:35:00)

8.0 Planning Commission Committee Updates and Discussion

Commissioner Hemer shared, Happy Birthday everyone. The Planning Commission was established on November 28, 1938. He wanted to say Happy Birthday and asked the Commission to think about what the 100th year celebration would be like in 2038. Also, he mentioned the Blue-Ribbon Committee website launched last week and everyone should visit the website and spread the word.

(01:37:10)

9.0 Forecast for Future Meetings

- December 8, 2020: Waverly Woods
- December 8, 2020: Emergency Housing Code
- December 8, 2020: Central Milwaukie Bikeway Concept Plan and Title 18
- January 12: Comp Plan Implementation project update – code concepts

Meeting adjourned at approximately 8:15 PM



Robert Massey, Chair

Respectfully submitted,
N. Janine Gates
Assistant Planner