



CITY OF MILWAUKIE

PLANNING COMMISSION MINUTES

City Hall Council Chambers
10722 SE Main Street
www.milwaukieoregon.gov

February 22, 2022

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

Staff: Justin Gericke, City Attorney
Vera Kolias, Senior Planner
Laura Weigel, Planning Manager

Absent: Greg Hemer

(00:08:30)

1.0 Call to Order — Procedural Matters*

Chair Loosveldt 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>.

(00:09:05)

2.0 Planning Commission Minutes

The November 9, 2021 minutes were approved with a 6 – 0 vote.

The January 25, 2022 minutes were approved with a 6 – 0 vote.

(00:10:39)

3.0 Information Items

Laura Weigel, Planning Manager, shared an update to the Middle Housing and Tree code City Council hearings, three hearings have been held all related to the proposed amendments to the tree code. The proposed middle housing code amendments will be discussed at the March 1 and 15 meetings. **Vera Kolias, Senior Planner**, added that Council has not yet deliberated on any proposed code amendments.

(00:11:45)

4.0 Audience Participation

No information was presented for this portion of the meeting.

(00:12:36)

5.0 Community Involvement Advisory Committee (CIAC)

No information was presented for this portion of the meeting.

(00:14:09)

6.0 Work Session Items

(00:14:10)

6.1 Oregon Senate Bill 458 – Code Amendments

Kolias shared background information on Oregon Senate Bill 458 (SB 458), the bill is a follow up on Oregon House Bill 2001 (HB 2001). SB 458 ensures expedited land divisions for middle housing enabling units to be sold or owned individually. SB 458 applies to all middle housing types but does not apply to accessory dwelling units (ADUs). SB 458 land divisions must result in one dwelling per lot with separate utilities for each dwelling, the bill does allow common areas to be located on separate lots or shared tracts. Additionally, all dwelling units must meet the requirements of the Oregon Residential Specialty Code. The bill requires an expedited review of qualifying land divisions which the City will meet through a Type II review with a compressed 63-day time frame.

Kolias continued, SB 458 allows jurisdictions to require frontage improvements, concurrent reviews from other departments, preliminary and/or final plats, and building permits. Consistent with other land division reviews the proposed code amendments will not require concurrent reviews from other departments. SB 458 states new lots created cannot be required to provide street frontage for new lots, parking or driveway to each new lot, or minimum lot sizes or dimensions. Further, the city can only review and condition approval for land divisions of middle housing on criteria noted in SB 458. SB 458 allows the City to require that a notation appear on the final plat that indicates approval was granted under SB 458.

Vice Chair Edge asked whether any child lot property could also have an ADU under the expedited land division proposed here or through a traditional land division. **Kolias** responded that they would not be allowed in the proposed expedited land division code. Further, some middle housing units may not be allowed under the traditional land division review as street frontage is an approval criterion. **Justin Gericke, City Attorney**, responded that SB 458 is not clear in that regard.

Vice Chair Edge asked whether appeals are subject to the compressed timeline and will be heard by the Planning Commission. **Kolias** responded yes, appeals must be confined to the 63-day compressed review period and they will be heard by the planning commission.

(00:40:58)

7.0 Planning Department Other Business/Updates

Weigel shared that staff is awaiting a response from the Confederated Tribes of the Grand Ronde about whether the Commission can use the same Native Lands Acknowledgment used by Council.

Weigel shared that Council is resuming in-person meetings March 1st and Commissioners can participate in future Planning Commission meetings either online or in person in Council Chambers but are not obligated to attend in person.

Chair Loosveldt asked for clarification regarding COVID protocols during in-person meetings. **Weigel** responded that individual vaccination statuses will not be checked and the City is following state guidelines, masking is currently required. **Gericke** added that capacity will be limited to ensure physical distancing in Council Chambers. **Commissioner Sherman** added that Council Chambers are equipped with sufficient technology to make a hybrid experience smooth for participation both in-person and via Zoom.

Commissioners Sherman, Edge, Massey, Khosroabadi, Erdt, and Loosveldt noted their support for a hybrid meeting format.

(00:54:00)

8.0 Planning Commission Committee Updates and Discussion Items

(00:55:19)

9.0 Forecast for Future Meetings:

March 8, 2022	1. Public Hearing: CSU-2021-005, MHS Reader Board Sign at 2301 SE Willard St
March 22, 2022	1. Public Hearing: R-2021-004, 8-lot Subdivision Replat at 10586 & 10610 SE Home Ave
April 12, 2022	1. Public Hearing: VR-2022-001, Setback Variance at 2807 SE Sherrett St 2. Public Hearing: Senate Bill 458 Code Amendments 3. Public Hearing: VR-2021-012, 9285 SE 58 th Dr

Meeting adjourned at approximately 7:18 p.m.

Respectfully submitted,

Will First, Administrative Specialist II